



Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

February 22, 2011, to December 7, 2011  
and Index

The Honourable Kenneth R. Kowalski, Speaker





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The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, February 22, 2011

Issue 1

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)  
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Johnston, Art, Calgary-Hays (PC)

Kang, Darshan S., Calgary-McCall (AL)  
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Knight, Hon. Mel, Grande Prairie-Smoky (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
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Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC),  
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Webber, Hon. Len, Calgary-Foothills (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC),  
Deputy Government House Leader

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Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
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Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
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## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1



### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
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Ron Liepert	Minister of Energy
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Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
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Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

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Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

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Chair: Ms Tarchuk  
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DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Fawcett  
Griffiths  
Hinman  
Lund  
Marz  
Taft  
Taylor  
Weadick  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
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Horne  
Lindsay  
Notley  
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Taft  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Anderson  
Elniski  
Hehr  
Leskiw  
Mason  
Oberle  
Pastoor  
Rogers  
VanderBurg  
Weadick

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

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Amery	Kang
Benito	Lindsay
Bhardwaj	McQueen
Boutilier	Olson
Calahasen	Sandhu
Dallas	Sarich
Doerksen	Taft
Drysdale	Xiao
Hinman	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Berger	McFarland
Calahasen	Mitzel
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Jacobs	Taylor
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Fawcett	Xiao
Griffiths	

### Standing Committee on Public Safety and Services

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Calahasen  
Cao  
Forsyth  
Johnson  
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### Standing Committee on Resources and Environment

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Hehr  
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### Select Special Ombudsman Search Committee

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Notley  
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## Legislative Assembly of Alberta

3:00 p.m.

Tuesday, February 22, 2011

**The Sergeant-at-Arms:** Order! All rise, please.

[The Clerk read the Royal Proclamation dated February 22, 2011, summoning the Members of the Legislative Assembly of Alberta to convene on this date]

**The Clerk:** Please be seated.

[The Sergeant-at-Arms left the Chamber]

**The Sergeant-at-Arms:** Order! Order! Mr. Speaker.

[Preceded by the Sergeant-at-Arms, the Speaker, accompanied by the officers of the Assembly, entered the Chamber and took the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome to the Alberta Legislative Assembly. Would you all please join with me in the opening day prayer.

Author of all wisdom, knowledge, and understanding, we ask Your blessings on all here present. We ask Your guidance in order that truth and justice may prevail in all of our judgments for the benefit of all Albertans. Amen.

I would now like to invite all to join in the singing of our national anthem. We'll be led today by Mr. Paul Lorieau, who is in the gallery in the top to my right. Would you please all join in the language of one's choice.

### Hon. Members and Guests:

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

**The Speaker:** Well, that was very well done. Please be seated.

### Entrance of the Lieutenant Governor

[The Premier, the Clerk, and the Sergeant-at-Arms left the Chamber to attend the Lieutenant Governor]

[The Mace was draped]

**The Speaker:** Ladies and gentlemen and hon. members, at this moment the Premier has departed for the Lieutenant Governor's suite to accompany the Lieutenant Governor back to the Assembly.

Today I'm going to introduce you to the Royal Canadian Artillery Band, which will provide us with a musical interlude, the details of which are in your program. The RCA Band, Canada's oldest regular army band, was formed in Quebec City in 1879. It was subsequently stationed in Montreal and Halifax. It has seen service in both world wars and in Korea, and it has travelled extensively across Canada and beyond our borders. This band was reconstituted in Edmonton in 1997 and is today under the direction of Captain Eric Gagnon, CD, who is in the Speaker's gallery. Maestro.

[The Sergeant-at-Arms knocked on the main doors of the Chamber three times. The Assistant Sergeant-at-Arms opened the doors, and the Sergeant-at-Arms entered]

**The Sergeant-at-Arms:** Ladies and gentlemen, all rise, please.

Mr. Speaker, His Honour the Honourable the Lieutenant Governor awaits.

**The Speaker:** Sergeant-at-Arms, admit His Honour the Honourable the Lieutenant Governor.

[A fanfare of trumpets sounded]

[Preceded by the Sergeant-at-Arms, His Honour the Lieutenant Governor of Alberta, Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, and Mrs. Ethell, their party, the Premier, and the Clerk entered the Chamber. His Honour took his place upon the throne]

### Speech from the Throne

**His Honour:** Pray be seated.

### Building a Better Alberta

**His Honour:** Hon. members and distinguished guests, welcome to the Fourth Session of the 27th Alberta Legislature. It is my honour to deliver the Speech from the Throne, as it is my honour to serve Albertans as Lieutenant Governor.

This position follows a career that has taken me all over the world, including Europe, the Middle East, Central America, and the Balkans, as a soldier and proud member of the Canadian armed forces. [applause] After my military career ended, I served as a volunteer with humanitarian groups helping refugees and children in need in Africa.

In all these posts I saw many tragedies, including hunger, disease, conflict, violence, and war. I also observed the triumph of the human spirit, where people of commitment and compassion worked together to make their communities and their countries stronger. These experiences filled me with gratitude to live in a country and a province so blessed as Canada and Alberta are. They reaffirmed the values of citizenship and service to others, and they underscored the absolute necessity of democracy and the rule of law.

This is the background I bring to the post of Lieutenant Governor. These are the values I will work to promote through my service. And it is here in this Legislature where those values will guide the people Albertans have entrusted with public office. It is here where the people's business is conducted. Let it be done with diligence and wisdom, with honour and respect, and with God's guidance, for surely the times in which we live demand no less of our elected leaders.

As Alberta takes its first steps from recession to recovery, fundamental changes are happening in the global economy. Our province must change, too, if it is to flourish in the new economy, just as it did in the old.

Albertans look to their government to lead the way, to survey the landscape of both the short term and the long term and plan accordingly, to build a better Alberta so that the province our children and grandchildren inherit is as full of opportunity for them as it has been for us. Ladies and gentlemen, your government is committed to investing in Alberta's future so our great province can realize its full potential.

### Meeting the Challenges of a Changing Global Economy

As 2011 begins, the world is slowly emerging from the shadow of the worst recession since the Great Depression. As that event forever changed the world, so too is the recession that began in 2008 reshaping the economic landscape in which we live. Being successful in the postrecession world will mean doing things very differently from how we've done them in the past.

The sustainability fund, money saved during good times, is helping to blunt the sharpest edges of the recession, but it won't last forever. We must use this opportunity to move forward and prepare for the future.

### The New Importance of Asia

Our province has relied heavily on a single customer, the United States, which buys about 85 per cent of our province's exports. If Alberta is to grow to its greatest potential, we need to diversify our product development through technology and take advantage of other markets.

A major opportunity exists to expand trade and investment with Asia. This region is home to some of the world's largest and most diverse markets. Bill 1 of this legislative session will be dedicated to enhancing Alberta's linkages with Asia, including priority markets such as India, China, Japan, and Korea. The Asia Advisory Council Act, if passed, will create a council that will make recommendations to government on ways to expand business, education, and cultural relationships between Alberta and Asia.

Western Canada has the products these markets need. The vast agricultural, mineral, forestry, and energy resources of Alberta, British Columbia, and Saskatchewan will underpin Canada's economy in the 21st century. It is in the national interest that western Canada has improved port capacity, whether by pipeline or rail, that will open the door to Asia's rapidly growing markets. Also necessary is improved direct air service to these markets so that trade and investment can flourish.

### Investing in Infrastructure

Infrastructure is a critical foundation for our province's future. It is an economic enabler and a driver of competitiveness, and it helps support the quality of life Albertans enjoy. Albertans learned the false economy of delaying infrastructure investments in previous downturns. When growth returned, we were unprepared, struggling to catch up and paying inflated prices.

Now is the best time to invest in infrastructure. Thanks to the billions of dollars Alberta saved in the sustainability fund, instead of falling behind, we are catching up and planning ahead. We are keeping people working and making our dollars go further, but most importantly Alberta will have the facilities it needs now and when growth returns.

The government will continue to look to the 20-year strategic capital plan to build priority public infrastructure such as schools, hospitals, roads, and long-term care facilities, with the goal of having the most advanced infrastructure in North America. We will build new hospitals and renovate existing health facilities in communities such as Grande Prairie, Lethbridge, Red Deer, Medicine Hat, Edson, High Prairie, Sherwood Park, and others. We will also embark upon major redevelopment and expansion of cancer care services in Calgary and Edmonton.

Your government will invest in major economic corridors such as the twinning of highway 43 near Sturgeon Lake, the ongoing twinning of highway 63, and major highway investments within Fort McMurray, and we will move forward with construction of the Edmonton and Calgary ring roads.

Almost 90 per cent of the Edmonton ring road will be completed when the northwest section of Anthony Henday Drive opens this fall. Five new interchanges in the southwest will remove all the traffic lights to make the entire stretch of the freeway free flow. Your government continues to move forward on the final phase, the northeast section, with a P3 process that will begin this year. In Calgary work continues on the southeast section of Stoney Trail, which will open to traffic in the fall of 2013. Completion of the two interchanges on the northwest leg, which will make this section free flow, will be done by fall 2012.

### Boosting Our Competitiveness

Our province's long-term prosperity depends on our industries being globally competitive, productive, and diverse. Alberta must make every effort to create an environment where entrepreneurship, productivity, and investment thrive.

Last year this Legislature passed the Alberta Competitiveness Act, creating a partnership between government and industry to help position Alberta as one of the most competitive economic jurisdictions in the world. The resulting government- and industry-led Competitiveness Council has analyzed our province's competitive strengths and weaknesses. It will report to government in the next few months with recommendations to enhance Alberta's ability to compete in the global marketplace. These recommendations for both government and industry will be implemented in the short term, with measurable results anticipated in the next three to five years.

Effective regulation of financial securities is essential to the expansion and smooth functioning of capital markets and the economy. Canada's passport system for securities regulation has been rated as one of the best regulatory systems in the world by objective and independent international organizations, including the World Bank. In the interest of maintaining a system that is working well, Alberta together with Quebec, Manitoba, and Saskatchewan is challenging the unprecedented attempt by the federal government to take control of this area of provincial jurisdiction. Having made our case before both the Alberta Court of Appeal and the Quebec Court of Appeal, Alberta will next take its challenge to the Supreme Court of Canada later this spring.

We will also continue to urge the federal government to abandon its present course of action in favour of supporting the existing provincially administered national system. The persistent negative public comments about the passport system are unwarranted and serve to undermine the confidence in capital markets that the federal government says it is trying to protect.

Reducing red tape is another key to improving Alberta's competitiveness. While rules and regulations are required in the interest of public health, safety, and environmental protection, it is important that they not create unnecessary and costly burdens that limit the ability of business to create jobs.

One area of particular concern has been the energy sector. With the help of stakeholders government has extensively reviewed the oil and gas regulatory system to create a more modern, flexible, and efficient system. Implementation of the changes identified will begin this year. Smart regulation achieves public objectives to protect our environment and the high standards Albertans demand. It also provides clarity and predictability so business can invest and compete with confidence.

### Making the Most of Our Resources

Being competitive also means making the most of the advantages we have. These include our abundant resources: energy, wood fibre, and food products grown on our rich, productive land.

## **Renewed Confidence in Oil, Gas, and Oil Sands**

Changes to the royalty system have led to renewed confidence in oil and gas exploration, and for the first time in this province's history land sales exceeded \$2.3 billion in a calendar year. This shows that Alberta continues to be competitive in attracting new investment. It also means new jobs for Albertans and new opportunities for industry and sends a strong signal to the world that our province is a safe, effective place to do business. That this message has been heard is evidenced by renewed interest in Alberta, particularly in the oil sands, by a variety of international companies.

Your government will continue to implement Responsible Actions, Alberta's 20-year strategy for the oil sands. It will also continue to address growth pressures brought on by oil sands development and will lead the process to develop a comprehensive regional infrastructure plan for the Cold Lake oil sands area.

## **Adding Value to Raw Resources**

Your government is also taking action to ensure that Albertans receive the most benefit possible from energy development as resource owners. The bitumen royalty in kind program, for example, will allow Alberta to seek out opportunities for adding value to bitumen here in our province. This will help diversify our economy, create jobs for Albertans, and provide spinoff opportunities for businesses along the supply chain.

Value-added upgrading also holds the potential to create more energy revenues for the province. By integrating carbon capture and storage technology, carbon dioxide from upgraders can be used to revive depleting oil reservoirs. This process is called enhanced oil recovery. It is estimated that an additional 1.4 billion barrels of oil can be produced using this technology. To put it in more familiar terms, Alberta could produce more conventional oil in the future than it has already produced in the past. This could generate up to \$25 billion in additional provincial royalties and taxes.

## **The Future of Forestry**

In recent years Alberta's forest industry has felt the impact of a devastated U.S. housing market and economy. As in other sectors, the journey back to prosperity begins with diversifying both products and markets. Government will work with the forest industry to develop a road map to do both these things, including using wood fibre in the emerging bio-economy, especially in renewable energy and fuels. This road map will help companies make efficient use of fibre and build a bridge to a more sustainable future for this renewable resource.

Government will also continue to respond aggressively to the triple forest threats of wildfire, insects, and disease. We saw some success in the war on the mountain pine beetle last year thanks to an aggressive provincial control program, with some help from Mother Nature.

## **Agriculture and Rural Communities**

Alberta's agriculture and agrifood industries are key economic drivers of our province, especially in rural communities. Over the next two decades hundreds of millions of people in the emerging markets of China and India will rise out of poverty and demand a quality of life that comes closer to what we enjoy here in Canada. The opportunity for Alberta and its western neighbouring provinces to provide food will usher in a period of opportunity and rising prices for Alberta farms.

Access to reliable broadband Internet service is vital to maintaining Alberta's competitive advantage. Government is working

to complete the final mile to bring broadband access to every Alberta home.

## **Educating the Workforce of Tomorrow**

Of all Alberta's natural resources, none is more valuable than our people. It is our ethical citizenship, engaged thinking, and entrepreneurial spirit that have made Alberta prosperous today and which are the foundation of tomorrow's promise. These are the qualities our education system must instill in our children as they grow into young adults, enabling them and our province to reach their full potential.

Alberta's education system leads the world today, but we must not become complacent. Our system must evolve if we are to continue to be leaders tomorrow. This means continuing to build capacity for local decision-making and fostering broader community engagement.

Your government will continue to implement a vision for an inclusive education system that supports students with special needs. We will equip the education system to offer students more flexible, engaging, and personalized learning, and we will continue to build the teaching profession: recruiting, preparing, and supporting the best and the brightest in becoming and remaining teachers.

## **Becoming a Hub of Creative Thinking**

Through Campus Alberta and Alberta Innovates we will continue to show the world how our province is becoming a hub of creative thinking, where innovation turns ideas into reality and where research moves from the lab to the marketplace. We will continue to beckon the world's best researchers, innovators, entrepreneurs, and investors to join us in areas of strength such as energy and the environment, biotechnology and bio-industries, and health research, and we will continue to foster ever-stronger global partnerships to build new markets for traditional and emerging sectors as well as innovations not yet imagined.

## **Investing in Our Workforce**

To build a strong future, Alberta needs a skilled workforce. While unemployment remains an issue for thousands of Albertans, we know that in the future it will become increasingly difficult to find skilled people. Demographic change means that we will soon see more workers retiring than entering the workforce. Given the growing demand for workers and the limited available supply we expect that Alberta will be short 77,000 workers over the coming decade.

To help prepare for this situation, government will update the 2006 Building and Educating Tomorrow's Workforce strategy to adjust to current labour market needs. An important component of this strategy will continue to be ensuring jobs for Albertans before looking beyond our borders. Mature workers who choose to stay in the workforce must be supported, and groups that are underrepresented in the workforce such as aboriginal Albertans, people with disabilities, immigrants, and young people must be given every opportunity to contribute their skills and help our province grow.

Alberta workplaces are even more productive when they are safe. Work on government's 10-point plan on occupational health and safety will continue, with additional efforts in transparency, education, and enforcement. Alberta's workplace injury rate has been declining steadily for nearly 20 years, but there is still room to improve. We want all Albertans to come home safely from work every day.

### **Balancing Development and Conservation**

Albertans know that economic development and environmental protection are not a trade-off. We can and must have both. And just as we plan for economic development, we must also plan for a healthy environment.

No longer can we look at single elements of the landscape in isolation. We must recognize the cumulative impact of all development within a region, and we are working to ensure these activities are being co-ordinated to have the least impact on our land, air, and water and all the species that use them.

Similarly, we recognize and value the long-standing rights of landowners, who have been forces for both economic development and ecosystem conservation in our province. Partnership with landowners is critical to our success.

Good planning will provide for responsible growth in our province, especially where there are competing interests on a finite land base. That's why your government has created the land-use framework. It is not intended to stop growth but to provide for co-ordinated planning and protect the environment.

### **Planning for a Healthy Environment**

Alberta also continues to develop regional plans based on our province's watersheds to manage growing economic, environmental, residential, and recreational demands on our province's land base.

This year, after further consultation, we expect to complete the first regional plan for the lower Athabasca area in northeast Alberta, which includes the oil sands. Among its objectives the plan will identify conservation areas, required in part to support a new policy to manage recovery and stabilization of woodland caribou.

Government is taking steps to ensure that legislation to support the development of regional plans fully respects landowner rights.

### **World-class Monitoring of the Oil Sands**

Alberta's oil sands continue to be a topic of global conversation. Your government is working to share information about our clean energy efforts with our neighbours across Canada and around the world. We are changing perceptions of how we are managing one of the world's largest proven oil reserves, and we remain committed to demonstrating that Alberta is a leader in responsible energy production and environmental stewardship.

Alberta has created a panel of respected experts to make recommendations for developing a world-class monitoring, evaluation, and reporting system for all environmental media, including air, land, water, and biodiversity. The panel will report back to government by June 2011 with recommendations for a system Albertans can proudly hold up to international scrutiny.

Your government has built the foundation for this system with a transition over the past several years to cumulative effects management, which moves beyond examining developments on a project-by-project basis to look at the combined impacts of both existing and planned development on an entire region.

The oil sands area will serve as a pilot for the new monitoring system. We know our monitoring efforts must be robust, transparent, and adaptable. Most of all, they must be credible. Building a reliable system for the future requires third-party review, validation, and involvement. It's what Albertans expect and what we intend to deliver.

### **Watching Our Water Use**

Water is a precious resource that belongs to all Albertans. As

our economy and population grow, Albertans will need a long-term plan to ensure wise use and conservation of water.

A groundwater mapping and inventory program is currently under way in partnership with the Alberta Geological Survey. We are also working with land-use planners, watershed councils, and stewardship groups to share knowledge, enhance resource protection, and improve groundwater management.

### **Climate Change and Clean Energy Technology**

Alberta is seizing the opportunity to be a global leader in clean energy technology. Your government pioneered North America's first regulatory system to reduce industrial greenhouse gas emissions, and it was designed to encourage innovation in our province. The system has achieved more than 17 million tonnes of reductions from business-as-usual to date and has collected \$186 million into the climate change and emissions management fund. We will continue to invest millions of dollars from this fund into unique, transformative projects to produce cleaner energy from fossil fuels, improve energy efficiency, explore renewable energy strategies, and develop advanced carbon capture and storage technology in our province.

Alberta is also working with industry to develop four commercial-scale carbon capture and storage projects. Together they will capture and store 5 million tonnes of carbon dioxide in underground formations by 2015. Alberta's geology is well suited to this purpose. We have many formations that have held hydrocarbons safely for thousands of years.

Your government's vision for a clean energy future will create entirely new business markets in which Alberta-made, climate-friendly technology solutions are marketed around the world. Alberta will continue to work diligently on reducing greenhouse gas emissions in ways that produce tangible benefits for our province and its people now and in the years ahead.

### **Building Canada's Best-performing Publicly Funded Health System**

Your government will continue building on the Premier's vision of creating Canada's best-performing publicly funded health system right here in Alberta. That vision means Albertans will have better access, shorter wait times, and safe, quality care when they need it, and it means we will adhere to the principles of the Canada Health Act.

### **Becoming the Best**

Moving forward with the actions in *Becoming the Best: Alberta's 5-Year Health Action Plan* will help us achieve that vision. The plan contains the most ambitious and comprehensive set of commitments to improve access to health care in Canada. It is supported with clear performance measures and five-year performance targets. It puts people first by addressing the health needs of patients, families, and communities.

Under the health action plan another 1,000 continuing care spaces will be added this year to provide Alberta seniors with more choice and greater independence. We will add at least 5,300 continuing care spaces by 2015. This is the largest expansion of continuing care spaces ever planned in our province, and fittingly it begins as the first of the baby boomers turn 65.

We will launch a co-ordinated provincial cancer strategy to reduce the incidence of cancer, increase access to cancer treatment across Alberta, and improve the quality of life for those living with the disease. The strategy will address immediate and future

needs for prevention, detection, and treatment of cancer as well as workforce requirements.

As part of the health action plan we will also announce a comprehensive addiction and mental health strategy for the province. It will provide Albertans with timely access to addiction and mental health services and programs and better integrate mental health and addiction services into the overall health system.

The health action plan is backstopped by the first-of-its-kind five-year funding commitment for Alberta Health Services. That commitment, which includes a 6 per cent increase in health funding for 2011-12, provides stable, predictable funding to ensure the action plan's commitments become reality. We have also earmarked \$2.6 billion over three years to expand, upgrade, build, and equip additional health care facilities.

### **Implementing the New Alberta Health Act**

The new Alberta Health Act and the health charter currently being developed provide for all Albertans to have access to the services of primary care teams. As part of our commitment to strengthen primary health care, Albertans will have access to a primary care team and a basic suite of health care services on a timely basis. Over time this initiative is expected to greatly shorten wait times and improve quality throughout all levels of the health care system.

Albertans will also continue to have a say in their health system. Our government will gather input on a health charter and the regulation to establish a health advocate, with a view to proclaiming the new act and appointing a health advocate later this year.

### **Safe, Vibrant Communities**

Even during the economic downturn Alberta has remained a place of safe, vibrant communities, where Albertans in most need are protected and cared for. Government will continue to ensure that programs and services are in place to support vulnerable and at-risk children, youth, families, and seniors.

### **Caring for Albertans Most in Need**

This session legislation will be introduced to strengthen protection for victims of family violence and to hold accountable those who violate protection orders. These amendments will make Alberta's penalties for such violations among the strongest in Canada.

We will work with municipalities and service organizations on a co-ordinated approach to meet the needs of Alberta's growing urban aboriginal population.

While keeping costs down through a competitive tendering process, we will continue to partner with nonprofit organizations, the private sector, and municipalities to further support the development of 11,000 affordable housing units by 2012. Another 500 homeless Albertans will receive supports, services, and permanent housing to help them on the road to independence.

Although most Albertans and other Canadians are prudently saving for retirement, there is a significant minority who may not have enough savings to maintain their standard of living after retirement. The Alberta government will continue to be a leader in efforts to improve prospects for future retirees. Building on a concept first championed by our government, Alberta will work closely with federal, provincial, and territorial governments this year to develop standards and legislation to allow for new types of registered pension plans for self-employed people and other workers who do not have workplace pension plans.

### **Making Communities Stronger and Safer**

Your government knows that sustainable and accountable municipalities, where all Albertans can enjoy a high quality of life, are important to Alberta's success. That's why Alberta is committed to building the municipalities of the 21st century.

We remain committed to our partnership with municipalities on the municipal sustainability initiative, a program that has supported more than 2,100 municipal infrastructure projects, and we remain committed to continuing the excellent work begun under the Alberta safe communities initiative. Alberta's gang reduction strategy will be implemented to address one of the leading causes of violent crime in the province.

Your government will also introduce legislation that will allow police agencies to have greater access to information when conducting missing persons investigations.

The Alberta government remains committed to building a state-of-the-art public safety and law enforcement training centre in Fort Macleod. It will support Alberta's new law enforcement framework and ensure consistent standards of training and skills among law enforcement personnel from across the province. Construction of the training centre is expected to commence by summer 2012.

### **Showcasing Our Province**

Ours is a province with an amazing story to tell. Through Alberta Arts Days, September 30 to October 2, 2011, we will continue to showcase and celebrate the rich diversity of arts, culture, and heritage throughout our province.

Your government will continue its efforts to showcase Alberta as the place for television, motion picture, and digital media productions, offering a unique mix of talent, scenery, and the facilities to make movie magic.

### **Conclusion**

Alberta has come through the recession better than just about anywhere else. While other jurisdictions were piling on debt, raising taxes, or cutting programs, Alberta stayed true to its plan. Our operating budget is balanced, cherished public programs and services have been not only protected but strengthened, and we are continuing to build our infrastructure to enable future growth. But Albertans are not content to simply ride out the storm. We know that past success does not guarantee future prosperity, and like those who first built our province, we must continually strive to be more effective and innovative in everything we do.

We must boost the competitiveness of our economy and work to develop new markets in Asia and elsewhere.

We must diversify our products and industries while bolstering our foundations in energy, forestry, agriculture, and tourism.

We must keep investing in infrastructure and in the education of our people to find tomorrow's innovations and foster future economic growth.

We must be a leader in responsible energy production and environmental protection.

We must build a health care system that provides the care Albertans need when and where they need it.

And we must continue to build safe, vibrant communities, where those who are most in need are supported and where all Albertans can participate in the economic, social, and cultural life of our province.

Finally, we must do these things while protecting the fiscal advantages Albertans have worked so hard to build.

This is your government's plan for the way forward out of recession and into recovery and beyond. It's a plan that fulfills all the promise of our wonderful province and recognizes the amazing potential that is yet to be realized. It's a plan to build a better Alberta for all Albertans.

Thank you, ladies and gentlemen, and may God bless you all.

God bless Alberta.

God bless Canada.

God save the Queen. [Standing ovation]

**The Speaker:** Ladies and gentlemen and hon. members, I would now invite Mr. Paul Lorieau to lead us in the singing of *God Save The Queen*. Please remain standing after.

**Hon. Members and Guests:**

God save our gracious Queen,

long live our noble Queen,

God save The Queen!

Send her victorious,

happy and glorious,

long to reign over us;

God save The Queen!

**The Sergeant-at-Arms:** Order!

[Preceded by the Sergeant-at-Arms, Their Honours, their party, and the Premier left the Chamber as a fanfare of trumpets sounded]

**The Speaker:** Please be seated.

[The Mace was uncovered]

**The Speaker:** Ladies and gentlemen and hon. members, the Premier is currently escorting the Lieutenant Governor back to his suite. I'll use this opportunity just to provide you with a bit of information.

Earlier this afternoon a new carillon was inaugurated as the first step in one of the many preparations and events as we move toward September 3, 2012, and the 100th birthday of this Alberta Legislature Building. September 1, 1905, saw Alberta created as a province. Construction of the Alberta Legislature, this building, began in 1907 and was completed five years later, with an official opening date of September 3, 1912. Fifty-five years later a carillon was installed to commemorate Canada's centennial in 1967. The dedication ceremony was held on December 1, 1966, and the carillon played daily for 29 years before the original carillon went out of service.

After some 15 years of silence we today inaugurated a new carillon. Music will once again emanate from this building. The carillon will be heard daily at noon and 6 o'clock p.m., and it will strike the Westminster chime on the hour, followed by 15 minutes of musical selections. It will continue until we are inundated with numerous complaints from residents in the area about the unwarranted intrusion into the quiet of their lives. So, Mr. Mayor, should there be complaints, please direct them this way.

I'd like to publicly thank the previous minister of Alberta Infrastructure and the current minister of Alberta Infrastructure for their enthusiastic support for this project. Thank you both, gentlemen. [applause]

Celebration and commemoration of activities in our history is extremely important. For those who sit to my left – it will be more difficult for those who sit to my right – if you turn your attention to the centrepiece on that particular wall, there is a beautiful window, done and donated by the city of Edmonton to celebrate the 100th anniversary of the province of Alberta. The city council of Edmonton generously started to work with us several years ago. It

depicts Princess Alberta, the history of Alberta, it depicts the North Saskatchewan River, and it's seen best in the early morning as the dawn sun arrives. It's a magnificent gift and part of the history of the province of Alberta.

Now, the Premier will return very, very shortly. Please take this opportunity to say hello to your neighbour.

[The Premier returned to the Chamber]

## Tablings

**The Speaker:** I have the honour now to table a copy of the Speech from the Throne given graciously by His Honour the Honourable the Lieutenant Governor.

## Introduction of Bills

**The Speaker:** Mr. Premier.

### Bill 1

#### Asia Advisory Council Act

**Mr. Stelmach:** Thank you, Mr. Speaker. I request leave to introduce Bill 1, the Asia Advisory Council Act.

Bill 1 really builds upon Alberta's efforts to gain better market access to markets, especially Asia. Alberta cannot sustain superior economic prosperity by relying on the fragile growth in the United States. We must diversify our markets. We must further our relations with key markets such as China, Japan, Korea, and India.

We must tap into the future potential of these markets, where hundreds of millions of people seek a better quality of life, people that want our energy, our food, our wood fibre, products to raise their standard of living. With new investment and with new export markets we will create a wealth unlimited – unlimited – in opportunities for this province.

This is at the core of Bill 1. If passed, Bill 1 will establish a council of 10 members who will represent a cross-section of organizations, cross-sections of interest as well such as business, cultural, and academic communities. The council will provide advice. It will also provide a perspective as Alberta deepens our economic ties with the region. These expanded relationships are critical to sustaining success and prosperity for Albertans now and well into the future.

Thank you, Mr. Speaker.

[Motion carried; Bill 1 read a first time]

## Motions

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Thank you, Mr. Speaker. I now move that the speech of His Honour the Honourable the Lieutenant Governor to this Assembly be taken into consideration on February 23, 2011.

Thank you, Mr. Speaker.

[Motion carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. It is my privilege to move that the House do now adjourn until Wednesday, February 23, 2011, at 1:30 p.m.

[Motion carried; the Assembly adjourned at 4:07 p.m. to Wednesday at 1:30 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday, February 23, 2011

Issue 2

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, February 23, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. From our forests and parklands to our prairies and mountains comes the call of our land. From our farmsteads, towns, and cities comes the call of our people that as legislators of this province we act with responsibility and sensitivity. Grant us the wisdom to meet such challenges. Amen.

Please be seated.

### Statement by the Speaker

#### Rotation of Questions and Members' Statements

**The Speaker:** Hon. members, before we begin the Routine of the day, just a few brief comments with respect to three housekeeping matters. First of all, I'd like to bring to everyone's attention a few slight modifications in the rotation of questions and members' statements. The agreement reached amongst House leaders on the rotation of questions in October of 2010 continues, with the only change being that the Official Opposition is entitled to the 19th question on day 4, which means that they have that position, should we reach it, on days 2 and 4 of our rotation.

Secondly, the Member for Calgary-Currie, who was identified as an independent last session, is now the sole member of the Alberta caucus, but his entitlement to questions and members' statements remains the same. As this is day 1 in our rotation, he will be entitled to the sixth question today.

With respect to members' statements, House leaders agreed to assign the second member's statement each day to opposition members but did not specify the rotation. Attached to the Speaker's procedural letter to members of the Fourth Session of the 27th Legislature, dated February 18, 2011, was a projected sitting days calendar, which contains in highlighted yellow the caucus that is entitled to the second member's statement each day. Anyone wishing a copy of this calendar can contact my office or the bills and *Journals* clerk. No one has contacted the Speaker's office to suggest an alternative rotation, so the one provided will be followed.

### Introduction of Guests

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

**Mr. Prins:** Thank you, Mr. Speaker. It's a real honour and a privilege for me to introduce a number of students and parents and teachers from the Iron Ridge junior campus in Blackfalds. Today we have a total of 63 visitors: 59 students and their teachers Mrs. Ashley Kovitch, Mr. Bill Carter, Miss Sara Duncombe, who is a student teacher, and a parent helper, Mrs. Mary Dawn Eggleton. They are seated in the members' gallery, and I'd ask that they rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you a group of students from my constituency of Edmonton-Ellerslie from Meyonohk elementary school. The students are participating here in the School at the Legislature, and I had the opportunity to

meet them yesterday afternoon in the rotunda. I wish them a very informative week. At this time I would like to ask the students; their teacher, Ms Allison Sylvester; Alishia Michalenko, who is a student teacher; and all of the volunteers to please rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Rogers:** Thank you, Mr. Speaker. I have two sets of introductions today. It is my pleasure to introduce to you and through you to all members of the Assembly 43 of Alberta's brightest and best students from l'école J.E. Lapointe school in the beautiful community of Beaumont in my constituency of Leduc-Beaumont-Devon. These 43 bright young leaders of tomorrow are accompanied by their teachers Mrs. Brigitte Marshall and Mrs. Danielle McCallion. They are seated in the public gallery, and I would ask that they rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I'm also pleased to introduce to you and through you to all members of the Assembly several special guests joining us today from the Association of Professional Engineers, Geologists and Geophysicists of Alberta. They are seated in the members' gallery. With us today we have Dr. Fred Otto, P.Eng., a former dean of the Faculty of Engineering at the University of Alberta and past president of APEGGA; Dr. Gordon Williams, P.Geol., past president of APEGGA; Mr. David Rumbold, P.Eng., who served as the chair of APEGGA's Act, Regulations and By-laws Committee for a number of years; and Ms Pat Lobregt, APEGGA's manager of executive and external liaison. I would also like to introduce a senior member of the Employment and Immigration department staff, Mr. Adrian Pritchard, who is also joining our guests. He is the director of professions and occupations. I would ask that our guests, seated in the members' gallery, please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. Today it is my honour and pleasure to introduce to you and through you to all members of this Legislature my very supportive wife, Sherry Drysdale, and a very close friend, Terri Head. It gives me great confidence in the future of our province when I see young people such as Terri showing leadership in our community. Some of her involvements are as campaign director for United Way, a board member for the Grande Prairie ski hill, involvement in the Grande Prairie Stompede Association, and she has been a member of the winning team of the ladies provincial hockey championship for the last two years in a row. I'd like to think she learned all these skills by being involved in 4-H while she grew up. I would ask that they please rise and receive the traditional warm welcome of this Assembly.

**Mr. Hehr:** Mr. Speaker, it's my pleasure to introduce to you and through you to all members a delegation of concerned parents from the town of Morinville. I will ask my guests to please rise as I say their names: Mrs. Donna Hunter, Mrs. Marjorie Kirsop, Mrs. Jessica Logan, and Mr. David Redman. My guests have come here today in support of a secular public education option in Morinville. Please offer them the traditional warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Lougheed.

### Heritage Classic Hockey Game

**Mr. Rodney:** Thank you, Mr. Speaker. Like millions of kids clear across the country I have my dad to thank for my love of hockey. When I was a toddler, he built a rink in our backyard for everyone in the neighbourhood, and through my youth he coached our teams. We went from pond hockey to international tournaments to charity events on NHL ice. My wife, Jen, and I are now proud to pass on these traditions to our beautiful boys, Dawson and Evan.

Similar stories are told across the province. I'd like to just share a few examples. Malcolm Sills, Colin Patterson, and Perry Berezan orchestrated the Flames alumni charity three-on-three event for an entire decade. Pat Grogan and his crew organized the third annual outdoor tournament last month, with proceeds going to the Millarville community school. It was 37 below on the first night, and the first time the puck hit the post, it shattered, so the pieces now have a permanent place on the trophy.

This past weekend the Calgary Flames' president, Ken King, and his entire organization hosted the extremely successful Heritage Classic. Ken appreciates that the league chose Alberta as the host of the only two outdoor NHL games ever played in Canada. He's been quick to honour Edmonton for their efforts eight years ago and is eager to thank Calgary's hockey fans and the McMahon Stadium Society as well as the Calgary Stampeders.

The game was played outdoors but telecast in 3-D TV, and the entire hockey world focused on Calgary and Alberta. The immediate economic boost was huge, and the tourism benefit will be enjoyed long into the future. Over 41,000 fans braved the cold as the Flames shut out the Canadiens 4 to nothing. Over the course of a week hockey was celebrated at all levels, from current pros to alumni to junior to the general public. Most of all, Mr. Speaker, Albertans had fun, and I thank all who continue to build invaluable community spirit through the great game of hockey.

Thank you, Mr. Speaker.

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

### 1:40 Workers' Compensation Exemptions

**Mr. Chase:** Thank you, Mr. Speaker. The foundation of the modern workers' compensation system is the Meredith principle, which basically holds that all workers are entitled to compensation in the case of workplace injuries. In exchange, workers lose the right to seek redress through the courts. What many Albertans may not realize, however, is just how many workers are excluded from the protections of the workmen's compensation system in Alberta.

According to Employment and Immigration's annual report on occupational diseases and injuries the provincial Workers' Compensation Board extends coverage to 80 per cent of Alberta's workforce, a figure that is consistent going back a number of years. That means that 20 per cent, or one-fifth, of the province's workforce, approximately 40,000 Albertans, are not covered by WCB.

The workmen's compensation regulation provides a list of exemptions as schedule A. The list of exempted industries goes on for five and a half pages. Two hundred occupations and industries fall outside of our workers' compensation system. Everything from operating a golf course, running a laboratory, offering tutoring services makes the list. Insurance adjusters, optometrists, secretaries, bankers, charity employees: all and more are excluded. Of course, paid farm workers in this province continue to be excluded not only from Alberta's workmen's compensation laws but occupational health and safety laws as well. Alberta is alone in

this country when it comes to excluding paid farm workers from these laws.

Mr. Speaker, while there are certainly valid reasons for exemptions for certain occupations, the principles that workmen's compensation is founded on and should be founded on are inclusiveness and comprehensiveness for as many employed Albertans as is reasonably possible. This, unfortunately, is not the case today in Alberta. Neither should the 80 per cent of employees supposedly covered assume that they will be fairly compensated in the event of an injury. Severely reduced or denied WCB claims account for a significantly large portion of constituency casework. Alberta's hard-working men, women, and their families deserve better.

**The Speaker:** The hon. Member for Calgary-Mackay.

### Roots & Connections Online Resource

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. Earlier this month I had the privilege of speaking at the launch of the Roots & Connections online resource at NorQuest College in Edmonton. Roots & Connections is a new and innovative guide for teachers and volunteers teaching English in rural Alberta communities. Based on the existing English-language curriculum, this resource also includes materials to help teachers reach out to new immigrants as they try to settle into their new homes. The teacher becomes a cultural link between the learner and the new community.

The Roots & Connections resource has been piloted in four rural communities across Alberta with great success. One of the pilot community teachers said that the resource is easy to use and is a great way to introduce rural communities to new Albertans. Learners were able to ask for community services directly, talk to community members, and described gaining a sense of confidence over time.

Roots & Connections also has the potential to contribute to the development of stronger communities by increasing everyone's awareness about the cultural, social, and linguistic adjustments that newcomers need to make. Strong and diverse communities are an important part of the fabric of our province. I'm very glad to see that a resource such as this one is being built as it will strengthen our communities. The government of Alberta is a proud supporter of this innovative project to support new immigrants as they build roots in our beautiful province. Roots & Connections materials are available online at [www.norquest.ca](http://www.norquest.ca).

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-North Hill.

### Inner-city Community Renewal

**Mr. Fawcett:** Thank you, Mr. Speaker. I'd like to take this opportunity to recognize the city of Edmonton for their decision to form the recently announced Community Sustainability Task Force. The task force, which includes the hon. Minister of Education, will recommend solutions pursuant to the long-term sustainability and vitality of Edmonton's mature inner-city communities.

Mr. Speaker, the unique challenges faced by older inner-city communities are not that different in Edmonton than they are in Calgary. Many of these communities are located in my constituency of Calgary-North Hill. These communities have seen significant transformations as they have matured, including changing demographics and an aging built environment. The services and supports they require are in many cases different from those of newer communities as well as those of communities in smaller cities.



Managing these pressures and, likewise, embracing the opportunity to create a sustainable future for these communities must have the support of all levels of government but, most importantly, must engage community members in the process of reinvigorating their own communities. Too often the different levels of government and their various departments operate in silos without the necessary collaboration amongst themselves and with communities. Mr. Speaker, this tends to stifle innovative ideas developed by communities and discourage engagement. In the end these communities don't care what level of government is delivering services. They just want to be supported in transforming their community into the best that it can be for them and their families.

For mature, inner-city communities within my constituency these challenges are unique, and the solutions are not always obvious. The standard policy approach does not always work. Sometimes we have to reassess current practices and think creatively. Recognizing this fact is the first step to charting a course for the future of our inner-city communities. It is my hope, and I would encourage that the city council in Calgary keep a close eye on the task force findings and perhaps consider forming a similar task force to work in conjunction with Edmonton's initiative.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Strathcona.

### World's Longest Hockey Game

**Mr. Quest:** Thank you, Mr. Speaker. It's my pleasure to rise today and recognize and congratulate the participants in the world's longest hockey game, which finished on Monday. The game, organized by Dr. Brent Saik, took place continuously over a period of 10 days in Strathcona county. Dr. Saik lost both his father, Terry, and his wife, Susan, to cancer and has hosted this event in order to support the Alberta Cancer Foundation.

I'm sure many members are familiar with the game, which first took place back in 2003, and it's been held four times now. For 240 hours straight 40 players battled the elements in this outdoor game. This year, the longest game yet, the final score totalled 2,067 for Team White and 2,005 for Team Blue. The fundraising goal was set at \$1 million, and the proceeds from the game are going to a new linear accelerator, which is used in radiation treatment at the Cross Cancer Institute here in Edmonton.

Mr. Speaker, I commend the players, referees, and over 1,000 volunteers for their determination and selflessness. Many of them fought injuries, frostbite, and fatigue over the course of this game. The exemplary efforts by these individuals remind us of the outstanding citizens that reside throughout our province. Thanks again to the participants in the world's longest hockey game, and I hope it continues to be held in future years.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore.

### Property Rights

**Mr. Hinman:** Thomas Hobbes is an early political theorist who shifted away from medieval thinking by asserting that to be legitimate, the government had to recognize individuals' rights and obtain the consent of the population. He feared disorder, though, to such a degree that he wanted the government to be all-powerful as long as they kept the people safe.

John Locke disagreed with Hobbes on one important point. He believed that we form government not only to keep us safe but to protect our property. In fact, he went so far as to say: "Govern-

ment has no other end, but the preservation of property." For John Locke, then, when a government is confiscating property, citizens have a right of revolution.

Frédéric Bastiat eloquently stated: "Life, liberty, and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place."

This check on the Crown's right to confiscate land started with the Magna Carta in 1215. It was established across society in Britain's glorious revolution of 1688. John Locke's political writings established that our inalienable rights, including the right to property, are considered by many as the philosophical foundation of constitutional democracy and were very influential in the French and American revolutions. In all these cases there was a political fight against the ruling class for thinking it didn't have to respect the property rights of individuals.

The government cannot extinguish property rights for the sake of pursuing some executive notion for good order. This truth was established 800 years ago in England, but this government still hasn't learned the lesson, which it clearly demonstrated in bills 19, 24, 36, and 50. Only a simmering revolution across the prairies this winter finally caught this government's attention, but like for James II in 1688 it's too late for this tired old dynasty to keep its hold on power. Albertans need not worry, though. A government that understands and will protect their rights is ready to take over.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Care Services

**Dr. Swann:** Thank you very much, Mr. Speaker. The Premier is clearly out of touch with the priorities of Albertans. They're concerned about health care, yet the throne speech offered only fine sentiments and yesterday's news. Health care is continuing to crumble around this government's incompetence, yet their flagship bill is to establish an advisory council to expand Asian markets. To the Premier: how can the Premier say he's representing the interests of Albertans when the legislative priorities are so far removed from what Albertans need?

1:50

**Mr. Stelmach:** Mr. Speaker, I want to take this opportunity to once again offer my sincerest appreciation to the hon. member as Leader of the Official Opposition. I know that he'll be stepping down at the end of this session as leader. I know that he brought a lot of passion to the Assembly on a daily basis, and I want to thank him for that.

**Dr. Swann:** This is question period. Let's try that again, Mr. Speaker. Let's try that again.

Can the Premier say he's representing the interests of Albertans when the legislative priorities are so far removed from the current crisis in health care that most Albertans care about?

**Mr. Stelmach:** Mr. Speaker, our priorities are correct. With respect to this premise, which I definitely disagree with, that the opposition keeps talking about, that there's a crisis in health care, there isn't. Clearly, 62 per cent of Albertans are very satisfied with the health care they're receiving. This is supported both by the Environics poll and also by the Health Quality Council. On the other part, in terms of the Asia council, ladies and gentlemen, we have to find a way of paying for future expenses and social ser-

vices and health care, and that's why we have to grow our economic pie.

**The Speaker:** The hon. leader.

**Dr. Swann:** Well, to the contrary, Mr. Speaker, the Environics poll did show that two-thirds of Albertans feel the health care system is in crisis, and management is the problem. We would like to see some acknowledgement of that by this government. Is the government so out of ideas that instead of fixing the crisis, the Premier is creating yet another council with plum political appointments in overseas offices?

**Mr. Stelmach:** Mr. Speaker, with respect to health, as I said again, it's not in crisis. I think 36 per cent or so of Albertans had concern about health. You know, that is a very small percentage given that constantly, every day in every doggone paper there is something negative about health care delivery in this province, yet thousands – thousands – receive health care in this province on a daily basis. At least 360 babies are born, cardiac surgery, the most recent innovative cancer treatment in the province of Alberta. You don't see one – one – of those stories in the newspaper.

**The Speaker:** The hon. Leader of the Official Opposition. Second main question.

#### Health Care Services Centralization

**Dr. Swann:** Mr. Speaker, we have low expectations from the government for this session. While health care remains in crisis, the government has no plan to fix it, and the Premier has demonstrated his lack of understanding today. Health care is the Alberta Liberals' primary focus, and again two out of three Albertans believe the health care system is in a state of crisis. Better management is needed. Again to the Premier: how can Albertans believe that they will not have to wait 20 hours for the emergency room or fight to get a family physician when you have failed Alberta so far in the health care system?

**Mr. Stelmach:** Mr. Speaker, once again, you'll find that in some of the comments people are looking to the management. They are satisfied that with the five-year funding commitment that this government has made, Alberta Health Services can plan and can plan very well in terms of increasing the number of doctors, increasing the number of nurses. They already have opened up a considerable number of beds. Even our emergency docs said there is improvement in the emergency service, and it came from the original doctor, who said that we needed to improve. Now he said: there is improvement, and it's measured.

**Dr. Swann:** Well, Mr. Speaker, that just shows what you can accomplish in the short term by throwing money at problems. The centralization of health delivery does not work, and it's putting patients at risk. When will the Premier return to local control of the system so that the patients can get better care?

**Mr. Stelmach:** Mr. Speaker, this government is not going back to 200 hospital boards like we had in the past, annual conventions of 1,200 people getting together. Those were expenses that did not go to front-line services. Every dollar that was saved in terms of elimination of the health boards went to front-line services. Just go out and talk to the physicians. I visited the Maz centre. I was over at the diabetes centre. Every physician that I talked to said that there was improved health care delivery because of one health care board.

**Dr. Swann:** Well, I can't miss the opportunity to say, Mr. Speaker, that we overspent by over a billion dollars in the transition, Mr. Premier, and you well know that.

In addition, the government exploded the Cancer Board, the Mental Health Board, and AADAC two years ago and are only now putting forward an addictions, mental health, and cancer strategy. How can the Premier defend this mismanagement?

**Mr. Stelmach:** Mr. Speaker, the \$1.3 billion that the member is referring to is simply the money that was given to Alberta Health Services after sitting down with them and talking and saying: what is the amount of money that will clearly reflect the needs and the population? We did that, and then we added 6 per cent to that amount plus paid off all of the deficits. That \$1.3 billion came from the operations of government reallocated to health care, which is the number one priority.

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Buffalo.

#### Secular Public Education in Greater St. Albert

**Mr. Hehr:** Thank you, Mr. Speaker. Parents in Morinville have no option but to send their children to Roman Catholic schools, where religion informs every aspect of what they learn. A group of concerned parents want a public secular education option in their town. To the Minister of Education: does the minister think it's acceptable that there is no option for secular public education for parents and students in an entire town?

**Mr. Hancock:** No, Mr. Speaker.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. Given that parents in Morinville filed an appeal with your office some four weeks ago, what is the status of this appeal, and will you be responding to the St. Albert school board in this regard?

**Mr. Hancock:** Mr. Speaker, we have in the Greater St. Albert Catholic public board a bit of an anomaly in the province. It's the one area of the province where the minority faith board is actually the Protestant board and the public board is stated to be a Catholic board. But there's no question that as the public board they have an obligation to provide educational opportunities in all ranges to all students in that area. So while it is stated to be a Catholic board, it is, in fact, the overarching board for that area, and it has the responsibility to deal with the issues and concerns that have been raised.

**The Speaker:** The hon. member.

**Mr. Hehr:** Well, thank you, Mr. Speaker. Regardless of the fact that this anomaly is only happening in one jurisdiction in Alberta, will your new education act contain a solution for these residents of Alberta?

**Mr. Hancock:** Mr. Speaker, this isn't a situation for the education act. It's pretty clear in the School Act as it is now and will be clear in the education act going forward that local boards have roles and responsibilities and have to operate within and fulfill those roles and responsibilities. They have a responsibility in this area. As I understand it, they're engaged in discussion with the individuals involved. I've been apprised of those discussions. I've talked to the parties involved as well as the school board, and they will have

to come to an appropriate resolution to provide the appropriate schooling opportunities for those children.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Edmonton-Highlands-Norwood.

### Property Rights

**Mr. Hinman:** Well, thank you, Mr. Speaker. There's a long-standing debate over whether property rights exist apart from anything government might do or whether they are granted by a government that has to balance many considerations. Personally I agree with Frédéric Bastiat, who said: "Life, liberty, and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place." To the Minister of SRD: which perspective is driving the revisions that we've been promised to the existing land-use act?

**Mr. Knight:** No. Categorically, no. What's driving our decision to look at some change with respect to the legislation that we have in place, quite frankly, is listening to Albertans, Mr. Speaker.

**The Speaker:** The hon. member.

**Mr. Hinman:** Well, thank you. If the government agreed with Mr. Bastiat, as I do, the property rights are natural and could not be extinguished by any government act. Bills 19, 24, 36, and 50 would never have crossed their minds in the first place. To the Minister of SRD: do you and your caucus still believe, as you obviously did when you passed these laws, that property is something to be arbitrarily granted and revoked without legal recourse but at the discretion of cabinet and its political judgment?

**Mr. Knight:** Mr. Speaker, nothing in that dissertation has anything at all to do with the legislation that we're working with on behalf of Albertans. [interjections]

**Mr. Hinman:** Yeah, total disbelief in the problem.

This government is trying to have it both ways. They're trying to earn political points by fixing an unjust law without admitting that it's unjust laws. We've heard the SRD minister scold radio show callers for daring to suggest that these laws threaten property rights, but the government is now scrambling to present smoke-screen amendments. Alberta landowners deserve better than a half-hearted political fix-up. They deserve an apology. To the Minister of SRD: will he apologize on his government's behalf for forcing these iron-fisted laws on landowners and admit that the reason he is changing . . .

**The Speaker:** The hon. minister. [interjection] The hon. minister.

**Mr. Knight:** Mr. Speaker, I don't believe that Albertans would expect any kind of an apology from any government member or from the government itself for looking forward the next 30, 40, 50 years in order to put a proper plan in place to have a conservation effort, to have the plans that we need to build a stronger Alberta for Albertans' future.

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

2:00

### Health Care Services (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. Without taking

away from my question, I would like to express my appreciation to the Premier for his service. [some applause]

**The Speaker:** You started 35 seconds ago. You've got about five seconds.

**Mr. Mason:** Nice try, you guys. Okay.

A poll last week showed that almost two-thirds of Albertans feel that our health care system is in a state of crisis. Albertans know they cannot trust this Tory government with their health care system. Mr. Speaker, will the Premier admit that after nearly 40 years in power the PC Party has failed to meet the health care needs and expectations of Albertans?

**Mr. Stelmach:** Mr. Speaker, unfortunately, the opposition leader – oh, and thank you for the kind remarks. I don't know if you mean them or not, but thank you.

With respect to health care in this province as I talked to other health ministers, talked to other Premiers, so many are looking to what we have already accomplished in the province of Alberta in terms of making a five-year commitment to health care and the dollars that we've approved.

Secondly, a five-year plan was put forward, that's already showing very positive results. The minister can explain further what's included in the five-year plan, both in cancer treatment and also in mental health.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, 60 per cent of those surveyed believed that it is mismanagement, not a lack of funding, that has created this crisis in our health care system. This government has let Albertans down. I'd like to ask the Premier if he thinks that after nearly 40 years in power starting a five-year plan four months ago is an adequate response to the crisis that Albertans are seeing in the health care system.

**Mr. Stelmach:** Mr. Speaker, you know, we can make all kinds of jokes about health care, especially about what you've seen lately in the papers, obviously: if it doesn't bleed, it doesn't lead. But I'm very confident that we have one of the best health care systems in Canada. It'll continue to improve: new technology, new medication, more people working in the system delivering health care. The new technology that has been introduced in Alberta is simply outstanding, having world-class researchers here doing research in virology, all of those things.

By the way, Mr. Speaker, the first mechanical heart was installed here at the Maz just a couple of weeks ago.

**Mr. Mason:** Well, that's wonderful, Mr. Speaker, but tell that to people in emergency rooms that are waiting there for 24 hours and not getting care.

I want to ask the Premier if he thinks that it's an adequate response to start now or start, rather, a few months ago to fix health care in this province when this government has been in power for nearly 40 years?

**Mr. Stelmach:** Mr. Speaker, first of all, this party has not been in power. You know, I don't know where he gets "power." We're here as the Alberta Progressive Conservative Party, that has had the trust and confidence of Albertans for it will be 40 years this year. But it's not power; it's a privilege and a responsibility that's given to us by the power of the vote of Albertans.

**The Speaker:** The hon. Member for Calgary-Currie.

### Southwest Calgary Ring Road

**Mr. Taylor:** Thank you, Mr. Speaker. There's a very special natural area in southwest Calgary called the Weaselhead. While it's not in my constituency, it and the adjoining Glenmore park are close by, and many of my constituents enjoy both green spaces. You know, a city of more than a million people needs to hang onto all the green space it can, yet Alberta Transportation held an open house yesterday at which it proposed as one of several options to push the southwest ring road right through that green space. To the Minister of Transportation: will the minister assure us that this very, very bad option will be taken off the table?

**Mr. Ouellette:** Well, Mr. Speaker, I have got to tell you that that open house last night was great. It was great to have a lot of people there. We don't usually get that many people out at open houses.

We're doing a study right now about where would be best for our provincial highway to run through the southwest side of Calgary. Mr. Speaker, we need that consultation, and we need the input of all those people, and I thank them very much for showing up. But there are absolutely no decisions being made yet at this time. It's all in a study situation.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. Again to the minister: since my constituency is in the firing line for a lot of additional commuter traffic anticipated on that southwest ring road, that will cut through our communities to get to and from the downtown core, why does the functional planning study ignore that impact?

**Mr. Ouellette:** Well, Mr. Speaker, I don't think we're ignoring any of the impacts. Right now we're open to all suggestions that are possible. I want to be clear. Again, there are no decisions that have been made yet on where it's going to go. It's very, very important for us to try to find a place for a provincial highway, but it's not our job to get rid of all of Calgary's congestion. That's a municipal responsibility, to plan their roads internally.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. I think that was the sound of a buck being passed.

Here's a suggestion. Again to the minister: given the Lakeview Community Association's comment that "the sole conclusion that can be drawn from the [functional planning study] is that there are no good routes for a new eight lane expressway through south west Calgary" – I'll be glad to table that letter at the appropriate time – will the minister take all the options off the table for a thorough and proper rethink?

**Mr. Ouellette:** Mr. Speaker, we haven't got through the thinking we're doing now to go do a rethink. What we want to do is get all of our open houses done. We want to get all of the public input in there, and we have professionals looking after that.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Buffalo.

### Oil Tanker Transportation on the West Coast

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I am very concerned about Bill C-606, a private member's bill in front of the House of Commons. This bill could seriously restrict our ability to transport western Canadian crude to Asian markets. If Bill C-606

is passed, it would ban oil tanker traffic off the north coast of B.C. This could have disastrous consequences for Alberta's economy and, in fact, western Canada. My question is to the Premier. What are you and the other western Premiers doing about this issue?

**Mr. Stelmach:** Mr. Speaker, I share the member's concern about this private member's bill that's before the House of Commons. It has serious implications for Alberta but also for B.C. and Saskatchewan, limiting the growth of our economy, which will limit dramatically the export of our natural resources, oil and natural gas, to Asian markets. I have with Gordon Campbell and Brad Wall, three Premiers, signed letters to our Prime Minister and also to all of the leaders of the opposition. It is under Canada's New West Partnership logo, and we're all asking the Members of Parliament to not pass this bill because, once again, it will have serious implications for us. I'll table them at the most appropriate time.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. My second question is to the Minister of International and Intergovernmental relations. This private member's bill unfairly targets western Canada. Meanwhile the eastern coast is not mentioned. What is our government doing to advance Alberta's interest to be able to export oil off the west coast of Canada and to make sure that western Canada is not unfairly treated while the eastern coast can carry on with its business as usual uninhibited and continue to receive shipments of oil from foreign countries like Venezuela?

**Ms Evans:** Mr. Speaker, the hon. member is right to be concerned about this, and our Premier has identified the first strategy that we have effected. Under the New West Partnership the three prairie provinces have 9 million people and \$550 billion in collective GDP. If this Bill C-606 was effective, we would cut ourselves off from markets of more than 4 billion people and several billion dollars of capacity.

First of all, the New West Partnership . . .

**The Speaker:** Hon. member, we have to proceed.

The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Mill Woods.

### PDD Administrative Review Report

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. The administrative review of the persons with developmental disabilities program done by KPMG was delivered to the Minister of Seniors and Community Supports in September. To the minister. It's been five months of hardship and anxiety that people on PDD have been holding their breath waiting for this report to be released. Will the minister table the report in the House before this week is through?

**Mrs. Jablonski:** Mr. Speaker, the PDD administrative review was done by KPMG, and I have received the report. It's a very important report, but it is an administrative report. It will not affect the people who are receiving supports from PDD, but it will help to improve the system, to make it more efficient and to make it just a better system for delivering supports to our people on PDD. I do intend to release that report.

2:10

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Speaker. Well, delivery will affect PDD people.

This report cost taxpayers \$185,000. What is the value to those vulnerable Albertans for those dollars if it's just going to be a paperweight on your desk? What is the progress of the review of this report within the ministry?

**The Speaker:** The hon. minister.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I've said that I will release the report. It is a very important report. It's going through the process. We're studying the recommendations. We will have responses to the recommendations, and when it has gone through the process, I will be releasing that report.

**The Speaker:** The hon. member.

**Ms Pastoor:** Yes. Well, I do believe that there probably should've been a time frame on when that report would be finished.

How can PDD-supported people believe that they're a priority for your ministry when this report has taken so long and they have no confidence that their budgets will not be cut?

**Mrs. Jablonski:** Mr. Speaker, the PDD community is a very high priority. They're a very important community. It's a very sensitive community, and if we make changes to this community in the way we administer the program, not how the programs affect our PDD clients, then we want to make sure we do it right. So I don't think we should be rushing anything as important as this. And I will be releasing that report.

### Workplace Bullying and Harassment

**Mr. Benito:** Mr. Speaker, it would seem that we continue to hear more about workplace harassment and bullying. My question is to the Minister of Employment and Immigration. What options are available to a worker if he is being bullied or harassed by his employer or other co-workers?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Indeed, bullying and/or harassment is not currently included in our employment standards and/or occupational health and safety legislation. However, that does not mean that this ministry would not get involved in a situation where such allegations occur. Any and all workers who perceive to have been harassed or bullied at the workplace are encouraged to work with their employers to resolve the issue but also are encouraged to call our employment standards office, where we can then advise the workers of the options that they may have to address that issue.

**Mr. Benito:** To the same minister: if the employee reports a complaint about bullying and harassment, what level of confidentiality will it have so that there will be no negative effect to the subject employee?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. All reports filed to this ministry and this government relative to complaints of employment standards are treated as confidential documents and fall under the purview of legislation in Alberta that protects the privacy of individuals who deal with the government of Alberta, the same as if such a report is filed further to any law enforcement agency. That information would be collected for the purposes of investigation and treated accordingly.

**The Speaker:** The hon. member.

**Mr. Benito:** Thank you, Mr. Speaker. To the same minister: in the event workplace harassment leads to workplace violence, is that a point when occupational health and safety officials become involved?

**Mr. Lukaszuk:** Mr. Speaker, that would be. Yes. All employers in this province are required to do a risk assessment in their places of employment. If there are actions among employees that may lead to potential violence, that risk is to be assessed and treated accordingly. Also, there are provisions under the Criminal Code of Canada that would address any threats of violence or harm to one another. Lastly, if any of this harassment or bullying happens on the basis of prohibitive grounds under Alberta legislation, the Human Rights Commission can also look into the matter and investigate it accordingly.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

### TALON Database

**Ms Blakeman:** Thanks very much, Mr. Speaker. Through FOIP this government has already given law enforcement expansive powers to collect investigative information, but the creation of TALON exceeds anything we've seen before. TALON allows law enforcement agencies to share speculation, gossip, and opinions as well as information on any citizen who's had contact with the police, including a witness. To the Solicitor General: what possible reason could the minister have for subjecting decent, law-abiding citizens to speculation and gossip by any user of the TALON system?

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you, Mr. Speaker. I love it so much when the opposition reacts, outraged by rumours that they started in the first place. So let me get the story straight here. The collection of police information is already governed by the FOIP Act in this province and overseen by the Privacy Commissioner. This new database, which is not new, by the way, has been talked about since 2006, has been in budgets and capital plans ever since, and collects the same information we've always been collecting. The Privacy Commissioner has been involved in its development. We are now going to go through a privacy impact assessment.

**The Speaker:** We'll move to the hon. member now.

**Ms Blakeman:** An impact assessment which is not being released to the public, by the way. And these are combining a number of databases together. That is for the first time.

Back to the Solicitor General: will private security personnel have access to this TALON database?

**Mr. Oberle:** Mr. Speaker, reacting to another rumour that they started. The privacy impact assessment will, in fact, be released to the public, and we said that to the media already.

Back to the original reason. Any review of a serious criminal case – the Bernardo review, for example, recommended first that police agencies need to share information in order to protect public safety and do better police work. That's what we are reacting to for the safety of our communities in Alberta.

**Ms Blakeman:** Didn't answer the private security question.

Okay. Another question. Back to the Solicitor General. In the 1990s parents were encouraged to get their children fingerprinted as a safety measure. I'd like to know from the Solicitor General if those prints will be part of the TALON system.

**Mr. Oberle:** Mr. Speaker, the depths that this member is attempting to go to to garner fear in the population out there are quite astounding. The fact of the matter is that we're collecting the same information that we've always collected, governed, as it always was, by the FOIP legislation. The privacy impact assessment, the member knows very well, will identify who can and who can't access the database. All these questions will be answered and publicly released.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Fort McMurray-Wood Buffalo.

### Red Seal Certificates

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It has been brought to my attention by some of my constituents from Edmonton-Ellerslie that Albertans who have recently graduated to become journeypersons have not had their red seal certificate signed in spite of graduating back in December. My questions are to the Minister of Advanced Education and Technology. Have the red seal certificates fallen through the cracks because of recent changes in the department?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. I'd like to thank the Member for Edmonton-Ellerslie for asking me my first question. Truly, it is an important question, and I'd like to assure you that there has been no delay in getting out the red seal certificates. Our journeymen are extremely important to us in Alberta, and we work very, very hard – in fact, during the time between the former minister stepping down and my being sworn in, the minister for IIR signed off on over 600 of the red seal certificates.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My second question to the same minister: what are you doing to help apprentices who might lose out on job opportunities or pay because of these delays?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Good question, and thank you. This is really an important issue, and we want to ensure that nobody in Alberta misses an opportunity for employment because of the red seal certificate. What we have is a phone line that's available, and the minute that all of the paperwork is in place and they're approved, the journeyman or his employer can call and get certification and verification so that they can go forward with their work.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: what is the typical timeline for approving these kinds of certificates?

**Mr. Weadick:** I'd like to thank the member for that question as well. We do approximately 10,000 of these red seal certificates each and every year. It takes approximately six to eight weeks to do this particular piece of work. We must verify the work records,

the schooling records, and everything for each employee to ensure that they have completed all of the requirements. Occasionally there is information that comes through that's incomplete, so it takes a little longer, but typically in six to eight weeks we'll get the red seal certificates completed.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Calgary-Varsity.

2:20

### Capital Infrastructure Planning

**Mr. Boutilier:** Yeah. Thank you, Mr. Speaker. Albertans are questioning the government's priorities, for instance on infrastructure. Old schools overflow and our new hospitals stand empty. It was interesting that on Monday on *Alberta Primetime* the Minister of Education made a startling admission, that they actually have a priority list. My question to the minister is simply this: will he make this secret priority list public to all Albertans?

**Mr. Hancock:** Mr. Speaker, it is absolutely no secret at all what the priorities of Albertans are with respect to schools. Every single school jurisdiction across the province puts in a three-year capital plan, which shows what they need for new schools and what they need for major modernizations. We take those plans and put together bundles based on health and safety needs, based on accommodation needs, based on charter requirements and other requirements. Those are put into the capital plan in process, and a priority list is established. Now, the priorities do change from time to time, so it's not that prudent to put out a list to say, "You're the next on the list for a school," because if a health or safety issue comes up, one would expect the government would adapt.

**Mr. Boutilier:** Mr. Speaker, given that the minister did not answer the question and given the fact that I don't know why it is so difficult for lawyers to say either yes or no, will you make public the list so that all Albertans can see the list? At this point it is not public. Will this government be open and transparent and make it public? Yes or no?

**Mr. Hancock:** Mr. Speaker, I don't know where the hon. member was earlier in question period. There was a very appropriate and direct question asked, and there was a very appropriate and direct answer given. It was no. The hon. Member for Calgary-Buffalo can verify it, and if he doesn't, they can certainly peruse the transcripts, the *Hansard*, to see that that's there. If it's an appropriate question for a yes or no answer, it gets a yes or a no from me. In this particular case it's very clear that there are a number of high priorities for schools across the province.

**Mr. Boutilier:** Well, Albertans just saw that answer, which is a nonanswer, so I'm going to give the minister one more time. On *Alberta Primetime* you said: we have a list. Will you make that list public to all Albertans: to Alberta families, to teachers, to everyone?

**Mr. Hancock:** Mr. Speaker, it serves no purpose to put out a priority list that changes from time to time, because what it does is that it accomplishes exactly what the hon. member's seatmate has been trying to do. The hon. member's seatmate argues that we should balance the budget by stretching out the capital spending over a number of years, and then in the next breath asks for four or five schools for his constituency. And what does he want to do? He wants to take them from somebody else's constituency, from somebody else's community. What he wants to do is to create a priority for his community balanced against somebody else's pri-

ority. It is much more prudent for us to plan on a comprehensive basis and be able to adapt that plan as necessary as those priorities continue to change.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-East.

### Minimum Wage

**Mr. Chase:** Thank you, Mr. Speaker. One year ago this month this government abruptly froze the minimum wage for thousands of workers in this province. The Minister of Employment and Immigration said that the minimum wage formula had to be reviewed, but a parliamentary committee reported in October that the process should be left the way it is. To the Minister of Employment and Immigration: how can this government claim in yesterday's Speech from the Throne that helping workers is a priority when the government has allowed another year-long minimum wage holiday at the expense of workers?

**Mr. Lukaszuk:** Well, Mr. Speaker, first of all, judging by the preamble of the question, it is abundantly obvious that that particular member has never read the report because the committee, frankly, did not ask this minister to leave the minimum wage the way it is but made seven recommendations on how to change the minimum wage. I would encourage that member to read the report first before he asks the questions.

**Mr. Chase:** Well, having written an addendum to the report, talking about a living wage as well as a minimum wage, I think I'm more familiar with the report than you, having sat in that committee. We put forward recommendations which you have not yet acted upon. Will the minister implement the standing committee's recommendation and swiftly boost the minimum wage by a meagre 25 cents?

**Mr. Lukaszuk:** Mr. Speaker, not only have I received the report, but I have read the report thoroughly, and I'm reviewing it. The report is not recommending a living wage. The report is recommending an increase of the minimum wage, and it has actually quantified exactly how much. I am reviewing this right now. The report will be going through government process, and I will be responding to that report accordingly as I do realize the importance of this matter.

**Mr. Chase:** It's been two years since \$8.80 was first established.

Will the minister commit also, as the committee recommended, to introducing legislation in this session to write the minimum wage formula into law so that it's free from his or any other minister's tinkering?

**Mr. Lukaszuk:** Mr. Speaker, again I'm led to conclude that the member never read the report. The report was just drafted and handed to my office some three months ago, not two years ago, so I'm not sure what this member is referring to.

Going back to my initial response, I have just received the report. I am reviewing the report, and I will be responding to this Legislature accordingly as I do realize that this is a very important and serious matter to people who actually earn a minimum wage.

**The Speaker:** The hon. Member for Calgary-East, followed by the hon. Member for Calgary-McCall.

### Temporary Foreign Workers

**Mr. Amery:** Thank you, Mr. Speaker. While the province of Alberta is aiming to seek new markets for our products and to strengthen trade relations with Asia and while we are expecting to be about 77,000 workers short in the next 10 years, as clearly stated in the Speech from the Throne yesterday, the federal government is reducing the skilled worker stream by 20 per cent. What is the Minister of Employment and Immigration doing to make sure that his federal counterparts understand the negative impact on the province of Alberta?

**Mr. Lukaszuk:** Well, let me try to address this, Mr. Speaker, by highlighting the severity of this problem. This year is the first year that baby boomers will start retiring. Our national population growth in this province and in this country is slightly above zero. Our economy is showing significant signs of recovery, with oil over a hundred dollars a barrel and new upgraders being announced, and our appetite for services is insatiable. What does that mean? That means that Canada and particularly Alberta will be short on skilled workers and unskilled workers, as a matter of fact, for many years to come. It is incumbent upon us as government to address this issue with policies that are reflective of the problem.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. Over the last 10 years temporary foreign workers have done a great job for the economy of this province. As of April 1 of this year the new federal immigration regulations would require these workers, after being in Canada for four years, to leave and return to Canada after four years. What is the Minister of Employment and Immigration doing to make sure that these workers remain in their jobs now that they are trained and they can speak the language?

**Mr. Lukaszuk:** Mr. Speaker, I've asked my parliamentary assistant, the Member for Calgary-Mackay, to look at that federal temporary foreign worker program. It's becoming abundantly obvious that what Canada needs is not temporary foreign workers who are becoming permanently temporary foreign workers, but we need a permanent workforce for many years to come. As minister of employment for this province it is my role to negotiate with Ottawa to make sure that we don't end up with permanently temporary workers but have the workforce needed to grow the economy not only in this province but in the rest of Canada.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. My last question is to the same minister. What is the social and economic impact on our province caused by this transient workforce?

**Mr. Lukaszuk:** Mr. Speaker, that's a really good question. Well, transient communities would be one answer, individuals who do not purchase houses, cars, who don't invest in our economy but send remittances back home. There is a social impact on families over here, but just having come back from the Philippines, I had the opportunity to see the other, those families who are left behind by temporary foreign workers. The impact is economic and moral, and it's immense. It's our job to address it while we're addressing our priority, the Canadian economy.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Bow.

### Calgary Airport Trail Tunnel

**Mr. Kang:** Thank you, Mr. Speaker. Yesterday this government spoke about the importance of Asian markets. The Speech from the Throne highlighted the necessity of improved direct air services to these markets. However, this government has failed to support essential infrastructure that will greatly improve access to the Calgary airport. My questions are to the Premier. Will the Premier agree with the Liberal policy that access to the airport is vital to improve air services?

**Mr. Ouellette:** Well, Mr. Speaker, I think just a little while ago we explained that there are provincial highways, and there are municipal roads. I think the airport tunnel, if Calgary decides that that's what it should be – it's about local elected officials and local priorities. Those elected officials have got to make the decision about where their priorities are. They've received \$1.5 billion from this government since 2005. I believe that if they want to move ahead with that, then we've already supplied a lot of money that they could put towards that tunnel.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. That's not answering my question. I'm asking for a commitment from the provincial government toward the airport trail tunnel.

To the Premier again: given that with the proposed airport expansion the maximum number of flights will increase by 40 per cent, why has the Premier failed to throw his support behind the Calgary airport tunnel?

2:30

**Mr. Ouellette:** Mr. Speaker, I've heard the Premier mention that his support is behind the tunnel. We support these municipalities greatly. But I want to add one more thing. We have two international airports in Alberta, and they pay over \$20 million in rent. When there's that kind of money going to our federal government, shouldn't they be looking towards the federal government to maybe help fix up an airport?

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I'm talking about the provincial share of the cost of the airport tunnel. To the Premier again: will this Premier support the future of Alberta's economy and build this tunnel, leaving a legacy that will be remembered by Albertans forever?

**Mr. Ouellette:** Mr. Speaker, I absolutely don't understand what doesn't go through this hon. member's head. Our Premier does support all the infrastructure across this province in all municipalities. Calgary alone, as I said, got \$1.5 billion, \$163 million this year alone. Let me tell you that we are there to support all of the infrastructure across all municipalities in Alberta, and I hope they get their project done.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Gold Bar.

### Affordable Housing

**Ms DeLong:** Thank you very much, Mr. Speaker. My questions are for the Minister of Housing and Urban Affairs. This minister has stated publicly that projects approved on his watch must consult with the local community. This minister has also said publicly that he respects the privacy of those living in the units funded by

his department. So how can this minister explain this obvious contradiction, and would he admit that this confusion has fuelled the concerns Albertans have with his programs?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's going to be very tough to top the last answer, but I'll do my best.

It's very important to our ministry that we actually work with local management bodies. We work with municipalities, local councillors, local community groups. At the same time, it's also important that we respect the privacy of individuals who are accessing our services either through affordable housing or through our homelessness programs. It's not a crime to be homeless or to be in affordable housing, and we want to make sure it stays that way so people can transition from not being housed to being housed.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. This minister has also been quick to criticize homeless policies in other cities by labelling them as ghettos. Now, our city does not want to be blighted with ghettos, and our fellow Albertans who hit hard times do not want to raise their families in ghettos. I ask the minister: what alternatives is his department offering?

**Mr. Denis:** Well, Mr. Speaker, I'm actually very proud of our record the last few years. We have our affordable housing unit and homeless unit construction at under \$100,000 per door. We are also talking to the city of Calgary, who wants a new policy regarding secondary suites. I believe this should be decided at the local level. We will continue to work with Mayor Nenshi on this because what works for Calgary may not also work in other areas of the province, so the local input is very important.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. Nonprofits serving the homeless have been squeezed in this recession as these agencies are tasked with doing more with less over a larger geographic area. How does this minister justify his policy decision for spreading the homeless population around a city as a better deal for those assisting with the most vulnerable?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Earlier this member was talking about communities and about community involvement as well, and that's very important. She also mentioned ghettos. The first way you can create a ghetto is by the overconcentration of homelessness and affordable housing in a particular neighbourhood. Homelessness isn't just the responsibility of one neighbourhood; it is the responsibility of the entire province. That is the difference between managing the problem and ending the problem, like we will.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for St. Albert.

### Syncrude Joint Venture Royalties

**Mr. MacDonald:** Thank you very much, Mr. Speaker. In the latest annual report from the provincial government it indicates on page 45 that "certain producers," including the Syncrude joint venture and Suncor, "have disputed the basis of royalty calcula-



tion for bitumen royalties.” My first question is to the minister of finance, and congratulations on your new appointment, sir. Could you give us an update on how those negotiations are going and if we have given any money back to Suncor and the Syncrude joint venture, please?

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Yes, Mr. Speaker. Maybe if I could, I would try to answer the question, although I can’t probably answer it to the extent that the member would like me to. All I can say is that negotiations are continuing with both companies, and I’m hopeful that we’re in a position, I would say, in a matter of weeks, certainly not many months, to have a resolution to that issue.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker, for that. My question is again to the minister of finance. Why, then, did this provincial government, if we’re to believe this minister, rebate \$104 million just before Christmas to Suncor on a royalty dispute that relates to this item on page 45 of your annual report at the same time that we have a billion-dollar budget deficit in this province?

**Mr. Snelgrove:** Mr. Speaker, it’s about a question of fairness. There are projections that are made. There are royalties collected. At the end of the day we want no more than our fair share, and if companies have oversubmitted, then that would be returned. It would be exactly the same as the hon. member filing his taxes. If there are changes to it, they’re fixed, and it’s exactly done in a fair and transparent way.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the minister of finance. It’s not an issue of fairness. Given that the Conservative Premier of Newfoundland, at the time when prices were similar for oil products in both Alberta and Newfoundland, negotiated a \$28-a-barrel royalty, is it fair to Albertans that this government has negotiated a \$7 royalty for the same crude joint venture in Fort McMurray? How is that fairness?

**Mr. Snelgrove:** It’s really unfair that they’ve pulled numbers out of the air to satisfy their argument. The simple fact is, Mr. Speaker, that the royalty regime in Alberta has put Albertans back to work. It has attracted investment from all over the world to come and develop responsibly one of the biggest collections of hydrocarbons in the world. I know the hon. member wants his constituents to have jobs. That’s what we want, too.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Lougheed.

### Wi-Fi in Schools

**Mr. Allred:** Thank you, Mr. Speaker. Some residents of my constituency have raised concerns about the safety of Wi-Fi in schools. To the Minister of Education: has your department investigated the safety of the use of Wi-Fi networks in the school environment?

**Mr. Hancock:** Mr. Speaker, it certainly has been brought to my attention that a number of citizens are concerned about Wi-Fi in schools. Even in my own constituency there’s been an issue with one of our schools. Staff in our department have liaised with the Alberta chief medical officer to make sure the most recent avail-

able information is available to school authorities. Heath Canada has indicated that the amount of radio frequency radiation from wireless Internet devices is thousands of times below the limits for public exposure, and the specified limits for public exposure apply to everyone, including children, allowing for continuous exposure. So, yes, we are continuing to monitor the recommendations made by a number of health organizations on wireless use. In addition, we’ve prepared a fact sheet for school boards relative to this particular topic.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My second question is to the same minister. Given that there are additional concerns with Wi-Fi in schools and the fact that young children are allegedly the most vulnerable to harm from Wi-Fi frequencies, does the minister’s research confirm an additional risk to school-aged children?

**Mr. Hancock:** No, Mr. Speaker. The facts would be, as I know them, that 20 minutes on a mobile phone call is equivalent to a year in a Wi-Fi enabled classroom. Twenty minutes. Everyone is exposed to similar frequency from cellphone towers and cordless phones. Everyone is also exposed to lower frequencies from FM radio and television, and those lower frequencies, apparently, are absorbed up to five times more by the body than frequencies from Wi-Fi antennas. Signals from Wi-Fi antennas are very low power at both the computer and the access points, about a hundred milliwatts, thousands of times below international standards. The World Health Organization has concluded that there is no convincing scientific evidence that weak radio frequency signals from base stations and wireless networks cause adverse health effects.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My final question is again to the same minister. Do individual school authorities have the jurisdiction to allow or disallow the use of Wi-Fi in schools, or is this purely a departmental matter, which I understand you’re not prepared to take any action on?

2:40

**Mr. Hancock:** Mr. Speaker, everything to do with what happens in schools is in the purview of the school boards and schools themselves, including whether or not they install Wi-Fi or other computer technology. Clearly, this is a matter for each school board to deal with if there’s anything to deal with at all.

I understand citizens’ concerns that have been raised. The CBC had a program on this issue, and it has a lot of parents concerned. I hear from parents all the time, and my response is always consistent. There is no credible evidence that our department has become aware of, talking with appropriate health officials, that Wi-Fi affects or is a problem for children or for anyone, for that matter. However, it is up to the school boards to deal with what happens in their schools.

**The Speaker:** Hon. members, that concludes the question period for today. Eighteen different members were recognized for participation. There were 106 questions and responses.

The only thing noteworthy that the chair shall make comment on is bringing members’ attention once again to the document that was agreed to by House leaders and signed and sent to me on March 4, 2010, and then followed up with a statement by me in the House on Wednesday, March 10, 2010, that there are no preambles to supplementary questions. Those who signed this document should bring it to the attention of all the members of

their caucuses. Today there were some very, very clear and obvious violations of that, which will not be the norm for the course. If individuals want to sign documents, their signatures must mean something.

### Notices of Motions

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

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. Pursuant to Standing Order 30 and having provided to your office the appropriate notice, I wish to inform you and the Assembly that upon the completion of the daily Routine, I'll move to adjourn the ordinary business of the Assembly to hold an emergency debate on a matter of urgent public importance; namely, the immediate need for legislation regarding financial reporting by individuals who are seeking the leadership of a registered political party.

Thank you.

### Introduction of Bills

**The Speaker:** The hon. Member for Calgary-Nose Hill.

#### Bill 2 Protection Against Family Violence Amendment Act, 2011

**Dr. Brown:** Thank you, Mr. Speaker. It's my pleasure to move first reading of Bill 2, Protection Against Family Violence Amendment Act, 2011.

The proposed amendments to this important legislation will provide for the protection of those affected by family violence by adding offence and penalty provisions for breaching protection orders. The change will hold accountable those who violate protection orders and make Alberta's penalties for such violations among the strongest in Canada. The proposed amendments will also clarify processes and streamline administration of the act by the courts.

I urge all hon. members to support speedy passage of the bill.

[Motion carried; Bill 2 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that Bill 2 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

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

#### Bill 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011

**Mr. Rogers:** Thank you, Mr. Speaker. I request leave to introduce Bill 3, the Engineering, Geological and Geophysical Professions Amendment Act, 2011.

Mr. Speaker, this bill, if passed, would replace the current practice of geology and the practice of geophysics with a new consolidated practice of geoscience. Reflecting this proposed consolidation, Bill 3 would rename the act to the Engineering and Geoscience Professions Act and rename the association which administers these professions to the Association of Professional Engineers and Geoscientists of Alberta, or APEGA, with one G.

Thank you.

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon has moved first reading of Bill 3. At this point in time, hon. member, the wording that I have for the name of this bill differs from what your wording is. You said Bill 3 would be called the Engineering and Geoscience Professions Act?

**Mr. Rogers:** Yes, Mr. Speaker. It would be called the Engineering and Geoscience Professions Act.

[Motion carried; Bill 3 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that Bill 3 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

**The Speaker:** The hon. Member for Calgary-Nose Hill.

#### Bill 4 Securities Amendment Act, 2011

**Dr. Brown:** Thank you, Mr. Speaker. Today I request leave to introduce Bill 4, the Securities Amendment Act, 2011.

This bill will fill regulatory gaps and further harmonize and streamline Alberta's securities laws. They will improve investor protection for Alberta investors and help maintain investor confidence in Alberta's capital markets. Bill 4 gives the Alberta Securities Commission the ability to respond more quickly to changing market conditions like financial crises and adjust things like minimum rating investment requirements.

Mr. Speaker, I move first reading of Bill 4, the Securities Amendment Act, 2011, and I urge all members to support its passage.

[Motion carried; Bill 4 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that Bill 4 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

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

#### Bill 5 Notice to the Attorney General Act

**Mr. Rogers:** Thank you, Mr. Speaker. I rise today to request leave to introduce first reading of Bill 5, the Notice to the Attorney General Act.

Mr. Speaker, the Notice to the Attorney General Act will consolidate and update notice requirements, which ensure parties notify the Attorney General about certain matters. This new legislation consolidates notice requirements from other pieces of legislation to ensure that the Attorney General is informed about matters brought before Alberta courts and tribunals that may require the Attorney General's involvement to protect the interests of Albertans.

Mr. Speaker, Bill 5 also will clarify the requirements for adequate and timely notice to be given to the Attorney General and include regulation-making powers to ensure that this legislation stays up to date with evolving litigation trends. It will also include

a new provision to ensure the Attorney General is notified about allegations of inadequate consultation with aboriginal peoples.

Mr. Speaker, I move first reading of Bill 5 and encourage all members to support its passage.

[Motion carried; Bill 5 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that Bill 5 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

**The Speaker:** The hon. Minister of Justice and Attorney General.

### Bill 6

#### Rules of Court Statutes Amendment Act, 2011

**Mr. Olson:** Thank you, Mr. Speaker. I rise today to request leave to introduce first reading of Bill 6, the Rules of Court Statutes Amendment Act, 2011.

The Alberta *Rules of Court*, which govern practice and procedure in the Court of Queen's Bench of Alberta, went through a major revision which was completed in 2008. Those new rules came into effect November 1, 2010. The new rules are easier to understand and help Albertans involved in civil matters to better navigate the court system. Bill 6, the Rules of Court Statutes Amendment Act, 2011, will amend provisions in various acts to make them consistent with the new language and updated procedures used in the new rules. These changes will help streamline court-related processes and make court proceedings clearer and easier to understand for Albertans involved in civil litigation.

Thank you.

[Motion carried; Bill 6 read a first time]

**The Speaker:** Before we move on, Mr. Clerk, verification that the table officers have the correct title for Bill 3 as requested by the hon. Member for Leduc-Beaumont-Devon.

2:50

**The Clerk:** Mr. Speaker, Bill 3 is, I believe, the Engineering, Geological and Geophysical Professions Amendment Act, 2011.

**Mr. Hancock:** Mr. Speaker, I don't have the bill in front of me, but I think the confusion may be that it's an amendment to the existing act, which is in the name that the Clerk has mentioned. Within the act it will change, I believe, the name of it to the other name. I think that's the explanation for it.

**The Speaker:** Well, we understand the intent. We understand the motive. We'll make sure that everything is appropriate.

### Tabling Returns and Reports

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I wish to table six copies of a letter written by an Alberta woman telling her story about her and her mother, Jane and Janet Doe, victims of an extreme domestic violence, which outlines their horrific experience with vital statistics publishing their name in the *Alberta Gazette* after an unpublished secure name change order was issued from the Alberta courts. Sadly, Jane and Janet Doe live every day in fear because of the mistake that the government has made, and they

have done nothing to resolve it. I'd like to encourage all the hon. members in this Assembly to read this horrific case.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I rise to table the appropriate number of copies of a letter from the Lakeview Community Association and its president, Duncan Kent, to the hon. Minister of Transportation and others, copied to all Calgary area MLAs, regarding the Calgary southwest ring road.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of an Environics poll on Albertans' attitude towards health care in Alberta, which is dated February 18. The poll shows that 63 per cent of Albertans believe that health care is in crisis, and 60 per cent of them believe that it is inefficient management as opposed to funding that is the cause of this crisis.

**The Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a discussion paper that I've developed in consultation with members of my community. A lot of the discussions for this discussion paper took place last spring during the Calgary cabinet tour, where the Minister of Municipal Affairs met with a number of my community leaders. As well, we hosted a round table with the Minister of Housing and Urban Affairs. It's a discussion paper on the topic that I mentioned earlier in my member's statement on inner-city community renewal.

Thank you, Mr. Speaker.

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

**Mr. Hancock:** Thank you, Mr. Speaker. In response to a question earlier today the hon. the Premier referenced a letter that was sent by himself and the Premiers of Saskatchewan and British Columbia under the letterhead of Canada's New West Partnership to the Prime Minister, which he indicated would be circulated to others. He indicated at the time that he'd be prepared to table a copy of the letter, and on behalf of the Premier I'm now tabling a copy of that letter, which raises concerns that this government has with Bill C-606, a private member's bill in the House of Commons which seeks to ban tanker traffic on the west coast but which would have deleterious effects to Alberta's economy and the western Canadian economy and, in fact, is prejudicial in that it doesn't ban tankers from any other coasts, just the coast that most affects us.

**The Speaker:** Hon. members, the chair is pleased to provide the appropriate number of copies of a brochure entitled Page Biographies: Legislative Assembly of Alberta, 27th Legislature, Fourth Session, Spring 2011.

I'm also tabling with the House copies of four letters relating to a request by the Ombudsman, Mr. G.B. (Gord) Button, to revise his resignation date from May 31, 2011, to August 31, 2011. Hon. members will recall that the House dealt with this matter and set in process an opportunity for all citizens everywhere to participate in the selection process of a new Ombudsman. First of all, there's a letter dated December 30, 2010, from Mr. Button to the Speaker requesting a resignation extension. Second is a letter dated January 12, 2011, from the Speaker acknowledging the letter and referring the request to the Standing Committee on Legislative

Offices for review. Thirdly, a letter dated February 7, 2011, from the chair of the Standing Committee on Legislative Offices to the Speaker advising that the committee was recommending acceptance of the revised resignation date and that the Standing Committee on Legislative Offices accepted the revised date, and then the fourth letter, dated February 10, 2011, from the Speaker advising Mr. Button that his request had been accepted. It's totally transparent.

### Request for Emergency Debate

**The Speaker:** We have one item of business, and that is a notice of motion submitted by the hon. Member for Edmonton-Highlands-Norwood. Standing Order 30(2) provides that "the Member may briefly state the arguments in favour of the request for leave and the Speaker may allow such debate as he or she considers relevant to the question of urgency," and it is the role of the chair to rule on whether or not the request for leave is in order. What is not defined, of course, in our standing orders is the word "briefly," but let's assume it should equate roughly to the length of time provided for a member's statement.

Please proceed, hon. member.

### Financial Disclosure by Leadership Candidates

**Mr. Mason:** Thank you very much for that guidance, Mr. Speaker. Pursuant to Standing Order 30(2)

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent and public importance; namely, the immediate need for legislation regarding financial reporting by individuals who are seeking the leadership of a registered political party.

I'll briefly speak to the urgency and saliency of this motion. Three political parties, registered in Alberta and represented in this House, are now at the initial stages of leadership campaigns. The person selected as the leader of the Progressive Conservative Party will be, for a brief time at least, the Premier of this province, and two other leaders are also potentially future Premiers. It's a matter of very urgent public importance because the person who is successful is going to be the Premier, and one of the others may in fact become the Premier at a future date, so I believe that it's vital to the public interest that the financial supporters of the leadership campaigns be publicly reported. Millions of dollars will be spent in the coming months by people who want to become the leaders of these political parties, and potentially the Premier.

The public, in my view, has a right to know the size of donations each candidate receives and from whom. While Alberta has legislation requiring that candidates and parties participating in elections for seats in the House disclose their financial contributions, we do not have the same requirement for individuals who campaign for the leadership of a political party. Mr. Speaker, this is an enormous loophole since, as I've already mentioned, the successful candidates go on to campaign for the office of Premier of Alberta. I think that this threatens the integrity of our reporting legislation, and I believe that Alberta is behind other jurisdictions in not having the legislation to require this. I know that three provinces and the government of Canada have legislation that does require disclosure of leadership campaign donations.

I'm making this motion because I see no other opportunity for the House to address this issue. There is nothing on the Order Paper related to financial disclosure of campaign donations for leadership races, and the indications that we have had from the government, including yesterday's throne speech, gave no indication of any legislation in the area of political contributions for

leadership campaigns. In fact, in a public statement the Premier has ruled out bringing this forward in terms of legislation although he said that it's his personal mission to ensure that there are some rules with respect to this for at least the Progressive Conservatives.

Mr. Speaker, I'd also like to point out that the House unanimously passed a motion, which I sponsored in 2007, calling for legislation that would make donations to leadership campaigns subject to the same disclosure rules as any other political donation. At the time of that motion the 2006 contest for the leadership of the Progressive Conservative Party was very recent. The experience of that contest raised awareness among the public of the importance of having legislation which would require all leadership candidates to meet the same standard for financial disclosure. It did become an issue because millions were spent by the various leadership candidates on the various level of details which each candidate provided. For example, the Premier released information on the \$967,000 he raised for his campaign, but \$163,000 of that was raised . . .

3:00

**The Speaker:** Hon. member, please. I don't mean to interrupt, but I think you're giving your speech. What we're doing now is talking about the reason why we should have a discussion, not your speech.

**Mr. Mason:** I actually had a much better speech, but I will take your point. I simply want to say that this is important because, given the lack of legislation, we have political leaders in this Assembly and, in the case of the Wildrose Alliance leader, outside of the Assembly who have won or participated in leadership races and have not fully disclosed their campaign donations, and I think that is a serious problem.

Mr. Speaker, I did want to point out that the motion that I presented in 2007 was unanimously passed by this House, yet nothing has happened. I'm hopeful that a consensus will still exist on this and that we can continue to go forward with this debate in hopes of triggering some legislation from the government that we can all agree upon in time or before the completion of these leadership races so that there is uniform disclosure and legally required rules for the disclosure of the very substantial amounts of money that are normally collected by leadership campaigns.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Government House Leader, then the hon. Official Opposition House Leader, and then I think we'll put a wrap to it and make a decision.

**Mr. Hancock:** Thank you, Mr. Speaker. I would agree that the topic of financial disclosure for leadership contestants is certainly a topical one, an interesting one, and a current one but not one which would beg for the adjourning of the natural order of the House to discuss on an emergent basis for a number of reasons.

First of all, the question is: what is the most important business that we can do today? We had the speech from His Honour the Lieutenant Governor yesterday, and it is parliamentary protocol and tradition that we hear a response at the earliest possible date from the opposition. That opportunity is this afternoon. It would be highly inappropriate to hijack that opportunity in order to have another debate on something unless it was absolutely critical to have that emergency debate.

Secondly, the report from the Standing Committee on Public Safety and Services on the review of financial disclosure for our leadership contestants was tabled in this House, I believe, on October 7, 2010. This question in its entirety was referred to the

policy field committee last year by the hon. Minister of Justice and Attorney General, as is provided for in our standing orders. The policy field committee had a thorough discussion on it. They heard from, I believe, all of the registered political parties or at least a good number of the registered political parties, and they made some recommendations, which are in the hands of the minister now. Pursuant to the standing orders the minister will have to respond to that report within the 180-day time frame of the report having been tabled in the House. I would point out to the hon. Member for Edmonton-Highlands that that date is coming up, so there will be an opportunity in this House to have that response and to deal with it.

So it's not urgent. It's certainly not more urgent than discussion of the agenda of this government for the coming year as outlined by His Honour the Lieutenant Governor and the opportunity for members of the opposition to respond. Not that I usually would be standing up championing that on their behalf, but it is an important part of the parliamentary tradition and process that we have a Speech from the Throne and that we have an opportunity for responses to the Speech from the Throne. That is the more important business of the day.

With respect to the ongoing leadership processes I can certainly say in this House that our Premier has made it clear and the president of our party has made it clear that the Progressive Conservative Party will have an open and transparent process relative to all aspects of the process, as is the norm, but particularly with respect to financial disclosure. The public is not going to have to worry about that from the government side of the House or from whomever the new Premier is.

I do need to respond to a misapprehension that was raised by the hon. member when he indicated that there was nondisclosure by the Premier and some other candidates in the last leadership process. That's one of the things that has bothered me ever since that came up at the time and has been mentioned time and time again in the media and now by the hon. member.

It should be very, very clear from the disclosures that were made by the Premier, by this hon. member, and by at least one other candidate that those amounts that were raised for that leadership that were not publicly disclosed were not publicly disclosed because they were funds that were raised at fundraising events with low ticket prices, which wouldn't have been covered by the disclosure requirements in any event. That's been something that has been really quite problematic every time this has been raised.

The important part, Mr. Speaker, is that parties can, if they want to impress the public with their openness and transparency, have the rules in place. The Progressive Conservative Party will have those rules in place. The House has had an opportunity to deal with this issue and will have an opportunity again to deal with this issue, and most importantly it's got important business before it in terms of the response to the Speech from the Throne, which His Honour the Lieutenant Governor eloquently delivered yesterday.

**The Speaker:** Okay. I'm going to encourage members once again to stick to the reason why I'm recognizing, and that is for a brief argument about urgency, not the subject. The subject could be anything.

The hon. member.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I would like to speak to the urgency of this debate in that a number of leadership debates have already commenced, and the organizing for them has already commenced. I'm not privy to individual races, but I'm sure bank accounts have been opened and that donations may well have already been accepted without the consistency that

is being sought through this discussion. So the urgency in this debate is that we are seeking consistency for all members who wish to pursue a leadership race, for whichever party that might be. Failure to provide that consistency means that we will have differing rules come into place at differing times for different groups.

The Official Opposition caucus has agreed that this particular issue and its urgency is important enough to have us agree to delay our leader's response to the throne speech. It is the opinion of this Official Opposition caucus that, in fact, this topic should be part of the government agenda and therefore should be included as part of the discussion around the throne speech, the urgency being that failure to have this discussion to urge the government to move on legislation as quickly as possible means that we will have differing rules put in place and that people will be subject to differing rules as they come into the race, and I'm sure some races have already started.

There's a public confidence issue here. There is a consistency and predictability issue for those members who wish to enter a leadership race but also for those that are considering it and for the people that support them. Based on that, I would argue there is urgency for this. It is not clear to us, based on what the Government House Leader has said, from the rules that the government caucus is putting into place, what exactly that is. Do they mean they will admit any donation over \$375, which is the Elections Alberta rule, or all donations? How will they clarify the controversy around the event ticket price, that the Government House Leader has highlighted?

You begin to understand how complex and how up in the air all of these issues are. The urgency behind it is that they need to be clarified so that everyone moves forward from here with a consistent idea of what is expected of them and what the public expects of them, and that's who we really answer to, Mr. Speaker.

Thank you for listening to me.

**The Speaker:** Hon. members, I indicated a little earlier that under Standing Order 30(2) the member was recognized to provide brief arguments in favour of the request for leave, and the Speaker then may allow such debate as he considers relevant to the question of urgency. It is the role of the chair to rule on whether or not the request for leave is in order. The chair has listened attentively not only today but on previous occasions. On today's application and after hearing argument and postulating alternatives, the chair is prepared to rule on whether the request for leave for this motion is in order.

First, the Member for Edmonton-Highlands-Norwood has met the requirement of providing at least two hours' notice to the Speaker's office. Notice was received this morning at 8:19. The Speaker also had an opportunity to read a news article about it, so he got it two ways.

Secondly, before the question as to whether this motion should proceed can be put to the Assembly, the chair must rule on whether the motion meets the requirements of Standing Order 30(7), which requires that "the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration." The relevant parliamentary authorities for this subject are pages 689 to 696 of *House of Commons Procedure and Practice*, the second edition, and *Beauchesne's* paragraphs 387 to 390.

**3:10**

The motion reads as follows, and I repeat:

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public im-

portance; namely, the immediate need for legislation regarding financial reporting by individuals who are seeking the leadership of a registered political party.

In the chair's view, this matter in no way constitutes a genuine emergency. At page 694 of *House of Commons Procedure and Practice*, the second edition, the authors note that emergency debate provisions cannot be used for items that may – underline “may” – come before the House in a regular legislative program. The subject of leadership funding disclosure was considered by a policy field committee last year, a number of months ago. Then it was referred back to the Minister of Justice and Attorney General, who could presumably propose legislation. At the very least, the minister must report to the House, and that will give an opportunity for discussion and debate.

The issue of financing a party leadership contest is not a new one, not a new one at all. Party leadership contests have appeared before, and they will appear again. The chair notes that the criterion of urgency in Standing Order 30 does not mean urgency of the matter but urgency of debate. Although this issue might be considered by some to be topical, very topical, it's certainly not one requiring a debate that would postpone the business of the Assembly this afternoon.

Part of the business of the Assembly this afternoon, in fact, is discussion of the Speech from the Throne, which provides any speaker a wide range of latitude. Presumably, every speech in response to the Speech from the Throne could be: why doesn't the Speech from the Throne point out the need for legislation with respect to election financing? There could be your speech. You have an opportunity, starting very shortly.

Accordingly the chair does not find that the request for leave is in order under the Assembly's rules, and the question will not be put.

## Orders of the Day

### Government Motions

2. Mr. Hancock moved:  
Be it resolved that the Legislative Assembly resolve into Committee of the Whole, when called, to consider certain bills on the Order Paper.

[Government Motion 2 carried]

3. Mr. Hancock moved:  
Be it resolved that the Legislative Assembly resolve into Committee of Supply, when called, to consider supply to be granted to Her Majesty.

[Government Motion 3 carried]

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

### Evening Sitting on February 28, 2011

4. Mr. Hancock moved:  
Be it resolved that pursuant to Standing Order 4(1) the Legislative Assembly shall meet in Committee of Supply for consideration of the 2010-11 supplementary supply estimates for the general revenue fund on the evening of Monday, February 28, 2011, commencing at 7:30 p.m.

**Mr. Hancock:** Thank you, Mr. Speaker. In anticipation of the tabling of interim supply tomorrow, I would propose Government Motion 4. I think I said earlier “interim supply,” and I meant supplementary supply.

[Government Motion 4 carried]

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

### Consideration of Main Estimates

5. Mr. Hancock moved:  
Be it resolved that this motion apply for the consideration of the 2011-12 main estimates.
  - (1) When they are laid before the Assembly, the main estimates of the government and the offices of the Legislative Assembly stand referred to Committee of Supply and the policy field committees according to the schedule included with this motion.
  - (2) The estimates of each department shall be considered by Committee of Supply or a policy field committee for three hours unless there are no members who wish to speak before the expiration of the three hours, in which case the respective committee's consideration of the estimates of the particular department is deemed to have been completed.
  - (3) When a department's estimates are considered by Committee of Supply on a Tuesday or Wednesday afternoon, the committee's consideration shall continue until it is complete notwithstanding standing orders 3(1) and 4, so proceedings may conclude later than the normal adjournment hour of 6 p.m.
  - (4) A policy field committee shall commence its consideration of a department's estimates in the Chamber at 6:30 p.m. or, if Committee of Supply has met that afternoon and the Assembly has adjourned later than 6 p.m., one half-hour after Committee of Supply has concluded its consideration of a department's estimates for that day.
  - (5) At the end of three hours' consideration of a department's estimates or at the conclusion if there are no members who wish to speak, the Committee of Supply rises and reports progress without question put. If a policy field committee is considering the main estimates, it stands adjourned at the completion of its consideration that evening without question put.
  - (6) The allotment of time in Committee of Supply or a policy field committee for the consideration of the main estimates shall be as follows:
    - (a) the minister or the member of the Executive Council acting on the minister's behalf may make opening comments not to exceed 10 minutes;
    - (b) for the hour that follows, members of the Official Opposition and the minister or the member of the Executive Council acting on the minister's behalf may speak;
    - (c) for the next 20 minutes the members of the third party, if any, and the minister or the member of the Executive Council acting on the minister's behalf may speak;
    - (d) for the next 20 minutes the members of the fourth party, if any, and the minister or the member of the Executive Council acting on the minister's behalf may speak;
    - (e) for the next 20 minutes the members of any other party represented in the Assembly, any independent members, and the minister or the member of the Executive Council acting on the minister's behalf may speak; and
    - (f) any member may speak thereafter.

- (7) When an amendment to a department's estimates is moved in Committee of Supply or in a policy field committee, the vote on the amendment stands deferred until the vote on the main estimates occurs.
- (8) All votes on a department's estimates in Committee of Supply or in a policy field committee stand deferred until the evening of April 20, 2011.
- (9) On the evening of April 20, 2011, Committee of Supply shall meet at either 7:30 p.m. or one half-hour after the committee has completed its consideration of the main estimates for that afternoon, whichever is later, and commence voting on the main estimates.
- (10) There shall be one vote on the main estimates on the evening of April 20, 2011, unless
  - (a) additional votes are required on amendments previously moved in Committee of Supply or in a policy field committee prior to calling the vote on the main estimates; or
  - (b) on at least one day's notice a member has provided written notification to the chair and the Clerk of his or her desire that the estimates of a particular department be voted on separately, in which case that department's estimates shall be voted on separately, and the final vote for the main estimates shall consist of the estimates of any departments not yet voted upon.
- (11) All votes on the main estimates in Committee of Supply, including votes on amendments, shall be taken without debate or further amendment.
- (12) For greater clarity, Standing Order 32(3.1) applies to divisions in Committee of Supply during any votes on the main estimates.
- (13) When a policy field committee has completed its consideration of the main estimates of the departments indicated in the schedule, the chair shall so report to Committee of Supply on the date scheduled for the vote on the main estimates without question put.
- (14) Prior to the vote on the main estimates the chair shall put the question to approve the estimates of the Legislative Assembly, as approved by the Special Standing Committee on Members' Services, and the estimates of the officers of the Legislature, which shall be decided without debate or amendment.

And be it further resolved that standing orders 59.01, 59.03, 60(1), and 63 shall not apply to the consideration of the 2011-12 main estimates of the government of Alberta and the offices of the Legislative Assembly.

#### **Schedule, 2011-2012 Main Estimates**

February 24: Budget Address.

March 1, evening: International and Intergovernmental Relations, Resources and Environment PFC.

March 2, afternoon: Finance and Enterprise, Committee of Supply.

March 2, evening: Aboriginal Relations, Public Safety and Services PFC.

March 7, evening: Service Alberta, Public Safety and Services PFC.

March 8, evening: Seniors and Community Supports, Health PFC.

March 9, afternoon: Energy, Committee of Supply.

March 9, evening: Housing and Urban Affairs, Community Services PFC.

March 14, evening: Employment and Immigration, Economy PFC.

March 15, evening: Tourism, Parks and Recreation, Community Services PFC.

March 16, evening: Children and Youth Services, Health PFC.

March 21, evening: Treasury Board, Public Safety and Services PFC.

March 22, afternoon: Environment, Committee of Supply.

March 22, evening: Justice, Public Safety and Services PFC.

March 23, afternoon: Culture and Community Spirit, Committee of Supply.

March 23, evening: Transportation, Economy PFC.

April 11, evening: Solicitor General and Public Security, Public Safety and Services PFC.

April 12, afternoon: Executive Council, Committee of Supply.

April 12, evening: Advanced Education and Technology, Economy PFC.

April 13, afternoon: Health and Wellness, Committee of Supply.

April 13, evening: Sustainable Resource Development, Resources and Environment PFC.

April 18, evening: Municipal Affairs, Community Services PFC.

April 19, afternoon: Education, Committee of Supply.

April 19, evening: Agriculture and Rural Development, Resources and Environment PFC.

April 20, afternoon: Infrastructure, Committee of Supply.

April 20, evening: main estimates votes, Committee of Supply.

**Mr. Hancock:** Thank you, Mr. Speaker. Government Motion 5 is very long and covers just about five pages in the Order Paper. I would move Government Motion 5 as printed in the Order Paper.

**The Speaker:** Okay. This motion is debatable. Any participants?

Then I'll call on the hon. Government House Leader to close the debate or to call the question.

**Mr. Hancock:** I'll call the question.

[Government Motion 5 carried]

**The Speaker:** I would like to advise hon. members that following this decision with respect to this motion, all members will receive a letter from the chair covering additional information on procedural matters that will affect consideration of participation during these estimates. It follows through with what we've done in the past, just for clarification.

#### **Committee Membership Changes**

9. Mr. Hancock moved:

Be it resolved that the following changes to

- (a) the Standing Committee on Private Bills be approved: that Ms Redford replace hon. Mr. Olson, that Dr. Morton replace Mr. Bhardwaj, that Mr. Horner replace Mr. Amery;
- (b) the Standing Committee on Public Accounts be approved: that Mr. Allred replace hon. Mr. Olson;
- (c) the Standing Committee on Members' Services be approved: that Mr. Amery replace hon. Mr. Weadick, that Mr. Bhullar replace hon. Mr. Oberle;
- (d) the Standing Committee on Health be approved: that Mr. Griffiths replace hon. Mr. Olson, that Dr. Swann replace Dr. Taft;

- (e) the Standing Committee on Resources and Environment be approved: that Mr. Marz replace Mr. Dallas;
- (f) the Standing Committee on the Economy be approved: that Mr. Dallas replace Mr. Griffiths, that Ms Tarchuk replace Mr. Marz, that Mr. Johnson replace hon. Mr. Weadick;
- (g) the Standing Committee on the Alberta Heritage Savings Trust Fund be approved: that Dr. Taft replace Ms Blakeman.

**The Speaker:** Shall I call the question? This is a debatable motion. No further speakers?

[Government Motion 9 carried]

### **Consideration of His Honour the Lieutenant Governor's Speech**

Mr. Drysdale moved that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour Colonel (Retired) the Honourable Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

**The Speaker:** Hon. members, the procedure, then, for participation here of the next number of speakers will be, first of all, the hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Calgary-Montrose, followed by the hon. Leader of the Official Opposition, and then we'll do a rotation for participation.

The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. I'm truly honoured to rise today and move acceptance of the Speech from the Throne given by His Honour the Lieutenant Governor. It is an honour to do this on behalf of my constituents in Grande Prairie-Wapiti. I would like to begin by thanking the Lieutenant Governor for both his eloquent words and his commitment to this great province. I would also like to thank him for formally beginning this, the Fourth Session of the 27th Legislature.

Mr. Speaker, His Honour's career should be looked upon with utmost respect for his service to this country. I applaud his conviction as he continues to selflessly serve the people of Alberta. The Lieutenant Governor stated that his experiences in war-torn countries have reaffirmed the values that many Albertans hold true, those of citizenship, service to others, democracy, and the rule of law. It is with these values and convictions that we can create a better Alberta.

I would also like to extend thanks and gratitude to our hon. Premier. Under his leadership Alberta has emerged from the economic downturn better than any other jurisdiction in Canada and has also taken steps to be stronger than ever. It is a well-known fact that Alberta has done more than just weather the economic storm. Alberta was able to meet the challenges of the downturn without raising taxes, without making massive cutbacks to priority programs, and without leaving our children and grandchildren with massive debt.

This government recognizes that generations of Albertans have worked hard to create the many advantages we enjoy today. Mr. Speaker, making choices that will benefit the province in the long term is not easy. It requires confidence, dedication, and a strong

vision for the future. Together this government will continue to make the choices that will create a better future for our province.

Mr. Speaker, I note that the Speech from the Throne highlights many key initiatives that this government will embark on this year and in the years to come. These initiatives will build upon the success that this government and previous governments have attained. I am pleased that we will focus on initiatives such as economic diversity, which will create a more prosperous province. Economic diversity is a theme that is often heard across Alberta, including my constituency.

I am encouraged to see that this government will continue to expand our economy with Bill 1, the Asia Advisory Council Act. In particular, this act has the potential to have an immense impact on my constituency, especially with our close proximity to the expanding northern ports in British Columbia. These expanding ports offer gateways to trade and investment. They will strengthen our economy, which will mean economic prosperity for all Albertans.

3:20

The recent economic downturn highlighted that we cannot rely solely on one export country. Alberta is heavily reliant on only one market, the United States, with 85 per cent of our exports going there. Reliance on the United States has at times put us in a vulnerable position, and the message that has been taken from the recent economic downturn is that Alberta and Canada as a whole are far too dependent on the United States to sustain the kind of incomes and social programs we have come to expect. As such, this government has taken the initiative to diversify the markets in Asia. Bill 1 will ensure that a wise and thoughtful market diversification strategy is developed.

Mr. Speaker, Grande Prairie-Wapiti is rich in the energy, agriculture, and forest industries, three industries that are coveted by growing eastern markets. Grande Prairie-Wapiti is a gateway to the north and can and will serve as a major hub in the trade corridor to these new markets. These new markets will open up a whole new level of economic prosperity for northern Alberta. Albertans are known to be entrepreneurial, and our government will foster this ambition by creating economic opportunity.

As I mentioned, Mr. Speaker, my constituency relies heavily on the energy sector, and the confidence in the energy sector has strengthened as a result of the initiative that this government has taken over the past year. This province has shown that it is competitive, and it's attracting new investment as a result. This government's work in the energy sector is enabling Albertans to prosper. Furthermore, this province is committed to a clean and ethical energy sector, which will only ensure a healthy and robust economy. This government's renewed commitment to ensuring value-added bitumen right here in Alberta will be a welcome step in my constituency.

Agriculture is an industry that also will benefit from the diversification of our markets. Mr. Speaker, agriculture is synonymous with the Grande Prairie region. With some of the best quality of wheat produced there, the access to Asian markets will allow farmers to market their product beyond Canadian borders.

Not only do wheat and other grain products populate this region, but the beef industry is thriving as well. The attention to quality by our ranchers has ensured that beef produced in the Grande Prairie region is top-notch and, therefore, will be well received overseas.

Mr. Speaker, the forestry industry has also been impacted by the economic downturn, having a significant impact on the northern regions of this province, in particular my constituency of Grande



Prairie-Wapiti. The major cause for this downturn was the United States housing market. This leads back to my earlier point about diversifying our markets. There are many other countries that have a thirst for our forest products. We would be remiss if we did not explore these markets.

There is not only a need to diversify access to markets but a need to diversify products as well. Development of new technology allows for new products and new usage of forest products. We can no longer rely on the conventional forest products to keep the forest industry relevant and healthy. I am pleased to see this government work with the forest industry to ensure that forestry will remain a sector that is integral to Alberta. Furthermore, doing so will build a more sustainable future for this renewable resource that is so vital to many northern communities.

Not only has the economic downturn affected the forest industry; it has also been threatened by wildfires, insects, and disease. We must continue to work aggressively to combat these ever-present and natural threats. The mountain pine beetle is one of the most invasive and destructive pests that this province has been faced with. I applaud this government's effective monitoring and control of this pest, and I am pleased that there is a continued pledge to fight the invasion of the mountain pine beetle. Much like the Norwegian rat once devastated the agrifood industry, I would one day like to see the mountain pine beetle likened to the rat in Alberta: eradicated.

Mr. Speaker, I would also like to touch on an industry that does not get much attention in Grande Prairie, that of tourism. As the Lieutenant Governor stated, one of the foundations of this province is tourism, yet Grande Prairie has not fully benefited from this industry.

Many groups, including this government, have partnered together to build a dinosaur museum, the Pipestone Creek River of Death and Discovery Dinosaur centre. For those of you who may not be aware of this area, the Pipestone Creek fossil site is an extensive bonebed of scientific significance, and it is one of the most northern discoveries of dinosaurs in Alberta. Mr. Speaker, I am confident that this government will implement its plan for the upcoming year. The new investment and prosperity in my constituency will help this project come to fruition.

This government will work to ensure that the energy, agriculture, forestry, and tourism industries continue to prosper. In order to do so, we must make key investments in Alberta's infrastructure. Alberta's government has in place a 20-year capital plan, and a continued renewal of this plan will ensure that priority infrastructure such as schools, hospitals, roads, and long-term care facilities is built. This will lead to a province that has the most advanced infrastructure in North America.

Of interest is the investment in major economic corridors, including highway 63 and highway 43, which leads to Grande Prairie. These investments are ensuring that the northern and Grande Prairie areas are poised to take full advantage of a growing economy. My constituents will also be pleased with the pledge to build new hospitals and renovate other health facilities. Grande Prairie's population has exploded in the past few years, and a new hospital ensures the health of our current and future citizens.

Not only will Grande Prairie benefit from an investment in health infrastructure, but so will Beaverlodge and its surrounding communities. The Premier has committed to ensuring that this facility is rebuilt to today's standard so that it can continue to manage the approximately 28,000 visits per year.

The investment in infrastructure throughout the province is a needed improvement. As an example I note that investment is being made in southern regions of this province with the building of a state-of-the-art public safety and law enforcement training

centre in Fort Macleod. Not only are we catching up, but we are being mindful of the growth ahead.

Mr. Speaker, with this investment we'll build a better Alberta. As the Lieutenant Governor so emphatically stated:

of all Alberta's natural resources, none is more valuable than our people. It is our ethical citizenship, engaged thinking, and entrepreneurial spirit that have made Alberta prosperous today, and which are the foundation of tomorrow's promise.

Mr. Speaker, I echo this sentiment. That is why I applaud this government's investment in education, health, employment, and our safety. These investments will ensure a brighter future for all Albertans as we work to build a more sustainable province. A prime example of this investment is the Grande Prairie Regional College. The GPRC is training the youth of our region, focusing on health professionals. This, in turn, will ensure that the Grande Prairie region has the skilled labour force to support a growing economic region.

In closing, I would again like to thank His Honour the Lieutenant Governor for his inspiring words and dedicated public service and again thank our hon. Premier for his leadership and vision. I believe that under the guidance of these two men and with the dedication and spirit of the Alberta people we can make a future to truly be proud of.

Thank you.

**The Speaker:** Hon. members, now the hon. Member for Calgary-Montrose.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's indeed an honour to speak and to second the Speech from the Throne. I would also like to thank the Honourable the Lieutenant Governor for his service to this country in many capacities. I think there is no greater honour and no greater testament to the love of a citizen than being willing to put one's life on the line to serve one's country. For that, I am forever thankful to our Lieutenant Governor and to all those who serve today all across the world, those willing to put themselves and their lives on the line for our great nation.

3:30

Mr. Speaker, actually, I'd like to take a moment here very quickly and just remember something I said at a eulogy for a soldier, somebody that served in the British Indian army. This was just about a month ago, and his name was Major Jawanda. This man served in the British Indian army and in the Indian Army after that, and he was engaged in, I believe, three different wars. Subsequent to his service in the army he moved to Canada, and at that time he really found this spirit of engaging in Canadian society.

I was delivering this eulogy at his service, and I must say that I was absolutely taken by the fact that at one end of the spectrum this man had the courage to pick up arms to defend his nation and that at the other end of the spectrum this man had the great gentleness to teach ESL students at the elementary level of English, how he was willing to give his life and everything he had on one end of the spectrum, in the battlefield, and how he was willing to devote time with vulnerable families, people going through very difficult moments, especially new Canadians.

I found that to be the most brilliant example of the greatest of humans, where they're willing to give of themselves in every different capacity. For that, once again, Mr. Speaker, I salute all those who serve our great nation today, who have in the past, and all those wonderful young people, I know, that are stepping up to serve in the forces in the future. I salute you.

Mr. Speaker, at this time I'd also like to take a moment to thank our great Premier for his service. Very recently I was asked the

question of what I look for in a leader. The answer, I think, in its simplest form is that I wish for a leader that I can trust humanity with. When I say that, when I say a leader I can trust humanity with, what I'm referring to is the fact that a leader's responsibility is to make sure the most gifted and talented in a society are able to capitalize on their every potential, that they're able to uplift society in many different ways, to pull us forward.

A leader also has the responsibility of looking after the most vulnerable in our society, Mr. Speaker, those that may at times not have a voice, those that may not have a big and powerful champion that they can call upon in their most dire hours, those that very often have lost their own voice. I'm proud to say that our current Premier is a man that I believe we all can and have been able to trust humanity with, and in my eyes, in my humble opinion, I think that is one of the greatest compliments to a human being. So I, too, would like to thank him for his honourable service to our province.

Mr. Speaker, when I was elected in 2008, the world seemed to be a different place than it is today in many respects. We had tremendous growth, prices increasing in every different field you could look at. You had employers complaining about not being able to find employees, and you had employees dealing with issues of not being able to find housing within reasonable financial circumstances.

Shortly after we got elected, Mr. Speaker, as you know, the world was hit with this massive recession, the likes of which we have not seen or that I have not seen in my lifetime and that I think most of the world has not seen since the Great Depression. Although the needs of our province in the short term may have changed, in the long term they are still the same.

Now, with respect to the short term, Mr. Speaker, we are so fortunate to be in a province where this government over the last number of years saved approximately \$25 billion. Of that, \$17 billion was in the sustainability fund. The recession hits, and many jurisdictions around the globe are spending. They're increasing their debt. We in Alberta have the good fortune of having savings, cash in the bank that was put in the bank for a day like today. A recession hits. You don't need to make absolutely irrational choices overnight. We've been able to do that. We've been able to cushion the effects of the recession. We are the only jurisdiction that can still say that we're completely, on an overall picture, in the black.

Then, Mr. Speaker, one must ask: well, what about the long-term prospects of our province? It's no secret that we were attracting, essentially, a new city of Red Deer, a hundred thousand people, to our province every single year before the recession hit. We know those days will come again, and we know that we're still playing catch-up in some respect on infrastructure. When prices are lower for building and you have cash in the bank, I think the only wise thing to do is to build. I think it's absolutely prudent to ensure that the Alberta of tomorrow can be lived up to because we put the infrastructure in place today.

Mr. Speaker, I'm incredibly proud of the fact that the ring road in Calgary per se is moving forth, that we've got a new Calgary south health campus, that will have nearly 300 new beds. I'm very, very pleased that we've created 35 new schools and are looking to build 14 more by next year. We expanded the Peter Lougheed hospital in northeast Calgary. I am very, very pleased that we are preparing for what we know is coming – and that is the retirement of a great deal of our citizens – by creating more continuing care beds. Sir, I'm not referring to you retiring. I'm referring to a great deal of people. You gave me a little look, and I thought: no, sir. You have the spirit of, let's say, our youngest members, that is timeless.

Mr. Speaker, we've built 502 continuing care beds throughout Alberta since April of 2010. We're well on our way towards our target of 2,300 continuing care beds by 2012 and 5,300 by 2015. I think this is absolutely essential, and I think the time to build this is now because prices are down.

Now, Mr. Speaker, on top of that, I'll tell you that in 2008 one of the things I heard at the doors very often was the need for more police officers. At that time we committed to 300 more police officers in this province, and I'm incredibly proud of the fact that we have 300 new police officers on the streets of Alberta today as a result of our government's actions. In addition, I represent parts of the city that have a lot of young families – a lot of young families – and it's absolutely engaging and invigorating to spend time with them. Their energy and their passion and the excitement with which they raise their children is absolutely brilliant. I was very committed to championing the case for child care spaces. The government promised 14,000. Incredibly proud to say that we have over 18,000 new child care spaces. I think that is, again, showing the sort of hope that we need for the Alberta of the future.

3:40

Now, Mr. Speaker, we went into the recession knowing the sort of economic makeup of our world. We knew where the U.S. sat. I mean, they were still the big powerhouse. But I don't think we knew exactly how we would come out of the recession, what the makeup of the economic world would look like. I think today it's becoming incredibly clear that Asia cannot be ignored, that Asia must be engaged. For us to capitalize on everything we have in this province, we must engage with developing countries like India, China, Brazil, et cetera.

Mr. Speaker, there are also a multitude of ways of engaging with these nations and multiple reasons for us paying attention to what's happening in these nations. One is just the fact that we have what they need. We have resources they need, we have expertise they need, so it makes sense for us to expand our markets and to service them. It makes sense for us to find ways to get our oil and gas or our expertise in various different fields to them. They have a hunger and a desire to progress, and that brings me to my second point.

I'll start this point with a very brief story, Mr. Speaker, of a family that I met within the last year. This family has relatives in India that employ domestic staff, so housekeepers and the like, at their home. Now, a condition of the staff, something the staff wanted when they were seeking this employment, was that their children, the staff's children, would be able to attend the same school as the homeowner's children. They said: "Pay us less. Deduct it from our wage if you want, but our kids need to attend the same school your kids attend." A family of four, five, six, or seven has to suffer incredibly if they're being paid that much less to put this one child through quality education, but they do, and they do this because this is their only route into those schools, into what I'd consider world-class education. This is their only route into world-class education, so they do this. They sacrifice, and they put their children in these schools.

Now, Mr. Speaker, what's happening, what's in the pipeline today, is that you have millions and millions of people who would otherwise never have the potential to learn English or to get an education that could give them a middle-class lifestyle – okay? – that are now getting these opportunities because their parents have found unique ways to get them that quality education. This first of all shows a hunger on the part of people in developing countries, quite frankly, that I think is absent in our country sometimes. I

would love to see this sort of passion and this sort of commitment to education on the part of our young people.

But what this also says, Mr. Speaker, is the fact that within a few years we will have people in these nations that have education as good as ours. My question is: what happens if India has 300 million people – 300 million people – who have an education equivalent to a North American postsecondary education? What are the effects of that on us in North America? What are the effects of that on Canada, on Alberta? I think the effect is that anything and everything that can be outsourced will be outsourced. We're seeing this today, but you're going to see this more and more and more. Engineering, accounting, law, medicine: all of that work is going to continue to move forth and be outsourced.

Legal work. I read a survey, Mr. Speaker, where many of the top New York law firms were questioned about whether or not they outsource legal work to India. The answer was overwhelmingly yes, and a few refused to answer the question. So one of the best legal markets in the world is admitting: yeah, we bill you 600 bucks an hour, and we send that work to India. That means that for the future of our province, for the future of our country and, quite frankly, the future of North America, yes, we have our natural resources – and they're absolutely important – but our natural resources are just one aspect of our future success.

What we must ensure for our future success is greater education within our nation. Quite frankly, postsecondary participation rates in this country being under 30 per cent is unacceptable. We must foster a culture of innovation in this country and in this province where every person who decides not to pursue a postsecondary education understands the impact that has on the rest of Canada's citizens. If we stall in our development and growth as individuals, we are not just affecting ourselves and our family and our immediate circle, but we are collectively having a negative effect on our province and our country as a whole.

Mr. Speaker, I've spoken about this culture of innovation repeatedly, and I will continue to do so until we as a people really are committed to constant and never-ending growth. We have potential all around us that is not realized because people either don't have the ability to pursue education or because they just don't believe they can do it. I was one of those students who didn't think that I would pursue a postsecondary education, and quite frankly when I woke up to the fact that I was just as bright as anybody else, I loved it. I love education. I love learning. I love growing.

Mr. Speaker, this needs to be the rule. Never-ending learning and growth needs to be the rule and not the exception in our country. Without that, I'm incredibly, incredibly nervous of the effects these developing countries will have on our nation. Our people must rise up and understand that their abilities, their strengths, their skills are directly related to the strengths and the progress of all of us, of our society. When one of us, quite frankly, fails, we all do. We need a vibrant society where people love to learn and grow.

We also need a healthy society, Mr. Speaker, so I was incredibly proud to see that we're going to have a provincial cancer strategy. A week doesn't go by, I don't think, in anyone's life where we don't hear about someone having cancer. I visited a family on Sunday. The woman was diagnosed with cancer in December, and she passed away on Saturday night. I don't think there is a family out there that can say that they haven't been affected by cancer in some way or another.

Mr. Speaker, it's up to us to set some of these collective goals. I don't care if you're thinking that infrastructure needs to be spent in three years or five years or 10 years. You know, all of that stuff

is details. When it comes to this sort of stuff, the suffering of our population, we've really got to get together.

Mr. Speaker, that's something I'm . . . [Mr. Bhullar's speaking time expired] That's 20 minutes. Wow.

**The Speaker:** Thank you, hon. member.

We'll now proceed in the following order. The third speaker is the hon. Leader of the Official Opposition. The hon. Leader of the Official Opposition under our rules has up to 90 minutes to participate, and following his speech there is an opportunity for members to participate in a five-minute question and comment period as will be the rule now with subsequent speakers as well. I will invite the hon. Leader of the Official Opposition, followed by the hon. Member for Airdrie-Chestermere, then the hon. Minister of Culture and Community Spirit, the hon. Member for Calgary-Varsity, the hon. Minister of Housing and Urban Affairs, and the hon. Member for Edmonton-Centre in that order.

The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. As Leader of the Official Opposition it is my duty and privilege to respond to the Speech from the Throne. His Honour the Lieutenant Governor was kind enough to begin his speech by sharing some of his experience with Albertans. These were the only inspirational words in the speech. I'm grateful for their inclusion as I am of His Honour's distinguished service to this province and our nation. I'm grateful because inspiration is important. Alberta needs it, especially now, during this time of economic uncertainty and crisis in public health care.

**3:50**

Mr. Speaker, a house divided cannot stand, nor can it provide inspiration and direction needed to fuel our evolution as a province and a people. At this point I believe Albertans would be inspired by a government that could actually manage the province. Yes, concrete, pragmatic solutions would inspire a great deal more confidence in our leaders and in our province's future, yet here we are in the midst of a universally acknowledged crisis in health care and gross financial mismanagement with a government that is preoccupied with internal divisions. A government working to save its own skin is a government too distracted to deal with real problems. Stopgap solutions are a recurring theme for this Tory government. Albertans deserve better.

Liberals have always focused on pragmatic solutions that work for Albertans. Now and for the long term our solutions are based not on quick fixes and more spending but on thoughtful planning, scientific evidence, and expert advice. During this challenging time an Alberta Liberal government would protect people programs, including health care, education, continuing care, seniors' care, employment supports, and help for the most vulnerable, while scaling back on the extras.

There are ways to balance the budget without harming the average and the vulnerable Albertan. We'd establish an independent commission, for example, to establish MLA pay and benefits. We'd cut government communications and travel. We'd cut welfare to golf courses and horse racing. We'd reduce the size of government from 24 ministries to 17 and extend our capital plan from three years to five. We'd save a billion dollars by scaling back public investment in carbon capture and storage, a promising but unproven technology with a significant potential for public liability.

Our focus, though, isn't on cuts. It's on investing in the province and its people programs, the essential services that ensure Albertans are healthy and productive and the services that we all

value most. We'd start with health care, the primary service of government to the people. It's difficult to appreciate the scale of the problems in health care unless you're a patient with experience in the system or a front-line worker who has had to deal with the organizational nightmares caused by the creation of the Alberta Health Services Board and the elimination of the regional boards. Most Albertans don't care how health care is managed. They want a system that works. Quality, accessibility, and cost-effectiveness: these are the measures of a good system and of good governance.

Centralization of delivery does not work. That's why we would transition back to regional boards and reinstate the Alberta Cancer Board and the Alberta Mental Health Board. It's shocking to me that this government is finally introducing an addictions and mental health strategy and a cancer strategy two years after disbanding these boards. Talk about taking three steps back for a step forward. Professionals, colleagues, and friends, especially during the past couple of years, have expressed to me their deep frustration with a system and a government that has disregarded their career experience and made decisions that are simply wrong in terms of patient care and efficiency. Hundreds of patients have contacted the Official Opposition, outraged by delays in treatment and preventable loss of life. These delays and deaths came despite the best efforts of our front-line professionals, who have been performing above and beyond the call of duty, fighting against the tide of incompetent government leadership. The H1N1 debacle highlighted the folly of major disorganization of the health system and inconsistent direction between Alberta Health and Wellness and the Alberta Health Services Board, resulting in preventable loss of life.

Disbanding the critically flawed model of Alberta Health Services would just be a first step. We would also return democracy to health care. Our regional health boards would be half appointed, half elected. Local control is important because local health care professionals and citizens know the needs of their community and region best. What works in Edmonton doesn't necessarily work in Lethbridge or Grande Prairie, Medicine Hat, or Picture Butte. Local control means better health outcomes for patients. The Alberta Health Services Board is a failed experiment, one that has contributed to the backlog in our emergency rooms today. Returning to more local control and delivery of health care will help clear up that backlog.

That's only the beginning, of course. The next step is to build enough home care and long-term care to provide seniors currently occupying hospital beds with more appropriate care settings. Not only would this provide elderly patients with better care; it will also get them out of our hospitals, freeing up the acute-care beds and moving people out of emergency rooms faster.

In the throne speech this government talked about creating a thousand continuing care beds. Once again, they didn't say how many of these beds would be truly long-term care beds, which is what many hospitalized seniors actually need, nor did they say how many of these beds will be private beds, which many seniors simply cannot afford. Long-term care should be publicly funded and publicly delivered. Our seniors have contributed too much to be shafted by government during what should be their golden years.

What this province needs most is basic services: more doctors, nurses, and other vital health care professionals. We're short thousands. Demand has long outstripped capacity, and in fact some 750,000 Albertans, about 20 per cent of us, don't have access to a family physician today.

Now it appears the minister of health, currently in negotiations with the Medical Association, will drop a renowned program that keeps physicians, residents, and students well if they don't sign

the contract for a new agreement next month. This sends the wrong message to a valued professional group.

The shortage of health care professionals has contributed to the long wait times for emergency care and surgery. It has compromised quality, and it has caused preventable deaths. It has driven overworked professionals into retirement or away from Alberta, and it has created undue levels of stress and anxiety within the health care profession, resulting in inevitable degradation of care.

In consultation with postsecondary institutions, the Alberta Medical Association, the College of Physicians and Surgeons, and the United Nurses of Alberta, an Alberta Liberal government would increase training for the next generation of health care professionals. We'd open up more spaces in our postsecondary institutions. At the same time we would need to support creative programs such as flextime, child care, and alternate payment models to retain our current professionals and encourage a new crop of doctors and nurses to stay in Alberta after graduation.

A visionary government would also seriously invest in prevention in health. Most politicians don't pay much attention to prevention because its benefits often aren't noticeable for years or even decades, long after most of us can personally benefit from a good prevention policy. If previous governments had been more visionary, we wouldn't be in the health care crisis we are today, and I admonish all members to look beyond our own short-term partisan interests and invest in prevention.

What are the strongest determinants of health? Education and income. Compromising either contributes to more sickness, more injury, and premature death. This is why people programs are so important. They contribute to our overall happiness and prosperity. They also improve the bottom line of our health care budgets. Health education and measures to reduce accidents keep people healthy, and they save millions of dollars to the system.

An Alberta Liberal administration would restore and expand the prevention programs previous governments have allowed to stagnate. We would, for example, ban trans fats in Alberta to reduce chronic health problems, including heart disease, diabetes, cancer, and liver disease. We'd outlaw smoking in vehicles carrying children, we'd pass legislation forcing all-terrain vehicle riders and cyclists of all ages to wear helmets, and we'd design education programs to reduce workplace injuries, car accidents, and domestic abuse. We would raise public awareness of the importance of these measures, including vaccination.

4:00

Take a look at our document *Pulling Through*, a plan for reducing demands on the emergency room. Step 1, gather top-tier professionals to identify necessary short-term actions and monitor in concert with the Alberta Health Services Board the impacts of these actions in improving emergency care; step 2, mobilize all available health care professionals, including the retired and recent graduates who haven't yet found employment; step 3, help Albertans navigate the health care system more effectively and efficiently; step 4, immediately provide alternative long-term care settings, including lodges, assisted living spaces, and extended care beds, with supportive home-care service; step 5, extend the hours for diagnostic imaging and lab testing; step 6, as staffing comes online, open the mothballed acute-care beds in Edmonton and Calgary; and step 7, plan for the future, including the phasing out of the Alberta Health Services Board and a return to more regional health delivery.

Mr. Speaker, I am a physician of 30 years and former public health official. I wrote this plan. I consulted with other emergency physicians. It will work. I'd be delighted if this government would steal the plan because doing so would help resolve some of the

crisis that continues in our emergency departments today. We understand, as do two-thirds of Albertans, that health care is in crisis, and Albertans understand, as we do, that it's not a crisis of funding; it's a crisis of poor management. Yet there's barely any mention of health in this throne speech.

[Mr. Mitzel in the chair]

Bill 1, the government's flagship bill, focuses on expanding Asian markets. Well, there's nothing inherently wrong with this idea. In fact, our oil and gas policy recommends expanding to Asian markets, but this bill doesn't even go that far. It's just a call to create a commission, just like last year's Bill 1. Last year we had the competitiveness committee, and we've yet to see a more competitive Alberta. This year we'll have an Asia committee, and it's not going to get one metre of pipeline or railway built. That's the opposite of inspiration, the opposite of progress. There's no innovation, no ambition, no inspiration here. The government is still hoping against hope that oil and gas revenues will save them from their blunders.

Health is the top issue of Albertans and, clearly, our most treasured people program, but there are other people programs that also need protection, protection sorely lacking in yesterday's throne speech. For example, last year the government's throne speech included a pledge to protect vulnerable Albertans, yet PDD funding remains static, leaving people impoverished at that. This year there's no mention at all about protection of services for people with disabilities. Should Albertans with disabilities be worried by this omission? They rely heavily on PDD and AISH.

An Alberta Liberal administration would index AISH payments to the cost of living, just like MLA salaries. We'd maintain last year's increase to the family support for children with disabilities, we would reverse last year's cuts to child intervention services, and we would increase the budget of family and community support services. Prevention pays.

Environment and health are closely related. While this government continues to put all its environmental eggs in one basket called carbon capture and storage, Alberta Liberals again take a sensible, pragmatic but ambitious approach to protecting our water, air, land, and wildlife. Our environment policy requires greater efficiency of water use across the board, particularly in the industrial and agricultural sectors. We'd clean up Alberta's tailings ponds, we'd implement a no-net-loss policy to protect wetlands, we'd complete a provincial groundwater inventory and establish a credible, comprehensive water-quality monitoring program, another idea this government has belatedly accepted. Thank you for doing so. We'd eliminate the use of fresh water for deep-well flooding.

An Alberta Liberal government would also make real reductions in our greenhouse gas emissions by rejecting intensity-based targets and moving to a hard cap on carbon by 2017. We'd grow Alberta's dependence on renewable energy, including wind, solar, and geothermal, and we'd invest heavily in public transit and walking and cycling infrastructure. We'd improve Alberta's air quality monitoring system and reduce Alberta's dreadful asthma and respiratory disease rates.

We'd limit clear-cutting and increase the amount of protected park space. Unlike this government, we'd protect species like the grizzly and caribou by properly designating them as endangered. We would do all this and more. What's more inspirational to Albertans than the sight of our mountains, the sight and sound of our wildlife, the taste of our fresh water? We must preserve this. It is not ours to use and destroy. It belongs to future generations as much as it does to us.

What about education? This is an investment in our greatest resource, Albertans, and the very foundation of our prosperity, health, and social progress. The government continues to make reassuring noises about infrastructure spending, but these promises ring hollow when communities like Airdrie, Beaumont, and others, places in desperate need of new schools, have been told not to hold their breath.

Alberta continues to embarrass the nation when it comes to high school dropout rates. Too few Albertans, as was said earlier, transition from high school to universities, technical schools, or colleges. You can't build a new-technology, a clean-technology economy without a solid base of highly educated citizens. This government broke its promise to freeze tuition rates. They've slashed grants and bursaries. This government's policies are going to keep even more students from pursuing postsecondary education. The negative impact on our productivity, our economy, and our progress will be huge.

An Alberta Liberal government would provide stable funding to school boards to reduce class sizes to those recommended by the Learning Commission and eliminate the need for parental fundraising for classroom essentials. We'd fund the negotiated teacher salary increases due in September so that school boards don't have to cut staff or increase class sizes. We would end the freeze on supports for special-needs students, and we'd maintain programs that help students at risk, including children in care, to earn their high school diplomas. We'd also stop slashing the scholarships and bursaries and restore training programs to help put unemployed Albertans back to work. We would also stabilize their income supports during that time.

Compare that approach to that of the throne speech, which acknowledges Alberta's unemployed citizens but does nothing to help them. In fact, this government cut their supports and funding for retraining just last year. Even Albertans fortunate enough to have jobs have to watch their backs under this government. Workplace fatality and injury rates are still far too high. Workplace fatality and injury rates and unsafe employment are still being rewarded with WCB rebates. If you want to reduce health care costs, how about doing something about unsafe workplaces?

A responsible government would expand the Employment Standards Code to include protection for farm workers. Two brave farm workers, Eric Musekamp and Darlene Dunlop, today continue their decade-long mission to bring equal rights, including occupational health and safety and WCB coverage, to paid farm workers. That farm workers remain unprotected in Alberta is a unique travesty of human rights.

A responsible government would also conduct a long overdue and thorough review of the Alberta labour code to ensure that our labour relations system properly protects collective bargaining rights. Our government should also be lobbying a lot harder with the feds on workers' behalf to rectify imbalances in the EI program that put out-of-work Albertans at a disadvantage compared to others in other provinces. A strong workforce means strong, healthy families, a strong economy, and a strong Alberta.

4:10

Now let's talk about savings. Alberta is one of the few jurisdictions in the world that rakes in billions of windfall dollars in petroleum revenues, yet we've blown through 90 per cent of the surplus, saving less than 10 per cent for the future. The Alberta Liberals are the only party talking about a long-term savings plan, and we've been doing it for years. A visionary and inspirational government would set aside a consistent percentage of oil and gas

revenues and invest those revenues to ensure Alberta's long-term prosperity, live off the interest, not the capital, of this nonrenewable resource. Oil and gas won't be around forever, but we can build sustainable prosperity if we start saving today. Another good Liberal idea, the sustainability fund, is helping Alberta get through this recession's budget crunch. It's time to take the next step and fund for Alberta's future.

This afternoon I've talked about the government programs that Albertans value. Albertans also value certain intangibles, character traits such as honesty and integrity. The actions of this government have not inspired Albertans with confidence with regard to these traits. During the past several months Tory cronyism and their entitlement mentality have become all too evident from the government's attempt to curtail the power of the Public Accounts Committee to perennial scandals regarding expenses, salaries, and bonuses. Our current leaders have become a little too comfortable with power when they're taking Albertans' goodwill for granted.

That's why several months ago the Official Opposition released our clean government initiative, our plan to build the nation's most accountable and transparent government. It begins with a pledge, a pledge signed by all members of the Official Opposition, to safeguard the public's money, to eliminate conflicts of interest, to strengthen checks and balances, and to invite Albertans back to the political process.

Of course, a pledge doesn't mean anything unless there's action to back it up. Here are some highlights. Albertans that vote deserve a tax cut. If our plan were enacted, any eligible voter who shows up at the polls would receive a \$50 tax credit for doing so. An Alberta Liberal administration would recognize citizens for exercising their democratic rights. An Alberta Liberal administration would establish an independent commission with binding powers to set MLA pay, benefits, and bonuses. Albertans were justifiably upset when the government gave themselves hefty raises. We would make that kind of situation impossible.

We would ban corporations and unions from donating to political parties. I don't believe that money should buy influence. Government should be accountable first and foremost to individual citizens, not to organizations with deep pockets.

I have a deep and abiding respect for concerned citizens who step forward at considerable personal risk to expose corporate and government wrongdoing. An Alberta Liberal administration would appoint an ombudsman with the power to certify genuine whistle-blowers, and we would protect these whistle-blowers from job loss and give them access to a legal fund to help defend them against malicious lawsuits.

A clean government initiative also includes actions to increase ministerial accountability, reform elections, and more. My greatest hope is that this plan will breathe new life into Alberta politics and restore some trust that politicians historically have squandered. Only 40 per cent of voters turned out at the last election. I hope this plan will give some segment of the remaining 60 per cent a reason to get involved in democracy again.

Mr. Speaker, not everyone comes into this world with the same opportunities. Not everyone has the support of family or the simple good luck to find a decent job or avoid hard times. The power of civilization and society is that it gives us the ability to take care of each other. That's why we support proper funding for people programs such as public health care, public education, social supports for the vulnerable, and environmental protection, all the institutions and ideas that allow a society to grow and thrive and maintain health.

Ask the average Albertan what she values, and she'll probably list what most of us have in common: decency, compassion, honesty, love, and family. Ask her what she values about government,

and she'll probably list these same institutions: public health care, public education, and supports for people going through hard times. The values are universal. Deep down the vast majority of Albertans share them because by our very nature human beings are communal. We take care of each other because we learned through hard experience that we must in order for our civilization to survive and thrive.

My parents inspired me with two powerful lessons: first, tell the truth; second, take care of each other. Today I've told the truth as I see it, that we all have a duty to take care of each other and the world we inhabit. During hard times there is a terrible temptation to solve short-term problems by slashing budgets and relaxing environmental protection standards while ignoring the human cost of such decisions over the longer term. You cannot assign monetary value to human health and happiness. They're priceless. Alberta is wealthy enough, our people smart enough, our economy strong enough to support the vulnerable and to ensure that all Albertans continue to benefit from the people programs we value so much.

To conclude, Mr. Speaker, this is the third and final time I'll rise to respond to the Speech from the Throne as Leader of the Official Opposition, and it's long past time to embrace a new generation of leaders, Albertans with new ideas, new drive, new passion. Alberta Liberals are unified in our desire to form a moderate, pragmatic, common-sense government that speaks to the values of most Albertans.

We want to be the ones delivering the throne speech and listening to your criticism, not because we seek power but because we genuinely believe there's a better way. Albertans have sacrificed too much, worked too hard, invested too much faith to let them down with half measures and short-sightedness any longer. To quote Henry George, "There is danger in reckless change; but greater danger in blind conservatism."

It has been an honour to speak out on behalf of Albertans who share moderate, mainstream, small "i" liberal values. My thanks to them for their remarkable support and good wishes.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available for this one if anyone wishes to speak. Five minutes.

Seeing none, the hon. Member for Airdrie-Chestermere, followed by the hon. Minister of Culture and Community Spirit.

**Mr. Anderson:** Thank you, Mr. Speaker, and thank you for those comments by the Leader of the Official Opposition. He has served this Legislature well. He's a gentleman and someone who obviously cares very deeply about our province and its people. It has been and will still continue to be an honour to serve with him.

I also want to extend my gratitude to Premier Stelmach and his wonderful companion, Marie. They are both great people. They've raised great children. Premier Stelmach has served with all his heart.

**The Acting Speaker:** Hon. member, names.

**Mr. Anderson:** The Premier – sorry – has served with all of his heart. He believes in many things that, of course, I believe in and many others that I do not. But one thing is clear, that he does what he does because he thinks that what he does is the best course for Alberta. So although I will continue to point out why his and his government's policies are wrong and why I feel they will hurt our province, I will never question this Premier's integrity and his commitment to the province that we both love.

It's with a sombre heart that I address the Speech from the Throne. You know, we live in a beautiful place, forgetting for a

second that it's minus 21 degrees outside. We live among great people. We live among strong families. We live in a plentiful land with an unmatched expanse of riches and resources that the world desperately needs. But, my fellow members, I think it's important, especially today and with the events of the last few weeks in mind, that we remember that there really is chaos right now all around the world. There are riots and protests and massacres and extremists that are threatening to destabilize what is already a very fragile and tenuous world economic recovery. There are multiple western European democracies teetering on the edge of financial ruin. The Middle East has reached a crossroads of monumental importance, with one road leading to stable and healthy democracy and the other to religious theocracy.

4:20

Our North American neighbours are in equally dire straits. Mexico is teetering on the edge of becoming a failed state as horrific cartel killing sprees of police and civilians continue to grow almost exponentially every day while a cash-starved nation fights back with its so limited resources. Then there are our dear friends and family in the United States, currently squarely on the path to financial collapse caused by unfathomable debt, that generations of children not even born will have to pay the price for. The future of our most important trading partner and ally has not been so uncertain since the darkest days of the Great Depression and of World War II.

My colleagues, we live on a ship that I see is sailing right now through the eye of a hurricane. How we steer ourselves from this moment on will determine the course of our future for decades and perhaps longer. We need to straighten that course and prepare for the entirely uncertain times ahead of us. We need to be better financial stewards so that we might not only have enough to survive a couple of years of world economic turmoil but so that we can survive and thrive, whatever the world throws at us. We need to be a beacon of hope and prosperity, a place of refuge from the storms ahead, where people from our nation and even from around the world can come and know that they can find work, prosperity, and opportunity. We can be that place. I'm sure of it. We must be that place.

We have to be better managers of our finances. We cannot continue to spend at the rate that we are currently spending. Our sustainability fund is due to expire by 2012-13 or thereabouts, give or take a year. Our heritage fund, when adjusted for inflation, is worth as much today as it was in 1981. Think about that. Although most institutional debt was paid off by 2005, long-term liabilities have since skyrocketed and continue to grow at an alarming clip.

My colleagues and friends in the PC Party, I hope you understand, and I think we all in this House need to understand that we right now are squandering our province's greatest income-earning years. Although oil hovers around \$100 today, new technologies combined with uncertain economics make the future value of oil virtually unknowable over the long term. We're not prepared for a bad scenario. We are betting our own and our children's future prosperity on a best-case scenario. We can't do that.

I know we want more infrastructure, and that's important. We do need more infrastructure, but surely we can prioritize the most urgent of needs and stretch that budget over an extra couple of years in order to balance the books. Even the Liberal Party this last week recommended that same idea, one that we've been advocating for a long time. It is not extreme. It is not uncaring. It is absolutely reasonable and essential to do so. Can we not control our spending increases to the rate of inflation plus population growth? Is that really so difficult? Is it too much to ask? Is it too extreme?

We spend more than anyone in the country on social programs per person. Our problems in health, seniors, and community services are not due to a lack of funding. They are due to poor management and subpar planning. The health system, for example, is broken. It does not work. It is causing people to unnecessarily suffer and in many cases die. Unnecessarily. That's a fact, and there's no amount of money that is going to solve the problem. We can't afford that amount of money anyway. Let's come up with solutions for our health care system. Let's look to Europe and to the systems that do work, not the U.S. system. By all means, 99 per cent of the Albertans that I know are not interested in any kind of private insurance system where citizens are oftentimes left in financial ruin if they get sick or, even worse, they don't even get treated at all. No one wants that.

Aren't we ready to look at the models that do work around the world, to introduce competitive delivery, where an Albertan can take their public insurance card to the facility of their choosing, where private providers build infrastructure using their money rather than tax money to compete for Alberta patients with the public system facilities? Shouldn't we stop building new, expensive acute-care beds when we could free up thousands of existing acute-care beds across this province with a much less expensive investment in long-term care for seniors? Wouldn't decentralized health care without paid boards and large PR departments be more responsive to local needs? Would it not result in increased financial partnerships with municipalities and businesses to expand available health services? Would it not unleash the innovative spirit of Albertans to come up with unique health solutions to their very, very unique community needs? Wouldn't it result in a more stable and less expensive system, a more sustainable system as we see these same reforms have created in the European models?

The answer is: yes, it would. It absolutely would. It has worked repeatedly, over and over and over again in those nations such as Austria and Belgium and France and Sweden and Germany and Japan, not that that's a European model but another example. They are outperforming us in our health care at almost every single level, yet we continue to bang our head against the wall and do the exact same things that we have been doing for the last 20 years, for the last 40 years, but specifically the bad things we've been doing in the last five years.

We all have to be courageous on that point. All of us – the New Democrats, the Alberta Party, the Liberals, the PCs, the Wildrose, all independents – need to stop with the fearmongering and religious devotion to the status quo in health care, which does not work. We have to stop thinking that government will solve all of our health problems without help from the private and nonprofit sectors, who have so many of the most innovative and bright people in the province working for them.

We need to be open to new ideas while holding to cherished values, namely that no one, absolutely no one, should be denied health services because of an inability to pay. We can have a sustainable and world-class health system to bequeath to our children and to our grandchildren, but if we continue along our current path in health care, we will leave our children and ourselves suffering, waiting, and bankrupt. My friends, it has to change, and I hope that we can do so together, which brings me to my final point, democracy and free markets.

Democracy is powerful. As imperfect as it sometimes is, it is the only system on Earth that has consistently been able to protect freedom of speech, freedom of religion, freedom of expression, the rights of women, the rights of children, the rights of all men and women to be free, to excel, to pursue success and happiness in the way that they feel is best. Democracy's companion is free

markets, not unfettered markets but free markets. You cannot truly have one without the other.

In a successful democratic and free-market system government's role is to ensure a level and a just playing field. It is to enforce the rule of law and then to let businesses and individuals compete and work together to build better communities. The incentive of financial success results in competition, innovation, co-operation where it makes sense, technological advancement, and wealth generation.

Let us not be deceived by those on the extreme left, and I do not point to anyone here who fits this description. Let's not be deceived by those who would say that free markets have failed. Free markets have not failed. Over the last century they have resulted in the greatest and quickest rise in the standard of living ever witnessed in the history of mankind. We must not let political correctness or revisionist historians claim otherwise. Obviously, the rule of law must be enforced. Obviously, we do need to make sure that regulations that are needed are in place. Obviously, we cannot have fraudsters and thieves game the system to the detriment of honest and hard-working and decent people. But just as one does not throw out their vehicle because they have a flat tire, so too would we be complete ignorant imbeciles should we think to jettison our free-market system because we failed to properly regulate certain financial instruments properly or we oversaw some things that shouldn't have been done with regard to our government debts.

4:30

We need to protect our democracy and free markets. We need to ensure that the rule of law prevails thereunder. We need to make certain that each interference of government with the public is entirely necessary and justifiable. It should always be a last resort to interfere with an individual's rights, never the first resort, which, sadly, has happened too much recently in this House. We cannot allow bureaucratic fiefdom building to trample on the entrepreneurial spirit of Albertans. They're exhausted from it. They're tired of it. It's hurting families. It's too much, and we have to reduce it. We must protect the property of Albertans as carefully as we do the right to free speech or expression or freedom of religion. We must plan to carefully reduce over time the burden of government on the people through excessive taxation and wealth redistribution schemes. We must make our democracy healthy again. That means far more transparency in government, which the hon. Leader of the Opposition talked a lot about very eloquently.

Bill 50 should have never happened in a democracy such as ours: \$16 billion in untendered contracts, to be paid exclusively by Alberta ratepayers, passed out without even an objective needs assessment conducted to ensure their necessity. It is scandalous, and it should be repealed.

There is one principle above all that will save and strengthen our democracy, and that is this. We must restore the proper role of an elected MLA. MLAs are accountable first and foremost to the people they represent, not to the party, not to lobbyists, not to special interests, not even to friends. MLAs are accountable to those who step into that ballot booth and with a pencil mark an X beside the name of a community member whom they are willing to trust with the interests of themselves and their families. It is this right, it is this sacred principle that thousands of our countrymen have died for and a million more have fought for, and we need to enshrine this back into our democracy.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available for those who wish to comment or question. The hon. Minister of Employment and Immigration under 29(2)(a).

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I was listening with a great deal of attention to the member deliver his comments, and quite eloquently so, I must say. I'll make a few comments by way of questions.

Often when we talk about foreign systems, we don't expect Albertans to have the time or wherewithal to analyze health care systems throughout the world. They often simply accept what they're being told. Is this member suggesting adopting a European Union model of health care, which now is harmonized virtually throughout all the members? That's something I know a little bit about, stemming from that part of the world and actually being a member of such.

You have two parallel systems in Europe right now. Yes, indeed, there is a universal health care system, that any citizen of the European Union can access, but also for an additional fee of 50 to 100 euros you can access a separate, stand-alone health care system, which I guess we would call over here a two-tier health care system. Indeed, many hospitals and clinics are being built for private-use purposes. The majority of European Union citizens are still utilizing the public system, which probably isn't anywhere comparable to that of the private system, that is being operated side by side.

Indeed, they get to access the very same doctors. If you're going through the public channel, you will see them during certain hours during the daytime for a very limited period of time, but if you pay your hundred euros, you get to see your doctor whenever you want. He'll even come and visit you at home and spend as much time as you want. Is that what you want, a two-tier health care system in Canada? That is exactly what the European Union health care model is all about.

Let's be clear about it. Yes, they have good outcomes. Why? Because citizens pay from their pocket with their Visa cards for the health care that they receive. On top of that, what Albertans also ought to know is the taxation burden on those countries. Are you suggesting that we also, then, in order to duplicate the same kind of outcomes that they have in health care systems in Europe, not only adopt a two-tier, pay-with-your-Visa-card health care system but also bring in the taxation burden that is imposed on European Union countries, which pays for some of those facilities? In Sweden somewhere around 50 per cent of the average employee's earnings are now taxed by their national government.

Let's put all the facts on the table. Highlighting certain health care systems, Mr. Speaker, and just pulling the good and not mentioning what the real cost of it is and how inequitable it is is something very important.

Relative, Mr. Speaker, to the infrastructure comments I would like to ask if the member really feels that we should be more fiscally conservative and not spend the dollars that we're spending on infrastructure. He calls it prioritizing, but what prioritizing really means is delaying projects or not building projects. Would he identify which projects he would like to see delayed? Which hospitals, which clinics, which schools, which overpasses or maybe even tunnels in Calgary would he like to see delayed or removed from the infrastructure plan? As he's saying that, he rises very often in question period and during other comments and argues that this government is ignoring his constituency and not building enough schools in Airdrie. I'm sure there is a need for those schools in Airdrie. But if we're going to prioritize, is this a code word for not building or delaying building? If it is, then how



do you square that off against asking for more schools not today but yesterday in your riding?

**Mr. Anderson:** I have a whole minute to answer that, but I'll do my best. With regard to health care the Wildrose policy is very clear. Clearly, we want to look at what is working in other systems. We don't obviously want to adopt everything in every system, but we look to what works, and what is working, clearly, in the European models is having this competitive delivery model, where somebody will take their taxpayer-funded Alberta health insurance card to the facility of their choice, whether that be private, nonprofit, or public, and buy the services that they need using those taxpayer funds. We're not advocating for any kind of other system, as he suggests.

With regard to infrastructure all I would say is: "You know what? That's a debate that we need to have, indeed." But it would be very helpful if they would be transparent on that side of the House and release their infrastructure list, show us what their list says, how they're arriving at the priorities, and then we can have a debate. Until then they're saying: oh, you can't do both; you can't cut and build. Well, actually, we're suggesting that we spend about \$4 billion this next year on infrastructure. You can build a whole heck of a lot with \$4 billion. But until we know what the priority list is and what objective criteria they're using to arrive at that priority list, how can we have that debate?

**The Acting Speaker:** The hon. Minister of Culture and Community Spirit, followed by the hon. Member for Calgary-Varsity.

**Mr. Blackett:** Thank you, Mr. Speaker. It's a pleasure to be able to speak to the throne speech. I'd first like to also echo the comments made about the Leader of the Official Opposition and his dedication to this Legislature, to Albertans. I've known him on a personal level to be a man of honour, a man of integrity with passion for this province, and we thank him for his service.

I'd also like to extend the same congratulations and appreciation to our Premier. Being the Premier of a province is a tough job at the best of times. Going through an unparalleled economic downturn makes it even more so, but thankfully we have a Premier who had the vision to set aside money to the tune of about \$25 billion in our sustainability fund. Many of those pundits and those experts and the critics said years ago that we shouldn't put more than \$3 billion into that fund. Our Premier decided: no, I would put more in there. So today we're in the enviable position of anyone in North America of actually having money in the bank, having \$15 billion in cash in our savings account along with \$17 billion in our heritage account.

We look at the throne speech from yesterday, and it's just another extension of the vision that our Premier has. He had never been one to lead our government to being what everybody else is. Alberta for over a hundred years has been the leader in many areas in this country, and the world needs us to be leaders today.

4:40

Yesterday the Premier outlined in Bill 1 a focus on Asia, looking at new markets. I know one thing, Mr. Speaker, that if there's a country out there that has GDP growth in the neighbourhood of 6 per cent, I want to be their friend. You look at India and you look at China and you look at Korea and you look at Japan. That's where the world is going. Two countries alone: 2.2 billion people. In those two countries 400 million university educated people: that's the entire population of the United States. They are growing a tremendous amount, and they are going to need resources. They're going to need those resources that are safe and secure, that Alberta can provide, and that is what our Premier is getting at.

It's not about where we were. We have a rich history, and we have a great heritage, and it's based on hard work, with making money not being a dirty word, where your word still means something, where families created communities, where we always had the responsibility to take care of the less fortunate. We want to leave no one behind.

Going forward, we need to look at our prosperity and how we create that wealth 25, 30 years down the road. We're a very young province, not just in terms of years that we've been in existence but in the fact that our average age is about 36 years. We talk a lot about our aging population, but we are a very, very young province. But we cannot generate enough new Albertans through birth. We need to have immigration. To get immigration, we need to encourage the world to come to Alberta, and indeed it already has. I, like 48 per cent of Albertans, was not born here. I came here because I sought opportunity for my family. I thought that Alberta was the best place to raise that family and provide an opportunity for them and their children moving forward. So I think it's fantastic that we recognize reality.

When I was in Barbados, where my parents are from, a couple of years ago, I sat down with our Canadian High Commissioner, and we talked about how Barbados had changed in the world. He talked about the fact that in Canada and the United States we haven't realized what's going on in the rest of the world. We kind of stand smugly and say: "We're fantastic. We've done this for you." We rest on our laurels. In Canada we built the Deep Water Harbour there, we built the airport, and we thought, "Yeah, well, they'll remember Canadians," but it's a whole generation ago. Where we have one representative for seven islands there and the United States has one representative for seven islands, China has one person on every island. Russia has three people for the seven islands. What are they doing? They're investing in culture. They're investing in the fabric of people because they understand it's the relationships that you create that bring on the commerce, that bring on everything else that you need, and we should be no different. China will tell you: culture first, business second. We need to be bold, innovative, and aggressive in moving forward.

You look at the Olympics back a year ago, Mr. Speaker. There were many people under the opposition parties saying: we spent \$14 million, \$14 million out of \$37 billion, and what did we get for that? We spent \$6 million on arts and culture, yet the opposition says that we don't really believe in that and that we should give more. Like France and Quebec, we showed our artists to the world. The first day at the Olympics they were demonstrating. The second day they were dancing because they were dancing to our Alberta artists, and they saw Alberta through a different lens. We have to show that we have a soul.

You know, Mr. Speaker, we are all born with a left side and a right side to our brain. It's very important that we talk about our resources and that we have environmental stewardship of those resources and responsible enhancement and processing of those, but it's also equally important that we feed the soul of our community, of the people. In the throne speech I was happy to hear the Lieutenant Governor talk about arts and culture and talk about our Alberta Arts Days. Back at the Olympics, when they focused on looking at us – and Alberta was front and centre. We had that train, that the whole world saw, and spent the second Saturday on that train with the likes of representatives from BBC and CNN and Sky TV, the media from around the world. They were just blown away, and they were talking about how fantastic we were, how fantastic B.C. was, what a great partnership between those two provinces, 2 out of the 3 in the New West Partnership. They were absolutely right, but somehow we fail to recognize that.

Our Premier has told me – I remember when I first met him during the leadership, when he was running and I was supporting another candidate, that he talked about a vision for Alberta to make it a showcase. He wanted to make it a showcase for the world and encouraged me at every opportunity that we had to focus on Alberta to do so because when people see Alberta, they see something that they like. They see a place they want to live. They see a place they want to do business. They see a place they want to invest in.

We are innovative. We have a homeless strategy: 11,000 homes created for the homeless, at a hundred thousand dollars per door, 11,000 new homes for those individuals that usually cost the taxpayer about a hundred thousand dollars per year. So for a hundred thousand, or what we would spend on policing costs and health care costs, we're going to house a person so that we're able to treat them. We lead in that. We are innovators. We are leaders. We are meant to be leaders.

Alberta Arts Days is an example of how we became leaders. That was created back in September of 2008, Mr. Speaker. We started with 30 communities and a hundred different events. The next year we increased to 116 communities and 700 events, a fourfold increase in participation, and that was not just in Edmonton and Calgary. That was in rural Alberta. That was in Westlock. That was in Fort Macleod. That was in Edson. That was in Fort McMurray. That was in Grande Prairie. It was an opportunity where all Albertans came together to celebrate something in their own community but could be part of something.

Yeah. That was shocking to the rest of the country, but what is even more shocking is that we had the same amount of participation after three years that the province of Quebec took 12 years to plan to get their first one off the ground. We took three months because the people at the municipal level, the leaders in those communities, took charge. They made it happen because they had that can-do spirit.

We were asked to go and help the rest of the country come up with the idea for Canada Culture Days or to promote the idea of Canada Culture Days. I was asked to send a letter to my provincial counterparts, and I followed that up with a phone call to Quebec and Ontario, Newfoundland, all 10 provinces and three territories. This past year we had Canada Culture Days, which was a week after ours. We had nine provinces and three territories participate. So not only do we have what we had in Alberta happening; we had it right across the country, and Alberta was a leader there.

I got to spend the first day in Manitoba. Unfortunately, there was no federal representative, and the provincial minister wasn't there, but Alberta was there. The next day we went to Quebec to participate in the Journées de la culture. There was no federal minister there, but Alberta was there. You know, at the Winnipeg ballet and the Montreal theatre school 25 per cent of those donors are from Alberta. That's something we continue to support. As a government we continue to support it, and we will move forward in that direction.

4:50

The second thing that was mentioned in there was about creating movie magic. I know the opposition Member for Edmonton-Centre talked this time last year about the death of the film and television industry. I can tell you, Mr. Speaker, that the rumours of their demise are grossly exaggerated. In fact, after coming back from Los Angeles a few weeks ago, we realized the production that we're going to have this spring. We have the fifth season of *Heartland* filming in southern Alberta. We have *Blackstone* filming right here in Edmonton for the Aboriginal Peoples Television Network. We will have a Sam Steele movie for CBC, that will

start filming in May. And we're going to have an AMC U.S. television series called *Hell on Wheels* also film in southern Alberta.

What that means, Mr. Speaker, is that our 3,000 crew that we have in the province, about three different groups, or three crews, will be exhausted. If we get one of these productions that we know will come forward from our trip to L.A., that we're finalizing in different stages, we're going to have to repatriate people back from British Columbia. We're going to have repatriate people back from Saskatchewan. We're going to be bringing Albertans back because not only are they going to come back for a few months because there is a thriving growth in their industry; there are going to be long-term jobs for them.

Now, I say that because the world has changed. When I was in Los Angeles, we met with studio heads: Disney, Warner Bros., HBO, some smaller studios like Hollywood Center Studios and GreenHouse Studio. It was mainly the finance people. We've talked a lot back and forth about tax credits, but the question that they had wasn't about tax credits. The questions that they asked – and I was there with representatives from unions and guilds and the film commissioners – were about labour rates: you're raising your labour rates. Now, to the credit of the people that were there representing the unions and guilds, they said: "No. We'll maintain that 1 per cent because we want to be competitive." They looked at me and said: "Don't raise your incentive because if you do that, we'll get the labour rates raised, but there's no benefit to me as a studio to be able to do that. You're competitive and where you need to be in that sub \$25 million market."

They were happy because *Inception*, an Academy Award nominee, was filmed at Fortress Mountain, and \$13 million was spent in Alberta just a year ago. From that experience they raved about our crew, our locations, and in our crew not just their professionalism and their level of competence but the fact that they work hard in adverse conditions. It doesn't matter what the temperature is. They'll be there. They will show up on time, they will act professionally, and they will do it with a smile because, Mr. Speaker, they're Albertans. We need to help them move forward.

This is an area that is just part of creative industries. Creative industries, Mr. Speaker, create \$4.54 billion of gross domestic product. That's 4.5 with a B. Now, we talk about diversification. There's diversification. You've got a knowledge-based business. It's green. If you look at 3-D technologies, where we think we can be the leaders in the world – again, Alberta focusing on being a leader, not a laggard, not a me-too; we want to be leaders – we are the pioneers of 3-D in the seismic industry, have been for eight or nine years, and we will continue to do so.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available for any comments or questions. The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you. I'd be most interested if the minister would continue on about the value of the movie industry in this province. I know that it looks good on the surface, but I think that there still is a great deal of work to make sure that we can get our local actors and our actual local technicians involved in those productions. So if perhaps he'd like to address that.

**Mr. Blackett:** The hon. member is quite right. We have, as I said, some 3,000 people, from grips and camerapeople to set designers, all of those. When I say three crew, it's about three crew in total. I'm told by the people in the business, our film commissioners, even the union guild members, that there is going to be work for all of those. If we come back with just one production, we are going to have people working in Lethbridge. They'll be working

in Edmonton. They'll be working in Longview. They'll be working in all of those different places. Right now I think it's about \$200 million a year. A little over a year ago it dropped to about \$150 million a year in economic activity. We expect it's going to be back up \$200 million this year. That's not just for the actors and the grips and the props. It's those costume shops. It's the hotels. It's the restaurants. It's all those other ancillary benefits. It's the drivers. You know, it's all the infrastructure that helps with that. Absolutely, we need to put our people to work, and creating projects that we want can do that.

We've talked about it, and the God's honest truth is that we've invested money year after year after year, but we don't always invest in projects to get people employed. Last year, when everybody was talking about production being down, we still spent \$18 million, the same as what we'll spend this year, but we're getting more value out of our dollar.

We've got to make sure that we have our indigenous producers taken care of to tell our Alberta story. We've got to also make sure our people are working. We've got to get a blend of international productions or productions from the States to employ people, but we have to still tell our story, and I think we've got a good mix right now. We're not resting on our laurels. It's every person in this sector working together to make that happen.

**The Acting Speaker:** The hon. member.

**Ms Pastoor:** Thank you. I think we've a couple more minutes left. I also would like to perhaps have a conversation around value-added, when a film may be filmed somewhere else, but in fact we have a sound studio or we have the mixing studios here.

The other thing that I'd like to perhaps bring up is something that I brought up, I think, three years ago, that we have our AMPA awards. No one gets to see those. Why are those movies not put into our libraries? Why don't our schools have the award-winning Alberta films? Why can they not see them? Very, very bad distribution problems.

**Mr. Blackett:** We've had a multitude of different challenges, but your first point is well taken, when you talked about production. One of the things that intrigued the studios down in the south was – they usually come here, they'll film a movie, and then they'll do the postproduction back in California. We can make more money on postproduction than we can on production. For \$25 million spent in Alberta, it could be \$50 million. With a creative hub and the fact that we have the SuperNet – and I talked about 3-D technology. One of the things that they have to be able to do in the field is upload the data to send it back to the studio to look at it to make sure it's correct. You've got to do that real-time, so you don't have to tear down your set and then go back and have to film something that you've missed.

With the SuperNet, with our network of libraries, I said to them, every library is hooked to the SuperNet. You've got all the rural communities across Alberta. You can go there. We can look at how we can provide an uplink. Unlike Vancouver we can transmit the data on that 20-gigabyte pipe to them, and we can disseminate it around the province. So you can be in Olds and set up a post-production studio there. You don't have to be where the physical location is. Because we have that SuperNet, we're able to do that.

You're absolutely right. We should be able to distribute more of our Alberta films within our school system and let people know. We're working right now with the postsecondary institutions on how we can work better together, collaboratively, to make sure the next generation of film producers and crew have what we need. But we need to tell that story so that my son who's 10 years old

realizes that he has an opportunity to be in that industry as well. When you see things that are produced by talent in Alberta, that will help ensure that.

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

**Mr. Chase:** Thank you, Mr. Speaker. Putting people first. Alberta's most important resource isn't oil or gas, forestry or fertile prairie soil, all of which provide a tremendous advantage to both our personal and provincial well-being. Alberta's most important resource is of the renewable variety. It's people. For Albertans to not only survive but to thrive, we must be viewed by our government not as a cost or a liability but as worthy of investment.

Unfortunately, while Alberta boasts itself as being the wealthiest per capita province, far too frequently the First Peoples, our aboriginal and Métis brethren, and the last peoples, those who have most recently arrived from foreign lands, find themselves falling through not simply cracks but crevasses. Evidence of Alberta's failure to involve, to include, to successfully integrate as opposed to assimilate is most strikingly pronounced in our educational system, where 50 per cent of First Nations students fail to successfully complete or graduate after three years of high school. The dropout rate or failure to complete high school for English as a second language immigrant students is even higher, at 70 per cent. This is a colossal waste of talent and potential, for which we pay a very high price both economically and in lost lives.

**5:00**

There's plenty of blame and shame to go around, whether it be the prolonged, three-generational effects of forced assimilation, bordering at times on cultural genocide, fostered by residential schools or the self-fulfilling prophecy of one's own misfortune being someone else's fault. To move forward, we have to get past the accusations, acknowledge what hasn't worked, and adopt best practices which foster pride and self-worth, that celebrate multiculturalism as opposed to attempting to melt it down to its lowest common denominator. Pride isn't something which can be injected; it has to be adopted and nurtured. Diversity should not be viewed as us versus them but as an opportunity to share or, at the very least, appreciate a different cultural perspective, a different language, a different religion, a different point of view.

Overaccommodation can be as destructive as forced assimilation if in the end one is left with nothing to celebrate out of a fear of offending. A practice that has too often exploited individuals without the protection of citizenship is the temporary foreign worker program, so popular with the Alberta government. In contrast, a provincial program that has been successful in fast-tracking citizenship is our provincial nominee program, which needs to be expanded.

If a society is judged by how well it treats its most vulnerable, then Alberta has tremendous room for improvement. How can we accept the Statistics Canada figure of over 78,000 Alberta children living below the poverty line, a functional illiteracy rate of 40 per cent, high rates of addictions, family violence, breakups, and suicide? Why is it that twice as many women are turned away from shelters than can be temporarily accommodated in them as they with their children flee abuse? Why is there so little recognition or support for men who are abused by their spouses?

When a person is injured on a job site, whether white or blue collar, the type of work they do should not preclude them from receiving assistance in the form of workmen's compensation or long-term disability until and if they are able to return to work. Having suffered in the first place, they shouldn't have to fight the system for the support they deserve. They shouldn't be forced

prematurely back to work by the threat of having their compensation and benefits reduced or cut off. Help, whether in the form of appropriate retraining if required or long-term disability support if an individual is so broken that they can't return to work, should be there for them. They and their families should not be forced into destitution by an organization that bonuses caseworkers for arbitrarily reducing their caseloads by discarding the injured.

Seniors should not be forced to choose between paying the rent, buying nutritional food, or purchasing the medications they need. They should be encouraged and supported to stay in their own homes until such time as they, with their families, recognize the need for greater care, in a more institutionalized setting. The quality of care provided should not be based on the size of their retirement savings and should not bankrupt their sons or daughters or force families into warehousing their loved ones and nickelling, diming, and dollaring assisted living facilities when long-term care is what is required.

Alberta isn't devoid of social successes. The 10-year program to end homelessness, especially for those hard to house, should prove to government that not just from a strictly ethical point of view but from an economic standpoint it's considerably cheaper, by almost two-thirds, to do the right thing, which is not only to house individuals suffering from addictions or mental illness, which combined accounts for 60 per cent of individuals languishing on the street or in homeless shelters, but to support them so that they stay off the streets. That 24-hour guaranteed support has also proved attractive to landlords, many of whom would not otherwise have taken the rental risks.

Having made some successful inroads into providing supportive housing for the most destitute, reason would suggest that it should be easier and less expensive to give a hand up to the others, the other 30 per cent plus of individuals working each day but unable to afford a damage deposit on a habitable place of their own.

In Alberta there's no shortage of good, cost-saving ideas, but too often there's a failure to realize the value of the proposed investments. A case in point is the Alberta government's acceptance of the majority of the recommendations of the 2003 Learning Commission report. Two particular recommendations that would have had and still can have a radically beneficial effect toward improving literacy and reducing poverty are funding full-day kindergarten and half-day junior kindergarten. Unlike the forced compliance of residential schools these programs, although optional for families, would be highly subscribed regardless of economic or ethnic circumstances.

The government, to its credit, has encouraged experimental education programs. One of the programs, AISI, that saw a direct correlation between literacy and self-esteem through the reduction of class sizes for grades 1 through 3 in Edmonton's inner-city schools, was abandoned after its first year of piloting despite the tremendous achievement results recorded.

Another missed investment opportunity is the government's continued failure to support inner-city hot lunch programs although common sense, never mind compounding research supports the connection between health and achievement. Alberta currently has one of Canada's highest high school dropout rates and has the lowest postsecondary participation rate in this nation, only 14 per cent. How difficult is it to connect the dots that education equals economy? However, instead of encouraging greater postsecondary participation through bursaries and grants, the government is focused on increasing student debt through loans, raised tuition rates, and a \$500 student facility fee, which has no academic connection.

What values is this government promoting and subsidizing? Clear-cutting trumps sustainable harvesting. Approving new tail-

ings ponds projects trumps water protection and graduated development. Spending money on building more remand centres rather than on legal aid or overcoming learning disabilities. Historical first in time, first in right trumps contemporary public good. Regulation is preferable to legislation as democracy is time consuming, and the outcomes aren't predictable. A penny saved is a spending opportunity lost. Heritage refers to hockey classics, not savings trust funds. Big government is good because the ever-expanding Public Affairs Bureau tells us so.

After 40 years holding the reins of power, why experiment with citizens' assemblies, proportional representation, transparency, or accountability? Cling to power no matter what the cost. Alberta has so much to offer, both in terms of its bounty of renewable and nonrenewable resources. What's needed is a collaborative vision not based primarily on exploitation and extraction but on balance and sustainability, long-term stewardship, rights far too often taken for granted, and responsibilities frequently ignored.

Every Albertan with Canadian citizenship of at least 18 years of age has an opportunity to determine Alberta's future by registering their vote. People around the world are risking their lives daily to have their voices heard. Arise to the challenge, Albertans. Get involved. You and your province are worth the investment.

**The Acting Speaker:** Standing Order 29(2)(a) is available for anyone wishing to comment or question.

Seeing none, the hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a pleasure to rise on this occasion, especially after so many good speeches on both sides of the House this afternoon.

Just before I begin with some of my remarks, Mr. Speaker, I just wanted to say thank you to the Premier for his service to this province, not just in this House but for 25 years of public service, beginning in 1986. I first met him in 2001 at an event in Calgary-Lougheed, when the former member had invited me there, and I had a chance to speak with him there.

Secondly, I just wanted to say thank you as well to the hon. Leader of the Opposition for his service to the medical profession but also to this House as well. We may not agree on everything, but I've met him many times on flights home, and we have always had a good chat. I know that he has always been in this business for the right reasons.

There was a lot in the throne speech, Mr. Speaker, and really not anything that I can address in 20 minutes. Indeed, a person could talk for 60 minutes or more about the throne speech.

**5:10**

I did want to address a couple of issues as well. First off, there was a lot of comment in the throne speech, Mr. Speaker, about the importance of trade. Now, you go through Canada's history. Originally our trade was predominantly with Britain. Then later it became predominantly with the United States. Indeed, today about 85 per cent of our trade is with one trading partner, again the United States. I think that is great, that we have such a great trading partner south of us. That being said, you look at where the future is going, not so much in the rearview mirror but exactly where we're going in the future. India has 1.2 billion people. China has 1.3 billion people. In fact, those numbers have doubled or more in the last 50 years. It's very important that we look towards the future as to where we are going to go to maintain the current standard of living in Alberta or even expand it as our province continues to grow. I do believe that in the throne speech we did have the right comments, specifically about where we need to go in the future, particularly to Asia.

It is disconcerting to me that often the enemy in our prosperity can actually be at home. In fact, earlier today in question period we talked about the federal bill to stop tanker traffic west of B.C. That would have a very significant negative impact on our province, and it's really disconcerting that we see these types of bills brought up as private members' bills, I would suggest, for the short-term and fleeting political gain of someone who does not have the best interests of this province at heart.

As we keep on looking forward, Alberta does have a history of having a number of younger elected officials. I'm pleased to be one of them, at least for a few more years, and we have to look towards the next generation and what the needs of the next generation are going to be. It's often been said to me that the very city to which I moved in 2000, Calgary, in the last 10 years, in fact, has grown greater than a city the size of Regina or Saskatoon. That is only one city in this entire province. We obviously have a very good thing going here, but we always have to be mindful of what the pressures are and where we may need to go in the future. So expanding our markets to Asia, I definitely do think, is a good move.

Now, Mr. Speaker, we do have a resource-based economy. I always want to move beyond the whole notion of hewers of wood or drawers of water. We have to be competitive, and that was recognized, actually, in last year's throne speech with Bill 1, the Alberta Competitiveness Act. We can't simply depend on our resources alone. A lot of people may go and get excited at the fact that oil, as I checked the markets today, is at \$98.10. Well, that's great, but that being said, we also see that the gas prices are very low, just under \$4.

It's not just enough to export our natural resources; we need to be talking about upgrading our natural resources. We want to take steps to develop more bitumen at home. For example, the bitumen royalty in kind program, that was announced a couple of weeks ago, I think is a positive move towards that. It will result in having more bitumen upgraded here. Of course, you have the added benefits beyond just simply the royalties. You are going to have higher employment in these areas. This is a good-news story for today but also for future generations.

A big part of our competitiveness, though, of course, involves our low tax rate. I remember I was in university when Alberta brought in the 10 per cent flat tax rate. That has resulted in a lot of further income tax that has been collected from people and businesses that have in fact moved here to take advantage of the low tax rates that we offer here as well. I've heard a lot of speeches today regarding competitiveness, but then people also mention in this Assembly how we want to provide better services. The question I would ask is: would you increase these taxes? I think that we've struck a good balance of taxation in this province already.

The throne speech also talked about education, Mr. Speaker. My family, of course, has a long history of education, with my mother, Marguerite, being an educator. My grandfather Phil Hauk, who I just visited the other day, 93 years old, often goes back to stories in the classroom and the importance of educating people today and people in the next generation. In fact, people are great resources in this province. Many people come here, and the children that they invariably have when they come here and decide to stay do need a quality education.

The quote from the throne speech that most strikes me here is "an inclusive education system that supports [those] with special needs." That appeals to me in particular, Mr. Speaker, because no two people are alike, and you need a variety of educational options to educate the next generation of Albertans. Part of these include Catholic education, public education, and, of course, charter schools, many of which are in my constituency. Of course, I do

support an expanded role for charter schools, the model being that different approaches actually work, the model of choice. Why? Because we have very, very differing needs of students throughout this entire province. I think we should move further along this model as well.

I listened with interest to the hon. Minister of Culture and Community Spirit talk about the film industry. This came up to me when I was knocking on a door in Riverbend, a part of my constituency, in the last election, and this woman asked me not what my education is, not what my health policy is, not what my taxation policy is, but she wanted to talk about arts. I really didn't have much to answer at that point other than the fact that when she said, "Well, you must have participated in something," I said, "Well, I was a singer when I was younger, of course." She had said: "You really need . . ."

**Mr. Rodney:** Give us an example.

**Mr. Denis:** No, I'm not going to sing for you today. I'm sorry.

Having an arts policy is very important for this entire province, and it was mentioned in the throne speech as well. Recently I was contacted by a gentleman who had a film and video issue, and we talked about it. He talked about the importance of a knowledge-based economy but also that the new generation, like it or not, is on platforms like Twitter and Facebook. Now, I don't believe that you tweet your way to power. I think it was the Member for Edmonton-Highlands-Norwood who had said that first, and I would agree with him, probably on that alone. That being said, this is where the platform of the new generation is.

We need a comprehensive strategy on how we're going to support the arts here. One of the ways in which the Minister of Culture and Community Spirit has done this is by founding Arts Days. The fact that the throne speech goes and talks about that and that we plan to continue with that, I think that that also is important.

The throne speech also did talk about safe communities, Mr. Speaker. I often go back to January 1, 2009. Why is that day of importance? Well, we had two people killed in my constituency in a gang shooting. I represent a semisuburban area of Calgary. You would typically think that you might find shootings, things like that, downtown or in an industrial area. Well, no. That's not true any longer. You find it in residential areas as well. So I'm happy that the throne speech also talked about safe communities.

It talked about a gang reduction strategy as well, and I'm happy that we're going to be continuing with this. With our law enforcement framework we're going to be moving forward with the Fort MacLeod training centre. I again say that we need a two-pronged approach when it comes to tackling crime. You want to tackle both the conditions where people may likely offend, particularly the young people as well, but you also need to deal with offenders and putting the victims of their crime first.

Now, I did want to address something I'm most passionate about, and that's no surprise to anyone here. That's our housing policy. My priority as a minister here is both for the taxpayer and for the client. Some people say: how can you do both? Well, you can focus on outcomes, not so much how much money you actually spend but actually what your eventual result is.

Through competitive tendering and through a private partnership that we have, we've been able to bring our cost per unit down to about \$97,500. By way of comparison, the city of Calgary had some so-called affordable housing in the Louise Station downtown at 4th Avenue. Guess what that cost? Three hundred and twenty thousand dollars. That was not affordable to the taxpayer. It has to be affordable to the taxpayer and affordable to the client. Through our request for proposal process we receive three times

the amount of private sector applicants that we can actually go and fund. The fact that the throne speech actually goes and mentions this I think talks about this government's ongoing commitment to affordable housing.

Now, I do have a quote for today. "Government always finds a need for whatever money it gets." That was Ronald Reagan. Interestingly enough, in fact, when it comes to our housing policy, we're doing just the opposite. Last year we were able to find a 19 per cent savings in our budget, again through our competitive and open tendering process and through our private sector partnerships. For this year, well, I guess we'll have to stay tuned until tomorrow.

On the human side, of course, we're on track to create 11,000 affordable housing units by 2012. Most interestingly, with our homeless policies we're seeing our shelter usage come down. Shelters are important, Mr. Speaker, but they are not the solution. It's the difference between managing the problem and ending it. By focusing more on permanent housing, we've seen the shelter demand go down. For future generations, whichever government may be chosen in the next election, I really hope that we continue with this program because it's working.

The Member for Calgary-Varsity had talked about how he supports this. I want to say thank you to him in particular. It is really disconcerting to me when I receive calls, though, from other members saying that we should abolish these programs. I've never heard anything so out of touch with the average Albertan as when I hear calls for things like that.

We also need to focus on the reasons for homelessness. It's not simply when someone goes and says: get a job. I think that's a very ignorant comment. To me it's not a crime to be homeless. I've met with many of these people. I've met with many people who experience addiction issues, mental illness, domestic violence, or people who have simply fallen on hard times. The importance is that we need to treat people as individuals.

5:20

This weekend I was at a program called Project Homeless Connect in Calgary. The Member for Calgary-Glenmore was there as well. We actually had a chance to chat with some of these homeless people again, and it's important to have that ongoing dialogue as well.

I just want to conclude with a couple of thoughts as well. Every one of us is fortunate to live in Alberta. I would put to every one of the members here today that if we were in many other places in the world, in fact, the arguments that we have here might seem trivial, given the problems we see across the world, the problems that we see in the Middle East, the problems that we see in war-torn countries, the problems that we see in Third World countries. That being said, it is upon us always to never forget the people who we represent and the voters and the taxpayers, and they must always come first.

As we move forward into this session and to the next one, we must also remember the promise of this province and the fact that freedom isn't free and the fact that we have a great resource, and the resource is not so much our oil and gas but our people, the people who we represent and the people, also, who come here and who will come here. I'm confident that as we move forward, we will continue to provide good governance and good opposition for the people here because that is what is truly the promise of this province, and that is truly what the people here deserve.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is available for anybody who wishes to comment or question.

If not, the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I appreciate the opportunity today to respond to the throne speech that we heard delivered yesterday by our new Lieutenant Governor in his first opportunity to do that.

I've had a lot of opportunity recently to sort of think about different versions of Alberta, and I'm really struck by how young Alberta is. Someone earlier mentioned an average age of 36 years old, I think. It's true; we do have a very young population.

We are, really, all things considered, fairly prosperous. Before anyone leaps to their feet and starts telling me about the tough times and all that kind of thing, yes, but if you travel at all, you start to get a real understanding that we may have had some challenges here but nothing like the challenges that they have faced in other places. All things considered, we really are fairly prosperous and continue to be fairly prosperous.

There's room for improvement always, but we are quite well educated. We have opportunity for good education here that lots of other places in the world and even closer to us don't enjoy. I have someone that's on my constituency association who is a teacher here and was a teacher in New York. Boy, he can tell me about the differences in the quality and availability of good education. So there are lots of things that I would like to do to improve the education system and access to it. I'm the daughter of two teachers, so it's kind of in our blood in my family. But, really, we are fairly well educated.

My brothers are in the trades – actually, most of my extended family is in the construction trades – and I'm very grateful that we have many different apprenticeship programs here in this province. In some of those cases the apprenticeship programs are run by the unions, which I am also very grateful to have in this province. I know that's not something that's shared by my colleagues opposite, but I am grateful for the unions. I think they play a very important role in our labour force. I think they work hard to give us a quality of life. I think there are a number of things that we can thank them for today that they lobbied for and advocated for and brought into being, like a set workweek of five days with weekends off and things like that. In fact, a public education system originally came out of the union labour movement.

I'm grateful for that because I think it gives us safer workplaces, and I really believe in the collective bargaining process. There are things that we could do in this province to make that better. That's a bit of a tough row for me to hoe in this province, given the current administration. I'm not going to stop trying because I do believe that there should be first contract legislation, and I think that there should be replacement worker legislation here as well. That's important to me, I think it's important to the labour movement here, and I would really like to see it in place.

Overall, I think we are hopeful and have every reason to be an optimistic province. As I said, that doesn't mean there aren't things that I wouldn't press you all very hard to change, and you know I will press you hard to change those things.

We are and can be a province of the 21st century. That, Mr. Speaker, is why I was so puzzled by the throne speech that I heard yesterday. It wasn't optimistic. It wasn't looking forward into the 21st century. The ideas that were in there weren't doing that. I was really puzzled by it. Even today in listening to the people from the government side, they've been bringing forward lots of ideas that I will probably talk about if I get enough time. But those ideas weren't in that throne speech, and I don't understand why. To me it reflects a way of thinking that is about rushing back to try and recreate the 1950s, and that's just not where we are anymore. That's just not the province that we live in.

Here's an example. We have fewer labour jobs here in Alberta. Increasingly, we've had robotics and other kinds of mechanics

that have taken away the need for assembly line workers or piecemeal workers. So that kind of manual labour, where you didn't really need a great education to be able to go in and get that kind of job, is disappearing on us. Some would argue: good; they weren't great jobs to begin with. I'm not going to comment on that.

You say: all right, where are the new jobs coming from? Where are the jobs of the future? The kids that are in school now, what are they going to do? What's out there for them? We're losing those sorts of manual labour jobs that tended to sit at the bottom of our labour pool. Where are the new ones coming from? We have a traditional grouping of jobs that are changing, but I think they're going to stay there in health, in education, in the social services, even in the arts, as influenced as that is by new technology. I think those jobs are going to change, but they're mostly going to stay there.

So where are the new jobs? What we keep being told is that the new jobs are in a creative, knowledge-based, innovative sector. It's about your brain, not your physical ability to heave stuff around. It's about how you can use your brain and your imagination. You know, one of the things that we're very successful at here in Alberta is the Internet games that you play where they're all animated and they fight each other out in storylines. We're very successful at developing those games here. BioWare, that company, that's what they do. They develop these online games. That comes out of Alberta. That's a knowledge-based, creative job sector. That's where we need to move for the next grouping of jobs. There'll always be management, and there'll always be retail. Yes, of course. But where are the rest of those jobs?

I was very puzzled to not hear any of that in the throne speech. What I heard was: let's get as many of our natural resources, both sustainable and unsustainable, and sell them, just shoot them out of this province as fast as we can and sell them all over the place and develop new markets in other places for people to buy our renewable and nonrenewable natural resources. I thought: whoa. I thought we were trying to reverse that trend. I thought we were trying to diversify our economy. We should be looking at how we can keep that stuff here.

Let me give a bouquet to the government for the BRIK program. That's exactly what we're talking about. That's taking that natural resource and keeping it here so that our people get jobs, good high-tech, well-paying jobs, so that they enjoy a quality of life. That's the kind of thing we need to be talking about, not continuing to ship our natural resources away to other countries.

Often, it comes back to us in a secondary or tertiary market, and the quality isn't even as good.

I'm told that often happens with raw food product that we ship out, for example. So why, why on earth? How 1950s is it that this government is talking about their big new idea, to ship more natural resources out of the province? That just doesn't make sense to me.

5:30

They were talking about forestry. They were talking about agricultural product, wheat. They were talking about oil and gas products. We're talking about those upgraders starting to come online again and be possible in the Industrial Heartland. I'm quite excited about those upgraders, but we do need to balance that with very strong environmental protection because there's a certain saturation point of those upgraders where you start to lose your quality of life, and the balance, the scales shift.

That's the role of government. That's part of what government does, that they provide what business will not do because business doesn't make a profit doing it. So things like police forces and fire and providing municipal services and things like that: there is a

role for government. I know that my colleagues opposite think there isn't, and they want smaller government, blah, blah. Okay. Fair enough. I disagree. I think there is a role for government, and one of those roles is environmental protection, consumer protection. That's what it needs to do. It needs to give a level playing field. It needs to be able to set limits on what the private sector can do.

"Profit" is not a dirty word; it's just that it's not the only word. Often I sit in here and I listen to people go: "We gotta grow. We gotta make more money. Money's the bottom line. It's all about money." No, it isn't. Most of us in this world work. That's true. We work to make money to do other things. Money is not the only thing. Profit is not the only word. There are other things that are important to Albertans, like clean air, like fresh water, like recreational opportunities, like spending time with their families. So "money" or "profit" is not a dirty word; it's just not the only word in the Alberta that I see.

As I said, I think that environmental protection is a big part of that. We need vigorous, muscular environmental protection that is action defined. This has been an ongoing quandary for the government because instead of actually taking the action, the steps that people expect to see that would result in change, we just get another PR project. We get more spin put on top of it.

For example, I was expecting to hear in the throne speech that we were going to have a new water act. There's been lots of talk about it. We know that there are serious issues about water in the southern part of our province. We know that there are serious issues about FITFIR – first in time, first in right – questions about it. We know that there are increasing concerns from one party and desire to have it from another side for water markets and selling of water licences. I expected to see something about that in this throne speech. Nothing.

All there is is that the government will continue to do groundwater mapping. Well, at the rate we're going with groundwater mapping, it's literally a decade or more down the line. One of the things that we have in our environmental policy in the Official Opposition is that we would invest enough money to speed up that groundwater mapping process so that we could at least get that information into our hands a lot faster.

The government, as always, is really fixated on money and on the stability fund. Sorry; sustainability fund. You know, I keep making that mistake. For some of the members that are fairly new to this House, that were elected after 2004, you've got to forgive me rolling my eyes at you all the time. But, honestly, I sat in this House and listened to Ken Nicol talk about the stability fund until I thought my eyeballs were going to fall out. He was the one that kept saying this is what we've got to do. While we're making new money, while we're making money from our resource base, we need to be putting that aside to level out our traditional cyclical economy. See, I can still hear that stuff; I sound like him when I'm talking. He was absolutely right.

The government took it and takes credit for it now. You know what? I don't care. I really am just interested in best practices. If that's what's actually going to move us forward and make a better Alberta for all of us, I don't care who gets the credit. I just want to see it put in place.

I notice that lots of people now from different parties are talking about indexing AISH payments to the cost of living. Great. I can't remember who in my caucus started talking about that. I really don't care now. If I can get the Wildrose onboard with that and the Conservatives onboard with it – the NDs already were – yippee. Let's do it. It should be about best practices for our constituents, not about some set ideological position that doesn't allow you to move from it.

On that, I would like to challenge the government to do a white paper on government revenue. I would like to have a white paper produced that we could discuss in all kinds of contexts, all kinds of forums, on Twitter and Facebook, about how the government raises money and what it does with it. What do our constituents really think about taking natural resource revenue and subsidizing services they are getting today with that money, right out of the ground right to paying services today, no savings involved? What do they really think about a consumption tax or about municipal funding? Let's do a white paper on that. That would be interesting. That would be new.

**The Acting Speaker:** Standing Order 29(2)(a) is available for anyone to comment or question. The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I wonder if the member would be averse to perhaps discussing more of what she would like to see in that white paper because I think that it's probably a good idea and that the white paper, of course, would then be shared with all Albertans.

**The Acting Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Well, because it's one of those things that politicians are never supposed to speak about for fear that they'd get labelled as tax and spend, although I notice that one of my colleagues, Battle River-Wainwright, has talked about consumption taxes in the past. Good on him because I think it's something that should be examined. I think it is an issue that people want to weigh in on. I think we've got to get over this idea of being slammed as a politician because we're willing to talk about different sources of revenue. I mean, none of us wants to burden people so that they don't have a quality of life, but do we have the best balance right now? Is a 10 per cent flat tax on income the best way to do things?

What about municipal financing? I think the municipalities would argue. The AUMA is now trying to get a piece of provincial income tax to subsidize what they're doing in the municipalities. Anyone in a municipality, some of you in here, will tell us that property taxes are not flexible and don't deal with growth. So on every level of what we're doing here we don't know if this is the best mix of government revenue, of revenue to help us deliver the programs and services, and I think that's something we should look at.

The other thing we need to look at is investment. Investment is about having your money make money. So when you talk about investment, to me that's about investing in education because smart, well-educated people help your province make money. They become part of that knowledge-based economy.

Investing in the arts. I was very happy to hear the minister finally talking supportively of the arts. Thank you so much. Thank you for finally spending time with the people in the film area and hearing what they're saying. Thank you very much for that. I'm sure they appreciate it, and I definitely appreciate it.

Investing in the arts, depending on which figure you want to use from the minister's department, is an \$8 to \$12 return. That's an investment. Man, if I could put my money in a bank and get \$12 back for every dollar I put in, we'd all be running to the bank. So why on earth are we not investing in the arts when we know that's the kind of return that we can get? I mean, honestly, cutting the arts? For the amount of money that that budget is right now, it's pocket fluff for you guys. You are cutting a couple of million dollars. It's pocket fluff out of a total \$37 billion budget, and the

effect it has on that sector is devastating because it already works on not very much money.

So when you talk investment, there are a lot of places we can invest in this province where our money would make money. Two of them are investing in education and investing in the arts.

Thank you for the opportunity to expand on that.

5:40

**The Acting Speaker:** There's still some time left under Standing Order 29(2)(a).

Do any other members wish to speak? The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. I appreciate very much the opportunity to respond to His Honour the Lieutenant Governor's Speech from the Throne, and I appreciate very much His Honour and the commitment that he's made to public service in our province.

I have a few comments with respect to the speech. I said yesterday after hearing the speech that I felt that this was a last will and testament of this PC government. What it represents, in my view, is a recapitulation of promises and commitments that have been made over the years but which remain unfulfilled. For example, the commitment to cancer, dealing with the cancer epidemic that's going to be expected, was something that Premier Klein raised five or six years ago, when he promised a billion dollars for cancer care. Of course, that didn't transpire.

There are many others. Another one I think that is worthy of mention is the police college in Fort Macleod, Mr. Speaker, and the promises that were made to establish that many years ago. Again, that has been recapitulated. There are promises relating to health care, of course, and to long-term care, to children in care, around community and family safety, better environmental planning and monitoring, and so on.

I think the speech really represented a dawning realization that the government has not provided the leadership in building a strong economy or creating jobs in the future. It also has to take into account the government's dependence on revenue from non-renewable energy sources – particularly the natural gas royalties are not going to be there in the future – and the reductions that the government has made in taxes for the corporate sector, where these taxes have been cut by nearly half over the last eight years, and of course the flat tax on personal income, which gives a massive gift to the very wealthiest Albertans.

Mr. Speaker, also the speech does not deal properly, in my view, with royalties, and it doesn't recognize the fact that this particular government under this Premier came into office promising a royalty reform and promising to increase royalties and the numerous steps backwards since that time, to the point where we're virtually at the same place we always were, charging some of the lowest royalties on gas and oil in the world.

Our party has a very different view of Alberta, a view that's confident and which believes that there are common-sense, effective solutions that stand up for our families. I think people, notwithstanding the various leadership races that are underway in some of the political parties, are waiting to hear what can be done to assure a strong and prosperous Alberta, and that's what I'd like to speak a little bit about today.

Mr. Speaker, education is critical. The future of our province depends on a well-educated and a well-skilled population. We believe that every child needs fair access to the best possible education, but I think that that requires strong support for local school boards to ensure that communities have the schools that meet the needs of their families. Schools in older communities are vulnera-



ble to being closed, and in our view this is a real blow against these communities. It works against the ability of families in those communities to provide the best possible education for their children. We take seriously the threats made to local governance in education, and we think that this is something that would be very detrimental to our educational system. We need to find ways to help support local school boards and not to create anxieties for them.

Mr. Speaker, in postsecondary education we need to do more to make education choices affordable for every person. We believe that the refusal to limit increases in noninstructional fees is a significant detriment. They become a backdoor route for postsecondary institutions to make up for underfunding on the backs of students. The government requires approval for postsecondary institutions for setting tuition fees, and they should not allow this loophole to be used to get around that. The government needs to be accountable, as do the postsecondary institutions, to make sure that education is provided in a way that does not affect accessibility of students, particularly those from less affluent circumstances.

Alberta New Democrats have for years championed positive change in the health sector, and we've presented real and effective policies to do that. I want to talk a little bit about long-term care because this government has created a great deal of confusion, and in my view deliberately so, between long-term care, which is part of our health system in which people are medically assessed as requiring ongoing care, nursing care, and so on, and in which drugs and other services are provided as part of our health care system, and assisted living or designated assisted living, where people pay on a cost-plus basis for every additional service, pay for their own drugs, and generally receive lower levels of care. The government is attempting to substitute assisted living beds for a real need in long-term care beds. That need, Mr. Speaker, is about 14,000 by the year 2019, yet the government is only committing to providing a few thousand assisted living beds over the same period.

It is a crisis in the making, Mr. Speaker. It's already a crisis for many families, some of whom have to give up full-time jobs in order to provide care for elderly family members because they can't afford or can't get the care which they require. Unless the government deals with the situation, we're going to have a serious crisis not only affecting the well-being of elderly and chronically ill individuals in our province but affecting families that are trying to support those individuals. We have done our very best to bring this issue front and centre to the attention of the government, and so far they continue to ignore the fundamental difference, as they ignore their promise made in the last election for 600 additional long-term care beds.

Mr. Speaker, we also have proposed good solutions with respect to prescription drugs. The government would like to have us believe that all of the cost increases that we're facing in our health care budget in this province are due to people aging, being out of shape, or smoking, making personal choices that are affecting the costs of the health care system. But they ignore the fact that one of the major single contributors to increases in our health care budget is drug costs. They ignore the fact that large pharmaceutical corporations have patent protection for 20 years in this country, and they use that in order to provide drugs at very, very high prices because they essentially have a monopoly.

We brought to the attention of the government that current negotiations between the government of Canada and the European Economic Community for a free trade zone involve demands from the EU for extensions of patent protection since the European economy is the host to a significant number of some of the largest

drug companies. That has been identified as something which in Alberta alone may lead to an increase in our health care costs of \$210 million per year, yet the government has remained silent with respect to the negotiations that their cousins in Ottawa are conducting with the European negotiators.

5:50

Mr. Speaker, we've talked about ways that we could economize on drug costs, and we talked about a plan. Unlike the government, which has failed twice now to bring in a new seniors' drug plan, we were able to show how we could substantially increase coverage for drugs to seniors without increasing taxes by even \$1. That is based on a New Zealand plan. By negotiating bulk-buying prices with the big drug companies for brand-name drugs, we estimate that we could save over a hundred million dollars a year. If that was put back into seniors' drug coverage, we could make sure that seniors have the drugs that they need without exceeding \$25 a month regardless of the number of prescriptions. Right now in this province it's \$25 per prescription. Of course, many seniors have multiple prescriptions, so the costs can be hundreds of dollars a year for seniors with multiple prescriptions.

Mr. Speaker, there's lots that can be done to improve health care. I talked about long-term care. The lack of mental health care beds in the province is another blind spot of this government. They talk about more community sports, but they don't talk about more mental health beds, and it is the lack of mental health beds and the lack of long-term care beds that lead many people to be placed in acute-care beds in our hospitals. That, of course, means that those beds are not available for emergency room patients once they've been stabilized in an emergency room. It's the fundamental reason for the crisis in our emergency rooms.

The government, instead of dealing with long-term care and mental health beds, which are much cheaper to operate than acute-care beds, is addressing the problem by adding more acute-care beds instead of freeing up the ones that we have and, at the same time, dealing with a chronic shortage of mental health and long-term care beds.

Mr. Speaker, solutions are there for the health care system. We don't necessarily think that you have to add more money, but you have to spend more wisely. This is reflected in a recent poll, which shows that 66 per cent of Albertans believe we have a health care crisis, and 60 per cent of those people believe that it is not a lack of money but mismanagement that is creating the situation. New Democrats have always been the most reliable champion of public health care. We invented it, and we will stand up for it always. I don't mean to in any way denigrate the commitment of other parties to this, but I just want to underline that it is something that is at the core of our values and our beliefs.

Mr. Speaker, I think that we have to talk a little bit about the whole question of landowner rights in this province. The government has forged ahead with three pieces of legislation – formerly Bill 19, Bill 36, and Bill 50 – all of which are designed to eliminate the traditional protections for landowners against arbitrary government actions with respect to their land. That is being driven, quite frankly, as Bill 50 showed, by a desire to forge ahead with massive new transmission infrastructure projects, which the government conservatively estimates at \$8 billion, but I think a more realistic estimate is \$16 billion. That is many times the total value of the entire infrastructure in our province for transmission today.

Why is that occurring? The government wants to go ahead with this. They've overridden traditional protections for landowners for their property, and they have eliminated the traditional requirements that these projects be justified before a regulatory process,

with people having the right to intervene and challenge the costs and challenge the need for the projects. The cabinet will simply designate them as essential infrastructure, and all of that is short-circuited and no longer required.

Why is this happening? Well, in our view – and we, I think, take a different view than the other parties on this – this has to do, fundamentally, with the deregulation of generation in our province. We addressed this issue at the forum in Vegreville, which the Premier didn't attend, but we had Danielle Smith from the Wildrose Alliance, and we had the hon. Leader of the Official Opposition, the Liberal leader, present and myself on the stage. Ours was the only party that took the position that we felt deregulation was the problem and that it had to be changed. The other two party leaders and, I know, the government all said that they favoured going ahead with deregulation.

That, to me, is a key question because deregulation of generation means that instead of approving after a regulatory process a new generation and building the new transmission that's required specifically for that generating site, whether it's a coal plant or a gas plant or whatever it is, now anyone can build a plant anywhere they want. So when we met with people from the transmission authority, with one of their chief planning engineers, after some discussion it dawned on me that the real reason was that you wouldn't really know where anybody was going to set up their plant, and if they thought they could make money, they could because it's no longer planned and no longer regulated. What that means is that you have to build a transmission infrastructure that is robust enough to handle it. [Mr. Mason's speaking time expired] If somebody wants to ask me a question, I have a few more things to say.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. That was a very interesting point that the hon. Member for Edmonton-Highlands-Norwood was making about transmission lines and overfunding, so I think that I'd maybe like to hear a bit more information on that.

**Mr. Mason:** Thank you very much, hon. member. I do appreciate that.

The bottom line, Mr. Speaker, with respect to that is that, in fact, we are overbuilding our transmission infrastructure in order to accommodate generation deregulation. It's massively overbuilt. It's been likened to building a 32-lane highway between Edmonton and Calgary, far more than you need. I mean, it would be lovely to have, but I think that we need to recognize that all of the costs related to this are going to be paid by the electricity consumer, so we're going to see sharp increases in our power bills in

order to build infrastructure that allows people to export their power to the United States on a for-profit basis. That has led this government into a real minefield in terms of where they're going, and there are more mines ahead with respect to that.

I want to say, Mr. Speaker, that we are committed to balanced budgets. We are committed to fair taxation but also to competitive taxation. We believe that if this government had not walked away from revenue from the wealthiest people in our province, from the oil industry and the gas industry and the most profitable of corporations, we would not be in a deficit position today. This government has created this situation. When the times were good and the money was flowing in from natural gas royalty revenues in a big way, they felt that they could give gifts to all of their friends and reduce the amount of taxes that they were paying. Now the middle-class families and the working families of this province are paying the price.

So, Mr. Speaker, I want to say very clearly that we do not think that the vision which is included in this Speech from the Throne is, frankly, much of a vision at all. It really is a reiteration of the things they wish they had done, the things that they promised to do that they might get around to sometime if they were ever elected. But I think they have exhausted the patience of the people of Alberta. They're out of ideas, and they're almost out of time. I think that this very weak speech reflects that very well.

Alberta New Democrats have a vision, a more positive vision for the people of this province, and we're going to continue to communicate that to the people of Alberta. We expect that there's going to be increasing levels of support for a more progressive, more humane, and more sensible vision for this province than that contained in this Speech from the Throne.

Thank you, Mr. Speaker.

**The Acting Speaker:** There's still time available on 29(2)(a).

The hon. Deputy Government House Leader.

**Mr. Renner:** Mr. Speaker, I would like to move that we adjourn, but I'm not sure: do we have to have a motion to adjourn debate first?

**Mr. Lukaszuk:** Mr. Speaker, if I may, at this point in time, looking at the clock, I would like to adjourn the debate.

[Motion to adjourn debate carried]

**Mr. Renner:** Mr. Speaker, in light of the time, I would now move that the Assembly adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 6 p.m. to Thursday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, February 24, 2011

Issue 3

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, February 24, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Grant us daily awareness of the precious gift of life which has been given to us. As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and of our country. Amen.

Please be seated.

### Introduction of Visitors

**Ms Evans:** Mr. Speaker, it is with mixed emotions that I stand today to introduce very special guests in your gallery. I say mixed emotions because saying farewell to two people that I have truly loved is going to be difficult. I know that when I say *domo arigato*, thank you for your service, and *sayonara*, I truly mean in my heart that we will meet again. Yasuo and Kyoko Minemura have been exemplary representatives of their country, Japan. For over three years they have served, living in Calgary, hosting many of us in this Assembly, always welcoming with their generous hearts the people of Alberta, introducing industries to people and making valuable contacts for Albertans with the people of Japan. They have illustrated by their grace, wisdom, and sensitivity the very best of Japanese exports, two wonderful people that are with us today and seated in your gallery with Tim Marriott. Ladies and gentlemen in the Assembly, please join me in thanking Yasuo Minemura and his darling wife, Kyoko, for their exemplary service. Please stand while we recognize you.

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I have two people I'd like to introduce today. One of them is my long-suffering former legislative assistant, Lindsay Cooke. I know she's in here somewhere. There she is. Stand up, Lindsay. She is a very faithful assistant, and I really appreciate everything she's done for me. She's finally rid of me, but I wanted to have her here to acknowledge the work she's done for me. Thank you, Lindsay.

Also, my good friend and mentor and a former member of this Legislature, LeRoy Johnson, is in the Speaker's gallery. He served from 1997 to March of 2008. He is also, of course, the father of the Member for Athabasca-Redwater. I'm very pleased to have him with us today.

### Introduction of Guests

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Thank you very much, Mr. Speaker. When I came into the building today, a wonderful student from this school presented me with a gift that I haven't even had a chance to open. These visitors are from Lakeland Ridge public school, a bunch of wonderful students accompanied by Mrs. Mair, Mrs. Lundin, Ms Chase, Mr. Robertson, Mr. Ron Hauser, Mrs. Gale Fuller, Mr. Greg Fuller, Carla Petroski, Marina Troake, and Alex Tighe. Would the students and their parents and helpers from Lakeland Ridge school please stand? Welcome to all of you.

**The Speaker:** The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to all members of this Assembly a group of 19 students, 23 guests in total, from Provost public school in the constituency of Battle River-Wainwright. When I asked them how they wanted to be described, they simply said "awesome," and after speaking with them for a bit, they are. They're accompanied by their exceptional young teacher, Miss Jamie Bishop, and parent helpers Joanne Paulgaard, Kim Higdon, and Linaya Lessmeister. They're sitting behind me in the members' gallery. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you very much, Mr. Speaker. It's indeed my honour and pleasure today to introduce to you and through you to the Assembly two wonderful people from my constituency, Wayne and Loree Nixon. For a number of generations both of their families have contributed greatly to the Drumheller-Stettler constituency, in Loree's family's case in agriculture but also in rodeo and Wayne's family in rodeo. Wayne also serves as the reeve of the county of Stettler. They've both given tirelessly to their community. Wayne's father and my mother actually attended high school together a few years ago. It's a pleasure, and I ask them to stand and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you very much, Mr. Speaker. I would like to take this opportunity to introduce to you and through you to the members of the Assembly two very important people. I have here with us today my new constituency assistant, Rashelle Dubrule. Rashelle has had experience in a lawyer's office, and I think that will come in handy as a constituency assistant. She's shown compassion and energy, and I'm pleased to have her here.

Along with Rashelle I have my old constituency assistant, Darin Doel. Darin has been with me for 10 years, so I feel like I'm losing a part of my family, but I want to congratulate Darin because he's moving on. He should be going back to school to become a psychologist because my constituents have come to know him as Dr. Phil. Darin is moving on to be the executive assistant to the vice-president of our central Alberta Health Services, and I would like to congratulate him. He said I could tell you anything but just don't give out his cell number.

Could I have Darin and Rashelle rise and receive the traditional warm welcome from the Assembly. They're in the members' gallery.

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Webber:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly two very talented individuals. The first one is Mr. Gordon Chan, whom I had the pleasure of getting to know over dinner last night. Gordon works for Meyers Norris Penny, and I'm impressed with his long and diverse background in the financial industry, working both overseas and in the United States. But what really impressed me with Mr. Chan is his vast and extensive training and experience in the mixed martial arts, something you don't often associate with chartered accountants. Gordon and his wife, June, and his young children, Cassidy and Dakota, now make their home in Calgary,

where he spends much of his time as a hockey dad, something many of us are familiar with.

Many members may know my second guest, Mr. Lanny Westersund. For many years Lanny worked in the Legislature for a number of our MLAs here, and he is still a familiar face in the hallways and at social events. I'm sure my colleagues will agree with me when I say that Lanny is one of the most dedicated and hard-working individuals that has worked here in the Legislature. He currently works for Meyers Norris Penny, where he is active on many of the aboriginal files. One thing I would like to mention is that Lanny is perhaps the strongest supporter of the Calgary Stampede that I have ever met, to the point that he is somewhat of an unofficial ambassador.

With that, I'd like the two to please stand and receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Speaker. It's a real pleasure for me to introduce to you and through you to all members of the Assembly today three special guests and friends. The first is one of two "Cheryls" that manage my constituency office, Sharyl James-Wright. Would you stand, Sharyl? Beside her is her father, Pat James, who is a really good friend of mine as well as of the minister of agriculture and a trail riding buddy of ours. Also, we have Al Kemmere, a friend of mine and a councillor for Mountain View county. I would ask all members of the Assembly to please welcome them.

1:40

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. It's a great pleasure for me to have this opportunity to introduce to you and through you to this House a good friend of mine, a good fellow Rotarian and good business leader in town and also a good community leader, the former president of the Rotary Club of Edmonton, Mr. Scott Montgomery, and his assistant, Denise Brunner. They are here for the budget. Please rise and receive the traditional welcome of this House.

Thank you.

**The Speaker:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to all members of the Assembly a number of guests today. First of all, my constituency assistant in Red Deer-South, Brenda Johnson, and her husband, Ken. Also joining us today is Al Evaniew, a long-time personal friend who works with Brownlee Law, and two very special constituents from Red Deer-South, Marlin Styner, who serves as the chair of the Premier's council on disabilities, and the driving force in his life, his wife, Diane Gramlich. Also joining us today is Tim Crendon, who is the executive director of the Red Deer Chamber of Commerce. I'd ask my guests to rise and receive the warm reception of the members.

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you, Mr. Speaker. It's my honour and, in fact, a pleasure to rise today and introduce again to this Legislature my partner, my wife, Debbie Oberle, who has joined us today to watch the budget.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of this House a few individuals that have been a big part of helping to make Alberta a better place. The first one is Gordon Butler, a long-time rancher, advocate for property rights, and just an awesome Albertan, who travels around promoting agriculture and what Alberta has to offer. I appreciate his dedication over the years and wish him the best.

The next two are Said Abdulbaki and his brother, Raed. They are also from Calgary and just awesome individuals that are true Albertans. They're always promoting Alberta and promoting the Wildrose Party and what it has to offer in order to make Alberta a little bit better. I'd ask that they all rise and receive the warm welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. I have the honour of introducing two guests, relatives I would say. As you know, in northern Alberta we're related to everybody. They have been recently elected to the Peavine Métis settlement, and they're seated in the members' gallery. Their names are Ken Noskey, who is the chair of the Peavine Métis settlement, and Sherry Cunningham, who is also a councillor of Peavine Métis settlement. I'd ask that they stand and receive the warm welcome of this Assembly.

**The Speaker:** Hon. members, did I miss anyone?

The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Thank you, Mr. Speaker. It's my privilege and honour to introduce to you and through you to all members a couple of people in the members' gallery. They are my wife, Pauline Prins, and seated with her is Mr. Paul de Jong. He is the former prairie director of the Christian Labour Association and currently the executive director of the Progressive Contractors Association of Canada, PCAC, from Calgary, visiting in Edmonton today for the budget. Please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It gives me great pleasure to introduce a good lifelong friend and a friend of this Assembly, Mr. Brady Whittaker. He was previously the mayor in Whitecourt and now serves and works with the Alberta Forest Products Association of Alberta. I'd ask Brady to stand and please be recognized by this Assembly.

## Members' Statements

**The Speaker:** The hon. Member for St. Albert.

### St. Albert Sesquicentennial

**Mr. Allred:** Thank you, Mr. Speaker. One hundred and fifty years ago last month Bishop Taché and Father Lacombe stood on a hill on the north bank of the Sturgeon River and proclaimed that the site would be the ideal setting for a Catholic church and an agrarian settlement. This was the origin of the first nonfortified settlement west of Winnipeg.

Today St. Albert is a prosperous community of 60,000 residents with a land area extending beyond the original St. Albert river lot pattern, which was the norm before the adoption of the Dominion Land Survey system.

St. Albert is renowned in Alberta for its high-quality arts and sports programs and its parks. St. Albert has recently adopted the motto Cultivate Life in recognition of its agrarian roots, its tree-lined streets, and its strong botanical presence.

St. Albert is proud of its most famous citizen, the late Lois Hole, former Lieutenant Governor of Alberta, the Queen of Hugs. Her Honour did so much to cultivate life in St. Albert, starting with the Hole family greenhouses, which have now been transformed into the Enjoy Centre, a major commercial and botanical attraction next to the Lois Hole provincial park and the new Ducks Unlimited viewing platforms adjacent to Big Lake.

On your desks this afternoon is a lapel pin bearing a reduction of a painting by Alan Nuttall, a local artist who often has prints available in the Legislature Gift Shop. The scene on this lapel pin depicts kids skating on the mighty Sturgeon River, with the historic grain elevators, the CN railway trestle, and St. Albert Place in the background. I had this pin minted in recognition of St. Albert's 150th anniversary.

St. Albert Place was designed by Alberta Métis architect Doug Cardinal, who has designed many unique buildings in Alberta, Ottawa, and even in Washington, DC. His designs are based on his philosophy that the built environment must blend in with the natural environment. As such there is not a straight line in the entire building.

St. Albert is also well known for hosting numerous provincial, national, and even international sporting events. As I speak, the 55 Plus Winter Games have just commenced with a torch relay, bringing over a thousand seniors from across the province to compete in 13 different events.

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

#### Disclosure of Leadership Campaign Donations

**Mr. Mason:** Albertans deserve to know where the dollars that support party leadership candidates come from. It's no secret that special interests pump tens of thousands of dollars into leadership campaigns, seeking favours. We know, thanks to electoral financing laws, that corporations, especially oil companies, donate tens of thousands of dollars to the Conservative Party, for example. We see the results: the lowest royalties in North America, lax environmental monitoring, and a permissive workplace safety regime. Yet when it comes to leadership campaign donors' donation amounts, the favours sought remain secret.

It's disappointing that the Government House Leader spoke yesterday against an urgently needed debate about leadership campaign donation disclosures. Our call for an emergency debate was for good reason. Albertans deserve clear laws on this before three leadership races come and go by the end of this year, and this government is trying to stall until it's too late.

We would not need an emergency debate if the government had acted years ago, when Alberta's NDP first raised the issue. Instead, they ignored a unanimously supported 2007 motion I made, calling for fair rules. Instead of showing leadership last year, the former Justice minister shuffled the issue off to a committee. This government broke yet another promise to Albertans. The giant loophole in Alberta's election financing laws remains. The Tories' reputation as the most secretive government in Canada is well deserved.

The consequences of this legislative void are clear. The former finance minister, a repeat PC leadership candidate, did not disclose his 2006 leadership campaign donations. Wildrose Alliance

leader Danielle Smith flouted accountability by refusing to disclose her 2009 campaign contributors.

Albertans are left to wade through a hodgepodge of different rules applying to different candidates and parties. There's no guarantee of what and how fast different parties will disclose donation information.

Party promises can be broken. Election laws can be enforced. Every MLA, front-benchers to back, has to meet strict financial rules during elections. We should expect the same in leadership contests. This government needs to stop its shameful denials and introduce donation disclosure legislation now.

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Access to Psychiatric Care

**Dr. Swann:** Thank you, Mr. Speaker. The Premier has said that there is not a crisis in health care, but yesterday we were contacted by a mother who clearly knows the system is in crisis. She has a son who has severe mental illness, who has been suicidal, and she has taken him repeatedly to the Royal Alex emergency department, where he has been unable to be admitted. She's been forced to leave the province to get the treatment her son needs. To the Premier: why should a mother with a son with severe mental health issues have to leave the province to get access to appropriate treatment?

1:50

**Mr. Stelmach:** Mr. Speaker, as I said yesterday and as I continue to say, our health system in this province is not in crisis. There is always room for improvement, especially in access, and that's why we've committed to a five-year funding agreement with Alberta Health Services and will continue to look at areas of improving access. The minister will be able in the next question to identify all of those five areas.

**Dr. Swann:** Well, again to the Premier. Access to residential psychiatric treatment for children with mental illness is just not there. This mother has been waiting for nine months to get her son into an appropriate treatment centre. Will the Premier commit to looking into this situation and see what can be done for this mother and family?

**Mr. Stelmach:** Yes.

**The Speaker:** The hon. leader.

**Dr. Swann:** Thank you, Mr. Speaker. While access to psychiatric care, especially for children, is lacking in this province, does the Premier agree that 24 psychiatric beds for children are not sufficient to serve all of northern Alberta? Twenty-four in-patient beds.

**Mr. Stelmach:** Mr. Speaker, the hon. member raises a good point. I'm not a health care professional, so I can't say whether 24 beds is adequate or not. We'll leave that to the medical profession to dictate. On the other hand, there are things that Alberta is doing that other provinces aren't doing, and that is especially in the area of autism, where we continue to attract families moving to Alberta because we do provide good services and also pay for the medication.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Operating Funds for Hospitals

**Dr. Swann:** Thank you, Mr. Speaker. Well, two out of three Albertans recognize what we have been saying in the Liberal Party for some time, that there is an ongoing crisis in the health care system, and it's because of Progressive Conservative mismanagement. An Alberta Liberal government would include operating budgets when planning capital projects. To the Premier. The south Calgary health campus, to be opened next year, was built with no plans for the hundreds of millions of dollars in operating costs. How can the hospital be opened without an operating budget?

**Mr. Zwozdesky:** Mr. Speaker, I'd be happy to undertake that question. I think if the hon. member stays patient for a few more hours, he will see some answers, possibly, to that question. The bottom line is that we budget in the year of the opening of a facility the costs associated with running the facility. You'll see that coming to pass as that hospital starts to open up. It's a wonderful facility, as you know, Mr. Speaker. One point three billion dollars for one million square feet in Calgary to help them out.

**Dr. Swann:** Well, yes, Mr. Speaker, Calgarians are very much looking forward to it fully operational. The question is when? With the Peter Lougheed expansion, the Rockyview expansion, the Sheldon Chumir centre, the east Edmonton health centre – a laundry list of Tory mismanagement and broken promises – when will you commit to ensuring that there will be enough staff and funds for these hospitals?

**Mr. Zwozdesky:** Well, right now I'll commit to that. The fact is that as these facilities open, Mr. Speaker, funds are put in place in the year that they open to help staff those facilities. In the case of the south Calgary health campus in the current budget, 2010-2011, we allocated \$50 million to begin the off-site training and the recruitment process, and additional dollars will be provided as they are needed.

**Dr. Swann:** Well, history tells a lot about those commitments, Mr. Minister.

Will the minister tell Albertans if the Edmonton clinic, also slated for opening in 2012, is going to face the same problem of underfunded budgets and lack of staff?

**Mr. Zwozdesky:** No, Mr. Speaker, that's not the case at all. There will be adequate staff put in place. Recruitment processes and training processes are already occurring. The fact is that right now we're looking for the exact spots that we can fill with the monies that we have, and as we need more spots, they will be filled with more dollars to pay for them. The bottom line is that we have space that is being built, that is being shelled in now because it's cheaper to build the additional space now than it is to try and add it on two, three, four, or five years later.

**The Speaker:** Third Official Opposition main question. The hon. Member for Lethbridge-East.

### Long-term and Continuing Care

**Ms Pastoor:** Thank you, Mr. Speaker. Affordable long-term care is a priority for Albertans and certainly the Alberta Liberals. There are 759 Albertans waiting in hospital for long-term care, yet a thousand continuing care beds were re-announced in the throne speech. Continuing care is not long-term care. To the Premier:

how many of the thousand continuing care beds are actually publicly delivered long-term care?

**Mr. Stelmach:** Mr. Speaker, again, we're going to be, you know, talking about whether it's continuing care or long-term care. I can tell you that it's about time in this country and in this province that we change the description of long-term care. We don't want to put people in long-term care. We want to put people in a facility that both spouses can spend time in together for their last few years of married life so that we don't separate them because we call one area long-term care and the other one continuing care. Surely in 2011 we can keep married couples together and give them the quality of life that they deserve.

**Ms Pastoor:** Mr. Speaker, with all due respect to the Premier, his arguments and his . . .

**The Speaker:** No preamble, please. Go to the question.

**Ms Pastoor:** . . . speaking was actually old hat. These arguments do not stand anymore today. There are people that need long-term care.

How many of these thousand beds will be delivered by for-profit deliverers, where seniors will be nickelled and dimed and dollared just to get an extra bath when they need one?

**Mr. Stelmach:** Further to add to my first answer, we'll make every effort to make sure that seniors can retire in the very same community that they helped build.

**Ms Pastoor:** We are apparently talking about apples and oranges here. Sorry.

There are 759 seniors who are waiting in hospital, and they're there because this government has ignored their needs. When will this government increase publicly funded, publicly delivered long-term care beds?

**Mr. Stelmach:** Mr. Speaker, seniors of this province are not apples and oranges. They're people that helped build this province, gave us the quality of life that we enjoy today, and we'll continue to ensure that they have the best quality of life possible as they retire and live out their last few years in this province.

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

**Mrs. Forsyth:** Seniors deserve our respect, Premier.

### Reporting of Child Pornography

**Mrs. Forsyth:** Thank you, Mr. Speaker. We have a new Minister of Justice, who I want to congratulate and welcome into that portfolio. Minister, a year ago this House passed Bill 202, the Mandatory Reporting of Child Pornography Act, but it has come no closer to the law of the land. This act has been in limbo for a year, and our children continue to be degraded and abused in secrecy. To the new Minister of Justice: will you commit to having this act proclaimed immediately?

**Mr. Olson:** I want to thank the hon. member for the question. As she might imagine, I've been getting briefed kind of around the clock. This is one of the things I have not spoken to my staff about, but I'd be very happy to talk to them about it and be happy to share that information with you and give you my position once I have met with them.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you. Thank you, Minister, and I appreciate your response as someone who's been a previous minister, and it is a huge learning curve. Minister, your staff know about this bill. Your staff has misled the public in regard to – they keep telling them they're waiting for the federal government in regard to the bill they have. Please, on behalf of Albertans and the children in this province, proclaim the bill.

**Mr. Olson:** Well, Mr. Speaker, this provides me with the great opportunity to say what my observations are about my staff so far, and it's been nothing but exemplary, the treatment that I've had from them. I spent the morning with my deputy and his assistant deputy ministers, and they are true professionals. I have no doubt that they're going to give me good advice on this.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Speaker. Minister, this was no criticism of your staff. Your staff need to know the difference between what the federal government is proposing and what the provincial government is proposing as that legislation.

The previous Minister of Justice knew about this bill, knew this bill needs to be proclaimed on behalf of the children in this province. Minister, will you please proclaim this piece of legislation?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. I'm not sure, but I don't think I have the power to proclaim the legislation myself. If I'm wrong on that, well, I'll find out. What I will undertake to the hon. member is that I will talk to my staff about it. I would be very happy to have her in, and we can discuss it further.

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

### Long-term Care Beds

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, there are hundreds of people in Alberta who are waiting in acute-care beds because long-term care beds are not available. Each one costs taxpayers a thousand dollars a day. Over the course of a year the use of acute-care beds by people requiring long-term care costs the province millions of dollars in wasteful health care spending. In light of the serious lack of long-term care beds, why isn't the Minister of Health and Wellness taking action to address this growing crisis?

2:00

**Mr. Zwozdesky:** Mr. Speaker, we are taking action. I'd just draw the member's attention to page 3 of the throne speech, wherein we said, "The government will continue to look to the 20-year strategic capital plan to build priority public infrastructure such as schools, hospitals, roads, and long-term care facilities." That ties in exactly with the 20-year strategic plan, which, as you know, I authored. If you look on page 43, you'll see more evidence of that.

**Mr. Mason:** Mr. Speaker, I'm sure that the minister means continuing care beds because that really is what the government is planning to build.

Given that we all know that continuing care beds does not refer to medically supervised long-term care beds but to nonmedical unsupervised assisted living beds and given that people who wait in acute beds require continuing nursing care, how can the minister suggest that a person who needs ongoing nursing care would be safely placed in a nonmedical assisted living facility?

**Mr. Zwozdesky:** Mr. Speaker, the fact is that we have 14,500 long-term care beds in this province in 176 different facilities. Now, we've given a commitment to the larger umbrella piece to say that we're going to build an additional 1,000 or more beds each year over the next five years, and some of those may well be what he's referring to as long-term care beds. The point is that we're trying to keep people together longer and keep them in their communities, where they feel they belong.

**Mr. Mason:** Mr. Speaker, given that the health minister seems to share the same misunderstanding of this distinction that the Premier shows, why won't he tell us why medically assisted beds – that is, long-term care beds – where nursing care is available around the clock, are not in the government's plan? Why do they think that they can take people who need that attention, who need that medical care, and put them in assisted living beds, where they don't get the care they need?

**Mr. Zwozdesky:** Mr. Speaker, it is exactly in our plans to provide people with the care they require. The difference in the thinking today as opposed to many years ago is that we're not asking them to move every few years when their needs change. We're trying to keep them in the facility and have that facility rise up to the level of care people need so that they don't have to keep moving. That is what has been asked for by families, by communities, by loved ones, and so on. That's what we're trying our best to deliver, the best care possible.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Lougheed.

### Cross-government FOIP Office

**Mr. Kang:** Thank you, Mr. Speaker. After years of pressure from Alberta Liberals Alberta became the second-last province in Canada to introduce FOIP legislation. Alberta also has the distinction of being the first province to abolish the office responsible for the act across the public sector. To the Minister of Service Alberta: can the minister explain why her deputy minister told the Public Accounts Committee that the access and privacy office was not being dismantled after the office had already been gutted and was about to be completely gone?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to FOIP and the important work that FOIP does with all government departments, the fact is that the FOIP commissioner and the individuals in each department continue to do great work, continue to protect Albertans' information, and continue to work with government to do the right thing.

With respect to the dismantling there is no such thing going on.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think the minister is not answering my question. Either the minister is incompetent, or the minister doesn't know what's happening in her ministry, or she doesn't care.

To the minister again: why did the minister think it was no longer important to keep the FOIP Act up to date and to provide cross-government support and training and advising on cross-ministry and intergovernmental projects?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to FOIP training across government, on a weekly/monthly basis there's training that is provided to all FOIP appointees, all FOIP individuals in each department across government. That is ongoing, and that will continue to go on, working with the Privacy Commissioner and all the initiatives that are going on. So the employees have access to the information to ensure that Albertans' information will be protected and as well that they have access to it.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: given that the minister has abdicated her responsibility for FOIP, what is the minister requiring other ministries to do to fill the leadership gap?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I guess that as Minister of Service Alberta FOIP and the access to information Albertans have are very important to me. The protection of information is critical as well. It's that fine balance that I and the individuals working across all of the government's departments protect every day.

With respect to FOIP and some of the information that's available to Albertans, much of that is now available on the Service Alberta website without having to do an access request.

**The Speaker:** The hon. Member for Calgary-Lougheed, followed by the hon. Member for Edmonton-Centre.

#### Southwest Calgary Ring Road

**Mr. Rodney:** Thank you, Mr. Speaker. Yesterday there was an exchange with reference to this week's southwest Calgary ring road open houses. Since I represent a different part of town, I'll bring forward a different perspective. I've heard from many constituents in Calgary-Lougheed over the years. They believe that after 50 years of talking, we all deserve the highway now, and they want it with the same speeds and the same number of lanes as the rest of Calgary and Edmonton. However, in another constituency some people are concerned that the road may negatively affect their neighbourhood. My first question is to the Minister of Transportation. If enough people are opposed to the plan, will he consider abandoning the study and looking for other solutions?

**Mr. Ouellette:** Well, Mr. Speaker, I think it's a very good thing that a lot of people attended open houses last night and the night before in Calgary. I believe that it's essential that we get the public's feedback on what they expect for a southwest ring road, and I hope that the consultants and all the officials from Calgary and the province learned a bunch from the open houses.

**Mr. Rodney:** My first supplemental question is for the same minister. Many of the people at these open houses are very concerned with the number of homes that could be removed to make way for the road. Can the minister please clarify exactly how many homes might be impacted in order to build this section of the ring road?

**Mr. Ouellette:** Well, Mr. Speaker, as I said in the House yesterday to the hon. Member for Calgary-Currie, there is a lot of information to be gathered, and there is a lot of information being told and said at these open houses. I want to be clear that all of the things that are out there right now are just options. There are no decisions that have been made. We need to let this process hap-

pen. We need the planning study to go on so that we can make the very best decisions for all Albertans and Calgarians.

**Mr. Rodney:** My final question is to the same minister. Instead of continuing with the planning study, is the minister considering going back to the Tsuu T'ina Nation at some point sometime soon to renegotiate another deal for the ring road land if that indeed is the best-case scenario?

**Mr. Ouellette:** Well, Mr. Speaker, I have to say that the province is not renegotiating the offer that was presented to Tsuu T'ina in '09. We made the best possible offer we could make at that time. I believe it's a great deal for Albertans and for the Tsuu T'ina Nation. Their people decided to vote against it. Since then we've heard that the chief has come out and said that his people voted against it because of some clarifications that need to be made. We will make those clarifications.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Red Deer-South.

#### Carbon Capture and Storage Upgrader Project

**Ms Blakeman:** Thank you, Mr. Speaker. Last week the government announced a new upgrader and carbon capture project to be built outside of Edmonton, joining the Total upgrader announced last fall. Now, this is great news for our economy, and the Official Opposition caucus is very supportive of these additional upgraders, but at a certain saturation point the economic upside loses to the deterioration of community health and the environment. To the Minister of Environment: what specific monitoring enhancements is the government putting in place to address the cumulative effects of these projects?

**Mr. Renner:** Well, first of all, Mr. Speaker, I want to share with the member her acknowledgement that this is great news for Alberta. This is a great opportunity for this part of the world. That being said, no one more than I recognizes that increased industrial development brings with it increased pressure on the environment. That's why we have committed to continue down the path of cumulative effects environmental management so that we can in fact predict, not react to, the outcomes that result from industrial development.

2:10

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you, Mr. Speaker. To the same minister: when this government intends to capture 5 million tonnes of CO<sub>2</sub> by 2015 but this carbon capture project, the only one that is beyond the letter of intent stage, will capture just one-fifth of what's needed, has the government promised more than it can deliver?

**Mr. Renner:** Well, Mr. Speaker, the issue of carbon capture is really a shared responsibility. The actual program itself falls within the Ministry of Energy. But I can say to this member that we have in negotiation a number of proposals that are at various stages, and I think it's far too early for anyone to suggest that these projects will not proceed and that we will not be able to meet that anticipated target.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Surely, the government did a business case. So if the carbon capture and storage project is delayed and does not move forward in tandem with



the upgrader, is there a plan B that's been worked out to deal with an increase of over 3,000 tonnes of CO<sub>2</sub> a day outside of one of Alberta's largest urban centres?

**Mr. Liepert:** Well, Mr. Speaker, maybe I can try to answer that question. Unfortunately, the question started with "if." I would suggest that the hon. member cool her jets and just be a little patient because I think that by the end of this year she'll be very satisfied that what we have embarked on relative to the projects in carbon capture and storage will come to fruition, and we won't have to worry about answering the question that starts with "if."

**The Speaker:** The hon. Member for Red Deer-South, followed by the hon. Member for Calgary-Varsity.

### Oil Sands Monitoring Panel

**Mr. Dallas:** Thank you, Mr. Speaker. The government of Alberta recently announced a panel to develop a world-class environmental monitoring system in our oil sands. Considering that the eyes of the world are directed at Alberta and how we manage the oil sands, the credibility of this process is crucial. My question is to the Minister of Environment. What can we expect from the panel and the future monitoring in the province?

**Mr. Renner:** Mr. Speaker, I think we can expect the same thing that I expect from this panel, and that is that they provide us with concrete recommendations to ensure that we have a first-rate monitoring system. The kinds of things that I'm looking for are an exceptional physical monitoring network, transparent reporting via the information portal, credible data analysis with a scientific base, and I think one of the most important is that there be appropriate governance and validation aspects that are incorporated into that monitoring.

**The Speaker:** The hon. member.

**Mr. Dallas:** Thank you, Mr. Speaker. To the same minister. The panel membership has come under criticism by some. Even an original member of the panel resigned, citing concerns. How can the minister assure this House that the panel has the right combination of experts and is fully independent?

**Mr. Renner:** Well, Mr. Speaker, it wasn't by coincidence that we named co-chairs to this panel. One of the co-chairs comes from a science background, and the other comes from an industry background. That's what this is all about. At the end of the day we need a system that is both credible and functional. I need to point out to all members of the House that the majority of the panel members are, in fact, PhD-level experts from areas of science expertise such as ecology, hydrology, and geology.

**The Speaker:** Sorry. We have to move on.  
The hon. member.

**Mr. Dallas:** Thank you, Mr. Speaker. My second supplemental is to the same minister. The federal government did its own review of water monitoring in the oil sands and, after it was complete, pledged to develop a water monitoring plan in 90 days, which means that it's expected to be released at the end of March. How is the province working with Environment Canada on the development of this plan?

**Mr. Renner:** Well, Mr. Speaker, we actually have officials from Alberta Environment that are working in conjunction with Environment Canada to develop the system. But I have to point out

that what the federal government is looking at is the technical side of the system. What we are concentrating on is that in addition to the technical side we have to have a system that has appropriate governance, has appropriate scientific validation, and, once again, has the transparency through an information portal.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-North Hill.

### Public Consultation on Parks

**Mr. Chase:** Thank you very much, Mr. Speaker. Just a heads-up to the individual acting on behalf of the Minister of Tourism, Parks and Recreation. Earlier this month the Minister of Tourism, Parks and Recreation stated that new parks legislation would not be reintroduced this sitting so that she could listen to the views of Albertans and stakeholders. To the minister: if consultation is important to the minister, to this government, will she actually invite the public and conservation groups to town halls and open forums before bringing forward another parks bill?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. I'll take that question on behalf of the minister of Tourism, Parks and Recreation. You know, that minister is very clear about the importance of consultation and her commitment to that, hon. member. I will take that under advisement for the minister.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you very much. That public forum consultation is absolutely essential. Groups such as Canadian Parks and Wilderness, the Sierra Club, and the Alberta Wilderness Association do not believe that this bill even in an amended fashion will pass.

With the Alberta parks system not keeping up with population growth and with the government failing to meet its preservation targets from 1995, will the minister commit to expanding the parks system and setting aside more land in an undisturbed state as her number one priority for this year?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. I'll take that question as well under advisement for the minister.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Given that parks account for almost half of Alberta's tourism activity, will the minister again permit parks funding to be cut to protect tourism programs? Kind of an oxymoron circumstance even though cutting one undermines the other.

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. As well, I'll take that question under advisement for the minister.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Strathcona.

### Inclusive Education

**Mr. Fawcett:** Thank you, Mr. Speaker. All my questions are to the Minister of Education. Many of my constituents, parents of special-needs students and teachers alike, have expressed concern

over the government's stated desire for inclusive education. Many of them either have failed to understand what this direction means or flatly oppose the direction because of what they think or perceive it to mean. Can the minister once and for all provide this House, my constituents, and all Albertans with a clear explanation of what he considers inclusive education and how it will look at the classroom level in our schools?

**Mr. Hancock:** Mr. Speaker, probably not in 35 seconds. Inclusive education means that every child has value and that every child needs to be included in the education system. That does not refer to placement. It doesn't mean any child in every classroom, but it does mean that every child deserves to have learning opportunities and that those opportunities are determined by teachers and schools together with parents and together with health professionals and advisers so that that particular child's learning needs can be met in an inclusive system.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. Given that the biggest challenge to special-needs education is a lack of accountability for funding and programming at the school level can the Minister of Education tell us how this concept of inclusive education can ensure accountability?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. This concept of inclusive education means that you look at the learning needs of the child and fund based on that. It is more difficult than a formula-based approach, but it is more important to understand what kind of technological supports, what kind of learning supports, and what kind of health supports the individual child needs and to try and arrange the funding so that you have the resources surrounding the school and the classroom to support the child, the learning technologies around, and then, of course, appropriate teaching skill levels to deal with an individual child's needs. That's more difficult than coding and funding, but it's also more effective.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. I appreciate that answer.

Is there any merit to looking at a policy that sends differential funding for coded students straight to the school which the student attends so that allocation of that funding can be done by principals at the school level in consultation with parents and staff?

**Mr. Hancock:** Well, no, Mr. Speaker, because we do have school boards across the province and we do entrust school boards to deal with the appropriate needs of all the students that are entrusted to them in their jurisdiction. We fund the boards; they allocate the funds. But we do need to work in the context of making sure the structures are around so that the supporting health professionals, the supporting structures are there, that they can be drawn on through student health partnerships and other resources, that the technology is there, and that the teachers have the appropriate access to the learning that they need to be effective to the children that are entrusted into their classrooms.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Buffalo.

2:20

### Legal Aid

**Ms Notley:** Thank you, Mr. Speaker. Due to the funding crisis in

legal aid judges and lawyers agree that it is failing in its mandate to ensure that low-income people are represented in the courts. Indeed, just two days ago the Law Society told ministers, and I quote, that no community is safe if it does not make justice available to all members. To the new Justice minister, whom, by the way, I congratulate: will you correct the neglect of the former Attorney General and start by admitting that the lack of financial support for legal aid in Alberta is creating an inequality in access to justice so profound that it threatens the integrity of the whole justice system?

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. Well, of course, our government supports the legal aid program, and we have been consistently supporting it. There has been no reduction of funding from us in the last three years. Other forces have caused some reductions in funding, and we are monitoring this very closely. We're working with the Legal Aid Society and the Law Society, and we expect that we will be able to talk about this further after the budget.

**Ms Notley:** Well, Mr. Speaker, this problem has been going on for two years now, and monitoring is not what's needed.

Given that the current eligibility for legal aid is so tight-fisted that even people on AISH can't qualify and given that the courts observed in November that legal aid is, quote, becoming an impediment to the administration of justice, end quote, why won't the Justice minister admit that the former minister's callous neglect of the legal aid funding crisis while monitoring has put the justice system out of reach of some of the most vulnerable members of our society?

**Mr. Olson:** Mr. Speaker, the former Justice minister did a wonderful job working with the Legal Aid Society. They have developed some very innovative programs, some of which are now being reviewed. As a result of that review, I think that there's a more nuanced and targeted approach. Not everybody needs a lawyer to do everything for them. There are lots of other opportunities to provide support information. Our safe communities initiative also provides that type of support.

**Ms Notley:** Well, Mr. Speaker, the minister was making that same argument a year and a half ago. By the way, lawyers are telling them that safe communities is in jeopardy right now because of the failure to deal with the funding problem.

Now, given that the president of the medical staff association at Alberta Hospital has written a letter which states, and I quote, that this is creating the criminalization of the mentally ill because of their inability to get legal aid anymore, why won't the Justice minister admit that his government is failing Albertans by denying the legal aid funding that it requires?

**Mr. Olson:** Mr. Speaker, our government is not failing Albertans. Again, I would just say to stay tuned for the budget.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for West Yellowhead.

### Electricity Supply

**Mr. Hehr:** Thank you, Mr. Speaker. This government lacks a clear plan for Alberta's electricity system. With generating units Sundance 1 and 2 offline the cost of electricity will increase, there will be a reduction in reserve capacity by 7 per cent, and it will

increase our dependence on imported power. Essential to economic development is affordable and reliable electricity. To the Minister of Energy: given that the last few months we have seen record consumption and prices, does the minister agree that without these two generators it will further escalate electricity prices?

**Mr. Liepert:** Well, Mr. Speaker, there's nothing to confirm that. I would say in answer to the member's question about a clear policy that this province does have a clear policy when it comes to energy, not like the Liberal government in Ontario. The government of Ontario has brought in a policy on energy where now they're going out and having to borrow a billion dollars to rebate consumers. That is a government that has no policy around electricity.

**Mr. Hehr:** Well, that's Ontario's problem. I'm trying to get to the root of Alberta's difficulties here, Mr. Speaker.

Given that the Alberta Electric System Operator predicts potential energy shortfalls – that's the Alberta Electric System Operator, not Ontario's – without these two generators, is the minister worried there will be brownouts or blackouts?

**Mr. Liepert:** Mr. Speaker, electricity prices in this province are less than they were in 2002, not like in Ontario, where the prices have doubled because a Liberal government brings in some booga-booga policy around green energy. That's the problem we have.

**Mr. Hehr:** Oh, Mr. Speaker, those Ontario Liberals.

Given the record consumption and high prices I'll ask the minister to focus on Alberta here for a second. Should we not be encouraging building baseload generators near Calgary and other major centres, where it makes the most economic sense?

**Mr. Liepert:** Mr. Speaker, as I said in my last answer, electricity prices in this province are, if not less, certainly equivalent to what they were in 2002. So I'm not sure what the hon. member is asking about with the two Sundance facilities. The generation capacity of those two will be almost made up when the new Keephills plant comes on in a couple of months.

**The Speaker:** The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-Glenmore.

### Coal Exports to Asia

**Mr. Campbell:** Thank you, Mr. Speaker. Ridley Terminals at the port of Prince Rupert recently signed a deal with an American coal company that may impact Alberta coal producers. Ridley has agreed to ship 2 million tonnes of American coal this year to Asian markets and 2.5 million in each of the following four years. This will bring Ridley Terminals close to the shipping capacity of 12 million. My question is to the Minister of Transportation. Did Alberta Transportation have a hand in enabling the coal-shipping arrangement between Ridley Terminals and the American coal producer Arch Coal of St. Louis, Missouri?

**Mr. Ouellette:** Well, Mr. Speaker, Alberta Transportation is aware of the agreement between Ridley Terminals and Arch Coal; however, the ministry had nothing to do with enabling the shipment of coal from the United States to Ridley Terminals. Ridley Terminals is a federal Crown corporation that has made a business deal with an American coal company.

Mr. Speaker, I will continue to advocate for our domestic markets and to make sure that we are looked after here. I'll write a

letter to the federal minister to strongly encourage improved terminal capacity . . .

**The Speaker:** The hon. member. [interjection] Okay. But the hon. Member for West Yellowhead has the floor.

**Mr. Campbell:** Thank you, Mr. Speaker. I'm happy that the minister has talked about domestic markets, but my concern is whether or not the Alberta government and Transportation will put pressure on the Crown corporation to make sure that Alberta coal producers have a viable export option.

**Mr. Ouellette:** Mr. Speaker, since I've been the Minister of Transportation, we have always advocated for all of our producers here to try to get our products to market. I've put lots of pressure, as much as I could, on the federal ministers. I've gone together with our counterparts from British Columbia and Saskatchewan to write letters, to make sure we could have capacity on our rails to get our products to market, and we continue to do that. I suggest that we can improve that capacity in the ports if the federal government . . .

**The Speaker:** Thank you.

The hon. Member for West Yellowhead.

**Mr. Campbell:** Thank you, Mr. Speaker. My final question is to the same minister. With world export markets in turmoil, especially with what's going on with the floods in Australia, what can Alberta coal producers expect in the future with respect to their ability to export coal to Asian markets through Alberta?

**Mr. Ouellette:** Mr. Speaker, I want to assure this member that Alberta Transportation will continue to review the issue on behalf of Alberta's coal producers. We'll continue to work with the federal government to ensure that Alberta coal producers have viable export options. That's very important to be able to grow Alberta's coal industry. In the future the federal government should carefully review similar contracts that have the potential to limit any growth of Canada's economy.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Calgary-Nose Hill.

### Capital Infrastructure Planning

**Mr. Hinman:** Well, thank you, Mr. Speaker. Albertans are disappointed and are questioning the government's integrity because of its secret infrastructure list. The last few days the Minister of Education has continued to erode that trust of Albertans by implying that they're not mature enough to understand the changing priorities. The truth is that the political reasons for changing these priorities are unacceptable to Albertans. To the Minister of Infrastructure: will you table the government's secret infrastructure priority list and the criteria used to determine that list for all Albertans to see?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. Let me make it very clear: there is no secret list of infrastructure. The first thing is that Albertans very much deserve the infrastructure and the need for infrastructure that we are presently providing. The infrastructure needs change throughout this province. As the hon. member knows, populations increase, and needs for schools, needs for hospitals and infrastructure change as times change.

**Mr. Hinman:** That's no answer. Given that this government purports that it is open and transparent, clearly it is not by that ridiculous response.

Yesterday the Minister of Education refused to make the secret list public. Will this minister do the right thing today here in this House and make the list public for all Albertans to see? They understand. Show the criteria. Make the list public.

2:30

**Mr. Danyluk:** Mr. Speaker, spending money on projects that are important to Albertans is what this government does. We are investing. We invested over \$7 billion last year on projects. Twenty-two schools were opened last year. We're going to open schools this year. We have started on hospital projects such as the Grande Prairie hospital, such as hospitals in the northern and the southern parts of this province.

**Mr. Hinman:** Mr. Speaker, talk about a secret list. Given that I have been asking for this secret list for years and nobody has ever seen it, this government's priorities are a farce. For five years Fort Macleod has been promised the police training centre. Fort McMurray and Strathmore are still waiting for the long-term care facilities promised by this Premier himself. For two years highway 63 has seen no paving.

**The Speaker:** Let's get to the question.

**Mr. Hinman:** Sure. Actions speak louder than words.

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. As I mentioned before, whether it be transportation or whether it be health care or whether it be education – I'm not sure if this hon. member would expect the schools list to be in place for the time that the schools are built. Airdrie has grown 50 per cent in the last five years. Chestermere has grown 80 per cent. They need schools.

**The Speaker:** Thank you very much.

### Regional Planning

**Dr. Brown:** Mr. Speaker, some Albertans have expressed concerns over the Alberta Land Stewardship Act. They say that we haven't consulted adequately over the regional plans. Some of them are saying that we are taking away landowners' rights without compensation, and some of the opposition members are even calling for us to repeal ALSA. My questions are all for the Minister of Sustainable Resource Development. Why do we need regional planning like in ALSA, Mr. Minister? Why can't we continue with what we're doing right now?

**The Speaker:** The hon. minister.

**Mr. Knight:** Well, thank you very much, Mr. Speaker. The reason that we require planning, quite simply, is that there are 60,000 new Albertans that come to this province every year, either born here or who move here. For the last dozen years or so that's happened. We've got an additional million people in the province of Alberta, and by 2030 we believe that 5 million people will call Alberta home. There are multibillions of capital dollars being deployed in Alberta on an annual basis. We need to plan to go forward, and Albertans expect solid planning from this government.

**Dr. Brown:** To the same minister: if regional plans are about providing leadership, does that mean that the government is dictating the regional plans to the people of Alberta?

**Mr. Knight:** Well, Mr. Speaker, I would suggest: anything but. You know, Albertans are clear on one thing on this issue. They're very clear that they expect this government to move forward with regional plans that include a recognition of cumulative effect on air, water, and land base of all activities in Alberta. We've gone out and consulted with Albertans extensively on this issue. At the end of the day very few, if any, Albertans would argue that we need proper planning going forward.

**Dr. Brown:** Mr. Minister, if the Alberta Land Stewardship Act were rescinded, as some of the opposition politicians are calling for, what would the result be for planning in the province of Alberta?

**Mr. Knight:** Well, Mr. Speaker, I think that to that question there is a very solid and clear answer. You don't have to think very far back to see what happened with the lack of planning in the lower Athabasca region, when some \$30 billion a year was deposited on the landscape in Alberta. We need to have solid plans going forward. At that point in time all Albertans were suggesting that we weren't planning properly.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Whitecourt-St. Anne.

### Funding Guidelines for Medical Research

**Dr. Taft:** Thanks, Mr. Speaker. For decades Alberta's Heritage Foundation for Medical Research was the envy of the nation and was attracting some of the brightest minds in the world right here to our province. This government replaced that foundation with a poorly defined corporation called Alberta Innovates, that two years later remains a giant question mark within the research and scientific community. To the Minister of Advanced Education and Technology: are there rules in place that prohibit political interference in the selection of medical research projects, and if so, will you show us?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. It's true that the funding for AHFMR was moved into Alberta Innovates, and it's been a great move. The money is still in place. It's still funding medical projects, as it has for 30 years and continues to do so. That is operated by an arm's-length group which selects the projects that will be funded and chooses how they'll be funded.

**Dr. Taft:** To the same minister: when Alberta Innovates enters into partnerships with industry, what guidelines protect taxpayers' money, or is the government simply allowing that money to subsidize the R and D efforts of corporations?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Each agreement is different. Within those agreements we do not subsidize the operations of businesses, but we do support the research activities that may occur within those businesses within the partnerships.

**Dr. Taft:** Does the minister have any firm timelines – and I mean firm – for when the first round of research grants will be issued

given that Alberta Innovates officials haven't been able to be more specific than sometime this year?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you. There's going to be some information forthcoming shortly that may help us to talk about that a little bit more, so I'll leave that to the budget discussions, which are going to happen in a few minutes right here in this Chamber.

Thank you.

**The Speaker:** The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Edmonton-Centre.

### Catholic Education

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. My questions are all to the Minister of Education. Recently in my constituency office we're pretty well overwhelmed with cards regarding Catholic education, and in talking to my colleagues, I understand that their offices are starting to get these same cards. Minister, I've never heard the Premier, I've never heard you, I've never heard our caucus talk about removing the rights of Catholic education, but somehow this misinformation is being passed around. Can you clear this up for me, please?

**Mr. Hancock:** Mr. Speaker, I've been unequivocal when this question has come up. We have a very good education system in this province, and one of the reasons it's very good is because we have choice. Catholic education is one of those choices. Minority faith education is enshrined in the Constitution of this province. We're not going to do anything to change that. It's a fundamental part of our public education system in this province, and it will continue to be supported by this government.

**Mr. VanderBurg:** Thank you for that, Mr. Minister.

Since I made you aware of the situation some days ago, have you had an opportunity to see who is spreading this fear amongst the Catholics in our province?

**Mr. Hancock:** Well, Mr. Speaker, the cards that the hon. member is talking about appear to come from the Catholic Women's League, and while I respect and encourage people to engage in the discussion, I think they're raising an issue over something that would remain relatively small. A former Minister of Education, David King, has started a petition to get rid of Catholic education. It doesn't seem to be getting any traction. I can tell you that it hasn't gotten any traction with this government because we believe in choice in education. We believe that choice actually makes a good education system better, and the Catholic system is doing a good job in this province.

**Mr. VanderBurg:** Well, thank you for that, and I hope that it's going to clear up the situation.

Can you expand on what Mr. King's motive may be to get these people all riled up?

**The Speaker:** Well, I'm sorry, but the motive of an individual not in this Assembly has no bearing on what we're doing.

The hon. Member for Edmonton-Centre.

### Integrated Police Information Database

**Ms Blakeman:** Thanks very much, Mr. Speaker. Strategic IT initiative or Alberta police integrated information initiative or API3 or common technology and standards to facilitate informa-

tion integration and interoperability: this obscure jargon is what passes for this government's explanation of a combined database of police notes, which can include speculation, gossip, and opinion. Since this system has been around so long, I'm sure the Solicitor General can tell us who does have access to this unverified information. Private security personnel? Government collection agencies? Homeland Security if they ask? Who?

2:40

**Mr. Oberle:** Mr. Speaker, the hon. member spreads – well, for lack of a better term I think booga-booga works quite well. The information that police are going to collect is the same information they've always collected. It's going to be accessed by police members, the same way it always has been. It's going to be overseen by FOIP legislation and the Privacy Commissioner as it always has been. It's exactly the same. For the member to allege that security guards can access it: not true. For the member to allege that we'll be storing children's fingerprints: simply not true.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much. To the Solicitor General: given that a privacy impact assessment is a risk management tool, could the minister explain why it was not done five years and \$65 million ago?

**Mr. Oberle:** Mr. Speaker, the member alleges that we started this project five years ago and that we've spent \$65 million on it. That's simply not true. But the bottom line is that if the member knew something about privacy impact assessments, she would understand that it's a very detailed documentation of who accesses the system, how it's monitored, who reports to whom, how supervisors oversee it, and you can't do it before you have the system. It doesn't go live till the PIA is done.

**Ms Blakeman:** Well, speaking of done, given that the minister is now promising that all will be revealed in the privacy impact assessment, would the minister commit to not implementing this system until the assessment has been made public?

**Mr. Oberle:** I thought I made pretty much exactly that commitment yesterday. Is the member now asking me not to do a privacy impact assessment? That's exactly what we're going to do, Mr. Speaker.

**The Speaker:** Okay. Well, that was 19 members today. That was 114 questions and responses.

I want all members to take a look at the clock. We will do a recess promptly at 3 o'clock. We have a fair amount of Routine work to continue, so we'll go into it right now. We're going to continue with Members' Statements, where we left off.

### Members' Statements

(continued)

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

### Raymond Comets

**Mr. Jacobs:** Thank you, Mr. Speaker. It is my privilege today to rise to recognize a group of talented young athletes from my constituency of Cardston-Taber-Warner. The Raymond Comets are the 2010 Alberta athletic tier 1 football champs. They earned the title by defeating Edmonton's Harry Ainlay Titans during a hard-fought game late last year.

Interestingly enough, Mr. Speaker, this victory marks the third consecutive provincial win for the Comets and the seventh time in 14 years that the Comets have earned the championship title. This record is truly reflective of the hard work and dedication exhibited by both players and coaches.

I would like to take this time to congratulate each and every member of the Raymond Comets. Good luck, and here's hoping for another victory in 2011.

Thank you.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Drayton Valley-Calmar.

### Rural Teacher Practicum Program

**Mrs. McQueen:** Thank you, Mr. Speaker. I am pleased to rise today to speak about an innovative program that encourages Alberta's future teachers to consider teaching in rural Alberta. The rural practicum initiative is part of Alberta Education's workforce planning framework for action and is another way that government is partnering with Alberta school districts and postsecondary institutions for the ultimate benefit of Alberta students.

Rural school districts around Alberta have had some difficulty attracting and retaining new teachers. Alberta Education in partnership with the University of Alberta and several rural school jurisdictions have responded with a program designed to encourage education students to consider a rural practicum placement. This program gives the university students a unique opportunity to form connections with superintendents of the rural boards and their administration. This gives them a great advantage when it comes to finding a job after graduation.

There are, however, challenges that remain for student teachers who choose a rural practicum. Most students face the cost of travelling or maintaining two residences as their six-week practicum will take them away from their home. In order to ease the burden, Alberta Education is working with Horizon school division, Northland school division, Holy Family Catholic regional school division, and St. Thomas Aquinas Roman Catholic separate regional division, which is part of my constituency of Drayton Valley-Calmar.

The government is providing help with the increased cost-of-living expenses associated with a rural practicum as well as helping student teachers find accommodations and make connections within the community.

I wish these students all the best in their practicum experience. I'm sure that these school divisions will truly benefit from the experience of hosting these student teachers.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Calgary-Mackay.

### Social Enterprise in the Nonprofit Sector

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise today to speak about social enterprise in the nonprofit sector, which is defined as a business operation commonly run by a charity or nonprofit organization with revenues reinvested into the programs and operations of the nonprofit. Examples of social enterprise include revenues the Girl Guides generate from selling over 4 million boxes of cookies that go towards funding their programs. Selling the cookies helps Girl Guides gain valuable skills and experience.

Goodwill thrift stores generate revenue that helps fund their operations and also provides training for people with disabilities and inexperienced individuals to gain work experience.

EthniCity Catering is a nonprofit venture that specializes in multiethnic food produced by immigrant women who lack Canadian work experience. The revenue from the catering company helps support the Centre for Newcomers' programs.

Mr. Speaker, last week our province joined a privileged rank in Canada's social entrepreneurship movement when Trico Charitable Foundation launched three exciting new programs with a financial commitment of \$2 million. First, the Trico foundation will provide funding and educational opportunities through their enterprising nonprofits Alberta program for organizations to evaluate and enhance their social enterprise. ENP Alberta will empower nonprofit groups to enhance their sustainability by providing grants and technical assistance to develop and grow their profit-generating social enterprise.

Secondly, the foundation promotes and encourages social entrepreneurship through its partnership with the Canadian Youth Business Foundation and also by presenting four annual Social EnterPrizes, which recognize entrepreneurship within the nonprofit sector.

Social enterprise builds greater resiliency and independence within the nonprofit sector . . .

[The Speaker in the chair]

**The Speaker:** Thank you, hon. member.

The hon. Member for Calgary-McCall.

### Calgary Airport Trail Tunnel

**Mr. Kang:** Thank you, Mr. Speaker. Earlier this month Calgary's city council did the right thing for Alberta's largest city and ordered to build the Calgary airport tunnel. On that day Calgary's municipal leaders showed that they have a vision for more efficient, cleaner, and cost-effective transportation links. There was even some talk in the media at the time that many Tory MLAs, including the Premier himself, were finally considering the value of supporting the tunnel. Sadly, those promising talks seem to have been stamped out by this government, which has returned to the old, tired line that Calgary already has enough money, that it's their project, and they should foot the bill alone. While Calgary city council showed their vision, this government shows that they have developed a case of tunnel blindness.

Mr. Speaker, with all due respect, this is far from a Calgary-only project. The tunnel will benefit all Albertans by improving access to Alberta's busiest airport. Tourism, small businesses, and big businesses will all benefit from the presence of the tunnel. Calgarians should not have to bear the burden alone for the tunnel construction. This issue isn't just about traffic congestion. It is about growth, prosperity, and positive economic development for the province as a whole. It is about putting our money where our mouth is when it comes to livable cities and fighting climate change. It is about protecting small businesses and improving quality of life for Alberta families.

It is time for this government to dig its head out of the sand and use a shovel for a better purpose, to build the airport tunnel. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

### Provincial Cabinet Tour

**Mrs. Leskiw:** Thank you, Mr. Speaker. On Tuesday, February 15, I welcomed nine ministers to the Bonnyville-Cold Lake constituency as part of a province-wide cabinet tour. In both Bonnyville and Cold Lake the ministers were greeted by well over a hundred people in each of the communities, who were thrilled about the chance to engage in a one-on-one dialogue with their government. The response to their visit was excellent. My constituents and our public officials were grateful for a chance to discuss first-hand the issues that matter to them and to be assured of this government's continued commitment to prosperity and progress in Bonnyville-Cold Lake.

Mr. Speaker, issues of health care, education, resource development, transportation, and landowners' rights were the major topics of the day. The ministers did a phenomenal job not only of addressing questions related to each, but they succeeded in providing my constituents with insight into our commitment to them and their needs as we move forward.

I would like to thank the city of Cold Lake and both the town and MD of Bonnyville for hosting the events and helping to make them so successful. On behalf of the constituents of Bonnyville-Cold Lake I urge this government to continue to plan events just like this one and make every effort to bring our government ever-closer to the people of this province in every constituency and every community.

Thank you very much.

2:50

### Introduction of Bills

**The Speaker:** The hon. Member for Edmonton-Manning.

#### Bill 201 Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011

**Mr. Sandhu:** Thank you, Mr. Speaker. I request leave to introduce Bill 201, Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011.

Mr. Speaker, this bill proposes to require all Albertans to make a choice regarding their organ donor status on the back of their personal health cards. They would be compelled to choose either yes, no, or undecided. This requirement would not apply to holders of current health cards or those unable to consent.

Thank you, Mr. Speaker.

[Motion carried; Bill 201 read a first time]

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo on behalf of the hon. Member for Airdrie-Chestermere.

#### Bill 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I request leave to introduce on behalf of the Member for Airdrie-Chestermere Bill 202, referred to as a private member's bill, to amend the Legislative Assembly Act concerning the transition allowance.

Bill 202 instructs the Members' Services Committee, via this amendment added at the end of section 39 of the Legislative Assembly Act, to replace the transition allowance with a retire-

ment allowance that will not exceed one month's pay for every year served to a maximum of 12 months' salary.

Thank you, Mr. Speaker.

[Motion carried; Bill 202 read a first time]

### Tabling Returns and Reports

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

**Mr. Hehr:** Thank you, Mr. Speaker. I've got the appropriate number of copies of a report put forward by the Alberta Electric System Operator which clearly shows that with Sundance 1 and Sundance 2 going down, we'll be continuing to rely on power from outside the province as well as most likely experiencing price rises. I leave that to be picked up by the Clerk.

Thank you very much, sir.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have two tablings today: five copies of a letter and my cheque to the Lethbridge Food Bank for November of 2010, to which I send a cheque every month to support my mantra of the fact that AISH should be indexed, as are MLAs' salaries. It's for \$146.25, which was half of the pay raise that I got in 2007. It will be the same for December 17, 2010, and the food bank that month was the Coaldale Food Bank.

Thank you.

**The Speaker:** Are there others?

Hon. members, I wish to table with the Assembly today the appropriate copies of the members' allowances amendment order which was passed at the Special Standing Committee on Members' Services at its February 17, 2011, meeting. The order came into force that day.

### Projected Government Business

**The Speaker:** The Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. If I could prevail upon the Government House Leader to please share with the Assembly the projected government House business for the week commencing the evening of February 28.

Thank you.

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

**Mr. Hancock:** Thank you, Mr. Speaker. On Monday, February 28, of course, in the afternoon is private members' business. In the evening, subject to the passing of a government motion this afternoon, we would anticipate meeting in Committee of Supply at 7:30 for the supplementary estimates. Sorry; the motion was passed yesterday, so we will be meeting on Monday at 7:30.

On Tuesday, March 1, in the afternoon will be day 3 of consideration of His Honour's Speech from the Throne. So it will be budget replies first and then responses to the Speech from the Throne and, time permitting, introduction for second reading of Bill 1, Asia Advisory Council Act; Bill 2, Protection Against Family Violence Amendment Act, 2011; Bill 3, Engineering, Geological and Geophysical Professions Amendment Act, 2011; Bill 4, Securities Amendment Act, 2011; Bill 5, Notice to the Attorney General Act; Bill 6, Rules of Court Statutes Amendment Act, 2011; Bill 7, Corrections Amendment Act, 2011; and Bill 8, Missing Persons Act, such of those as we might be able to get to. The

intention would be to introduce them for second reading so that they're on the table. And as per the Order Paper.

Wednesday, March 2, in the afternoon we would anticipate meeting in Committee of Supply to consider the estimates of Finance and Enterprise and as per the Order Paper.

On Thursday, March 3, in the afternoon consideration of His Honour's speech, day 5 of 10 for throne speech responses and then further debate on second reading of bills 1 to 8 such as we might get to and as per the Order Paper.

**The Speaker:** Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Little Bow.

**Mr. McFarland:** Thank you, Mr. Speaker. It's a pleasure and an honour, and thank you very much for allowing me to introduce to you and through you two people that have made the trip all the way up here from Vauxhall, Alberta, on this very cold day. Dwight and Jan Tolton have come here for the very first time to take in the budget. I wanted to especially recognize them. They're typical of community people that really get involved, get things done. Jan is involved with the school. Dwight is an MD councillor with the MD of Taber. They're host parents at the Vauxhall Academy of Baseball, strong proponents of it. I really thank them for taking the time to come up. I'd like them to stand and receive the warm welcome of our Assembly.

**The Speaker:** Hon. members, in order to prepare appropriately for the presentation of the provincial budget, this House will stand in recess until 3:15 sharp.

[The Assembly adjourned from 2:58 p.m. to 3:15 p.m.]

### Orders of the Day

#### Transmittal of Estimates

**The Sergeant-at-Arms:** Order!

**Mr. Snelgrove:** Mr. Speaker, I have received certain messages from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

**The Speaker:** Hon. members, the Lieutenant Governor transmits supplementary supply estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2011, and recommends the same to the Legislative Assembly.

The Lieutenant Governor transmits estimates of certain sums required by the offices of the Legislative Assembly for the service of the province for the fiscal year ending March 31, 2012, and recommends the same to the Legislative Assembly.

The Lieutenant Governor transmits estimates of certain sums required by the government for the service of the province for the fiscal year ending March 31, 2012, and recommends the same to the Legislative Assembly.

Please be seated.

**Mr. Snelgrove:** Mr. Speaker, when a set of estimates is to be tabled, section 8 of the Government Accountability Act requires that an amended fiscal plan be tabled. Accordingly I wish to table both the 2010-11 quarterly budget report for the third quarter,

which serves as the amended fiscal plan, and the 2010-11 supplementary supply estimates. This quarterly report has already been provided to all MLAs, and as I speak to you now, this report is being made public, as required by section 9 of the Government Accountability Act.

These supplementary estimates will provide additional spending authority to 13 departments of the government. When passed, the estimates will authorize increases of approximately \$638.7 million in voted expense and equipment/inventory purchases, approximately \$0.4 million in capital investment, and approximately \$124.3 million in nonbudgetary disbursements. These estimates will also authorize transfers of approximately \$25.1 million of the previously approved spending authority between departments.

### Government Motions

6. Mr. Snelgrove moved:

Be it resolved that the message from His Honour the Honourable the Lieutenant Governor, the 2010-11 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

**The Speaker:** Hon. members, this is a debatable motion, but seeing no members rise, should I just call the question?

**Hon. Members:** Question.

[Government Motion 6 carried]

7. Mr. Snelgrove moved:

Be it resolved that pursuant to Standing Order 61(2) the number of days that Committee of Supply will be called to consider the 2010-11 supplementary supply estimates for the general revenue fund shall be one day.

**The Speaker:** This motion, hon. members, is not debatable, so I'll call the question.

[Government Motion 7 carried]

**Mr. Snelgrove:** Mr. Speaker, pursuant to Government Motion 5, agreed to by the Assembly on February 23, 2011, I wish to table the 2011-12 offices of the Legislative Assembly estimates as well as the 2011-12 government estimates.

Mr. Speaker, in addition, the Government Accountability Act requires that the government table the government's business plans and consolidated fiscal and capital plans. The hon. Premier will table the government's strategic plans and ministerial business plans.

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Thank you, Mr. Speaker. I wish to table the government strategic plan and ministry business plans as required under sections 7 and 8 of the Government Accountability Act. The strategic plan sets out the government's vision and long-term strategic plan and also includes the government's three-year business plan, which outlines the government's strategies, goals, and measures necessary to track results over the next three years.

**Mr. Snelgrove:** I now wish to table the government's consolidated fiscal and capital plans for Budget 2011. The consolidated fiscal plan is required under section 4 of the Government Accountability Act, and the consolidated capital plan is required under section 7.1 of the same act.



3:20

**Budget Address**

8. Mr. Snelgrove moved:

Be it resolved that the Legislative Assembly approve in general the business plans and fiscal policies of the government.

**Mr. Snelgrove:** Mr. Speaker, it is my privilege today as the MLA for Vermilion-Lloydminster to present the government of Alberta's budget for 2011-12, a practical, responsible budget that respects the economic lessons of the past while continuing to build for the future, a budget that combines restraint with the traditional Alberta values of community and compassion.

Like so many Albertans I learned those values from my parents, Bob and Margaret Snelgrove, who are in the Speaker's gallery today. They grew up during the Great Depression. They learned the value of a dollar. As so many Alberta families have done throughout the history of our province, they figured out what it takes to prosper through difficult times: live within your means, save something for emergencies, and plan for better days. I'm proud to say that this budget reflects those values.

Over the last 16 years Alberta paid down \$23 billion in debt. In the good years we saved nearly \$25 billion, with \$17 billion of that going into Alberta's emergency savings account, the sustainability fund. Through the recession that solid foundation allowed the government to plan for better days, to continue our investment in the future of our province. That's the Alberta way, Mr. Speaker: learn from the past; look to the future. Thanks to a combination of prudent management and foresight, Alberta has weathered the downturn and emerged from it in a stronger fiscal position than any other province.

At the beginning of the recession our Premier announced a plan to see Alberta through the difficult times, a straightforward plan built on four simple principles. We would manage our spending carefully, cutting back where it made sense; we would protect and enhance funding for priority public services like health care, education, and supports for Albertans in need; we would continue investing in roads, hospitals, schools, and other public infrastructure, supporting tens of thousands of jobs, and preparing for a return to economic growth; and we would continue to compete for investment and skilled workers with the lowest taxes in the country.

We were able to carry out this plan because we had savings in the bank to pay for it, savings that would get us through the recession with our fiscal strength intact, our core public services preserved, and our province positioned for growth. Mr. Speaker, growth has returned to Alberta. Led by a strong oil sector, our economy has recovered from a deeper recession than expected and is expanding again, with a forecast growth in the coming year of 3.3 per cent. Investment has rebounded in both oil sands and conventional oil, and increasing oil exports are expected to drive Alberta's economic growth over the next three years. That growth is forecast to average 3.2 per cent between 2012 and 2014, a strong but sustainable pace that should keep inflation in check and employment growth manageable.

Business investment outside the oil sector, following a weak 2010, is expected to pick up this year as other sectors of our economy strengthen. Alberta's manufacturing shipments were strong in 2010 and are expected to continue to gain strength as the global economy moves firmly into expansion mode.

The employment picture is also forecast to continue to improve in 2011 with the addition of over 40,000 jobs. Employment growth is expected to continue in the years ahead, averaging just under 2 per cent per year through 2014, driving the unemployment

rate down to 4.5 per cent. This strong labour market coupled with solid growth in personal income is expected to boost consumer spending. In short, the overall outlook for our economy is positive, with most indicators looking up.

But there are reasons to be cautious. Natural gas prices are expected to remain weak for the foreseeable future, with natural gas storage levels close to record highs as supply outstrips demand.

As an exporting province Alberta's economic health is closely tied to that of the U.S., and while economic recovery has taken hold south of the border, it remains fragile. These are not reasons to expect the worst, but they remind us of the need for ongoing vigilance in how we spend taxpayers' money. Mr. Speaker, Budget 2011 reflects that need for vigilance.

Both operating expense and total program expense are forecast to increase at a rate lower than population growth plus inflation. Because the recession hit Alberta harder than first thought, revenues are not projected to be as high this year and next as forecast a year ago. However, we expect to be back in the black by 2013-14, and we will continue to use our savings account to cover our deficits as we get back to a balanced budget.

With improved overall global economic and energy price prospects the outlook for Alberta revenue is positive. Total revenue is forecast to increase \$1.6 billion in 2011-12 to almost \$35.6 billion, then grow by an average of \$3.2 billion over the next two years, reaching \$42 billion in 2013-14. Leading the recovery in revenue this year is a 13 per cent increase in revenue collected from personal and corporate income tax, but to be clear, this is not because tax rates are being increased.

As our Premier has often said, you cannot tax your way out of a recession. This government remains firmly committed to maintaining the lowest provincial tax regime in Canada, with low personal tax, with low corporate tax, the lowest fuel tax, the highest personal and spousal tax exemptions, no capital tax, no payroll tax, and no sales tax.

Mr. Speaker, with any other provincial tax system Albertans and Alberta businesses would pay at least \$11 billion more in taxes each year. This is not a burden we are prepared to place on our province. Our approach, as always, is to keep taxes low and grow the economic pie. So the factors driving the forecast increase in tax revenue – more jobs, higher wages, and stronger corporate profits – are all signs of a growing economy.

Growth in the resource sector, particularly in the oil sands, is also expected to drive revenues. Resource revenue is forecast to increase by \$300 million to \$8.3 billion in 2011-12, rising to nearly \$12 billion in 2013-14. This is due mainly to increasing revenue from bitumen royalties, which are forecast to climb to \$4.1 billion this year, more than the combined totals of royalties from natural gas and conventional oil. By 2013-14 bitumen royalties will grow to over \$7 billion due to increased production. Revenue from conventional oil royalties is forecast to be relatively flat while revenue from natural gas is expected to drop 38 per cent compared to last year and remain low for the next two years.

Most other government revenue is forecast to continue to recover and grow over the next three years. One notable exception is federal transfers, which are forecast to fall by nearly \$500 million, or nearly 10 per cent. This is mainly the result of the winding down of federal stimulus programs introduced during the recession. So it's not a surprise, but it is a reminder of our grievance with the federal government over the unfairness of the Canada health transfer to Alberta.

3:30

All other provinces will receive at least \$805 per person in Canada health transfer cash this year while Alberta will receive

\$558. Even as Albertans contribute far more per person to Ottawa than the citizens of any other province, they are still being shortchanged by over \$900 million this year alone. Mr. Speaker, it creates two-tier federal support for public health care. This is clearly unfair, and your government will continue to insist, in the strongest terms, that Albertans be treated equally.

As our revenue picture brightens, we must continue to be prudent managers of Albertans' dollars. Our emergency savings are shrinking, and we must begin to rebuild them. That means keeping our spending in check, Mr. Speaker, and this budget does that. Total operating expense is forecast to be \$33.9 billion, an increase of \$720 million, targeted at priority areas. At 2.2 per cent that increase is less than population growth plus inflation of 3.5 per cent, a trend forecast for the following two years as well. Total expense, including capital grants and other expense, is forecast to be \$39 billion, an increase of just one-half of 1 per cent.

However, this is far from being a status quo budget. It continues a strong investment in Alberta's future. Our spending plan for the upcoming year continues to focus on five priorities: increase access to quality health care and improve the efficiencies and effectiveness of health care service delivery; enhance value-added activity, increase innovation, and build a skilled workforce to improve the long-run sustainability of Alberta's economy; promote strong and vibrant communities and reduce crime so that Albertans are safe in their homes; provide the roads, schools, hospitals, and other public infrastructure to meet the needs of a growing economy and population; and ensure Alberta's energy resources are developed in an environmentally sustainable way.

Funding for health care is forecast at \$14.9 billion. This includes a 6 per cent increase in the base operating grant to Alberta Health Services, in line with the five-year funding commitment made last year that will see a further increase of 6 per cent next year and 4.5 per cent in each of the two years after that. This will increase the base grant to Alberta Health Services this year by \$545 million, to \$9.6 billion. Short-term results from this substantial investment in health care, expected to be achieved by March 2012, include 360 new hospital beds, 3,000 more surgeries, 2,300 more continuing care spaces, and 3,000 more Albertans receiving home-care service. We are putting new dollars into front-line actions. Albertans told us to put people first, and we are.

Funding for K to 12 education is also again being increased, and significant support to the postsecondary education system will be provided. Initiatives to build a skilled workforce for the future will continue. School boards will receive \$5.7 billion in operating grants and property tax support this year, an increase of over \$250 million, or 4.7 per cent. The funding will cover the salary and associated pension costs of a forecast 4.4 per cent increase in teachers' wages effective September 1. It also provides for general enrolment growth and increases in supports for students with severe disabilities, English as a second language, and student transportation services.

Advanced Education and Technology program expense is budgeted at \$3 billion, which includes \$2.8 billion in operating support. This includes a \$62 million increase in operating grants to universities, colleges, and technical institutes. More than \$250 million is budgeted for research, innovation, and technology commercialization initiatives, including \$202 million in operating support for the four agencies under Alberta Innovates. The Alberta Heritage Foundation for Medical Research and the Alberta heritage science and engineering research endowment fund will continue to support increased grants to maintain health research at Alberta universities and to support long-range initiatives such as nanotechnology research.

Almost \$170 million in disaster support was provided to the agriculture industry in the past year as poor early-season weather and other conditions impacted that sector. Although commodity prices for wheat, canola, and beef are encouraging, ongoing agriculture support programs are being maintained, with nearly \$1 billion budgeted in Agriculture and Rural Development. With over \$41 million budgeted this year, the Alberta Livestock and Meat Agency will continue to implement programs to help build an internationally respected, competitive, and profitable livestock and meat industry.

The safe communities innovation fund in the Ministry of Justice will continue to support crime prevention pilot projects and the development of municipal, regional, or aboriginal community crime reduction and prevention plans. Since 2008 300 new front-line police officers have been added, just exactly what this Premier said, and in the coming year 30 new probation officers are being added to target repeat or high-risk offenders.

Our commitment to Albertans most in need will continue. Nearly \$783 million is budgeted for income and health benefits and other supports to more than 42,000 disabled adults, an increase of 3.5 per cent. This funding provides for caseload growth and maintains the maximum monthly income benefit for AISH recipients of \$1,188 and the average monthly health benefit of about \$370. Since 2005, Mr. Speaker, funding to the AISH program has increased by over \$290 million, or 60 per cent.

The Premier's 10-year plan to end homelessness in Alberta will continue. Nearly \$93 million in operating support is budgeted, an increase of \$7 million. This will provide about 3,500 spaces in emergency shelters as well as outreach support services to assist homeless Albertans. Since 2009 about 3,000 Albertans who were homeless have been placed in permanent housing.

Budget 2011 also provides a \$16 million increase to seniors' programs, including the Alberta seniors' benefit, dental assistance, and special needs, and a \$39 million operating increase to children's services programs, including intervention services, foster care support, child care, and family support for children with disabilities.

Mr. Speaker, if you believe in the future, you build for the future, and this budget continues to do that. Nearly \$2.6 billion is budgeted over the next three years for expansion, renewal, and maintenance of health facilities and equipment, including the redevelopment and expansion of the Tom Baker cancer centre and the completion of the south Calgary health campus; construction of the northern Alberta urology centre, including a men's prostate clinic, as part of the new Edmonton clinic south; significant progress towards a new regional hospital in Grande Prairie, including a cancer centre, and redevelopment of the Medicine Hat regional hospital; new health centres in Fort McMurray, High Prairie, and Edson, and a new central Alberta cancer centre in Red Deer.

More than \$700 million in capital support is being provided for Alberta schools over the next three years to create more than 15,000 new student spaces, including the construction of 14 new schools in Calgary, Edmonton, Okotoks, Sherwood Park, Spruce Grove, and Langdon under the second phase of the Alberta schools alternative procurement plan and the replacement of three other schools in Sexsmith, Drumheller, and Millet. Mr. Speaker, the Ministry of Education is working together with school boards on innovative ways to accelerate the school capital plan to meet the needs of our ever-growing student population.

Alberta's postsecondary universities and colleges will see continued investment as well, including the completion of the SAIT trades and technology complex, the agricultural research facilities

at Kinsella and St. Albert, the University of Alberta's Edmonton clinic north, and the Bow Valley College expansion project.

**3:40**

The capital plan also includes more than \$5 billion over three years in municipal infrastructure support for our growing communities through the municipal sustainability initiative and other programs. It also includes \$4.6 billion over three years for the provincial highway network, nearly \$1.7 billion this year alone, one of the largest investments in our transportation infrastructure in the province's history. This investment will fund construction and rehabilitation work on highways throughout the province, with continued construction of the ring roads in Calgary and Edmonton and continued work on highway 63.

The capital plan also includes necessary investment in water and waste-water management. Over \$750 million will be provided over three years for monitoring and other regional projects supporting the water for life strategy, for municipal water and waste-water partnership grants, for irrigation rehabilitation grants, and for other projects.

Mr. Speaker, as a globally important energy producer Alberta must continue to focus on being a national and international leader in greening its energy production. This budget continues to support the groundbreaking climate change and emissions management fund. To date the fund has announced commitments to support 16 clean technology projects, with more support expected shortly for energy efficiency and renewable energy projects.

This budget also provides \$70 million in 2011-12 for carbon capture and storage projects, part of the government's \$2 billion commitment to use this technology to help address climate change. In addition, nearly \$17 million will be provided in 2011-12 for enhanced environmental monitoring, science, and reporting, an increase of 21 per cent. The recently appointed environmental monitoring panel will provide recommendations to government by June 2011 on the development of a world-class monitoring, evaluation, and reporting system for Alberta's oil sands.

Mr. Speaker, this is a budget that positions our province for continued growth and prosperity. It enhances Alberta's competitiveness in the global marketplace. It continues to support jobs and create opportunity. It enhances the public services and programs that Albertans value most, like health care, education, and supports for those in need.

Yes, this budget projects a deficit this year and a smaller one next year, but let's be very clear. These deficits are the result of our commitment to build the hospitals, schools, highways, and other public infrastructure we need as our province continues to

grow. We have money set aside to pay for that continuing investment in the future. At the same time we will continue to pursue savings within government, building on our proven record of finding in-year savings in our program expense.

Mr. Speaker, at the heart of this budget is a rock-solid belief in Alberta's future as an economic leader, in the potential of our province and the potential of its people. When the recession hit, we were faced with a stark choice. Do we stop investing in the future, do we abandon our priorities, or do we manage through difficult times and make sure we position our province for economic leadership? As a government with this Premier's leadership we made the right decision to keep building Alberta.

Through the worst economic downturn in 80 years we chose to continue investing in Alberta's future, to stay true to the values this province was built on. Why? Because sound fiscal management has given us the resources to do it and because it's our responsibility to ensure this province emerges from this recession in great shape and prepared for the future.

Mr. Speaker, as I look at my parents today, I can't help but recognize that we Albertans have been given an opportunity and a quality of life available to very few in this world. It didn't happen by accident. It was the hard work of generations of Albertans that has made this province what it is today and the foresight of successive governments in creating the framework of fiscal strength and flexibility that allows us to continue building for tomorrow even during difficult times.

Mr. Speaker, this budget remains true to the pioneering spirit and values that made this province what it is today. It shows confidence in our people and in our future. It sets us on a path to join together with all Albertans to build a better Alberta.

I want to thank you, ladies and gentlemen. I want to thank you, members of the Assembly. I want to thank you, Mr. Premier.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lethbridge-East on behalf of the Leader of the Official Opposition.

**Ms Pastoor:** Thank you, Mr. Speaker. On behalf of the Leader of the Official Opposition I beg leave to adjourn the debate.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that the Assembly do now adjourn until 1:30 p.m. on February 28.

[Motion carried; the Assembly adjourned at 3:45 p.m. to Monday at 1:30 p.m.]



## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to February 24, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

- 1 Asia Advisory Council Act (Stelmach)**  
First Reading -- 6 (Feb. 22 aft., passed)
- 2 Protection Against Family Violence Amendment Act, 2011 (Brown)**  
First Reading -- 18 (Feb. 23 aft., passed)
- 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**  
First Reading -- 18 (Feb. 23 aft., passed)
- 4 Securities Amendment Act, 2011 (Brown)**  
First Reading -- 18 (Feb. 23 aft., passed)
- 5 Notice to the Attorney General Act (Rogers)**  
First Reading -- 18-19 (Feb. 23 aft., passed)
- 6 Rules of Court Statutes Amendment Act, 2011 (Olson)**  
First Reading -- 19 (Feb. 23 aft., passed)
- 201 Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday afternoon, February 28, 2011

Issue 4

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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## Legislative Assembly of Alberta

1:30 p.m.

Monday, February 28, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome.

Let us pray. At the beginning of this week we ask for renewed strength in the awareness of our duty and privilege as members of the Legislature. We ask for the protection of this Assembly and also the province we are elected to serve. Amen.

Hon. members and ladies and gentlemen, we will now be led in the singing of our national anthem by Mr. Paul Lorieau, and I would invite all to participate in the language of their choice.

**Hon. Members:**

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

**The Speaker:** Please be seated.

### Introduction of Visitors

**The Speaker:** Hon. Minister of Agricultural and Rural Development, you have some guests from a warm place.

**Mr. Hayden:** Yes, Mr. Speaker. Thank you. I rise to introduce to you and through you to the members of this Assembly the Hon. Peter Shanel Agovaka, the Minister of Foreign Affairs & External Trade of the Solomon Islands. Minister Shanel is accompanied by the Hon. Dickson Ha'amori, Minister of Education & Human Resources Development; His Excellency Collin Beck, the high commissioner for the Solomon Islands; Mr. Trevor Unusu, the chief desk officer, United Nations, Treaties and Americas, Ministry of Foreign Affairs & External Trade; and Mr. Ashwant Dwivedi, the chief executive officer of the Canadian International Training & Education Corporation.

The Solomon Islands, Mr. Speaker, share similar goals and ideals with Canada. As members of the Commonwealth, the United Nations, the World Trade Organization, and the World Health Organization both of our countries are committed to international co-operation and collaboration. This is the first time Mr. Shanel has visited Alberta, and we wish him a pleasant and productive stay. I would now invite Mr. Shanel and his delegation to please stand and receive the warm traditional welcome of the Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to the members of this House today a group of bright students from my constituency from Patricia Heights elementary school and their teachers, Ms Shane

Boulton and Miss Nicole Dober. I would like to ask them to rise to receive the traditional warm welcome of the House.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It's a particularly special day for me today as I introduce to you and through you to the members of this Assembly a group of people who have come to mean more to me than any other group aside from my family. I'll tell you of their remarkable achievements shortly, but for the moment I want to introduce the Archbishop O'Leary alumni class of 1978 Al Holmes MS liberation fundraising organizing committee. I'm going to introduce them, and then I'm going to ask them to all stand up. First of all, Mr. Al Holmes, the reason that we're here; Mr. Gary Ruta; Ms Carol McDonald; Mrs. Linda Weatherbee; and Mrs. Pat Van Meer. I'd ask this group to now rise or otherwise indicate and receive the traditional warm greeting of the Assembly. Wonderful. Thank you.

My second introduction, Mr. Speaker, along the same vein, is the person who reminds me every day of just how important friends and family really are: Dominic and Orion's grandma, my wife, Barb Grodaes. Please stand and get the respect.

**The Speaker:** Are there others? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Well, thank you very much, Mr. Speaker. Today I have the pleasure to introduce two students from the University of Alberta. As many of you may know, I do lecture at the University of Alberta. They're visiting today. In the public gallery we have Jeff Simmons and Jean-Michel Auger. This is their first visit to the Legislative Assembly to view the proceedings and, of course, wondering about the future. I would ask them both to rise today and receive the traditional warm welcome of the Assembly.

**The Speaker:** Among the visitors today should also be 50 young people, grade 6 students, from the Academy at King Edward elementary school. I'd ask them to rise, please, and be recognized by all hon. members of the Assembly.

## Ministerial Statements

### Black History Month

**Mr. Blackett:** Mr. Speaker, it's my honour to speak in front of this House today. February is Black History Month. The Canadian Parliament officially recognized Black History Month in 1995 following a motion by the Hon. Jean Augustine, the first black Canadian woman to be elected to parliament. Here in Alberta a number of events are taking place over the month to celebrate Black History Month, including workshops, presentations, and other celebratory events.

Black History Month provides an opportunity for all Canadians and all Albertans to share and learn about the experiences, contributions, and achievements of people of African and Caribbean ancestry. It is also a time to celebrate black heritage and culture in our province. These contributions are even more significant if we consider the past prejudices and discrimination experienced by some black Canadians.

While many of the early black immigrants to Alberta were escaping discrimination and prejudice, they also came to Alberta looking to make a better life for themselves and their families, and today that still holds true. People of all races from all parts of the world come to Alberta for the opportunity that our province presents.

I remember as a young person of 18 years of age, Mr. Speaker, when the Joe Clark government appointed Lincoln Alexander to be the first black member of the Canadian Parliament back in 1979. I remember the thought process going through my head was that it truly can happen for any of us. Today we are living proof of that.

Alberta has a rich black history. From the black Americans who established farming communities like Amber Valley and Keystone, later named Breton, who helped grow our province, to more recent years, black Albertans continue to contribute and make great achievements in the arts, science, sports, politics, and more.

I'm delighted that this year's campaign titled Proud of Our History features prominent Albertans past and present, including southern Alberta rancher John Ware, my son's favourite, and Calgary Flames' Jarome Iginla, the first black player in NHL history to be named team captain. Other notables include Edmonton Oilers goaltender Grant Fuhr; Clarence "Big" Miller, born in Sioux City, Iowa, who made his home in Edmonton in 1970 and became a fixture in our city's and provincial music scenes; Edmonton's poet laureate, Roland Pemberton, a.k.a. Cadence Weapon, one of the performers at the Alberta at the Olympics event in Vancouver last February; and Dr. Tony Fields, vice-president of cancer care for Alberta Health Services and one of the most outstanding and accomplished leaders in the cancer field today. He is a distinguished oncologist and cancer agency administrator who has made a significant impact on the fight against cancer in Canada.

**1:40**

I'm proud to stand here in the Legislature as the first black cabinet minister in Alberta and to acknowledge my colleague the hon. Member for Leduc-Beaumont-Devon, who not only was the first black MLA in our province in 2004 but a former mayor of Leduc and a successful businessman.

The diversity of our province and each and every one's history and sense of opportunity is part of what makes Alberta Alberta. Black Albertans from the Caribbean, Africa, America, or other places help create the wonderful mosaic of our province and help to lift up our spirits.

Each summer the colourful carnival costumes, the reggae, calypso, gospel music, and dancing come alive in Calgary with Carifest and with Cariwest in Edmonton as Albertans of Caribbean descent and many other origins get in the spirit of the islands even for just a few days.

I encourage all Albertans to participate in events taking place in the province to mark Black History Month. It's an opportunity for Albertans to gain insight into the experience of black Canadians and Albertans and the vital role that this community has played throughout our shared history.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre will respond on behalf of the Official Opposition.

**Ms Blakeman:** Thank you very much, Mr. Speaker. It is my pleasure to join the hon. minister in celebrating the end of Black History Month. Alberta's greatest strength has always been its people. Thank you to the minister for mentioning a number of distinguished individuals and some of the events that surround them. As the minister has noted, black Albertans helped establish this province's agricultural heritage, and black Albertans have always distinguished themselves in many fields: medicine, sports, service, literature, music.

But while most black Albertans enjoy successful careers, taking full advantage of Alberta's freedoms and prosperity, we mustn't

ignore the less fortunate members of our black communities. The MLAs of the Official Opposition have met many times with members of the Sudanese community, who are suffering rates of violent crime far out of proportion to their numbers. We've raised the issue in question period and hope that the government and police can work with the Sudanese community proactively to stem the tide of violence and bring some measure of peace to this vibrant community, a community with the potential to make terrific contributions to our province.

We also note that even now in the second decade of the 21st century, Canadian-born visible minorities earn less than their white counterparts even when doing the same job and despite the fact that these minorities attend postsecondary institutions at rates much higher than the rest of the population. This, too, is part of black history, part of Alberta history, and history we should be trying harder to reshape into a better form.

I do want to mention that this weekend I was at the Africa Centre in Edmonton-Calder, where, as the member says, it's all in Calder, to celebrate the conclusion of Black History Month. Mr. Speaker, so many people attended that there was no parking anywhere to be had. The lots were full. The street parking was packed for blocks around. It really was phenomenal. Thank you to the Member for Edmonton-Calder for his remarks at that event.

I also want to take the time to recognize and thank Pearl Bennett and the Caribbean Women Network, which is a great group in Edmonton that does wonderful work year-round.

Black History Month deserves to be celebrated, and I encourage all Albertans to keep taking part in the events that the minister has mentioned. It is an opportunity for all of us to learn from history so that we may build a better future for us all.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere has risen, and I will assume that it is to seek unanimous consent to allow additional speakers to participate. I take it there will be an individual from the caucus represented by the hon. member who would like to participate. Anyone else who would like to participate? Okay. An additional caucus member would like to participate.

Hon. members, you need to provide unanimous consent. If you are opposed to allowing further speakers to participate, please say no.

[Unanimous consent granted]

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm honoured to be here today to share our thoughts on Black History Month. We take time to reflect on the contributions of black Canadians and Albertans to the society we live in today. We recognize someone like John Ware, who has a junior high school named after him in Calgary. There are so many people we could recognize and the huge impact that they've had on people's lives.

Black History Month actually started as only one week nearly one hundred years ago. February was selected because of the birthdays of two great leaders, Frederick Douglass and Abraham Lincoln. We owe Black History Month to one man, Dr. Carter Woodson. As a child he worked in coal mines, not starting high school until he was 20. He seized the opportunity and finished high school in only two years. He continued his education and earned a PhD from Harvard. Dr. Woodson was disturbed by the absence of black Americans and their contribution to society in American history. Not only did he start a week for black history; he started a scholarly journal as well.



Canada has a proud place in black history. Canada was instrumental in helping black Americans escape the terror of slavery through the Underground Railroad.

While we must be aware of the past, we must firmly look to the future. The most inspiring words, from Martin Luther King, are familiar to all of us. "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character."

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker, and thank you to members of the Assembly for this opportunity.

Albertans of African origin have good reason to be proud of their history and culture and their significant contribution to life in Alberta in a wide range of ways. I appreciate the efforts made to provide the rest of us with a rich menu of opportunities to celebrate and learn with them over the month of February. It's great to officially recognize how important people of African origin are to our community, province, and country.

There is a long history of black immigrants in Alberta and Canada, as the minister has noted, and many more Albertans need to know about this. Canada was the end of the Underground Railway, providing a welcoming place of refuge for people fleeing the horrors of slavery. Even earlier, Americans of African origin came to Canada as part of the Empire Loyalists, settling mostly in Nova Scotia. Here in Alberta we have communities like Amber Valley that were founded by people of African origin and have been vital in the development of rural Alberta and its tradition of community and co-operation.

I've been pleased to meet a number of outstanding and prominent African-Canadians such as "Big" Miller, who chose to make a home in Alberta in more recent years.

We have largely ignored the substantial history of the whole continent of Africa in schooling in Canada and missed out on a great body of knowledge as a result. Today we are seeing history being made across Africa in dramatic ways, and there are many things to learn from this as well. The past few years have seen a significant increase in Alberta of people of African origin and of the places of origin. It is good to honour and remember outstanding individuals for their achievements and to celebrate with them during times like Black History Month, Carifest and Carifest, and other events.

Mr. Speaker, we need also to remember during this month that there are very difficult practical realities facing Albertans of African origin. We have just seen changes which reduce services to immigrants, and this directly affects their opportunities to achieve labour market and economic success. Many of our newest neighbours of African origin are coming from refugee backgrounds and require specialized health services that are not readily available. We know that many people of African origin are still experiencing racism in a range of ways in their everyday lives, so we must be energetic in looking for more effective ways to counter this attitude, which diminishes us all.

I join with the minister and all Albertans in saying how good it is to have public awareness of the history and the vital role of people of African origin here in Alberta. I also encourage this government to be vigilant to have the necessary programs and services in place to ensure newcomers of African origin can find Alberta to be a great place to make a home.

Thank you.

## Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Size of Alberta Cabinet

**Dr. Swann:** Thank you very much, Mr. Speaker. Alberta needs a common-sense approach to budgeting. The shrinking sustainability fund cannot prop up this government's mismanagement much longer. To the Premier: will the government follow another piece of Alberta Liberal advice and reduce this bloated cabinet from 24 ministries to 17, saving millions of dollars for Albertans?

1:50

**Mr. Stelmach:** Mr. Speaker, the budget that was presented by the minister was balanced in terms of serving the needs of vulnerable Albertans, tapping into the savings that we set aside during the good years, the lean years. We do have the most volatile revenue stream in all of North America, and that is why we have to set savings aside when resource revenues are very high, to cover up those areas where they are pretty low.

**Dr. Swann:** Well, Mr. Speaker, I guess the Premier didn't hear me. Will you cut the cabinet from 24 to 17 ministries and save the Alberta taxpayer millions of dollars? Yes or no?

**Mr. Stelmach:** Mr. Speaker, just to go back in history, I think my first cabinet was 18 members, and I was criticized right across Alberta for it, but set that aside.

Not really something to be proud of, but in finding almost \$2 billion of in-year savings in the budgets over the last couple of years, we saw the ratio of the public-sector service in this province back to about the mid-1990 levels even though we've seen this huge population increase. So we have downsized government considerably during that period of time.

**Dr. Swann:** Now, that's doublespeak if I've ever heard it, Mr. Speaker, expanding to 24 ministries and calling that a downsizing. Very interesting.

Mr. Premier, why do you continue to spend millions on the failed greenwashing branding initiative while the programming budget for Housing and Urban Affairs has been cut by \$200 million over the past two years? Do you really think Albertans value public relations over housing?

**Mr. Stelmach:** Mr. Speaker, we are more than meeting our goals in affordable housing, and the minister can give further details on that. But I can tell you that the budget that we set aside for branding was used to ensure that we get Alberta's message out both in the United States and in markets around the world, and we're going to continue to do that. All the eyes of the world are on this province because we have about a third of the world's oil supply.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Emergency Room Wait Times

**Dr. Swann:** Thank you very much, Mr. Speaker. Emergency wait times have been pushed out of the headlines by the current disarray in this government, but a glance at the latest Alberta Health Services charts indicates the targets are not being met. Only 1 of 5 hospitals in Edmonton and 1 of 4 hospitals in Calgary have met the target. To the Premier: can the Premier explain what he is going to do now? Lower the targets?

**Mr. Stelmach:** Mr. Speaker, I can only say this anecdotally, but in talking to Albertans and, of course, having watched some of the Twitter and the blogs of two of the Leg. media that had to use emergency services prior to the Christmas break, they tweeted that emergency waiting times were very reasonable. They were down. We'll continue to see those numbers improve, and further evidence on the progress will be of course given by our minister of health.

**Dr. Swann:** Well, again, Mr. Speaker, Alberta Health Services has set a target that 45 per cent of patients needing hospital stay should be admitted within eight hours. In this case, too, only one Calgary hospital and no Edmonton hospital met the target. What confidence can Alberta health workers and Albertans have that these targets will be met anytime soon?

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. Let me respond to that because, in fact, I have visited some of these emergency rooms just in the last little while, and I can tell you that the issue that propelled the head of emergency docs in the province to contact me on the Thanksgiving weekend was about EIPs, emergency in-patients. These are people who need to be admitted into hospital, into acute-care beds, but they're occupying emergency room beds. Those numbers have dropped very significantly, and within a couple of weeks we'll be putting out the exact numbers so that even this member will know them.

**Dr. Swann:** Well, Mr. Speaker, the deadline was March, when the minister promised to have changes. That's tomorrow. Are these targets any more than wishful thinking?

**Mr. Zwozdesky:** Mr. Speaker, there's no deadline of March. What there is is a target for the end of March with respect to the number of people in EIPs, which I've just commented on, and also with respect to the number of people who are in for minor issues and who should be in/out in four hours or less. There's another target for those who need to be admitted, and they'll be admitted within eight hours. While those improvements are not as much as we had hoped for, nonetheless they are improving. I'm very confident that now that we have the promised 6 per cent increase, you'll see even more improvements being made as we go forward, and the wait times will be reduced.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

#### Provincial Fees

**Mr. MacDonald:** Thank you, Mr. Speaker. Last week's budget fees for vehicle registration and vehicle plates went up by 23 per cent. Land titles fees for mortgages are up 133 per cent. Fees for registering a business or a nonprofit are up 150 per cent or more. This is really a \$157 million tax increase. My first question is to the minister of finance. Why increase these taxes by \$157 million, yet you cut a cheque before Christmas for \$140 million to Suncor in a royalty rebate at a time when they have record profits and the price of oil is close to \$90 a barrel?

**Mr. Snelgrove:** Mr. Speaker, we have an obligation as a government to try and have even cost recovery when we deliver services. We have not increased these fees since 2002, and everyone with any kind of a business mind would understand how much it has cost to deliver these services and that coming back to cost recovery is just a prudent financial measure.

**Mr. MacDonald:** It's not cost recovery, Mr. Speaker.

Again to the minister: given that this minister claims that this is merely cost recovery, will the minister table the analysis that backs up his statement just now?

**Mr. Snelgrove:** Mr. Speaker, we'd be happy to have the Minister of Service Alberta provide to the opposition and all hon. members in Alberta how we arrived at the breakdown of the costs.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister: why did the minister think increasing fees for businesses by 150 per cent and creating all these other new fees, which really are taxes, was necessary? Why force these costs onto businesses when other businesses, like Suncor before Christmas, get a \$140 million royalty rebate cheque from your government at a time you have a megadollar deficit?

**Mr. Snelgrove:** Mr. Speaker, we are talking about apples and oranges and grapefruits and some lemons. There is a responsibility, when we deliver services to Albertans, to run it on a cost-recovery basis. Should we have reviewed these possibly four or five years ago? Yeah, we probably should have, but we have now, and we've moved back to cost recovery, which is the prudent thing to do.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, whose birthday it is today.

#### Provincial Budget

**Mr. Boutilier:** Yeah. Thank you very much, Mr. Speaker. On Friday the finance minister broke with a long tradition by calling a news conference to respond to the Wildrose balanced budget alternative. Usually it's the opposition who responds to the government's budget, but it's nice to know that we've got the minister's attention. Now that we've got it, I have a question for him. Given that this year's deficit of \$3.4 billion was projected only to be \$1.1 billion a year ago, why should anyone in Alberta, including those in his own caucus, believe this minister, and do you actually think Albertans will believe this minister?

**Mr. Snelgrove:** Mr. Speaker, when we are asked by the media to comment on an item, whether it is newsworthy or not, we make an attempt to do just that. Our budget deals with real people, with real issues, and with real numbers.

**Mr. Boutilier:** Well, Mr. Speaker, given that non answer of apples, oranges, and turnips, let me ask you this. The minister made the comment: back in the black by 2012. How quickly one forgets. You know what? That actual comment would actually be right next to the horoscope.

**The Speaker:** Hon. member, with due respect, remember a document that said "no preambles," signed?

**Mr. Boutilier:** Right. Yes

**The Speaker:** Let's get to the question.

**Mr. Boutilier:** Yes. Thank you. Given that, Mr. Speaker – and it's right next to the horoscope – will the minister please tell me and tell Albertans: what is he basing his projections on? It is clearly not new math.

**Mr. Snelgrove:** Mr. Speaker, I would presume that someone with a number of years' experience in this House would have the abil-

ity to read the budget and to understand what the different lines in the budget mean. Our budget is based on industry projections for the revenue sources that we get. It's based on a compilation of figures from Stats Canada, has to do with the growth in population, tax revenues, and such. All of that information is included in the budget documents.

**Mr. Boutilier:** Given the comment, Mr. Speaker, last week in this House I had posed to the Minister of Education about his secret list as well as to the Minister of Infrastructure. To the Minister of Infrastructure. His secret list: will he make it a priority to table it in this House today so all Albertans can understand the difference between a want and a need and a priority and a nonpriority for our communities across Alberta?

2:00

**Mr. Danyluk:** Well, Mr. Speaker, I think the only secret list is the Wildrose secret list of capital projects that they would cancel, \$2.4 billion, so I need to ask the hon. member: is it the Grande Prairie hospital, is it one of the 22 new schools currently being built, is it the south Calgary hospital, or is it a continuing care in Fort McMurray?

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

### Oil Sands Reclamation

**Ms Notley:** Thank you, Mr. Speaker. For more than a decade the Tories have dragged their feet on implementing a plan for industry financing of oil sands reclamation, exposing Alberta taxpayers to an immense burden of unfunded liability. Independent estimates show that the taxpayer liability for reclaiming currently disturbed land is up to \$15 billion. My question is to the Premier. In light of this massive and unjust downloading of risk to Alberta taxpayers, how can the Premier possibly consider a plan that will reduce industry's financial security obligations by half a billion dollars over the next nine years to be anything other than a complete betrayal of our trust?

**Mr. Stelmach:** Mr. Speaker, I certainly appreciate the question, but the premise is completely wrong. This will actually give more safety to Albertans as owners of the resource. The Minister of Environment very clearly articulated the new policy, and I'll ask him to do that with the next question.

**Ms Notley:** Well, Mr. Speaker, given that documents released today by the NDP show that the government's too-little-too-late plan for financing oil sands land reclamation was drafted in secret, behind closed doors, with industry and given that this plan has severe long-term consequences that place Alberta's environmental legacy at risk, will the Premier stop this practice of pandering to their big oil friends, spike the current plan, and commit to starting fresh in consultation with the public and environmental scientists and community members?

**Mr. Renner:** Mr. Speaker, if only everything was so black and white as this member would like the world to be. The fact of the matter is that this is a very complex issue. Albertans, quite rightly, care and are concerned and should be concerned that we protect the public purse and that we do not have the taxpayer on the hook for mine liability. That's what this program is all about. As for consultation the member knows perfectly well that she wouldn't be in possession of the document that she has if we hadn't been doing consultation. That's where she got it from, Mr. Speaker.

**Ms Notley:** Well, Mr. Speaker, I find it really offensive that the minister would suggest some issues are just too complex for the public.

Now, given that the Royal Society's report in December completely discredited this government's model of allowing industry to monitor itself and given that this plan does not appear to include protection against groundwater and airshed contamination, will the minister admit not only that is he overseeing a failing Tory monitoring strategy but that his government has sold out on a plan for securing the sustainability of Alberta's environmental future?

**Mr. Renner:** Mr. Speaker, if this member would wait until the announcement is made on this plan and those kinds of questions can be answered for her, I think she'll find that this plan will bring additional security from a financial perspective. It will bring predictability. It will bring transparency. Above all, it will bring about progressive reclamation so that no longer will members like this be able to claim that this government is not looking after reclamation in this province.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

### Wait Times for Cancer Treatment

**Dr. Sherman:** Thank you, Mr. Speaker. It has been brought to my attention that due to fierce competition for finite operating time between surgeons about 1,200 Albertans are on a wait list for lung surgery, and 250 died waiting on that list, many with lung cancer. I've also been told by others that this happened under Minister Mar and the hon. Member for Sherwood Park and that Dr. Trevor Theman of the College of Physicians and Surgeons and Capital health and Sheila Weatherill knew about this. Is the Minister of Health and Wellness aware of this, and will he call the Health Quality Council of Alberta and carry out a fatality review?

**Mr. Zwozdesky:** Mr. Speaker, I'm not aware of that, but I'll certainly have a look into it and see what information I can find.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker, and thank you, Minister. Given that it has also come to my attention that physicians who raised these issues were either punished or driven out of the province or paid out in millions to buy their silence and the costs buried in the books under the former Capital health region, I'm not surprised that this was never made public. Will the hon. minister commit to investigating and auditing these payouts in addition to the deaths and delays in cancer care?

**Mr. Zwozdesky:** Mr. Speaker, I don't know if those allegations are correct. They're certainly sounding inappropriate to me, but I won't challenge them at this time. I said I will have a look into this issue, and I will do that.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that people dying on cancer wait lists is absolutely inappropriate – and I agree with the minister; he is an honourable, caring, and honest man – will the minister conduct an independent forensic audit of AHS and Capital health records as it has also come to my attention that there were two sets of books while I was in the ministry, one balanced and the other with the details mentioned that may have contributed to the \$1.3 billion deficit inherited by Dr. Duckett when he took over?

**Mr. Zwodzesky:** Mr. Speaker, I said that I'll have a look into this matter, but what I'd like to know is where this hon. member is getting this information and if he is prepared to share that or table it or somehow live up to the allegations that he's making. I'm not aware of them whatsoever.

**The Speaker:** Hon. members, there always is an onus of responsibility on all of us to bring forth proof, which would be helpful.

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for St. Albert.

### Drilling Stimulus Program

**Mr. MacDonald:** Thank you, Mr. Speaker. This government plans on throwing additional money away, unnecessarily subsidizing the oil and gas drilling industry at a time of record prices and record profits. Permanently including the drilling stimulus initiative in times of high-priced oil in the royalty framework not only robs government coffers but is an uneconomic subsidy. My first question is to the minister of finance. With the government predicting \$90 per barrel oil, why do oil companies need a subsidy like this at this time of high prices and record profits?

**Mr. Snelgrove:** Mr. Speaker, we set out to make sure that we could get Alberta workers back to work. We set out to set a framework that would attract foreign investment to Alberta so that the jobs that were there would be back. We haven't projected \$90; we're projecting \$88.95. We're projecting what's given to us. The fact is that as world oil prices rise, we get more royalties.

**Mr. MacDonald:** Mr. Speaker, he's getting less royalties, and the hon. minister knows that.

Why would this government permanently incorporate a program intended to temporarily support the industry during a time of low prices and world-wide recession?

**Mr. Snelgrove:** Mr. Speaker, it was put in place to make us competitive with the rest of the world. We need to be on an equal basis to attract long-term, solid investment to that industry, and that's exactly what we're doing.

**Mr. MacDonald:** Mr. Speaker, this doesn't make us competitive. This government sold us out, and the minister knows this.

Now, with this program reducing government revenue last year by \$1.7 billion, where will taxpayers or resource owners find in the fiscal plan this year the amount that has been used to subsidize these drilling programs when they're no longer necessarily?

**Mr. Snelgrove:** Mr. Speaker, the drilling stimulus program is incorporated into our revenue totals. If he doesn't think the stimulus worked, look at land sales: record high land sales last year. That didn't come as an accident. That came about because the stimulus program was put in place, attracted more people here looking for more areas to drill to provide more jobs for Albertans.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Buffalo.

### Fusion Energy

**Mr. Allred:** Thank you, Mr. Speaker. I understand that an alliance of Alberta's industry, government, and postsecondary institutions has developed a multistage proposal for an Canada-Alberta fusion energy program. To the Minister of Advanced Education and Technology: what is the current status of this program?

**Mr. Weadick:** Mr. Speaker, fusion energy could provide an opportunity in the future for incredible energy, but at this point in time we're not quite there. However, my department did provide some seed funding to the University of Alberta to help create the Canada-Alberta fusion energy program. At this time that program has not received increased funding. However, many of those scientists continue to work in the area of fusion within the province.

2:10

**The Speaker:** The hon. member.

**Mr. Allred:** Well, thank you, Mr. Speaker. My second question to the same minister: what is the potential for adopting fusion energy as an alternative to coal-fired power plants?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Although fusion is a potential for the future, we continue to look at shorter term options such as clean coal, such as carbon sequestration as the shorter term potential ways of reducing our carbon footprint, but fusion could play an increasing role as we go down the road.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My final question is again to the same minister. What is the timeline for the commercialization of this new technology?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. My understanding is that although work goes on around the world in many places, including scientists here, we're still a ways away from any commercialization of fusion energy. We'll continue to monitor that, see what research is being done, and as researchers in Alberta can provide support, we'll continue to do that.

### Charter Schools

**Mr. Hehr:** Mr. Speaker, earlier this year Alberta Education quietly posted a survey on the idea of converting charter schools to so-called innovation centres for educational researchers. Some of the questions in the survey such as allowing private corporations to operate charter schools deserve significant public debate. My questions are to the Education minister. Is the ministry using a rushed survey to claim public support for rewriting the mandate of charter schools in the new education act?

**Mr. Hancock:** Absolutely not, Mr. Speaker. What's happened is that, first of all, we have been talking about charter schools and permanence for a number of years. There was a position paper developed, I believe, in the fall of 2008. It was released in the fall of 2009 for discussion. There's been discussion around Inspiring Education for the last two years in terms of what we need in our system, and we're now at a stage where we're talking specifically about what permanence would mean for charter schools and what should be in a charter school mandate. The purpose of the survey is to gather information on that and to broaden the discussion.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker, and I thank the minister for that answer. It's my understanding he met with the Association of Alberta Public Charter Schools in October of last year. What was their response to the idea of them becoming innovation centres?

**Mr. Hancock:** I can't respond specifically to the meeting in October at the moment, but I can tell the hon. member that, generally speaking, we've had ongoing discussions with the charter schools about permanence, about what the *raison d'être* would be for an ongoing permanence for a charter school. Obviously, they must be different than just the regular public school system. They provide choice. They've always been intended to provide innovation. The question is: how is that innovation shared with the broader public system? So there have been very positive discussions around that nature, and we will be continuing those discussions.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. Is the innovation and research mandate for charter schools so that they can take over from the much-admired Alberta initiative for school improvement program, that was cut in half by your government in last week's budget?

**Mr. Hancock:** Absolutely not, Mr. Speaker. Research and innovation are at the core of the future of education. The provincial Department of Education will have a role in making sure that we have available the best research from around the world, but we will continue to expect the public school system to participate in research through the AISI program, which is a very important program. The purpose of this discussion is to say: if charter schools are there to push the envelope in education to introduce new techniques or new pedagogy or to show where existing pedagogies may make a difference, they should be research based so that we can share that information on a database and research-driven approach.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the hon. Member for Calgary-McCall.

#### Alberta Initiative for School Improvement

**Ms Calahasen:** Thank you, Mr. Speaker. All my questions are to the Minister of Education. I recently met with some of my school boards, and they're reeling over the 50 per cent funding cut to the Alberta initiative for school improvement program. Given that this program has been recognized all over the world for its innovative approach to education research and best learning practices, Albertans are grappling with what this means to the future of this program, especially since there was such a successful conference held here in Edmonton recently. So, Mr. Minister, why of all the programs would you cut this one? Do you not support innovation in schools?

**Mr. Hancock:** Well, Mr. Speaker, I very much support innovation in schools. Quite frankly, this is one of the most difficult decisions I've ever had to make as Minister of Education. The AISI program is a jewel in this province. Other provinces and other countries look to what we're doing. We've just had an international review, which has pointed out what a wonderful project it is. The fact of the matter is that we're in a period of restraint, and rather than cutting the direct budgets to school boards, I had to look at the various grant programs that we have, and we had to make a very difficult decision. I'm very fortunate to have been able to save 50 per cent of the AISI.

**Ms Calahasen:** Well, if it's such a jewel, can you explain what impacts will be felt within the education system now that this program has been cut in half?

**Mr. Hancock:** Well, Mr. Speaker, it will be an opportunity for us to look at the program with school jurisdictions and with the AISI partnership to see how we can retool the program, how we can make sure that it's focused in the right direction. It's a very good program, but with every program you ought to look and say: are you getting value for your investment? Yes, it will be difficult in mid-cycle. School boards are going to have to relook at their programs. The important part of this is that we managed to keep it alive and keep it substantially funded at 50 per cent. Is it unfortunate that we have to cut back? Absolutely. But let's look at it as an opportunity to recreate it.

**The Speaker:** The hon. member.

**Ms Calahasen:** Mr. Speaker, thank you. The innovation is great, and if we're really about research, is less emphasis being put on the educational research now since you've cut this by 50 per cent?

**Mr. Hancock:** No, Mr. Speaker. In fact, as we go forward, we need to put more emphasis on research and more emphasis on understanding, on a research-based and data-driven decision-making process, what makes for good educational opportunities for students and how we ensure that every student has an opportunity to be successful. Research is going to be the core of that, and we will continue to focus on it and make it a priority.

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

#### Homeless Management Information System

**Mr. Kang:** Thank you, Mr. Speaker. This year more than 25 Calgary agencies that work with homeless people will start using the homeless management information system. The project is co-ordinated by the Calgary Homeless Foundation, and Calgary will be the first city in Canada to track the homeless. My questions are to the minister of housing. Since the nonprofit agencies that will be using the system are not subject to any privacy laws, how is the minister going to ensure that the tracking system protects privacy?

**Mr. Denis:** First off, Mr. Speaker, I'm happy that this member has moved away from some tunnel vision as in his questions in the past.

All kidding aside, we do take privacy concerns very seriously, and the Calgary Homeless Foundation's homeless management information system is something that we have talked about. The most important thing to us is that we have a province-wide system because I don't want to have seven or eight systems that don't integrate with each other. There has to be good value for the dollars. It is subject to privacy legislation.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I will not give up until the tunnel is built.

To the minister again: given that many homeless people have had run-ins with the law at some point in their lives, can the minister tell us whether police will have access to this tracking system?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you. Once again, Mr. Speaker, the privacy act does apply to anything collected by the Calgary Homeless Foundation, and we will respect those particular laws and concerns.

**Mr. Kang:** Well, to the minister again: will any of the personal information in the tracking system be included in the new TALON police database?

**Mr. Denis:** Again, Mr. Speaker, we will respect existing privacy legislation. It is my understanding that it has nothing to do with that particular database. I'd be happy to meet with that member afterwards to discuss further.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Airdrie-Chestermere.

#### MRI Wait-list

**Mr. Marz:** Thank you, Mr. Speaker. Recent announcements of an increase of 9,000 more MRIs over the next two months is certainly welcome and good news for those who have been waiting for months for this service. My first question is to the Minister of Health and Wellness. Where is the money coming from to fund the extra labour and overtime and other costs associated in dealing with this extra surge in MRIs?

**Mr. Zwozdesky:** Mr. Speaker, it's true that we are adding about 9,000 more MRI exams to the schedule. The direct answer to the member's question is that we're able to do that through Alberta Health Services because they have some money in their budget right now as a result of the stable five-year health funding that we provided last year, and we're continuing with that promise this year. Secondly, there are some savings that have been attracted as a result of amalgamation, and those millions of dollars are going right back into improving health care for Albertans, including this announcement of MRIs.

**The Speaker:** The hon. member.

**Mr. Marz:** Thanks, Mr. Speaker. Again to the same minister: if we can afford to do these extra MRIs to deal with waiting lists, why not just do more every month of the year so that waiting lists don't accumulate in the first place?

**Mr. Zwozdesky:** Mr. Speaker, increasing access to important health services is one of our main goals of the five-year health action plan, and reducing wait times is another one. In this particular case we are already performing over 165,000 MRIs province-wide. We're adding 9,000 now because Alberta Health Services has the capacity to do that. Will they be adding more in the coming year? Yes, they will until we get those waiting lists down to a more manageable level and until Albertans feel comfortable that they're accessing the services in a much more timely basis as a result of the predictability and stability of our action plan.

2:20

**Mr. Marz:** Can the minister tell me, then, as my last question: are the extra number of MRIs they're going to deal with in the outgoing years going to be able to deal with the waiting lists so that no more accumulate?

**Mr. Zwozdesky:** Mr. Speaker, I think they're going to be able to be handled very efficiently. I know that as added capacity comes into the system, be it the finances or be it the staff or be it the facilities or the equipment – we have now mobile MRI units, for example – they will find their proper place. I'm happy that we're able to add 9,000 more MRIs, and I'm happy we're able to add 3,200 more cataracts. I'm happy we're able to add 5,000 more surgeries in general to the 250,000 we already do. There's much more good news. Maybe I'll get another chance later to address it.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Centre.

#### School Construction in Airdrie

**Mr. Anderson:** Thank you, Mr. Speaker. Last week the Wildrose presented an alternative, balanced budget proposal that would erase this government's \$3.4 billion deficit. Our proposal includes the spending of \$4.2 billion on infrastructure. That's higher than the Ontario, Quebec, and B.C. average. Airdrie-Chestermere has roughly 65,000 people in it, so our share of that \$4.2 billion would be \$73 million. This is more than enough for three schools. To the Treasury Board president: will you ensure that this \$73 million is spent on three new schools this year for my constituents? They ask for nothing else than that.

**Mr. Snelgrove:** That is exactly what they asked for, Mr. Speaker. That is exactly what they asked for: their schools, their long-term care facilities, everything in their community, and the rest of Alberta can just go to hell.

**Mr. Anderson:** Well, Minister, people from Airdrie and Chestermere pay their taxes, too. Maybe you should review that answer. They've been greatly shortchanged these past 10 years. We ask only for fairness, Mr. Minister.

Let's try this. Given that Budget 2011 allocates \$115 million for the newly renovated MLA offices in the federal building, would this minister be willing to put these new MLA offices on hold and use this \$115 million instead to build urgently needed schools in Airdrie, or is that a big priority for Albertans, Minister?

**Mr. Snelgrove:** What we said: as long as it's being built in their community, they're happy. Mr. Speaker, we recognize – we've met with the school board in Airdrie. We've met with town council. I'll tell you: a great problem Alberta has is that we do have a growing student population, and we can solve the problem. The minister is working diligently and carefully with the school boards to see how we can accelerate the school building program.

**Mr. Anderson:** Well, that sure wasn't my question, but that's good that they're looking into schools for Airdrie. What did that have to do with anything I said?

You know, given that it appears this minister doesn't seem to understand what the difference between a need and a want is or what it is to make a priority and given that he asked for the Wildrose to be more specific on what it would cut and that then we tell him what we would cut, MLA offices for example, and that's clearly not good enough, I see no need for asking this big-spending minister another question.

**The Speaker:** Okay. Then the hon. Member for Edmonton-Centre, followed by the hon. Member for Grande Prairie-Wapiti.

#### Industrial Development in the Eastern Slopes

**Ms Blakeman:** Thank you, Mr. Speaker. The primary use for the heavy magnetic iron ore magnetite is to refine coal for use in electricity generation. Now, given that our largest source of greenhouse gas production in Alberta is coal-fired electrical generation, my question is to the Minister of Sustainable Resource Development. What is the government thinking when it ponders exploiting the Livingstone Range of the eastern slopes, pristine Crown land, to mine magnetite?

**The Speaker:** The hon. minister.

**Mr. Knight:** Well, thank you very much, Mr. Speaker. The hon. member opposite, I'm sure, would be very interested to know that I don't ponder on a lot of things, and that most certainly isn't one them. With respect to the fact that there are some legitimate people in the province of Alberta that have freehold mineral rights in the area, I think it behooves us to make sure that we understand exactly what it is that they intend to do.

**Ms Blakeman:** To the Minister of Energy: given that carbon capture and storage does not reduce greenhouse gases – it just stuffs them underground – and given that every other western country is moving away from dirty coal technology, why doesn't the government invest in alternative energy production rather than enabling and expanding development of old technology? Could you run backwards any faster?

**Mr. Liepert:** Well, Mr. Speaker, that's exactly what is happening in Alberta. I had the opportunity this morning to meet with a Spanish company, NaturEnergy, who is, in fact, in the throes of developing almost 400 megawatts of electricity through wind farms east of Medicine Hat. That's going to be, all things being equal, coming on stream in the next four or five years. Actually, wind production now makes up 8 per cent of Alberta's energy base, and that's expected to double in the next couple of years.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Back to the Minister of Sustainable Resource Development. If not the minister, then who is standing up for the land-use framework and protection of the land, because the former minister of finance stood up for postponing major development anywhere – and I'm thinking the Livingstone Range – until the regional plan was completed, but the current Minister of Sustainable Resource Development says that development can't be stopped.

**Mr. Knight:** Mr. Speaker, in fact, what I have said is that through the history of the province of Alberta we've done a lot of different planning exercises. During the current planning exercise, which is a major piece of business for all Albertans, the development of the land-use framework and the development of the seven regional plans – we cannot just turn the key off and stop the province of Alberta from doing anything or continuing to develop and progress. Both of these things can be done and will be done at the same time.

### Grande Prairie Hospital Construction

**Mr. Drysdale:** Mr. Speaker, last July the Premier announced that a new hospital would be built in Grande Prairie. Since then many people in my constituency have asked about what's happening with the project. My questions are for the Minister of Infrastructure. What progress is being made on the new hospital?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. In fact, excellent progress is being made, and the project is moving ahead. It is in our budget. We bought the land, and the soil testing has been done.

I just want to say that we're ready to announce the design teams in five major hospitals. The design teams for southern Alberta, Medicine Hat and Lethbridge, will be announced tomorrow, and the design teams for Grande Prairie and High Prairie and Edson will be announced on Thursday.

**Mr. Drysdale:** Mr. Speaker, to the same minister: how will the design team ensure that local health professionals and the people of Grande Prairie have real input into the design of their new hospital?

**Mr. Danyluk:** Mr. Speaker, the design teams will work with local professionals. They'll work with the officials at the college, with the municipalities. When they do have that design, they will take it further to the public for their input.

**Mr. Drysdale:** Mr. Speaker, with the design work set to begin, when can we expect to see actual work beginning on the site?

**Mr. Danyluk:** Well, Mr. Speaker, first of all, I just want to say that we use a progressive construction model, and that saves about a year or two in design. Construction can start before detailed plans are in place, and this allows us to do more in a shorter time. I need to say that some work will start in late summer or early fall, and we are on track for having the project completed.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Ellerslie.

### Alberta Health Services CEO Position

**Dr. Taft:** Thanks, Mr. Speaker. My questions are to the Minister of Health and Wellness. The Alberta Public Agencies Governance Act requires public disclosure of the knowledge and experience required of appointees before recruitment. That's the law. Can the minister of health inform Albertans when this information will be publicly available for the position of CEO of Alberta Health Services?

**Mr. Zwozdesky:** Mr. Speaker, I'm sure that I can get a very specific answer for the member. The point is that they have recruited now a firm that will undertake and perhaps already has started the recruitment process. I'm not personally involved in that at all. But I understand that there is an active recruitment process that has started or will be starting very, very soon, compliments of Alberta Health Services.

2:30

**Dr. Taft:** Well, I recommend the minister check the law, then, of his own government.

Can the minister provide any other information about the proposed term of the appointment and remuneration for the position of CEO of Alberta Health Services such as: what's the pay? What's this pay range?

**Mr. Zwozdesky:** Mr. Speaker, that's a recruitment process that Alberta Health Services undertakes. It has nothing directly to do with me, but I will get the information for the member. The chief executive officer of Alberta Health Services is an employee of that board. I'll get you the information, hon. member. As I say, I'm not involved in that process.

**Dr. Taft:** Well, Mr. Speaker, given that this minister has to sign off on that position, will he admit, then, that he's not doing his job if he doesn't know if recruitment has begun, if he doesn't know the job description and he doesn't know what they're going to pay? Do your job or get out of it.

**Mr. Zwozdesky:** You know, on the one hand they accuse us of interfering, right? On the other hand they say: get in there and interfere. Come on; let's get serious here. The point is that this is an employee of Alberta Health Services. They are doing the re-

cruitment, not me. I will get you the information you seek. You could just as easily phone Alberta Health Services yourself, but if you want me to do it for you, I'd be happy to do your job for you.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Lethbridge-East.

### Special Education Consultation

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. From 2008 to 2009 we consulted with over 6,000 Albertans regarding their concerns with special education through the setting the direction initiative. During those consultations we heard an overwhelming majority of Albertans who wanted a different funding formula than the current system of coding and labelling. My questions are to the Minister of Education. Given that you accepted the recommendation of the setting the direction framework in June 2010, when will we have an adequate funding formula in place? What is taking so long?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. I can appreciate that the hon. member was the chair of the setting the direction process and is understandably concerned that implementation happen. I can assure him that while it's taking a little longer than we had hoped, we've spent a lot of time in this last year co-ordinating internally in government to make sure that every government department that's involved is part of the task force, understands the role and function, and that we use government resources most effectively. The next step is the provincial advisory committee, which is being put in place as we speak. We will be moving forward towards a new funding formula, which won't be fully in effect this fall but will be over the course of the next year.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Given that special education funding has been frozen for two and a half years and that work is still ongoing for setting the direction, how are the school boards currently being funded in the interim, and what assurance do we have that this funding is adequate?

**Mr. Hancock:** Well, Mr. Speaker, we still continue to fund on the basis of the model that was in place. School boards get funded on a demographic model for the percentage of students they have with severe and special needs. We have in this year's budget allocated \$12 million more, which will be used as targeted funding for specific circumstances and to promote and lead the implementation of the setting the direction framework.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister. Parents have also expressed concerns to me that individualized program plans, known as IPPs, are going away. Can the minister tell all parents what they will be replaced with?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. There is a complete culture shift which is being proposed in this, and that takes some time. We're working on a pilot basis with some boards and some schools on this as we speak, but whether there's a formal IPP or whether there's just an understanding, in order to ensure the best

and the most appropriate educational experience for a child with severe special needs, the teacher, the school, the parent, and any support resources from Health and other places need to come together to work for that child. There needs to be a plan for the child, whether it's a formal IPP or not.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Whitecourt-St. Anne.

### Political Contributions by Municipal Officials

**Ms Pastoor:** Thank you, Mr. Speaker. In October of 2010 the Rimbey council members and administrative staff were found to have made expense claims for political contributions to the Progressive Conservative Association of Alberta, and over five years the total was \$9,539.60. I don't believe they're the only municipality that has this practice. To the Minister of Municipal Affairs: is the minister aware if this money has been paid back to the taxpayers of Rimbey?

**Mr. Goudreau:** Mr. Speaker, I appreciate the question as asked by the hon. Member for Lethbridge-East. Municipalities are required to follow the rules that are established under a number of acts, including the Municipal Government Act and the Local Authorities Election Act as well as the Election Finances and Contributions Disclosure Act. Those three acts talk about contributions that municipal leaders are responsible to deal with.

**Ms Pastoor:** I was looking to see if the money was paid back.

You've quoted the laws, but does the province provide municipalities with guidelines to clearly indicate the difference between the government of Alberta functions and the Progressive Conservative Association of Alberta, or is it left to their interpretation of ethics?

**Mr. Goudreau:** Mr. Speaker, we do a number of inspections on individual municipalities as requested by individual residents. In this case, in the Rimbey situation, it's my understanding that all of the money was repaid, and that's the same for a number of other municipalities across the province.

**Ms Pastoor:** Thank you for that, Mr. Minister.

Given that there are leadership races and a possible election in the near future, what assurances can the minister make that what happened in Rimbey will not happen in other municipalities going forward?

**Mr. Goudreau:** Mr. Speaker, I can't promise or provide assurances that other municipalities won't fall into the same, you know, concerns or have the same issues with our particular ratepayers. Nonetheless, we'll continue to work with individual municipalities to make them aware of the rules and the regulations surrounding contributions towards political parties.

**The Speaker:** The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Calgary-Mackay.

### Drilling Stimulus Program (continued)

**Mr. VanderBurg:** Thank you, Mr. Speaker. I've been hearing from constituents this past weekend, and I'm not sure, but it may have been fuelled by misguided reports that our budget deficit could have been wiped out if the province hadn't granted \$3.4 billion in royalty incentives over the past year. My question is to



the Minister of Energy. Sir, do you have any proof whatsoever that shows the deficit could have been eliminated by not granting these royalty programs?

**Mr. Liepert:** Well, Mr. Speaker, I think it's important first off to say that with the highly successful drilling stimulus program the cost to the provincial treasury for the current fiscal year is about 1 and a half billion dollars, not the \$3.4 billion that has been alleged, so tying it to next year's deficit is completely wrong. But I need to remind – I know the hon. Member for Whitecourt-St. Anne understands this, but I'm not so sure that all members of the House do, judging by some of the earlier questions. You know, it was partially due to the stimulus program that last year record land sales of some 2 and a half billion dollars were attained in this province, and that went a long way to ensuring that last year's budget deficit was only . . .

**The Speaker:** The hon. member.

**Mr. VanderBurg:** Well, thank you. Again to the same minister. It was obvious in Whitecourt-St. Anne that people were back to work, but around the province I'm not sure if that message got across to all Albertans. Do you have any proof or statistics on how many people actually did go back to work?

**Mr. Liepert:** I don't have any statistics as to how many people went back to work, Mr. Speaker, but I know that the Canadian Association of Oilwell Drilling Contractors recently said that the number of drilling rigs that were operational at the end of last year was twice the year previous. They're expecting that to even increase this year. In fact, the number was up some 80 per cent in the last quarter of 2010, and that doesn't just mean increased jobs on the rigs. It also applies to coffee shops, hotels, restaurants, car dealerships in all of the members' constituencies.

**Mr. VanderBurg:** Again to the same minister: constituents, again I believe fuelled by these inaccurate reports, are wondering why we provide subsidies to big oil at all when we're running a deficit.

**Mr. Liepert:** Mr. Speaker, you know, that big-oil thing is something that many of our opposition members have raised in this House and some of the members of the media, but, you know, it's really small and medium-sized Alberta businesses and companies that have benefited from these programs. What has happened is that if we hadn't had the stimulus program, there would be no jobs, there would be no land sales, and there would be reduced personal and corporate income tax, not more.

**The Speaker:** Hon. members, 19 different members were recognized today. There were 113 questions and responses.

We have seven members wanting to participate in Members' Statements. We will reconvene in 15 seconds from now.

2:40

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Al Holmes

**Mr. Elniski:** Thank you, Mr. Speaker. Colleagues, as I mentioned in my introduction not so very long ago, I'm here today to talk about my friends and the support that they gave to one of their own. Al Holmes was diagnosed with multiple sclerosis in 1989. Recently he was identified as being a good candidate for the Zamboni treatment, an experimental and somewhat controversial procedure that is not offered in Canada.

To make this happen, Al's friends had a party and raised the money, proving that friendship is not only one big thing but sometimes many little things. People will tell you that the liberation procedure has many risks, and Al knows them all. He knows and we his friends fully support that Al's future with the treatment is quite likely brighter than his future without it, so the committee I introduced earlier and a couple of hundred other people got together and solved the money part of the problem. It's simply what friends do.

I invited these people here today for two reasons. One is to let them know just how proud I am to be one of them and, two, to show what can happen when a group decides to solve a problem for one of their own. The Spartan class of '78 meet on an ad hoc basis, and we've been doing so for a long time. This event and the phenomenal results it has achieved have quite likely changed us all and taught, so long after the lessons ended, that maybe Kevin Murphy was right about Proverbs 17:17 when he said: "Friends always show their love. What are brothers and sisters for if not to share troubles?"

Interestingly, Mr. Speaker, Archbishop O'Leary high school turned 50 last year, as did most members of the grad of '78.

Good luck, Al. I hope that very soon I can introduce you to this Assembly while you show us a few of your old moves. Remember that "there is no medicine like hope, no incentive so great, and no tonic so powerful as expectation of something tomorrow."

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Provincial Budget

**Dr. Swann:** Thank you, Mr. Speaker. This government must aim higher to protect Alberta's economic future. Folks on the far right say that the government has a spending problem. Folks on the left say that the government has a revenue problem. The truth is that this government has a management problem. This is the third deficit budget in a row. The sustainability fund will soon run dry, and this government acts as though they're playing with an endless supply of Monopoly money, that they can just start the game over when they go bankrupt.

This is not a game. Alberta Liberals believe in stable funding for core people programs such as health, education, and social services. These are essential public institutions and services, that Albertans value tremendously. They protect public health. They enhance Alberta's prosperity. If we want to protect core people programs for the long term, this government needs to start slashing wasteful spending now. Government travel, communications, external consultant spending can and should be significantly trimmed. Trim the size of your bloated 24-member cabinet to a more efficient 17. Scale back investment in carbon capture and storage. Stop throwing subsidies at private golf courses and horse racing. Spread out the spending on capital projects. Perhaps more importantly, this government needs to build a comprehensive long-term savings strategy.

The sustainability fund was a fine Alberta Liberal idea designed to pull Alberta through short-term financial problems, but we've also advocated strongly for a long-term savings plan, with targeted investments to fund core people programs for the long term. Albertans shouldn't have to choose between the extremes on either end of the political spectrum and the incompetence of a tired Tory government. There is a better way. Alberta Liberals are committed to protecting people programs while eliminating wasteful spending. That's our common-sense solution for Alberta.

Thank you.

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

### Cardston Cougars

**Mr. Jacobs:** Thank you, Mr. Speaker. I'm honoured to rise today to share with the Assembly the outstanding accomplishments of young athletes from my constituency of Cardston-Taber-Warner. Last year the Cardston Cougars won the Alberta tier 3 football championship, defeating the Peace River Pioneers by a margin of 8 to 6 in a closely fought defensive battle. The last time the Cougars won this championship was in 1993, 17 years ago.

I would like to take this time today to applaud all of the players of the 2010 Cardston Cougars for all their hard work, grit, and determination. I would also like to thank the coaching staff and volunteers who made the victory possible. Sport is an important part of our community, and I am sure that the success of the Cardston Cougars will serve as an example to our younger generation. Through hard work and dedication anything is possible.

Thank you, Mr. Speaker.

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

### Balwin Villa

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's a pleasure to stand here today to highlight a noteworthy designated assisted living facility that is located in my constituency of Edmonton-Beverly-Clareview called Balwin Villa. Balwin Villa was developed by the Excel Resource Society and opened in September 2010. This designated assisted living facility is designed to meet the needs of family members with early onset dementia or brain injury. Eighty-nine of the units accommodate individuals with dementia and 16 accommodate individuals with brain injury. Of the 105 units 80 are for clients referred by Alberta Health Services. Through the affordable supportive living initiative this government has provided \$7 million towards the facility construction.

Mr. Speaker, this development is truly visionary as it provides an invaluable service through its enhanced facility design. Balwin Villa offers health care services as well as extensive support services and amenities. Residents of this facility can rest assured that there is a 24-hour nurse presence and round-the-clock security. Not only are the needs of the residents met, but also their lifestyles are maintained.

This designated assisted living facility is great news for my constituency and for the city of Edmonton and for this province.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

### Training Program for Older Workers

**Mr. Mitzel:** Thank you, Mr. Speaker. I had the honour of attending an event in Medicine Hat on Friday, February 25, to acknowledge Alberta's first training program funded under the recently signed targeted initiative for older workers federal-provincial agreement. This cost-sharing agreement will see the province providing a maximum of \$1.6 million and the federal government providing up to \$8.45 million over the next two years, benefiting up to 1,600 people.

Funding for this agreement is provided through Employment and Immigration's Alberta Works program to assist unemployed older workers between the ages of 55 and 64 gain new skills, preparing them for new jobs. Eligible communities include those with a population of less than 250,000 that have experienced high un-

employment and/or a high reliance on a single industry affected by downsizing.

Mr. Speaker, Medicine Hat is Alberta's first training initiative, which will see 24 older workers obtain the support and training they need to secure employment and adjust to the changing world of work. Many of these older workers may have retired from their original career or have been laid off due to the economic downturn we've experienced over the past two years.

There is no question that some older workers are having difficulty getting back into the workforce even as we continue to see steady improvements in the economy. The skill sets required are vastly different from what they previously used.

Older workers are part of Alberta's growing labour force, and we cannot afford to have them sitting on the sidelines. Alberta needs a fully utilized labour force, connected with the community and engaged in meaningful work. Every indication is that there will be labour shortages again in the near future, and these older workers bring a maturity and life experience to the labour market.

Mr. Speaker, I look forward to seeing the positive impacts that this new funding will bring to unemployed older workers in the Medicine Hat community and many others across Alberta.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

### 2:50 Industrial Energy Efficiency Projects

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. The Conference Board of Canada recently estimated that \$6.1 billion will be spent in Alberta on clean energy technology over the next five years. That's more than all other Canadian provinces combined.

Earlier today the Climate Change and Emissions Management Corporation contributed to this exciting story of leadership. More than \$27 million from the climate change and emissions management fund is benefiting six new projects that promote energy efficiency right here in Alberta. This investment means we are now pioneering advancements in nanotechnology, gas capture methods, and electricity generation.

With this announcement the corporation has invested nearly \$100 million dollars in clean technology projects since its creation in 2009. This money is collected from industry as part of complying with our climate change regulations and leveraged into significant emission reduction projects that demonstrate Alberta's commitment to a clean energy future. The fund is an integral part of Alberta's innovative system for regulating greenhouse gas emissions. After all, technology is the foundation of Alberta's climate change strategy and will ultimately help transition our province to a clean energy future.

Please join me in commending the Climate Change and Emissions Management Corporation for their important work and in congratulating NRGreen Power, ConocoPhillips Canada, Weyerhaeuser Company, Cenovus Energy, EnCana Corporation, and Quantam Technologies as recipients of this latest round of funding.

Thank you very much, Mr. Speaker.

### Alberta Achievements at 2011 Canada Winter Games

**Ms Tarchuk:** Mr. Speaker, I'm pleased to rise today to congratulate Team Alberta on their tremendous performance at the 2011 Canada Winter Games in Halifax. Three hundred and thirty-seven athletes, coaches, mission staff, and artists from 49 communities represented our province with pride and enthusiasm at the games. They collected an impressive 75 medals, finishing fourth overall in team standings.

Team Alberta had a strong blend of talent, experience, and enthusiasm, exemplified by our success on the podium, and a strong sense of camaraderie, with team members cheering each other on at every event. Our flag-bearer, Canmore's Scott Gow, raced his way to the podium, winning four gold medals in biathlon, part of the 12 total medals collected by Alberta's biathlon team. But, Mr. Speaker, Calgary snowboarder Pierce Mimura wins a gold medal for overcoming adversity. He dislocated his jaw and shattered several teeth in a race before the games yet toughed it out without pain medication to finish sixth overall in the men's half-pipe. Jesse Cockney, also from Canmore, captured an emotional bronze and two gold in cross-country, matching his father's gold medal count from the 1975 games.

Mr. Speaker, I wish I could list all of the competitors and their many achievements. Obviously, I can't in this short time, but suffice it to say that they all deserve our congratulations. They have made Albertans very proud.

Thank you, Mr. Speaker.

### Introduction of Bills

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

#### Bill 7

#### Corrections Amendment Act, 2011

**Mr. Oberle:** Thank you, Mr. Speaker. I request leave to introduce a bill being the Corrections Amendment Act, 2011.

[Motion carried; Bill 7 read a first time]

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

#### Bill 8

#### Missing Persons Act

**Mr. VanderBurg:** Thank you, Mr. Speaker. I rise today to request leave to introduce first reading of Bill 8, the Missing Persons Act.

The Missing Persons Act will allow police agencies in Alberta to access the personal information they need to help find missing persons in cases where the police have no reason to suspect that a crime has been committed. This act also ensures that the information collected is protected if the former missing person does not want to be contacted once found. Information collected under this act is confidential and can only be used in situations cited in the legislation. Records and information collected must be kept separate from other police agency records and will not be shared through the TALON database.

Thank you, sir.

[Motion carried; Bill 8 read a first time]

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

**Mr. Renner:** Thank you, Mr. Speaker. I move that Bill 8 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you, Mr. Speaker. I would like to table today the required number of copies of a report of the Energy Resources Conservation Board on a well blowout, Canadian Natural Resources, in February of 2010. This particular blowout was the subject of an inquiry by the Member for Calgary-Currie last fall in the House, so I'd like to table the number of copies today.

**The Speaker:** The hon. Member for Banff-Cochrane in her capacity as chair of the Standing Committee on the Alberta Heritage Savings Trust Fund.

**Ms Tarchuk:** Well, thank you, Mr. Speaker. Pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act as chair of the Standing Committee on the Alberta Heritage Savings Trust Fund it is my pleasure to table the 2010-2011 third-quarter update on the fund, and copies will be distributed to members this afternoon.

Thank you.

**The Speaker:** Hon. members, pursuant to section 39(3) of the Legislative Assembly Act the chair wishes to table with the Assembly copies of orders that were passed by the Special Standing Committee on Members' Services at its December 8, 2010, meeting. Included are the Executive Council salaries amendment order No. 6, members' allowances amendment order No. 19, and members' committee allowances amendment order No. 7. All of the orders came into force the day they were passed.

The chair would also like to table some other related orders for the records of the Assembly: Executive Council salaries amendment order No. 5, members' allowances amendment order No. 18, members' committee allowances amendment order No. 6, and for the sake of completeness the constituency services amendment order No. 22 and the records management order No. 2.

### Orders of the Day

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

#### Bill 201

#### Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. I am pleased to rise today and begin second reading debate on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011.

I am proud to say that this is my first bill since being elected. Mr. Speaker, I am bringing forward this bill because I believe that it will help people all over the province and Canada. It would do this by changing the way we become organ donors. If Bill 201 is passed, all Albertans would have to declare their organ donors choice on the back of their Alberta health card. People would not be forced to become donors, but they would have to choose either yes, no, or undecided. Bill 201 would not apply to people under the age of 18 or to people otherwise unable to provide their consent, and Bill 201 would not apply to holders of current Alberta health cards unless they lose their old one and need to apply for a new card.

[Mr. Mitzel in the chair]

Changing the way we declare our organ donor status has the potential to greatly increase the amount of organ donors. As it stands right now, all of Canada is facing a serious shortage of usable organs, and the problem stems from our volunteer rates. In fact, in Canada only 13 out of every million people successfully donate an organ. This is alarming, Mr. Speaker. This is one of the lowest rates in the developed world.

The organ system that we use now lets people choose the option of doing nothing. Mr. Speaker, unless an individual chooses to become a donor and takes the steps to make it so, we assume that they did not want to donate. I believe that our failure to donate organs comes from how easy it is to simply ignore the question and avoid the topic of death. If I were to pass away, my wish would be yes to donation, hoping I could help someone, but it is not written anywhere, so my wife may not know my wish and choose differently.

No one wants to think about their own death, and no one wants to think about an organ being taken from their body. Rather than confront this difficult scenario, we ignore the choice and do nothing, and in Alberta doing nothing means that organs stay where they are. It means that people wait in pain for life-saving transplants, and it means that people die. This bill would not force people to become organ donors. That would be wrong. Instead, Bill 201 would require people to think about organ donation even if they choose to remain undecided.

3:00

Mr. Speaker, I believe this is a good bill. I believe this will save a great many lives and will improve the quality of life for many more. I believe that this bill could save our health care system millions of dollars and improve the quality of life for numerous individuals.

As it stands right now, treating one person for kidney disease can cost up to \$60,000 per year. This means that if a person was living with kidney failure for five years, that would cost our health care system well over \$250,000. However, transplanting an organ would now only cost about \$20,000 plus around \$6,000 per year for the cost of transplant medications. This not only represents huge savings but also greatly improves the quality of life for the patient. This is only one example of many, Mr. Speaker. This is just for one patient.

At present Canada has well over 3,000 people on waiting lists; Alberta has well over 600. If we were able to provide working organs to all of these people, the total savings could be great. This is money that could then be used in other areas of our health care system for helping and saving lives. Donating an organ is one of the most noble, selfless things that a person can do once they pass. In fact, every donor has the ability to save the lives of eight people. In addition, over 75 people can be helped with the tissues of one donor.

Second, I have heard concerns that not providing an Alberta health care card if they failed to answer the organ donation question would be heavy-handed, and I agree with this statement, Mr. Speaker. It's not my intention to deny people a health care card or health care if they choose not to declare their organ donation status. I believe that this bill could be amended to remove this misinterpretation. I believe that the idea of this bill is good and that if we move it forward to Committee of the Whole, we can make the change needed to finalize this idea.

Mr. Speaker, I would now like to take some time to address some of the concerns I have heard about Bill 201. First, there is a concern that Bill 201 would force people to become organ donors. This is not the case. People would be compelled to choose either yes, no, or undecided but would not be forced to donate an organ

if they do not want to. In addition, a person could choose to stop being an organ donor whenever they wanted.

Second, there is a concern that if a person did not wish to choose yes, no, or undecided, they would not receive an Alberta health care card and would not be able to get health care. Again, this is not the case. If people refuse to select either yes, no, or undecided, they would not receive an Alberta health care card, but they would still receive health care card numbers and receive health care. So in the end, the punishment for not choosing between yes, no, or undecided would be nothing more than a minor inconvenience. As well, an exemption would be in place for people's religious or moral concerns about declaring organ donor status.

Third, there is a concern that the bill may overstep personal boundaries, that organ donation would not be a personal decision made between individuals and their family. Mr. Speaker, I agree with this and would stress again that Bill 201 does not force a person to become an organ donor. Rather, I believe that Bill 201 will raise awareness and give people the push they need to talk with their family and make their wish known.

Finally, there is a concern that issuing a new Alberta health care card may be a financial burden on our health care system. While I agree that the change in Bill 201 may lead to a small increase in costs, I would argue that these costs would be easily offset by savings to our health care system that are the result of increasing organ transplants.

Mr. Speaker, Bill 201 is a measured approach that has the potential to increase organ donation rates in Alberta without overstepping government boundaries. I believe that this legislation is fair and in the best interests of the health care system. In addition, I believe that this change is supported by many Albertans. In fact, I've received many phone calls from people and organizations all over the province and Canada, and they all agree that this legislation has the potential to save many lives.

In closing, I would like to say that the impact of the bill could be great. It could incredibly increase the amount of organs donated by Albertans, it could save our health care system millions of dollars, and it could save the lives of hundreds and improve the lives of thousands more. I believe that this bill is in the interests of all Albertans, and I strongly urge all Members of the Legislative Assembly to support Bill 201. Everyone here today may be faced with a tough situation where a loved one or themselves need an organ donation. This bill is truly good for all. I would appreciate your support.

Thank you, Mr. Speaker.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. Speaking to private member's Bill 201, I want to begin by thanking the hon. Member for Edmonton-Manning for bringing this forward. There is no doubt that improving the number of organs for donation will contribute to lives and quality of life. The problem with this particular piece of legislation is the mandatory nature. I agree with the hon. member that promoting education is key, but the mandatory nature suggests that there's some sort of penalty associated with not filling out your card. Whether you say yes, no, or undecided, there is the expectation of enforcement, and with that enforcement comes a cost.

Now, when we have discussed how best to indicate your desire to donate your organs, one of the problems that occurs is the first on the scene being police and ambulance paramedics and the possibility of your intention not going along with your body or your damaged circumstance to the hospital so that the organs that you

have indicated clearly that you wish to be donated can be present. I've suggested, for example, in terms of trying to improve the availability of organs for donation and the decision that a person has made to provide those organs, it would be either as a part of their driver's licence, where that is the singular piece of information that is most likely to be collected at the scene of an accident – obviously, the intention would be clearly represented – or if not on the driver's licence, I've also suggested previously on an electronic health card which a person would carry with them and would be also available for easy access to hospitals to determine their health care record so that it would be of a more permanent nature. Also, there would have to be security clearance proof so that it couldn't be accessed by anyone other than the medical system or the police forces for which it was intended, so that desire to provide that donation would be clearly indicated.

3:10

While I support the whole idea of improving the importance of the education process of Bill 201, unless individuals can come up with some type of an amendment that would get beyond the mandatory nature, which is the sticking point of this particular legislation, I'm not sure how it can be viewed successfully. There's no doubt about the value of organ donations, and there's no doubt about the need to improve the procedure by which organs can be donated. The reality is that currently – and I believe it's correct – a family member can potentially overrule an individual's donation request, so even if an individual indicated with this new process that they were willing to donate their organs, there is the possibility that in the time it takes to get the approval of the family members to the original consent, the time for harvesting would have gone by. So it's an additional complication.

I do want to thank the hon. Member for Edmonton-Manning for raising an extremely important issue. I'm just concerned that this may not be the most appropriate vehicle to achieve the improved education that the hon. member is trying for. I support the intent. I'm just not sure about this being the best vehicle to accomplish that intent.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Fish Creek.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'm pleased today to rise and join the debate on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, brought forward by the hon. Member for Edmonton-Manning. Bill 201 proposes to ensure that all Albertans make an explicit choice regarding organ donation through indicating their intention on the back of their Alberta health cards. In the event that an individual is not yet ready to make such a decision or if they have made their choice but are uncomfortable making that choice publicly known, the opportunity would remain to select undecided as their official organ donor status. Children below the legal age of consent and adults who are unable to provide consent would be completely excluded from the requirements proposed in the bill.

Mr. Speaker, the intent of this bill is to increase the amount of organ donors in our province, which would save the lives of many who are waiting for transplants. I am just one of many examples of many Albertans who have needed a transplant organ. Years ago I received a cornea transplant thanks to an individual who signed their health card or made their intentions known to their family. This bill fills a very important void and deserves our consideration in this House.

There are several legislative ways in which to approach organ donation, the most common of which are the consent solution, or opt-in, and dissent solution, or opt-out. The consent solution would require individuals to explicitly state their desire to be an organ donor. Should they not make this declaration, it would be assumed that they do not want to become donors. Conversely, the dissent solution would require individuals to state that they do not want to become organ donors; otherwise, by default they would be.

In Alberta, as in the rest of Canada, we currently use the consent solution, requiring Albertans to declare their intention to become organ donors. If this declaration is not made, no organs would be donated. Mr. Speaker, this declaration is usually made on the back of the health care insurance card, but it can also be made in writing in the presence of two witnesses. Unfortunately, it seems that this approach is not always as effective as we would hope. While there are no organ donation statistics specific to Alberta, only 13 Canadians of every million actually donate their organs. This is one of the lowest organ donation rates in the western world, and this lack of organ donation means the difference between life and death for many across this country and Albertans.

For whatever reason, it seems many Albertans have not signed the back of their health cards or spoken with family members about their final wishes. Bill 201 would make the declaration of one's decision regarding organ donation via their Alberta health card, and while there is an option to remain undecided, the fact that one must indicate as such compels each and every Albertan to seriously consider the matter of organ donation.

While I believe this bill fills a very important role, there is one particular issue that causes me to hesitate in supporting it completely. According to this bill if an Albertan were not to sign their declaration, they would not be issued an Alberta health card. They would receive a health care number and would be required to be treated by law but would not receive the actual physical card. This is a great concern as I have heard first-hand accounts from constituents and Albertans who have required medical treatment but, for whatever reason, did not have their card on their person and were turned away.

We cannot deny Albertans the right to health care, and in withholding the physical document from them, this could become an obstacle to the delivery of timely medical care. So I look forward to the hon. member bringing forward amendments in committee to ensure that Albertans still receive a card, no matter what their declaration is.

Mr. Speaker, I am confident that this bill will help to increase awareness in our province regarding organ donation and, hopefully, help to increase the number of donors, which would in turn save more lives. For example, in 2008 there were 4,380 Canadians nation-wide on organ transplant waiting lists. Of those individuals, 215 died waiting, including 60 Albertans. Perhaps making a clear declaration regarding one's desire to become an organ donor would have saved more of those lives.

Mr. Speaker, Bill 201 would absolutely not force Albertans to become organ donors; it would simply require Albertans to make a decision regarding the matter. That way, should the unthinkable happen, health care professionals would know right away if an individual was a donor, saving precious time. I would urge all Albertans to have this conversation with their families to ensure that their wishes are followed.

The choice to become an organ donor is a very personal one and requires a great deal of consideration. We recognize that there are Albertans who are not comfortable with becoming an organ donor. The intent of Bill 201 is to get Albertans thinking about organ donation and its potential to save the lives of many and greatly

improve the lives of many more. For this reason I feel this debate is very important, and I thank the hon. Member for Edmonton-Manning for bringing this important issue to our attention.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Calgary-Nose Hill.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to stand up and speak to Bill 201, which amends the Alberta Health Insurance Premiums Act, called the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. I am going to listen carefully to the debate and will put on the record that I'm a huge organ donor/transplant supporter. I brought forward a private member's bill many, many years ago, and we had this discussion. I think the Member for Calgary-West also brought forward a bill, if I recall.

I can't help but wonder – and I speak from experience because I had the honour of chairing the Advisory Committee on Organ and Tissue Donation and Transplantation probably a decade ago. I'm finding it ironic that we're debating Bill 201, on the subject of organ donation, when five years ago we were debating Bill 201, the Human Tissue Gift (Notification Procedure) Amendment Act, 2006. That act had made it mandatory for medical professions to notify the human organ procurement and exchange program when a person dies or is about to, and there is a suitable donor.

There are so many things that I like in this bill, and there are things that I like about the intent of the bill. I'm a little hesitant when we talk about mandatory and then talk about some of the things that I'm hearing from the hon. Member for Drayton Valley-Calmar when she speaks about not being able to get their health card.

I guess I'm wondering, and I'm sure the member can tell me. There was a committee that I chaired that talked about comprehensive legislation to improve organ and tissue donation in Alberta. Sadly, it seems that the progress has been somewhat slow and uneven. Again we're relying on a private member's bill and not a government bill to bring this important issue forward.

3:20

The member can maybe tell me what's come out of that committee. I know that it was a very, very comprehensive committee and had some wonderful health experts and professionals on it. It would be interesting to see what they have to say about this private member's bill and, particularly, if this has stemmed from that particular committee and this is what they're recommending to speed up the organ donation. As long as I can remember I've been a donor, since 1976 – and I hate to put that on the record because then it really does age you – and I've gone through all the tests, which I'm sure many people in Alberta haven't. I can pull out my organ donation card, that will give you exactly what my blood type is, what my tissue type is. That's what they did many, many years ago.

The experts are calling and have been calling for as long as I can remember for greater co-ordination and long-term planning for organ donation and how we need to think ahead, if a catastrophe appears. There's nothing worse in my mind, God willing, than being a parent and having to make a difficult decision when you have a child that is in intensive care. We travelled with the safe communities task force. I had a friend go through that when her son was murdered, not only having to deal with this child who looked perfectly, perfectly normal and making the decision, one, that there was no brain activity left but, two, then being approached by the same people asking if they would be willing to

donate Devin's organs. I don't know how many times I've heard the mother speak. I can only tell you that every time I do hear her speak, there isn't a dry eye in the house in regard to her horrific story about her son.

Currently, from the quick numbers that we were able to grasp, there are over 400 people in Alberta waiting for organ donation. While the stats are telling us that half of them will receive the needed transplants, many unfortunately do not receive theirs in time. As I indicated, as the organs shut down, they must endure the pain along with the family watching the lives of those they love slip away.

Canada has one of the lowest donation rates in the world. One dying person can have a huge, huge impact on saving someone else's life, and I'm sure the hon. Member for Drayton Valley-Calmar can tell of the impact that she's received from her cornea transplant. It's indicated in the records that we've been able to find that one donor can help as many as 80 people. Most people don't realize just how long people wait for donations. Albertans have a shorter wait than most for kidney transplants, but the wait is still two and a half years. The financial implication with regard to being on dialysis – and the member brought that up – is about \$60,000 a year.

A very simple but overlooked step to improve donation rates is education, and we've heard some discussion about that. I think Ontario and B.C. have taken a leadership role by creating donor registries. Government agencies – and I say that with all sincerity; the government, not a private member's bill – have actively promoted organ donation, and the results are worthy to look at.

The committee that I chaired called for a provincial organ and tissue donation and transplant system. You know, I keep alluding to this committee, and I'm hoping that as we go through this debate, the member will bring out the committee's findings. In my mind that has been a worthwhile procedure from the government. I haven't seen what the committee's recommendations are, and it certainly, I think, would be worth while as he proceeds through the processes of second reading and committee. There already have been some recommendations in regard to bringing some amendments forward, and I think that, rightfully, that's something that we have to do.

I think what's important to remember is that this donation system that we have currently in this province relies on the goodwill of others. A living donation is a serious decision, and I think it's another thing that needs greater support from our government. The government has taken a small step by allowing compensation to living donors for their travel expenses and income losses up to \$5,000. At the federal level – and I've had the opportunity to meet with the people involved in this – caregivers are given compassionate leave.

It's interesting that this bill has also been introduced in the spring session. National organ and tissue donor awareness week is in April, and I'm sure we can count on a member's statement from the member that's bringing this private bill forward. I hope, again, that the debate of this bill – and I said that this is the third private member's bill: myself, and I'm sure it was the hon. Member for Calgary-West, and now we have the hon. member bringing forward another private member's bill.

**Ms Calahasen:** Are you going to vote for it?

**Mrs. Forsyth:** Yes.

Mr. Speaker, I guess one of the things that I want to reiterate over and over again – and I was with the government when I brought that private member's bill forward, and I know that the other two members are still with the government – is that nothing

will move this further and faster and get it done quicker than if it's a government bill. If the priority is for us to increase organ donation, then instead of a private member bringing this bill forward – and as I explained, we're on our third private member's bill – why is the government not bringing this bill forward? There is a huge cost savings by getting people off dialysis and all the other things that go with it. I'm going to look forward to the debate.

I'm going to end the same way as I ended probably 10 years ago when I brought my private member's bill forward: don't take your organs to heaven; heaven knows we need them here.

**The Acting Speaker:** The hon. Member for Calgary-Nose Hill, followed by the hon. Member for Edmonton-Strathcona.

**Dr. Brown:** Thank you, Mr. Speaker. It's an honour for me to rise today and speak to Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. Unlike the previous speakers, I'm pleased to give my unqualified support to Bill 201. Bill 201 has the important objective of increasing organ and tissue donations in the province.

Specifically, the bill is proposing to create a requirement that Albertans of legal age would make an explicit expression regarding their organ donor wishes and that those wishes would be inscribed on the back of their Alberta health card. Now, Mr. Speaker, when I say wishes, I mean just that. When a person dies, they no longer have any personal capacity to direct what might become of their organs or their tissues or their body. Wishes regarding the disposal of one's remains after death are just that: wishes or desires. The final decision always rests with the next of kin or those who are the personal administrators of the estate of the deceased. No one is ever going to be forced to become an organ donor by virtue of the fact that they've chosen one way or the other on this card. They're merely expressing their wishes as either yes or no or undecided. What could be more simple?

Mr. Speaker, people are dying needlessly in our province and across Canada, people who could lead productive lives, people who will die far too young, leaving behind grieving families, children without parents, parents who've lost a child, husbands or wives who've lost their spouse. They're going to die because there's a critical shortage of organs in this country for transplantation. They will die because families or their executors have not taken the opportunity to donate their organs to an organ bank. Currently there are almost 4,000 Canadians, including more than 400 Albertans, on the waiting list for an organ transplant. This proposed legislation has the potential to decrease the waiting list and to save lives.

Mr. Speaker, I know that the issue of tissue and organ donation can sometimes be a sensitive topic. First of all, I think the reason behind that is that no one likes to contemplate dying, but die we all must at some point.

3:30

Secondly, there is a reluctance to contemplate someone somehow violating the corpus delicti, the person's body after death.

Thirdly, there may be some particular custom or ritual that we associate with one's faith or one's culture, and those must be respected, of course. But the fact of the matter is that most religious beliefs do not in any way conflict with the process of organ donation. The Bible says words to the effect that greater love hath no man than that he should lay down his life for his fellow man, and I would say that a corollary of that teaching is: what greater bequest can we as human beings leave behind when we depart this mortal coil than to give the gift of life to another person? The Bible also talks about faith, hope, and charity and that the greatest of these is

charity. It also says, "Thou shalt love thy neighbour as thyself." These are moral principles that transcend human philosophy.

Mr. Speaker, the process of organ and tissue donation is an amazing and innovative development of modern science. I remember on December 3, 1967, when the news came out that a South African doctor, Dr. Christiaan Barnard, performed the first heart transplant operation. The patient was a Mr. Louis Washkansky, a 54-year-old grocer who only survived 18 days after the transplant. But it was an important step. Those two people made an important step forward in medical science.

The improvement of antirejection drugs has enabled us now to have almost routine transplantation of many organs, including heart, liver, pancreas, kidneys, lungs, small intestines, and even parts of the brain, the dura mater. If organs and tissues are healthy and in good condition, nowadays there is about an 85 or 90 per cent success rate with transplantation. These organs are vital to our lives and maintaining our quality of life. Tissues that can be transplanted, as I mentioned, in addition to those organs, are things like bone marrow, cornea, sclera, the brain's dura mater, heart valves, skin, tendons, veins.

Mr. Speaker, voluntary donations from living individuals, such as where a person donates a kidney or a lobe of a liver, would not be affected by this legislation. The bill is only a means of signifying the wishes of a person who has become clinically dead, and thereby making their wishes known is assisting the next of kin in making that decision.

The organ donation process also has a time limit that is critical, and that's where this signifying of the wishes is so important. Organ donations come from traumatic accident victims sometimes such as fatal head injuries resulting from motorcycle crashes or vehicle crashes. Organs can also be donated from persons who are under active medical care in very limited circumstances. According to Alberta Health Services transplantation can be permitted with the specific consent of the next of kin in circumstances where the donor is brain-dead and where the donor is also reliant on artificial life support.

We know that organs can be preserved for a very limited time in a refrigerated state before the cells begin to die and they are no longer useful, so the bottom line is that decisions on organ donations have to be made quickly. They have to be made expeditiously, and that is why having the deceased person's wishes known to the next of kin will help the next of kin to make those decisions in an expeditious way while those organs can still be harvested and used to donate to others.

Just for information, colleagues, some of the times that these organs can be kept are very, very short. For a heart and a lung it's about four hours, for a liver somewhere in the neighbourhood of 18 to 24 hours, for a kidney 12 to 24 hours, and for a pancreas 12 to 24 hours.

As I mentioned, most of the patients who have the opportunity for organ donation have been determined brain-dead, and often they are in a hospital intensive care environment.

Some tissues, of course, can be preserved for longer periods of time, and we call those banked tissues. An example of a banked tissue could be something like skin tissue that's preserved for reconstructive surgery or skin grafts for burn victims and so on.

Mr. Speaker, the personal choice of donating organs and human tissues is the right thing to do. One person, through signifying their organ donation and through having their next of kin follow through with those wishes, can actually save the lives of up to eight other individuals.

We must never lose sight of the fact that becoming an organ and tissue donor is a personal decision. It's a personal decision not of the deceased but of the next of kin, but for the reasons mentioned,

those next of kin have a decision which is much easier taken when they know what the wishes of the deceased would have been. It's a decision that is best discussed beforehand with family and friends.

In conclusion, Mr. Speaker, I would strongly support Bill 201 as an interim step towards increasing the supply of organs and tissues and saving Albertans from premature death. I'd like to thank the hon. Member for Edmonton-Manning for bringing Bill 201 forward, and I urge all of my colleagues to give this bill their wholehearted support.

**The Acting Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Beverly-Clareview.

**Ms Notley:** Thank you, Mr. Speaker. It's a pleasure to be able to rise to speak very briefly to Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act.

I rise to indicate that certainly I will be giving my support to this bill, and I would like to offer my thanks to the Member for Edmonton-Manning in his decision to bring this bill forward. It strikes me that for the most part this is a bill that's designed to get at some of the administrative roadblocks that sometimes arise in terms of ensuring that the desire or the wish, as had been so clearly pointed out by the previous speaker, of a potential donor is communicated in the way necessary to ensure that that wish is acted on.

At this point we have a system that still makes it difficult sometimes to connect that desire on the part of the potential donor to the process whereby that desire is appropriately acknowledged. It appears to me that this is one strategy, not the only strategy, certainly, but one strategy, to ensure more opportunity for Albertans who likely wish to have that donor decision made and recorded in a way that will ensure that their wishes are taken into consideration when the time comes. It ensures that those folks have better opportunities, and for that reason I support the purpose of this bill.

I note that at this point there aren't a lot of other jurisdictions, as far as I can see, that have legislation like this in place, but our trusty researchers indicate that similar legislation has been put in place in New Jersey, I understand, and that that has resulted in quite a significant increase in the number of donors in the system.

I think as well that when previous speakers have raised concerns around the potential cost of enforcement around this process, it is important for us to remember to balance whatever costs might accrue through this bill being implemented against the cost of not providing the treatment to those Albertans who require organ transplants, and previous speakers have already identified that we have roughly 400 Albertans currently on our waiting lists. It has been reported that by moving those people off the waiting list through increasing access to donors, we could save up to \$20 million per year.

I think that the cost savings to our health care system achieved through giving people the health care that will result in them not having to get intensive care while waiting for donors ultimately need to be taken into account. So this is not only a bill that would improve the quality of health care made available to Albertans, but it is also a bill that might and will likely result in achieving cost savings to our health care system.

3:40

I have noted the concern raised by one particular member about whether or not withholding the production of the actual card is the best mechanism to ensure that people fill out the card, and I anticipate hearing more about that issue from the sponsor of this bill as

the debate unfolds. However, overall I certainly do believe that we need to find as many ways as we can to link people who wish to donate organs to the institutional mechanisms necessary to ensure that those wishes are acknowledged.

Of course, should we get to the point where this bill is not only passed but implemented, we will need to turn our minds to other issues that impact on this; for instance, the wait-lists that currently exist for many surgical procedures across the province. We would want to ensure that we have the capacity to capitalize on the benefits of additional organ donors in Alberta should this piece of legislation pass, and that is a very important issue to consider.

Previous speakers have also questioned why this is not a government bill because, of course, that would ensure its speedier passage and implementation, and that is certainly a good question to ask.

Certainly, I do want to thank the Member for Edmonton-Manning for bringing this bill forward, and again I will say that on behalf of the NDP caucus this bill will receive our support. Thank you.

**The Acting Speaker:** The hon. Member for Whitecourt-Ste. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I appreciate the opportunity to join the debate on Bill 201. I'd like to thank the Member for Edmonton-Manning for his work and dedication on this bill.

Mr. Speaker, Bill 201 provides the opportunity to rethink attitudes and approaches surrounding this very serious issue, organ and tissue donation. While I speak, for people that are listening, I hope that they look in their wallets or purses and pull out their Alberta personal health care card and check the universal donor declaration on the back and see if they have at least done that. If you haven't, I encourage you to make that declaration right now, while we speak.

You know, since I've been 17 years old, I've been giving blood. I was as a very young man awarded by the Red Cross Society a certificate for donating over a hundred pints of blood and very early signed onto the bone marrow transplant program as well. Again, things that we can all do in our daily lives: every 56 days just go across the river, have a cup of coffee and a cookie, and take half an hour to give blood. What an easy way to contribute to mankind.

You know, Bill 201 makes it a requirement to say, "Yes," "No," "I'm undecided" regarding their organ status on the back of their health card. I don't know if that's the right way to do it or if it's the wrong way to do it, but like earlier said, through the discussion in this House we'll find the right way. This is a right motion. It's the right thing to do. If we overlook this opportunity and we overlook the dedication that this man on this private member's bill has, I think we make a mistake. If the wording is wrong, let's correct it. We have lots of time during the debate, whether it's in Committee of the Whole or further on, to make amendments, but let's hear what everybody has to say on this. You know, there's a lengthy wait-list for those in need of organ or tissue transplants in Alberta, across Canada, throughout the world, and there are many strategies that might work or might not work, but I think what's unacceptable is to do nothing. It's unacceptable.

In Ontario, in Quebec, you know, they're rethinking this process right now. Ontario introduced some new legislation. What happened? People got talking about it. Organ donation went up 17 per cent. So one man can do something different. In the Legislature there that's what it took, one person to introduce the legislation and his colleagues to get behind him.



I don't care about the wording. I care about the motive of this individual, I care about this piece of legislation and what it says, and I care about the people that are in need of the transplants, whether they be our children or our parents or our friends or our neighbours. We have an obligation to help out, and this Legislature can fulfill that obligation very, very simply by supporting this bill, by helping this member rework the wording in this bill. Together we'll make a difference. Together we'll save lives, and there's not a better calling than that.

Mr. Speaker, I think we need to take a look at the intent of this legislation. I know in my heart and I know that in everybody's heart here we can find a way to make this thing work.

To you, Member for Edmonton-Manning, I thank you for introducing this. I thank you for getting this discussion on the floor. I hope that people here can all look upon themselves to do what I just asked. Just take a couple of minutes and look at your health care card. Sign it if you haven't. Support this legislation, and let's move on.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Calder.

**Mr. Kang:** Thank you, Mr. Speaker. It's my great pleasure to speak in favour of Bill 201, brought forward by the Member for Edmonton-Manning. As mentioned before, too, there are 400 Albertans that are on the waiting list. It seems like when we're talking about the waiting list, there is a bigger waiting list, but I'm shocked that only 400 people are waiting, you know, for organ donations. I think one person, by bringing this bill forward – you know, this is like giving a ray of hope to those 400 people who are on the wait-list. This bill, I believe, will go a long way, if passed, to help reduce those waiting lists.

We all have obligations to our families, and we have obligations to society as a whole as well because when we get out of our own family circle, you know, we are a big family. In Alberta we are a big family. In Canada we are a big family. There are 4,000 people on the waiting list Canada-wide. Bill 201 would make it mandatory for any Albertan over the age of 18 to fill out their organ donor card when they receive their health card ID. I think that will be a little reminder for everybody that this is a good deed we should all be doing.

My only concern is that if the member doesn't fill out their donor card, they will get the registration number, not the health care card or some kind of health care ID, and that may be prone to abuse. Maybe a person is sick, you know, he doesn't have the proper ID, and he has the registration number. He can maybe be turned away from the medical facility, saying: that's not your number. That's my only concern, and I hope that concern can be dealt with as the Member for Edmonton-Manning assured me earlier that he will be bringing an amendment that people not filling out their donor card will still be getting their registration card.

As we know, Alberta has the lowest donor rate in Canada. We have to do something, have some kind of method in place, to improve our donor rate. This will impact Albertans receiving the health card. It would be required to fill out the organ donor information by indicating yes or no or undecided.

3:50

Although it's very difficult to estimate the impact that this requirement would have on the organ donations, we have to start somewhere. The likelihood is that in the beginning it will have minimal impact as family members still would remain able to override the preference indicated on the deceased individual's

donor card. I think we will have to have more education with that, too, like saving lives.

Organ transplant surgery costs significantly less than the medical support we provide to people who could otherwise be healthy and contributing to the economy. Reports estimate that the cost of kidney dialysis equipment is \$60,000 per year. Remember, if somebody donated the kidney, that's a savings for everybody, and the person may contribute fully to society.

Still more needs to be done to boost Alberta's low organ donation rate relative to the size of our population. I think that with Bill 201, at least, this will roll the ball in the right direction to bring awareness amongst Albertans.

You know, every person goes. We have to rise above the emotions, rise above all the religious beliefs we have. I know this one gentleman who has donated his body. He's a Sikh. He has made a will. He has given his will to his kids, and he said: you cannot change it. He said: after I go, my body should be donated for studies to the medical school. That's with much awareness. You know, once we start educating people, start talking to people about the benefits of organ donation, I think a lot more people will come around.

At least this bill will give people a chance to make the decision as to whether or not they want to donate. This bill doesn't take away individual choice as they can indicate no or even that they have yet to make a decision. By increasing the amount of filled-out organ donor cards, Bill 201 would also provide more guidance to family members asked to decide about the wishes of the deceased. If the family knows that the deceased had indicated that he was leaning towards maybe donating, it will be easier for them to make the decision to donate the organs.

I congratulate the Member for Edmonton-Manning for bringing this bill forward. I will wholeheartedly support this bill. Thank you.

**The Acting Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Airdrie-Chestermere.

**Mr. Elniski:** Thank you, Mr. Speaker. I'd like also to offer my congratulations to my good friend the MLA for Edmonton-Manning for bringing forward this Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. This particular piece of legislation reminds me that often nothing really makes you think more about what you can do than actually doing something.

It's been mentioned here this afternoon by the hon. Member for Whitecourt-St. Anne that he's a long-standing and committed blood donor. I can't help but think that there is no one in this Assembly who, if they had a child or a sibling or a spouse who was in need of a kidney, for example, would not be, I think, first in line to have that particular test performed and, hopefully, be able to offer that particular bit of comfort or salvation to somebody that they love. This bill simply takes that idea and expands it, and it expands it to allow that same offer and that same contribution that you might be willing to make to your family member to virtually anyone that is in need.

Now, I don't know as a 50-year-old guy, you know, what parts you'd have that would have enough mileage left in them that you'd be able to use them to donate to somebody else.

**An Hon. Member:** Your legs.

**Mr. Elniski:** And I'm not so sure that a lot of them would fit, frankly. Thank you, hon. member, for the comment there. I suppose if there were someone out there who were five foot eight that

wanted to suddenly be six foot seven, we could probably cut a deal on that one.

This, I suppose, is a very good reason why we have the boxes that are indicated yes, no, and undecided. I think that the whole concept of organ donation is one that's very personal to the individual involved. Ultimately, I think there is no prior or more personal thing than one's right to the privacy of their own being, and I would suspect that while certainly that applies while people are alive, such a similar thing should also apply after they're gone. I think that the individual does in fact absolutely have the right to decide what will or will not happen to their remains. If that means that you can use them for some means, be that a donation to an institution for research or for the assistance in helping somebody else perhaps enjoy a longer life than you did, then I think that that's a very worthwhile and noble pursuit.

With this, I have to comment here briefly on some of the policies in a number of places. There are a number of European countries that operate on the basis that if you don't decide to donate, then we are in fact going to harvest, and there are other jurisdictions where if you don't explicitly say that organs can be harvested, then in fact organs will not be harvested. I think that this particular piece of legislation, the proposal that my member friend brings forward here in Bill 201, offers us something of a compromise on that point. It allows us to say: Yes; I am fully prepared, and I'm willing to allow my body to benefit whoever may so benefit from it after I pass on. It allows me to opt out of that process entirely for whatever, you know, philosophical or religious purpose or whatever it happens to be. If you don't want to do it, you can opt right out of the thing. It gives you the flexibility to do either/or.

I think the beauty of that is, of course, that it also doesn't create in mandate and in legislation some sort of government control or government intervention over, ultimately, what happens to your remains as you pass on from your mortal coil, so to speak. I think that that in and of itself is what makes the bill appeal to me.

You know, when you have a yes or no question, you always have people that will fall into the grey area. I do think that the undecided is very much likely the place where most people would find themselves.

It's not so much the recording of the documentation or the recording of the information that's going to make the difference to us here today. What is going to make the difference to us today is the actual conversation itself, the debate that we're having in the House here today with respect to: how do you want to structure something like this? We've talked about these things many, many times. How do you structure them so that individual citizens neither feel pressured to donate their organs nor feel that there's no desire or want or need for them but that individuals are allowed to make the choice? The choice comes very, very simply from you having that option of one of those three choices: yes, I want to do this; no, I don't want to do this; or maybe I don't want to do this.

You sort of have that today; however, your family can in the current system overrule. So if your family decides that they want to preserve you in your current and consistent glory, then they can certainly do that. I don't know in this bill, hon. member, and I would certainly like to ask the question at some point in time as to: does the declaration that you make have any possibility of being overruled by anyone at any particular time, or once you've made that declaration as an indication of your final wishes, is that, in fact, then the declaration of your final wishes?

You know, I think also, member, that it makes a very difficult time for family members much easier. I think that in and of itself is certainly a worthwhile consideration. As I look through some of the other documents that I have in front of me here – and I'm

going to skip towards the very end because I see I've used up a fair amount of my time – I'm going to have to say, hon. member, that I do believe the conversation is imperative on this topic.

4:00

I don't know, to be honest, if from a legal perspective this is in fact the correct wording or if we need to alter something or if there's some minor change that needs to be made. I do think, nonetheless, hon. member, that the value here is absolutely in the conversation. The value here is that everyone in this Assembly and everyone that listens to these things should take out their wallet, look at the back of their Alberta health care card, and make a decision with respect to their own personal choice for organ donation.

On that point, Mr. Speaker, I thank you very much.

**The Acting Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Strathcona.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to rise today and speak in favour of Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, put forward by the hon. Member for Edmonton-Manning. I want to congratulate him on a very well-thought-out and a very useful bill. Because of this bill and because of the words of my esteemed colleagues there, the hon. Member for Whitecourt-Ste. Anne as well as the Member for Calgary-Nose Hill, I am taking out my card because I just realized that I don't have a checked box. So if nothing else good comes of this bill, at least I will check this out. I'm sure some of the folks over there think I'd be much more useful as an organ donor than I would as an opposition member, so I will sign up so that it is checked.

Anyway, I just wanted to say that, you know, everyone in this Assembly probably has had someone in their life – a friend, a family member, et cetera – that has benefited from an organ donor or from someone who's given blood, and my experience is no different. It seems like the least that we can do. Obviously, there are some people whose faiths might conflict with that, but I think the vast majority of people are in a position where that would not conflict. I hope that everybody in the constituency of Airdrie-Chestermere as well as in the province of Alberta will take the time to take out this donor card and check the appropriate box.

I would make one suggestion aside from this particular bill, that I think it would make a lot of sense if when we reregister our vehicles every year, we could maybe make it mandatory for people to check yes or no at that point as part of their registration form.

**An Hon. Member:** Saskatchewan does that.

**Mr. Anderson:** Does Saskatchewan do that? There you go. Saskatchewan does it. You know, it would seem like a good idea. That way we could for sure get everyone to sign either yes or no, at least know where people stand.

Unfortunately, I don't think that this will reach a ton of people, but it will definitely reach some people, hon. member, so it's definitely worth having.

I will absolutely support this bill. Thank you.

**The Acting Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Bonnyville-Cold Lake.

**Mr. Quest:** Well, thank you, Mr. Speaker. I, too, had to pull out my donor card. Fortunately, it was checked off in the right place; I had done it some years ago. You're right that it's not something that we typically give a lot of thought to.

I'm happy to speak today on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, brought forward by the hon. Member for Edmonton-Manning. Thank you for bringing it forward. This bill touches upon a subject that we can all relate to.

Being in good health is perhaps one of the most precious things in life. Unfortunately, there are many individuals in this province that suffer chronic health problems which in some cases may result in tissue or organ malfunction. Indeed, every year hundreds of Albertans experience a situation which requires or, ultimately, can require a tissue or organ transplant. Mr. Speaker, as we speak, there are more Albertans who require a tissue or organ transplant than what our system can handle. Waiting lists are long, sometimes too long, and this alone is enough to prompt some debate on ways to improve the system. The Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, as proposed by the hon. member may achieve just that.

Mr. Speaker, Bill 201 tends to at the very least increase awareness of organ donation. I think we all agree that that is something that needs to be done. It would also be a departure from the current opt-in system, which encourages individuals to donate their organs but does not require it. Indeed, individuals are asked to register their willingness to be a donor upon their death, but declaration is not mandatory. It's a simple process, but it's not as effective as it could be. Bill 201 would help improve that by requiring all adult Albertans to make an explicit decision regarding their organ donor status on the back of their Alberta health card, and I think that's a good place for it.

Mr. Speaker, I think it was mentioned before that a similar bill was considered in Ontario in 2006. That was the Organ and Tissue Donation Mandatory Declaration Act. That would have required that a health card or driver's licence not be renewed unless the person had completed a declaration. The declaration would have specified whether or not the person was willing to donate his or her organs or tissue upon their death.

Closer to home, in B.C., which uses an opt-in program like Alberta, the focus has been to increase exposure and availability of organ donor forms. British Columbians can now register to become organ donors online, request an organ donation brochure by mail, or download an organ donor form. Brochures are also available in a wide range of service centres like motor vehicle and driver service centres, doctors' offices, pharmacies.

Another example is our federal counterparts with an approach similar to B.C.'s, favouring the promotion of both public education and awareness. With the National Organ Donor Week Act, or Bill C-202, Ottawa ensures that every year the last full week of April is known as National Organ Donor Week.

Mr. Speaker, in the United States, where the donor rate is approximately 20 per million, compared to Canada's 13 per million, the federal government has pushed the envelope further. Although legislation regarding organ donation is under state jurisdiction, a Uniform Anatomical Gift Act was drafted by the national conference on uniform state laws in order to attempt to harmonize public policy on organ donation. This law prescribes how organ donations for transplantation and the study of medicine can be made. The act, enacted in 39 states, states that a donor can make an anatomical gift by authorizing a statement or symbol to be imprinted on the donor's driver's licence, in the donor's will, or during the donor's terminal illness or injury. It can be done orally with at least two adult witnesses, at least one of whom has disinterest. In essence, each state has an opt-in program whereby individuals are not donors unless stated otherwise.

However, many states demonstrate an individual's consent to organ donation via a symbol that appears on their driver's licence. It's believed this also promotes awareness and encourages individuals to become donors. New Jersey is one example of a jurisdiction that went beyond the opt-in program prevalent in North America. Reminiscent of Ontario's Organ and Tissue Donation Mandatory Declaration Act, the New Jersey Hero Act made New Jersey the first state to require individuals to declare their organ donor status before applying for a driver's licence. It requires that they either agree to donate their organs following their death or, if they decline, review information about the importance of organ donation. Further, the new law mandates high school education on organ donation. Finally, Mr. Speaker, as recently as last year the state of New York contemplated the idea of making everyone an organ donor unless the individual opts out.

I must remind this Assembly that in the system of opting out or presumed consent, every person living in a jurisdiction is deemed to have given their consent to organ donation unless they have specifically opted out by recording their unwillingness to give organs. This is the preferred method used in several European countries like France, Spain, and the Netherlands.

Mr. Speaker, as I mentioned before, better methods of encouraging organ donations are needed. The question is: which path should Alberta take in order to achieve our goal of increasing organ donation and, ultimately, saving lives? We now know that Ontario has been attempting to change the legislation from an opt-in system without mandatory declaration to one with mandatory declaration. B.C. chose to more actively promote organ donation by using conventional means. Our federal government is doing much the same with the National Organ Donor Week Act. In the U.S. the government is attempting to harmonize public policy on organ donations through the states, some of which, like New Jersey, are opting for more proactive reforms. Finally, in New York an opt-out system was considered as recently as last year.

Mr. Speaker, I'm not sure which avenue is better for our province and our citizens, but Bill 201 may be a step in the right direction. At the very least it's providing worthwhile debate. I'd like to thank my colleague the hon. Member for Edmonton-Manning for bringing this bill forward. I look forward to the remainder of the debate and potential amendments in committee.

Thank you, Mr. Speaker.

4:10

**The Acting Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Bonnyville-Cold Lake.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I want to also congratulate the member for such an important bill. I do believe that this is something in that as I looked, similar to the Member for Airdrie-Chestermere, I also had not completed that form. I think that the spirit of this bill is something that will serve Albertans well, and I want to congratulate him for the forward thinking on this particular initiative. I think it will serve all Albertans very well.

I want to say that I have a person that works in my MLA office who was the recipient of a cornea transplant, a transplant she had due to a tragic accident. She can see today because of the organ, the cornea, that was given in the first 24 hours because someone was so gracious to donate. This, again, is the same spirit of what the hon. member is attempting to do here today. As a member of the Wildrose I can probably stand here today and say that I support this very forward-thinking bill, one that will help all

Albertans, and one that I believe will serve humanity in a better manner.

I would like to add, Mr. Speaker, just some friendly thoughts to this. Saskatchewan was mentioned earlier, which I think was an important note. I find that when I go to register my vehicle or to get my licence, it would be really nice – and I know there was consideration in the past where, in fact, the folks in the registry under regulation would actually be in a position to ask the question: would you be willing to donate? I think I might have sat on that side when that actual report by Service Alberta came in. It was really good. It's just really about reminding Albertans.

So when you go into a registry branch to register and to get your licence, I thought that in strengthening the spirit of what is well intended in this bill, the civil servants could ask the question: would you consider? I think, really, that if Albertans were posed that question, the majority of them would answer yes. If that was intended to help and assist and broaden and to help even more Albertans, I think that would be a consideration that perhaps the member would consider.

I know there was good work done previously in a report relative to this issue, where, actually, civil servants at the registry, be it private registries, would ask the question. And by order in council as a regulation I actually think that it would be very valuable. I know that if I were asked the question there, clearly, the answer would be, in my judgment, keeping to the spirit of this bill, the right one, saying: yes, I would be willing to help. So it's friendly advice to consider if perhaps that could be worked through. There was good work done in previous years by the government in studying this type of proposal. It really is about interacting with Albertans, yet ultimately the responsibility is with Albertans for saying either yes or no.

Having said that, I do believe that this is very positive. I congratulate the member once again, and I encourage all members of this Assembly, in keeping to the spirit of what's intended, to support this very worthwhile bill.

With that, Mr. Speaker, I will take my seat. Thank you.

**The Acting Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I am pleased to rise today to speak to Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, which has been proposed by my colleague the hon. Member for Edmonton-Manning. Organ donation has always been an important topic, with many important and diverse viewpoints and opinions that should be heard and explored.

Mr. Speaker, I think it is important to discuss what exactly the purpose of Bill 201 is and what it is not. It's not a way to force all Albertans into organ donation. It is not a way to force Albertans to consent to something on which they do not agree. What Bill 201 is trying to do is ensure that all Albertans are educated about their choice of whether to be an organ donor and to have them declare this choice on their Alberta health care card.

If Bill 201 were to pass, a process would be created by which Albertans would be required to indicate whether or not they wish to be an organ donor or if they still are undecided. Mr. Speaker, declaring one's organ donation status is a very important decision, and I believe that many Albertans are willing to be organ donors. I also believe that due to many different circumstances there are some who do not indicate on the back of their Alberta health care card what their organ donor status is. This can lead to confusion if one of these persons is ever in a situation where their organs could be used to help another patient. This confusion could possibly cost

lives, which is why the topic of organ donation is such an important issue to be discussed. We recognize that every time someone confirms their willingness to be an organ donor, it could potentially save lives.

Mr. Speaker, there are several ways in which different jurisdictions handle the declaration of organ donor status. Some jurisdictions consider their citizens to be organ donors unless they specifically indicate on some form of documentation that they do not wish to be an organ donor. Some jurisdictions go even further and mandate that regardless of one's objections all citizens will be considered organ donors. This system may not be appropriate for all Albertans. I believe that the current way in which Albertans are asked to declare their organ donor status, by explicitly making a declaration of intent, works for our province.

That being said, changes to the way we ask Albertans to declare their status may be beneficial and deserve consideration. This bill cannot completely change the system, but it would ensure that our citizens declare their organ donor status. This would help to ensure that every available organ that could be donated would get donated.

Now, Mr. Speaker, with any program in which citizens' involvement is required, there are real concerns and legitimate exemptions that must be considered. As Bill 201 was being considered and drawn up, I know that the hon. Member for Edmonton-Manning made sure that apprehensions from religious and cultural groups were addressed as well as some of the logistical worries about how this process would work in reality.

First of all, Mr. Speaker, there is a legitimate concern that the bill would make it so that Alberta Health Services would have to reissue all Alberta health care cards that are currently in circulation. Obviously, this would be a large undertaking, requiring extra staff, overtime hours to make sure that proper checks and quality control procedures were followed for the issuance of over 3 million health care cards. All this would cost Alberta Health Services and taxpayers a significant amount of money and would take the focus away from the important work that they are performing.

However, Mr. Speaker, this concern is addressed in Bill 201. This bill would ensure that mandatory declaration of one's organ donor status would be phased in. Only when a person applies for a new or a replacement health care card would they be required to declare their organ donor status. This bill would not try to disrupt or reinvent the process that is already in place for issuing Alberta health cards. It will simply use the existing method, that already works.

The bill also respects the personal choices of each individual with respect to organ donation and makes sure that a person's religious and cultural customs are respected. This is not the first time this government has paid attention to this important concern. On August 1, 2009, the Human Tissue and Organ Donation Act, 2006, came into force. The purpose of this act was to encourage Albertans to be organ and tissue donors. Along with this act Alberta Health Services and other groups have been actively educating Albertans with facts and choices regarding their organ donor status. These education and awareness campaigns have been successful, and I would dare to say that today more than ever our constituents are aware of the choices they have. Bill 201 ensures their choices are indicated so those life-saving organs and tissues make it to people waiting for them.

**4:20**

It is important to note that Bill 201 would exempt those who are not able to make that declaration for themselves. For example, Mr. Speaker, many Albertans receive their health care card before they reach the age of 18. Those who are under the age of 18 would not

have to make that mandatory declaration regarding their organ donor status. This ensures that our children will not be pressured into making that declaration without their parents or guardians present. I do not think that it would be a good idea to pressure our youth into making decisions they do not quite understand or know the scope of.

We also want to ensure that those who are eligible to make this crucial and important decision can do so with input and education from those who care for them. This leads to a similar exemption, that provides for those who are not able to give legal consent for themselves. Those who would fall into this category would be the developmentally disabled, for example. Again, Mr. Speaker, these exemptions would ensure that individuals who are not able to make such an important decision are not forced to donate their organs without proper guidance and education.

In the end, this bill seeks to make sure that those who decide to be an organ donor make sure they indicate it on their Alberta health care card. Since we know that the number of people who are willing to be organ donors is higher than actual donation rates, this bill could increase the number of available tissues and organs for transplant.

Mr. Speaker, again, I am pleased that I can take part in this debate about such an important topic. Modern medicine has provided many life-saving techniques and procedures, and organ and tissue transplants are of a high importance in this regard. The decision to be an organ donor is an important one and should not be taken lightly, and the exemptions provided for in this bill are designed to make sure that those who may not be ready to make this decision do not have to.

I would like to express my gratitude to the Member for Edmonton-Manning for bringing up organ donation in this House. I know that our discussion today has provided me with more of an understanding of this important issue, and I hope that the bill will encourage awareness of this subject throughout the province.

With that, I will take my seat, and I look forward to the continuing discussion about Bill 201. Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. It's my pleasure to rise today to speak to Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. This is an issue I've been interested in for quite a while. In fact, when I first became an MLA, I sort of looked at this and I said: "Hey, maybe that's something that I can do that would really help Albertans. Maybe there's something that can be done to actually increase the number of donors." I looked at it early on, and then, you know, with all the things that come at you as an MLA, it was one of the things which I did not move forward on.

Anyway, as some of you might know, I lost my best friend last year. I remember how very, very happy she was that even though she had been so very, very sick with cancer for so many years, she was able to donate her corneas, and when she went into the hospice, that was one of the real bright lights for her. This got me thinking that, hey, I've got to start looking at this again. First of all, I met with the Lions Club, and the Lions Club got me onto a lady by the name of Mrs. Sharon Hovey with the HOPE organization. HOPE is an organization in Canada, actually, human organ procurement and exchange, and it has been the provincial group responsible for managing the donation, recovery, and distribution of organs for transplantation within Alberta. I sat down and talked to her about, you know, what can be done. What changes can we possibly make to legislation which would end up with more do-

nors? It's very clear to everybody that, hey, we've got a lot of really sick people out there that we can help.

The first thing that was a real surprise to me is that there's a big difference between eye donations and organ donations. Just about everyone can donate their corneas, but it turns out that there are very, very few people who can donate their organs. It turns out that, essentially, you have to have been in a traumatic accident to be able to donate your organs. You have to essentially be on life support, and that has all sorts of implications for how we handle this whole issue.

What the HOPE organization does – and I will table these documents with the Speaker – is that they approach the families of possible organ donors. They talk to them and ask them to please allow the organs to be donated. Now, from their website are a couple of very interesting pages. First of all, how many of the possible donors do they approach? Well, it turns out that in most three-month quarters they approach 100 per cent of the possible donors. They actually approach 100 per cent of those families. The times when they don't approach them: what happens? For instance, somebody was in a car accident, and they already had cancer. Okay? Even though they at first appeared to be possible donors, it turns out that they can't because they've got cancer or they have ALS or they have viral encephalitis. So even though most of the time it's at a hundred, the times when they don't approach those families are times when there are other reasons why the person couldn't have been a donor anyway.

The next page that we need to look at here is that of those families that are approached by the HOPE organization, pretty well in the last four months 100 per cent of those Albertan families have donated those organs. One hundred per cent. So I guess there are a few questions here. Now 100 per cent of the possible donors are donating, so why is there a decline in donors?

Well, it turns out that we in this Assembly have been doing the right things, what might be considered the wrong things, but I think they're the right things. We have worked to make our highways safer. We have fewer people dying in car accidents. We have come out with helmet legislation, so we have fewer people having accidents on their bicycles or on their motorcycles. There is actually a decline in the number of donors, but the reason that there is that decline is because we have been doing the right things. Our cars are safer now. There are fewer people dying in car accidents, and that's the bottom line of why we have so few donors.

So what's wrong with this legislation? What would it matter? Why not just put it through? You know, why not just put it through? Well, it comes to this whole question of yes, no, undecided. The problem is that it is government saying: you have to make a decision. When government says, "You have to make a decision," you are going to end up with some people saying: "Well, get out of my way. I'm just going to say no." So what you're actually going to end up with is some people with noes. With that no, what we're doing is we're kicking the feet out from this organization that provides all of these donors. When there's a no on there, then what that means is that HOPE can no longer approach the families and ask for that donation. So we will actually end up with fewer donors. Right now we are at 100 per cent. By doing this, we're going to be cutting out a number of possible donors for these organs.

4:30

Now, when it comes to corneas, that's a different issue altogether. Just about everyone can donate a cornea, and that's one thing that we really need to push harder, in getting the general population to donate their corneas. I'm hoping that out of this

whole discussion there will be more awareness out there that you can donate your corneas and that we do need more corneas.

When it comes to the organs, we are now getting 100 per cent of those organs that we could possibly get, so I am very concerned – very concerned – that if we pass this legislation, we will actually end up with fewer donations. There will be people that HOPE can no longer approach, the families of people that HOPE can no longer approach, and we will thus end up with fewer donations.

You know, my heart goes out to this member in that he has his heart in the right place. He is working really hard here to try to get more donors, but it isn't a matter of people not stepping forward. It's not a matter of Albertans not doing the right thing. Albertans are doing the right thing. They are donating their organs, but as a result of our safer community, our safer roads, our safer vehicles, our helmets there are fewer people in Alberta dying traumatic deaths. So it's one of our losses. Everything has a pro and a con to it, unfortunately.

I do ask you all, very reluctantly, to defeat this bill. Thank you.

**The Acting Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Speaker. I'm pleased to rise today as well to speak in the debate on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. I'd like to thank the Member for Edmonton-Manning as well for his thoughtfulness in bringing this bill forward.

Organ donation is a very important topic, as we've heard, as many lives are affected by the selfless act of organ donation. Ultimately, this is a discussion that needs to occur within families. Mr. Speaker, it's estimated that well over a million people in the world have benefited from organ transplantation, yet long wait-lists for organ donations prevail.

Alberta along with the rest of Canada uses an opt-in system for organ donation. Under this system individuals are presumed to have said no to organ donation unless they have left explicit direction to do otherwise. In comparison to what's done in Canada, many European nations and several South American nations adhere to an opt-out, or presumed consent, system of organ donation. This presumed consent system allows organs to be harvested from an individual even in the absence of explicit consent of the deceased. In such a system an individual must inform the relevant authorities if they wish to opt out.

Mr. Speaker, I'd like to explore the European case of presumed-consent policies and the impact that these policies have had on organ donation. In the early years of organ donation, in the 1960s and '70s, most countries used the opt-in system. However, as demand for organ donation grew, a number of countries abandoned the opt-in system in favour of the presumed-consent system.

An interesting fact is that Singapore was the first nation to enact presumed consent, with several European nations following suit. To date approximately 24 European countries have some form of presumed consent, with the most prominent systems in Austria, Belgium, and Spain.

In those countries they've shown great success with their presumed-consent policies. In fact, several before-and-after studies reported an increase in donation rates following the introduction of a presumed-consent system. For example, kidney donation rates in Austria grew from 4.6 to 27.2 donors per million people over a five-year period while rates in Belgium increased from 10.9 to 41.3 donors per million during a three-year period. Some have argued that it's not just the change in systems that has elicited this increase in donors. It's argued that a combination of legislation, availability of donors, transplantation systems organization, in-

vestment in health care as well as underlying public attitudes to and awareness of organ donation and transplantation may all play a role although the relative importance reach is not that clear.

Mr. Speaker, presumed-consent systems can be hard, as in Austria, where the views of close relatives are not taken into account, or soft, as in Spain, where relatives' views are sought. The hard systems are known as pure presumed consent, and an individual must register at a courthouse and establish that he or she does not wish to be an organ donor. Such registration is the only way individuals can prevent their organs from being removed upon death. An interesting twist in the pure presumed-consent system is that if an individual who has refused to be a donor ends up needing a transplant, then he or she would automatically be placed at the end of the list. These countries operate under the mantra that those who wish to receive an organ must be willing to give one.

In addition, Austria and Belgium practise pure presumed consent for tissues only and will confer with families regarding organ donor donations. Spain, on the other hand, has had phenomenal success with organ donation following the implementation of presumed consent, and as mentioned earlier, this soft presumed-consent system still consults with families. Spain has seen the number of donations increase by 142 per cent since 1989. Not only does Spain have the highest donation rate in Europe, with 34 donors per million people, but it also has more than two times the donors of Canada, where the rate is approximately 15 donors per million people.

Spain may attribute some of the success to another factor, active detection, which is a key aspect of the Spanish model. That means having transplant co-ordinators such as doctors visit emergency rooms and the ICU on a daily basis, checking the roster of patients and their status.

The success that Spain has achieved in increasing organ donation rates has attracted attention across the European Union. In the drive to facilitate donation, transplantation, and exchange of organs in Europe, the European Parliament voted in May 2010 to pass legislation that sets common quality and safety standards for transplants across European Union nations. The aim is not only to increase the supply of organ donors across the EU but also to enhance the efficiency and accessibility of transplant systems and ultimately to ensure the quality and safety of those procedures. The directive came into force in late 2010, and member nations will have two years to transpose this directive into national legislation.

According to the new rules, EU member states must set up a national authority responsible for maintaining quality and safety standards for organ transplantation processes. The authorities will approve procurement organizations and transplant centres, set up reporting and management systems for serious adverse reactions, collect data on the outcome of transplants, and supervise organ swaps with other member states and third countries. This legislation must include the following item, that all organ donations must be voluntary and unpaid. Living donors may receive compensation provided it is strictly limited to covering the expenses and loss of income related to the donation. Additionally, member nations are required to ban any advertising of the need for or availability of human organs where the aim is financial gain.

Furthermore, a pan-European certification system designed to provide proof that human organs and tissues have been obtained legally must be put in place. So this is a far more complex issue than what this current bill is presenting to us, Mr. Speaker.

4:40

The EU initiative to increase organ donation is also to address a dark underworld of illegal organ trafficking. Long wait-lists have

created a practice which benefits organized crime and can have profoundly negative consequences, particularly for the donor.

Mr. Speaker, presumed consent is not without its criticisms. Opponents of presumed consent suggest that such a system could force someone to become a donor against their will. Furthermore, opponents also argue that it might lead patients viewed as prospective donors to worry about how hard a medical team will work to save them if there's greater benefit to harvesting the organs, and that's a real concern for many people. However, citizens of countries where presumed consent is law feel that they are given a fair chance to say no to organ donation.

Mr. Speaker, the debate on Bill 201 allows us to further understand the issues at hand. Furthermore, this debate in this House today should encourage all of us and all Albertans to sit down with their families and decide what our wishes are. I do have some concerns with parts of this bill, in particular the condition of not receiving an Alberta health card if you don't sign the back of your card. You'll receive a number instead. I'm not sure how we're going to get that number, probably on another card. Is this going to create two classes of Albertans, in which some have a health care card and some have just a registration number? I think some Albertans would be very concerned about that.

I'm going to reserve judgment on this until after I see what amendments may be coming forth in committee on this bill. I'd like to once again thank the Member for Edmonton-Manning for bringing this bill forward and this topic to the attention of the members of this Assembly.

Thank you.

**The Acting Speaker:** Hon. Member for Stony Plain, do you wish to join the debate?

**Mr. Lindsay:** Well, thank you, Mr. Speaker. I'm pleased to rise today and participate in the debate on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. First of all, I'd like to thank the Member for Edmonton-Manning for bringing this bill forward. Organ donation is a very important topic to discuss as organ transplantation can and does improve the quality of life of patients and reduce health costs in the long term. Transplants have been taking place in Canada since the 1950s. Organ transplants most often are kidney, heart, lung, pancreas, and liver.

Mr. Speaker, many people are affected by organ failure. In fact, according to a new report from the Canadian Institute for Health Information, or CIHI, the number of Canadians living with kidney failure, for example, has been steadily increasing for 20 years. CIHI's report shows that the rate of people living with kidney failure had steadily increased between 1990 and 2000 but appears to have levelled off since 2005. This may be due in part to patients seeing a specialist in the early stages of the disease, possibly contributing to a delay in the onset of kidney failure, for example.

Research, in fact, shows that many people are seeing specialists sooner, which is a very positive trend. For example, in 2009 only 31 per cent of patients were what we refer to as late referrals. This is down from 42 per cent in 2001. Late referrals means patients that need to start dialysis less than three months after first seeing their specialist.

Mr. Speaker, CIHI's report goes on to indicate that close to 38,000 Canadians were living with kidney failure in 2009. This is more than triple the number, 11,000, of those living with the disease in 1990. The largest increase occurred in older age groups, with prevalent rates escalating more than 500 per cent for those age 75 and older. Patients in this age group account for 20 per cent of all kidney failure cases.

Mr. Speaker, a person who needs a transplant usually has to go on a waiting list and wait for someone to donate that needed organ. For instance, of all Canadians living with the disease in 2009, 59 per cent, or 22,300 people, were on dialysis, and about 3,000 people were on the wait-list for a transplant. Compare this to 1990 when 53 per cent, or 5,900 people, were on dialysis and roughly 1,600 people were on the wait-list. The point is, Mr. Speaker, that it is clear that organ donation and transplantation are growing concerns as there is a critical shortage of organs available for transplantation around the world.

Mr. Speaker, an organ transplant is no minor surgery. Not only does it affect the lives of many Canadians, but there are also health care costs associated with organ failure. There needs to be a focus on educating Canadians on how to prevent the onset of diseases that add a heavy burden to our health care system. For example, research has shown that diabetes continues to be a leading cause of kidney failure. The cost of a transplant, including preliminary testing, the surgery itself, and postoperative recovery, varies. These costs start to add up even before a person's transplant.

Kidney failure, for example, results in substantial cost to the health care system. In fact, the estimated cost for hemodialysis treatment is approximately \$60,000 per patient per year of treatment. Hemodialysis is a treatment for kidney failure. Comparatively, a one-time cost for a kidney transplant is approximately \$23,000 plus \$6,000 for the necessary annual medication to maintain that transplant. So based on these estimates, over a five-year period the cost savings of receiving a transplant rather than dialysis is approximately \$250,000 per patient.

In 2009 more than 1,500 patients living with kidney transplants saved the health care system an estimated \$800 million. There are currently under 3,000 Canadians on the wait-list for a kidney transplant. If they were all to receive that transplant, it would result in additional savings of \$150 million annually.

Mr. Speaker, this is a very important discussion. I, too, am of the opinion that it's great to have this discussion here in the Legislature. I'll look forward to others adding to this important discussion, and I'll reserve my judgment, whether or not I will approve this legislation, for a later time.

Thank you, Mr. Speaker.

[The Speaker in the chair]

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. It is indeed a pleasure to stand up and speak to Bill 201. I want to just talk about a couple of things if I can. First off, I would like to say – I thought of this yesterday, and it was something that I heard previously – that what you do for yourself dies with you; it's what you do for others that lives forever. I just want to say that the hon. Member for Edmonton-Manning is a member that is very committed to his constituency. He's committed to the people of Alberta and very much puts his efforts towards the good of individuals. He's very much a proponent about need.

4:50

Now, we can talk about words that need to be changed, and I do agree that there are some things in this bill that don't make me feel very comfortable, in fact, to the point that, you know, I have hesitation. Of course, the question that comes up is: what is the solution? First of all, in order to look at what the solution is, let's talk about why people have concerns. Well, it is a concern or fear of the unknown. I think that we need to have better information. We need to have better opportunity for people to understand ex-

actly what does take place when they sign their name on the back of their health card. I feel that there isn't enough public awareness, and this particular bill does bring the awareness forward. So, in essence, this member has achieved and has won this bill because of bringing forward awareness, and I think that that is critical.

As I said before, Mr. Speaker, most people are afraid to donate because I think most people don't know the parameters that are necessary or what takes place when a donation does happen. I know there is a lot of discussion, or at least some discussion, that the cost of an organ transplant is cheaper than maybe an individual staying on dialysis. But at the end of the day to me this is about education. Families need to be educated if a person wants to donate and sign his donor card.

I want to say to you, Mr. Speaker, that I have signed my donor card. I signed it years ago. When I was thinking about it, as we heard individuals speaking about the importance of communication with the family, I can say to you that I don't think that we've had that discussion. My children . . .

**The Speaker:** I hesitate to interrupt the hon. Minister of Infrastructure, but under Standing Order 8(7)(a)(i), which provides up to five minutes for the mover of the bill to close debate, I invite the hon. Member for Edmonton-Manning to close debate on Bill 201.

**Mr. Sandhu:** Thank you, Mr. Speaker. First of all, I'd like to thank all of the members who joined in the debate in favour and in opposition. I have listened to all of your concerns.

Mr. Speaker, I'm not lucky enough to have been born in this country. I came about 30 years ago. The first time I got elected, I was talking to my son. He just finished his BCom and is becoming a chartered accountant, and my daughter is in third-year nursing. I asked them: "What should I do? How can I save Albertans or Canadians?" The first thing they said to me was: Dad, we need to bring awareness to body organ donations. That's how I started this bill, by listening to lots of concerns. I'm not an expert on the side of how to put all the wording together, but I do understand that we can save Canadians. Like the hon. Member for Calgary-McCall said: we're all Canadians. We have to look after other family members who need body organ donations.

This is a topic of debate about awareness, education so that people can talk, to bring more people into the discussion throughout Alberta, and so we can increase the body organ donation list. Mr. Speaker, Bill 201 is all about improving. Every year thousands of Albertans and Canadians wait on donor lists, never knowing if they are going to live or die. The reality is that many wait too long; many don't make it. The problem is that we have low donor rates, and I believe that this is a result of how our system is set up.

Mr. Speaker, I was born into the Sikh religion. There's not much awareness when I go to Sikh temple on the weekend and talk about this. I try whenever I get opportunity to say something. I'd like to increase awareness in this society. Whenever I go to my constituency of Edmonton-Manning and get a chance to say the same thing to my constituents, they all like to say: you know, this is a very good bill. Before I came into the House today my leg. assistant – she's not working with me anymore, but she works with the Member for Drayton Valley-Calmar – got tears in her eyes and said: "Peter, good luck to you. This is the way to go."

Mr. Speaker, it's simply too easy to ignore the question. It's too easy to do nothing. Doing nothing means that people die. However, I also understand organ donation is a very personal decision and one that should not be forced on anyone. That's why this bill

does not make you choose yes or no. You can still remain undecided if you don't know, but it brings the discussion.

I also recommend that we alter this bill in the Committee of the Whole to reflect the fact that we do not want to deny people health care through this bill. Mr. Speaker, studies all over the world have indicated that people are most likely to remain with the default organ choice for all the reasons; however, if people are given the choice, the majority will choose yes.

Thank you, Mr. Speaker.

[Motion carried; Bill 201 read a second time]

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

**Mr. Renner:** Thank you, Mr. Speaker. Given the hour it has been the practice of this Assembly to defer the introduction of new bills when there is such a short amount of time allowed for the presenter of the bill to do so. On that basis, I would like to seek unanimous consent to now call it 5 o'clock and move on to Motion 501.

[Unanimous consent granted]

### Motions Other than Government Motions

**The Speaker:** The hon. Member for Calgary-East.

#### Organ Donation Leave of Absence

501. Mr. Amery moved:

Be it resolved that the Legislative Assembly urge the government to introduce amendments to the Employment Standards Code that would require all employers to provide an unpaid leave of absence of up to 13 weeks for employees who donate organs.

**Mr. Amery:** Thank you, Mr. Speaker. We had about two full hours of discussion about organ donations, and I will continue on the same theme. I am very pleased to rise today and open debate on Motion 501. I am proposing this motion because I believe there is an urgent need to address the current disparity in supply and demand of organs in our province. I believe the wait-lists for people in need of organ transplants are far too long. More than 4,300 people are currently in need of an organ in Canada. As many as 6 per cent, or some 250, will die while on waiting lists.

Mr. Speaker, Motion 501 urges the government to introduce amendments to the Employment Standards Code that would require all employers to provide an unpaid leave of absence of up to 13 weeks for employees who donate organs. By providing formal job-protected leave for employees wishing to donate an organ or tissue, we can encourage those considering donating an organ to carry through with this potentially life-saving decision while providing peace of mind that their job will not be in jeopardy given their absence.

5:00

The act of donating an organ to someone in need is a very humane act. It takes a very noble and special person, and it is something to be commended. While I do not believe an employer would discourage an employee or otherwise endanger their position for taking this time off, I feel the need for actual legislation to be in place. This legislation or potential amendment to existing legislation must formally recognize the need for job-protected leave as it pertains to organ donations. Such a safety net is crucial for Albertans who are considering donating. Mr. Speaker, I be-



lieve that by providing this recognized job-protected leave, we can give assurance to those considering donating as well as an added incentive to actually follow through. After all, those who perform such an admirable act ought to be protected for their courage and selflessness.

Mr. Speaker, while I wish to raise awareness of the challenges surrounding organ and tissue donations and emphasize the need to recruit living donors, it is important to note that not everyone can actually become a living organ donor. All prospective organ donors in the country must first meet several screening criteria outlined by Health Canada, and they must also pass the donor suitability process in order to qualify. I understand this may be a disincentive, but it is necessary for the safety of those in need of the organs.

We would not be alone in providing job-protected organ donor leave should we move forward with this proposal. Two other Canadian provinces provide job-protected leave for living organ and tissue donors in their employment standards legislation. I feel that these two provinces have paved the way for providing this type of job security in other jurisdictions and can be looked upon as examples going forward.

Mr. Speaker, Ontario was first when it amended its Employment Standards Act to create a specified unpaid 13-week organ donor leave in 2009. This amendment also carries a special provision whereby the organ donor can extend their leave for an additional period of up to 13 unpaid weeks in certain cases. Manitoba formally recognized job-protected leave for organ and tissue donors. This occurred with a 2010 amendment to Manitoba's employment standards act. Just like Ontario, employees in Manitoba are entitled to a 13-week unpaid leave for the purpose of donating an organ or tissue. This leave may also be extended by an additional 13 weeks if recommended by a physician. In the case of both Ontario and Manitoba the employee must have been employed at their current job for at least 13 weeks prior to taking the organ donor leave.

A number of U.S. states, Mr. Speaker, have also enacted laws that provide unpaid or, in some cases, paid leaves of absence for the purpose of organ and tissue donations. More than 100,000 people in the United States are currently on a waiting list to receive an organ. State legislators and state-run campaigns have magnified the need for living organ donors in recent decades. This has acted as a vehicle to enact this type of job-protected legislation. I feel it's now our turn to do the same.

Mr. Speaker, I strongly believe that one way to significantly provide awareness of our organ transplant wait-list is to offer formal job-protected leave for living organ donors, and with recent reports suggesting that our province has the lowest proportion of living donors in the country, I feel that now is the time to amplify awareness efforts. This is why I felt compelled to introduce this motion. More must be done to recruit living organ donors. In a perfect world there would be no one on a wait-list to receive an organ, but we must acknowledge that this is not the case.

With Motion 501 we could take a positive step towards reducing the organ wait-list. This could at the very least be a step towards saving the lives of several Albertans. Mr. Speaker, formally requiring all employers to provide an unpaid leave of absence for employees who wish to donate organs would ultimately provide would-be donors the security needed in that their jobs would be legally protected during their absence. I do not wish to propose anything that's dramatic or unrealistic. I believe Motion 501 to be a very moderate and realistic step towards saving lives as it would be a sensible way of providing very necessary job security for prospective donors.

With that, Mr. Speaker, I would like to invite all my colleagues to join in the discussion surrounding Motion 501. Thank you.

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

**Mr. Chase:** Thank you very much, Mr. Speaker, for this opportunity to speak in favour of Motion 501. It's very appropriate, as the hon. Member for Calgary-East has pointed out, following on the heels of Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. In fact, this motion would be one of the ways of instituting what is hoped for in Bill 201.

There are a number of organizations whereby individuals who may not be of the same blood type or the same compatibility – for example, with kidney donations – are part of larger organizations where upon requirement individuals have indicated that they would be willing to donate their organ to a complete stranger with the thought that a family member closely related to them would be also a recipient of the generosity of individuals.

This unpaid leave also follows in the historical precedent established I believe it was last year of our military job-holding legislation, where it was recommended that individuals who serve in our armed forces be recognized for their personal sacrifices and that the jobs they held as militia members in civvy life they would be able to go back to. I see this along that same line. Individuals who provide donations, especially those who are living and donate one of their kidneys, are heroes. They're taking on a circumstance to ensure the well-being of another individual. As the hon. Member for Calgary-Nose Hill indicated, quoting the Biblical scripture of "greater love hath no man" applies very directly to this type of situation of donation. If a person is willing to make a donation of this type, then the least we can do for them is to have their job ready for them when they are sufficiently well enough to recover and return to work.

I do realize, Mr. Speaker, that this does put a fairly significant degree of onus on the employer to be without their employee for the number of weeks involved, but I think the type of employee that would offer this kind of contribution, I would suggest sacrifice, would certainly be worthy of retention by their particular employer. I would hope that the employer would recognize the quality of their employee in offering such a donation. The reality of our human body is such that this is not the type of donation that you could make repeatedly, unlike blood for example.

5:10

Also, we've had an hon. member previously mention his involvement with bone marrow donation. He's indicated his willingness should his marrow match with a needed recipient. A bone marrow transplant is considerably more involved than a simple blood transfusion or donation and, therefore, I would think probably would be included in the same type of legislation and protection as is involved with the organ donation. I would hope that Motion 501 would include, as I say, bone marrow transplants, which, after a fashion, are a donation.

I think this is a very good piece of legislation. As I say, employers are going to be affected by the loss of their employee over that time period, and I'm not sure to what extent their contribution of holding that person's job could be recognized. That would be an interesting part of the ongoing debate with this motion. But I think the concept is worthy of support, and therefore I lend my support and my thanks to the Member for Calgary-East, who put forward Motion 501.

Thank you, Mr. Speaker.

**The Speaker:** Additional speakers? The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I am pleased to rise today and join the discussion on Motion 501, which is being brought forward by the hon. Member for Calgary-East. The objective of Motion 501 is to encourage the government to introduce amendments to the Employment Standards Code which would require all employers to provide an unpaid leave of absence of up to 13 weeks for employees who donate organs. With this change Alberta organ donors would obtain a greater level of comfort with the donation process, knowing that their jobs are not in jeopardy should they decide to make the decision of becoming an organ or tissue donor.

Currently, Mr. Speaker, Alberta does not have any legislation that allows Albertans to take a leave of absence from their job in order to donate their organs; however, the nature of the idea is not unprecedented. In fact, other jurisdictions across Canada and the United States have enacted similar legislation to that proposed by Motion 501 in order to protect jobs of living organ donors. In order for this government to make responsible decisions on this issue, it is important that we take a close look at the legislation created by other jurisdictions and the impact that it has created. In Canada Manitoba and Ontario are two other provinces that have legislation protecting the job security of living organ donors.

In Ontario an amendment was made to the Employment Standards Act on June 5, 2009, which created job protection for living organ donors. The amendment allows job-protected leave for up to 13 weeks for the purpose of undergoing surgery to donate all or part of a certain organ. However, organ donors can be granted an additional 13 weeks based on the recommendation of a physician. The amendment to the Ontario Employment Standards Act also mandates certain criteria that have to be met in order to be granted a protected leave of absence. These criteria include that the employee must have been working for their employer for at least 13 weeks and that the employee undergoes surgery to donate all or part of one of the following organs to another person: liver, kidney, pancreas, lung, and/or small bowel.

Comparatively, the legislation in Manitoba is quite similar to that in Ontario. In June 2010 an amendment to the Employment Standards Code was created to recognize the right of Manitobans to take an unpaid leave for the purpose of organ or tissue donation. It provides organ donors with a 13-week recovery period and an additional 13 weeks if recommended by a physician.

Looking south may also help us assess the merit of this Motion 501. Mr. Speaker, in the U.S. there are 29 states that have enacted laws that provide either paid or unpaid leave for organ donors. On average, the leave of absence period is 30 business days, which in the grand scheme of things is not burdensome to business.

Mr. Speaker, both Ontario and Manitoba acknowledge the fact that the employers of organ donors need to be protected as well. After all, they are directly affected by the absence of their employee. As such, a two-week written notice from an organ donor to their employer is required in both jurisdictions before the donation process begins. This allows employers time to adjust their business accordingly.

Mr. Speaker, I believe that job protection for living organ donors is an important issue. It could provide one less thing for donors to worry about before they start the demanding process of donating an organ. However, we must take into consideration the impact that this may have on employers and try to find a happy medium to have all parties benefit.

With that, I will conclude my comments and look forward to the rest of the debate. Thank you, Mr. Speaker.

**The Speaker:** Additional speakers? The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you, Mr. Speaker. I would like to rise today and join debate on Motion 501, which is being brought forward by the hon. Member for Calgary-East. This motion urges the government to introduce amendments to the Employment Standards Code that would require all employers to provide a leave of absence for employees who donate organs. This would encourage organ donation by giving donors peace of mind, knowing that their job would not be in jeopardy should they choose to donate organs.

Mr. Speaker, the Canadian Institute for Health Information releases extensive data for organ transplants in each province. In 2009 there were a total of 54 live organ donor transplants performed in Alberta. Forty-five of these were kidney transplants. However, there were also nine liver transplants.

I know the concept of live donor liver transplantation may be surprising to some, but this advancement has been around for a few decades. This medical miracle works because of the extraordinary regenerative capacity of the liver. However, it is not a minor procedure, and the donor must visit a physician constantly throughout the recuperative process, which normally lasts between two and three months. Kidney transplants are also major procedures, which require several weeks of recovery time before an individual can safely return to work.

Mr. Speaker, at the end of 2009 there were a total of 472 patients awaiting a transplant in our province. However, not all of these patients can receive an organ from a live donor as some of them are waiting for organs such as the heart, that can only be donated by the recently deceased. Even though most organ donations in Alberta, about 80 per cent, are from the recently deceased, encouraging live organ donation could also contribute to reducing the waiting time for organ transplants.

Mr. Speaker, there is currently no legislation in our province that guarantees employees time off in the event that they donate an organ. However, this practice is becoming increasingly common in other jurisdictions as employment standards continue to evolve. We should commend those who choose to donate organs as it takes plenty of courage to go through the process, but we should also respect the rights of employers and employees to come to a reasonable understanding on their own in the event that the employee is donating an organ.

Contrary to popular perception, I think many employers would understand the gravity of such a decision and would give as much time as needed for the employee to recover. They might even go a step further and pay the employee's wages for part of their recovery.

Mr. Speaker, I think all members can agree that shortening the waiting lists for organ transplants would be a tremendous feat. The reality is, however, that we do not know of a silver bullet which will substantially increase the number of organ transplants performed without raising certain ethical questions. I believe that this motion could help ensure peace of mind for those who are about to donate organs.

5:20

However, I also believe that communication between employers and employees may be able to provide this peace of mind without government interference. For these reasons I think that we should consider more investigation with respect to this issue.

With that, I will conclude my comments. Thank you to the hon. Member for Calgary-East for bringing forward this motion, and I look forward to the remainder of the debate.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Livingstone-Macleod.

**Mr. Berger:** Thank you, Mr. Speaker. I'm pleased to rise today to join the debate on Motion 501, which urges the government to introduce amendments to the Employment Standards Code that would require employers in Alberta to provide up to 13 weeks of unpaid leave for employees who donate organs.

I'd like to begin by thanking the hon. Member for Calgary-East for bringing our attention to this important issue. Mr. Speaker, there are well over 4,000 Canadians who are currently awaiting organ transplants, and unfortunately some will die waiting. Many of those lives can be saved with the help of a living donor. The kidney, liver, lung, pancreas, and small bowel along with some vital tissues can all be donated by living donors, making them much more readily available than organs from the deceased. Unfortunately, a barrier for many potential living donors is the amount of time that must be taken to prepare for and to recover from such surgeries.

Many fear that their jobs might not be waiting for them when they are ready to return to work. While it is commonplace for employers to grant extended leaves of absence to living organ donors, this is not always the case, and as such we should consider the possibility of enshrining this level of job protection in formal legislation. Mr. Speaker, legislated job protection may encourage individuals to become living organ donors who would not have otherwise done so for fear of unemployment. This increase in the number of living organ donors would no doubt save the lives of many who currently sit on transplant waiting lists.

There is indeed a shortage of living organ donors both here in Alberta and across the country. Organ donation is a potentially life-changing decision that is certainly not to be taken lightly, and many choose not to take the risk. In addition, Health Canada has stringent donor screening guidelines, that exclude many from becoming donors. As such, not everyone can become a living organ donor, but those who are able to should be given every opportunity to save another's life. This enhanced level of job security could help to balance the supply with an ever-increasing demand for organs.

However, while there are many potential benefits to Motion 501, an item of concern for me is the possible burden that job-protection legislation could put on Alberta businesses should a large number of employees take advantage of this leave. Here in Alberta we pride ourselves on being one of the best jurisdictions in North America to do business. Our tax regime alone has helped to ensure that the entrepreneurial spirit remains alive and well in our province. Since we are all recovering from the recent economic downturn, we certainly do not want to enact legislation that would discourage investment and economic growth.

Another potential problem with providing up to 13 weeks of unpaid absence for living organ donors is sometimes the contentious nature of organ donation itself. For religious reasons some people do not believe in organ donation, and it could become controversial if we were to compel employers who are against it to provide employees with 13 weeks of unpaid leave to donate an organ.

That being said, I believe that the intent behind this motion is to help raise awareness of the need for living organ donors to possibly save the lives of Albertans awaiting transplants. For this reason I believe that more debate is required before we can determine whether or not Motion 501 is in the best interests of all Albertans.

With that, I will conclude my comments and look forward to hearing other perspectives from my hon. colleagues. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. I would like to rise today and join debate on Motion 501, which is being brought forward by the hon. Member for Calgary-East. This motion urges the government to introduce amendments to the Employment Standards Code that would require all employers to provide an unpaid leave of absence for employees who choose to donate their organs. With a large disparity in the supply of and the demand for organs across our country, new initiatives are necessary to address this growing concern. Because donating an organ is a life-changing decision and can potentially carry serious personal consequences, many people considering this undertaking simply decide that the health risks are too great. A risk to one's employment only enhances this danger, making this decision even more difficult to make.

As we know, no legislation is currently in place to formally protect those willing to take a leave of absence from their employment for the purposes of donating an organ. I firmly believe that such formal job-protection legislation is needed for the security of would-be donors as well as to address the length of wait times for those in need of an organ. Ontario and Manitoba already offer a job-protection leave for organ donors in their employment standards legislation, and a number of U.S. states do also. In the majority of these examples the donor leave is unpaid, yet a recent law passed last month in California mandates that employers are required to offer a paid leave of up to 30 days; however, this is contingent on the employer having more than 15 employees. If the employer has fewer than 15 employees, they're not legally required to offer the 30-day organ donor leave to an employee.

Mr. Speaker, we must also take into consideration how many employees realistically would take an organ donor leave at the same time. I don't believe that if we enacted the job-protection legislation proposed in this motion, many employees from the same company would simultaneously take organ donor related leaves of absence. For a small business with fewer than 10 employees having even a couple take a leave simultaneously would be difficult to overcome. However, if just one is gone at any given time, I do believe that the employer would be able to adapt, especially given the reason for the absence. This example is amplified when we look at how a single employee on organ donor leave would affect a larger business with more employees. For all intents and purposes missing one employee would not have a substantial impact on day-to-day operations, and missing an employee for 13 weeks or less is certainly worth saving a life.

Mr. Speaker, Motion 501 does not seek to cause undue harm to Alberta businesses, nor will it. It simply offers peace of mind to those already considering becoming a live organ donor. Knowing that their job is secure may be just what would-be donors need in order to commit to the procedure, in turn enhancing and potentially saving someone else's life. For this reason I am happy to vote in support of Motion 501 as I feel it is in the best interests of all Albertans.

With that, I will conclude my comments and look forward to hearing other perspectives from my hon. colleagues. Thank you very much.

**The Speaker:** Hon. members, my speaking list is exhausted. Shall I call on the hon. Member for Calgary-East to close the debate?

**Hon. Members:** Agreed.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you very much, Mr. Speaker. I'm pleased to rise and offer closing remarks on Motion 501. The goal of this motion is to encourage the government to add extra incentives to prospective living organ donors through offering a formal job-protected organ donor leave by amending our Employment Standards Code. With this a would-be donor would be provided the peace of mind that their job would not be compromised in any way while on leave.

**5:30**

Mr. Speaker, given the length of present donor lists I believe this motion could help in reducing wait times for those in need of an organ transplant. Donating an organ to someone in need is a very, very humane act and one that is to be commended. A person who commits themselves to such a life-saving feat deserves to have their job protected. This government has and continues to take a leader-

ship role in ensuring that people are protected. I believe that Motion 501 will only enhance our efforts to ensure that Alberta remains the best place in which to live, work, and raise a family.

Mr. Speaker, I value and respect my colleagues' comments regarding Motion 501 and urge their vote of support. I would like to thank everyone who participated in this motion debate.

Thank you, Mr. Speaker.

[Motion Other than Government Motion 501 carried]

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

**Mr. Renner:** Thank you, Mr. Speaker. I would like to move that the Assembly now adjourn until 7:30 this evening, at which point we would reconvene in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:31 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday evening, February 28, 2011

Issue 5e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

7:30 p.m.

Monday, February 28, 2011

### Committee of Supply

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the Committee of Supply to order.

### Supplementary Supply Estimates 2010-11 General Revenue Fund

**The Deputy Chair:** The hon. Minister of Finance and Enterprise.

**Mr. Snelgrove:** Thank you, Mr. Chairman. I would like to move the 2010-11 supplementary supply estimates for the general revenue fund. These estimates will provide additional spending authority to 13 government departments. When passed, the estimates will authorize increases of about \$638.7 million in voted expense and equipment/inventory purchases, \$0.4 million in voted capital investments, and \$124.3 million in voted nonbudgetary disbursements. The estimates will also authorize, when passed, the transfer of approximately \$25.1 million of the previously approved spending authority between departments. These estimates are consistent with the third-quarter fiscal updates, which are included in the 2010-11 fiscal plan for all government entities.

The estimates will authorize increases for the departments of Aboriginal Relations, Advanced Education and Technology, Children and Youth Services, Culture and Community Spirit, Employment and Immigration, Environment, Infrastructure, Justice, Municipal Affairs, Seniors and Community Supports, Service Alberta, Sustainable Resource Development, and Tourism, Parks and Recreation.

Finally, the estimates will also authorize a transfer from the Department of Treasury Board to the departments of the Solicitor General and Public Security. The ministers or their designates that are responsible for these departments will be happy to answer any questions from any members of the House.

Thank you, Mr. Chairman.

**The Deputy Chair:** Before we begin, I'd like to just mention that according to Standing Order 59.02 members may speak more than once. However, speaking time is limited to 10 minutes at a time, and the minister and a member may combine their time for a total of 20 minutes. Members are asked to advise the chair at the beginning of their speech if they plan on combining their time with the minister's time, both taking and yielding the floor over the combined period.

The hon. Member for Edmonton-Gold Bar.

### Aboriginal Relations

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. I appreciate this opportunity to participate in the debate this evening on supplementary supply. I must say that I had, for the record, the pleasure of attending the minister of finance and President of the Treasury Board's speech earlier today.

**The Deputy Chair:** Will you be combining the time, hon. member?

**Mr. MacDonald:** We could certainly ask a question and get a reply from the hon. minister and proceed that way. I think that's

worked in the past with this hon. gentleman, and I'm confident it would work tonight.

**Mr. Snelgrove:** Could I just ask the hon. member: would he be following the list of departments as outlined in the supply, or do you intend to start with Aboriginal Relations and work down? Is that the understanding?

**The Deputy Chair:** Yes.

**Mr. MacDonald:** Okay. Sure.

**Mr. Snelgrove:** Thank you.

**Mr. MacDonald:** Okay. We got that settled, and we got it settled quite quickly. I would just like to say to the hon. minister before I get started that that was a nice speech he gave today, but I was struck by the fact of his predecessor Steve West, a former very influential cabinet minister on the Conservative side. I was sitting there listening to your remarks, wondering how Dr. West would feel with four successive budget deficits, totalling close to \$10 billion, and the fact that this year it is \$3.4 billion. Last year it was anticipated that it would only be a little bit more than \$1 billion. I was sitting there, I was listening to your speech, and I was wondering, "What would Steve think?" with you being from the same end of the province as he and having had the privilege and honour of representing the same constituency as he.

Now, we could perhaps get right to the point, Mr. Chairman, about Aboriginal Relations. The supplementary amount here is for over \$32 million, which is net of the \$8 million that was budgeted spending in the First Nations development fund and in other program areas as requested. The ministry's 2009-10 annual report, page 16, noted progress on the Bigstone treaty land entitlement claim, and it indicated ratification in 2010-11. Can the minister please explain how this settlement compares to a land entitlement claim among the 15 that are reported to have been settled, also in the annual report on page 15? Given that there are still 30 claims to be settled, can the minister explain the process that is used in Aboriginal Relations to plan for the significant sums that may be expected to be involved in the settlements that are still outstanding? If the minister could respond, I would appreciate it.

**The Deputy Chair:** Hon. member, are you directing those questions to the Minister of Aboriginal Relations?

**Mr. MacDonald:** Sure.

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

The hon. minister.

**Mr. Webber:** Well, thank you, Mr. Chair. Thank you, hon. member, for the questions. If you enjoyed the speech this morning by the hon. minister over here, you're going to really enjoy my speech here tonight.

I'll start off by saying that you may be aware that for many years Canada, Alberta, and the Bigstone Cree Nation have been negotiating Bigstone's claim to a remaining land entitlement under Treaty 8. Last year Canada, Alberta, and the Bigstone Nation, as you know, finalized the largest treaty land entitlement claim in Alberta, and it includes the communities of Peerless Lake, Trout Lake, Chipewyan Lake, and Calling Lake.

Now, the Canada-Alberta agreement for the Bigstone land claim was approved by our cabinet on July 13, 2010, and the federal minister of Indian and northern affairs signed off on the settlement agreements on December 13 of that same year. This is an historic

land claim settlement but not the first one for Alberta. In fact, there have been a dozen land claims settled in Alberta since 1986.

As part of the Bigstone settlement agreement, Alberta agreed to provide 140,000 acres of provincial Crown land, including mines and minerals, and also \$41 million, comprised of \$29 million in monies plus \$12 million to construct two new elementary schools for the Peerless and Trout Lake First Nations. With cabinet's approval \$41 million was added to our budget for the 2010-2011 year, and this entire cost was reported by Aboriginal Relations although \$12 million came from Alberta Infrastructure, and it was accrued for the future construction of the two new on-reserve schools. As a result we are here today requesting the supplementary funds that have been committed by cabinet.

Cabinet approved the \$41 million in supplementary funds that, based on our forecasts, we needed to add to our 2010-2011 budget for the Bigstone land claim. I am pleased to say that my ministry, Aboriginal Relations, has been able to offset \$8.425 million of this amount from our department budget due to the cost savings and expense reductions in 2010-2011, and as a result I'm here today requesting \$32.575 million. This is the balance of the funding approved by cabinet and already disbursed as part of Alberta's land claim settlement.

Thank you. That's my speech, hon. member.

**The Deputy Chair:** The hon. member.

**Mr. MacDonald:** Thank you very much. I appreciate very much that explanation.

#### **Advanced Education and Technology**

**Mr. MacDonald:** Now, alphabetically we are looking at a request from the Department of Advanced Education and Technology for a total that is \$24 million for equipment and inventory purchases and nonbudgetary disbursements of \$53 million.

7:40

Before we get to the details of this, I would like to direct a question, please, to the finance minister regarding operating expenses. If any of the money that we are discussing tonight, in excess of \$630 million, is going to be transferred for operating expenses, how much of that is being transferred for operating expenses and precisely from which budgets?

**The Deputy Chair:** The hon. minister.

**Mr. Weadick:** Thank you. The operating expense piece of this is actually student finance, and it's related to student loans. We don't turn any students away, so when students that are able to do apply for loans to attend postsecondaries, the funding flows through to them. This year we've been extremely successful in getting young people to attend our postsecondary institutions, and \$53.9 million of this will go to support those student loans for these young people. The balance of the funding is for the completion of construction on the Edmonton clinic north. This is a wonderful project at the University of Alberta. It involves both teaching and clinical facilities. This project was actually due to be funded next year, but because construction is ahead of schedule, moving this funding forward will allow us to complete the project a little bit ahead of schedule and keep everything moving. So both very positive stories.

That's what the funding out of this pot of monies will go towards: student loans on one side, which will help our young people to continue with their education, and completing the construction on the Edmonton clinic north at the U of A campus.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you very much, Mr. Chair. Alberta has only 14 per cent postsecondary student participation, yet what we see is a significant increase in loans available to students, which in turn puts them further into debt. Can you explain the rationale as to why the emphasis on loans, which lead to greater debt build-up, rather than an emphasis on bursaries and grants, which incent students to be involved in the system?

**Mr. Weadick:** Thank you, Member. That's actually a very good question. Last year we did make the fundamental change of moving some of our bursary and grant money into our loans portfolio. This allows more students access to funding because a grant is given once and is gone – it becomes part of the investment – but a student loan is repayable, so it allows that we can expend significantly more funds in support of our students as loans rather than as bursaries or grants.

With the number of students entering the postsecondaries and needing support and the students coming to us and asking if we would increase loan limits so that they can live and make sure they can cover their costs during school, we have increased that, and that's driven up the cost of the loans that the students need. We'd all love to see our students carrying a little bit less debt. Don't forget that we do have programs in place. For students that are carrying debt that they can't carry, we have some loan remission programs available as well. Those programs will help as well.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. With regard to the percentage of increase in loans is there an equal percentage in terms of remissions or forgiveness of debt? Is there a balance there?

**Mr. Weadick:** Remissions are done based on need. There's a basic remission that happens. Anyone that graduates or completes their program can apply for remission of a portion of their debt.

But then there's also remission for needy cases, where people show where they're working, their cost of living, that they simply can't make their loan payments, and then we work with them for further managing of that debt so that they can survive. We have a number of different programs to provide for remission and make sure that students are not overburdened in this program.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. Another concern I have is, as you mentioned, the cost-of-living effect on students. A big factor is housing. Can we expect any time soon – I didn't see it reflected in this budget – a greater emphasis on providing university on-campus housing? Eastern universities are usually in the 21 per cent. I realize that in Calgary there has been an increase in housing. I think we'll be up to 13 per cent. At U of A it's approximately 11 per cent, with some small increases, but we're nowhere near the affordable housing that we see in eastern universities.

**The Deputy Chair:** The hon. minister.

**Mr. Weadick:** Thank you very much. We are seeing some increased investment in housing. In fact, through the Ministry of Housing and Urban Affairs we've seen money invested through our municipalities into a number of housing projects on campuses. We're also seeing campuses investing in projects, P3s, to help develop student housing, but a lot of the communities have rallied as well. You'll see suites being made available within the cities

where our colleges and universities and polytechnics are that allow students the opportunity for housing off campus as well.

Ideally, you'd like to have enough on campus for all of your first-year students so that students coming in would have that opportunity at least in their first year to have housing. That's generally why we look at that number of 20 to 25 per cent as being a really good point. Most of our schools haven't got there yet, but we continue to work with them to try to develop a program so that we can get our housing closer to that number.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. I was very appreciative of your presentation at Bow Valley College. I see that both Bow Valley and SAIT on their individual campuses have had increases in student seats. The University of Calgary did not have that same increase. They did take over the 8th and 8th clinic. Again, appreciated space, but the whole idea of Campus Alberta and then the idea of an urban campus seems to have been somewhat put on hold. I don't see reflected in this supplementary budget any kind of attempt to bring more students downtown into sort of centralized locations where LRT is available. Again, it's a cost-cutting concern as well as the transferability. As you noted, courses from Lethbridge are being offered now at Bow Valley. It's a convenience thing as well.

**The Deputy Chair:** The hon. minister.

**Mr. Weadick:** Thank you. Excellent question. We are very cognizant of the need for housing in the urban areas, and the major project under construction right now is phase 2 of Bow Valley College, which is a \$200 million construction project in the heart of downtown, where the old courthouse was in Calgary. This project will allow more students to access programming in the heart of the city in Calgary. It will also allow combined degree granting, with Athabasca, the University of Lethbridge, Olds College, and Bow Valley working together so that young people may be taking U of L courses in a Bow Valley College laboratory and those kinds of co-operative, collaborative things, which will allow students availability to the centre of the city, where LRT can get, to be able to take studies there. We believe in that as well, and that's why the redevelopment of many of your campuses in this area.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. In the original urban campus concept the idea was to bring students from the university, from SAIT. There was the potential of a shared facility, a shared cafeteria with ACAD. There was also discussion of dormitories. Is any type of student housing project part of that \$200 million, or is it strictly seats without accommodations?

**Mr. Weadick:** That particular project is seats, classroom facilities for the college at this time.

**The Deputy Chair:** Any other questions for the Minister of Advanced Ed and Technology? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you. I was curious when I asked my initial question regarding the in-year operating expense limits that the Fiscal Responsibility Act certainly directs that 1 per cent of total budgeted ministry operating expenses are not to be exceeded. So the student loan portion of this request or this estimate is not included in an operating expense, correct?

**Mr. Weadick:** It's nonbudgeted.

**Mr. MacDonald:** Okay. Now, when you have this request for – and I'm looking at the third-quarter update, where it's necessary to have a \$102 million increase, including \$75 million for student loans. Of course, the \$27 million is to accelerate funding for the Edmonton clinic north. I thought the money originally for the Edmonton clinic north was reprofiled from somewhere else, and I should have noted this, I suppose. But when you look at the \$75 million for student loans, how does that request compare with what you're planning for the 2011-12 year and for the following two years?

7:50

**Mr. Weadick:** I believe that item will be for debate when we talk about the overall budget. But for this year, we never turn students away that come and apply for loans, so it's very hard to budget. You try to estimate the number of students. Approximately 30 per cent of our students will get loans, so we budget initially, but if more students take access to the loans, then we come back to supplementary supply. Most years there's a supplementary supply involved in the student loan portfolio to ensure that all of the students that have applied during the year can access that funding.

**Mr. Hehr:** Just to follow up that question, is any student who is selected for a postsecondary opportunity at one of our institutions here in Alberta guaranteed a loan? Could you just clarify that point for me?

**The Deputy Chair:** The hon. minister.

**Mr. Weadick:** Thank you very much. There is a process of application. You have to meet certain criteria, but any student that meets those criteria will get their loan. We don't turn anyone away once they've met the criteria for a student loan.

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar. To the same minister?

**Mr. MacDonald:** Yes. Thank you very much. Now, could you please tell me, hon. minister, when we top this up – and we say that with sincerity – the \$75 million for student loans, what will that bring the total to for this forecast year? Will it be \$260 million in total that will be accessible for those who are requesting a loan?

**Mr. Weadick:** The actual new number is \$53.9 million in supplementary supply for student loans for this year to bring the total to that.

**Mr. MacDonald:** To clarify, that's for this year ending March 31?

**Mr. Weadick:** That's correct.

**Mr. MacDonald:** Okay. Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Varsity to the same minister.

**Mr. Chase:** Thank you very much. You know where I stand on loans, but there's an inequality in terms of accessing loans. Is there any plan to not take into account a university student's parents' economic well-being when determining a loan? When a student goes off to university, that's the potential start of their independent life, but tying it back to their parents is rather unfair, especially if the students are estranged or are trying to make that break. I'm just wondering if there's any plan to change that policy to be fair to all students as opposed to looking at their parents' bank accounts.

**The Deputy Chair:** The hon. minister.

**Mr. Weadick:** Thank you. At this point the policy stands with respect to how we gauge a student's need, and parental support is still a portion of that. I know that not all people would support that. I think we'll probably debate that more with the business plan; however, that is one of the considerations that we use when we go forward. It is part of our deciding how loans are given, and at this point we're not looking at changing that.

**The Deputy Chair:** The hon. Member for Calgary-Buffalo to the same minister.

**Mr. Hehr:** Well, thank you, Mr. Chair. It's my understanding that right now in Alberta we have the fewest number of postsecondary people in the system, at 14 per cent. I'm also of the opinion that we have the fewest people applying for or then getting student loans. If that is correct, I'm just wondering: have you looked at the student loan guidelines, where there are things we could maybe do to increase the eligibility of people who receive these loans, to get more students going? Like the car requirement – anyone who has a car, I'm of the understanding, can't get a loan – the limits for part-time jobs and full-time studies: is there any way of removing those restrictions to allow for more people to get into the system, to allow for more loans so that we can have more people go to school?

**Mr. Weadick:** Thank you, hon. member. You know, those are all excellent suggestions. I think that together our goal is to try to get as many young people into the system as possible. You're right. One of those can be: how affordable is it? We base all of our decisions on transferability. Can a student easily move through the system from facility to facility? Is it affordable? And that's not just, "Is a loan available?" because only 30 per cent of our students take out loans, but: "Are there grants and bursaries? Are there scholarships?" What are our tuition fees and that as well across the system? Can we try to find a system that at least provides affordability to the young people that are trying to access it? Very good points that there may be things that we could look at over time in how we provide support to students that could bring more of our low-income students into the system.

**Mr. Hehr:** While I have you, is every university space virtually filled up here in Alberta?

**Mr. Weadick:** You know, we've been very fortunate that many, many of our institutions are at their capacity this year. Some institutions, in fact, took in more students than they had capacity for to try to provide as much education as possible, but still some programs remain unfilled for specific types of programming.

In some of our trades we require more people within the trades, but part of the challenge there can be having the journeymen that can provide the support, the companies that will hire those tradespeople. A recent change to allow in many fields one journeyman to mentor two apprentices may go a long way to alleviating some of that pressure. Really, there's the education portion, but there's also the other portions within the community like employment in the trades and journeymen to mentor the young apprentices that are really required as well to make the picture whole.

**Mr. Hehr:** Well, I understand much of this is policy decisions: if you open up greater amounts in university, fewer go to SAIT or vice versa. But it seems to me that there has to be some recognition in future budgeting, even whether any money was committed

in this sup supply, to increasing overall postsecondary rates in this province. Do you have a mandate to do so, being a new minister?

**Mr. Weadick:** Yes. That is one of our primary goals: to increase high school completion at all levels, especially in our First Nations areas, to then allow those young people that have completed to move into postsecondary in a variety of areas. So, yes, expanding postsecondary; we've continued to increase postsecondary.

Over the past six years we increased funding by 42 per cent to all of our postsecondary institutions to create extra capacity in the province as we were growing and expanding our workforce. The last year or two of very tough budgeting has put a bit of restraint in there, which was absolutely required, but we're starting to see pressure again for workers, for workforce people to come in and start to provide employment, so we're going to have to continue to develop those spaces and train the much-needed workforce that we have.

**The Deputy Chair:** The hon. Member for Calgary-Varsity to the same minister.

**Mr. Chase:** Thank you. With regard to housing affordability for students I talked about on campus because then it cuts down on transportation and so on. With the subsidies for low-income individuals the idea is that they should not be spending more than 30 per cent of their income on a roof. Is there any such consideration for students in terms of looking at their T4 slips for the year previous and so on in terms of deciding on potential rent subsidies for students so that they can afford to go to school?

**Mr. Weadick:** I believe that any application for subsistence allowance would be through the Department of Employment and Immigration, and there are some subsistence allowances available. Also, through some of the housing organizations there may be housing available for subsidy to some students but not through Advanced Education.

**The Deputy Chair:** Any other questions for the Minister of Advanced Education and Technology? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. I've been thinking about the response you have provided to us regarding the Edmonton clinic north, and I have this question, if you don't mind, please: why not integrate the payments for the Edmonton clinic north into the 2011-12 allocation for postsecondary infrastructure rather than requesting it through a supplementary amount as we are doing this evening?

**Mr. Weadick:** Actually, we have a small portion of the funding still available through our Advanced Education and Technology budget this year, so we've applied that to this amount and then asked for supplementary supply to complete the project.

**The Deputy Chair:** Any other questions? The hon. Member for Edmonton-Gold Bar.

**8:00**

**Mr. MacDonald:** Yes. Thank you. How much was that amount that was reprofiled?

**Mr. Weadick:** The requirement for next year would have been \$32.5 million. We're requesting \$24.4 million, and the balance has been taken out of this year's.

**Mr. MacDonald:** Thank you.

**The Deputy Chair:** Any other questions for the Minister of Advanced Education and Technology?

### Children and Youth Services

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. When I first heard the budget pronounced and then I look at sup supplies, it seems to me that we're almost back to 2009 in terms of what was cut out last year. We've sort of put it back after a fashion in sup supply, but I'm very concerned. For example, this ministry cut nearly \$27 million from child intervention with the original budget. Now it needs an increase of \$40 million just to make it through to the end of the year. My feeling is that with overly deep cuts one year and then compensating the following year, there's a lag time of a year when children aren't getting the services they need in a sustainable fashion. I don't understand this sort of Peter-Paul approach, particularly with regard to child intervention.

**The Deputy Chair:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Chair. That's actually a very good question. I thought you'd be very pleased when you saw the estimates for child intervention. You're correct. There was a \$27 million reduction in the previous budget, and then throughout the year that has been replaced and more, which is good news. It is due to caseload increase. It's due to volume. It's due to the priority that the government has put in this ministry on child intervention services. I think your question was: have we decreased services in any way throughout the year? The answer is no. In fact, we are increasing services and increasing them significantly because this is significant dollars. It's good news.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. You're not going to hear me ever criticize the ministry for increasing funding, especially for child intervention services, but the point I'm making is that we need sustainable funding, and that funding should not be subject to subtraction. It should reflect the growth. We're very aware, for example, of First Nations. We know that, unfortunately, almost 70 per cent of child intervention is going to involve First Nations. It's costly in terms of money, and it's costly in terms of emotion and the separation of moving a child from the north to the south. Can you give me a sense of how many or maybe a percentage increase in the number of caseworkers to reduce the ever-growing caseloads?

**Mrs. Fritz:** I can't give you an exact percentage of the number of caseworkers that have increased. I know that our front-line workers have not been – the hiring has not been stopped in any way. There's been no freeze on hiring of front-line workers, and you know that from previous questions that we've had in the Assembly in that regard. But I can tell you that this was very carefully thought out, that the increase that you see from the \$27 million to the \$40 million, the \$13 million, was due to what we know from experience and research, what our caseload increase is and what our volume increase is overall.

We projected a significant increase in intakes, and that was by 6 per cent over the 12-month period, and we're also seeing an increase in permanency for our children, the permanency programming, which is good, and that's about 12 per cent. So the monthly average: there are about 3,200 children that receive our supports for permanency, and that's through our child and family

service authorities and through our delegated First Nations agencies, which I know you have a keen interest in.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. A trend I've noticed over the last number of years is a greater amount of contracting out. Now, I understand, if we're just talking from a fiscal point of view, that the farther along the line of the contracting out of a service, the less expensive it is, but I'm wondering if that's fair to children. Is it fair, for example, that a social worker out of university, working directly under the umbrella of the government, receives \$65,000 for the services that they provide whereas a person on a contracted-out basis, same education and same experience, has a \$35,000 increase? In terms of fairness to the workforce and the quality of service provided to children based on caseload, is this an acceptable way to do our accounting?

**Mrs. Fritz:** The child and family services authority does have, as I indicated to you, front-line workers with our caseworkers and our caregivers overall, and they work closely with our agencies. Yes, there are contracts through the child and family services authorities with the agencies, but they work hand in hand. This increase overall really is about supporting as they go back to the increase in caseload and the volume increase and to create greater permanency for our children that are in care. So that means, then, that we find permanent homes for children by committing this financial support and other services to private guardians and adoptive parents after they assume guardianship. But it works hand in hand, contracting out and the permanent staff through the CFSAs.

**Mr. Chase:** In terms of costs has there been an analysis done in terms of preparing the supplementary budget as to how much it costs to keep a child within their home with a little extra support for the parents, possibly some food subsidies and so on, as opposed to the costs of legal intervention, of foster care provision, the whole process of taking a child out of a circumstance that with a little bit more support could possibly retain them? Have there been any studies or algorithms or looking at what it costs to keep a child in a secure home versus taking them out even on a temporary basis with the hope of returning them?

**Mrs. Fritz:** I can say to you, through the chair, that we have had 12,269 children and youth that were receiving our child intervention services between April to December of 2010, and 7,129 were aboriginal; 2,500 of those children and youth received family enhancement services, and 37 per cent were aboriginal.

The reason why I want you to be clear about those numbers is related to your question. Every child is unique, and every need they have – it just relates totally to that child. I can tell you that with all the different cases that I have seen, whether we provide respite care to assist the parents, whether it's training, you know, education and whatnot to assist the child, whether it's the cost of recreation, the overall cost of living: every single one is a unique cost. Do we have a defined average, that we're only going to fund to that average? The answer is no. It's based on what we know overall in the budget, what the demand is.

An area that I know you're interested in is the increase in autism, for example, family supports for the children with disabilities area as well. You saw that increase here, and that, too, is all because of the unique needs of the child.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you very much. I thoroughly understand what's in the "best interest of the child," and I realize that every child is unique, and we have to develop programs that recognize their uniqueness. Having been a teacher for 34 years, I know that the composition of your class, like the composition of a caseload, can make a great difference to the expectations. But when these children are in crisis, is there at least a potential upper limit for what is considered a manageable caseload so that a person is able to actually work towards, if at all possible, reintegrating the child with their family? Have you set maximums for caseloads?

**Mrs. Fritz:** Each child and family services authority in their own local regions, their jurisdictions, know the needs of the children in the area, and they also know the capacity for the worker. Depending on who that family and that child or those children within that home are with, as the worker you would look at what is needed for intense supports for various children and their critical needs. Some are very medically fragile children, and they have very, very high needs. That means that for the caseworker, too, they may be only able to handle five cases.

**8:10**

Other areas may be families that are siblings that are together, that are a family that are able to participate overall in the community as a whole without, you know, very many needs at all medically, for example. When I talk about medically fragile, some are very medically fragile; some may not have those needs. That caseworker may be able to handle 15 cases. Some may be able to handle 20.

It's just entirely up to what the volume is, based on, as you said, the complexities of the cases and the experience of the worker. There are many factors. It's very complex in how that is put in place. It's not based on just a formula.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. I realize that formulaic approaches to human beings are not a particularly practical way of solving problems.

One of the circumstances that I've encountered is the number of court appearances that caseworkers have to undergo. Obviously, while they're in court – and court appearances can be delayed and rebooked and rescheduled and take up a tremendous amount of a caseworker's time – they're not being able to deal with the other cases. How does the system distribute that workload so that when, say, a caseworker is in court, the needs of the other children are being dealt with? Is there sort of a substitute circumstance within Children and Youth Services that avoids lengthy waits due to court procedures?

**The Deputy Chair:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Chair. In the offices that I've been to – and there have been many – the front-line workers gather in the mornings with their caseloads. They have a board, and they list on the board what that worker has for activity during the day, and they distribute that work. I would think that if court takes up a lot of time for a caseworker, if that's the case, if that's a truism, then another caseworker would assist with the handling of the calls that may come in regarding any family. But the worker does manage their own caseload, and if they need assistance, they have other people that can assist them, whether it's their supervisors or whomever, in the field along with them.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. Does the age of a child determine the potential reunification and speed? Like, if a mother is judged to be capable and she has left a disputing partner, or it could be a father who has left a mother where, you know, there was antagonism in the household – without going into names or anything, I've recently been involved in Calgary in a case of a two-month-old child. Part of the child's nourishment came from breastfeeding, but the child is also on formula, so it isn't an absolute necessity. When the child was taken away by Children and Youth Services, the mother was taken to the remand centre for a couple of unpaid LRT tickets. She's still working. She's in a new home, new situation, no longer with the individual that caused the ruckus.

I'm using this as an example. When there is that youth and the bonding with the mother is so crucial, is there a fast-tracking process to judge the safety of the home, the capability of the parent in order to provide the child with that bonding experience that's so important?

**Mrs. Fritz:** I think what's working really well – and this has been evolving over the last 24 months – is what we've talked about before for outcome-based cases. What's working well is an agency working with the worker, the child and family services authorities worker. The agency and the front-line worker for the CFSA now go together to the home. If they go to the home that you described and they have a young infant and the mother for whatever reason is going to be separated from that infant for a period of time, they work together to ensure that the infant visits with the mother and that bonding continues to occur. You know, I've heard of cases that you're describing as well. But they work together in order to do that. The real issue is to create permanency and to have that child back with the mother, the father, the family as quickly as possible with the right supports and resources in place so that they can keep them safe. That creates stability within the family.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. One of the holdups is the psychological assessment. In your opinion – and I know it's a bit of a wish list question – within the system, within Children and Youth Services, or through the contracting out of the psych assessments do you believe we have sufficient individuals conducting those assessments so they can be done early on, with a potential reunification if the assessment and other observational tools – the quality of the home, et cetera – turn out to be acceptable? I'm concerned. For example, with learning disabilities in the school system we have very few psychologists. Are you of the opinion that we're getting close to the right ratio of psychologists to families in terms of reunification?

**The Deputy Chair:** Hon. members, the Solicitor General and Minister of Public Security has asked the minister if he could also supplement the previous answer.

**Mrs. Fritz:** Thank you. Yes.

**Mr. Oberle:** Thank you so much, Mr. Chair. I think I should point out in the interest of the integrity of the child welfare system in this province and the police and court system – the member in his previous question alleged an incident that he's aware of in which a breastfeeding mother of a two-month-old child was put in remand because of nonpayment of LRT tickets. I think the member should probably table some evidence of that in order that the minister or the Solicitor General can react to that. I wouldn't for a second want to leave Albertans with the impression that that was possible.



**Mr. Chase:** I'll be glad to supply that information to both ministries. The problem is that it did occur. As I say, I'll have to give you the details in private. I'm not making allegations; this is the reality of the case.

**Mr. Oberle:** Well, you made the allegation in the House; you should table the information in the House.

**Mr. Chase:** I'll be glad to do that. Thank you.

Back to the minister on the question with regard to psych assessments and the number of people performing them. Are we getting close to what you think is a manageable amount so that cases aren't delayed based on waiting for a psych assessment?

**Mrs. Fritz:** I'm just going to ask that you elaborate just a bit more on that, if you're talking about children with mental health needs or if you're talking about psych assessments. You'd like that for every child in care? If you could just elaborate.

**Mr. Chase:** Thank you. I'm sorry if I wasn't clear. At some point in the process of returning a child to their parent, the parent is going to undergo, at least the parents that I've dealt with, some kind of a psychological assessment as to their fitness as a parent or their potential for developing the skills necessary to provide for the needs of the child. As I mentioned, in education the number of psychologists is very limited. Therefore, for the kids who have learning disabilities the old-fashioned coding takes forever. It can take, you know, a year or longer.

Within Children and Youth Services do we have a greater number of available psychologists to do the assessments, which will then in turn provide a base of possibility for returning a child if the assessment of the parent is found to be acceptable?

8:20

**Mrs. Fritz:** I can say that I've not found that there's been any barrier in any way to assessments based on a lack of qualified professional psychologists.

**The Deputy Chair:** Any other questions for the Minister of Children and Youth Services? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** I have one, Mr. Chairman. I was looking at the budget estimates for the year 2010-11, and certainly my question would be reflected in those budget estimates. This ministry cut nearly \$27 million from child intervention within the original budget. Now it needs an increase of \$40 million just to make it through to the end of the year. May I ask in regard to the case files what basis was made at this time last year to remove the \$27 million from that budget, that is obviously now needed and more?

Thank you.

**The Deputy Chair:** The hon. minister.

**Mrs. Fritz:** Thank you. As I indicated, the \$27 million has been replaced through this \$40 million, so that's, you know, back into the base. Also, the \$13 million is into the base for a total of \$40 million. That's due to an increase in caseload and an increase in volume and the great success that we're having for increased permanency for children. In child intervention what we work toward is creating permanent homes for children through adoption, through close, close kinship care. That's what this funding is being utilized for. The cases really are a lot more complex as well.

**The Deputy Chair:** Any further questions?

## Culture and Community Spirit

**The Deputy Chair:** Any questions? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair, and thanks for allowing me this opportunity to ask a question in supplementary supply here. Just to give the minister a little bit of background, I'm going to ask a question on the grants process going to the Art Gallery of Alberta. I think in this budget you're requesting some 2 and a half plus million dollars for a capital grant to the Art Gallery of Alberta, which we understand to be a major item of capital expenditure presumably related to the new gallery.

This gallery opened in early 2010. According to the gallery's 2009 report the province contributed \$15 million from the lottery fund and another \$12 million from the major community facilities program prior to 2009, and the federal government contributed another \$10 million from its building Canada fund in 2009. So we're wondering what this capital is for. Why was this expense not anticipated in the budget for the current fiscal year?

**The Deputy Chair:** The hon. minister.

**Mr. Blackett:** Well, thank you. It's a very good question. The reason is that upon completion of the project the Art Gallery of Alberta realized that they had cost overruns in the amount of \$3 million. The government of Alberta had put in \$27 million. We didn't want to see them have to eat into their operating revenue to be able to pay off that deficit, so we asked for an increase of \$2.6 million to offset that cost so that they will be able to move on and start on a solid financial footing.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I was very pleased, as obviously was the Member for Edmonton-Centre, about the success of your trip down to Hollywood and some of the potential shoots. Good news. Then the bad news. It seems that the film studios, if I heard correctly, at Olympic Park are being at least temporarily put on hold. Am I wrong in that, or are the film studios going ahead?

Then maybe I can just ask about the completion date or the hoped-for completion date: all well?

**Mr. Blackett:** The film studio and the Alberta creative hub we have all intentions of trying to move forward. We haven't allocated money in the budget for it yet, but where we are in the process: we're looking at a facility at Canada Olympic Park, and it's going to be three levels of government plus a contribution from the private sector.

We advanced \$1.2 million to Calgary Economic Development to finish their business case and hire a consortium called Lawson Projects, a combination of architects, engineering firm, and real estate expertise, to look at the feasibility of that site to make sure that the way we operate it is going to be the best possible way. We have the management team in place. Before we go and put money towards it, we want to make sure that we have everything in place and that we have indeed chosen the best site. We're at that point now where we're trying to get to the financial negotiations on the land, come up with a price that WinSport Canada has given to us that we can accept. We're in the process of negotiating it as we speak.

**Mr. Chase:** I guess it's asking you to do a crystal ball here. You've got a very good relationship with WinSport. We saw the three arenas coming up very quickly. A very successful project.

I'm guessing that with that established relationship it's potentially a done deal, especially if the feds come in and support your provincial efforts. Getting to the bid process, can you guess as to whether we're a year out or less in terms of knowing what cooperative circumstance you're facing?

**Mr. Blackett:** Well, that will be determined by Treasury Board when I go to them and apply for the monies for the provincial portion. I'm hoping to do that sooner rather than later. Once we get that confirmation, then we'll be able to tell you in a much more orderly fashion what the timeline will be. Construction of the sound stages, for instance, shouldn't take more than six months.

**The Deputy Chair:** Any other questions for the minister? Okay.

### Employment and Immigration

**Mr. Chase:** One of the overall concerns I have, Mr. Minister, is with immigrants and support for immigrants, particularly the children of immigrants. I know it doesn't come up when we're dealing with temporary foreign workers. Immigrant children and immigrant workers took a double hit. Their children took a hit in Education with cutbacks to English as a second language programming. Then within the Ministry of Employment and Immigration there was a hit to language and ESL programming. Are you not concerned, with the provincial nominee program and the successes that we've had there, that if you cut funding for language programming, that's going to put unnecessary barriers in the way of full employment for immigrants in Alberta?

**Mr. Lukaszuk:** Mr. Chairman, I would love to answer that question, but I would first have to ask this hon. member to elaborate further on whether he's talking about the budget for this year for this ministry, that's tabled and hasn't yet been debated, or talking about the supplementary estimates that we are discussing today? I have a distinct feeling that he's trying to get me into a debate on this year's budget, and I'm not prepared to do that with him.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. To the contrary. We'll have that discussion in the 30 minutes provided to me during the budget.

Where I'm coming from, Mr. Minister, is that within the supplementary supply budget – \$18,009,000 – I don't see anything directed towards retraining, language programs, literacy, toss in Alberta Works if you want to extend it beyond strictly the immigrant circumstance, and also the idea of upgrading. You know the joke about if you're going to get sick, the best place to be sick is in a cab. I'm concerned that language, upgrading, and retraining aspects are missing in the sup supply. Possibly you can direct me to where they are, but I don't see them.

**The Deputy Chair:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Chairman. In the last round of budgeting last year this ministry and this department did some very careful and responsible estimating on what will be required to provide Albertans with the services and programs that they require. We have done so in those particular categories. That's why we have not needed any supplemental funding to operate and provide the services during the fiscal year up until the budget of this year.

**8:30**

Supplemental estimates are only for areas where additional expenses have been incurred that were not foreseeable and could not have been predicted by this department in any way possible. So, no, we are not asking right now for additional funding for provision of integration services, English as an additional language services, because all of those programs have been adequately estimated in the initial budget and have been and will continue to be delivered.

Mr. Chairman, where this ministry is asking for additional funding is in the areas that no one, frankly, could have predicted. All of the asks that you see before you today are as a result of unanticipated caseload growth, mostly in areas of low-income assistance for our clients.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. I'm very sincere in asking these questions. I realize that budgets aren't prepared overnight. Obviously, there was a fair amount of discussion, I think, as you've mentioned and other members have mentioned, about the preparation of the budget in general. But then three days later – and I can't imagine that the supplementary budget occurred just in a three-day process. Obviously, you mentioned caseloads have increased. Is there not a little bit of a disconnect between having had a budget just brought down and then a very short time later realizing a series of deficiencies that need increased funding in the form of a supplementary budget? I understand, for example, come the fall, you know, changes in oil prices and so on, changes in employment trends and needs, where you'd ask for a change in your supplementary budget. It's the close proximity of the two processes that I would appreciate the explanation for.

**Mr. Lukaszuk:** Mr. Chairman, not for a moment do I doubt this member's sincerity. I'm sure he cares about the programs we deliver and that he understands the amount of work that goes into putting a budget together. But with all due respect, what I am doubting is the member's understanding of what it is that we are actually doing today.

Mr. Chairman, the estimates, the additional funding that I'm asking this House to provide this ministry with, is in addition to last year's budget. We have reached the third quarter of last year's budget, and we had unforeseen growth in caseloads, especially in income supports caseloads, which then translates also to medical services benefit cards and provision of additional services, which basically means that this ministry has run out of money in last year's budget. In order to fulfil our obligation to our clients and provide them with benefits up until the end of this budget year, we require these additional funds to be able to do so.

The budget that our minister of finance and President of the Treasury Board just tabled three or four days ago is for next year, and we're not asking for any additional money to next year's budget. If we ever will, that will be probably around the third quarter of that budget, which is exactly a year from now. So I hope we have a clear understanding that the additional funding I'm asking for is for last year's budget, not this year's budget.

That now confirms that my initial supposition was correct, that this member is talking totally about the wrong budget. So put away your 2010-11 budget book, pull out your 2011-12, and then we can talk apples and apples.

**Mr. Chase:** I appreciate that explanation. You are right; I was confused about the catch-up nature of the budget. I don't know whether it's possible, however, when you're preparing a budget, to look back over the year and the needs and have a look at popu-

lation, take a look at inflation, and potentially come closer in the preparation of budgets so that the requirement – I realize that \$18 million is not a significant amount of sort of carry-over.

Also, a question I would ask with regard to specifically the caseloads. I asked the question of the Minister of Children and Youth Services. With workers' compensation there are going to be individuals with more difficult cases, more difficult interpretations as to their right to receive compensation, but will the supplemental budget increase that you've provided to get us through the 2010-2011 year provide for workers' needs in terms of managing the caseloads? The reason I ask this, hon. minister, is that we've seen circumstances where individuals are bonused for reducing caseloads but not always and not obviously recognizing the needs of the injured worker. So the question: is it sufficient? Is the caseload reasonable?

**Mr. Lukaszuk:** Well, Mr. Chairman, this member is putting me in a very difficult position because I'm trying to be as kind and respectful as I possibly can be, but he's making it very difficult because of his questions. He might as well be asking me about the Edmonton Oilers and the trades that they did last year because his questions are as relevant to what we're doing today as the recent trades between the Oilers and whoever else they traded with.

The Workers' Compensation Board, Mr. Chairman, is not in last year's budget, it is not in this year's budget, and it will not be in next year's budget. Workers' Compensation Board is a self-financed insurance system paid for by the employers of this province. They assess premiums against employers based on their expenditures and projected risk. Taxpayers are not involved in the system at all. It doesn't come before this House. It is not the purview of our accounting.

When I'm talking, hon. member, about caseloads, I'm actually talking about caseloads that have to do with our budget that we are reviewing, last year's budget. Maybe I'll put it in a colloquial term. It's a term we don't use anymore, but maybe it'll help him to understand. Welfare is what we're talking about, where it is virtually impossible to very accurately predict what the caseload will be because under current legislation – and so it should be – any person who presents himself or herself in our office in need and who meets our eligibility criteria is entitled to receive some form of financial assistance. Because of the fact that we were still on the tail end of a recession, our caseload continued to grow. It plateaued probably about six months ago and now finally started to decrease. That is why additional funding was required to provide these families, needy families, with much-needed social assistance. That also translates, then, to a medical services card and dental work and whatever it is that they happen to be entitled to. So this is what we're talking about.

Let me get this straight, Mr. Chairman, for the benefit, perhaps, of that member. We are discussing last year's budget following the third quarter, not this year's budget, and we're discussing matters only contained in last year's budget and not anything outside of that that is not the purview of this House.

**Mr. Chase:** And I appreciate that. Basically, I agree with you that Alberta Works is a form of welfare. It helps individuals to retrain. It provides them with subsidies for living. It provides them with not a wage, necessarily, that they can operate on, but it does provide help. Now, my understanding – and I know you'll correct me if I'm wrong – is that the money for Alberta Works has basically either been frozen or levelled off, and I don't see it helping people out in the tail part of the last quarter that you're referencing. Are you concerned going forward or just getting through our last quarter that there is going to be sufficient funding in Alberta Works to

keep people retrained, living in an affordable accommodation? Help me here if you can, please.

**Mr. Lukaszuk:** Mr. Chairman, that's a tall order, but I'll do my best. Again, when a minister approaches this House in the third quarter asking for additional supplemental funding for the ministry for the last quarter, it is not to say that all of a sudden in the last quarter with some additional money there will be some catch-up work done. This ministry's and this government's obligation to Albertans in need is ongoing and consistent based on eligibility criteria.

At the beginning of every budget that the minister tables for the next budgetary year based on best available information, we estimate what our caseload will be, how many thousands of Albertans will be relying on various forms of social assistance. We then quantify that into dollars, and with that number we go to the Treasury Board, and we ask them to put that number into next year's budget.

8:40

Now, if next year we find out that, for example, fewer Albertans decided to turn up in our offices and ask for additional dollars, if there are surplus dollars, they go back to the Treasury. If the opposite takes place, as happened last year – additional individuals continued to show up – we run into a third quarter basically running our account dry. So we show up today before this House, and we ask for additional dollars to basically allow us to provide ongoing, steady services to Albertans who happen to be on our caseload right now. Then as of March 31 the new budget will kick in, and we'll carry on providing the very same services.

So there is no up and down in the provision of services. There is no influx of services, because we just have received additional dollars. The eligibility is basically the same. We just need to extend the dollars to be able to cover the last three months of the year to get us to the new budget, which then will provide us with ongoing funding.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. I'm aware that the computer program caused a large glitch in terms of getting the money to the people that needed it. I'm not talking about that part of it.

What I did ask – and possibly you didn't hear my question – was that we saw a growing trend in the fall of people needing to access Alberta Works funding. In the budget declaration there was a rather rosy picture of 40,000 new jobs for Albertans, which would suggest that people were finding work and weren't necessarily going back to school for retraining. Is this why only \$18 million was asked for, because the projections that your department is making along with the Treasury suggest we're going to be out of this recession faster than we were looking at? I mean, how much is based on the reality of the increased fall caseload continuing on into the spring as opposed to everybody is going to find work faster rather than later?

**Mr. Lukaszuk:** I think I already answered this question. Mr. Chairman, I have to remind this member that today is February 28. The new budget kicks in April 1. This ministry has not stopped providing services because we ran into our third quarter and there was no more money, nor will this ministry start providing more lucrative services to anyone if and when this committee approves supplemental funding.

Mr. Chairman, there is a very consistent set of eligibility criteria for any and all Albertans that come to our office. If they meet that criteria, they receive the benefits irrespective of what the situation

is. When there are more Albertans qualifying for benefits, that puts the minister at the end of third quarter in a position to come and ask for additional dollars so that all of those benefits are funded. You will not find any difference in provision of services. As a matter of fact, you know, there is only one month left. How and why would anybody anticipate that the levels of programs would suddenly change?

**The Deputy Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you, Mr. Chairman. I have one question for the hon. minister. I'm looking at the \$53 million request for income supports due to higher caseloads in the 2010-11 budget estimates. I see where the amount that we were to budget for people on income supports, people expected to work or working, was reduced from \$254 million forecast for 2009-10 down to \$230 million. Now the minister is before the House tonight looking for that money to be put back into the budget, essentially. You're looking for – I've just got to find it here – yes, \$30.2 million. The reference, element 2.5.2.

That indicates to me that that original budget, the cut in that budget, was inaccurate and inappropriate. I would ask the minister to explain the rationale for why this budget was initially reduced from \$254 million to \$230 million, and now, of course, we're essentially asking for that amount of money back. How was that decision made?

**Mr. Lukaszuk:** Well, the decision was made in a very predictable way. The member was a part of that decision-making process because last year this minister appeared before the estimates committee and I walked the opposition and all members interested in attending that committee line by line on how it is that we built last year's budget. The fact of the matter, Mr. Chairman, is that the economic recovery was somewhat delayed relative to our expectation. Our caseload did not plateau and start decreasing on our Alberta Works files as we anticipated it would but actually grew further into the year and now just started to drop. That is the change in the numbers.

The fact of the matter is that we utilize the best information available in setting our budget. We look at economic conditions, we look at employment conditions, we predict how many individuals will be requiring our assistance, and we put the best available number forward. It is natural that there would be a variance because the economy and the rate of recovery for our economy was not very predictable. However, we are living up to our obligation to Albertans, and we will continue to provide them with adequate services.

**The Deputy Chair:** The hon. Member for Calgary-Buffalo to the same minister.

**Mr. Hehr:** Thank you, Mr. Chair. I've been following with some interest the debate that has been going on here tonight. I heard some of the explanation given by the hon. minister that work does not stop in his ministry on February 28, when he comes into this thing. If people are in need, they receive services from his department, and they receive no greater service after this date than they did before and the like. If that's his explanation, why budget for your department? Why not just say that anyone who comes in for need – if that truly is what you say happens, why even budget for it? If people have a need for it – you know, are you just saying that's how you guys did it? Is this sup supply exercise merely an exercise in futility, or do your budgets mean something there? If we're out of money, we're going to be out of money.

**Mr. Lukaszuk:** Well, Mr. Chairman, that is an unusual position to take from the opposite side. Number one, obviously every ministry has to budget an estimate of what their expenditures will be so that our minister of finance can do his work for the government of Alberta. But this member right now is suggesting to me that as of the third quarter, when this ministry ran out of money, we should have put up closed signs in all of our welfare offices, as you wish to call them, and said: please don't bother showing up in our office for the next three months; there will be no cheques or services issued.

That is not the position of this government, Mr. Chairman. We have a fiduciary duty to those who are in need, and we are committed to assisting them in any way possible on their road to recovery to full independence and self-sufficiency. So I certainly hope that this member is being sarcastic and he's not asking this ministry to basically withhold provision of any and all social services to Albertans for the last three months of this quarter.

**The Deputy Chair:** The hon. Member for Calgary-Varsity to the same minister.

**Mr. Chase:** Thank you. I realize this isn't 2 in the morning, but I'd like to see greater respect. The hon. minister in his previous life was a teacher, and I can't imagine that he spoke to his students in the same offhand, all-knowing attitude. I would appreciate respect being shown. Respect has to be earned. I understand that. But when we ask a question, even if you don't consider it to be important, I would appreciate that you do your best to answer that question.

**8:50**

When I asked about caseloads, I was in fact talking about two separate items. I was talking about the Alberta Works caseload, which you rightly refer to as a type of welfare program, which it is. I have no problem with that. But you also indicated that you saw a growing trend in the fall with increased caseloads, and therefore there is a requirement to get an increase in funding to see us through, even if it's the next month. I'm aware that on April 1 we have a new budget, which will hopefully be satisfactory until more is required in the fall, as you explained.

In terms of asking for this increased \$18 million, is the \$18 million just to get us through the month of March, and that's why you're not concerned about the growing cases from the fall increasing even further in the spring? If you could possibly answer that specific question, I would understand better what you're trying to point out to us.

**Mr. Lukaszuk:** Mr. Chairman, I think I have tried to answer these questions the best that I can. This member initially stood up and was asking me questions about the wrong budget. Then he stood up and was asking me questions about WCB. To extend that to an analogy of a teacher, you know, it's very analogous to him showing up in a physics class and handing in his essay on Shakespeare, because that's exactly, really, what happened.

The fact is, Mr. Chairman, that we are asking for a supplemental amount of \$65,244,000 together with \$31,794,000, made available from lower than budgeted spending in other programs. That is the whole amount. Yes, it is to carry us over from today until the new budget kicks in on April 1. Those are the dollars required to carry on with programs based on the very same amount of service and eligibility criteria. That's what it's really all about. It's a process that this member has been involved in for a number of years already. There is nothing new about it, and the line of questioning is really quite surprising.

**Mr. Chase:** Well, if nothing else, I provide surprises.

My next question has to do with the relationship of the Workers' Compensation Board to Employment and Immigration. In Public Accounts when we called for Employment and Immigration, there was no representative from the Workers' Compensation Board that showed, although my understanding is that it comes under the governance of Employment and Immigration. You mentioned that it's strictly a taxable program. It's based on employers covering injuries and individuals putting away funds and so on. My concern is how you can just simply absent yourself from the governance of workers' compensation. Specifically to workers' compensation, are you saying that as the Minister of Employment and Immigration you have nothing to do with the conduct, the governance of caseloads and support for injured workers in workers' compensation? Are they completely independent? You have no governance nor a fiduciary or administrative role in workers' compensation?

**Mr. Lukaszuk:** I am not saying anything about workers' compensation, Mr. Chairman, nor will I be saying anything about workers' compensation because this discussion is not about workers' compensation.

Mr. Chairman, with the indulgence of this House, let me tell you what it is that I'm asking for. I'm asking for supplemental estimates for program planning and delivery, \$8,423,000; career development services, \$11,190,000; basic skills and academic upgrading, \$487,000. Under health benefits for the Alberta adult health benefit, \$7,006,000; people expected to work or working receiving assistance, \$4,706,000; people not expected to work, \$7,675,000. Under income supports I'm asking for supplemental dollars for people expected to work or working receiving additional top-up benefits of \$30,261,000; people not expected to work, \$22,967,000; labour relations policy and legislation development, \$127,000; employment standards, enforcement and regional services, \$553,000; foreign qualification recognition to build our labour force, \$1,253,000; and for a federal community development trust an additional \$2,040,000.

All together on a balance sheet, Mr. Chairman, it adds up to \$65,244,000. That is what I'm asking for, and that is what will be voted on at the end of this particular session.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. Coming at it from a different angle, if I heard your amount correctly, you're saying that it's going to take \$65 million to get us through this next month in terms of the requirements for the various programs. Twice you mentioned in your categories millions of dollars for people not expected to return to work, if I heard you correctly. Can you give me a sense of what individuals would fall into that category of not expected to return to work and if there isn't a relationship between workers' compensation and the not expected to return to work individuals that you're talking about?

**Mr. Lukaszuk:** Mr. Chairman, there is no relationship between workers' compensation and those not expected to work. Those are individuals who, unfortunately, have multiple barriers to employment. There could be illness. There could be unforeseeable life circumstances that happen to people from time to time. It could be lifestyle choices. It could be addictions. There could be a number of reasons why an individual at a given period of time, upon an assessment, is not expected to work right now but will be provided assistance, counselling, whatever is required, and one day will be expected to return to work.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. Thank you for that explanation. It's the: one day they will be expected to return to work. My experience is that benefits get cut off as a way of forcing a person back to work potentially before they're ready to assume those responsibilities. How do you, within the program you just described, determine a person's ability to return to work and make sure that all the medical assessments, whether it's psychological or physical, have been thoroughly examined so that we're not putting that person or the workers around that person into a dangerous situation? If they're no longer capable of returning to work, how do we determine that date of readiness?

**Mr. Lukaszuk:** Mr. Chairman, it's a complex decision. It varies from person to person as circumstances are as individual as we are. The fact is that our offices, our labour market information centres – there are 59 of them throughout the province – meet with these clients frequently and provide them with support services. Some require forms of counselling. Some require some vocational retraining. Some may require simply building up their capacity to work; their lifestyle needs to turn around. We have a variety of programs provided either directly or indirectly through not-for-profit agencies and others. At the end of the day every single Albertan is encouraged to work to the maximum of their capacity.

Some individuals, unfortunately, may not be fully independent of some form of assistance for a long period of time or ever, but services are extended to them to the best of our ability until we find that they are able to earn a living for themselves. We have also restructured our benefits, where a person can actually receive our benefits but supplement them with income because that allows them a possibility of entering the workforce and, hopefully, one day becoming independent of social assistance.

The focus of the entire program is return to work. Any and all effort is exerted to assist that person to get back to or enter for a first time the world of employment.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. Hopefully, this falls within the purview because you were talking about those who can't return to work. To what extent have you cross-ministerial discussions or connections with, for example, a person being tracked to AISH where it's determined that due to injury or due to mental capacity or some circumstance they can no longer work? I also understand the difference between long-term disability that we as teachers were able to access and workers' compensation. If you could talk about your cross-ministry initiatives and if that's reflected in the budget.

9:00

**Mr. Lukaszuk:** Well, Mr. Chairman, I clearly just listed what is included, and I did not mention AISH, so it wasn't. There is an ongoing relationship between this department and that of seniors and community development. If we have clients in the not-expected-to-work category and we find that their barriers are so complex and they're medical or involve mental health illness, those clients are assisted, actually, in filling out AISH applications. If the medical community supports the client, the client often will be transferred seamlessly from the benefits under this department to that of AISH.

**Mr. Chase:** Thank you.

**The Deputy Chair:** Any other questions?

## Environment

**The Deputy Chair:** Any questions to the Minister of Environment? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. Now, as I understand it, the supplementary amount of \$1.6 million is requested under expense and equipment/inventory purchases together with \$7.8 million made available from lower than budget spending in other programs, and this is to provide 9 and a half million dollars as part of the Bassano dam settlement with the Siksika First Nation. This amount represents \$8.4 million in discontinuances and releases and a 2010-11 access payment of \$1 million, and there are nonbudgetary disbursements for \$12.8 million also requested for the Bassano dam settlement agreement with the Siksika First Nation.

What specific programs provided the \$7.8 million from lower than budgeted spending? That would be my first question, Mr. Chairman, to the hon. minister.

My second one – I may as well get them on the record – is: why is the ministry requesting the supplementary amount of \$12.8 million for prepayments of future year expenses? Or do I have that wrong? Why not budget for that in the necessary year?

Thank you.

**The Deputy Chair:** The hon. minister.

**Mr. Renner:** Thank you, Mr. Chairman. The member is absolutely correct. The entire request that we have before the House this evening is to deal with the settlement with the Siksika Nation with respect to the Bassano dam. That settlement was, in fact, \$22.32 million. It consists of \$9.54 million for discontinuance of all litigation and release of the claims on the first annual access payment that the member actually referred to, plus \$12.78 million to prepay annual access payments for the next 14 years.

Mr. Chairman, the reason that the \$12.78 million is a nonbudgetary disbursement is because it will have to be incorporated into our budget over the next 12 years. If the member would look ahead, he'll see that we have actually budgeted \$1.088 million next year to cover the payments for next year, and that same allocation will be in the subsequent years. That was part of the negotiated settlement that was arrived at. It was a settlement for a long-standing dispute over land and access to the Bassano dam on Siksika First Nation land, and that was the settlement that was agreed to.

As for the offsetting amount of \$7.869 million, this is deferred funding of Ecotrust funds. In 2009 we entered into a number of clean energy partnerships aimed at improving a number of initiatives. Each of those initiatives had various milestones that had to be achieved before payments would accrue, and in some cases some of those projects, for various reasons, have not met those milestones, so the dollars that would be allocated to them will float through to them in future years. That's the reason for the deferral. In addition, three projects approved in 2010 have now been cancelled, so those funds will be then reallocated and made available in future years as well.

**Mr. MacDonald:** Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I realize that the money, almost \$13 million, is very specific to the Bassano dam project. I thoroughly understand that. I'm just wondering, in your supplementary budgets and as an indicator of where we're potentially headed in terms

of funding priorities, if there was any consideration of increasing either air or water monitoring, particularly in the oil sands area. This doesn't appear to be, at least from a supplementary point of view, a priority. Am I wrong? Can you give me hope that within your regular budget that funding is there, and we're not being reliant on industry to provide us with gradations of pollution?

**Mr. Renner:** Mr. Chairman, we're getting into a line of questioning very similar to the line of questioning that we had with the previous ministry. This is dealing with supplementary requisition for the past fiscal year. The member is asking questions that relate to my budget in the next fiscal year, and I look forward to having a deep and intense discussion at that time, but this is not the appropriate time to enter into that discussion.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you, and I'll try to possibly phrase the question differently. The only environmental concern that is necessary to be dealt with for this next month, the month of March, is the paying off, basically, of a treaty or a land claims agreement. There aren't any other environmental concerns that require tide-over funding for this next month. Is that correct?

**Mr. Renner:** Well, Mr. Chair, I'm very proud to say that the administration in my department has worked very diligently to ensure that we live within the allocated budget that was approved by this Assembly last year, and the current programs that we have in place will be adequately funded through until the end of March of this fiscal year, and then we will begin to use the allocation that, hopefully, this Legislature will see fit to approve for next year. So no further requests are asked for, and I'm proud to say no further requests are required at this time.

**The Deputy Chair:** Any other questions?

## Infrastructure

**The Deputy Chair:** Any questions for the Minister of Infrastructure?

**Mr. Chase:** A common approach for both the Liberals and the Wildrose, although we seem to be at ideological odds, is the spreading out of the infrastructure dollars over, say, a three- to five-year period. I don't see any recognition. I know we're now only talking about the month of March, but does the Ministry of Infrastructure believe that it's prudent to push through at our expense the buildings as represented by this sup supply? I realize we're just talking about the last month, but I'm trying to look at it as a harbinger of either greater or lesser things to come.

9:10

**Mr. Danyluk:** Well, I'm not exactly sure where you were going with that, right? But let me just say that this is probably one of the most unusual circumstances for supplementary supply, and that is because the funding for capital for infrastructure was in Alberta Health Services, okay? Infrastructure this past year has taken it over, so all I'm asking for is the \$57.6 million that was there to come back into infrastructure so that I can continue to fund the same projects that Alberta Health Services was going to fund anyway. So it's not really asking for any additional funds but is what I would consider bookkeeping. Thank you.

**Mr. Chase:** Thank you. So we could look at it, basically, as a transfer of funds because of a transfer of authority?

**Mr. Danyluk:** Yes, very much so.

**Mr. Chase:** Thank you.

**The Deputy Chair:** Any other questions?

## Justice

**The Deputy Chair:** The hon. President of the Treasury Board and Finance and Enterprise minister.

**Mr. Snelgrove:** As you know, providing safe and secure communities is a priority of this government, and the safe communities initiative certainly does that. In the fall of 2010 Health and Wellness informed the Treasury Board that it would lapse \$12.7 million in its 2010-11 safe communities initiative budget. At the same time Treasury Board agreed to reallocate the funds to the safe communities budget in Justice to fully utilize the \$148.5 million allocated across all ministries to support safe communities. At the request of the former Minister of Justice SafeCom in conjunction with partnering ministries identified priority projects important to supporting safe communities at work. A wide range of projects totalling \$12.7 million were identified, including projects that support gang awareness, family violence, parenting, specialized courts, mentoring, research, and knowledge transfer.

Specific projects will be announced in the near future once the grant agreements with applicants have been finalized. The supplementary supply estimates for Justice in the amount of \$9.5 million will allow these priority projects to proceed. The \$9.5 million is comprised of the \$12.7 million of one-time additional funding for safe communities, partially offset by the \$3.2 million in surplus funds declared by the ministry in the third-quarter fiscal updates.

Thank you, Mr. Chair.

**Mr. Hehr:** So, again, this is just simply a transfer of funds within the ministry that were devoted to the safe communities initiative. I think that's what the hon. member said. I'm just wondering: will all these plans be used up? Will these programs be announced in this budgetary year within the next, say, month, before April 1?

**Mr. Snelgrove:** As soon as we're able to have contracts in place with the different providers that we're doing it with, then they will be announced. I could give you some examples without giving you the detailed names, but in all fairness they're in the middle of negotiating with the different providers.

**Mr. Hehr:** Fair enough. Those projects have been selected?

**Mr. Snelgrove:** Yes.

**Mr. Hehr:** Fair enough.

**Mr. Chase:** Again I'm trying to limit my question to the month of March, which, basically, is what we're talking about. I do not see – possibly you can tell me if specific funding is being directed towards legal aid. To me one of the ways of establishing a safe community is making sure that people are adequately represented when they find themselves before a judge or jury circumstance. Is any of that approximately 9 and a half million dollars directed towards legal aid?

**Mr. Snelgrove:** Hon. member, no, it is not.

**The Deputy Chair:** Any further questions?

## Municipal Affairs

**The Deputy Chair:** This takes us to the Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Chairman. The request is for a supplementary estimate of nearly \$191 million for the Ministry of Municipal Affairs. The majority of this request is for the 10 disaster recovery and municipal wildfire assistance programs that were established in the 2010-11 fiscal year. This money is to help Albertans recover from the devastating effects of unpredictable weather conditions and wildfires. In total, we implemented one municipal wildfire assistance program and nine disaster recovery programs. The remaining amount of the supplementary estimate I'm requesting is for costs associated with the municipal government board that are recovered from municipalities. As well, we were able to identify a million dollars in savings, which is being used to offset this supplementary estimate request. This request will help my ministry continue to ensure Albertans can build on the strength of their individual communities.

Thank you.

**Mr. Chase:** I realize disasters aren't predictable and that, basically, you're trying to provide insurance after a fashion and assurance to the individuals who have been affected. Will the amount that has been requested in supplemental supply to see the 2010-11 year to its conclusion see the people, for example, in Irvine, many of whom are living in trailers or with relatives – will that see sufficient seed money for them to do the reconstruction that's necessary? Part of the problem has been that it's been a separate agency that's been determining it and then passing along the information to the ministry as opposed to the ministry dealing directly with it. It appears like it's a significant amount of money, but will it put people back in their homes and give them some comfort with the winter basically half over?

**The Deputy Chair:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Chairman. The dollars that were approved should be sufficient to be able to cover the costs that are remaining for the southern Alberta disaster recovery program. There was \$200 million that was approved under that particular program. Subsequently, that's been readjusted to about \$160 million. The intent of the program is to bring people back to a situation that is as close as possible to where they were before the disaster struck.

What we're finding is that disasters can occur very, very rapidly, Mr. Chairman, but the recovery can take a long time. I want to indicate that even though we're using a private group to assess that, there are some strong advantages to implementing the program and to managing the program. There are some strong advantages for us to go that way rather than having staff full-time, always under our payroll, to be able to deal with it. They've got a contractual obligation with us to meet certain standards. Our role is to ensure that the group providing that particular service is meeting those standards, meeting the guidelines, and meeting the timeframes that are identified by contract.

The dollars have so far covered the majority of the individuals within the individual homeowners. Those are the priorities that we had given. The second set were to the aboriginal communities and those that experienced some damages there, then to our farm communities. The third was to our small businesses that got affected and, finally, to the municipalities that incurred some losses. So a very extensive program, probably one of the largest disaster

programs that we've had in the province of Alberta; thereby, the need for the great amount of dollars that we have requested.

**Mr. Chase:** Does this significant sum of money include any form of arbitration in the sense that a person goes through a contracted agency and is not satisfied that their claim has been sufficiently recognized? Does that allow for any type of arbitration or supports for resolving the discrepancy between what a person believes they're owed and what the private contracted agency is giving them?

9:20

**Mr. Goudreau:** Mr. Chairman, that's an excellent question. There's no doubt that what individuals feel they're owed and what the program criteria sets out sometimes differ. We find that this particular program is meant to cover those parts that insurance will not cover and areas where insurance is not readily available or not, you know, financially available to particular individuals. It will not cover issues such as an individual having cancelled his insurance policy or reneging or not renewing his insurance policy. So there might still be voids.

The program allows for a review every time there's new information that comes to us. There's no doubt that there are a number of individuals where we've had a look at their individual files a number of times as more information comes to light, as they find out about more damages that were unseen before or undetermined. As they find those, they can always come back to us for a review. The process of review goes through the agency initially, and then it goes through our ministry, the Alberta Emergency Management Agency staff, and then, finally, if there are still some concerns or issues, they come to my particular desk for review as well. Because of the initial comments from that particular program we did make some changes to the program criteria to make sure that more people are qualified and that they qualify for more funding.

Having said that, we've dealt with about 98 per cent of the applications, and the majority of the applicants are quite satisfied. We still have a few percentages out there with some very tough files and some files that are quite complicated.

**Mr. Hehr:** Just regarding the \$400,000 being requested for costs related to the new compensation assessment review boards, what are these costs that they would be incurring?

**Mr. Goudreau:** Well, those are costs that are incurred by the board for hearing appeals on assessments, and they can either hear residential assessment appeals or industrial, commercial types of appeals. With the changes that we've done within the boards themselves, the mandate was that the added costs were there.

Now, I need to reemphasize – and I think it's identified there – that those costs are passed back to municipalities, so it comes through our budget. It's an extra cost, but those are charged back to the individual municipalities involved.

**Mr. Hehr:** The compensation assessment review boards. Maybe you could help me with what, in fact, they're reviewing, just from that simple viewpoint.

**The Deputy Chair:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Chairman. The reviews are on the actual assessments for tax purposes. So a municipality will assess a particular property at a particular level, and then if there's an appeal and they can't resolve some of the decisions at the local municipal level, it goes to a further step, and that's this step.

**Mr. Hehr:** So the city and the taxpayer, whoever uses the service or whoever wins the case, will then pay for that hearing or service?

**Mr. Goudreau:** That's right. Those costs are charged back to the individual municipality that's dealing with that particular assessment.

**Mr. Hehr:** Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. If you could break that approximately \$200,000 ballpark into individual compensation, business compensation, and sort of public works, you know, replacing roads in municipalities that were heavily hit, kind of thing. Are you able to give that ballpark figure?

**Mr. Goudreau:** Thank you. Mr. Chairman, I might remind the individual member that it is not \$200,000 but \$200 million that's involved.

Most of the claims are quite small in relation to the full program. We don't anticipate having to spend the full \$200 million. Initially we're probably averaging \$4,000 to \$5,000. I don't have those exact figures in front of me, but I could get them if you choose to have them. But typically they're smaller, and often it's to offset those extra costs that are incurred, that insurance companies will not cover.

Individual applicants are smaller. Those numbers climbed considerably, and we've had a number with small businesses and with the farming community as high as, say, \$300,000 per applicant. Then they jump quite dramatically when we deal with municipalities who've had to replace 15 or 20 bridges. The one in particular in Medicine Hat we advanced about \$17 million towards some of their anticipated costs. Those bills are still coming in and will take a number of months to finalize.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. My last question has to do with: does any of this money account for sort of proactive flood – I mean, I guess you'd have fire suppression programs such as the selective logging. My concern is a little bit broader in the sense of allowing people to build on flood plains, for example, and then telling them that they are not insured, but the developer had been permitted to build on a flood plain. Is any of this money of sort of the educational or of the regulatory going forward to prevent disasters in the future?

**Mr. Goudreau:** Mr. Chairman, that's an excellent question. There has been a lot of work done in terms of mitigation towards future potential disasters. Our ministry through the Alberta Emergency Management Agency provides a lot of support in training and preparedness for disasters and trying to avoid or minimize disasters.

We're working with individual municipalities. I believe there are about 60 of them that are on river plains or areas where they're subject to periodic flooding. We're working with them in terms of trying to minimize damages and minimize the development along rivers and river valleys. Eventually municipalities are the ones that make those final land-use decisions, albeit we are trying to work with them to encourage development outside those particular areas.

We're also working with our federal government. For the members present here, once we reach a certain threshold, we qualify



for some assistance that comes from the federal government to offset some of these particular costs. Those are usually one, two, or three years after the fact. Part of the federal government's support to us is a percentage that's used in mitigation. Now, with what's been happening up till now, mitigation is usually allocated on a per individual basis, and it might include something that might say: "Your electrical box is in the basement and always gets damaged every time it floods. We'll help you move it to the main floor. We'll help you pay for some of those extra costs that are involved."

We're working along with our federal counterparts – and there are territorial and provincial ministers – to get the federal government to accept mitigation. As an off-the-wall example, maybe rather than building a little dike around everybody's house, we build a dike around the community rather than individually. We're trying to convince the federal government to pool mitigation dollars to be able to do a good project in the individual communities. We anticipate that decision to come down fairly soon here.

**The Deputy Chair:** Any further questions?

### Seniors and Community Supports

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I just want to hammer home the notion that we believe that long-term care units are superior to assisted living in terms of providing the medical assistance necessary. However, how many units does the \$39 million increase to the affordable supportive living initiative provide for?

**The Deputy Chair:** The hon. minister.

**Mrs. Jablonski:** Thank you, Mr. Chairman. I'd like to thank the member for his question, but long-term care spaces are not within my purview. Long-term care spaces are part of what Health and Wellness does. I do the designated assisted living.

The \$39 million was part of the ASLI grant program that came from the capital bonds. I was granted the \$50 million in my budget for ASLI, and then I had to grab the other \$39 million from the capital bonds account. That's why you see it here today. At this point in time it was part of the total. In the total I had 13 projects assigned. The total number of spaces: I'd have to check that and provide you with that information.

9:30

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you, Mr. Chair. The reason I ask is that, as the minister mentioned, the original budget was \$50 million, and this increase is a 78 per cent increase. What special circumstances transpired that required such a large immediate injection of funding? With that in mind as the backdrop, what communities are receiving more supportive living units . . . [interjection]

**The Deputy Chair:** Hon. member, you have the floor.

**Mr. Chase:** A 78 per cent increase. The question, then: what communities are the beneficiaries of more supportive living units because of this increase?

**Mrs. Jablonski:** If I could have the number for you, hon. member, the total number of units that the \$89 million is supporting is 912. The communities that are benefiting from the 912 spaces are Calgary, Didsbury, Edmonton, High River, Lacombe, Red Deer, Spruce Grove, Stettler, Westlock, and Grande Prairie.

**Mr. Chase:** Great. Thank you.

For the \$26 million increase to AISH, why is the cost of the health-related benefits increased by \$21 million from the budget? Then I'll give you the second part. For the difference, the \$5 million that is going towards financial benefits: is that simply from an increase in caseload or are recipients' benefits changing?

**Mrs. Jablonski:** The \$5 million that goes towards the income benefits is definitely caseload increases the we didn't project. They were higher this year than in the past. Probably the recession has a lot to do with that and the fact that there are fewer jobs. I would also say to you that the reason that there was such an increase in the health benefits is because of the pharmaceutical programs and the increased cost of the programs themselves. Benefits remain the same. The average amount of the medical benefit to an AISH client is about \$370 a month, but as the pharmaceuticals increase in price, the costs increase to us as well.

**Mr. Hehr:** Now, I guess, then, from your year budgeted number of how many people you thought were going to be on AISH, how many does this increase the total number of people on AISH in the province to at the end of the year?

**Mrs. Jablonski:** Right now the number of people that we have receiving AISH is 42,000. When I first became minister, I was saying 32,000, so you can see there is a significant increase in the number of people on AISH.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I appreciate that the costs of pharmaceuticals have gone up, and we've adjusted for that. That's a very merciful thing for us as a government to be doing. You've also indicated a significant increase in the number of AISH individuals. I realize that we're restricted by this being supplemental supply, but will that increase, at least on a temporary basis, tide us over for what seems to be a growing wave of individuals headed towards AISH requirements?

**Mrs. Jablonski:** The \$26 million that we've asked for in these supplemental estimates will be part of the base of the AISH budget going into the future.

**The Deputy Chair:** Any further questions for the Minister of Seniors and Community Supports?

### Service Alberta

**The Deputy Chair:** Any questions for the minister? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. There is a terrific amount of concern over security programs, and I know there are cross-ministry initiatives. For example, the housing minister is tracking individuals across the province requiring housing. We have the TALON project with the police. Then within your department in the 2009-10 annual report the minister announced that "a Chief Information Security Office was established to develop and implement a government-wide information security program." Now, in 2011, the ministry is asking for funds to create a corporate security office. Can the minister explain why she reported the establishment of the security office as accomplished in 2010 and is now asking for funds to create – is this the same office or added to that office, or is this a different office?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. Happy to provide some clarity on this. The reason for the supplementary estimate is some of the things we've been working on with respect to the role of the chief information officer, which resides in Service Alberta, then working with the corporate security officer here and all the chief information officers across all the departments. That's one of the reasons why there was an increased ask for this. Also, again, working with the Auditor General and making sure we are enhancing the security of Albertans' information. That is certainly what we are doing with this supplementary ask.

**The Deputy Chair:** Minister of Housing and Urban Affairs, do you wish to supplement that answer?

**Mr. Denis:** Yes. Thank you very much, Mr. Chair. I just wanted to endeavour to correct the Member for Calgary-Varsity. He made some sort of assertion that my ministry was tracking everyone across this province. I just want to mention to this House through the chair that that is actually not the case. We do have an identification program that we work in conjunction with the hon. Minister of Service Alberta. This is pursuant to strict privacy guidelines. In fact, before we announced this program, we actually worked with the Privacy Commissioner, and we moved on . . . [interjection] Despite the chirping from the Member for Calgary-Buffalo, I will continue.

The identification program is just like a driver's licence or is simply an ID card that is used, and again very strict privacy concerns are respected. In fact, I just spoke with a gentleman from Portland, Oregon, this weekend who told me that, in fact, one of the biggest reasons that they've had a big success in reducing homeless numbers was because they had a similar identification program.

Plus, on this I just want to mention to this member that this identification program is on a voluntary basis. It's designed to help people get a leg up, start things like bank accounts. Twenty-three percent of homeless people actually work, so instead of going to a cheque cashing place, they can actually go and open up a bank account. These are things that any one of us takes for granted – identification, bank accounts, basic necessities – where we can help people get a leg up to becoming independent. It's not an issue about tracking people. In fact, we don't do that. There is no Big Brother here. It's about treating people as individuals and giving them some assistance where we can actually give them a leg up.

I can tell you that this identification program also shows that you do not necessarily need to spend a lot of money to make an impact in somebody's life. The costs are very minimal, and the benefits are very substantial.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. Hopefully, the minister knows that I am not talking about or suggesting a Big Brother program. I've worked, and I've seen the minister and other members of this House. For example, the Member for Calgary-Nose Hill has participated in homeless outreach activities at which time identification cards were being processed. So I'm not worried about an invasion of privacy. I realize to help people you've got to have a sense of who it is you're helping. It's how that information is kept which is important to me.

Under technology services, including SuperNet, in the 2010-11 budget Service Alberta's budget was cut by 13 per cent, and its technology services budget was cut by 21 per cent. The department laid off over 400 employees. In November Deputy Minister Paul Pellis told the Public Accounts Committee: "We're providing at least an equivalent level of service at lower cost and with less

resources . . . achieving efficiencies and getting a more standardized delivery of our services across government." And again: "Service level expectations have been fully met" and "ministries . . . are receiving a very good level of service, and we're doing it at a lower cost."

It is forecast that Service Alberta will overspend its budget in technology services by more than 30 per cent this fiscal year, will overspend its budget for network services by 152 per cent. The deputy minister reports delivering efficiencies and costs savings. The minister is reporting that funds have been taken from other programs to pay for technology services and is also requesting additional funding to support what appears to be massive overspending.

**9:40**

Can the minister explain the inconsistencies of laying off 400 individuals, magically being able to have the same efficiencies, and now increased supplemental supply? It has this robbing-Peter-to-pay-Paul as opposed to sustainable programming. I sit to be corrected.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. Just to make it clear, the supplementary estimate has nothing to do with the 410 FTEs that were moved out last year. What has happened with the SuperNet final mile strategy and the whole technological world is that there's been a huge effort and a lot of work going on across departments, a lot of collaboration, a lot of good work working in that whole area.

With respect to some of the information and the foundational changes we've made across government, that is, indeed, where we've seen many savings, where government departments are looking at information, tracking it better, looking for duplication and standardization of services. That's absolutely critical. That relates, too, to the chief information officers in each of the departments, making sure that Albertans' information is tracked and kept secure. Finally, it's looking at how we monitor and how we track consumption. It's always the consumption of services that Albertans want, but it's also looking at the consumption of services across government departments, making sure that we are doing the right thing so we can serve Albertans better.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. To a significant extent your ministry replaced what was previously known as restructuring and government efficiency. In other words, you've attempted to consolidate those services. You're indicating through both cross-ministerial initiatives and through the potential centralization of services and your ministry that this is the primary way of achieving the approved efficiencies. Did I paraphrase that correctly?

**Mrs. Klimchuk:** That's correct, but again just dealing with these supplementary estimates, just focusing on the foundational information technology, the SuperNet final mile strategy, and the Auditor General's recommendations, working with their good office and making sure the information that we have is secure. Lastly – you're right – it's the opportunity to partner with ministries to manage and monitor consumption of services.

This is what we needed for last year, but going forward for next year's budget, most certainly that will be part of the budget for next year.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. We're trying to improve our information record keeping. In health, for example, we've got electronic records that can be read throughout the province to increase efficiency of health delivery. We have the program that we've questioned, the TALON. We have the tracking of individual needs, I'll call it, within the homeless program. Does your department have oversight of all the sort of security and information assembling, gathering, and delivering processes, or is it through cross-ministerial advice to these ministries that these various programs are being developed?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Chairman. With respect to your question FOIP and PIPA are mandated under Service Alberta. But it's important to note each department has its own FOIP officer that works with each minister in those areas. So the overarching support – I do not have anything to do with TALON, but I do have something to do with FOIP and PIPA, and that is, indeed, the protection of Albertans' information.

**The Deputy Chair:** Any other questions?

### Sustainable Resource Development

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. What I see here is that the supplementary amount of \$156,200,000 is requested to provide – and it's broken down – expense on firefighting, emergency spending for ground survey and control operations with regard to the mountain pine beetle infestation, concern about the budworm infestation, and approximately \$13 million for the disposal of tax recovery land. Could we begin by explaining to me the \$13,500,000 to provide for the disposal of tax recovery land? I'm not completely understanding what tax recovery land is. If you could explain that expenditure, please.

**Mr. Knight:** Mr. Chairman, quite simply, tax recovery land is a situation that happened mainly in southern Alberta. It probably would have been in the area of the mid- to late '30s, when a lot of farmland, particularly in southern Alberta, was left simply because people could not make a living on those pieces of real estate. What happened was that that real estate returned to the province of Alberta because the property taxes were not paid on the land. So we've been managing that land for that period of time, probably better than 60 years, a lot of it.

The situation, really, is that most of the land in question belongs to the municipalities. It was theirs at one point in time. The government ended up with it under this scheme of recovering the land because of unpaid taxes. So what we've done is that we've repatriated most of that land. About 80 per cent of it now has been returned to the municipalities on a nominal sum disposal, which means that each of the titles on those pieces of land is returned to the municipality for a dollar, but under our accounting rules we have to account for the value of the real estate. There's about 40 some-odd million dollars estimated that's left. We'd like to repatriate that over the next three or four years, and that's what the 13 and a half million dollars is for in this year's budget.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. Thirty million dollars of emergency spending for continued ground survey and control operations to fight the mountain pine beetle infestation: does your ministry be-

lieve in selective logging and burning as methods of controlling infestation? Are they important tools? Can you explain, in terms of the \$30 million, how much of that would go into, say, clear-cutting versus selective logging? You know where I'm coming from. I have this selective logging prejudice, and I'm just wondering if you can divide up that \$30 million for me.

**Mr. Knight:** The issues here, Mr. Chairman, that we're talking about: when we talk about this business of clear-cut, the only time that that's really going to be effected by the program that we have to mitigate the damage from pine beetles is when we actually go in and work with our partners in the industry and look at their normal harvest plans. They adjust harvest plans into areas where, number one, there are either already beetle-killed or -damaged trees, and then we look at the next most possible host scenario. So we would move some of the logging program into areas where you would expect the beetles to move next to kind of eliminate that new home for them.

The \$30 million: most of that would be spent in two other areas that we use with this mitigation program. One of them, of course, is the idea of selective single-tree and small-stand removal, so what we would do is get people onto the ground there to cut and slash and burn the infected trees. We've got about 600 people on the ground now working in Alberta with respect to that. The balance of that money, Mr. Chairman, would be allocated to going out and doing surveys with respect to where the beetles are now, how well they're doing over the winter. That gives us a pretty good idea of where they may, you know, erupt next spring and what we should look for with respect to harvest plans.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. And I believe the carpentry adage of measure twice, cut once applies, so being proactive in terms of mapping out the potential areas of future infestation is a very sensible approach.

9:50

Could you give a sense of how much of this \$30 million supplemental that's set aside is being directed towards the Castle-Crown area, the mines area that you know and I know and I'm sure every member in this House knows from the number of letters we've received about the Beaver Mines area and concerns about how the preventative measures of potential clear-cutting are taking place? Is any of that \$30 million directed towards that specific Beaver Mines project?

**Mr. Knight:** Could you just repeat the end of that one?

**Mr. Chase:** Sure. I'd be glad to. Is any of that \$30 million directed towards pine beetle suppression and methodology in the Beaver Mines-Castle-Crown area? Is this taking up a significant amount or not?

**Mr. Knight:** Mr. Chairman, I would suggest that the area in question has been to the largest degree managed quite successfully, and I'm going to suggest that there could be some residual effect from people that are down there doing survey work. It would be difficult for me to put a number on it, but as I said, there are about 600 people working across the province now with respect to the mitigation of beetles. They could be in the area, but I wouldn't be able to answer that question directly now.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. We talked about the tax recovery land, and we brought up the Dirty Thirties, basically, where people abandoned their land for a variety of reasons: a series of depressing years, bad harvests, wind erosion, et cetera. There was a tremendous concern. In that same time period, Mr. Minister, the area of the Castle-Crown, the area that we've proposed, the Andy Russell I'tai Sah Kòp, was part of Waterton national park, and for whatever reason, the federal government gave that land back to the province. Is any of the money that's been set aside here for at least studies about the potential of achieving that Andy Russell I'tai Sah Kòp Castle-Crown protection? Even if it's just for studies, I'd be appreciative of knowing that there was a consideration of the potential of creating that parkland.

**Mr. Knight:** Mr. Chairman, the money that we're going to use with respect to tax recovery is all pieces of real estate that are now in municipalities and under provincial control. There would be about – again, this is a number but it's close – 3,700 or 3,800 acres of real estate that are actually part of the old tax recovery lands that will not be repatriated to municipalities. They will be kept as public land because of their environmental and ecological value to the public of Alberta. Other than that, the money that we have earmarked is a writedown of real estate that will be transferred to municipalities.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. And I'm not trying to entrap you. I was just making a connection between the 1930s. What I was asking: is any of this \$30 million that is going towards pine beetle infestation controls, studies, and so on, looking at the possibility of Sustainable Resource Development turning the land in the Castle-Crown area into a potential protected area? That's what I'm asking. I referenced the recovery land just because it's the same time period, 1930. We lost that land.

**Mr. Knight:** Mr. Chairman, what we have here is that we've got an issue. In 2006 and again in 2009 there were major influxes of mountain pine beetles from British Columbia, something that was very unusual in the province of Alberta. We've had more or less a natural cycle of mountain pine beetles in the province, and it has been about a once in a 25- or 30- or 40-year kind of cycle. We get a few. They last normally a winter or two or three, the populations deteriorate, and that's the end of it for a while. These influxes of huge, huge numbers, probably hundreds of millions of pine beetles that came over from British Columbia, created a circumstance for us in Alberta.

What we've done with any and all of this money – and now we're probably up in the 300-plus million dollars that we've invested for Albertans into the protection of our forests in Alberta. The whole program is, quite simply, Mr. Chairman, to support an industry in Alberta that probably generates something in the neighbourhood of 8 and a half billion dollars a year for the province. The idea of this is to mitigate the damage with respect to the mountain pine beetle. The whole program is geared towards the mitigation of damage from mountain pine beetles.

You know, what may or may not happen with pieces of real estate after the fact is not really part of these estimates and is certainly not part of the mountain pine beetle mitigation strategy that we have.

**Mr. Chase:** I'm not trying to put words into the member's mouth. I am trying to put initiatives into your consideration, though.

One of the areas that has previously been hit in a fairly devastating way by the pine beetles was the Waterton parks area. In the

'70s a fairly significant devastation went through, but the government of that time did not try to mitigate the circumstance by clear-cutting the area, a significant amount of which was protected in Waterton national park. But in that same area in close proximity we've got the Beaver Mines, and we've got a number of people who are questioning the value of the timber versus the value of ongoing tourism activities in the area. We're getting a lot of mail on that. That's why I was asking if any of that \$30 million had to do with studies about how best to protect the land, not just now from pine beetles but in the future in terms of the land-use framework and designating what activities would be permitted in this Castle-Crown, which I am referring to by, hopefully, what the new name will be, the Andy Russell I'tai Sah Kòp area.

**Mr. Knight:** Mr. Chairman, okay. This is going to be for the third time, I think, and maybe more than that; I'm not sure. But we'll do this one more time anyway.

We're talking about my supplementary estimates here, I presume. There's \$30 million in there, which the member opposite has mentioned on a number of occasions. The \$30 million is required because what happens with mountain pine beetles is that nobody that I am aware of actually really knows precisely how many of those particular pests are in the province of Alberta, exactly where they are, and where they might go next year. Only they know, but we don't know. So we actually don't know what amount of money to put in our annual budget in order to continue to mitigate the damage that's caused by this particular pest.

We ask for supplemental dollars, Mr. Chair, as we see this particular circumstance unfold, which is what we're seeing now. During the winter we send out people, we find and to the best of our ability destroy single stands and small stands of infected trees. We have another group of people on the ground that are actually out doing surveys with respect to where the beetles are, what their numbers are, what their likelihood of survival is, and where they may, you know, move next. So the \$30 million is spent with respect to the mitigation of the issue that we have around the infestation of mountain pine beetles in Alberta.

10:00

**The Deputy Chairman:** The hon. member.

**Mr. Chase:** Thank you. I appreciate, as I've said before, the process of trying to scope out and plan into the future. Much appreciated.

I've asked, I guess, possibly twice what portion of that \$30 million would be invested in the Castle-Crown area of southern Alberta? Right now I would suggest that's the most controversial area in the province.

Then my next question, which may be easier to answer, is: why is this government spending \$13.5 million for the disposal of land? Is this the same land that it was recently announced was sold to municipalities for a dollar? I'm not sure why it cost \$13 million to give it away for a dollar.

**Mr. Knight:** Mr. Chairman, if I may, you know, I have to tell you that I am in a wonderful spot right now, a very good spot. I'll tell you something. I have a tremendous amount of patience, and the reason that I know that is that my wife has told me I have never used any so far. So this is actually working for me; it really is.

I believe that we had an opportunity here – I don't know how long ago it was, but probably sometime within the last 20 minutes I have indicated what tax recovery land is and why we were required to have the money available in order for us to offset in our books the value of land. We're not buying anything. We're not buying a thing.

What we're doing is repatriating land to municipalities that was in municipal control at one point in time but reverted to the government because of nonpayment of taxes. Actually, for most of that land, Mr. Chairman, this was at a time when some of these regions were not actually registered or incorporated as municipalities, so they were improvement districts. There wasn't actually an entity for this real estate to go back to, so it reverted to the provincial government because we were in fact in control of the IDs. So we ended up with this real estate. In the meantime, what's happened with it is that we've leased it out as grazing leases. Some of it has just been left and kept as conservation areas and different things like that. There's been a program since 1963 or '64 to repatriate this real estate, and it's been going on since that time.

So, Mr. Chairman, what we have here is a situation where we want to continue and tidy up the repatriation of the remaining pieces of tax recovery land. We're not buying anything; we're just returning this land. For the Auditor General and the way our bookkeeping works we're required to account for the value of that real estate.

**Mr. Chase:** I appreciate your patience, and I appreciate your explanation. I'll try to come at it from a different way. We talked about the repatriation of the land. Supplemental supply required this year: \$13.5 million. Do you anticipate through the repatriation process that this number will go down gradually from year to year to year as the municipalities take over a significant amount of the responsibility for the usage or leasing of this land?

**Mr. Knight:** Mr. Chairman, no. It doesn't necessarily go down and down and down. What's going to happen or what could happen – you know, if we had the capability in government to transfer all of this land next year, then of course this particular issue, this budget item, would go up. It depends on what pieces of real estate we're able to transfer and what value is assigned to them.

As I indicated earlier, over the next period of about three years, perhaps four years, all of the remaining pieces of real estate will be transferred, and at that point this budget number down the road in three or four years will be a big, fat zero. Nothing. It's on our books because we're moving the real estate and we have to account for it. We're not buying anything, and it doesn't have any kind of ratchet where it goes down over time.

**The Deputy Chair:** Any further questions?

### Tourism, Parks and Recreation

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. Mr. Chair, \$500,000 for support of the ministry's information technology infrastructure, \$1,200,000 to support Edmonton's 2017 Expo bid, and \$2,581,000 for parks, including the replacement and repairs of park facilities and snow grooming. My questions: what changes in the ministry's information technology systems will be supported by the \$500,000 supplementary appropriation? Why was this amount not budgeted for in the 2010-11 estimates? Is the need a result of an information technology failure, or are we enhancing the system? An explanation.

**The Deputy Chair:** The hon. minister.

**Mrs. Ady:** Thank you. The hon. member is correct. We did request in supplementary estimates an additional \$500,000 for unplanned computer and IT infrastructure costs. As you know, our department has been moving under the GOA with Service Alberta, and those were the costs that it cost us to be in that system and to

continue to operate. Those were unplanned at the time that we debated the budget, and that was the additional cost for us to come under that system.

**Mr. Chase:** Is it a reasonably safe assumption that that was primarily a one-off cost of moving into that ministry? Okay. Thank you. I note the affirmative head shaking, so I'll move to my next question.

Why is the government requesting supplementary funds for park maintenance and repair when facility spending was reduced in last year's budget? It's the Peter-Paul scenario: we take away, and then we give back, and blessed be.

**Mrs. Ady:** Basically, hon. member, you're right. There was a transfer going on there. We had a few things that came up this year that we took out of operations. They were fairly small items to keep the parks repaired in the area of safety. As well, we had some equipment that groomed trails that broke down and could not be repaired, so it was decided at that time that we needed to replace that equipment. These are very small items, so that's why that transfer was done, again within the parks budget: small, not larger than \$5 million, but critical to the safety and protection in parks.

**The Deputy Chair:** The hon. member.

**Mr. Chase:** Thank you. I realize that the summer and fall utilization of parks is considerably larger than what takes place in the winter. In fact, a number of parks are actually closed. Have I just explained why there is no supplementary supply for, say, conservation officers or park maintenance? Is it just because this is sort of viewed as off-season and, therefore, not requiring the funding? Thank you. I appreciate that. Thank you, Mr. Chair.

I'd like to also thank the ministers. The procedure tonight was not to try and trick you or try and beat you down with incessant, sometimes you might think irrelevant, questions. It was to try and have an understanding of the funding. I do appreciate the ministers' patience, and I realize that at times it was tried, but it was appreciated. Thank you, ministers, for your willingness to provide answers, and thank you, Mr. Chair.

**The Deputy Chair:** Are there any further questions for the ministers? None?

### Vote on Supplementary Supply Estimates 2010-11 General Revenue Fund

**The Deputy Chair:** The discussion is concluded, and I will now call the following questions after considering the 2010-2011 supplementary supply estimates for the fiscal year ending March 31, 2011.

Agreed to:

Aboriginal Relations	
Expense and Equipment/Inventory Purchases	\$32,575,000
Advanced Education and Technology	
Expense and Equipment/Inventory Purchases	\$24,400,000
Nonbudgetary Disbursements	\$53,900,000

10:10

Children and Youth Services	
Expense and Equipment/Inventory Purchases	\$70,800,000
Culture and Community Spirit	
Expense and Equipment/Inventory Purchases	\$2,629,000
Capital Investment	\$371,000

Employment and Immigration		Advanced Education and Technology: expense and equipment/inventory purchases, \$24,400,000; nonbudgetary disbursements, \$53,900,000.
Expense and Equipment/Inventory Purchases	\$65,244,000	Children and Youth Services: expense and equipment/inventory purchases, \$70,800,000.
Environment		Culture and Community Spirit: expense and equipment/inventory purchases, \$2,629,000; capital investment, \$371,000.
Expense and Equipment/Inventory Purchases	\$1,670,000	Employment and Immigration: expense and equipment/inventory purchases, \$65,244,000.
Nonbudgetary Disbursements	\$12,803,000	Environment: expense and equipment/inventory purchases, \$1,670,000; nonbudgetary disbursements, \$12,803,000.
Infrastructure		Infrastructure: nonbudgetary disbursements, \$57,600,000.
Nonbudgetary Disbursements	\$57,600,000	Justice: expense and equipment/inventory purchases, \$9,460,000.
Justice		Municipal Affairs: expense and equipment/inventory purchases, \$190,974,000.
Expense and Equipment/Inventory Purchases	\$9,460,000	Seniors and Community Supports: expense and equipment/inventory purchases, \$70,150,000.
Municipal Affairs		Service Alberta: expense and equipment/inventory purchases, \$11,573,000.
Expense and Equipment/Inventory Purchases	\$190,974,000	Sustainable Resource Development: expense and equipment/inventory purchases, \$156,200,000.
Seniors and Community Supports		Tourism, Parks and Recreation: expense and equipment/inventory purchases, \$2,981,000.
Expense and Equipment/Inventory Purchases	\$70,150,000	Amounts to be transferred
Service Alberta		Solicitor General and Public Security
Expense and Equipment/Inventory Purchases	\$11,573,000	Capital Investment
Sustainable Resource Development		Treasury Board
Expense and Equipment/Inventory Purchases	\$156,200,000	Capital Investment
Tourism, Parks and Recreation		
Expense and Equipment/Inventory Purchases	\$2,981,000	
Amounts to be transferred		
Solicitor General and Public Security		
Capital Investment	\$25,112,000	
Treasury Board		
Capital Investment	(\$25,112,000)	

**The Acting Chair:** The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I move that the committee now rise and report.

[Motion carried]

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again. The following resolutions relating to the 2010-11 supplementary supply estimates for the general revenue fund for the fiscal year ending March 31, 2011, have been approved.

Aboriginal Relations: expense and equipment/inventory purchases, \$32,575,000.

Advanced Education and Technology: expense and equipment/inventory purchases, \$24,400,000; nonbudgetary disbursements, \$53,900,000.

Children and Youth Services: expense and equipment/inventory purchases, \$70,800,000.

Culture and Community Spirit: expense and equipment/inventory purchases, \$2,629,000; capital investment, \$371,000.

Employment and Immigration: expense and equipment/inventory purchases, \$65,244,000.

Environment: expense and equipment/inventory purchases, \$1,670,000; nonbudgetary disbursements, \$12,803,000.

Infrastructure: nonbudgetary disbursements, \$57,600,000.

Justice: expense and equipment/inventory purchases, \$9,460,000.

Municipal Affairs: expense and equipment/inventory purchases, \$190,974,000.

Seniors and Community Supports: expense and equipment/inventory purchases, \$70,150,000.

Service Alberta: expense and equipment/inventory purchases, \$11,573,000.

Sustainable Resource Development: expense and equipment/inventory purchases, \$156,200,000.

Tourism, Parks and Recreation: expense and equipment/inventory purchases, \$2,981,000.

The Committee of Supply has also approved the following amounts to be transferred.

Transfer to Solicitor General and Public Security: capital investment, \$25,112,000.

Transfer from Treasury Board: capital investment, (\$25,112,000).

Thank you, Mr. Speaker.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I move that the Assembly now adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 10:18 p.m. to Tuesday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, March 1, 2011

Issue 5a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 1, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. In our mind's eye let us see the awesome grandeur of the Rockies, the denseness of our forests, the fertility of our farmland, the splendour of our rivers, the richness of our resources, the energy of our people. Then let us rededicate ourselves as wise stewards of such bounty on behalf of all Albertans. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to members of this Assembly 23 grade 6 students from H.A. Kostash school in Smoky Lake. They've come all the way down here from that little town about an hour and a half away to be a part of the School at the Leg. program. They're accompanied by their teacher, Chelsea Evans, and four parents: Mrs. Chizawsky, Miss Lewchuk, Mr. Tallio, and Mrs. Charlton. I met with these students this morning. They're certainly a bright, energetic group and full of great questions. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Spruce Grove-Sturgeon-St. Albert.

**Mr. Horner:** Thank you, Mr. Speaker. It gives me great pleasure to rise and introduce to you and through you to all hon. members of the Legislature a group of 62 bright visitors from St. Albert, from J.J. Nearing elementary school. They are accompanied by Mrs. Christine Sowinski, Ms Barb Schoneville, Mr. Rob Kelly, Mr. Curt McDougall, and parent helpers Mrs. Irene Buck, Mrs. Lisa Burr, Mr. Todd Laycock. I had the opportunity to talk to each of them on the stairs of the rotunda and ask them questions about what we do here in this Legislature. I can tell you that they are very knowledgeable, very bright young students, and they are the future of our province. They are in both galleries, and I would ask that they now rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to members of this Assembly a group from the Yellowhead Tribal College. I don't see them in the members' gallery, so I'm presuming they're up here in the public. There they are. Right on. I'd like to introduce instructor Linda Anderson and a group of students who are here today. As a side note, the hon. Member for Lesser Slave Lake and I were just downstairs with them a moment ago taking a photograph in the rotunda. We look forward to seeing you soon. Thank you for rising. Please let's give them the traditional greeting of the Assembly.

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you, Mr. Speaker. It's indeed my pleasure today to introduce to you and through you to this Assembly a group of 25 participants in the oil sands internship program. The oil sands internship program is a 24-month collaboration between Alberta Energy and Environment, and it provides a unique opportunity for young professionals to help contribute to the environmentally sustainable development of Alberta's oil sands resources. The program provides interns with the opportunity to rotate for 12 months each in both the Alberta Department of Energy and the Department of Environment, working alongside seasoned professionals. These young professionals are seated in our members' gallery. I would ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a great privilege today to rise in this Assembly and introduce to you and through you to all members of this Assembly a long-time friend of mine, Calgarian Bill McGregor. Bill has extensive experience working with K to 12 education systems, and he's the chairman of the board of directors for the Foundations for the Future Charter Academy, several locations, of course, being in my constituency of Calgary-Egmont. Bill is a strong proponent of school choice in Alberta. I would ask that every member please join in and give him the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is a great honour to introduce three extraordinary Albertans. Chris Mahoney has been with Enviro's Wilderness School Association for eleven years and is going on her third year as CEO. Kevin Blanchette is the chairman of the Enviro's board and managing partner of Evolve Capital in Calgary. Marty Hoornaert is an Enviro's board member, the VP of policy for Calgary-Lougheed, and a fine lawyer at Hoffman Dorchik in Calgary. I will be doing a member's statement on Enviro's today. In the meantime members might enjoy reading through the pamphlets on their desks that have been provided by Enviro's along with a pen. I would ask people who work miracles every day for Albertans – Chris, Kevin, and Marty – to rise. They're in the public gallery. Please accept the warm wishes of everyone in the Alberta Legislative Assembly.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you, Mr. Speaker. It's my honour and privilege today to rise and introduce to you and through you to all members of the Assembly the acting leader of the Alberta Party, Sue Huff. Sue graduated from the University of Alberta with a BA in drama and has worked for the past two decades in the arts. Sue has worked as an actor, writer, researcher, and director in theatre, film, radio, and television. More recently Sue served as a trustee at the Edmonton public school board. While on the board she was a strong advocate for transparency, accountability, and protecting vulnerable populations. Sue will be the acting leader of the Alberta Party until the end of May, when the party has concluded its leadership race. I look forward to continuing to work with her closely in my new political home. I would ask Sue to rise now – she's in the visitor's gallery – and receive the traditional warm welcome of the Assembly.

### Members' Statements

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

### Irrigation Projects Water Sharing Agreement

**Mr. Jacobs:** Thank you, Mr. Speaker. It is my privilege to rise today to recognize an admirable initiative taken on by the Alberta Irrigation Projects Association, which represents all of Alberta's irrigation districts. This association recently passed a declaration stating that in times of water shortages due to drought the districts assure that within their right to control, they will share water for human use and livestock sustenance.

In 2001, a year of severe drought, the district shared water from their licensed allocations with surrounding communities, industry, and other agricultural operations. The districts realized that in times of such water shortages, human needs come before the need to irrigate crops. The sharing arrangements with the many water users were made possible with the help of Alberta Environment and Alberta Agriculture and Rural Development. All participating licensees shared the burden of reduced water supplies and the benefits of the sharing agreement. All could access only 60 per cent of their licensed allocation.

This spirit of community co-operation among nearly all licensees was recognized with an award from the Irrigation Association, an international organization based in the United States. It is in this spirit of community co-operation that the Alberta Irrigation Projects Association, representing all irrigation districts of Alberta, passed their declaration.

Mr. Speaker, I applaud the irrigation districts for formalizing their willingness to share their water licence allocation with communities and others to make water available for human use and for livestock in times of drought.

Thank you.

**The Speaker:** The hon. Member for Calgary-Currie.

### Physician and Family Support Program Funding

**Mr. Taylor:** Thank you, Mr. Speaker. At the appropriate time this afternoon I will table correspondence I have received from five doctors who live in my constituency expressing deep concern over a proposal to cut funding for the physician and family support program.

Now, I understand that this is a bargaining tool that government and Alberta Health Services are using in their negotiations with the Alberta Medical Association towards a new master agreement. I understand the AMA is not only urging its members to undertake just this kind of letter-writing campaign but is even providing a link to the government website to help its members identify their MLA, and I know that this will probably work out in the end, as collective bargaining sessions usually do, after both sides are finished marking their territory, if you will, and actually get down to the business of reaching a new deal.

1:40

What I don't understand, Mr. Speaker, is why the government would choose to threaten to cut funding to this particular program. It cost \$2.6 million last year. For that it assisted over 1,000 doctors and their families who sought the program's help for their own health-related issues, including addictions and mental health. By comparison if we had, oh, just left those docs to twist in the wind and burn out and quit, \$2.6 million would have replaced maybe a dozen of them. Back in 2006 the estimated cost of replacing one physician was between \$150,000 and \$300,000.

Mr. Speaker, this province has a doctor shortage. One in four Calgarians doesn't have a family doc. I would think we'd want to hang onto the doctors we have and not drive more of them away. Every letter I will table today speaks to the stress that comes from

being a doctor if for no other reason than that you tend to lose some of your patients every year to death and to the role the PFSP has played in keeping those doctors sane and healthy.

Mr. Speaker, I think I speak for most of my constituents and most Albertans when I say that when we need a doctor, we want to know that at that moment the doctor is in better shape than we are.

Thank you.

**The Speaker:** The hon. Member for Calgary-Lougheed.

### Enviros Wilderness School

**Mr. Rodney:** Thank you, Mr. Speaker. It is my pleasure to rise today to acknowledge Enviro Wilderness School Association, which has been strengthening families and their communities in Calgary and area one child at a time for 34 years. In these trying times families experience all types of pressure. Many parents struggle to make ends meet, and children are sometimes left to their own devices. All too often the results are extremely undesirable.

The programs at Enviro offer support and hope to these children and their families as they deal with issues such as neglect, fetal alcohol spectrum disorders, substance abuse, and a myriad of other problems. Through experiential learning at Enviro children and youth build resilience while learning new life skills. The result is stronger young people who make better choices from that point forward. Enviro delivers three program stream services: child and youth, health, and justice. The dedicated and highly trained counsellors support kids and their families to cope with physical and emotional concerns, which offers seamless care and support.

This award-winning, cutting-edge organization is a leader in the human services sector, but it also partners with other support organizations to further strengthen the fabric of Albertan communities by therapeutically engaging the body, mind, and soul of each participant to become fully functioning, contributing members of their family and community.

The work at Enviro enhances and improves the outcomes for the young people who are supported by Albertans through the ministries of Children's Services, Justice, and Health.

Young people form the foundation of Alberta's future, and the excellent programs offered at Enviro ensure that the future will be a bright one for all kids regardless of what challenges they may face.

Mr. Speaker, a number of years ago, when I was honoured to serve as the chair of the Alberta Alcohol and Drug Abuse Commission, I took the opportunity to visit this fine facility, and I can assure you it is absolutely world class. I trust that all members of this Assembly will join me now in congratulating everyone at Enviro for working miracles every day.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Wildrose Alliance Alternative Budget

**Mr. Boutilier:** Thank you, Mr. Speaker. In football when a wide receiver hears footsteps behind him, he usually drops the ball. The knowledge of a potential impact from the oncoming opponent causes him to flinch and mishandle the ball thrown in his direction. On Friday the finance minister dropped a ball of his own, but it wasn't the footsteps of a rushing defensive back that he heard. No. It was the confident march of the Wildrose that caused him to fumble. In a frenzied huff he scrambled together a news conference attacking the Wildrose balanced budget alternative, which is a very sensible plan. The spectacle of a finance minister criticizing and responding to an opposition budget was quite something to

see. In fact, it gave us pleasure to know that we got the government's attention.

Yesterday the government, like an opposition in waiting, asked their questions about our budget, wanting to know the details of how we would stretch out our capital plan from three to four years. We'd be happy to answer their questions, but despite repeated requests from the Wildrose bench this government still refuses to release its secret list of infrastructure projects. Mr. Speaker, Albertans need to see this list so we can start prioritizing between what the government wants and what Albertans' actual needs are. Right now that is a list that is being hidden by a government that claims to be open and transparent.

I don't know what the definitions of openness and transparency are to this government, but let me remind them from the *Webster* dictionary. Openness: exposed to a general view or knowledge existing; carried on without concealment. Transparency: the availability of complete information required on collective decision-making. Mr. Speaker, I suspect this is why the minister heard footsteps on Friday. These are values that the Wildrose support.

**The Speaker:** The hon. Member for Lesser Slave Lake.

#### Northern Saw-whet Owl Monitoring Program

**Ms Calahasen:** Thank you, Mr. Speaker. Adoption of animals and birds is becoming commonplace, and I was lucky to be allowed to adopt a very special owl, the saw-whet, which flies free and proud throughout the province. Weighing in at about two to four ounces, the saw-whet owl uses Lesser Slave Lake as a nesting ground. Organizations such as the Boreal Centre for Bird Conservation have been working hard to help Albertans get to know this tiny, tiny boreal forest resident. Through the northern saw-whet owl monitoring program researchers catch and band the owls, and Albertans then have the ability to adopt them as they so wish. This allows also for the monitoring of long-term population trends. They also record the owls' vital information such as weight and height to allow for even more insight into their demographics and biometrics.

Mr. Speaker, earlier this month the Boreal Centre for Bird Conservation teamed up with Northern Lakes College to offer two free programs to bird lovers all across Alberta. Through an online web conferencing program people were able to ask questions, watch videos, and participate in activities designed to help them learn about the owls and other birds in the Lesser Slave Lake region. A similar online session on spring migration also took place recently.

I am very proud to represent an area of our great province that is rich with wildlife and nature. I'm even more proud that the Boreal Centre for Bird Conservation and Northern Lakes College have developed a program designed to bring these tiny treasures to your doors and to your living rooms all across this province. I encourage all Albertans to get out and learn as much as they can about the many unique species of wildlife found in our province, especially the northern saw-whet owl.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### Melody Singers

**Mr. MacDonald:** Thank you, Mr. Speaker. This February the Southeast Edmonton Seniors Association Melody Singers celebrated their 30th anniversary. Since its humble beginnings this choir has shared the gift of song with the community, taking engagements

at nursing homes, seniors' lodges, and auxiliary hospitals in Edmonton. It is with pleasure that I recognize the Melody Singers' 30-year commitment to choral music this afternoon.

Late in 1980 a notice asking for singers was posted on the bulletin board of the Southeast Edmonton Seniors Association. The first meeting was organized by co-ordinator Anne Zalasky and was attended by just two individuals, Fred Stebner and Muriel Miekke. At their second meeting the group had more than quadrupled in size. At their third meeting, held on February 16, 1981, the group included 14 voices. Membership increased steadily, and by September 1981 the choir had grown to include 26 voices.

With increased membership Fred Stebner found it increasingly difficult to sing and direct at the same time. He was the only bass singer at the time. In October 1981 Ms Vivian Phillips, a former piano teacher and a member of the Richard Eaton Singers, graciously agreed to take over direction of the choir.

The choir made its debut performance during K Days that year at the Parkland nursing home. Dressed in Klondike attire, I'm sure that the choir brightened the day for many of the patients. That first year the choir also participated in the Northgate Lions seniors' choir festival and provided three performances of Christmas carols at the Convention Inn.

The Melody Singers remain an active choir and now includes 38 members. The choir, which meets on Tuesday afternoons, is currently under the directorship of Ann Marshall. The choir performs three Christmas concerts, a spring concert, and they take part in Remembrance Day services annually. The choir will formally celebrate their 30th anniversary at their spring concert, being held this year on May 1.

Thank you.

#### Introduction of Bills

**The Speaker:** The hon. President of the Treasury Board and Minister of Finance and Enterprise.

##### Bill 9

#### Appropriation (Supplementary Supply) Act, 2011

**Mr. Snelgrove:** Thank you, Mr. Speaker. I request leave to introduce Bill 9, the Appropriation (Supplementary Supply) Act, 2011. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly.

[Motion carried; Bill 9 read a first time]

1:50

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Emergency Room Wait Times

**Dr. Swann:** Thank you, Mr. Speaker. Yesterday in the House I raised the troubling issue of emergency wait times and the targets that are not being met. The Premier's response that wait times are down contradicts the acting CEO of Alberta Health Services, who publicly said, I quote: we are not close to meeting performance targets, and we are not confident in where we are today. To the Premier: who are Albertans supposed to believe on such a critical issue, a Premier who apparently relies on Twitter for his ER updates or a CEO who has all but admitted that current management may not be able to meet these targets?

**Mr. Stelmach:** Mr. Speaker, what I said yesterday is that wait times in the ER are improving. Even though all of the very aggressive targets have not been met, I'm not going to punish the health care providers that have to make those decisions on a daily basis, but there is marked improvement in working towards meeting those targets.

**Dr. Swann:** Far from aggressive targets, Mr. Speaker. We have compromised the national targets substantially in Alberta.

How can Albertans have any confidence whatever in this government's ability to manage health care when the CEO of Alberta Health Services is not confident in what they are doing today in the ER?

**Mr. Zwozdesky:** Mr. Speaker, I indicated yesterday to this House that I would bring forward some exact numbers next week, and I will do that. In the meantime let's keep in mind here some of the outstanding progress that is being made in the emergency departments. This member of all members in this House should know how complex health systems are around the world, including this province. In Calgary hospitals, for example, the average that we're looking at here for the number of people waiting for an in-patient bed going from emergency up to acute dropped from 53 to 21 over the last three, four months.

**Dr. Swann:** Four years, Mr. Speaker, we've been asking this government. Four years been looking for leadership on health care, and you have bungled and bungled and bungled it. The Liberals have called for measures like mobilizing health professionals, opening mothballed facilities to address this crisis. When is the Premier going to act on these recommendations?

**Mr. Zwozdesky:** Mr. Speaker, you know what we have in this province? We have the world's first live shoulder cartilage transplant, based at the McCaig institute. We have the most MRI exams per capita in Canada. We have a physician workforce that has grown by 50 per cent in the past decade compared to a national average of 20 per cent. Our nursing workforce has grown by 12 per cent in the past four years whereas nationally it's only 6 per cent. You know why? Because this is a darn good place to practise because we have one of the best health care systems anywhere.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Provincial Budget

**Dr. Swann:** Thank you, Mr. Speaker. This is the fourth deficit budget in a row. The sustainability fund is soon to run dry. The government acts as though they're playing with an endless supply of Monopoly money, and they can just start the game over when they go bankrupt. Folks on the far right say the government has a spending problem. On the far left they say the government has a revenue problem. Alberta Liberals are not afraid to say: this is a management problem. Will the finance minister answer the following: when will the incompetent government stop playing games and throwing money at problems, start following the advice of the Alberta Liberals?

**Mr. Snelgrove:** Mr. Speaker, budgeting is not a game. When we budget in this House for health care, for seniors, for children's services, every single decision we make affects people's lives, not only the jobs of the people that provide it but the people we're providing care for. So I just want to tell the hon. member very

clearly: budgeting may be numbers, but it's about people, and this government cares about people.

**Dr. Swann:** If this government cared about people, it would cut the bloated cabinet from 24 to 17.

Yesterday the Premier outlined that we must "set savings aside," yet this government will have bankrupted the sustainability fund in just another year. Why should Albertans trust this government when you're bankrupting the province and continuing to use this rainy-day fund as a Tory re-election fund?

**Mr. Stelmach:** Mr. Speaker, once again the hon. member doesn't have the facts quite straight. There are two funds that the province has. One is the Alberta heritage savings trust fund, that was set aside a number of years ago. Had we taken all of the windfall that we managed to accumulate during very high oil prices and set all that money in the Alberta heritage savings trust fund, we would have lost 37 per cent of that fund. We were wise. We set it aside in a separate fund, the sustainability fund, which is allowing us to work through one of the deepest recessions without making very severe cuts to Alberta's most vulnerable.

**Dr. Swann:** And don't forget the heritage savings trust fund, that has no more value than when Peter Lougheed left office 20-odd years ago.

Since accurate forecasting has not been this government's strong suit, how can Albertans trust the government to eventually balance the books when all we've seen is red ink and an empty cookie jar that once had \$17 billion in it?

**Mr. Stelmach:** Mr. Speaker, one of the reasons we set aside \$17 billion is to work through one of the most difficult recessions. I want to remind the House and especially the hon. minister that the operations of government are balanced. The amount of deficit is really in the capital grants that go out to municipalities and to health institutions and school boards for the construction of much-needed infrastructure. And we're going to continue to build that infrastructure because now is the best time. We have labour available, costs are down, and I'm not going to delay that infrastructure anymore. Every school that we build is almost full as soon as it opens.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

### Canadian Strategy Group

**Dr. Taft:** Thanks, Mr. Speaker. Yesterday the Minister of Health and Wellness invited the Liberal opposition to communicate directly with Alberta Health Services. Well, Mr. Minister, it's not so simple. Earlier this winter we were working with AHS to arrange a meeting when suddenly all arrangements from their end were being channelled through a company called Canadian Strategy Group, owned by one Hal Danchilla. To the minister: why is AHS arranging its meetings with the opposition through an expensive lobbyist company owned by a Tory crony?

**Mr. Zwozdesky:** I gather the gist of the question is something about having a meeting. You want to have a meeting? Let's go have a meeting. What's the issue?

**Dr. Taft:** You've got to pay more attention than that, Mr. Minister.

**Mr. Zwozdesky:** There's too much yelling over there.



**Dr. Taft:** You weren't paying attention. [interjections] You pipe down and listen.

Given that Mr. Danchilla is a professional lobbyist who is well known to be extremely partisan for the Tory party, will this minister admit that having Mr. Danchilla's company broker meetings between AHS and the opposition is clearly intended to intimidate AHS staff and stifle open communications?

**Mr. Zwozdesky:** Mr. Speaker, I don't know the matter that he's driving at at all. I've offered that if he wants to have a meeting, then let's go have a meeting.

What I can tell this House is that yesterday this hon. member brought up something that he called a law to do with the Alberta Public Agencies Governance Act. He misled the House a little bit, and I thought maybe he would take the opportunity to apologize for that. That act hasn't even been proclaimed yet, so perhaps he should start by correcting himself there, and then we'll move on to this second issue.

**Dr. Taft:** Given that the previous minister of health care, Gary Mar, was politically burned when he inappropriately put a partisan named Kelley Charlebois on the public payroll, will this minister of health take the responsible action and tell Alberta Health Services to terminate their relations with Mr. Danchilla?

**Mr. Zwozdesky:** Mr. Speaker, I regret I'm not informed at all about any such relationship, but if it's one of those matters where this hon. member again wants me to help do his job, I'll be happy to undertake that as well. I did your job for you yesterday; I'll do this one for you today. [interjections]

## 2:00 Provincial Budget Advertisements

**Mr. Anderson:** It's getting hot in here, Mr. Speaker.

This government talks a lot about respect for taxpayers' money, yet their actions speak much louder than their words. On the airwaves right now there are feel-good advertisements being broadcast by this government, promoting a budget they haven't even passed yet. The ads talk about holding the line on spending while making sure that every penny is spent wisely. This is blatant partisan advertising, using taxpayer money to promote a party agenda. To the minister of finance: how much money is this government spending on these PC infomercials?

**Mr. Snelgrove:** We're not spending one cent on a PC infomercial. Mr. Speaker, the government is spending about \$165,000 total to inform Albertans about this budget. It's being spent in the major centres and in the small local newspapers around Alberta, and it's also going through many of the ethnic newspapers in our larger cities. We feel it's important for all Albertans to have an opportunity to understand the budget.

**Mr. Anderson:** That is not good enough for Alberta taxpayers, sir.

Given that we have a \$3.4 billion deficit and given that we have a \$6.1 billion cash shortfall and given that our savings fund will be vaporized by you, sir, within the next two years, will this minister remember what it means to be fiscally responsible, show some leadership, and cancel this egregious abuse of taxpayer dollars for partisan purposes?

**Mr. Snelgrove:** Mr. Speaker, I think he just made my case for spending some money to show Albertans what their budget is about. This budget explains the priorities that we've got, the money that's being spent on the different departments. It also

shows the fact that in good years we set aside a savings account to bridge through cash-flow shortages to better years ahead, and that's exactly what we're doing on their behalf.

**Mr. Anderson:** Then, Mr. Minister, tell me this: if you're giving these advertisements for the public good, why don't those advertisements say that you're running a \$3.4 billion deficit, a \$6.1 billion cash shortfall, with \$115 million spent on new MLA offices? Why don't you be truthful with Albertans for a change and put those in your infomercial, sir?

**Mr. Snelgrove:** Mr. Speaker, one thing that has been agreed upon by this Auditor General, by the previous Auditor General, and by the Canadian accounting institute is that our books from this government are the standard that all provinces try to achieve. They are complicated. A budget document this thick is complicated, and there are many parts to it. We have offered staff from Treasury to try and explain it to some members of the opposition so that they could try and understand accepted accounting principles. Apparently, we're not being too successful.

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

## Wait Times for Cancer Treatment

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday in this House allegations were raised that mismanagement of the health care system caused the unnecessary deaths of cancer patients. Albertans are owed an answer to three questions: (a) was there a significant and disproportionate increase in cancer surgery wait times at any time in the last decade, (b) did people die as a result of waiting too long for crucial cancer surgery, and (c) was there a cover-up? I would like to give the minister of health the opportunity to set the record straight. Will this minister of health provide Albertans with a clear and unequivocal answer to these vital questions?

**Mr. Zwozdesky:** Well, Mr. Speaker, I can't do it all in 30 seconds, but let me just give that hon. member and the rest of Albertans some comfort that people waiting for cancer surgeries, for example, important help with their cancer problem, have been receiving it. In fact, I can tell you right now that according to the Health Quality Council and their report last December there has been no loss of confidence in the system and that 90 per cent of patients were treated within 3.7 weeks for cancer treatment. That's a dramatic change from four or five years ago.

**Mr. Mason:** Mr. Speaker, the minister says that it's a dramatic change from three or four years ago, but it's three or four years ago that we're talking about.

Given that everyone in this House recognizes that the minister of health is very adept at answering questions or not answering them as he sees fit, we have to conclude that he's avoiding giving Albertans a clear and honest answer to very serious allegations. I must ask: what is the minister hiding?

**Mr. Zwozdesky:** Mr. Speaker, what I find interesting is that this member has taken up the cause of furthering even more allegations. It's very unfortunate when a member of this House stands up and uses the protection and the shield of immunity that this House provides and then casts aspersions or casts accusations or allegations against people that they know can't come in here and defend themselves. That is just absolutely wrong.

**Mr. Mason:** Mr. Speaker, given that the minister has failed twice now to answer the questions about whether there was an increase in surgery times a few years ago that caused people to die by waiting too long for surgery and whether or not there was a cover-up and given that I gave him a chance to clear the air, the fact that he's refusing to do so says to me and, I think, says to the people of Alberta that this minister is hiding something. So, Mr. Minister, what are you hiding?

**Mr. Zwodzesky:** Mr. Speaker, I have spoken with the College of Physicians and Surgeons. They deny any of those allegations. They have not heard of anything. I spoke with the Health Quality Council. They have no idea of those accusations. I've spoken with former ministers of health of this Assembly. They have no idea of all of that. As soon as other people who are still on holidays get back here, I'll be quizzing them as well. In the meantime, let's not let these allegations get too far out of hand here, please.

Access is there. A five-year funding plan is there. Outstanding care is being delivered across the province.

**The Speaker:** The hon. Member for Lethbridge-East.

### Political Contributions by Municipal Officials

**Ms Pastoor:** Thank you, Mr. Speaker. Yesterday the Minister of Municipal Affairs noted in this House that a number of other municipalities had to repay taxpayers after submitting personal expense claims for tickets to political events. To the Minister of Municipal Affairs: will he table the names of the other municipalities that had to repay taxpayers for the benefit of all Albertans?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. Just to reiterate what I said yesterday, certainly there are some rules and regulations around the contributions from municipalities to political activities, and those rules are very, very clear. That was reinforced by the Chief Electoral Officer in a letter dated October 1, 2010, to municipalities, that indicated to them that municipalities could not make political contributions nor reimburse an individual for political contributions.

**Ms Pastoor:** Given that the mayor of Rimbey claimed that nothing was done wrong and that if you spend money in the right place, you're going to bring it home, good Lord, and this is a prevalent perception, how is this equality for all Albertans from this PC government?

**Mr. Goudreau:** Mr. Speaker, specifically to the Rimbey issue, the councillors did make some contributions, actually claimed some of the expenses, and upon realizing that they had made a mistake, agreed to pay it back. They realized that that was there, so they paid all of their expenses back to the town of Rimbey.

**Ms Pastoor:** The perception is different than what the minister's answer is. This is the perception out there. Does the minister believe that he should set the record straight for all municipalities by advising them in writing that they should be aware of the sections of the Municipal Government Act that he quoted from yesterday?

**Mr. Goudreau:** Mr. Speaker, that has happened, and certainly as I was indicating in my first response, there was a letter dated October 1, 2010, from the provincial Chief Electoral Officer to all municipalities, all the CEOs of the municipalities, advising them of the rules around political contributions.

**The Speaker:** Hon. Member for Lethbridge-East, you quoted from a document. Would you kindly table it at the appropriate time?

The hon. Member for Calgary-North Hill, followed by the hon. Member for Calgary-Varsity.

### Industrial Energy Efficiency Projects

**Mr. Fawcett:** Thank you, Mr. Speaker. All my questions are to the Minister of the Environment. Yesterday the government participated in the Climate Change and Emissions Management Corporation's announcement of \$27.2 million in funding for industrial energy efficiency projects. This is great news, with six innovative projects being awarded funding. I understand that there was a total of 52 expressions of interest submitted. Can the minister assure this House and all Albertans that these projects were selected and awarded in a fair manner?

**The Speaker:** The hon. minister.

**Mr. Renner:** Thank you, Mr. Speaker. I certainly can give that assurance to this member and to all members of the House. The RFP process is as open and transparent as is humanly possible. As the member indicated, there were 52 expressions of interest. Those were reviewed by an independent board, and a number of projects were selected for full proposal. That independent board, comprised of industry representatives, academia, municipalities as well as public at large, then made the final selection. Then on top of that there is an internal fairness audit as well.

**The Speaker:** The hon. member, please.

2:10

**Mr. Fawcett:** Thank you, Mr. Speaker. To the same minister. I have been told that yesterday's funding announcement adds dollars that were already committed by a corporation in a previous funding announcement. Is this just a PR stunt? When will we finally start seeing real reductions in emissions and steel in the ground on these innovative projects?

**Mr. Renner:** Well, Mr. Speaker, the member is absolutely right. This emissions management corporation has had three different rounds of funding announcements, this being the most recent. My understanding is that projects are expected to begin within the next year and should see real reductions at the source as early as June of 2012.

The projects yesterday alone, Mr. Speaker, will amount to reductions in CO<sub>2</sub> emissions at an estimated 3.2 megatons over the next 10 years, so these are real reductions from a program that is working.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. My final supplemental to the same minister. While I applaud the goals of these investments, some of my constituents are questioning why the government is subsidizing private business projects. How are Albertans going to get value for the dollars being invested in these projects?

**Mr. Renner:** Well, Mr. Speaker, first of all, I need to remind all members that these dollars are dollars that are contributed by business under our compliance mechanisms incorporated into our large emitters legislation, so these are not general revenue tax dollars that fund this program.

Over and above that, Mr. Speaker, I think it's interesting to note that the rate at which the leveraging occurs on these programs is

about 5 to 1, so to date approximately a hundred million dollars have been expended by this board, and that has resulted in about a \$500 million investment.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Decore.

#### Logging in the Castle Special Management Area

**Mr. Chase:** Thank you, Mr. Speaker. The Alberta Liberals have long pressed for the creation of the 1,040 square kilometre Andy Russell I'tai Sah Kòp provincial park in the Castle-Crown area of southern Alberta. To the Minister of Tourism, Parks and Recreation: given that a coalition of 23 tourism and recreation businesses in southern Alberta are cautioning businesses in the sector to be aware of the negative impact of clear-cutting before investing or expanding in the area, has the Minister of Sustainable Resource Development ever discussed the potential impacts of logging in the Castle area with your department?

**Mrs. Ady:** Well, thank you, hon. member. I'm well aware of the fact that there are those groups that have asked for this designation, but as you know, these lands currently sit under Sustainable Resources. Yes, we do have discussions, but as to your question, I would say that the minister for sustainable resources needs to answer it.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. My second question is again to the Minister of Tourism, Parks and Recreation. Will you designate the Castle wilderness as protected within the province's network of protected areas and parks?

**Mrs. Ady:** Well, hon. member, you're also aware of the land-use framework that is at play and that this is one of the pieces that we're looking at. So as that is developed, we will have those opportunities, but until that comes forward and we have that discussion, I think you're a little early.

Thank you.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. We're all aware of the land-use framework being put on hold while business after questionable business takes place, whether it's potatoes or trees. To the Minister of Sustainable Resource Development. Given the tanking value of softwood lumber there is no business case to be made for clear-cut logging in the Castle area. Therefore, how can the minister possibly give clear-cutting a priority over sustainable, economic investment returns?

**Mr. Knight:** You know, Mr. Speaker, it would be interesting, of course, for the member opposite to take a little look at commodity pricing, particularly softwood lumber pricing, over, let's say, a period of the last 12, 14 months because, to start off with, his preamble, which is not supposed to be allowed, actually indicated that the price of softwood lumber is tanking. You know, I would suggest that he goes and takes a look at it. The commodity pricing, actually, for softwood lumber has increased remarkably in the last number of months.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the hon. Member for Calgary-Buffalo.

#### Securities Regulation

**Mrs. Sarich:** Thank you, Mr. Speaker. With the proposed merger between the Toronto and London stock exchanges in the news, securities regulation continues to be a topic of interest across the country. My first question is to the Minister of Finance and Enterprise. Is Alberta still opposed to the idea of a single federal securities regulator?

**The Speaker:** The hon. minister.

**Mr. Snelgrove:** Yes, Mr. Speaker. I can assure you and all Albertans that we remain firmly committed to our opposition to the attempt by the federal government to push their way into provincial jurisdiction. There's no evidence to support the purported need for such a regulator. In fact, we see very tangible proof as we come out of this recession that the system that we have now works. This is clearly a case of: if it's not broken, don't fix it. The passport feature has virtually all of the features that the purported system would have without the need for the radical change they're proposing.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Given that the province of British Columbia, once a supporter of the federal regulator, has recently come out in opposition to this particular issue, can the minister comment on whether this has any benefit or implication for Alberta?

**Mr. Snelgrove:** Well, Mr. Speaker, we obviously appreciate any support for it. In fact, B.C. did support originally, and the head of their securities regulator went to work on a transition team. Since then, B.C. has changed their position to where they feel it is pushing into areas of provincial jurisdiction.

Mr. Speaker, I would take this opportunity to congratulate Christy Clark, the new leader of the B.C. Liberal Party and the next Premier, and to pass on our best wishes. I look forward to working with her on this issue in the future.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. My final supplemental, again to the same minister: what is the level of support across the country for the federal government push to establish a single regulator?

**Mr. Snelgrove:** Well, Mr. Speaker, originally just Alberta and Quebec were out there challenging this proposal. Since then, six provinces have filed opposing briefs with the Supreme Court. Joining Alberta and Quebec are Manitoba, British Columbia, Saskatchewan, and New Brunswick. It only shows that we got it right early, and we have the support of most provinces except Ontario.

#### ESL Program Funding

**Mr. Hehr:** Mr. Speaker, for the past five years Alberta Education has been providing enhanced English as a second language programs for children of refugees, many of whom do not speak a lick of English. In my view, it was a valuable program that provided refugee children with the opportunity to succeed, but this government announced last week that this program will be cut. My question today is for the Minister of Education. Does cutting this program brighten the future prospects of these refugee children?

**Mr. Hancock:** Mr. Speaker, my view would be that it should not. In fact, it's not the program that's being cut; it's the enhanced funding that's being cut. We fund extra to the per-student grant across the province for every student, \$1,155 for ESL funding. The enhanced grant was put in place six years ago, when there was a larger number of refugee and immigrant children coming into the province, and it was believed that we needed to put more resources in to help enhance those programs and learn how to do it better. Over the six years I hope that we have learned how to do it better and that we're now able to provide that kind of programming . . .

**The Speaker:** The hon. member, please.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I just talked to some teachers, and they assured me that more minority and ESL students and refugee students are coming to this province than ever before, so in their view more funding, not less, is needed. Would you agree with their characterization of this funding cut?

**Mr. Hancock:** Well, what you just characterized is that more students are coming; therefore, they need more money. I would assure the hon. member that for every student that comes, there's that \$1,155 grant for ESL funding. It's the enhanced grant that was put in place to help school boards develop better programming and better ways, techniques of dealing with the extra issues related to those particular students, and over the last six years we hope that they actually have enhanced their programming and learned how to do it better. They should be able to serve those students with the . . .

**The Speaker:** The hon. member, please.

**Mr. Hehr:** That enhanced funding was put in the classrooms, and it was used very nicely in the classrooms in support of these children.

I guess that if we're here to investigate what the true cost is, what is the dollar amount that your ministry actually saved by cutting this ESL program?

**Mr. Hancock:** Mr. Speaker, I would be very happy to answer that during estimates, but I think I can probably give him an answer in just a second or two. Approximately \$12,993,347.

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Strathcona.

## 2:20 Affordable Housing in Calgary

**Mr. Cao:** Thank you, Mr. Speaker. My questions are for the Minister of Housing and Urban Affairs. As the MLA for several vibrant inner-city communities I understand the balance between building safe communities and protecting vulnerable Albertans. How can this minister ensure that the communities in my area are not overwhelmed with shelters for the homeless?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. That is a good question. I would put to this member that, in fact, throughout the entire province we have a province-wide responsibility for affordable housing and homelessness and not just in that particular area of the city. We do have some projects there. But every year we make an RFP, and through the RFP we go through a co-ordinated process and ensure that there is not a particular concentration in any particular community. So that is a good question, but we are on this with the scatter-based model of affordable housing.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same minister. Some people believe that society's nonprofit groups cannot compete with private developers in housing grants. How can the minister ensure that the changing needs of seniors are reflected in the grant proposal and that they are not simply reflecting the wishes of the private developers?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. The member does bring up a point again about the need for a changing housing policy. We do that every year. Private developers, nonprofits, municipalities: everybody is treated equally, and we go on a merit basis on the basis that the taxpayers' dollar is paramount. Last year we were able to get our cost per unit down to \$97,500 because of using this open and competitive tendering process.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same minister: what assurance can I give people looking to develop more housing for seniors in Calgary's inner city?

**Mr. Denis:** Again, we will be having an RFP actually this year as we move closer to the goal of 11,000 affordable housing units by 2012. But, as always, the number one priority is the taxpayer, Mr. Speaker, and we'll continue on with that process.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Gold Bar.

## Oil Sands Reclamation

**Ms Notley:** Thank you, Mr. Speaker. Yesterday the Minister of Environment tried to explain his failure to consult with the public before adopting a sweetheart reclamation security deal with the oil industry. The minister said that the issue was "very complex." Well, Mr. Speaker, it's not complex. Albertans stand to be on the hook for billions, and Albertans deserve to be heard on this issue. Will the minister apologize to Albertans for his condescension and admit that they have a right to be heard?

**Mr. Renner:** Well, Mr. Speaker, I stand by my comments yesterday. This is an issue that requires a significant amount of policy development. That has been ongoing for the past two years. At the end of the day Albertans make their wishes very well known to this minister and to every other minister, and I appreciate that comment. But this is not the kind of an issue that would entail a broad-based public consultation.

**Ms Notley:** Well, Mr. Speaker, given that the lobbyist registry shows that, among others, Syncrude and Teck Resources were consulted on the new plan and given that the same registry shows no record of consultation with community groups, environmental groups, municipalities, taxpayers, will this minister rethink what he just said and correct this shameful consultation record and commit to scrapping the program until after he receives input from a broad range of Alberta's citizens?

**Mr. Renner:** Well, my understanding of the rationale and the reason that we have a lobbyist registry is so that unsolicited lobbying that is done in this place and has been done for decades is done with transparency and in the open. When we as a government request input from someone, it shouldn't matter whether or

not they are listed as a lobbyist. The fact of the matter is that we have to have input from the industry that we are regulating. It's done on a daily, regular basis. It has to take place, Mr. Speaker.

**Ms Notley:** You need input from all Albertans, Mr. Minister.

Now, given that the Royal Society stated in December that "current practices for obtaining financial security for reclamation liability leave Albertans vulnerable to major financial risks" and given that your new plan will reduce what it's collecting over the next 10 years, why won't you admit that your government's capitulation to the oil industry once again behind closed doors is a mistake and that you've sold out Albertans one more time?

**Mr. Renner:** Mr. Speaker, the member asks me why I won't admit that we have done something. Why won't this member admit that she is misrepresenting the facts in this case? The fact is that we are increasing the amount of security over the period and the life of the mine significantly. That member knows perfectly well that that's the case.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Lougheed.

### Provincial Borrowing

**Mr. MacDonald:** Thank you, Mr. Speaker. Over the next three fiscal years the government plans to borrow directly over \$3 billion for the Alberta Treasury Branches. Why is the government doing this now?

**Mr. Snelgrove:** Well, Mr. Speaker, because we have historically low interest rates, and with our triple-A credit rating we are able to borrow money for periods of time; for example, one five-year term at less than 3 per cent. This money is going to be used if we need to continue to invest in Alberta infrastructure. It's taking a cash asset and making a solid asset: a road, a school, a hospital. It's the right time to borrow. It's smart use of debt.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister. I thought we were out of the business of being in business. This has to do with the \$3 billion that you plan to borrow in the next three years for the Alberta Treasury Branches. It has nothing to do with infrastructure. Again, where will the government of Alberta place this \$3 billion liability on its books?

**Mr. Snelgrove:** Mr. Speaker, the money that we have borrowed is in our books now. We have voted authority to borrow more this year. We may proceed to the market. It's not borrowed from the Treasury Branches or deposited to the Treasury Branches. It's deposited into our sustainability fund after it's borrowed, and it's shown exactly in our budget.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. I'm disappointed the minister doesn't understand the question.

Now, why are Alberta taxpayers taking on this \$3 billion liability for what is supposedly a Crown corporation that's independent and separate from this government?

**Mr. Snelgrove:** Mr. Speaker, the borrowing has nothing to do with the Treasury Branches. I understood the question; you didn't understand it. It has nothing to do with the Treasury Branches whatsoever.

**The Speaker:** The hon. Member for Calgary-Lougheed, followed by the hon. Member for Calgary-Glenmore.

### Film and Television Tax Credit

**Mr. Rodney:** Thank you, Mr. Speaker. Alberta's film, television, and digital media industries are invaluable to our province. However, I've heard from a number of constituents in the industry over time, and they're not working right now. They say that Alberta is not as competitive as other provinces and states. Other jurisdictions utilize tax credit models that entice and attract production and investment. My questions are for the Minister of Culture and Community Spirit. Can he please clarify why Alberta does not have a film tax credit like everyone else?

**Mr. Blackett:** Well, Mr. Speaker, the reason that Alberta didn't have a tax credit is that when we looked at it first a couple of years ago, most jurisdictions were in a race to the bottom. You've got jurisdictions like Michigan and New Mexico right now who are reducing or looking at eliminating their tax credits because they can't afford them. However, through our film advisory group with our commissioners, our unions and guilds, and our producers we are looking at a cultural industry tax credit that will give an incentive for private individuals and companies to invest in those productions, and we're continuing to work on that model.

**Mr. Rodney:** My next question is to the same minister. What sort of homework has your department done to ensure that despite utilizing a different model, Alberta is still competitive in this industry? Where do we stack up?

**Mr. Blackett:** Well, Mr. Speaker, I was just down in Los Angeles about five weeks ago and asked the financial representatives for companies like both Disney and Warner Bros., and they told us that we are competitive with the tax incentive that we have, the Alberta multimedia development fund. We pay out cash, which they like, we pay it out two months after production is completed, which they like, we have the money in the bank, unlike other jurisdictions, and we can guarantee that they'll get paid. They tell us that for productions under \$30 million we're competitive with every jurisdiction in North America.

**Mr. Rodney:** My final question is to the same minister. Can he please explain what the return on investment for this trip was? Can he share with our friends in the industry what new and specific project deals were made as a result of the trip?

**Mr. Blackett:** Well, Mr. Speaker, because of contract negotiations I can't release the specific details until those contracts are signed. The information will be released by either the studios or those producers. But I can tell you that we learned some valuable things. One, as a jurisdiction the Canadian dollar doesn't matter anymore. There's no discount. We all have to be competitive based on our merits, so based on our quality of productions, based on our crew, based on our locations, and based on the availability of talent we have in our province.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Strathcona.

### Capital Budget

**Mr. Hinman:** Thank you, Mr. Speaker. The fearmongering and failed leadership of this government continue. Instead of taking

responsibility for their record deficits, the finance minister lashes out at anyone who proposes a credible solution. Capital spending in this province is out of control. It is 50 per cent higher than any other province, and this is unsustainable. In a few years the province's savings will be vaporized. To the minister of finance: will he explain how his capital spending program is sustainable at this high level for the next ten years?

2:30

**Mr. Snelgrove:** Mr. Speaker, we have a capital strategy. It's a 20-year strategy that lays out for Albertans what we're going to need to enable business to grow and for the people that deliver on our behalf education and health, the schools and the hospitals. We have a three-year funded capital plan right now because we have money in the bank. Unfortunately for the opposition there, the future looks very bright in Alberta. While we are spending at a rate one and a half times other provinces, we have a very, very growing population. We have a growing economy. We have a bright future in spite of how they'd like to look at it. These projects need to be completed. The ring road, the south Calgary hospital, the south Calgary ring road: they're all important to Albertans.

**Mr. Hinman:** Mr. Speaker, were his fingers crossed while he was trying to answer that one?

Given that this government has committed to a five-year stable funding in health care but not for capital spending, only three years, where projects take decades to develop, and given that this lack of stable planning earlier in the decade created a yoyo effect, which decimated the construction industry in 2003 and then fuelled an inflation that followed, will the minister stop fuelling the boom-and-bust cycles in construction and commit to a sustainable, transparent . . .

**Mr. Snelgrove:** Mr. Speaker, what we are committed to is a responsible capital plan that addresses the immediate and the long-term needs of the province of Alberta. We do it in all aspects of health care, of education, for seniors, the infrastructure we need for the roads. It's laid out in the plan. It is supported by our 20-year strategic plan, it's supported by cash in the bank, and it's supported by Albertans.

**Mr. Hinman:** It's being supported by a hundred thousand dollars plus campaign. The adage about whether you say you can or you can't applies here.

Given that the minister has now had a weekend to look at the Wildrose balanced budget alternative, which balances increases to core social programs with cuts to wasteful pet projects and slight extensions to the capital plan to erase the deficit this year, will he accept our invitation to sit down with our finance critic on ways to reduce the deficit?

**Mr. Snelgrove:** I'm not sure whether it's unfortunate or fortunate. I couldn't hear all of the question because of some of the noise, and that probably was fortunate.

We consulted with Albertans who have a positive outlook on Alberta on an ongoing basis. We probably consulted with over a hundred groups last year. What I would like to point out in an irrelevant way: you replaced all the bulbs in the roof, Mr. Speaker, but some are still burnt out there.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Calgary-McCall.

## Provincial Fees

**Mr. Quest:** Thank you, Mr. Speaker. When the government announced its new budget, it included an increase in motor vehicle licensing and registration as well as land titles and corporate registry fees. There seems to be some confusion in what's included and when it takes effect. To the Minister of Service Alberta: can you make it clear what this increase includes and when it will take effect?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm happy to clear up some of the confusion on the fee increases. Effective April 1, 2011, vehicle licences and registrations as well as various land titles and corporate registry fees will increase. Even with this increase Alberta will be very competitive with other parts of Canada. For example, registering your car in Alberta is still 16 per cent below the national average.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Second question to the same minister: why do these fees have to go up at all?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The last time these fees were raised was in 2002, approximately nine years ago. The cost of doing business has steadily increased with salaries, systems development, and maintenance costs. Service Alberta has been covering these costs, but we need to move into a cost-recovery footing for now and for the future. We needed to increase these fees to better reflect the cost of providing these services to Albertans.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Final question to the same minister: do these fee increases also affect the registration of commercial vehicles? What about nonprofit societies?

**Mrs. Klimchuk:** Mr. Speaker, I'm pleased to report that commercial vehicle registrations and the not-for-profit sector in Alberta will not be impacted by the changes announced in the budget, despite what some have said. Alberta continues to have some of the most competitive fees in the country.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Mackay.

## Homelessness Initiative

**Mr. Kang:** Thank you, Mr. Speaker. This year the Calgary Homeless Foundation will lead a project to track homeless people. Yesterday the minister of housing defended the electronic tracking system, and he assured this House that the foundation will be required by law to protect the privacy of homeless people who seek help. Unfortunately, the minister was wrong. To the minister of housing: the Calgary Homeless Foundation is not subject to any privacy laws, so how can the minister claim that the homeless will have any privacy protection?

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. Unfortunately, the Member for Calgary-McCall is the one who is mistaken here. Subsequent to his question yesterday I called my deputy minister, who has confirmed that the Calgary Homeless Foundation has a contract with us, in fact, that requires them to abide by government privacy legislation. People's privacy is protected in my department.

**Mr. Kang:** Mr. Speaker, the Privacy Commissioner does not protect the homeless shelters. Given that none of the nonprofit homeless shelters tracking individuals are subject to any privacy laws, can the minister explain what a homeless person could do about a breach of privacy?

**Mr. Denis:** Mr. Speaker, once again, as I mentioned yesterday, we do not fund this particular collection of information by the Calgary Homeless Foundation. As a result of getting funded with us, they have signed a contract, and everybody whose information is collected in that has full and accurate information protection, as they would under any other registration. Period.

**Mr. Kang:** You're still not answering my question.

Given that the electronic surveillance will discourage homeless people from seeking services, is the government's plan to end homelessness actually a plan to drive homeless people away?

**Mr. Denis:** Mr. Speaker, nothing could be further from the truth. We are being successful in our plan to end homelessness. Our shelter usage is down, and our costs are down 36 per cent. On top of that, homeless people that I've met tell me that they have the best services that they actually have had over the last couple of years because of our 10-year plan to end homelessness. I'm offended that this member goes and maligns this program in this House. Shame on him.

**The Speaker:** The hon. Member for Calgary-Mackay.

### Charter Schools

**Ms Woo-Paw:** Thank you, Mr. Speaker. Alberta students have diverse needs, and charter schools provide an education which responds to the needs of about 7,500 students in our province. Some of the students reside in my constituency of Calgary-Mackay. One of the requirements for charter schools is that they must have their contracts renewed every five years. All my questions are to the Minister of Education. What importance does the minister and your ministry place on charter schools, an educational system that's unique to this province?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Over the last 15 years I think charter schools have played a very important role in the province. Their original *raison d'être* was to provide choice and to be innovative in the delivery of educational programs, and they've done that. The charter schools have a couple of concerns that they've asked us to deal with, and we intend to deal with those concerns. One of the major concerns is that instead of having a five-year renewable charter, they get some manner of permanence. We're currently examining how we can do that and still maintain the *raison d'être* of choice and innovation and being leading edge in education in the province.

**The Speaker:** The hon. member.

**Ms Woo-Paw:** Thank you, Mr. Speaker. The Minister of Education recently concluded an online survey directed at charter school parents and educators. What can the minister tell us about the information being collected from these surveys, and how will this change charter schools from their present form?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. We have had an ongoing consultation with Albertans in engaging Albertans in a discussion about Inspiring Education. This discussion paper around charter schools is one more step in that process of involving not just charter schools in the discussion but the broader base of education stakeholders and the community in a discussion about the importance of charter schools and what the parameters for charter schools operating in the future might be. We started that consultation based on a paper that was produced which talked about research and innovation, so the consultation was framed around that, but it's a broader consultation based on the role and function of charter schools in the broader education system.

2:40

**Ms Woo-Paw:** My constituents who have children enrolled in charter schools have expressed a concern that these facilities will move toward a more research-based system, thereby turning their children's classroom into an educational laboratory. What sort of research is being conducted in these classrooms, and how does it differ from that compiled in public school classrooms at present?

**Mr. Hancock:** Well, Mr. Speaker, research is always important, and data gathering is important. We have research that we apply to the classrooms, and we take the application from the classrooms and put it into research. It's an important function in both charter schools and public schools. We talked earlier about the AISI program and the need to do research and apply it in classroom settings to improve our education system. One of the *raisons d'être* of a charter school was to be innovative. It makes sense that we would follow that innovation, discover what is done to enhance the educational opportunities for those students, learn from it, and help translate that into the broader public system.

**The Speaker:** Hon. members, 18 members were recognized today. There were 108 questions and answers.

### Statement by the Speaker

#### Oral Questions

**The Speaker:** Before we move on to the next order of business, though, this being day 5, I'm sort of thinking to myself that maybe some very bad habits are being developed in the Assembly. I would just like to refer members once again to that section of *Beauchesne* that deals with oral questions. I'd just like to put into the record again some of the basic guidelines that we use. These are dealing with questions in the Oral Question Period.

- (1) It must be a question, not an expression of an opinion, representation, argumentation, nor debate.

There were 18 sets today. You can go through them and do your own homework a little later this afternoon and see how many would violate that one.

- (2) The question must be brief. A preamble need not exceed one carefully drawn sentence. A long preamble on a long question takes an unfair share of time and provokes the same sort of reply. A supplementary question should need no preamble.

In addition to that, I have sworn documents, signed, saying that nobody will violate the preamble principles. Signed, again. Signatures there. Words have to mean something.

(3) The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations.

(4) It ought to be on an important matter, and not be frivolous.

(5) The matter ought to be of some urgency. There must be some present value in seeking the information during the Question Period rather than through the Order Paper or through correspondence with the Minister or the department.

There are a whole series of others in addition to that.

Please, got some time later today, this afternoon? Just check out *Beauchesne* to see exactly what these guidelines are because you don't want to drive all the people away from the galleries. There are only three left today after only one hour and 12 minutes. We started off with packed galleries. Obviously, these people have other things on their agenda, or they're not impressed with what they see happening.

Let's please proceed now.

**Ms Blakeman:** Mr. Speaker, point of order.

**The Speaker:** Point of order?

#### Point of Order

#### Answers to Oral Questions

**Ms Blakeman:** Yes, sir, under 13(2). Thank you very much for the reminder. I'm sure that it's very valuable to everyone in this House. I'm just wondering if there's any citation that is able to be used to require an answer to the question?

**The Speaker:** The hon. member knows full well that there isn't. There are many citations, and they basically say: this is called Oral Question Period. I've stated time and time again that it's not called oral answer period. There are many, many citations with respect to answers, but we're talking about the Oral Question Period.

**Ms Blakeman:** What a shame. Thank you, Mr. Speaker.

**The Speaker:** Hon. member, this tradition has evolved over a thousand years. So shame on all those people for 1,000 years of development of this parliamentary democratic principle.

#### Introduction of Bills

(continued)

**The Speaker:** We're back to the Routine. I'll now recognize the hon. Minister of Sustainable Resource Development.

#### Bill 10

#### Alberta Land Stewardship Amendment Act, 2011

**Mr. Knight:** Thank you very much, Mr. Speaker. I request leave to introduce Bill 10, Alberta Land Stewardship Amendment Act, 2011. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Mr. Speaker, two years ago the government embarked on a regional planning process for the province to plan for the future needs of Albertans and manage our growth responsibly. We have worked forward with those plans. There has been some suggestion, as I've travelled Alberta and we've worked on moving forward with the planning process, that Albertans had some con-

cern relative to the legislation that, in fact, is going to provide support for those very much needed regional plans. This bill, the amendment act for the Land Stewardship Act, is a piece of legislation that will address, I think, the majority of Albertans' concerns that I've heard over the past period of time.

[Motion carried; Bill 10 read a first time]

#### Tabling Returns and Reports

**The Speaker:** Hon. Member for Lethbridge-East, did you have a tabling as a follow-up to your question?

**Ms Pastoor:** Yes. Not a report, just tablings.

**The Speaker:** Tablings, yes.

**Ms Pastoor:** Thank you, Mr. Speaker. I have four tablings, with the five copies required, from persons who are very upset about the clear-cutting in the Castle special management place: Jacques Thouin from Pincher Creek, Torey McLeish from Calgary, Cliff Wallis from Calgary, and Susanne Rautio from Victoria, B.C. This is not just a southern Alberta issue. It is for all who tour and recreate in this area.

**The Speaker:** Hon. Member for Lethbridge-East, I asked you to table a document as a result of a citation. Do you have that ready?

**Ms Pastoor:** No.

**The Speaker:** You'll have it tomorrow?

**Ms Pastoor:** Yes.

**The Speaker:** Thank you.  
Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you, Mr. Speaker, and I'll make sure she has it tomorrow.

I have a document that I would like to table which references questions I asked the hon. minister of finance today. This document, Provincial Budget Briefs, is from CIBC. It was put out on February 24, and it indicates – and I'm going to quote – that “in the new fiscal year, the Government of Alberta will start borrowing on behalf of . . . Alberta Treasury Branches.”

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I'm tabling e-mails from the following individuals who are seeking the preservation of the Castle wilderness, many of whom have personally visited the Castle and all of whom believe clear-cutting will damage the ecology, watershed, wildlife, and natural species and must be prohibited at all costs: Lindsey Wallis, Lisa Richards, Margaret Lewis-MacDonald, Kevin Brygidyr, Patricia Thomas, Megan McRae, Adam Beach, Nicole Chaplain-Pearman, Randy Montgomery, Jacques Thouin, Tracey Ferguson, Patrick Mahaffey, Hal Pashler, Allison Hill, Sally Roenisch, Chantal Pattenden, Ken Goble, Dan Ramunno, Sharon Neal, Zanita Lukezych, Helene Walsh, Heather Hood, Patricia Guest, Judith Blakeley, Steve McCabe, Jacquie Barnaby, Carmel Euwen, Cheryl Thomas, Claudia Rustenburg, Chris Wex, Richard Leckenby, Robert Hii, Karsten Heuer, Jeannette (Tenhaaf) Thomas, Andrew Pike, Piumi Abeynayaka, Jenn Chic, Simone Monckton, Robert and Brandi Wright, Sean Kubara, Gordon McLeod, Bill Taylor, Maureen



Raymond, Marcus Peterson, H. Buckmaster, Bonnie Mullin, Jody Overduin, Dr. Pat Brennan, Monika Schaefer, and Andrew Mott.

Thank you, Mr. Speaker. I have several hundred more e-mails I will be tabling.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you, Mr. Speaker. I'm tabling today five copies each of five different letters or e-mails from Dr. Alixe Howlett, Dr. Julia Carter, Dr. Catherine Heimbach, Dr. Nicola Watkins, and Dr. Brendan Vaughan, all concerning the possible ending of funding for the physician and family support program.

Thank you very much.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. In my speech yesterday in private members' bills I referred to two documents from the southern Alberta organ and tissue donation program, and they show that in the last year of all the possible organ donors, the end-of-life care, all 100 per cent of their families were approached by HOPE to consent to organ donation.

The second document shows that the families of all, 100 per cent of them – 100 per cent of them – for the last year consented to the donation. Albertans are doing the right thing. One hundred per cent of possible organ donations in southern Alberta were donated.

2:50

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk: on behalf of the hon. Mr. Snelgrove, Minister of Finance and Enterprise, pursuant to the provincial judges and masters in chambers registered and unregistered pension plans regulation the provincial judges and masters in chambers registered and unregistered pension plans annual reports for the years ended March 31, 2009, and March 31, 2010.

### Calendar of Special Events

**The Speaker:** Hon. members, before I call Orders of the Day, it being March 1 of the year 2011, I should draw to the attention of all members the significance of the month of March and dates within the month of March. We will be recognizing some of them over the next number of days.

First of all, March is Liver Health Month, National Colorectal Cancer Month, Kidney Health Month, Nutrition Month, National Social Work Month, Red Cross Month, Fraud Prevention Month, Youth Science Month, National Engineering and Geoscience Month.

Now, there are a number of events. Today, March 1, is Self-injury Awareness Day. March 3 is Mahashivaratri, night of worship to Shiva, for people who follow the Hindu persuasion. March 4 is World Day of Prayer, with the focus country in the world this year being Chile. March 4 to 20 is Les Rendez-vous de la Francophonie. March 5 to 13 is the Tim Hortons Brier from London, Ontario. March 6 is International Children's Day of Broadcasting. March 6 to 12 is Pharmacy Awareness Week, as it is International Women's Week, as it is World Glaucoma Week. March 8 is International Women's Day. March 8 is also Shrove Tuesday and Mardi Gras. March 9 is Ash Wednesday. March 9 to 13 is Canadian Music Week. March 10 is World Kidney Day. March 11 is National Aboriginal Achievement Awards Day. On March 13 daylight saving time begins.

March 13 to 19 is Canadian Agriculture Safety Week; March 14, Commonwealth Day; March 14 to 20, Brain Awareness Week; March 15, World Social Work Day. March 15 is also World Consumer Rights Day. March 17, of course, is St. Patrick's Day. March 20 is Purim, the Jewish observance which begins on the evening of March 19. March 20 is the Journée internationale de la Francophonie. March 20 is French Language Day at the United Nations. March 20 is Holi; the Hindu spring festival begins. March 20 is the vernal equinox, or the spring equinox. March 20 is Sun-Earth Day, as it is World Storytelling Day.

March 21 is the International Day for the Elimination of Racial Discrimination, as it is World Poetry Day. March 21 is also the International Day of Nowruz. This is a Persian festival and means "new day." This is a 3,000-year old festival. March 21 to 27 is the Week of Solidarity with the Peoples Struggling against Racism and Racial Discrimination, as it also is World Salt Awareness Week. March 22 is World Water Day. March 23 is World Meteorological Day. March 24 is World Tuberculosis Day. March 24 is also the International Day for the Right to the Truth Concerning Gross Human Rights Violations and for the Dignity of Victims. March 25 is the International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade. March 26 is Purple Day, a global day for epilepsy awareness. March 26 at 8:30 p.m. is Earth Hour. March 27 is World Theatre Day. March 28 to April 24 is Easter Seals Paper Egg Campaign. The Northlands Farm and Ranch Show will be in Edmonton from March 31 to April 2.

### Orders of the Day

#### Government Motions

#### Provincial Fiscal Policies

8. Mr. Snelgrove moved:  
Be it resolved that the Legislative Assembly approve in general the business plans and fiscal policies of the government.

[Adjourned debate February 24: Ms Pastoor]

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you. It's an honour and a pleasure to rise in the House and respond to the budget. It's easy to see a budget as nothing more than a balance sheet, a set of numbers, expenses on one side, revenues on the other. A balanced budget is good, a surplus budget even better, and a deficit budget means trouble, eventually debt.

A government's budget is in a very real sense a moral document, a public trust. It's an expression of a government's priorities. It represents moral choices: we will take more from this group, less from that, support this group but not that group; we will invest here; we won't invest there. Every decision the government makes about its budget has a tremendous impact on real Albertans, Albertans from all walks of life and all corners of the province. The essential goal of a budget is to reflect the people's values and to use their money for the long-term well-being of people, the province, and the land.

I'm glad to see that the government did attempt to follow the Official Opposition's advice to support core people programs – health care, education, social services – but this budget does nothing to support our long-term prosperity, nor does it cut wasteful spending so that core programs can be strengthened not just this year but in perpetuity.

This government has a spending problem and a revenue problem. But the larger truth: this government has a management

problem. This is the fourth deficit budget in a row. The sustainability fund will soon run dry. This government acts as though they're playing with an endless supply of Monopoly money and that they can just start the game over when they go bankrupt. No, this isn't a game, Mr. Speaker.

Alberta Liberals believe in stable funding for core people programs, including health, education, and social services for our most vulnerable, essential public institutions and services that Albertans value tremendously. They protect health and enhance Alberta's productivity and long-term prosperity. We're not playing with Monopoly money here. You can't just start another game when you go bankrupt. Alberta needs a common-sense, Alberta Liberal approach to budgeting, and we have proposed common-sense alternatives that would save taxpayers 1 and a half billion dollars.

Out of 83 MLAs, 24, more than one-quarter, hold cabinet positions. We don't need a cabinet this large. Seventeen ministries could cover the most important bases, saving Albertans roughly \$40 million. Not only does this save millions of dollars; it would also show leadership. It would show that the ruling party is willing to make real sacrifice for the greater good.

We'd also eliminate departmental funding for MLA policy committees, eliminate the Public Affairs Bureau, which spends time and public money promoting this Tory mismanagement and frivolous public relations nonsense such as Your Alberta Online, and the branding initiative or the blatant greenwashing that tries to fight a propaganda war when we should be fighting to protect our environment. No wonder government communications are so often mocked by the media.

Government waste like the \$30,000 copying machine that arrived in my office last year or the new computer that I receive every two years whether mine is having problems or not, the waste on government travel, hospitality, spending on external consultants: all of these can be significantly trimmed. An Alberta Liberal government would do so. We would also scale back our investment in carbon capture and storage. We'd stop pouring tens of millions of taxpayer dollars into rich men's hobbies like horse racing and private golf courses. We'd spread out the spending on capital projects over a longer period of time. All told, our common-sense budget would save taxpayers a billion and a half dollars while protecting people programs that Albertans value most.

While the Official Opposition is dismayed that the government failed to cut wasteful spending, we don't object in principle to the general thrust of the budget. Before the budget was delivered, Alberta Liberals called for this government to protect people programs, and with some notable exceptions the government followed our advice, at least for the short term. But let's have a look at some specific portfolios to see where the government could have done better.

3:00

Health spending is about where it should be, and I give the government kudos for that. How it's being spent has some serious questions. About two-thirds of Albertans understand that the crisis in emergency room wait times isn't one of funding; it's a crisis of poor management. You've experimented with health delivery at a massive financial and human cost, built hospitals and clinics without operational funding or front-line health care professionals to run them. You've disbanded the Mental Health Board, AADAC, and the Alberta Cancer Board, replacing them with a centralized bureaucracy that cannot possibly manage the delivery of the vast array of services efficiently, overspending by more than a billion dollars in the transition. Wait times are not getting better, and as

the emergency room and long-term care crisis continues, this government simply rolls out ad hoc solutions to put out each political fire as it springs up. That's not a recipe for long-term success, Mr. Speaker.

The Official Opposition is pleased that funding for AISH, PDD, and Alberta seniors' benefit was not cut, but still an increasing number of Albertans depend on these programs, albeit people who continue well below the poverty line. This month several organizations supporting people with disabilities challenged us as elected representatives to try to live for a month on \$1,180. I know I couldn't, Mr. Speaker. It's rank hypocrisy to index our generous salaries but not our most vulnerable citizens' monthly stipend.

What will it take for this government to realize that vulnerable people living in poverty are much more likely to have mental and physical health problems – addictions, criminal activity, and encounters with violence – eventually costing our public institutions and our communities much more? That's on top of the tragic loss of human potential.

It remains to be seen whether or not the small increase in the seniors' budget will meet rising demand. It's also worth noting that the people who rely on PDD funding are still waiting – still waiting – for the administrative review of last year, which will tell them whether or not their programs will continue. Mr. Speaker, I implore this government to speed up this review so that vulnerable people are not left hanging.

The education budget remains basically static. That's better than cuts, but it doesn't really address the needs set out by this government, who deliver fine rhetoric about transforming the system for a 21st century. Let's face it. This government can barely meet its current obligations to the system, never mind transforming it. Despite reassurances from government, there's no way that this budget can fund new school infrastructure even in towns with major space crunches like Airdrie and Beaumont.

The situation is still more troubling when it comes to advanced education. This is the future of Alberta we're talking about and the key to economic diversity, social progress, and environmental stewardship for the 21st century. Postsecondary students barely rated a mention in the throne speech. Compare that to five years ago, when this same government promised students they would make Alberta's postsecondary tuition costs the most affordable in the country, that there would be enough university or technical spaces for everyone who wanted them. Those promises are long broken, and grants and bursaries have been slashed. To make matters worse, you've suspended the matching grants for the access to the future, hurting our colleges and universities and directly impacting students and alumni who want to donate to their old schools.

Unemployment is still a major concern for Albertans. The economic recovery remains fragile despite this government's wishful predictions, and unemployment was only recently at historic highs for this province. Under these circumstances we have a responsibility to help Albertans who have lost their jobs and are looking for work. But this budget actually reduces income supports for those Albertans. How are they supposed to make ends meet? The budget for retraining and employment programs has been slashed, and now it's harder than ever for young workers entering the job market to find employment thanks to the elimination of an entire program devoted to making that task easier. This indicates that the government is seriously out of touch with the concerns of working Albertans.

Environment and Sustainable Resource Development are crucial departments that need sustainable funding in order to fight climate change and protect air, land, water, and wildlife. Based on the budget for Sustainable Resource Development it seems clear

that this government has given up any plans to complete the South Saskatchewan regional plan by the end of this year.

You've done little to encourage diversification in our energy production. You can't sequester all the carbon Alberta emits. We need reductions in emissions. We can't even tell if we're making progress on the environmental protection front if we don't have properly funded, independent monitoring systems in place, which we don't, as well as the resources to identify violations and impose fines on those that violate our standards.

The lack of commitment to our environment has become an international embarrassment, risking the well-being of our primary industry and every Albertan. A clean environment is crucial to human health. This government clearly doesn't understand or believe that properly protecting the environment would help us protect long-term business sustainability as well as public health. This is a vital investment.

Perhaps the most troubling cut is the one to Housing and Urban Affairs. Just when homeless numbers were starting to improve a little, you slashed program spending in this vital area by \$90 million. When combined with last year's cuts, this department has seen a 36 per cent decrease in funding, or \$210 million, in just two years. This government has a stated policy of ending homelessness in 10 years, and that target can't possibly be met with these kinds of cuts.

Finally, Mr. Speaker, this government shows its true colours when it comes to raising revenues through user fees. I have no problem with people paying for discretionary services they receive, but massive increases in registry fees are nothing more than a \$157 million tax grab, one that affects every Albertan. These increases, some of them over 150 per cent over last year, will have a serious impact on the working poor and the middle class, yet this government chooses to transform what should have been a one-time subsidy, the drilling stimulus, into a permanent feature of the royalty framework, robbing Albertans of hundreds of millions of dollars in royalties. Last year ending March 31, at a time of high oil prices and record profits, this government gave back to the industry \$1.7 billion, double what the government was anticipated to pay out. This contrast in priorities surely reveals the character of this government. I have met oil executives who are embarrassed by this government's lack of responsible leadership.

There's a right and a wrong in this world, Mr. Speaker, and the distinction is not very difficult to make. Responsible leaders must not ignore the moral dimensions of the budgets they create. The moral choices of this government will create hardship for many of our most vulnerable citizens, including children, 70,000 of whom are at risk for malnutrition, poor school achievement, and other preventable problems. Failing these children and other vulnerable Albertans will have a tremendous negative impact on our province and its people if we don't start planning for the future immediately.

Albertans shouldn't have to choose between Tory incompetence and extremist positions of the parties at the fringes of the political spectrum. In fact, we don't have to choose between the Tories, who cut the wrong things; the New Democrats, who'd cut nothing; and the Wildrose Alliance, who would cut everything. There's another choice: the Alberta Liberals, the only party with common-sense solutions that work for Albertans.

Thank you, Mr. Speaker.

3:10

**The Speaker:** Hon. members, 29(2)(a) is available. Hon. Member for Edmonton-Strathcona, are you on 29(2)(a)?

**Ms Notley:** Yes. Under 29(2)(a) I'm wondering if the Leader of the Official Opposition could comment on a recent report released by the parliamentary financial officer, who actually identified the fact that over the last 25 years the governments across the country that were most likely to balance their budgets were New Democrat governments as opposed to Conservative governments, that were quite close after that, and Liberal governments, that were the farthest behind in terms of balancing their budgets.

**Dr. Swann:** Well, Mr. Speaker, I'm not aware of that study, but I'd be very interested to receive it under advisement. I'm sure there are important lessons to be learned from those that have gone before us.

**The Speaker:** The hon. Member for Airdrie-Chestermere on 29(2)(a).

**Mr. Anderson:** Yes. To the hon. leader: I don't understand why you would feel the need to say that the Wildrose would cut everything. Clearly, you've read in our budget document – I hope you have – that we're proposing \$4.2 billion in infrastructure. We're proposing close to a \$40 billion budget. In fact, if you look at your proposal, your prebudget submission, you talk about stretching the capital budget from three years to five years, which would mean steeper infrastructure cuts than what we're proposing, from three years to four years. So I don't understand why the brazen attack.

**The Speaker:** Hon. leader, if you wish.

**Dr. Swann:** Fair comment, Mr. Speaker. I take that under advisement.

**The Speaker:** Others? The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Thank you, Mr. Speaker. Just a small point in the preliminary. If I heard the hon. member properly, I believe that there was a reference to four deficits that were budgeted for. In actual fact, I believe that that would have been two.

**The Speaker:** Hon. leader, if you wish. No? Okay.  
Others? The hon. Minister of Energy.

**Mr. Liepert:** Yes, Mr. Speaker. Since we are both MLAs for the city of Calgary, I'd be very interested to know, in that billion and a half that the member suggested in savings such as cutting back in infrastructure, which Calgary projects would you like to go on the record, sir, that we do not proceed with in construction this year?

**The Speaker:** Hon. leader, if you wish.

**Dr. Swann:** Well, Mr. Speaker, there are a lot of issues relating to infrastructure that I think one needs to look at carefully. We have a responsibility to the people of Alberta to manage the public purse in the same way that we would manage our own personal finances. If we have to delay a road's completion for a year, if we have to make some tough decisions to get back into the black, I think Albertans expect us to do that, just as we would in our own family budgeting.

Quite apart from that, this bloated government continues to persist in expanding itself, now to the tune of 24 ministries, when just in the year that I entered this Legislature, we were at 17 or 16 departments. One has to ask which part of small government or efficient government this leadership doesn't get. Why are we spending 40 million extra dollars on this and now an expanded

MLA representation. Where that came from, again, is another question that begs belief when Albertans want to see their wealth, their hard-earned cash, spent responsibly, frugally to address the core human service issues that protect Albertans, that protect our environment, and give us a long-term advantage for the future.

What we have seen is, unfortunately, cronyism, appointments of Tories to various boards and commissions. We've seen money going through the hands of this government at a rate unseen in the past, that retains the power and the privilege of this elite Tory . . . [interjections] Thirty-nine years is too long, Mr. Speaker, and it's time . . . [interjections]

**The Speaker:** The hon. leader has the floor.

**Dr. Swann:** It's long past due time for change, Mr. Speaker. They're past their best-before date, and I think Albertans are beginning to realize that.

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Well, Mr. Speaker, I'm very interested to see that the member talks about . . .

**Dr. Taft:** Mr. Speaker, I thought it was back and forth between the opposition and government.

**The Speaker:** There's no back and forth under 29(2)(a). He had my attention first, okay?

**Mr. Liepert:** Mr. Speaker, the member has talked about a delay in capital construction. There are two major projects in Calgary that are under way in capital construction. One is the west LRT. The other is the south Calgary hospital. Tell us specifically. Don't ramble on about all of these generalities. Be specific.

**The Speaker:** Sorry. We've now finished our time.

Now, hon. Member for St. Albert, did you want to participate in this debate? Okay.

Then the hon. Member for Airdrie-Chestermere on the motion at hand.

**Mr. Anderson:** On the motion. Boy, oh boy, Minister of Energy.

Mr. Speaker, I rise today to respond to this government's proposed budget. When the Alberta Liberals accuse the government of treating the public purse like their own limitless supply of Monopoly money and the NDP start banging the drum for more responsible fiscal management, you know there's a really, really big problem over there.

Budget 2011 is the latest in a string of damaging fiscal decisions made by a big-spending Progressive Conservative Party, that has lost any remaining right, if it had any, to call itself fiscally conservative. The numbers are painful: a \$3.4 billion deficit, three times higher than what they predicted it would be last year, an additional \$2.7 billion, to be spent on provincial capital projects, that isn't even included in the government's final deficit number, bringing the total cash shortfall to an astronomical \$6.1 billion, exceeded only by last year's record \$7.8 billion cash shortfall.

This \$6.1 billion shortfall will be paid for out of our savings fund, the sustainability fund. That savings fund was at \$15 billion just last year. By the end of this year it will be a paltry \$5 billion and only a year or two away from total annihilation. Our heritage fund, when adjusted for inflation, is now worth as much as it was in 1981, and the PC plan for balancing the budget is based on the hope that all-time record-high resource and income tax revenues are just around the corner. They also hiked user fees for vehicle registrations by 20 per cent and for registering a new business by

150 per cent. For a government whose flagship bill last year was designed to make Alberta more attractive for business, they just made it 150 per cent more expensive to start one. What a total embarrassment.

The bottom line is this. This government's spending addiction has squandered almost every cent saved over the last 15 years, has depleted our heritage fund to 1981 levels – 1981 levels – and the government's plan, so-called, to balance the budget consists of praying and hoping for \$140-a-barrel oil prices and the magic doubling or tripling of provincial GDP growth.

The irresponsibility of this budget is absolutely stunning. Less than 24 hours after this government delivered their budget, our caucus, the Wildrose, delivered ours, the balanced budget alternative document. In it we have outlined a plan to balance the budget this year without resorting to cuts to health, education, seniors' programs, or other vulnerable Albertans.

We propose balancing the budget through three primary means. First, we will limit the increase in spending for core social programs by the rate of inflation plus population growth, 2.2 per cent last year. This means a modest increase of a few hundred million for our health, education, social supports, seniors, child services, and other key social programs while freezing or moderately lowering less critical departmental budgets. This would save us \$900 million when compared to the continued unsustainable PC hikes to core program spending of 6 per cent in health care, 4.5 per cent in education. In a time of large deficits this is simply too much.

Second, we would spread the existing PC three-year capital plan over an extra year or an extra two years, like our friends the Liberals are calling for. Just an extra year. This would mean that infrastructure spending this year would total roughly \$4.2 billion, which is still slightly higher than the B.C., Ontario, Quebec average. I guess the President of the Treasury Board or perhaps the Energy minister would find our friends in Quebec, Ontario, and B.C. to be extreme fiscal conservatives. It just makes no sense that they would call us that.

We would propose focusing that \$4.2 billion on infrastructure to the most critical projects such as schools for Beaumont, Airdrie, Chestermere, Fort McMurray, continued work on the Calgary and Edmonton ring roads, and the doubling of highway 63 to Fort McMurray.

3:20

We would also invest millions into expanding long-term care facilities for seniors currently living in hospitals, thereby freeing up thousands of new acute-care beds in existing hospitals around the province. Doing so would allow us to postpone billions in spending on new acute-care facilities until we can actually find and pay for the health professionals needed to staff them.

Although protracting the PCs' existing capital spending plan is necessary to balance the budget this year, we would again note that the Alberta Liberal Party recommended a much more drastic approach in their 2011-12 prebudget recommendations by encouraging the government to stretch the existing three-year PC infrastructure budget over five years instead of the four we are proposing. Although such a commitment to fiscal prudence is laudable – and indeed such measures may one day be necessary should the PCs continue their reckless spending behaviour – the Wildrose feels this degree of delay in infrastructure investment to be unnecessarily drastic at this time and feels that stretching the PC's current three-year capital plan for a single additional year would deliver the savings necessary to balance the budget deficit in 2011.

I would ask the government this. If you claim our plan is extreme, do you feel the Liberals are right-wing nut jobs for proposing even steeper spending reductions? Or is it possible that

you have lost all sense of what it means to be fiscally conservative? Albertans clearly agree with the latter conclusion.

Finally, we would cut tens of millions of dollars to wasteful PC pet projects and vote-buying schemes such as the infamous \$2 billion carbon and capture waste boondoggle, \$115 million for new MLA offices, tens of millions in direct grants to corporations, and shrink the number of cabinet ministers from 24 to 16. These Wildrose proposals would result in a balanced budget for 2011 and put our province back on the road to financial health for both current and future generations.

The PC government continues to claim that if Albertans want to balance the budget before 2012, they must choose between either tax increases or deep spending cuts to core social programs as well as shelving priority infrastructure projects like schools and long-term care facilities. This claim by the government is a blatant falsehood. It is meant to generate fear and take advantage of Albertans' commitment to taking care of the vulnerable, ensuring quality, universal health care, giving our children the best education possible, and building key infrastructure. It is fearmongering, and it is blatantly dishonest.

Balancing the provincial budget does not require cuts to front-line health services, education, or funding for the vulnerable, but it does require a government that is able to prioritize needs before wants and that refrains from elaborate and expensive vote-buying schemes that do nothing to improve the lives of Albertans, only the fortunes of the PCs at the ballot box.

This government is gambling with all of our futures. Its balanced budget strategy consists of banking on Middle East turmoil to drive up energy prices. Do members in this House realize how lucky we are as a province? Alberta's resource royalties provide a revenue stream that no other province even comes close to enjoying. To put things in perspective, the Canadian provincial all-time record for resource revenues collected in a single year by a province other than Alberta was British Columbia's \$4.5 billion in 2005. Even during the low point of the 2008 recession Alberta's low end for resource revenues dropped to just under \$7 billion, off a high of \$14 billion – \$14 billion – three times the record of the next-closest province, in 2006.

This year resource revenues are projected to be a robust and healthy \$8.3 billion, not including land sales, yet despite this our province remains drowning in a sea of red ink. It is virtually unfathomable that we could have a \$6 billion cash shortfall under these circumstances, but here we sit. We cannot continue to rely on the good fortunes of high energy prices compensating for reckless and out-of-control spending habits. We live in a volatile world with uncertain economic times ahead. Technological advances and a shift away from carbon-intensive fuels will eventually result in lower energy prices and therefore lower resource revenues for the people of Alberta. As a province if we do not begin planning for this reality now, we run the risk of leaving our children with a legacy of structural debt, bankrupt social programs, higher taxes, and a dearth of economic opportunities.

And what of our savings? What will we pass on to our children and our grandchildren? Will they even know what it means to have the Alberta advantage? As a father of four this eats away at me every time I walk into this Chamber. Albertans have rallied behind the initiative to put away some money to offset temporary and unexpected declines in oil and gas revenues. This rainy-day sustainability fund totalled \$15 billion just last year. It is now projected to plunge to roughly \$5 billion this year, during a time when oil prices have never been consistently higher. When the sustainability fund runs dry, our province will be forced into choosing between cuts to core services, increased debt, higher taxes, or perhaps a combination of all three.

Albertans also supported the establishment of the Alberta heritage fund for the purpose of saving a percentage of our nonrenewable oil and gas revenues to ensure the Alberta advantage will remain for future generations, long after oil and gas become less important and therefore less valuable in the world's economy. This government has pillaged our children's savings repeatedly, to the point where the heritage fund is worth less today when adjusted for inflation than it was in 1981, 30 years ago. No growth. We have squandered every penny. This is a deplorable legacy to leave future Albertans given the unprecedented oil and gas boom of the last decade.

Furthermore, one failure that has gone largely unnoticed is the large amount of liabilities and debt entered into by the government over the past several years. The Alberta capital bonds sold in early 2010 are just one example. Recent borrowing for capital has returned us into debt to the tune of \$5.2 billion this year, and you can see this in the government's own 2011 fiscal plan document, page 79.

Even more significant are the unfunded pension liabilities, which have soared to over \$10 billion. The 2010 DBRS report puts our combined total of tax-supported debt and pension liabilities at an astounding \$27 billion, almost more than double what it was just a few years ago. With our sustainability fund approaching empty and the heritage fund losing value, our children and grandchildren will be left holding the bag unless we change the way we manage the finances of this province.

Mr. Speaker, I would ask: what has happened to our province? Where has the commitment to our children's future gone? Will we leave them nothing? After all the oil and gas is gone or after its value declines, what legacy do we plan to leave them with?

The President of the Treasury Board said yesterday, answering a reporter's question, that the government wouldn't consider a provincial sales tax until our oil and gas ran out. He said: that would be a conversation for our kids to have. What a thing to say. Was not the whole dream of setting aside some of our nonrenewable resource wealth in the heritage fund so that our children wouldn't have to make the decision to hike taxes or slash social programs in the future? Wasn't that the whole Lougheed legacy, that our children and grandchildren could enjoy the same or an even better Alberta advantage than we had? I do not know the exact date that this government decided to throw that dream under the bus, but it is clear they have, and our kids and our grandkids are going to pay the price for it. They may have to raise taxes. They may have to go without core social programs that we have today because we've been irresponsible in this House.

Mr. Speaker, one of the ballot questions for the 2012 election is becoming clear. Can we as Albertans really afford four more years of this government's financial management? The sea of red ink flooding the Legislature at this time would suggest not.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. Hon. Member for Calgary-Currie, you rose first.

**Mr. Taylor:** Actually, Mr. Speaker, I would like to speak to this later, after 29(2)(a).

**The Speaker:** Okay. Edmonton-Riverview, under 29(2)(a)? Proceed.

**Dr. Taft:** Thank you. I listened with care to the speech from the Member for Airdrie-Chestermere, and several issues came to my mind. I won't point them all out or raise them all for discussion. I'm sure we could have a good discussion.

I noticed that the member talked about protecting spending on core programs, yet later in his speech he used the term “out-of-control spending.” When you really look at the numbers for spending on health or education or social services or housing, if you look at them from a lens that adjusts for inflation and population growth, they’re not out of control. It’s just a myth. In fact, by some measures our spending on health is really very low. As a percentage of our economy, for example, it’s running at 3 or 4 per cent in Alberta as opposed to, you know, 15 per cent or something in the States.

3:30

So I would really ask the member to choose his words carefully in the future because you can’t square that circle. If you’re not going to cut core funding, which you say you’re not, and you’re not going to raise taxes, then I don’t see how you’re going to balance the budget.

**The Speaker:** Hon. member, if you wish.

**Mr. Anderson:** I’m glad to have the opportunity to clarify that. This is how you do it. Our budget proposes a 2.2 per cent increase in operational health spending. That’s roughly \$340 million. It’s a lot of money. It’s nothing to slouch at, that’s for sure. We think we need to do that, and if we can hopefully focus that on more procedures and on getting more procedures done than we did last year, that would be, of course, the best way to spend that money. So we’re not proposing to cut the health budget. We are proposing to increase it slightly, in control, at a rate that is sustainable over the long term. However, where we do make most of the savings, actually, is by extending the capital plan from three to four years.

Now, some of that would include health capital, and I’m glad you brought that up because I’d like to touch on that. One of the problems that we have in our system right now is that we are spending literally billions of dollars on infrastructure, specifically health infrastructure under the leadership of this health minister and previous health ministers, building buildings that we have absolutely no staff to put in. If you look at, for example, the south Calgary hospital, that’s a huge amount of new acute-care capacity as well as other capacity that is being built there, that will be done in the next couple of years. When that’s done, AHS doesn’t even have in their documents the budget to staff that hospital.

What’s going to happen is the same thing that happened at the McCaig Tower when that was opened. You open up this brand new, shiny facility, and I forget the exact number of operating rooms that are in the McCaig at this time – I don’t have that number in front of me – but they opened up a whole two operating rooms in the McCaig Tower. Two. This is during a time when we have physicians coming to our caucus all the time – and I’m sure the Liberals are the same and have physicians probably coming to them all the time – saying: we can’t even get operating time right now. Yet we opened up two operating rooms in the McCaig Tower out of however much potential capacity is there.

The problem is that there’s no budget. They keep building all this acute-care infrastructure, and there’s no budget to staff it. Not only that, what they should be doing, hon. member, is focusing their resources and their capital budget on long-term care. If they focused it on long-term seniors’ care and moved some of these seniors who are living in hospitals when they should be living in assisted living or long-term care out of the hospitals and into long-term care, they would open up hundreds or even thousands of acute-care beds across the province. That would solve a lot of our budget issues without having to spend gargantuan amounts of

infrastructure on new acute-care facilities that we can’t even afford to staff.

That’s one way that we can actually do more with less, and that’s what is so dumbfounding, let’s say, about the way this government has handled our health care system up until this point.

Thanks for the question.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. It’s my pleasure to rise and respond to Budget 2011 today. There are so many things that could be said and so many places where one could start. I’ll just pick one and start anywhere.

We have here essentially about a \$40 billion budget. Rounding it up, we’re pretty close to \$40 billion. I think sometimes the sheer size of that number gets us all a little twitchy and gets us all a little overreactive, perhaps, and gets us to say either that happy days are here again and everything is wonderful or that the sky is falling, depending on which side of the House we sit on. I think the truth is neither of the above. I think that, in fact, we’re slowly coming out of this recession and steadily coming out of this recession. I think there are some pressure points and some cautions and some threat points in the world economy, no question about that. There are ways that things could go sideways on us, but the chances are pretty good that the recovery is going to continue slowly and steadily. This is a budget that the hon. minister of finance and President of Treasury Board brought down last week that pretty much stays the course of the last several budgets that we’ve seen here.

I guess that’s where I come from on this, Mr. Speaker. This budget isn’t all that bad. It’s not all that good either. It’s just kind of is more of the same. It’s pretty uninspiring. It’s a stay-the-course budget produced by a government that looks to me like it’s not very good at setting priorities or articulating which course they’re actually trying to follow. We’re spending nearly \$40 billion this year, yet we have no significant vision as a province for what it is that we hope to accomplish. But we’ll keep the lights on for the next year while making some modest improvements along a couple of the margins. There’s no question about that. When you’re dealing with \$40 billion – I’ll use the big number here for a second – one thinks you ought to be able to accomplish a little bit more than that with a little bit of vision and a little bit of ability to set priorities.

On the other hand, \$40 billion in a budget for a province of nearly 4 million people is just a very large version of any budget, Mr. Speaker, of the budget that you would do with your family or I would do with my family. This is where, I guess, we think that this whole either/or argument – you either have to cut spending or you have to raise taxes or you have to do this or you have to do that – is a little bit off because in the real world people don’t just deal with either/or. They have to deal with both/and.

You have to meet the monthly obligations out of whatever it is your employer is paying you. You have to pay down your mortgage or whatever debt you have, and you have to do it slowly, steadily, sustainably because you probably don’t have a great schwack of cash sitting in your mattress somewhere with which to pay off the mortgage in one lump sum. You have to start setting some money aside in an emergency fund in case the furnace goes on the fritz on a day like today. You have to start setting some money aside and start investing it, modestly at first but with a progressive plan to invest more and invest it across a wider portfolio, perhaps, as you accumulate more so that you’re saving for your kids’ university or college education, you’re saving for your own retirement, that sort of thing. You have to have some goals.

Mr. Speaker, the thing is that you have to do all of those things at the same time. That's what I think is missing from this debate and, frankly, from most of the other six budget debates that I've had the honour of taking part in during my time as an elected representative in this Assembly. We don't wrestle with the both/and.

Lest I sound a little bit like I'm contradicting myself since I did say earlier that there doesn't seem to be much ability to set some priorities here, let me get back to that point. At no time is it more important to set priorities than when you've got to do a budget that requires you to do all these things simultaneously. You have to decide what the most important things are that you need to do this year with the money you have, and then you have to look at everything else that falls below that line and say: "Okay. What can we give up because, you know, we don't have enough to do it all?" It doesn't necessarily mean that your own household budget has to balance every single year, year in and year out, but you've got to know what kind of debt you're carrying, and you've got to have a plan for how you're going to get rid of that debt over time. There's no question about that.

3:40

Any financial planner will tell you that you have to start by paying yourself first. If you don't start by paying yourself first, you're never really going to get ahead of the game. That's where we are in the province of Alberta right now: at a point where we're not getting ahead of the game, at a point where, as the hon. Member for Airdrie-Chestermere pointed out, although perhaps a little dramatically, we're gambling on turmoil in the Middle East to produce a high enough price for a barrel of oil to somehow bring us back to prosperity.

Mr. Speaker, we have a nearly \$40 billion budget this year, and we have, if nothing else, \$240 million in in-year savings that the minister of finance has identified. If nothing else, we should be taking that quarter of a billion dollars – let's find another \$10 million somewhere and round it up – and doing something with that money to save it and invest it for the short term and the long term.

Our sustainability fund was conceived and was created and was contributed to specifically so that when the economy hit the skids, like it did a couple of years ago, we would have money to get us through these rough times. Congratulations to the government for using that money for the purpose for which it was intended. But the problem I have with the budget, Mr. Speaker, is that there is no clear plan yet to start putting money back into the sustainability fund, to say nothing of the fact that we're not investing for the long term on any kind of predictable, sustainable, regular basis by making contributions to the heritage fund.

I would argue, Mr. Speaker, that we have to start saving some money again. Long-term planning is generational and so are two of its key components: saving and investing for the future. Alberta's resource revenues are our inheritance, and it's time that we stop spending it all. We think it should work something like this, maybe not exactly but something like this: one-third into savings, one-third into long-term capital investments and long-term program investments, and only one-third of it spent on the province's day-to-day expenses. Over time the income produced by your growing savings, your growing heritage fund or any other endowment fund that you have, will begin to replace the need to spend that last third, and we'll be able to save and invest it all. That's the thing that's going to get us off this boom-and-bust roller coaster. That's the only thing that's going to get us off this boom-and-bust roller coaster.

Mr. Speaker, once we're off that coaster ride, then we get to dream really big. In fact, we can start dreaming right now if you wish. It could be the best health care system – public or private or

hybrid – in the world. It could be a high-speed rail link between Calgary, Edmonton, up to Fort McMurray, down to Lethbridge. It could be anything we want to dream. But in order to make the dream a reality, we've got to develop the savings habit in this province.

We are extremely fortunate, Mr. Speaker, to have all these fossil fuels under our feet and the ability to get them out of the ground, maybe not as cleanly as we should and as we need to develop. That might be a dream in and of itself, producing clean oil, because there is no such thing as clean oil today. There's only oil that's slightly less dirty than other oil. So maybe that's the dream – I don't know – but we're very fortunate to have that natural resource. It puts us in an enviable position relative to every other province in this country, relative to most jurisdictions around the world. But we're not going to be able to take advantage of it if we don't get ourselves into the savings and investment habit.

That's job one. It's not the only job that we can do. We must do a number of others. We have to meet our monthly obligations. We have to have a plan to pay down our debt, manage our debt. We've got to do all these things. But job one, the most important priority of all and the thing that, as I look, is absolutely missing from the budget is developing a savings habit and a savings strategy and a savings plan that starts now.

You know, financial planners say that you can start with \$25 a week or even \$25 a month. We have the ability to do somewhat more than that, maybe not a lot relative to what we actually need to spend over the course of this year, but we should start saving some of it. We must start saving some of it. We must get into that habit, or we're just not going to get ahead of ourselves ever.

Thank you, Mr. Speaker.

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

Well, hon. members, I have no additional speakers on my list. Does that mean I should call this to a vote?

**Hon. Members:** Question.

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

**Mr. Hehr:** Call the vote. Go ahead.

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

**Mr. Zwozdesky:** Sorry, Mr. Speaker. I was attempting to catch your attention for a moment there, and I got sidetracked.

**The Speaker:** You have my attention now. Did you want to participate?

**Mr. Zwozdesky:** I will participate in the debate if there are no others that wish to.

**The Speaker:** Proceed. I just about called the question, you know.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. I'm very motivated to speak to this whole budget debate. What motivates me, really, is the commitment in this budget to health care in particular, which happens to be my portfolio. While I fully recognize that we will be having a set-aside date and time to address specific health care issues, I am motivated to stand up right now and make a few general comments in lead-up to the estimates debate, which will occur in a few weeks.

For example, I'd like it to be made abundantly clear to all members and to Albertans listening or watching that the reason we're bringing forward this health budget, with the 6 per cent assured increase for Alberta Health Services, is so that important programs

that are there, that are part of the five-year health action plan, can continue as planned last year. Mr. Speaker, this document, that I think almost everybody here now has received, is called *Becoming the Best: Alberta's 5-Year Health Action Plan*. This is the most significant document, with the largest amount of planning, the longest range planning ever in the history of our province and, I would tell you, in the history of all of Canada.

What happens here, though, is that some people get the wrong impression of it. They seem to think on the one hand that we're tipping the jar of money over, and on the other hand they're saying that we're keeping the lid on it too tightly. You've heard some of that in the comments made by previous speakers. I want to make it very clear that the difference between this health action plan, which is, as I say, the most ambitious and the most aggressive plan in Canada for health, and whatever previous plans might have been around is that there is predictability and stability here that has never before been experienced.

What it means to us, financially speaking, such as the budget would indicate, is that we will have about a \$545 million increase in the Alberta Health Services side of the budget. That specifically means that acute care will be beefed up. We'll be hiring more staff. We're hoping to attract more doctors. In fact, we've got some good news coming forward very soon in that respect with regard to some rural settings. We know that we'll be beefing up the number of beds in hospitals, Mr. Speaker. We've already committed to 360 in-hospital beds being opened up and available before the end of March of this year. In fact, we've already got 240 or so of them opened, and the remainder will open over the next few weeks. We need to continue keeping pace with an aging population and a growing population. That population will need more of these kinds of services.

Secondly, with respect to continuing care there is a commitment in this budget to making good on our plans to ensure that at least a thousand new continuing care spaces are made available in our province over each of the next four years. The first year will come to a conclusion here in about four weeks' time, and you will see approximately 1,300 new spaces being opened up and available in the continuing care spectrum.

Mr. Speaker, those two issues alone aren't the reason why we're starting to see some good news in emergency departments, but they are absolutely critical. That represents a significant portion of our budget.

Secondly, is the whole area of public and community health. These are important programs for us with respect to the PCNs, the primary care networks. Everybody here would know that we have about 38 of them. As a result of that, we're now seeing more Albertans enfranchised with a doctor of their own choosing. We're seeing a professional, team-based approach occurring in each one of those primary care networks, and we're funding them appropriately to ensure that the services are delivered on a timely basis in the areas and communities where they are needed.

Similarly with cancer treatment, Mr. Speaker. We're seeing a tremendous influx of people to our province from elsewhere who are seeking cancer treatment. I wish I'd had time this afternoon in question period to elaborate somewhat on the answer to the question that was posed by one of the members from the opposition regarding cancer care because I can tell you that we are seeing some tremendous improvements in cancer care in our province.

3:50

Not to forget, of course, what's going forward here in the budget we're debating with respect to health care infrastructure. We just committed over \$200 million more to help expand and improve and consolidate services related to the Tom Baker cancer

centre in Calgary. Similarly, we're doing about \$67 million of that portion here in Edmonton at the Cross Cancer Institute.

You know, Mr. Speaker, as early as this morning I had an e-mail from someone who was saying what wonderful care he had at the Cross Cancer Institute, and he had one observation he wanted to make. He said: in spite of the phenomenally good care that I received and the speed with which I received it at the Cross Cancer Institute, I couldn't help but notice in the parkade the number of licence plates that were not from Alberta.

Now, I'm not criticizing that at all because we do have the Canada Health Act. We have our own Alberta Health Act, which was just passed last fall. It commits us to the principles of the Canada Health Act, and one of the central features of that Health Act, of course, is portability. So we have people from other provinces who are coming here for our health services, and we're proud to provide them. But let's not ever lose sight of the fact that as a result there are going to be some wait times for Albertans. It's just how the Canada Health Act works in this particular case. We have reciprocal-type agreements, as you know, Mr. Speaker. So that's another important care.

I want to turn my attention briefly, if I could, to another very important aspect of continuing care, and that's home care. Mr. Speaker, we have 107,000 Albertans today who are receiving excellent home-care services right in the places they reside. That's as a result of a 7 per cent increase to that part of Alberta Health Services' budget. That means that there's about \$407 million going into home care. Why is that important? Because that is one of the most important aspects of not only providing outstanding care for Albertans to help them cope with whatever chronic problem they might have, but it also has a tremendous impact on reducing the numbers in our emergency rooms, which have been the subject of much debate over many, many years and not just in Alberta; this is a debate around the world. We have to keep that in mind.

I have to tell you that as a result of outstanding services not only in the hospitals but also in the home-care area our province has the lowest readmission rates anywhere in Canada. Right here in Alberta. This is phenomenally good news for us. We're very proud of that, and this budget will allow us to continue that excellent service and even to add probably another 3,000 or 4,000 people to the list.

I know that this year is unique in that our first crop, if I can call them that, of baby boomers is turning 65. They're not all going to need home-care services tomorrow, but the numbers would tell you that many folks in the coming years will need that. So we have to be prepared, and this budget sets the way for that.

The other part of Alberta Health Services' budget which is of great significance is the huge amount of work they do with transplants, with cardiac surgery, with renal dialysis, and all the other things that unless you really needed it, you wouldn't really know about it. We have truly outstanding services being provided in our top-drawer facilities. These are facilities that are heralded around the world. This budget will allow us to continue, maintain, and even augment those outstanding services.

Let me give you a couple of examples which I wanted to mention today in question period, but 30 seconds is just not enough time to get so much of this good news out. Here is another reason why we should be supporting this budget: the Stollery children's hospital in Edmonton. We have that site named as the principal North American centre for what's called the Berlin Heart. Mr. Speaker, the Berlin Heart is the leading artificial heart technology in the world – in the whole world – and we have that right here at the Stollery children's centre. What an incredible service to provide not only for children but for the researchers, for the physicians, for the administrators, and others who are magnetized



by that particular fact alone. We are attracting, we are recruiting, and we are retaining the world's best right here in Edmonton, and this budget will help us to continue in that vein.

Similarly, I mentioned the lowest readmission rates in the country, and that includes two very specific procedures that are nationally reported on a regular basis. One of them is hysterectomies and the other is prostatectomies. Having the lowest admission rates in those categories is hugely significant, but again, if you haven't experienced it or you don't know someone who has, you wouldn't know about it. So I think it's incumbent to make a few of these comments.

I want to comment very briefly also on a couple of other quick facts here and the relevance to our budget and why we should be supporting it. You know, Alberta scientists have invented a technology to improve the lives of people with stroke and spinal cord injury. In fact, what they've invented is a revolutionary new system that improves the quality of life for people paralyzed by a stroke or spinal cord injury. This was led, of course, by Alberta Heritage Foundation for Medical Research scientist Arthur Prochazka, PhD, University of Alberta. They have a team that designed a system known as ReJoyce, and they've completed a successful clinical trial with participants from across western Canada. Now, here's the beauty of this, Mr. Speaker. The ReJoyce, which is the rehabilitation joystick for computerized exercise system, is a spring-loaded arm with special handles and attachments that the user twists, squeezes, and moves around to play custom-made computer games, if necessary, or computerized functions. It's an amazing invention from right here in Alberta.

We know that our team of neurologists have done a 10-year study, and they've found relationships between HIV and the causes of brain disease, as published in a prestigious international journal. It was published back on September 28 in the international journal of neurology. I could go on with all of these good-news things, Mr. Speaker, but suffice it to say that when we said that under this Premier we would bring in a revolutionary new approach to not only funding health care but to delivering on the specific improvements that would increase access and reduce wait times, we meant it, and now you see proof of that.

This document, that I referred to earlier, has a number of key strategies. All of them are incredibly important to be supported by this budget. In fact, one of them has to do with providing more choices for continuing care, and continuing care choices mean aging in place. A lot of people don't understand what this means. In this House I've sat and I've listened carefully to attacks against our government: "There's not enough long-term care. You guys aren't doing enough to help the frail, the elderly, the infirmed, and so on." You know, that is absolutely not true. We have said that we would keep at least 14,500 long-term care spaces as they are, and even then we're augmenting that in some cases because some of the DAL or SL facilities do have a component for long-term care built into them. The Extendicare Michener in Red Deer is one such example. We've actually increased the number of long-term care spaces there when some of the people were transferred from one area of Valley Park Manor and one area of Red Deer Lodge over there. So we have these kinds of choices now.

I'll just close with this, Mr. Speaker. What has to be understood is that what we're seeing now through the ministry of seniors and perhaps in a couple of other ministries is a synergistic approach that allows for new types of facilities to be built wherein people who require supportive living or designated assisted living, or perhaps it's long-term care type living, are going to have the level of service they need rise up to their expectations so that they don't have to move to a different facility to get it. It's very simply called

aging in place, and that is a fundamental part of this whole budget as well.

I know there are probably other speakers who wish to address the budget and the throne speech and a number of other issues that are before us, but on that note, I would like to move that we adjourn debate at this time.

**The Speaker:** I will not call that question until we deal, first of all, with Standing Order 29(2)(a). There are five minutes available if there are questions. The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Mr. Speaker, that's an interesting discussion by the minister, and I have some comments for the minister that I'd like to get further explanation for, that he didn't deal with in his topic. As you know, Mr. Minister, in rural Alberta there's been an issue with rural retention of our doctors and recruitment. I sent you a note just recently from Dr. De Jongh, the president of the primary care network in the McLeod River area out of Whitecourt. The issue of retention of our doctors and recruiting doctors in rural Alberta: you seem to have left that out of your discussion. I know it's in the five-year plan. I know we're well funded. Can you give us some comments on that?

4:00

**Mr. Zwodzesky:** Thank you. Hon. member, I'd be very happy to do that. This is an issue near and dear to my heart as well. As most people here would know, I grew up in rural Alberta. I'm very proud of that. I get it, as they say. I understand what some of the challenges are. I have visited numerous hospitals across the entire spectrum, including High Prairie, Slave Lake, Wabasca, Whitecourt, Mayerthorpe, and elsewhere.

Nonetheless, the fact is that we do have a number of incentive programs out there, Mr. Speaker, primarily under RPAP, which is the rural physician action plan. Now, that's just one example of a number of programs that we have to help recruit and retain doctors. There are issues in RPAP and in other parts of our incentive program wherein we actually physically pay doctors to help them set up their offices. I think it's a grant of about \$10,000. It's a magnet. It's only one of many.

On the other side, we have a deal now with the University of Alberta and, I believe, if I'm not mistaken, also with the University of Calgary wherein second-year and third-year students are automatically encouraged to go to rural Alberta, spend time there as part of their training piece. You know, Mr. Speaker, we're seeing some good results from that because they are starting to get a real affinity for rural life. It's a great life, and rural communities here present it very, very well.

In total, Mr. Speaker, we have about 7,697 fully registered physicians in Alberta. That, hon. Member for Whitecourt-St. Anne, is up from 7,477 in 2009. That's a difference of about 220 more, or an increase of about 3 per cent, over where we were at. That's very good news.

With respect to other incentives we also have a number of benefits that are provided to our doctors. There are benefits for retention. There is what I'll call a bonus – you have to apply for it if you're a doctor – that is paid to doctors for keeping their practices going in Alberta. I think it's about \$10,000 or \$11,000 a year for those who apply for it. There are other benefits there, too.

We have an education component wherein we help doctors with education upgrading costs or training upgrading costs. We have programs that deal with parental leave or maternity leave specifically. We have programs that help support doctors with stress or bereavement issues. There are a number of these programs.

The physician office supply program is another one that we have, where we help them with upgrading their computers. As you

know, we're heading faster than ever toward a paperless office situation around the world, and health care is no exception, Mr. Speaker. What it basically means is that we're trying to get electronic medical records interfacing with electronic health records so that when you or I or any Albertan shows up in a hospital with an emergency, they have information at their fingertips. That's another important program.

When you put all of that together, it is tens of millions of dollars. It probably amounts to about \$200 million all in. I'm going a little bit by memory here, obviously.

Hon. member, please know that I am very committed to helping wherever I can to assist with the recruitment of more doctors and the retention of those that we have so that we can help deliver on the five-year health action plan goals and strategies that I alluded to a little bit earlier.

I understand someone else has a question, so I'll take my seat.

**The Speaker:** Well, there are 14 seconds left, so whoever wants to have a question, go for it.

All right. We've got an adjournment motion before us.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

#### Bill 1

#### Asia Advisory Council Act

**The Speaker:** The hon. Minister of International and Intergovernmental Relations on behalf of the hon. Premier.

**Ms Evans:** Thank you, Mr. Speaker. I am very privileged to rise for second reading of Bill 1. I so move the Asia Advisory Council Act, 2011.

At the heart of Bill 1 is the need for Alberta to secure its prosperity and quality of life for the 21st century. For a long time we've relied heavily on the U.S. to buy our products and invest in our province, but the world is changing and so is the world economic order. By passing the Asia Advisory Council Act, you'll be supporting Alberta's efforts to change with it.

We need to pursue new and bigger markets, and that means setting our sights on Asia, a market of billions that holds enormous potential for our province. We have a need to diversify. Alberta has long been Canada's economic engine. The strength of our economy positioned us to weather the storms that came with the financial crisis in 2008 and subsequent global recession. As the world recovers, Alberta continues to be on a track to move forward, to continue to lead the nation in prosperity, and to expand our presence as a player on the global stage.

Like other places Alberta felt the impacts of the recession, but not only did we survive it; we learned from it. What we learned was this: don't put all your eggs in one basket. America has long been Canada's strongest trading partner, and as a destination for 85 per cent of Alberta's exports in many ways it's also long been our basket.

Things have changed. With a national debt last month of more than \$14 trillion America is not as reliable as it once was as a destination for our exports. For Americans the road to good economic health is going to be a long and winding one. There is no doubt the U.S. will rally and come back, but it may take years. All of this sends a strong message to Alberta. Our road to success in the markets lies in diversifying our products and our exports.

Market diversity is one of the main goals of Bill 1, the Asia Advisory Council Act. If passed, the Asia Advisory Council Act

would establish a council of 10 members who represent a cross-section of organizations and interests, including the business, cultural, and academic communities. The members of the council would have the perspective and expertise to advise the government on ways to advance Alberta's business and cultural interests in Asia.

Asia is an immense market of 4 billion people. It has a growing middle class and a growing demand for Alberta's products. The region is Alberta's second-largest export market, worth over \$6.5 billion in 2009. Opportunities for Albertans and Alberta are tremendous and within our reach by strengthening our ties with markets in China, India, Japan, and Korea. We've long understood the advantages of gaining better access to the region, and strengthening our ties is part of our day-to-day business.

One of Alberta's earliest connections to Asia was our twinning with Heilongjiang in China. The twinning has led to growing economic, scientific, and cultural ties. We're celebrating the 30th anniversary of this twinning this year.

As well as in China Alberta has international offices in Hong Kong, Taiwan, Japan, and South Korea. These offices play a key role in building and maintaining relations with our Asia partners.

In these past few months our Alberta-Japan office hosted a carbon capture and storage and green technology seminar. Held just last month, the seminar focused on our investment here on initiatives and climate change policy for 30 senior executives from Japan's energy sector.

With the support of the Alberta-Korea office the Calgary Airport Authority established Korean Air's direct service flight into Calgary last summer. This expanded air service is essential to increasing tourism, investment, and attracting international students from Korea to Alberta.

Last May Premier Stelmach joined the Premiers of B.C. and Saskatchewan on a mission to China.

**The Speaker:** Uh-uh.

**Ms Evans:** Excuse me, Mr. Speaker. Our Premier joined the Premiers of B.C. and Saskatchewan on a mission to China and Japan. On that trip they opened up a joint trade and investment office in Shanghai.

In November the Premier led a mission to India, where he met business and government leaders to cultivate new business relationships and strengthen current ties. Thanks to the involvement of members of this House, Mr. Speaker, I'm convinced that this visit acknowledged for the Premier the very great importance of expanding our relationships with India.

4:10

Last month, when I visited Thailand on the heels of an investment by their national company in energy of over \$2 billion, we noted even greater interest in Alberta as a responsible energy partner for future development by the people of Thailand. They were excited, to say the least, about the opportunities they perceive in Alberta.

Our work is continuing to pay off. Over the past two years Asian investment in Alberta has neared \$20 billion. This includes PetroChina's \$5.4 billion investment in EnCana natural gas ventures and \$1.9 billion for a 60 per cent share in two Athabasca oil sands projects; Sinopec's \$4.65 billion stake in Syncrude; China Investment Corporation's of \$1.25 billion into Penn West Energy; Korea National Oil Corporation's investment of \$4.1 billion to buy Harvest energy; and, as I mentioned previously, the Thailand investment purchasing 40 per cent of Statoil projects in Alberta.

We certainly welcome the interest in investment in our oil sands, but we know our economic future lies in the diversification of our economy. We're seeing a growing number of Canadian and Alberta-based companies make inroads in Asia. For example, in the legal sector Bennett Jones, a law firm with roots in Calgary and in Edmonton, and Blakes, a firm with an office in Calgary, have both established offices in Beijing. Most recently Gowlings has become the first Canadian law firm to sign a bilateral co-operative agreement with the China Council for Promotion of International Trade.

[The Deputy Speaker in the chair]

There was more good news last month when the Bank of China announced it will open an office in Calgary, its third Canadian location. This was a very positive announcement. Financial institutions go where their customers go, and the Bank of China is seeing their customers come here. In terms of growing market opportunities this signals broader investments to come.

We're also forging important ties in academia. The universities of Alberta and Calgary, Grant MacEwan University, NAIT, SAIT: all of them have relationships with educational institutes that allow them to tap into the best and brightest of minds. For example, the Prince Takamado Japan Centre for Teaching and Research at the University of Alberta brings together universities from Japan and Canada to promote the exchange of undergrad and grad students. The Confucius Institute in Edmonton is a government of China sponsored centre that works in partnership with the Edmonton public school board. The institute promotes Mandarin and Chinese culture and provides Chinese-language services to the public schools.

Mr. Speaker, establishing the Asia advisory council would not only be our first step towards deepening our ties with the entire region; it would be a very important step. We need to shape a 21st century vision for Alberta-Asia relations. Once Bill 1 is passed, we hope to see the best and brightest minds sit on the council. The people on this council will be experts on Asia. We'll be looking for members from the business sector who have expertise in Asian markets. We'll be looking in academia and education and in arts and other sectors for similar experts. We want people with a keen understanding of the Asian market who are able and willing to provide Alberta with the knowledge, perspective, and sensitivities to expand our relationships in the region. We want the best because this council can play such an important role as we take a focused and deliberate approach to relationship building in Asia.

The deliberate approach has worked well for us in the past. Since early 2005 we have pursued a direct and active role in Canada-U.S. relations. Most notably, we established a policy-oriented office in Washington, DC. We put ourselves on the U.S. radar screen in the U.S. capital. In Canada we've been able to influence Canadian policy toward a more positive approach to the U.S. We know that as we look to new and bigger markets, the same approach will bring stronger relationships and opportunities with Asia.

With the creation of this council we'll open doors even wider for a bigger and brighter future for Alberta and Albertans. We look forward to more opportunities to expand our leading growth sectors like information and communication technology, nanotechnology, aerospace, and defence, green building products, and health and medical technology. We will continue to work towards advancing our ties with Asia in all of these industry sectors, and that means attracting not only investment from the region but the skilled and talented people who can bring their expertise to Alberta. Asian countries are Alberta's number one source for immigration. Continuing to attract people from the region to Alberta will strengthen our partnerships and benefit both Alberta and Asia.

We hope that you support this bill, that you will enable us to create a council of experts whose mandate is to identify and advise us of opportunities for co-operation with Asia, a council that will help us capitalize on the connections we've already made in business, education, research, and culture and, most importantly, will help us continue to forge new roads, new opportunities, and maintain a reputation as both an excellent destination for investment and a leading player on the global stage.

Mr. Speaker, I encourage all members to support this bill. With that, I would ask you to allow me to adjourn debate on Bill 1.

[Motion to adjourn debate carried]

## Bill 2 Protection Against Family Violence Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. It's my pleasure to rise this afternoon to speak to second reading of Bill 2, the Protection Against Family Violence Amendment Act, 2011.

I want to thank the hon. Minister of Children and Youth Services and her department for their initiative in bringing forth this important piece of legislation and for allowing me the privilege of sponsoring the bill in the House.

Family violence has devastating consequences, Mr. Speaker, for many people in our province. One of our government's top priorities is to prevent and address family violence so that all Albertans feel safe in their homes and communities. This bill will enhance the safety of individuals and families affected by family violence through protection orders to protect those who have experienced family violence and to prevent further violence. Each year 1,700 applications for emergency protection orders are made in the province of Alberta, and 80 per cent of those are granted.

The proposed amendments reflect the advice received from key stakeholders on needed changes. Those stakeholders included the law enforcement communities and Crown prosecutors. The most significant changes brought about by these amendments would be to ensure that there is more consistent enforcement of protection orders and that breaches are met with sanctions which will send a strong message to perpetrators that breaches will not be tolerated.

Currently, Mr. Speaker, the act does not provide any specific provisions for prosecuting breaches of protection orders. Presently the situation is that police and prosecutors have the option of prosecuting a breach of a protection order either as ordinary civil contempt of court or as a violation of section 127 of the Criminal Code of Canada, which is a general provision that creates an offence for breaching a court order. Since both of these provisions are applicable to a whole range of breaches of court orders, some of which are minor, some of which are very serious, and everything in between, the penalties that are meted out under each of those particular avenues of prosecution varied quite considerably. So this has led to some inconsistencies in the penalties which are applied for breaches of protection orders.

The amendment which is proposed in this bill will clearly spell out in the act that breaching a protection order is an offence, and it will carry specific penalties. Mr. Speaker, I believe that these measures will help to ensure consistent enforcement across the province. The department will continue to work closely with law enforcement and the legal community in the event that these amendments are passed, and they will be asked to provide input on any required changes.

4:20

The penalties proposed in these amendments, Mr. Speaker, were determined in discussions with Justice and Attorney General and a review of other domestic violence legislation across the country. The bill proposes fines up to \$5,000 or possible jail time of up to 30 days or both for a first offence, mandatory jail time ranging from a minimum of 14 days up to 18 months for a second offence, and a minimum of 30 days' incarceration and up to 24 months for third and subsequent offences. If passed, this legislation will send a very strong message that a breach of a protection order is a serious matter which will bear very significant consequences.

The remaining three amendments are housekeeping issues that will help clarify the processes and streamline administration of the act by the courts. The first will repeal a section that specifies the type of justice of the peace who has the authority to grant emergency protection orders. This will leave the assignment of a justice of the peace up to the discretion of the justice system, which will align the Protection Against Family Violence Act with changes to the Justice of the Peace Act.

Amendments to the Protection Against Family Violence Act will also clarify how evidence is presented and considered when emergency protection orders granted by the provincial court are later confirmed and possibly extended by the Court of Queen's Bench. Amendments will also clearly define the type of communication considered contact under a protection order. Protection orders may include provisions forbidding a perpetrator from contacting the abused person. The change will clarify that contact includes both direct and indirect communication. Including indirect communication will make it clear that a perpetrator cannot harass someone indirectly; for example, using a third party to contact an individual under a protection order.

Mr. Speaker, the measures in these amendments will not be a cure-all for family violence. Other measures such as women's shelters, safe visitation sites, early intervention and counselling, and addiction treatments are all being improved by the minister and her department, all with a view to breaking the cycle of family violence. However, these proposed amendments will improve our response to this issue, and they will provide some additional measure of increased protection for people affected by family violence.

I am therefore very pleased to move second reading of Bill 2, the Protection Against Family Violence Amendment Act, 2011.

At this time, Mr. Speaker, I would move adjournment of debate on the bill.

[Motion to adjourn debate carried]

### Bill 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm pleased to rise and move second reading of Bill 3, the Engineering, Geological and Geophysical Professions Amendment Act.

Mr. Speaker, before us today we have a series of relatively straightforward proposed legislative revisions that involve a number of required wording changes to the current Engineering, Geological and Geophysical Professions Act. Essentially, in this amendment act we're looking at consolidating the existing geological and geophysical classes of licensure in Alberta into a single class to be known as geoscience. This change is in keeping

with what's happening in the other jurisdictions across Canada with the exceptions of Prince Edward Island and the Yukon, which have not implemented similar legislation.

By passing this amendment act, we will be harmonizing our professional geoscience legislation with that of other jurisdictions and, in so doing, fostering labour mobility across our great country. Freedom of interprovincial movement of professionals is part of our obligation under the national agreement on internal trade and the New West Partnership trade agreement with Saskatchewan and British Columbia, Mr. Speaker.

Members of the Association of Professional Engineers, Geologists and Geophysicists of Alberta, or APEGGA, the association that oversees these professions, voted in favour of these changes at their 2009 annual general meeting. I'd also like to point out that this amendment act would apply to approximately 5,400 individuals practising geology or geophysics in Alberta. That is roughly 10 per cent of APEGGA's current membership.

Consultations were conducted with a total of 34 professional and industry associations, postsecondary institutes, and government departments in the development of these changes. APEGGA specifically discussed these changes with the Alberta Institute of Agrologists, the Association of the Chemical Profession of Alberta, the Alberta Society of Professional Biologists, and the Alberta colleges of professional foresters and professional forest technologists since these organizations had raised a few questions when the changes were first proposed.

Mr. Speaker, these professional regulatory organizations met and subsequently agreed that the inclusion of earth sciences and the environment fits within the new definition of the practice of geoscience. They also recognize that all their members work in the broad field of earth sciences and the environment, and any future concerns regarding the potential overlap of these professional responsibilities could be dealt with at the organizational level.

Mr. Speaker, if these proposed amendments pass, we would be repealing the existing definitions of the practice of geology and geophysics and would replace them with a single new geoscience definition of practice. The term "geosciences" more accurately reflects the type of work and activities typically carried out by our geologists and geophysicists.

As proposed in this amendment act, the definition of geoscience will now include references to earth sciences, exploration, and environmental activities, as is the case in various ways in five other provinces, Mr. Speaker. This reflects the growing importance of environmental stewardship within the professional activities and accountabilities of geoscientists. It also serves to provide Alberta with one of the most comprehensive pieces of professional geoscience legislation in the country.

Through these proposed amendments geoscientists in Alberta will have one of the most encompassing scopes of practice in all of Canada. This proposed act will continue to ensure that these practitioners provide the highest standards of professional services.

Mr. Speaker, the protected titles for professional geoscientists in Alberta would change under these proposed amendments. The existing protected titles of professional geologists, or P.Geol., and professional geophysicists, or P.Geoph., would be replaced by the new title of professional geoscientist, or P.Geo. Individuals who hold the existing professional geologist or geophysicist designations would be allowed to keep their current titles if they prefer. However, should the Legislature approve these amendments, all newly registered members in these fields will be issued the professional geoscientist title.

Mr. Speaker, as a result of the consolidation of the terms "geology" and "geophysics" into the combined term "geoscience" a

number of consequential wording changes would be required throughout the existing Engineering, Geological and Geophysical Professions Act. The first of these is to rename the act itself. If passed, the act would become the engineering and geoscience professions act.

In a similar vein, Mr. Speaker, APEGGA's name would also be changed to the association of professional engineers and geoscientists of Alberta. The acronym will drop one G, but it would still be pronounced the same as before, so just APEGA with one G as opposed to the current two Gs. There are many other examples throughout the existing act that would need to change to reflect the consolidation of geology and geophysics into geoscience. I won't go through them all, Mr. Speaker, but suffice it to say that these are consequential wording changes that need to be made to ensure that the practice and definition of geoscience is consistently applied throughout the act.

4:30

One other change included in these proposed amendments is the creation of the position of chief executive officer within the APEGGA management structure. The new advocacy position is separate and distinct from the current registrar that is stated in the act. Members of APEGGA approved the new position at their 2010 annual general meeting, Mr. Speaker.

In closing, Mr. Speaker, I want to be clear that this proposed legislation will ensure that Alberta remains a leader in the development of professional legislation that not only protects the public interest but also reflects the current scope of work done by geologists and geophysicists today.

These amendments, Mr. Speaker, have the full support of the Alberta government departments, many professional and industry organizations, the academic community, and Alberta's municipalities. They also fit squarely with the Alberta government's commitment to labour mobility in Canada.

Mr. Speaker, I'm proud to sponsor Bill 3, the Engineering, Geological and Geophysical Professions Amendment Act, 2011, and I encourage all of my colleagues in the Legislature to support its passage.

I move to adjourn debate. Thank you.

[Motion to adjourn debate carried]

#### Bill 4

#### Securities Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Well, thank you, Mr. Speaker. I'm pleased to rise and move second reading of Bill 4, the Securities Amendment Act, 2011.

Mr. Speaker, securities regulation is crucial to the smooth functioning of any capital market and especially here in Alberta, where it is extremely important to our economy. Canada's current securities regulatory system is rated as one of the best in the world by a number of independent think tanks from around the world, including the World Bank.

In the interest of maintaining a system that is working well, Alberta together with Quebec, Manitoba, and Saskatchewan is challenging the unprecedented attempt by the federal government to impose its control over this area of provincial jurisdiction. Alberta has made a strong case before the Alberta and Quebec courts of appeal, and the government will be presenting our case before the Supreme Court of Canada in April of this year.

Mr. Speaker, the government will continue to oppose this move by the federal government to create a single federal securities

regulator. There is no evidence to support the purported benefits of this nonexistent single federal regulator as the current system is working very well. All one has to do is look at how well Canada fared in light of the global economic crisis. The current system is a decentralized yet national system.

While the passport system is working very well, any securities regulatory system must constantly evolve, innovate, and reform to keep pace with changing market conditions. The Securities Amendment Act which we are bringing forth furthers the work that Alberta has done in modernizing, streamlining, and harmonizing securities legislation over the past six years under the auspices of the 2004 provincial-territorial memorandum of understanding regarding securities regulation.

There are several amendments in this bill that provide clarification, but the majority are needed to keep Canada's current decentralized securities regulatory system harmonized. I'd like to touch on a couple of key amendments that add flexibility to the regulatory framework for credit rating organizations such as Moody's and Standard & Poor's.

Last year we created a harmonized statutory framework for regulating credit rating organizations to better protect investors across Canada. This was part of the world-wide response by securities regulators to the global financial crisis. The Alberta Securities Commission is seeking additional ways to allow it to respond more quickly to changing market conditions. Accordingly one of the amendments in this bill proposes that credit rating organizations be officially designated by the Alberta Securities Commission in order for its ratings to be used as official ratings under Alberta's securities laws. These amendments will allow the ASC to adjust the minimum rating investment requirements in appropriate situations like a global financial crisis. In other words, before any investment can be made, the security or whatever the investment is has to be graded at or above a certain level such as B or double-A, for example.

The recent global financial crisis demonstrates the integral role played by clearing agencies in maintaining the integrity of the Canadian financial system. The clearing agencies along with stock exchanges facilitate any trading in securities such as stocks, bonds, and futures. Clearing agencies complete transactions by ensuring that the seller gets paid and that the purchaser gets what was purchased. Currently there are three clearing agencies providing settlement and clearance services across Canada: the Canada Depository Services for equity securities, the Canadian Derivatives Clearing Corporation for exchange-traded derivatives, and the Calgary-based Natural Gas Exchange for energy, including natural gas, crude oil, and electricity contracts.

This legislation will require any clearing agency operating in Alberta to be recognized by the ASC, just like a stock exchange operating in Alberta must be recognized. This will mean a clearing agency must have rules in place to ensure that it operates in a fair and orderly manner for the protection of investors. Investor protection is what securities regulation is all about. These amendments streamline and harmonize our legislation so that it is up to date and address regulatory gaps in order to better protect investors.

Mr. Speaker, we cannot afford to wait for the final outcome of the provincial and federal references before updating our securities legislation. These amendments are needed now.

Mr. Speaker, at this time I would move that we adjourn debate on Bill 4.

[Motion to adjourn debate carried]

## Bill 5

### Notice to the Attorney General Act

**The Deputy Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. It is my pleasure to move second reading of Bill 5, the Notice to the Attorney General Act.

Mr. Speaker, it is important for the Attorney General to receive notice about a variety of issues so that they are able to protect the interests of Albertans and are well prepared to defend the validity of Alberta's legislation. In addition, prompt and timely notice to the Attorney General will reduce delays and increase the efficiency of the court system.

For example, Bill 5 will clarify that there is a duty to provide notice of allegations of inadequate consultation with aboriginal peoples. The government has a legal duty to consult aboriginal peoples when there is a potential adverse impact on any aboriginal treaty or right. However, currently for someone alleging before a court or tribunal that the government has not met this duty to consult, there is no requirement that the person notify the Attorney General. Under Bill 5 it will be clear that this obligation to notify the Attorney General is mandatory, Mr. Speaker.

Bill 5 will also clarify and simplify another important procedure. Currently Alberta's Attorney General must be formally notified when anyone formally questions, again through the courts, the constitutional validity of the province's laws. This notification is of course designed to allow the Attorney General to be prepared to appear and be heard in any proceeding on behalf of the people of Alberta. It is vital and in the interest of all Albertans that the Attorney General be notified in this way. Doing so ensures that the Attorney General can be properly prepared to defend the validity of Alberta's legislation.

At present, Mr. Speaker, these requirements to notify the Attorney General are contained in Alberta's Judicature Act and the Administrative Procedures and Jurisdiction Act. Bill 5 will consolidate these notification requirements into the Notice to the Attorney General Act. The notification provisions in the Judicature Act and the Administrative Procedures and Jurisdiction Act would be repealed. Consolidating these notice requirements in one place will increase transparency as well as make it easier to comply with these requirements.

4:40

The Notice to the Attorney General Act will also facilitate future changes that may become necessary as trends in litigation evolve over time. Bill 5 will provide the authority for regulations adopting new notice requirements as they are needed. This will help ensure that the Attorney General receives the type of information that is needed in situations involving aboriginal consultation or other constitutional matters. This legislation ensures that the Attorney General is aware of and prepared to deal with issues important to all Albertans, Mr. Speaker.

I would encourage all hon. members to support Bill 5. At this time I would move that we adjourn debate, Mr. Speaker.

Thank you.

[Motion to adjourn debate carried]

## Bill 6

### Rules of Court Statutes Amendment Act, 2011

**The Deputy Speaker:** The hon. Deputy Government House Leader on behalf of the Minister of Justice and Attorney General.

**Mr. Zwozdesky:** Yes. Thank you very much, Mr. Speaker. It's a great pleasure for me to stand before the Assembly today and move second reading of Bill 6, the Rules of Court Statutes Amendment Act, 2011.

The *Rules of Court*, which govern practice and procedure in the Court of Queen's Bench, were substantially revised after a multi-year review. I'm very pleased to fulfill this function on behalf of the Minister of Justice and Attorney General because I know how much work went into this, and I know the passion that he has for these particular rules since he is a lawyer himself.

Mr. Speaker, the review was led by the Alberta Law Reform Institute, and it was supported by the judiciary, by Alberta Justice, by a representative from the legal profession, and also by other stakeholders. The new rules, which came into effect on November 1, 2010, simplify and update many of the procedures in the litigation process. This particular bill will amend language and procedures relating to court proceedings in a number of acts to make them consistent with the new language and updated procedures used in the *Alberta Rules of Court*. The changes will help Albertans better understand civil litigation.

There are some amendments that I'd like to comment on here briefly. Just let me explain to all members and to all Albertans participating in their homes or wherever how these amendments that are proposed in this bill will streamline processes and make court proceedings clearer and far easier to understand.

A number of acts, such as the old rules, use the terms "guardian ad litem" and "next friend" to describe a person who defends or brings a lawsuit on behalf of a person who cannot defend or bring the lawsuit personally, such as would be the case with a dependent adult or a child. One term applies to a person who defends a lawsuit, the other to a person who brings a lawsuit, which can be confusing, obviously. "Guardian ad litem" and "next friend" will be replaced by the single modernized term "litigation representative," which is the term used in the new rules to describe a person who defends or brings a lawsuit on behalf of people who cannot do so themselves.

Some acts, including the Residential Tenancies Act, follow the procedure in the old rules for the recovery of possession of land or premises. This is another important point. The old rules required a person who obtained a court order giving them the right to recover possession of land or premises to go back to court to obtain a document called a writ to have the court order enforced. Now procedures in the new rules allow that court order to be enforced without having to obtain a writ. The act will be amended to be consistent with procedures in the new rules, thus eliminating the requirement to obtain the writ and thus simplifying the procedure for recovering possession of land or premises. Some acts, including the Land Titles Act, have provisions rooted in the old rules, rules that required many court documents to have the court seal put on them. This is another important point because the new rules will streamline processes by providing that the court seal be used only as necessary. The acts will be amended to remove the requirement for the court seal to be put on certain documents consistent with the new rules.

Mr. Speaker, as you can see and hear from the examples I've just outlined, this legislation will ensure that the acts are consistent with the new rules. Bill 6, in fact, will help Albertans better understand and navigate the court system, allowing them greater access to justice. Therefore, I would urge all members to support this important piece of legislation, and at this time I'd like to move that we adjourn debate on this bill.

Thank you very much.

[Motion to adjourn debate carried]

**Bill 7**  
**Corrections Amendment Act, 2011**

**The Deputy Speaker:** The hon. Deputy Government House Leader on behalf of the Solicitor General and Minister of Public Security.

**Mr. Zwozdesky:** Yes. Thank you very much, Mr. Speaker. It's my great pleasure on behalf of the hon. minister to move second reading of the Corrections Amendment Act, 2011.

I'd just say that I will be supporting this particular legislation. I think it's an important piece of legislation for Albertans to have.

I will move that we adjourn debate at this time.

[Motion to adjourn debate carried]

**Bill 8**  
**Missing Persons Act**

**The Deputy Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's my pleasure to stand before the Assembly today and move second reading of Bill 8, Missing Persons Act.

This act will allow a police agency to access the personal information they need to help find missing persons in cases where the police have no reason to suspect that a crime has been committed. In the spring of 2010 the Alberta Association of Chiefs of Police passed a resolution asking the government of Alberta to develop missing persons legislation. After extensive consultation with the Calgary Police Service, the Edmonton Police Service, and the RCMP, I'm pleased to be speaking to that legislation today in the House, Mr. Speaker.

Currently when police are conducting a criminal investigation, they obtain a production order under the Criminal Code to access records and information. However, when police are conducting a missing persons investigation where no crime is suspected, a production order is not available. This inability to access information has the ability to stall or halt missing persons investigations. The Missing Persons Act was developed to allow access to information critical in missing persons investigations, thereby increasing the ability to conduct a successful investigation.

The Missing Persons Act is based on the belief that an adult who is not a represented adult has a right to disappear if they choose. For all missing persons investigations the information collected under the Missing Persons Act is confidential. Police will only be able to use or release this information for those uses that are permitted in the Missing Persons Act. Police will be able to use the information when the missing persons investigation becomes a criminal investigation. The Missing Persons Act allows police to move quickly and efficiently locate missing persons. It also ensures that the information collected is protected if the formerly missing person does not want to be contacted.

A person who contravenes the privacy and permitted use sections of the Missing Persons Act, as with the Freedom of Information and Protection of Privacy Act, is guilty of an offence and liable to a fine of not more than \$10,000.

To access information, police will obtain a court order that will set out what records are required. The court will not be able to allow access to records that are protected by the solicitor-client privilege.

4:50

In emergency situations, when police believe a missing person may be at risk of harm or death, the police can issue a demand for

a specified list of records that are urgently needed to locate a missing person. Records and information collected must be kept separate from other police agency records. If a person fails to comply with a police demand, police can obtain a court order directing the person to comply.

If the missing person is a minor or a represented adult under the Adult Guardianship and Trusteeship Act, the court can authorize the police to enter premises to look for the missing person, by force if necessary, Mr. Speaker. When there is a reason to believe that a minor or a represented adult is in the company of a third party, the court can order the release of the third party's records in order to give police the information needed to find the minor or represented adult.

Alberta is the first jurisdiction in Canada to introduce legislation dedicated to assisting police with missing persons investigations. This bill will increase the efficiency and effectiveness of missing persons investigations. Mr. Speaker, helping families locate loved ones who have been reported missing is an extremely important job done by our police services across this province. The Missing Persons Act will provide the police with another tool to bring these cases to a quick and positive outcome.

Mr. Speaker, all of us in this House have opened the newspaper and read stories about people who have seemingly vanished. In many of these cases it's extremely difficult for police to make a determination of a criminal act. These stories are usually wrought with the anguish of family members and friends left with no answers as to where they've gone or what to do next. I can think of several of these cases in Alberta just over the past couple of years.

There is a case in Edmonton right now where an elderly couple has gone missing seemingly without a trace. Co-workers, friends, and family members are at a complete loss as to what has happened to them. But the Edmonton police do not have access to the records they would need to make a possible advancement in this case, so months since the disappearance of their loved ones they continue to wait and hold out hope. There are stories like this across the province, and my heart goes out to the families. I hope this legislation will help provide some of those answers when they are needed most.

I'd like to give a special commendation to the members for Calgary-Currie and Airdrie-Chestermere for meeting with me and hearing the merits of this bill. Thank you both for taking the time to get a better understanding of what this bill can accomplish and the impact it can have for thousands of Albertans and their families.

Mr. Speaker, I'd like to move to adjourn debate at this time. Thank you, sir.

[Motion to adjourn debate carried]

**Consideration of His Honour  
the Lieutenant Governor's Speech**

Mr. Drysdale moved that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour Colonel (Retired) the Honourable Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate February 23: Mr. Lukaszuk]

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

**Ms Notley:** Thank you, Mr. Speaker. It is a pleasure to be able to rise this afternoon and offer a few of my comments on the throne speech which was delivered to members of this Assembly last week. The speech at the time, when I first saw it, struck me as incredibly familiar, and I think that in many ways it was a speech that consisted of promises being reissued over and over again.

Several of the promises that were identified in that speech were, in fact, sort of recycled positions from previous occasions, and it really highlighted for me the lack of energy and the lack of focus and the lack of direction that this government is bringing into this Assembly this spring. It was a throne speech that really did not set out a particularly strong vision. It claimed to do that, but then by reaching back to promises and statements that had been made in previous throne speeches year after year, the speech ultimately rang very hollow, and I think it was very disappointing for a number of Albertans.

This was a speech that did a lot of what this government tends to do in that it really talks the talk, but year after year after year it fails to walk the walk, as it were. We hear grand statements of investing in the future, of attracting people to Alberta, investing in the education of young Albertans, yet we don't see any kind of significant action in that regard. As a result, we end up continuing a failed record of broken promises to Albertans, and it's a number of these broken promises that I'd like to talk a little bit about right now as a starting point.

I think that the throne speech itself talked about the need to care for our seniors and to cherish and invest in our health care system and improve our health care system. Unfortunately, though, the throne speech itself continued to insist upon referring to investments that are clearly shown to not be what is needed by Alberta seniors and not what is needed within our health care system in order to take the pressure off it, whether we're talking about our emergency rooms or our surgical suites or our acute-care beds. In essence, the throne speech failed to promise what Albertans were promised in the 2008 election and which the government has failed to deliver, which is a genuine investment in providing proper long-term care for our seniors and other disabled Albertans.

In failing to talk about that and, instead, using perhaps focus-tested words that they think Albertans actually interpret as being meaningful, continuing care and assisted living – you know, we can talk about all the different ways in which the government talks about their alternative to long-term care, but Albertans get it. Albertans understand, Mr. Speaker, that what's happening here is that the government is letting them down, that the government made a promise, but they are not keeping their promise, and they are trying to play a quick game of bait and switch. Frankly, Albertans are not falling for that game.

The other thing that I was disappointed to not see enough attention paid to in the throne speech is the issue of mental health. For years this province has desperately ignored the state of mental health throughout the province and throughout communities all over the province. In so doing, again, we contribute directly to increasing costs at the most expensive point within our health care system, and that is in acute-care beds and in emergency rooms and in hospitals.

Not only do we do that – and I don't like to just talk about it from a cost perspective; I also want to talk about what it means for Albertans – but by failing to provide proper mental health services within our communities, we undermine our communities, we undermine our relationships with each other, and we make a statement about the strength of our communities and the strength of our commitment to one another, which, quite frankly, Mr. Speaker, is not a statement about which I am at all proud. It is a

statement which, unfortunately, has led to a lot of deprivation in the lives of Albertans struggling with mental health issues and in the lives of their families. By failing to address that issue in the throne speech, this government has once again left many Albertans behind.

Another thing that the throne speech spoke about was education. Mr. Speaker, I have to say that one of the areas that is under increasing pressure within our province is our education system. At the beginning of this decade the government took the time to establish the Learning Commission. Clear recommendations were made, not all of which I agree with, but there were, nonetheless, many recommendations made, and those recommendations have been consistently ignored. Year after year the government gets further and further away from the objectives that were included in those recommendations that were geared towards improving the educational outcomes and success of Alberta's children and young adults. Well, children at that point because it was K to 12.

5:00

At the point we're at now, we see class sizes growing. Then in the midst of that, we see the infrastructure deficit coming to roost in communities across the province where inadequate schooling facilities are provided. In the meantime the government is jeopardizing and gambling with Albertans' future by choosing to do the inadequate amount of capital construction required in education through P3 models.

More importantly, though, is that there is a profound problem developing in terms of the way we are failing special-needs children within our education system. The throne speech reference to a positive future with respect to what the expectations can be for special-needs children and their families is very misleading because the government's plan with respect to setting the direction is in many ways analogous to the kind of plan that governments came up with in the early '70s, when they said they were going to, you know, deinstitutionalize people and follow them into the community and that everything would just sort of organically work for those people. Of course, what happened was that we created a homeless population that we are profoundly unable to deal with right now.

Of course, it's not that I'm equating special-needs students to people with mental illnesses one way or the other. The point is that when you make grand statements of how the community will just organically care for people that need specific, professional, best-practice, peer-researched, properly evaluated, well-trained support in our education system, and then you suggest that they will somehow organically be supported by changing the rules and removing the rules, then what you're really doing is releasing those kids into the education community with the clear understanding and expectation that they will be lost within that community and that the quality of the education they receive will deteriorate dramatically.

I say this because, you know, over the last three years I have spoken to people who work within the system – teachers, parents, kids who've graduated from the system, school trustees, speech pathologists, psychologists – and they all say that they're incredibly worried about the direction the government is taking in education as it relates to special-needs children. There is nothing that has been said or done by this government that should expect us to have any faith that we will see anything other than a significant reduction in the support provided to special-needs kids over the course of the next five or 10 years. That process is signalled within this throne speech, and it is very concerning to many Albertans.



Another area, again, when I talk about talking the talk but not walking the walk, is the environment. For years now, since I've been elected, I've heard the government plan to put into place, you know, land-use frameworks: we can't designate a park until we've got the land-use framework in place, and we can't set water-use limits here until we've got the land-use framework in place, and we can't do any of this stuff. Then, of course, meanwhile, industrial development and other types of development continue unfettered. We continue to talk about a land-use framework, but of course the money to actually fund the development of that framework has been cut over the last couple of years, and now we anticipate a number of changes to that process anyway.

In the meantime, for the last two and a half or three years, that process has been used as an excuse for inaction by this government on a whole number of different areas that ultimately impact the integrity and the sustainability of our environment across the province. So it's another example of talk, talk, talk but not actually getting anything done, not actually setting into place any new programs or policies or changes to how we do things.

When it comes to the environment, generally we have a government that anticipates a tripling of oil and gas revenues over the course of the next 10 to 15 years, yet we have not increased resources or plans to increase the quality or the quantity of our environmental protection efforts, which, of course, means that we actually plan to reduce the quality and the quantity of our environmental protection efforts given the expected increase in industrial activity. This again is another betrayal of future generations, of future Albertans. By failing to take responsibility for what we need to do to protect our environment, by failing to stand up for Albertans' public interests against specific industrial projects or in association with, even, specific industrial projects, this government betrays the future of Albertans.

Industrial development, job creation activities can go forward, should go forward, but they should and must go forward with a rigorous – rigorous – environmental regime in place, and that is not what we have right now. Over the last six months we have had repeated third-party experts, academics who were not tied to any particular financial interest, observe and assess our environmental regime, and every time it has come up failing. Every time it has come up inadequate. Over and over and over again we are told that this government has dropped the ball in terms of environmental protection.

We don't even know what we're not doing because we're so behind in checking on what we're doing, yet this government brings forward a vision in that regard that makes no provision for acting quickly to increase or improve our environmental protection regime in this province. In so doing, we once again hear lots of talk but, really, absolutely no action, and it's the kind of thing that once again will come home to roost for Albertans long into the future. That's the kind of decision-making that this government often does. It's decision-making that's easy now but not so easy to address five, 10, 15 years down the road.

Another area that, of course, we are concerned about is that once again the government continues to shortchange Albertans in

our collection of resource revenue. The throne speech reaffirms the plan to move forward on continuing to give royalty breaks to nonrenewable resource producers in our province such that we have probably one of the least productive royalty regimes in the developed world, yet at the same time we have the most stable resource-producing environment. We have the ability to sit at the table and demand more on behalf of Albertans, on behalf of Albertans who will come after us, but we don't do it because it's a tough job and we tend to avoid tough jobs in this government. Instead, Albertans have a savings fund from our vast, vast nonrenewable resources which is a pittance compared to any other developed country that sees most of its economic activity coming from the nonrenewable resource sector, and that again is a betrayal to future Albertans.

I do want to talk a little bit as well about where we're going in the future . . . [Ms Notley's speaking time expired] I appear to be finished.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Yes. I believe the hon. member had an important message in all of this, and we were all paying rapt attention. I know that she probably got cut short, so if she just wanted to complete her comments, I would allow her that privilege.

**The Deputy Speaker:** The hon. member.

**Ms Notley:** Well, thank you. I will ever so briefly say – there were just a couple more points – that as the government again talks about looking to the future, making Alberta a vibrant place to invest and to move forward in, we of course are looking at a plan to reduce the investment in advanced education and to also reduce the supports that we provide to new immigrants, that in theory we want to have move to our province, who will then contribute to the type of growth that the government suggests it's interested in achieving in the future. It seems to me to be yet another example of saying one thing but doing another.

Having said that, though, I would like to move adjournment of this debate.

[Motion to adjourn debate carried]

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

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. In view of good progress this afternoon I'm going to move that we adjourn the Assembly until 1:30 tomorrow and just remind members that the policy field committee called Resources and Environment will be reconvening at 6:30 p.m. in this Chamber to discuss the estimates related to International and Intergovernmental Relations.

[Motion carried; the Assembly adjourned at 5:10 p.m. to Wednesday at 1:30 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday, March 2, 2011

Issue 6

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 2, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Transportation.

**Mr. Ouellette:** Thank you, Mr. Speaker. It gives me great pleasure to stand and introduce to you and through you to all members of the Legislature today a school from my constituency. We have 26 grade 6 students from Spruce View school in Spruce View, Alberta. They're accompanied by their teacher, Ms Teri Patterson, and parent helpers Mr. Kevin Newsham, Mrs. Cari Smith and Lincoln, and Mrs. Julie Roy. As I've said in this House many times before, it's great to have children here to watch the proceedings because, as you know, they will be our leaders of tomorrow. I'd like them to rise.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to this Assembly a very enthusiastic class from St. Vincent elementary school. The class made their way from my constituency of Edmonton-Glenora to take in a tour of the building and to witness the excitement of question period. I had a great picture with them. I would like to acknowledge the teachers, Mrs. Angela Whelan and Mrs. Kimberley Elvidge, and the parent helpers, Mrs. Christine Lucadello and Mrs. Kelly Mis. I'd like the class and the teachers and parent helpers to rise and receive the warm welcome of the Assembly today.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. On your behalf I'd like to introduce to you and through you 17 grade 5/6 students from the Fort Assiniboine school. They are accompanied this afternoon by their principal, Kerry McElroy, teacher Charlene Assenheimer, program assistant Fleur Whitley, parent helpers Kim Cross and Ellen Carlson. They are seated in the members' gallery, sir, and I'd ask them to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to the members of the Assembly Erin Shaw from the Athabasca-Redwater constituency. Each year one outstanding 4-H member is chosen at the provincial 4-H selection program as the recipient of the 4-H Premier's award. Recipients represent Alberta 4-H and its members at various events region-

ally and throughout the agricultural community throughout the year. The 4-H club is Alberta's oldest youth club and also Alberta's largest youth club, with over 400 clubs province-wide. Erin is in the House today as a recipient of the 2010 Alberta 4-H Premier's award, and Erin is seated in the Speaker's gallery with her mother, Karen, and her sister Tegan. I would now ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of the Assembly two Albertans who are making a difference in the lives of those living with cancer, Dr. Brent Saik and his fiancée, Janelle Trenchuk. Last month the world's longest hockey game took place at Saiker's Acres, in my constituency, to raise money for the fight against cancer: 40 dedicated players, 241 straight hours, which became the world's longest hockey game. My wife and I stopped by a couple of times to cheer them on. I know the Premier and his wife also had a chance to stop by. The Premier tells me he recognized a familiar face on the memory wall dedicated to people who lost their battle with cancer, and it was a very moving experience.

I think it's safe to say that all members here today were moved by the dedication and commitment of everyone involved in the world's longest hockey game. Through their efforts they've raised hundreds of thousands of dollars to fight the disease that's touched the lives of many Albertans. They're outstanding Albertans. They're seated in your gallery, Mr. Speaker, and I'd like the members to join me in welcoming them to the Legislative Assembly.

**The Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you. Mr. Speaker, today I have the privilege to introduce to you and through you to all members of this Assembly the members of the provincial Persons with Developmental Disabilities Advisory Committee. We're all very fortunate to have PDD program stakeholders and senior PDD program and community board staff bring their extensive knowledge and expertise to the table to discuss issues that are very important to the PDD community. I would now ask that each member rise as they are introduced. I am pleased to introduce Colin Atkinson, a family representative from Camrose; Keith Moore, a family representative from Grande Prairie; Donna Desjardins, a family representative from St. Paul; Dale Peterson, with Catholic Social Services in Edmonton; Joan Lee, with the Vecova centre for disability research in Calgary; Krista Staples, with the Taber Special Needs Society; Ann Nicol, CEO of the Alberta Council of Disability Services; Bruce Uditski, CEO of the Alberta Association for Community Living.

My board CEOs are Dale Drummond, from the northeast region; Cheryl Bjorklund, from the northwest region; Hart Chapelle, from the Edmonton region; Wayne Morrow, central region; Alex Hillyard, Calgary region; and Leigh Bremner, south region. From my department Dave Arsenaault, my assistant deputy minister, and Jim Menzies, director with the PDD program branch.

Mr. Speaker, all these provincial advisory council members are truly dedicated to the PDD community and are partners in our quest to help each person with developmental disabilities to live their best life. Please join me in giving the traditional warm welcome of the Assembly to our guests.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly two Wildrose candidates: Mr. Bob McInnis, who is the candidate for Calgary-Fort, and Mr. Bill Jarvis, who is the candidate for Calgary-South East. I am delighted to be able to join them at our leader's dinner tonight, and I would ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly Mr. James Lockhart. This is his first time in the Legislature, and I assure you that I have assured him of the good behaviour of the people of this House. James and his family live in the beautiful town of Chestermere. He is a very successful entrepreneur, a good friend, and a strong advocate for change in Alberta. I'm glad to see him here, and I'd ask him to rise and receive the warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-North Hill.

### Natural Gas Revenues

**Mr. Fawcett:** Thank you, Mr. Speaker. With the tabling of the budget last week a stark reality hit us. Alberta is facing a significant reduction in resource revenues from natural gas. This is largely due to the emergence of shale gas development across North America. A result is that gas prices have been deflated, and demand for natural gas has been undermined. This has put pressure on Alberta revenue, which pegs natural gas royalties at around a billion dollars for the new budget year, quite a different picture from previous years, when natural gas royalties brought anywhere from \$4 billion to \$5 billion into government coffers.

This fiscal challenge facing our province mirrors that of individual Albertans – constituents, friends, and family alike – who have been hit hard personally either through loss of a job or decreased business activity.

Mr. Speaker, I'm glad that we recognized certain challenges to the natural gas industry in Alberta through the competitiveness review last year, making royalty adjustments that will allow Alberta gas companies to remain competitive.

Looking forward, we must turn our attention to strategic challenges and opportunities surrounding market access. First, we must develop a strategy that will ensure continued access to eastern markets as many in the industry are concerned over the threat of losing market share to the Northeastern Marcellus shale gas play.

1:40

Secondly, we need to seriously determine the strategic needs, costs, and benefits of gaining greater access to Asian markets by exploring the development of liquefied natural gas terminals on the west coast and pipeline access to these ports. Bill 1, the Asia Advisory Council Act, is a good start on this.

Finally, Mr. Speaker, we must look strategically at our own backyard, at how we can utilize natural gas for applications besides heating our homes and businesses. For example, it may be worth promoting natural gas as an alternative fuel source for vehicles. This would also help lower greenhouse gas emissions.

Talking with many individuals involved in the industry, it's clear that there are a number of strategic challenges and opportunities for natural gas in Alberta and western Canada that we must

embrace. Going forward, I hope that these become priorities for this government as well as the newly established New West Partnership.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

### Whistleblower Protection

**Mr. Anderson:** Thank you, Mr. Speaker. The health minister is demanding the good doctor from Edmonton-Meadowlark disclose the source of his recent allegations of impropriety by top-ranking government ministers and health officials. Now, there is no doubt that such serious allegations require proof as undoubtedly, if true, such crimes and misdemeanours would almost certainly result in electoral annihilation for this government at the next election.

I do not know whether these claims are in whole or in part accurate. I do not have any such evidence. However, this is what I do know and am sure of: I watched last fall as the reputation of the doctor from Edmonton-Meadowlark was smeared in public and in the media for questioning this government's abysmal record on health. I listened to a recorded message on the doctor's cellphone stating that the parliamentary assistant for health had called the head of the AMA, who was trying to rally support for having the doctor's mental state evaluated, which, of course, could result in him losing his licence to practise medicine.

I've talked with professionals who have had their licences reviewed by their professional organizations after speaking out in opposition to this government. I know of many who have been intimidated with the prospect of losing their job because of their involvement in volunteering or assisting the Wildrose Alliance. These things often go unsaid. But make no mistake. They go unsaid not because they don't happen but because of a culture of fear and intimidation that exists in every corner of this province as it involves this 40-year-old government. Whether it be the loss of government contracts or municipal funding or professional licences, the last year in opposition has opened my eyes to the sad reality that this province has become a company town.

To the minister of health and the Premier: I challenge you both. Grant signed immunity from prosecution or loss of position for any breach of confidentiality or otherwise for any person willing to step forward and substantiate these allegations. I assure you: your refusal to not do so will speak volumes.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Athabasca-Redwater.

### North West Upgrading/CNRL BRIK Project

**Mr. Johnson:** Thank you, Mr. Speaker. I'm pleased to rise today and acknowledge a very exciting announcement that occurred two weeks ago. That announcement was from North West Upgrading and Canadian Natural Resources, which led to an upgrader being built in Alberta's Industrial Heartland. This is not only an upgrader and refinery but also a project that will see the development of the first major carbon capture and storage project in the province. Enhance Energy will build the Alberta carbon trunk line to deliver carbon dioxide captured from the new upgrader, to be used for enhanced conventional oil recovery, all while producing some of the greenest diesel barrels on the planet, derived from Alberta's oil sands.

These projects were called a major economic development turning point in the local media. This is a landmark announcement for the value-added sector in our province and for agriculture, that depends on a reliable supply of diesel at harvest time.

Mr. Speaker, these two projects are part of our Premier's vision to advance Alberta's capacity for refining bitumen, which will provide jobs for Albertans and maximize the value of our resources for future generations. All of this couldn't be done without the bitumen royalty in kind program. BRIK is an innovative way for our government to encourage growth of the value-added sector without a large direct investment or costly tax credits, that are becoming common in other jurisdictions.

Mr. Speaker, my constituents and I are thrilled to see this project go ahead, and I want to thank the Premier, the Minister of Energy, and all of caucus for their hard work on this project. But a special thanks needs to go to the many Albertans, including members of the Alberta Industrial Heartland Association, who have also put in years of hard work to see this \$15 billion 8,000-job dream become a reality for Albertans and for Alberta companies.

**The Speaker:** The next speaker on my list is the hon. Member for Edmonton-Meadowlark, whom I shall call forward.

The hon. Member for Edmonton-Rutherford.

### ACT High School CPR Program

**Mr. Horne:** Thank you very much, Mr. Speaker. As hon. members may be aware, February was Heart Month across Canada. During that time information arrived at my constituency office highlighting a national organization working with great success to save the lives of Canadians who suffer a heart attack, thousands of Albertans among them. I am speaking of the ACT Foundation, founded in 1985 to promote citizen training and proficiency in cardiopulmonary resuscitation, or CPR.

In recent years ACT has focused its efforts on training youth through its high school CPR program. Working in partnership with the government of Alberta, ACT has established CPR training programs in 315 high schools across the province. Each year, Mr. Speaker, over 45,000 youth are trained by classroom teachers trained themselves in CPR. As a result of this initiative alone over 255,000 Albertans stand ready and willing today to help save the lives of their fellow citizens. More importantly, these same young people take this life-saving knowledge and share it with their friends, their families, and their communities, inspiring many others to make the commitment to train in CPR techniques.

In addition to achieving competency in these life-saving skills, the program also educates students about how to prevent cardiac disease, in theory through understanding the causes and risk factors and in practice through the adoption of healthy lifestyle habits.

Mr. Speaker, the high school CPR program is an excellent example of what we can achieve when we commit ourselves as schools, families, and communities to a proactive plan to reduce the impact of cardiac and other chronic diseases. It is an excellent example of what is possible through the meaningful engagement of Albertans in health and health care.

I want to commend ACT, its partner organizations, and especially students and staff in our high schools for their commitment and for their leadership.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Highwood.

### Canadian Wheat Board

**Mr. Groeneveld:** Thank you, Mr. Speaker. Do we Alberta grain farmers see the light at the end of the tunnel, or once again do we have a federal freight train speeding right at us? I rise today to

bring this Assembly's attention to Bill C-619, which has been introduced in Canada's House of Commons.

This bill amends the Canadian Wheat Board Act and gives western farmers the option to market their wheat and barley as they choose. Currently farmers in Alberta and other western provinces are obligated to sell their product to the Canadian Wheat Board only. The passage of this legislation would bring a major benefit to all Alberta and western grain farmers since the current system allows farmers in eastern Canada to market their grain as they choose. When the amendment is passed, western producers will be given the choice to opt out of participating in the Canadian Wheat Board for a minimum of two years. These same producers retain the right to return to the Canadian Wheat Board with notice if they so desire.

Mr. Speaker, this bill strikes a balance and offers alternative marketing outside of the Canadian Wheat Board. Alberta farmers work hard to grow their various products, and they should be able to sell their products to the purchaser of their choice, as should happen in any truly free-market system.

Mr. Speaker, I encourage all members of this House to work with and encourage their counterparts in the federal government to support this bill to ensure equity for all Canadian farmers.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

### Innovation and Change in Government

**Dr. Sherman:** Thank you, Mr. Speaker. Failure can be divided into those who thought and never did and those who did and never thought. For too long we've heard the argument: do not limit government, and it will take care of you; keep quiet, and you will be rewarded; disobey, and you will be punished. I am sad to say that Alberta has become a company town, where good public policy loses out to poor decisions made in secret.

However, something is happening all across Alberta. Change is in the air. Albertans expect their government to be honest, to care for the most vulnerable, and to serve the public interest while at the same time protecting their individual rights and freedoms. Albertans refuse to accept the way that things have been done and that this is the only way they can be done. The people of this province want progress, they want to be happy, and they need their lives to get better. But change, Mr. Speaker, does not always have to be incremental. Sometimes drastic examples are required to shake people out of their complacency. With so much at stake at this present time Albertans need to be reminded of the greatness that they are truly capable of achieving and that they are entitled to receive.

The future of Alberta is a place where we innovate and educate our children with excellence; a society built on honouring and supporting our elders; government that is more accountable to the people, from whom it derives its power, and that is fiscally responsible enough to get the best deal for the taxpayer; a land where indigenous Albertans recover their dignity, shake off the shackles of poverty, and take their place amongst our best and brightest. Alberta is the best place in the world to live . . . [Dr. Sherman's speaking time expired]

1:50

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Care System Governance

**Dr. Swann:** Thank you, Mr. Speaker. In 2008 the government

fired Alberta's local health regions and replaced them with the health superboard. In doing so, they failed to establish appropriate accounting controls, the most basic bookkeeping necessary to keep track of the billions spent on health care. Alberta's Auditor General has condemned the government for this failure, and only recently has the government agreed to follow the Auditor General's advice. But the work won't be done until 2013, another two years away and nearly another \$20 billion in inadequately recorded spending. This government continues to mismanage the public purse. To the Premier: how can you say that there is not a crisis . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, because there is . . . [interjection]

### Speaker's Ruling

#### Timing in Question Period

**The Speaker:** Yesterday afternoon I said that this House was developing bad habits. I talked about the Oral Question Period. We know what the phrase was. That was 45 seconds, 10 seconds beyond what we had, and we're going to keep going because I'm going to bring in as many members into question period as I possibly can.

Premier, you have 35 seconds.

### Health Care System Governance

*(continued)*

**Mr. Stelmach:** Mr. Speaker, very simply, yesterday the minister of finance told this House that according to many accountants, various professional organizations across Canada – he said to this House and to Albertans – we have the best books in the country of Canada.

**Dr. Swann:** I guess the Premier disagrees with the Auditor General, then. Is that what he's saying? How can the Premier assure Albertans that billions of dollars in vital health care funding has not been wasted as the financial controls are missing in action?

**Mr. Stelmach:** Mr. Speaker, because we have the good work of the Auditor General, that reviews the books not only of the Alberta government but also of the regional health authorities. If there are any areas that we can improve, I know that the minister has read the report very carefully and will undertake to make those improvements.

**Dr. Swann:** Well, in fact, they've agreed to but not until 2013. That's a problem, Mr. Speaker.

Are mismanagement, lack of financial control, and increased ER wait times what your government had in mind when you dismissed health regions and promised Albertans better health care?

**Mr. Zwozdesky:** Not at all, Mr. Speaker. What we had in mind was to streamline the services, to reduce the costs by \$500 million or \$600 million annually, and to pump all of that straight back into health care so that we could meet some very important targets such as reducing wait times for hip surgery by 60 per cent, such as making more continuing care options available to seniors with a 68 per cent increase in the number of people moved out into appropriate settings, and by ensuring that 90 per cent of patients have access to important medical services in the cancer area. That's what we had in mind with the Canadian . . .

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Care Services

**Dr. Swann:** Thank you very much, Mr. Speaker. Although this government continues to ignore the facts, Alberta Liberals know very well that quality health care remains the most important issue in the minds of Albertans, yet two-thirds of Albertans believe that the health care system is in a state of crisis. To the Premier: when you continually claim that health care is not in crisis, are you saying that the experiences of two-thirds of Albertans are wrong?

**Mr. Stelmach:** Mr. Speaker, the question is the same one that was asked last week by the hon. member. Very clearly, 62 per cent of Albertans said that they get the health services when they need them, and they're very satisfied with the health services. That came in two different polls that were done in the province of Alberta, and I happen to believe what Albertans are telling us.

**Dr. Swann:** While conveniently ignoring the two-thirds that said that it's in crisis and that 6 out of 10 have correctly identified that bad management is the main issue impacting health care today. Why won't the Premier start listening to Albertans by giving them the health system they deserve?

**Mr. Zwozdesky:** Mr. Speaker, in fact, that Environics poll that he's talking about, the headline on it, which I'll table if I can find it here quickly, said that 60 per cent or more of Albertans were satisfied, very satisfied, or somewhat satisfied with health services. It also said that there were some improvements that needed to be made. Of course there are. Every health system in the world can benefit from improvements. But it also indicated that there was a drop of 20 per cent in terms of the number of people surveyed who said that health care is not that seriously in jeopardy at the moment. So take a look at the whole poll if you would, please.

**Dr. Swann:** Well, Mr. Speaker, when Alberta's new hospitals and clinics do open up, will there be health professionals to staff them, or will they sit empty for months, as the Mazankowski did?

**Mr. Zwozdesky:** Mr. Speaker, as facilities open in this province, be they health facilities or others, they are fully staffed in the year that they're operating or expected to be operating, and they are funded accordingly. That's what we have built into our plan, and I would encourage the hon. member to please take a look at more evidence of that in the five-year health action plan, where it's very clearly spelled out. Even the opposition can follow it, I'm sure.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

### Provincial Borrowing

**Mr. MacDonald:** Thank you, Mr. Speaker. The finance minister was confused yesterday. It clearly reads in the fiscal plan on page 80 that over the next three years this government plans to borrow over \$3 billion on behalf of the Alberta Treasury Branches. It's not a laughing matter with your performance, sir. Now, to the minister of finance. I ask again: why is this government borrowing this money now? I thought you were out of the business of being in business.

**Mr. Snelgrove:** Mr. Speaker, I even went out with the hon. member and showed him in the financial statement where he's misreading. We are borrowing money on behalf of Alberta Treasury Branches. It's a bank that's completely owned by the government of Alberta, and they in turn loan that money out to their clients.

**Mr. MacDonald:** Isn't this a bit unfair? How can an organization or an enterprise like the Canadian Western Bank, which is located here in Alberta, compete whenever you're giving your Crown-owned corporation this kind of a sweet deal?

**Mr. Snelgrove:** Mr. Speaker, there are different philosophical choices we can make. If the opposition believes that the Alberta Treasury Branches should be sold or shut down, then they need to say that, to ask Albertans if, in fact, they have no interest in the bank that's provided services all over Alberta for decades. We believe it is a solid resource for the people of Alberta, and we'll continue to support it.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the minister of finance, and this is quite interesting: where on the government of Alberta's books will this \$3 billion liability over three years be recorded? Or is it on someone else's books and you're hiding it because you're embarrassed?

**Mr. Snelgrove:** It will show as an asset of the Alberta Treasury Branches, which are included in our consolidated financial statements.

### Federal Public Building Renovations

**Mr. Anderson:** Mr. Speaker, part of being a fiscally responsible government is to maintain a balanced budget by ensuring that core programs and critical infrastructure receive needed funding while less important initiatives are shelved until they become necessary and affordable. An example of where this government has failed in this regard is the building of new MLA offices at a cost of \$275 million, including \$115 million in this year's budget. To the finance minister: how does he justify spending \$115 million on new MLA offices during a budget crisis, an ER crisis, and a school shortage crisis?

**Mr. Snelgrove:** Mr. Speaker, the total cost of the federal building, which will house some MLA offices but also the departments of finance and others when it's done, is \$115 million. For the hon. member to suggest that we're spending \$115 million on MLA offices is simply absurd.

**Mr. Anderson:** It's on your own website. Look it up if that's possible for you. So new MLA offices are more important to this minister than new doctors, new schools, or balanced books. That's very interesting.

My next question. Given that we have a \$6.1 billion cash shortfall this year and given that our provincial savings are being drained at an alarming rate, will this finance minister mothball these new MLA offices and instead focus on cutting the deficit or, if that's not important to him, spend it on new schools or nurses or something that benefits Albertans; you know, the people who pay the bills?

**Mr. Snelgrove:** Mr. Speaker, the share of the budget for the federal building is less than 5 per cent. So we could stop that. It would cost much more to restart the program down the road. But what they need to tell us is: what hospitals in what communities, what schools in what communities, which highways in which part of Alberta are they going to quit working on now? It's just that simple. What projects are you going to stop doing? Just tell us.

**Mr. Anderson:** Start with the \$115 million. It would appear this government's focus is on upgrading opposition offices prior to the next election. Go figure.

Final question. Given that this project clearly should not have been undertaken during this period of skyrocketing deficits, will he disclose to this House a list of all planned infrastructure projects for the next three years so that we can do exactly what he's saying, so that we can go through line by line and look at the priorities and look at where we can cut? Show us the list. Come on. We'll show you where to prioritize.

2:00

**Mr. Snelgrove:** It's generally accepted that for every billion dollars of infrastructure spending, we employ 10,000 Albertans. If the opposition thinks that that is just insignificant, they need to talk to the people on the construction jobs. They're at 5 per cent that they said they could stop. Five per cent. They've got to find another two and a half billion to match their 'fudget'. Are they going to tell 25,000 Albertans that they're going to put them out of work? Is that what they're trying to do?

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood. [interjections] The hon. Member for Edmonton-Highlands-Norwood has the floor. I want all members to know that the television cameras go to him. Nobody else can see you, hear you, or anything else.

### Cancer Treatment Wait Times

**Mr. Mason:** Thank you, Mr. Speaker. Dr. John Cowell, the head of the Health Quality Council of Alberta, says he's willing to independently investigate accusations that long wait times for cancer surgery resulted in the deaths of hundreds of Albertans, but the health minister has refused to let the Health Quality Council get to the bottom of these serious accusations. My question is to the minister. Why is the minister refusing to allow the Health Quality Council to investigate serious allegations of cancer patients dying while waiting for surgery in Alberta for the past decade?

**Mr. Zwozdesky:** Mr. Speaker, I'm not denying anyone anything of the sort. What I am asking for is that the hon. member who brought forward these allegations stand in this Assembly and then stand out there, where it really counts, and live up to those allegations or withdraw them.

**Mr. Mason:** Well, Mr. Speaker, the minister can hide behind the hon. Member for Edmonton-Meadowlark, but he is accountable to this House.

Given that this minister said yesterday that cancer surgery wait times improved dramatically since 2006, it's clear that the minister knows the numbers from before 2006. Will the minister give us the numbers for wait times on cancer surgery from before 2006?

**Mr. Zwozdesky:** I can certainly try and get that information. I don't have it at my fingertips.

What I'd like this hon. member and other hon. members to know, and in particular the member who raised the allegations, is that Alberta Health Services, Mr. Speaker, does have a policy, and that policy has many parts to it that deal with this issue. One of them is called a duty to disclose, and here is what it says. "Any member of AHS Personnel who has a reasonable basis to believe that Improper Activity has occurred or is occurring within AHS is required to disclose the information on which the belief is based."

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. I think I should get another question since he's more interested in . . .

**The Speaker:** Hon. member, you have 35 seconds with no preamble, and you're eating up your time.

**Mr. Mason:** Yeah. Thanks. Given that the minister won't allow an investigation, won't divulge facts at his disposal about wait times and cancer deaths, allegations of a cover-up seem valid. To the minister: will he admit that there is indeed a cover-up and that he is orchestrating it as we speak?

**Mr. Zwozdesky:** You know, I always appreciate a little bit of humour when he ties in some of my professional musical background. Thank you for that.

Mr. Speaker, there is also a clause in here that talks about protection from retaliation. It reads: "AHS will not take or condone any adverse action . . . against any AHS Personnel or other individual who . . . in good faith and without malice or desire for personal benefit, reports Improper Activity in accordance with this policy." That's pretty much verbatim from what's in here.

With respect to the cancer issues and any wait times and so on that he has asked about, I will look into it.

**The Speaker:** Thank you, hon. minister. And you will table the documents from whence you quoted, correct?

**Mr. Zwozdesky:** Absolutely, Mr. Speaker.

**The Speaker:** Okay.

The hon. Member for Calgary-Currie.

### Regional Planning

**Mr. Taylor:** Thank you, Mr. Speaker. Good on the government for introducing Bill 10 yesterday, but this is kind of like the new royalty frameworks that they introduced after getting the original new royalty frameworks so wrong. Wouldn't it have been better to avoid all the anger, hostility, and confusion by getting it right the first time? And there was a template for this. Ontario's Places to Grow Act offered a sound basis for regional planning that kept landowner rights intact and did not give monolithic power to the Ontario cabinet. To the Premier: why did this government so grossly overstep its boundaries in implementing legislation for regional planning when other effective examples existed within Canada?

**Mr. Stelmach:** Actually, Mr. Speaker, I'd argue with the member in terms of whether the land planning in Ontario that he talked about is a better policy. I vehemently disagree.

Anyway, we heard from all industry and Albertans that we have to protect a very finite land base, protect our water, our air, and also, most importantly, the quality of our land. As a result, we consulted Albertans for a number of years. We put a bill together called Bill 36, and that bill was debated here in the House.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you very much, Mr. Speaker. Why should Albertans, who certainly don't seem to feel like they were consulted or at least listened to, trust this government to restore landowner rights in Bill 10 since it was the same government that introduced bills 19, 36, and 50 in 2009 that infringe on landowner rights?

**Mr. Stelmach:** Mr. Speaker, Bill 19, Bill 36, and Bill 50 actually supported landowner rights. I don't know where the hon. member is getting that. He should take the time and have a look at Bill 19. It actually protects landowners. For years this government sterilized land before they bought land for large transportation projects. Now we have to buy that land or remove all restrictions within two years. That definitely enhances landowner policy.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. Well, since the first regional plan under Bill 36 will involve the lower Athabasca area, which contains a great deal of land that requires conservation, and given that the failed Alberta parks act last fall was pulled because it was more about commercial development in parks than protecting them, what measures will this government take in this regional plan's conservation efforts that will restore Albertans' trust?

**Mr. Stelmach:** Mr. Speaker, that is the purpose of the land-use framework, to make sure that Albertans come together and decide what they want to see in their own community. I'm not going to allow some of this opposition to allow these decisions to be made in court. If we don't get together as Albertans and decide what we're going to do with our communities – and I don't want any doggone judge that's going to listen to evidence from outside the community or outside this country to implement policy for Albertans. It's not going to happen under my watch.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-Buffalo.

### Capital Infrastructure Benefits

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I have travelled all over Alberta and have seen some of the incredible work being done in our province regarding the investment in infrastructure. We're building world-class institutions, opening schools and hospitals all over the province, and providing jobs to thousands of Albertans. My questions are to the Premier. With a \$6.6 billion commitment to capital projects in Budget 2011 what does this investment mean to Albertans and Alberta's economy?

**Mr. Stelmach:** Mr. Speaker, not only does it mean a lot of jobs, but it also means that all of the infrastructure we're building is an economic enabler. It's going to help us move our goods and services competitively to market, it's going to build the schools that are absolutely necessary, and it's also going to provide first-class health facilities across this province. It's a good investment. The money is coming from the cash reserve in our sustainability fund. It's being paid for, and it's going to support the next generation of Albertans.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the Premier again: how many electricians, boilermakers, construction workers, and other Albertans would be out of work if the decision was made to defer the infrastructure investment as is being talked about in the House?

**Mr. Stelmach:** Mr. Speaker, the deficit is around \$3.2 billion, and that's all in infrastructure. The operational part of government is balanced, but it's the money we're spending on infrastructure. For every billion dollars involved in infrastructure, it's about 10,000 jobs. So if we were going to balance and erase the \$3.2 billion

deficit, it would be on the backs of about 30,000 Albertans who would not have a job today.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the Premier again: what would it cost this government to wait another year to build these critical infrastructure projects?

**Mr. Stelmach:** Mr. Speaker, I can't give a definite answer in terms of what the inflation may be over the next couple of years, but I do know that we've learned from the past. While we were paying off the debt, which was a good idea, we were very deficient in infrastructure. As a result, at many times we were paying as high as 25 per cent inflation on the infrastructure to catch up, whether it was roads, schools, hospitals built in this province. By investing the money that we have in cash today and building the infrastructure, we're going to save hundreds of millions of dollars, number one. Number two, if we wait another couple of years, we're going to run into the same 20 to 25 per cent inflation because the economy is picking up and we're going to be competing with the private sector again.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Strathcona.

## 2:10 Electricity Generation

**Mr. Hehr:** Thank you, Mr. Speaker. With Alberta's electrical generating capacity already insufficient, two generators, Sundance 1 and 2, ceased operating. This is a time when we are already dependent on imported power. To the Minister of Energy: does the minister agree that without these two generators it will further escalate electricity prices?

**Mr. Liepert:** Well, Mr. Speaker, that's the same question that the member asked I think a week ago. I'll assure the member that the Alberta Electric System Operator is confident that as we move forward, we will be able to meet the needs of Albertans. But I think it's a good time, also, to ensure that members of the opposition, I assume, are now going to be much more supportive of our Bill 50, which is ensuring that we have the transmission that will transmit this electricity around the province.

**The Speaker:** The hon. member.

**Mr. Hehr:** Well, thank you, Mr. Speaker. Given that the Alberta Electric System Operator predicts potential energy shortfalls without these two generators, does the minister believe we have enough capacity to avoid the potential for blackouts?

**Mr. Liepert:** Mr. Speaker, I don't know where the member is getting his information from, but I talk to the Electric System Operator on a regular basis. The Electric System Operator is not predicting blackouts because of these two generators coming off-line. In fact, the output from the two generators will be pretty much made up by the new Keephills plant that comes on in April. [interjections]

**The Speaker:** Okay, boys. You know, you can hide, but you will be found.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I appreciate that the new Keephills plant is coming online, but it does not meet the generation capacity of old Sundance 1 and 2. Given that and that we

need more capacity, are we looking at building more load capacity down around Calgary like many experts have suggested?

**Mr. Liepert:** Well, Mr. Speaker, the member is indicating in his question that somehow it's government that builds generating capacity. It is not the government. We have a deregulated generation system in Alberta. If the private sector believes that the capacity is required, I'm sure it'll be built.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Edmonton-Centre.

## Northeast Anthony Henday Ring Road

**Mr. Quest:** Thank you, Mr. Speaker. This morning the Premier announced that the province is moving forward with the final northeast leg of the Anthony Henday Drive. My constituents and many others are very pleased to see this project moving ahead. My questions today are for the Minister of Transportation. While completion of the ring road is critical for economic development for the entire capital region – I'm sure we all agree – my question is: why is this project being built as a P3?

**Mr. Ouellette:** Mr. Speaker, this final leg of Edmonton's ring road will be Alberta's single largest transportation or highway construction project to date. This is a very complex project, and a P3 gets it done as one project, not a whole bunch of little ones. The benefits are cost savings for taxpayers, a guaranteed price, and a guaranteed delivery date about three years quicker than conventional delivery. The contractor takes on the risks of inflation, and we get a 30-year warranty on the work. And let's not forget all the jobs.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My first supplemental to the same minister: does the minister have any idea what the total project cost is going to be?

**Mr. Ouellette:** Mr. Speaker, starting today, we're asking for qualified P3 groups to come forward, and then we will pick the top three out of all of those qualified groups. To ensure a fair, competitive bidding price, we will not release that cost until after we get – about a year from now we'll actually get the contract, and that's when the total price will be made available to the public. We know industry is anxiously awaiting this project because they know Alberta's . . .

**The Speaker:** The hon. member. [interjection] Okay. But I recognized the hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. My final question to the same minister. The minister has said that this is a very extensive project, and I understand it includes more than the last nine kilometres of the ring road. What do we need to do south to the Whitemud and on parts of the Yellowhead?

**Mr. Ouellette:** Mr. Speaker, the section of Anthony Henday Drive from highways 16 and 14 must be upgraded because of the increased traffic volumes there. We are putting extra overpasses or interchanges in the Sherwood Park area to handle all of that traffic, and it makes perfect sense to include that work while we're doing a P3 project. This government is building the right things at the right time to ensure that the province's . . .

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Grande Prairie-Wapiti.

### Caribou Conservation

**Ms Blakeman:** Thanks very much, Mr. Speaker. The woodland caribou is categorized as threatened under the Wildlife Act, and the number one threat to its survival is industrial development of its habitat. When a government-appointed scientific subcommittee recommends that woodland caribou be listed as endangered, the Endangered Species Conservation Committee insists on the lesser category. To the Minister of Sustainable Resource Development: what fact-based evidence does the deciding committee have which trumps the scientific subcommittee recommendation?

**Mr. Knight:** Well, Mr. Speaker, quite honestly, I don't have any of the information that the member opposite speaks about. What I can tell you about the caribou conservation measures in the province of Alberta: we're working closely with the federal government and with the committee that we put together in the province of Alberta. We realize this is an iconic species in the province of Alberta. When we move forward with regional planning such as the lower Athabasca, in those plans the member opposite will see some very positive work moving forward with respect to conservation of caribou.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Back to the same minister. What other information, aside from science, does the minister consider in classifying endangered species? For example, with the grizzlies it was the input of hunters. So what is it that the minister considers for the woodland caribou?

**Mr. Knight:** Well, Mr. Speaker, first of all, I don't set whether or not a species in the province of Alberta would be considered to be at risk, threatened, or endangered. We rely on a committee that does that kind of work, and they use the science-based work and data that they gather with respect to the issue. All I would do is agree or disagree at the end of the day with what may be presented to me. At this particular point in time I have not been presented with any information that would force me to make a decision.

**Ms Blakeman:** They still report to you, Mr. Minister.

Again to the same minister: can the minister explain why decisions which have a favourable outcome for the sectors of industrial and agricultural committee members like the Alberta Forest Products and CAPP and the Beef Producers seem to carry more weight in decisions made by the endangered species committee? In this case these members' activities are the number one cause of the shrinking caribou habitat.

**Mr. Knight:** You know, Mr. Speaker, there are two things here. Now the member has moved away from the idea of the decrease in numbers. The number one cause of decrease in numbers was originally the question that was asked. Now we've got this about the decrease in the area. There's no real decrease in area of critical habitat for caribou. We work in the areas where caribou are present and prevalent, but there is plenty of critical habitat for caribou in the province of Alberta, and we will move forward to protect it.

### Air Quality Monitoring in the Three Creeks Area

**Mr. Drysdale:** Mr. Speaker, this morning residents of the Three Creeks area northeast of Peace River were again subjected to odours emanating from the significant energy industry activity in the area to the point where some of them evacuated their homes. This is clearly an alarming situation. My first question is to the

Minister of Energy. Is he concerned about the level of industrial emissions in this northern airshed, and is he pursuing activities to address this?

**Mr. Liepert:** Well, Mr. Speaker, our department through the Energy Resources Conservation Board and the Department of Environment has been working with the residents of Three Creeks for some time now monitoring emissions and odours. The actions to date include conducting extensive air monitoring and sampling and providing residents with canisters to capture their own samples. Throughout all these initiatives the parts per million are consistently within provincial limits. Monitoring of new concerns this morning showed zero parts per million of H<sub>2</sub>S, and there were no evacuations other than those that were voluntary.

**The Speaker:** The hon. member.

**Mr. Drysdale:** Thank you, Mr. Speaker. My second question is to the Minister of Health and Wellness. Is he concerned about the allegation of health impacts to the residents of the area, and is he doing anything to address this situation?

2:20

**Mr. Zwodzesky:** Mr. Speaker, I'm always concerned when the issue of health in Alberta arises. As a result of that we have health personnel under my umbrella who are working very closely with the ministry officials in Energy and in Agriculture and in Sustainable Resource Development to study the situation to come up with some suggested solutions, as the Minister of Energy just mentioned. We are always concerned with air quality and testing and surveying, and that's why we're going out into the field to meet with those individuals as we speak.

**The Speaker:** The hon. member.

**Mr. Drysdale:** Thank you, Mr. Speaker. My third question is to the Minister of Energy. Can he assure this House that his department is working to resolve this issue with the same urgency that he would if it were occurring in a large urban environment?

**Mr. Liepert:** Absolutely, Mr. Speaker. There is a protocol that is in place. It was developed jointly by the residents of the community along with the Department of Environment and the ERCB. It was followed this morning, and working with the Minister of Environment we'll continue to monitor and respond in a timely fashion.

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

### Confidentiality of Name Changes

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. The government's first and most important duty is to protect our citizens. Jane and Janet Doe obtained unpublished, secure name changes five years ago, the first sign of life after living in fear for more than a decade. Imagine their horror when they found out the *Alberta Gazette* had published the name change and that a simple Google search would've found it. The minister has issued an apology, but it doesn't go nearly far enough. To the Minister of Service Alberta: why was no consideration given to settling this matter instead of letting it drag out into a lawsuit when you have already admitted fault?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to this situation, the moment that we were made aware of the situation,



we immediately removed the name from electronic copies of the *Gazette* and took steps to ensure that it didn't happen again in the future. We've also been informed that the individual has obtained legal representation, and we are waiting for a response from the lawyer on this matter.

**Mrs. Forsyth:** Well, Mr. Speaker, again to the same minister: have the changes referred to in your apology letter of March 16, 2010, been implemented, and if so, can you provide the House with written proof of this compared to the original legislation?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, with respect to the checks and balances we have put in place, those were put in place immediately. I'm happy to provide that information to the member so that she can see what we've done.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Again to the same minister: Minister, can you assure this family that they will be fairly compensated immediately so that they can put this ugly ordeal behind them for good?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Of course, we take the privacy of Albertans' information very seriously – and I do as minister – and I would like to assure all members in this Chamber that we will continue to do that. As the matter is with the lawyers at this time, I will wait until we hear from the lawyers.

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

#### Logging in the Castle Special Management Area

**Mr. Chase:** Thank you, Mr. Speaker. In yesterday's prayer you painted a picture of the bounty of Alberta's natural and human resources, entreating us to rededicate ourselves as wise stewards, when you stated: "In our mind's eye let us see the awesome grandeur of the Rockies, the denseness of our forests." Given SRD's proposed clear-cutting in the Castle-Crown, all Albertans will be left with is a mind's eye memory. My questions are to the Minister of Sustainable Resource Development. How can you justify clear-cutting in the Castle?

**Mr. Knight:** Mr. Speaker, quite honestly, the area that we're talking about here is a C5 management area, and there have been industrial and commercial operations, particularly from the point of view of timber harvesting, in that area for over 50 years. If you look at a proper forest management program going forward, I think that it's very clear that the management plans that have been in place have protected the area very well. If you look at the type of forestry, the old-growth forest that's there, some management plan is required from the point of view of the infestation.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. I'm all in favour of management. It's clear-cutting that I'm opposed to.

Again to the Minister of Sustainable Resource Development: why are you using the pine beetle infestation as justification for the corporate mowing down of every piece of vegetation in what is a diversified forest?

**Mr. Knight:** Well, Mr. Speaker, the fact of the matter is that in the area two-thirds – two-thirds – of the area is off limits to logging. Two-thirds. Sixty-six per cent. I don't know what kind of a mower this individual has. Two-thirds of the area is off limits. Of the one-third that remains, less than 1 per cent per year is harvestable.

**Mr. Chase:** One per cent per year after year after year after year of one-third has a damaging effect.

Has work on the land-use framework been deliberately stalled so that every piece of Crown land in this province can be exploited before regional plans are implemented and enforced?

**Mr. Knight:** Mr. Speaker, year after year after year after year we continue to plant two trees for every one we cut down.

**The Speaker:** Hon. Member for Calgary-Varsity, my prayers are prayers of hope.

The hon. Member for Calgary-Mackay.

#### Alberta Innovation Voucher Program

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. Nanotechnology has big potential for Alberta, and I'm concerned that we may not be fully capitalizing on these new ventures. At the recent nanotechnology conference participants told me that they were frustrated by the government's hit-and-miss support for the industry. For example, they can get innovation vouchers, but they cannot find the market research expertise they need to use these vouchers. My questions are to the Minister of Advanced Education and Technology. What are you doing to ensure that the innovation voucher program is achieving its goals and helping nanotechnology companies access the market research they need?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you. I'd like to agree with the member that nanotechnology is indeed one of those bright spots in the future of Alberta. The innovation vouchers are an important part of connecting our entrepreneurs, our nanotechnology people with great ideas with the researchers that are doing the work. This program is extremely important. We've just finished the second round of vouchers. We are now starting to get feedback on the first round of vouchers so that we can continue to make the program work better. I would like to assure the member that market research can be done using these vouchers.

**The Speaker:** The hon. member.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. My second question is for the same minister. Why doesn't the government commission market research in nanotechnology that all businesses and other researchers can access?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. The National Institute for Nanotechnology does do some generalized market research, which is available to the public. However, specialty market research for particular items is a priority of the company doing it. It's very specialized. So those companies do their own market research to ensure that the product they're working on is marketable and will fit within the market.

**Ms Woo-Paw:** My final question is again for the same minister. What is this government's strategy for nanotechnology research and development in this province?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you very much. Nanotechnology is one of the key areas that this government is focused on. As you know, in Alberta we've had some phenomenal breakthroughs, and we are considered global leaders in nanotechnology. Dr. Rob Burrell at the University of Alberta has done incredible work on nanosilver and its use in diabetic ulcers, in burn victims, and also in the treatment of very important types of pneumonia, where other drugs can't be used. They're also now doing research on nanoplatinum and gold to see what other things can be done in Alberta. You're going to hear shortly some exciting news about nanocrystal.

#### Homeless Management Information System

**Mr. Hehr:** Mr. Speaker, I have been surprised at the minister of housing's characterization of privacy laws in the province and how they apply to the nonprofit sector. To the minister of housing. I am sure the minister knows that nonprofits like the Calgary Homeless Foundation are not subject to the FOIP Act and that no one can be made subject to the act by contract, but some privacy protection can be put into contract. Would the minister agree?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. As an esteemed fellow member of the bar I'm sure he knows that not every question can be answered yes or no. He's quite correct that nonprofit organizations are not subject to the privacy legislation; however, when you have a contract between organizations like myself and the Calgary Homeless Foundation, they can be subject to the privacy act. In fact, that is exactly the case. We have that contract signed. People's privacy is in fact protected.

**Mr. Hehr:** Well, I thank the minister for that answer. It gives a little clarification.

Given that the minister said that the project to track the homeless will provide privacy protection by contract, can he explain what kind of measures have been placed in the contract to protect these things if the Calgary Homeless Foundation violates them?

2:30

**Mr. Denis:** Again, Mr. Speaker, as I answered the previous member who asked me this question, the Member for Calgary-McCall, in the last couple of days, the privacy act, in fact, does not apply to nonprofit corporations, but it does apply when you have a contract, and we do have that contract. The FOIP Act does apply in dealings between us and the Calgary Homeless Foundation. In fact, section 39 of that particular act states that there's no disclosure of personal information without consent. People in these organizations and homeless people that we provide services to are in good hands.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thanks, Mr. Speaker. I look at this privacy legislation and want to know: what are the contractual stipulations that will be put into force should the Calgary Homeless Foundation violate the principles?

**Mr. Denis:** Mr. Speaker, I've answered this question repeatedly.

Today I want to mention one more time that March is actually the second anniversary of the 10-year plan to end homelessness. Instead of dealing with answers and questions that I've already gone over, I think this member actually should join us in celebrat-

ing the fact that we have housed over 3,000 formerly homeless people in this province.

#### Speaker's Ruling Legal Opinions

**The Speaker:** I know that both the hon. Member for Calgary-Buffalo and the hon. Minister of Housing and Urban Affairs are distinguished members of the Law Society, and I know you're having a good time with this exchange, but you both realize – don't you? – that questions requiring and involving a legal opinion are void in the question period. Why don't you guys just go and have a coffee. Okay?

The hon. Member for Athabasca-Redwater.

#### Highway 63 Emergency Services

**Mr. Johnson:** Thank you, Mr. Speaker. Highway 63 is busy, remote, and widely regarded as one of the most dangerous highways in Alberta. Last June the admirable group of half a dozen volunteer firefighters from Wandering River who'd responded to emergencies on this highway reached their breaking point. They were unable to continue covering this 150-kilometre stretch spanning parts of three counties. Since municipalities are responsible for emergency services, my questions are for the Minister of Municipal Affairs. Can the minister tell my constituents what he's doing to ensure that Albertans travelling the Wandering River section of highway 63 still receive emergency assistance when they require it?

**Mr. Goudreau:** Mr. Speaker, we're very well aware of the challenges along this stretch of highway, and we've been doing a fair amount of work on this particular issue. We're providing ongoing support to municipalities, including \$500,000 annually for fire-fighting training and \$50,000 for recruitment and retention tools. Specifically, we have helped Athabasca county identify new recruits and are supporting firefighters to deal with stresses and issues along that stretch.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. Given the uniqueness of this issue and the fact that it came to a head eight months ago and that the Alberta Association of Municipal Districts and Counties passed a resolution three years ago requesting that the Alberta government set up staff for emergency response on highway 63, can the minister tell my constituents why the government has not yet stepped in with a solution to this problem?

**Mr. Goudreau:** Mr. Speaker, we do need a sustainable solution – and I re-emphasize a sustainable solution – and that's why we've got a cross-ministry working group. They've provided recommendations on the highway 63 issue, and we're presently reviewing them. As we know, providing these services is a municipal responsibility throughout the province, but that said, we want to ensure that the right tools and supports are available at the municipal level.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. I'm glad the minister has some strategies to deal with this important issue, but can he give my constituents a timeline? When can my constituents expect to see some solutions coming forward on this issue?

**Mr. Goudreau:** Mr. Speaker, the timing will depend on the num-

ber of solutions that we're presently looking at. Those solutions are there to support these communities and others in the delivery of emergency services at the local levels. Our solutions will consider ongoing recruitment and retention, driver behaviour, and the right tools to ensure that emergency services are retained and improved. Some actions should come in the very, very short term here while others will no doubt take much longer.

#### Physician and Family Support Program

**Dr. Taft:** Mr. Speaker, we all know there's a shortage of doctors in Alberta. My question is to the Minister of Health and Wellness. I give him that heads-up so that he'll pay attention today. There's a shortage of cancer doctors. There's a shortage of family doctors. There's a shortage in many rural areas. The Alberta Liberals want to attract and keep doctors here. To the Minister of Health and Wellness: one of the successful innovations in health care delivery in Alberta has been the physician and family support program, so why is this government threatening to cancel it?

**Mr. Zwozdesky:** Mr. Speaker, I'm not threatening anyone. I assume he's probably referring to the AMA negotiations. They're our lead negotiators for Alberta Health Services, for Alberta Health and Wellness, and for the Alberta Medical Association. They're at the table, I think, even as we speak, possibly. I'm not sure. They are negotiating, and the process, from what I understand, is working. I met with the AMA president last Friday. They raised some concerns. Those concerns were passed onto the appropriate sources, and hopefully they'll have a resolution, hon. member.

**Dr. Taft:** Well, the minister is responsible.

Given the dramatic shift in the gender balance of our physician workforce toward a majority of women physicians, will this minister promise Alberta's women physicians that the physician parental leave program will be sustained?

**Mr. Zwozdesky:** Mr. Speaker, there are a number of important programs that have served physicians well, and that's why they're negotiating right now. From the AMA's perspective they've brought their issues forward, I'm sure. From the Health and Wellness perspective our negotiators have brought those things forward. But there's a lot more on the table than just the programs. Those are important programs, and in a perfect world, yes, I'd like to see them all continued.

**Dr. Taft:** Again to the same minister. Being a doctor brings with it immense stress. Given that the physician support program helps doctors who are dealing with stress, trauma, grief, bereavement, abuse, addictions, and even suicide, will the minister promise here and now – stop dancing around it and just make the promise – that funding will continue for these programs that he's acknowledged work so well?

**Mr. Zwozdesky:** Mr. Speaker, I'll state it again. I'm not on the negotiating team. I'm not at the negotiating table. We have an agreement that is going to expire prior to the end of March. I know the negotiators are there. They're dealing with the fiscal realities of our province. There are some difficult decisions that they're wrestling with. Let's give them the proper due and the credit they deserve and the time that they need to sort those things out because that's what they're doing.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Drayton Valley-Calmar.

#### Supply of Diesel Fuel

**Mr. Prins:** Thank you, Mr. Speaker. You know, the weather may be very cold outside, but the crop farming season is, hopefully, right around the corner. Many of my constituents use diesel fuel to help fuel their farm equipment, and every year they seem to get caught up in a diesel fuel shortage. My questions are to the Minister of Energy. What assurances can the minister provide so that Albertans won't have to face diesel shortages in the future?

**Mr. Liepert:** Well, Mr. Speaker, neither I nor any member of this Assembly can stand here and guarantee that we won't have a diesel shortage. The reality is that Alberta's economy is probably the fastest growing in all of North America, and that's going to put increased strain on our capacity. I do think it's important to point out, as the Member for Athabasca-Redwater talked about in his member's statement, the North West upgrader refinery and the importance of that. By 2015, hopefully, those diesel shortages will no longer be around.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you. That's true. It's not just the farmers; it's the oil and gas, transportation, and forestry industries. They're all affected.

It's been brought to my attention that the cost of diesel fuel is also going up. Can the minister confirm the cause of this increase?

**Mr. Liepert:** Well, I think the cause is pretty simple, Mr. Speaker. It's supply and demand. I'd maybe add one other thing. I think there's some speculation that's going on. As you are well aware, we've got the international disruptions that are happening to the marketplace in the world. The price of crude is going up, and that obviously will have an impact on consumer prices.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you very much. This is a critical issue. I would hope this is not true, but are there any plans to regulate this industry?

**Mr. Liepert:** Well, I assume that the member is referring to regulating prices, and in essence that's a very simple answer. The answer is no. I can assure this Assembly, Mr. Speaker, that if there is one way to guarantee a shortage of diesel, that would be to regulate retail prices. In all likelihood what would happen then is that less crude would be refined into diesel, and we'd have even greater shortages than what might be occurring.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

#### Oil Sands Image in the United States

**Mrs. McQueen:** Thank you, Mr. Speaker. The political and economic unrest in the Middle East has wreaked havoc on oil prices and has cast a spotlight on the need for stable oil sources. I understand that the Minister of International and Intergovernmental Relations has recently returned from a trip to Washington. My questions for the minister are: have American counterparts' views on Alberta oil sands changed given these present circumstances? If so, how?

2:40

**The Speaker:** The hon. minister.

**Ms Evans:** Thank you very much, Mr. Speaker. That's an excellent question. I'm really confident as I stand here today that they

have got the total picture of the fact that we provide a third of the world's oil, that it's going to mean 343,000 jobs between now and 2015, and that a great part of their GDP, both from the crude oil manufacturing opportunities and the value-added GDP – it's almost \$100 billion between now and 2025 if the oil sands are developed.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. To the same minister. Can you tell us: how does a situation in the Middle East and north Africa change the way Alberta advocates to the United States?

**Ms Evans:** Actually, Mr. Speaker, we're trying to stick very much to our same message of a safe, secure source of supply, but frequently we're getting people making that kind of commentary about their concerns. In America, for example, they were talking about what other places we might market our oil if the Keystone pipeline weren't going ahead. They're very conscious of China. In the Middle East they're very conscious themselves of buying alternative sources, like Kuwait's petroleum group looking at Alberta as an opportunity for the future in order for them to have a secure supply.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Finally, to the same minister. I'm glad you mentioned Keystone. How does the changing view of Alberta's oil sands affect the passage of important infrastructure projects like the proposed Keystone pipeline?

**Ms Evans:** Mr. Speaker, when I was meeting with the governors at my last meeting on Monday afternoon, prior to returning home, they had calculated that 250 businesses along the American side of the lineup of the routing on that pipeline would benefit from Keystone. They've looked at that. They've looked at the jobs. They've looked at the economic opportunity. Expanding the pipeline infrastructure means that they will be able to provide more for their markets. So I saw huge support, especially from all of those alignments on the routing, with the possible exception of some concerns still from Nebraska about the particular alignment.

**The Speaker:** Hon. members, that concludes the question period for today. Nineteen members had an opportunity to participate. There were 114 questions and responses.

In a few seconds from now we'll continue with the Routine. In the interim happy birthday to the hon. Member for Calgary-Montrose, whose anniversary actually was yesterday. He's now one day older and wiser.

### Presenting Petitions

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

**Mr. Hehr:** Thank you, Mr. Speaker. I'm presenting a petition actually spearheaded by my neighbour Mr. Rick Bartlett, who is currently suffering from MS. His petition reads as follows:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the government of Alberta to expedite the approval of the Liberation Treatment (angioplasty) developed by Dr. Paolo Zamboni so that all patients including those with MS, suffering with chronic cerebro-spinal venous insufficiency (CCSVI) can receive the treatment.

I can inform you that Mr. Bartlett has received the treatment in Poland and is claiming a significant benefit from the treatment.

Thank you, Mr. Speaker.

### Introduction of Bills

**The Speaker:** The hon. Member for Calgary-Lougheed.

#### Bill 203

#### Alberta Get Outdoors Weekend Act

**Mr. Rodney:** Thank you, Mr. Speaker. I request leave to introduce a bill, that being the Alberta Get Outdoors Weekend Act.

Mr. Speaker, this act will encourage and promote the direct and indirect benefits associated with outdoor activity. It purports that the benefits of increased outdoor activity can be far reaching and extend well beyond the areas of physical and mental well-being. The proposed legislation serves as an educational tool for all Albertans on the natural heritage and lifestyle benefits associated with Alberta's outdoors. It sets aside the second weekend of April of every year as Alberta get outdoors weekend.

Thank you, Mr. Speaker.

[Motion carried; Bill 203 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. As promised during question period today and in accordance with the long-standing tradition of this House, I am going to table five copies of a policy document titled Safe Disclosure. Essentially, it comes from an Alberta Health Services policy document that describes their policy called Duty to Disclose and also their policy called Protection from Retaliation for having disclosed anything.

Thank you.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. As per your request yesterday, I'm tabling five copies of the article from which I had taken the quote during question period.

I have two other tablings. Again, these are letters and my cheques that I send monthly to a food bank in support of having AISH payments match MLAs' raises. For January it was to the Kainai Food Bank, and for February it was the Crowsnest food bank.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I'm pleased to rise today and table the requisite number of copies of another letter from a constituent of mine whose medical doctor is speaking out in support of the Alberta Medical Association's physician and family support program and in support of continued government funding for that program.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling e-mails from the following individuals who are seeking the preservation of the Castle wilderness: Elaine Gryba, Chris O'Brien, Helen Ilijoic, Ivan Taverner, Jacqueline Norton, Sarah Pasemko, Jason Abt, Laura Bentley, Elizabeth Atherton-Reid, Dudley Booth, Neil Jennings, Joan Jochim, Andrea Becker, Bruce Botchar, David Gloag, Susan Sinotte, Andrew Paul, Riley Swendseid, Janet Robinson, Jack Boyle, Pat Lucas, Mary Trumpener, Caroline Saucier, S. Rynard, and Bertha Ford.

Thank you, Mr. Speaker. I have several hundred more e-mails that I will be tabling.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk. On behalf of the hon. Mr. Olson, Minister of Justice and Attorney General, a letter dated February 15, 2011, from the Minister of Justice and Attorney General to the chair of the Standing Committee on Public Safety and Services, attaching a report dated February 2011 entitled *Disclosure of Information Regarding Leadership Contests: Discussion Paper and Cross-Jurisdictional Comparison*, prepared by Alberta Justice.

### Orders of the Day

**The Speaker:** Hon. members, it now being 2:48, if you go into committee, will you be out of here prior to 6 o'clock? Have a happy afternoon.

2:50

### Committee of Supply

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the Committee of Supply to order.

### Main Estimates 2011-12

#### Finance and Enterprise

**The Chair:** Before I go any further, I would like to speak about the speaking order and the times. The minister or any member of Executive Council acting on the minister's behalf may make opening comments not exceeding 10 minutes. For the hour that follows, members of the Official Opposition and the minister may speak, and then for the next 20 minutes the members of the third party, Wildrose Alliance, if any, and the minister may speak. For the next 20 minutes the members of the fourth party, the NDP, if any, and the minister may speak, and for the next 20 minutes the members of any other party represented in the Assembly or any independent members and the minister may speak. Then after that any member in the Assembly can speak.

Within this sequence members may speak more than once; however, speaking time is limited to 10 minutes. The minister and a member can combine their time for a total of 20 minutes, but the member has to indicate to the chair at the beginning of the speech that he or she wishes to combine their time with the minister's time.

The hon. Minister of Finance and Enterprise.

**Mr. Snelgrove:** Good afternoon. I'm certainly open to whatever suggestions the opposition may have on the give-and-take. It's worked very well in the past, so if that's okay with them, then we'll do that.

I see we're starting a little early, so I'm not going to introduce my staff who were going to be here; either that, or they know something I don't. Either way we'll certainly want to acknowledge the fact that there's a great deal of work that goes into the department, the budgeting and the work they do. I would like to thank them for that.

As one of the government's largest ministries Finance and Enterprise's mission involves providing expert economic, financial, and fiscal policy advice to government. It also includes providing effective tax and regulatory administration to enhance Alberta's future prosperity.

The ministry is responsible for a number of core businesses: budget and fiscal planning; investment, treasury and risk management; tax and revenue administration; enterprise, which includes industry and regional development and economic development policy; and the financial sector regulation and policy. There are also a number of other parts of the ministry, including the Alberta Capital Finance Authority, the Alberta Pensions Services Corporation, ATB Financial, and the Alberta Securities Commission to name a few.

What all of this adds up to is a solid team working to help meet the goals contained in our business plan. You will notice that the business plans have been streamlined and shortened, which in no way means that we are any less committed to meeting our goal.

For instance, goal 1 of our 2011-14 business plan deals with providing economic, tax, and fiscal advice that supports strong, sustainable government finances. The priority initiatives here include developing a long-term plan that will ensure Alberta's prosperity. This means continuing to strengthen our fiscal framework and all of its components, including a savings strategy. Other priorities under this goal include encouraging economic diversification and strengthening Alberta's fiscal resiliency. It also includes working with the federal government to ensure that tax structures enhance the energy sector's competitiveness and its contribution to both our economy and the country's economy as a whole.

Goal 2 of the business plan deals with Alberta having a competitive and productive economy. Initiatives for this goal include implementing actions under the Alberta Competitiveness Act, implementing strategies to encourage value-added activities, and implementing regulatory reform initiatives to enhance our competitiveness and productivity.

I think we've proven our commitment to this goal through all of the work that's already been done on the competitiveness initiative. We created a Competitiveness Council to identify Alberta's competitiveness gaps and developed meaningful actions to address them. The council has already released a benchmarking analysis and will release its full report later this summer. As another example, Productivity Alberta, in place since 2008, has been working with industry and other government ministries to make sure the programs and services we deliver are optimally targeted, developed, and delivered.

Goal 3 of the business plan focuses on revenue programs that are administered fairly, efficiently, and effectively. Priorities under this goal include advancing electronic commerce for our tax and revenue programs, helping people to understand the fairness of our tax system, which will encourage compliance, and making sure we're as effective as we can be to manage collections and program compliance.

Alberta's tax system continues to be the best in the country, with Albertans and Alberta businesses paying \$11 billion less than they would under any other province's system. This goal is about supporting this tax system by encouraging payment, making it easier for payments to occur, and making sure we're proactive about collections and compliance.

Goal 4 of the business plan deals with sound investment, treasury, and risk management. The priorities here involve providing effective leadership in government-wide cash and debt management as well as risk management and providing our investment manager with investment strategies for achieving optimal investment performance.

As an example of how we're meeting this goal, we provide our investment manager, AIMCo, with overall investment guidelines to follow as they manage nearly \$70 billion of investments for the government of Alberta. This includes the heritage savings trust

fund as well as public pension funds. Within those guidelines AIMCo returned 7.5 per cent on the heritage fund's investments over the first nine months of 2010-11, meeting the benchmark.

Goal 5 of the business plan focuses on policy and regulatory oversight for the financial, insurance, and pensions sectors that is effective, fair, and in the interests of Albertans. The priorities here are to work with other jurisdictions to improve retirement income adequacy as well as maintain a provincially-based securities regulatory system. It also includes monitoring and regulating the financial services sector to ensure affordable, efficient, and fair systems for insurance, pensions, and other financial services.

What this means for Albertans is that we will continue to fight for their interests on the pension front, working to make sure that Albertans can retire with some assurances of a reasonable retirement income. It also means we will continue to stand up for our right to regulate securities at a provincial level instead of the single federal regulator Ottawa is pushing on the provinces. We will work to make sure that Albertans can access affordable and efficient financial services, including insurance.

The final goal of our business plan deals with accessible financial services for Albertans. Our priorities here include making sure that ATB continues to operate on sound fiscal and business principles and ensuring that ATB operates with a comparable regulatory and financial framework to similar financial institutions. The priorities also include maintaining appropriate lending, funding, and risk management policies for the Alberta Capital Finance Authority, or ACFA. ATB is a valuable part of the province's network of financial institutions, and this goal is about keeping ATB strong not only for the clients but for all Albertans.

When it comes to the ACFA, it provides an opportunity for certain nonprofit groups such as municipalities to access capital at a reasonable rate, meaning they can borrow with the province's preferred credit rating backing them up. This is key to helping municipalities build and grow at a reasonable cost to their citizens as we will continue to support the ACFA in this role.

The heritage fund 2011-14 business plan is included with the Finance and Enterprise business plan. The fund's business plan is approved by the heritage fund standing committee and has two goals. The goals deal with ensuring that long-term returns are maximized at a prudent level of risk and that the heritage fund aligns with the fiscal goals of the province.

Now that we've gone over our business plan, I'd like to take a few moments to provide you with some of the highlights from Finance and Enterprise estimates. Our revenue is forecast to increase about \$698 million from Budget 2010. This is due to increases in a number of areas, including \$495 million in corporate income taxes due to improved corporate profits as we come out of the recession, \$80 million in net income from the Alberta Treasury Branches, \$45 million in personal income taxes as Albertans' income continues to grow, and \$35 million in fuel tax due to increased consumption.

These increases are somewhat offset by things like a forecast decrease in investment income as market volatility continues and a decrease in some of the federal funding due to specific programs being completed.

Our expenses increased just over \$106 million from Budget 2010. This increase is made up of a \$39 million increase in program expense and a \$68 million increase in debt servicing costs. The increase in program expenses is related to things like \$14 million in the teachers' pre-1992 pension plan based on updated actual evaluations, \$20 million in investment management costs, and \$1 million increase in the transfer to the access to the future fund.

These increases are partially offset by reductions in the department due to general budget restrictions and reduction to the enterprise division relating to regional economic development alliances, for example. The increase in debt servicing expense relates to increased borrowing by ACFA for local authorities and direct borrowing the government is doing for capital purposes.

These increases are partially offset by reductions in debt servicing costs of \$23 million as we pay off the province's debt as well as the ongoing repayment of school construction debentures.

This brings me to the end of my presentation. I believe we have demonstrated our commitment to achieving the goals in our business plan, including actions we're taking to meet those goals. I am also confident that we've explained some of the reasons behind our revenue and expense numbers, and I'll look forward to the questions that follow.

3:00

**The Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. I would prefer if we could have, hon. minister, a question and an answer. This has worked out in the past; you're absolutely right. With other ministers I am not confident in the exchanges, but certainly with this hon. gentleman I would prefer that.

Before we start, I would just like to say officially on the record that I appreciate the hard work you put in on behalf of the taxpayers and citizens of this province. It's a difficult time we're going through. I have had the opportunity to visit the Assembly and the Annex at a very early hour in the morning, and I look over in the parking lot, and it's the hon. minister's truck, I believe, that I see. It's not parked there overnight. You're coming to work very early in the morning on behalf of taxpayers, and I would just like to express my gratitude to you for that.

Now, that being said, we certainly have our differences, and we have our questions with this budget, and I think the hon. minister understands that. The first question I have relates to a statement that was made in the throne speech and on the production figures or the estimates that are made in the budget and in the fiscal plan. In the throne speech it states – and I'm going to quote, Mr. Chairman. This is from page 5, and we're talking about enhanced oil recovery here.

It is estimated that an additional 1.4 billion barrels of oil can be produced using this technology. To put it in more familiar terms, Alberta could produce more conventional oil in the future than it has already produced in the past. This could generate up to \$25 billion in additional provincial royalties and taxes.

Now, in the fiscal plan on page 49 there are a number of oil assumptions, and we all know the important role oil, gas, and bitumen play, the price for these products, and the effect it has on our budget. I'm going to go to conventional crude oil production. It indicates that for 2010-11 we had 471,000-barrel-a-day production, and it's going to remain relatively flat or steady across to the year 2013-14 at 459,000 barrels a day. It's interesting to note, before I get to the CAPP, Canadian Association of Petroleum Producers, statistics here, that we see in the third-quarter forecast and in the second-quarter forecast for this current fiscal year, 2010-11, where there is a 47,000-barrel-a-day increase in conventional oil production. That indicates to me that for some reason this year it's going up, but the CAPP forecast for the future is much less than what you have in your assumptions.

CAPP is forecasting that for the next 10 years we will have light and medium conventional crude oil. We will have production rates in thousands of barrels a day, roughly 300,000 barrels a day, going down by the year 2025 to 200,000 barrels a day. Yet the government makes this statement in the throne speech that we're going to

get these billions of dollars in extra royalties and taxes from an increase in production, from enhanced oil recovery. That's not reflected in CAPP's estimate, and CAPP's estimate, for the record, is from June 2010, so I would like an explanation of how all this fits together. How can that statement be made?

Then at the same time, if we go to page 101 of the fiscal plan, we will see where with carbon capture and storage – I was a fan of this going back many years because I think this is part of the solution – we are spending \$518 million over the next three years, \$2 billion in total, and three of the four projects that are mentioned on page 101 indicate that as a result of the CO<sub>2</sub> capture, we're going to have enhanced oil recovery. If we're spending this kind of money at this time on enhanced oil recovery – there's a contradiction here – why is CAPP saying that production is going to go down, yet in the throne speech this government indicates it's going to go up and that we're going to get \$25 billion from that increased production?

Thank you. I hope I sort of . . .

**Mr. Snelgrove:** No. Exactly. I get exactly what you're saying, and I guess that absolutely enhances why we have to go to this enhanced recovery. On their own, if the drilling industry or the oil production industry was left to what we're doing now, there is no question that the conventional oil production would significantly drop off because they can't get that oil out using the conventional methods now. If we are not in the middle of this game, to use that, to gather that carbon and to work with industry to get it to those old fields, to inject it and to reinvigorate those fields and actually, you know, produce the oil, we would be absolutely where CAPP is saying. The hon. member would be absolutely right. Our conventional oil would probably drop down, you know, in this program to the 200,000 barrels a day for sure.

Now, this is not unproven technology. It works, we know it works, and I know the hon. member has talked about it. By coordinating these activities and partnering with business on the capture and the pipeline to the fields, to a certain degree we're feathering our own nest. We are going to give those companies the opportunity to produce that oil.

On both accounts you're right. If CAPP was left, if that industry was left, production would decline, yet with the significant investment we're making, we're going to be able to maintain the production levels probably around that half a billion barrels a year. On both ones you're right, but I think you helped make our argument that it's really important to continue with enhanced oil recovery. Too much of the discussion really got to be about carbon sequestration, just pumping it down with no other purpose. That's why the multiple benefit here of investing in that technology and enhancing the oil recovery actually works for the taxpayers very well.

**Mr. MacDonald:** Thank you. Am I correct in assuming that the higher production value predicted by this government for the next two fiscal years than what is predicted in CAPP's 2010 report, where they indicate we would have around 300,000 barrels of conventional crude oil production a day – and you were indicating that we will have close to 484,000 or 471,000, depending on what year – that 170,000-barrel-a-day increase or amount of production, would be potentially from enhanced oil recovery?

**Mr. Snelgrove:** Hon. member, you did quote that that was a CAPP document from June of 2010, and I think we would both agree that the situation around oil has changed dramatically from just about a year ago, you know, in the price. We are bouncing around now at around a hundred dollars a barrel, and the solidify-

ing of solid oil prices and the economic growth requiring the demand is quite different than it was. I absolutely am not going to question CAPP from June of 2010, and I would look forward to what their projection numbers are when their report comes out in June again this year and see what their numbers are to that.

We take the numbers from the drilling applications that come forward, so we may even have more up-to-date information than CAPP itself would have because they are reported to by the companies, yet we know before the action even happens how many applications are there for well sites.

3:10

**Mr. MacDonald:** Thank you very much. Now, this increase or this assumption of this increase in conventional crude oil production: if that is coming from enhanced oil recovery, from CO<sub>2</sub> sequestration, what, if any, would the projections be from this government in increased production that would come from the new process of fracking, with the new technologies for fracking old, mature fields? Do you anticipate that any of the money or the increase in production that's mentioned in the throne speech is possibly coming from the new technology that allows old, mature fields to produce just as much in the future as they have in the past?

**Mr. Snelgrove:** That is a good point. With the horizontal fracking that they can do now and the technology they've got to chase that drill bit where they want to go and frack up into the seams, absolutely. I can tell you – and I know you know I live out in the heavy-oil capital of the country – that what they're doing in the old fields or even on old sites with the new technology is absolutely going to contribute to this production of what were previously thought depleted fields. So the hon. member is absolutely correct in his assumption that that technology is going to contribute greatly to this. Even in the heavier oils and stuff that may not be enhanced, just what you've pointed out is directly related to an increase in production and the opportunity for much less of a footprint on the land to recover significantly more oil from the fields here. You're right. You've got it.

**Mr. MacDonald:** Mr. Chairman, I would like to note that this is an economic advantage because the rights-of-way are already there. The production facilities are already sited. So the costs for the companies should be significantly less, and hopefully we will see a substantial amount of money flow to your treasury or to your bank vault, wherever it is in this building. I hope you have to use a wheelbarrow to get it all in there. And he can count it. I'm sure he won't miss a penny.

I would like to ask, now that we're on that subject, about the business plan. In the business plan on page 54 you note – and I think this is quite controversial – the performance measures for the combined tax and royalty rates for Alberta's natural gas and conventional oil production in comparison to similar jurisdictions. Now, of course, we know this is a new performance measure. Last year there was hardly one, and the year before that it was a range of up to 25 per cent, which, of course, we know was seldom if ever met. The three-year target for natural gas, for a combined royalty and tax rate if I'm reading this correctly, is around 39 per cent. That's the royalty and the tax. We all know the price of natural gas, and I agree with your remarks from the other day at the Hotel Macdonald on natural gas and the immediate future for natural gas.

Conventional oil: you were indicating that there is a 43 per cent take on this whenever we're compared to some other jurisdictions, which go unnamed in this performance measure. My question. I

did some math on the throne speech here, and if we are to get this \$25 billion from an additional \$1.5 billion increase in production at the market prices that you quote – \$89 in the budget, \$89.40 or whatever it is – that's a combined tax and royalty take of 22 per cent. I would like to ask the minister: if we were to produce this oil and collect this \$25 billion, do you think that is within the performance measure that is mentioned on page 54?

**Mr. Snelgrove:** What exactly is your question? Whether 22 per cent is the right royalty rate?

**Mr. MacDonald:** Looking at this statement from the throne speech, 22 per cent would be \$25 billion. That would be 22 per cent of the total value of that oil if it was produced now, at today's prices, and we know that the price is going to be much higher over that period of time. Hopefully, it will go up at least a little bit. My math indicates that \$25 billion is a 22 per cent take, combined royalty and taxes, and that is not nearly what you were anticipating you need in your performance measure on page 54 of the strategic business plan. Right?

**Mr. Snelgrove:** To be clear, you're talking about the government of Alberta business plan, not the department of finance business plan, which is okay.

**Mr. MacDonald:** This one.

**Mr. Snelgrove:** Yeah. That's right.

**Mr. MacDonald:** That's part of your budget.

**Mr. Snelgrove:** That's okay. I'm just pointing out for someone that might be watching and trying to understand but looking at the finance business plan.

We have to use what the number is today for price. I think you're probably right. When the carbon capture and sequestration is in effect – and we're dealing with prices 25 years or 30 years from now – I doubt very much that it will be a hundred million dollars. But it will be relative because I doubt that our costs will stay static, too. I mean, if the oil goes up to \$140, it's very likely that with inflation other things will not put us in a significantly different situation. If that's the math, if you're asking me if 22 per cent is the number, okay. But we are dealing with a little bit of hypothetical projections here. You know, we're saying that if oil is at the price it is and our royalty rates what they are now, that's what we would generate.

**Mr. MacDonald:** I can live with that, but this hypothetical projection is in the throne speech, which is the blueprint for the future as articulated or written by this government.

Now, I would like to go back to the fiscal plan and again talk about royalties, and this is on page 49 of the fiscal plan. I see your oil assumptions again for crude oil and bitumen. If we were to do a calculation at your projected price and your projected production levels, do the math and then look at what you're anticipating to get, or are forecasting, in royalties with conventional crude oil, the calculation that I have indicates that we're collecting on average \$10.89 a barrel in royalty on conventional crude oil production. That is, again, a lot less than what would be measured by this performance measure in the business plan. So, again, at these current prices is \$11.00 a barrel royalty in conventional crude oil production adequate in the minister's estimation at these current production levels and price projections?

**Mr. Snelgrove:** If the hon. member wants to have the discussion about the royalty rates, I guess that's okay because it's his time.

**Mr. MacDonald:** Well, it's your document.

**Mr. Snelgrove:** That's right.

All of the percentages and all of the issues around – keeping in mind the difference between bitumen royalties and oil prices. Keep in mind that in the throne speech it does say that it could produce. So you have to base it on assumptions, and our assumptions are based on industry projections – I mean, I know you know that how we do it is by averaging – from a collection of about a dozen different groups that give us the projections. So we use them. Are they right or wrong? We have to do something, so we use the same methodology that we have for years, and if you extrapolate them out, those are the numbers you get. So we could have a discussion about whether we should be charging more royalty or less royalty. Especially for somebody who's got a background in labour and actually knows how to – we also have to keep in mind the people that are working, which contributes to it, too.

If we have the discussion about the royalty rate, I think we also have to ask ourselves: is it not as important to make sure that the sector that we've got has the opportunity to have a job as opposed to putting a royalty rate that may return more from oil, but if it's not produced or if the wells aren't drilled, we don't get anything?

3:20

**The Chair:** The hon. member.

**Mr. MacDonald:** Yes. I can appreciate the hon. minister's point. I'm reading again from the provincial budget brief from CIBC, which had a lot to say about the potential borrowing habits of this province. The minister is absolutely right. They state in here that "rising activity in the oil and gas and other sectors are expected to contribute to an increase of 41,000 jobs in 2011." That certainly is positive. I'm sure that whenever you were doing your calculations for this budget document, oil was trading around \$80 a barrel. This morning on the way to work it was over a hundred dollars a barrel, and that was west Texas intermediate. That's not Brent North Sea crude, which is . . .

**An Hon. Member:** It's \$114.

**Mr. MacDonald:** Yeah. For sure, and the price of the product is creating a lot of this activity, and this is certainly, I agree with the hon. minister, good activity for the province.

Now, the royalty rates in the fiscal plan for bitumen. Your bitumen production estimates are almost bang on with CAPP's going out into the future for both mining and in situ bitumen production, so that's interesting. Their conventional crude oil rates are declining, but you're on the same page as far as bitumen production.

There are projects that are supposedly in payout. The projects up by Fort McMurray that will be in payout are going to be a factor in increasing the amount of revenue that we take in in bitumen royalty. Now, you know the laws, and I don't. When they go into payout and then decide six months later to add another stage to their facility, do they go back to the old royalty rate?

**Mr. Snelgrove:** For their expansion?

**Mr. MacDonald:** Yes.

**Mr. Snelgrove:** It would fall under the royalty write-off rate, or the start-up, but once that facility has achieved payout, it stays at payout. The documents that deal with these are this thick, and they address all sorts of issues around what's allowable and what's not allowable.



You also made a point for us that we're trying to use in our budget projections, that it is easier to predict bitumen because of the fact that it is a mine that they can't move away. When these companies, regardless of what company, come into northeastern Alberta and invest billions of dollars in that mine site, they're committed to the project whereas with natural gas at the drop of a valve they can pick up their half-ton and go to Saudi Arabia and get gas. They can get it anywhere. But they can't move those mines or those big in situ projects; they're here. They know that when they make that investment, they're going to be operating them for 60 or 70 years, likely, in some areas or until it's depleted, and then they just move the well pads a little bit.

We do have, I think, more certainty when we talk about royalty from bitumen. Obviously, the price of oil can fluctuate, but we've taken one of the things out because in natural gas you have production and price uncertainty. With bitumen you will still have some price uncertainty, but your production levels will be, to your point, easier to predict with an amount of certainty just because of the nature of the production of bitumen. We do have a little more certainty in the projections of bitumen than we ever would have with natural gas.

**Mr. MacDonald:** Thank you for that. Mr. Chairman, to continue along that line, we look at what occurred with Kearl Lake and Imperial Oil and the fact that they decided to have \$250 million of steel fabrication done in South Korea – right? – at a time when many of the steel fabrication shops in Calgary and in Edmonton were idle or working a modified week just to keep their key employees around. Do you think that we should continue that practice of allowing this work to go offshore at the same time that we are giving royalty and tax breaks here and particularly – you can understand this coming from a rural constituency – when a country like South Korea, if my research is correct, has an 80 per cent duty to protect their local farmers from the products that we grow and would like to export to them?

How is it fair that they can subsidize their steel industry in that country, protect their farmers from competition from Alberta growers and producers, yet we allow Imperial Oil these tax concessions and royalty concessions to ship this work offshore? Do you think that if we really want to create a lot of jobs in this province, we should be doing that work here?

**Mr. Snelgrove:** I don't think it's fair to point to Imperial Oil and say that they've got something in South Korea and that's bad, when if you and I got in our cars and went to Walmart and saw all of our neighbours and friends taking out the TVs: they're made in China. If we went out and got in probably a third of the vehicles here, I'm sure they are Hyundais, that are made in South Korea. If you look at the equipment on our roads: Samsung. You know, if we start to say what we can and cannot buy from around the world, we lose.

You know, if you go back to the 1850s, China and India at that time accounted for 40 per cent of the world's trade. Then they changed their regimes and, especially China, decided that they were going to stay home, and they literally turned their economy around. A hundred years later they were less than 6 per cent of the world trade. You can tell by the standard of living in China that it did not serve their country well to close their borders. We could have a dozen days here of discussion about the merits of free trade.

Now, I wholeheartedly agree with you that we need to work with them about some of these barriers to agriculture and their protection, but we can't do it as a country when we hide behind the Wheat Board and all of the supply management areas of agri-

culture that we protect. In my world as, I'm sure, in yours that's called blow and suck. We can't ask other countries to do something that we're not prepared to do ourselves. But we need to work on it.

Because these are big vessels and they got world attention and the route that they've got to go to get here and the fights in Montana and Idaho, it's easier to say: well, gee, that would be simpler if that was built here. But I can assure you that Imperial Oil went around the world to get the best price and in some cases the best technology to do it. Would I like to see them here? Absolutely. But would I say to business, "You have to buy local"? Boy, that would be a tough call to make.

**Mr. MacDonald:** That's certainly interesting. I would hope that at some point in the future if we were to reduce those trade barriers for agricultural products that South Koreans, among others, have, then situations like what occurred with Imperial Oil and their Kearl Lake modules – and I read in the newspapers that they're now being reduced in size so they can travel on the interstates up to Montana and then on up to Fort McMurray. It's in no one's best interests to see that sort of circus, but that's what has happened.

My next question is along the same lines. It is also with some of the royalty reduction programs. It has been suggested that in order to enhance upgrading here in Alberta – we know what the Premier said when he was running for the leadership of the Progressive Conservative Party, and I hope it will be an issue in the leadership race this time as well. The North West upgrader was certainly a real good first step, but I think we need to do a lot more upgrading in this province. The value added is just remarkable.

3:30

There have been suggestions made. I would like to know if your department has any idea of how much less we are collecting in royalties because we allow the bitumen transportation costs to be deducted, or netted, from the royalty calculation. We allow the cost of the dilutant or diluent, or whatever you want to say. That is net of the royalties. If we were to change those royalty regulations to modify those cost reductions, what kind of money are we talking about here? Do you think that would encourage bitumen upgrading to be sited here, not in Wood River, Illinois, or Borger, Texas?

**Mr. Snelgrove:** That's a valid argument, discussion. The issue is that we are a part of Canada. We do have free trade agreements with our biggest trading partner to the south. So we do have some tools. As you pointed out, I don't think the North West upgrader will be the last venture that we go with. The first stage is only 37,500 barrels. I think you'll see that double shortly.

The game changes a little bit in Alberta when other countries are coming here. We've previously been pretty much attached to the U.S. But when you have countries coming here, like sovereign nations, whether it's Statoil or whether it's the South Korean or whether it's the Chinese oil company, they don't have that attachment to the American public, which is served by the big American companies. When they come, they also have probably a greater interest in establishing government-to-government relationships to understand what's in the best interests for them.

There are sensitivities that come from the other companies that come to Alberta to look at what their investment is: how secure, you know, what their opportunities are. While it may drive more upgrading here with some policy changes or some incentives, ideally we need a pipeline to the west coast so we open up the markets.

When you start to ship, then the business decision gets made about what's the most economical way to get this product to the

consumer. When you already had refineries built in the States that just needed to adapt the front end, then the financial decision was probably much easier to make. But if you're India, for example, and what you need is diesel fuel, the cost to carry the bitumen there to upgrade it would be different than to already-built refineries in the States. So some of the increase in bitumen production will naturally find a home to be upgraded in Alberta because we'll have other markets to send it to.

Yes, there can be ways to drive business decisions, but they have to be kept in the context of the free trade agreement, where we can't differentiate what we charge ourselves or what we charge them. So the best solution is competition for that product.

**The Chair:** The hon. member.

**Mr. MacDonald:** Thank you. I think we always have to look after the public interest first, the public interest of Albertans, and what may necessarily be in their interests may not be in the interests of an energy company. Energy officials, the CEOs, have a job to do, and that's to maximize profit and look after their shareholders. We all understand that. But your job, the government's job, is to look after the public interest. With all this bitumen having been shipped away, I think there has been a failure here to protect the public interest, and I would like to see in the future some changes made to those regulations. I think it's good public policy, and it's not violating anyone's trade laws. Your suggestion that we need a pipeline to Kitimat or to Prince Rupert, whatever they choose: I couldn't agree with you more.

We have to diversify our trade, our energy exports with America, because whenever you look at the differential between west Texas intermediate and the North Sea crude, we've got to make sure we've got another market for our oil and our oil products. I agree with you.

Now, we don't have much time, and there's a lot to discuss in this budget, but another important part of the revenue stream is how we are treating Suncor and Syncrude in the bitumen valuation methodology. We talked about that in question period last week, I think, Mr. Chairman, but I'm surprised to see on page 49 of the fiscal plan that you're still trying to work out the royalty-amending agreements between Suncor and Syncrude and your department, or your government. I'm surprised. I see where Suncor recently had profits triple as, you know, Fort McMurray's output hit a record, yet at the same time they squeezed another \$150 million out of you in a royalty rebate. They paid some taxes on that, and they got \$104 million for themselves. For the Syncrude joint venture, if you go through the financial statements, you will see similar amounts which are theirs.

I can't understand, in light of the Auditor General's report going back to 2007, that this issue is still unresolved. When are you going to finally blow the whistle on these outfits and say: "Enough is enough. If you don't agree with us, we'll see you in court"? This surely has to be settled at some point as production goes up.

**Mr. Snelgrove:** I think you might be taking some of the recommendations from the Auditor General where he talked about the collection of royalties in a little bit of a different frame than he made the suggestions. The simple fact is that this is a contract. This was a business contract with these two companies, and we're obligated. As much as you can say, "We'll see you in court," we already have a legal document, a legal agreement with them. So negotiating with them – I also have to tell you that you're absolutely right. It is our responsibility to balance the public interest – no question – but it's also our responsibility to balance the contractual agreements.

I don't think that the people who represent Suncor or Syncrude are any less committed to their shareholders. They have an obligation to stick up for the people that put them there. So they're doing their job. Our department is doing our job. We'll get there someday, but the simple fact is that we also do have an obligation, if we have overcollected, to refund it. It would be no different than if you had paid more taxes – and Lord knows I don't like paying taxes myself, but if I have paid too much, I am entitled to a refund. I don't think you would say that just because you're rich or wealthy, you don't deserve your refund on the same basis as anyone else who has overpaid their taxes. They deserve a refund. If that's what the agreement has stated, then we're obligated, as a matter of fact we're required to live up to that agreement.

**The Chair:** Hon. member, you still have 20 minutes.

**Mr. MacDonald:** Yes. Thank you very much. Now, I want to see your inner Danny Williams come out here. He negotiated a significantly higher royalty rate with the same company, Petro-Canada/Suncor, for their operations offshore Newfoundland. They're getting significantly more.

As I understand it, that wasn't an overpayment on the royalties. They state in here – and this is in their third-quarter report – that they continue to negotiate final adjustments to the bitumen valuation calculation for the 2009-10 interim period and for the term of the Suncor royalty-amending agreement that expires December 31, 2015. So it's not an overpayment. It seems to be just the whole idea of how much we should pay in the first place based on quality of the bitumen and other factors. I certainly think you can get that right.

**3:40**

Now, your inner Danny Williams. The Conservative Premier of Newfoundland negotiated – and this is the royalty rate they pay in Newfoundland. For three months ended December 31, 2010, they were paying \$29.17 a barrel. It would be a little less for the 12 months. This is a better number for the year. It would be \$27.99. They were one penny less than \$28 a barrel.

Now, the royalty rate that Suncor is paying is not noted in here that I could find in their quarterly report, but the Syncrude joint venture, which is under that same sort of agreement, is paying around \$7 in royalty. We put a lot of money over the years into both Suncor and Syncrude, and by "we" I mean the taxpayers, so I would really like to see in the future this minister and this government show us your inner Danny Williams, please.

The nonrenewable resource revenue in the fiscal plan. You make note on page 50 that many of the royalty changes that were temporary have now become permanent. The drilling stimulus initiatives totalled, I think, over \$3 billion if we add them up for the three years. For the estimates for 2011-12 I understand the drilling stimulus programs are going to be netted off the amount here, whether it's crude oil or bitumen or natural gas. It would be certainly crude oil and natural gas royalties. It would have nothing to do with bitumen. Excuse me. Now, how much do you anticipate that is going to be for this year for the drilling stimulus initiative?

**Mr. Snelgrove:** There are two parts to that. There's the royalty change that we made permanent, and the \$200-a-metre will be expired, so that one, hon. member, I don't know. I will get the officials – I told them I wouldn't make them work too hard, but we'll try and get that number for you, okay?

**Mr. MacDonald:** I appreciate that because in last year's fiscal plan there was a projection, I believe, for what that would be in this year. Certainly, last year the projection was that there would

be a \$700 million amount, \$732 million in drilling stimulus initiatives, but because of the higher number of credits for smaller companies it grew into that \$1.6 billion amount. There was a similar number for the year under budget estimates that we're discussing. I would really appreciate some information on that, just exactly what. I view it as hidden now. We have no idea what's been given back, and surely someone on that side of the House would know that. I hope it's a small amount at these high prices.

Now, my next question would be around the Health and Wellness operating expenses on page 17 of the fiscal plan. In 2010-11 Health and Wellness's operating expenses included \$527 million provided to Alberta Health Services related to the Alberta Health Services 2009-10 deficit. How is that money accounted for to your department? When Alberta Health Services gets that \$527 million for their deficit, how do they account to you for it?

**Mr. Snelgrove:** The deficit in Alberta Health Services would've been a part of our consolidated financial statement, so you would see over there where they were actually run the same as with any other assets or whatever they would have. They would have been accounted for in our consolidated financial statement. The reason that we spread this over two years was just because there was that big a number. So where that number from us would show up would be in Alberta Health Services' financial statement.

**Mr. MacDonald:** Okay. The Wildrose Alliance there had a lot to say about this on the radio. I think you were talking on the radio at the same time, and I enjoyed listening to the conversation. I did. I didn't press the button and go to Sirius. I was listening to you.

Now, the capital investments not included in the expense: they note \$2.7 billion. This is on page 67. When you changed the government estimates – and I'm not trying to confuse you, but in the government estimates 2011-12 you note in the front where you have changed the voted expenses, right? You have made significant changes to the voted expenses and the definition of an expense. If you go to page 2, expense is defined.

Expense consists of program expense and debt servicing costs.

Program expense consists of salaries, supplies and services, grants and certain financial transactions. Debt servicing costs consists of interest paid on various forms of government debt.

In last year's estimates this included consumption of inventories.

On the next page, page 3, you will note that estimate amounts which do not include cash are no longer required in any supply vote. So if estimate amounts that do not require cash are no longer included in any supply vote, why did you make these changes to your accounting procedures or accounting tables this year? Why did you do that now?

**Mr. Snelgrove:** I would suggest it's because we're trying to maintain a set of books that is consistent with what we're asked to do by the Auditor. More importantly, we're trying to make sure that they're readable. You will probably appreciate that even our business plans have shrunk down now to four or five pages with relevant information as opposed to amounts in the budget that had no bearing on the budget. They were in many cases irrelevant. So what this is is really a modernization. I mean, you disclose all of these other amounts; they're just not part of your budget. The budget is about cash. So while they're disclosed, you don't vote on something that's not money. All the votes for our estimates are about money. All of these other ones are about identifying but don't require a vote.

**Mr. MacDonald:** Okay. So the non cash expenses by department: we've got \$895 million there, on page 15, and then we have these non cash capital investments by department, which is another

amount. Am I right? I was trying to figure this out over the weekend, and if you think this is simple, it gave a guy like me a headache. I was trying to follow this and understand why you made these changes this year, this year being the fourth consecutive year when you have had a budget deficit, and the budget deficits over the last four year total \$10 billion. I was listening to your conversation and the Wildrose conversation on the radio, and I was wondering if these changes added or reduced the \$2.7 billion in capital investments that are not included in expenses.

3:50

**Mr. Snelgrove:** No. All of these are still included in the deficit numbers. This total is included in it. It just simply doesn't need to be voted on. But they are all absolutely included.

**The Chair:** The hon. member.

**Mr. MacDonald:** Thank you. Then why this year did you decide to change how the budget estimates are presented in the estimates book, and why are there such significant differences in each and every department? If you compare government estimates this year to last year, you will see where there's a totally different accounting of some of these non cash expenses.

**Mr. Snelgrove:** This doesn't have any effect on the budget numbers. This is simply trying to streamline some of the accounting to make it, you know, more understandable. It doesn't have any effect, any change on the actual numbers in our budget. There's no reason to do it this year other than when. You're going to do it sometime. It has nothing to do with a deficit. It has nothing to do with trying to change numbers. It's simply saying that this is a more relevant accounting principle. There is no step being missed in the discussion. These numbers are still all included. They do not require the Assembly to vote on them. It makes no difference to the budget numbers in the total. Okay?

**Mr. MacDonald:** I have another question. This is on page 85 of the fiscal plan, where you have ministry expenses by object. I have no idea, and I would appreciate it if you could tell me what this is. You have a net or a reduction of \$4.4 billion of the total expense, and it is an intraministry consolidation adjustment. Then over two more columns to the right you will see an interministry consolidation adjustment. What the heck is the difference between an intraministry and an interministry adjustment? Can you shed some light on that, please?

**Mr. Snelgrove:** This is accounting, hon. member. This is accounting. The first one, the intraministry consolidation adjustments, is for adjustments within a ministry – seniors, for example – and the second one, the interministry consolidation, is where there's a transfer from ministry to ministry. This is simply accounting for monies that would move internally, in the first column as you go across from left to right, and the column that's one over is when it goes to another department.

**Mr. MacDonald:** An example of going to another department would be legal costs provided by Justice to Service Alberta for something, and that would be interministry, right?

**Mr. Snelgrove:** That's correct.

**Mr. MacDonald:** Okay. We're almost out of time, and this is unfortunate. I would like to ask a question from page 70 of the fiscal plan, please. This year \$228 million will be debt-servicing costs for the Alberta Capital Finance Authority. There are some other debt-servicing costs here. P3 projects are not included in this

that I see except that ring road, the \$40 million there. Am I correct in my understanding that these debt-servicing costs are not included in the total expenses of the government?

**Mr. Snelgrove:** Debt-servicing cost, for example for the Alberta Capital Finance Authority, is recovered. We loan the money to the municipalities at a lower rate, but they pay us that money. The \$40 million wouldn't be recovered. So some are not a drain on the government; they're simply facilitating. If you go back to page 67 on line 7 down, debt-servicing costs, they're all included there. Then you'd have to go back to the revenue lines, where you'd see the return from these different corporations. So there would be a different number, but they are accounted for on page 67, and then you have to go back to the revenue tables to see the return from the capital financing corporation.

**The Chair:** The hon. member.

**Mr. MacDonald:** Yes. Thank you. Now, I don't know how much time I have left, but I want to talk about page 145 of the tax plan. There's a page sort of highlighted, or it looks like it came photocopied from somewhere. Buyer Beware: Charitable Donations Schemes. Some newspaper reporters picked up on this, and I thought I would google or check out "tax planning arrangements Alberta" to see if any citizens or anyone who might be scammed on this would have an alert from the government, and I did not see anywhere on a government website a buyer beware warning other than what would pop up in this fiscal plan on the Internet.

I think more should be done to educate consumers of this potential trap because I think donors have every right to be aware that some of these generous tax refunds as promised may not be all what we think they are and more. I would really urge you to make sure that somewhere on the government's – I mean, you can spend all this money on Public Affairs Bureau advertisements to talk about how great you all are. Surely, you can alert consumers to the potential scam that exists under this legislation. I think it was the Premier's flagship legislation going back two or three years, if I remember correctly. I would really urge you to put somewhere where people can see, other than on page 145 of the tax plan, the potential scam that could occur as a result of unscrupulous people promoting this legislation in an unscrupulous fashion.

Thank you.

**Mr. Snelgrove:** I agree, but it really doesn't have anything to do with the community spirit program that the Premier brought in. I think this is an absolutely clear attempt to defraud the government and people, and I'm not sure what the best vehicle is to make people more aware. I'm not sure how many hundred court challenges there are. It's a huge number across Canada. So this isn't an Alberta issue; it's an all-across-Canada issue. I think the federal government is very aggressively pursuing them, but I do agree with you.

You know, sometimes you cannot save people from themselves. How many times have we heard of people that have mailed money to Uganda or somewhere to get their rich uncle's inheritance? You would think, as an average Albertan: who would fall for that nonsense? But people do all the time. You wonder: how much money can you spend to try and get them to give their heads a shake and realize that if it seems too good to be true, there's a very real chance that it is. So it's not only this scheme, but there are countless schemes out there. What did Barnum and Bailey say? There's a sucker born every minute.

There is talk about it at the federal level, certainly at the fed-prov working ministers, about financial literacy. So it's not just about this. It's about planning for their future and understanding

about investments and the risks from them. So I don't disagree with you, you know, awareness around this and other ways to defraud people. We could certainly take a look at how we can do that.

4:00

**Mr. MacDonald:** Okay. Thank you. Now, in the Ministry of Finance and Enterprise's statement of operations in the estimates there is an amount of \$451 million for the teacher's pre-1992 pension.

**The Chair:** Hon. member, the first hour has terminated, so the next 20 minutes are reserved for the third party.

The hon. Member for Airdrie-Chestermere for 20 minutes. You wish to have dialogue?

**Mr. Anderson:** Yeah. Back and forth. I promise not to pontificate as long as the minister promises the same.

The first point I want to go over real quick is with regard to the deficit number versus the cash shortfall number. I want to be very clear with the minister up front that I am not accusing you or the government of not following generally accepted accounting principles. I've never said that, and I don't claim it, but what I have said is that the \$3.4 billion deficit number that you're claiming doesn't tell the whole story. Your budget document does tell the whole story, and if you dig a little deeper, it's clear that the cash shortfall – in other words, the money we are taking in – is \$6.1 billion less than we're spending.

Where I get those numbers from – and I just want to make sure that the minister and I are on the same page with regard to the cash shortfall. Obviously, on page 88 of the fiscal plan you have the deficit number outlined there, \$3.4 billion. Then if you go to page 16 in your fiscal plan, under capital investment there's \$2.737 billion worth of capital investment, and then it has a little footnote that says: "Capital investment in government-owned assets is not reported in expense. Capital Plan spending equals capital investment plus capital grants and other support." So that \$2.7 billion is not included in the deficit number, and the total of that, if you add it to the \$3.4 billion deficit number that you're claiming is \$6.1 billion, which happens to be roughly the amount that the sustainability fund on page 88, is projected to go down this year. This year it's projected to go down from roughly \$11 billion to roughly \$5 billion, so roughly \$6 billion.

Is what I've outlined here, Minister, the correct number? Are we taking in \$6 billion less than we are expending this year and taking that \$6 billion almost completely out of the sustainability fund? Is that true?

**Mr. Snelgrove:** Not totally. The fact is that we are amortizing projects, even ones that were built 10 years ago. We're still having to allow now in the amortization, and we're going to have to carry that amortization on a go-forward basis, just like you would do if you were depreciating or building in a business. You pay up front, and you amortize it over a longer period of time. So the \$808 million of amortization also reflects a cost for projects that were completed years before.

The fact on the capital investment is that we are taking a liquid asset, or a cash asset, and turning it into a physical asset, so on a consolidated basis it's a saw-off at the end of the day because your total asset of a government, whether it is in cash or in a building, less the amortization is how you end up with that consolidated statement. So there is a twist, but the numbers as they are are all in there.

**Mr. Anderson:** They absolutely are all in there, and I appreciate

the explanation. I guess my basis for the question was this, though. If you have \$11 billion in the sustainability fund one year and you have \$5 billion the next year, clearly you're taking out \$6 billion to pay for things.

I understand that you consider \$2.7 billion of that as a capital asset, and as you say, it saws off. But, I mean, roads, bridges, and buildings and things: the vast majority of that is stuff that you can't put up for sale and sell one day. In fact, it's going to cost money to maintain them, which is fine.

I think we're working from the same number. We had \$11 billion. We're spending \$6 billion more in cash, roughly. Taking into account amortization, these other things, \$6 billion more is going out of our coffers this year than is coming in, and that's being sponsored out of the sustainability fund. I think we're essentially on the same page, but I think Albertans get confused because they hear "\$3.4 billion deficit," and really they see the sustainability fund going down by \$6 billion. It's confusing to them. Hopefully, we can be a little clearer on that moving forward.

I would note, for example, that it would confuse the heck out of people if the target surplus in 2013-14, that you have here on page 88, that you're expecting is \$1.2 billion – that's the surplus you plan for in 2013-14. Yet the sustainability fund is still planned to go down about \$700 million. That's why average Albertans don't quite understand when they look at this. Why is the sustainability fund going down when we're running a surplus? They wouldn't understand that. I'm not accusing anyone of not following any accounting principles or being fraudulent. I'm just saying that the spin on these things can be confusing for people.

With regard to the sustainability fund the question I have now is that last year we had roughly \$15 billion in the sustainability fund, and by 2013-14, if your projections hold true, which I think, obviously, is volatile – who knows? – that sustainability fund will be down to \$1.7 billion from a high of \$15 billion just last year. I hope oil is at \$120 a barrel. I hope the Canadian dollar is at 90 cents, 95 cents, at a good healthy rate for our export markets. I hope natural gas recovers to \$5. I really do hope that. But if it doesn't occur, what happens when we reach the end of our rope in the sustainability fund? Is it going to be this government's policy to raise taxes or to go into debt or at that point cut deeply into our social spending or infrastructure spending? What's your strategy if things don't pan out?

**Mr. Snelgrove:** I think you would have to consider a combination of all the options that are available to you. As we talked about with Mr. MacDonald before, it's more predictable to have bitumen as your biggest source of revenue because, like we said, they just can't leave. I guess that ultimately they could if the world economy collapsed and there was no demand for oil and they closed it down and left. All of this country would have some real tough decisions to make.

I appreciate what you're saying. I don't think that will happen. If circumstances are such that we have to continue to slow down the growth in government, in fact start to make some cuts and reductions, we'll have to look at that, and Albertans ultimately will have the say in that.

I'm not sure it's even appropriate to speculate about what might happen, but I can tell you that we are keenly aware that Albertans don't want to go back into accumulated deficits to run their province. We can be back there, to where we wanted to be on our operating now, so we are making choices with cash we've got. If circumstances changed so that our revenue sources were going to be at risk and nonexistent, in all fairness, we would have to cross that bridge at that time. But I think Albertans ultimately will tell their government what direction they want to go.

4:10

**The Chair:** The hon. member.

**Mr. Anderson:** All right. Thank you for that explanation. So we would probably be looking at cuts or reductions, which makes sense. I mean, if it runs out, that's what will happen inevitably. I hope that we will look to restraining the growth of government and the size of our spending rather than looking towards raising taxes or, alternatively, going back into debt. I hope that given the wealth that we have, we don't pass that debt on to our kids.

One of the things that I have found troubling is our treatment in the province of the heritage fund. I've spoken about this a lot, both in my time with the governing party as well as in opposition. Our heritage fund now, when you adjust it for inflation, is worth roughly what it was in 1980. One of the reasons for that is because although we inflation-proof the heritage fund, which is good, we raid the fund. Anything above that inflation rate we take out of the heritage fund earnings every year and stick into general revenues.

We saw this when we had the recent stock market crash. The heritage fund went down in value about 18 per cent one year, reflecting the stock market crash. It went from roughly \$17 billion to \$14 billion during that time. Then when the stock market essentially recovered the next year and actually is now higher than it was previous to the crash or very close – it's essentially on par right now – the heritage fund gained a lot of its value back. But the majority of that money was taken out and put into general revenues, so now we have a heritage fund that is worth \$14.4 billion, projected to be \$15 billion by the end of this year in the third-quarter update.

I think there are a lot of people in the province that really do feel the heritage fund is key to making sure that if oil and gas revenues go down because we run out, which is highly unlikely anytime soon, or if the price of oil goes down because of new technologies, et cetera, we have something permanent there that our kids can use the interest off so that they won't have to make the decision to have a PST or to have higher income taxes or corporate taxes or what have you. So protecting that heritage fund is critical to a lot of folks in Alberta.

I guess I would ask the minister if there is a strategy going to be put in place. There should have been a long time ago. The first step, the kind of minimum standard that I think Albertans expect, is that we keep every cent earned in the heritage fund in the heritage fund every year rather than throwing it into general revenues.

**Mr. Snelgrove:** There will be a strategy coming forward, and I'll give you my personal take on it because, I mean, it's something that the government has to work on. I think that when we are back in surplus positions, the first thing we need to do is to re-establish the sustainability fund savings account. I think we need to establish what level that would be. I think 25 per cent of what our annual budget is would be the appropriate number, and that would be roughly \$10 billion.

Then I think you need to have a discussion about what you're going to do with the heritage savings trust fund. You know, ultimately, it could become a massive chunk of money with the future we've got here with bitumen, but if it's not producing wealth other than just sitting there, I think we're missing out on opportunities.

I think the endowments in the heritage savings trust fund for medical research are critical. I really think they need to be targeted. They need to be put up where you can commit. If we're going to attract teams of world-class researchers here, I think you need to be able to say them: "Guess what? We've got \$5 billion in the heritage savings trust fund medical research account, and

that's going to guarantee you funding for your research for, you know, forever."

So, yes, it would be great to leave the wealth that's created in it, and I also think that that is certainly a goal we should work to, but I think we have to be very clear about what we intend that money to do on behalf of Albertans. I'll tell you that the one thing I've seen destroy people is not having to work. I don't want to ever have to use that heritage savings trust fund as something that would say: well, our kids don't need to work; look at the money we've got. We all know the examples of the spoiled rich kid who, you know, daddy looked after.

So I want it there. I think there's stability. The ability it has to contribute to our economy has to be really thought out. Have a good discussion with Albertans, and then lay out the medical research, the scientific research for the innovation fund. That's where we need to direct the money. It could grow to a very large number. Then you start to increase the exemption level for people. In my world the most appropriate tax reduction you can give people is to let them keep the most money they make at the start. It is troubling that the federal government has left their exemption level at \$8,000. Who the heck can live on \$8,000? Who can live on the \$17,000 that we're at? So if they were at \$17,000 or we worked to \$25,000 or \$30,000, that would be where I would like to see us target in the future.

**Mr. Anderson:** Well, I'm glad that we're thinking about these things. I would suggest, though, that although I agree that a portion of the money we earn in surpluses or – essentially, it's surpluses. I completely agree with putting a portion of that into endowment funds, scholarship funds, those types of things. I do think that we need to put a large portion of our surpluses, when we return to a surplus, into the actual heritage fund itself. It's not about having it so that our kids don't work, but it is about making sure that we have an environment for them after oil and gas revenues decline, that they don't have to make the choice of hiking up taxes, cutting programs, those sorts of things. You have to obviously envelope some of that money for ongoing use in the way you're talking about with endowments, but also some of that just has to be put aside for the time when we won't have the same oil and gas revenues. So I hope the minister will take that under consideration.

The last point – I know we have just a few minutes – is regarding the capital plan. This has been a source of consternation for me because I'm in a situation, as are all MLAs, where there are infrastructure needs in our own constituencies. For me, obviously, as everyone in this House knows, it's schools. We need about \$60 million to \$70 million worth of schools. We don't need any more roads for this year. We don't need bridges. We don't need anything except two to three schools. That's all we need. Don't give us a cent.

The problem is that we envelope this money. You're proposing \$6.6 billion for infrastructure; we're proposing \$4.2 billion, which, by the way, is more than the average of B.C., Quebec, and Ontario per capita. But when we say this, we get accused of: "Well, you know, what are you going to spend the money on? What are you going to cut? Which hospital aren't you going to build?"

The problem with being in the opposition a lot of the time – and in government; I was in Treasury Board – is that there's no list, that I've ever seen, no priority list. You give a little bit of a breakdown of the projects in the budget but only the largest ones. You don't get down into: what is this government going to be spending its money on, what projects over the next three or four years, and what criteria did you use to arrive at that? It makes it very difficult

as an opposition member who's trying to propose ways to balance the budget when we don't have that list in front of us.

I understand that you don't want to pit one community against another. I get that. But in the interests of being open and transparent and being able to discuss what the priorities are and if these criteria that we're using are appropriate, et cetera, it just seems backwards. As an opposition MLA my hands are tied. I have no idea because there's just not enough information out there for me to look at that would allow me to make suggestions on what project should be delayed, what should be moved up, et cetera. That's very frustrating, especially coming from a constituency that does need some investment in it because it is such a fast-growing constituency.

4:20

**Mr. Snelgrove:** There are criteria in place, and the hon. member would remember. We don't pick the schools. The school boards send in their lists, and the priority is based on standard criteria across Alberta. Obviously, they take into account some of the safety issues as paramount, certainly student numbers.

Even someone as slow to learn as me was able to pick up from the hon. member that he would like some schools built in Airdrie. You know, I managed to pick that up anyhow.

The fact is that we know that in the next 10 years in Alberta there are going to be a hundred thousand more students. A hundred thousand. I can tell the hon. member and I can tell all members that we are working with school boards, with the Department of Infrastructure, and with the Department of Education to look at: how do we accelerate schools?

I would also certainly like to hear from the opposition the ideas they've got about long-term financing. It doesn't make sense to have to write off these schools this year or next year when you're going to use them for 30 or 40 years and you know you need them. So we are looking for opportunities.

**The Chair:** Hon. member, the time limit is reached.

**Mr. Snelgrove:** It was just getting good.

**The Chair:** Well, we still have a chance to come back. Three hours.

Now, the next 20 minutes is for a member of the fourth party. The leader of the ND opposition, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I'm happy to just go back and forth in the same way.

I want to start just with a discussion of sort of the basic concept of the budget. Of course, there's been a major draw on the sustainability fund this year in order to balance the budget. I just have a basic question because, in my view, the fund is being used in the way for which it was designed; in other words, saving when you have surpluses, then drawing it down. We're not borrowing money; we're using accumulated savings that were allocated for that purpose. So maybe you can enlighten me. This may be a very naive question. Why is that considered a deficit budget?

**Mr. Snelgrove:** That's a good question.

**Mr. Mason:** Don't say I've never done anything for you.

**Mr. Snelgrove:** The Saskatchewan government – and gosh knows everyone has a great deal of respect for Brad Wall, but he stands up and announces their third consecutive balanced budget, and they do exactly what we do. They take their money out of their

savings account and use it. Manitoba I think, too, just took \$500 million out of theirs.

To the hon. member: I guess technically we are spending more money than revenue this year, except that's not counting the revenue from our savings account, which would be balanced. If this was your household account, you would consider that you've done it. You're not borrowing money. So why is it considered a deficit? I guess in accounting terms that might be the definition. In practical terms I don't know. I'd be happy to listen to a motion from whatever party they call you now to call it something else. I would support that completely.

**Mr. Mason:** Well, we haven't changed our name, Mr. Chairman.

It just seems to me that, you know, the government shoots itself in the foot. This is the government's own definition of a deficit. It strikes me very much that this is the way the fund was intended to be used.

The problem is that the way the sustainability fund has been drawn in the last several years is no longer sustainable. I mean, in this particular year you've drawn more out of it than is left. I know you've got some projections that it's going to last two or three more years, but in actual fact if we have the same set of circumstances in next year's budget that we have in this year's budget, it won't cover the shortfall in funding. So that's really a question that I sort of wanted to raise because I think this is a real problem. I don't believe that the government is overspending. I don't know if we can sustain the current level of annual increase in some of the big budgets, but I think that the government has taken the better course to adopt this budget rather than the one that was advocated, I guess, by the previous minister of finance.

The question, though, is how you will be able to maintain that level of funding for important social programs that the people of Alberta want without making significant cuts in the next couple of budgets. Now, that would satisfy some parties in the Legislature, it would satisfy some leadership candidates and their supporters in your own party, but I don't think it would satisfy the people of Alberta. The question comes of how that's going to be made sustainable in the long run. This is sort of where I wanted to focus a little bit tonight.

You know, in the past when Stockwell Day was the Treasurer, he brought in a flat personal income tax. I remember that debate, and I didn't like the priorities for tax savings. I'm not necessarily opposed to giving people some savings on their taxes, but I think the flat tax gives it to the people that don't need it. It also costs a government a significant amount of revenue year over year. When Steve West was the Provincial Treasurer, one of the first events I attended when I was newly elected as an MLA was a lunch at the Edmonton Chamber of Commerce, where he announced changes to the corporate income tax rate, where the plan was over a period of years to bring that down from 15 to 8 per cent. Now, I think the government has leveled off around 10, but that's still a 33 per cent reduction in revenue from that source.

Then, of course, when the government brought in some higher royalties, there was an additional \$2 million, minus some offsets, that was going to be captured there. When they backed away from that, that also affected our revenues. I've always been concerned that we've been too dependent on revenue from natural gas. Of course, now the situation with all the shale gas finds is that there's more gas on the market and prices are not as high as they used to be and are unlikely to go back up to those levels. We got so much of our royalty revenue from that, and a lot of the surpluses were due predominantly to natural gas royalty windfalls over a period of years. I think the government was right to accept the proposal from the opposition – I'll give the Liberals some credit; that was

really sort of something they championed – and set up the sustainability fund.

Mr. Chairman, the point I want to make is that whether it's good policy or bad policy, you know, I understand that your philosophy is different from our philosophy. The fact of the matter is that there have been a number of strategic decisions made by the government that has had them walk away from very significant amounts of sustainable revenue and become more dependent on unstable revenue, being royalty revenue. So I'm wondering: if your projections for an increase in economic activity, that this budget is based on, don't come to pass – and the document does identify this as a risk – what do we do? Do we go the way of the Wildrose and start cutting all of the spending on important social programs? Do we borrow? What's going to happen if it doesn't come to pass? You're kind of gambling, I think.

4:30

**Mr. Snelgrove:** You know, that's the balance that we're trying to achieve, somewhere between where you are and where they are. If you just take a look at what taxes do to an economy – I mean, they're a necessary evil; there's no question about it. People talk about a sales tax. That may provide a stream of money, but it's coming from a finite amount of money. It's like the dealer in Las Vegas. They're taking a little bit out of every pot. They can't lose. But, ultimately, unless you bring more money to the table, that dealer ends up with all of it.

The whole focus of the Premier and of our government is the fact that if we need more money, we have to grow a bigger economic pie. There is no other sustainable way for us. Certainly, your two parties know how much Albertans, Canadians across the board want that public health care protected, preserved. You know how much they want their education to be world class. We know that, too. The work that's been done around developing the innovation strategy, developing the royalty strategy that gets the jobs here, the initiative to partner up with North West upgraders so that that economic pie grows here: the only way that we can maintain the standard of living, including the education, the health care, the seniors, the roads, the whole nine yards, is to grow a bigger economic pie.

Having what I would call a responsible tax structure is one thing that does attract investment, and it'll keep people here. We can agree to disagree on whether the flat tax is good or bad. Personally, you know, it's hard to suggest that it isn't very fair. I mean, a guy that makes \$100,000 pays \$10,000, and somebody that makes \$40,000 pays \$4,000, so they are paying more. Look at the U.S., where the progressive tax really only affects the people who are working on a salary. I can tell you that in business I can have an unbelievable standard where I can hide it. You shouldn't be driving people into tax havens because they won't pay the tax, so a fair tax allows people to pay in and still maintain their fair share.

Our proposal is to grow a bigger economic pie because we agree with you that we need to continue to pay for health and education and seniors, without question.

**The Chair:** The hon. member.

**Mr. Mason:** Well, thanks, Mr. Chairman, and thanks for the answer. You know, I don't want to get into a big debate. I mean, we kind of have a little bit of this debate every time we deal with your estimates. This is the only chance I get to actually ask questions that aren't limited by 35 seconds and a Speaker there who's watching you like a hawk.

The Auditor General has said in the past that when you give a tax cut, you have to look at it as an expenditure. You're trying to

achieve something. He's asked the government to say: what are your objectives by cutting taxes? If you want to cut taxes, that's fine. That might be a legitimate thing. But what's your goal by doing that? I mean, you're talking about greater competitiveness, yet these things are never sort of laid out. And I think it's something that the Auditor General has never really got an answer to from the government.

Here's the thing. You talk about growing an economic pie. By all means, I think that people are going to be drawn to Alberta. Our taxes are considerably lower. They could be increased in some cases at the high end, for corporate taxes or on very high incomes, for very wealthy individuals, and still remain below any other place in the country.

What happens – and this was really the gist of the question. In your own fiscal plan on page 115 it says:

- Although Alberta's economic growth is forecast at a robust 3.3% in 2011, and to average a healthy 3.2% over the medium term, there are significant risks to the outlook.
- ... This type of concentrated, commodity-based mega-project driven growth leaves the province particularly vulnerable to external turmoil in currency, credit and commodity markets.
- The US, Japan and key parts of Europe continue to struggle with structural problems in their financial sectors, high levels of public debt, and sluggish labour markets. The challenge in these countries is how to reduce government deficits and raise interest rates to more normal levels without jeopardizing their continued economic expansion.

The question is: if Alberta does not meet the revenue estimates in the budget and as a result the government has to take more money out of the sustainability fund and it's not there because it's gone, what are we going to do?

**Mr. Snelgrove:** It is hard to say with absolute certainty that everything is going to unfold as we've said in here. I guess I'd have to ask the hon. member. Given all the abundance of natural resources and renewable resources in Alberta and the fact that we do have this economic relationship with Saskatchewan and British Columbia and although Canada has challenges, there is no doubt it's one of the very best countries going forward because we are not dependent on anyone else in the world. The world economy and the crash that was caused by the American financial sector – I would call criminal action to people – if that happens, there's not much we can do about it. If the rest of the world crashes, there is no question that Canada and Alberta will see a lower standard of living than we have now.

You know, we're working on trade agreements with the United Arab Emirates for food. People are coming to Alberta for some of the things that we've done around agriculture because we have the most secure food sources in the world. And I've said it, that the other part of our food production that is undervalued, in my opinion, is the fact that we do not have rats. Like the Premier said, there might be some two-legged ones. The fact is that the world and much of the very wealthy part of the world looks to our food products as the best there is. We can guarantee it is because of the standards that are in place. We've had these other countries come here, go around Alberta, and be absolutely blown away by how clean. And we've seen this increase in forestry.

All of this put together says that if we don't have faith that Alberta is going to at least hold its own on the world stage, who in the heck is? We know we're going to be challenged by the Brazils and Argentinas and some of those emerging countries. They're going to run into their pressures, too. Even the Chinese economy is starting to realize that as they develop that wealth internally, they start to consume what they produce. Where they had a very

cheap labour force and could shuffle off everything over to the European and North American economies, now they want to keep some of their own. They want their own TV, they want their own car, they've got to start building roads, and that starts to change the way their economy affects the rest of the world.

I mean, to a great extent you want your economy to be based on consumer spending and trade, but things around the world will change. I think everyone in this room would probably agree that the potential for Alberta to continue to be where we are is as good as – I can't think of another country or another state or province that has what we've got. In the eventuality that we're all wrong and our revenue sources dry up, then you really do have a discussion with Albertans about: what do we absolutely have to do, and what could we do without?

**4:40**

**Mr. Mason:** Well, good luck.

Now that I've got the minister kind of warmed up, I'm going to hit him with one of my favourite subjects, and that is nonrenewable resource revenue. In the fiscal plan on page 14 nonrenewable resource revenue is estimated to be \$8.3 billion for 2011-12, or 23 per cent of total revenue. That's down from the 33 per cent actual for 2008-09.

The government's resource rent target for conventional oil and gas is between 50 and 75 per cent. Over the last 10 years royalties and land sales captured an average of 47.4 per cent of the resource rent generated by the sale of conventional oil and gas. If the government had managed to collect somewhere in the middle of the target range – that is, between 50 and 75 – it would have collected an additional \$37 billion over the last 10 years. For the oil sands the government has only collected between 8.9 per cent and 14.6 per cent of rent since 1997. According to figures from the Canadian Association of Petroleum Producers oil and natural gas producers are operating in Alberta at pre-tax profits of \$148 billion.

Mr. Chairman, it is my contention that Alberta continues to charge some of the lowest royalties in the world, particularly with respect to oil sands, and I don't advocate raising royalties on conventional oil and gas. But as the Premier said the other day in the House, we now have a third of the world's available oil reserves. We can just look at what is going on in other parts of the world to realize what an advantage we have with respect to security of supply and proximity to major markets.

**The Chair:** Hon. member, the 20 minutes allocated have been reached.

The next 20 minutes are for a member of any other party or an independent member. The hon. Member for Calgary-Currie.

**Mr. Taylor:** I'm in the other category now, am I, Mr. Chair? Thank you. Thank you very much.

Just because I'm interested in hearing what the finance minister's answer might be to my colleague from Edmonton-Highlands-Norwood's last question – if, in fact, there was a question in there; I think there was – I'm going to cede just a little bit of my time here, if I can, to the minister just to give a brief answer on that.

**Mr. Snelgrove:** I don't think it's fair to take the royalties in isolation and say that that has to go up. I think you have to look at the total economic rent we cull from the activity in the oil sector and put that in context of jobs, land sales, the whole meal deal. Could they be higher? In hindsight, what's the point? But I will say: let's use the total economic rent that's derived from that oil activity, natural gas activity in Alberta, what we get from it, as opposed to just picking one.



**The Chair:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Chair. Thank you to the minister for that answer. I mean, frankly, I have less of a concern with where the royalties are today than I do with what we're doing with the nonrenewable resource revenues that we bring in. Finally, after a couple of years of less than spectacular results, to put it mildly, I think we've seen that with this latest new, new royalty framework we have generated economic activity and jobs and all the rest of that in the patch. The energy industry is such a key component of our economy in this province, as I'm sure the minister would agree, that I think we are on a better track now than we were a couple of years ago.

That said, though, I think that the art to this whole thing in terms of not only building the bigger economic pie but getting the full benefit from the pie has got to be in what we do with especially the nonrenewable resource revenues that we bring in because that is, I think, more like our inheritance than it is our employment income, if you will. We get the royalty from a barrel of oil once, before that barrel of oil is turned into gasoline or diesel or whatever and then consumed by somebody, so we only have one shot at doing something of value with it.

As a sort of general comment on the budget – and I'll make this comment to the finance minister because he's the guy where the budget buck stops – I'm concerned that I don't see any long-term savings plan or savings strategy here. I'm concerned that it's not obvious to me what the formula for reinvesting in the sustainability fund is going to be, other than that you're going to start putting some money back in when you're back in the black, and we've already seen a one-year delay in the prediction for when that's going to occur. I wonder if the minister can start out with my time by just addressing that whole issue of how we're going to rebuild the emergency savings and then, beyond that, how we're going to start reinvesting in the province's RRSP, if you will.

**Mr. Snelgrove:** We had a brief discussion, before the hon. member came back, with one of the other parties, too. Personally, I think that to start to talk about a savings strategy right now is a little early, and I think it takes away from how critical it is that we make sure we're doing things right right now with the budget. I'm not as keenly aware as maybe my predecessor was about developing that savings strategy. I know it's an issue. Personally, I think we need to rebuild the sustainability fund to 25 per cent of our yearly operating budget. I think that is the appropriate amount. Then I think we need to develop a strategy around the heritage savings trust fund and how it affects the endowments and what we are going to expect from them. My personal belief is that the endowment for medical research is as critical a thing as we do and the endowments around research, especially, as I think the minister of advanced education mentioned earlier today, the work around nanotechnology.

It's not just about putting money in the bank. It's taking the nonrenewable resources and saying: we're going to use this to develop a culture of medical research in Alberta that is world class and committed to for a generation. The strategy I see is not just about taking that money. You're absolutely correct. We get it once, so what do we want to do with it? I think the overwhelming majority of Albertans would support: replenish your sustainability fund, and then use your heritage savings trust fund, maybe even more focused on those kinds of really important advancements, whether they're economic, medical, educational, all this stuff. But let's get our endowments and focus them on what is really important for the next generation, not three, five years but 30, 50, 60, a hundred years.

**The Chair:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Chair. I couldn't agree with the minister more except that I would say that the more money we put into whether it's the heritage fund or any other specific endowment that we're investing in, the more income it produces. The more income it produces, the more specific legacy projects and programs we can undertake with that money. So I would urge the minister to move up the date for when all this starts again. I would urge the minister to look over the course of the next 12 months, as he's preparing next year's budget, for areas that sort of fall below the line of what we absolutely have to do for the people in the province of Alberta and see where he can make some cuts in spending that he can reallocate to investing.

You have \$240 million in in-year savings this year, for instance. Find another \$10 million. You've got a quarter billion dollars that you could plug into one fund or another. A quarter billion dollars, as I read this budget, out of almost a total of \$40 billion, is kind of like the financial planner telling the young married couple: yes, you've got an outrageous mortgage that you have to pay down, and you've got kids on the way, but can you find \$25 a month to start putting away for a rainy day?

On another topic, your goal 1.2, encourage economic diversification and strengthen the province's fiscal resiliency. It seems to me we're told every year that that's our goal, yet this budget repeatedly acknowledges that Alberta is highly dependent on resource revenues, so how is the government going to encourage diversification? Does the government have specific goals for diversification of the economy, and how are your plans different from past goals of diversification?

**Mr. Snelgrove:** Well, I thought we might go the whole afternoon not talking about the department of finance, but, darn it, he got to it. See? You got me.

You know, I think you see the action in the fact that we were able to sign the agreement on the North West upgrader. That agreement was well over a year, just about 18 months in the making, to put a deal of that size together, and there's a great deal of credit that needs to go to the department staff. You know, we're in something that is not normal for a government to do.

The other thing that we've done is the realignment of our research into Alberta Innovates and the way that they are governed and funded and accountable.

You know, I don't think there will ever be a time that a government isn't going to say: we're going to continue to do these things. It's not like you build something and then you walk away. It has to become a mindset, a culture of government, a culture of the province that you're going to continue to look for ways to do this.

**4:50**

The in-year savings strategy: you know, we have found nearly double our target every year that we've put it there. In the last three years well over a billion dollars was found the right way. I can tell the hon. member that I'm a firm believer that you shouldn't drive change from a budget. You should change and reflect it in a budget. The changes that we need to make need to be done for the right reasons and then go forward. So we're going to continue to work in that vein.

**Mr. Taylor:** A couple of questions arise from that answer. Question number one, as you go forward and you continue to develop this culture of diversification and government taking a role in partnership with business in doing that and promoting it, how do you measure your successes as you go? How do you know that

this is a program worth continuing and that this is one that didn't work out and you want to get out of that one as quickly as you can? How do you know how to realign your goals and your vision as you go forward with this? That's question number one.

Question number two. The minister brought up North West Upgrading, for instance. This opens the issue of value-added activities and, I think, goal 2.2:

Support the implementation of government strategies to encourage value-added activities in areas of competitive advantage within our resource processing industries, focusing on sustainable, integrated approaches to economic diversification.

Does this government see value-added activities for resources beyond bitumen, and what are they?

**Mr. Snelgrove:** The wood fibre. You know, I had the chance to go to two plants down in Rocky Mountain House, where, I think, there are the only two in Canada that make that specific product.

But I want to go back to: how do we know when we're going to achieve what we set out to do? I think it's absolutely essential that you understand what your goal is before you start. This isn't something where you head off down the road and see where it takes you. I think you have got to be able to put out and say, "We're going to attract X number of dollars in private research" or "We're going to see six patents come from this thing in this time." You have to put the goal out first so that you can measure to it.

I'm a firm believer in a lady named Georgann Hancock, that used to look after the health unit in Vermilion. She said: if you can't measure it, don't do it because you really don't understand what you're doing. Let's get our goals, clearly, put them out there so everyone can see what the goal is. It really isn't about trying to establish innovation and then living up to your budget. Previously that was a success. If you spent your budget, you achieved your goal. That's not the culture anymore. It's really: what are you trying to do, and how are you going to be able to report back to us that you've achieved your goal? It really is setting the targets before you head off down the road.

**Mr. Taylor:** A fair comment, but there are goals, and then there are successes. I mean, the goal starts out. It's the beginning of the journey. At the end of the journey or part way along the journey you have to measure whether you are actually getting to your goal or not. Certainly, when we talk about some of the activities that Alberta Innovates will be a part of, you have to assume that some of those activities are going to produce much better results than others are, for instance. How do you measure success?

**Mr. Snelgrove:** The economy has a funny way of measuring it for you. You know, we are kind of bystanders in a lot of what goes on here, where we can compare year over year numbers that are relevant, whether it's GDP, whether it's disposable income. It can be as far down or as maybe disconnected to the budget as health, birth rates, age, how long you live. You've got all the spectrum of things you measure towards success. Often we don't have to be the ones out there trying to measure this. We can watch, and if our innovation and research attracts businesses, that shows up in the economy. If our personal income taxes and corporate taxes are growing, then we know something is working.

It's not that we have to really have the tape out on everything you start out on. In many ways it is really about seeing how it fits into the bigger picture of your province. Is there a way? In some circumstances, yes, there is.

It's also hard to accept that it's all a financial measurement. In many ways there are other measures that we talk about and some of the other business plans of departments that actually measure what we're doing for the people, how the people see their part

being addressed, too. It might seem like a little bit of an evasive answer, and it is, but it's simply just not that clear.

**Mr. Taylor:** Yes, Minister, it does seem like a little bit of an evasive answer. And by the way, I would agree with a little bit of that evasion because you cannot actually always measure results in fiscal terms. I get that. I mean, when you're engaging in proactive spending, whether that's preventive spending, where you're spending today on measures that will keep people from getting sick or keep people from falling into poverty or keep people from losing their jobs on down the road, you're saving some money there. You know, it's pay me now or pay me later and pay me a whole lot more if you pay me later. If you're spending for investment purposes on postsecondary education, for instance, where we know that we're going to get back a multiplier effect of the money that we as the state put into Joe's or Jane's education.

I mean, those are good investments, some of which you can measure at least partly on a fiscal scale and some you measure in quality of life and human resources and health and environmental skills. So I've got you on that. But it doesn't take away from the fact that we're talking about 40 billion tax dollars here or tax and nonrenewable revenue resource dollars here. I would think that the minister can give me maybe a little clearer answer around the issue of wealth. Whether we're measuring it ourselves as the government of Alberta or the Alberta economy is measuring it for us, here are the markers that we're looking for, the mileposts that tell us whether we need to stop throwing money down this black hole because this is not working out or whether this is working just fine. You've got to have some measurements, some performance indicators there to tell you when to get out of a bad deal.

**Mr. Snelgrove:** That's true. In our business plans, in our targets we do set out goals, and I know the hon. member will have looked. We've tried to consolidate those documents down to something that's actually readable. You know, it really is a shame that in the past, I think, we covered people with so much paper that they weren't able to actually understand what the heck we were trying to accomplish. But if you get into our business plans, it does set out goals. It does set out the targets that we're going to try to achieve, and then we hold to that. We do have the business plans that we are ignoring today for the most part, but we do have them, and they do state the outcomes and do state the goals that we're going to measuring ourselves to.

**Mr. Taylor:** I don't think I have too much more time, so there's one thing in here that I want to zero in on. It's on page 165 of the ministry estimates. The tax and revenue management 2011-2012 estimate indicates that \$1.958 million is not required to be voted on. Then on page 168 of the estimates, the reconciliation of supply vote to fiscal plan line – let me see if can you give you a reference point for that. No, I can't. That line cites the amounts not voted as \$10.958 million. Am I on the right page here? I think I am. Yeah. On amounts not voted, the second column in, three items down in the expense by program category. I don't know; it kind of looks like a typo. It kind of looks like a \$9 million discrepancy in there, and I need to know that it either is or it isn't. If it's not a typo, can you show me where the other \$9 million exists? You've jumped from \$1.958 million to \$10.958 million, and when you type those numbers out on a piece of paper, it looks like somebody may have dropped a zero.

**Mr. Snelgrove:** Are we talking about the line where it has the interest payments and corporate tax refunds as the \$9 million change?

**Mr. Taylor:** No.

**Mr. Snelgrove:** Page 165?

**Mr. Taylor:** Page 165.

**Mr. Snelgrove:** If you go back down about a third of the way down the page under department statutory amounts.

**Mr. Taylor:** Under department statutory amounts. And there I see now: is that the \$9 million that I couldn't find before?

**Mr. Snelgrove:** I think so.

**Mr. Taylor:** You think so.

**Mr. Snelgrove:** Well I'm not sure if. . .

5:00

**Mr. Taylor:** It looks plausible, Minister, but if you could just confirm that and get back to us on it, that would be good.

**Mr. Snelgrove:** Okay.

**Mr. Taylor:** Mr. Chair, how much time do I have left? Two minutes?

**The Chair:** You have two.

**Mr. Taylor:** Okay. One more question, then, which is on the Alberta cancer prevention legacy fund, which is on page 175, I believe, of the estimates. In 2009-10 revenue was nearly \$26 million, and expenses were about \$22 million. I'm rounding the numbers off. In the 2010-11 budget the estimates were tuned back to \$12 million, but the forecast actual revenue for this fiscal year that we're coming out of looks like it's going to be in the \$20 million range. Revenue for the ministry's other funds in the 2010-11 budget all appear to have been overestimated except that this fund was underestimated, so I've got a couple of questions. Why was the original estimate for this year in the cancer prevention legacy fund so short of what actually turned out? You seem to have produced a much better rate of return here than you did on some of the other funds perhaps.

The other thing here that troubles me is that for 2011-12 the revenue is estimated to be \$15 million and the expenses for the fund are \$25 million for both last year and this year. That means that for 2010-2011 the fund was reduced by \$5 million. It looks like for 2011-2012 it's going to be reduced by \$10 million. Here we have a legacy fund, a cancer prevention legacy fund – you even use the word “legacy” – where the assets are being drained. Shouldn't they be maintained if not grown? What's the plan for this fund?

**Mr. Snelgrove:** This one isn't an endowment. It is a fund, and it's up to the discretion of the minister to identify how much can go. Quite honestly, it's just that '09-10 was a very good year for the particular fund, and we believe more consistently that the rate of return is going to be what's reflected there. But it isn't an endowment.

**The Chair:** Hon. members, the time has terminated for the party opposition. Now it's individual members, so the hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. I appreciate the opportunity to participate again in these budget estimates. My first question now would be around the Cabinet Policy Committee on the Economy, where we have a budget estimate of \$240,000. It would be our view on this side of the House,

with no disrespect, that the exact purpose and the use of those cabinet policy committees, that are internally chaired by various respected members of this Assembly, all government members, are in question. What they do, when they meet is certainly mysterious. It's not public record.

I would ask if in light of the difficult circumstances we're in, with a mega billion-dollar budget deficit this year and in past years – and the total is \$10 billion in the last four years – there should be some sort of control and discipline put on this government's expenditures. The hon. Member for Edmonton-Highlands-Norwood and others say: oh, all the spending you do is just fine. Well, I would disagree.

Now, if we were to, for instance, and this is only the amounts that we know about, cancel or eliminate the cabinet policy committees, the pay that's involved in them, the support staff, and transfer whatever work they're doing to the public so that the public could attend hearings – essentially, the policy field committees already exist. They are all party. The members get paid a generous amount to serve on those committees. Why can't we eliminate these cabinet policy committees, including the \$240,000 amount that's included in your ministry support services? We could save ourselves at least \$2,400,000.

Last year the minister of finance, who is no longer the minister of finance, had no idea what kind of money was spent on those, how often they met, what they discussed. It's in the public record. He didn't have any idea, and he didn't seem to care either. I'm asking this minister: why in this time of fiscal restraint could those committees not be eliminated? We could save \$2.4 million and give more work to the policy field committees.

**Mr. Snelgrove:** I think we've had this discussion every year.

**Mr. MacDonald:** No, we haven't.

**Mr. Snelgrove:** Yes, we have.

The one responsibility of government and the responsibility that all caucus members have is the development of policy. Quite honestly, that's our job. I'm going to introduce my staff, and their job is to implement that policy. Our job as elected officials is to develop policy. These policy committees are essential in the process of building sound policy. If you eliminated them – I'm not going to question your numbers – it would be about one-twentieth of 1 per cent of our budget. What you would be doing is removing a key part of the government, which is the responsibility of elected people in developing policy. We can agree to disagree on their importance or their membership, but I can tell you, as somebody who has seen them develop to what they are, from our point of view they are essential in what we do.

We have the people that actually do the work. If any of you don't know, this is our deputy minister, Tim Wiles. This is Darwin Bozek, who's the assistant deputy minister for strategic and business services as well as senior financial officer for our department, so we have to be nice to him. Up in the gallery, being spellbound by the discussion of the department of finance, is Ian Ayton, assistant deputy minister of tax and revenue, the person that we all like to hate, I think. He's joined by Richard Isaak and Shakeeb Siddiqui – I asked how to say it, and I hope I got that right, Shakeeb – and Craig Johnson from our financial services division. On behalf of all of government I hope you can take back to your staff that we do understand how hard you work, and we do appreciate it. This might not be the most exciting stuff we have to do, but in fact this is what governments do, the budget. The budgeting process and the budget documents are the cornerstone of any government. We do appreciate the time that they got to come and see this.

**The Chair:** The hon. member.

**Mr. MacDonald:** Thank you. To the minister of finance: again, you are leading by example. It is my view that the Treasury Board and the ministry of finance should be combined. Essentially, through political luck that's happened.

**Mr. Snelgrove:** This was lucky?

**Mr. MacDonald:** Yes. In difficult circumstances I think you're doing the best you can. That ministry was essentially combined, I should say, through political chance.

Now, you may be reluctant to save \$2.4 million by transferring the work that's done behind closed doors with the cabinet policy committees to the policy field committees, but you can live with that decision.

Horse racing, for instance, is an example of: if you look after the pennies, the dollars will look after themselves, and they will grow. While I was waiting for the budget to come out the other day, I went through the financial statements going back nine years. Essentially, the horse racing and breeding renewal program each and every year has seen an amount from \$33 million up to \$48 million, \$56 million, now \$35 million, \$25 million, in that range, put into this subsidy. If it's 10 years, it's close to \$400 million. That would be an example of money that I think could have been used to build seniors' lodges, for instance. You were talking about the lodge program that the Social Crediters developed and what it meant to rural Alberta. Well, \$400 million would put a lot of seniors in safe, secure, accessible, affordable housing. I think it's another example of having the wrong priorities. That's an example of how we could have saved money and used it for another purpose.

5:10

Now, you're doing a great job as President of the Treasury Board and minister of finance, so if you can do it, there's no reason why others on this front bench couldn't. Like Environment: we could put Sustainable Resource Development in there. We could put Executive Council and International and Intergovernmental Relations together. Infrastructure and Transportation were together one time not too long ago; Justice and Attorney General and the programs under Solicitor General and Public Security; Municipal Affairs and Housing and Urban Affairs. Tourism, Parks and Recreation could be put together with Culture and Community Spirit. We would have a smaller cabinet. Maybe the meetings wouldn't last as long. Who knows? But you could save \$40 million by combining or consolidating the size of cabinet.

In light of the budget deficit was any thought or any consideration given to reducing the size of government to save an additional \$40 million?

**Mr. Snelgrove:** A couple of things. One, I wish Brian was still here so he could talk about this horse racing. We've talked about it every year, and you know we don't pay that money. You know that's an accounting entry that comes from the agreement where they run their slots, and that money goes back to them. If it weren't racing, we wouldn't have the money. It isn't taxpayers' money; it's their money. It's only channelled through government to be accounted for and back to them. So cancelling horse racing wouldn't change one penny. It would just simply put a bunch of people who shovel horse manure – wait a minute. Maybe that's what we do do.

Putting the ministries together. The average minister's office runs around \$500,000. That's the total cost. So you're going to save, if you took out eight ministries, \$4 million in costs, but the

people that do the work in the departments are still going to do the work. The people that do the action requests – and Lord knows we get enough of them – are still going to be working no matter who their minister is. If there was one minister, you would still have 99.9 per cent of the people that do the work.

Really, to look at the top and say, "Let's have less decision-making at the highest level and more decision-making dumped down into the administrative level," because that's, in fact, what you do, is really not in probably the best financial interest. It's easy for you and for some of the other parties to suggest you could save \$40 million, but that's only a number that I, quite honestly, don't know how you arrived at. I'd be interested for you to jot down on a piece of paper as to how you arrived at the \$40 million total, and we could have a discussion about that. But a ministerial office typically runs around \$500,000.

**Mr. MacDonald:** Well, first off, I would like to say that in the lottery fund estimates is the \$26 million allocation for Horse Racing Alberta. That's in your budget. That money could be used somewhere else, and the hon. member knows it.

Now, I do have numbers. The smaller size cabinet: it worked for the Premier when he was first elected as leader. In fact, it worked so well with that smaller size cabinet, you got this big majority in 2008. So if it worked when the hon. Premier was first elected, why wouldn't it work now? You could save yourselves some money. You could save 10 and a half million dollars by combining Environment and SRD. You could save over \$3 million by combining Executive Council and . . .

**Mr. Snelgrove:** Who are you going to send home?

**Mr. MacDonald:** Who are we going to send home? There would be very few people sent home, but unfortunately there would be some assistant deputy ministers that would go to retirement, hopefully. We all know the age of the civil service here. There would be no layoffs. In fact, I don't know how you could ask that question when last year in the Treasury Board you had \$30 million set aside for separation payments, and that was for staff severance packages. You yourself had that money set aside, so it is not unusual or unreasonable to suggest that this can be done. Executive Council and International and Intergovernmental Relations: there's no reason in the world why they could not be consolidated, some of the duplication that takes place. It makes much more sense. The Premier's office is co-ordinating that department anyway.

You know, the Member for Airdrie-Chestermere talks about who really calls the shots there in the Premier's office all the time, so that's not unreasonable. Finance and Enterprise, now the Treasury Board: from my calculations with you, maybe we should give you a pay increase because just with your work habits we're saving \$2.1 million. Infrastructure and Transportation: \$6.3 million. Justice and Attorney General: over \$10 million. Maybe some of that money could be reprofiled for legal aid. Who knows? Municipal Affairs and Housing and Urban Affairs: you could get close to \$4 million there. Tourism, Parks and Recreation and Culture and Community Spirit: you'd get at least \$3 million there.

That is a lot of money, and whenever you put this into context, it could be used for education. That would almost take care of providing the AISI funding, that was reduced in Alberta Education.

Now, there are a number of ways of also dealing with this. Travel and communications: in the consolidated annual report which you talked about earlier, that budget was close to \$300 million last year. The year before it was \$333 million. To your credit,

travel and communications, on page 53 of the consolidated financial statements, the annual report from last fall: I think there could be more work done there.

We could, for instance, if we really wanted to try to save money – I looked in public accounts. I see all these different hotels that provide an overnight stay for, I assume, a government employee or maybe some group or an individual who has for one reason or another been taken in by either the Employment and Immigration department or maybe children's services. Why could we not have a competitive market and have those hotels or those hospitality enterprises give a competitive bid on prices? Why does that not happen? That's a way we could save a few dollars, I would think. We live in a free-enterprise economy. Let's see what we can get for the best price.

In the public accounts, you know, we have rooms at the Westin. We have rooms at the Hotel Macdonald. We have rooms at Sutton Place, at the Motel 6. The Capri Centre in Red Deer would be another example. Why could we not have one-stop purchasing? That's just one example of how we could save some money.

Certainly, the travel and communication budget, the consulting budget: I'm not satisfied that I'm getting the straight answer on that. You say that you have this hiring freeze on. It certainly doesn't apply to the Liberal research staff. Every term, the closer we get to an election, the more of our staff you hire away. You know, this hiring freeze must apply to everybody but Liberal researchers because certainly we get them trained, and you take them, sign them up.

5:20

**An Hon. Member:** We've got to save them before it's too late.

**Mr. MacDonald:** You've got to save them before it's too late? I know what you're trying to save.

There are many ways, I think, that we can work to get in control of these expenses. I would just like to hear from the minister. Last year there was \$300 million spent on travel and communications. The year before it was 10 per cent more. What is the amount that is to be reduced in travel and communications this year?

**Mr. Snelgrove:** A couple of things while we're looking at them. Let's be clear about what goes on in the government. I didn't come here with a great love for government, but what I have learned is that the people that are working for us work harder here than the people that I work with back home that were trumped up in their business. We do have some hours here as a minister, but the deputies and their staff are there a lot longer than we are. I know that when we task them – and it's not just the deputies – when we're looking for information, when we're trying to put together stuff on whatever it is, whether it's infrastructure or whatever, the amount of work that they have to get done means, quite simply, that you can't do that work with very many fewer people. Even combining the offices of Finance and Treasury means that now our staff work, instead of 12 or 13 hours, 15 or 16 hours. In all fairness to them, you can't ask that of people for very long because it simply doesn't work.

You do have to look at what the workload is, how many people are doing it. Could there be some synergies in it? Yes, there are. That's why we put that \$240 million number in for in-year savings. The day we're done the budget doesn't mean that we're done budgeting and we go back to work. Every year since we started that in-year savings policy, we have exceeded it by nearly double the target by doing things like you've identified.

We do have a serious look at travel, but you can't cut your nose off to spite your face. We live in an international market world,

and we need to support the trade offices that we have around the world. People can suggest what they would like about some of the things we've done in the past, 10 or 12 years ago, and partly true. But I've been to Washington. I've seen what Gary Mar is doing on our behalf. I saw what Murray Smith did. I'll tell you that most of the ministers that travel – an example would be our SRD minister. He is going to catch a plane at 7 o'clock tomorrow morning, go to Washington for two days. He'll be back in the middle of the night, and he'll be back to work here. That's not fun.

Most of us have families. To make the travel schedule that they do – I've been lucky. I don't particularly care, and I've been able to stay here. But lots of the ministers, IIR: they have to go. When they're jumping on planes at midnight to get to meetings for the next day, to get back here, that's not the glorious opportunity that I think much of the general public would like to suggest.

I take the suggestions seriously because you make them with the right intent. Should we continue to look at these things? Absolutely we will. Are there ways to do things better? Yes, there are, but it's about managing change so you don't take what I would have considered the very simplistic view and just say: we'll just cut 5 per cent. That treats things as if they're arbitrary. You have to understand what the changes you're going to make do, and the unintended consequences of not-well-thought-out reductions have come back to hurt government, and they've come back to hurt the public service.

We are hiring some people again. We do have a freeze with exceptions in. We've had to move people from Alberta Health Services to the Department of Infrastructure, who are now looking after the building of the health facilities. We've had to add some probation officers, about 40 or 50 of them, in the Solicitor General. There are some more people going in. They're opening a new park in Calgary or near Calgary. They're going to have a few more.

On a go-forward basis we are working with around 3,000 people less than we were 16 or 17 months ago. Those were in some ways where severances were required. In other ways there were people that retired that we were able to work with. We continue to move people in and out of government through human resources to where their job may not be required in that department. We take them in, we retrain them if necessary, and we'll put them over to another department because we've got an investment in them, and we want to keep them. It is an ongoing process. It is not the easiest one to do, but it is essential for us to continue to evolve government.

**The Chair:** The hon. member.

**Mr. MacDonald:** Yes. Thank you very much. Now, when you look at the expenses by object in the consolidated financial statements, you know, there is a long list of grants, services, salaries, wages for employees, materials and supplies. I don't see any information in there on IT costs. I know a portion of these funds come through Service Alberta. If we look at the full-time employment equivalents of the civil service – and there are 28,800 estimated for 2011-12 – I can only imagine how many of those have a computer system or an IT system that is supported by the government. I know I have an IT system, and I can't keep up with it all. I just can't. They're very generous and kind with their time, and it's a beautiful machine.

You were talking about freezing the hiring of civil servants. Have you ever thought about how much money we may save if we were, for instance, to increase the amount of time one was to have their computer or their laptop from, say, a two-year period to a three-year period or from a three-year period to a four-year pe-

riod? Do you have any idea? I don't know where to even look to come up with a number on what exactly we're spending on computers and IT costs in the civil service and if there is a way that we could control that budget or maybe reduce it.

**Mr. Snelgrove:** That point was made by several members of Treasury and caucus that we should look at: can we go to a three-year turnover as opposed to two or a four as opposed to a three? There obviously would be savings.

The other part that we're working on is bringing all of the government departments into one common domain where possible. I mean, obviously there are different needs in different departments around security and privacy issues, and all that can be worked out. But it really is about getting them on the same thing so that we deal from a position of kind of one corporate entity. I know that you'll be looking forward to when Service Alberta is in here. She will be able to give you a lot more detail on that.

I think we're about \$400 million a year on IT, off the top of my head. It's a big number. It's important (a) that we're current and (b) that the departments can talk. Sometimes you have to spend a little money to save a little money. You have to be able to understand what you're doing. You know, in the past we've had departments that weren't on a common IT, couldn't communicate with each other, and that does cost time because time is money.

Yes, we need to stay current. We can look at being more effective. I hope you bring up this line of questioning with Service Alberta because it's more appropriate that they deal with it, but you're not wrong in the suggestion that we can be better and more effective in delivering IT. That minister right there will be the one.

**The Chair:** The hon. member.

**Mr. MacDonald:** Yes. Thank you. Now, consultants and consulting fees. You can go through the blue books, and you can see every department. There doesn't seem to be a freeze on the use of these consultants. You flip through the pages, you know, and some of them get \$50,000, some get \$10,000, others get \$2 million, \$3 million in consulting fees. Again, expenses by object: nothing like that is listed. If we've had a hiring freeze for potential staff and, zap, it's frozen, does that same rule apply for consultants? Or has it been a consulting free-for-all with this government?

5:30

**Mr. Snelgrove:** I certainly wouldn't categorize it as a consulting free-for-all, but there are targets in departments where they have to use their money, the amount that they're assigned, departments that use consultants more. Transportation and Infrastructure, for example, you know, would need more consultants. I know that occasionally you will have projects where it is not in your best interests to hire someone, to bring them on staff to do the project, so you will hire a consulting firm or a consultant to do a specific project. So it's really about effective use of your money. I would suggest in that line of questioning, too, that you may want to talk to different departments who have larger budgets around consulting as to what their go-forward is to do it.

In Treasury we didn't use a lot of consultants. We're a little too cheap that way, maybe. I don't know.

**Mr. MacDonald:** It means you've got good staff.

**Mr. Snelgrove:** We've got great staff.

Certainly, that question could go to, obviously, the hon. Transportation minister or Infrastructure minister or wherever you see a little bigger line around consulting outside forces.

**Mr. MacDonald:** Okay. I would like to switch directions for a second, if you don't mind, and ask you about the exchange rate that you are proposing in the budget. I mean, we're not even into the fiscal year yet, and the exchange rate I think this morning was \$1.02. I know the sensitivity has changed from this current year to the year in question here, 2011-12, but if the exchange rate were to remain what it is this morning for the entire fiscal year 2011-12, we would be in need of at least \$600 million if I am correct. What contingency do you have in place if, as some people suggest, the Canadian dollar is going to be worth \$1.08 or \$1.10 in relation to the U.S. dollar?

**Mr. Snelgrove:** As a bit of an aside, the biggest regret I've got is that I bought my place in Phoenix two years ago when the dollar was 86 cents. Hindsight is significant.

You know, what happens, hon. member, is that historically our dollar follows the price of oil. You're correct. If it stays there, then, yeah, there will need to be \$600 million to address that, but oil is also well above where we pegged it in our budget. I mean, we have less exposure with the new royalty structure now than we did, and you pointed that out, but we do need to keep the two in context. If the dollar is strong, then more than likely it's strong because our oil is strong.

**The Chair:** The hon. member.

**Mr. MacDonald:** Yes. In the time that I have left, I would like to talk about the savings plan or the fact that maybe we don't have enough of a savings plan. Now, the sustainability fund that's been used, as it was suggested, to protect priorities and Alberta's competitiveness – we all realize that we're in very difficult times. It's tough times, and we're setting the stage for building, hopefully, what we will have in the future, a better province. The sustainability fund will be replenished over time.

Your remarks about the \$250 million in in-house savings: last year I think you managed to put \$2.2 billion back into the sustainability fund. I suspect you're going to do that again this year, at least I hope that we'll have at least 1 and a half billion dollars to put back in there. The last three years you did, so I think this year you will have some money under the cushions there that you'll find. So that will be replenished, and hopefully it won't be spent on the election promises. Hopefully. What kind of a plan does this government have to restore the value of the heritage savings trust fund and see it grow?

There are many people of Norwegian ancestry in this House, many members. It's surprising how many of them have Norwegian ancestry. It's nice to go on the bank of Oslo's website and see just how much money they have. I know the Minister of Energy disagrees with me. He's right; there's a different tax structure. But they seem to be saving a lot more money, \$500 billion more than we. I think they're currently sitting at between \$530 billion and \$540 billion, and they project in the next two years to add an additional \$200 billion to their fund. Yet ours isn't growing.

I would like to know what efforts this government is going to make to start saving at least a portion of our nonrenewable resource revenue. I know that you've inflation-proofed a little bit. What's the long-term plan here?

**The Chair:** Hon. member, the 20 minutes is completed.

Does anybody else want to speak?

Seeing none, then the minister will continue the next 20 minutes.

**Mr. Snelgrove:** Okay. I'll start that. You know, it is really not on a level playing field that we talk about Norway. Their sales tax,

their value-added tax, is 25 per cent, and their personal income taxes top out at nearly 50 per cent. They are a relatively small country that doesn't have to carry Ottawa on its back. You know, if the \$21 billion, the roughly \$140 billion over the last 10 years, that left Alberta had gone into our coffers – you know, these are all part of our history, and that's okay, but we have to get into the position where we have money to save.

I know what the hon. member from Calgary said about financial planners that tell young couples: well, just put \$25 a month away. That's easy for them to say that. You know, I can tell you that when I was newly married, we didn't have \$25 a month to put into an RRSP or a savings account. As a matter of fact, we couldn't have put in 5 cents most months. It's easy to suggest you can have a savings strategy, but if you don't have the money, it becomes a distraction to the business at hand.

I do expect that as soon as we can, we will re-establish the sustainability fund to an appropriate amount, and I think personally that 25 per cent of our operating budget is a good amount. I think you could contribute to a capital account at that point, too, where you can start to guarantee what your capital spending is going to be in times like right now. Then I think you look at your heritage fund and say: what are we going to accomplish with it? I've had that discussion with other hon. members, so I won't go further into it.

It isn't practical to suggest that we'll just take 30 per cent of renewable resources and put it in a savings account and somehow, magically, expect that money will reappear. Your option would be, then, to borrow money. Putting money into the bank to save it and borrowing money to replace it kind of defeats the purpose.

**Mr. MacDonald:** I would disagree with you because if we are to maintain our competitive tax regimes, whether it's for personal income tax or corporate tax, we're going to need to have a revenue stream in the future different than personal taxes or corporate taxes if we want to maintain this low tax regime. The only way to do that is to increase the revenue stream from investments.

Now, Norway, it's interesting, if you're looking at conventional crude oil production, is relatively the same as what we have here in this province and also natural gas production. They're the second-largest seller of natural gas in Europe after the Russians. Maybe we would be better served and our prices would be a little bit higher here if we had all the Europeans on the other end of the pipeline. Right? We would be better served, but we're not. Liquid natural gas didn't develop like we thought.

5:40

If we are to maintain our current competitive tax rates, we're going to have to get a revenue stream for future generations somewhere else, and I would suggest that it's by growing the size of our savings account so we have more money annually in investment income. How we do that is debatable. We're only going to get a couple more chances. One would be the royalties coming out of Fort McMurray in bitumen production, and the second one, which no one is talking about – we had a brief discussion earlier – is the second-chance oil from the existing mature fields, which, hopefully, the fracking is going to dramatically increase production from.

You know, in the last year we've had record land sales, we have high oil prices, and we still have this \$3.4 billion deficit. There has been talk of stretching out the capital plan. The Wildrose Alliance is right. Last year in your fiscal plan you stated, I think, that between 10 and 20 per cent was saved in costs because the contractors had to sharpen their pencils and maybe get the eraser out and put in a new number which was lower. That worked out. I

don't see any notice of that this year, or at least I cannot find it, and I'm wondering why there was no note of that in the fiscal plan, of exactly how much money was saved. We do know that the Minister of Transportation unexpended \$400 million, as did the Minister of Infrastructure.

**Mr. Snelgrove:** When you have the swings in-year, then you have to reflect them. The reduction in the total capital plan directly reflects the fact that we're going to get it cheaper because we didn't move the targets off.

What we thought we had in bitumen a few years ago – we talked about 184 billion barrels. We know now, I mean, quite conservatively, they're at about 500 billion barrels. Well, there's 2.2 trillion barrels there. Realistically, with technology and time we will probably get a trillion. It means that we can produce 5 million barrels a day for 200 years.

Somehow people say: well, when this oil runs out. Holy man. Then we'll go to the 800-year supply we have in coal and produce it. The technology around burning clean coal will be established. The natural gas that's stuck down in our basement isn't going bad. The world eventually will need it. We are sitting on, you know, just about the perfect part of the world, where we have enough coal to run North America for 800 years. As long as we're using our resource money now to put some towards research technology with an eye on the fact that no matter how good we get at alternative fuel sources, we're still going to need hydrocarbons in one way or another – whether we get them from oil, whether we get them from natural gas, even establish the liquid natural gas terminals that the Indian and Chinese and Philippine markets are waiting for, all of those are options that are open to us.

Remember that the natural gas and the coal is not going anywhere. It's waiting for us and for our children, our grandchildren, and their great-great-grandchildren. We'll still be producing energy in this province 200 years from now.

**The Chair:** The hon. member.

**Mr. MacDonald:** Yes. Thank you. I have a lot more questions. But what I want to get on the record – and I didn't see this interview. You made a comment last week on the alternate budget from the Wildrose crowd. Fiscal hawks the other night – you know, we were discussing supplementary estimates. The discussion was limited for obvious reasons. I'm restricted by parliamentary tradition from going any further on that. I read in that document that there was a \$44 million allocation for bonuses in the last year for senior civil servants. Could you clarify if you paid that last year? Or was that cancelled, and I missed something?

**Mr. Snelgrove:** No. That would be a very typical entry from their 'fudget.'

We cancelled our bonuses. The only guess I could have would be that there are still bonuses in Alberta Health Services if I'm not mistaken. They may still pay bonuses. I don't know what they are, and I don't know how they determine who gets them, but that must be where they're coming from.

The other entity that we've got is AIMCo. AIMCo has to be competitive with other financial-sector services like them. They pay a very limited amount. I think the maximum is 5 per cent that they have as a bonus, and their salary comparable to other financial investment houses around North America is very, very low. You know, that could be the bonuses they're talking about, but quite honestly I don't know.

**Mr. MacDonald:** For the record neither do I.

**Mr. Snelgrove:** And the ATB bonuses.

**Mr. MacDonald:** Yes. There are ATB bonuses, and certainly AIMCo has a bonus structure set up there, to say the least, that is interesting. We talked about that, I believe, here one day in question period.

Now, in 2009 the Fiscal Responsibility Act was amended to allow for these deficits, and certainly we've seen them. The limit of \$5.3 billion for how much nonrenewable resource revenue can be spent before it has to be transferred to the sustainability fund was eliminated as well as the clause legislating that \$2.5 billion must be retained in the sustainability fund for natural disasters and other emergencies. We saw last summer what happened. Hopefully, the good thing that's coming out of the cold snap is that all the pine beetles that are still living in the province effective Saturday night will be freeze-dried and we won't have to worry about that next year. But disaster funding, as I said, was required in 2009. In 2010 it was almost a billion dollars. I think it was about \$950 million. When will this government start planning for the future in setting aside disaster recovery money in a small, wee account somewhere? Could we consider doing that? I think it would be more prudent if we were to set that money aside that way.

**Mr. Snelgrove:** While it may be practical, in some ways it doesn't make sense to plan for a disaster. Why would you want one? You know, we do have the resources to cover our disasters. My biggest concern would be that if you put \$200 million in a fund for disasters, somebody would find a way to get that \$200 million. This way we are able to look after exactly what they need. Disaster funding is all minuted by Treasury Board. If it's not exactly spent on the disaster, then it returns it. So it really does keep a tight envelope.

I guess, to go further, we don't know if the disaster is going to be in agriculture; we don't know if it's going to be a weather-related tornado like Pine Lake or other ones; we don't know whether it's going to be forest fires or what it could be. It's not that budgeting for disasters would be wrong. It's just that we know they're going to be there, and most years we can determine

a certain amount. We also get a copay from the federal government, where a good chunk of it is picked up by the federal government. So, yes, that is a method we could use, but I think it's critical that we don't change how we budget just to suit our financial circumstances at any one year over another.

**The Chair:** The time has terminated for the business of the committee.

**Mr. Snelgrove:** Could I ask for unanimous consent just to keep on going?

**The Chair:** I'm sorry. We have a motion and have to move on. I'll give a few minutes for the department staff to depart, and then the committee will rise and report.

5:50

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-North Hill to report.

**Mr. Fawcett:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration resolutions for the Department of Finance and Enterprise relating to the 2011-2012 government estimates for the general revenue fund and the lottery fund for the fiscal year ending March 31, 2012, reports progress, and requests leave to sit again.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.  
The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you, Mr. Speaker. I rise with a motion to adjourn the Assembly until tomorrow, March 3, 2011, at 1:30 p.m.

[Motion carried; the Assembly adjourned at 5:52 p.m. to Thursday at 1:30 p.m.]







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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, March 3, 2011

Issue 7

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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Blackett, Hon. Lindsay, Calgary-North West (PC)	Marz, Richard, Olds-Didsbury-Three Hills (PC)
Blakeman, Laurie, Edmonton-Centre (AL), Official Opposition House Leader	Mason, Brian, Edmonton-Highlands-Norwood (ND), Leader of the ND Opposition
Boutillier, Guy C., Fort McMurray-Wood Buffalo (WA)	McFarland, Barry, Little Bow (PC)
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McQueen, Diana, Drayton Valley-Calmar (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	Morton, F.L., Foothills-Rocky View (PC)
Campbell, Robin, West Yellowhead (PC), Government Whip	Notley, Rachel, Edmonton-Strathcona (ND), ND Opposition House Leader
Chase, Harry B., Calgary-Varsity (AL), Official Opposition Whip	Oberle, Hon. Frank, Peace River (PC)
Dallas, Cal, Red Deer-South (PC)	Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC), Deputy Government House Leader
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)	Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)
DeLong, Alana, Calgary-Bow (PC)	Pastoor, Bridget Brennan, Lethbridge-East (AL), Official Opposition Deputy Whip, Official Opposition Deputy Leader
Denis, Hon. Jonathan, QC, Calgary-Egmont (PC), Deputy Government House Leader	Prins, Ray, Lacombe-Ponoka (PC)
Doerksen, Arno, Strathmore-Brooks (PC), Deputy Government Whip	Quest, Dave, Strathcona (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)	Redford, Alison M., QC, Calgary-Elbow (PC)
Elniski, Doug, Edmonton-Calder (PC)	Renner, Hon. Rob, Medicine Hat (PC), Deputy Government House Leader
Evans, Hon. Iris, Sherwood Park (PC)	Rodney, Dave, Calgary-Lougheed (PC)
Fawcett, Kyle, Calgary-North Hill (PC)	Rogers, George, Leduc-Beaumont-Devon (PC)
Forsyth, Heather, Calgary-Fish Creek (WA), WA Opposition Whip	Sandhu, Peter, Edmonton-Manning (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC)	Sarich, Janice, Edmonton-Decore (PC)
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)	Sherman, Dr. Raj, Edmonton-Meadowlark (Ind)
Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-St. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

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Law Clerk/Director of Interparliamentary Relations	Robert H. Reynolds, QC	Committee Research Co-ordinator	Philip Massolin
Senior Parliamentary Counsel/ Director of House Services	Shannon Dean	Sergeant-at-Arms	Brian G. Hodgson
Manager – House Proceedings	Micheline S. Gravel	Assistant Sergeant-at-Arms	Chris Caughell
		Assistant Sergeant-at-Arms	Gordon H. Munk
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 3, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. We give thanks for our abundant blessings to our province and ourselves. We ask for guidance and the will to follow it. Amen.

Please be seated.

### Introduction of Guests

**Mr. Stelmach:** Mr. Speaker, it is a real pleasure to introduce to you and through you to all members of the Legislature 32 very special visitors from Holden school. They are seated in the public gallery. Today we have teacher Mrs. Cheryl Oslund; the principal, Mr. Clayton Roe; and parent helpers Mrs. Cyndy Heslin, Mr. Gene Hrabec, Mrs. Lyndie Nickel, and Mrs. Annette Hrabec. I'm just so glad that I got here in time from Calgary to take a picture with the class. I would ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. It is indeed my pleasure to introduce to you and through you to all members of this Assembly today 44 students, three teachers, and two instructors that have travelled two hours from Glen Avon school in St. Paul to come to Edmonton today to the Legislature. I need to say to you that this school is a separate Protestant school. They are proud Panthers, they appreciate where they're from, and they very much are proud of the teachers at their school, of their sports program, and, really, of the education. I'd like to introduce Ms Babcock, Miss Field, Mrs. Gadowski, Mr. Boyko, Miss Kulczyk, and Mrs. O'Neill. If I could ask the class to please stand and receive the traditional warm welcome of this Assembly.

Thank you so much.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm thrilled to stand here today to introduce to you and through you to the Assembly an outstanding class of students from Drayton Valley. The grade 6 class from St. Anthony school – a school, I might add, that I attended at their age a few years ago – along with their teacher Mr. Leggo and parent helper Mrs. Fontana are in the public gallery today. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. It's also a pleasure for me to rise today and introduce to you and through you to all members of the Assembly 10 of the current participants in the municipal internship program. The municipal internship program gives recent postsecondary graduates an opportunity to pursue a career in municipal government, getting insight into municipal government through hands-on experience. The interns here today have almost completed their program, and when they do, they will join the ranks of 92 interns who have completed the program since 2002. This ensures the continued strength and success of our mu-

nicipalities as trained, skilled professionals steer our course in the future.

The municipal interns that are here today are Caileigh Rhind from the city of Grande Prairie, Keith Freisen from the city of Medicine Hat, Jarret Esslinger from the town of Beaumont, Stacey Mah from the town of Ponoka, Amy Rupp from the town of Raymond, Carolynn Grey from the town of Sundre, Blaine Peterson from the municipal district of Foothills, the town of High River, Clint Neufeld from Leduc county, John Vandenbeld from Strathcona county, and Iain MacLean from the county of Wetaskiwin.

Mr. Speaker, joining the administrator interns today are three program staff from Municipal Affairs: Wendy Peters, our manager of the internship program; Val Hope, internship adviser; and Melanie Wood, internship adviser. These individuals are standing now in the members' gallery, and I would ask that you please welcome them to this Assembly.

**The Speaker:** The hon. Member for Calgary-Montrose.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's indeed an honour for me to rise today and introduce to you and through you to members of this esteemed Assembly one of my cousins, a younger cousin although I guess most people here would think he's older than me. This young man's name is Sonny, and his actual legal name is Sunkalp Sidhu, but ever since childhood he's aimed to hide his full legal name, Sunkalp. So, Sonny, your full legal name is out there for all the public to know now: Sunkalp Sidhu. He's a dear friend, a great relative, and somebody I'm so proud to have in my family.

Joining him today is his friend and business partner and my friend, Dean Forbes, whom I've had the privilege of getting to know over the last few months. I'd ask them both to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. I'm really delighted today to introduce to you and to all members of the Assembly a group of students from one of Alberta's really exceptional schools, Old Scona academic school. These students are here today to learn more about the legislative process, particularly the role of the Official Opposition in the Legislature. My colleagues in the Alberta Liberal caucus had the opportunity to meet with them earlier today. We were all encouraged by their knowledge and interest. I'm going to make the prediction that one day at least one of those students is going to end up on the floor of this Assembly as an elected member. I would ask them all to please rise and receive the warm and enthusiastic welcome from all of us.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It's indeed my pleasure to introduce to you and through you two special guests, one special guest and one very, very special guest. The first is my constituent Chris Raes. Chris is one of many young Albertans joining the Wildrose cause and has been assisting our caucus with our social media and websites and is doing an awesome job. He's a good friend, and it's been an honour to get to know him over these past couple of years. It's great to see young Albertans stepping up to be part of the political process no matter what party they're supporting. I'd like Chris to please rise and receive the warm welcome of this Assembly.

My other guest also happens to be my sweetheart and my very best friend, Mrs. Anita Anderson. Anita is the rock of our wonder-

ful family, the mother of our four wonderful boys. I think we can all agree here that anyone who can raise such sweet and well-adjusted children must be a truly terrific person and human being. Anita is also a singer and songwriter. She just released her first CD of inspirational music, and you can find it on her Facebook. I love her very much and would ask that she now rise and receive the warm welcome of this Assembly.

### Statement by the Speaker

#### Election Anniversaries

**The Speaker:** Hon. members, I have some introductions today, too. Three years ago, on March 3, 2008, two members in the Assembly were re-elected for the second time, so this becomes their third anniversary: the hon. Member for Cardston-Taber-Warner and the hon. Member for Edmonton-Beverly-Clareview, on this anniversary.

Thirty-one other members were elected for the first time this day three years ago. Congratulations to the hon. Minister of Culture and Community Spirit, the hon. Minister of Service Alberta, the hon. Minister of Housing and Urban Affairs, the hon. Minister of Advanced Education and Technology, the hon. members for Calgary-Elbow, Athabasca-Redwater, Bonnyville-Cold Lake, Calgary-Mackay, Calgary-Montrose, Calgary-North Hill, Drayton Valley-Calmar, Edmonton-Calder, Edmonton-Decore, Edmonton-Ellerslie, Edmonton-Manning, Edmonton-McClung, Edmonton-Mill Woods, Edmonton-Rutherford, Grande Prairie-Wapiti, Livingstone-Macleod, Red Deer-South, St. Albert, Strathcona, Strathmore-Brooks, West Yellowhead, Wetaskiwin-Camrose and hon. Minister of Justice and Attorney General, and the hon. members for Calgary-Buffalo, Calgary-McCall, Airdrie-Chestermere, Edmonton-Strathcona, and Edmonton-Meadowlark. This is the three-year anniversary for all of you.

March 5 will be the 19th anniversary of the election of the hon. Member for Little Bow in a by-election.

1:40

#### Members' Statements

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

#### University of Lethbridge International Award for Genetically Engineered Machine

**Mr. Jacobs:** Thank you, Mr. Speaker. I'm honoured to rise today to recognize an exciting and remarkable achievement by a group of students from southern Alberta. In 2010 a team from the University of Lethbridge competed in the annual international genetically engineered machine competition, or iGEM. This competition challenges students to build biological systems that serve some useful function.

The U of L team researched and developed a biological component, or BioBrick, that could break down some of the toxic contents of tailings ponds and turn them into a useful energy source. This technology has the potential not only to reduce our tailings ponds but to actually turn tailings by-products into useful energy. For all their work on the project the U of L team was awarded a gold medal at the completion.

Mr. Speaker, I'm proud of the amazing work of these students and am once again reminded of the incredible innovative talents of Albertans. I would enjoin all members to join me, please, in congratulating these students.

Thank you.

### International Disability Film Festival

**Mr. Hehr:** Mr. Speaker, last month Calgary played host to the 10th annual Picture This, the international disability film festival. The festival's films tackle the subject of human disability or are written, produced, or directed by people with disabilities. Organized by the Calgary Scope Society, the festival is an important outlet for creative expression by people with disabilities and an important venue for stories about men and women with disabilities.

This year's films included a documentary about one woman's final journey with Lou Gehrig's disease, another about the relationship between a son and his disabled mother, a film about the China disabled persons' dance troupe, and films exploring HIV/AIDS and posttraumatic stress disorder, the efforts of people with disabilities to find rewarding employment, and the joys and challenges of dating and relationships. All this year's films were heartfelt, accomplished, and important. Film submissions came from all over the world from a diverse group of visionary artists. My favourite moment was at the end of the Lou Gehrig's disease film, when the gentleman explained his love of his mother.

I want to thank the Calgary Scope Society for organizing this fantastic event as well as many corporate and charitable sponsors who helped make the festival a reality. Their vision and generosity make it possible for people with disabilities to tell their stories and, in turn, further enrich Alberta's cultural landscape.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

### Prevention of Bullying Youth Committee

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is my pleasure to rise today and speak about Alberta's Prevention of Bullying Youth Committee, a group of 18 youth from across the province between the ages of 15 and 22. They are a dynamic group of volunteers who are passionate about making a difference in their communities and their schools.

The committee has a critical role in providing government with youth perspectives and helping to identify important issues about bullying in Alberta. They provide us with valuable input and advice on the proposed strategies, research findings, and recommendations for action.

The youth committee will be gathering this weekend in Edmonton to learn about media awareness and effective communication, presentation skills, and to work upon improving the b-free.ca website, which was originally created by this committee. The committee will also be reviewing a series of new bullying prevention videos that will be available on the site. These videos reinforce the serious and potentially devastating consequences of bullying.

When these youth return home from the weekend, they will be seeking out opportunities to speak about bullying prevention and will organize events to help raise awareness of bullying in their schools and communities.

Mr. Speaker, we are very fortunate to have such a committed group of youth working with the government on this very important issue. We all need to follow the lead of the youth committee members and do our part to stand up to bullying.

Thank you very much.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

### Fallen Four in Memoriam

**Mr. VanderBurg:** Thank you, Mr. Speaker. Six years ago today four brave young RCMP officers full of promise and hope were shot and killed near Mayerthorpe in the Whitecourt-St. Anne constituency. The shooting ended the lives of constables Peter Schiemann, Leo Johnston, Anthony Gordon, and Brock Myrol. Today my thoughts go to the families, friends, and co-workers of these four officers plus the communities in the Mayerthorpe and Whitecourt RCMP detachment areas and all uniformed officers.

The Fallen Four Memorial Society in Mayerthorpe and Whitecourt determined early that these communities will neither be defined nor defeated by the killings, sir. They built a memorial park to show the strength and beauty, and they organize a yearly memorial candlelight ceremony on March 3 to remember Brock, Anthony, Leo, Peter plus all uniformed officers who have died in the line of duty across Canada.

Mr. Speaker, I take this opportunity to invite each and every one of you and your families to join the hon. Solicitor General and Minister of Public Security, me, and the people in my constituency at the candlelight service at the Fallen Four Memorial Park in Mayerthorpe tonight at 7. I congratulate the many volunteers from the Fallen Four Memorial Society and all the citizens of Mayerthorpe and Whitecourt RCMP detachment areas on their ongoing candlelight ceremony to show dignity and respect for the lives of these four young men and all police, peace officers, and soldiers who have given their lives for their uniform.

To the families of Peter, Brock, Anthony, and Leo and to all of those who have lost a loved one who wears a uniform, I assure you that the brave are never forgotten. Thank you. [applause]

**The Speaker:** The hon. Member for Calgary-Montrose.

### Charter Schools

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Next to the rule of law I think one of the most fundamental components of a successful democratic society is quality, accessible public education. Quality, accessible public education ensures that all members of society have the ability to realize their potential and that opportunity is not just reserved for those with vast financial means. The moment public education stalls, we as a society stall. It is imperative that our education system continuously progresses to ensure that our citizens are able to realize the most of their potential. Since 1994 Alberta is the only province to offer charter schools for our citizens. Today we have 13 different charter schools serving almost 8,000 students.

I have recently met with many families, discussing the remarkable work their children's charter schools are doing. Charter schools are essential in pioneering programs that can eventually offer great opportunities for all students in Alberta, not just in charter schools but also by sharing with the greater public system the innovations that are taking place in charter schools. Mr. Speaker, these parents are concerned that the government is planning to do away with charter schools, at least in their present form. I want to make it clear to all my constituents and all the parents out there that I fully support charter schools. I recognize that charter schools have been seeking permanent mandates and better school facilities for some time now. I fully support these directions.

Mr. Speaker, I just want to say that our charter schools are offering opportunities and innovations that we must make mainstream. Our entire public education system must never sit

idle. It must continuously move forth and offer the best potential learning opportunities for our students.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Emergency Medical Services

**Dr. Swann:** Thank you very much, Mr. Speaker. Last fall in the session I asked the minister of health to investigate how in 2008 the Capital health region had 322 patients receive compromised care due to delays in access. These 322 people know the health care system is still in crisis. To the minister. Four months ago you said you would investigate these cases. What are the results of your investigations?

1:50

**Mr. Zwozdesky:** Mr. Speaker, I believe the more accurate portrayal of that was that I asked Alberta Health Services to look into that issue. The last I heard, they had not yet completed that, but they had assigned a senior physician to conduct that review. To my knowledge, hon. member, that's being done as we speak. It may not yet be quite complete, but I'll try and get an update for you.

**The Speaker:** The hon. leader.

**Dr. Swann:** Thank you, Mr. Speaker. Well, since this government has no credibility in investigating itself, will the minister do the right thing, as I suggested in the fall, and ask the Health Quality Council to investigate these 322 cases of delayed, compromised care?

**Mr. Zwozdesky:** Mr. Speaker, quality assurance committees have a very serious responsibility to fulfill, and I'm sure if they find something that requires a full-blown investigation, should there be anything like that there, they will let me know. I can assure this House and all Albertans that if there is something there, I will be the first to take appropriate action.

**Dr. Swann:** Well, indeed, you will be the first, Mr. Speaker, because the two previous ministers didn't do anything about these 322 cases since 2008.

Will you forward this investigation to the Health Quality Council to give confidence to the people of Alberta that this is being looked into seriously?

**Mr. Zwozdesky:** Again, Mr. Speaker, if such action is warranted, I will pursue it. However, let's not underestimate the importance of a senior physician working with a number of emergency doctors on this matter. That's my understanding of the current status of it. I'll know more, and as soon as I do, I'll be the first one to let this member know.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Provincial Budget

**Dr. Swann:** Thank you, Mr. Speaker. While future governments won't have the luxury of oil and gas windfalls to fund people programs and while Alberta's heritage fund sits at \$14.5 billion, your finance minister offered this solution to future generations: impose

a sales tax when the oil runs out. To the Premier: can you please explain to Albertans why their children and grandchildren should pay the price for your government's mismanagement?

**Mr. Stelmach:** First of all, nobody said that this government supports a sales tax. In fact, I said the other day that it's funny how this issue of a sales tax is always coming from the opposition, all opposition parties. You know, I've said that if the sales tax is the right answer to all government spending, why is it that every jurisdiction that has a sales tax is seriously in debt and continues to run a large deficit and to accumulate debt?

**Dr. Swann:** Mr. Speaker, how does the Premier explain the government's mismanagement of resources when our heritage fund, our savings plan for the future, is worth less in real terms than it was in the '80s?

**Mr. Stelmach:** Mr. Speaker, once again this hon. member hasn't been following what has happened in this last recession, in fact one of the worst recessions in the last 80 years. The heritage savings trust fund lost twice so far, this last time over 37 per cent in their investments, just like any other senior that lost investments or any other company that has had savings set aside and investments. This year what we did is that we took money out of the sustainability fund, and we put it into the heritage savings fund to inflation-proof it.

**The Speaker:** The hon. leader.

**Dr. Swann:** Thank you, Mr. Speaker. Well, off-budget spending has been the norm in Alberta for years, making Alberta's budgets meaningless as planning tools, helping to illustrate why this government has been so bad at planning. Will the Premier pledge to stick to this year's budget?

**Mr. Stelmach:** Mr. Speaker, again, this jurisdiction, the province of Alberta . . . [interjections] To the students over here: just listen to the behaviour of these members across. I don't think you do that in your classroom or when you get home. Just listen. They'll keep talking. [interjections] They'll learn a lesson.

Anyway, with respect to budget planning this government has always set aside money for the future. We put it in the heritage savings trust fund, but we also have what we call a cash reserve. During good times we set money aside to offset many of the times that we see this volatility in our revenue stream. We will continue to do that well into the future because we can never predict what the price of oil will be. It was down to \$37 earlier; today it's up to \$101. Nobody predicted that a few months ago.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

### Canadian Strategy Group

**Dr. Taft:** Mr. Speaker, the other day I raised the troubling issue of a high-priced Tory lobbyist, Hal Danchilla, taking over the process of arranging meetings between Alberta Health Services and opposition MLAs. AHS says the \$150 an hour charged by Mr. Danchilla's firm to arrange meetings is needed because their 70 staff working in communications are just too busy. To the minister of health: does the minister believe that \$150 an hour to arrange meetings is money well spent?

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwodzesky:** Mr. Speaker, immediately after this hon. member raised this question, I contacted Alberta Health Services. I spoke with them. I asked for an explanation, and the explanation I was given was that, yes, they did contract an outside firm to help them arrange some very, very important meetings with MLAs from all caucuses in this Assembly because the woman who would normally do that I believe is on maternity leave for a short period of time. [interjections]

**The Speaker:** The hon. Member for Edmonton-Riverview has the floor. Hon. Member for Calgary-Buffalo, you're sixth on my list, but if you keep talking, I won't see you.

The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. Well, given that Mr. Danchilla's firm is a registered lobbyist for businesses seeking contracts with AHS, can the minister explain how a Tory lobbyist can represent AHS in its dealings with MLAs while at the same time acting as a paid lobbyist for corporations wanting contracts with AHS? Is this an acceptable conflict of interest?

**Mr. Zwodzesky:** Mr. Speaker, again we're naming people by name here, making allegations. The fact is that based on the information I've received, Mr. Danchilla did not do this work. It is a company that he has a share in or owns with someone else, but he himself is not the person doing the work. I know that's a fine point, but I think it's important to not drag people's names in here with innuendo and allegation.

**Dr. Taft:** Well, Mr. Speaker, I'll table all the background documents.

Let's just do the basics here. Given that it would be a good cost-cutting move to end this contract, what does the minister of health plan to do about this contract?

**Mr. Zwodzesky:** Mr. Speaker, I think it is unfortunate that they weren't able to find people in AHS to shore up the difference caused by the absence of the woman on maternity leave. Clearly, that would have been the ideal situation. I'll bet you a dime to a dollar that they tried to do that, but AHS is extremely busy right now implementing the five-year health action plan. They're extremely busy trying to ensure they meet the 50 performance targets, and they needed somebody on a short-term basis, for a month or two, to do this work. That's the bottom line.

**The Speaker:** The hon. Member for Calgary-Glenmore.

### Capital Infrastructure Planning

**Mr. Hinman:** Well, thank you, Mr. Speaker. Yesterday when the Wildrose suggested that we should delay the new MLA offices, the finance minister reacted with disgust. He declared that it was too late to stop now that we've begun the project, but that's exactly the problem. We don't know what they are planning to start next. The minister has developed a habit of asking us questions in question period. I always thought that it was the opposition's job to ask the questions. To the finance minister: will you release your secret list of infrastructure projects so that we can start answering your questions on which ones to do first?

**Mr. Snelgrove:** Mr. Speaker, we do have a 20-year capital strategy. We do budget on a three-year rolling basis for our capital projects. Let's go back to the federal building, where they're quoting the numbers for MLA offices. There are going to be over 500 offices that house Alberta's public service in that building. The

MLA component of that would probably be less than 10 per cent. If you tried to stop the project now, you would be responsible to fund the contractor for a very fair settlement. You cannot simply change contracts in the middle of the term. They should maybe . . .

**The Speaker:** The hon. member.

**Mr. Hinman:** It never should have been started; that's the point.

Mr. Speaker, given that the finance minister has sounded more like an infrastructure critic, demanding that we release our priority list on capital projects, does he realize how bizarre and hypocritical it is for the government of the day, with all of the information and details that they have, to demand the priority list from the Wildrose, especially when they won't release the government's secret list?

**Mr. Snelgrove:** If we stopped the project halfway along, we would put out of work approximately 600 tradespeople, 50 engineers and architects. You know, they now have access to a consultant who has experience – when minister Lyle Oberg announced the federal building project renovation, he said about the building that we want to make this, quite simply, the best legislature in the world. So they've got access to some expert advice now. [interjections]

2:00

**The Speaker:** The hon. member. [interjections] The hon. member has the floor.

**Mr. Hinman:** Thank you, Mr. Speaker. It's wonderful that they're courteous.

Yes, things have changed, Mr. Premier, since then, and they don't know it. The problem is that the finance minister won't release the list to the public. I'd be happy to sit down and review their secret list so that we could prioritize so that they could reduce the deficit. They don't understand that there's been a change. It's time to release the list and stop the politics.

**Mr. Snelgrove:** Mr. Speaker, there are very many different criteria that are used to put together priorities for infrastructure that we build. We look at schools, for example, and numbers of students, safety issues, busing times. On roads we have a very comprehensive follow-up about accidents or other safety-related issues. When it comes to hospitals, we have to look at growth and what's needed in delivering them. Those things are all included in the producing of our capital plan.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, I think it's unfortunate the schoolchildren had to see the behaviour of the Premier and his crew over there just now.

### Electricity Transmission Line Projects

**Mr. Mason:** AltaLink applied yesterday to build an unnecessary \$1.4 billion line, and every Albertan ratepayer will foot the bill. It's just the first of five power line megaprojects this government rammed through without public consultation so power companies can export power and Albertans can pay. My question is to the Minister of Energy. Will he tell the House why power consumers, including homeowners and small businesses and farmers, face increases in their bills to pay for these private megaprojects?

**Mr. Liepert:** Well, Mr. Speaker, first of all, let's be clear that Alberta is a net importer of electricity and not an exporter of electricity. We also have the unusual situation in this province where power is generated where the majority of the population does not live. In order to get that power to the high-density areas of the province, we need transmission lines. The current transmission system is some 30 or 40 years out of date. I know that particular member doesn't live in Calgary, but I can tell you I do, and I don't want my lights going out in two years.

**Mr. Mason:** Mr. Speaker, I think their lights are going to go out in the next election.

Given that the government is unable to justify or guarantee the costs Albertans will pay for these unnecessary lines, and given that this government ushered in deregulation to benefit their friends in the private sector instead of looking out for Albertans, why won't the minister change the policy so that the corporations who benefit from these lines, who make the profits from the operation of these lines, actually pay for them?

**Mr. Liepert:** Mr. Speaker, I think it's important that the House knows that in the 10 years that we've had a deregulated generation market, there's been some, I believe, \$12 billion worth of investment in this province. We have almost doubled the amount of electrical generation that we have. In fact, the amount of increase in generation capacity we have in this province exceeds Manitoba Hydro's entire production.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, this government's support among Albertans is suffering because of heavy-handed land grab legislation to support these lines. Given how they rammed through five power line projects without public consent even though Albertans will have to pay the consequences, will the minister admit he doesn't have what it takes to stand up for Albertans when they're forced to pay through their power bills for these private-profit lines?

**Mr. Liepert:** Mr. Speaker, just to make sure that the member is understanding, we have a deregulated generation market, but we have a regulated transmission market. So what has occurred here today is exactly what is supposed to occur. The proponent of the transmission line has made its application with the Alberta Utilities Commission. The Alberta Utilities Commission will have a hearing where everyone, including that member, has the right to appear before the Utilities Commission, and they will make a decision. It would be improper for me to make any comment that might be seen as influencing that decision.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Lesser Slave Lake.

### Access to the Future Fund

**Mr. Hehr:** Mr. Speaker, six years ago this government's flagship bill created the access to the future fund. In this bill they promised \$3 billion to fund postsecondary education. Last week this government announced that payments from this fund would be suspended. So much for this flagship bill and government promise. To the minister of advanced education: is the minister concerned that contributions to our postsecondary institutions will dry up as a result of not following through on their promise to match donations from individual donors?

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you very much. We're not worried that the donations are going to dry up. In fact, we've been so successful in having people donate to our colleges and universities that they have stressed that fund beyond what we could handle, so we've put it on hold for two years. It comes back in year 3, and it's going to allow us time to ensure that those people that have made commitments can be matched and that we don't abuse or overuse the fund. Right now we've been very successful in getting money in, and we believe people believe in our postsecondaries and will continue to donate to them.

**Mr. Hehr:** Can the minister explain why this government thought leaving the access to the future fund two-thirds unfunded would be sustainable in the long term?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. As you know, the first billion dollars was placed in the access to the future fund, and since then we have had some realities in the economy that have meant that it has been impossible to top up that fund, so we won't be putting any more money in right now. We are going to keep it on hold, but in the future we would hope to see that fund topped up again.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. Would the minister explain what suspending the access to the future fund for two years after mismanaging it from the start says to young Albertans concerned about their access to the future?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. Access to the future was largely used to fund capital projects although it also did match some funds for scholarships. We are deeply committed to our students and would hope that scholarships continue to be available. As you know, there isn't any new money for capital projects within our three-year budget, so we don't believe that holding off on matching dollars for capital projects at this time will put any of our institutions in trouble.

Thank you.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the hon. Member for Edmonton-Gold Bar.

### High Prairie Hospital

**Ms Calahasen:** Thank you, Mr. Speaker. The people of High Prairie and region are once again optimistic that they may get their hospital built. Naming the design firm for this hospital is good news, but we've heard many announcements on this project before, only to have our hopes dashed. To the Minister of Infrastructure: please explain to my constituents what the difference is between today's announcement and other commitments we have heard before.

**Mr. Danyluk:** Well, Mr. Speaker, the project is moving ahead. It's in our budget, and Infrastructure will deliver the plan. Stantec starts work this month, and it is a delivery on the Premier's vision to build the most advanced infrastructure in North America. If we did what some members opposite are calling on us to do, and

that's to cut the \$2.4 billion in capital spending, this project would never happen.

**Ms Calahasen:** Mr. Speaker, I'm so thankful that we are building those hospitals in small-town rural Alberta because without that there's no hospital. We've waited a doggone long time. To the same minister: knowing that we have a one-stop hospital education facility and that the people of High Prairie have helped design this facility, when will your department and this firm begin working with my regional committee to ensure the community's wishes are adhered to?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. We have had a land deal with the previous Métis settlement council, and we're working with the current council, and we hope to finalize the agreement very soon. At that point, the design team works closely with the local health authorities, with the officials from Northern Lakes College, with local municipalities. Most importantly, once the initial designs are done, the team will consult with the broader community to address the hon. member's concerns.

**Ms Calahasen:** Mr. Speaker, we don't need to be doing consultations over and over again. Given that, to the Minister of Health and Wellness: could you please tell my people how committed you are to cover funding to operate this facility once it is built?

**Mr. Zwozdesky:** Well, Mr. Speaker, first I want to thank the hon. Member for Lesser Slave Lake for being a real champion for this hospital to get built. This is a \$90 million project that will essentially replace the 25-bed acute-care hospital that's there now. We're going to in fact add five more acute-care beds, so the funding is already in place for the existing capacity. We're adding capacity, and when it opens in spring of 2013, so too will the purse strings open to help fund those additional positions.

2:10

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Bonnyville-Cold Lake.

### Private Health Care Services

**Mr. MacDonald:** Thank you, Mr. Speaker. Over a year ago in this House the Minister of Health and Wellness offered to the Leader of the Official Opposition a the results of a cost-benefit analysis to compare private versus public hip surgeries. I was wondering how that cost-benefit analysis was coming and why it has not been made public one year later.

**Mr. Zwozdesky:** The short answer is because I haven't received it yet, Mr. Speaker, but I'm glad that he reminded me. That is one of those that I do want to follow up on, and I appreciate you raising it in such a professional manner. Thank you.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. It surprises me that you're spending so much money, yet you have not received it.

Now, you also promised the hon. Member for Edmonton-Riverview a similar cost-benefit analysis regarding cataract surgeries, specifically in Calgary, to see how they compare with surgeries done in public institutions. Where is that cost-benefit analysis, and why have you not made it public?

**The Speaker:** The hon. minister.

**Mr. Zwodzesky:** Thank you. In fact, I'll be going to Calgary next Friday, and I'll tune you up right after that. Thank you.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the same minister: given that in last year's annual report for the Minister of Health and Wellness contracts with private health service providers have increased from \$649 million to \$778 million, a 19 per cent increase, why are you allowing those increases to occur when you have no cost-benefit analysis to justify how this money is being spent?

**Mr. Zwodzesky:** Mr. Speaker, the simple answer is that we have many, many more people here who require more services, and as a result we're responding. We just added 3,200 more cataract surgeries. We just added 9,000 more MRI exams. We just added another 5,000 surgeries of various natures to the agenda. That all costs much more money. Some of those are being performed in nonhospital surgical facilities, specifically cataract surgeries. More money is needed to address more needs and shorten wait lists, which is what we're going to do.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Centre.

#### Northland Community Engagement Team

**Mrs. Leskiw:** Thank you, Mr. Speaker. Earlier this year an inquiry team appointed by the Minister of Education delivered its report on the governance, management, and operation of Northland school division. At that time the minister said that he would appoint a multistakeholder team to engage the communities that make up this vast school division in developing a new way forward for aboriginal education in Alberta. My questions are to the Minister of Education. You said that we can't afford to lose another generation of First Nations and Métis children and that we must act on this. Has there been progress in the appointment of this multistakeholder team?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Yes, in fact, today we announced publicly the makeup of the team. I can tell the hon. member that we've had an initial meeting with the team, and it is engaged and working already. The team will work with staff from the ministry, staff from other Alberta ministries, and with the staff of Northland school division to maximize the level of community involvement and engagement to ensure the success of students in that area. It is comprised of community elders, members of Treaty 8 First Nations, members of the Métis communities, members representative of the communities at large, one member representing the Northern Lakes College, one member to act as a liaison for First Nation, Métis, and Inuit education . . .

**The Speaker:** The hon. member, please.

**Mrs. Leskiw:** Thank you. Mr. Speaker, my first supplementary is to the same minister. Can he tell us how exactly this team is different from previous inquiry teams?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. This is not an inquiry team but an engagement team. We have the Northland inquiry report, and it's a good report. There are 48 recommendations, and in fact the last recommendation was to set up an implementation

team. Rather than an implementation team what I wanted to do was to bring together communities of interest to actually engage the communities involved in their education system. We will not be successful unless we can create a value for education in those communities and involve those communities in the education process. The purpose of this team is to work with us in implementing the Northland inquiry report but to provide strategies to engage those communities.

**Mrs. Leskiw:** Mr. Speaker, my final question is to the same minister. If Northland is to flourish as a First Nations-Métis educational special-purpose jurisdiction, how does it align with other initiatives under way for First Nations-Métis education?

**Mr. Hancock:** Well, Mr. Speaker, one of the main goals in our business plan is First Nations and Métis education and, in fact, eliminating the achievement gap between First Nations and Métis students and other students in the province of Alberta. So this engagement team will help us to work to bring the inquiry report in and to work with Northland school division to ensure that it provides leading-edge education for aboriginal students and therefore provides leading-edge education for all the students in their division, and we can learn from that to apply those learnings to other jurisdictions in this province.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Drayton Valley-Calmar.

#### Environmental Monitoring

**Ms Blakeman:** Thanks very much, Mr. Speaker. This government says that it's creating an environmental monitoring system for real this time. Now, Alberta wasn't at the absolute rock bottom for monitoring compared to countries with no monitoring system, but it definitely wasn't in the top 10. To the Minister of Environment: how does a government go from bad to the top with only \$3 million extra added to the budget?

**Mr. Renner:** Well, Mr. Speaker, I don't think that I can accept the statistics that this member is quoting. Where does she come up with the number that we were number 10 or number 4 or number 5? We've said all along that we have a commitment to protect the environment. I believe that we have been doing a good job in environmental monitoring, but clearly there are opportunities for us to do better, and that's what we're committed to do.

**Ms Blakeman:** Not with 3 million bucks.

Back to the same minister: given that once again, this time in the Peace River area, we have air monitors that are reporting the air quality as good when the odour is so bad that people don't even want to go outside, will \$3 million extra in monitoring provide trustworthy air monitoring this time?

**Mr. Renner:** This issue of \$3 million is a bit of a red herring, as this member knows perfectly well. The majority of the costs of monitoring are currently being borne by industry and will continue to be borne by industry. Mr. Speaker, that's a principle that we believe very strongly in, so to suggest that any kind of a new system would be restricted to only \$3 million is inaccurate and a false assumption.

**Ms Blakeman:** No, I've been pretty clear. This is adding \$3 million to the budget, and you still can't hit your mark.

To the same minister: will the government take over responsibility for water monitoring in the new system given that the

system of the industry self-monitoring has been proven again and again and again to be inconsistent, unco-ordinated, insufficient, and mistrusted?

**Mr. Renner:** Well, Mr. Speaker, that's the precise question that I have asked the panel that I recently appointed to answer, so for me to presume to tell them how to do their job I think would kind of negate the reason that we have this panel in place. We have a panel of world-renowned experts that are meeting as we speak to answer that very question, and I'm looking forward to having that report come from them very shortly.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Strathcona.

### Off-road Fuel Tax

**Mrs. McQueen:** Thank you, Mr. Speaker. As part of Budget 2011 some fuel tax rebate programs were cancelled, specifically the rebate portion of the tax-exempt fuel use program, or TEFU, and within the TEFU the prescribed rebate off-road percentages program, or PROP. My constituents are asking about these changes and the reasons for them. My questions are to the Minister of Finance and Enterprise. Why was this policy changed, and was there consultation? If so, with whom? If not, why not?

**Mr. Snelgrove:** There were some very difficult choices that had to be made in this budget, and we'll stick by them. We do consult on a regular basis with all sorts of business groups across Alberta, and they tell us on an ongoing basis: you need to review the programs you've got and make sure that they're administratively efficient, that they accomplish the policy goal you set out to do, and that they can be sustained. In this case the program, Mr. Speaker, is for licensed vehicles that may be used off our roads and to keep track of the amount of fuel they use on the road and off the road, add it all up, co-ordinate it with the government.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. To the same minister: did he look at simplifying the administrative process for the rebate for off-road truckers, reducing those costs first instead of cutting the program itself?

**Mr. Snelgrove:** Yes, we did. We tried, Mr. Speaker, back in 2005, I think, with PROP, where we decided that we could prorate the amount of fuel that they used in the different industries and tried to develop an average where it could be assigned on that type of an industry basis. However, other industries or other parts of that industry looked and said: well, just a minute; how come we aren't eligible for some kind of a rebate? And the creep starts again.

2:20

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Finally, to the same minister. It is my understanding that off-road equipment will be able to qualify for a rebate on marked fuel, but a TEFU number is needed. Can the minister tell us if this is correct, and if so, how do the businesses apply for this number?

**Mr. Snelgrove:** Mr. Speaker, the program that rebates off-road fuel is still there. It's around a \$160 million program. The program that has been eliminated, to be clear, is the one where licensed vehicles are used off the road. People eligible will still be able to

apply for that TEFU number and be able to purchase fuel, and in some cases, where marked fuel is not available, they will be able to use vehicular fuel and still receive the rebate. So we are going ahead with the bulk of the program.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Varsity.

### Community-based Education

**Ms Notley:** Thank you, Mr. Speaker. Last week the Edmonton public school board released a summary of the pressures pushing it to close inner-city schools out from under the parents and kids who rely upon them. Now, while urban sprawl is a problem, so too are a number of policies imposed by the Ministry of Education. To the minister: as a start, will this minister acknowledge that community-based education is a necessary plank in the provision of quality education to our children?

**Mr. Hancock:** Well, yes, Mr. Speaker, community-based education is very important, but it's not the only thing of importance. Parents do want to make choices with respect to the learning styles and opportunities of their children and what's best for their individual children. For the most part, we have engaged in a process, a system that's set up around community-based schools, and that has proved to be a very functional way to set up an educational system.

**Ms Notley:** Well, Mr. Speaker, given that the majority of district leases are with not-for-profit organizations that provide services for children and families, the kind of wraparound services that this minister claims to support, why won't the minister change his policy so that schools attempting to lease extra space to community groups as a means of maintaining their viability are eligible for IMR and capital modernization funding?

**Mr. Hancock:** Mr. Speaker, first of all, I don't claim to support wraparound services. I support fundamentally and unequivocally the idea of providing wraparound services so that students can be ready to learn and the concerns, the issues they bring from their families and their communities can be dealt with not just by teachers in the school or by the schools themselves but by the teachers and the schools in conjunction with community-based services that are needed. So that's a very important and fundamental aspect of it. One of the things we want to do going forward is make sure that there's a place in the school for those wraparound services to coexist and partner with the schools. I'm very much interested in that type of a concept.

**Ms Notley:** Well, given that there's a quarter billion dollar maintenance deficit in EPSB, shouldered disproportionately by inner-city schools and caused by the government's neglect, and given that new capital project eligibility puts pressure on the boards to close these schools, will the minister admit that his past and up-to-now neglect on this issue amounts to a decision to abandon the education interests of inner-city families?

**Mr. Hancock:** No, Mr. Speaker. Both her assumptions and her conclusions are invalid.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Montrose.

### ESL Funding

**Mr. Chase:** Thank you, Mr. Speaker. This government falsely



claimed in the Speech from the Throne that they will boost the number of immigrants in the workforce. Hypocritically, only two days later the provincial budget contained cuts of almost \$9 million to immigrant services and ESL programs. To the Minister of Employment and Immigration: given that the minister has used his federal counterparts as a scapegoat for the nontransference of the money for these cuts, does the minister support the cutbacks, and if not, will he make up the shortfall out of his own budget?

**Mr. Lukaszuk:** Well, Mr. Speaker, a number of points to be raised. One, the jurisdiction on the number of immigrants that enter this country is exclusively within the domain of our federal government, so this minister and this government haven't any input on the number of immigrants that enter our country, and that number is somewhere around 250,000 immigrants. Any policy shifts on how many enter Canada and/or this province are made exclusively by the government of Canada, and that's what our Constitution allows them to do.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you very much for that federal immigration explanation. I'm talking about provincial concerns, that when the immigrants make it here, which I'm assuming we want, they're supported.

With private forecasters warning of possible labour shortages by next year, can the minister tell us how many adult ESL spaces will be lost as a result of these short-sighted cuts?

**Mr. Lukaszuk:** Mr. Speaker, the federal government as part of their stimulus package has provided this province, as many other provinces, with funding for integration of immigrants, and on behalf of the federal government this government has been implementing these programs. The three-year program has ended; hence the funding has ended. This province, however, out of our own budget continues to be committed to integrating immigrants into our province. As we know, we will need many of them for many years to come.

**Mr. Chase:** As we know, we will need them for many years to come, Mr. Speaker, but we're not willing to pay for them or support them when they do arrive.

Given that 1 in 5 Albertans and 1 in 4 Calgarians will be foreign born by 2017, as the projections go, why are we taking away ESL programs in both Education and this minister's department instead of investing in our immigrant arrivals?

**Mr. Lukaszuk:** Well, again, Mr. Speaker, this member's presuppositions are false. Alberta continues to be the province of choice for immigrants from all over the world. As a matter of fact, we continue to be a net province, attracting secondary migration. Immigrants choose other provinces initially, and then they come to Alberta. Why? Because the jobs are here, the economy is here, and we are not following their policies.

**The Speaker:** The hon. Member for Calgary-Montrose, followed by the hon. Member for Airdrie-Chestermere.

### Charter Schools

**Mr. Bhullar:** Thank you, Mr. Speaker. Despite considerable public support and third-party evidence indicating their success, the future of charter schools in this province remains by some to be in doubt. Despite a number of studies and discussions and surveys stretching back five years, no action has been taken that would

help charter schools do a better job of serving more students. To the Minister of Education: when can charter schools expect to finally see this government grant them permanence?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. The future of charter schools in this province is not in doubt. The policy decision has been made to move to permanence of the charters. The question that remains is how to do it. We fully intend as we bring forward a new education act – and we have communicated this to the charter schools – that we will put in place in the new education act the structure to be allowed to do it. Then as we move forward, what we need to do is ensure that while they're made permanent, they don't lose their reason for being.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. With one charter school having a wait-list more than 150 per cent larger than its enrolment cap because there are no facilities for more students, will the minister be doing anything to make more and bigger facilities available to charter schools?

**Mr. Hancock:** Mr. Speaker, this is one of the concerns with respect to permanence, that charter schools are not able to acquire their own property because they can't guarantee a lifespan beyond their five-year charter. We're working with them on that. We fully intend to help them resolve that issue with the permanence piece, but in the meantime we are constantly working with public school boards to determine when a facility has become available and which ones could be available for use in the broader public system, which includes the charter schools and a system to find appropriate accommodation for their operations.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. To the same minister. In a recent interview, Minister, you indicated that charter schools haven't done a good job of spreading their innovations to the broader education system. Can you clarify this comment for all Albertans?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. That probably wasn't one of my better interviews. What I said was that charter schools had two reasons for existence. One was to provide choice, and the other was for innovation. They had done a good job on choice. In fact, their existence had helped us move the public school system to embrace choice, but there hadn't been a very good job done in sharing the innovations, and I left the implication that that was the fault of the charter schools. It's not the fault of the charter schools. It's the fault of the system. We're doing a lot of work with our AISI program, with other processes. The learnings that we have, whether they come from charter schools or whether they come from other public schools, we need . . .

**The Speaker:** The hon. Member for Airdrie-Chestermere.

### Electricity Transmission Line Projects

*(continued)*

**Mr. Anderson:** Thank you, Mr. Speaker. Evidence continues to mount that much of this government's \$16 billion transmission upgrade is an unnecessary burden on Alberta ratepayers. With clean and locally generated electricity from natural gas becoming

more affordable than ever and with industry increasingly going off grid with cogeneration, there is simply a new economic reality that suggests that a huge chunk of these lines is not needed. To the Energy minister: will he repeal Bill 50 and require the AUC to do an independent needs assessment using 2011 data to determine whether the impending increase on Albertans' power bills is necessary?

2:30

**Mr. Liepert:** Well, Mr. Speaker, there is only one natural gas fired generator in the planning stages that I'm aware of that as of now is prepared to go ahead. It's at Wabamun, and there aren't a lot of people that live at Wabamun, but there are a lot of people that live in Airdrie and in Calgary. In order to get the power from Wabamun, it needs a high transmission line to get it to Airdrie, Chestermere, and Calgary.

**Mr. Anderson:** There are two being built in my constituency right now. Get your facts straight. Good grief.

Given that the closing of two of TransAlta's Sundance coal-fired plants by Lake Wabamun has eliminated – get this – over 25 per cent, or 560 megawatts, of all available transmission between central Alberta and Calgary yet the lights remain on and given that well over twice that amount of power will soon be brought online right beside Calgary in my community, why does this minister continue to defend ATCO's and AltaLink's transmission line projects? Is your lone goal higher power bills for Albertans, sir?

**Mr. Liepert:** Well, Mr. Speaker, I think the member sat in this House, might have even sat on this side if I remember, and approved Bill 50 because it is imperative that over the next 30 years we have transmission in this province to ensure that when we have power generated at centres like Wabamun – as an example, the new Keephills coal-fired plant is due to come on in April. TransAlta has announced plans to commence its Sundance 7, which will be fired by natural gas. It will need transmission. I come back to the fact that if this member wants his 50,000 residents of Airdrie to have power, then they probably will need transmission to get it there.

**Mr. Anderson:** This whole thing smells really bad, guys. I hope you get that.

Given that tens of thousands of Albertans are dead set against moving forward with these transmission lines without first having an independent needs assessment conducted and that many more Albertans are upset that these billion-dollar contracts were handed out to PC donors without competitive bidding, will this minister do the right thing and listen to Albertans, repeal Bill 50, and give Albertans the peace that this isn't the most irresponsible and expensive boondoggle in our province's history?

**Mr. Liepert:** Well, Mr. Speaker, I would say that the only thing that smells here is the inaccuracy of that comment. We have something in this province called the Alberta Electric System Operator. It is not a branch of government; it is an independent operator. It has professionals that do . . . [interjection] I'm not sure if he wants the question answered or not. It doesn't sound like it.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-McCall.

#### Expired Vehicle Insurance Cards

**Mr. Allred:** Thank you, Mr. Speaker. To the hon. Minister of Transportation. Section 822(4) of the Insurance Act requires that

an insured motorist must destroy a pink card upon expiry of that card. Could the hon. minister please explain the rationale of making it an offence to have an expired pink card in your vehicle?

**Mr. Ouellette:** Well, Mr. Speaker, it's well known that every vehicle owner in Alberta is required to make sure that they have insurance on the vehicle. Therefore, they have to carry proof that they have insurance, and that proof is a valid pink card. There are two different parts to this. He's referring to the one under the Insurance Act. We also have one under the Traffic Safety Act, and I think it's section 167 subsections (1) to (8) of the Traffic Safety Act. Our part of the act has a whole different intent than the other, but the 822 he's talking about, if I remember right, states that you can't falsify . . .

**The Speaker:** The hon. member. [interjection] Okay. Sit down, please. You've exhausted your time.

Hon. member, you have the floor.

**Mr. Allred:** Thank you, Mr. Speaker. I think the hon. minister has just doubled my concern. Given that many law-abiding citizens of this province when receiving a new pink card or new registration merely place it in their glove compartment along with their other registration certificates, what is the justification for levying a \$230 fine for such a misdemeanour?

**Mr. Ouellette:** Well, Mr. Speaker, under our legislation, section 168 of the Traffic Safety Act, it's actually a \$172 fine. The intent of the legislation, though, was to give a ticket if you had an expired pink card but couldn't produce a valid one. When you produce the valid one, it should be common sense that you have insurance. Our Solicitor General has been doing such a great job that there are so many policemen out there that are interpreting the law a little differently, but under the other act, as I said before . . .

**The Speaker:** The hon. member.

**Mr. Allred:** Well, Mr. Speaker, maybe I should direct my last question to the hon. Solicitor General. Would it not seem reasonable to you as the Solicitor General that law enforcement officers should use some discretion and only issue a warning for such a minor offence rather than creating disrespect for the law by such an officious act as imposing a \$230 fine?

**Mr. Oberle:** Well, Mr. Speaker, I'd like to thank the Minister of Transportation for throwing me under the underinsured bus.

Mr. Speaker, we all want officers to practise discretion, remarkably only when it works in our favour. I don't think that asking officers to practise discretion, which they do out there, actually – I think our officers do an excellent job on the highway – is the right way to go. I think the member feels strongly there should be some changes to the law. I encourage him to work with his colleagues to effect that change.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Cardston-Taber-Warner.

#### Southwest Calgary Ring Road

**Mr. Kang:** Thank you, Mr. Speaker. The Alberta Liberals believe in preserving green space and supporting the livability of cities. This government has held open houses at which it proposed to potentially push the Calgary southwest ring road right through the valuable green space. As this government retreated from the parks bill, they should remove any option to bring this road through the green space. To the Minister of Transportation: with the Tsuu

T'ina potentially back at the bargaining table should this not be the priority option?

**Mr. Ouellette:** Mr. Speaker, there's no more I can say on this issue. We've talked this issue to death. I've got to give all of our people involved kudos for doing such a good job on the open houses that are being held. They're gathering all the information, and let me tell you that we're moving ahead with something in that area.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think the Premier or the minister should sit down with the chief, Big Plume, and get on with the job. With the Tsuu T'ina Nation's long-term needs for increased traffic flow to support the future commercial development plans, would this not be better than kicking people of Lakeview out of their homes and destroying the Weaselhead green space?

**Mr. Ouellette:** Mr. Speaker, if the hon. member read the paper this morning, he's seen that the chief put out a news release yesterday, and he's going to go to his people to see if he wants to talk to us anymore. I've got to respect the process they're using.

**Mr. Kang:** I think, Mr. Speaker, the minister should work with the chief to get the job done.

Will this government follow the Liberal plan and preserve the Weaselhead green space?

**Mr. Ouellette:** Mr. Speaker, my door is open. I'm going to respect the process.

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

#### Taber Labour Market Information Centre

**Mr. Jacobs:** Thank you, Mr. Speaker. In my constituency the Taber and District Community Adult Learning Association has raised concerns about service changes. After April 1 residents need to seek services through the Taber Alberta Works office rather than the current resource centre. The association is concerned about the impact of this change on Low German Mennonites as they need one-on-one services because of limited English skills. My question to the Minister of Employment and Immigration: what is the local Alberta Works office doing to support a seamless transition and ensure that the needs of Low German Mennonites are met?

**Mr. Lukaszuk:** Mr. Speaker, that is a good question. Change is always difficult, but with this commitment of our government to have a fully balanced operating budget, some realities had to take place. Indeed, in the town of Taber this particular department had two offices. We have amalgamated the services into one office. That will not reflect on the quality and quantity of service offered. However, it'll be offered out of one of our offices, known as the labour market information centre, in the town of Taber.

**The Speaker:** The hon. member.

**Mr. Jacobs:** Thank you, Mr. Speaker. Again to the same minister: what supports are in place at the Taber Alberta Works office to assist those individuals to connect to local jobs?

**Mr. Lukaszuk:** Mr. Speaker, I'm actually proud to say that it's quite a wide range of services. Historically the labour market in-

formation centre would have been known as welfare offices. Well, now that is the last thing that they should be known for. They offer aptitude assessments. They offer employment counselling. They match potential candidates with employers. They actually also assist employers in finding employees. They have a variety of information on job markets in the vicinity and in other parts of the province and the country. So the spectrum of services by very dedicated and well-qualified employees of this ministry is available and will continue to be available to residents of Taber and the surrounding area.

2:40

**The Speaker:** The hon. member.

**Mr. Jacobs:** Thank you, Mr. Speaker. Given that the Low German Mennonite population is a very important aspect of the labour market in Taber, my question again to the same minister: if we want to build Alberta's labour force and increase employment capacity for Low German Mennonites, why is the government reducing services for this growing population?

**Mr. Lukaszuk:** Mr. Speaker, this member is correct. The Low German speaking population is actually growing. We're attracting more of them from Mexico, and we're happy to have them because they made fabulous agricultural employees, and now they expand into many other industries as well. We will continue to attract them. We are not changing the quality of service offered to them. We simply will be offering it differently from a different location. All we're doing is amalgamating our services under one roof, and that is part of our commitment to make sure that our operating budget is balanced in this province.

**The Speaker:** Hon. members, 18 members were recognized today. That was 108 questions and responses.

It strikes me, in attending question period the last couple of days, that a number of members still have not had a chance or an opportunity to read *Beauchesne*, as I requested them to do the other day. So could I just refer you once again to the sections of *Beauchesne* 403 to 420 and refer to both the questions and answers, and perhaps we'll all have an opportunity by Monday to have refreshed these very important rules as we come back to question period.

We'll continue the Routine in 15 seconds from now.

#### Members' Statements

(continued)

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

#### Oil Sands Royalties

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. The budget for 2011-12 puts Alberta in a precarious position. The government has managed to maintain funding for health care and other services only by draining the sustainability fund. Since 2009 the government has already spent two-thirds of this fund. This year the government expects to take more money out of the fund than will be left by the end of the year. Therefore, the fund will not be able to cover another \$3 billion deficit. The government is gambling that another economic boom will arrive before the province's savings completely run out, but what happens if that boom doesn't come in time?

Alberta's economic recovery depends on highly volatile world markets. The government's own fiscal plan states that there are

significant risks to the economic outlook, yet the government's plan leaves no room for error. If the budget's rosy forecast does not come to pass, the government may choose between deficit spending or cutting services like health care, education, and the environment.

But, Mr. Speaker, there is another choice. Alberta's royalties are among the lowest in the world, yet we have one-third of the globe's available reserves. We have the advantage of being a stable, secure source of energy located close to the American market. Despite this, the oil sands industry continues to get a sweet deal from the government. Although the government's target for oil sands related royalties and land sales was a share of economic rent of 50 to 75 per cent, since 1997 the government has only managed to capture an average of between 8.9 and 14.6 per cent.

Alberta's NDP is committed both to balanced budgets and adequate funding for important social programs, including health care. These goals can both be met if the oil sands industry paid its fair share for Alberta's oil sands wealth.

Thank you, Mr. Speaker.

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

### Alberta Mentoring Partnership

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my pleasure to rise today and speak about the Alberta mentoring partnership, which features government, community agencies, and youth working together to increase mentoring opportunities to support Alberta's children and youth.

The vision of the Alberta mentoring partnership is that every child and youth at risk who needs a mentor has access to one. Mr. Speaker, mentors are urgently needed across Alberta. There are many more children and youth waiting than mentors available to volunteer. Becoming a mentor is a great way to contribute to improving the lives of young people. Mentors are also positive role models in the lives of the young people, in turn helping them to become successful, contributing adults. You don't require special skills or a lot of time to be a mentor. As little as an hour a week can make a positive and lasting difference in the life of a child or youth.

During the month of March, Mr. Speaker, the Alberta mentoring partnership will run an awareness and recruitment campaign that will be seen and heard on radio stations and billboards throughout the province. The theme of the campaign is Mentoring Makes Sense: You Don't Have To Be Superhuman To Be A Mentor, But You Can Feel Like It.

We know from research that when young people feel supported, they are less likely to become involved with drugs or crime and more likely to complete high school and move on to postsecondary education or the workforce.

Mr. Speaker, supporting children and youth is everyone's responsibility. I encourage all Albertans to step up and consider mentoring a child or youth and to help improve the lives of our province's young people.

Thank you, Mr. Speaker.

[The Deputy Speaker in the chair]

### Tabling Returns and Reports

**The Deputy Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Well, thank you, Mr. Speaker. I rise today to table the appropriate number of copies of postcards addressed from the future of Catholic education in Alberta. I received 40 of these

postcards in my constituency office on February 9 this year. These 40 constituents of mine appeal to include in the new education act the right of Catholic schools to be governed by elected officials and request the government of Alberta to provide "adequate, predictable and sustainable funding for the education of... our children" without fundraising by parents or children.

Mr. Speaker, with your permission I'd like to make just a brief comment on the process of tabling these returns.

**The Deputy Speaker:** Hon. member, just table it. Thank you.

**Mr. Allred:** Okay. Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thanks, Mr. Speaker. I have two tablings relating to my questions to the minister of health on the arrangement of meetings between opposition MLAs and Alberta Health Services. The first is some electronic correspondence. It originates from Alberta Health Services, and then it's taken over by the Canadian Strategy Group, just to provide the paper trail.

The second is a printout of information on the Canadian Strategy Group featuring its principal, Mr. Hal Danchilla.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I am again tabling e-mails from individuals concerned about clear-cutting in the Castle. These e-mails come from Jill Cunningham, Chris Sargent, Connie Griffiths, Lynn Bowers, Jenifer McPhee, Doug Leach, Fay Douglas, David Hulsman, Linda Leon, Stephen Ross, Julien Lafaille, Geoff Hoare, Eugene Spanier, Virginia Smith, Wendy Agate, Brian Bjarnason, Melissa Hart, Ralph Cartar, Fiona Old, Marla Allison, Martha Milne, Don Davidson, Eva Durance, Donna Wunderlich, and Sarah Aspeslet.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwodzesky:** Thank you very much, Mr. Speaker. I want to table copies of e-mailed correspondence that occurred today between me and Dr. Robert Burns, who was the registrar at the College of Physicians and Surgeons of Alberta immediately prior to the current registrar, who took over somewhere in 2005. In this e-mail, which is with respect to several unfounded allegations that were raised by the hon. Member for Edmonton-Meadowlark, Dr. Burns states:

I can confirm that I was Registrar at the College of Physicians & Surgeons of Alberta from 2001 until mid 2005; I can also tell you that the reason for my departure was the critical illness of a family member who at that time lived in Nanaimo [British Columbia]. We left to be near and supportive to him and to his wife, my sister-in-law. There was no other reason for leaving the province and the position.

He makes a couple of other statements and then adds in:

As far as the allegations are concerned, I can categorically state that I know nothing about them.

**The Deputy Speaker:** Hon. member, please be brief. Thank you.

### 2:50 Projected Government Business

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. Would the Government House Leader please inform us what will be on our agenda next week in terms of business? Thank you.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Monday, March 7, of course, is private members' business.

Tuesday, March 8, in the afternoon second reading of Bill 1, Asia Advisory Council Act; Bill 2, Protection Against Family Violence Amendment Act, 2011; Bill 3, Engineering, Geological and Geophysical Professions Amendment Act, 2011, and as per the Order Paper; Committee of the Whole for Bill 9, the Appropriation (Supplementary Supply) Act, 2011, and consideration of His Honour's speech, day 7 of 10.

On Wednesday, March 9, in the afternoon in Committee of Supply the estimates of the Department of Energy and as per the Order Paper.

Thursday, March 10, in the afternoon consideration of His Honour's speech, day 9 of 10; second reading of Bill 1, Asia Advisory Council Act, and Bill 10, Alberta Land Stewardship Amendment Act, 2011; Committee of the Whole on bills 2, 3, 4, 5, 6, 7, 8; and third reading of Bill 9, the Appropriation (Supplementary Supply) Act, 2011.

[The Speaker in the chair]

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 9

#### Appropriation (Supplementary Supply) Act, 2011

**The Speaker:** The hon. President of the Treasury Board and minister of finance.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It is indeed my pleasure to move second reading of Bill 9, the Appropriation (Supplementary Supply) Act, 2011.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much. Certainly, we had a look at Bill 9 the other evening, and there's a lot of money at stake. We heard from various ministers why it was needed, and there were, I guess, reasonable requests. The first group of ministers was requesting upwards of \$650 billion, and then, of course, we had some other requests there as well. But this request comes at a time when we learn, Mr. Speaker, that this government is for the fourth year in a row having a budget deficit, a significant budget deficit. If you total them all up, it's close to \$10 billion in deficits.

Fortunately, we are in a position where we have money set aside from robust economic times, when our natural gas prices were quite high and oil, whether it was conventional oil or bitumen, was fairly high. So there was an amount set aside to deal with these issues. But when you look at the budgeting pattern of this government and you see the size of the government and you see the pattern, it is quite disturbing.

There are some ministries – two that come to mind are Children and Youth Services and Employment and Immigration – where exactly a year ago the budgets were cut by tens of millions of dollars, yet the other evening we heard passionate, articulate explanations as to why this money was now needed. I don't doubt

for a minute that there are increased costs in administering children's services files. I don't doubt for a minute that there's more pressure on the hon. Minister of Employment and Immigration to deliver social services in a timely fashion to those that need it and request it. But what puzzled me, Mr. Speaker, was the fact that a year ago – and I will use those two departments as examples – they were suggesting they didn't need the money. So somebody somewhere made a mistake.

Now, we had a discussion yesterday afternoon – I don't believe it was you, hon. minister – about the amounts that went unexpended in the budget of 2008-09 in various departments. Certainly, Employment and Immigration was one; children's services was the other. How easy is it for me to remember this? Because there was only one department, the one that hosted Alberta's official delegation at the Vancouver Olympics last year, slightly over a year ago, and that's Tourism, Parks and Recreation. Every other department gave money back to the minister of finance across the way, some in significant amounts, others in modest amounts. But it was \$1.5 billion that was unexpended.

There was, as was pointed out correctly to me earlier in question period, a supplementary supply estimate for 2010-11. Again, this is following the pattern. Every year we've got to come back and ask the Official Opposition House Leader for more money. We know what she thinks about that, but every year we're back here. We're not listening to her. She gives articulate, reasoned arguments as to how you can budget better.

I'm disappointed that you're not listening to this hon. member either, but you did listen to this party when you created the sustainability fund, or the stabilization fund. You did do that. Albertans actually appreciate that because it is a way that we can supply adequate funding for essential public services without cutting and slashing like you did in the mid-90s, or your predecessor Dr. Steve West did.

Again, Mr. Speaker, I have to get on the record that I heard the hon. member across the way talking not about supplementary estimates but about his current budget, at the Macdonald hotel, and I was sitting there wondering what Steve would say.

**Ms Blakeman:** I'm sorry. His budget for the Macdonald hotel?

**Mr. MacDonald:** No, no. He was presenting his budget, giving an update to the Chambers of Commerce at the Macdonald hotel.

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

**Mr. MacDonald:** While we're talking about that, I believe he was in Calgary in the morning at a breakfast meeting. So he works pretty hard, and he gets around, and you've got to admire that. But if he gets a chance this year, I would encourage him to rigidly follow the budget, that we are debating now in this Assembly, and hopefully we won't need these large amounts in supplementary supply. It sends all the wrong signals. The first signal is: we can't manage with the money that we have. We can come up with lots of excuses as to why we need more, but I for one think we can handle this a little bit differently, and we can handle it in a way that is easier on the taxpayers.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thank you, Mr. Speaker. We had an opportunity as an Assembly to discuss this supplementary supply at length on Monday evening, and the third party never got on the record. We debated at length, and the Wildrose Alliance just are nowhere to be seen in *Hansard*, so I would like to invite them now, please, to

get on the record and let us know what they're doing in the Legislature and to give us their views on this piece of legislation.

Thank you.

**The Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. To the hon. Member for Edmonton-Riverview: were you surprised that you couldn't find the comments in *Hansard* of the Wildrose Alliance regarding this requisition for close to three-quarters of a billion dollars extra? Were you surprised you couldn't find it?

3:00

**Dr. Taft:** Well, I appreciate the question from Edmonton-Gold Bar, and others may have similar questions. I have searched through *Hansard* for the evening of February 28. I see many comments from the Official Opposition, the Alberta Liberals, and, of course, from government members. My eyes may be failing me, but I don't see any comments whatsoever from the Wildrose Alliance. There's just nothing on the record here. So again I would urge them; perhaps next week they will take up the challenge and the invitation.

Thank you.

**The Speaker:** Additional questions under 29(2)(a)? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Does the member have an opinion as to why?

**The Speaker:** Sorry. Through the chair, please.

**Ms Blakeman:** Does the member have an opinion as to why these comments would be completely missing from the *Hansard*?

**Dr. Taft:** Well, I think I have to leave that up to the general public or to anybody who reads *Hansard* to perhaps figure out why there is nothing on the record from the Wildrose Alliance on their views on this particular legislation. They do seem to make a lot of noise in other settings about government spending, yet it seems to be silent in here. So I'll leave that mystery up to others to solve.

Thank you.

**The Speaker:** Others under 29(2)(a)?

There being no additional comments, any additional members wishing to participate in the debate?

Shall I call the question?

**Hon. Members:** Question.

[Motion carried; Bill 9 read a second time]

### Consideration of His Honour the Lieutenant Governor's Speech

Mr. Drysdale moved that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour Colonel (Retired) the Honourable Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Debate adjourned March 1]

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's a pleasure to get a chance to respond to the Speech from the Throne that was delivered here on February 22, 2011. I was reading with interest this outline of how the government plans to build a better Alberta. You can go through this at length; I know we have.

I certainly would encourage an increase in trade with the Asian markets, the Asian economies, but that being said, we have to make sure that our interests are being protected and our products in this province are being promoted. With that, I would specifically note agricultural products. We had a discussion earlier in the week in this Assembly regarding the habit of allowing steel products to be fabricated in South Korea, contracted by Imperial Oil for Fort McMurray, at a time when they get royalty and tax concessions and breaks here. That's supposedly how the new world free markets work, but if you do a little bit of research downstairs in the library, you'll find that South Korea is one of the countries with the highest agricultural trade barriers on record. In some cases it's close to 80 per cent. I would hope that if we're going to put this new emphasis on opening up Asian markets for their products to come here, we have to make sure that . . . [interjections] Yes, we are on the throne speech. You sound like you're on the other side there.

Now, when we allow countries access to our markets regardless of their trade record or their trade pattern and regardless of whether they have been charged one time or two times or three times for dumping some of their subsidized goods, in this case steel, on unsuspecting markets, what we have to do if we're going to have any sincerity toward Alberta's agricultural producers is ensure that they have access to these markets, that their goods and their products will have fair access to these developing markets. So if anything was to come out of this committee that the Premier is proposing to create through the Asia Advisory Council Act, that would be it. If I could have a short wish list of what I would like that committee to do, it's to please stand up for the public interest of this province and ensure that we are treated fairly in our trade matters.

Now we can talk about investing in infrastructure here. We can see where there are seven new hospitals, one noted in Edson. I had an opportunity to visit Edson the other week, Mr. Speaker, and there was a photograph in the leading newspaper in Edson. Hon. Member for West Yellowhead, I don't know if you were in it or not, but I did notice that the former Member for West Yellowhead was there, but he's taller than you, so maybe he just . . .

**Mr. Campbell:** I was in the back row.

**Mr. MacDonald:** You were in the backhoe?

**An Hon. Member:** The back row.

**Mr. MacDonald:** Oh, okay. I thought, Mr. Speaker, that he said he was in the backhoe, and I didn't think there was any sod-turning there in that cold.

In Edson, which is mentioned in this throne speech, it was a \$108 million project, and this was the unveiling of the sign to announce the project. As I understand it, that's how the newspaper article reported the entire afternoon, that it was a sign unveiling to announce that this new hospital is going to be built and that it will be \$108 million. It was the first time, Mr. Speaker, that I saw such a public relations exercise to promote the unveiling of the sign to announce the construction of the hospital. I'm glad to see Edson was in there. I know the hospital that is currently there has not been fixed up lately. In fact, I believe – and I could stand corrected – it is over 40 years old. It was one of the last things the Social Crediters built. But it certainly needs an upgrade and some

time and attention. While I was sitting in here listening to the throne speech, certainly I did find that interesting.

Now, this statement that is made in the throne speech where we're promoting or advocating adding value to raw resources is certainly something that's near and dear to the hon. Member for Athabasca-Redwater. We all welcome the North West upgrader. I was surprised to read that the hon. Member for Athabasca-Redwater had been promoting and, I hope, is still promoting the idea that maybe we'll change some of these royalty regulations and take the transportation costs for bitumen through the pipelines off the amount, or at least a portion of it, that's netted in the calculation of the royalty formula.

Another good idea I believe was presented – Mr. Speaker, I doubt you were there – at the PC annual convention, at the last policy convention they had. I believe this item was discussed there.

**An Hon. Member:** Were you there?

**Mr. MacDonald:** No, but I read about it. I certainly did read about it.

**An Hon. Member:** Do you believe everything you read?

**Mr. MacDonald:** I'm sorry?

At that convention it was also discussed that maybe the diluent or dilutant or the dilbit, whatever you want to call it, which is the petroleum light end that's mixed with the bitumen so that it flows through the pipeline rapidly and without any problems, that perhaps the cost for that product should not be allowed as a royalty reduction. What the hon. member was suggesting and what was discussed at the PC Party convention was that maybe that would be a way to incent further development of bitumen upgraders here in Alberta. I find that absent. We talk about the bitumen royalty in kind program in this document but not that.

3:10

Before we move on to talk about health care, I would also like to mention this statement – and I certainly would like more details on this – where the government is estimating that an additional 1.4 billion barrels of oil can be produced using enhanced oil recovery. Some of this would come from the carbon capture and storage technology that is being implemented. Of course, if we look at this year's budget, there's over \$500 million allocated for that. The throne speech goes on to say, "To put it in more familiar terms, Alberta could produce more conventional oil in the future than it has already produced in the past." I did a rough calculation on this \$1.4 billion worth of production, and the \$25 billion that's stated in here could be collected in additional royalty and taxes. That's well below the take that is anticipated in the strategic business plan of the current budget year under discussion, or debate, in this House. The 22.3 per cent take for taxes and royalty on this amount I think is really low. It is really, really low considering this is a government that for the fourth year in a row is racking up a deficit.

Now, in the time that I have left, I certainly would like to express my dismay that health care was left to page 10 of this throne speech. Health care, I thought, would be the first priority that this government would try to fix because they broke it. They broke it through absolutely incompetent mismanagement. We see a budget that has ballooned. Mr. Speaker, from \$4 billion in 1993 it is anticipated in two years to be close to \$16 billion. We have seen population increases, that's true, but we haven't seen this aging population that this government is trying to blame these health care costs on because the population is not getting that much older

than it ever was. I'm really surprised, after the mess that was created with the creation of the Alberta Health Services Board when the nine regional health authorities were fired, that there wouldn't be more direction, more discussion on what we're going to do with health care.

Now, earlier in question period we talked about this very issue. It was a year ago, Mr. Speaker, that the Member for Calgary-Mountain View and the Member for Edmonton-Riverview both asked the current minister of health for the cost-benefit analysis to back up the statements that private is better and saves money and delivers services more effectively and more efficiently. A year later that hasn't been done, but how much money have we spent? Lots. We only have to look at contracts to compare voluntary and private health service providers. Lots and lots of money. All kinds of money.

In 2008-09 the private health service provider contracts were to the value of \$649 million. A year later, before the minister tables or makes public his commitment to provide proof that all of this will work, we see a 19 per cent increase in the contracts from one year to another for private health service providers. This is information out of the Alberta Health Services annual report. So are we managing our money wisely? I would certainly say definitely not.

Now, when we look also at the creation of the Health Services Board in the first place, the deputy minister at the time candidly admitted before Public Accounts that there had been no internal or external cost-benefit analysis done. It surprises me. We know of all the consultants that are hired on that side of the House, but none were hired to do a cost-benefit analysis to determine if this would control costs and improve services for the sick people. Nothing was done. But, wow, can this crowd ever spend money. They can spend money.

That's why I'm disappointed to see that there is no mention in here of a value-for-money audit. Why are these private contracts increasing? Where are they increasing? Who are these contractors? None of this was provided to the opposition.

Now, when we look at the total budget for health care – I quoted 1993 earlier, Mr. Speaker – the total budget has increased in only nine years by over 110 per cent. Citizens, taxpayers, ask the question: where did the money go? Well, the government doesn't want to answer that. If you look carefully at the financial statements, you can see quite a pattern. Facility-based emergency and outpatient services in Alberta Health Services: we have seen a \$350 million increase over five years. It's gone from roughly \$870 million up to well beyond \$1.2 billion in that time period. Are there fewer lineups? Are there shorter lineups at these emergency rooms across the province when you put them in a time frame? There certainly are not. There are 16 hospitals in Edmonton and Calgary, which do the majority of the ER care. Those lineups are not getting any shorter. Are people getting admitted or treated quicker? No, they certainly are not.

**The Speaker:** Hon. member, alas, the time has left us, but Standing Order 29(2)(a) is available.

There being none, then the hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. It is a great pleasure for me to rise today to respond to the Speech from the Throne, a speech delivered so eloquently by His Honour the Lieutenant Governor. As a proud member of our armed forces and through his tenure in Europe, the Middle East, and Central America Colonel Ethell witnessed first-hand many significant events, and I would like to express my gratitude for his many years of outstanding, dedicated public service to our country and the international community.

Mr. Speaker, as we know, this will be the last session for our Premier. I would like to take this opportunity to express what a great honour and privilege it has been to work with our Premier and to wish him the very best in all of his future endeavours. With Premier Stelmach what you see is what you get: a sincere, caring, and hard-working leader.

Mr. Speaker, there are many points that I would like to comment on, but today I would like to highlight the way the throne speech frames and defines our government's commitment to industry and business. As His Honour stated, "Our province has relied heavily on a single customer, the United States, which buys about 85 per cent of our province's exports." We are indeed fortunate to have a close and stable relationship with the U.S., which has helped us to achieve tremendous growth throughout our history, but due to the globalization of our world economy over the last few decades as an international businessman I'm very happy to see that our government has recognized the need to also diversify the markets internationally.

3:20

In order to be a viable competitor in the world marketplace, it is fundamental to ensure that we have a skilled workforce, advanced infrastructure, and a competitive tax system. This is why I'm so pleased to see that our government will continue to recognize the importance of these areas.

We will continue to educate a strong workforce. Our businesses and industries require the best and the brightest to be competitive, and our children will be the planners, leaders, and entrepreneurs of the future, the people building our communities. It is in our interest to ensure that they are the best they can be. After all, Mr. Speaker, investment in education is investment in our future.

We will continue to build 21st century infrastructure. Mr. Speaker, advanced infrastructure is fundamental to our future economic growth, and I'm very pleased that we will continue to build roads, schools, hospitals, and seniors' facilities to make sure that our province is ready for the next cycle of growth.

We will continue to ensure that Alberta has one of the most attractive tax regimes in the country. Mr. Speaker, personal and corporate taxes will continue to be at 10 per cent, small business will still be at 3 per cent, and we will still have no PST and the lowest fuel tax in Canada. Our low taxes will ensure that Alberta remains the ideal place to invest and to start a business. As His Honour stated, "We will continue to show the world how our province is becoming a hub of creative thinking, where innovation turns ideas into reality."

Finally, Mr. Speaker, I would like to make some brief remarks on competitiveness. As His Honour stated, "Being competitive also means making the most of the advantages we have." Our advantages are that we have rich natural resources – oil sands, natural gas, and coal reserves – a strong agricultural and agrifood industry, and a very strong forest industry, a resource of natural beauty for our tourism industry.

Mr. Speaker, I'm so very optimistic about the future of this province. We are all most fortunate to live in a province that is as rich in our people, our resources, our landscapes, and our collective desire to ensure that Alberta continues to be an exceptional place to work, to live, to raise our families.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available for five minutes of questions and comments.

There being none, I will call on the hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. I am pleased to rise today and share my comments on the Speech from the Throne. Before I begin, I would like to thank His Honour the Lieutenant Governor for his inspiring words. I would also like to thank him for his years of dedicated service to the people of Canada and the province. His life should serve as an inspiration for all of us here today.

I would also like to thank our hon. Premier. Under his leadership we have emerged from the global economic downturn better than any other jurisdiction in Canada. In fact, because of his dedication to infrastructure spending Alberta is well positioned to return to future growth and prosperity.

Mr. Speaker, my constituency of Edmonton-Manning is unique as it contains rural, urban, and industrial areas all within the same borders. I'm pleased that the incentives laid out in the throne speech will help all three sectors.

Without a doubt, the most important idea mentioned by His Honour was the introduction of Bill 1, the Asia Advisory Council Act. Mr. Speaker, this bill is a reflection and a continuation of our successful trade mission to India late last year. Just as an aside I am impressed that even with all the jet lag from the long flight, our hard-working Premier was up and ready to work right away in India. In my own experience it takes 30 to 40 hours to settle down.

It immediately became clear that much work needed to be done. At the Canada High Commissioner residence reception it was identified that Canada needed to increase trade from \$10 billion to \$15 billion over the next three years. Much of this trade could come from Alberta. I'm pleased that our Premier has recognized this trade opportunity, and I'm pleased that he has acted so quickly to introduce Bill 1, the Asia Advisory Council Act. As stated by His Honour, "Albertans look to their government to lead the way, to survey the landscape of both the short term and the long term and plan accordingly."

In my mind, Bill 1 is both a long-term and a short-term vision for the province. It connects us to one of the most dynamic economic regions in the entire world. This is an area that is growing now and one that is likely to keep growing in the foreseeable future. Mr. Speaker, as part of this bill I would stress the need for the creation of an Alberta trade office in India. We already have one in China. Expanding this concept into India has the potential to greatly improve both relations and trade between our provinces. After all, as His Honour stated, "Our province's long-term prosperity depends on our industries being globally competitive."

Mr. Speaker, in addition to trade, infrastructure is key to global and internal competitiveness, and I agree that now is the best time to invest in our infrastructure. Due to the global downturn our dollars go further than ever before, and we are building the schools, hospitals, and ring roads that we will need going forward. I am particularly happy to hear about the promise to renovate existing health facilities as this gives these old centres a new lease on life. In fact, my constituency is home to both Alberta Hospital and the Northeast community health centre, that could stand to benefit from this plan.

Other infrastructure projects of note include the recent announcement of the new North West upgrader. While this project is being driven by private investors, it was Alberta's sound business practices that drew them here.

I am also excited about the continuing work on the Anthony Henday Drive. The first steps have been taken to build the new segment of the Anthony Henday Drive, from Manning Drive to Whitemud Drive east. The project includes 27 kilometres of six- and eight-lane divided roadways, eight interchanges, nine flyovers, two river structures, and 47 total bridge structures. Construction is expected to start the summer of 2012 and finish by



fall 2016. This will help foster growth in the area and in my constituency. This ring road will allow the hard-working people in my community to transport themselves home safely and quickly after a hard day of work and to spend more quality time with their families.

3:30

In closing, I would again like to thank His Honour for his wise and inspiring words and again thank him for his duty and devotion to the people of Alberta and the people of Canada.

Mr. Speaker, I would also like to again thank our hon. Premier for his vision, leadership, and hard work. Under his guidance we emerged from the global recession better than anyone else in North America, positioning ourselves for future growth and prosperity.

Thank you, Mr. Speaker.

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

I have no additional speakers on this matter.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that we adjourn debate.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

#### Bill 1

#### Asia Advisory Council Act

[Adjourned debate March 1: Ms Evans]

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for St. Albert.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I don't know where my notes are. Oh, God help me. Thank you very much for the opportunity to rise and speak to Bill 1, the Asia Advisory Council Act. I'm trying to remember what I'd thought about this when I looked at it, and I'm just going to have to wing it.

**The Speaker:** It's only 20 minutes.

**Ms Blakeman:** Thank you for reminding me of that, Mr. Speaker. Appreciate your help.

There are a couple of things that you notice about this bill right off the bat. For starters it's four pages long, and that's all there is to it. As a flagship bill that's representing the major thrust and the proudest moment of a government for the spring sitting of this fourth year of this particular legislative term, it's not filled with a lot of meat.

The second thing that I noticed. When I talked to the throne speech, I talked about how we are moving away from manual-labour-based economies and toward knowledge- and creative-based economies. I'm pleased to see that in this act that's acknowledged. When it talks about what the council is supposed to be considering under its mandate, it does talk about: "expand existing economic, research, educational and cultural opportunities." It is about new market opportunities and international investment and improved communication and partnership, which is great. It also includes tourism opportunities and cultural exchanges. At this point I'll stop and remind the hon. members opposite that it costs money to do cultural exchanges.

There was an understanding there that it isn't just about taking our raw natural resources and shipping them out of the country for someone else to process, which is a real frustration for me. The government's thinking tends to be very much stuck in the 1950s, when I think we need to move forward.

This bill is going in the direction that I think we should be going into, but once again it's a council that is appointed to give advice to the government. Now, in listening to what the minister had to say as she spoke to this bill, she was very clear that in the first year all that was going to happen were the appointments to the council and some identification of issues they wanted to deal with and some prioritization.

Now, there is a sunset clause in this bill for December of 2014, so really this is a four-and-a-half year program, and there have been no other details given. We've got year 1, which is the 2011-2012 year, in which the appointments are to happen. There's some sort of list of issues it's going to deal with and some prioritization according to what the sponsoring minister had said, and then it's silent. There's nothing more on what this is supposed to do in year 2, which would be 2012-13, and year 3, 2013-14, and year 4, from April 2014 to December 2014, at which point you've hit the sunset clause and it's over unless it gets renewed. I'm quite concerned that we would launch into something with no concept of what we're going to do for three and a half out of four and a half years' worth of existence of this particular council.

The other issue is that there's no money attached to it, and when queried about it, the minister said: well, it wasn't going to take that much money because the members weren't being paid but that any money that did need to be spent they were going to take from administration. One assumes administration in the minister's ministry of International and Intergovernmental Relations. Well, the obvious question is: what's been identified that is superfluous in that budget that it can be cut to be allocated to this?

[The Deputy Speaker in the chair]

This is just sounding a little last minute to me. That's the problem. It's sounding like something that got whipped up. It has not been anticipated in the budget. No one is able to tell us what's going to be foregone or what's going to be given up in that administrative budget in order to pay for this. There's no idea of what might be needed to pay for it, so it does really sound to me like somebody dreamed this up a week and a half ago. [interjection] Well, I'm sorry. You've got absolutely no detail that goes with it, and that's what making me think that.

The other thing that I know, having run one of these arm's-length councils, is that there are two things that are really important. [interjection] The Minister of Infrastructure is so eager to get in on this debate. I'm looking forward to what he has to say. I always appreciate when he engages in the discussion.

There are two things that are really important about these councils, and this is how the government can control their effectiveness. One of them is the appointments to the council. If you appoint, you know, a number of people that are deeply partisan and deeply loyal, they'll tend to do exactly what is signalled to them by the government, and it may not be as efficient or as rigorous as it should be.

The second is the amount of resources and support that's given to the organization. If you give them no resources or support, make it difficult for them to meet or make it unappealing for them to meet, you're going to have a less successful council. I'm speaking from experience. I mean, when the government wasn't happy with the Advisory Council on Women's Issues, our budget got cut, and I had to lay off researchers so we could produce less re-

search, which meant we produced fewer documents. That's how they controlled us. I'm very wary, knowing that there's not a lot of detail in this bill or in the minister's introduction of it that covers the two areas that I think can be quite problematic.

A couple of other points. I think some of the good points, the pluses on this bill, are that it does recognize an economic diversification. It's clear that a number of people are looking to that Asian market, including some of our metropolitan municipalities. I suppose there's never anything wrong with having advice sought from people in Alberta and given to the minister. Things like strengthening collaboration and global competition and an opportunity for flow of investment and things like that: all good.

3:40

I've raised a couple of points that I'm concerned about already, and here are a couple more. I honestly don't know this, so if somebody does, please tell me. I'm wondering: is there anything in place around outside investment in our province? If we end up with investment coming in that in effect takes over a business or substantially takes over a sector, does the government have any control over that? We've got some very large family farms and some farms that are essentially owned or controlled by some large U.S. or international food producing groups. Is there a limit to that? I mean, can we end up at a point where an outside-Alberta company owns 80 per cent of our food production in Alberta? Is there anything that stops that? When we talk about promoting Alberta as an attractive destination for international investment, good point, but where do we lose control of our own resources in Alberta? That may be a small problem to be solved in my concerns if you can answer that question.

I'm also interested in what's being contemplated under the idea of education. Is that to encourage international students to come and get an education in Alberta? Are we doing fellowship exchanges? What exactly was being contemplated under that?

The rest of the bill is essentially administrative. It just talks about, you know, the appointments rolling over and that there will be no remuneration paid, but there would be reasonable travel and living and other expenses. Then the minister went on to say: well, actually, those expenses aren't even going to happen either. She has an expectation that people that were going anyway would be council members, and that struck me as a little strange. Why would that be the case? I mean, I can see having some people that travel there on a regular basis because there is a level of expertise that you'd like to tap into, but wouldn't you be trying to balance that with some other appointees on that committee to whom you would be expected to pay travel expenses? Then you're going to end up with a situation where some of them are getting paid for their expenses and some of them aren't or where the government is expecting to reimburse some of them and expecting not to reimburse others, which I think sets up a real inequity that is not healthy.

A couple of last questions. You know, I can remember in budget debates when there used to be a department of economic development, and we were often saying: what's the difference between the work that is done by the then intergovernmental affairs – it's the same department; it's just had a number of different names – and what's done by economic development? I mean, they seem to have the same mandates in a lot of cases. Here I'm saying: what's the difference between the work that's being done by this council and the work that's being done by the department now anyway? Are we doubling in our allocation of resources?

Overall, I don't have any monumental complaints about what's being considered here. I'm just disappointed. I was hoping for something that was a bit more imaginative, more creative, more

energetic. It really is feeling like the government is kind of ho-hum, done it all, and can't quite think up new things that they want to do. For a number 1 bill that is supposed to be getting all of this attention, it just doesn't feel very interesting.

I'm sure it will be valuable and all of those things. I'm not knocking that. I guess I'm saying: is this the best you could do for a number 1 flagship bill? I mean, considering that Peter Lougheed's very first bill in his first time as Premier was the human rights act, and I think his second bill was repealing the eugenics act. I mean, big stuff, big thinking. [interjection] Well, you know, I'm being kind of kidded by the Minister of Education, but I think he's right in that it's as though all the big-thinking ideas have been done by this government and they're finished. There aren't any more.

As I say, this isn't a bad bill. I mean, it's not a terrible thing. You know, as somebody said, there was a brass band in here for the reading of the throne speech and the introduction of Bill 1, and it just seemed a tad over the top, considering the content of Bill 1, for all the fanfare. Maybe a penny whistle would have been about the right level of hoo-ha to promote this bill. Other than that, it's just kind of nice but not spectacular, and for Bill 1 I was expecting a bit more.

You know, there are a lot of things that this government could be doing. I mean, at one point Bill 1 was the cancer foundation act of the previous Premier, his legacy about the cancer foundation and, you know, some much bigger ideas, and this just doesn't seem like a tremendous, big idea. [interjection] Well, yeah, I think it can go there. [interjection] Well, I have managed to engage members on the other side, and that, of course, is my delight and my joy, so I will take my seat and allow some of the others, now that I've engaged them, to get up and tell me what they really think.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Hon. Member for St. Albert, do you wish to speak?

**Mr. Allred:** Yes. Thank you very much, Mr. Speaker. I'm very pleased to rise today and speak in support of Bill 1, the Asia Advisory Council Act, being proposed by our hon. Premier. Before I comment on this piece of legislation, I'd just like to thank the Premier not only for this bill but for his many, many years of dedicated service to this province and the people of Alberta.

The actual legislative alterations proposed by Bill 1 are comparatively small, but the intent of the legislation is simply to create an advisory council. However, the scope and the reach of this council are what truly make this legislation significant and very critical to Alberta's future. If passed, Bill 1 will form the Asia advisory council. In turn, this council will be tasked with advancing Alberta's cultural and business interests abroad, specifically in the emerging economies of Asia. These economies include the major economic powerhouses of China, Japan, and India and potentially many of the smaller but growing Asian economies, and of course, Mr. Speaker, you would be very well acquainted with some of those.

Mr. Speaker, as part of its role the council will be mandated to provide information to the Minister of International and Intergovernmental Relations on a variety of issues. These issues cover a broad range of topics, and these could include ways to expand our markets, ways to improve tourism, and ways to improve cultural and educational relations.

The end result of Bill 1 and the Asia advisory council will hopefully be the expansion of Alberta abroad. Alberta is an exporting jurisdiction but is limited in its trading partners. In fact, 85 per

cent of everything we produce and export goes to one single market, the United States, our neighbour to the south. While this relationship has helped pave the way to Alberta's economic success, it is not without potential pitfalls. Becoming so dependent on one market means that if this one market were to struggle or change course, it would take Alberta with it, and obviously there are some major concerns in that regard right at the moment.

3:50

The solution to this is to expand our reach and diversify beyond this one market and look for other markets that are interested and in need of the resources and services that we have to offer. If you were to look at the global economy, it quickly becomes obvious where the growing economies are. Mr. Speaker, Asia is without a doubt one of the fastest growing economic centres in the world. It is filled with a growing population craving a lifestyle similar to that in North America. This means that they will need three things – food, fibre, and fuel – and Alberta can provide all three.

Alberta is an agricultural centre blessed with expansive fields, world-class livestock, and a farming community dedicated to high-quality agricultural products. Alberta is a forestry leader, with expansive wood resources and a dedicated timber industry, and of course Alberta is an energy powerhouse, with the world's second-largest proven oil reserves. In short, Alberta is the ideal trading partner for these up-and-coming economies.

Mr. Speaker, beyond these three resources, Alberta is also blessed with a young, well-trained, and ambitious workforce, so in addition to possessing the resources these nations desire, we also have the people and skills these nations need. Just as an aside on this point, one product of Alberta's well-trained and ambitious workforce just happens to be my son Paul, who is a commercial pilot currently employed by a private commercial airline in Shanghai. I emphasize: private. Apparently, it's the first private, nongovernmental airline in China.

Alberta has the potential to forge one of the most successful trading partnerships in our history. However, this would be almost impossible to achieve without the direction proposed by Bill 1. I would again like to stress the importance of this piece of legislation. Bill 1 will create the direction and guidance needed to successfully break into these new and expanding markets, eliminating our overdependence on our one trading partner, which has served us very well. But the future is fraught with dangers. Expanding our markets to include Asia will dramatically strengthen our economy and will help mitigate the effects of future economic downturns.

Mr. Speaker, again, I applaud the Premier for this well-thought-out piece of legislation and thank him for his long-term vision. With that, I will conclude my comments and will be voting in support of Bill 1.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions.

Seeing none, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I appreciate that. I'm pleased to speak to the government's flagship bill of this session, Bill 1, an act to create a committee. I will certainly echo some of the sentiments of the hon. Member for Edmonton-Centre in terms of the disappointment in terms of the scope of this bill and what it really says about the government's imagination and its energy and inventiveness and creativity because I think it really speaks to the lack of those qualities in this government.

The hon. Member for St. Albert talked about the need to engage emerging economies. Mr. Speaker, most of these economies emerged decades ago. They are not emerging economies. They are dominant economies in the world and, in the case of China and Vietnam, have been for a couple of decades. Of course, Japan was an emerging economy in the 1950s, so it's a very long time ago. India is a rising economy. I suppose you could call it an emerging economy, but it's already a very powerful economy in the world. While there's some development there, it's already a powerhouse in terms of the world economy.

For the government to finally realize what's been going on in Asia for the last 30 years or more is a little bit late. I think they slept in and missed school today, Mr. Speaker, because this particular part of the world has been emerging as a dominant part of our economy for a very long time. This is not a bad idea. It's certainly not something to set the world on fire in terms of government initiative, but it's also very, very late in the day.

We've been warning in this House for a long time about overdependence on the American market. That was very, very obvious to us during the BSE crisis, which was also a number of years ago, that even when it comes to agriculture, we have too many eggs in one basket in the United States. When the United States decides to move in the area of protectionism, then, you know, we suffer for the lack of diversification in terms of the markets that we have. I think that there are lots of good reasons to diversify, but I think that, again, the government has kind of missed the boat on this, Mr. Speaker. The opportunities to diversify were present 20 years ago in this province, and the government has been only too happy to languish in the embrace of the American economy.

I want to just indicate to members of the House that while we're supporting this particular bill, we're singularly unimpressed by it and more than a little disappointed, as the hon. member from the Official Opposition said. If we were going to do a Bill 1 as a New Democratic government in this province, we would probably do a Bill 1 about making sure that we develop the petroleum resources of this province in a way that benefits the people of this province and ensures that the value of the resources stays in this province for the benefit of the people of Alberta. That would probably be our priority. Of course, the government is very interested in being hewers of wood and drawers of water for the Americans and now the Asian economies as well, and that's not good enough.

I think that in the future people will look back on this period in the province's economic development and realize the vast lost opportunities to make this truly a prosperous province for generations to come and across all groups in society, all classes of people in our province. That opportunity is being lost although small numbers of very rich Albertans are certainly benefiting from this government's policies. In the end, we've been blowing through the financial benefits of the oil and gas industry and the oil sands industry in this province very quickly, as we have seen.

Mr. Speaker, it's not something that I think speaks very well of this government's vision or its ability to continue to move Alberta forward in the way that it has done. I will certainly say that in the past earlier Conservative governments in this province have moved this province forward, but that's very much in the past, hon. members. The government has been running out of steam for some time, and I think this is kind of the last gasp of a boiler that just can't drive the engine of this province anymore.

Mr. Speaker, I think it's interesting as well that this committee that's established by Bill 1 doesn't even account to the government as a whole or to the Premier but to the minister of intergovernmental affairs, so the question really arises in my mind: by what rationale has this been made into Bill 1 for the

government? It doesn't seem to have the appropriate status that I would expect from a Bill 1.

The hon. Member for Edmonton-Centre also referred to Bill 1 in the past, the Alberta Human Rights Act, like Peter Lougheed's first piece of legislation, a signal piece of legislation in this province that really set Alberta apart, set Alberta ahead of other provinces, and really showed that there was vision and there was principle behind that first Progressive Conservative government of this province. That is so far in the past now, Mr. Speaker, that it may as well be ancient history because there's nothing left of that vision and that energy for making our society a more just and fair society. Those kinds of concepts have evaporated in this government, and it's left for Alberta's NDP to stand up and fight for greater equality among all Albertans.

4:00

Mr. Speaker, just to conclude my comments with respect to Bill 1, as I think one of the other hon. members said: "It's nice. There's nothing wrong with it. We'll vote for it." But don't get too excited over on the other side because we're really not very enthused, which you may have gathered from my comments.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows five minutes for comments or questions. The hon. Minister of Infrastructure.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. It is indeed a pleasure to stand and ask a couple of questions of the hon. member on the opposite. First of all, when you talk about the expertise, well, I say to you that I know that you pride yourself on being an expert of hindsight. If you are an expert of hindsight, you should also be a learner for the future.

Mr. Speaker, one comment was made, you know, that we slept in and should have been there a lot sooner. Well, let me say to you that we were there a lot sooner. Maybe the member does not realize that changes in technologies and changes in, if I can use the word, commodities and changes in opportunities have taken place. We are taking advantage of that today.

I want to also say to you that a statement was made – and I wish the hon. member would answer it – when he talked about the status of this particular bill having the expertise only in International and Intergovernmental Relations. Mr. Speaker, this is the expert, and we have to guide our direction through a minister whose responsibility and expertise is relations with other countries.

I also say to you, as I just mentioned briefly, that the world economy has changed. Visions have changed. If that hon. member has not seen that, I think it's critical that he needs to pay more attention to the world markets and to the world opportunities. Mr. Speaker, population and lifestyles have changed.

Also, if I can say to this you – you say "too late" – I remember being on a delegation more than five years ago with the Northern Alberta Development Council. The Northern Alberta Development Council's sole purpose was the discussion of opportunities through Prince Rupert for our lumber industry, for our oil industry, for our product.

Mr. Speaker, also, if you remember, not very many months ago what happened was that the hon. Member for Edmonton-Manning went to India with the Premier and other members to look at this possibility. For the last possible point I also remember this hon. member criticizing this government for going out and trying to look for markets while they're here.

**The Deputy Speaker:** The hon. member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm happy to respond to that hon. member. Of course, he misconstrued the comments of the time. Very much of it was a political junket. Looking for markets is a good thing, and I support that. But, you know, this member says that . . . [interjections] It was a political junket, by and large. I think it's clear that this government is finally getting around to dealing with this.

This hon. member tried to indicate that this was in fact something the government has been on top of all along. But what happened when the Americans closed the border during the BSE crisis? We had our cattle industry in this province plunged into a crisis, and people were losing their shirts because the government had failed to diversify the economy and the markets of this province. What happened when the Americans imposed the changes because of the softwood lumber dispute? It badly hurt our industries here. If they ever did something, if they decided they didn't need our oil or that they wanted to punish us by not taking it, we would be totally shafted in this province because this government has absolutely failed to diversify its markets despite getting lesson after lesson after lesson from international politics and economics.

I want to say just in conclusion [Mr. Mason's speaking time expired] Too bad.

**The Deputy Speaker:** Now we will continue on the bill. The hon. Member for Calgary-Mackay.

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise to speak in support of Bill 1, introduced by the hon. Premier, the Asia Advisory Council Act. As Alberta looks to the east for increased trade and investments, it seems only fitting that I begin my remarks by quoting an ancient Chinese proverb. Wise sages teach us to, and I quote, dig the well before you are thirsty. Well, Mr. Speaker, that's exactly what Alberta is doing with regard to Bill 1, the Asia Advisory Council Act. The passage of this bill will ensure that Alberta's well of prosperity does not run dry by tapping into the incredible potential of the Asian market.

If passed, this act will put into place an advisory council that will provide expertise on ways to advance Alberta's cultural and business interests in Asia. The members will provide our government with expertise on up-and-coming regional and sectoral opportunities, new market opportunities for Alberta exporters, and opportunities to build on our educational and cultural relations in Asia. Their intimate knowledge of the Asian market will help Alberta maximize business opportunities and attract investments into our province, building on the solid foundation that this government has been building that many members have mentioned, building on the solid foundation that our international offices in Beijing, Hong Kong, Taiwan, Shanghai, and Seoul have established.

Mr. Speaker, it is time that Alberta engages the full potential of the Asian market. The Asian countries are outperforming many industrialized nations; the facts are simply undeniable. Let's take China, for example. China alone offers a market of 1.3 billion people. It is also one of the strongest countries coming out of the global recession. In fact, *The Economist* recently declared China the world's second largest economy. An International Monetary Fund report supports this finding, stating that China's economy is projected to grow by 9.6 percent in 2011, and it's no wonder when you look at the performance of China's provinces and cities. To put it in perspective, the province of Guangdong's GDP is almost as big as the entire country of Indonesia. When you look at

Shanghai, its GDP per person is as high as Saudi Arabia's. The fact is that China is a rising economy, and Alberta needs a firm foothold into this market if we are going to continue to sustain our prosperity.

China is currently Alberta's second largest trading partner, but there are many more opportunities we can explore in trade and investment. China offers an emerging market for science and technology in the areas of information and communications, life sciences, environmental technologies, energy-related technologies, and agricultural technologies. Alberta can also help meet China's demand for food with exports of wheat, beef, and canola oil and products.

We can also harness the power of China's economy by attracting more investment into our province. Chinese companies have already shown great interest in our energy sector. Husky Energy, owned by Hong Kong businessman Li Ka-shing, has long been a fixture on Alberta's energy scene. Just recently PetroChina invested \$5.4 billion into Encana's Cutbank Ridge natural gas asset. This new investment joins the billions of dollars already invested in Alberta's energy sector by China National Petroleum Corporation, the China Petroleum & Chemical Corporation, and China National Offshore Oil Corporation.

4:10

Mr. Speaker, in another show of faith the Bank of China opened a branch in my home city of Calgary recently, signalling the bank's confidence in Alberta's robust economic climate.

Economically there is no question that Alberta can and will benefit from increased trade and investment with China and with Asia as a whole. However, there are also many intangible reasons why now is the time to engage the Asian market. Alberta is changing. Now more than ever our population reflects the diversity found all over the world. All we need to do is to look around Alberta to see the changing face of business.

As the parliamentary assistant for Employment and Immigration I have seen the impact of globalization on our province's labour market. Not only are Asian countries driving global markets; they are also our number one source of skilled immigrants. In addition to generations of Albertans of Asian descent, year after year Alberta's labour market is strengthened through new immigrants from China, India, and the Philippines. These Albertans have intimate knowledge of their countries of origin, knowledge that will give our province the edge to help us solidify our market position in Asia. Passing the Asia Advisory Council Act will allow us to tap into the rich experience of our growing cultural communities and give voice to the thousands of Asian Albertans who help make up our rich social fabric.

Mr. Speaker, the time is now to engage China. Now is the time for us to seek the expertise and the guidance of individuals who can help us harness the power of countries like China. Now is the time for Alberta to diversify its export markets for the sustained success of our economy. I urge all members of the Legislative Assembly to give their support to Bill 1, the Asia Advisory Council Act, because now is the time to dig our well before we become thirsty.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to ask the hon. member a question. She said that now is the time to engage China, and now is the time to diversify our markets. My

question to her is: why is now the time to do those things? Why wasn't the time to do those things 10 or 15 years ago?

**Ms Woo-Paw:** Well, thank you for the very good question. We have been building this foundation in terms of relationship, in terms of our trade development with China for the past decade. I think we started in the '70s. But this is a different phase in China's economic and cultural and educational development. There's a growing middle class, and advancement of technology is presenting different opportunities for the province of Alberta and China to explore additional opportunities. It's the new population. Their needs are different. Their interests are different. Their need for resources is different from 10 years ago. Much of the current state of development in China was developed over the last 30 years, so we're dealing with a very different country. I think that's part of the reason.

**Mr. Danyluk:** Mr. Speaker, could I just ask a question? We did hear the indication from the member from the other side that basically said that we're 10 years or 20 years too late. From that message I am gathering that he is saying, "It's too late. Let's quit. Let's bury our heads in the sand, and let's not look for new markets, especially for those in China and in India." I want to ask the hon. member: is there still opportunity in those markets?

**Ms Woo-Paw:** Thank for the question from the hon. member. There are still plenty of opportunities. In fact, those opportunities will be building on the tremendous strong relationship that we've built over the last 20 years. The Chinese people are a people that remember past deeds. The fact that we provided them with wheat and with assistance during times of natural disaster are things that the Chinese people and people in Asia remember well. That will lead us, actually, into a future relationship very well. A tremendous opportunity.

They recognize the high quality of education that we have established here in Canada, and they want to share and learn some of those education developments. I know that every year when we have the petroleum conferences, several delegations come here. They are interested in our agricultural products, and they are interested in our environmental stewardship initiatives. So there's lots of room for the exchange of learning, for development, for trade opportunities, and for cultural exchange and creation.

**Mr. Mason:** I want to congratulate the hon. member for her answer to my question. That was not a bad answer. But I want to ask her a question. Don't you think that it's really sad the way the minister has to put words in my mouth in order to attack my position?

**The Deputy Speaker:** Does any other hon. member wish to use Standing Order 29(2)(a)?

Seeing none, before we continue, I just want to remind hon. members, when you speak, to look at the Speaker and that the microphone is on, so don't turn your back or your microphone cannot pick up.

The hon. Member for Edmonton-Ellerslie on the bill.

**Mr. Bhardwaj:** Well, thank you very much, Mr. Speaker. I rise to speak in support of Bill 1, the Asia Advisory Council Act. The government has announced its commitment to market diversification and, specifically, expand its efforts to further strengthen our partnership in Asia. Diversification means accessing new markets and forging stronger relationships with new trading partners. It also means strengthening our cultural ties and sharing knowledge and ideas by tapping into the brightest minds around the world.

Broadening our scope and taking a more global approach to our future will secure Alberta's quality of life and prosperity for generations to come. This is what Bill 1 is about.

If passed, Bill 1 will establish a council of 10 members who represent a cross-section of organizations and interests, including business, cultural, and academic communities. The members of this council would have expertise in Asia and insights that would enable Alberta to strengthen global ties and be more successful on the world stage. Specifically, the council would advise government on ways to advance Alberta's business and cultural interest in Asia, and it would guide our efforts to gain better access to key Asian markets, including China, Japan, Korea, and India.

These are regions that are so important to Alberta's future, especially at a time when the world economy is changing. With the U.S. economy continuing to recover from the global economic recession, Alberta needs to look to other markets. India is one of those markets, Mr. Speaker. With a population of more than 1 billion people India is poised to surpass China as the world's most populous country by the year 2030. India also has one of the world's fastest growing economies, with a middle class of 250 million people. This constitutes a large consumer market for Alberta products. In fact, between 2005 and 2009 Alberta's exports to India averaged \$98.5 million a year.

Like with other markets in Asia, Alberta has already begun making inroads in India to strengthen ties and forge new partnerships. Alberta and India share a history of resource development, and Alberta companies have over two decades of experience in the Indian oil and gas sector. A growing number of leading-edge Alberta companies like Niko Resources, Canoro Resources, GeoGlobal Resources, and Bengal Energy maintain offices in India.

4:20

There is also growing potential for Indian investment in our oil sands. As the fourth-largest oil consumer in the world India is producing less than a third of the million barrels a day it consumes. Alberta has the energy to help meet their demand, but energy development isn't all we share. In January 2009 Canada signed a first-ever memorandum of understanding with India to create a framework to increase agricultural trade between the two countries.

We also continue to grow our educational partnerships. As of 2010 the University of Alberta has agreements with the Indian Institute of Technology in Mumbai, the Indore Indira school of career studies, the Indian Institute of Management in Bangalore, the IILM Institute for Higher Education, Petrotech Society, Tata Consultancy Services, and the University of Hyderabad.

Alberta has been working to expand our relationship with India for a long time, from the twinning of Calgary with the Indian city of Jaipur in 1973 to last year's visit to India by the Premier as well. The Premier's mission included meetings with business leaders and government officials. His visit was positive in both an economic sense and in a cultural sense. While in India the Premier became the first Alberta Premier ever to visit the Golden Temple in the city of Amritsar and the Akshardham Temple in New Delhi. This mission was also particularly well timed. In November Canada and India announced the beginning of negotiations for a comprehensive economic partnership agreement.

To conclude, Mr. Speaker, as you can see, Alberta has been working on establishing and strengthening the relationship with this important and growing market. Our efforts so far have laid the foundation from which we can build and flourish. Supporting Bill 1 will enable Alberta to capitalize on all of our good work. The expertise of the council will guide us in a focused and deliberate

approach as we open up new opportunities with India and other Asian regions. Passing this bill means further diversification of our export markets, stronger relationships with new and important partners, and continued economic prosperity for our province.

Mr. Speaker, I urge all members of this Assembly to give their support to Bill 1, the Asia Advisory Council Act. Thank you very much.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** If I may, I wanted to just ask one question. It seems to me that there was never a more successful mission than what the Premier had with the members that accompanied him to India, and I'd just like to ask a question of the hon. member, one of the superb delegation that went on that occasion. Was there anything that we could have done further to advance our cause in the short period of time you had on that mission?

**Mr. Bhardwaj:** Well, thank you very much, hon. member. At the time we arrived in India, our Premier – and I think it was mentioned by the hon. Member for Edmonton-Manning – after travelling for 18 hours, I think, barely had a couple of hours of sleep, and then we were at the opening of Petrotech, where we had members competing on an international stage. In fact, one of the members leading the project was from Calgary, Alberta, and all three of us who were there – myself, the Member for Edmonton-Manning, and the Member for Calgary-Montrose – were there to cheer him on for the innovation side of it.

I think that if we look at the trade mission as a whole, our Premier was able to accomplish a great deal. He had a lineup of people waiting to see him. He met every single one of those. At the reception held by the High Commissioner of Canada in New Delhi, which the Premier attended, there were all kinds of people from the Indian business community, and a number of companies from Alberta who were present at Petrotech were also invited. They showed a huge interest both for the government of Alberta to be in India – very, very appreciative for the Premier to be there – as well as the willingness of the companies in India to come and visit Alberta and do business here.

So, hon. member, I think the visit of the Premier to India was just marvellous. It was very, very successful. Thank you very much for that question.

**The Deputy Speaker:** The hon. member for – I used to call you minister; now I have to check.

**Mr. Horner:** Spruce Grove-Sturgeon-St. Albert, Mr. Speaker.

**The Deputy Speaker:** Yeah. Okay. Spruce Grove-Sturgeon-St. Albert.

**Mr. Horner:** Just a quick question to the hon. member, Mr. Speaker. I know he represents an area of our province that has a fairly significant community of Indian-Albertans who have made their home here in Alberta. I wanted to ask him: how important is a trip to that country by our Premier to Albertans of that descent who are here?

**The Deputy Speaker:** The hon. member.

**Mr. Bhardwaj:** Well, thank you very much. Hon. member, there are over 100,000 people of Indian descent who call Alberta their home, so having the first Premier ever in the history of the province to visit the Golden Temple was huge for the Indo-Canadian community of Alberta. I think there were probably 30 to 40 media

outlets which were covering the Premier's visit live while we were at the Golden Temple. Of course, as a proud member of the Indo-Canadian community of Alberta we particularly felt honoured wherever we went in India with the Premier. They were so proud that the Premier was there in New Delhi when we visited Akshardham as well, the first time ever that an Alberta Premier was there. The Premier, of course, visited with us to lay the wreath at the Gandhi memorial as well. So I think, overall, to answer your question, it was a very proud moment for all of the 100,000 Indo-Canadians living right in the province of Alberta.

Thank you.

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

**Mr. Mason:** Thank you very much. I'd like to ask the hon. member if he knows whether or not the invitation to attend as part of the delegation to India was extended to members of the opposition. I know that one member of the opposition is of Indian descent. I know also that in the past when Ralph Klein went to India, an invitation to Raj Pannu, who was our leader at that time, also of Indian descent, was not extended. So I just wondered, because of the comment that was made by me about it being political, whether or not opposition members were invited to participate.

**Mr. Bhardwaj:** Well, I don't know whether the invitation was extended to the hon. member or not. But to comment on some of the stuff, in fact, the hon. member and myself were together at the Republic Day of India, where he had a lot of positive things to say about the Indo-Canadians of Alberta and the Indian ancestry right here in the province of Alberta.

Thank you.

**The Deputy Speaker:** Does any other hon. member wish to speak on the bill?

Hon. Government House Leader, do you want to speak on the bill?

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that we adjourn debate. There are many other members who wish to speak to this bill.

[Motion to adjourn debate carried]

**Mr. Hancock:** Mr. Speaker, I had assumed when you were rising that you were going to call it 4:30. I would now ask that the House do call it 4:30 and adjourn till 1:30 p.m. on Monday.

[Motion carried; the Assembly adjourned at 4:29 p.m. to Monday at 1:30 p.m.]





## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to March 03, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

- 1 Asia Advisory Council Act (Stelmach)**  
First Reading -- 6 (Feb. 22 aft., passed)  
Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft., adjourned)
- 2 Protection Against Family Violence Amendment Act, 2011 (Brown)**  
First Reading -- 18 (Feb. 23 aft., passed)  
Second Reading -- 133-34 (Mar. 1 aft., adjourned)
- 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**  
First Reading -- 18 (Feb. 23 aft., passed)  
Second Reading -- 134-35 (Mar. 1 aft., adjourned)
- 4 Securities Amendment Act, 2011 (Brown)**  
First Reading -- 18 (Feb. 23 aft., passed)  
Second Reading -- 135 (Mar. 1 aft., adjourned)
- 5 Notice to the Attorney General Act (Rogers)**  
First Reading -- 18-19 (Feb. 23 aft., passed)  
Second Reading -- 136 (Mar. 1 aft., adjourned)
- 6 Rules of Court Statutes Amendment Act, 2011 (Olson)**  
First Reading -- 19 (Feb. 23 aft., passed)  
Second Reading -- 136 (Mar. 1 aft., adjourned)
- 7 Corrections Amendment Act, 2011 (Oberle)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft., adjourned)
- 8 Missing Persons Act (VanderBurg)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft., adjourned)
- 9 Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 113 (Mar. 1 aft., passed)  
Second Reading -- 185-86 (Mar. 3 aft., passed)
- 10 Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)
- 201 Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)

**203      Alberta Get Outdoors Weekend Act (Rodney)**

First Reading -- 152 (Mar. 2 aft., passed)

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday, March 7, 2011

Issue 8

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Monday, March 7, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. Author of all wisdom, knowledge, and understanding, we ask for guidance in order that truth and justice may prevail in all of our judgments. Amen.

Hon. members and ladies and gentlemen, we will proceed now to the singing of our national anthem. We'll be led by Mr. Paul Lorieau, and I would invite all to participate in the language of one's choice.

### Hon. Members:

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

**The Speaker:** Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. It's indeed a pleasure for me to rise and introduce to you and through you to members of the Assembly a bright, enthusiastic group of 50 grade 6 students from Brander Gardens elementary school, located in my constituency of Edmonton-Whitemud. Of the 50 students, 21 are in the French immersion program. Accompanying the students are their exceptional teachers Natalie Gago-Estevés, Matthew Thiessen, M. Luc Drapeau along with student teacher Jacqueline Winters. I'd like to extend a special welcome to M. Drapeau as this is his first visit to the Legislative Assembly. Bienvenue à l'Assemblée législative. When speaking with these students, they raised some very thought-provoking questions. They are among the best students that we've had in this Assembly this season. I would hope that all members of this House would give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Thank you, Mr. Speaker. Today I have the pleasure of introducing two groups. The first has travelled from Wyoming, including Rosie Berger as Wyoming state Representative; Cheryl Duvauchelle, director of finance and development and director of the annual meeting; and Carrie Hoffman, administrative and logistics associate. These members are representing the Council of State Governments – West officials, representing 13 states. They plan to hold their meeting here in 2012. I would ask if they would please rise with David Kettles, our staff member, and receive the warm welcome of this Assembly. Note that they're all three wonderful women.

Mr. Speaker, my other guests are students that I had the privilege of visiting with in their school and engaging in a lot of

dialogue about politics and how the Legislature works: 52 students accompanied by Kerri Blush, Chris Sudyk, Val Diakun, Mona Sawatzky, and Larissa Sulyma. The Woodbridge Farms elementary school is a proud group that has much in the way of knowledge but huge questions that I think we all would enjoy if we had the time to spend with them today. Would they please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Speaker. It's a real treat for me today to introduce to the Assembly and to you a school from my constituency named Belgravia elementary school. Now, Belgravia has a strong historical linkage to this Assembly. Even though it's a very small school, at least three graduates from Belgravia have served as members of this Assembly, including the former Member for Edmonton-Ellerslie, Debby Carlson, the current Member for Edmonton-Centre, and myself.

**An Hon. Member:** It's a training academy.

**Dr. Taft:** Yes, it is a training academy for this Assembly. I think it speaks well to the commitment and brightness of the students here.

We have a large group of grades 5 and 6 accompanied by their teachers Mrs. Devine and Miss Gusniowsky, otherwise known as Miss G. They are accompanied by parent helpers Ms Maskell, Ms Cameron, Dr. Wong, Ms Odishaw, and Mrs. Bronson. I will be speaking with them later in the week, but for now I'd ask them all, please, to rise and receive the warm welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It's a great pleasure today to rise and introduce to you and through you a great Albertan, a dear friend of mine, and a former MLA for Bonnyville-Cold Lake, Mr. Denis Ducharme. It's a great pleasure always to see him here, and I'd like to welcome him to the Legislature. I'd like everyone to give him a warm welcome.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's with pleasure I rise today to introduce to you and through you to all members of this Assembly a long-time friend of mine – his name is Blake Robert – who resides in Edmonton-Glenora with his wife, Sara. Blake is a former PC Youth president and someone I've known at least 10 years. He's sitting in the public gallery. I would like to ask him to please rise and have the traditional warm welcome of this Assembly.

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

**Ms Notley:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly my guest from the Alberta Union of Provincial Employees Women's Committee. AUPE represents over 76,000 workers, who are an essential part of this economy. Today they are here to express that child care is an essential need for the working families that they represent, that the AUPE Women's Committee is devoted to bringing this concern of their members to the forefront, and to remind this government that all working Albertans and our children deserve this service. I would now like to ask my guests to rise as I call their names: Sandra Azocar, Cara Rotenburger, Ramona Price, Amanda McMurren, Margaret Gregory, Marjorie Christie, Clarke

McChesney, Mary Kehoe, and Bren-Lee Thidrickson. I ask that all members of the Assembly join me in providing them with the traditional warm welcome of this Assembly.

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

**Mr. Hehr:** Well, thank you, Mr. Speaker. I'd like to introduce to you and through you some special guests who are sitting in the public gallery this afternoon. Donna Hunter and Marjorie Kirsop were present last week when I asked the minister about secular education in Morinville. They have made the trip here again today and will welcome the opportunity to speak with the minister about their concerns. I'd like to ask my guests to please rise and accept the warm welcome of this Assembly.

**The Speaker:** Are there others? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's always an honour to rise and introduce individuals to you and through you to all of the Assembly. I'd ask that Patricia Kobewka rise. She's a new staff member with the Wildrose, and we appreciate her dedication and her excitement that she brings to the office and the work that she does.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

### Federal Public Building Renovations

**Mr. Elniski:** Thank you, Mr. Speaker. I come from a long line of people who wear blue collars. I am the first member in my family to hold elected office. I take this very seriously, and I take the livelihoods of my constituents seriously. I am a fiscal conservative, but first and foremost I am a tradesman. So when a member in this Assembly waxed poetic about how the citizens of the province would be better off if we stopped work on the federal building project, I have to question the motives of the hon. member. I can only assume the member has no experience with trades or employees.

1:40

Construction works like this. In tough times your first priority is to keep your people busy, but I would not expect the hon. member to know this because, to my knowledge, he has never worried about making payroll or sweated about how to keep the crew busy. You don't have to be a very big contractor to have a thousand people – employees, spouses, children, subtrades and their families – depending upon your ability to bid work and secure jobs.

No contractor can afford to lose his best people; margins get cut long before staff. It's how the business operates. We call it working to keep the lights on. For a member to want to stop a job site without the slightest understanding of what such a ridiculous statement means shows ignorance and contempt for those who wear the blue collar. There is as much dignity and honour in turning a drawing into a building as there is in preparing a legal brief.

The blue collar, my collar, work very hard to make this province the best it can be. We are the world experts at winter construction and the most productive in adverse conditions. We do good work and are proud of it. To suggest that people are not working on the federal building is a slap in the face to every man and woman on that job site and every tradesperson in this province. Your ignorance is surpassed only by your arrogance. You

could apologize, hon. member, but I frankly doubt if anyone would care.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Health Care System

**Dr. Swann:** Thank you very much, Mr. Speaker. Ever since the Premier took over leadership of the province back in 2006, public health care has suffered a degree of mismanagement so severe that two-thirds of Albertans even now believe the system is in crisis. Like Alberta Liberals, Albertans recognize that it is indeed Tory mismanagement, not lack of funding, that has brought us to this point.

It all began with the failed experiment of disbanding the health regions, an announcement made suddenly after the 2008 election, a huge fundamental change to health care delivery that should have been raised during the campaign. This government had no mandate to make such massive changes, changes that went over budget by \$1.2 billion, money that could have been and should have been used for improvements on the front lines of health care. Instead, it was wasted on an administrative catastrophe completely contrary to the government's goals of improving efficiency.

Since the creation of Alberta Health Services to the end of fiscal 2011-12 \$36 billion will have flowed into health care without proper accounting, leaving us with no way to tell how much of the taxpayer money was used wisely and how much was wasted. While the Premier and his ministers continue to promise improvement, senior health officials have said on the record that, for example, emergency wait times cannot be met.

In 2008 concerned physicians revealed over 300 cases of compromised care at Edmonton emergency rooms in just a few weeks, but this government won't offer whistle-blower protection for health care professionals, nor will they launch a truly independent investigation. Even more serious allegations have been raised, allegations that deserve an independent public inquiry so that Albertans can get the facts. Doctors and nurses want to speak out, but they live in fear of their own government. In order for Albertans to have confidence in any inquiry, all witnesses must be protected, with immunity for testimony guaranteed.

This Tory government has proven time and again they cannot manage public health care, Albertans' most important public institution. There is a better way, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Access to Child Care

**Mr. Benito:** Thank you very much, Mr. Speaker. I rise today to recognize an outstanding achievement. The Ministry of Children and Youth Services established the creating child care choices plan in 2008. This plan was designed to greatly improve parents' access to quality child care in our province. This plan provided communities across Alberta with a wide range of incentives designed to offset the cost of opening new child care spaces, increase the number of qualified child care staff, and ultimately make access to quality child care more affordable for lower income parents.

Our government's goal was to create 14,000 new child care spaces in this province. Recently we surpassed the 18,000 mark. I feel that this is an incredible achievement, Mr. Speaker. Now that the goal has been exceeded, our government's focus will shift to sustaining the more than 90,000 quality child care spaces that exist across the province. We are already under way with this plan. In

fact, in my constituency of Edmonton-Mill Woods I was able to present a cheque for \$95,500 on behalf of our government this past November, ensuring the sustainability of current child care spaces as well as helping to create new ones in the community. This funding helped offset the cost of opening 103 new spaces in the community.

I would like to thank again the Minister of Children and Youth Services for establishing and creating the child care choices plan in 2008. I commend this very important program and have seen first-hand the benefits it has produced.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Livingstone-Macleod.

#### Juvenile Curling Provincial Championships

**Mr. Berger:** Thank you, Mr. Speaker. I rise today to acknowledge and congratulate all the teams which curled in the Optimist International Alberta juvenile curling provincial championship held at the Granite curling club in Coaldale this past weekend. The six top qualifying Alberta juvenile curling teams in both the men's division and the women's division played off for the opportunity to represent Alberta at the Canadian juvenile championships in Ontario later this month. The teams that participated are from throughout our province, including Grande Prairie, Fort Saskatchewan, Edmonton, Peace River, Calgary, and Airdrie.

The women's winning team was the Rocque team of Fort Saskatchewan. Second place went to the Brown team of Airdrie. The men's winning team was the Vavrek team of Dawson Creek, B.C., and the Harty team, that came in second, came from Nanton.

As all members certainly know, Alberta has been a dominant force in both the Canadian and the world curling scenes for many years now. After watching the games this weekend, our province looks to be well placed to enjoy this dominance for years to come.

In addition to the participants, I would also like to congratulate the Coaldale Granite curling club and all of the volunteers for doing such an excellent job of hosting this event.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Montrose.

#### Foster Parents

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I rise today to speak about a very important service in our world. We talk about standing on guard for thee, standing on guard for our country. I would profess that we don't do that quite enough, and I would also profess that I think there are many ways of standing on guard for one's country, many ways that aren't out in the public eye. One of those ways is by being a foster parent. That's where you step up and take responsibility for children in times of absolute crisis.

Mr. Speaker, in 2008 I started a bit of an effort to recruit foster parents from various different ethnic and religious backgrounds so that children in a very difficult situation could be made that much more comfortable going to a foster family that perhaps understands their culture, language, and heritage a little bit better.

I'm incredibly proud today to rise and say that one family that I've been working with has now been foster parents for about six months, and they're incredibly proud of becoming foster parents. Rupinder and Sukhjit Sran are the first foster parents of East Indian heritage in the city of Calgary, and they love it. I've had the opportunity to meet with them on several occasions, and they as parents, as members of the community are more fulfilled now by being foster parents than ever before.

Mr. Speaker, I once again ask people to consider being foster parents, especially those from various different ethnic and religious backgrounds.

Thank you, Mr. Speaker.

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### South Health Campus Operational Funding

**Dr. Swann:** Thank you, Mr. Speaker. The south Calgary health campus is a year away from completion, and Tory mismanagement is again jeopardizing patient care. Last week the minister of health claimed to fully staff new hospitals, but the Alberta Health Services' chairman says that the current five-year funding proposed by the Tory government is not sufficient to cover the costs of operation. To the Premier: are we to believe your minister of health or Alberta Health Services' chairman?

1:50

**Mr. Stelmach:** My minister of health.

**Dr. Swann:** Well, Mr. Speaker, the now defunct Calgary health region had to threaten to borrow or issue bonds to get the facility built. What other political games will Alberta Health Services have to play to get properly funded for operational budgets as well as building?

**Mr. Stelmach:** Mr. Speaker, I'll allow the hon. member to clarify what he said, because I'll challenge him on that remark.

**Dr. Swann:** Well, it's interesting, Mr. Speaker, that the Premier doesn't have much confidence in the Health Services Board chairman.

How can Albertans rely on the Tory government to sufficiently budget operational costs when this Tory negligence tripled the original construction budget to a whopping \$1.3 billion?

**Mr. Stelmach:** Mr. Speaker, the budget was not tripled. The budget kept pace with the requests coming from Calgarians in terms of what they wanted to see in the south Calgary health campus. There were more services added, teaching capabilities, to the health campus. Quite frankly, it is one of the largest hospitals being built if not in western Canada, indeed, in all of Canada.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

#### Emergency Medical Services

**Dr. Swann:** Thank you, Mr. Speaker. Unfortunately, this government continues to ignore the needs of 2 out of 3 Albertans who believe the health care system is in crisis. Last week the minister of health chose to further erode public confidence in health care by not calling for an independent investigation into compromised care for 322 patients. This government has no credibility in investigating itself, and it's Albertans who are suffering. To the Premier: will the Premier direct the minister to call for an independent investigation of these 322 cases where Albertans received compromised ER care?

**Mr. Stelmach:** Mr. Speaker, I mentioned last week in this House and then the hon. minister again read out very clearly the policies of Alberta Health Services. If there is any employee of Alberta

Health Services that has any evidence of any compromise of any health services in this province, it is the duty of the employee to make that public.

**Dr. Swann:** At risk to their future, of course, Mr. Speaker. I have some personal experience with that.

To the Premier again: will the government finally do the right thing and allow the Health Quality Council to launch its own independent investigation free from political interference?

**Mr. Stelmach:** Mr. Speaker, as I said before, I'm sure that the person who raised those allegations will question the leader today, and I will be able to respond to those so-called allegations that were made publicly, by protection of immunity in this House.

**Dr. Swann:** Three years of allegations, Mr. Premier, from emergency doctors across the province. Total neglect. How can Albertans trust a government who for over three years ignored these 322 Albertans, all within a few weeks in an Edmonton emergency room, and their care? How can you justify that?

**Mr. Stelmach:** Mr. Speaker, this province has one of the best health systems in Canada. We have invested a lot of money. In fact, this morning I attended the opening of the Villa Caritas, a 42 per cent increase in beds for the mentally ill. If I remember correctly, this opposition opposed the construction of those additional beds for mentally ill seniors in the province.

**The Speaker:** Third Official Opposition main question. [interjections] Okay. I'm quite prepared to recognize the hon. Member for Edmonton-Riverview, but if you want me to wait, I'll wait.

The hon. Member for Edmonton-Riverview.

#### **South Health Campus Operational Funding** (continued)

**Dr. Taft:** Thank you, Mr. Speaker. We just heard as an Assembly the Premier essentially throw the chairman of Alberta Health Services under the bus in a dispute or difference with the minister of health. This is on an issue in which the funding of the largest hospital being built, potentially, in Canada is at stake. My question is to the Premier. Given that he does not have confidence in the position of Mr. Hughes in saying that the budget will not cover operating costs of the south Calgary hospital, will he ask Mr. Hughes to resign?

**Mr. Stelmach:** Mr. Speaker, one thing I don't have confidence in is the kind of quotes that they bring to this House.

**The Speaker:** The hon. member.

**Dr. Taft:** Thank you. Well, the quotes will be in *Hansard* for the Premier to review.

My next question is to the Minister of Health and Wellness. Will the minister please explain what the funding plan is for the operation of the south Calgary hospital?

**Mr. Zwozdesky:** A good question, a rare one but a good one. I want to clarify right now that the chair and I had this discussion, and we're both on the same page in terms of the funding. There's \$84 million or thereabouts in the forthcoming budget, which I would encourage this member and others to vote for when the budget comes up for discussion. That will assist in the recruitment and training of the people needed to staff that hospital. There's an enormous amount of new capacity coming on stream, and we will be there to fund it now and in the years to come.

**The Speaker:** The hon. member.

**Dr. Taft:** Well, thank you, Mr. Speaker. That's barely a start on the issue. Eighty-four million dollars is not going to operate the largest hospital in Alberta and western Canada. So tell me, Mr. Minister, what will be the operating budget on an annual basis for the south Calgary hospital?

**Mr. Zwozdesky:** Mr. Speaker, it'll be ramped up. Perhaps he didn't hear what I said: \$84 million in this coming year's budget, which I hope he will vote for, which starts April 1. That will be for the recruitment piece and for the training piece. There's some off-site virtual training that has to occur. Next year when we bring in the budget for that year, you'll see probably \$150 million – I'm ballparking it – for the first year as we ramp up 233 beds that will open there, thousands of other staff. I'll get you the exact figure. The important thing, hon. member, is that in the year where those monies for operating are needed, they will be there in that budget, and you'll have a chance to debate it.

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

#### **Emergency Medical Services** (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. We have a Health Quality Council in the province for a reason. Part of its mandate is to assess, inquire into, or study matters respecting patient safety and the quality of patient care that are referred to it at the request of Alberta Health Services. We have 322 documented cases of emergency room delays, with painful and sometimes fatal results, and that's only one emergency room. Given that the Health Quality Council can't investigate until directed to do so, why hasn't the health minister given such orders so that we can get to the bottom of it?

**Mr. Zwozdesky:** Mr. Speaker, I don't think I quite got exactly what the question was all about – it was all around everywhere – but I'll read it later, hon. member, if you don't mind, and I'll try and respond to it. [interjections] It's just that there were some distractions from the other side, just like there are now.

**Mrs. Forsyth:** Okay. Mr. Speaker, I'm going to ask this question very slowly. The 322 emergency room delays that caused some very painful hardships for Albertans: will you call the health council and let them investigate so that we can get to the bottom of it?

**Mr. Zwozdesky:** That's a decent question. Thank you. Mr. Speaker, this issue is relatively old news. It's already been addressed. We have some people who have looked into this, and as a result of that, in fact, I did a press conference today. So we are reducing the wait times for emergency in-patients by as much as 70 per cent in some hospitals in Calgary and in Edmonton by as low as 42 per cent. Improvements have been made to address exactly what the emergency docs asked us to do last October, and the protocols are working.

**Mrs. Forsyth:** Mr. Speaker, those emergency doctors have been asking for two years.

Let me ask you this very simply, Mr. Minister: will you call in the Health Quality Council to investigate the 322 cases that were documented previously?

**Mr. Zwozdesky:** Mr. Speaker, should that become necessary, I will take the appropriate steps. At this stage what became necessary was to address the issues that the doctors wanted addressed.

They wanted more beds; we just added 360. They wanted more continuing care spaces; we just added almost 1,300, and we'll be adding another 4,000. They wanted new discharge protocols; we've got that in place. They wanted patient navigators. They wanted other improvements. All of these things taken together with home care and so on are making a huge difference, and people are getting in and out a lot faster than ever before.

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

#### NHL Arena Funding

**Mr. Mason:** Thanks very much, Mr. Speaker. Alberta's NHL franchises are making millions in profits but asking the public to pay for new arenas. Many successful Canadian arenas have been entirely privately funded. Will the Minister of Infrastructure commit to making sure that not one dime of provincial funds goes towards new arenas for NHL franchises in Alberta?

**Mr. Danyluk:** Well, Mr. Speaker, that is a very good question. As you are well aware and as the member of the fourth party, I guess it is, knows, there is ongoing discussion between the city of Edmonton and the group that is hoping to have a hockey team in Edmonton. Those discussions are continuing to happen.

2:00

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Given that the minister completely dodged the question, I'm going to have to phrase it again. Will he assure the House today that not one dime of provincial government funds goes towards privately owned NHL arenas in this province?

**Mr. Danyluk:** No.

**Mr. Mason:** So that's no assurance. So you're saying yes. Okay, Mr. Speaker.

Given that I asked for an assurance that public funds would not go towards NHL arenas and the minister said no, I'm assuming that he said that he's not going to give that assurance. So does he agree that the citizens do not give their hard-earned taxpayer dollars in order to privately fund profitable corporations of whatever kind? Yes or no?

**Mr. Danyluk:** Mr. Speaker, I find it a little bit ironic that I have to interpret the question or at least explain the question that the member of the fourth party is relaying. I want to make this very clear. No, the Alberta government is not going to directly support the arena.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

#### Delays in Medical Care

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier and the Minister of Health and Wellness say: show us the proof. Investigations cost money, but this government has received ample evidence over the past four years, which the Clerk will table later on. Today credibility is on the line. In front of the Premier there is proof of his written word and e-mails to his past health ministers with pleas for help from the front lines of health care and hundreds of cases where Albertans have suffered due to delays in care. To the Premier: where is the public investigation into these

hundreds of cases and the proof that you took immediate action to address these concerns?

**Mr. Stelmach:** Mr. Speaker, the hon. member delivered a letter to the office earlier today and in that letter said: "Would you please stay here for the sixth question? And I'm also with this letter tabling these documents." Well, I just got these documents, and the first letter here is a letter from February 23, '08, to a Dr. Peter Kwan that was issued by me, and that was during the campaign. I have looked through these documents. There's a list of e-mails, quite a number of e-mails.

**The Speaker:** Okay. That's fine. Thank you. No documents have been tabled in this House yet. Documents may be hand delivered to some member, but the rest of the members have no idea what documents are being referred to. Proceed to your second question.

**Dr. Sherman:** Thank you, Mr. Speaker. Again to the Premier: given that proof is the issue of the day, what were you thinking? What were you thinking when you brought in the hon. Member for Calgary-West, who immediately reversed all the previous minister's decisions and implemented the code of conduct to silence front-line staff when, in fact, you already had solid evidence to call for a public investigation? Premier, what were you thinking?

**Mr. Stelmach:** Mr. Speaker, again, these allegations have been made in the House under protection, of course, by immunity. None of these allegations were made outside the House. I'm going to ask that hon. member to in particular provide the proof and the supporting documents of the 250 people that died on the wait list for cancer surgery as that's what he said in the House and that Ministers Mar and the hon. Member for Sherwood Park were aware of this along with Dr. Trevor Theman and Sheila Weatherill. "Physicians who raised these issues were either punished or driven out of the province or paid out in millions to buy their silence and the costs buried in the books under the former . . ."

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. I didn't realize that I had to answer questions.

To the Premier: the ER doctors are sitting up above and awaiting your answers. Before you leave public office, will you guarantee to them in writing and in legislation that patient confidentiality will be respected, that they will have full protection for the front-line staff so that this Legislature can restore Albertans' confidence by ordering . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, I would hope that any ER docs here in the audience, if there are, and anybody that's working for Alberta Health Services are fully aware of the policy that Alberta Health Services has. Please, let's not hide behind the fact that: oh, I don't want my name out there. Anybody working for the organization has a duty to report, and that reporting, of course, has the supporting documentation that comes directly to the minister so he can assess all of these allegations that have been made time and time again in the House but never outside this House.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### Health Services Financial Reporting

**Mr. MacDonald:** Thank you, Mr. Speaker. This government continues to spend billions of dollars without adequate financial

control. I have sent over in advance all the background information to the minister of health for the questions I would like to ask him now. To the minister of health: are you confident that the amount of \$308 million in one-time funding that was granted to Alberta Health Services on page 17 of the 2008-09 annual report is accurate?

**Mr. Zwozdesky:** Mr. Speaker, I can only assume it's accurate because these numbers are audited by the Auditor General, and before he signs off on them, I think that he does his due diligence. So I'm going to presume on that basis that the Auditor General's audit of those numbers would be accurate.

**Mr. MacDonald:** The numbers on page 17, Mr. Speaker, in my view, are not audited. However, on page 126 of the same report they are audited, and it lists \$377 million in one-time financial assistance to Alberta Health Services while, again, you indicate \$308 million in one-time funding. Why is there a difference of \$69 million, and where did it go?

**Mr. Zwozdesky:** Mr. Speaker, there's an undertone there that is a bit nasty sounding. He did send me some documents. I'll have a look through them. There are four or five pages here. I didn't have a chance to read them through – I was busy answering other questions – but I'll have a look and see if the hon. member is onto something here or if he's just blowing some wild smoke, and we'll find out.

**Mr. MacDonald:** Mr. Speaker, I can't help it if the minister of health is uncomfortable about his own financial statements.

Again to the same minister: why does the business plan for 2010 list for the year in question one-time operating funding for Alberta Health Services as \$297 million? You have one report. You have two sets of numbers. Why, sir? That's not a nasty question.

**Mr. Zwozdesky:** Mr. Speaker, this member is so completely out of touch here. Do you not understand one-time funding, hon. member? For heaven's sakes, there's a lot of one-time funding. Sometimes it's for recruitments; it's a one-time initiative. Sometimes it's for training; it's a one-time initiative. Sometimes it's for deficit elimination. Sometimes it's just to keep up with the excellent services that we provide. There are a lot reasons why you could have one-time funding of this amount and one-time funding of that amount because there will be different reasons why it's used. That's the whole point: one time.

#### **Speaker's Ruling Questions about Detail**

**The Speaker:** Hon. members, I'm going to repeat this again. Twice last week I indicated one should look at *Beauchesne* to see the nature of question period and what have you. Some members obviously didn't have time this past weekend, but that last series of questions – no disrespect, hon. member – would probably best be served in Public Accounts Committee, which meets once a week. It's rather specific.

The hon. Member for Edmonton-Decore, followed by the hon. Member for Calgary-*Buffalo*.

#### **Federal Public Building Renovations**

**Mrs. Sarich:** Thank you. Mr. Speaker, \$115 million is being invested in this year's budget for projects on the Legislature Grounds, the redevelopment of the federal building, the Centennial Plaza, and the parkade. My questions are for the Minister of

Infrastructure. Are you considering stopping or delaying any of these particular projects?

**Mr. Danyluk:** Mr. Speaker, no. There are no plans to abandon the project. The project is well under way, and the plans are to finish it in 2012. We started this project in different economic times, but continuing the project, I think, is very prudent. The construction costs are lower now than first estimated. At first it was for \$356 million, and now the project costs \$275 million.

2:10

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. To the minister again: what would be the impact of abandoning any of these particular projects midstream as some have suggested?

**Mr. Danyluk:** Well, Mr. Speaker, if you want to talk about employees, there are 550 employees that are moving from three other buildings, two major upgrades and one leased, staff from Finance and Enterprise and the Treasury Board and Legislative Assembly staff and, yes, some MLAs. It's the right thing to do. It's the right location, it's the best use of an existing building, and it is the right time to build.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. My last question for the same minister: given that there's still misunderstanding about the federal building, can the minister explain why the offices and the office space are needed in the federal building?

**Mr. Danyluk:** Mr. Speaker, I mean, the offices are very important. As mentioned before, we need them for the staff that we do have. The importance of the building, of course, is in having the space for those individuals.

Mr. Speaker, going back, I just want to say that it is definitely the wrong message to give to industry in the province of Alberta when we talk about needing confidence and stability in the workplace.

#### **Secular Public Education in Greater St. Albert**

**Mr. Hehr:** Mr. Speaker, parents in Morinville have no choice but to send their children to schools permeated by religious theology. That's because in Morinville the Catholic board is a public school board. When I asked the Minister of Education if this situation is acceptable, he simply replied: no. To the Minister of Education: how can the minister acknowledge that the situation in Morinville is unacceptable, then choose to do nothing about it?

**Mr. Hancock:** Mr. Speaker, I didn't say that I was going to do nothing about it.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. Why don't we follow up on that? What are you going to do about it, then, Mr. Minister?

**Mr. Hancock:** Mr. Speaker, I'm going to ask the school board in question to do its job, and I'm going to meet with them to encourage them to do their job.

**Mr. Hehr:** So by that answer will the Morinville people have a public school to send their children to very shortly?

**Mr. Hancock:** Mr. Speaker, the Greater St. Albert Catholic school board is a public board. It has an obligation to provide

public education to the students that are entrusted to its jurisdiction, and it is incumbent upon that board to meet with the parents to determine what the appropriate way to provide that type of education to those children is. If I perceive that there's a difficulty with them doing that, I will be meeting with the board to encourage them in that regard.

**The Speaker:** The hon. Member for Calgary-Hays, followed by the hon. Member for Calgary-McCall.

### South Health Campus

**Mr. Johnston:** Thank you, Mr. Speaker. The south health campus in Calgary-Hays is quickly becoming a considerable landmark on the south side of Calgary. My first question is to the Minister of Health and Wellness. Can the minister tell us what impact the opening will have in creating what we need most in our health system, improved access?

**Mr. Zwodsky:** Certainly, Mr. Speaker. The Calgary south health campus is the single largest project on the capital plan books right now. The short answer is that there will be a tremendous increase in capacity. In short, there will be room for 40,000 more patients to come through the emergency department alone. There will be capacity for over 200,000 visits for outpatients. There will be approximately 2,600 staff.

While I'm up, I'll just clarify. The Member for Edmonton-Riverview asked how much the funding would be. I said approximately \$150 million. In fact, it's incremental funding of about \$143 million next year.

**The Speaker:** The hon. member.

**Mr. Johnston:** Thank you, Mr. Speaker. My second and third questions are for the Minister of Infrastructure. Can the minister assure my constituents that this project is going ahead on schedule?

**Mr. Danyluk:** Mr. Speaker, yes, we are going ahead on schedule. It is in our budget, and it's the top priority, and it's on track to be phased open, if I can say, in 2012. Presently on that site we have 1,500 tradespeople working: 500 mechanical tradespeople, 500 electrical tradespeople, carpenters, painters, landscapers. This project is important for the people of Calgary.

**The Speaker:** The hon. Member for Calgary-Hays, please.

**Mr. Johnston:** Thank you, Mr. Speaker. My final question for the same minister: can you explain how this hospital will benefit my constituents in the city of Calgary?

**Mr. Danyluk:** Mr. Speaker, it is going to reduce the times for south Calgary residents to travel. This hospital is also built for the future for thousands of people who live and move into the south-east Calgary neighbourhoods. It's also for nearby residents of Okotoks, Langdon, and High River. But, most importantly, the hospital will be a shining example of the Premier's vision for the most advanced infrastructure in North America.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Drayton Valley-Calmar.

### Public-private Partnerships

**Mr. Kang:** Thank you, Mr. Speaker. This government clings to the short-sighted P3 infrastructure model, off-loading future funding obligations to the next generation. Last week the Minister of

Transportation was bragging about the cost savings of the P3 contract model; however, he didn't have any idea of the amount saved. To the Minister of Transportation: how can this minister know that there are any cost savings without actually knowing the cost?

**Mr. Ouellette:** Well, Mr. Speaker, needless to say, this hon. member has never ever listened to what the P3 model is all about. When we go out and do a P3 model, we have to do a public market comparator, and we do that market comparator on what it would be like to deliver the project conventionally. We put that market comparator into an envelope, it gets sent to the Justice minister, and it gets opened at the same time that the other bids are opened, to make sure that the public-private partnership is a cost savings . . .

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Give me the envelope, please, so we know the savings.

To the minister again: how can there be any accountability in this year's infrastructure when you are off-loading the costs to future generations? How can there be any accountability there?

**Mr. Ouellette:** Mr. Speaker, the P3 model that we are doing in southeast Calgary right now showed a billion dollar savings from conventional delivery in that market comparator, and that's public knowledge. He could have gone and looked at all of the contracts.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Mr. Minister, will you make the contents of that envelope public after the fact? Make them public.

To the minister again: given that the P3s have a decades-long maintenance commitment, what happens if a company with P3 obligations goes bankrupt?

**Mr. Ouellette:** Mr. Speaker, there's a bonding company in place.

But I want to let this hon. member know, Mr. Speaker, that we do make the market comparator public. We've done it on all of the other ones.

**An Hon. Member:** It's like Ray's secret list. The P3 tunnel.

**Mr. Ouellette:** Everybody is talking about tunnels and everything else now, Mr. Speaker. It's hard to keep on track with this hon. member because he bounces around.

**The Speaker:** Well, hon. minister, what you do is look at me and speak to me, and I'll listen.

The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Airdrie-Chestermere.

### Abandoned Wells

**Mrs. McQueen:** Well, thank you, Mr. Speaker. The issues surrounding an abandoned well in the town of Calmar have highlighted a need for changes to regulations to ensure that development accommodates abandoned wells. My questions are for the Minister of Municipal Affairs. Can the minister outline what steps his department is taking to ensure that a similar situation does not arise elsewhere?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. The government of Alberta takes this matter extremely seriously, and Municipal Af-

fairs is working with the ERCB to address the Calmar situation, the broader issue of abandoned wells and the development around abandoned wells. In my department we're proposing to amend the subdivision and development regulations to ensure that developers and municipalities identify and accommodate abandoned wells during their development.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. To the same minister: can you give this Assembly a time frame in which the amendment will be enacted? Who have you consulted with, and in particular have you consulted with the residents of Calmar?

2:20

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. There is a need to ensure that the location of abandoned wells is identified at the time of development. It's equally important that setbacks from wells are maintained, and we are using what happened in Calmar to look at that. We want to make sure that should it be necessary to do additional work on wells, the proper setbacks are there. We are going through the government process to enact those proposed changes.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. A final question to the same minister: what else is your department doing to address the Calmar situation, in particular for the homeowners affected in this subdivision?

**Mr. Goudreau:** Mr. Speaker, I understand that Imperial Oil plans to remove five of the homes in this particular summer coming up, in 2011. The company has presently purchased four of those five homes. Municipal Affairs will continue to and has been providing assistance to mediate negotiations between Imperial Oil and the homeowners to allow the purchase of their properties. Hopefully, the parties involved will have an agreement in place in the not-too-distant future to purchase that remaining home.

### Electricity Transmission Lines

**Mr. Anderson:** Mr. Speaker, last week the Minister of Energy surprised many when he said he was aware of only one planned natural gas power plant, referring to TransAlta's Sundance project in central Alberta. This statement was bizarre coming from the Energy minister because there are, in fact, two additional natural gas power plants being built right now in and near Calgary that will bring almost 1,100 megawatts of new clean energy online to meet Calgary's needs. To the minister: how did he not know about these projects, when they are so relevant to the debate surrounding the need for billions of new transmission lines between central Alberta and Calgary? How did you miss that?

**Mr. Liepert:** Well, Mr. Speaker, I assume that what the member is referring to is the Shepard plant, that is being proposed by Enmax, and the Bonnybrook plant, that is also being proposed by Enmax. What I said was that I was only aware of one that was actually ready for construction.

**Mr. Anderson:** There are two that are ahead of Sundance in order. Anyway, he can look that up later.

Given that 560 megawatts of power has been permanently shut down at TransAlta's central Alberta Sundance facility, yet the

lights remain on in Calgary, and given that almost 1,000 megawatts of new power is being built in Calgary to help meet the city's 1,600 megawatts of peak demand, will this minister agree that the AESO assessment for billions of new transmission between central Alberta and Calgary is outdated and that the need for it should be objectively reviewed by the AUC instead of rubber-stamped with Bill 50 and divvied out to PC friends without competitive bidding?

**Mr. Liepert:** Mr. Speaker, let's just be clear. What happened with both the Bonnybrook and the Shepard plants was that there was the necessary review, that was undertaken by an independent assessment, to make sure that because it's a Crown corporation, there were no special advantages to Enmax. That work has been done. I have signed off on the document that says they are able to build. There is nothing in the ground, so for this member to say that the lights are still on in Calgary today: well, duh, they are. We're talking about 30 years down the road.

**Mr. Anderson:** It's frightful the amount of ignorance on that front bench on this issue.

Mr. Speaker, with billions of dollars in new transmission lines that look more and more unnecessary with each passing day and with those billions in building contracts being handed out to friends of the PC Party without a competitive bidding process, does this minister not understand why so many Albertans, who have to pay for this on their power bills, are furious with this boondoggle and view it as Alberta's version of the federal sponsorship scandal? Have you figured out how awful this looks, Mr. Minister?

**Mr. Liepert:** Mr. Speaker, I think that, as I've said several times in this House, there is an entity called the Alberta Electric System Operator, which is an independent group of professionals that looks at the long-term needs of the province. The long-term needs are that the current transmission system in this province is inadequate to move power from where it's produced to where it's required. That's exactly the essence behind Bill 50.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Mill Woods.

### Logging in the Castle Special Management Area

**Mr. Chase:** Thank you, Mr. Speaker. After listening to the minister's responses to Wednesday's Castle concerns, Albertans would be justified in thinking that the S of SRD stood for snake oil. The minister suggested that it was sustainable to cumulatively level one-third of the Castle as long as only 1 per cent per year is clear-cut and that there wouldn't be any perceptible long-term damage with two trees replanted for every one ripped out. I'll try the Minister of Environment. How long does it take for a lodgepole pine to reach maturity, and what are you advising locally affected landowners, businesses, and recreational enthusiasts to do while they wait?

**The Speaker:** If that's government policy, proceed.

**Mr. Renner:** Mr. Speaker, as Minister of Environment I'm acting on behalf of the Minister of SRD today, and in that capacity I'm prepared to certainly take that question on advisement. I don't have the technical background to answer that kind of a question. If the member would like to ask questions with respect to what I have some background in, I'd answer those. Otherwise, I'll have to defer to the Minister of Sustainable Resource Development.



**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Hopefully, somebody has the answer, Mr. Speaker. Crossministerial initiatives would link Environment and SRD. Unfortunately, that doesn't happen in this province.

What are the survival rates of the two-for-one monoculture reforested pine tree beetle fodder, particularly on slopes where the ground cover has been so ripped up by heavy machinery as to be unable to retain either water or soil nutrients? That's an environmental question.

**Mr. Renner:** Mr. Speaker, that is an operational question that has to do with forestry, for which I am not responsible. But I can only assume, in answer to the member's question, that the reason it's a two for one is because the survival rate is about 50 per cent.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you very much. Does the Environment minister maintain that clear-cutting is an environmentally sustainable practice compared to the preferred processes of selective logging and controlled burns practised by his federal and European counterparts, which are more in line with natural environmental processes?

**Mr. Renner:** Well, Mr. Speaker, my understanding is that clear-cutting does not take place in Alberta any longer. We're talking about limits on the size of areas that can be harvested at any one particular time. We're talking about a 100-year rotation. So for this member to suggest that we have massive, you know, denuding of forests in Alberta is absolutely wrong. We've had forestry going on in this province for a hundred years, and there are a lot of Albertans that are very proud of the job that we do to protect our forests.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Centre.

### School Board Funding

**Mr. Benito:** Thank you very much, Mr. Speaker. Through the School Act the government of Alberta delegates much of its authority for the governance of education to locally elected school boards. Schools boards rely on funding from the government of Alberta to operate. My first question is to the Minister of Education. Can your ministry provide adequate, sustainable, and predictable long-term educational funding in order for the school boards to properly plan years ahead?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. In fact, this government does. We went to three-year business plans a long time ago. The reason for three-year business plans is to provide for the voted sums in the first year and for predictability and ability to plan for the out-years.

**Mr. Benito:** To the same minister: if a school board were to consider borrowing money to achieve its goal, would the ministry support this?

**Mr. Hancock:** Mr. Speaker, there are a number of different aspects to that question. Obviously, it's not appropriate to borrow money to pay operating costs. This government doesn't do that, and no public body should do it. We should be able to pay our operating costs: today's groceries with today's dollars.

With respect to borrowing for buildings, school boards can borrow for buildings, with approval, if they're nonschool buildings. They can borrow for buildings, with approval, if they can show that the energy savings will pay for the cost of borrowing. At this point they cannot borrow for buildings unless there's a long-term way to show that that borrowing could be paid for.

**Mr. Benito:** My second supplemental is to the same minister. Would some change in taxation levels be an acceptable way to achieve this long-term school board funding?

**Mr. Hancock:** Well, Mr. Speaker, currently we do fund school boards in an equitable fashion across the province. It was quite a number of years ago that we went to a common provincial levy for educational property tax to ensure that it didn't depend on who had the largest industry where the dollars for education went but, rather, that every student across the province had equitable access to an educational program. That funding model is working and is working well.

Municipalities have on an ongoing, constant basis told us that they do not want us raising the educational property tax or putting school boards back into the property tax business. But we do have to look at other ways to help fund over the long term.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

### Environment Department Budget

**Ms Blakeman:** Thank you very much, Mr. Speaker. The Environment minister protested last week that I was being unfair when I questioned his ministry's budget priorities. But since 2007, when this administration took over, the Environment budget has plummeted 30 per cent while the communications portion of the Environment budget is up 60 per cent. Now, that sure looks to me like propaganda is more important than action in this ministry. To the minister: if it's not about propaganda, then why has the action part of the budget dropped and the communications part increased over the last four years?

2:30

**Mr. Renner:** Well, Mr. Speaker, I'm looking forward to three hours of intense debate on my budget in this very Chamber on, I think, the 22nd of March. These kinds of in-depth questions I think are much more appropriately dealt with at that time. [interjection]

**Ms Blakeman:** Yeah. Question period is no time to ask something of the minister.

Well, let me try again. Here's another example. The industry monitoring system RAMP is discredited in study after scientific study, and this ministry only put \$17 million into its monitoring system, so why does the government continue to pour money into communications rather than actually getting the work done, specifically providing the monitoring that both industry and the public require to know that all is well?

**Mr. Renner:** Mr. Speaker, this member knows the answer to that question because she asked the same question during estimates last year, at which time I explained to her that the reason for the change in the communications budget is because we amalgamated the ministerial correspondence unit with the communications unit. There was no increase in overall spending. I told her last year in estimates, and I'll tell her again today.

**Ms Blakeman:** Back to the same minister. Given that this government has relied on federal dollars to justify not taking action

itself on climate change, how will this ministry make up for an estimated 95 per cent decrease in climate change funding over the next two years?

**Mr. Renner:** One of the things I think is interesting to note that often gets overlooked is that we are the first jurisdiction in all of Canada that has brought in legislation that has a requirement that large industrial emitters contribute to a technology fund. Mr. Speaker, that fund thus far has allocated about a hundred million dollars. No other province has done that. Oh, and by the way, the chairman of that fund, Mr. Eric Newell, in making the announcement last week, pointed out that there's a multiplier effect on that fund, and that \$100 million has resulted in direct investment of in excess of \$450 million in this province. It's not in my budget.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Lethbridge-East.

#### Apprenticeship Supervision Ratio

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Recently the journeyperson to apprentice supervision ratio for 37 of 50 designated trades in Alberta was doubled from 1 to 1 to 1 to 2. Having worked in the trades and taught trades for a number of years, while that may seem like a relatively small change, when you double the number of people that can be supervised, some concerns may arise. My questions are to the Minister of Advanced Education and Technology. What was the motive for changing this very important ratio, Mr. Minister?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. This is a very important proactive change that the government of Alberta has made to ensure that we will be ready for the future. We're being told that there will be a shortage of tradesmen in the province of Alberta. To understand it, training of a tradesperson, an apprentice, requires three things. It requires an employer, it requires a journeyman that can help provide on-the-job training, and it requires Advanced Education and Technology to provide the classroom experience. This will allow both the journeymen and the companies to provide those opportunities for our students.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Next question to the same minister: are you concerned that safety will be compromised as a result of this change?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. None of the rules around safety have changed in this province. It is incumbent upon a business and a journeyman to ensure that every workplace is safe, that every apprentice is only working on the kinds of things they've been trained to do, that they're properly supervised. This will continue to happen, and I don't believe there's any concern for safety.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much. My final question to the same minister: why were the ratios in the remaining 13 trades untouched, and is there is a list somewhere where the employers can look it up?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. To the final question 37 of our trades out of 50 were increased from 1 to 1 to 1 to 2; however, the balance of those trades, the other 13, already had ratios in excess of 1 to 1 and met the needs of those industries.

Thank you.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for St. Albert.

#### Municipal Sustainability

**Ms Pastoor:** Thank you, Mr. Speaker. The city of Cold Lake is a classic example of an Alberta municipality that, despite being surrounded by robust oil and gas activity, is struggling to provide basic services to its citizens. To the Minister of Municipal Affairs: is he prepared to develop a strategy to assist these municipalities that are experiencing real challenges to their viability? There are so many.

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. The city of Cold Lake continues to express concerns regarding its long-term sustainability, especially in light of the mounting infrastructure challenges that that particular city has. We've done a lot of work with the city of Cold Lake, and we're going to keep on working with them to make sure that they reach a sustainable level.

**Ms Pastoor:** Thank you for that from the minister. One of the things that I would be upset to see is that these small municipalities are dissolving themselves. How is this helping competitiveness to maintain our rural roots, and are you working with other municipalities?

**Mr. Goudreau:** Mr. Speaker, the ministry is certainly working with all municipalities across the province of Alberta as part of the municipal sustainability strategy. We are working with our small municipalities. We are providing financial assistance, but furthermore we are providing additional training. There is a tool kit that was developed for municipalities that is available to them to use if they are experiencing some challenges.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. I wonder if the minister could give us an update on the success of how this is moving forward for Cold Lake, using that as an example for other municipalities. Is what you're doing really working?

**Mr. Goudreau:** Mr. Speaker, we found out that the city of Cold Lake does have particular challenges but not much different from a lot of other cities the size of the city of Cold Lake. There is ongoing work that we are doing with the base and the city to ensure that the city is sustainable. We are looking at alternatives, and we are maintaining our communications and discussions with the city of Cold Lake and the surrounding municipalities.

**The Speaker:** The hon. Member for St. Albert.

#### Legal Aid

**Mr. Allred:** Thank you, Mr. Speaker. We've heard a lot about funding for legal aid, and while it's a very important service, I'm also aware that the funding provided is essentially just being used to pay for legal services. To the Minister of Justice and Attorney

General: what are you doing to ensure that the legal community is contributing their share to fund legal aid in Alberta?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. I'd like to acknowledge, of course, that the legal community plays a huge role in the provision of legal aid services, and I want to acknowledge the work of Legal Aid Alberta, which is a separate entity from government, the role that they play in providing these services as well. There are three sources of funding for legal aid. The primary source of funding comes from our government. Also, the federal government provides funding. As well, money comes from lawyers' trust accounts through the Alberta Law Foundation to support legal aid.

**Mr. Allred:** Again to the Minister of Justice and Attorney General: given that the funding from the legal community has been cut back considerably in the last two years – and I recognize that is a result of the interest rates being low for the trust funds – what are you doing to increase the nongovernmental sources of funding for this important program?

**Mr. Olson:** Mr. Speaker, we're looking at all sources of funding to see what we can do. As the hon. member no doubt noticed, in the current budget we propose an increase of some 10 per cent in funding by our government. The funding from the federal government has been pretty much static for about the last 10 years. The drop has come from the Alberta Law Foundation. I haven't had a chance to talk to them yet, but I'm very interested in sitting down with them and the Law Society to see what some options might be there.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. I guess that's some of my concern. The provincial funding goes up 10 per cent every year, but the funding from the other agencies is flat.

I guess my question is basically: other than full service from a lawyer, how is legal aid serving Albertans vis-à-vis the legal community?

**Mr. Olson:** Well, particularly in the last year there have been a number of initiatives taken to see how we might adopt a more targeted approach to providing services that will actually do people the good that they need. So rather than a cookie-cutter approach we will provide services to people that are specific to their needs. Things like legal service centres, enhanced criminal and civil duty counsel, family mediation services, and so on are all things that we're doing to address that need.

**The Speaker:** Hon. members, that concludes Oral Question Period. There were 19 members recognized, 114 questions.

In 15 seconds from now we are going to continue with the Routine and Members' Statements.

2:40

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

### Snow Conditions in Southern Alberta

**Mr. Mitzel:** Thank you, Mr. Speaker. Many Albertans are saying: "Global warming. What global warming?" There are two generations, albeit one young, in southeast Alberta who have not experienced a winter such as this one. In fact, the circumstances

that contributed to the flood in June of last year and now the weather conditions this winter are having residents of southeast Alberta concerned.

Over the last year we experienced record and near-record snowfalls. Many in this Assembly will remember the serious floods caused by the spring snowfalls and huge rainfalls in our area last year. I'm sure that image of the Trans-Canada highway washing away is fresh in the minds of many members. I was pleased that the government acted to reduce the damage caused by this disaster, and I would hope that this support would never be needed again.

Back to the generation point, Mr. Speaker. I remember winters when the roads were plugged for weeks and the drifts were over the caragana hedges. In fact, my family had canned milk for my baby sister flown in to our farm by a local pilot with a small plane on skis, and our farm was only 18 miles from town.

Most of us have not seen snow like this for a long time: the huge drifts along highway 41, especially south of the Trans-Canada highway to the Cypress Hills, as well as the drifts in our yards. There has been no real chinook since the snow started falling last November. Remember that this is southern Alberta, folks, not northern Alberta, where people are perhaps more used to this. This is the prairies, folks.

For many who have snow machines, not only is the gas stale in them, but they won't start. Most don't run anymore and are so old you can no longer get parts for them. The people who have new machines and usually take winter holidays to the mountains to use them now are using them right at home for both pleasure and business.

After last year's large crops of hay many ranchers felt they had perhaps enough feed to last three years. It's not so now as many ranchers have used nearly two years of normal feed. No one is complaining badly yet, but all are very tired of the snow and worried about the spring. It's all about to melt and needs somewhere to go.

**The Speaker:** The hon. Member for Calgary-Mackay.

### National Social Work Month

**Ms Woo-Paw:** Thank you, Mr. Speaker. I'm pleased to rise today to speak on National Social Work Month. Social work began in the mid-19th century by charity workers. Social casework emerged as a new way of understanding and assisting vulnerable populations at the turn of the century with the advance of social sciences. The widespread poverty experienced during the Great Depression helped governments recognize that poverty was not only an individual's private trouble but, rather, a public issue. Since that time the social work profession has expanded its scope of practice to meet the needs of a rapidly changing society.

Today professional social work practice ranges from enhancing problem solving and coping capacities of people and systems to contributing to the development and improvement of social policy. Core values and principles of the social work profession respect the unique worth and inherent dignity of all people and the upholding of human rights. For this reason the Canadian Association of Social Workers and the Canadian Association for Social Work Education proclaimed National Social Work Month with the theme Social Workers for Dignity and Inclusion: Upholding Human Rights.

In the words of CASW President Darlene MacDonald, "The social work profession is dedicated to protecting and defending the rights of the most vulnerable in our society," and she's inviting people everywhere to celebrate the social work profession and its

dedication to bringing about inclusion and dignity for all. Accordingly, during National Social Work Month CASW and CASWE call upon all levels of government to address human rights in Canada through an integrated national plan that will reduce poverty and dedicate sufficient federal investments in social security for all Canadians.

Mr. Speaker, the Alberta College of Social Workers is dedicating March 13 to 19 as Social Work Week in Alberta. I would like to invite my colleagues from the Alberta Assembly to recognize the role and contributions made by social workers in Alberta and Canada during this month.

Thank you.

### Introduction of Bills

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

#### Bill 11 Livestock Industry Diversification Amendment Act, 2011

**Mr. Prins:** Thank you, Mr. Speaker. I rise today to request leave to introduce Bill 11, the Livestock Industry Diversification Amendment Act, 2011, for first reading.

Currently legislative responsibility for the regulation of farm cervids is shared by Alberta Agriculture and Rural Development, ARD, and Alberta Sustainable Resource Development, SRD. This change would see the transfer of legislative responsibility for farm cervids as identified in the Wildlife Act and wildlife regulation to the Livestock Industry Diversification Amendment Act, 2011. Once the transfer is complete, ARD will have full administrative authority to administer and enforce all programs related to farm cervids.

Thank you, Mr. Speaker.

[Motion carried; Bill 11 read a first time]

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

**Mr. Renner:** Thank you, Mr. Speaker. I move that Bill 11 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

#### Bill 12 Alberta Investment Management Corporation Amendment Act, 2011

**Mr. Dallas:** Mr. Speaker, I rise to introduce Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011.

The Alberta Investment Management Corporation, or AIMCo, is responsible for managing nearly \$70 billion in investments for the government of Alberta, including the Alberta heritage savings trust fund and public-sector pension funds. This bill will clarify the government's ownership structure of the corporation to remove any ambiguity. Language around directors' conflicts of interest will also be updated to match industry standards. We're also adding an amendment to make it clear that AIMCo must act in the best interests of its clients when delivering their investment management services. The changes within Bill 12 will allow AIMCo to continue to operate effectively while managing the province's substantial assets on behalf of all Albertans.

Thank you, Mr. Speaker.

[Motion carried; Bill 12 read a first time]

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

**Mr. Renner:** Thank you, Mr. Speaker. I move that Bill 12 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Children and Youth Services.

**Mrs. Fritz:** Thank you. I'm pleased to rise today to table the appropriate number of copies of the Alberta's Promise 2010 annual report. It highlights some of the success stories from the more than 1,200 partnerships Alberta's Promise has helped to develop. Since 2003 Alberta's Promise partners have made investments worth more than \$325 million to help create a brighter future for all children and youth in Alberta. For that, I would like to say thank you. To let you know, Mr. Speaker, the annual report is also available online at [www.albertaspromise.org](http://www.albertaspromise.org).

Thank you.

**The Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. In support of and in anticipation of the discussion on Motion 502 this afternoon I am tabling an item bearing warning labels. They read as follows:

GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems.

I would also like to thank my colleague the hon. Minister of Housing and Urban Affairs for his assistance in providing this empty bottle bearing this label.

**The Speaker:** No. Take it home.

**Mr. Amery:** Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling e-mails from the following individuals, who are concerned that the Castle will be turned into the clear-cut of Cataract Creek. They come from Dan Fredrick, Jamieson Lamb, Christina Kozak, David J. Brown, Barry Geates, Taku Hokoyama, Rob Befus, Patricia Jacobson, Carolyn Waddle, Wendy Ryan, Ken Johnson, Scott Stanway, Eric Stutzman, Penny Coates, Oliver Kent, Colin Ferguson, Jill Bhar, Dale Kirschenman, Rosemary Partridge, Irwin Barrett, Harriet Allen, Susan Como, Marie-Josée Yelle, M. Tincherr, and Mike Buxton.

Thank you, Mr. Speaker.

2:50

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. Two tablings today. The first is an e-mail from my constituent Paul Shamchuk, who is a teacher and is quite concerned about what he is hearing about the negotiations between the government, the ATA, and the ASBA concerning things around wage freeze limits on instructional time, the description of duties of teachers, the roles of principals and superintendents and is quite concerned that he can't seem to get clear answers.

My second tabling is from Benjamin Pond, who I believe is also a constituent and is concerned about the cancellation of the avion-

ics engineering technology program at NAIT. He was hoping to be able to complete his studies and move overseas to work with an organization doing medical relief work, but since the program is somewhat uncertain, he's very concerned about that.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. In addition to my other tablings today, I would like to table this very personal and tragic story posted on my website blog. It's about a good Albertan who unnecessarily suffered and prematurely died of lung cancer in 2005 during the period questioned. It's from his wife.

Thank you.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of postcards signed by 560 Albertans calling for greater public funding for child care. In particular, these postcards focus on the need to dedicate funding to high-quality and affordable child care, something which is sorely missing in this province. These postcards were collected as part of a campaign by the Alberta union of public employees.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of Dr. Sherman, hon. Member for Edmonton-Meadowlark, 33 e-mail messages from Dr. Sherman, hon. Member for Edmonton-Meadowlark, and several with senders' names removed, to Dr. Sherman; hon. Mr. Stelmach, the Premier; hon. Mr. Hancock, Minister of Education; hon. Mr. Liepert, Minister of Energy; Mr. Horne, hon. Member for Edmonton-Rutherford; individuals from Capital health authority, Alberta Health Services, former health regions, Paddy Meade, Spence Nichol, and several with recipients' names removed, all regarding compromised care in emergency, urgent and acute-care centres, several with an attached document entitled Sub-optimal Encounters Due to ED/System Overcrowding, one e-mail message regarding report confidentiality, and one e-mail message requesting a meeting with the hon. Mr. Hancock.

Report dated January 1, 2010, entitled Code of Conduct, prepared by Alberta Health Services.

Letter dated September 10, 2006, from Raj Sherman, MD, president, section of emergency medicine, Alberta Medical Association, to hon. Ms Evans, Minister of Health and Wellness, regarding emergency department overcrowding.

E-mail message dated November 10, 2008, from Raj Sherman, MD, to hon. Mr. Liepert, Minister of Health and Wellness; Mr. Horne, hon. Member for Edmonton-Rutherford; Mr. Vandermeer, hon. Member for Edmonton-Beverly-Clareview; and C. Robb, attaching an e-mail dated November 7, 2008, from Paul Parks, University of Alberta hospital, both regarding emergency department care.

Letter dated February 23, 2008, from Ed Stelmach, leader of the PC Association of Alberta, to Dr. Peter Kwan, president, section of emergency medicine of the Alberta Medical Association, regarding emergency health service standards.

Two e-mail messages, the first dated February 22, 2008, and the second dated July 3, 2008, both from Dr. Paul Parks, emergency medicine, University of Alberta hospital, to hon. Mr. Hancock, Minister of Health and Wellness, and hon. Mr. Liepert, Minister

of Health and Wellness, regarding overcrowding in hospital emergency departments.

Journal of American Physicians and Surgeons article dated fall 2004 entitled Editorial: Abuse of the "Disruptive Physician" Clause.

Report dated April 15, 2010, entitled Disruptive Behaviour prepared by the College of Physicians and Surgeons of Alberta Physician Health Monitoring Committee.

Document dated April 2010 entitled CPSA Code of Conduct.

### Orders of the Day

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

##### Bill 202

#### Legislative Assembly (Transition Allowance) Amendment Act, 2011

**The Speaker:** Hon. members, before I call on the hon. Member for Airdrie-Chestermere, it's 10 minutes speaking time. There is no Standing Order 29(2)(a). The first three speakers recognized will be the hon. Member for Airdrie-Chestermere, then the hon. Member for Edmonton-Centre, then the hon. Member for West Yellowhead. To this point in time I have 14 members who have indicated their interest.

Proceed, please.

**Mr. Anderson:** Thank you, Mr. Speaker. It's an honour to stand in this Assembly and move second reading of Bill 202, the Legislative Assembly (Transition Allowance) Amendment Act, 2011.

Mr. Speaker, before speaking to what this bill is about, I'd like to first speak to what it is not about. This bill is not meant to be any kind of attack on the integrity or worth of members in this House. Despite my often serious disagreements over policy issues with different members of this Legislature, especially those across the way, I have the highest respect for anyone who is willing to sacrifice years of their life to serve the public. I know how hard everyone in this House works. I know the financial sacrifices many of us have made to do this work. I know that it's often a thankless job. I know that we are often unjustly accused and that expectations on our time are often impossible to fulfill, and then the time that we do commit is generally unrecognized or grossly understated. I know that the time away from loved ones is an ongoing painful sacrifice and a constant balancing act.

My purpose in this bill is not to criticize or undervalue the members of this House, their service, or their worth to this province. My purpose is to do the opposite. The purpose of this bill, in part, is to help restore the reputation of this House and its members, which has, whether we care to admit it or not, been tarnished by the perception, and much of it is justified, that provincial politicians are filling their pockets with cash while our province is mired in the worst string of deficits in recent history.

A 34 per cent increase to cabinet salaries behind closed doors only worsened what was already a disdain for politicians setting their own generous salaries and benefits. This is seen after every election cycle as retiring MLAs walk away with severance packages that look more like a winning lottery ticket than severance packages to the average Albertan. And every time it happens, Albertans shake their heads in collective disgust and disappointment. Talk to anyone outside the walls of this Legislature about these salary hikes and severances, and they will roll their eyes and they'll sigh loudly and they'll have a look of unsurprised but still very serious disappointment.

My fellow members, we need to do better than this. We need to set an example of integrity and frugality and fairness. When Albertans look at us, they need to have confidence stemming from our actions and not just our rhetoric that we perceive ourselves as the servants of the people of this province rather than politicians who feel that the people of Alberta are there to financially serve us. Albertans are craving this kind of leadership. They want to believe the best about the intentions, the integrity, and desires of those serving in this House, their leaders, but we need to give them a reason for feeling thus.

Bill 202 is by no means a silver bullet in strengthening public confidence in this Legislature or in its members, but it is a start, and it's a large one at that. Bill 202 is simple and straightforward. It would lower the formula for MLA transition allowances by two-thirds on a go-forward basis. This means that on the day this bill is passed, if passed, MLAs will earn one month of salary for every one year served up to a maximum of 12 months' salary for 12 years of service. All severance earned by MLAs under the current formula of three months for every year served will be respected and paid out upon the retirement of a currently serving member of this Legislature, but the new, more modest formula would apply for any time served by an MLA after the passage of this bill until the time they retire or are replaced by voters.

The amount of one month for every year served to a maximum of 12 months is much more in line with private sector severance packages as seen in case law. It is still on the generous side, in my opinion, but it is within reason. It is within the ballpark, as they say. It will give a departing MLA some funds to live on while they transition to a new job, if they so choose. This is what transition and severance packages are for. They are meant to help newly out-of-work former employees pay the bills while they find another job or secure another source of income. They are not meant, nor should they be, to act as a generous pension fund or, even worse, a winning lottery ticket.

3:00

I will not recite the large amounts of severance due to members of this House upon their retirement nor the circumstances surrounding the passing of the current severance formula. This would be counterproductive at this point. I'm here to look forward to the future. 2011 is not 2001. We live in a different time with much different challenges. The world's economic future and, most unsettling, the economic future of our greatest economic ally, the United States, is entirely unsure. Although our provincial and national economies have been sheltered from the worst of the world economic downturn due to our vast natural resources, we have not been entirely immune, obviously. The days of \$7 billion surpluses have been replaced with \$7 billion cash shortfalls due to exasperating overspending and a slowdown in provincial revenue growth.

The two most recent record deficits of Budget 2010 and, as announced last week, Budget 2011 will result in almost the entire depletion of our province's savings fund. We must correct our financial course, and we must do so soon, or we shall risk a return to annual debt financing, tax increases, or steep cuts to core social programs. We run the risk of squandering our province's highest income-earning years because we were unable to restrain ourselves from overgoring on all-you-can-eat spending buffets rather than prudently planning and saving for our and our children's uncertain economic futures.

Will Bill 202 balance the budget? No, it won't, not by a long shot by any means. But it will change the tone. It will show leadership. It will show a willingness by the leadership of this

province to cut back on that which is unnecessarily generous. It is an opportunity to lead by example.

How can we expect our hard-working public servants in Health, Education, as well as others to agree to have their salaries indexed to the cost of living, for example, or roughly 2 to 3 per cent per year, when MLAs have their salaries indexed to the average weekly wage index, which is constantly more generous and, even worse, raise their salaries 34 per cent behind closed doors? It's not fair to ask anybody to cut back in the public service if we're unwilling to show an example ourselves.

So it is with all benefits. Why should the public service lower their hopes for more lucrative and expensive benefits packages when MLAs are walking away with severance packages in the high six or even seven figures? The answer is that we as a government and as a House have no right to ask them to moderate their expectations until we have shown by our actions that we are willing to moderate our own. Perhaps the abhorrent severance packages paid out by this government to individuals such as Dr. Duckett and Jack Davis or Paddy Meade and many others are products of the poor example that we have set.

My fellow members, we are the elected representatives of the people of our great and unique communities, the face of our great province. We must act like it. We must act above all reproach.

When I was first elected, one of my favourite MLAs, one of the greatest gentlemen and statesmen of this Assembly, the hon. Member for Calgary-Nose Hill, gave me this short poem, which I would like to share. The author was a man named Andrew Oliver, who lived from 1706 to 1774 and was a British Loyalist in America during the lead-up to the American Revolution. His poem was entitled Politics. It reads thus:

Politics is the most hazardous of all professions. There is not another in which a man can hope to do so much good to his fellow creatures, neither is there any in which by a mere loss of nerve he may do such widespread harm; nor is there another in which he may so easily lose his . . . soul, nor is there another in which a positive and strict veracity is so difficult. But danger is the inseparable companion of honour. With all the temptations and degradations that beset it, politics is still the noblest career any man [or woman] can choose.

May we in this House live up to this idealism. May we help restore the nobility of our profession in the eyes of Albertans. Passing Bill 202 will work slowly towards this goal, and I ask every member of this House to support it.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for West Yellowhead, then Calgary-Buffalo, then the Minister of Housing and Urban Affairs, then Calgary-Fish Creek.

**Ms Blakeman:** Thanks very much, Mr. Speaker. One of the things I always enjoy about debating private members' bills is that in the Official Opposition caucus these are free votes, so I'm looking forward to hearing my colleagues' points of view on this because I know that in at least one case they don't agree with me. But here we go.

In reacting to the ideas that are put forward in Bill 202, sponsored by the Member for Airdrie-Chestermere, he's right. We are dealing with public perception of what we do. He's also right in that the source of our biggest public perception problems these days is us, when we stand up in this House or in debate and we talk about how others are challenged with veracity and are lying low and are snake oil salesmen and all of the other trivialization that happens when we speak one to each other in this House. When I ask a question, I'm regularly greeted by the front bench

members standing up, and first they demean me, and then they trivialize the subject that I've raised. It's pretty common stuff. The biggest creators of this problem is ourselves.

As well, hon. member, this is an easy target. It's a popular one with the public, who don't really understand what we do, and it's very easy to find anyone who thinks that a politician is overpaid.

One of the things that isn't well known is that after 40 years of one-political-party rule in Alberta there isn't a lot of experience in what happens to people that serve in the opposition benches, and I'm going to spend my time talking about that. Indeed, the hon. member and his party has had some small experience in things like trying to get funding for your caucus, and that's more complicated than you anticipated, no doubt. In fact, I bet you were a little surprised to find out you were going to have to fight for funding for your caucus just so you could go to work every day and have enough staff to type up a letter or help you write a question. But that is what happens in this province, so we have to deal with it.

I will tell you that the issue of resettlement allowances, or transition allowances, for MLAs in opposition who lose their seat, resign, or die in public office is a very different experience than, I'm sure, what happens on the government side. For starters, in my experience – and I'll be specific to what I'm aware of – there's no soft landing for someone in the Official Opposition. I cannot see government ever appointing this gal to an agency, board, or commission that carries a salary with it. I just don't think that's going to happen. I don't think you're going to see me as head of the northern Alberta development committee or any of those kinds of things. That just doesn't happen to members of the opposition, but there are lots of examples you can find where previous members on the government side, indeed, were placed in those positions. I can't see a lobbying firm that's going to be seeking me out to work for them because of the instant access that I have to my former colleagues and buddies in the government cabinet. That's not going to happen for a member of the opposition either.

I can tell you that with three exceptions all of my colleagues that I have worked with and who are no longer in the opposition benches for one reason or another took at least two years to find a replacement job that paid a reasonable salary. At least two years to find another job with a reasonable salary. Not a big salary, not a wonderful job; just a replacement for what they were earning as an opposition bench MLA. The three exceptions were members I've served with who were teachers, who, in fact, had their full teacher's pension; the small business owners and entrepreneurs, who had an entrepreneurial position they could move back into like real estate; and three of my colleagues who went into municipal politics. Two years to find another reasonable-paying job. So the idea that you're going to get one year of a transition allowance: not sure what you're supposed to do for the second year.

The last opposition member on this side who qualified for the pension that the previous Premier stopped in 1993 was Grant Mitchell, now Senator Mitchell, who was elected in 1986 and retired in '98. He had to totally retrain. He took his settlement allowance and totally retrained into a different career in order to have a job to continue on with because he was in his mid-50s when he left the Legislature.

3:10

I believe strongly that the Legislature should be a mirror of the public. It should be a mirror of the people that we represent. So I am delighted when I can look around and I can see police officers and people who were nurses or long-term care geriatric staff, who were farmers and real estate agents and pharmacists and lawyers. A wide, wide range of the public. I'll tell you, I come from the not-for-profit sector. Not that common coming into politics, I'll

give you, but it's very unlikely that when I leave politics or I'm not re-elected, I'm going to find another job in the sector that I came from. Probably the fault of the not-for-profit sector, who will self-censor and go: we can't possibly hire her because it would jeopardize any grant or contract that we might be getting from the government if we've got her on our payroll. And that may not be true, but they will believe that it will be true. It may well be true. I don't know.

As I said, I'm not going to get hired by a lobbyist. I'm not going to be appointed to a job with a salary that's a government appointment. So I'm going to have to go back to school because the degree that I had is not going to get me another job, and neither will I be able to move into a master's program with any kind of ease. I've already talked to people along the way, and it's been made pretty clear that I'm going to have to do at least a year's qualifying before I can get into a master's program. So I'm looking at three years of university, not earning any money but certainly spending it for tuition and for living, in order to be at a point where I as a member of the Official Opposition will likely get another reasonable job.

I'm not complaining. To be perfectly honest, the settlement amount that is offered now is a heck of a lot better than what was offered when I was first elected. I came in knowing that. So this is a much, much better deal, but the idea that is proposed by the member putting forward Bill 202 I don't think quite understands how difficult it can be to be a member of an opposition in a place with a government that's been in place for 40 years.

Well, times are volatile. Things could change. Things could change in the next election. In fact, I'm sure that members from the party that the member represents are counting on the fact that his folks are going to be sitting on the other side next time. Fair enough. But does that mean that there will still be an understanding? When you travel and talk to other politicians, governments change. People end up on both sides of the aisles. They have a good idea of what it's like to be in opposition and be in government. If you've been around for 10 or 15 years, you very likely would have served on both sides of the House. So there's a much clearer understanding of the limitations that exist on both sides.

The other small thing that I'm always aware of is that the resettlement is based on the best three years of earning. Now, here government members consistently earn more than opposition members because they are paid, for example, for sitting on cabinet policy committees or to chair various things like the Seniors Advisory Council. So even though I may have been considered a private member right along with one of the government backbenchers, they will consistently have outearned me or been paid more than I have been paid. That, of course, is included in the calculation when you look at the resettlement allowance. If they consistently made that \$20,000 or \$30,000 or \$40,000 a year more than any member in the opposition, when you base the resettlement on it, they're going to be getting more resettlement allowance based on that as well.

So there is a real inequity here and a misunderstanding about that. I appreciate the opportunity to put it on the record. I bet most people are not aware of it. I will soon be celebrating my 14th anniversary as an elected member in this House, moving into my 15th year, so I'm able to bring you a bit of an historical vignette if you will. Thank you for the opportunity to put that information on the record. I do think we need to do something, but it's about an independent commission.

**The Speaker:** The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-*Buffalo*.

**Mr. Campbell:** Thank you, Mr. Speaker. I'm rising today to speak to Bill 202, the Legislative Assembly (Transition Allowance) Amendment Act, 2011, brought forward by the Member for Airdrie-Chestermere. This bill would amend the Legislative Assembly Act. It would abolish the transition allowance that members currently receive upon leaving office. As it stands right now, when members leave office, they receive three months' salary for each year as an MLA in the name of the transition allowance. Under Bill 202 members would instead receive a retirement allowance, which would be worth no more than one month's pay for each year served.

Mr. Speaker, I think MLA compensation is, of course, an important topic to discuss, and our compensation should be in line with public expectations and the demands placed upon us. However, it is important to look at the issue of MLA compensation in its totality rather than looking at one part of it.

I'd like to read a few paragraphs from the report of the Independent Commission to Review MLA Compensation from British Columbia in 2007, which was the last province to look at their compensation package. It states:

Few positions are more important to our status as a free and democratic society than those of our elected representatives. Our MLAs collectively make laws that affect the lives of the 4.31 million residents of the province, which is now the third largest in Canada.

This is of course talking about British Columbia.

Their position has become more challenging in recent years as the complexity of social, economic and environmental issues continues to increase.

Our MLAs are expected to exercise judgement and make decisions that involve millions of dollars and affect the immediate quality of life of individuals, as well as the long-term success of the province overall. No other group in our province has such a significant impact on our lives. Unfortunately, few members of the public fully understand the responsibilities and burdens shouldered by MLAs collectively or individually.

As citizens, we expect our MLAs to be available to handle a host of issues from the minor and personal to the strategic and global. We demand that decisions be made for the benefit of our families, neighbourhoods and businesses, often without remembering that there are few issues where others see the result in exactly the same light as we do. Like legislators elsewhere, our MLAs must continually balance competing interests and regularly face issues where they know that no resolution will satisfy all interested parties.

Members live their lives under constant public scrutiny, to which their families are also often subjected. The concept of a private life or a "normal" family environment disappears the moment an MLA is elected. There is no job security and often few job prospects and little thanks when the position comes to an end. One may ask why anyone would voluntarily subject themselves to such a working environment. The reality is that very few MLAs themselves understand the demands of the position, the significance of their responsibilities, the impact of their decisions and the intensity of the media attention until they are elected.

Mr. Speaker, because of its singular focus on one aspect of MLA compensation I believe that Bill 202 is an incomplete piece of legislation which misses the big picture. After all, the transition allowance is only a part of the compensation we receive as MLAs. We also receive expense allowances and stipends for serving on certain committees, and of course we also receive a base salary. Looking at the transition allowance in isolation without looking at the remainder of our compensation package does not really address the important question of whether or not MLA compensation is fair.

This is because the Member for Airdrie-Chestermere simplifies the conversation about MLA pay by proposing this legislation.

Of course, as all members of this House surely know, we do not have a pension plan to which we contribute, and this differentiates us from every other provincial Legislature. Therefore, comparisons between our compensation and that of elected officials in other jurisdictions are not always easy to make given that slight differences in pension rules or allowances can make a large difference in total compensation. Furthermore, our lack of pension differentiates us from other public servants in our province.

Mr. Speaker, I'd also like to comment from the Independent Commission to Review MLA Compensation on pension arrangements, and this is MLA benefits, one of the recommendations that was accepted:

We recommend the termination of the Group RRSP and the re-instatement of a defined benefit plan. The plan will be effective from April 1, 2007 and contain the following key provisions:

- A benefit accrual rate of 3.5% of the highest three-year average earnings (with the benefit calculated separately on the member's basic salary and on any additional salary earned), to a maximum of 70% of the three-year average earnings.

When you cost this out, this is a tremendous package, which is a lot more expensive than the package we have now.

Of course, as all members of this House surely know, we do not have a pension plan to which we contribute, and this differentiates us from other provincial Legislatures. The reality is that pensions are important as they provide financial security through the duration of retirement for many individuals. The lack of a pension is a drawback in our compensation structure as it increases the uncertainty members face upon re-entering the workforce or retiring. To be clear, I'm not advocating a renewal of MLA pensions, but I think that talking about a transition allowance without giving serious consideration to the fact that we do not have pensions is an important omission on his behalf.

Another point I'd like to make, Mr. Speaker, is that I believe that this legislation sets a precedent going forward for MLA compensation that we may not want to establish. I don't think it's appropriate to simply legislate limits on one part of an MLA compensation package while ignoring the rest of it. I am saying that we should not simply have legislation for every rule we wish we could make regarding MLA compensation.

3:20

Mr. Speaker, I think also, in looking at the report from British Columbia, there are a number of observations. The commission did a phone survey of 601 B.C. adults.

- BC residents express a limited knowledge of the number of MLAs. On the question of "How many MLAs do you think are in the BC Legislature?" answers ranged from 1 to 500, with the average being 64 (median 55), but only 1.2% had the correct answer of 79.
- B.C. residents believe that MLAs work on average only 38 hours a week, and 196 days out of the year (equivalent to 5 days a week with 13 weeks off for holidays).
- When it comes to compensation, 51.9% think MLA salary is about right, with 34.8% believing it's too high and 15.1% thinking it's too low. However, few of the respondents knew how much MLAs earn, with only 20% coming within 10% of the real salary. The mean perceived average salary was \$195,824, with 39% overestimating the annual base salary.

Mr. Speaker, it's interesting that over half of the MLAs responded to the survey. It's also interesting that the majority of



respondents were married, with a university degree, typically in middle age, 45 to 60, and few had children still living at home.

The average length of service was also interesting, only 6.72 years.

- The MLAs uniformly reported working long hours, averaging 70 hours a week when the House is sitting, and 62 hours when not – the more rural the constituency, the shorter the work week,

which I find interesting because I find in my position that the farther away we are from the Legislature, the longer our days are.

- A typical day in the life of an MLA is a very busy one. On any given day of the week, an MLA receives 77 incoming emails, 17 incoming calls, 13 phone interactions and attends 7 meetings.

Mr. Speaker, I can only imagine a successful company asking for a review of an executive pension one month, then executive allowances another month, and then executive bonuses yet another month. It would be an inefficient process to look at compensation one piece at a time, yet this legislation would set a precedent for MLA compensation being set piecemeal rather than all at once. Of course, if a piecemeal approach to setting MLA compensation is used rather than a holistic approach, an inefficient overall package is the likely result.

Mr. Speaker, the reality is that MLA compensation is an important subject. We all know that. There's no doubt that we should be open and transparent about our compensation so that Albertans could judge for themselves whether or not the pay is justified. But to change our compensation package one stage at a time rather than doing it all at once is not the best way of doing things. These one-off ideas are an inefficient means of restructuring MLA pay and in the long run are costly to the taxpayers. Right now the Members' Services Committee has in front of it the issue of MLA remuneration. I believe that's where it should be.

For those reasons I will not be supporting this piece of legislation. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Minister of Housing and Urban Affairs, followed by the hon. Member for Calgary-Fish Creek, and then the hon. Member for Leduc-Beaumont-Devon.

**Mr. Hehr:** Well, thank you, Mr. Speaker, for giving me an opportunity to speak to this bill being brought forward by the hon. Member for Airdrie-Chestermere. I believe the subject of our MLA transition allowance on the narrow point and, more importantly, MLA compensation to the larger extent are very important for us to discuss here, important not only to us here who work in this environment but to the taxpayers of Alberta. We have to walk the fine line here of not only representing what is best value for the constituents but also looking at ways where we can attract decent people to the profession. Those are awfully difficult things to balance.

[Mr. Mitzel in the chair]

This is a politically sensitive issue, how much we make, and rightfully it should be. Yet, again, we do want people from all stripes, from any profession to be willing to consider serving as either a member of government or a member of opposition and not really look at the pay, to realize that they are going to be recompensed for the time they spend in this Legislature, to commit four, eight, 12 years of their life to this and realize that they're going to get a reasonable salary but that it may have some repercussions on other things they want to do in their lives. That's a decision that we all must make.

To that end, if you look at this, in my view, it would be better, like the hon. Member for West Yellowhead just said, to look at this in its totality. I believe that has been the position of the Alberta Liberals for some time. You will remember when job number one of this government, I believe, was to put through pay raises not only for rank-and-file MLAs but for cabinet ministers and the like. That was the first thing we did as a Legislature. That, in my view, was a piecemeal exercise. We didn't look at the compensation of retirement packages at that time. It may have been done with a view to attracting decent and honourable people to the profession, but it still was done piecemeal.

I don't believe I supported it being done then, and to be consistent, I probably will not be supporting this bill as a result of this not being done within that total compensation realm.

On that note, if you look at a three-month transition period, it does seem somewhat large when you compare it to a regular package out there in private industry. Now, there could be reasons for that. One reason is because we leave professions in the middle of our careers, and we have to then go back and start over again. I understand that. But to try and debate those in a one-off session, where we're looking at different moving pieces of the puzzle, I believe would not be supportive to the larger issue.

I believe that the situation that we are faced with now should go ahead to our Members' Services Committee. We should commend the hon. Member for Lethbridge-East, who brought this forward I believe approximately a year ago at this time, to look at MLA pay and to have an independent committee come back and set a reasonable benchmark, where we can go ahead and have an independent committee set that pay and be proud of the fact that an independent committee came up with a reasonable pay.

I'm not one who comes in here and says that we're overpaid. In fact, I make the argument all the time that I want my politicians to be reasonably paid. I want them to come in here with an ability to take a wage to do their best service. At the same time, you have to be able to look your taxpayer in the eye that you're giving them value for judgment. In my view, we should look at this as a total compensation package and go forward and do it but to two ends, attracting people from all walks of life to come into government service and with the same view of being able to then balance that off against public perception. In my view, that is best done through the auspices of Motion 501, not through Bill 202.

That said, I would like to commend the hon. member for bringing this forward, for keeping the pressure on the government, for trying to look at MLA pay in a total fashion. What happened back in 2008, when we were elected: job number one of this government was to ram through some pay increases. I was quite surprised at that. I believe that one of the reasons the hon. member continues to bring this up at this time is to continue to have the government move forward on Motion 501. I know that they've stated in this House that they will, but with a new administration coming in, whoever that may be, we wish to keep this topic front and centre, and hopefully this can be worked out in future sessions of this Legislature in an open, honest, and transparent fashion that will serve all Albertans.

Thank you very much, Mr. Speaker. I appreciate the opportunity to be able to speak to this bill, Bill 202.

3:30

**The Acting Speaker:** The hon. Minister of Housing and Urban Affairs, followed by the hon. Member for Calgary-Fish Creek.

**Mr. Denis:** Thank you very much, Mr. Speaker. A lot of good comments, I think, from all the previous members who have spoken about this particular bill, Bill 202. I want to acknowledge first

that MLA compensation is a sensitive issue, and it has to be perceived as fair in the public eye but also fair to all members, so there's a balance that you need to actually achieve. Our salaries, like everything else in the public sector, are paid, of course, with taxpayers' dollars. The money just doesn't appear magically out of somewhere; it comes out of someone's hard-earned tax dollars. That's something that we also have to respect in dealing with any compensation, not just our own, in the public sector.

In proposing this bill, the hon. Member for Airdrie-Chestermere talked to several media outlets about this. You know, I think it's important that we do have this particular debate, but in order to have a productive debate, we have to be a little more specific, Mr. Speaker. We must be sure to look at some comparables, and the Member for West Yellowhead, before me, has done that. I also think that we need to look across the entire country at what our MLAs and MPs are paid for. Most jurisdictions have a pension, which I'll deal with shortly. If one wants to compare member benefits from workers in the public or private sector, you have to be prepared to talk about total compensation. You have to weigh MLAs' duties against those of individuals with similar workloads, responsibilities, and job stability.

I have to agree with previous members, Mr. Speaker, that everybody here works long, hard hours and that it involves a significant amount of travel unless you're from the capital region. Even then, this is a job that does involve a lot of hours. We're here because we want to serve the public. That is what public service is about.

Dealing with compensation is not an impossible task by any means, but at the same time it's not as simplistic as this bill, in fact, would imply. Perhaps a starting point would be to compare ourselves with other Canadian jurisdictions. After all, the best comparison would be with other MLAs or the federal Parliament. So here are some facts, Mr. Speaker. First and foremost, I think it's important to note that a transition allowance is not a pension. As I've stated before in this House and outside of this House, I do not support MLA pensions of any kind. A transition allowance is a one-time payment whereas a pension is a longer term liability which gives the retiree some certainty during retirement.

Alberta differs from other provinces and, of course, the federal Parliament in that in many cases there is a pension in addition to a transition allowance, and of course this isn't the case in Alberta. I'll repeat this again, Mr. Speaker. Alberta MLAs are not entitled to a pension plan like their colleagues in other jurisdictions. In fact, it was the PC government, Ralph Klein, of 1993 who did away with pensions here once and for all, and I hope that these pensions never come back.

More specifically, most of our colleagues from other Canadian provinces receive what is known as a defined benefits pension plan – that's opposed to a defined contributions pension plan – meaning that the amount they receive for their pension is, in fact, fixed. This is in contrast with a defined contributions plan, which is what Ontario and Saskatchewan elected officials receive, where the amount received varies with the market.

Most jurisdictions, in fact, Mr. Speaker, allow an individual to collect a pension before they reach a set retirement age. Members receive their pension as long as they live, so the cost of a pension can be very significant for taxpayers.

I did a bit of a calculation here earlier, Mr. Speaker. I have a friend who is a Member of Parliament in an Ontario riding, and he laughed to me early last year that he passed the six-year mark. I started doing some calculations. With federal pensions you receive 3 per cent per every year you serve after you get to six years. So if you presume that they make about \$200,000, after he turns 55, if he quits today, he'll get \$36,000 a year. Presuming he lives until

85, that's \$720,000 whereas if he serves six years in this House, presuming that he'd make \$120,000, if he retired after that point, he'd receive \$180,000. Now, we know which one is obviously more expensive and why many people here don't support pensions, in fact why Premier Klein had the wisdom to go and do away with it in the first place.

On top of that, some of these provincial pensions are actually indexed. I found that Nova Scotia's pension is indexed to a portion of the rate of inflation every year, so they can be quite generous, Mr. Speaker.

I don't want to get into too many details, but pension benefits are calculated typically, again, by the amount of time the member has served, to a maximum of 15 years, multiplied by the MLA's highest three-year average salary. It's been noted upon leaving office that you do receive some inflationary increase. This typically gets to a full pension once you reach age 55, which is substantially lower than the CPP age of 65, or 60 if you take early CPP. This policy has led to several members across the country actually receiving pensions of close to a hundred thousand dollars a year, Mr. Speaker.

Other provinces are in similar situations. The bottom line is that MLAs in other jurisdictions receive a transition allowance and a pension plan, and the taxpayers will have to pay sometimes seven figures each year to keep up with pension payments for previous members of the particular Assembly or Parliament.

Another example is the Premier of British Columbia, who's going to be leaving office right away here. Upon leaving office, he's entitled to an annual pension estimated to be in the six figures, again, on top of a transition allowance. So this is very costly for taxpayers.

In other words, what we're seeing today, Mr. Speaker, though, is that the devil is in the details, and this gets to the point of why I cannot support this particular bill. The perception people have of politics and all politicians can be challenging to all parties, and we must be careful not to devalue the work done by this province's elected officials of any party. In other words, all angles must be examined, and the right balance must be struck through maintaining the status quo or otherwise. I submit to this House that this balance must be tailored to the reality of the province and to the particular Assembly. This bill itself is two pages, and with a bill of two pages I don't think we can have a comprehensive debate over total compensation.

The speaker before me, the hon. Member for Calgary-Buffalo, has shown strong support for his review of an MLA compensation package as proposed in the previous sitting of this Assembly by the hon. Member for Lethbridge-East. Motion 501 passed with strong support from both sides of the House. For the record I did vote for it. It's important that this committee that she talks about actually works through the process. We need a global review. I look to the clients whose contracts I would negotiate in my previous life. You wouldn't just simply reach an agreement on one clause in the contract and then move forward thinking that you're done. You'd reach a global agreement on all of these particular clauses, and that's what I think is most effective here as well.

Motion 501, as I mentioned, states:

Be it resolved that the Legislative Assembly urge the government [of Alberta] to establish an independent commission to review the current salaries and benefits for Members of the Legislative Assembly and to report to the government and this Assembly on whether the current overall remuneration for [all] members is fair and adequate.

The Member for West Yellowhead has made a lot of good comments, and I trust his background in labour negotiations is very helpful here. I would have to agree with a lot of what he says

because, in fact, Mr. Speaker, Bill 202 as it stands today, I would submit to this House, is poor public policy as it runs against the decision made by members of this Assembly for, in fact, a comprehensive review, which is exactly what we should be doing and what all members of all parties should actually be co-operating with instead of not submitting their committee members as discussed in a September 17 meeting.

Mr. Speaker, I'm saddened that this bill was brought forward when we all knew exactly what was going to be happening. I trust the intention is noble. I trust it's not just the desire to make oneself conspicuous. I trust it is to actually have an ongoing debate. I think that's, in fact, what we're having here.

This definitely isn't the place to debate compensation for MLAs. This is not the place. The proper place is the Members' Services Committee and not just on one particular basis, Mr. Speaker, but on a global and a comprehensive basis. That is what I support. Let's have the independent committee go through this all, and let's not deal with this one clause at a time in a two-page bill.

Thank you.

**The Acting Speaker:** Hon. members, before we continue, may we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Acting Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you, Mr. Speaker and to the Assembly, for giving me the opportunity to introduce to you and through you to members of the Assembly a person very special and important to me, my son, Jeremy Jablonski. Tomorrow, March 8, it will be 36 years ago that my husband, Bob, and I had a dream come true, when our son was born.

Today Jeremy is a very successful entrepreneur who is deeply involved with his community. He's the CEO of the Coverall Shop and Clearwater spa. He's the chairman of the Red Deer College athletics leadership fund, the past chair of the RDC Alumni Association. He's a member of the Red Deer College Foundation board, a member of the Central Alberta Economic Partnership, of the Red Deer College fund development advisory committee, and he's past co-chair, for the years 2009-2010, of the central Alberta Premier's dinner. He's a member of the Red Deer-North PC Association, and he's the father of two beautiful and brilliant little girls, Camryn and Morgan Jablonski.

I would ask my son, Jeremy Jablonski, to stand and receive the traditional warm welcome of the House.

### 3:40 Public Bills and Orders Other than Government Bills and Orders Second Reading

#### Bill 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (continued)

**The Acting Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Leduc-Beaumont-Devon.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. A proud mom and grandma, obviously.

Mr. Speaker, I'm pleased to speak to Bill 202, the Legislative Assembly (Transition Allowance) Amendment Act, 2011, put forward by my caucus colleague the Member for Airdrie-Chestermere. In times of financial deficits Albertans are expecting changes from the top. This bill, I believe, satisfies some of those demands. As a result of this bill, elected officials will receive one month's salary for every year of service up to 12 months' salary as they transition into private life. This seems fair to me. It strikes a balance that Albertans can appreciate. There should be a level of support for elected officials as they move back to private employment. It shouldn't be a million-dollar golden parachute but enough to help them land on their feet.

Mr. Speaker, when I first ran for office, I knocked on doors to meet the constituents of Calgary-Fish Creek, and they were truly upset at what were overly generous pensions for their elected representatives. Albertans wanted public servants to be treated with respect, but the situation in the past seemed fundamentally wrong. In the early '90s we as a province and country were struggling. Unemployment was high, economic growth was sluggish, and governments across the country were running deficits and adding debt. To see elected officials collecting generous pensions did not ring true with Albertans. The greatest leaders set an example for others. The Premier at the time, Ralph Klein, made the right decision when he made changes to the pension plan for MLAs. What should have been a benefit for public service was in reality a luxury parachute with lots of goodies. Albertans couldn't expect this for themselves; why should they for their elected representatives?

The elimination of the pension package didn't deter quality candidates from stepping forward. The class of '93 was one of the best Alberta had ever seen. It tackled deficit spending and debt accumulation and led the way as Canada turned its fiscal ship around. It made tough decisions that others had avoided. Alberta walked the talk, and it showed real leadership and great sacrifice to leave a better future for our children. Great leaders, Mr. Speaker, are never complacent. They never say: good enough. They consistently try to leave the world a better place. I'm proud of the earlier years, and so are Albertans.

As I talk to my constituents, I'm starting to feel a sense of déjà vu; I have a familiar feeling. We are living through record deficits in this province, the highest we've ever had. We have a government that cannot control its spending. The average Albertan doesn't feel like their leaders are listening. They don't feel that they are part and parcel of what Alberta should be.

It's hard for Albertans to believe that we're right back where we started. The sacrifices made by all during the '90s now seem like a dream. We're about to run our fourth straight deficit. In no time at all our sustainability fund will be empty; the piggybank will be nothing but a paperweight. It seems strange that the government has no memory of where we came from. We're right back where we started, Mr. Speaker.

When the going gets tough, the tough get going. Alberta is the success it is because we endure. We shoulder our burdens and keep driving forward. It's time for elected members to once again lead the way with sacrifice. We're all in this together. Some civil servants have had their pay frozen for years; other positions have not been filled. We're asking more of everyone. Now it's time for MLAs to give a little. To Albertans this government has taken too much and for too long. In 2008 the government gave itself a 34 per cent pay increase behind closed doors. After much public outrage there were some rollbacks, but to the Marthas and Henrys it wasn't enough to fix the broken trust. The Premier continues to be the highest paid in the country.

Not only was the pay increase bad policy; it sent the wrong message to Albertans, that politicians only care for themselves.

Quite frankly, Albertans have every right to that opinion. It's how it looks. Because the government is looking out for itself, we suggest that a sacrifice has to be made. Going forward, there are changes that must happen. For every year of service MLAs will receive a month's salary up to 12 months. This is reasonable to Albertans. It's balanced; it's a middle ground between all and nothing.

You know, Mr. Speaker, I'm the beneficiary of the current system. As I was elected in 1993 for the first time, it's the only system I've ever known. The only rules I've known are the rules that are in place right now. I've made my future plans based on the rules we have now, but that doesn't mean that I'm against change. I think it's time to move forward and show Albertans that we can lead again. That's why I'm standing up and supporting Bill 202.

Mr. Speaker, I'm proud to be an MLA. I've never shied away from the tough decisions; neither has the Member for Airdrie-Chestermere. He and I together made some difficult decisions to change parties. I was a proud member of the government for many years, but I lost faith. Albertans are losing faith in this government also. They had a faith that assured them that the elected representatives have the best interests of their constituents at heart, and that faith is wavering.

The Member for West Yellowhead talks about the whole package. It was his boss, the Premier of the province, that committed to establishing a committee to look at the salaries and the benefits, the whole package, after the motion from the hon. Member for Lethbridge-East passed in this House unanimously last year. The Premier gave his word at looking at it, and he has now broken his word.

Mr. Speaker, Albertans do not shy away from tough decisions. We take pride in making the toughest. It's time the politicians in this Assembly made a tough decision. It's time for us to show leadership. It's time to do what's right. In the '90s we led the way by balancing the budgets. We balanced our personal budgets, too. It's time again to make tough decisions. Albertans are ready to lead, and so am I.

Thank you.

**The Acting Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm pleased to rise today to share some thoughts and comments on Bill 202, forwarded by the Member for Airdrie-Chestermere. If passed, this bill would change the formula used to issue allowances to MLAs when they retire from political life and would stipulate that a member would be eligible to receive a transition allowance of no more than one month's pay for every year worked to a maximum of 12 months.

[The Speaker in the chair]

Mr. Speaker, this gives us a chance to talk about compensation and the role it plays in supporting our democracies. Perhaps the best way to explain this is to take a look at the history of parliamentary democracy. As we all know, our system of government evolved from the Westminster system practised in England. This system, in turn, came to be through a series of historical events too lengthy to mention here today, but what is worth mentioning is the pay structure of MPs at that time or, rather, the lack thereof.

For many years the elected representatives in our founding system were not paid for their service. Rather, they were expected to cover their expenses through their own financing. This meant that only the very wealthy could sit as a Member of Parliament. Not surprisingly, with a House comprised primarily of wealthy individuals, the issues of the wealthy always took precedence over

those of the poor or less fortunate. Paying elected representatives to serve has allowed people who might not otherwise have been able to have their voice heard run and serve in office. The talents required for good governance are not limited to the wealthy but, instead, are held by all those who earnestly wish to serve and improve the communities they call home. It stands to reason, Mr. Speaker, that these talents are all found in the members of this Assembly.

Mr. Speaker, after establishing the need for compensation, the question then becomes a matter of: well, how much? Compensation is intended to ensure that all people, regardless of personal wealth, can enter the political process. This means that the compensation figure set by government needs to reflect three key considerations: first, the cost of living in the province, county, or city; second, the cost of conducting business as elected members – what does the job entail? – and, finally, the cost of compensation for service or, in simpler terms, the amount of money a member should have left over for his or her own personal use.

Mr. Speaker, the first point, cost of living, is very subjective and can vary from jurisdiction to jurisdiction. One city or province may have a much higher or lower cost of living compared to another area. The second consideration is also very subjective and most notably so for rural representatives. Rural members often need to travel great distances to meet their constituents, and many require several constituency offices, and they also need to travel regularly, of course, to the capital city. These three points are all very relevant and should be taken into consideration whenever the issue of compensation is brought before this House.

While I agree with all these points, I feel, though, that a fourth point should be taken into account in this debate. That issue is, of course, competition, Mr. Speaker. Governments at all levels have to compete with other sectors of the economy to attract the brightest and the best. We are all looking for a few exceptional individuals who can successfully and effectively lead, be it in government, business, or the charitable sector. Compensation in government must be attractive enough so as not to detract individuals who are in the prime of their careers from seeking elected office. The individuals most suited to contribute to our governing process quite often find themselves having to decide whether or not to interrupt their careers during their most productive earning years.

3:50

Mr. Speaker, this is a major decision that affects not only the lives of these persons but the lives of their family members and their ability to adequately provide for their needs today and in their retirement. I'm intimately aware of this as I'm currently in my 19th year of public service, having been first elected to city council in Leduc at 34 years of age. I left a thriving business in 2004, when I was sworn in as an MLA, because I wanted to dedicate myself completely to serving my constituents.

Compensation in the Legislature can never completely replace opportunities lost in the private sector, but it should reflect a reality that the skill sets required to be an effective MLA should be reasonably compensated both while the member serves and provide some reasonable allowance to allow the member to transition back to private life.

Let's not forget that in our society today, Mr. Speaker – and it was raised by some of the other members earlier – it is not easy for anyone, male or female, to easily move into another career, particularly when they reach middle age. We should not have a situation where serving in this House is seen as a detriment to one's career or future. If this were to become the case, the people of Alberta would miss out on a great deal of talent.

Mr. Speaker, some years ago the pension plan was disbanded because it was viewed by the public as not appropriate or consistent with anything available in the private sector. I believe that the decision was short sighted as what was required was an appropriate revamp of the plan. In later years the transition allowance as we know it today was instituted. While this allowance is an easy target for criticism, experts in the pension industry believe that it is a much cheaper alternative for the taxpayer than a comparable pension.

It is never easy for elected officials to discuss compensation, and that is very evident in the history of this subject in this House. There have been numerous reviews conducted by private agencies or academia over the years, and the usual conclusion led to recommendations of very large increases relative to the talent level and the amount of effort required for the job. These recommendations have never been followed as they were all seen to be too rich. I expect the same result if another similar study were to be commissioned today.

Mr. Speaker, this matter is already the subject of a motion brought forward by the hon. Member for Lethbridge-East, and it is before the Members' Services Committee. I am very confident that a reasonable, comprehensive solution will be found through an all-party process and not a piecemeal solution as proposed by this hon. member.

Mr. Speaker, I will not be supporting this bill. I encourage all parties represented in this Assembly to provide positive input to the committee, as proposed in the motion by the hon. Member for Lethbridge-East.

Thank you.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Strathcona.

**Mr. Chase:** Thank you very much, Mr. Speaker. A number of hon. members have made reference to Motion 501, first proposed by our hon. Member for Lethbridge-East. I believe that the solution lies in an independent committee as opposed to any type of influence from MLAs setting their own salaries. Whether it's the Members' Services Committee or one of the standing policy committees, I don't believe we should be setting our own salaries. We're servants of the public, and the public, through an independent committee, should determine our worth. Obviously, if people feel that that worth isn't sufficient, then they may not consider public office. But it's that independence that is absolutely key to the process.

Mr. Speaker, when I ran in 2001, I did not run for financial benefits. I can recall that when I was unsuccessful in my running in 2001 and when I was door-knocking again in 2004, an individual in Varsity Estates said: well, you were a teacher; I guess you're looking for a pay increase. I said at that time very honestly that I had no idea what the compensation was that MLAs received. That wasn't my focus. My focus was on trying to make up for the damage done to education and the cutbacks that began in 1993 and, as far as I'm concerned, have continued thereafter. I wanted to make a difference.

That said, Mr. Speaker, the salary I am currently in receipt of as an MLA is very close to twice the salary that I was making as a teacher when I retired from full-time teaching in 2004. I'm not going to compare the job I do now as a politician versus the job I did as a teacher. Both require considerable commitment. The hon. Member for Leduc-Beaumont-Devon talked about being in public service for I believe it was in the area of 22 years, possibly 25. As of this September I'll have been in public service for 40 years, and I am very proud of that public service.

I wanted to contribute to this debate, Mr. Speaker, though I have previously announced that I plan to retire when the next election is called. While I would not be very subject to this bill should it go forward, I can understand the reasoning behind it. As I said, I don't believe it's something that can be solved by either a bill or a motion in this Assembly. I think it has to be solved, as the hon. Member for Lethbridge-East pointed out, by the formation of an independent committee.

Unfortunately, that independent committee, which was proposed towards a year ago, has still not been established. I would encourage all members of this House to encourage the government members, in particular our Premier, to have that committee established as a legacy act. From here on in MLAs would be free of any accusations of interference with their salaries, whether it be raises, whether it be in the form of committee salary, whether it be in the day-to-day working. My feeling is that as MLAs if we're to do the job right, I would hope that we're worth the money that the public has paid us and entrusted us to perform the duties. But it's the public that should determine our salary, not ourselves.

Thank you very much.

**The Speaker:** Hon. members, I have an additional seven speakers. If we all go less than the 10 minutes, we'll get them all in.

The hon. Member for Strathcona, followed by the hon. Member for Fort McMurray-Wood Buffalo, then Strathmore-Brooks, then Lethbridge-East.

**Mr. Quest:** Thank you, Mr. Speaker. I'd also like to share some thoughts on Bill 202, the Legislative Assembly (Transition Allowance) Amendment Act, 2011, brought forward by the hon. Member for Airdrie-Chestermere. I'd like to thank the member for bringing forth this piece of legislation.

I'm sure all members of this House want their compensation to be appropriate. That being said, by focusing solely on transition allowances, I believe this bill misses the point. If the Member for Airdrie-Chestermere wished to engage in a discussion on the entirety of MLA compensation instead of only focusing on transition allowances, I think we'd have a more beneficial debate. Given that transition allowances are only part of the picture, I'm not convinced that we can definitively say whether or not they are too generous without looking at the other indemnities and allowances received.

Of course, the Member for Airdrie-Chestermere is part of the Members' Services Committee, and if he truly wants fair compensation for MLAs, he should bring these issues to Members' Services, where we can look at transition allowances while taking into account all of the other aspects of our compensation.

That being said, Mr. Speaker, I'd like to share some thoughts on this legislation. The fact is that when we discuss MLA compensation, we don't really have a lot to compare it to. Of course, we can compare it to the compensation received by members of the other provincial Legislatures and of the federal government. The total number of elected officials serving in this country today is less than 2,000.

4:00

That being said, looking at private-sector compensation structures could allow us to step back and view our compensation in a larger context. Of course, many private-sector executives are compensated very well, and part of the allure of working for some private corporations is the possibility of large compensation and benefits packages along with bonuses.

Mr. Speaker, I'm not suggesting that elected officials should be compensated like these executives, but I do think we can learn

from examining the structure of private-sector compensation agreements, which are generally carefully vetted to ensure that the pay is fair. All things considered, I think the concept of long-term value that's mentioned in the contract of many private-sector executives is applicable in our situation. As elected officials we're constantly working towards providing long-term value for taxpayer dollars. That's not to say that the private sector and the public sector should be treated the same when it comes to compensation, but I do believe that a comparison of the underlying structure is valid given the similarity of certain objectives.

Mr. Speaker, an interesting clause in the compensation structure of many large corporations is that severance pay is not always guaranteed. Should an executive do something unethical or irresponsible, there's often a mechanism by which that executive's severance pay can be avoided. I think that's another useful conversation that we could have if we were discussing compensation in its entirety.

I know that in Manitoba, for example, the transition allowance paid to a member is dependent on the manner in which they left office. For example, a member who leaves voluntarily prior to an election is not entitled to a transition allowance in most instances. Of course, there are exceptions if the leave is due to a medical reason or other circumstances. However, Manitoba and the rest of the provinces have a pension plan for MLAs, which can help them secure a reliable income after leaving office, which of course we do not have here in Alberta.

Mr. Speaker, I'm not suggesting that we establish a similar policy here in Alberta. I'm just making the point that MLA compensation is multifaceted, and there are many angles to be considered when contemplating changes. If we're going to look at the structure of our severance benefits, then perhaps we could have the discussion about policies like they have in Manitoba. Ultimately, I think a serious discussion on transition allowances also obliges us to look at the requirements of this transition allowance.

Just to go back over some of the comments that we've heard here this afternoon, the Member for Airdrie-Chestermere did talk about nobility. I just don't understand the connection between nobility and transition allowances, Mr. Speaker. Also, a reference to winning the lottery: I don't think that transition allowances really generally compare to any kind of lottery winnings. It's also an unfair comparison because it needs to be pointed out that these transition allowances are fully taxable, not like a lottery.

The Member for West Yellowhead mentioned that very few people do know what MLAs get paid, and I have to agree with that. Most people don't. I hear frequently, myself, about the big pension I'm going to collect after I leave here. There is no pension in this province. I've clarified that over and over.

The Member for Edmonton-Centre pointed out the wide variety of backgrounds that our members have, and we do. Looking around here, we have a forestry executive, a lawyer, real estate, another lawyer. We've got cattle ranchers.

**Mr. Groeneveld:** It's scary, isn't it?

**Mr. Quest:** It's quite frightening, yes, Member for Highwood.

It is a broad range, but I think that, in fairness, when you look at the total compensation that MLAs receive, and that's what we need to focus on, most of us – the Member for Calgary-Varsity pointed himself out as an exception – are being compensated on a range much lower than we were when we came here. A lot of us gave up very, very good careers to come here, and we may or may not be able to go back into those careers. If we do go back, we certainly will not be going back at the level we left them at.

Those are all things, I think, that we need to take into consideration before we consider even supporting this bill, so I will not be supporting this bill.

Just one comment also. I think the Member for Calgary-Fish Creek mentioned that our Premier is the highest paid in Canada. I doubt that very much when you take into account the fact that our Premier along with the rest of us will not receive a pension when he leaves here.

I think it's important that we have regular reviews of MLA compensation. I think that's critical to make sure that there's fairness there. But I think any and every time we look at it, we need to look at total compensation packages, not picking out bits and pieces.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Strathmore-Brooks, then the hon. Member for Lethbridge-East.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I rise today in support of Bill 202 because I believe that this is an important first step in reflecting today's economic reality. This is the same reality that Albertans are facing each and every day, and I believe Bill 202 is a reflection of leadership, leadership to go forward relative to the issue of what Albertans are facing today, our constituents, who are our bosses.

Over a year ago in this Assembly the Member for Lethbridge-East proposed relative to an independent committee, and I support the philosophy of an independent committee because I do believe, similarly to when I was mayor in Fort McMurray, that elected officials should not set their own salaries. However, as I reflect today, the bill that is put forward by the hon. Member for Airdrie-Chestermere, which I commend, is an important first step. At this point there has been nothing as concrete as this bill that has been brought forward, which I think, again, is an important first step to reflect the current economic reality that our bosses, the people of Alberta, are facing.

It was once said that the ultimate measure of a person's character is not where they stand in moments of comfort and convenience but, rather, where they stand in times of challenge and controversy. Well, today's economy should reflect that it is not a time of comfort and convenience; rather, it is a time of economic challenge. Therefore, I believe that today is a defining moment, and I commend the Member for Airdrie-Chestermere for recognizing, in terms of his consultation with Albertans based on what they are facing, that it should be reflected and mirrored in this very Assembly. So he chose to put forward this bill, which I one hundred and ten per cent support, and the reason why? It reflects the current economic reality of our bosses, our constituents. Nowhere does anyone receive what is presently in place. Consequently, I think somewhat in frustration because of nothing coming forward at this point, he has brought forward this Bill 202.

I think it's also equally important to recognize that today's economy should also mirror what is happening relative to the conditions that we have faced over the past period of time. It's hard for Albertans to believe that we're really right back where we started. The sacrifices made by all Albertans during the '90s now seem like a dream.

The government is about to run its fourth straight deficit. In no time at all our sustainability fund will be next to empty, and clearly, as you can see, the piggybank is going to be nothing more than a paperweight. It seems strange that the government has no memory of where we came from.

If I can reflect back on history just for a moment, I reflect back to the year 1993, when the then new leader and Premier – and a defining moment of that Premier was that he had to demonstrate to his bosses, the people of Alberta and members of the Progressive Conservative Party, that he was ready to lead. What did he do? He abolished pensions, and I believe that that decision, that political decision and the economic decision that that Premier made, Ralph Klein, back in 1993 was the correct decision in reflecting the pulse and the winds that were blowing in Alberta at that time. So here we are today, many years later, reflecting those same winds of change that are in the air.

I might add that during that time it came to a near defeat of the actual governing party of 25, almost 30 years, when Ralph Klein was almost defeated by the then leader of the Liberal Party, Laurence Decore, who was actually at the time considered more conservative than the Progressive Conservative leader. But the leader of the Progressive Conservatives did read the winds of change that were blowing.

I would strongly suggest to all members from all political parties: read and hear and feel the winds of change that Albertans are saying are blowing in Alberta. This Member for Airdrie-Chestermere, I believe, is reading those winds correctly. I believe he is demonstrating leadership, and he is taking an important first step.

4:10

The Member for West Yellowhead made reference to it being nothing more than a piecemeal bill, Bill 202. Nothing could be further from the truth because at least it is some form of action. This government had an opportunity over the last year to take action. They chose not to. In fact, they chose to increase behind closed doors the salary to its cabinet ministers almost 34 per cent. That is fundamentally wrong. It is fundamentally a total disconnect to the people of Alberta in terms of what they have been facing.

The Member for Airdrie-Chestermere has a young family, four beautiful boys and his lovely wife. Only one is in school. Believe me, he is more concerned about the future than what has gone on in the past.

I think there is a tremendous opportunity to demonstrate leadership, to take the first concrete piece of action. Government and this Legislature do not have to be behind. It can actually lead, and leadership in this case would be by supporting Bill 202. I would encourage all members to do that because this today is the same defining moment that was being faced by the then-leader, Ralph Klein, in 1993.

You can come up with excuses. You can come up with how many e-mails you receive in a day. By the way, some of the members, the government whip and the Member for West Yellowhead, used the example of receiving 70 e-mails. Well, welcome to the club of receiving over double that. So if he thinks that's work, come on and join the Wildrose. No. Thanks. Don't come and join the Wildrose. We'll allow Albertans to decide. That clearly will show you what real work is.

So, Mr. Speaker, I will say that I believe everyone comes here – the reference from the other side talks about all the hard work. This Wildrose Party is not interested in hard work. We're interested in smart work, which includes hard work, and it reflects the values of all Albertans.

As we go forward, Mr. Speaker, clearly, today is a defining moment. This Assembly has a unique opportunity to vote in support of Bill 202 from the Member Airdrie-Chestermere. I support this bill that is being proposed. I also support the motion that was put forward by the member from Lethbridge last year,

but no action was taken. This is concrete action in a defining moment, and history will judge how you vote today. Do the right thing and reflect the values of Albertans by supporting this bill today, Bill 202.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by the hon. Member for Lethbridge-East, followed by the hon. Minister of Seniors and Community Supports, followed by the hon. Member for Calgary-Glenmore.

**Mr. Doerksen:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Bill 202, the Legislative Assembly (Transition Allowance) Amendment Act, 2011. This is a sensitive topic for all MLAs to discuss and debate. After all, we ultimately have the ability to set our own compensation. As such, we must be especially prudent in making decisions about our pay.

Mr. Speaker, I don't necessarily disagree with the Member for Airdrie-Chestermere's assertion that transition allowance should be looked at. I agree with a number of others who have spoken in the House this afternoon with regard to this bill. My understanding of Albertans is that they have a very high expectation of the role of integrity and transparency in government, and they expect that of all of us. I appreciate the general, I think, acceptance of that across this House, the fact that we're all here to serve the best interests of our constituents, and we do that at considerable interruption to what we would otherwise do in our lives. For everyone that sits in this House or any Legislative Assembly across this country, the members do so in service to their province or to their country. That is certainly, in my opinion, a noble and high calling. I do have to say, Mr. Speaker, that I'm a Member of this Legislative Assembly with great honour with regard to the constituents of Strathmore-Brooks.

It's not my intention to speak to the specifics of this bill or to the specifics of remuneration for Members of this Legislative Assembly. I think that the importance of looking at remuneration for MLAs is always important, and probably one of the things that is most important is that it is reviewed on a periodic basis. I know that hasn't necessarily been the case in Alberta, that it is done on a matter of anniversary or anything like that, but it does get reviewed from time to time, and I think it's important that that be both transparent and a process that deals with the realities of the work that we do and reasonable to compare with other types of activity and work in the country. Clearly, the kind of work that we do in this Legislature is somewhat unique compared to the other jobs that many Albertans are involved in.

With regard to considering just the transition allowance by itself, I think that's an inappropriate way to deal with this issue. I believe that the whole matter of remuneration needs to be considered in the bigger picture, as a number of other people have suggested here, and to suggest that we narrow in on just this issue really oversimplifies the whole matter. This should be looked at, as I said, on a regular basis. I certainly would not have a problem with the concept of an outside review of salary and remuneration, but whatever the process, it needs to be a process that is transparent. I think that we have a good pattern in this House in that we have an all-party Members' Services Committee, that does deal with these types of issues, and that would be a more appropriate place to have this dealt with.

As I said, I haven't taken time to consider what the details of remuneration are for me or any of us or what the implications of that are on an ongoing basis, but I do agree that Albertans are favourable to that compensation package, the way that MLAs are compensated, to be fair and reasonable. It's important, in our me-

thod of dealing with this, that we recognize transparency and that we deal with it on a periodic basis but with due process. That's the part that is most interesting and most important to me, that there is a reasonable process to deal with that. There's no need to cover up any of the activity or the discussion that's held around matters of compensation, remuneration, or transition, but there's also no need to shine a light or to create undue attention on the matter.

Albertans really want this approach to be reasonable, and for that reason, Mr. Speaker, I support the good work that our Members' Services Committee has done in the past and the fact that it's an all-party committee. They have the ability to deal with this and all of the factors that can be considered around compensation and benefits, and that's the more appropriate place for this to be dealt with.

The compensation that MLAs receive, Mr. Speaker, and particularly the fact that our retirement benefits are front-loaded makes apples-to-apples comparison between other compensation structures difficult. To refer to other jurisdictions in the context of this is probably not appropriate whereas in the forum of the Members' Services Committee all of those variations can be considered more in detail.

As such, I don't think we can make a responsible decision on this particular policy change today as more time is needed to adequately weigh the costs and benefits of the proposal. Seeing that the Member for Airdrie-Chestermere sits on the Members' Services Committee, it is probably best that he raises this issue there, where it can be given the time it deserves. I certainly respect the statements that have been made with regard to the concern for the bigger picture that is behind this motion.

Therefore, I'm not offering my support for this bill, and I would encourage other members to do the same.

That being said, I do thank the Member for Airdrie-Chestermere for bringing this topic forward. I think the discussion we've had so far has been productive and useful, and time will tell with regard to the integrity of the whole process.

Thank you, Mr. Speaker.

4:20

**The Speaker:** The hon. Member for Lethbridge-East, followed by the Minister of Environment, followed by the hon. Member for Calgary-Glenmore, followed by the hon. Member for Edmonton-Strathcona.

**Ms Pastoor:** Thank you very much, Mr. Speaker. I appreciate the Member for Airdrie-Chestermere bringing forward this motion. However, in light of the fact that Motion 501, which was passed in the fall of 2010, specifically said an independent committee reporting back to this House, I really feel that the conversation and debate around this motion at this time are inappropriate.

I'm going to try to restrict my remarks to the essence of the intent of Motion 501 and, certainly, Bill 202 because I don't believe that actually speaking about MLA salaries or benefits is what we should be doing. We should not be setting our own salaries. That's exactly what ticks Albertans off the most, that we go in the backrooms and say: "Fine. I'll take this. I'll take that. I'm going to have a great transition allowance. I'm going to do this, that, and the other." That is what ticks Albertans off.

My vision, of course, is an independent committee that reports to this House. It actually should be binding, and it should never go near Members' Services, where, in fact, the MLAs could change it. So why bother? Why are we even thinking of an independent committee? That would cost us a fortune because these committees don't come cheap. Why would we waste that money if we're going to diddle with it in Members' Services? It has to be one way or the other. It's not boogie-boogie. It might be diddling there.

One of the examples, of course, that I always use is that, yes, we're very lucky, and we are indexed according to the average weekly earnings. Of course, my mantra always is: if it's good enough for us, then it certainly should be good enough for AISH recipients as well.

MLAs are required to vote. That is because it is part of the budget process. Those dollars come out of the budget. Yes, MLAs must vote on their own salaries, but that doesn't say that they should be setting their own salaries. The federal government at this point is looking at cutting sick days and pay. I think there are a lot of unhappy, probably, civil servants that don't want this kind of inconvenience, I suppose, for lack of anything else.

The Member for West Yellowhead explained what our job is. You know what? Yeah, we all work hard. We are on 24 hours a day. No, we can't go to the grocery store without listening to everyone's complaints, this, that, and another thing. You know what? That's our job. When we took this on, we knew how hard it was going to be, how much we were going to be paid, and if you didn't, then that's your own damn fault.

If you go to a job interview, one of the last questions that they'll ask you is: "Is there anything you need to know about our company? Is there anything you need to know about our expectations of you?" Those questions should have been answered before you ever ran for public office. Yes, I have always considered this a job. It's a job. It is nothing more than that. It's a job. Yes, we have tremendous responsibilities for our fellow citizens, but you know what? I know what it's like to work shift work, and I worked just as hard when I was working shift work as I am now. You work days, evenings, and nights. Your whole social life is destroyed. You go home, you try to get the kids off to school, you grab a few hours of sleep, you have dinner, and then you're back off to work again. Shift work is not easy, and a lot of our people in this province work shift work.

What about single mothers who have not a hope in Hades of probably ever getting a pension and are working two or three jobs? Don't tell me they don't work harder than us. It is a job. It is a part of our society, and all jobs are important. Long-distance truckers are away from their families. What about the guy that picks up our garbage? Is he as important as I am? In the major scheme of things he is. In the big picture everyone that has a job and contributes to our society is just as important as we are.

Yes, we're close to the top of the food chain. However, when I look at the salary – and I'm going to use the example of the president of Scotiabank, at \$17.5 million a year – we're not even close. We're not even in the picture in terms of being the top of the food chain. We are in this House, I think, very lucky to receive the compensation that we do. Do I think it's probably a little bit too generous? Yes, I do, but it's not up to me to decide that. It really should be somebody independent.

I don't have a pension. I've never had a pension, and I don't stand alone. I am probably in the majority in this province, people who do not have pensions, and it's particularly the women that I worry about. Often the pensions that their husbands get aren't translated over when they become widows, and we've got an awful lot of senior widows existing – they aren't living; they are only existing – trying to keep a roof over their head or, in fact, living in a very lonely little apartment.

We talk about getting the brightest and the best and that we have to pay them. No. You know what this job is. If you're the brightest and you're the best and you want to do public service, this is what happens. You work your tail off, and this is what you're paid.

One of the other examples that perhaps was used is that you really can't count on everything. I look at a number of people,



particularly those with disability pensions from Nortel. They have really been shafted. We will never be shafted by whatever compensation we have or whatever our transition allowance or whatever you want to call it is because we get it from the taxpayers. We aren't counting on a company to be honest. This is, hopefully, an open and transparent process, where, in fact, we are pretty lucky to be able to be protected, and we are protected by the taxpayers.

So back to my original. I believe that Motion 501 is the one that was passed. I believe that it should be independent. It should report to this House. Yes, it should have some kind of a review process in it, but that's not up to us to decide. It should be an independent committee.

Thank you very much.

**The Speaker:** The hon. Minister of Environment, followed by the hon. Member for Calgary-Glenmore, then the hon. Member for Edmonton-Strathcona, then the Minister of Seniors and Community Supports.

**Mr. Renner:** Thank you, Mr. Speaker. I'm hesitant to get involved in this debate because, frankly, I'm not so sure that we should be having this debate. Some members have actually already pointed out that this is probably not the venue where this kind of a discussion should take place. Nevertheless, it is taking place. We are having that discussion, and I think it's appropriate that I, like any other member, participate in the discussion.

Now, Mr. Speaker, some have suggested that the Member for Airdrie-Chestermere has brought this particular bill forward for political reasons. I won't go so far as to suggest that. I will give him the benefit of the doubt, and I will suggest that he has the best of intentions in this bill. He truly is trying to bring forward something that is going to improve the situation and bring better governance to the people of Alberta.

Mr. Speaker, on that account I would suggest that he is mistaken. This is not going to result in an improvement, and many members have done a very good job of enunciating the reason why. We have a process in this Legislature. We have a motion, that has already been passed by this Legislature, that recognizes that it is difficult in the extreme for politicians to be engaged in setting their own compensation. But that set aside, it's even more difficult and more inappropriate to try and piecemeal some kind of a compensation package together, and that's exactly what this bill does. This bill takes one tiny piece of the compensation out of context and then begins to make changes to an overall compensation package without taking into account the bigger picture.

4:30

Mr. Speaker, I think that bigger picture is exactly what the Member for Lethbridge-East was suggesting should be done in bringing the motion forward that was supported by members in this Assembly, that there needs to be an independent review, and it needs to be all encompassing. It can't focus just on one component of compensation because, as some members have very rightly pointed out, most other Legislatures that are sometimes used in comparison have one form of pension or another, and those pensions are paid out over an extended period of time and, at the end of the day, have value to members.

This particular Assembly made a decision some time ago that we would not have pensions. Instead, there is a process in place that provides for a transition allowance. Some members have greater benefit from that transition allowance than others. Like the Member for Calgary-Fish Creek I was elected in '93 as well, and I also would see a significant amount of transition allowance that

would be paid to me under the current system. But, as she pointed out, that is something that is part of my financial planning, something that I have been able to put into some kind of a plan to determine how I am going to provide for me and my well-being into the years that other people would perhaps have had the opportunity to participate in some kind of a pension plan. I have considered that as part of the overall compensation package.

Mr. Speaker, I think that's what we are asking and what the Legislative Assembly has suggested needs to be done in agreeing to an independent review. Now, I understand that the Members' Services Committee has begun the process to begin that independent review but is awaiting names to be submitted by members of the opposition to move that process forward. I would at this point urge all members of the Assembly not to support the bill that's before us, to defeat this bill, but at the same time urge the Members' Services Committee to move forward with the implementation of the motion that was passed, I think unanimously, by this House last year.

**The Speaker:** The hon. Member for Calgary-Glenmore, then the hon. Member for Edmonton-Strathcona, then the hon. Minister of Seniors and Community Supports. At 4:50 I shall interrupt to allow the hon. Member for Airdrie-Chestermere to conclude the debate.

The hon. member.

**Mr. Hinman:** Well, thank you, Mr. Speaker. I find it an honour to rise and to speak to Bill 202, the Legislative Assembly (Transition Allowance) Amendment Act, 2011. I am speaking in favour of this, of course. I find it interesting the number of government members who have gotten up and spoken that it isn't appropriate to talk about this here in this Assembly, yet they find it perfectly appropriate after an election to go behind closed doors and give themselves a 34 per cent raise. So I find that almost comical, to think that they would come up with this idea of not appropriate.

I also find it quite entertaining that even yourself and the Members' Services Committee read into the *Hansard* saying that you've received no instruction. Bill 501 was passed over a year ago.

**The Speaker:** Hon. member, please sit down. Do not bring the Speaker of this Legislative Assembly into this debate. Do not. There is great risk for you.

Proceed.

**Mr. Hinman:** I appreciate that, Mr. Speaker. In Members' Services Committee it has been brought up and discussed, but there was no, to my knowledge and understanding, actual committee struck to do anything. So we'll continue to go forward with that. The government members continue to say that all of this is happening in the Members' Services Committee, that that's the appropriate place to bring it up. No. I think this is the appropriate place to bring it up, where we need to talk about it and the fact that it needs to be in front of an independent committee.

A number of members have gotten up from the government side saying: well, we need more time. How is it that we need more time to strike this independent committee and enact it? They've had over a year, and they've failed to do anything on this. Again, it's very disappointing to listen to those speakers get up and say: oh, we need more time to address this.

This government has failed to act on the promise to strike that committee. They've failed to address the problem; therefore, it's starting to boil over again. Again, it's interesting that they say now: oh, this three months for every year is good; it's appropriate.

Why is it that back in '92, when they struck the pension plan, they didn't find it appropriate then when they were looking at it?

It's also interesting to me that if you go to the library, there are still currently, Mr. Speaker, over 20 former MLAs that served prior to 1992 that are receiving over \$50,000 a year in pension. It clearly got out of hand. That's why former Premier Klein said that we need to strike the pension plan. It's just not appropriate. It's interesting that when you look at the list of the total people, there's a yearly expense to the Alberta taxpayers of \$3.8 million for those who are still collecting the old pension plan. Again, that varies from a very meagre amount of \$1,596 per year up to a top payment of \$109,000 a year on the old pension plan. Are we going to learn from that, or do we have to go through the cycle and go past the point of no return almost before we address this?

It's interesting to me that one of the first things this government did after they won the election was give itself a raise. I would want to say that if this House was in fact to set its own wage, I would find it – and I've spoken on this before – far more appropriate that that should be the last act that we would do going out into an election.

It's always amazing to me the talk about how humble we as MLAs are when all of a sudden we're faced with going to the electorate and saying that we want to be re-elected. Why not start at that point and say, "Oh, you know, we deserve a huge raise of 34 per cent," and then go out campaigning on it. It wouldn't happen. There would be retribution to be paid on that. Again, it's comical to say, "Oh, we can look after it ourselves," but it's always after the election, and they hope to have three and a half, four years before they have to be accountable.

It's interesting when you talk to people – and, again, I agree with the committee report from B.C. – that most people do not know what MLAs earn. I have to confess that when I ran the first time, it wasn't something that was a concern to me. I gave up my personal businesses and whatnot to get involved because I was frustrated with the direction government was going, and it wasn't until after I got elected that I found out what I was getting paid. I also found out the huge discrepancy between opposition members and government members. It was quite astounding to me to see how much they received in pay. It was interesting to see those old committees that they had that often hadn't met for three years, and then they were getting paid \$20,000 a year to chair committees that weren't even meeting. Again, when that was brought to light, those committees were struck, and a new system was set up.

We need to realize and look at the history here of how things changed from one month to two months to then three months per year served and that transition. Why is it that we start off humble, and then all of a sudden think that, oh, we're the most important? As my colleague mentioned, are they PCs or PPs? Are they, you know, Progressive Conservatives, or are they politicians putting themselves on pedestals? That's the question. Are we going to put ourselves on a pedestal? There's no question that the work that we do here, the legislation that we pass, has a major impact on the people of Alberta. I would venture to say that we have the biggest impact on their daily lives: the services that we provide, the schools, the hospitals, the roads. That is what we do here in the Legislature. We prepare for the future in looking at what services need to be there.

4:40

Again, it's offensive to the Alberta taxpayers to see MLAs set their own wage. Once again, it's been over a year. Motion 501 was passed unanimously, yet this government has failed to move on there. Like I say, the number of MLAs that say that we need more time, I would argue that what we need more time for is as-

essment on what the value is of CO<sub>2</sub> storage, what we need is more time to assess the need for \$15 billion in power transmission lines, but we don't need more time to strike an independent committee to decide the future of MLAs' pay. It just doesn't need to happen.

Again, where are we on the pedestal? When I listen to some of the government MLAs, you'd think that we were on the top of the food chain because of our position. I ask the question: is there anything more honourable than serving our country in the armed services? Where do they fit in? They put their lives on the line, not just their lives on hold or a business on hold for a year or four years or 12 years. They actually go out there, and they put their lives on the line. So I just don't think it's appropriate for us to think that: "Oh, this is a great service. We should get compensated above the average of anyone else because, oh, we're government MLAs." It's so critical that we need an independent commission to do the research, to put out the reasons, as were read from B.C. – this is why they're paying these individuals this amount of money – and keeping it at arm's length so it's not quite so self-serving.

Why is Bill 202 so needed? It's because we are running major deficits at this time, the fourth year that we are running a deficit here in the province. We have a problem. We have a problem with the payment to the huge number of civil servants out there working, and we need to set the example. It's critical that we set the example. This government set a bad example by getting elected last time and giving themselves a major boost and then going and having to renegotiate contracts with unions and the teachers and the firefighters, just all the way along, and saying: well, you should only have a 2 or 3 per cent increase, but it's okay for us to have a 34 per cent increase.

The purpose of this bill is to send a message today, a clear message to say that we get it. Times are tough again. We don't want to go back to the '92, when we had billions and billions of dollars of actual deficit. We have a cash deficit in our operating. We don't want to go in debt to the people of Alberta, which is where we're running in a big hurry. It is the time to do this. Today's a good day to pass that, send a wonderful message to the taxpayers of Alberta. There will not be a better time. Every day delayed will increase the pain that we're going to have to pay and to look into the future, so we need to do it now. There's no reason to say: "Well, let's wait for a commission to come together. Strike it. We'll wait another three months, six months, a year." Today is the time to say yes to Bill 202.

I hope you'll reconsider and vote to send a loud message to the people of Alberta that we understand these are tough times, and we'll start here by cutting our pension plan, which is too lucrative.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Minister of Seniors and Community Supports.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to rise to speak on Bill 202, an act that is geared towards revising downwards quite substantially the severance package currently received by MLAs in this House, and I'm pleased to indicate that it is the intention of the NDP caucus to vote in favour of this piece of legislation.

I want to say that, you know, there was some need for consideration in that regard because there is certainly one element of this bill that I have a concern about in that it talks about referring the matter back to the Members' Services Committee rather than having the matter addressed by an independent commission to establish what is a fair salary and a fair rate of compensation for MLAs. I don't believe that MLAs should be setting their own

salaries. I just simply don't believe that it passes the smell test for most Albertans. It may be a function of parliamentary tradition, but I just don't think it's fair. I don't think industry should be monitoring itself when it's exploiting the environment, and I don't think MLAs should be setting their own salaries.

Notwithstanding that, here we have an opportunity to vote on this bill. The reason I will vote in favour of this bill and our caucus supports this bill is that to do otherwise is to then have us fall back to the status quo, where nothing is happening, and meanwhile we continue to receive these severance allowances. The question is, you know: are the severance allowances fair? Well, maybe they are; maybe they aren't. But here's the thing. As legislators I believe we need to be fair to the taxpayers and the citizens of this province, who elected us, and here's what we have done in the last two years in this Assembly to the taxpayers and the citizens of this province, who have elected us. We have frozen the minimum wage. We have frozen AISH payments. We have failed to revise the labour code to promote unionization, which is the most effective method of improving the rate of pay of most working people. We have stood in the way of pension improvement, genuine pension improvement, for all Canadians across this country. We have led the way in impeding low- and middle-income Albertans and Canadians from receiving a fair pension.

That's what's come out of this Legislature, so I cannot in good conscience be part of this Assembly, even though I didn't support those decisions, and quietly accept our gracious and generous package while at the same time we are doing the kinds of things to average working Alberta families that have happened as a result of decisions taken by the majority of members of this Assembly over the course of the last two years. When given the opportunity to act, to make a decision that would bring about some fairness, it's hard to avoid doing that.

Now, the history of the severance package is interesting. Many people have commented on the fact that it was brought in in 2001. I'd simply like to remind members of this House that at that time the NDP Member for Edmonton-Highlands-Norwood was the only member to vote against the package being put in place. Taking this position at this point would be consistent with a 10-year position that has been advocated by the Alberta NDP caucus.

As well, in 2009 the hon. Member for Edmonton-Highlands-Norwood also brought a motion to the Members' Services Committee to have this matter addressed by an independent group of people, to have the question of our salaries addressed. That motion was voted down by the majority of members on the Members' Services Committee. [interjection] Sorry; I can't quite hear. There's a member talking, but I can't quite hear what he's saying.

Many people have commented on whether or not we should be talking about simply one piece of the MLA compensation package and that somehow by talking about one piece, we're being unwise and thoughtless and reckless and not true to the taxpayers and whatever the other arguments are. The fact of the matter is that three years ago there was a decision made by the Members' Services Committee to change the process for committee compensation such that many of us received roughly 20 to 35 per cent increases in our salary. It varied from member to member somewhat. Of course, that was one piece of it. I mean, that was committee compensation, and that was one piece. There are other pieces. There's salary. There's the severance allowance. There's the RRSP. There are all different pieces. But that was a clear example of us dealing with one piece, so I have some trouble with everybody now suggesting that dealing with one piece would be irresponsible.

I'm also concerned about the argument that this severance package – and I've sort of touched on this already – is designed to

deal with the fact that MLAs don't receive pensions. You know, I happen to think it would be great for MLAs to have pensions, perhaps not the rich pension that was eliminated in the early '90s but some form of pension. I'd like an opportunity to maybe buy into a pension, something like that. I'm not suggesting we should have anything like what was happening in the past, but I'd love an opportunity to take my savings and try to buy into a pension because I've never had the opportunity to do that since I moved here from B.C.

That's fine, but the fact of the matter is – and one member talked about how pensions are very important, and they are very important. But as I've said before, this is a government that is actively working to limit people's access to pensions across this country. It just really doesn't sit well with me that we're going to defend this package for ourselves as a quasi-reasonable quid pro quo for having no pension and that implicit in that decision is the notion that pensions are valuable but at the same time work as hard as this government is working to stop regular Albertan and Canadian families from having access to genuine, poverty-eliminating pensions in their future. It just truly doesn't make sense to me.

4:50

I had a couple of more points here, and I'm just trying to remember what they were. I may have covered them.

It is with those points in mind that we will vote for this bill. I believe it's an important issue to address. It's been raised in a variety of contexts a variety of different times by different folks. Although some folks, for instance in the Official Opposition caucus, are suggesting they don't want to vote for it because of the piecemeal element of it or because it would put the matter back to the Members' Services Committee, at the end of the day I think that we need to do something. I think that by failing to vote for it, we support the status quo, and I just simply don't believe that in the current context that is a fair decision to make on behalf of regular Albertans.

Thank you very much.

**The Speaker:** The hon. Minister of Seniors and Community Supports. You've got about one minute.

**Mrs. Jablonski:** Thank you, Mr. Speaker, and thank you for noting that I do only have one minute to speak. I can't say everything I wanted to say, but I'll say some things that I believe are important.

I believe that we do have a very important job as MLAs, and I think that we have a big responsibility in making sure that we have the proper compensation, not too big and not too small but just right. I do also believe that our current approach to MLA compensation is already a cost-efficient and responsible method. Before that minute is up, I would just like to point out that if we were in Nova Scotia, we would be able to have pension compensation and benefits of \$100,000 per year after our service, but we're not in Nova Scotia. We have a more reasonable way of having compensation after we serve.

Mr Speaker, I would just like to add that I did support Motion 501 by the hon. Member for Lethbridge-East. I look forward to having that go forward. I would also like to thank the Member for Airdrie-Chestermere for his responsible actions in bringing this very important issue forward.

Thank you.

**The Speaker:** Hon. members, 16 members have been able to participate this afternoon.

I'll now call on the hon. Member for Airdrie-Chestermere to close the debate.

**Mr. Anderson:** Thank you, Mr. Speaker, and thank you to all members who participated in the debate. Obviously, I'm somewhat disappointed with how it would seem that most of the members are going to be voting against this bill. I would commend the hon. members for participating in the debate and specifically my Wildrose colleagues and, of course, the hon. member from the NDP caucus for explaining why it is so important that we show fiscal leadership as we move forward and that this is a good start.

There have been some comments made that do need to be corrected regarding this committee. As we all know, the hon. Member for Lethbridge-East had a motion passed saying that we should have an independent committee look at legislative compensation and benefits. That was over a year ago. There has been some suggestion in here that the process for that committee has just been wending its way through the Members' Services Committee and so forth, and that is just simply not the case. It is just simply not true.

In the Members' Services Committee prior to the last meeting of the Members' Services Committee there became some uncertainty as to what the status of this committee was at that current time. We had the Member for West Yellowhead say, you know, that we're just waiting on the opposition members to give us some names for this independent committee. I'm sure I can speak on behalf of the NDP caucus and the Wildrose caucus when I say: absolutely, we have not received anything, any formal request, any request at all. We don't even know what we would want. We don't know the parameters. We don't have any terms of reference whatsoever from the government side on this matter. To say that we've had that request is absolute malarkey.

I go specifically to the *Hansard* notes from two meetings ago. When this came up, the Speaker frankly and truthfully spoke exactly on what the status was of this committee at that time. He says:

This is the Legislative Assembly, and this is a committee of the Legislative Assembly. We are not the government of Alberta.

The motion urged the government to establish a committee.

The government of Alberta is, essentially, the cabinet.

My understanding from previous comments made in this particular meeting by [an hon. member] is that some discussion was held between the Premier and the Leader of the Official Opposition, and they were holding discussions. Then somebody asked [the Member for West Yellowhead]: well, does that mean other people can provide some names as well? I do believe that's where [the Member for Airdrie-Chestermere] got that information. It was very clear. I have received no indication from anyone in the government that we are to be looking at this matter. This is not at this point in time a matter of the Members' Services Committee.

I'm a little ambivalent about this. I indicated before that we always do our assessments. We always get everything up to date in terms of comparatives across the country, but we've done nothing further. I'm just pending, awaiting somebody to tell me that this is what we should be doing. Then I'll put it together. That's where we're at.

So it's very clear – very clear – from the *Hansard*, and we've received no correspondence from the government, from the Members' Services Committee, from anybody regarding such an independent committee. When we receive a letter from the government or from the Members' Services Committee, from whomever, on how they would like us to participate, we will gladly participate at that point. But what really has happened here,

clearly, is that the government is embarrassed that they're voting against this bill, and they're looking to blame someone other than themselves for voting against this bill. The fact of the matter is that we have done nothing on this issue over this particular Legislature the entire time we've been here. Nothing.

Well, we have done something. We've seen salaries go up 34 per cent, and that of course was done behind closed doors, in cabinet. On top of that, because of that 34 per cent increase, transition allowances will of course go through the roof because they're based on the top three years of average salary. That's the record of this government, to raise their salaries indiscriminately.

**The Speaker:** Thank you, hon. member.

[The voice vote indicated that the motion for second reading lost]

[Several members rose calling for a division. The division bell was rung at 4:58 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Anderson	Forsyth	Hinman
Boutilier	Hehr	Notley

5:10

Against the motion:

Allred	Griffiths	Ouellette
Amery	Groeneveld	Pastoor
Brown	Hayden	Quest
Calahasen	Horne	Renner
Campbell	Jablonski	Rogers
Chase	Klimchuk	Sandhu
DeLong	Leskiw	Snelgrove
Denis	Lindsay	Vandermeer
Doerksen	Mitzel	Webber
Drysdale	Oberle	Xiao
Fritz	Olson	

Totals:	For – 6	Against – 32
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[Motion for second reading of Bill 202 lost]

### Motions Other than Government Motions

**The Speaker:** Hon. Member for Calgary-East, we've dealt with the tablings situation, right? No liquor bottles in the Assembly. Please proceed.

**Mr. Amery:** Yes, sir. Thank you, Mr. Speaker. I'm not tabling right now.

### Alcohol Warning Labels

502. Mr. Amery moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to make warning labels mandatory on all alcohol sold at retail outlets in the province.

**Mr. Amery:** Mr. Speaker, I'm pleased to rise today and open debate on Motion 502. I'm proposing this motion because I feel that the potential adverse effects of excess alcohol consumption make it necessary to label these products effectively. Perhaps in the future I will also wish to introduce a motion that seeks to address a larger and more serious issue at hand, impaired driving.

[Mr. Mitzel in the chair]

Mr. Speaker, Motion 502 urges the government “to introduce legislation to make warning labels mandatory on all alcohol sold at retail outlets in the province.” The institution of alcohol labelling in and of itself is not the end goal of this motion. The primary intention of Motion 502 is to be a necessary first step to raise awareness of prevention of impaired driving. Another purpose is to make citizens aware of the adverse effects of alcohol consumption, especially when consumed in excess or carelessly.

Mr. Speaker, Motion 502 also intends to inform citizens who are in the highest risk group such as minors and pregnant women of the harmful effects that even a little alcohol consumption can have. If consumed in a responsible manner, alcohol poses a much lesser threat than if it is consumed inappropriately. Labelling alcohol would act as an educational tool for those who choose to consume it. If consumers are already aware of the adverse effects, the warning labels will act as a visual reminder.

Mr. Speaker, this labelling initiative seeks to deter at-risk consumers like those who pose a threat by driving impaired as well as those who consume to excess or irresponsibly. The proposed warning messages on the labels should warn of the harmful effects alcohol can have on its user and have a visibility profile similar to those on tobacco products. These warning messages would intend to be precise and consistent while having the visibility to attract the consumer’s attention.

The health-related effects of excessive or irresponsible alcohol consumption can be rather serious. I think that goes without saying. In addition, Mr. Speaker, alcohol is dangerous if consumed while or before driving or taking certain medications and carries a strong risk of dependence.

Mr. Speaker, a number of countries around the world have moved to legislate warning labels on alcohol containers in their jurisdictions. Most of these jurisdictions do so with the intention of educating the public on specific health effects. Among these is the United States, which has had government-mandated warning labels in place since 1989.

The Yukon territory and Northwest Territories are currently the only two Canadian jurisdictions to mandate such labels. The labels in the Yukon are fluorescent pink or orange and are designed specifically to attract attention. Introduced due to public concerns about FAS, these labels have warnings that alert individuals that drinking alcohol during pregnancy can cause birth defects. A survey conducted three years ago, after the introduction of the warning labels, indicated more than 90 per cent of Yukon women were aware of the FAS risks of drinking alcohol during pregnancy.

Perhaps somewhat like the intent of the alcohol warning labels in other jurisdictions, Motion 502 seeks to initially address a much bigger issue at hand. That issue is impaired driving and the deadly effects that accompany it. While deaths involving impaired drivers have decreased in recent years according to MADD Canada statistics – Mr. Speaker, I am pleased to have Denise Dubyk, MADD Canada’s national president, with us here today watching this debate from the members’ gallery – our province still sees among the highest impaired driving deaths per capita in the country. The culture around the consumption of alcohol must change in order to further decrease these statistics.

With this in mind, MADD Canada has outlined a number of recommendations to reduce the number of impaired driving cases. Among these is introducing a mandatory seven-day administrative vehicle impoundment program for suspended drivers. Another recommendation involves making alcohol ignition interlocks mandatory for all impaired driving offenders. What this would specifically do is prevent a driver from starting his or her vehicle if the device detects a preset level of alcohol.

Mr. Speaker, realizing the benefit of alcohol warning labels is merely a first step and a catalyst to providing change to the bigger issue at stake, the issue of impaired driving. The implementation of these labels would not come at an overt cost. Motion 502 would require all retail alcohol distributors to put warning labels directly on the product, and the cost of the labels would be assumed by the distributor. When you consider that the distributors must already label the products, adding one more label should not greatly add to the cost. In fact, one Alberta distributor already supports placing warning labels on alcohol products. Ravinder Minhas, owner of the Alberta-based Mountain Crest Brewing Company, already places warning labels on his products through his own initiative. Mr. Minhas does so, as he said, because it is the right thing to do.

Mr. Speaker, Motion 502 does not intend to harm or otherwise intrude on those who consume alcohol responsibly. Likewise, Motion 502 does not intend to harm businesses or liquor distributors. There are many Albertans who drink alcohol in a moderate or otherwise responsible fashion. This would be especially vital to help educate both minors and pregnant women that any alcohol consumption can be seriously hazardous to their health.

Mr. Speaker, a Canadian community health survey published by AADAC in 2005 indicated that 9.4 per cent of Alberta women reported consuming alcohol during their last pregnancy. When you consider the fact that women who drink alcohol during pregnancy place themselves at an extremely high risk of having a child with FAS, zero alcohol consumption is clearly what is best for pregnant women. The sad fact is that some women are not even aware of this. A warning label could help educate these soon-to-be mothers on this issue.

Mr. Speaker, when looking at statistics related to the question of whether or not warning labels really work, one need look no further than a recent study of Ontario smokers. The survey demonstrated that 91 per cent recalled having read the warning labels and demonstrated good knowledge of the content. This same survey found the respondents reported having a higher intention to quit upon seeing the often graphic warnings. What these findings indicate is that warning labels and the multifaceted messages that they can include can be effective.

5:20

With Motion 502 we could take a positive step towards raising awareness of the adverse effects of excessive or irresponsible alcohol consumption. This could at the very least help to reduce the number of FAS births by better educating soon-to-be mothers.

Mr. Speaker, I do not wish to propose anything too dramatic or too unrealistic, nor do I wish to have this harm business or liquor distributors. I believe Motion 502 to be a very moderate and realistic step towards better educating the Alberta public and raising awareness of alcohol misuse and the dangers of impaired driving.

With that, Mr. Speaker, I would invite all my colleagues to join in the discussion surrounding Motion 502, and I hope they vote in favour of this motion. Thank you.

**The Acting Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Mill Woods.

**Mr. Chase:** Thank you, Mr. Speaker. This particular Motion 502, for which I am very thankful to the hon. Member for Calgary-East, follows very much along the line of a former motion put forward by the hon. Member for Edmonton-Centre, which called for cigarettes and cigarette advertising, basically, to be no longer visible. That’s why, for example, you no longer find pharmacies selling smokes and why, when you go into garages, cigarettes, et cetera, have to be behind closed cupboards so as not to potentially

appeal to individuals and to encourage them to develop better habits.

In terms of developing good habits, Mr. Speaker, I'm not sure whether I was a fast learner or a slow learner, but it basically took me my first year of university to realize that smoking wasn't meant for me although I thought having a pipe and a goatee along with my blazer emblazoned with the University of Calgary colours would make me absolutely appealing to all women who trotted around the campus. But I found, after continuously sucking on this pipe and inhaling for a period of about two and a half hours, when I opened the door to my car and fell out, that this was not a good habit to pick.

Likewise, Mr. Speaker, I'm pleased to say that I learned the alcohol lesson very early on, in my first year of university, without compromising my safety or that of my date, but I must admit that my father's Ford Galaxie 500 was worse for wear than the driver who left it positioned poorly on an island. I was fortunate. I learned my lesson early on, and no one's health or safety was compromised by my individual actions.

Going forward, I am very concerned, as the hon. Member for Calgary-East is, about the impact of alcohol, particularly behind the wheel, where the greatest number of accidents and fatalities are caused. The stupidity of the driver and the stupidity of the passengers that potentially get in the car with that driver: we're of the assumption that at least if they're of a legal driving age, they potentially know better. The unborn child has no such say; therefore, encouraging not only women but men to realize the harmful effects to a child of the consumption of alcohol would go greatly towards the elimination of fetal alcohol syndrome, which can at best be managed, but so much better would the world be if it were absolutely eliminated.

One of the things that I think most people, especially of my mature vintage, would notice is shows like *Mad Men*, where the smoking in the workplace is so obvious, and they almost shine a spotlight on the pregnant women smoking their cigarettes or consuming alcohol. We say to ourselves: "Well, that was then. How could they not have known? What were they thinking?" That was the circumstance that people of my vintage grew up with in the late '50s and early '60s, yet when we look at that program, it seems so obviously wrong to the majority of individuals who went through that time period.

Anything we can do such as the labelling on alcohol, as proposed in Motion 502 by the hon. Member for Calgary-East, and getting that message out can only do good. It certainly cannot do any harm. I know as a schoolteacher who spent a great deal of my time in junior high the risks that junior high students would take. Given the opportunity to get behind a wheel, as they grew older, I've lost children, students, to death behind an automobile wheel. I've also had my grade 9 students participate in AADAC programming, where they realize that alcohol and driving or drugs and driving don't mix. So if this message gets out to even one mother or a responsible father, who is responsible for not only his child's well-being but his family's well-being, if this message saves one child, then this Motion 502 is valuable.

I thank the hon. Member for Calgary-East for bringing it forward, and I would hope that more young people learn their life lessons before the age of 19, which it took me to realize going forward. Thank you.

**The Acting Speaker:** The hon. Member for Edmonton-McClung, followed by the hon. Member for Calgary-Buffalo.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm pleased to rise today and share some of my comments on Motion 502, but before I do that, I

would first like to thank the hon. Member for Calgary-East for bringing this idea forward to the Legislature today. I believe this idea should generate some spirited debate.

This motion proposes to urge the government to make warning labels mandatory on all alcohol sold in the province. These labels would function in a similar way to the warnings we see on tobacco products, informing consumers about the potential negative consequences of alcohol use.

Mr. Speaker, I believe that responsible alcohol use is acceptable within our society, and I believe that an informed adult should be able to consume alcohol provided that he or she do so in a manner that does not harm themselves or others, as in cases of alcohol abuse and drunk driving.

With this, however, I also agree that people should be informed about the potential negative consequences of alcohol use. As it stands now in Alberta, we have several programs designed to inform people about the dangers of alcohol use and abuse as well as several programs designed to help people who have succumbed to these afflictions.

5:30

Programs and organizations like Alcoholics Anonymous and Mothers Against Drunk Driving are all designed to stop or treat alcohol misuse. In addition, the government regularly issues warnings against drinking and driving, drinking while pregnant, or drinking while under the effects of drugs. Mr. Speaker, the issue with these programs and warning labels is not that they don't work; rather, the issue is cost. As large as our advertising programs may be, they will never reach every consumer of alcohol, and as effective as our treatment options are, the cost of preventing someone from becoming alcohol dependent will always be less than treatment. As such is the belief, the strength of this motion rests on its cost-effectiveness.

Motion 502 would essentially require that all retail distributors of alcohol be required to put warning labels directly on the product in question. The cost of these labels would be borne by the retail provider but would not greatly add to their cost of production because they already put labels on their products. The cost of developing the specific labels would be negligible and could be borne by either the government or by the alcohol industry. In fact, other jurisdictions in Canada already have this requirement, so the cost of developing these labels could be next to nothing.

Mr. Speaker, with the cost of this labelling program well established, the question then becomes determining whether or not these labels are effective. Looking at other jurisdictions around the world, it is apparent that programs like the one proposed by Motion 502 are on the rise. For example, in 1993 only nine countries had alcohol warning labels, but by 2006 this number had grown to 16, including nations like the United States, Finland, and Brazil.

Closer to home the Yukon Territory and the Northwest Territories have enacted measures similar to the ones proposed by Motion 502. In fact, according to a survey conducted in the Yukon, three years of labelling was required. Over 90 per cent of the drinking population were aware of the risks associated with drinking while pregnant. This survey did not suggest, however, that people stopped drinking while pregnant as a result of this label.

The end result, in my mind, is that we have a proposal that may or may not be effective, but it is one that has grown in popularity around the world. Perhaps the most important consideration is cost. The cost to implement this program, I would say, would be minimal for both government and industry. Even if the program is not completely effective, we may in the end get good value for our money.

Mr. Speaker, with that, I will conclude my comments on this motion except to again thank the hon. Member for Calgary-East for introducing this idea. I believe that a thorough debate of this issue is in the interest of all Albertans. I'd like to thank all the members who are going to speak about this issue. I look forward to the remainder of this debate.

Thank you.

**The Acting Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Minister of Housing and Urban Affairs.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It is indeed a privilege to rise and speak to Motion 502, brought forward by the Member for Calgary-East. I appreciate this motion very much and congratulate him for bringing it to this floor for us to debate. I do note that I will be speaking in favour of this motion as I believe it is an idea that is, in my view, long overdue and can have some benefits for many people in our society, actually the entire society if you look at it like that.

Let's face it. Alcohol is a legally sold product that governments earn revenues on. It has been thus, and it shall be thus for a long time to come. But with that comes, in my view, some responsibility by government to provide some sort of warning to individuals out there who are about to use and consume this product. Now, it's very easy for us to sort of rationalize and say: "Everyone knows that binge drinking is bad for you. Everyone knows that pregnant women shouldn't drink. Everyone knows this, that, and the other thing." But the fact is that I'm not so sure everyone does know. Okay? The simple fact of the matter is that if they do know and they're willfully blind to it, I don't think that is really one of those things that is good either.

The government being there to remind them of the fact that this could be destroying their lives and, in fact, destroying the lives of others is one of those things that government has to do. I think that these labels will serve that purpose. If a person, say, who's between 18 and 30 is consuming far too much alcohol and maybe this helps him or her realize by the end of their 30s that, well, this can't continue, and this is one of those small things that seeing that label for 12 years leads him or her to a better decision, well, that's one of those things. Or if a woman who may have been a heavy user of alcohol becomes pregnant, well, then she changes her ways as a result of seeing that for the last seven years.

Also, for our beginning drinkers. We heard the MLA for Calgary-Varsity say that many people when they're younger tend to imbibe a little more heavily than when they're older. I might have been guilty of that a time or two myself, Mr. Speaker. Nevertheless, maybe having that would have given me some cause for recognition that an extended stay on this would lead to health implications. You can see there are a variety of upside benefits for this, you know.

Always the argument is what the cost is. In my view, the cost to industry for switching labels over would be a one-time expense, possibly no more, maybe a touch more. It would provide people with information on an ongoing basis on an important issue. Frankly, from what I've seen from the statistics, Albertans for whatever reason consume more alcohol per capita than, I believe, any other province, possibly because we're younger, possibly for a whole host of whatever reasons. That has ramifications for our different government-run programs: the education system, the health care system.

Statistics in Alberta on FAS – that's fetal alcohol syndrome – for people being born in this province are, again, startlingly high when you look at comparisons around Canada. What are the reasons? Who knows? But there are definitely concerns around

alcohol. Our drinking and driving rates are higher than generally other provinces around Canada. A whole host of reasons. We're not saying right, wrong, or otherwise.

What we're saying is that the government is involved in the provision of alcohol. It is legal for us to do so, and it's legal for our citizens to consume it. Let's fire a warning on there. Let's make sure that no one can say: well, nobody told me. If by chance they honestly were not of the view that this could happen, well, now they're assuming more personal responsibility sent their way and some possibility for some help along the way.

Those are my points. I think it's a great initiative, and I again thank the Member for Calgary-East for bringing this forward. I urge all members to support it. Thank you.

5:40

**The Acting Speaker:** The Minister of Housing and Urban Affairs, followed by the MLA for Lethbridge-East.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a privilege to join the debate today on Motion 502, brought by the Member for Calgary-East. I will keep my comments brief, but I first would like to apologize to this House and also to the Member for Calgary-East because it was me who, in fact, gave him the bottle that he referred to earlier, that I found when I was on vacation in Hawaii. I saw on the bottom of the bottle the warnings, and I knew that we were having this one. So if there is any scorn, it comes to me and not to the Member for Calgary-East.

This is a motion, Mr. Speaker. It's a nonbinding, symbolic vote we have. We debate it for about an hour. It's not a bill like the previous bill that we were discussing. It's just an indication. It's just a debate going forward. I think that if this were something that we would want going forward as an actual government policy through regulation or through legislation – be it a private member's bill or a government bill – there are some things, in fact, that we just would need to go and ask ourselves.

Now, Denise sitting up there has visited me before, talking about the many dangers of drinking and driving. When I went to university – and yes, I did have a few bubbly pops in university as well – we knew it was not socially acceptable to drink and drive. I think that MADD Canada, SADD, and other people as well have done many, many good things in making that less socially acceptable. Nonetheless, Alberta does have a very high drinking and driving rate. Drinking and driving or fetal alcohol syndrome or anything negative from alcohol, where you have one too many: one too many is more than is acceptable.

I do want to ask a couple of questions here as well, and perhaps the Member for Calgary-East can address this in his closing remarks. Before we institute any regulation – we have many regulations in this province – we need to always do a cost-benefit analysis, Mr. Speaker. We put in regulations, and sometimes they don't have exact costs associated with them as far as outlay of government funds, but at the same time they can impose a negative economic externality upon others. That's not a bad thing. We have a lot of good safety regulations in this province. Some say we need more; some say we need less. Regardless, we need to ask ourselves: is the negative externality that that may impose upon consumers, producers, distributors, in fact, actually worth it? I don't know the answer to that question. We need to go and look and learn from other jurisdictions.

I mentioned that I was in Hawaii when I saw the bottle itself. The question, again, that I would ask is: have the warning labels on the bottles made a reduction outside of the margin of error on the rate of things like fetal alcohol syndrome or the rates of drinking and driving? If it has, then it's worth going through. If it has

not, well, maybe we should look at other ways that might be more cost-effective to the consumer before moving forward. I don't know how much this is going to cost, even if it does actually cost. They say, though, that producers will pay for it. Well, of course, that's passed on to the consumer as well.

The other thing is that a lot of alcohol is imported. I know some people here like to drink Alberta Springs. I don't. But most of the alcohol is imported to this province. We'd have to go and see how that would affect the importing of what is, in fact, a legal product.

Mr. Speaker, I favour a lot of individual responsibility. I want to applaud Ravinder Minhas at Mountain Crest Brewing for having darn good labels on this. I think it's good leadership they are taking, to go and put this on on a voluntary basis. But if this were to go in a bill, I would just want to see the hard evidence. I think the public would respect that as well as to where it, in fact, is going.

I want to again commend the Member for Calgary-East for actually bringing this up because this is a worthwhile debate to be having, the fact that we're drawing attention to this. The more attention that you can draw to the negative effects of drinking and driving or things like fetal alcohol syndrome, I think, the better, Mr. Speaker. So he should be commended for that.

Those are my comments. Thank you.

**The Acting Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I, too, would like to congratulate the Member for Calgary-East, but I'd like to congratulate him on actually having drawn a low number for the motion so that, in fact, he could bring this forward.

In my mind this is a no-brainer, to use the colloquialism of the kids of today. It really is a no-brainer. Drinking and driving has not been beaten either here or in many other places. However, in Europe there really is zero tolerance. We don't have zero tolerance here. If you get caught drinking and driving in Europe, your car is gone; you walk home. If you're in Europe, you'll also notice that people congregate in different ways. There are often little pubs, for lack of a better word, in many of the small communities, and because people's houses are smaller or they live in apartments, often the partying is done in these small pubs. It's just a given. You can always pick who that designated driver is. It's not even up for discussion. Someone is the designated driver.

One of the other things that I think about putting a label on is that maybe it won't be understood the first time. Maybe it's just: oh, well, there's something else. But repeat, repeat, repeat. After a while someone who is thinking will know what that label means. They may not have to read it; they'll know if it's red, this is what it means or if it's pink or neon or whatever it is. It will be repeated.

I think one of the worst side effects of alcohol, particularly for our women who are pregnant – look at our jails. Look at the number of people that are in our jails that suffer from mental health issues. Many, many, many of them have fetal alcohol syndrome, which is something that we didn't know about or how to actually evaluate it. This information is coming forward all the time.

I would like to see the kids of today educated in grade 5 to know and start talking about the issue of: do not drink if you're going to get pregnant. I know that there are a lot of careless pregnancies that happen out there, but in this day and age of reliable birth control there is absolutely no reason for young girls to get pregnant accidentally or whatever excuse they use at the time. If they start in grade 5, they'll know simply: you've decided to have your baby; do not drink. More often than not the damage is done in the first trimester, and a lot these young girls don't even know they're pregnant. It's a huge, huge issue. The kids of today,

through the education in the school, know what green means. They know: don't smoke. They know: don't eat junk. They know: eat your veggies. They know, "Wear a helmet," even if this is a law at this point. They know these things. It's through the education system that they know it. I would like to see part of the education around these.

Also, they would learn in school that this red label, however they're going to do it, is a label that's warning you to use alcohol very, very responsibly. There's nothing wrong with having wine, whatever. I think probably we all learned. I think that first-year university is when many young people learn some of the things that they can't handle and shouldn't be doing. However, it's fun at the time, and away they go. It's all part of the growing up process.

Fetal alcohol is a huge, huge issue. This is something that cannot be reversed, but with proper supervision victims can be helped to be functional in society. Many, many, many of these young people will never be able to handle a job, so we are looking at gigantic social and health care costs in the future. Anything that can be like a flashing sign, a flashing warning sign, I think is good, so I would certainly take pride in being able to support this. At least it will push the conversation forward. As it's been pointed out, it's not a bill, but it does bring the conversation forward. It does make people think.

Again, thank you to the Member for Calgary-East. This is an exceptionally important discussion that must happen.

Thank you.

**The Acting Speaker:** The hon. Member for Edmonton-Mill Woods.

5:50

**Mr. Benito:** Thank you, Mr. Speaker. I would like to rise today and share some comments on Motion 502, proposed by the hon. Member for Calgary-East. This motion urges the government to consider legislation whereby alcoholic beverages would have mandatory warning labels.

Mr. Speaker, alcohol abuse is a problem that affects many Albertans. A Canadian community health survey taken in 2008 shows that one-quarter of males and 10 per cent of females in Canada are classified as heavy drinkers. More problematic, however, is the number of heavy drinkers in younger demographics. For example, the same surveys showed that 47 per cent of males aged 18 to 24 are classified as heavy drinkers. There is no simple solution to reducing the incidence of heavy drinking. After all, adults have the right to consume alcohol as long as it is done in a safe manner. I believe this motion's idea may help change certain problematic drinking behaviours.

There is an obvious parallel between the legislation this motion proposes and legislation which requires tobacco products to contain warning labels, often of a graphic nature. In fact, Canada was the first country to enact legislation to require such labels, and now most western countries require them as well. While definite conclusions have not been established, the general consensus is that the effectiveness of these labels depends largely on the size and whether or not they include pictures. Given this research I believe that the efficacy of warning labels on alcoholic beverages would also depend on the size and type of warning.

I think the fact that warning labels on certain consumer products are useful in curbing their use is a bit surprising. After all, one would think that an individual's decision to smoke or drink is made before they see the product. However, repeated exposure to such warning labels may actually get the message across that consuming this product is dangerous.



Mr. Speaker, I also believe that including such labels may educate some people who may be unaware of some of the hazards associated with alcohol consumption. For example, some individuals may be unaware of the fact that alcohol consumption can cause fetal alcohol syndrome. Furthermore, even those that may be aware of the link between alcohol consumption during pregnancy and fetal alcohol syndrome may not be aware of the fact that there are no accepted safe levels for consumption of alcohol during pregnancy. So I think that a warning label could be an effective tool that reminds Albertans of the risks associated with alcohol consumption during pregnancy.

Finally, Mr. Speaker, I would like to point out that warning labels on food products are generally considered to be the federal government's jurisdiction. While this does not mean our government is absolved of any responsibility with respect to this issue, it does mean that there may be other ways to achieve the intended result. Rather than proposing legislation, for example, perhaps we could work with other provinces and the federal government to encourage such legislation federally.

With that, Mr. Speaker, I conclude my remarks. I would like to again thank the hon. Member for Calgary-East for bringing forward this idea. I think he has shown very good leadership on moving this idea forward. I'd like to mention that in Alberta there are more than 100 Albertans who die in drinking and driving related accidents. For that one reason alone I think that we should support this motion. I think that this discussion addresses a public health concern, and further consideration of the matter could be useful.

Thank you, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. It gives me great pleasure to rise today and speak about Motion 502, which proposes to mandate labels on alcoholic beverage containers, brought forward by the hon. Member for Calgary-East.

Do I get to speak until 5 to 6?

**The Acting Speaker:** Hon. members, according to Standing Order 8(3) there are 55 minutes allowed for motions and five minutes for closing. We started at 5:11, which means that 55 minutes would be 6:06. We stop at 6 o'clock. Therefore, it will carry over until next week. Then we will debate for six minutes on Motion 502, and then we're done, and there will be no other motion next week. There can only be one motion per week.

**Ms DeLong:** Thank you, Mr. Speaker. I will speak until 5 to 6 in hopes that Moe will be able to speak to finally end it.

I just wanted to say that I'm in favour of this and that we do have a choice here. Maybe we can even alternate here in terms of what actual problems with alcohol we most want to address with this. Different countries do it in different ways. The one thing that I doubt will work is in terms of heavy drinking. Heavy drinkers have much bigger problems than a little bit of text will address. I'm hoping that FAS is something that we can address very well and, of course, the drinking and driving.

In hopes that the mover of this motion could possibly finish up with his final words, I will sit down. Thank you.

**The Acting Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you very much, Mr. Speaker, for the opportunity to rise and join the debate, if only for a few minutes. As the

minister responsible for the AGLC, the Alberta Gaming and Liquor Commission, I thought I should rise and give a couple of comments and my thoughts. I recognize the hon. Member for Edmonton-Mill Woods' assertion that food labelling and product labelling is often the purview of the federal government. It could be argued that that would be the case here although we could, I suppose, do something provincially.

I have to say that I'm really torn, Mr. Speaker, and I'm kind of on the fence. I think I might lean slightly at the moment towards support but only because it's a motion that's not binding on the government. I do think it's an issue that we need to consider.

First of all, as the minister responsible for the AGLC, I need to stress that alcohol sales in this province are a business. They are not the purview of the government. We're talking about private businesspeople that manufacture, wholesale, and then retail alcohol. It's a government-regulated business. The government is involved in the movement, the shipping, of alcoholic products to liquor stores, but they are private businesses. Any time that we put costs anywhere in that system, they only wind up in one place. It doesn't matter if we add costs to our own, to the manufacturers', or to the retailers', the cost winds up in the consumer's product. Whether we have to raise taxes to pay for it or the prices have to go up, the consumer pays for all of it.

I need to point out that the cost would be significant. You're talking about thousands of products and thousands of different types of drinking bottles. Next time you walk into a liquor store, have a look at the front counter. There are hundreds of tiny shot glasses and odd-shaped little drink containers, and all of them would require a label. Then some of the products arrive pre-wrapped, you know, those Christmas gift packages and stuff. Those are shipped from some other place. So there are a few problems, and the costs are not insignificant. I'm a little tempted by the argument, though.

Mr. Speaker, I never bring a minister to my constituency without taking them to Sonja Schmidt's house in High Level. Her entire house except for her master bedroom is devoted to the care of FASD, fetal alcohol spectrum disorder, children. She and her late husband, George, did that for years and years. They adopted something like 30 kids and cared for hundreds in their house. She does that solely on contract to one of the First Nations up there.

When I'm finished there, I take them over to 10005 House, which is a shelter for people that are severely in need of emergency shelter and who otherwise, quite simply, would freeze to death in High Level.

I'm very moved by the impact of alcohol on the lives of those people, as all the ministers always are. Most of them, quite frankly, are reduced to tears by the end of that tour. I'm also mindful of the fact that none of those people would be helped by a warning label on a bottle. I don't believe that for a second. Much as the Member for Calgary-East talked about the warning labels on cigarettes, the people that were aware of the warning label, what it said and everything else, there's some irony in the fact that they were smoking while they were telling you that they knew what was on the warning label. I think the case is similar with alcohol.

Impaired driving is absolutely an issue, and I thank the great people of MADD for the work that they do. But sometimes I think we're at the point where we really need to do something on the enforcement end, on the other end of that. The education end is covered in a lot of places.

I'm kind of torn. I'm basically prepared to support this motion because it furthers the discussion. It's nonbinding at this point. But I can't go beyond that without some solid evidence of what good there is in this: what it's going to accomplish, how effective

the warning labels are going to be, and who's really going to listen to them. The problems that I see out there I don't think are going to be solved by a warning label.

I thank the hon. Member for Calgary-East for bringing this up. It's a discussion that always has to happen. I thank MADD for the wonderful work that they do. I honestly do think we have to do something in this area. I'll support this, but beyond that we need a thorough discussion with more statistics before we move on.

Thank you.

**The Acting Speaker:** Hon. members, it is 6 o'clock, and according to Standing Order 4(2) the House stands adjourned until tomorrow afternoon at 1:30.

There are 10 minutes left for debate on this motion. That will happen next week.

The policy field committee will reconvene tonight at 6:30 for consideration of the main estimates of Service Alberta. This meeting will be video streamed.

[The Assembly adjourned at 6 p.m. to Tuesday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, March 8, 2011

Issue 9

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 8, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Let us pray. Guide us all in our deliberations and debate that we may determine courses of action which will be to the enduring benefit of our province of Alberta. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It is an honour for me to rise today and introduce to you and through you 52 bright young students from my constituency of Edmonton-Ellerslie and Ellerslie Campus elementary and junior high school. They are here with their teachers to enjoy a week at the Legislature. Joining them today are their teachers Mark Campeau, Blair Faulkner, and Tom Klimaszewski. At this time I would ask them all to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly leaders from Alberta's francophone community who participated this morning in a ceremony in the Legislature rotunda as part of Les Rendez-vous de la Francophonie, a national celebration of French culture and history.

The executives are from the Association canadienne-française de l'Alberta, or ACFA. The ACFA is the provincial organization representing all francophones. We also have members from the Campus Saint-Jean choir. Forty choristers from the Chorale Saint-Jean lent their amazing voices this morning to the ceremony in the rotunda. The group has been invited to tour France this summer, and in 2012 they will be hosting more than 1,000 choristers right here in Edmonton for the Choralies Internationales, the most important international French-language choir competition.

The Alberta government is proud of its strong relations with the francophone community in making sure French-speaking Albertans have access to the services and resources they need. We also appreciate the good work that they do in representing the province across Canada and around the world.

I would ask our guests to stand as I introduce them. Dolorèse Nolette, Denis Perreux, Laurier Fagnan, Casey Edmunds, Marcelline Forestier, and Denis Fortin. Also joining them on this special day is a member of my staff, M. Denis Tardif, executive director of the Francophone Secretariat. These individuals are in the public gallery today. Please join me in offering them the warmest welcome of this Assembly.

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you, Mr. Speaker. It gives me pleasure today to introduce two gentlemen who are very familiar to members of this House, the chairman of the Energy Resources Conservation Board, Mr. Dan McFadyen, and his sidekick, Rich Jones. I'd ask them to stand and receive the welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. You know, I don't get as many people up from Calgary as I would like. In fact, I'm thinking of adding something to my newsletter, inviting more of my constituents up here. But today I do have a constituent who is here. He works with the Calgary Zoo, as you know the second largest zoo in Canada. He works on the whooping crane, building the population of the whooping crane. If everyone could please join me in welcoming Mr. Dwight Knapik. If you could rise, Dwight.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Well, thanks, Mr. Speaker. One of the real privileges of being the Member for Edmonton-Riverview is that I get to be the MLA for the University of Alberta, and I'm honoured today to introduce to you and to all members of the Assembly some special guests from the university. They represent one of that institution's most notable organizations. It's known as WISEST, which stands for Women in Scholarship, Engineering, Science and Technology. I will be rising later today to make a statement in recognition of International Women's Day and the important role that WISEST plays, but for now let me make the introductions: Denise Hemmings, who is chair of WISEST; Grace Ennis, who is the WISEST co-ordinator; Kerry Humphrey, who is the WISEST assistant co-ordinator; Jen Duffy, who is the WISEST outreach co-ordinator; and George Pavlich, who is associate vice-president of research at the University of Alberta. Please stand, and please give them a warm welcome.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. As you well know, today is the 100th anniversary of International Women's Day, and there are two sets of introductions that I would like to do. The first is a representative from an organization called Equal Voice, which is a not-for-profit devoted to the still-bold idea that we need to get more women elected to every level of government in Canada. That is Sandra Ngo. Sandra, please rise. She's a third-year nutrition and food science student at the U of A. She found out through another member at the U of A, Meagan McLavish, who was not able to join us. I note in the paper today that Equal Voice is sponsoring a speaker in Ottawa for a conference, Leveraging Women's Leadership for the 21st Century: Changing the Game. That speaker says: today it's understood that if we only use men, we lose a lot of potential and opportunities. Thank you very much, Sandra, for joining us today and representing Equal Voice. Please join me in welcoming her.

My second introduction is of two members of a very long-standing organization that has been very supportive of women and women's status in our community. Jacquie Foord is the fairly recent chief executive officer of the YWCA here in Edmonton. With her is Amber Niemeier, who is the communicating and market manager. I'll have them rise. As you know, the YW has been working for women in Canada and Alberta for many, many, many years. Please join me in welcoming these two representatives here today.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you very much, Mr. Speaker. It's my distinct pleasure to introduce to you a couple of my friends who are members of the francophone community. One is originally from the

Haitian community, and the other one is originally from the Congo. Mr. Amson Saintimé is the president of the Haitian community services centre, and Mr. Sugar-Eric Yumba is the president of the SOS Amitié friend association. I would like our colleagues to give them warm applause from this Assembly.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, you have an introduction on behalf of your colleague.

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. On behalf of my colleague the hon. Member for Edmonton-Strathcona I would like to introduce to you and through you to this Assembly our guests from the Sexual Assault Voices of Edmonton, also known as SAVE. SAVE is a coalition of sexual assault centres, educational organizations, community members, and the police. It works to change societal attitudes about sexual assault through awareness-raising campaigns that place responsibility on the perpetrators of sexual assault and challenge rape myths and victim blaming. I would ask our guests to rise as I read their names so that they can receive the warm traditional welcome of the Assembly. They are Dorian Smith, Laura Collison, Lise Gotell, Monique Méthot, Pragya Sharma, and Cindy Davies. Welcome. Thank you.

### Ministerial Statements

**The Speaker:** The hon. Minister of Children and Youth Services.

#### 1:40 International Women's Day

**Mrs. Fritz:** Thank you, Mr. Speaker. I am honoured and privileged to rise today and recognize March 8 as International Women's Day. This is a very special day as it is the 100th anniversary of International Women's Day. Today we celebrate, recognize, and honour the many extraordinary achievements of women in Alberta, Canada, and around the world. Our province proudly acknowledges this day and reaffirms our commitment to the equality, freedom, and advancement of women.

Alberta's Famous Five – Emily Murphy, Louise McKinney, Nellie McClung, Irene Parlby, and Henrietta Muir Edwards – helped pave the way, Mr. Speaker, for future generations of women in Alberta and across Canada. My colleagues and I appreciate the great contribution that all women have made to make this day possible.

Canada's theme is Girls' Rights Matter, which focuses on the importance of equality and access to opportunity for all girls and women. We know that a young woman who enjoys equality has a greater likelihood of being self-confident and aware of her own potential and of being empowered to access the education, training, and career opportunities that will contribute to her success in life. We also know, Mr. Speaker, that women still have many difficult challenges, which is why Alberta continues to take action on women's issues.

Women have told us that better access to quality, affordable child care would make a real difference for their families. Our Premier heard this request, and over the past three years we have created more than 18,000 new child care spaces. This means that women and their families now have access to more than 90,000 spaces across the province, and we also have child care subsidies to help lower income women with the cost of quality care for their children.

We are working hard to help prevent family violence.

Our Persons Case scholarship is awarded each year to students whose studies contribute to the advancement of women.

You can see, Mr. Speaker, that incredible progress has been made, but we know that more still needs to be done to address challenges such as poverty and inequality. To help address these challenges, we work nationally with the federal-provincial-territorial groups on women's issues for aboriginal women, economic equality, and human trafficking.

Today across Alberta, Mr. Speaker, many communities are celebrating the achievements of women, and they're shining their light on their efforts as they encourage the next generation to follow in their footsteps.

Mr. Speaker, I now ask that all members of the Assembly join me in honouring the contributions, the talents, the leadership of women across the province as they are a true inspiration to all of us.

**The Speaker:** On behalf of the Official Opposition, the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. A hundred years ago, as the world struggled to come to terms with rapid population growth and technological progress, socialist parties in Europe and the Americas spearheaded an international movement to force recognition of the inherent right of women to vote, work, and be free of gender-based discrimination. Several years later Albertans elected Louise McKinney to our Legislature, the first woman to achieve this feat across what was then the British Empire. More milestones followed here in Alberta, across Canada, and around the world as women asserted their rights throughout the course of the 20th century.

Now recognized and supported by the United Nations, International Women's Day has grown in importance year by year with thousands of events held worldwide annually.

We have had, however briefly, a woman Prime Minister. We've had female Premiers, Lieutenant Governors, Governors General. Women lawyers, judges, businesswomen, and administrators are now, if not common, at least present in greater numbers than ever before. We haven't had any women Premiers in Alberta yet, but that could very easily change sometime in the next few months.

There has been definite progress, a century's worth, but the journey to true equality for women continues. Women still earn less than men for doing the same work. Women are still under-represented in politics and far less likely to serve as CEOs. Worldwide, women do two-thirds of all human work yet earn only 10 per cent of the total income and own 1 per cent of the world's property. Women are far more likely than men to be the victims of domestic abuse and sexual assault. The sexual behaviour of women is judged by a far different and hypocritical standard than that of men. Women continue to be objectified and stereotyped across the media. Positive portrayals of women are still far outnumbered by these regressive stereotypes. Even in the developed economies women are still risking their careers when they become pregnant. The list of barriers and struggles goes on, and that's why International Women's Day is as much a call for continued action as a celebration.

I firmly believe that when it comes to these issues, the instigators of change are middle-aged women and young people, the middle-aged because we've seen injustice and stupidity, lived through it, and felt the effects, and the young because they're still full of idealism and a powerful desire to change the world. The middle-aged women effect change with their experience and money; the young provide energy and time.

Today I salute all women who fight daily to ensure their inherent rights to respect and equal treatment are recognized. Thank you.

**The Speaker:** I suspect that requests will be made to have a representative of the third and the fourth parties participate in this, so I'll ask the question. We'll need unanimous consent, and the question will be in the negative form. Does anybody oppose seeing two additional speakers participate? If so, please say no.

[Unanimous consent granted]

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to rise today to speak about the 100th anniversary of International Women's Day. The first Women's Day was observed in 1909, during a time of great expansion in the industrialized world. In Alberta we have a strong tradition of female empowerment. In 1927 Emily Murphy, Henrietta Muir Edwards, Louise McKinney, Irene Parlby, and Nellie McClung convinced Prime Minister Mackenzie King to ask the Canadian Supreme Court to clarify the word "persons" under the British North America Act of 1867. When the Canadian court confirmed that persons were men and only men, these women persuaded the government of Canada to appeal to the Judicial Committee of the British Privy Council. There they won their case, and on October 18, 1929, Canadian women were legally called persons. These pioneering women came to be known as the Famous Five and stand as role models to this day for women young and old. Now equal rights are enshrined in the 1982 Constitution.

Mr. Speaker, you have noted that Christy Clark was recently elected as leader of the B.C. Liberal Party and will soon be the Premier of B.C. It's clear now that women can do whatever they set out to do, whether it's raising children, driving a tractor-trailer, or becoming the next Premier in this province.

I'd like to end with a quote. Golda Meir, the first female Prime Minister of Israel, said: "It's no accident many accuse me of conducting public affairs with my heart instead of my head. Well, what if I do? Those who don't know how to weep with their whole heart don't know how to laugh either."

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

**Ms Notley:** Thank you, Mr. Speaker. One hundred years ago thousands of women marched in the streets of New York to call for better pay, decent hours of work, and voting rights. Women's Day began in a very practical way, with recognition of the unfairness that marked the lives of women.

International Women's Day is rooted in working for economic, political, and social justice for women, the full and equitable citizenship of women. We need this clear perspective on the day in 2011 as well because full equality still needs to be something we struggle for, something that is not easily delivered.

Today in Edmonton women are marking this day at NorQuest College to draw attention to the importance of equal access to education and training as the pathway to decent work for women. Later this month the Network for the Advancement of African-Canadian Women will mark the day to draw our attention to the many achievements of African-Canadian women that result in better lives for all of us. The NDP opposition is thankful for the work of organizations that take the full participation of women seriously and call our attention to what this means.

Alberta has the biggest wage gap between women and men in Canada, and it is getting worse. Two-thirds of low-wage workers over the age of 25 in Alberta are women. Women depending on EI are increasing while the numbers for men are falling. Amongst our seniors poverty is a more serious challenge for women, yet this government resists pension reform that would offer women a bet-

ter chance of economic security in their senior years. During the working years women are challenged by Alberta's inadequate number of regulated, affordable child care spaces. Recent additions do not meet the demand, and on a per capita basis Alberta is still near the very bottom of spending on child care.

**1:50**

Looking around this Assembly, we also make note on this day that there is still much to be done to ensure that women are able to actively participate in the political arena in numbers equal to that of men.

Ultimately it is very important to remember and celebrate the successes of the courageous and uncompromising women of the past. However, we do a disservice to their efforts if we fail to acknowledge that true equality for women remains elusive. As such, this day is a good one, in which all members of this Assembly can commit themselves to working for the change needed to obtain true equality amongst all Albertans.

Thank you.

**The Speaker:** Before we move on to the question period, I do want to recognize one woman in this Assembly, and that's the Member for Calgary-Elbow. Happy birthday plus one day.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Emergency Medical Services

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, this government continues to duck, dive, and stonewall by not calling for an independent investigation into compromised emergency room care for 322 patients. The chairman of the Health Quality Council of Alberta is saying that the government's internal review lacks independence. We applaud the Health Quality Council's effort to restore public confidence in health care even as these Tories mismanage health and continue to fail Albertans. To the minister: will the government do the right thing and support the Health Quality Council request to expand their mandate, allow them to investigate . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, the Health Quality Council does a tremendous amount of good work in this province. They do quality assurance reviews when they're asked to by either me as minister or by the Alberta Health Services folks. Under the regulation that they exist, they have a very clear mandate, and to my knowledge they're accomplishing it very, very well.

**Dr. Swann:** I did say duck, dive, and deny, didn't I, Mr. Speaker?

Will the government finally do the right thing and allow the Health Quality Council to launch an investigation into the 322 cases that you've had on your government books since 2008?

**Mr. Zwozdesky:** Mr. Speaker, let's put this into context. On Thanksgiving Day weekend last year I was written a letter by the chair or the president of the emergency doctors, and along with that he cited 322 cases. His request at the time was: please use these 322 incidents to help address the backlogs in emergency departments. That was the primary purpose of that list of 322 cases. We immediately got Alberta Health Services' senior team clinicians onto that. They are looking at that review right now. But where do you start that review when you don't have names? You

have to verify 322 people. It's just about impossible, but they are doing the best they can as fast as they can.

**Dr. Swann:** Well, Mr. Speaker, it's clear this government isn't into building trust in our health care system. How can Albertans, including the health care workers in this system, have any trust in this government when since 2008 you have failed to investigate 322 concrete cases of malpractice?

**Mr. Zwozdesky:** Mr. Speaker, that's a pretty serious allegation right there. I think he'd better be prepared to say that where it counts, out there. We've already had one doctor alleging this; now we have another one. Step up to the plate, step outside, and say that if that's what you're going to say. Otherwise, what conclusion can we come to? If you know something, say it.

**The Speaker:** Second Official Opposition main question. The hon. Member for Calgary-Varsity.

### Workplace Safety

**Mr. Chase:** Thank you, Mr. Speaker. An explosion at a natural gas well southwest of Edson has left 12 workers injured. The Alberta Liberals have been advocating for years for the government to ramp up work site safety enforcement, but this government is only belatedly taking our advice. To the Minister of Employment and Immigration: if the minister now believes we need to boost the number of safety inspectors significantly to deal with the economic upturn, isn't he conceding that this government severely understaffed and underfunded worker safety programs during the past boom?

**Mr. Lukaszuk:** Mr. Speaker, there is a prime example of someone blowing out a candle just to prove that it's dark. A 52 per cent increase in occupational health and safety officers over the last year, new office in Fort McMurray, enhanced enforcement of the Occupational Health and Safety Act, enhancement of education, training for our staff, full adherence to the Auditor General's report, full adherence to some of the criticism levied against this department in the media: how much more proof does this man need to show him that this government is committed to occupational health and safety?

**Mr. Chase:** Mr. Speaker, what I'd like to see is that we don't have four sets of industrial gas- and oil-related accidents within a two-month period going forward.

Haste makes waste, Mr. Minister, and it leads to errors and injuries but not in the case of hiring occupational safety. Given that the number of safety inspectors stayed practically constant throughout the recession, was this government's hiring freeze behind the failure to increase safety enforcement before the incidents at Horizon earlier this year and now in Edson?

**Mr. Lukaszuk:** Mr. Speaker, first of all, occupational health and safety is a co-operation between workers, employers, and this government. All initiatives, including hiring the additional occupational health and safety officers, are paid for by the employers of Alberta through the Workers' Compensation Board; hence, hiring freezes or any budgetary restraints of this government had nothing to do with this, and this member knows that very well.

**Mr. Chase:** Workmen's compensation is a sad commentary, Mr. Speaker.

Given that an enhanced inspection program uncovered gross safety violations in the construction industry last December, will

the minister order a similar program for the oil and gas sector after these four incidents within a two-month period?

**Mr. Lukaszuk:** Mr. Speaker, what this member is also not willing to tell you is the fact that the gas and oil sector, particularly in northern Alberta, actually has some of the fewest incidences of occupational health and safety violations and incidents in Alberta. The fact of the matter is that we have taken, also as part of our enforcement, focused inspections of businesses. We're focusing on forklifts right now. We will be looking at the residential construction industry. We will be looking at young workers. Commitment is showing. This member just chooses to ignore it.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Centre.

### Gender Equality

**Ms Blakeman:** Thank you very much, Mr. Speaker. Two things, I believe, are critical to women's equal participation in the life of this province, economic equality and representational equality. To the President of the Treasury Board. Today is the 100th anniversary of International Women's Day. Let's do a report card. With fewer than 10 exceptions why is it that none of the rest of the government agencies, boards, and commissions have enough women appointed to achieve the critical mass necessary for equitable representation?

**Mr. Snelgrove:** Mr. Speaker, I've got to tell you that I would be the last one to suggest that there was anything about the total respect and equality in my life for women. But I've got to say this: these boards and agencies that are mandated to run the different responsibilities they have have a job to do first. While we all need to work in our lives and in government to provide opportunities for women to achieve those goals, it can't come at the expense of the skills that are in that board. Why there are not as many women I can't tell. Possibly there weren't as many applications, but the fact is that this government is very committed to equality for women.

**Ms Blakeman:** With respect, that is utter nonsense.

To the same minister: given that this government has contracted delivery of many services to not-for-profits, which have predominantly female employees receiving lower pay and fewer benefits than in the public sector, how much has the government closed that wage gap? By how many cents per hour?

**Mr. Snelgrove:** Mr. Speaker, I have no idea what the wage gap is and how much it has closed or not closed.

**Ms Blakeman:** Well, you are the minister in charge of the Treasury Board. Let me try one more time. To the same minister: given that the poorest families are those headed by single-parent females and that although 70 per cent of them are working, they still have just one-eighth of the assets the average Canadian family enjoys, what has this government done to reduce this gap in the last five years?

**Mr. Snelgrove:** Mr. Speaker, I've got to tell you that when we hire, we don't hire based on whether they're a man or a woman. We hire on credentials, and our paycheques don't know where they're going. We do not discriminate at any level in this government. To suggest that somehow Alberta is different from the rest of world, where across the world we recognize that there's a long way to go so that women do achieve final equality, to try and push

out some of the good work that corporate human resources have done in departments in this government is detestable.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**2:00                      Emergency Medical Services**  
(continued)

**Mr. Boutilier:** Thank you, Mr. Speaker. The verdict is in. Clearly, there is enough evidence to go forward with an independent review by the Health Quality Council, as reported today by the highly respected Dr. Lorne Tyrrell, chair of the council. Will the minister of health today commit to all Albertans and this Assembly to launch an investigation right here, right now, today?

**Mr. Zwozdesky:** Mr. Speaker, I don't think there's been any evidence or proof provided yet to substantiate the allegations that were made in this House last week. However, I am prepared to consider any type of appropriate action at the appropriate time once we have the appropriate information in front of us. So far we don't.

**Mr. Boutilier:** Mr. Speaker, given the response, the non-answer by the minister, Dr. Lorne Tyrrell, a highly respected medical doctor, who is the chair of the Health Quality Council, said that there should be an investigation. Will this minister for this Assembly and for all Albertans do the right thing and launch an investigation today?

**Mr. Zwozdesky:** Mr. Speaker, I have said already that I don't have the basis upon which to launch such a request to the Health Quality Council. What we do have is a review of the 322 cases, which the member tabled essentially yesterday, which were brought to our attention last fall for the purpose of helping out emergency rooms. We've looked into that, and we've taken concrete action. We've opened more beds, we've got new protocols, and we have more people on staff. That's what we're doing. We're looking after protecting this system and improving it, and that's very positive news for Albertans to hear.

**Mr. Boutilier:** Mr. Speaker, one more time: will this minister respect Dr. Lorne Tyrrell on his advice to launch an investigation for the 322 that he's referenced in the ER crisis? To protect all Albertans, will you launch an investigation today? Yes or no?

**Mr. Zwozdesky:** Mr. Speaker, the short answer is no, not at this time because there is nothing upon which to base such a launching. You have 322 cases. There are no names attached there. There are dates that would have to be verified; there are locations that have to be verified; there are other physicians that would have to be contacted. That's what the senior clinicians are doing today and have been doing for the past four months. It's complicated because usually a health quality assurance . . .

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

**Villa Caritas Geriatric Mental Health Facility**

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday the Premier opened the geriatric psychiatric unit at Villa Caritas. Amidst all the fine words and self-congratulations the Premier failed to mention the recent suicide of a patient at Villa Caritas. The government was warned that Villa Caritas was designed as a long-term care facility and lacks many essential features necessary

to ensure the safety of psychiatric patients. Now a patient is dead. To the health minister: will the minister admit that this government's negligence and incompetence have resulted in psychiatric patients being placed in unsafe conditions, which led to the death of a patient?

**Mr. Zwozdesky:** Mr. Speaker, how unfortunate to characterize a question that way. Our hearts go out collectively and directly to the family of the person who suffered this particular demise.

I can assure you, having been at Villa Caritas on a few occasions now as well as at Alberta Hospital as well as at the location in Ponoka, that outstanding care is provided for people with mental health difficulties in this province, including the circumstance referred to by this member.

**Mr. Mason:** Mr. Speaker, well, given that a cursory inspection would show that the showers and bathrooms are potential places for suicide, that there are blind spots in the buildings, the light fixtures are potentially dangerous, and there's insufficient staff and given that upgrades to Villa Caritas were inadequate to ensure the safety of psychiatric patients and given that the geriatric unit at Alberta Hospital was properly designed for seniors with serious mental illnesses, why did this minister proceed to transfer patients, knowing they were being put at risk?

**Mr. Zwozdesky:** Mr. Speaker, no patients were put at risk, and no patients ever will be knowingly put at risk. Let's get serious here. We have a state-of-the-art facility with hugely improved facilities and amenities. If you'd just go over there, hon. member, and walk through, take a look at the increased space that they have, take a look at the integrated services that they now enjoy, take a look at the extremely capable staff that are providing those services, you'll come to the same conclusion we all have, that it's an outstanding facility doing outstanding work for some very vulnerable people who need it.

**Mr. Mason:** Then how, Mr. Minister, did a patient manage to commit suicide within days of moving into this safe facility?

Given this government's record of mismanagement, that includes unnecessary deaths in ERs and on surgery wait-lists, and given the tragic and preventable death at Villa Caritas, will the health minister admit that his government's abysmal mismanagement of the health care system has led to numerous deaths, unnecessary deaths, of Albertans?

**Mr. Zwozdesky:** Well, Mr. Speaker, you know, there is a lot that can be done to help protect the safety of the individuals in question. That's one reason why we upped the dollar amount for the building of that facility to 51 and a half million dollars, to ensure that the best protections possible could be there, to ensure that the state-of-the-art equipment necessary to help these people would be there, to ensure the best possible environment for them to live out their years. That's what we've done, and that's what we're going to continue to do: help those people, not attack them, not accuse them.

**Speaker's Ruling**  
**Decorum**

**The Speaker:** I would think that when an hon. member raises a question about the suicide of an individual and an hon. minister was giving a response, most members would listen attentively instead of acting out. For what reason is beyond me.

The hon. Member for Calgary-Mountain View.

### Emergency Medical Services (continued)

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, I have to go back to the health minister and ask him again. In all seriousness, the confidence in our health care system is at an all-time low. We know that two-thirds of Albertans have said that they don't believe the government is managing it appropriately. Health professionals in their survey indicated nonconfidence in the management of the health system. Returning these 322 cases to the Health Quality Council would help to restore trust in the health care system. Will you do that, sir?

**Mr. Zwozdesky:** Mr. Speaker, I will be speaking with individuals involved in this review very soon. If there are some appropriate actions that they feel are warranted or that I feel are warranted, I can assure this member and I can assure all Albertans that those steps will be taken.

**Dr. Swann:** Well, Mr. Speaker, it's almost unprecedented that the head of the Health Quality Council, Dr. Lorne Tyrrell, a well-respected physician in the province, has requested this. Is there something that you don't trust about his judgment on this?

**Mr. Zwozdesky:** Mr. Speaker, I don't know where the hon. member is getting his information. I have not had a request of that nature put to me by Dr. Tyrrell. I know Dr. Tyrrell very well; I respect him highly. If he has a request like that for me, then I will certainly sit down and consider it.

**The Speaker:** The hon. leader.

**Dr. Swann:** Thank you, Mr. Speaker. Well, again to the minister: does he deny that his department has been aware of these 322 cases since 2008?

**Mr. Zwozdesky:** Mr. Speaker, I believe those cases were referred to Alberta Health Services. I think they are the ones who are the custodians of the 322 incidents. As I've indicated before, a typical health quality assurance review deals with one case, maybe two. That's typical. In this instance there's just not enough information upon which to accelerate that review. It's taking its own course. It's being done by doctors not unlike the doctor who is questioning me right now. It's being done in a very thorough fashion. So let's allow that process to move along, and if they find something, they will let us know.

**The Speaker:** The hon. Member for Calgary-Lougheed, followed by the hon. Member for Calgary-Buffalo.

### Securities Regulation

**Mr. Rodney:** Thank you, Mr. Speaker. The Alberta government has been challenging the federal government's move to establish a single national securities regulator to the point where it took its case to the Alberta Court of Appeal in January. This morning the court released its opinion, and it agreed that securities regulation is a matter of provincial jurisdiction. My first question is to the Minister of Finance and Enterprise. What are the repercussions regarding Alberta's future fight against a federal securities regulator? Where does it go from here?

**Mr. Snelgrove:** Well, thank you, hon. member. Mr. Speaker, obviously, we are happy that the Alberta Court of Appeal has interpreted and adjudicated basically along the same lines that our argument was based on, that securities regulation is a provincial

matter constitutionally. They reinforced that. This isn't the end of the fight, but it's always helpful to have a level of court at that stage that supports your argument totally.

2:10

**Mr. Rodney:** My next question is to the same minister. Perhaps not surprisingly, Alberta has been accused by some as fighting with the feds for no good reason in this case. What's the minister's rationale for these efforts in this particular case at this particular time?

**Mr. Snelgrove:** Well, I think that on the securities regulator there is a very good reason. Maybe more importantly, Mr. Speaker, there is a matter of principle involved, that constitutionally we have rights and responsibilities in our province, and we need to make sure that we challenge these on an ongoing basis. The simple fact around the securities regulator is that most of the other provinces support the initiative. So I'm not trying to pick a fight with anybody. Well, maybe with some people but certainly not with the federal government.

**The Speaker:** The hon. member.

**Mr. Rodney:** Thank you, Mr. Speaker. My last question is to the same minister. Canadian provinces support the system which is already in place, so can the minister please clarify why he feels there's such a need for Alberta and other provinces to continue to push back regarding the latest federal proposal?

**Mr. Snelgrove:** Mr. Speaker, it's because history has shown us through these very difficult times in a recession that the system we have works. The American system falls under a single regulator. It was a disaster. We've got a national-in-scale system that the provinces administer. You know, to use the old saying, if it's not broken, don't fix it. That's where we are with Alberta. It's our responsibility, and we're doing a darn good job of implementing it.

### Political Contributions by Municipal Officials

**Mr. Hehr:** Mr. Speaker, a freedom of information request revealed that seven elected representatives from the county of Barrhead's council, their spouses, and two staff members attended a 2009 fundraising event for the Barrhead PC association at a cost of \$720. I'm certain that it was a wonderful event. Now, I wouldn't be asking about this except that the elected officials' tickets were paid for by the county of Barrhead or, in other words, their taxpayers, which is a clear violation of the Election Act. To the Minister of Justice: will the minister notify both Elections Alberta and the PC Party of this incident so that monies can be returned to these taxpayers?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. I stand to be corrected, but I believe the money has already been returned.

**Mr. Hehr:** Well, I thank you for that honest and clear answer, but if I gave you some documents, could you further investigate? And if you find out that this matter has been taken care of, I would be happy, and we'll move on from there.

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you. I'll certainly undertake to look at whatever documents the hon. member wants to pass along, and we'll act accordingly.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you very much. I'll leave it there.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Calgary-McCall.

### Heartland Electricity Transmission Project

**Mr. Quest:** Thank you, Mr. Speaker. One of the proposed routes for the heartland transmission line runs through the east TUC and through my constituency. Many of my constituents are very concerned about this 500-kV line being so close in proximity to homes and a nearby school and are strongly advocating putting this line underground. My first question is to the Minister of Energy. I understand that the cost of underground is generally higher, but what's being done to ensure that an accurate estimate for at least a portion of this line being buried will be considered?

**Mr. Liepert:** Well, first, Mr. Speaker, I think it's important to note in the Assembly that the Alberta Utilities Commission, which is an independent, quasi-judicial body, will begin its hearing into this particular line in just over a month. We need to ensure that no comments are made that are going to be perceived as trying to influence that decision. But there have been a number of studies done over the past year, and I'm sure that those will be presented during the hearing. It will be up to the commission to make its decision relative to the siting of the line.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My first supplemental to the same minister: what can you tell my constituents to reassure them that environmental and health concerns will be thoroughly considered during that process?

**Mr. Liepert:** Mr. Speaker, Health Canada assesses and monitors health and safety risks that are associated with radiation-emitting devices – that includes power lines, cellular telephones – and ensures that Canadians are protected under our laws. I know that on the website of Health Canada it states that there is research that has shown that these electronic currents are not associated with any known health risks. That being said, the commission is obligated during the hearing process that if there's any evidence to the contrary that may be presented . . .

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My final question, again to the same minister: what assurances can the minister give that all possible routes and technologies will be given fair consideration? Minister, I've heard today that the TFO crews may already be working in the TUC.

**Mr. Liepert:** Well, Mr. Speaker, I think we need to be clear on the very last comment made by the member. There is some soil testing going on both in this particular route and the alternate route. That's part of the pre-engineering work that's needed to ensure that they have adequate information relative to costing and should in no way be construed that the project will be approved. In fact, the AUC, just to be clear, can either approve the application, approve it with conditions, or deny it. So let's let the hearing take place, and the decision will be rendered.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Ellerslie.

### Twinning of Highway 63

**Mr. Kang:** Thank you, Mr. Speaker. Fort McMurray is booming again, and highway 63 is as dangerous as ever. Twinning is essential. We have been at it since 2007 and are not expected to be completed before 2015. That is over eight years later. There is no excuse for twinning this highway in small, time-wasting increments instead of one dedicated project. To the Minister of Transportation: why has the minister chosen the most delayed method of completing this project?

**Mr. Ouellette:** Well, I'd like to thank the hon. member for bringing that question forward because I'd like to clarify what that's about. Highway 63 is a huge, huge project, and we plan on getting it done. But let me tell you, Mr. Speaker, that it's a \$2 billion project. I have to go by what the hon. members on the other side keep saying: delay, delay, delay. We don't want to delay. We're trying to get it done as fast as we possibly can.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think the minister has already been delaying, delaying, delaying that project.

To the minister again: with Alberta coming out of the recession and the oil sands being very much in demand world-wide, would it not be essential to complete this infrastructure in a timely fashion?

**Mr. Ouellette:** Mr. Speaker, I'd like the hon. member to know that we're spending \$190 million on highway 63 this year. We're carrying on with two complete interchanges. We're carrying on with a five-lane bridge that we're building in Fort McMurray. I agree that people in Fort McMurray deserve a great quality of life. We're moving ahead with the infrastructure as fast as we can.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: will the minister commit to completing the twinning of highway 63 before 2015? You found \$2 billion for carbon capture, but you don't have enough money to fix this highway properly.

**Mr. Ouellette:** Mr. Speaker, again I have to tell you that we're moving ahead as fast as we can. We partnered with the federal government on this, and they're actually going to put \$150 million into this project. We are moving ahead with it. We can only do as much as our budget allows us to do, so I can't promise an actual date of finishing it.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Strathcona.

### Villa Caritas Geriatric Mental Health Facility (continued)

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Yesterday I attended the official opening of Villa Caritas, which is an outstanding state-of-the-art facility for geriatric mental health patients in west Edmonton. While everyone was very supportive of this new facility and the outstanding mental health services it will provide, several attendees had some questions, which I will be addressing to the Minister of Health and Wellness. While this appears to be a good move for the patients referred, why is it taking so long to present concrete actions for numerous other Albertans who are experiencing mental health . . .

**The Speaker:** The hon. minister.

2:20

**Mr. Zwozdesky:** Mr. Speaker, it's true that we're working on a province-wide strategy to help people with addictions and/or mental health issues. In fact, it's a staple in our five-year health action plan. But let's not lose sight of the fact that we're already spending over \$500 million to help people with these particular circumstances. We are also opening up new mental health treatment and residential beds, about 35 of them, that I just announced. We're also adding 65 mental health staff into our schools and clinics throughout Alberta. We're also augmenting the 90 clinics that we have across Alberta that help people with mental health and/or addictions issues. Finally, we're also doing everything we can to bring in experts in this area to help us craft the best strategy for mental health going forward.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: what impact will the decision to use Villa Caritas as a facility to support seniors with mental health issues, not as a long-term bed facility as originally intended, have on seniors looking for long-term care beds in Edmonton?

**Mr. Zwozdesky:** Mr. Speaker, the good news is that the long-term care beds that were available at the old Edmonton General hospital site still are available. I was there not long ago visiting some folks, and I can tell you that the care there is truly outstanding.

With respect to other people who might require these kinds of services, please know that the services will be there. We're opening a lot more continuing care spaces for people who have that level of need, and we're opening more residential and detox beds, or treatment beds as they're called, for people in those circumstances.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: since only 106 of 150 beds will be occupied by the patients from Alberta Hospital Edmonton, what are the plans for the remaining 44 beds, and who will be occupying them?

**Mr. Zwozdesky:** Mr. Speaker, in fact, we're going to augment the 106 beds up to 120 beds specifically for geriatric mental health patients. When you combine that with the other beds referred to, that will increase our mental health capacity for that group by about 42 per cent in our area. That's a huge increase. With respect to the other 30 beds those are going to be specialized transition beds to help address the needs of seniors with mental health issues.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Lethbridge-East.

#### **Workplace Safety** (continued)

**Ms Notley:** Thank you, Mr. Speaker. The nine workers injured in a well explosion yesterday remind us of this government's chronic record of failure on workplace safety. The minister's self-congratulatory announcement on new inspectors merely brings Alberta up to the national average a few years from now. To the

minister: will he agree that injured workers and their families can't afford to wait and hire 40 new inspectors this year?

**Mr. Lukaszuk:** Mr. Speaker, this government has made a solid commitment to occupational health and safety. We have increased enforcement of occupational health and safety. We have increased education. We are working in co-operation both with organized labour and with employers to make sure that we develop the best practices. We have increased the number of occupational health and safety inspectors by 52 per cent just in one year. We will be monitoring it. If there is economic growth and if we find that it is warranted to have additional officers, that is always open. The number 40 is as good a number as . . .

**The Speaker:** The hon. member.

**Ms Notley:** Well, given that Tory funding for worker safety is lower today than it was in 1991 while at the same time the number of Albertans working in dangerous occupations has more than doubled and given that our province's worker fatality rate continues well above the national average, will the minister admit that his hold-the-line budget for worker safety in the face of increased industrial activity is a predictable recipe for more worker injury and deaths?

**Mr. Lukaszuk:** Well, Mr. Speaker, this member calls it Tory funding for occupational health and safety. I have clearly indicated that occupational health and safety is fully funded by all employers in the province of Alberta. So maybe indirectly she is correct because most sensible employers in Alberta tend to be Tory supporters. But the fact of the matter is that there is a great expense for occupational health and safety, and we have full commitment not only by employers but also by workers within the sectors.

**Ms Notley:** Well, employers are Tory supporters because they pay the lowest WCB premiums in the country, Minister.

Given that Alberta is one of the few provinces in the country to not mandate worker safety committees by law, giving the tools to the very workers whose lives are otherwise at risk, can the minister explain this glaring omission and tell us how workers are supposed to keep themselves safe in this province?

**Mr. Lukaszuk:** Mr. Speaker, the member just contradicted herself. The reason Alberta employers pay the lowest WCB premiums is that that reflects the caseload and the number of claims that WCB is dealing with. However, I don't know how many times I can reiterate it. I'm not only saying it, but I'm actually walking the talk to show all Alberta workers that their safety on the job is our priority. Albertans demand safe workplaces, and they shall receive safe workplaces.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-Bow.

#### **Energy Efficiency Building Standards**

**Ms Pastoor:** Thank you, Mr. Speaker. An updated national building code featuring higher energy efficiency standards for all large buildings is expected by the end of 2011 and for houses by the end of 2012. Three years ago this government committed to implementing energy efficiency standards in building codes for homes and commercial buildings in its climate change strategy. To the Minister of Municipal Affairs: have Albertans been misled as it appears there is no action on this file three years later?



**Mr. Goudreau:** Mr. Speaker, I appreciate the question from the hon. member. No doubt, we continue to do our work. The building codes and the energy codes are part of a national process that we are undertaking, and we are working with our federal and provincial and territorial counterparts to see this move. The member is right. The building code, the one part, was actually published, I believe, on November 29 of 2010 to become effective in 2011, and we're following that.

**Ms Pastoor:** Thank you, Mr. Minister. You've answered part of the question, which would be: is this government going to adopt national building codes for large buildings and houses, or are we waiting for an Alberta solution? The building codes are there. Why don't we just slip in underneath, and they're effective?

**Mr. Goudreau:** Well, Mr. Speaker, I think it's appropriate to say that we should have only one building code. Rather than having interim codes, we are working with our national counterparts to bring in one code that will be suitable for all Albertans. Certainly, we are hearing from Albertans as well that they want changes for both the commercial buildings and their residential buildings and that energy efficiency is extremely important to them. We're looking at all of those aspects.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. To the same minister: will you commit to having these national energy standards for large buildings by the end of 2012 and for houses by the end of 2013? How close are we to having the national standard by those dates?

**Mr. Goudreau:** Mr. Speaker, we are still doing a review of the consultation that we did. There was a lot of consultation that occurred in the fall of 2009. We met with stakeholders. Now that we're talking about energy efficiencies, we met with them to see how they might be implemented in the Alberta building codes for both homes and other buildings. We are waiting, basically, to look at implementing the model codes when they become available later on this year and into 2012.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Calgary-Glenmore.

### Health Research Funding

**Ms DeLong:** Thank you very much, Mr. Speaker. We've all heard about Alberta's excellent track record when it comes to life-changing and life-saving health research. If you haven't, please call me; I'd be glad to fill you in. We're making great strides towards curing diabetes, eliminating viruses, and better understanding the human brain. Yet I still get challenged with rumours that funding for this kind of research is in jeopardy. My questions today are to the Minister of Advanced Education and Technology. Bottom line: is funding for health research in Alberta increasing or decreasing?

**Mr. Weadick:** Well, I'd like to thank the member for that question. I'm very pleased to say today that in 2010-2011 Alberta Innovates will be putting \$83 million into health research in this province. That's up from \$75 million only one year ago, so a significant increase. This research will go into all types of health research across the province, and we're so excited to see this research being done right here.

**The Speaker:** And his budget will be dealt with on April 12. Proceed.

**Ms DeLong:** Thank you. My second question is to the same minister. Will research funding be available for research that has the potential to reduce wait-lists or address other challenges facing our current health care system here in Alberta?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. That is one of the focuses of health research being done. In fact, on Friday we were in Calgary at the University of Calgary opening the medical ward of the 21st century, a place where companies and doctors can go to test the newest equipment, look at new ways of delivering health care that are more patient focused. There's a company called Xsensor out of Calgary that has designed a sheet that goes on the bed and will detect pressure points and allow nurses to turn patients in time to get rid of bed sores and those kinds of things. This is critical research that's moving us forward.

2:30

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much. To the same minister: there are also questions that this strategy is considered political interference in research.

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you. Yes, I have heard that. I think it's critically important that the government sets priorities for its spending of tax dollars. At the high level the government has set some priority areas around maternal and child health and around addictions and other things. I think that's critically important. Alberta Innovates will determine which areas are going to be funded, how they're going to be funded, which programs will receive the funding, and it's up to them to try to prioritize those projects. So it is at arm's length to government.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Livingstone-Macleod.

### Capital Infrastructure Planning

**Mr. Hinman:** Well, thank you, Mr. Speaker. It's obvious that this government continues to miss the lesson when it comes to prioritizing infrastructure. We have a government that is putting MLA offices ahead of children in severely overcrowded classrooms and ahead of seniors stuck in acute-care beds and ER patients in the halls of our hospitals. To the Minister of Infrastructure: are you as ignorant and as fiscally irresponsible as the Member for Edmonton-Calder to say that had you prioritized schools and seniors' care facilities ahead of the federal building, construction workers would have no work?

**The Speaker:** We're going to find some temperance in language in here, or we're going to have a real shambles, points of privilege included.

**Mr. Danyluk:** Mr. Speaker, let me be very clear. I think the hon. member opposite needs to know that we are building 14 new schools at this time: 10 core schools, four high schools. We have 41 health projects that are on the go, five major hospital builds, five cancer institutes that we're building, and we are also building 13 seniors' projects, that are going to have over a thousand spaces. That is part of what this government is doing in relation to infrastructure.

**Mr. Hinman:** It's good that he prioritizes his answers. I wish he'd prioritize his buildings.

Given that this government was in complete denial of the economic conditions that we were in when they decided to go ahead with the federal building, does the minister really think that if we were to have had a prioritized public infrastructure list at the time, the citizens of Alberta would have agreed to renovate the federal building ahead of desperately needed long-term care beds for seniors and classrooms for our overcrowded children?

**Mr. Danyluk:** Well, Mr. Speaker, I think I need to express to the hon. member opposite that there is a balance. There is a balance to having health care facilities. There is a balance with educational facilities, schools. At the same time, we do have to have office buildings, and those office buildings hold individuals that are there to help Albertans, to serve the needs of Albertans. We cannot stop development or construction.

I also need to say to you that this project was started in 2008.

**Mr. Hinman:** Well, Mr. Speaker, given that the federal building stood vacant for 20 years, a delay of two or three more years would not have changed the value or the opportunity to redevelop the property.

How long will the minister continue to declare that new MLA offices are more urgent than the need to move our seniors out of acute-care beds and into long-term care facilities and our children out of severely overcrowded classrooms into new schools? He needs to make the list public. Prioritize the list and make it public.

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I don't believe that the hon. member opposite heard. The list is public. All he has to do is look it up on the website, maybe pay attention to the newspapers as he usually does. I would say to you: 14 new schools, 41 projects in health care, seniors' housing. That is the list. That is the list that you have before you, and if you can't understand that list, I'm not sure how I can help you . . .

**The Speaker:** If the two of you don't start talking through me, I'm not going to recognize either one of you again for a long period of time.

The hon. Member for Livingstone-Macleod, followed by the hon. Member for Edmonton-Gold Bar.

#### Cattle Price Insurance Program

**Mr. Berger:** Thank you, Mr. Speaker. Alberta cattle producers face great risks due to the volatility of the Canadian dollar and other market forces that are beyond their control. To the minister of agriculture: what, if anything, is your ministry doing to enable cattle producers to protect themselves in these turbulent times?

**The Speaker:** The hon. minister of agriculture.

**Mr. Hayden:** Well, thank you, Mr. Speaker. This government does recognize the effects of the volatility of the cattle market on our Canadian dollar, and we have produced an insurance program for calves that's being handled through the AFSC. It's a market-driven program to add some surety to the industry. It reflects the market prices as indicated through our auction marts throughout the province to make sure that there are safeguards for these producers.

**The Speaker:** The hon. member.

**Mr. Berger:** Thank you. Back to the same minister. Now, that sounds good if you're a large-scale producer, but is this available for smaller and medium-sized producers, or are they even eligible to apply?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. The size of the operation doesn't matter for coverage in this program. You have to be an agricultural producer that raises livestock and to have them for over 60 days. You have to be over the age of 18. That's the policy.

**The Speaker:** The hon. member.

**Mr. Berger:** Thank you, Mr. Speaker. Okay. We've enabled the beef producers with this price insurance option, and that's good, but is it available to the producers of any of the other livestock species we raise here in Alberta?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. This program is fairly new. We started it with a portion of the livestock, the cattle industry, initially. We are moving now to develop a program for the hog sector also. Of course, agriculture is our largest renewable industry in this province, so it's important that we keep it viable, and these programs are going to help.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Calder.

#### Health Authority Administrative Expenses

**Mr. MacDonald:** Thank you, Mr. Speaker. This government until 2006 gave taxpayers a breakdown of administrative expenses incurred directly by health authorities. These expenses were broken down by general administration, human resources, finance, et cetera. My first question is to the minister of health. Why did this government in 2006 stop the good accounting practice of giving taxpayers a breakdown of the millions of dollars that were spent annually on administrative expenses by health authorities?

**Mr. Zwozdesky:** Mr. Speaker, I don't carry around information going back to 2006 in my hip pocket. I'm sure that the accounting that is done and the reporting back to Albertans that is done on a regular basis would cover off some of those questions the hon. member is asking.

Secondly, if he has that kind of detail that he wants to go back five years, perhaps he should bring it forward in a more proper forum.

#### Speaker's Ruling Questions about a Previous Responsibility

**The Speaker:** I would refer all members to *Beauchesne's* 409(6).

A question must be within the administrative competence of the Government. The Minister to whom the question is directed is responsible to the House for his or her present Ministry and not for any decisions taken in a previous portfolio.

Proceed.

**Mr. MacDonald:** This minister is responsible for the budgets of not only this year but of previous years for the health department.

**The Speaker:** Sit down. He is only responsible for the budgets that he is minister of during that time frame. He's not responsible for anything that happened in 1934.

Proceed.

### Health Authority Administrative Expenses (continued)

**Mr. MacDonald:** I'm not talking about 1934; I'm talking about 2006.

Given that after 2006 – after 2006 – hon. minister, administration fees skyrocketed by millions of dollars annually, who ordered the changes to be made so that there was no longer a full disclosure of these administrative fees in your annual reports?

**Mr. Zwozdesky:** Mr. Speaker, there is full disclosure. There always is. Not only that, but it's also audited.

I think that what the hon. member is missing here, though, is the large population growth that this province has experienced. People are moving here for a reason, and one of them is the best health care services anywhere in the country.

**Mr. MacDonald:** Mr. Speaker, more money was spent, and there was less disclosure.

Again to the minister: are any legal fees directly incurred by the health authorities hidden in the category of general administration?

**Mr. Zwozdesky:** Mr. Speaker, I'm not sure where they put legal fees specifically, but I'm sure that they're there. I'm sure they're accounted for. What we can do is find out exactly which line item they're included in.

I can assure you that it's important to have people who represent you on legal fronts. Sometimes you need them for your own protection here.

**The Speaker:** The hon. Member for Edmonton-Calder.

2:40

### NAIT Program Closures

**Mr. Elniski:** Thank you, Mr. Speaker. My questions this afternoon are for the minister of advanced education. Minister, every year an academic review is conducted to determine the long-term need for programs of study at an institution such as NAIT in my constituency of Edmonton-Calder. Apprenticeship training programs have never been in question, yet others have been terminated due to a lack of enrolment. Given the current demands for avionics and airframe professionals and that both programs are fully subscribed, can the minister tell me why these and seven other programs are being considered for termination?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. This is an important issue, and I would like to thank the Member for Edmonton-Calder for bringing it up. Each and every year all of our postsecondary institutions review all of their programs, and we believe that they should. We believe it's critically important that they deliver the programs that Albertans need, that they deliver the services so our young people and our tradesmen can get jobs. Each and every year they review them. Through that process they come up with new programs they'd like to add and programs they'd like to remove. This is one of those where that particular school has suggested these programs for removal.

**The Speaker:** The hon. member.

**Mr. Elniski:** Thank you. My only supplemental is to the same minister. Mr. Speaker, given that this minister has the final say in these matters, what will he be basing his decision on?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. As you know, the institution NAIT will come before the department and make their recommendations as to what we should do with these programs, what enrolment for the future looks like, what the employment picture for these trades will be, and what it would look like across Campus Alberta for delivery. We'll wait, and we'll work with that institution to see what the outcome is.

**The Speaker:** The hon. member.

**Mr. Elniski:** No further questions.

**The Speaker:** That's it? Okay.

Hon. members, 18 members were recognized today. That was 104 questions and responses

In a few seconds from now we will continue with the Routine. We will be going to Members' Statements in 15 seconds from now.

### Members' Statements

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

#### Affordable Housing Project in Strathmore

**Mr. Doerksen:** Thank you, Mr. Speaker. We often hear about the high cost of living in Alberta, and as we come out of this economic downturn, I don't expect this to change. What has changed, however, is the public expenditure of resources and know-how to make home ownership affordable to more lower income Albertans.

I had the pleasure of attending the project launch for the perpetually affordable housing project, that highlighted the innovation in housing that we're seeing across the province. The town of Strathmore has entered into a partnership with Classic Communities to develop a 48-unit perpetually affordable home ownership project. Housing and Urban Affairs has committed over \$1.6 million to the town of Strathmore.

This funding along with commitments from the town of Strathmore, the Strathmore affordable housing society, and Classic Communities has created a unique opportunity for low-income families. These are two- and three-bedroom units and are affordable to families making as little as \$25,000 a year in annual income. The units will remain affordable in perpetuity, approximately 70 per cent of market value, regardless of changes in the market, thanks to the public funds remaining in the equity of this project. While people of all ages can qualify to invest in this project, it is particularly attractive to young people who want to invest in home ownership. This project offers the opportunity for home ownership at a cost that is competitive with local rental rates.

Mr. Speaker, partnerships with the private sector, municipalities, and nonprofit organizations have enabled Housing and Urban Affairs to reduce its budget by 36 per cent while at the same time meeting targets for increased affordable housing and, in this case, home ownership. This project is an example of an innovative and responsible expenditure of public funding.

I would like to acknowledge the town of Strathmore, Classic Communities, and the Strathmore affordable housing society for enabling home ownership and allowing lower income earners to make an investment in their future through equity in their own homes.

Thank you, Mr. Speaker.

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

#### Children's Mental Health and Addiction Initiatives

**Mrs. Forsyth:** Thank you, Mr. Speaker. In 2009, after consultation with mental health and addictions experts, parents, and

children, I introduced the Protection of Children Abusing Drugs Amendment Act. With the support of this very House it passed. Upon proclamation of the bill children abusing drugs would be held in treatment for 10 days and not the current five. PCHAD, as it's known, was the sixth bill out of 62 introduced by government during the spring session. That shows me that it was a priority of the government at the time.

Sadly, Mr. Speaker, I can't say the same now. It is still waiting to be proclaimed and made into law. Addictions professionals have all indicated that five days of treatment is not enough to unpickle their brain and get them ready for the rest of their lives by keeping these children clean and sober. The government's track record on children, especially our most vulnerable, is shameful. The Mandatory Reporting of Child Pornography Act is another one of the 62 bills that are waiting to be made the law of the land. This sends a clear message, Mr. Speaker: abused and vulnerable children do not seem to be a priority of this government.

Mental health and addiction treatment is a growing concern for all Albertans. While the government talks more and more about the importance of treating addiction and mental health issues, they do not back this talk up with action. Action, Mr. Speaker, talks louder than words. Action would be proclaiming these bills immediately. People with mental health and addiction issues are stuck in a vicious cycle that they cannot get out of alone. There are people that end up in hospitals, correctional facilities, or even homeless. If the government was truly serious, as indicated in the Speech from the Throne, they would properly fund mental health and addiction initiatives and consult with the experts in the field.

We need to move forward, Mr. Speaker. We need to move forward now and do what's right for our Alberta families.

**The Speaker:** The hon. Member for Calgary-Nose Hill, en français, s'il vous plaît.

### Les Rendez-vous de la Francophonie

**Dr. Brown:** Merci, M. le Président. Aujourd'hui je me lève à l'Assemblée pour souligner le début des Rendez-vous de la Francophonie, une célébration nationale de la culture, de la langue, et du patrimoine français qui se déroulera du 4 au 20 mars.

Ici en Alberta les communautés francophones ont lancé les festivités le 4 mars 2011 avec des levers de drapeaux partout à travers la province, et les festivités se poursuivront pendant les deux prochaines semaines pour tous les Albertains de tous les âges et d'origines diverses. Le thème cette année célèbre comment l'interaction enrichit la compréhension, quelque chose que l'on connaît bien en Alberta.

Pour les francophones cette interaction est ancrée depuis 150 ans avec l'établissement de St. Albert, la plus vieille colonisation de langue française de la province. Les Pères Oblats et les Sœurs Grises ont travaillé étroitement avec les Premières nations et les Métis afin d'accroître le commerce et afin de construire certaines des premières écoles et des premiers hôpitaux de la province.

Les Rendez-vous de la Francophonie sont une occasion pour interagir l'un avec l'autre et pour découvrir le nouveau visage de la francophonie albertaine. En valorisant l'interaction et le partage de notre richesse culturelle, nous aidons nos communautés à croître, et nous créons une société plus accueillante et inclusive.

M. le Président, je tiens à remercier les membres de cette Chambre pour leur appui continu, et je vous invite tous à participer à ces célébrations afin de souligner les contributions des francophones au riche patrimoine albertain.

**The Speaker:** The hon. Member for West Yellowhead.

### Northland Community Engagement Team

**Mr. Campbell:** Thank you, Mr. Speaker. In January 2010 the Minister of Education dissolved the Northland school division board and appointed an official trustee to oversee the jurisdiction. He also appointed an inquiry team to look at the governance, management, and operations of this vast northern jurisdiction. In January of this year the inquiry team issued its report, calling for an improvement strategy to focus on three priorities: English and aboriginal language and numeracy development, improving student attendance, and strengthening parental engagement with schools by improving communication and trust.

Earlier this month a team with strong connections to aboriginal education was established to provide strategic advice, direction, and leadership to address these issues. This team will engage the community in the transformation of Northland into a special-purpose authority for aboriginal education, one able to capitalize on its unique character to provide excellence in First Nations and Métis education. The team will be led by the capable Member for Lesser Slave Lake and Dr. Colin Kelly, the official trustee, and includes community elders, Métis and Treaty 8 members, a postsecondary member, and a member of the FNMI Education Partnership Council.

Mr. Speaker, I'm pleased that two of the members are from my constituency, Mr. Alvin Findlay of the Métis local 1994 and Dave MacPhee of the Aseniwuche Nation. Their mission will be to develop and deliver strategies and initiatives we know are crucial to the educational success of the boys and girls who depend on Northland schools to prepare them for their future. Clearly, communities need to be involved in those strategies and initiatives.

2:50

Mr. Speaker, I echo the sentiments of the Minister of Education, who said that "engaging Northland communities in the future of education of their young people is essential if we want the students in those communities to find genuine and lasting success."

Mr. Speaker, on behalf of this Assembly I thank the members of the team for their commitment to FNMI education and their willingness to participate in this incredibly important work.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Meadows Fire and EMS Station

**Mr. Benito:** Thank you very much, Mr. Speaker. I rise today to recognize the Meadows fire and rescue station. Located at 28th Avenue and 34th Street in my constituency of Edmonton-Mill Woods, the Meadows fire and emergency medical services station opened in October of 2009. The cost of constructing the more than 14,000 square foot facility was \$6.5 million. Going forward, the station will save resources by having fire and emergency medical services at the same site. It also means quicker response time if the call is coming from the same area.

I was very fortunate to be in attendance at the grand opening alongside many community members and Edmonton's mayor, Stephen Mandel. Mr. Speaker, the construction of the Meadows fire and EMS station would not have been possible had it not been for the funding from the provincial government under the guidance of this province's Premier.

This funding was made possible through the municipal sustainability initiative, known as MSI. MSI is the province of Alberta's commitment to providing significant long-term funding to enhance municipal sustainability and to enable municipalities to meet the demand of growth. The opening of the Meadows fire and EMS station is a perfect example of how MSI funding can directly impact a community and help it meet its needs.

I commend this very important program and would like to recognize its benefits to the Meadows community of Mill Woods. To all the officers and members of Meadows fire and rescue station: keep up the good job you are all doing, and we salute you for making our community better.

Thank you very much, Mr. Speaker.

### **Women in Scholarship, Engineering, Science and Technology**

**Dr. Taft:** Mr. Speaker, this year marks the 100th anniversary of International Women's Day, celebrated today by people around the world, people who are doing their best to ensure that women everywhere enjoy better health, safety, respect, freedom, and equal pay for equal work. I'm proud to say that in my constituency of Edmonton-Riverview there's an organization dedicated to pursuing those goals. WISEST, Women in Scholarship, Engineering, Science and Technology, is an organization created by the University of Alberta designed to increase gender diversity in the workplace, especially in the fields that constitute its acronym.

Since 1982 WISEST has been encouraging women to choose careers in science and engineering. Over 600 volunteers develop programs to draw more women to these fields. WISEST reaches out to girls and young women while they are still in secondary school, providing opportunities to get a taste of what it's like to work in science or engineering. Their efforts have certainly borne fruit. Across Canada women are now pursuing undergraduate science degrees at university in roughly equal numbers to men.

Of course, much work remains to be done. Women remain in the minority at the postgraduate level and in high-level leadership positions in industry and academia and government. Women still don't earn as much as men doing equivalent jobs, and the glass ceiling remains firmly in place across a wide spectrum of industries and institutions. But, Mr. Speaker, I firmly believe that one day we'll solve these problems and create a society with true equality and freedom for everyone, a society rich with opportunities for girls and boys, women and men, one in which culture, religion, sexual orientation, skin colour, or gender never interfere with anyone's human rights or potential.

People like the folks at WISEST are working to create a better world, and I thank them for it.

### **Presenting Reports by Standing and Special Committees**

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. As chair of the Standing Committee on Public Accounts I'm pleased to table five copies of the committee's report on its 2010 activities. Additional copies of the report have also been provided for all members of this Assembly.

Thank you.

### **Tabling Returns and Reports**

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. On the topic of occupational health and safety, while our inspectors right now are doing focused inspections of forklifts and related equipment, I would like to table the required amount of a new publication known as Forklift Health & Safety: Best Practices Guideline.

It's a brand new guideline that is available to employers and employees both in paper and electronic format. I would encourage all employers to take a look at it. It's showing them what the best practices and usage are of these potentially very dangerous pieces of equipment.

Also, Working Alone Safely: A Guide for Employers and Employees. For situations where workers are required to work alone, guidelines and best practices for those.

On a somewhat different topic, Mr. Speaker, today I'd like to table five copies of the Alberta Veterinary Medical Association 2010 annual report, as required.

Also, Mr. Speaker, if I may, I will be tabling the required number of the annual report of the Institute of Chartered Accountants of Alberta for the year 2010.

Thank you.

**The Speaker:** I have down the hon. Member for Calgary-Mountain View. Is anybody doing a tabling on his behalf?

Then the hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have two tablings today, one from Wendy Aikins in Fort Macleod and Bonnie May in Lethbridge, both of whom are appalled at the permission given for the deforestation of blocks of forestry in the special places Castle-Crown area.

**The Speaker:** Edmonton-Centre, were you doing a tabling?

**Ms Blakeman:** No, sir. That was yesterday.

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

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling e-mails from the following individuals who are seeking the preservation of the Castle wilderness area: Peter McClure, Randy Jaggard, Lin Heidt, Cat Neshine, Carole Gregoire-Voskamp, Barb Collier, Kelly Marsh, Lisa Mutch, Ena Spalding, Tim Coogan, Shirley Whalen, Jim Laird, Lois Betteridge, Ruth Zenger, Tom Wispinski, Peter Ward, Tracy Jacobson, Siobhan Brennan, Susan Brooks, Brian Vaccaro, Shirley Langlois, Gordon and Ann Rycroft, Lynn Taylor, Geraldine Young, and Chris Brown.

**Mr. Hehr:** Mr. Speaker, I have a tabling here, and it's the requisite number of copies from the county of Barrhead. It's a copy of the minutes of the council meeting held on July 21, 2009, where a resolution was carried to purchase two tables for a supper scheduled on November 21, 2009, a copy of the cheque that was sent to pay for two tables, a copy of the invitation to the event, and a copy of the list of people who attended. I just put that on the record. It is in regard to my question earlier today.

**The Speaker:** In regard to my 30th anniversary.

**Mr. Hehr:** Yes, it was. I hope it was a wonderful time.

**The Speaker:** It was, and they all ate.

3:00

### **Orders of the Day Government Bills and Orders Committee of the Whole**

[Mr. Cao in the chair]

**The Chair:** I would like to call the committee to order.

### Bill 9

#### Appropriation (Supplementary Supply) Act, 2011

**The Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister of Finance and Enterprise.

**Mr. Snelgrove:** Thank you, Mr. Chairman. Just a few comments, a little bit, in response to some of the opposition members who were actually interested enough to be here before. To the point, the budget. The \$4.8 billion deficit is actually very close to what was forecast. As a matter of fact, it's within \$73 million.

I think it's interesting, Mr. Chairman, to look historically at the trend around the sup estimates: from 2005-06 a supplementary estimate that was 13 per cent of the budget falling over time in '06-07 to 7 per cent, in '07-08 to 6 per cent, in '08-09 to 3 per cent, in '09-10 to 3 per cent, and now to 2 per cent. I think the direction that the government has gone to manage and forecast as well as possible their expenditures and then to live with them is not only backed up by the numbers; it's certainly backed up by the trend.

It is interesting that some of the counsel being provided to the Wildrose's last opportunity was three and a half times what our supplementary supply is now, but that was then. Mr. Chairman, it's a simple point that this is the smallest sup in the absolute dollar amount and relative to the original appropriation of the year. So I look forward to the comments.

**The Chair:** The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. It's a pleasure to again get an opportunity to participate in the debate or discussion regarding Bill 9, the Appropriation (Supplementary Supply) Act, 2011. We again are looking at significant amounts of money in various departments, but I'm told – I'm reassured, actually – it's not as much as usual. It's puzzling to me, just the general tone of the government these days. They're certainly like an unrepentant teenager asking for a larger allowance without any explanation as to where they spent what they already got and what they intend to do with this.

I was startled in question period today when I was directing questions regarding the financial statements of a ministry. "Well, we don't want to talk about this. We can't talk about it because it was in the past." Well, whenever you look at the past expenditures of this government and their past habits of requesting additional funding through supplementary supply, certainly it is an indication that the budget and the budgeting process initially, regardless of what year we're in, is not a sound exercise.

The numbers that we're dealing with are not sound because we seem to be always coming back, regardless of the circumstances, asking for more, whether it's in Aboriginal Relations, whether it's in Advanced Education and Technology. Certainly, in Children and Youth Services and Employment and Immigration, when we were discussing this before, it struck a chord with me because last year I looked in government estimates and the same elements that were cut last year around this time in the budgeting process: well, we're now looking for that money back. We need that money.

I don't for a minute doubt the sincerity of the hon. minister of children's services nor the Minister of Employment and Immigration. As a result of circumstances that are very, very difficult to control, they need the money to fund their programs. I have no doubt about that. But there are other areas to be cut, Mr. Chairman, other than those programs last year. The people programs seem to be the first to go.

Now, the other day I was waiting for the budget to be released, and I thought, for instance, I would add up the amount of money

over the years that Horse Racing Alberta has received: \$365 million plus what's there this year. That's pretty close to \$400 million over a short period of time. I would use that, Mr. Chairman, as an example of the wrong priorities of a government. That program should be eliminated, but it's not. Instead what do we do? We nickel and dime ministries like Children and Youth Services, like Employment and Immigration, and we have to at some point go back through the supplementary supply process and ask for more money. That would only be one example, and I'm not going to discuss it any further now.

Certainly, I think if this government was sincere about fiscal control or fiscal restraint, they would reduce the size of cabinet. A smart government is not necessarily one that's 24 or 22 ministries. It could be reduced significantly, perhaps as far down as 16 or 17 portfolios. I think that would work. That is not unreasonable or, I don't think, unusual.

Now, I would like specifically at this time to talk about Justice and Attorney General, the Justice department and the request here for 9 and a half million dollars. We are looking at initiatives for safe communities. Good idea. You can go back and you can see in previous annual reports where some of that money – and I'm on memory here, Mr. Chairman, and please correct me if I'm wrong – went unexpended. The additions from this supplementary amount plus interim ministry transfers will increase the budget for the safe communities program from \$18 million to over \$30 million. That's better than 65 per cent. The supplementary amount will contribute 49 per cent more than what was originally budgeted and, I believe, the same amount more in a percentage than was spent in the last fiscal year.

Safe communities initiatives, as we know, cover a wide range of activities. Could the government please explain precisely which of these activities require the additional funding? In particular, how much of the additional funding is for the safe communities innovation fund, which provides funding to community-based crime prevention and crime reduction projects?

Now, according to the ministry's 2009-10 annual report the ministry developed elaborate processes to educate communities about plans, services, and funding opportunities relating to the safe communities program as well as a process designed to deliver grant funding effectively. I had the opportunity of attending in a local school gymnasium one of these meetings to educate the community members, and I was kind of taken aback by how the grant funding programs worked. I had to correct some of the government employees that were there, that this was taxpayer money; it didn't belong to the governing party. That was what the people in attendance were led to believe. There were two parts of this funding, and again I had to correct those who were there on behalf of this government, explaining the safe communities program, about exactly where the money was coming from, who was responsible for it, and where it should go.

3:10

One would assume that spending on grant programs is well within the control of the ministry. Also, this is, as far as I know, certainly not a new grant program. The ministry reported funding 30 pilot projects in 2009-10, so it has significant experience in administering the program. Again, can the government please explain why this program exceeded its budget by close to half and what the ministry has done during the current fiscal year to bring this overspending back into line? Since the funds were delivered to the local communities, can the government explain what specific results were expected from the spending this year and how, specifically, the recipients of grant funding are contributing to the ministry's performance goals with respect to safe communities?

In conclusion of my questions regarding Justice at this time and this 9 and a half million dollar request: can the government please explain why the program again exceeded its budget and what we're doing to ensure that this doesn't happen in the future?

Now, I have a few more questions as well, Mr. Chairman, regarding the Infrastructure budget. Certainly, we heard earlier in question period from the government how important they consider infrastructure. With this request we're looking for a little better than \$57 million in infrastructure spending. But I note that last year in the fiscal plan, not the current one that we're debating in budget estimates, there was anywhere between a 10 per cent and a 20 per cent reduction in construction contracts from what was anticipated to what eventually happened after all the bid packages were opened and a decision was made regarding who was going to do what, where, and for how much. With that kind of cost saving it's not unusual to expect that a capital plan can be stretched out over a long period of time and get more projects built for the budget that is set aside. You may have to wait a year or two longer – that's true – but, certainly, you're going to get a much better bang for your buck.

If I can believe what I'm reading in the fiscal plan, if I can believe that it is true and that there are these savings that I talked about, 10 to 20 per cent, then my question would be: why, then, do we need this additional money?

Mr. Chairman, in conclusion, I would like to remind this House of the news program I watched, where the Premier was talking about getting ahead of all this construction now, before inflation hit. I was wondering what sort of economic advice the Premier was getting that wasn't being shared with the citizens or the taxpayers. I know that in Brazil there are significant pressures on the cost of living. Certainly, there are in other areas of the world. We, fortunately, are not faced with that here. But the Premier seemed bound and determined that we had to proceed with a lot of these projects before costs went sky-high, and I would like an explanation as to the Premier's concerns and issues regarding this inflationary threat and how the \$57.6 million that's requested under Infrastructure may or may not be affected.

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. To begin with, Mr. Chair, I think what we as Alberta's Official Opposition, the Liberal Party, have been saying all along with regard to health – it's not money; it's management – can basically be applied to the whole budgetary process. I find it absolutely amazing that we are spending in this month of March alone practically three-quarters of a billion dollars to tide us over.

Now, I appreciate the statistics that the hon. minister of the Treasury Board and finance provided us, that we're within 2 per cent of where we should be. In other words, if you were to look at it from the other end and you were assigning a mark, you'd say: well, let's give the government 98 per cent on their ability to anticipate. What other province has this kind of money? Yet the efficiency with which they choose to invest their monies seems to create a much more productive result than what we're seeing here in Alberta.

If three-quarters of a billion dollars represents only 2 per cent of the 2010-2011 budget, then surely we can be using that money in a better fashion, investing, as we have suggested and in my response to the throne speech, in terms of putting people first. But that's not what's happening. People are getting hammered in this budget. Again, what we see is the government continuing, for example, to underwrite horse racing to the tune of \$25 million; \$400 million on the ponies has been sort of bet away.

Now, when you look at what happened with the AISH budgeting and the supplemental supply, AISH has been frozen. Talk about vulnerable people: \$1,083 plus some pharmaceutical benefits.

We look at what happened with ESL. There's a growing trend. It's called: beat up on your immigrant population. Last year the government cut funding for the English Express newspaper, that was a key tool in teaching English as a second language to students throughout the province. Now, not only did Advanced Education beat up on ESL students last year, but they seem to have set a trend because this year Education reduced the funding for English as a second language, and Employment and Immigration also cut back on ESL support programs. What are we saying to the world, that immigration isn't important to us?

The minister tried to pass it off as being a federal problem. Yes, the feds determine what the immigration rules are, but once the individuals arrive in this province, we don't expect the federal government to keep providing the additional subsidy and support. The province should be responsible for the people within its borders.

Another example of a very sad circumstance and a very vulnerable population is special-needs funding in Education. It's frozen for the third year running. The Education proposed budget barely covers the cost of the increased bargained wages for the last year of a five-year contract. Unless the Minister of Education can persuade his counterparts in Treasury, we're going to see severe reductions in teachers and staff throughout the province, which is going to have a very adverse effect on students and their learning.

Speaking of students and learning, the government seems to have something against innovation. AISI, the program that's supposed to stimulate out-of-the-box thinking in the education program: its budget was sliced in half. Now, I don't see that as being progressive. Possibly it fits into the conservative half of the equation, but it certainly isn't progressive.

3:20

Also, in advanced education, instead of increasing grants and bursaries, what the government has done is increased loans. In other words, it's increased debt. In speaking with members of the representatives of students in colleges and technical institutes this morning, they're very concerned about what happened, for example, at Red Deer College, which seems to have followed what's happened at the U of A and the U of C. At Red Deer College their facility fee, basically, from which they derive no direct benefit, academic or otherwise, has been increased by \$290 for the year. At the U of A and the U of C it's closer to \$500. Again, there's no comparative benefit for that increased funding.

The whole nature of the budgeting process, what the government considers to be a priority – for example, my hon. Member for Calgary-McCall was concerned with the Minister of Transportation about how long it's taking to finally twin highway 63, which is the direct route to Alberta's most valuable, hopefully sustainable resource wealth. The government was willing to spend \$2 billion on carbon sequestration, which is just a single tool, versus getting people and goods safely back and forth to Fort McMurray.

Again, Mr. Chair, it's not the amount of money so much as how the money is invested. My concerns with sup supply may seem to the Treasury ministry as just being a small amount, only 2 per cent of the actual amount of the 2010-2011 budget, but 700-plus million dollars is a significant amount of money and should be invested wisely. I don't see renewable projects being supported. We've seen reductions in Education. We've seen reductions to Employment and Immigration. We've seen freezing in programs like AISH and special needs. There doesn't seem to be any investment in people or diversification.

The government has further subsidized drilling projects where incentives are no longer required to get the drilling up and run-

ning. The government has basically given the majority of the money that it earned through the increased land sales, that it bragged about, back to the industry in terms of drilling initiatives. It's the sense that Albertans have trouble getting a handle on.

Then we not only have supplemental supply, Mr. Chair, but very shortly we're going to have interim supply, and then as of April 1 we're going to have the main budget kick into effect.

Mr. Chair, I am concerned about how quickly we're burning through the sustainability fund. I'm very grateful for that fund. As has been pointed out frequently, it was a Liberal suggestion that was gratefully taken by this government. But even in the worst of economic times, if we're not using the money that we have in the wisest manner possible, which, incidentally, includes putting at least some away in the heritage trust fund – it has not grown, basically, since Lougheed left it.

Now, one of the financial arguments that I find rather ludicrous is the notion that had we built up our heritage trust fund to a greater extent last year, we would have lost even more from it in terms of poor investments. Again, Mr. Chair, this draws a direct relationship with the types of investments the government made and continues to make that don't produce the types of returns that are necessary.

As I said under putting people first in my response to the throne speech, if we are to diversify our economy, then we have to invest in education. We have to bring into account the English as a second language students, whether it's in immigration and employment or whether it's in education. We have to invest in early childhood/kindergarten programs. We have to provide that half-day programming support. We have to provide full-day support for kindergarten students. This would serve two purposes. It would reduce the need for child care, and it would also provide an education for those young children.

We are so fortunate in this province that we are still able to have nonrenewable resources serve as the basis of our economy, but, Mr. Chair, if we don't use the money that we currently have from those nonrenewable resources to diversify our economy, chiefly through education and through supports for our people, where are we going to be years down the road, when our nonrenewable resources are depleted or alternative energy sources are discovered that render them less attractive? There is this tremendous rush to get everything out of the ground, and in so doing, we're not only exploiting our resources, but we're exploiting the people who take those resources out of the ground.

Mr. Chair, we're fortunate to have this economic circumstance. We should be viewing it as a blessing rather than a problem. Until we start to manage our economy better and prioritize our investments, beginning with people, we're going to continue to be riding these boom-and-bust cycles because the majority of our economy is based on external, globally set prices. We've got to get off this rollercoaster and invest in our people, diversify our economy. It's going to take more than 14 per cent participation in postsecondary or a two-thirds graduation from high school rate in three years as opposed to going back for a fourth and a fifth.

Mr. Chair, probably our least realized resource yet the source of ongoing problems is our support for First Nations. Seventy per cent of the children in care come from First Nations. First Nations are the most rapidly growing portion of the population. First Nations represent the solution if we invest in First Nations in terms of restoration of pride, opportunities to participate in the economy, not through converting or subverting but in recognizing the abilities and qualities and moving forward.

Thank you, Mr. Chair.

**The Chair:** Any other hon. members?

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that we adjourn debate.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 3:30 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Cao in the chair]

For the motion:

Amery	Hancock	Ouellette
Berger	Hayden	Quest
Brown	Horne	Redford
Calahasen	Jacobs	Rogers
Campbell	Klimchuk	Sandhu
DeLong	Knight	Snelgrove
Drysdale	Leskiw	VanderBurg
Fawcett	Lindsay	Vandermeer
Fritz	Oberle	Webber
Griffiths	Olson	Zwozdesky
Groeneveld		

Against the motion:

Anderson	Forsyth	MacDonald
Blakeman	Hinman	Mason
Boutilier	Kang	Taylor
Chase		

Totals: For – 31 Against – 10

[Motion to adjourn debate carried]

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I move that the committee rise and report progress.

[The voice vote indicated that the motion that the committee rise and report progress carried]

[Several members rose calling for a division. The division bell was rung at 3:43 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Cao in the chair]

For the motion:

Allred	Fritz	Oberle
Amery	Griffiths	Olson
Berger	Groeneveld	Ouellette
Blakeman	Hancock	Quest
Brown	Horne	Redford
Calahasen	Jacobs	Rogers
Campbell	Kang	Sandhu
Chase	Klimchuk	Snelgrove
DeLong	Knight	Vandermeer
Drysdale	Leskiw	Webber
Fawcett	Lindsay	Zwozdesky

Against the motion:

Anderson	Hinman	Mason
Boutilier	MacDonald	Taylor

Totals: For – 33 Against – 6

[Motion that the committee rise and report progress carried]



**The Chair:** Now the committee shall rise and report progress.

[The Deputy Speaker in the chair]

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 9.

[The voice vote indicated that the committee report was concurred in]

[Several members rose calling for a division. The division bell was rung at 3:56 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allred	Griffiths	Oberle
Amery	Groeneveld	Olson
Berger	Hancock	Ouellette
Blakeman	Horne	Quest
Brown	Jacobs	Redford
Calahasen	Kang	Rogers
Campbell	Klimchuk	Sandhu
Chase	Knight	Snelgrove
DeLong	Leskiw	Vandermeer
Drysdale	Lindsay	Webber
Fawcett	McFarland	Zwozdesky
Fritz		

Against the motion:

Anderson	Hinman	Taylor
Boutilier	Mason	

Totals:	For – 34	Against – 5
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[The committee report was concurred in]

#### 4:10 Government Bills and Orders Second Reading

##### Bill 10 Alberta Land Stewardship Amendment Act, 2011

**The Deputy Speaker:** The hon. Minister of Sustainable Resource Development.

**Mr. Knight:** Well, thank you, Mr. Speaker. I rise to move second reading of Bill 10, the Alberta Land Stewardship Amendment Act, 2011.

Mr. Speaker, there is in the province of Alberta, I believe, a pressing need for land-use planning. In the period of time of 2001 to 2006 the province of Alberta gained a population that was almost four times the size of the population of the city of Red Deer. We have, indeed, got a population growth that also includes a growing economy and a fast-paced economy; industrial, residential, and community pressure on the land base in the province of Alberta; and concerns around the quality of our airshed and the quantity and quality of water resources. All of these things need to be taken into consideration with regional plans.

We need to remember, you know, the issues that we had. Some of the members of the House, in certain ridings in the province, would remember the issues that we had around providing adequate housing and services for the people that had come to the province to work and the issue around infrastructure that was felt to be lacking with respect to that pressure. People were very worried at that point in time about the impact of development on air, land, and water in the province and the impact also on critical habitat for wildlife, on habi-

tat for recreational areas, and the like. So, Mr. Speaker, we needed to manage multiple pressures on the landscape.

Out of that was born the land-use framework and nearly three years of consultation with Albertans with respect to land-use planning. There were always questions when we did the planning that we had initiated in the land-use framework – where is the plan? what is going to be the outcome of the land-use framework? what is this government's commitment to co-ordinated regional planning? – and the differences across the province, southern Alberta being completely different from areas in the oil sands or the forestry-intensive northwest parts of the province, and each region's unique needs and the challenges that each region had. We wanted to make sure that we considered the combined impact of all of the activities that were occurring on the land base, considered the needs for conservation, the needs for more balanced development over the long term.

From these questions that Albertans were posing to us came the Alberta Land Stewardship Act. We created the Land Stewardship Act to support regional planning, Mr. Speaker. It gives the authority to establish seven planning regions in the province based on watersheds. It will define, and has defined, what a regional plan may address.

Some examples, Mr. Speaker, would be the environmental impact and the identification of lands for conservation. We have established a role for regional advisory councils to take a look at each of the regions and provide government with their advice and a vision for a plan for each of the regions. The act would help us to establish that we can look at conservation tools that might do things like help reduce agricultural fragmentation. There are opportunities there for making sure that the eco stewardship of the land and the opportunity for eco goods and services, the benefits of that, could perhaps be enjoyed by the agricultural community.

We have respected local decision-making and people's property rights in the legislation. I can't express strongly enough, Mr. Speaker, that when we're looking at these amendments, we cannot cancel or take away, remove, or rescind somebody's land title or their freehold mineral rights or a number of other issues that, you know, had been discussed in our opportunities to be around the province talking to individuals and groups of people relative to what happens when you put a regional plan in place.

Mr. Speaker, we've also in this particular amendment made sure that we provided for compensation if private land that is identified for conservation is indeed put into things like a conservation directive. We've defined that there are statutory consents that, indeed, may require us to look at compensation. We have also defined that statutory consents do not include things like land title. Also, it's very clear that the existing provisions for compensation and appeal remain for any individual that is directly or adversely affected by what might happen in a regional plan.

I think that there have been some, probably deliberate, interpretations of the original act that were never intended. I believe that in certain circumstances as I've gone around and talked to Albertans, they in some cases were fearful, in most cases anxious. In some cases, most certainly, landowners were angry.

The Premier asked me to review the original act and to be sure that I could clarify for Albertans what the intent of this act is, and where there was necessity for change, we should look at the requirement for change and put the changes in place that would give Albertans a feeling of some comfort with respect to what the plans were intended to do. Also, Mr. Speaker, a thing that happened at that point in time was that there is now an indication that none of these regional plans will actually be enforced or approved until this review is completed and until we've had the opportunity to come here to the Legislature, look at the outcomes of Bill 10, the

Alberta Land Stewardship Amendment Act, 2011, and be sure that we've had a good, open, and frank debate and discussion about this situation, again, on the floor of the Legislature.

Mr. Speaker, the changes, I think, most certainly clearly define the scope of regional plans and the focus on land and land-related activities. We do have as an intent here to be sure that we look at the pressure on the land base and to be sure that we have an opportunity for species, human settlement, natural resources, and the environment to all be considered as we move forward and design the plans that we have thoughts on for Albertans in the future.

I've got to comment a bit on property rights and compensation. We have a respect for property rights clearly stated in the front end of the legislation now, and we have also indicated that the right to all existing compensation and appeals to any other compensation issues are clearly stated. Land titles, of course, Mr. Speaker, as I've said, were never included in the definition of statutory consent, and we've clarified that. The amendment act very clearly excludes land titles from any definitions that we have, and it also excludes freehold mineral rights and a range of other personal matters. A regional plan cannot cancel a land title, and it cannot affect freehold mineral rights.

The issue of compensation, of course, you know, has been hotly debated by groups and individuals across the province, and we have clarified that nothing in this act takes away any existing right to compensation. With compensation and compensable taking of property interest under the act or under a plan, there is an opportunity for compensation, an opportunity for appeal, and an opportunity to get to the courts if you're not satisfied with what you may see at the appeal process and with the Land Compensation Board. You can apply to the Crown if you're not satisfied. If your rights are affected and you're entitled to compensation, you're certainly allowed to appeal and to go before the board, and if you're not satisfied with that, Mr. Speaker, you can indeed go to the courts with respect to your compensation.

4:20

The consultation that we've gone through, Mr. Speaker, commits the government and the province of Alberta to openness, transparency, and fairness. There was, I think, an original concern that there might be an ability for a regional plan to be established without consultation, but clearly in the amendment consultation is required. We're committed to regional plans and the advice that we get from consultation, and as we've done already, we've laid out a way for this consultation to occur through the lower Athabasca and South Saskatchewan. We've received from the lower Athabasca a vision and advice to government, and of course we continue to move forward. The consultation on the lower Athabasca regional plan will take place over the next number of months, and we would continue with the amendment indicating that consultation is required. We'd continue with that framework that we have laid out. Before a plan or an amendment is made, it's clear now in the amendments that consultation is most certainly required. So there's a legal requirement for consultation.

The act would also now be amended to address unintended direct and adverse impact. Anyone that is directly and adversely affected can ask for a review. That, of course, is a new piece that is in the amendments that we're putting forward. The persons could apply to the minister for a review of a plan.

Mr. Speaker, another thing that I think would give a lot of comfort, particularly to titleholders, landowners who may have issues, is that you can actually request at any point along the progression of a regional plan that a variance be granted to you with respect to a plan. You know, you might not realize when the plan is initially incorporated that something could affect you, so you have a bit of

breathing space there to look and see how the plan is going to work. If there was some suggestion that something that was happening in a plan might affect you, you can actually apply for a variance. There's a process set out for listening with respect to variances and hearing the variances, and under most circumstances I think we would be able to grant variances and avoid any unreasonable hardship that individual might be facing with respect to regional plans.

Mr. Speaker, our opportunity here to work with local governments again is very clearly defined. We want to be sure that we co-ordinate the decisions and not override decisions that are made by regional governments and municipalities. We put an amendment here that would ensure that prior to the incorporation of a regional plan municipal development that's under way, municipal bylaws that operate relative to their land use, et cetera, would be maintained, and if there is development that is under way, that would be allowed to be completed. So there's no intention to take away the opportunity for municipal governments to do what they need to do and continue to do what they have always done with respect to regional planning in their own municipalities.

The amendments that we've made will help us, I think, to sit down and work with municipal governments across the province to be sure that there's no intention here that we would make laws in the province of Alberta that, you know, would override or change the intent of municipal bylaws. We've actually removed part of the original act, taken away a piece that actually indicated that that, in fact, could have happened.

In conclusion, Mr. Speaker, I think there is a democratic tradition here of elected representatives determining policy for Albertans, and one of the policy areas that we do determine is the area around land use. I think it's very important that as we move forward, we have cumulative-effect management that takes into consideration the pressures on the air, water, land use, the environment, and social aspects of the province of Alberta and that we continue as elected representatives to determine that policy and make good policy that works for all Albertans.

The amended act, Mr. Speaker, most certainly creates some new checks and balances for cabinet, and it starts with the requirement to consult. It moves into an era, I think, where we'll be placing draft plans before the Legislative Assembly before they can be approved by the cabinet. New processes for review, new avenues for appeal, and I think that the result is a much more transparent regional planning process. I think that the regional plans respond to the needs and the interests of all Albertans.

As we debate, I hope we keep in mind that land-use planning is a requirement, I think, for ongoing proper development of the province of Alberta. I hope that we can also recognize that the amendments that we have put forward recognize and protect the rights and compensation of individuals and, most certainly, protect the opportunity for local decision with respect to development.

With that, Mr. Speaker, I thank you.

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

**Ms Blakeman:** Thank you very much. Well, this has been a long time in coming. I'm glad to get the opportunity to get up and get some observations on the record in the second reading portion of Bill 10, the Alberta Land Stewardship Amendment Act, 2011. This is a singularly important bill because it has significance in so many different arenas. There's no question that it has considerable significance and opportunity for political parties to further a particular cause. I know that one of the opposition parties, my colleagues to the . . .

**An Hon. Member:** Political right.

**Ms Blakeman:** Yeah. They're seated to my left, but they certainly are not, politically, over there.

They have made hay with this over the break and have probably increased their membership based on the reaction to the initial bill. Of course, now we see the government trying to reclaim credibility and the lost ground around this.

I think this is also a significant bill because it has great impact for rural and urban issues and, in some cases, rural versus urban issues, but I will come back to that. I think that what we also see here is property rights versus public good and those two concepts coming into conflict with each other.

I was given, you know, the import of all of this. I was surprised to see the intention signalled by the government that they wanted to push the entire second reading through this afternoon, which I never think is wise because it tends to get backs up. We certainly had that signalled. I don't know that that's in fact going to happen now, but we'll see how it rolls out.

4:30

One of the things that I see in the original bill and I still see in this amending bill is reflective of a government philosophy of centralization of power, and this administration in particular has been centralization mad. You know, the health regions were centralized into one. The children's regions have been centralized down into fewer of them. This land-planning initiative is very much centralized into control that goes back into cabinet.

I also see the government's philosophy of very careful control of public input reflected in the original Alberta Land Stewardship Act, and it still exists in what I'm seeing through the amending bill.

I'm sure the minister is going to argue back with me, so I look forward to that, but I would also argue that certainly in the original bill there was a deliberate clouding of process. Very difficult to figure out what the heck was supposed to go on here and how it was all supposed to work.

I've been working my way back and forth. This is what the pages laugh at me for, but I've now managed to cover three desks with reference papers because I'm going back and forth between the original land stewardship bill, the Municipal Government Act, the amending act that we have here, and a number of other notes and reports that have been produced on this bill. I end up a taking up a lot of space, and I apologize to my colleagues for that, but it's not easy to track this stuff. You really are going back and forth between all of these. Really, I do legislation for a living, so I have a better sense of how to do this. I can't imagine being someone out in the community trying to put this one together and follow it. It doesn't surprise me that people have been flooding into information sessions that have been offered in certain areas of Alberta to try and get information on how this works.

Again, I see a downloading of certain processes or expectations or requirements that municipalities take and carry through on directives from the provincial government – also a philosophy that we see a great deal of from this administration – and a continuing drive to development. I'm thinking back to when the Athabasca advisory committee report on the land-use framework for that area was released. That was just stage 1. The advisory committee made recommendations about how the land-use plan for that area should start to look. I remember the minister defending, you know, that a whole 20 per cent of the land was going to be held aside for conservation, and wouldn't we be thrilled, to which I immediately thought: that opens up 80 per cent of it for development.

That's a discussion that we haven't really had as a public in Alberta. We have so much land here for not very many people, a

huge amount of land, but we've also never discussed how we think it's appropriate to go ahead and divide that up. Should we open 80 per cent of it up to development? That doesn't mean that there will be somebody living on every square inch. Through my snowmobiling encounters I've been able to travel a lot of Alberta and a lot of land that is off the beaten track, off highway 2. I'll tell you that I can get a long way into places where I couldn't have gotten 30 and 40 years ago because of the seismic lines that were put in to find where the best places were to put a wellhead and to drill exploration wells.

**Mr. MacDonald:** What's the horsepower on your sled?

**Ms Blakeman:** About 500.

**Mr. Denis:** Not horsepower; 500 CCs.

**Ms Blakeman:** Yeah, 500 CCs. Oh, sorry; not horsepower. Oh, boy. No, no. You guys get me off track here.

The point is that I can get a long way into what I think should have been fairly pristine land. The development that has gone on has opened up all of Alberta. If you look at it from space, we're a pincushion. We're absolutely latticed with lines that cut into our public land and give access to humans to get into that space, which is going to affect the wildlife.

The other significant observation, the other significant part of this bill, is that for the first time I really saw this administration tangle with rural property owners in a major way, and I can't say that the government came out of it unbruised. I think they actually got roughed up quite a bit. Ultimately, what I am seeing as this debate progresses on how this act has been adjusted continues to be a wrangle between the current administration and my colleagues to the ideological right, which are essentially the conservative elites – let me call it that – on the land-use regional plans and sort of agreeing and setting out how land will be used in the future.

What I want to do is just go over a couple of the points of concern that came to my attention that I think have not been addressed. I'm not going to go into the details because that's not appropriate in second reading, but I notice that there is a requirement that regional plans or amendments be tabled in the Legislature. My question is: will this be debatable as a concurrence motion? Are these just being tabled in the Legislature for information purposes, or are they being tabled in the Legislature for concurrence, for us to agree to that change of the land-use plan? I think that's very important, particularly when we get back to my points later on about the Henry VIII clauses. There's one question for the minister to answer, and it specifically appears on the bill on page 3, amending section 5.

On page 7 section 12, which amends section 15, allows title holders to apply for the variance in respect of restrictions that have been put on. The minister was just talking about this at the end of his remarks. That and a section towards the end make me think how much resource is going to be necessary with the request to review the regional plan.

You know, I have a lot of experience with municipal variances because I live in a neighbourhood that completely came under a redevelopment plan by the city, and 75 per cent of the neighbourhood was redone. A lot of changes. I lived through this for 10 years, and honestly on some days I got three variance notifications in my mailbox, so I'm very familiar with this. In the city there is a development appeal board, so those variances can end up in front of that, but I don't see what the administrative process here is around the variances. Someone applies for a variance, but what if

somebody else doesn't want you to have it? Is there notification for other people?

If you've got a land-use plan and someone applies for a variance on it, that's going to have consequences down the line. Who manages and foresees those consequences? Who is the decision-maker about whether that variance is going to be granted and allowing anybody else to have their say on that, or is this just cut off at a certain point? You can apply for your variance. Nobody else has anything to say about it, and either they grant it or they don't. So that's the second question that I have.

4:40

Section 14, which is amending section 19 of the act, was the one where the burden was put on the landowner to apply for compensation within a specific period of time. By going back and forth, I was able to answer my own question there, which is: how did they get notification that this was going to happen? There is another section that actually deals with the notification. They don't just have to be constantly monitoring the *Alberta Gazette*, which, I'm sure, we all do every day. No, we don't, obviously. There was an official notification section to landowners that something would happen with the regional plan or would happen with their property so that they would know and be able to deal with that. So I answered one of my own questions there.

**An Hon. Member:** That's efficient.

**Ms Blakeman:** Yeah, I know.

I'm also curious that there was no change to section 20. I'm pretty sure that section 20 was one of the ones that was being talked about as a Henry VIII clause, in which the minister or the cabinet is able to change legislation without coming back to the House. At the time the government defended these clauses very strongly, and I argued against them, and I still am. You know, as much as this place has been diminished, it's a bit of an echo chamber today, so I suppose that's proving my point. There's a lot of legislation now that can be dealt with by the minister away from this Chamber, and we never know about it unless we're reading the *Alberta Gazette*.

I don't see that there was a change in section 20 from the main bill, and I also question what was going on in section 19.

**Mr. Knight:** You have to look at section 21 as well when you're looking at section 20. All that's suggesting, of course, is that for all decision-making, municipal and provincial decision-making, the same rule applies.

**Ms Blakeman:** The minister is coaching me on the side that if I look at section 21, I will find out that everybody is treated the same, but I don't think that's quite answering my question.

When I look under – sorry; I have to go backwards and find out where I started here – section 14, which is changing section 19 of the original bill, by the time you get down to the bottom of page 10 in the paper bill, it's talking about, again, 19.1(10), that the Lieutenant Governor in Council, which is cabinet, may make regulations – that's regulations – “respecting the form and manner of making applications to the Crown, the Compensation Board or the Court of Queen's Bench under this section.” I don't like it, but I understand what that's about. Then it talks about “respecting the application or modification of Part 3, Division 3, and the regulations made under that Division, in respect of applications to the Compensation Board or the Court of Queen's Bench under this section.”

Part 3, division 3, of the main bill is that compensation section. The whole thing is conservation directives. That says that this can be changed without coming back here because it's empowering

cabinet to change that part 3, division 3. I'm still questioning that, so I'd like to hear the minister talk about that one.

Now, what I would expect to see, what I would hope to see from this bill, what the Official Opposition really wanted to see, was a fair and transparent expropriation process. First of all, it needs to be a transparent process for determining the need of a given project, and this is referencing other bills that have come through at the same time, in particular the big electrical one.

**An Hon. Member:** Bill 50.

**Ms Blakeman:** Bill 50.

There does need to be a transparent process about the need for something. If the government, you know, believes that it's right to proceed with that, then it shouldn't be worried about a process in which it explains itself to the public. So demonstrating the need; two, the transparent expropriation process; three, a fair compensation process; and four, a clear appeals process. You always have to have an appeals process built in. Any of us that work in our constituency offices are often dealing with that appeals process that's built into almost everything that we have in provincial government rule. So with this bill in my portfolio, that's what I as critic for Sustainable Resource Development wanted to see out of this. I'm not entirely convinced that that's what we got.

The whole issue of a land-use framework and the ability to make that plan is critically important, and trying to get that concept of public good is really important. When I talk to my constituents in downtown Edmonton, they say to me: “What? Land use? What are you talking about? I don't know it. What is this stuff?” It's true that for many urban dwellers this stuff doesn't touch their lives. But you talk about public good, you know: are my people interested in a high-speed rail link between Edmonton and Calgary? Now their eyes light up. Yes. Now they get it. When you say that the government would need to be able to assemble the land in order for that track to run on it – okay? – now they've got it. When you say, “We're talking about not having urban sprawl decimate agricultural land,” that's about the plan.

Those are some of the questions I'd like the minister to answer. I look forward to continued debate.

**The Deputy Speaker:** From my list here the next hon. member I recognize is the hon. Member for Livingstone-Macleod.

**Mr. Berger:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Bill 10, the Alberta Land Stewardship Amendment Act, 2011. The amendments in this act explicitly protect and enshrine landowner rights and make them front and centre in Alberta's land-use planning. The freedom to own and enjoy private property is a fundamental right that Albertans have had since Alberta became a province.

I would like to speak today on the importance of land-use planning in the protection of property rights. Mr. Speaker, the connection that Albertans have with the land is something that this government respects and will always protect. Land is unlike any other asset on a number of grounds. Every parcel is unique, it is fixed in place, it is finite in quantity, it will outlast any of its possessors, and it is necessary for virtually every human activity.

As a landowner myself my own family's livelihood has been dependent on the land for generations. As a rancher property rights are not only fundamental to my way of life but to all Albertans. This is why I strongly support the land-use framework and Bill 10, which will enhance the rights of rural landowners.

Mr. Speaker, the necessity of land-use planning is essential for Alberta's future prosperity. With 5 million people projected to reside in Alberta within the next 10 to 20 years, it is of paramount

importance that we have planning legislation in place that will co-ordinate in an organized fashion the goals and objectives of Albertans. It should be Albertans, not the courts or foreign environmental groups, that provide input and decide on Alberta's future.

While some in opposition suggest they would rather have land-use decisions decided in the courts, I believe Albertans know what is at stake and that Albertans should have the final say on land-use planning. So I have to ask myself: what is behind the motives of the opposition when they throw out wild accusations about the Alberta Land Stewardship Act, or ALSA? I've had friends call me up and ask questions like: "Why did the government pass legislation that will take away my land? Why did the government pass legislation that will turn Alberta into a Soviet-style communist state?" There are many other wild accusations that are so far out there, it's almost laughable. All I can guess is that they are telegraphing their innermost thoughts to Albertans on how they would use such legislation if they were ever in power.

4:50

However, Alberta's future is a very serious matter. We need to get it right, and, Mr. Speaker, we have got it right. Bill 10 will make it absolutely clear that ALSA must respect the rights of individual property holders, that Albertans will continue to have a right to compensation, and that public consultation and transparency in the development of regional plans will be required.

These amendments make it so plain that this government supports landowner rights and their right to compensation that even the Member for Airdrie-Chestermere should be clear on the matter. Once a supporter of property rights, the Member for Airdrie-Chestermere previously stated about the Alberta Land Stewardship Act that "at first glance much of this legislation may be interpreted as a regression on property rights, but it would be a very large mistake to think so as this bill, in my view, does the exact opposite. It strengthens landowner rights." He also stated that the former Bill 36 "is an unprecedented victory for the rights of landowners in this province." Mr. Speaker, the member's analysis of this legislation was as correct then as it is today. Albertans who earn their living from the land know how important land-use planning is for their livelihoods.

Long-time rancher Harvey Buckley recently stated to the *Cochrane Eagle* that "ALSA is the best piece of legislation this province has done in 60 years" and that "it does not infringe on your property rights."

Mr. Speaker, I believe that there is a direct correlation between land-use planning and property rights. Albertans enjoy their property entirely based on previous land-use initiatives. To see this, we can go back all the way to the pioneers that settled our land in accordance with the Dominion Lands Act. The Dominion Lands Act encouraged the orderly settlement of western Canada, which included numerous land-use regulations. For example, prospective landowners were required to be at least 21 years old. They were required to occupy the land for a set period of time, to build improvements on the land, and to cultivate a portion of the land, usually around 30 acres.

The Dominion Lands Act also set out how land should be divided; for example, into townships each containing 36 sections and for each section to be divided into quarter sections. It provided for public road allowances every mile by two miles to enable the travel and transportation of people and produce with minimal use of private land.

Mr. Speaker, these were land-use initiatives needed at that time to establish private property. It was through this planning process that Albertans gained proprietary interest in property. This is be-

cause the value of property comes largely from factors that are beyond one's property line. External qualities like infrastructure improvements, road access, water quality, and views are examples of external elements which can quantify the value of property. That is why I would suggest that property rights go beyond the four quadrants of a piece of real estate in that effective land-use planning as provided in ALSA would strengthen property rights, not diminish them. Essentially, proper land-use planning is an effective method to optimize property values of landowners.

However, there are also rights protecting what lies within your property, which is why it is essential that any land-use plan find an acceptable balance respecting both public and private property rights. That is why fair compensation is a key element of the Alberta Land Stewardship Act, and Bill 10 makes this abundantly clear.

Mr. Speaker, I would like to quote a long-time friend of mine, Mr. Neil Wilson, the immediate past president of the Alberta property rights initiative, who stated last week on CBC radio in relation to the Alberta Land Stewardship Act that if in any way proprietary interest is diminished, compensation should be available. When asked if ALSA achieves that, he replied: I think this government has tried its very best to take legislation in the interest of public and make it compensatory, certainly.

The Alberta Land Stewardship Act creatively found a balance which protects and enhances both external and internal property rights, and Bill 10 makes this even clearer. Albertans have told us they want leadership in provincial planning, and I believe that our economy is dependent upon ensuring we have the proper land-use plans in place. Property rights, economic growth in Alberta's future are all tied together in this important piece of legislation. We need to ensure investors that their rights are protected, and this bill does that. We need to ensure property owners that their property rights, whether it be surface, subsurface, or public, are respected, and this bill does that. We also need to assure Albertans that our province will continue to be a beacon of prosperity, freedom, and democracy, and I believe Bill 10 is a shining example of this Alberta tradition.

Mr. Speaker, I support Bill 10, the Alberta Land Stewardship Amendment Act, 2011, and I would suggest all members stand in support of this legislation. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. I'd like to ask the hon. member if he can clarify comments which he attributed the hon. Member for Airdrie-Chestermere. I was shocked, frankly – shocked – to hear those comments, and I would like it if he would please identify his source.

**Mr. Berger:** Thank you, hon. member. I would clearly identify the source. It is *Hansard*, May 13, 2009.

**An Hon. Member:** Say it isn't so.

**Mr. Berger:** It's so. It's a page and a half, pages 1137 through to 1138, if that clarifies that for you. It's quite a lengthy speech on that.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutillier:** Yes. To follow up on the question to the hon. Member for Livingstone-Macleod on the comments that were made, I have not met anyone more knowledgeable in terms of

property rights than the hon. Member for Airdrie-Chestermere. It's clear to me that the understanding of the hon. member is something that he needs to review because, quite simply, what was said in *Hansard* is not the rest of the story.

Clearly, the Wildrose caucus supports the infinite rights of landowners. In fact, in some recent town hall meetings in many of your constituencies I understood that a gentleman by the name of Keith Wilson had presented some very, very interesting facts impartially, Mr. Speaker. I'd be really interested in the hon. Member for Livingstone-Macleod — he heard the comments that were made. In fact, it's my understanding that the Minister of SRD invited Mr. Wilson to meet with him, and I understand he had a very clear understanding of the facts. I'd be really interested: is he saying that what Mr. Wilson is saying is not accurate relative to the issue of the assault on property rights of Albertans?

**The Deputy Speaker:** The hon. member.

**Mr. Berger:** Thank you, Mr. Speaker. I kind of got lost in the preamble there, but I think what he was really asking is: was this the Member for Airdrie-Chestermere's actual speech? I would submit it, table it, if he would like or give you copies. There are lots of them.

**Mr. Boutilier:** Keith Wilson is what I'm asking about now.

5:00

**Mr. Berger:** Mr. Wilson's comments at those meetings: I would like to comment that it would be nice if he would put the whole line of the act in when he quotes a line. Dot, dot, dot doesn't really extend to the content of it.

To go a little further on that whole issue here, when we go through this, there was a point here where the hon. Member for Airdrie-Chestermere had claimed that he was given a speech to read. I think he also claimed something similar to the 1974 or '75 abduction of Patty Hearst, where she'd been kidnapped, and then she went and robbed a bank and just acted like her kidnappers. So that was why he read this speech, because he had been kidnapped by our party and then read this speech.

Well, Mr. Speaker, I'd like to submit that when you go through the content of this speech, the content of this speech has a lot of local content on the area of Airdrie-Chestermere, and I think the member did a wonderful job of putting forward his points in this exact speech and on the members of his community that he brought up and talked about freely here. He quoted Doc Seaman's generous donation of conservation easements on the OH Ranch. He spoke of a fellow here, Jim Hole, who would have really liked this legislation because it would have enabled him to continue on with his operation and gain some value out of it without actually selling it. And it goes on for the next page, basically discussing these different things.

I think the member, being a trained legal fellow, four years of postsecondary, three years of legal training, knew what he was reading here and was very impressed with it. I have to say that that was one legal opinion, now we have another legal opinion, and I'm sure we'll have more legal opinions to come forward. But I have to say that I think he was bang on on this one. He did a wonderful job of conveying it. Now I'm surprised that he's not in here this afternoon to discuss it further.

**Mr. Boutilier:** Excuse me. Point of order, Mr. Speaker.

**The Deputy Speaker:** You should not mention the presence or absence of a member.

**Mr. Berger:** Oh, okay. I apologize. Point well taken. Thank you.

**The Deputy Speaker:** The point of order has been retracted. He has apologized for that.

On my list here, the hon. Member for Edmonton-Highlands-Norwood. Do you wish to speak?

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. You know, I'm pleased to rise to speak to Bill 10. I think that some context is valuable here, and I think also some history is valuable here. The context of this is the fact that there is widespread discontent in the province, in rural areas in particular, with a suite of Tory legislation, and that's not just Bill 36, but it is also Bill 19, and it is also Bill 50. The three of them have to be taken together, in my view, in order to get the entire picture of what this government is actually attempting to do.

Some of the history is attempts to site a north-south transmission line in this province a few years ago which fell afoul of landowners in rural Alberta, particularly in the Rimbey area where a group of landowners got together and actively challenged what was actually being proposed. The whole process was compromised when the ERCB was caught spying on this group. That created quite a firestorm of conflict. So the government decided that they were going to basically legislate a sledgehammer in order to crush the flea that had thwarted their attempts. But it wouldn't have been thwarted had there been more openness about the proposal and if the ERCB had not resorted to illegal tactics in its attempt to overcome opposition. Keep in mind, Mr. Speaker, the ERCB is supposed to be a neutral body that adjudicates these sorts of things and does not take sides or advocate one side or the other. So it was kind of a dark day, I think, in terms of privacy and basic civil rights of Alberta citizens.

The government, having gone ahead with its deregulation of electricity in the area of transmission, decided that a massive set of projects was required. Now, we have about \$2 billion worth of infrastructure for transmission currently in the province, and it serves the province well and has for a long time. It's getting older, but it's by no means going to fall apart. The government wants to initiate a whole series of new projects that would be worth \$16 billion when you add everything in; in other words, an eightfold increase in value over what we have today.

No adequate explanation has ever been provided for this massive increase in transmission infrastructure. But the one explanation that presents itself is that they want to create a huge market for the buying and selling of electricity, the generation of electricity in Alberta for export purposes to the United States because domestic consumption cannot explain the massive scale of infrastructure that's being proposed.

In order to ram this through, the government passed a series of laws to give them the power that they needed to do this. I know that Bill 36, which this is supposed to amend, gave the cabinet a huge amount of power. It gave them overwhelming control over every aspect of regional plans, and it doesn't reflect the land-use framework's commitment to public input and community involvement. The government can create regional plans, regional advisory councils, and so on.

I think that you also have to take a look at Bill 19, which preceded it, and that allows for an area of land to be designated as a land assembly project. The minister has to publish a plan of the project to create a project area, but once it has been declared, the cabinet can make regulation about how that land can be used, developed, or occupied. Some amendments were made to that legislation, but it gives an enormous amount of power to the cabinet in order to essentially designate any land that they wish and to

control any sort of development on that in a long-term sense. So if they are going to build a project 10 years down the road, they can effectively sterilize that land.

So Bill 19 was a key piece of this. With Bill 36, again the same thing. Bill 50 took away the authority from the Alberta Utilities Commission, the power to approve the need for transmission lines. It eliminates that the public interest needs to be shown before the project is approved, and it is paving the way for the construction of this massive infrastructure for transmission for profit, all of which, by the way, will now be paid for by all electricity consumers in the province. These pieces of legislation need to be taken together as a way of taking away traditional rights of landowners and taking away regulatory oversight of major projects in our electrical system in this province. That is really, I think, what has to be seen.

Now, it is true that some members of the Wildrose caucus, who were then members of the Progressive Conservative caucus, did support these bills. We made a motion, for example, to try and stop Bill 50, and that was opposed as well. Mr. Speaker, I'm very proud of the role that the NDP played as the only party at the time leading the fight against these three bills and trying to connect the bills to the root source of this problem, which is electricity deregulation, which has created a situation where in order to allow big electricity companies to make more profits, the very ratepayers who are supposed to be served by them are going to be shaken down dramatically to pay for all of this unnecessary infrastructure.

**5:10**

It's interesting that in recent weeks the Minister of Infrastructure has gone on the record in his community newspaper indicating that some of this infrastructure is required in order to facilitate the development of nuclear power in our province. That is a startling admission which flies in the face of other statements that we've had from the government.

Mr. Speaker, I just want to indicate one more point, and that is the distinction between the position of the NDP on this legislation and the present position of the Wildrose Alliance. Both parties are opposing these pieces of legislation, but the Wildrose Alliance is taking the position of property rights as an absolute, and that's not the position that we take. They would like to protect property rights absolutely, and we would like to protect the public interest.

Where we draw the line with the government is that we think you should never be able to take peoples' property unless there's an urgent public necessity to do so, there is full consultation, and there is full and adequate compensation. These bills violated those principles, and that's why we were so strongly not in favour of them. There is a risk that in the reaction against these bills that the government has created, there may actually be changes that take away the legitimate role of land-use planning by municipalities and by the provincial government, so it's important to us that the ability to plan land use and the ability of the public interest to trump property rights when that's necessary should be retained. We don't want to throw the baby out with the bathwater, as do our friends in the Wildrose Alliance.

The point that I think is most important is that there is a drive towards centralizing power that's inherent in each of these pieces of legislation that I find very disturbing. In other words, the government has decided that because of some problems down the road, largely of its own making and of the ERCB's own making, they're going to abandon the democratic process when it comes to approval of these projects and push ahead with centralized decision-making, and that goes too far in our view. For those reasons I think we are going to draw the line here.

Bill 10 does not remove all of the egregious elements of Bill 36, and I think that it's certainly insufficient as far as I can see. For example, the minister will be able to issue directives to the stewardship commissioner and staff. The minister will still maintain, in our view, an undue amount of political control in the regional plan process, in their implementations. Some of the changes are cosmetic. It replaces the word "extinguish" with "rescind" in reference to statutory consent in section 8. Instead of saying, "No person has a right to compensation by reason of this Act" and then listing the exceptions to the rule, the act will now state, "A person has a right to compensation by reason of this Act" and then list the avenues available for compensation.

I think, Mr. Speaker, that the bill fails to adequately address the problems in Bill 36, and it certainly does nothing to address the significant problems that the other two companion pieces of legislation provide: overriding the rights of property owners, overriding proper regulatory oversight of the construction of major infrastructure projects that would be paid for by ratepayers.

For those reasons we cannot support the bill. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of questions and comments. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I listened intently to the hon. Member for Edmonton-Highlands-Norwood. I have a couple of clarification questions, I guess, that I'd like to ask him. He made reference to the Wildrose several times, wanting to make distinctions. I do not believe that at any time the Wildrose has ever said that the Expropriation Act isn't valid or shouldn't be in place. There is actually a long tradition since, you know, the BNA Act where expropriation can and should be allowed for public good. What we have been referring to over and over again and have declared is that we need to entrench property rights in the Constitution because if those were in fact entrenched in the Constitution, bills 19, 36, and 50 could have been challenged in the courts. Again, the Member for Livingstone-Macleod says: oh, we don't ever want to be in the courts. This certainly sounds like a monarchy, that they will control the courts.

I guess I would take issue and ask for your clarification on why you feel that we do not think the Expropriation Act is applicable in developing, whether it's power lines, pipelines, roads, transportation, and in having that process if, in fact, someone has been challenged by the government.

You've eloquently talked about Bill 50 and how they can push these power lines through, and it's not in the public good. In the old act, where they had to have proof of need, that was critical. Now, like I say, with Bill 50 they've wiped that aside and said: "Oh, no. This is essential." Again, it's a policy that the government has put out, thereby not allowing us to challenge it in the courts because they can just dictate it. It's a government policy. It goes forward.

Perhaps you could clarify why you feel that we do not think the public good is ever addressed through the Expropriation Act and that property rights are paramount, and therefore there would be an absolute juggernaut of any movement forward.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, you know, I'm surprised that the hon. Member for Calgary-Glenmore would want us to be making legislation in the courts. I didn't think that was a conservative principle.

I think that entrenching property rights in the Constitution really takes away the ability of elected bodies to make decisions about what the public good is. I think these bills stink, but I think that it is a democratic issue, not a legal issue, to determine property rights. So as much as I dislike these bills and oppose them, I don't want our laws fixed by court decisions with entrenched property rights. That's really the difference between us.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. I appreciate this opportunity, Mr. Speaker. To the hon. Member for Edmonton-Highlands-Norwood. This series of acts or bills that we have dealt with over the last number of years certainly has called into question the province's land-use plans. If you are not satisfied with the amendments to this legislation as proposed in Bill 10, what further changes would you like to see to make it more contemporary and – I don't know what the word would be – to make it more appealing to the New Democratic Party?

5:20

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

**Mr. Mason:** Yes. Well, thanks very much, Mr. Speaker. I think that regional plans need to be strengthened, especially with respect to environmental protection. There are only a couple of things that it must do here: describe a vision for the region and state one or more objectives for the region. I think that regional plans have to be detailed and specific to be effective, so I'm not sure that the legislation really deals with that.

I think that we need to take away more control from the minister, and I think that we need to have more direct community control.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I'd move that we adjourn debate.

[Motion to adjourn debate carried]

## Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The Committee of the Whole shall now continue.

### Bill 9 Appropriation (Supplementary Supply) Act, 2011 (continued)

**The Chair:** Are there any comments or questions? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Chair. It's with a great deal of disappointment that I rise at this point to speak now to the supplemental supply estimates. This government seems to take great glory in jumping back and forth and switching the game. You put on all of your hockey equipment, get ready to play, and then they want to go out and play football or something else.

It's simple for them because they have multiple members, and they are able to just have a new person step up. The hon. Member for Edmonton-Centre pointed out when we were talking about Bill 10 how she had three desks covered with material to try and address the situation. Unfortunately, I only have two desks in front

of me, so I use the floor as well to try and prepare. Now the government, though, is switching back and saying: oh, no; we need to go back to supplemental supply.

They seem to take pleasure in trying to cause as much confusion and problems as possible, which, again, is very disappointing, that they cannot communicate and extend a little bit of courtesy as we discuss the various bills that are coming forward. They sit over there with smirks on their faces and think: oh, this is a wonderful democratic process. Like I say, I'm somewhat dismayed at their behaviour. [interjections] Now we'll have some chatter from the backbench, former ministers that are no longer allowed to sit on the front bench. I guess they chattered too much in caucus and cabinet, so they got booted out. I don't know. They have quite the disciplinary process over there that, again, I don't understand.

But we'll continue on. Supplemental supply. It's interesting that the minister got up and spoke eloquently about how this is the smallest supplemental supply that they've needed in years. When you look at the other half of it, this is the biggest budget, the biggest deficit that they've had in years. So they're saying, "Actually, we came in very, very close." – I believe the number he used earlier was \$4.8 billion, and – "Aren't we grand to be able to run such a fiscally responsible ship?" The fact of the matter is that this ship is heavily overburdened, and it's sinking. It's got problems. It's not fiscally sound. Again, because it's carrying a \$4.8 billion deficit, what's the future of this going forward?

It somewhat reminds me of the famous Stanford marshmallow experiment back in the 1960s, Mr. Chair. At that point they brought in three-year-olds and put them in a room and put a marshmallow in front of them. First, they'd ask them, "Would you like the marshmallow?" Of course, those children at that point were thrilled with the marshmallow. Then they'd say: "If you wait 10 minutes, we will give you a second marshmallow. But we need to excuse ourselves. We'll be back in 10 minutes. When we get back, if the marshmallow is still there, we'll reward you with a second marshmallow." It's interesting that at the young age of three years I believe it was 20 or 30 per cent of those children were able to have the discipline and the understanding to say, "I will wait because I will have twice as much in 10 minutes." As they followed those individuals through life, they realized how successful those people were because they had the discipline and the ability to think forward and wait to get that reward.

What this is relevant to, Mr. Chair, is the fact that this government was exceedingly lucky to have some real lottery winnings from 2005 to 2008. It's kind of interesting because when you talk to financial advisers, they say that when someone all of a sudden comes upon a big windfall, if they don't talk and collaborate with the right individuals, they will in all likelihood lose that windfall. In a very short period, between one to three years, that money will evaporate, and they will not know or be able to show where it went. They'll be fiscally irresponsible.

That's exactly the situation we're in, Mr. Chair, with this supplemental supply. We're only the second year in. We're going to burn over two-thirds, perhaps three-quarters, of what I call the political slush fund, the lottery winnings. This government didn't have the discipline to look at: "How do we spread this out? How do we ensure that we get good value for our dollar?" They've gone out and frivolously spent it on many projects that are not necessary or for the fact that they couldn't say: "You know, if we just extend this over four or five years, what's the value that we could do? Are these projects sustainable?"

What I'm speaking about, Mr. Chair, is exactly the situation we're in with the infrastructure building that's gone on in this province. In 2003 the infrastructure budget was cut in half, and it was devastating to the industry. We were running about \$3 billion



a year at that time. It was cut in half, to \$1.5 billion. The capacity of the industry was literally destroyed. But worse than that, the confidence of the building industry in this government has never been the same since because of the yo-yo effect of this government spending great amounts of money because they have it in their pocket, saying, "You must spend this within 18 months; you must spend it on this infrastructure," with no thought about down the road 10 years or 15 years. It's just, "Well, what do we need to do to retain power and to be able to buy as many votes as possible for the next election?"

Once again we're here addressing the supplemental supply because of this government's inability to come within budget and function for even a single year. They're caught in the problem of overspending, expenses, always these unforeseen disasters that hit, and there's never any planning in place to look after that.

We need to go back and look exactly at the supplemental supply. Like I said, I've got to dig it out from my Bill 10 notes now, that we've got to throw over top. It's just disappointing that in such a year as this, with such a huge deficit, that you wouldn't think we could stay within the budget that was set out. They've been doing this for 40 years. You'd think they'd have a little bit of experience and understanding that you need to plan for these things, these problems that arise. But, no, they failed to do that, so once again we're doing supplemental supply.

The hon. Member for Calgary-Varsity referred to the three budgets that we're going to have to debate here, with interim supply coming up. Again, this is another failure of this government. They promised that they'd actually come in and present the budget early so that we wouldn't have to go into interim supply, to be more efficient. But do they do that? No. They don't ever seem to comprehend their own words or be willing to follow through with them in order to say: "You know, we're going to be fiscally responsible. We're going to be prudent with the taxpayers' money. We're going to invest wisely."

5:30

Zippping back here again to the infrastructure and the building that's going on, in question period it's very difficult under a 35-second rule to be able to expound a little bit, so I want to talk a little bit more about the problems that we see with the huge spending on infrastructure and the wall that we're going to hit. Interim funding, supplemental supply: there isn't going to be anything that this government can pull out. There's certainly not going to be any sustainability fund where they can go and say: we need to continue this.

What I'm referring to, Mr. Chair, is that consistency of planning and understanding what's going forward. If we understand those things, we can remain and come in under budget and not have to go through the problems of addressing supplemental supply. But at this current rate of \$6.1 billion in infrastructure this year, how much longer can they continue that sustainability? If they've created that capacity in the industry here, in two years we're going to have to shrink down to perhaps \$3 billion, \$2 billion if we're going to actually balance the budget. We have this huge yo-yo effect, then. Once again, back prior to 2003, when this government had a little bit of consistency, industry knew that they were going to, you know, spend about \$2.5 billion, \$2.7 billion, \$2.8 billion, \$3 billion, and they actually built the capacity. They looked at paying off their equipment over a five-year period and realized that not all of this equipment will last that time.

When the drastic cuts came and then the huge spending in 2005-06, with them wanting to spend I can't remember whether it was \$7 billion or \$8 billion, most of those businesses looked at it and put bids in to say, "Well, we'll go buy the equipment, but because

this isn't sustainable" – they've had a lucrative year this year, but who knows if they're going to win the lottery this year? – "we'll bid at a price to make sure we pay for our equipment in this year." The building industry has never been the same since that because of the erratic behaviour of this government.

I just have to say how disappointed I am that after 40 years this government is not capable of coming in under budget. Even in the biggest deficit ever in this province's history – the government is saying \$4.8 billion, but really it's closer to \$7 billion when it looks to revenue versus expenses – they're taking this huge amount of money out of, supposedly, a sustainability fund and using it for infrastructure building saying, "Oh, now is a great time," and it would have been a great time had we had triple or quadruple that money in there and they were having the gradual expenses.

But these great times are going to come to a sudden halt. In two years, when that sustainability money is gone, then what is the government going to say? "Oh, this is a great time to borrow money and to continue building infrastructure." That's what I see them doing. Or they're going to face the realities of an election before that budget, and Albertans can send them on their way. They certainly deserve to be sent home, saying, "You're irresponsible and not able to budget properly" and, more importantly, "Your priorities are very poor."

We've had a few members talk. I believe the Member for Edmonton-Gold Bar, if my memory reminds me properly, talked about the importance of, you know, seniors, community services, and how they took the money away early in the budget only to find that they couldn't meet that, and now they're having to return that budget to Children and Youth Services. It's very discouraging, this yo-yo effect. Again, what are they going to do to these different government services going into this next year? They're going to immediately retract what they've been given. They make the announcements; they make the retraction.

It is very frustrating for these front-line workers, for these managers, that are trying to do the best they can with the dollars, being promised this, only to have it rescinded. Again they say, "Well, here it is in supplemental supply" at the end. This government just doesn't seem to understand the importance of consistency, of budgeting long term, not one year.

Yet they've supposedly caught that vision with Alberta Health, saying: oh, this is going to be consistent funding over the next five years. Well, why has it taken so long, with us having gotten into such a disaster, before they say in one area, "Here's the five-year funding" whereas they refuse to do it in other areas? Yet they promise and say: "Don't you worry. We're there. We signed a five-year contract with the teachers." They're no sooner into that contract than they're wanting to fight with them or to say: well, please give it back.

They certainly don't give back their raises. They takes three steps forward and say: "Oh, well, we'll stop here. Okay. Well, we'll take a quarter of a step back. Aren't we wonderful now?" Again, it's just disappointing to the Alberta taxpayers. They're so frustrated with the spending, the priorities of this government.

Again, it's been brought up by the Member for Airdrie-Chestermere about the federal building. We're not saying not to ever do it, but what we're saying is that the priorities were well known in advance, and if we had an actual list of what's coming down the chute, not what's actually been announced, we could do a lot better in prioritizing properly and listening to Albertans on what they want. The money that's being spent on that federal building could have easily been budgeted two or three years down the way. We were well into the eye of this economic storm before that started. They could have said: "You know, we're not going to go forward on this. We're going to prioritize seniors' care facili-

ties. We're going to prioritize schools." Yes, they're putting in some, but they're not putting in enough.

The President of the Treasury Board said that we need balance. I think a toddler has better balance than this provincial government when it comes to balancing the budget. The bottom line is that it's not just balance; it's priorities. It's being able to look down the road and realize that, you know, this isn't over in 2012 or 2013. The province needs to continue. Infrastructure is going to need to continue. Are we going to be there? Are we going to do what the government needs to do to ensure that the funding is there, that we have a competitive industry that understands the viability, knows what's coming down?

Again, we've got this supplementary supply. Why doesn't the government come out with some more details? Let's have the details. Let's have a public, prioritized list of infrastructure. When the deficit is growing like this, we could shrink back and say, "We're only going to spend \$4.1 billion on infrastructure this year" and then see where the bidding goes and how many projects we can do.

Mr. Chair, I have to say that I am very disappointed that we have to spend the time going through supplemental supply, even more disappointed that this government jumps back and forth while we're in the House here rather than allowing the discussion to continue with one specific bill. It's quite amazing to look at this and to realize that they cannot even budget for one year. I just have to be disappointed overall that we're spending this time on supplemental supply.

With that, Mr. Chair, I'll sit down and listen to other members. Thank you.

**The Chair:** The hon. Member for Airdrie-Chestermere on the bill.

**Mr. Anderson:** Thank you, Mr. Chair. Sorry I was away earlier. I was interviewing a fantastic candidate for the riding of Livingstone-Macleod, and I unfortunately couldn't make it. We'll make sure that I'm here a little bit more often. He's a doozy. You'll love this one. Anyway, we'll leave that till 2012 along with a few others.

I'd like to comment on the supplementary supply bill. In particular – honestly, I'm not going to mince words – this government talks about balance and finding the right balance. They've got about as much balance as a drunk. I mean, they wouldn't know balance if it was, you know, flashed right in front of them, if their life depended on it, and indeed it does at this point.

It's just something else when we're listening to the tripe that was expressed yesterday by the Member for Edmonton-Calder with regard to the federal building. I got a couple of e-mails from some folks who had watched question period and watched that member's statement. They're just amazed that it actually hasn't occurred to this government yet that spending \$275 million on new offices for bureaucrats and MLAs with, I might add, interactive water features, an ecozone, an agrizone, a skating rink, a new plaza . . . [interjection] I know. The interactive water features, Member: maybe we'll have to wear our swimsuits to work. I don't know.

The point is the fact that they can't see that it is so clearly not a priority for Albertans. The interactive water feature in the federal building somehow was a higher priority than new schools, than long-term care, than balancing the budget.

5:40

That's the whole problem with this government. They keep saying: "Where would you cut? What would you do? What would you do differently?" Then you tell them: "Let's have the list. Give us the order of projects that you have. Give us the list of projects

that you feel are important for Alberta, and give us the criteria that you used to arrive at those projects, and then we'll have a debate. We'll talk about what stuff can wait an extra year. We'll have that debate." That's a good debate to have so that we can balance our budget and get our province back on the road to prosperity. Yet all they can do is go back to the same tried and trusted method that they always use, which is to fearmonger, to spin half-truths and entire mistruths, to personally attack.

It's amazing. You know, it just doesn't make any sense to me that a government that is elected to serve the people can be so out of touch with reality that they would actually think that the renovations to the federal building, including skating rinks and interactive water features, are somehow more important than seniors and long-term care and schools for kids and balancing the budget, for that matter, all three.

The problem people have with this government is that they have not been able to prioritize. They are a Seinfeld government; they are a government about nothing that stands for nothing. There are individuals in that government that do stand for things and do have principles, but as a whole they don't stand for anything. I mean, the term "Progressive Conservative" is an oxymoron in and of itself, but aside from that, there's just no grounding that they have with regard to what they're doing, what the plan is other than to spend as much as you can to satisfy as many people as possible. You know, it just blows my mind away that that's the limit of their vision and imagination.

Obviously, as a Wildrose government we would have looked very carefully and would have clearly said that that federal building along with carbon capture and storage and many of the other boondoggles and waste that this government has come up with over the last several years – we would clearly put those projects off. We would delay them, and we would focus on the priorities of Albertans, which are, for example, long-term care so that we can unclog our hospital beds, schools for our kids so that we can educate the next generation of Alberta entrepreneurs and health professionals and scientists and artists and all the talent that we have.

Anyway, the biggest failing of this government – and it's reflected in this bill – is just a complete lack of ability to prioritize needs before wants. Ultimately, that will be their undoing because as we saw with Paul Martin federally, as we see with other politicians throughout time, anybody whose priority is everything, stands for nothing. That's the problem with this government. They don't know what they stand for other than satisfying the whims of every possible special-interest group under the sun. [interjections] That's right. There you go.

Anyway, I hope that this government will find it in their minds at some point to realize: "You know what? The people of Alberta want to see what their priorities are." They want to see the list top to bottom so that we can have this debate. I'd like to know from the members opposite: what did the federal building beat out? What long-term care facility did that \$275 million beat out? What school did it beat out? What on that priority list got left behind because of the blinking \$275 million federal building? Until they answer that, they don't have a leg to stand on.

**The Chair:** I hesitate to interrupt the hon. Member for Airdrie-Chestermere, but pursuant to Standing Order 64(4) the chair must now put the question proposing the approval of the appropriation bill referred to the Committee of the Whole. The question goes: does this committee approve Bill 9, Appropriation (Supplementary Supply) Act, 2011?

[Motion carried]

**The Chair:** Hon. members, pursuant to Standing Order 64(4) the committee shall immediately rise and report.

[The Deputy Speaker in the chair]

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 9.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

## Government Bills and Orders Second Reading

### Bill 10

#### Alberta Land Stewardship Amendment Act, 2011

(continued)

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo on the bill.

**Mr. Boutilier:** Thank you. Mr. Speaker, clearly, as much as the hon. minister is attempting to do what he believes is the right thing, I think the Expropriation Act has adequate provisions for compensation already. So the question, really, I have to ask is: why are we willing to overrule that? The bill is unnecessary simply because other provinces have rivers, other provinces have industry, other provinces have growth, but other provinces use a balanced approach to managing these things, and that's the difference.

I heard the Member for Livingstone-Macleod earlier. I wish him well with his police college. That's supposed to be coming somewhere down the road, but I'll believe it when I see it.

In my view Bill 10 – I believe that this government always thinks it knows best and views the rights and claims of individuals and local governments more as nuisances than it should in terms of, you know, the inconvenience that they face. So we're here today to speak on behalf of those municipalities.

I might by way of history go back. Back in the earlier years it was said by a very distinguished former cabinet minister here that there are three things you have to do when you're bringing forth the original Bill 36, and that is that if you don't get it right, you have to listen, listen, and listen. What happened was that this bill is essentially amendments to Bill 36 and, really, 12 amendments because this government was not willing to listen to Albertans.

That is where a verdict will be rendered to you and all of us at the next election. If, in fact, you had listened, listened, and listened – I know the members of the Wildrose caucus have listened, the member for the New Democratic Party has listened, members of the Liberal Party sometimes have listened, and the Alberta Party have listened. There are even some members on the other side, especially the one that might have been on the wrong page today, who occasionally listen. But, Mr. Speaker, there's a majority over there who haven't been listening, and the verdict will be rendered to you in the next provincial election.

I believe, Mr. Speaker, that the minister, whom I call a friend, just simply doesn't understand the magnitude of what is taking place here.

5:50

You've heard me often in this Assembly say that it's an example of the inmates running the asylum. I believe that holds true,

but this is an example of not only running the asylum; you've turned over the keys.

Mr. Speaker, in my judgment, there's an opportunity. I have solutions to what is being proposed here. Rescind it. Repeal Bill 36. Retract, rescind, repeal. I think the option is this: we have an existing infrastructure for the minister already in place. I proudly served as a Minister of Municipal Affairs. The Member for Highwood: I'm glad he's listening to me now. Well, maybe he's not listening, but he's going to have to listen.

The bottom line is that the Municipal Government Act is a governing body with 365 municipalities where we have the infrastructure in place already. We have the infrastructure in place under the Municipal Government Board. There is a board there that actually can arbitrate, that can take a look at regional plans and accomplish what was intended in Bill 36 without violation of the principles of a person's right to own property. There is the Expropriation Act, that has worked very successfully over the last hundred years for Alberta. That is an appropriate measure, but what you have done in this bill is literally taken a maul hammer to something that is so important in terms of the values to Alberta.

For instance, the Water Act. We have under the Environmental Appeals Board today, another ministry that I served under, a very strong Water Act that can protect the value of our water, our blue gold as it's often referred to by the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** No, not by me.

**Mr. Boutilier:** Also the Member for Edmonton-Highlands-Norwood has mentioned the words "blue gold" often.

**Mr. Mason:** Just a point of order.

**The Deputy Speaker:** You have a point of order?

### Point of Order Factual Accuracy

**Mr. Mason:** I do, yes. Standing Order 23(h), (i), and (j), language to cause disorder. To suggest that it's me that talks about blue gold flies in the face of reality, hon. member. It's you.

**The Deputy Speaker:** On the point of order.

**Mr. Boutilier:** Well, Mr. Speaker, I saw on YouTube a sergeant who talked about blue gold. I might have mistaken who had used that. I do know I've often talked about blue gold, the water. I often have gone forward and said: if you were in a desert and you had a choice between oil and water, I would always accept blue gold as the preferred option. I know the hon. member would agree with me on that point.

**The Deputy Speaker:** There's a point of order there. You posed a point of order.

**Mr. Boutilier:** Mr. Speaker, there is no point of order.

**Mr. Mason:** That would be up to the Speaker.

**The Deputy Speaker:** Do you speak to the point of order?

**Mr. Anderson:** I absolutely say that I am witness, Mr. Speaker, to this YouTube piece of evidence. Clearly, there was a sergeant on a YouTube video that looked strikingly similar to the Member for Edmonton-Highlands-Norwood, and he said blue gold, sir. He talked about blue gold. He admonished this member not to talk

about blue gold. There is no doubt that he has referred to blue gold, and I'll stand by my caucus colleague. There is no point of order, in my opinion, on this, Mr. Speaker. The evidence on YouTube speaks for itself.

Thank you very much.

**The Deputy Speaker:** The hon. Member for Calgary-Varsity on this point of order.

**Mr. Chase:** Yes. On the point of order, Mr. Speaker. I think it may be hard to get members of other parties to volunteer at future Christmas videos if we bring them back to haunt them.

Thank you, Mr. Speaker.

**The Deputy Speaker:** I think we have enough information. I haven't seen the YouTube, so I would say that if the hon. member said that he's not on the YouTube, then I would rule that there's a point of order, that you have to apologize to the member if he's not.

**Mr. Boutilier:** Mr. Speaker, it is within my humbleness to apologize to the sergeant, who happens to look like the hon. Member for Edmonton-Highlands-Norwood, regarding blue gold. I'm very proud to then be the architect of the words "blue gold." And "mother ship" if I could add as well.

**Mr. Mason:** Fair enough.

**The Deputy Speaker:** All right. Thank you.

Now we'll continue on the bill.

#### Debate Continued

**Mr. Boutilier:** Thank you, Mr. Speaker. Bill 10, clearly, is a violation of the rights of Albertans when it pertains to property. I think the hon. Minister of SRD perhaps may have listened to too many lawyers. In my mind it is missing the point, to the point where it's lacking the measured approach that this minister has taken before in many other examples.

I actually want to thank the minister. I understand that he invited a very knowledgeable lawyer, who is not with the Justice department, a gentleman by the name of Mr. Keith Wilson, who

has spent his entire career dealing with the issue of property rights. I can say that in the town halls when he explains the issue and the assault on Albertans pertaining to property rights, it is very concerning. I'm sure and I hope the minister would share that same feeling because this is an assault on property rights.

Do the right thing. Repeal the bill. Rescind it. Go back to the principle of listen, listen, and listen. If you table a bill like what was tabled previously, Bill 36 – and here it is now with 12 amendments – something has not gone right. Albertans are not fooled. You've violated the principle of listen, listen, and listen. If a minister cannot get an original bill through with these amendments, even though it might not have been this minister at that time, I sincerely say that the right thing to do would be to rescind the bill and repeal it.

I want to say that Albertans probably would have rewarded you if this government after 40 years had chosen to take that action. But what they did was that they didn't listen, didn't listen, and didn't listen, and now they've come forward with 12 amendments. Mr. Speaker, those 12 amendments: we'll wait until the next election to render the judgment on that.

I can only say today that I do not support Bill 10. I want to say that although this government always thinks that it knows best, I still have faith in some of the members on the other side.

At this time I would say to all members: thank you for being so quiet and listening. I again will apologize to the Member for Edmonton-Highlands. Whoever his look-alike is, I'll certainly hunt him down. In saying that, Mr. Speaker, I move to adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. It's perfectly apparent that the hon. member had not much to say. He stopped with two minutes left before 6 o'clock. He could have added a lot more to the debate in two minutes. In two minutes you can really say a lot. But, obviously, the hon. member didn't wish to. So at two minutes to 6 I would move that we call it 6 o'clock and adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:59 p.m. to Wednesday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday, March 9, 2011

Issue 10

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 9, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Renew us with your strength. Focus us in our deliberations. Challenge us in our service to the people of this great province. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you very much, Mr. Speaker. It's my privilege and pleasure today to rise and introduce to you and to all of the Assembly 45 of the brightest grade 6 students in the province from Sir Alexander Mackenzie school in St. Albert. These students are accompanied by their teachers, Mr. Roger Bouthillier and Mrs. Janet Hurley, and a student teacher, Miss Chantal Fournier. I would ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It's an honour today to introduce to you and through you to members of this Assembly the Alberta Students' Executive Council, or ASEC. This organization has advocated on behalf of postsecondary students in our province for over 29 years. They represent over 120,000 postsecondary students in Alberta from colleges, technical institutes, and universities. ASEC is an active stakeholder in postsecondary education. They work hard to ensure that front-line student issues are clearly communicated to government, and that's what they're here doing this week. This week there are 10 members here, and I'd like them to stand as I introduce them: Carol Neuman, Steven Kwasny, Timothy Jobs, Meghan Melnyk, Kerri Hartman, Jeff Desjarlais, Brady Schnell, Ben Wilson, Martha Affleck, and Jamie Fraleigh. Let's give them a warm welcome.

**The Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today it's my honour and my great pleasure to introduce to you and through you to members of this Assembly the members of the Central Alberta Women's Outreach Society. They've joined us here today to tour our beautiful Legislature and to celebrate with us, in a member's statement to follow, their outstanding achievement of opening Julietta's Place.

Mr. Speaker, the Member for Red Deer-South and I would like to thank this dedicated, hard-working group, who work tirelessly to create a safe and supportive place for women and children in transition. They are helping people in Red Deer who are seeking refuge from domestic violence to achieve a better life. I would like to introduce Barb Barber, executive director. Barb, if you would stand. Charlie Turnbull, who is a staff member; Kelsey Steeg; Christina Gagné; Alesia Kossmann; and Danielle Klooster, who is a board member. They are seated in the public gallery, and I'd like

to ask you to give them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to the members of this Assembly eight seniors and organizers from the Northgate Lions seniors' centre. They are Miss Amber Ritco, Mrs. Norah Dias, Shirley Jones, Barbara Appleton, Jim Appleton, Doris Derko, Lori Weishaar, and Agnes Gartner. Over the lunch hour I was lucky to get a photo taken with them.

I have visited the centre many times, Mr. Speaker. Unfortunately, due to the extreme weather on January 25 the roof on the facility collapsed, and renovations are needed. This centre serves so many seniors for their recreation and is a gathering place for the community. I would like to thank them for still making the trip to the Legislature. I will look forward to seeing the centre rebuilt as soon as possible. Now I would like to ask them to please stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. Joining us today is a group of some of the hardest working, most ambitious young people in my constituency from Aldergrove elementary school. These are the future teachers and doctors and nurses and leaders of this community. They are joined by their teacher, Ms Amber Nerenberg, and by their parent group: Parry Chizawsky, Mrs. Pat Goodwin, and Jeff Bartlett. I would ask all of my colleagues here to give them a warm welcome and ask my friends to rise to receive the warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Red Deer-South.

#### Julietta's Place

**Mr. Dallas:** Thank you, Mr. Speaker. It gives me great pleasure to rise today and recognize the Central Alberta Women's Outreach Society, a Red Deer based agency which began in 1984 to help women who have chosen to pursue a safer, healthier, and more secure life for themselves and their families. In November 2010 I was privileged to attend along with the hon. Member for Red Deer-North the grand opening of Julietta's Place, the first of a second-stage housing initiative for central Alberta. This home ensures a safe, supportive, and healthy environment for women and their children fleeing domestic relationship violence and pursuing a better life with long-term stability. Women can live in Julietta's Place for up to 18 months while they work with an outreach worker to access supports, transition to independence, and heal from abuse.

Mr. Speaker, programs at Central Alberta Women's Outreach Society include crisis intervention, intensive domestic violence support, legal support, court preparation, housing support, monitored exchange, safe visitation, and a support group. These proven programs position the women of Julietta's Place, not to mention numerous other community members, to develop personal skills and resiliencies that can help them achieve long-term success.

Julietta's Place receives 70 per cent funding from the municipal block funding through Housing and Urban Affairs. Since this project was initiated, continued generous outpouring of community support has been a tremendous benefit.

Mr. Speaker, I'd like to congratulate the Central Alberta Women's Outreach Society board of directors, staff, and all community supporters of the outreach project for their dedication and hard work on the opening of Julietta's Place.

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

#### **Association for the Rehabilitation of the Brain Injured**

**Mr. Chase:** Thank you, Mr. Speaker. Making life better. I recently had the opportunity to visit a well-respected community agency in Calgary, the Association for the Rehabilitation of the Brain Injured, ARBI. When I was touring the facility, I learned that making life better is the mission statement of the organization, which began over 30 years ago as the result of the vision and dedication of one woman.

This is an ongoing story of overcoming incredible odds. As part of my tour I met individuals of varying ages fighting to move past their limitations. With the dedicated efforts of trained staff and a host of volunteers, despite very little government recognition or financial support, these traumatic brain injury and stroke survivors are working hard to regain what they had lost, and in many cases they were written off as being irretrievable. ARBI is the only community, nonprofit day program in the province that offers hope to people who are affected by a severe brain injury or stroke. Through intensive, longer-term therapy and support, survivors experience amazing improvement. ARBI has been providing specialized services for more than 32 years. They often help their clients leave long-term care and return home to their families.

ARBI's model, using community volunteers, is clearly a cost-efficient and effective model of delivery. More than 92 per cent of ARBI's referrals come from Alberta Health Services medical professionals. For these reasons, I believe that Alberta Health Services should be compensating them for the essential services they are providing for the Calgary region and rural areas of our province.

I recommend a tour for anyone who is interested. I guarantee you will be inspired.

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

1:40

#### **Math Curriculum**

**Mrs. Sarich:** Thank you, Mr. Speaker. It is interesting to note that we use mathematics on a daily basis whether we realize it or not. Just like reading and writing, a solid foundation and understanding of mathematics is essential for everyday living and for our workforce. These skills are highly valued in science, business, trades, and technology but also in other areas like fine arts, music, and sports. More than ever, Alberta students need a strong grounding in mathematics to meet the challenges of learning in the 21st century and to be successful in their futures.

In keeping with Alberta's reputation of world-class creation of curricula, the revised kindergarten to grade 12 mathematics program maintains the standard by integrating current research, developments, and trends in mathematics learning and teaching.

Mr. Speaker, the programs of study were developed in collaboration with teachers, administrators, parents, business representatives, postsecondary institutions. Heartfelt special thanks to all those involved.

Students from kindergarten to grade 10 across Alberta are currently being taught the revised math curriculum. The implementation of the program will continue this fall in grade 11 and in 2012 in grade 12.

I encourage all Albertans to visit Alberta Education's math website, which contains the most up-to-date information, in English and French, about the revised mathematics curriculum.

This renewal of the mathematics program emphasizes and reinforces, Mr. Speaker, the government's commitment to Albertans that education is indeed a priority and is forward thinking, a commitment that benefits our greatest resource, our children and our youth.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

#### **Sexual Exploitation Awareness Week**

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I'm honoured to rise today to recognize March 7 to 11 as Sexual Exploitation Awareness Week in Edmonton. Sexual exploitation has devastating and lasting effects. That is unacceptable in any form. By proclaiming Sexual Exploitation Awareness Week, the city of Edmonton is shining a light on this important issue and reaffirming that it will not be tolerated. There are a number of events occurring to raise awareness and help citizens learn more about sexual exploitation and what they can do about it.

Mr. Speaker, Alberta is a national leader in working to protect children and youth who are at risk of being sexually exploited. Our Protection of Sexually Exploited Children Act is the first and only legislation of its kind in Canada. We also provide resources to assist parents and caregivers in educating their children and teens about dangers they may face online through Internet luring.

Sexual exploitation can happen to anyone, male or female, from any background. There is help available. If an Albertan knows a child or a youth at risk of being sexually exploited or young people of their family are looking for help themselves, they can call the child abuse hotline at 1.800.387.KIDS.

I congratulate all of the partners in Edmonton and area who are working together to recognize and support events during the 2011 Sexual Exploitation Awareness Week.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Hays.

#### **Trico Centre for Family Wellness**

**Mr. Johnston:** Thank you, Mr. Speaker. It's a great pleasure and honour for me to rise today and talk about a great community neighbour in Calgary. For over 28 years they have worked with 28 surrounding community associations and 36 communities in south Calgary to support healthy kids, healthy families, and vibrant seniors. Everyone appreciates the need for children to live happy, healthy lives, and any of us would be thankful for assistance for seniors to meet their unique health and physical needs. This great neighbour, who does all of this and more, is the community-owned, nonprofit Trico Centre for Family Wellness, located in Calgary-Egmont.

The Trico centre is one of the true jewels in the city of Calgary. The Alberta government has provided over \$6 million grant funding from Culture and Community Spirit since 2008. The physical infrastructure includes a large redeveloped fitness area with running tracks, aquatic centre, and twin arenas. The centre also includes a seniors' club centre, a child care facility, and several multipurpose rooms. The combination of impressive amenities and the long-standing relationship with the local communities forms one of the most popular destinations for families in the entire city.

I would like to thank and congratulate the board members, staff, and volunteers for nearly three decades of service in south Calgary.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

#### Wildrose Alliance Party Inclusiveness

**Mr. Anderson:** Thank you, Mr. Speaker. Earlier this week the Member for Edmonton-Calder in a childish tirade said that I attacked trade workers for suggesting that the \$275 million MLA offices should not have been undertaken during a time of record deficits. He then invoked the classic left-wing nugget of class warfare in a manner that would make my friends in the NDP blush, saying: what could a white-collar worker possibly know about running a business, meeting a payroll, or working with ones' hands?

Well, I'm not going to stoop to this member's rhetorical level, but I will say this. I have started, owned, and operated a small business, and aside from my father and one brother I come from a large immediate and extended family of tradespeople whom I love and respect, and these tradespeople are telling me that they would rather be working on a school for their kids than on some fat-cat offices for politicians. Others, still working on oil rigs in B.C. and Saskatchewan, would like to be working in Alberta, which they were until this government's ignorant policies drove them out.

They would like their government to keep their election promise to balance the books instead of spending like drunks on a binge. They would like their MLAs to stand up and vote for a cut to their golden parachutes rather than talk about how much they've earned them. They want to know that when their kids have a health issue, they can go to an ER and not have to wait 24 hours to be treated. They are ticked off about the impending increase to their power bills because their government awarded billions in unneeded transmission line contracts to their buddies. And they are fed up with their PC MLAs continually showing that they are more loyal to their political party than to those who voted for them.

We in the Wildrose don't do class warfare. We're here to unite all Albertans, every ethnicity and religion, old and young, male and female, healthy and sick, rich and poor, blue collar and white collar. We're here to let Albertans turn the page and write a new and better chapter for the province they love, and let me tell you, for the majority of them the next election can't come soon enough.

#### Tabling Returns and Reports

**Mr. Liepert:** I have some significant documents to table, Mr. Speaker, and these are the processing and marketing agreements under the agreement that the government of Alberta signed with North West Upgrading recently. I'd like to table five copies of each.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I have two tablings today. The first is from nine physicians and their families from communities in Alberta requesting continued support for the physician and family support program, which is in jeopardy.

The second is from an individual whose family member has been seeking transsexual surgery for three years and has been under terrific duress with suicide threats that are affecting the whole family and is requesting urgent attention to that problem.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. I have four tablings this afternoon. The first is the *Calgary Herald* editorial yesterday entitled Throwing Bricks: Halting Legislature Project in Mid-stream Makes No Sense.

The second is a letter from the hon. Member for Airdrie-Chestermere, a short note.

The third one is my response to that letter.

The fourth one, Mr. Speaker, is his response to me.

I table the appropriate number of copies right now. Thank you very much.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I have two tablings today, one from Dr. Alexandra Howlett in regard to the AMA's physician and family support program and the other one from Dr. Nicola Watkins in relation to the proposed termination of nine programs enlisted to help Alberta doctors achieve a patients-first agenda.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of an excerpt from the Occupational Health and Safety Code 2009 relating to hazard assessment, elimination, and control. The document relates to my questions still to come.

1:50

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Emergency Medical Service Delays

**Dr. Swann:** Thank you very much, Mr. Speaker. Is it any wonder that Albertans have lost confidence in this Tory government over their mismanagement of health care? The government can't even get its story straight on whether it will proceed with an independent investigation by the Health Quality Council affecting 322 patients who received compromised emergency room care. The Premier now says that he's open to allowing the Health Quality Council to investigate serious medical issues on their own, yet the minister of health continues to stonewall. To the Premier: how can Albertans have any faith in this government when at least two ministers and the Premier himself were directly aware of these 322 cases?

**Mr. Stelmach:** Mr. Speaker, yesterday I said that I'd never close the door on any matter to be reviewed by the Health Quality Council when it comes to improving health care delivery and performance, and that does include waiting times in the emergency rooms.

**Dr. Swann:** Well, Mr. Speaker, will the Premier allow the Health Quality Council to independently investigate these 322 cases? Yes or no?

**Mr. Stelmach:** Mr. Speaker, yesterday, of course, in speaking to the issues that were raised, I was very clear that some of the allegations made against third-party members that are not members of this House: there was no substantial evidence tabled in the House,

so we are not going to proceed with those. Anything that we can do to improve the confidence of Albertans in our health system, we will continue to do.

**Dr. Swann:** I guess one would have to ask, Mr. Speaker: what is the Premier afraid of? Why will you not allow the Health Quality Council, which has a direct mandate to investigate patient quality? After three years, Mr. Premier, what is holding you back?

**Mr. Stelmach:** Mr. Speaker, after yesterday, of course, we have one doctor in this Assembly that's accusing doctors of taking hush money. Another doctor in this Assembly accused our Alberta doctors of malpractice. I am here to support our doctors, and we will do whatever we can to ensure that Albertans have confidence in the Alberta health care system.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** For the record, Mr. Speaker, I was accusing the government of malpractice, not the physicians.

Today the AMA's Paul Parks flatly refuted the Premier's spin that the Alberta Health Services internal review and its employee code of conduct will help get to the bottom of 322 cases of compromised care. Dr. Paul Parks said this: The picture is being painted of an open, friendly environment to come forward with our concerns. That is not accurate. There is a subtle culture of dissuading any kind of discussion on health care. End quote. How can the Premier continue to ignore a growing chorus of experts, including nurses, who believe a culture of fear and intimidation is contributing to the crisis in health care today?

**Mr. Stelmach:** Mr. Speaker, I also said yesterday in reply to a number of questions that we are moving on everything that ER docs told us and advised us about some months ago. One is to open more continuing care spaces, appropriate care for seniors that happen to be in acute-care beds; increasing the number of nurses, and we are firmly committed to increase that number by 2,000 by 2012; and also increasing up to 370 physician spaces in the province of Alberta. That is a substantial gain on what we committed to, and we'll continue to do that.

**Dr. Swann:** I'm talking about the freedom to speak in this province, Mr. Premier. Will you agree along with many health professionals that the Alberta Health Services code of conduct is a publicity ploy? It does absolutely nothing to address compromised patient care.

**Mr. Stelmach:** Mr. Speaker, all physicians take an oath, and I'm sure part of that oath is a duty to be responsible for their patients. Also, the Alberta Health Services policy is very clear that they have a duty to report to Alberta Health Services any issues that may question the delivery of health care to any one individual in this province. That is the duty.

**Dr. Swann:** Will the Premier finally do the right thing for all Albertans, for health professionals, and for patients and call an independent investigation through the Health Quality Council? After three years. Three hundred and twenty-two cases. We've said it over and over again. You know what we're talking about.

**Mr. Stelmach:** I think I just heard the hon. member ask us now to do a review of the Alberta Health Quality Council. Just earlier he asked us to have the Health Quality Council do the review, so I'm a little disconcerted in terms of what he actually means.

Here's the thing, Mr. Speaker. Six in 10 Albertans say that health care is in crisis. Six in 10 also are very confident that when

they need health care delivery in this province, it's going to be there. We've also seen substantial improvement. Since 2004 at 40-some per cent to 50-some per cent, now 62 per cent of Albertans have confidence in their health system.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

#### **Villa Caritas Geriatric Mental Health Facility**

**Dr. Taft:** The Auditor General has reported serious concerns in writing about the conversion of Villa Caritas from long-term care to a psychiatric facility. With news of a tragic death at the facility the health minister's glib response was: I didn't design the facility; why don't you ask the Infrastructure minister? So to the Infrastructure minister: given that the minister of health is shirking his responsibility, are the reversals, problems, and huge cost overruns of this project your department's fault?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. It is very much a tragic and unfortunate situation. The facility was redesigned for the needs of seniors with mental health issues, and the design changes were reviewed by mental health experts, physicians, and union reps.

**Dr. Taft:** Well, to the same minister: given the sad irony that this redesign, as the minister says, cost taxpayers \$40 million more than budget and we still ended up with a facility that's unsafe for residents, will the Infrastructure minister tell us how much more money will be needed to make Villa Caritas safe for psychogeriatric patients?

**Mr. Danyluk:** First of all, Mr. Speaker, let me be very clear that the facility is safe. Secondly, I want to say to you that to change from a seniors' facility to a mental health facility did not cost \$40 million. I need to reiterate that we did have mental health experts, we had physicians, we had people of expertise looking at the revised changes.

**The Speaker:** The hon. member.

**Dr. Taft:** Thanks, Mr. Speaker. Given that this minister apparently is responsible for the construction and design of the facility, was he aware of the concerns for safety that were brought to the attention of the operator of the facility just a couple of months ago? Was he aware of those?

**Mr. Danyluk:** Well, Mr. Speaker, I need to say to you that Infrastructure was involved in the late stages. As I said before, the design changes were reviewed by experts. They were also sent to us to review the design plans as well.

Mr. Speaker, I again say to you that any time that we do have a tragedy or we do a review, we definitely look at safety. We make sure that all facilities are safe.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### **Emergency Medical Service Delays** (continued)

**Mr. Hinman:** Thank you, Mr. Speaker. This current government from the Premier right down to MLA 67 continues to undermine the public's confidence in our health care system by failing to allow a public inquiry. Morale amongst our health care workers is



a major concern. Dr. Parks' call for a process where immunity for people who come forward is needed because of punitive actions taken on health care workers in the past. Does the Premier not understand that his refusal to open this inquiry only adds to the doubt and speculation that there is a major cover-up?

**Mr. Stelmach:** Mr. Speaker, again to the hon. member I said that all of those allegations that were made in this House against third-party members that have no way of defending themselves we're not going to chase because there was nothing that was presented in this House that was any credible evidence.

In terms of the issues tied to health quality, confidence in the system, I've always had the door open to do the review and ensure that the steps that we're taking as the government – the substantial investment that we've made in health, the five-year funding commitment, the only one of its kind in the country of Canada – make sure that this money is going to good use.

2:00

**Mr. Hinman:** Mr. Speaker, we didn't say to chase after innuendos. We said to open up an inquiry, to give immunity.

Given that this Premier and the health minister insist the system is working great, that whistle-blowers aren't being silenced, that there is no basis for allegations of hush money or a cover-up, and that the Premier is stating himself that he just wants to see this issue die, shouldn't they be eager for a full public inquiry to clear their names?

**Mr. Stelmach:** Mr. Speaker, allow me to quote, please. Today Dr. Cowell, who is a member of the Health Quality Council and is the chair, said this, and I quote. The allegations are very serious. There's no question about it. Dr. Sherman is saying there's up to 250 people that died on a waiting list. He needs to provide further evidence that this is, in fact, true. Right now they're allegations. We would need to see some factual evidence. End of quote.

**The Speaker:** Hopefully, the documentation will be tabled later.

The hon. member from the third party, please.

**Mr. Mason:** I have a point of order.

**The Speaker:** Okay. Proceed.

**Mr. Hinman:** Thank you, Mr. Speaker. Given this Premier's reluctance to investigate this situation, are Albertans to conclude that he is afraid of what this investigation would bring to light? They need to open up the investigation to clear this up. They can't keep declaring themselves innocent. Open up the inquiry.

**Mr. Stelmach:** Mr. Speaker, I believe the answer I gave to the previous question deals with this situation appropriately. When it comes to quality of care, access, all of those areas that can be investigated and reviewed by the Health Quality Council to make sure that the money is going in the right direction, they will be able to do that. In terms of these allegations that were raised, we already heard very clearly a quote from the chair.

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

#### **Villa Caritas Geriatric Mental Health Facility**

*(continued)*

**Mr. Mason:** Thanks very much, Mr. Speaker. This question is for the Minister of Infrastructure. We were informed by staff that the occupancy risk assessment which is required for the Villa Caritas

facility was not conducted in accordance with the occupational health and safety code, specifically 8(1), that "an employer must involve affected workers in the hazard assessment and in the control or elimination of the hazards identified." I want to ask the minister why this was not done and why he is not taking responsibility for the fact that we are unable to provide . . .

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, Mr. Speaker, I think I was very clear before. I did say that the expert committee that was in place, that looked at the redesigns involved my ministry to ask them their opinions and their input, and we did that.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Given that Villa Caritas was not designed as a mental health facility, and given that a patient has died as a result of flaws in the design, and given that this minister of health forced Covenant Health to convert their long-term care facility into a psychiatric unit to justify the government's plans to close Alberta Hospital, will the minister stand up and accept responsibility, at least some responsibility, for this tragic situation?

**Mr. Zwozdesky:** Mr. Speaker, I stand by my view of Villa Caritas. It is officially designated under the Alberta Mental Health Act as a location that can provide the type of services that geriatric mental health patients require. It's on par in that respect with legal standing, the same way that the Alberta Hospital Edmonton is, or the same way that the Centennial Centre for Mental Health and Brain Injury in Ponoka is. There are over 300 staff members there. There are something like eight psychiatrists there and one general practitioner doctor, and they're providing outstanding care.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that this Premier and his health minister were anxious to get credit for Villa Caritas at the self-congratulatory opening ceremonies this week, and given that the death of a patient has revealed serious concerns about the safety of the facility, how can the Premier and this minister now try to dodge responsibility when things go wrong?

**Mr. Zwozdesky:** Mr. Speaker, we were invited, as were other members. One of them is now a private member sitting there, from Edmonton-Meadowlark. I don't know why the hon. member who asked the question wasn't invited, but if he would just go over there and have a look, I can tell you that enormous improvements have been made to upgrade it from what was intended to be a long-term care type of facility to what is now a fully accredited mental hospital: shatterproof glass, additional monitors in the TV hallways, better sightlines from the nursing station to the rooms, and I could go on. It's an outstanding facility.

**The Speaker:** The hon. Member for Calgary-Currie.

#### **Emergency Medical Service Delays**

*(continued)*

**Mr. Taylor:** Thank you very much, Mr. Speaker. I mean, the essential piece of this puzzle, the essential theme of all the questions asked so far today is that the people of Alberta have no idea who to trust and what to believe about the health care system they need to rely on. To the Premier: if the Premier is unwilling to call

for a public inquiry, how is the air supposed to clear, and how is the public supposed to understand the situation?

**Mr. Stelmach:** Mr. Speaker, once again, the hon. member hasn't said what area he wants investigated. Does he want to investigate those allegations that were made in the House or to open up the door and see if we can further have the Health Quality Council review the operations, see if the money that we have invested in the system, the changes we've made are actually doing what we wanted them to do, and that is to reduce waiting times? That door is open to that but not to the other.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you very much, Mr. Speaker. It's good to hear that door is open because that is what I'm asking about.

Again to the Premier. Dr. Lloyd Maybaum, the president of the Calgary & Area Physician's Association, believes that an independent inquiry is essential to restore public faith in the system. For the sake of public confidence in health care – and yes, I know, the Premier and the health minister have talked about all the wonderful things that they're doing to improve the system; the problem is just that people don't believe it – will the Premier launch that independent inquiry?

**Mr. Stelmach:** Mr. Speaker, in 2004 52 per cent of Albertans had confidence in the system. In 2006 we moved that up to 58. In 2010, the last Health Quality Council review, it was 62 per cent. It is moving in the right direction. I know we have a lot of work to do, but it's certainly heading in the right direction, not going backwards.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you very much, Mr. Speaker. Sixty-two per cent won't get you into medical school.

My final question is again to the Premier. In order to regain public trust in the health system, will you commit today to changing the mandate of the Health Quality Council of Alberta so as to allow them to independently launch investigations when they feel it's necessary?

**Mr. Stelmach:** Mr. Speaker, 62 per cent gets us elected. Thank you very much.

**The Speaker:** The hon. Member for Athabasca-Redwater, followed by the hon. Member for Edmonton-Gold Bar. [interjections] Athabasca-Redwater. [interjections] Athabasca-Redwater, you've been called three times.

#### Student Loan Remissions

**Mr. Johnson:** Sorry, Mr. Speaker. Alberta's postsecondary students are already concerned about the level of debt they are accumulating to pay for their education. Some of them have even said that they don't want to go to postsecondary because it will end up costing them too much in the end. My question is for the Minister of Advanced Education and Technology. With loan amounts increasing, what is the minister doing to ensure that students are graduating with manageable debt and able to get a good start on their futures?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It's great to answer this question today with the students in the House. This govern-

ment is really committed to trying to ensure that students' loan amounts are maintained at the lowest possible amount. To help them with this, last year we came out with the repayment assistance plan, and this is to help any student who has a loan they simply cannot make the payments on. We'll work with that student on an individual basis to ensure that they have an opportunity to pay. As well, we ensure that the rates for these remain low.

**Mr. Johnson:** Again to the same minister, Mr. Speaker: why was the eligibility for loan remission limited to only students who complete their programs?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Completion has always been a requirement, but the definition of completion up until this year was that when someone quit a program, that was determined as completion. We have now changed that. We are trying to ensure that tax dollars and the investment is properly done, so completion now means that a student completing a program would have the potential for remission for part of that loan.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. Maybe it's the fault of the previous minister. What about the students who have to leave their program early due to unforeseen circumstances and don't get to finish their program? What does this say about the value of learning in Alberta and building a culture of lifelong learning?

**Mr. Weadick:** Well, I'd like to thank the member. Actually, that is an important question. As long as a learner comes back into the system, they're always going to be eligible to have remission. We all know that there are opportunities when students have to leave a program for a while. It could be because of family requirements. It could be because of work requirements. It's critically important that we create flexibility, so if a learner comes back into the system, they'll be eligible for the remission.

#### 2:10 Health Services Financial Reporting

**Mr. MacDonald:** The Auditor General's report last October indicated that Alberta Health Services found numerous errors in the way data was being processed from the ledgers of former health authorities, including Capital health. One error resulted in more than \$500 million in misclassified expenses. Another resulted in the omission of \$420 million of expenses. My first question is to the minister of health. How does the minister explain these errors and expenses totalling \$920 million?

**Mr. Zwozdesky:** Mr. Speaker, I'll have to take a look at that and just see if it's correct or not. I'm not familiar with the exact line that he's talking about. When you're looking after and are responsible for a budget of \$15 billion, there are a lot of lines that you have to pay attention to. I can assure the member that I will have a look at that.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. It's obvious. To the minister: it's on page 165, and I'm disappointed that you do not read the Auditor's reports. I'm going to read directly from it. The Auditor General states: "Transactions with Covenant Health were classified uniquely in Capital Health's general ledger. This unique classification was not picked up by the topside ledger and ap-

proximately \$420 million of expenses were omitted.” My question is: can the minister explain why these expenses were omitted?

**Mr. Zwozdesky:** Mr. Speaker, I could assure the House and I could assure all Albertans: I do read what the Auditor General says. I just don’t memorize it all. However, I will take a look at that, and I will get the member an answer. He should know that he could bring it forward as a written question.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: is this unique classification, as described by the office of the Auditor General, of the omission of \$420 million of expenses an example of one organization with two sets of books?

**Mr. Zwozdesky:** Mr. Speaker, I hardly think so. The fact is that whatever the numbers, they are fully audited, they are fully available to the public, and I’ll get him some more details if that’s what he wants. He chairs Public Accounts or he used to chair it. He should know that there is a process to access that level of detail, but since he doesn’t know how to do that or has forgotten how to do it, I’ll do it for him.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Calgary-Buffalo.

#### Tuition Fee Policy

**Mr. Fawcett:** Thank you, Mr. Speaker. Many high school students in my constituency are starting to apply to postsecondary institutions for the fall, and some of them have been contacting my office, asking if this government has abandoned its commitment to predictable and affordable tuition at our postsecondary institutions. For students and for parents who are fearful that they will not be able to help their children, this is a real concern. My questions are to the Minister of Advanced Education and Technology. Can the minister assure these students, my constituents, and their parents that the tuition fee policy will remain in place?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. I’d like to assure this member and his constituents that we are absolutely committed to the tuition cap policy in this province. That cap: any increases are set to the rate of inflation. We’re going to stick by that this year. That is .35 per cent, or approximately \$20 per student. That’ll be the increase, and you can make sure that your parents and students are aware of that.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. How is the minister going to balance the need for postsecondary institutions to generate the revenue required to offer the high-quality programs demanded by students with the need to ensure affordability and accessibility of these programs for all?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. That remains the balance that we always work to include, to make sure that the programs are affordable for the students, that they’re accessible to the students, but that we can maintain the quality that we must have. Our students demand programs that provide quality, and that’s what we do. The tuition cap to this point has continued to

provide a high-quality education at an affordable rate for our students.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. My final supplemental to the same minister: will the minister prevent the institutions from going around the tuition cap policy by changing so-called noninstructional fees?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. We’ve heard many concerns from students about the noninstructional fees, and we also are very concerned about that issue. We don’t believe that noninstructional fees should be a way to simply increase tuitions. The students in the province have a very good working relationship and have come up with some options where we may be able to manage this. We’re working with them, and I believe we’ll have a solution for that.

#### ESL Funding

**Mr. Hehr:** Mr. Speaker, you’ll be happy to know that I won’t be asking questions today about the county of Barrhead using taxpayers’ dollars to send people to an event organized by the local Barrhead Progressive Conservative association. Instead, I listened to the advice of the Justice minister and will forward these concerns to Elections Alberta.

My question today is for the Minister of Education. Given that high school completion rates are 10 points lower for typical ESL students, how will cutting supports for students with the greatest language problems help them earn a high school diploma?

**The Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. It was unfortunate that we had to show some restraint in the Education budget this year, and one of those restraints was the enhanced ESL program. That grant has been in place for six years. It was originally put in place in order to help those jurisdictions that had a particular type of immigrant coming in with extra problems to learn how to deal with those problems. In the six years we hope they have learned how to do that and that they will be able to handle the needs of their ESL students within the regular grant, which is about \$1,155 extra for each ESL student.

**Mr. Hehr:** Well, Mr. Speaker, I heard that explanation, but given that 70 per cent of all ESL students are not completing high school within three years, does it really look like the problem has been solved in the six years you’ve just emphasized?

**Mr. Hancock:** Mr. Speaker, I would hazard to say that the problem that’s exhibited is not simply an English-language learning problem. There are a number of issues that we need to deal with in terms of the supports for students who come into the jurisdiction. We’ve been putting a lot of focus on wraparound services and other ways that we can support families. I’ve asked my parliamentary assistant to work with some of those communities to actually help us discern how we can work with, particularly, the major school boards in the urban areas with respect to how to deal with those students. It’s not simply an English-language learning problem.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. Given that the largest thing, from my point of view, that ESL students would need would be English-language training, why are you cutting this part of the budget and emphasizing these other wraparound services? Give them the English training they need.

**Mr. Hancock:** Mr. Speaker, in fact, we do. We've supported English-language learning significantly and continue to support it significantly. It is the enhanced grant, the extra, I think, \$405 per student for a certain segment of those students that has been cut. That particular grant has been cut because, as I say, it was put in place for a specific purpose, and that was to help school boards discern the better methods that they needed in order to help those students learn. In the six years we hope that that's been accomplished.

Now, those students are still being funded not only with the per student grant but with the supplemental English-language learning grant of . . .

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Fort McMurray-Wood Buffalo.

#### Abandoned Gas Well in Calmar

**Mr. Rogers:** Thank you, Mr. Speaker. The town of Calmar is located 10 minutes west of the city of Leduc, where I reside. Last year a capped gas well drilled many years ago by Imperial Oil was found to be leaking within a new Calmar residential subdivision, causing the relocation of five homes and families. To the Minister of Energy: why is it not required that the ERCB notify the town of Calmar of the location of abandoned wells prior to subdivision approval?

**Mr. Liepert:** Well, Mr. Speaker, I know that earlier this week the Minister of Municipal Affairs in response to a question from the MLA for Drayton Valley-Calmar stated that his ministry and the ERCB are working together to amend regulations to ensure that abandoned wells and pipelines are identified before these new municipal developments occur. The ERCB does have a land development information package available, but the onus is really on the municipality to inquire before they permit a development. The ERCB is not aware of every development that is proposed or taking place in the province.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: how is your department or the ERCB ensuring that industry is fairly compensating the affected homeowners who've had to sell their homes for the well to be properly abandoned? These people are not at fault. Why should they face potential losses on the sale of their home?

**Mr. Liepert:** Well, under existing legislation, Mr. Speaker, the ERCB does not become involved in matters of compensation. In cases like this it is really the responsibility of the company involved to provide the compensation. It is my understanding that Municipal Affairs has either offered or is involved in mediation. It's mediation with only one homeowner. Four of the five homeowners have resolved the issue.

2:20

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: what role do the departments of Energy or Municipal Affairs

have in ensuring that the remaining residents in the crescent are treated fairly while this abandonment takes place?

**Mr. Liepert:** Well, I can only comment relative to the Department of Energy, Mr. Speaker. The ERCB reports through the Department of Energy. The Energy Resources Conservation Board is responsible for regulating safe, responsible development of Alberta's resources and is also responsible for ensuring that the company's technical and public safety plans are followed.

That being said, there's no question that there will be inconveniences in the neighbourhood as this remediation takes place. In situations like this I would suggest that it's incumbent on all the participants to work together to resolve the issue, and that includes the town of Calmar.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Calgary-Varsity.

#### Emergency Medical Service Delays (continued)

**Mr. Boutilier:** Thank you very much, Mr. Speaker. We just heard the Premier of Alberta say that he only cares about the health of 62 per cent of Albertans so his party can get elected. It's obvious why the Premier wants the issue of health care to die given this government's incompetence in managing health care. To the minister of health: have you been instructed by your party's boss, the Premier, to kill this issue, and is that why you are refusing to call in the Health Quality Council to investigate emergency rooms?

**Mr. Zwozdesky:** Mr. Speaker, this is a member who brings shame to himself and to other members of this House by misrepresenting a statement like that. The Premier said nothing of the kind, and he knows it. He should be called to order and immediately asked to retract it.

With respect to the other question, I said, "No, not at this time," but at the appropriate time I will take appropriate actions if necessary.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. The health minister doesn't want this issue to die – and I applaud him for that – unlike the Premier, so they're in conflict. He told the Member for Edmonton-Gold Bar yesterday that he would, quote, find exactly what budget line legal fees are included in. To the minister of health: have you found out how much of these legal fees were for settlements?

**Mr. Zwozdesky:** Mr. Speaker, it's common practice when people come and go from jobs that sometimes they have contracts that are bought out early and that some severance pay might be given. That's precisely what happened in the case of some of the CEOs. As you know, we had 12 CEOs. We brought it down to one. That meant curtailing some of those agreements early.

The allegations that were made yesterday by the Member for Edmonton-Gold Bar – well, there weren't really allegations, but there were some insinuations there – just pointed out the fact that he didn't fully understand what one-time payments were, and I tried to clarify that. We're looking for more detail because it really is a question for Motions for Returns. I'll do the best I can to get him the detail he needs.

**Mr. Boutilier:** The minister thought it was a good question yesterday. Now he's saying that today it's not a good question.

Given the awkward position that the minister of health is in, that his boss wants the issue to die, the minister needs to answer first to Albertans, not to the Premier. Will you stop putting your party's boss ahead of Albertans and get Albertans the answers that they are demanding in this Assembly?

**Mr. Zwozdesky:** Mr. Speaker, let's be very clear. What the Premier indicated yesterday was one set of answers for one set of allegations. What he also said was that he would do whatever was necessary to restore some public trust because of some of the allegations made in this House. If that requires me doing something to support that, I will be there to support the Premier, and I'll be there to support Albertans asking the questions.

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

### Workplace Safety

**Mr. Chase:** Thank you, Mr. Speaker. Yesterday in this Assembly the Minister of Employment and Immigration asked how much more proof Albertans required to believe that worker safety in this province is improving. The answer, unfortunately, is a lot. To the minister: given that this government completed only 11 workplace safety prosecutions last year compared to 47 in Saskatchewan, when is our Alberta labour minister going to get serious about the prosecution of safety offenders? Or is his reluctance due to resistance from elsewhere in the government?

**Mr. Lukaszuk:** Mr. Speaker, the number of prosecutions depicts the number of violations. If our Crown prosecutors have no basis on which to prosecute, they don't prosecute. If in one province there are more murder prosecutions, that means they have more murders. This is not a competition for who has more prosecutions. I'd rather have zero prosecutions. That means there are no violations.

**Mr. Chase:** Mr. Speaker, a race to death and injury certainly isn't a competition, but Alberta has more workplace injuries and deaths per population than the majority of other provinces. If the minister favours more transparency in occupational health and safety, will he tell us how many workplace safety cases his department forwarded to the Department of Justice last year with a recommendation to prosecute? Are you saying . . .

**The Speaker:** Okay. We've had three preambles. We're not supposed to have any.

**Mr. Lukaszuk:** Mr. Speaker, if you want to talk about transparency, you would be glad to know that Alberta is the only province in Canada if not in North America that actually has a full online, free-of-charge disclosure of the occupational health and safety record of virtually every employer in this province. So get on the computer, look up your employers, and you'll see exactly what their safety track records are. Only in Alberta.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Given that the minister told the *Calgary Herald* that he would speak with the former Minister of Justice about increasing the number of workplace safety prosecutors, does that not indicate, to the minister's credit, that he was and is dissatisfied with the resources available for handling OHS cases in the Department of Justice?

**Mr. Lukaszuk:** Mr. Speaker, this minister and the Minister of Justice are in constant communication. However, one thing – one thing – Albertans should be assured of is that neither this minister

nor any other minister of this government is in any collusion with the Minister of Justice, telling our Crown prosecutors whom to prosecute and whom not to prosecute. They make that decision based on evidence, and they choose whom they should or should not be prosecuting.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Centre.

### Water Quality Monitoring in the Oil Sands

**Mrs. Leskiw:** Thank you, Mr. Speaker. This week the government received the final report from the Water Monitoring Data Review Committee, set up in the fall of 2010 to examine oil sands environmental monitoring work from Alberta Environment, Dr. Schindler, and his colleagues. My question, in fact all three questions are to the same minister, the Minister of Environment. Given that the academic work relied on methods which differed from those used by the government studies and made strong conclusions regarding the water quality in the oil sands region, what was learned from these studies?

**Mr. Renner:** Well, Mr. Speaker, the work of doctors Kelly and Schindler identified monitoring techniques that, frankly, are worth consideration. The report also made it very clear that sweeping conclusions cannot be based on the available data, either by the government or by the university studies. We need to recognize and monitor the adverse effects rather than just monitoring the threshold levels. That is what we intend to incorporate into our future plans for monitoring.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. Since we've heard about the government multidecade, long-term commitment to monitoring in the oil sands region but this report highlights a needed enhancement to the overall focus of monitoring efforts, how is the minister ensuring that the government's environmental management efforts are based upon the overall impact to any ecosystem rather than simply inputs?

**Mr. Renner:** Mr. Speaker, that's precisely what we've been talking about in the development of the cumulative effects environmental management scheme, where we concentrate on outcomes rather than constantly concentrating on inputs. In the past it's been a site-by-site monitoring system that hasn't taken into account, to the extent that perhaps we could, the overall impact on the environment. That is the scope and scale that we intend to develop in the new world-class monitoring system.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. Because the oil sands are an important provincial and national resource and many of my constituents benefit from this industry, how will this minister ensure the continued credibility of oil sands developments?

**Mr. Renner:** Well, Mr. Speaker, we're working very closely with Environment Canada to improve the monitoring. One of the areas that was very clear that came out of the report that I read this week was that we need a more co-ordinated approach. We can't have water monitoring going on in one area, air monitoring going on in another area, biodiversity monitoring going on in another area, and not combine the strategy behind all of them. That's why we've asked the panel to put together a co-ordinated approach that deals with all media from one central monitoring body.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Hays.

2:30

### Gender Equality

**Ms Blakeman:** Thanks very much, Mr. Speaker. In 2007 the Premier's Blue Ribbon Panel on government agencies recommended that appointments should reflect the people of Alberta, 52 per cent of which are women, and should use a transparent, non-partisan, and competence-based process. But when I quickly checked, there were zero women of nine on Alberta Capital Finance Authority, two women of 13 on Environmental Appeals, two women of nine on Alberta Innovates. To the minister of finance: would the minister agree that the government could look a little harder to find qualified women to sit on government agencies, board, and commissions?

**Mr. Snelgrove:** Mr. Speaker, first, I do want to apologize to the hon. member for yesterday because I did not anticipate questions that I think would have been more celebratory of the hundred years of success women have had.

We do use a competence-based approach to boards we are establishing. In the Alberta government, Mr. Speaker, 67 per cent of our employees are women; 47 per cent of them are in management positions. We are working towards equality, and we're striving very hard to get that.

**Ms Blakeman:** A little harder on the agencies, boards, and commissions.

To the same minister: it's nearly two years since the Alberta Public Agencies Governance Act was passed, so why has it not yet come into force?

**Mr. Snelgrove:** Mr. Speaker, we have a lot of different responsibilities from the government's boards and agencies, and they have special tasks. We talk about the need to have specific abilities on those boards, so while we transform and we've moved into a consistent process for evaluating membership to it, we are still only able to process people that apply to be on the boards. So if there's a question or if I can ask her consideration, encourage very capable women that she knows to put their names forward, and then we can at least deal with their applications.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Thank you for that. I will certainly follow through on it, and I will also throw the gauntlet down to the minister of finance because I want him to agree to champion increased appointments of competent, skilled women to government agencies, boards, and commissions. He's a well-respected, leading member of that front bench. Will he agree to champion this?

**Mr. Snelgrove:** How can I say anything? Seriously, Mr. Speaker and hon. member, absolutely. Not only will I do it, but I can guarantee you that all of our government will do it, and I know you will help. We all agree on the same thing.

Thank you.

**The Speaker:** The hon. Member for Calgary-Hays, followed by the hon. Member for Edmonton-Riverview.

### Transportation for the Disabled in Calgary

**Mr. Johnston:** Thank you, Mr. Speaker. Both provincial and municipal governments in Alberta are well known for providing

supports to persons with disabilities. In the past couple of weeks I've seen labour negotiations between the Calgary HandiBus Association and the Amalgamated Transit Union local 583 come to a halt. My questions are all for the Minister of Employment and Immigration. Can the minister please tell us the status of these negotiations?

**Mr. Lukaszuk:** Yes, Mr. Speaker, I'll be glad to. As you may know, on December 31 of just this last year the collective bargaining agreement between the Calgary HandiBus employer and employees came to an end. I know that the union has met on a number of occasions with the employer. On March 2 they held a vote to strike, and I believe that the day for strike has been set now for Friday, March 11.

**The Speaker:** The hon. member.

**Mr. Johnston:** Thank you, Mr. Speaker. To the same minister: what impact would a strike have on the Calgarians using these services?

**Mr. Lukaszuk:** Well, Mr. Speaker, the impact obviously will be immense. Let's just put it in perspective. First of all, this particular service provider provides transportation services throughout Calgary for the most vulnerable residents of Calgary. Those would be persons with disabilities and others who require daily rides. Furthermore, just imagine. They provide approximately 40,000 trips per month. That's a large number of the population to very important points of destination, so any form of disruption to those services will obviously have a negative, adverse effect from many perspectives on those who rely on the service.

**Mr. Johnston:** My final question. Given the nature of the services provided, what options does the province have to ensure that this invaluable service is not disrupted?

**Mr. Lukaszuk:** Well, Mr. Speaker, ideally, I would like to see the two parties come to a negotiated agreement. It is always better when two parties compromise their positions and find a mutually palatable solution. It seems like it's difficult at this point for those two parties to do that. I certainly hope that both parties keep the value of the service that they provide to those vulnerable clients in mind. However, our labour code allows the minister to utilize a number of tools, and ultimately I can tell you this, hon. member. My number one priority always will be vulnerable Calgarians that rely on that service day in, day out for very important purposes.

### Noninstructional Postsecondary Fees

**Dr. Taft:** Mr. Speaker, my questions are for the Minister of Advanced Education and Technology. Given the question earlier this afternoon about mandatory noninstructional fees for postsecondary students, the minister indicated, it seemed, that he was confident that a solution would be found. Well, I think he owes it to this Assembly and to students across Alberta to give some details. Exactly what solution is in the works?

**Mr. Weadick:** Well, thank you to the member for that question. We've had discussions over the past year with student organizations, and clearly the students, as people funding their education, should be involved in any decision on these instructional fees. What we've been discussing is a way that the students could be involved in supporting or voting on any of these types of fees to ensure that they meet the needs of students.

**Dr. Taft:** Mr. Speaker, it sounds like the minister is putting the

solution onto the students. If they had the power, they'd be happy to implement it, so let's see if they will get the power. Is this minister considering binding votes by students on any proposals from postsecondary institutions to charge mandatory noninstructional fees?

**Mr. Weadick:** At this point that is an issue that has come forward by the students as acceptable to them to be involved in. The ideal way is not to do it through regulation but to work with the institutions and to create a partnership between the institutions and the students. We're going to work together with our institutions and students to create an environment where the students can be involved in the decision.

**Dr. Taft:** Mr. Speaker, that was a pretty evasive answer, so let's try something else. Will the minister at least use his authority as a minister of the Crown to ban the practice of some institutions of charging mandatory fees that provide zero additional services? Will he ban that?

**Mr. Weadick:** Mr. Speaker, at this point I haven't had any of those types of fees come forward that provide zero service or quality for the students. We haven't had any of those come forward, but there is some question about the value and whether or not there is true value to the students for some of the fees that they have seen.

#### Agricultural Research

**Mr. Drysdale:** Mr. Speaker, as the world population continues to rise, so does the global demand for food while land and resources available for agricultural production continue to decrease. My question is to the Minister of Agriculture and Rural Development. With agricultural exports being such an important part of our economy, what is the minister doing to address the challenge of feeding a growing global population?

**The Speaker:** Stick to Alberta. That would be helpful. Go ahead.

**Mr. Hayden:** Thank you, Mr. Speaker, and I will stick to Alberta. Because we export 80 per cent of what we produce, the world is our customer. By 2050, as an example, we are going to be requiring our producers to produce twice as much as they are today, so we're investing in research to get that production. Gentec is one. We've got two studies right now in research projects that are happening. The other is Phytola at the University of Alberta. We're looking, of course, towards increasing production but also quality. The Alberta Livestock and Meat Agency, as an example, has invested \$1.5 million in the Gentec project.

**Mr. Drysdale:** Again to the same minister: how will these initiatives benefit Alberta's livestock and oilseed industries?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. The genomic research with respect to the livestock sector has advantages for us environmentally but also production increases. We're talking increases in quality and quantity with respect to both dairy products and also beef products.

With respect to the research in the oilseed sector right now 43 per cent of a canola seed is oil. Through the work that we're doing now and the research that we're doing, if we can increase by 1 per cent that oil, we'll be looking at about an extra \$9 million just in that sector in Alberta alone.

2:40

**Mr. Drysdale:** My final question is to the Minister of Advanced Education and Technology. What other types of agricultural research is your ministry supporting?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'm pleased to say that Alberta Innovates: Bio Solutions provides a broad range of agricultural research. One really exciting piece of research I'd like to highlight today is the prion research that we're doing in animals, especially after the BSE crisis. What we're finding is that research in livestock is now starting to provide some answers to human health issues around Alzheimer's and Parkinson's disease. It's really an interesting area of crossover, where research into livestock health is now providing some answers for human health as well.

**The Speaker:** Hon. members, that concludes the Oral Question Period. Eighteen members were recognized today, with 108 questions and responses.

We'll continue the Routine with Tabling Returns and Reports in 15 seconds from now.

#### Tabling Returns and Reports

(continued)

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

**Mr. Chase:** Thank you, Mr. Speaker. I have three sets of tablings. The first is a set of informational pamphlets from the Association for the Rehabilitation of the Brain Injured, that I referenced in my member's statement.

My second tabling, Mr. Speaker, is from Vecova. Vecova is the new branding name for what has been formerly known for the last 43 years as the Vocational and Rehabilitation Research Institute in Calgary-Varsity, which has been providing service for both able and disabled individuals.

My last set of tablings, Mr. Speaker, has to do with concerns over the Castle-Crown. They are from Douglas Brown, S.J. Harrison, Mae Stolte, Lisbeth Mousseau, Alan To, Robert Laing, Frances Reynolds, Jess Harding, Trudy Baker, Colleen Campbell, David Fulton, Sarah Hutchison, Thomasine Irwin, Brad Jones, Sarah Elmeligi, Janice Ryan, Beverly Kaltenbruner, Bob Borreson, Jim Patterson, Marc van Sluys, Catherine Gill, Roberta Olenick, James Harlick, Alan Chomica, and Yvonne Ellingson.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd just like to table five copies of a letter from Gerald Foster. He's a constituent of the hon. Member for Leduc-Beaumont-Devon. Throughout this cancer issue, he said in his letter, he had to wait at least three months, so he actually had to go down to Vancouver and purchase health care. He said: I'm the president of a company. But what I'm really concerned about . . .

**The Speaker:** That would be fine. You've tabled it.

**Dr. Sherman:** Thank you, Mr. Speaker.

#### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following docu-

ment was deposited with the office of the Clerk: on behalf of the hon. Mr. Snelgrove, Minister of Finance and Enterprise, pursuant to the Alberta Economic Development Authority Act the Alberta Economic Development Authority activity report 2010.

**The Speaker:** Well, hon. members, three points of order today, so we'll start with the first one. Hon. Member for Edmonton-Highlands-Norwood, quotations of documents would be very helpful.

#### Point of Order

##### Referring to a Member by Name

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. I am referring to *House of Commons Procedure and Practice*, second edition, 2009, chapter 13, rules of order and decorum. "The Speaker will not allow a Member to refer to another Member by name even if the Member speaking is quoting from a document such as a newspaper article." During question period the Premier specifically referred by name to the Member for Edmonton-Meadowlark. I think that should have been dealt with, but it was not, and that is why I stood up to make a point of order.

**The Speaker:** Fair game. I can deal with this. The member is absolutely correct. The long-standing tradition in here is that members should not refer to other members by name, and absolutely the long-standing tradition is that one shouldn't do indirectly what one can't do directly.

The Premier did quote, and I asked that the document be tabled. It hasn't been tabled yet. We've gone through the tablings. Government House Leader, you might want to look at that, please. As I understand it, the quote says:

Today Dr. Cowell, who is a member of the Health Quality Council and is the chair, said this, and I quote.

So I presume this is the quote.

The allegations are very serious. There's no question about it.

And then the name is put in. He could have said, I guess, "the Member for Edmonton-Meadowlark."

... is saying that there are up to 250 people that died on a waiting list. He needs to provide further evidence that this is, in fact, true. Right now they're allegations. We would need to see some factual evidence. End of quote.

Yes. I guess the only dilemma with respect to this is if it adds or takes away from the quote if the name is in there, but the member is right. Another member should not be referring to the name.

This has happened now on several days in this Assembly by members from various parts of the House, and it seems to always be in a unique circumstance, which this was. The bottom line is that the name should not have been mentioned. Absolutely correct, right to rise on a point of order. Clarification made. Tabling still to come.

Okay. Number two. Government House Leader.

#### Point of Order

##### Questions about Detail

**Mr. Hancock:** Thank you, Mr. Speaker. I rise on a point of order with reference to a question that was raised by the Member for Edmonton-Gold Bar earlier today. In essence my point of order is around raising questions in the House which ought to be raised either by written questions or in another forum. The citations that I would use would be *Beauchesne's* 409(5), which reads,

The matter ought to be of some urgency. There must be some present value in seeking the information during the Question Period rather than through the Order Paper or through correspondence with the Minister or the department.

And 408(1)(e), that such questions should

not be of a nature which would require a lengthy and detailed answer,

and the *House of Commons Procedure and Practice*, page 504, which provides that it should not

request a detailed response which could be dealt with more appropriately as a written question placed on the Order Paper.

In essence, Mr. Speaker, the hon. member was raising questions, pulling out budget documents or other documents, quoting from a specific line – now, as he held up the document, you could see that that document was a significant number of pages – and making the assumption for the public and others watching that the minister of health ought to have memorized all those lines and ought to be able to provide a detailed response to a detailed question. Clearly, in our orders of procedure there are places for those sorts of questions, and Written Questions and Motions for Returns are specific opportunities for that type of question.

As well, in our practice, I think, the rules that I just read from *Beauchesne's* and from the *House of Commons Procedure and Practice* would suggest that where you're asking for a detailed response, it might be more appropriate just to write a letter to the minister as opposed to trying to grandstand in the House.

One of the most important pieces that should be referenced by this House under this point of order is that the member asking the question is, in fact, the chairman of the Public Accounts Committee, and he knows full well where those types of questions can be brought up. If it's a matter of a current budget issue, it should be raised in the House during discussion in the Committee of Supply or in the policy field committee during discussion of estimates. If it's with respect to a prior year's accounts, the Public Accounts Committee is the appropriate place for those questions to be raised, and the hon. member, as chairman of the Public Accounts Committee, ought to know that.

**The Speaker:** The hon. Member for Edmonton-Gold Bar on this point of order.

**Mr. MacDonald:** Yes. This is quite an interesting point of order if you could call it that, Mr. Speaker. Now, certainly, the first thing I would like to say to the Government House Leader – and he should know this – is that the government majority which sits on the Public Accounts Committee is now setting the agenda. I would love to have the ministry of health come frequently to Public Accounts, but that is no longer possible because last year we changed those rules.

Now, I certainly would like to say that I was clear when I asked the question of the minister of health, and I was clear in my opening preamble, Mr. Speaker, that the Auditor General's report last October indicated that Alberta Health Services found numerous errors in the way data was being processed from the ledgers of former health authorities, including Capital health.

This isn't a budget document. This is the Auditor General's report from October 2010, which should be required reading for each and every hon. member of this Assembly. For the Government House Leader to say that this is an obscure budget document or a big budget document is untrue. That is untrue because this is required reading for every member of the Assembly.

2:50

Certainly, the hon. Member for Edmonton-Riverview used the same report in a question previous to me today to ask the Infrastructure minister about Villa Caritas, and there was no problem with that from the hon. Government House Leader. He didn't have a problem with my colleague asking the question, so I think I



should be given every opportunity to ask questions about the Auditor General's report.

I have an obligation. It's not grandstanding, as the hon. member indicated. In fact, this point of order, one could conclude, may be grandstanding on the hon. member's behalf. Certainly, I have every right to ask questions from the Auditor General's report.

I'm going to quote, in conclusion, Mr. Speaker, from *Beauchesne* 409(6). "A question must be within the administrative competence of the Government. The Minister to whom the question is directed is responsible to the House for his or her present Ministry and not for any decisions taken in a previous portfolio." This question certainly had to do with the recent financial statements and the recent report from the Auditor General.

*Beauchesne* 410(5) goes on to say, "The primary purpose of the Question Period is the seeking of information and calling the Government to account." That's exactly what I was trying to do. I didn't get any answers. Again, 410(6), Mr. Speaker: "The greatest possible freedom should be given to Members consistent with other rules and practices."

I can't understand why anyone would try to exclude the use of this Auditor General's report or any of his previous reports from examination in this House during question period.

Thank you.

**The Speaker:** Okay. I'm quite prepared to deal with this matter as well. This is the point of order raised by the Government House Leader. First of all, a bit of information: the Minister of Health and Wellness is scheduled to appear before Public Accounts on May 11 of this year. That has been scheduled.

Gee, when I was listening to all of this and I was paying attention to all of this, I thought that this point of order would have to do, basically, with the phrase, "I'm disappointed that you do not read the Auditor's reports." That kind of phraseology was a casting of aspersions upon another member, but the Minister of Health and Wellness has made it very, very clear that he did. Certainly, he's got a photographic-type memory, so he remembered that as well.

The Auditor General's report is fair game in this House. Questions can be raised from the Auditor General's report and should be dealt with and answered.

Sometimes it gets a little technical. Sometimes the Member for Edmonton-Gold Bar is a bit pedantic in his questions, and if he just eliminated the preambles in his second and third questions, we probably wouldn't have points of order raised with respect to that. So this is not a point of order that I'm going to spend any more time entertaining.

We're all going to move on, and we're all going to learn from this that, number one, the Minister of Health and Wellness will appear before the Public Accounts Committee on May 11. Done. The chairman knows now.

Number two, the Auditor General's report is fair game, any questions coming out of the Auditor General's report. Let's try and keep it at the policy level rather than specific – you know, the dollar, dollar, dollar figures – because that can surely be dealt with in the Public Accounts Committee rather than this Assembly. If we stick to policy and no preambles in the second or third questions, we won't have these kind of details to have to deal with.

Okay. Let's move on to number three now. The Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. That was precisely my point, that the pedantics and the dollar figures and the specifics were for Public Accounts. Obviously, policy is for here.

That was not what the hon. Member for Fort McMurray-Wood Buffalo was dealing with when he blatantly mischaracterized what the Premier had just said in response to a question, when he said that the Premier only cares about the health of 62 per cent of Albertans. Every member in the House was a witness to what the Premier had said and what the hon. Member for Fort McMurray-Wood Buffalo said. It was an absolute, blatant misrepresentation of what the Premier just said. However, I don't believe I need to raise a point of order on it now because the hon. minister of health dealt with it quite succinctly in his response.

**The Speaker:** The hon. Minister of Health and Wellness did deal with that. This would have been a point of order, and I would have asked for a retraction from the Member for Fort McMurray-Wood Buffalo. I've got the readings of both of them, both *Hansards*, in front of me, and that's not at all what one member said, that another member said that he said. That would've been dealt with, but we're finished with that one now.

Yes, sir.

**Mr. Anderson:** I just wanted to respond.

**The Speaker:** I looked. Nobody responded. Sorry. It's already dealt with.

**Mr. Anderson:** I'd like to make a defence on the part of my colleague, but that's all right.

**The Speaker:** I'm sorry, sir. I looked. You didn't move. I looked to see people stand, and I was starting to talk already. We've dealt with this one.

**Mr. Anderson:** Okay.

## Orders of the Day

### Committee of Supply

[Mr. Mitzel in the chair]

**The Deputy Chair:** Hon. members, I'd like to call the Committee of Supply to order.

## Main Estimates 2011-12

### Energy

**The Deputy Chair:** Hon. minister, do you wish to speak?

**Mr. Liepert:** Thank you, Mr. Chairman. I'll make a few opening comments if I could and then be happy to spend as much time as we can on an exchange back and forth. The Member for Calgary-Buffalo said that he wants to be educated, so we'll make sure that we at least get him through grade school here today.

Mr. Chairman, before I start, I want to introduce some staff that will be assisting me today: my deputy minister, Peter Watson; I also have with us the chairman of the Energy Resources Conservation Board, Mr. Dan McFadyen, and the chairman of the Alberta Utilities Commission, Willie Grieve. We have additional staff in the gallery. Before I make some remarks, I'd just like to thank all of the staff from the various sections of our department. The year 2010 has certainly been a year of incredible progress in the area of the Department of Energy, and we owe a great deal of thanks as Albertans and as members of the Assembly to a number of hardworking staff that we have in the Department of Energy.

I'm here, as we all know, to present the Minister of Energy's business plan and budget for 2011-12. I want to start by saying

that our province is making a solid recovery from the global economic downturn, and as expected, we will have one of the strongest economies in North America as we move into 2011. Renewed activity in the oil and gas sector is leading that recovery. The final numbers for petroleum and natural gas land sales for the 2010-11 fiscal year are not yet complete, but I think it's fair to say, Mr. Chairman, that the numbers will be very similar to what the calendar year 2010 delivered, and that's somewhere in the range of \$2.3 billion to \$2.4 billion. That surpasses the previous record, which was set in 2005. It exceeds that previous record by half a billion dollars.

Now, in Budget 2011 we're forecasting revenues in the range of just over a billion dollars. It's hard to predict, but we want to ensure that we don't overshoot this number. Obviously, as the year goes by, if those numbers show the same kind of strength as they did in 2010-11, we will revise them on our quarterly updates.

3:00

What those numbers mean is that land sales illustrate that Alberta continues to be competitive in attracting new investment. Its record sales also mean new jobs and new opportunities for industry. In 2010, Mr. Chairman, 17,000 full-time energy jobs were added in Alberta, and I can tell you that there's a feeling of optimism and confidence in our sector in Alberta today.

I want to spend a few minutes and look at some of the budgetary asks that we have before the committee today. Our operating spending for the Ministry of Energy with two exceptions is pretty much consistent with the previous year. Of the approximately \$445 million, \$231 million is allocated to the Department of Energy, \$175 million to the Energy Resources Conservation Board – I know that there is some interest in knowing just how that budget breaks out, and I'd be happy to answer those questions – and \$39 million for the Alberta Utilities Commission. The \$83 million increase that's forecasted in our department estimates this year is mainly attributed to two clean energy initiatives. One is the carbon capture and storage initiative, and the second is the bioenergy producer credit program.

Budget 2011 continues to build on our strong long-term strategy to green our energy supply. In support of climate change we will maintain our commitment to carbon capture and storage. This year's allocation is \$73 million. This increase includes the reprofiling of originally budgeted amounts for carbon capture and storage to future years. An overall investment of \$2 billion for those four CCS projects, however, continues. In turn, Mr. Chairman, for that investment we are expected to start removing by 2015 some 5 million tonnes of CO<sub>2</sub> emissions from the atmosphere. We started that process last month with the first project that we had go out the door, and that's the one with Enhance Energy. Work is continuing on the remaining three projects. I hope that we're in a good position to make those announcements this year.

Another part of our commitment to clean energy, of course, is the bioenergy projects. Since 2006 government has invested some \$239 million into three grant programs to stimulate bioenergy development, which in turn has encouraged more than \$1.4 billion in additional private investment. Biofuel initiatives will see an increase from \$43 million in '10-11 to \$58 million in '11-12. This budget will fund a five-year extension to the bioenergy producer credit program. The extension will encourage the development of new technologies that use nonfood crops, waste biomass, or wood to produce products like fuels, power, and heat.

Some of the projects that are being supported through the program include wood waste gasification facilities in Edmonton and Fort McMurray, a bioenergy applied research facility near Vegreville, an organic waste-to-energy facility in Lethbridge, and an

industrial park in Drayton Valley converting wood waste into electricity. These projects are creating new value-added products, spurring investment, and contributing to important clean energy research.

This budget also allocates \$10 million to implement the recommendations of the regulatory enhancement project. The task force has recommended a long overdue streamlining of our regulatory process in the province as it applies to the oil and gas sector, and I'd be happy to go into any discussion about that over the next couple of hours.

I wanted to spend a few moments speaking about our nonrenewable resource revenue forecast. Now, many factors are considered when forecasts are developed, including supply and demand, world economic growth, and non-OPEC supply growth. But as one can see from the recent civil unrest in the Middle East, those forecasts are often outdated within days, let alone a year, which our budget is attempting to predict. So while forecasting prices in a market as volatile as oil and gas is a challenge, the Department of Energy based its forecast on assumptions regarding factors such as economic growth, demand trends, and expected supply levels. This forecast is then compared to estimates made by a number of other industry analysts, including banks, investment dealers, and forecasting agencies.

Budget 2011 shows prices equal to the average of those industry experts and private-sector forecasters that were surveyed by the Department of Energy. I must add that it's clearly below what oil is trading at today, but in saying that, I would say that when our final numbers are produced for the budget year 2010-11, our forecasts will be likely within about \$2 of what we'd forecast in the budget some 12 months previously. This budget assumes that natural gas prices in '11-12 will average about \$3.45 per gigajoule and that oil prices will average \$89.40 per barrel of west Texas intermediate crude.

Budget 2011 also estimates that nonrenewable resource revenue will increase quite dramatically over the next three years, Mr. Chairman. Resource revenue is forecast to increase by \$319 million, or 4 per cent, to \$8.3 billion in '11-12 and grow to \$10.2 billion in '12-13 and \$11.9 billion in '13-14. That growth is attributed primarily to three things: the increase in bitumen production, the payouts that will start to occur with our oil sands plant, and increased prices. Now, I know that we're running close to my time limit, so I'll just conclude by saying that bitumen royalties are forecast to increase by some \$556 million in '11-12, by 1 and a half billion dollars in '12-13, and by \$1.497 billion in '13-14.

To conclude, Mr. Chairman, energy will remain Canada's economic driver for many years. Alberta's role will continue to be one of leadership and responsible development of those resources, which will ensure sustained prosperity for all Albertans.

With that, Mr. Chairman, I would be pleased to engage in answering any questions that may arise.

**The Deputy Chair:** Hon. Member for Calgary-Buffalo, do you want to go back and forth?

**Mr. Hehr:** Yeah, that'll be fine.

**The Deputy Chair:** Then we'll work 20 minutes back and forth.

**Mr. Hehr:** Thank you, Mr. Chair. Thank you for the comments, hon. minister. It is indeed a privilege to be here at estimates debate, and I'd like to thank your staff for coming through what no doubt has been a challenging couple of years. I know that when I first came to this House, we were going through a rapid advancement of oil prices, which, I think, went all the way to \$140 and

then went all the way back down to \$35. Many people were out of work. Lord knows, I do a lot of complaining about things, but I know that when I was born at the Holy Cross hospital in 1969, I was lucky and blessed to be in Alberta, and some of that is because of the fact that we have a large abundance of oil and gas here. I realize the benefits it brings.

You also realize that I'm new in my capacity here, so if some of my questions appear to be naive or redundant, I'd appreciate some leniency. I'm sure I will get the appropriate answer to move ahead. At the end of the day I hope you realize that I, too, hope that we have a strong oil and gas culture and community providing us with a revenue stream where we can build a better province for not only today but tomorrow.

On that note, we can go right into some of the plans. Again, the hon. minister recognized and even my soliloquy showed that predicting oil and gas revenues is often very difficult. However, if we look at this year's postings by the government and what the prognosticators are saying out there, one has to question why we have permanently incorporated into our royalty framework the drilling stimulus initiative we have, which is essentially 5 per cent of royalty being paid for any new well. I'll start with that question.

**Mr. Liepert:** Well, that's a very good question. I think the easy answer to that, hon. member, is the fact, as you will probably recall, that we had a situation in the province where we weren't competitive. Capital can flow, and when we made the announcement that that would become permanent, the results speak for themselves. The land sales are clearly an indicator of that. I don't have the information in front of me, and I'm going from memory, but I saw yesterday the report from the Canadian association of drilling contractors, which said that the number of rigs working in this province in January is back to 2006 levels. Member, there aren't a lot of things that we do in government where we have the data that can back up that the decision that we made was right, and those are two very important pieces of data that I think justify that the changes we made to the royalty structure a year ago are working and will continue to work. I make no apologies for them.

3:10

**The Deputy Chair:** The hon. member.

**Mr. Hehr:** Thank you. I didn't ask the minister to make an apology for it. I realize that at the time, about a year ago, it may have been necessary. Okay? Given the timing, given the political ramifications that were at stake here in the province, it probably should have been made.

Now, what about the permanency of it? That's more what I'm worried about. Would there be some mechanism that we could incorporate into the system where after three quarters of oil and gas over \$100 we will have this come off? Then after three quarters of it under a certain price the royalty incentive would go back on. I realize that the industry likes certainty. But at some price point, when we're reasonably certain that the Alberta people are employed, that the government is doing all right, that oil companies should be doing all right, maybe there could be some mechanism like that put in place. Is that the strangest idea you've heard? I'd just like to hear your response to that.

**Mr. Liepert:** Mr. Chairman, I should say to the Member for Calgary-Buffalo that when I made my previous comments, I must admit I was kind of looking over his right shoulder because I know what the question from the Member for Edmonton-Highlands-Norwood is going to be, so I wanted to prime him for that.

Let me answer the question this way, hon. member. When we did our competitiveness review and we held our meetings with industry, there were three issues, I think, that came to the forefront. One, we needed to work on streamlining the regulatory process in this province, two, we had to adjust our fiscal regime, but probably just as important was number three, which was that when we adjusted that fiscal regime, we then left it alone.

Predictability and stability in the investment community is paramount. One of the things that we continue to hear as we meet with the investment community, whether it's in Toronto, New York, or London, as it was most recently, is the question: well, are you going to leave it that way? The answer I gave them last spring was: you've got to take my word for it. We're meeting with them now, a year later, and they're seeing that we're serious, that the fiscal regime we've put in place is the one we're going to move forward with and that we're going to stick to it. As a result, investment is flowing into the province.

**Mr. Hehr:** I will agree that you had to leave it. That was probably because you had changed it six times in the year previously. So to give them some measure of confidence, you may have had to do that. I understand that. They were difficult times.

What percentage of growth – and I know this is difficult – for the economy or the oil and gas industry is forecasted because of these changes in the royalty framework? Can you put a number on it? Does your department attribute a number to it? How much was due to the change in the royalty framework, or how much is due to the price of oil here? Some skeptics say that we got caught in a bind of low oil prices, political pressures, what have you, and the like.

**Mr. Liepert:** Well, I think it's a bit of both. You know, I take as an example land sales. We have noticed in the last year both with land sales and the number of rigs that are working that there has been a shift from gas to oil. There's an obvious reason for that. I'm not sure if we can put an exact number on it, but I think the number that is important is that if you have collectively the right regime in place, the investment will flow.

You know, the thing that's interesting is that even in natural gas and certainly in the shale plays in the province and actually throughout North America there is continued strong investment in gas even though the price is low. It is only an estimation on our part. I don't think there's any way we can actually decipher it to say what percentage led to the decision. But I would say that what we're seeing in gas is telling me that the fiscal regime is more important than the world prices right now.

**The Deputy Chair:** The hon. member.

**Mr. Hehr:** Well, thank you. If we can go to royalty performance measures, the old performance chart for the collection of royalties was Crown revenue share. That was a portion of the oil and gas industry's annual net operating revenue that is paid to the Crown as a royalty. A three-year moving average of between 20 and 25 per cent was the target range. Now, the department – really, I think you know this – only ever received 19 per cent. This was mentioned in the Auditor General's report, and it mentioned a lot of big problems with this measurement. This has now been replaced with the competitive performance target, which is combined tax and royalty rates for Alberta natural gas and conventional oil production compared with other jurisdictions. I think this is a good measure because it includes both taxes and royalty rates, and you have to factor in both because in Alberta we expect our workers to be paid decent wages.

Why can't this government have two performance measures, one to measure competitiveness and the other to measure the province's take? Can you separate out these two to make it a little more easy for maybe just me to understand or possibly other people? Can you have a competitiveness number, how we're doing on competitiveness? What is our province's total take? Can you separate that on just our total take on the oil side of things and then our total take on the side of taxes?

**Mr. Liepert:** I'll try and answer the first part of the question first. I have a slide, that I'd be happy to provide to the member, which shows that our combined royalty and tax structure makes us the second most competitive jurisdiction in North America. Saskatchewan is slightly ahead of us in a competitive environment, especially on the oil side, but their royalties are very, very low. From a competitive standpoint we are very confident that the regime we have in place now puts us in that competitive environment.

What I think you have to be careful of, though, when the member receives a copy of this slide, is that you have to remember that Alberta producers have to get their product to market. For the market, whether it be on the east coast of the U.S. or California or wherever it is, there is a significant transportation cost that Alberta producers have to incur. As an example, new shale plays in New York state or even Texas shale plays that are supplying gas to many of the major markets in the U.S. don't incur those same transportation costs. I'll get a copy of this to the member.

I'd ask if you could repeat the second part of your question.

**Mr. Hehr:** Well, I think that there could be, in our view, two, I guess, performance measures, one that measures competitiveness and one that measures the province's take. I mean the take just out of oil and gas revenues and then the take out of oil and gas and natural gas and taxes. Could we have the two numbers? Is there a way to separate the two numbers, or am I just misreading it?

**Mr. Liepert:** I think that, you know, I won't use the term that the member is using, which is "take." What we try to do is put in place a regime that encourages the private sector to invest. The private sector invests, it creates jobs, it pays taxes, and I think the proof is in the pudding. I don't know that you can kind of break it out that way. I know there are a lot of academics who try to use that terminology, try to use that measurement. It's not one that we necessarily subscribe to.

**Mr. Hehr:** I believe the hon. minister will recognize that our job is not only to provide jobs and do a competitive thing. It's also to have resources that will not only pay for things now but, hopefully, pay for things later. It's not only being competitive for businesses to do work here but to have a relatively competitive, to use a term that we're throwing around here, capture of royalties – okay? – a capture of the economic rent from what is, to use a term that would be out of date, the people's oil.

**Mr. Liepert:** Do you want me to respond to that?

**Mr. Hehr:** Sure. Yeah.

3:20

**Mr. Liepert:** Again, there's a balance. I mean, when we implemented some royalty changes, I don't think we found the right balance two to three years ago. As I said earlier, capital can flee on a moment's notice, and there are lots of places in the world to drill for oil. So it has to be a balance. There's no question that we need to ensure that Albertans receive fair return on the investment that's being made, but at the same time the investor also has to not

be seen as overly penalized. It's a balance, and I think all indicators are that we've now found the right balance.

**Mr. Hehr:** Just a question. If you look at our basin and our types of oil reserves and our type of marketplace, where, actually, we encourage large companies to come in and invest like Suncor, Total, all these different plays, what areas of the world are we in direct competition with for this type of investment? Where are the other jurisdictions in oil? It's my understanding we've got 25 per cent of the world's oil resources, in and around there, and it's my understanding that the world is getting fewer and fewer of these places that are really open for business to large commercial enterprises like the Suncors, the Totals, and whoever. Can you name me some of the jurisdictions we're in competition with that allow for that sort of open competition as we do?

**Mr. Liepert:** Well, the reality of it is that Alberta and Canada sit on the largest proven reserves by far of any democratic, not-state-owned country. You know, to answer the question is difficult because when a company makes a decision to invest, there are a number of factors that are taken into account, and I'm sure that on that list of factors that are taken into account today, civil unrest has jumped to the top. I don't think there is a formula where any particular company will say: "Okay. We're going to plug the pieces into this formula, and then we'll make our decision." You know, there are a lot of factors that are taken into account. The percentage of the profitability is one thing; the climatic conditions are another thing. But, clearly, how stable is the government in the jurisdiction that we're planning to invest money in for decades? How stable is that government? I think that's jumped to the top of the list of considerations that are taken into account.

**Mr. Hehr:** I would agree. Maybe I can find this in a textbook, but would some of the people here be able to answer the question: where do they see the jurisdictions that are competing for the kind of investment dollar that we have? I think you said Saskatchewan.

**Mr. Liepert:** Well, you've got to remember that we're talking about, really, four different commodities here: conventional oil, unconventional oil, conventional gas, and unconventional gas. When it comes to unconventional, or shale gas, clearly northeastern British Columbia has been a hotbed of activity and investment. A good chunk – maybe we'd like to see a little more – is moving over the border into Alberta. But we know that our competition for investment in shale gas is primarily in the U.S., huge discoveries of shale gas.

When it comes to conventional natural gas, you know, it's a tough go out there today because of the price. We're in competition, primarily when it comes to conventional natural gas, with the North American continent. We have no ability right now to get it off the continent. If we got it off the continent, we'd be competing with countries like Qatar, who are big into liquefied natural gas. Clearly, Russia has become the number one supplier to Europe of natural gas. So in conventional natural gas that would be our competition globally if we could get it off the continent.

When it comes to oil sands and heavy oil, there are other countries in the world that we compete against. I would say: offer it as a package. The oil sands, clearly, are at the top of the list. I think the best measurement of that is when you take a look at who's been investing in the oil sands in the last year or two. We've had significant investment from mainland China. We've had investment from Korea, Thailand, across the globe. Then when it comes to conventional oil, that's been around for a long time. We get back to what I just said a few minutes ago, that our competition is – again, we don't ship off the continent. So when it comes to who

do we compete with and who do we sell to, it's primarily on the North American continent. That graph that I sent you is a pretty good indicator.

**Mr. Hehr:** It sounds like there are various different areas in the world we compete against. I'm just trying to get a handle on what the geopolitical sense is in these areas, to really see which areas are open for business. That's more of what I'm getting at. But I can do that on my own time, not in this time.

**Mr. Liepert:** Well, if I could, Mr. Chairman, I think the number is that something like 50 per cent of the reserves in the world are state owned, so they have limited ability to invest by the private sector. We can't say that they don't because they're joint ventures, but by and large the environment that we offer in Alberta is only available in about 50 per cent. We have about 50 per cent of the world market.

**Mr. Hehr:** Okay. Thank you. Just one thing. I get questions about this one. You hear us talking a lot about Norway sometimes, and I realize there are different tax regimes and all that stuff there. This is a different time period. Did we maybe make a wrong decision in '93 in getting rid of the Alberta Energy Company and paying off the debt, when we have groups like Total over here now who are setting up shop and sending what I view are profits back to the motherland, if you want to call it that? I always thought that that at one point in time was owned by the Alberta people and that Peter Lougheed set it up so that 50 per cent of the industry would be controlled by the Alberta government, where we could play off, keep the private system but know we've got a competitive system here. If the privates won't do it and we find it viable, then we'll go in. It doesn't look like we have the balance to be able to do that anymore. I know you don't like to look backwards, but are we missing that sort of play here?

**Mr. Liepert:** Well, I think that when you mention the Alberta Energy Company, you have to really go back and look at the essence of why the Alberta Energy Company was formed. In many ways it was formed because there was a market void, if you might. The decision was made over a period of time that the company no longer served the purpose that it was set up for. The private sector was adequately developing the resources in Alberta, and Albertans were receiving appropriate return on the reserves that they owned.

I think that the history of the kind of marketplace that you talk about is not something that we want to see in Alberta. I go back to Petro-Canada. I mean, Petro-Canada was a federal intrusion into what we saw was the marketplace. Ultimately, the government of the day in Ottawa concurred with us; it sold Petro-Canada off. You know, I think it's almost a situation where you either have a private sector developed industry or you have a state-owned company that does it all and forms partnerships with the private sector. [interjection] I know the Member for Edmonton-Highlands-Norwood, but I wouldn't get too excited over there, Member, because the election results tend to speak for themselves.

**The Deputy Chair:** Just to note, we're on our second 20-minute segment.

**Mr. Hehr:** While we're on sort of this trip down memory lane on Alberta Energy, I was a youth, and I think my dad owned six shares and was very proud to own those shares.

3:30

Nevertheless, you were talking about voids in the marketplace. That's when governments either step in to incent things to get

done, or they do it themselves. I look at that as a situation that may exist in our bitumen upgrading right now. In my view, the government should maybe be doing more to incent this. It's easy for me to sit over here and say: "Why don't we have seven upgraders going up here? When I'm going to sleep at night, I dream that they're there. Why aren't they there?" That type of thing.

I realize you're saying that there are already these places down in the United States, that we can send it down there, and they're ready to take it. It's an investment by industry. There is money already spent there. Why are we going to make industry invest twice? I understand that argument. I understand the economics of it. I don't understand it from a province-building capacity.

Why don't we take a calculated decision as the Alberta government? These oil sands: I'm making a logical bet that these things are going to pump oil for 300 years. Okay? I've heard that number banging around. I, for one, hope they're pumping for 300 years. Why don't we bet the world is going to need these resources for 300 years? Why don't we say: "Piss on it. Let's build these upgraders here." Why don't we have these jobs? Why won't we build the province? Why won't we build the infrastructure here?

**Mr. Mason:** You can say that. You could get away with it, Ron.

**Mr. Liepert:** I've got to figure out how I respond to that.

Well, in many ways, member, that's exactly what we're doing. Under the leadership of my colleague here, the Minister of Sustainable Resource Development, we developed in this province what's called the bitumen royalty in kind, or BRIK, program. You know, I doubt that either one of us will be here 20, 30 years from now. If we were, I'm not so sure that what you're asking for wouldn't in fact be happening. We could be in a position 10, 15, 20 years from now as the Crown, the largest handler of bitumen in the province, and that number could be 200,000 or 300,000 or 400,000 barrels a day. I think, though, the strategy that we're on right now is that we want to use the leverage of BRIK, bitumen royalty in kind, to ensure that we get as much of our bitumen upgraded in Alberta as we can.

I think it's also important, as the steward of the resources of the province, to ensure that we don't put all of our eggs in that basket. If we end up in a situation where the differential between what the refiner is prepared to pay for bitumen and what you can sell it for on the open market is a losing proposition, we need to be in a position where we are what I call hedging. Some of our product flows out, sold as straight bitumen because the price might be a better return for Albertans. Other product can be upgraded through our bitumen royalty in kind.

In essence what we're doing is following what the member is saying, but we are not going to get into the business of government building upgraders. That is not part of what this government stands for. The BRIK program accomplishes exactly the same thing, and we don't have that capital outlay, because we'd have your friends to the left giving us the gears for being in business.

**Mr. Hehr:** I understand that. Then to the extent the BRIK program is doing it, I wish you would do it more quickly, get more of that business up, get more of our private-sector friends involved in building those upgraders so we can get our bitumen upgraded here. I encourage you to make those incentives. Those are a gamble on the Alberta people, too, to gamble how much we're going to incent that industry to do that. I would encourage you to incent whatever you can to get those things because that's, in my view, what I would like to see. Okay? We'll leave it at that.

No, we won't just leave it at that. How much bitumen of our bitumen in total are we upgrading currently in the province?

**Mr. Liepert:** I'm going from memory, but it's in the range of 65 to 70 per cent currently. We think that with North West coming on stream in a couple of years and the announcement by Suncor-Total that they're going to complete the Voyageur upgrader at Suncor's plant, with those two projects we will continue to stay within our energy strategy of 60 per cent being upgraded in Alberta for late into this decade. Clearly, in order to continue to meet that 60 per cent, we need more upgraders coming online down the road, and we believe that ultimately through our BRIK program that will happen.

**Mr. Hehr:** You guys have alluded that in the next 10 years we'll have a massive amount of bitumen coming that has a possibility of being upgraded in Alberta.

**Mr. Liepert:** The projections – and these are real projections based on actual investment in construction and expansion – are that the slightly over a million and a half barrels today will double by 2020.

**Mr. Hehr:** Any projections to 2040?

**Mr. Liepert:** Well, they're harder to determine because at least between now and 2020 we see a number of projects that have already been announced or are under way. When you get beyond 2020, you're making projections that are that, projections. They're not really based on anything other than a projection of what the price will be, what the investment will be, so I can't.

**Mr. Hehr:** Well, thank you.

If we can just turn to natural gas, what will happen to government revenues if, say, natural gas goes up a dollar and/or goes down from where you guys forecast it now? Are those significant?

**Mr. Liepert:** I have to go from memory, but my recollection is that every dollar in natural gas pricing is about a billion, I think. Sorry. I'll correct myself on that. It's about half a billion. Every 10 cents is \$50 million.

**Mr. Hehr:** Okay. Now, this question has something to do with your department, but we'll just maybe have a discussion about it anyway. I know you have cross-ministry groups going all the time, so I'll ask you as the Energy minister how that cross-ministry has worked to reduce Alberta's reliance on funding core programs with nonrenewable resource energy and whether we can get to a day when there's going to be 30 per cent of it saved. Or are we really in a fool's paradise? From what I see we've done for the last 20 years, we've shown nothing, that we can blow through a lot of royalty revenues. I understand that. We have \$11 billion more tax from there.

I know I'm essentially asking what you do, what I'm suggesting here, so I'm not running from that either. Are we just going to say: "Is that content? At the end of the day we'll bring in a sales tax when the oil and gas run out and leave our children and their children with higher government services." Is there some discussion going on in your cross-ministry group with regard to the use of these once-in-a-lifetime spending opportunities?

**Mr. Liepert:** I'm not sure that there's anything that I can say that would help the hon. member there. I mean, as a government we're always looking forward as to what the best policies might be around taxation and around resource development. I'd maybe make a couple of comments because I think it was at the start of

the question. I think one area that we can look at where probably we're making excellent progress is in the electricity file, relative to getting a higher percentage of our electricity generation from nonrenewables. We're at 12 per cent today. Eight per cent of that is wind. I think the projections are that wind is going to be up to about 11 or 12 per cent on its own in three to five years.

Those are all very encouraging numbers because there's no question that coal-burning generation is going to be under the gun. The environmental constraints around coal burning are going to make it a challenging business to be in, and we're still relying on 50 per cent coal. I think you're going to see a greater shift to natural gas. So that's the electricity side.

You know, until the member can prove to me that Canadians and North Americans are prepared to drive smaller vehicles shorter distances, I don't see that insatiable desire for resource products to reduce over the next period of time. I think the demand is going to be there. It's going to be a growing demand over the next decade and beyond.

3:40

**Mr. Hehr:** I'm not sure that the minister answered the question I was asking. He turned it into a question on whether North Americans are going to be driving or looking at saving resources. I was actually asking a question on the relative merits of our policy of spending royalty revenue the way that we do in Alberta.

**Mr. Liepert:** With all due respect, I think that's a bit of an unfair question. We generate the revenue as our department, but the decision on overall government taxation policy is not one that falls within the Department of Energy. I think we as a government have been and will continue to be always engaged in what is the right balance, what is the right amount that we put away for savings. Thank goodness we did put away savings, not only in the heritage trust fund but the sustainability fund, which is allowing us now to balance our budget. That's a good, healthy debate, but I don't think it's appropriate for the estimates of the Department of Energy.

**Mr. Hehr:** It probably isn't, but I tried to get you there anyway. I understand completely.

The province is no longer forecasting natural gas and by-products to be the largest source of royalties. It's the second time ever. Do you find this a permanent change?

**Mr. Liepert:** Well, it will be for the near future because of two factors, the significant increase in production and the continued high price of oil and, especially, bitumen. But that could change fairly quickly if the price of natural gas were to triple as it did three years ago. I can't predict that. Under the current estimates we are forecasting that the royalties from bitumen production are going to exceed conventional oil and gas combined for, I think, as long as the business plan projects us out.

**Mr. Hehr:** If you can bear with me, I'm going to read through something here. For 2012 it is estimated that \$1 billion plus will be collected from gas and natural by-products, with a sizeable chunk being returned in royalty credits to gas producers. In October 2009 the Auditor General's report on page 204 recommended a different accounting method for funding of these initiatives, and I think some of these initiatives were the 200-metre drilled royalty credit, the one-year program to incentivize new wells, deep well drilling, and a deep natural gas and oil incentive drilling.

Anyway, in this particular case these initiatives shouldn't be accounted as netted revenue royalties minus royalty credits but as expenses. By not reporting them as an expense, we can't deter-

mine if the incentives have resulted in incremental revenue. This recommendation still remains outstanding. Can you answer me: why does this remain outstanding? What are the benefits of doing it the way we're doing it? Is the Auditor General out to lunch? What's the deal here?

**Mr. Liepert:** Those were your words relative to the Auditor General, not mine, so let's make that very clear.

The only answer I can give the hon. member – and I'm meeting with the Auditor General here in, I think, the next week – is that all indications that I have are that the Auditor General is satisfied that all of the accounting processes that we now engage in meet what he is asking. We have to remember that a couple of the programs that you referenced will expire at the end of March of this year.

I have no indications from the Auditor General that we haven't complied with the recommendations as set out in his report.

**Mr. Hehr:** Now, it's my understanding that we're incentivizing production right now in the natural gas industry. You know, I guess that's fair. Is there a point where it doesn't make any sense to bring this resource out of the ground, where the price is just too low to countenance that? If you leave your incentives in place, and the market decides it doesn't matter if we make 3 cents a gigajoule or whatever you're going to sell it for, is there any arbitrary number where you say that we're shutting this down because it doesn't make any sense?

**Mr. Liepert:** That would be a decision that the private sector would make. What we attempted to do on the natural gas side is – the changes that we made last spring were very much geared at new technology, new means of extraction, trying to get more out of existing reserves. I know that in the meetings I've been having with folks on the natural gas side of it, they recognize it's a tough market out there. This is an industry that is incredibly resilient. This industry knows that they have to find markets off the North American continent, and we're working with them on that.

I think that in some cases some of the shift in natural gas has been to shale, where the volumes are so much greater. We also have to recognize that there are price differentials when it comes to liquid-rich natural gas versus dry natural gas. So there are a whole bunch of combinations that come into play.

I don't get the feeling from industry that they feel they're at that point yet, but clearly they are prepared to stick it out. As one CEO said to me, it's going to be a matter in the next two years of toughing it out. But part of toughing it out is also finding new markets, and that's going to be job number one.

**The Deputy Chair:** Hon. member, we're into our third set of 20 minutes.

**Mr. Hehr:** Thank you. We discussed this a little bit earlier. I think from your comments – and maybe I'm reaching here a little bit – that one of our main competitors here in oil and gas and even our oil sands is Saskatchewan, and right now they have a lower royalty program than we do. They collect less royalty rent than we do. I know we've agreed on things like TILMA and the like to encourage the three provinces to work together so that we're not chasing each others' tails, so we're maximizing, I guess, our competitiveness both for the taxpayer and the industry at the same time so that we're not creating competing races to the bottom.

**An Hon. Member:** Form a cartel.

**Mr. Liepert:** We have a cartel, hon. member. It's called the west-

ern economic partnership or the, whatever, northwestern partnership.

Royalties and taxes paid by the industry are only one factor that industry takes into account when it makes a decision on where to deploy their dollars. You know, I think there's everything that comes into play, from lifestyle to whether one province has a sales tax versus another province. I mean, it's the whole basket of goods.

Where you see the royalty regimes in the three western provinces, my guess is that they're probably going to stay there for the foreseeable future. There may be some incentives that certain provinces might take. As an example, I know Saskatchewan made a significant change around natural gas because they haven't had a lot of natural gas play, so they were trying to encourage natural gas investment.

I would say that what we will be working on together as three western provinces are two things primarily: number one, jointly trying to find new markets for our producers offshore, and number two, working to see what some of those regulatory barriers that exist are. What does Saskatchewan make industry do once they cross that Alberta-Saskatchewan border that we don't and vice versa? It's almost a no-brainer to say: why can't we harmonize those regulatory barriers, the permitting, all of those kinds of things?

3:50

I'll give you an example of a fellow who works with one of the drilling companies. His job is to set up all of the various camps. He said to me one day: do you realize that when you got rid of nine health regions and made one health region, I now have to only apply for one permit when it comes to all of my camps? Those are little things that we sometimes don't think about, but those are real burdens on industry.

**Mr. Hehr:** Thank you for removing those for the industry. I guess some people may disagree but nevertheless. As long as you're keeping that industry happy.

Anyway, on opening up our partners, I think that is an excellent thing for your government to be concentrating on. We know the pipeline in the Northern Gateway to Kitimat is extremely important. We share that view. How is that going? Are you guys making progress? I realize that you guys are not the only ones at the table here, and there are many partners and procedures that need to go ahead.

**Mr. Liepert:** Well, if the hon. member is serious about what he just said, I would suggest that he pick up the phone and phone his federal leader and tell his federal leader to call off the dogs relative to tanker traffic on the west coast because you cannot ship product off the west coast if you don't allow tanker traffic. I recognize that to your colleague behind you there that's an impossible ask. But I have great confidence that the Liberal opposition could pick up the phone, phone their Liberal leader in Ottawa, and say: smarten up.

**Mr. Hehr:** Well, this may surprise the minister there, but I'll just inform him that I'm not really in contact with Mr. Ignatieff that much. It may surprise him. It may surprise him that we actually don't run any of our policies by him. I didn't confer with anyone in their energy department before I met with him. So if he needs that information – I know that one time in question period last week, Mr. Chair, he brought up the Liberal government in Ontario. Let me tell him here and now for the record that I don't talk to them either, okay? I'm just trying to make that clear because this minister keeps making that mistake. If he can try and remem-

ber that for the future, that would be all right. Needless to say, next time Mr. Ignatieff calls me, I'll answer, and I will pass that request along.

**The Deputy Chair:** Hon. member, let's try and stick to the estimates.

**Mr. Hehr:** Yes. Actually, I think, on that note, I'm going to pass it along to my friends here to carry the burden, shoulder the load for a little while, and I'll think about my next questions that I'm going to ask the minister.

**The Deputy Chair:** Okay. For the next 20 minutes, then – did the minister have any more comments? There are 13 minutes left in this segment for the opposition.

**Mr. Liepert:** Well, maybe, if I could. Maybe I was a little – I can't resist taking a shot at Liberals, Mr. Chairman. We recognize the importance of not only Gateway but the natural gas line to the west coast. Anybody in Alberta who doesn't recognize that our future and the future of the North American continent as an exporting nation in many ways is in Asia, they're fooling themselves. I hope that we can have a civil hearing relative to the panel that's going to be hearing the Gateway application and that the right decision is made because we absolutely need that access to the west coast.

**The Deputy Chair:** Okay. If there are no other questions on this one, we go to the members of the third party.

The hon. Member for Calgary-Glenmore, you have 10 minutes, and the minister has 10 minutes. Do you wish to combine your speaking time back and forth?

**Mr. Hinman:** I would on the caveat that – and he's been excellent so far with quick, brief answers – if he was to go on pontificating, I'd like to be able to stand up if he's past the limit.

**The Deputy Chair:** Well, he could only go on for 10 minutes, and then he'd be shut down.

**Mr. Hinman:** Well, that's my worry, that he might shift gears.

**The Deputy Chair:** Well, it's your choice. You have 10 minutes to go straight forward, and he can then answer for 10 minutes.

**Mr. Liepert:** Mr. Chairman, I will give my commitment that my answers will be brief and succinct.

**Mr. Hinman:** He will continue, and I appreciate that. He's been excellent so far.

**The Deputy Chair:** Okay, hon. member. Then the hon. Member for Calgary-Glenmore, you may begin.

**Mr. Hinman:** Okay. Thank you, Mr. Chair, and thank you, Mr. Minister. It is an honour and a privilege to be here, and I appreciated his opening remarks as he talked about clean energy and the future and pointed out a few things that were his goals going forward.

Because of the shortness of time, I'm going to jump right to goal 3, which the minister has, and the fact that we need to lead and support the development of energy-related infrastructure. This is a major concern for industry and for us in the Wildrose, and I feel this will be the heart of our questioning today, to try to go to this.

On point 3.3 in goal 3, "Alberta has a competitive and efficient energy system ensuring Albertans' electricity and natural gas

needs are met." This is where we're very concerned, Mr. Chair, that Bill 50 seems to go against everything that the government's goal is in trying to have the Alberta advantage to bring in investments in all of those areas.

Several years ago in this House the government came up with this whimsical idea that we could raise the royalty rates and we'd be able to collect an extra \$1.4 billion. They were wrong, and it's taken a great deal of money and a lot of time to recover from that.

My first question is: has the minister read any of the other reports to look at the cost that the \$15 billion infrastructure is going to have on the actual transmission costs, and do we have any projected charts that show the cost of power production, the cost of transmission, and that being related to other jurisdictions, whether that's Saskatchewan, B.C., or down in the States? Our fear is that when you spend all this money on this infrastructure, we are going to be uncompetitive and lose industry, just as we did with the new royalty regime. A quick response on that.

**Mr. Liepert:** Well, Mr. Chairman, the quickest way to lose industry is to ensure that it doesn't have the necessary infrastructure to expand and operate, and the reality of it is that in this province we need to set some things straight. I hope that this particular member takes what I'm saying as constructive advice and then uses it as we move forward.

He refers to \$15 billion – I've heard \$13 billion; I've heard \$16 billion – but if we're talking about the critical transmission lines that I think the member is talking about, we're in the range of \$3 billion to \$4 billion. What the \$13 billion, \$15 billion, \$16 billion number is is the Alberta Electric System Operator's projection out 20 years.

What we have is a situation in this province where our transmission system is 30 to 40 years in service. Over the years we have had major attempts to deal with that. I don't have to repeat history about some of the things that went on in the past, but I look at it this way, Mr. Chairman. When the government of Alberta decided we needed ring roads around Edmonton and Calgary, there wasn't a hearing for a need. There was a determination that the need was there, and then what we needed to do was ensure they get built. That's exactly what we're doing with the critical transmission lines, and we have determined that they need to get built.

Now, what will happen is that each one – and I have the chairman of the Alberta Utilities Commission with me today, and I'm sure that he'd be happy to hear your comments. Over the course of 2011 there will be hearings around costing, around siting, and I'm sure they will diligently ensure that those costs are appropriate.

**The Deputy Chair:** The hon. member. And we're going to stay to the estimates, the main estimates.

**Mr. Hinman:** Well, I thought that was, Mr. Chair. I mean, I quoted from 3.3.

**The Deputy Chair:** I know. I know. I knew you were giving a background, but we'll stick with the estimates.

**Mr. Hinman:** Well, I appreciate the counsel there.

I guess the minister earlier acknowledged that there was going to be a major shift, he believes, from coal to natural gas over the next 10 to 20 years. You've got the vision. I agree with you on that. I think most people would agree, especially with the change, you know, with the shale gas play and everything else. It's abundant now, and where we thought we had a limited resource, we're looking at, you know, 50, a hundred years again now.

With that thought, it just appears to me that with the parameters you've given to AESO and the Alberta Utilities Commission



board that say, “Well, we want zero congestion in building that” when, in fact, we’re looking at these plants being decommissioned even early – would you not agree that the natural tendency is going to be putting up power generation through natural gas close to the actual demand rather than these large lines for coal plants?

4:00

**Mr. Liepert:** No, I don’t agree, Mr. Chairman, because there are some factors – I don’t know if it’s convenient or not – that are left out of this discussion. I’m not sure if the member is aware that to build a natural gas fired generating plant at Calgary is 10 per cent less efficient than it is at Wabamun because of altitude. That’s not my information. That’s what the industry is telling us, that’s what the Electric System Operator is telling us, and I think it’s one of the reasons why there has been no significant effort made. Despite what the member’s colleague tries to relate in the House, there are not two gas-fired generating plants being built in his constituency of Airdrie-Chestermere. That is flat-out wrong. They are being contemplated, but they’re not moving ahead.

The second factor is water. We have to recognize that around the city of Calgary water is a scarce commodity, and in order to generate power through natural gas fired plants requires a lot of water. There happens to be a lot of water at Wabamun, and I’m assuming that’s the reason why TransAlta in their decision to build Sundance 7, even though it’s gas fired, is building it at Wabamun and not in Calgary.

**Mr. Hinman:** I appreciate that, Mr. Minister. Again, yes, I’m very aware of the factor of altitude and efficiency in production. The problem here is that we’ve tilted the playing field because if you look at the cost of transmission versus the 10 per cent loss from being close and factor in that \$3 billion, that is a far higher percentage rate than the 10 per cent loss from the production being close. It’s a policy that this government continues to perpetuate by saying: “It doesn’t matter where you produce it. We’ll transport it free of charge, basically, so that you can compete.” It’s an unbalanced field, and we need to redirect that. Again, we’re not allowing the true competitive nature of industry to set up where it is.

I would ask the minister to look back at the parameters that they’re asking for and that we’re setting up in producing the report that says that these power lines are a need. I mean, just from the fact that we’re going with DC power lines, we either need to check our thinking, like we did with the new royalty framework, or say: “Well, no. What we want to do is to be able to export, so putting in this first major link is going to make it cost-effective.” The reports that come out show that the costs are going to be a 61 per cent increase in transmission costs with these power lines. Again, my understanding – and you can clarify this – of Bill 50 is that those are declared essential lines, that I thought originally came in at \$14.3 billion, that aren’t going to go through a needs process because Bill 50 has declared them as needs. The inflation has put it up over \$15 billion now.

**Mr. Liepert:** Mr. Chairman, this particular member waxes on about a competitive environment. What more competitive an environment could you have in the province than to say to industry: you can build a plant wherever you want, and we’re going to ensure that that power moves to where it has to move. What this member is saying is: “Don’t build transmission. Tell industry where to build their plants.” That’s exactly what I heard him say. If that isn’t what he said, then stand up and say the opposite.

**Mr. Hinman:** I will clarify that.

**The Deputy Chair:** The hon. member.

**Mr. Hinman:** Thank you, Mr. Chair. That is the problem here. What we have is an unfair playing field because the government is saying: build a plant anywhere, and we will build a power line for you. You might as well go to the farmers in California and say: “We will buy your crop, and we’ll pay for the transportation here, but, Florida, we won’t transport yours here. We buy from one area.” What we need to do is create a level playing field that allows industry to say that the need for electricity is in Calgary or it’s down in Medicine Hat or somewhere else, and they can look at the decision. It goes back to 2001, when this government had a proposal going on here that we needed a charge, like we do in the pipelines, per kilometre that it’s travelling. It’s important that we have the true cost of the overall bill and not that.

What’s going to happen and why we’re bringing this up is that we’re going to have industry go offline because the cost of transmission exceeds the cost of power. When that happens, they can go in and build power at these major industrial facilities. This is another question: have you got any estimates on the number of industries that are going to go offline when, in fact, the price of electricity transmission reflects on their bill that they’re no longer competitive and what that ripple effect is going to be on other industries in the province? A big, major industry can go offline, produce their own electricity, and then we’re stuck with I don’t know how many billions of dollars in transmission lines after Bill 50 has been implemented. What is the minister’s number?

**Mr. Liepert:** Well, Mr. Chairman, all I can say is that we talk regularly to all of the major industrial players in the province. We don’t go out and make stuff up, like certain members of this House. We go out and talk to industry. Industry is telling us that they need the transmission.

We can have this debate all night. All I can say is that if that particular member and that particular party are truly interested in a competitive environment, I would say that a competitive environment is when you let industry determine where they want to locate their facility, and you put the infrastructure in place that accesses the entire province. He’s arguing against himself, Mr. Chairman.

**Mr. Hinman:** Well, what’s going to happen, then, is that we’re going to see, again, just what we did with the oil and gas industry. They moved to B.C. They moved to Saskatchewan. Industry is going to move to those two areas to have the electricity cost at a greatly reduced price. Again, the minister, in my opinion and in our party’s opinion, is falling on false principles to think: transportation is free, so set up anywhere. With a nuclear power plant right up in northern Alberta we’re going to pay for the transmission all the way down to southern Alberta? It’s ridiculous to even think that the cost of transmission isn’t a factor in the consumption costs.

I look at my electrical bill every year, and the power is the lowest cost. It’s the transmission, the fee services, and everything else that costs more than our actual power. That is not an Alberta advantage. We’re going to lose industry. It’s going to go to other provinces, just like it did when you raised the royalty.

It’s good to see the former Energy minister here. You talk so much about how you understand and that the new royalty regime hit the right balance. You’re going to do the same thing with our electricity that you did with the new royalty framework, and it’s going to be extremely damaging to business here in the province.

To go to another question, you’ve talked about the regulatory burden. That really is a problem. It’s good to hear you address that. Again, under goal 3, page 55, 3(d), timeliness of the needs

and facility applications: "Percentage of needs and facility applications determined within 180 days of the application being deemed complete." Could you give us any comparison numbers on what the timeline is in B.C., Saskatchewan, or U.S. states versus our 180 days?

**Mr. Liepert:** I don't have those numbers right in front of me, Mr. Chairman, but I'll take the question, and we'll respond appropriately so that he has the precise information.

I guess I just want to make two comments. There was a lot of rambling going on before that last question, and I'd like to respond to some of it. The member talked about: if we do what we are proposing today with transmission, industry is just going to pick up and move to B.C. Well, maybe the member should take a look and see whether the B.C. government has not done exactly what we've done, and that is to determine the need for transmission. The Ontario government has done the same thing. So for the member to say that somehow we're doing something that no other province is doing is just false.

He's sort of mentioned a few times now, trying to relate things to the royalty review that was undertaken – I wasn't in this portfolio at the time. But I do recall that the royalty review – and I remember when it was brought to caucus – was actually brought there and supported by the former finance minister who, I happened to read in the paper the other day, is the newest adviser to the Wildrose caucus. So if the member wants to continue to ramble on about the former royalty review, I'd suggest he sit down and have a good, long conversation with the former minister of finance who's now the big supporter of this particular group of people.

4:10

**Mr. Hinman:** I appreciate that. We're going off a little bit, but that's okay. It's interesting that he was the only former finance minister that's balanced a budget over there. We do have some members over there that are coming to the light and leaving this sinking ship. I don't think you have anything to brag about that your former new royalty regime was a great bonus for Albertans; it wasn't. It was a major heart attack that you caused to the industry . . .

**The Deputy Chair:** Okay. Hon. members, let's get back to the estimates.

**Mr. Hinman:** Yes. Thank you, Mr. Chair.

Anyway, to ask the question, then, because you didn't answer it, on the 180 days: could the minister please tell me how long it is to have the same regulatory questions answered in Saskatchewan, B.C., or the U.S.?

**Mr. Liepert:** Mr. Chairman, with all due respect, these are the Alberta estimates, not the B.C. estimates or the Saskatchewan or the U.S. estimates. I think I said to him that I would get the information as best we could in writing. I don't have that information in front of me.

**The Deputy Chair:** The hon. member.

**Mr. Hinman:** Okay. Thank you. I thought that you would do an assessment, though, an evaluation to see if we're competitive or not. That's what you failed to do with the new royalty framework, and you're failing to do it with this. You're not doing the estimates to see what the costs are. I don't think that you have any idea what the transmission costs are in other provinces and in the

States versus what they are here in Alberta. You need to do those cost estimates.

I want to switch because we're running out of time here.

**Mr. Liepert:** Can I get clarity, please? Can I get some clarity? I thought you were asking us about the regulatory relative to oil and gas as it applied to other provinces. You've just sort of rambled into transmission now. I have no idea what you're asking for, so maybe you could clearly state what you're asking for, and I'll get you the information.

**Mr. Hinman:** Well, you could go back to *Hansard*. I think it'll be there. But the reason why I'm running out is because we're literally out of time. Twenty minutes does not do any justice to asking questions.

To quickly switch over to the support of large-scale carbon capture and storage – again, a major concern that the government here is picking winners and losers – he talks about kick-starting this industry. How much money is going to have to go in after the \$2 billion? Is that the last amount that's needed to go forward? If, in fact, we're wanting to reduce CO<sub>2</sub> emissions and overall emissions from vehicles and everything else, has the government even looked at the natural gas strategy to see the difference it would make in reducing the use of low-carbon fuels like natural gas and propane versus their program right now to put ethanol into our gas and reduce it a miniscule amount? Switching to propane and natural gas would be tax dollars, money far better spent than it would be for carbon capture and storage.

**Mr. Liepert:** Mr. Chairman, we are working with the natural gas industry in the province to explore some of these options. I know that this is questions from there and answers from here, but I'd be curious to know whether the member would support the government substantially subsidizing the infrastructure that would be required to move to a natural gas fuelled province.

**Mr. Hinman:** It would certainly be something where the government could commission some of their researchers to see what it is, but I think, more importantly, if you looked at the new generic tax frame, if we could have the incentives there like we did to incent the oil sands development, that would in fact see a major boom if we quit taxing it. Another area that I see in the numbers is the fees that are going to be collected from industry of \$143 million, I believe, going up to \$150 million. Could the minister elaborate on why that fee is going up? Is that increased business? Are you raising the fees? Why is that fee going up? It's just another tax on industry.

**Mr. Liepert:** Could I have you repeat it? I was so engaged with whether or not in the budget that the Wildrose put out the other day, they had budgeted to say that we should invest in infrastructure for natural gas fuel. I'm not sure I saw that in there.

**Mr. Hinman:** We didn't say for you to invest in it. We said: create a fiscal regime that would do that.

On page 56 with your revenue you have industry levies and licences going up from \$142 million to \$150 million. What's the reason for . . . [Mr. Hinman's speaking time expired]

**The Deputy Chair:** The hon. leader of the fourth party.

**Mr. Mason:** Thank you very much, Mr. Chairman. I appreciate the opportunity to ask the Minister of Energy some questions. I know he's been anxiously waiting. I mean, he couldn't even wait. I'm happy to go back and forth. I do appreciate very much the

political shots, but if you could mix the odd answer in with them, I'd be very appreciative of that, Mr. Minister.

I want to start with performance measures. This year there are only eight. Some of the measures that have disappeared include upstream oil and gas investment, ethane demand in Alberta, ethanol production in Alberta, biodiesel production in Alberta, and the number of microgeneration sites. But the plan has kept the measure in which Albertans assess their own knowledge of the energy industry on a scale of 1 to 7. So it seems to me that we have eliminated a lot of very relevant, hard data information that would allow people to track the progress of the energy industry in this province, and we've retained an extremely subjective and, I think some would argue, relatively unimportant measures. Why have you eliminated those performance measures? Why, specifically, is there no performance measure actually relating to renewable energy?

**Mr. Liepert:** Well, the member raised a good point. I think what we need to try to do in government – it's one of our objectives – is to focus and streamline. There's no question that when you have a myriad of performance measures, I think you need to focus on what your core business is and continue to ensure that you meet those objectives. Now, that being said, we will on a periodic basis ensure that those kinds of things that we have been measuring in the past are reported in some form.

The hon. member has unlimited ability to ask written questions on the Order Paper. If he wanted to put those on the Order Paper, I would be more than pleased to respond to him in an appropriate way as we move through the year.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. I know that the minister is expecting me to ask about royalties. I hate to disappoint, so I'd just like to indicate that since 1997 oil sands royalties and land sales have totalled about \$20 billion, and the total value of the bitumen produced in that time is \$205 billion. Now, in 2009, the worst part of the economic downturn, a low estimate of oil sands companies' pre-tax profits was \$14.3 billion, and in that same year the companies only paid \$2.2 billion in royalties and land sales. The bottom line here is that the government's share of oil sands revenue has averaged 8 per cent since 1997. I'm specifically leaving aside conventional oil and gas and unconventional gas. I'm just talking about oil sands. I've actually gotten used to saying oil sands, too, so I'm sure you think that's progress. I would like to know why the minister is satisfied with capturing such a small amount of the value, a small amount of the economic rent coming out of the oil sands.

The two original sites, Suncor and Syncrude, were called by Pedro van Muers, who was a consultant on the original royalty project under Lyle Oberg, now with the Alberta Party . . . [interjection] Sorry. I apologize. The Wildrose Party. When he increased the royalties, you know, I just think that – where's my train of thought going here? Sorry. I shouldn't have gotten diverted by your tactic about Lyle Oberg.

Basically, what Pedro van Muers said – there it is – was that Syncrude and Suncor are two of the most profitable enterprises on the face of the planet.

4:20

**The Deputy Chair:** Hon. member, a point of order has been called.

Hon. Member for Airdrie-Chestermere, you have a point of order?

## Point of Order Factual Accuracy

**Mr. Anderson:** Yes. Absolutely, Mr. Chair. The last finance minister to balance the budget, Dr. Oberg, clearly did not raise the royalties. Royalty rates were raised under this government after Dr. Oberg had retired. He did put the committee together, but the facts show . . . [interjections]. Yes they do. Be truthful for once in your life. Be truthful. They were not raised by him. They were raised by this government. You can chuckle all you want, but that's the truth and that's the fact.

**The Deputy Chair:** Hon. member, I don't notice a citation, and I don't think there's a point of order here. He's made a comment. I appreciate the comment, but we'll carry on.

The hon. leader of the fourth party.

## Debate Continued

**Mr. Mason:** Or you can even say NDP. We don't mind.

Mr. Chairman, just to that last point, I was actually here when that happened, and I know who was in charge. You know, obviously the Premier made him do it, but he did do it.

The question, really, to the minister is: why are we settling for such a small percentage of the value of this tremendous resource, considering all the advantages we have? We're well located to American markets. They're extremely concerned about the security of their energy supply. We provide that. We have a third of the oil reserves that are available. We have huge advantages. It really seems to me that we could leverage them far more than we're actually doing.

**Mr. Liepert:** The leader of the fourth party, the Member for Edmonton-Highlands-Norwood, if I can call him that – I can remember that – referenced one of the members of the Royalty Review Panel and some of the comments that he made. You know, I don't agree with many of those comments from the Royalty Review Panel, which was set up by Dr. Oberg. I don't happen to agree with those comments, and I don't know that they were actually factual.

What we do have to remember with the oil sands is that it's a huge upfront capital investment, so we have a royalty regime in place that pays a lower front-end royalty till capital costs are recovered. As we move forward, we're now seeing many of the smaller plants reaching payout, and when they reach payout, they pay a much higher royalty rate. I think that the amount of investment that we've seen in the oil sands, the number of jobs that have been created for many of, I'm sure, the constituents of the hon. member, trades folks, I think speak for themselves. We're not going to apologize for our regime that has encouraged investment, that has put in place literally hundreds of thousands of jobs and, frankly, is driving the Canadian economy today.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. And so much of the value is leaving the province.

I want to ask now about the negotiations with Suncor and Syncrude that took place a few years ago when the new royalty regime was brought in, when they were entitled by the previous agreements to go to bitumen valuation for their royalties, and the government undertook to negotiate with them to raise that. I think they got an agreement with one to raise it half of what the drop was, and then I don't think they could get a deal with the second one. I can't remember if it was Syncrude or Suncor. Did that end

the deal that was made with the first one? What's the status of the government's attempts to negotiate a higher royalty revenue for those two plants?

**Mr. Liepert:** Well, Mr. Chairman, I have to respond to the very first comment that the member raised. It was something to the effect that all of this benefit of oil sands development is leaving the province. Well, if the member would look in the estimates, our three-year business plan is showing that the forecast for bitumen royalties in this particular budget year is over \$4 billion. It increases to 5 and a half billion dollars in '12-13 and over \$7 billion in '13-14. I don't know how he can say with a straight face that the benefits are leaving the province. The benefits are clearly there. In fact, Mr. Chairman, I can't calculate it in my head, but I would suggest that that equivalent is probably somewhere in the range of a 10 to 15 per cent sales tax. I know that the particular party that this member represents loves to tax people, but this government doesn't like to tax people. We like a fair investment and a fair return on what that investment is giving its shareholders, and I believe that's what we have in place.

I will take way less time to answer the last part of the question. We have amending agreements with both Suncor and Syncrude. We are currently in negotiations with both of those companies. There is a process laid out in the amending agreement that in the event we can't reach agreement, there's a process to determine the final results. We hope we don't need to go there. What we want to do is reach a fair agreement for both those companies and for the residents of Alberta. That's where we are right now.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. Well, to clarify, he spent most of his time responding to my comment and very little time responding to the question, but I do appreciate the response I did get to that.

I want to ask a little bit about bitumen. I'd like to know how the government establishes the royalties on bitumen and whether or not bitumen royalties relative to other royalties on unconventional crude can be used as a tool to encourage more upgrading and more value-added in Alberta.

**Mr. Liepert:** Well, part of how you establish the true value of bitumen is exactly what I just said we're going through with Suncor and Syncrude right now. We have a regime in place for the other producers. But we have to remember that there is no template out there to use to establish these baseline prices, so there's a lot of negotiation with the companies. That, as I said, is where we are with Suncor and Syncrude right now.

What the member I think is asking is for us to put some sort of penalty in place with industry that if they don't upgrade in Alberta, they pay a penalty. We simply don't agree with that. We believe that there's a better way. In my answer to the Member for Calgary-Buffalo I talked about our BRIK program. We believe that's a better program, and we will continue to strive to meet our projections in our energy strategy to have 60-plus per cent of our bitumen upgraded in the province.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. I hate to make more comments because I know that that's what's going to eat up the response time, but I can't help it either. It really seems to me that, in fact, it's a legitimate tool to increase value-added. I mean, it's not a penalty. It's a royalty rate, and you can set royalty rates

in order to accomplish objectives of public policy. I think that that's really what that is.

I want to ask about the whole question of the very large investment that is being proposed for transmission infrastructure. Now, even if we use the minister's numbers of \$4 million or \$5 million . . .

**Mr. Liepert:** Billion.

**Mr. Mason:** Billion, yes. Sorry.

. . . and relate that to the total value of existing infrastructure for the entire province, which is \$2 billion, you're more than doubling. If you use some of the other numbers, going a little farther into the future, you know, it's even more. My constituents have a really hard time, when this comes up, understanding what we're possibly doing with such a massive increase because the projections for electricity use and production in the province don't bear out that kind of an increase. It really strikes people that there must be some other reason for this massive increase. I know that the minister denies that this infrastructure will be used for the export of power from the province to the United States, but it certainly seems excessive for domestic use even if we see continued growth.

4:30

With respect to the question raised by the hon. Member for Calgary-Glenmore around the generation proposed by Enmax, it seems to me that if that went ahead regardless of loss of efficiency because of altitude, that would be more than compensated by line loss from the Wabamun area, and it would eliminate the need for a significant amount of that transmission. So the question is, you know: why are we going towards this massive increase in this?

The second question which I'll throw in is: what is the reason behind the policy decision that electricity consumers will have to pay this? It's not necessarily absolutely required that that should happen because, as the minister knows, the previous policy was to share the costs between producers and consumers. So that is a policy option, and the question is why consumers have to pay the full freight on this multibillion-dollar project.

**Mr. Liepert:** Well, I know that this member comes from a party that doesn't understand economics all that well. He says: why does the consumer have to pay? But I ask the question: if the consumer doesn't pay, who will? I mean, it boggles my mind how you can have the thought that somehow the consumer ultimately doesn't pay. I don't know how I could answer that question any better than that.

Now, he didn't mention it, but he will always drag out the bogeyman about us exporting power. Well, you know what? I hate to poke a pin in his balloon, but we actually have right now a proposal to construct a line from Montana into Alberta. I'm sure he's going to be running back to his researchers to say: how can we say that that's for export? You know what? It's not. The market is here in Alberta, and the reason you've got the private sector prepared to build a line from a wind farm in Montana into Alberta is because they see a growing market, and they're prepared to invest their dollars because they believe it's a good long-term investment and that the market will be here long term.

We can only as a government make our decisions based on the best expert advice we can get. It's not from 70 members of caucus sitting around making a decision; it's from the best long-term assessment we can have, and that comes through the Alberta Independent System Operator. All of the projections that they have presented to us show significant growth in the economy. We're talking about a transmission system that's going to serve Alberta for

the next 30, 40 years. So I don't know how I could answer the question any more than to say that the need is there, the determination is there, and long term it will be proven to be the right decision.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. Well, I'm going to take the bait, I guess. You know, in terms of the understanding of economics, it consistently amazes me how the proponents of free enterprise fail to understand how it actually works. The supply and demand issue is a very interesting one. If you don't let the power companies pass on all of their costs to the consumers, then they have to take it out of profits. That's just the way it works.

As well, there is elasticity of demand, just a little economics lesson for the minister, and at a certain price people stop buying the goods or they use less of the goods or they find substitutes for the goods. Therefore, there is a limit on what price you can raise it to. Then that limitation means that your profits are less. So there is an offset between the profits of a corporation and the price that consumers pay. The whole concept that the consumer will have to pay everything in the end is an absolute myth. It can come from profits instead of from the consumer.

You know, I know the Tories don't get this stuff because they don't actually read economics.

Thanks, Mr. Speaker.

**The Deputy Chair:** The hon. Member for Calgary-Currie. I assume you're going to use your 20 minutes back and forth?

**Mr. Taylor:** In a back and forth if the minister is amenable to that.

**The Deputy Chair:** Okay.

**Mr. Taylor:** I don't know where to begin now. Let's pick up on a little bit of this conversation about the transmission grid as proposed, where there's massive popular doubt that that carrying capacity of electricity transmission is needed in this province. I was talking to somebody from the REDA group the day before yesterday, and he was suggesting to me that the 500 kV line that you want to build to the Industrial Heartland is projected, you know, 15 to 20 years out to still only be operating at 30 per cent capacity.

We have this issue of the customer having to pay the full freight for these lines, which they don't particularly want in many, many cases, and it seems to me that the notion that the customer has to pay – because the minister said: well, if the customer is not going to pay, then who is going to pay? If the customer is going to pay, the customer normally gets some choice in the matter in terms of saying: well, I don't want that level of service. You know, a discussion about free enterprise around what is essentially a transmission monopoly doesn't really seem to make a whole lot of sense.

Actually, if the minister insists on going ahead and building this gold-plated transmission grid, I'd be okay with him exporting a bunch of power down to California and making the Californians pay for our lines. So to come back to this issue of power export, which the minister kind of dodged in his back and forth with the Member for Edmonton-Highlands-Norwood, you made the point about a line from Montana to import power to Alberta. Are you categorically denying, then, that we're ever going to export power after we get this grid built?

**Mr. Liepert:** Well, all I can say is that this line is not being built with the export of power in mind. I don't know how anybody

could stand in this House and say that for all time there would never be export of power. That would be absurd. But in the 20-year plan that the Alberta Electric System Operator has produced, there is no contingency for the export of power. That's as specific as I can be around the export.

The member made a couple of comments relative to information that somebody had mentioned to him that was fact. I don't know if it is fact or it isn't fact, but I can say that there is a reason why we have something that is called the independent Alberta Electric System Operator. It is to give us the best long-term advice that we can get, unbiased, and that is the information we're getting from our Electric System Operator. I have to and I would assume the member would have to trust those who deal in this business every day of their lives, and that's exactly what they are established to do. I know there are comments out there that the line is only going to be half used. This comment. That comment. I can only take the advice of the experts, and that's what we're doing.

I think that answers the two questions.

**Mr. Taylor:** Thank you. Mr. Chair, I think the amount of controversy that has developed around this transmission grid as proposed by the AESO, if I were in the minister's shoes, which I'm not, might prompt me to seek a second opinion.

Goal 3 in your business plan is: "Lead and support the development of energy-related infrastructure, innovation, markets and regulatory systems." Under that is 3.1: "Energy related infrastructure is built and sustained to support government objectives." Shouldn't it be built and sustained to support the citizens of Alberta? I mean, what's this: support government objectives? Are government objectives more important than the needs and the wants of the people who live here? The people give government the mandate, not the other way around, Minister.

4:40

**Mr. Liepert:** One of the government's objectives under this minister is to keep the lights on, and this is one way we're going to achieve that objective. I would think that if our objectives and the citizens of Alberta's objectives are clearly out of line, we won't be government for very long. So I don't know why it would be different in line.

The one thing that I think both of these hon. members would be interested to know – I think both have expressed interest in the past about a greener production of electrical generation – is that one of those critical transmission lines is across the southern part of the province. It will ensure that all of the wind power that's developed in the southern part of the province, in constituencies where not a lot of people live, gets to the major markets. I did want to add that, Mr. Chairman.

**The Deputy Chair:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Chairman. Fair point. It's also a fair point that that transmission grid can bring a lot of power from coal-fired power plants west of the city of Edmonton to where the people live as well. You know, the coal-fired plant does not really fit with my definition, anyway, of greener and cleaner energy generation.

Now, maybe carbon capture and storage can help out somewhat in this area, and I'll ask a couple of questions about that. Referring you to the statement of operations on page 133 of the estimates, you're putting \$73 million this year into carbon capture and storage, which is a significant jump up from the \$2 million that you spent in this fiscal year just coming to an end. You know, you budgeted a hundred million dollars for that a year ago. The numbers are bouncing all around the place. In 2009-10 you spent

\$538,000. So what's going on here? Are you really going to spend \$73 million on carbon capture and storage this year? What are we going to get with that?

That's question number one. Well, you know what? I'll let you answer that question first.

**Mr. Liepert:** I think it is important. Before I lose track of what the question is, the answer relative to the \$73 million is that we believe that is an accurate number.

Let me just explain a little bit about the other numbers. Certainly, when we launched into this and did our three-year business plan two years ago, there were some assumptions that would have been made. Number one, the assumption was that by now we would have had a federal and probably even a U.S. price on carbon. That has not happened. That has factored significantly not only into the economics of these projects but also into the timing of these projects. The ability to actually negotiate an agreement with these private projects and get them out the door has taken longer because of some of these external factors. That's the reason why the funds have been reprofiled into future years.

Right now we have the one project, that we announced a couple of weeks ago, with Enhance Energy, off the upgraders east of Edmonton. That project is ready to go. We believe and I'm hopeful that before year-end all three other projects will be ready to be announced. Again, we are in this kind of a grey zone, where we are waiting for something to happen at a national level around the price of carbon.

**Mr. Taylor:** So the \$73 million, then, is a projection for this year, which may or may not come true depending on which way the wind is blowing, all of those issues?

**Mr. Liepert:** No.

**Mr. Taylor:** Okay. I guess the other question I wanted to ask is around alternatives to carbon capture and storage. It really is better if you can avoid producing the CO<sub>2</sub> in the first place than it is to have to go out and recapture it after you've made it and pump it underground somewhere, unless you're going to use it for, you know, tertiary oil recovery in conventional reserves, where there's still up to two-thirds of the capacity of that reserve underground because only the first third has been, quote, easy to get out. I can see the application there.

The rest of carbon capture and just pumping it underground and storing it somewhere till the end of time: I'd rather we didn't make the carbon dioxide in the first place if that was possible, which seems to connect with the very, very low price of natural gas. You are forecasting a low price this year, \$3.45 a gigajoule. The price looks like it's going to come in for the last fiscal year at \$3.26. You estimated four and a quarter a year ago, so you're a bit off on that one. You are forecasting the price to go up over the next two years to maybe \$5 a gigajoule, but I think the minister would agree there are a lot of gas producers who will say that it's pretty hard to make a buck at below \$7. Correct?

We've got all of this excess supply of natural gas on the North American continent. We're having a hard time getting our gas to market. There are some competitive disadvantages to our gas because it has to be transported so far to market. There are alternatives that we could be pursuing, I think, a little more aggressively, whether that's using natural gas to generate electricity, whether that's exploring the possibilities with natural gas as a motor fuel. It's cleaner. It's not a hundred per cent clean, but it's at least a 40 per cent improvement over coal in terms of burning a fossil fuel to generate electricity. Are we being aggressive enough,

Minister, in terms of trying to find alternatives to the heaviest producers and emitters of carbon dioxide in the first place?

**Mr. Liepert:** Well, I think the member is quite aware that we don't determine the investment in electrical generation. Clearly, we're seeing that the next iteration of power generation is probably going to be natural gas. As I said earlier in answer to one of the questions, TransAlta is planning Sundance 7 and is planning it to be a natural gas fired generating plant. That being said, the member, I think, alluded to it but didn't say specifically that we should be under no illusion that natural gas meets federal emission controls. Again, in the absence of what those rules are federally – I'm not the investor, but I'm sure that some investors are a little skeptical of investing a lot of money in a natural gas plant that's going to have a 30- or 40-year amortization and within months of making that investment the federal government comes in and changes the rules.

We certainly are encouraging it where we can. I said earlier that we're working with the natural gas industry relative to: what is it we can do? What is it we can collectively work towards to get a better usage of natural gas? You know, as a motor fuel it takes significant infrastructure. Is that something that Albertans want us as government to be plowing a lot of money into, to develop the infrastructure, or is that something the private sector should do? These are the kinds of questions we're trying to answer.

**Mr. Taylor:** Again, fair comment. But you're pouring a fair amount of public money into another very expensive infrastructure, which is the capture, transport, and storage of carbon dioxide. So you've chosen one as opposed to the other. There certainly are fleet operators who have expressed interest, if the infrastructure was there, in converting their fleets to natural gas. It's probably something that initially would have to be done internally within the provincial boundaries, but it has the opportunity, the potential to be expanded to the west coast down the Canamex corridor, all the way. That sort of thing. It's probably not, Minister, what you and I are going to run our personal vehicles off of any time in the near future.

There seems to be a role for the government to play, if it chooses to, in encouraging, incenting, giving a nod under goal 2.1, that "Albertans are aware of and understand existing and emerging trends and opportunities relating to energy development and use in Alberta." There seems to be a role that could be being played here, that is being played in CCS by this government, that is not being played by this government in terms of natural gas.

**Mr. Liepert:** Mr. Chairman, that's a fair comment. That's exactly what we are working with industry to say: what is it we can do as government? The one thing we are not prepared to do is change the royalty structure. We said when we made the changes last spring that the book is closed on the royalty structure. So we're somewhat limited in what we can and cannot do. In fact, industry doesn't want us to change the royalty structure.

4:50

I do want to go back to some of the earlier comments around CCS. You know, there are several things that drove us toward CCS. One is that we have I think it's 800 years' supply of cheap coal. If we can make CCS work on coal-fired plants and coal becomes as clean as wind, why shouldn't we use that low-cost production? Secondly, we have the geological formations that not only give us the opportunity for enhanced oil recovery, but those geological formations probably are as good as anywhere in the world to show that you can sequester carbon in a safe way.

I can tell you that when we happened to spend a week earlier this year in London and Brussels, there was a lot of talk in the European Union about how green they want to become and all these sorts of things and all these carbon capture and storage initiatives, but they haven't done anything. Whatever they've done has been pretty miniscule. Norway has done some work, but all of the big talkers – be they France, Germany, even the U.K. – in all cases have a lot of coal-fired generation. But when it's in their own backyard, they aren't necessarily prepared to walk the talk. So they're watching what we're doing. They're watching very closely whether our project with TransAlta works on coal. They're watching very closely how successful we are in getting the project with Shell Quest off, where it's pure sequestration, because in those countries they don't have the ability for enhanced oil recovery.

We are leading in this area, and we're going to continue to do that.

**The Deputy Chair:** The hon. member.

**Mr. Taylor:** Thank you. I want to ask a quick question about energy revenues and your forecasts there. You're forecasting the revenues a bit on the conservative side in the 2011-12 budget and more ambitiously in the forecast for 2012-13 and especially 2013-14. The numbers are \$89.40 a barrel for oil this coming year, \$95.50 a barrel next fiscal, \$95.75 a barrel the following year. Those are the oil prices projected. The revenue projections are considerably higher as we go forward: \$8.3 billion this year, \$10.2 billion next year, almost \$11.9 billion in 2013-14. You know, relative to the average – the minister has made somewhat of a deal of explaining how forecasts are arrived at for revenues and prices and that sort of thing. You're conservative this year, and you're on the high side next year and the year after. I'm wondering what's going on here, whether it wouldn't be more fiscally prudent to maintain conservative estimates of revenues moving forward. Why the change?

**Mr. Liepert:** The member may not have been here earlier when I answered a similar type of question. Let me explain again. There are really three factors that drive those revenues up. Number one is a forecasted slow price increase. We are being conservative on the price increase. I mean, all we have to do is look at where it is today relative to what we're budgeting. We are being conservative on the price.

The second factor is that production is going to increase significantly in the oil sands as we move out, much higher ramp-up than the actual increase in the price per barrel.

The third one is one that many don't realize, that our royalty regime for the oil sands is low front end until capital is paid out, and then the royalty rate bumps up significantly. We're going to be reaching a number of projects over the next few years that are going to hit payout. So that significantly bumps up as well. I know, as an example, that one of the first was Foster Creek, Cenovus's plant on the Suffield base. Their royalty rates jump significantly when they reach payout.

So the combination of the three things is what we believe is a fair increase in royalty revenues.

**Mr. Taylor:** That re-explanation from the minister clarifies things a good deal.

On bitumen, I guess, a couple of questions. Number one, since we're the only folks in the world with any significant supply of bitumen, do we have control over that price? As we move to more and more bitumen and less conventional oil, do we have any price-setting capacity where bitumen is concerned?

Number two, this leads to the obvious question. It would be easier to set a price for bitumen if we had more than one customer. Therefore, what can the minister tell us about this government's plans to facilitate the construction of some sort of transport vehicle, whether it's a pipeline or rail or whatever, that moves our bitumen to the west coast and from there loads it onto tankers to take to Asia? [A timer sounded]

**Mr. Liepert:** Can I finish?

**The Deputy Chair:** Go ahead.

**Mr. Liepert:** The answer to the first part of the question is no, we are not a price setter for bitumen. You've got to remember that you've got to take it down a step. Bitumen gets refined into sweet crude, so that sweet crude then has to compete with other sweet crude from around the world. You can't obviously overpay for the feedstock to get to that sweet crude.

I won't take any more time on it because I did earlier – and you may not have been in the House, hon. member – talk a fair bit about what we're doing relative to the pipeline to the west coast. In deference to others who might want to ask questions, I'd ask that if you have other questions, send me a note. I'd be happy to respond.

**The Deputy Chair:** The hon. Member for St. Albert.

**Mr. Allred:** Well, thank you, Mr. Chair. Just a couple of fairly short questions here. Mr. Minister, earlier today you were asked some questions by the hon. Member for Leduc-Beaumont-Devon with regard to abandoned wells, the location. I'd like to expand on that and generalize it somewhat. Now, under the land-use framework and GeoDiscover several departments are working together on a few projects to co-ordinate and compile accurate records of all infrastructure. Is your department – and the ERCB, in particular, would be the agency – collaborating on these projects specifically as it relates to accurate as-constructed records of abandoned wellheads and pipelines and any other underground facilities?

**Mr. Liepert:** One of the things from the question earlier today that needs to maybe be elaborated on, when we aren't constrained to a 35-second answer, is that the ERCB has an extensive data bank of abandoned wells, but the ERCB's job is not to spend all day on the phone contacting municipalities and saying, "Are you thinking about expanding?" and "Where are you thinking about doing subdivisions?" So the onus, really, has to be in reverse. The municipalities have to recognize that that information is there and access it.

We know that we've got some work to do relative to pipelines and abandoned wells. We also have, and I think you're familiar with it – it's in the estimates – the orphan well program that we fund. I also know that this hon. member has raised on several occasions the issue around pipelines, and that's certainly a matter for debate. I think that the system we've got in place right now is pretty exhaustive and extensive, but clearly that doesn't mean to say we can't continue to do a better job.

**Mr. Allred:** Thank you, Minister. I appreciate that comment. I would commend the ERCB on their records for high-pressure pipelines. I think they're excellent. As you're probably aware, most of my concerns with pipelines are not with regard to those. They are on some of the low-pressure and, in particular, on the gas co-op lines, which, I must say, have been improved a lot in the last

number of years. I recognize that's not under the jurisdiction of the ERCB.

I think it's very important that you mentioned that the ERCB is not in the business of providing every municipality with records. That's the beauty of a comprehensive land-use database where one agency manages all that data. People can either inquire online or inquire through that agency rather than contacting the ERCB for this information, the gas co-ops for another piece of information, and the municipality for another piece of information. That's what the land-use framework is going to depend on, accurate land information, in order to do the land-use planning.

**The Deputy Chair:** Hon. member, we're on the estimates.

**Mr. Allred:** Okay. Thank you.

5:00

**Mr. Liepert:** Well, I'll just respond very briefly. The member makes a very good point. We've recognized that. As I said earlier, we have pretty extensive records but, clearly, need to do better, and I'm informed by both the chairman of the ERCB and by the deputy minister that that's work that is actually happening right now. As the member, I'm sure, recognizes, it's not work that's going to be done quickly and without a lot of due diligence.

**The Deputy Chair:** The hon. member.

**Mr. Allred:** Thank you. Just on the estimates, really, my question is more aimed at: is that sort of a comprehensive program within your estimates?

**Mr. Liepert:** I don't think it's necessarily a line item within the budget, but as I said earlier, some \$230 million is our department budget. It's work that is under way along with a whole bunch of other stuff that the department does.

**The Deputy Chair:** The hon. member.

**Mr. Allred:** Thank you. I'm sure it's part of the operation, and that's great. I hope that that will be expanded and you will work towards collaborating with those other agencies to get it in place.

Thank you. That's all my questions, sir.

**The Deputy Chair:** Response? Okay.

The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you. It's great to be able to get up and to talk a little more about these estimates and where they're going. What's critical for us is that, again, as important as these estimates and all of these numbers are, it's the policy that's going to drive whether these estimates are accurate and whether we really have the income.

Again I'm going to go back to the new royalty framework. The estimates were that we were going to increase royalties by \$1.4 billion if we raised this royalty. They went, supposedly, to their experts and said that this is going to be great. It still just amuses me to hear them talk about all the things that we spoke about, why not to raise the royalty, why not to bring in the new royalty framework, because it doesn't create stability; it's not predictable. All the things that the minister now talks about were points that industry brought up and said why not to do it.

I need to go back again to goal 3, energy-related infrastructure. This is what the minister and this government are saying is going to provide the future for industry here in Alberta, and it just blatantly is not. Again, the minister had the audacity to say that it was the former finance minister, Dr. Oberg, who brought in the new

royalty framework when it was this government. More importantly, he left in March of '08. This government implemented that on the 1st of January '09 and had a whole year to recall that. They waited another year, after we had billions of dollars of damage. That affects the estimates.

That's why I want to talk about the estimates and the revenue this government says is going to come in. If we look at their estimates on revenue, bitumen is going up. It's interesting that they're even saying that coal royalty is going to go up. Why is it going to go up? Are they going to increase the royalty rate, or are we actually going to be supplementing plants to come on board because of these free power lines? So the question to the minister is: why do you feel in all of these estimates that we do not take into account the actual cost of these power lines?

Why, for the life of Albertans and the life of industry in Alberta, are we not going to have an independent needs process to go through? You know what? This government is outdated and is out of step, as they were with the new royalty framework, took two years to realize and spent billions of dollars. This government is estimating spending billions and billions of dollars on these power lines, and there's nothing in here. They're bypassing the needs process. Why are we bypassing the needs process, Mr. Minister, for these estimates?

**Mr. Liepert:** Well, I will repeat what I said in my answers a few minutes ago. I know we can't comment on whether members are in the House or they're not, but we had a pretty extensive discussion around the need. There are different ways of looking at need. You can sit in a room with four people and pontificate all day long, like I think this member is exhibiting here this afternoon, and determine that the need isn't there, or you can have an independent group of experts called the Alberta Electric System Operator. The Electric System Operator has the expertise, has done the long-range planning, and this is their best advice. We in government tend to take our advice from experts. We don't take our advice from a group of four people sitting around over coffee in a coffee shop somewhere, Mr. Chairman.

**Mr. Hinman:** Mr. Chairman, what we need to do is to be competitive, and that's what the whole new royalty framework was about. It was because it was uncompetitive. They changed it, and then they came in with a new one. The experts they brought in was the Hunter report. These are the experts? I mean, we had experts from the Caribbean coming in to say we need to raise the royalty, saying that this is what we need to do. What we need to do is to go back to having a needs process. In every other place in the world where we have regulated government industry, we go through a needs process and not some cabinet minister who talks about – I don't know if they even drink coffee. It think they're sipping something a little bit stronger because they're not thinking clearly in saying that we need to do this.

The untendered power lines: when we talk about the cost of electricity and what we're going to get on that, why are these power lines not tendered and gone through a proper process so that we do have competitiveness and we don't have an overbuild because they're guaranteed money for something that we don't need?

**Mr. Liepert:** Mr. Chairman, this member keeps rambling on about the royalty review. My recollection of the royalty review was the former finance minister, Dr. Oberg, appointing a royalty panel, and they came back with some recommendations. So now we see that the particular member that was, in my view, responsible for that royalty review that these guys continue to rail on about



– and it was the same Dr. Oberg that the Member for Fort McMurray-Wood Buffalo supported in the leadership race. The only one, I recall. [interjections] Well, he keeps talking about the royalty review. I'm just giving him some history on the royalty review and who was actually responsible for setting up the panel that produced this report. It was the former finance minister, now the number one adviser to that caucus, the same guy who ran for the leadership and was supported by the Member for Fort McMurray-Wood Buffalo.

**The Deputy Chair:** Hon. members, we'll get rid of the politics in this, and we'll get back to the estimates, okay? Thank you.

The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Well, according to these estimates, then, how much money could we save? If the energy minister wasn't responsible for those new royalty frameworks, and if the Premier isn't the one who was the first to announce during his campaign that, "I'm going to review the new royalty framework," why don't we get rid of the energy department if it's the finance minister who's running it all? It's laughable, as you can hear members doing, to go in that direction.

Again, I want to go back to the Shepard plant, 800 megawatts in Calgary, that was approved last fall; the Crossfield plant, 120 megawatts; the Bonnybrook plant, that's in the process of going forward at 165 megawatts. The fact is that we have a current capacity of 2,000 megawatts of transmission between Wabamun and Calgary, and Calgary's peak capacity is only 1,600 megawatts. Why do we need to have more power lines put in there when we have plants coming online close, and we have more than enough capacity for years and years? Why do we need to go through these direct-current government-funded power lines that are going to be turned back over to the industry to run, and the taxpayers are paying for it? Why are we doing that, Mr. Minister?

**Mr. Liepert:** Well, I will resist the temptation other than one comment, Mr. Chairman. You know, the member talked about the Premier. The thing I remember was the Premier determining after the Royalty Review Panel that the former finance minister, now adviser to the Wildrose caucus, came up with that it wasn't what was right for Alberta. He asked the Energy Minister at the time, now my colleague the Minister of Sustainable Resource Development, who commissioned something called a competitiveness review. The competitiveness review came back with the right information, not the information that was established by Dr. Oberg with the help of his buddy from Fort McMurray-Wood Buffalo.

As a result of the competitiveness review, Mr. Chairman, we have the most effective fiscal regime in this country right now. We have a regulatory review that has been conducted that is going to streamline regulations for this province in the oil and gas industry. All you have to do is look at the investment in this province to say that this is the best province to do business in if you're in oil and gas. And if you're going to invest money in oil and gas, you're going to invest money in plants. You probably need to have the appropriate infrastructure in place because electricity runs those plants.

5:10

**Mr. Hinman:** Again he's failing to answer the question. He's giving ridiculous information about the former finance minister, the new royalty framework. This government implemented it. He was gone for eight months when it got implemented. The government didn't turn it back.

But the question is: why have we thrown out the independent needs process for power lines? Why have we thrown in guaran-

teed prices for power lines that should be tendered? Why are we doing that? This is all unwarranted. Why is the minister pushing ahead with another faulty regime that they've put in place, saying that this is for the future of Alberta? Why untendered power lines?

**Mr. Liepert:** Well, Mr. Chairman, I said earlier that we are not the only province who determine the need. British Columbia has determined the need. Ontario has determined the need. I think if you look across the country, just about every province has determined the need for transmission. For this member to say that there is I think he said something like no control over costs is an absolute falsehood because that's exactly what's going to happen under the Alberta Utilities Commission hearing that's going to be taking place in each case under each one of these applications. I would encourage the member to go sit in on the AUC hearing and see how diligent the commission is in ensuring that the cost is appropriate.

**Mr. Hinman:** Why are we bypassing the needs process, then? Why don't we have to go forward and push the needs like we did in 2003, when they went forward? Again, had that gone properly and the government hadn't spied on landowners and been inappropriate and got thrown out of court – because of the behaviour of this government and what they asked the board to do, we now have Bill 50 because they say: "Oh, we can't go through all of that. The lights are going out. The lights are going out." Why is there not a needs process in place to determine the need of those lines?

Look at this: the School of Public Policy, from Calgary, saying that we don't need the transmission lines. IPPCAA is saying that the power companies are going to go off-line. Are these experts that you totally disregard and say that we don't need them? There's report after report and expert after expert and business and industry after industry saying that if you increase our transmission costs, if you put those power lines in at your needs assessment that you've passed in Bill 50, we will lose industry.

**Mr. Liepert:** Mr. Chairman, I can only say that we as government take our advice from independent experts, not from the School of Public Policy at the University of Calgary when it suits us. So I'm going to hold to listening to the experts, not to the School of Public Policy when what it says suits my political needs.

**Mr. Hinman:** Very interesting.

We'll go to a few simpler questions that perhaps the minister will answer, then, and we can get a few answers on record because so far we certainly haven't received any. We look at page 56, the revenue coming in under industry levies and licences. I've said to them that \$142 million to \$150 million seems like a huge tax must be going on, but underneath that is other revenue. It's gone from \$45 million down to this year budgeted \$10 million. Could you tell me: was there excessive gouging going on? What is this other revenue, and why is it dropping approximately \$35 million in this budget year?

**Mr. Liepert:** I'll get an answer on the revenue in a moment, but what I do need to answer is the question relative to the extra \$10 million in levies. What we are doing with our budget this year is that we require \$10 million to fund the implementation of the regulatory enhancement project, and that \$10 million is no longer being assigned to the Energy Resources Conservation Board as part of its budget. The Energy Resources Conservation Board budget will stay whole, and the percentage will go from a 60-40 split with government and industry to more like a 65-35 split with industry and government. Just before the member jumps up and

makes some wild comments, industry is in concurrence with this, Mr. Chairman.

**Mr. Hinman:** Could the minister please answer whether or not they've actually dropped any regulatory burdens or actual licensing that's going to add to the efficiency, as B.C. and Saskatchewan have?

**Mr. Liepert:** Mr. Chairman, I'll have the chairman of the Energy Resources Conservation Board send a package of all the various public releases that they've made over the last year on regulatory streamlining, that the member can read at his convenience because they've been substantive and many. They've all been made public. Actually, he could probably, if he's really anxious, go tonight onto the website and find that information.

**Mr. Hinman:** Well, that's good news to hear.

Under capital investment programs there's approximately a 75 per cent drop in resource development and management from \$9.5 million to \$2.3 million. Could you give us a brief explanation on that?

**Mr. Liepert:** Mr. Chairman, I'll get back to him in writing on that. I don't have that information right in front of me.

**Mr. Hinman:** Okay. The next one is energy regulation. You've talked a great deal. Again, I don't know if you were the orchestrator. You give a great deal of blame to people that have failed. I'm wondering if you'll take the blame, then, for the superboard and, supposedly, the superefficiencies. Energy regulation, from \$15 million to \$24 million: is this part of the amalgamation and trying to streamline all of these regulations that it's going up so much? Why do we see such a huge increase on the energy regulation side of things, especially when I thought you said that industry was stepping up, not stepping down, and that they coincided or agreed with your policy?

**Mr. Liepert:** I'll get back to him on that.

**Mr. Hinman:** Okay. The coal royalty: we've been bringing in \$30 million actual; budgeted for this year, \$35 million. Is there any explanation for that? Especially when coals plants are being shut down, why are you optimistic? Are you increasing the royalty to the coal industry? What's the ongoing increase that we see there when we're talking about a policy of wanting to shut down coal plants?

**Mr. Liepert:** Well, Mr. Chairman, in many of these situations there are anomalies that change from year to year which affect revenues, which affect various costs. I'll make sure that we get the accurate information for each one of these anomalies and respond accordingly.

**The Deputy Chair:** The hon. member.

**Mr. Hinman:** Thank you. Going back to priority initiatives on page 53, "Alberta has a competitive and effective royalty system, incenting development and maximizing benefits to Albertans." Your bitumen royalty in kind is supposed to be an incentive. My question is: why do you not go with a fiscal regime that would allow all industries and entrepreneurs with ideas to have the capital breaks that we do for the oil sands?

It just seems that if we really want to stimulate and want the entrepreneurs to come here for whatever their ideas are, whether it's biotechnology, whether it's new electrical stimulation, whether it's, you know, the toe-to-heel air injection – this gov-

ernment has picked CO<sub>2</sub> sequestration, which to most economists and people that I've talked to is the most expensive. It's the furthest one out there on whether we're going to be able to achieve it, whether it's ever even going to be energy efficient. Why do you not work with the federal government for a fiscal regime that will actually attract investment capital rather than taking our tax dollars and picking a few winners and saying, "This is what it's going to be" when government is very poor at that?

**Mr. Liepert:** Mr. Chairman, the member is not correct when he makes some of those statements, which surprises no one in the House. It needs to be pointed out that it was, I think, the Conference Board that just recently said that Alberta is investing \$6 billion in clean technology, which is more than every other province combined. What we have is a series of initiatives, whether it's carbon capture and storage, whether it's our biofuels program, whether it's our clean technology fund, that comes from the \$15-a-tonne carbon tax. There are a number of initiatives, and I could certainly spend a lot of time here talking about each one of them, but they're all public. They're all there for the member to take a look at if he so chooses.

5:20

**Mr. Hinman:** It's interesting. What they have a series of, Mr. Chair, is a series of boondoggles that are going to cripple our economy again, just like the new royalty framework. They continue to deny that or now blame it on ministers that are gone when they implemented it. It's astounding.

Our federal government has the astuteness to at least say, Mr. Chair, that they're not going to implement any carbon tax or cap and trade or anything else outside the step of other jurisdictions. We heard a great deal of rhetoric two and a half years ago on what the U.S. was going to do. Our federal government says: well, we will match what they do. They haven't done it. Why are we following this boondoggle of spending billions of dollars so that we can be the ones to prove that this technology isn't going to work? There's better technology, what we call a natural gas strategy, that would have a far greater impact than CO<sub>2</sub>. Why do we continue down this dead-end road of CO<sub>2</sub> sequestration to the detriment of our industry here?

**The Deputy Chair:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Chairman. I have a few comments I'd like to make. First, I'll start with the Canadian Energy Research Institute. As you know, Mr. Minister, it's the most prestigious energy economics research institute in the world. This organization and its top-notch research team benefits businesses, government, academia, and the public. They provide relevant, independent, and objective economic research in energy and environmental issues. Has your department supported this institute within this budget and, furthermore, in the 2011-14 business plan outgoing for a number of years?

**Mr. Liepert:** One of the ways that we feel is effective in participating in research is to ensure that we have industry, the federal government, and the province all involved. At the end of the day the research we do benefits Canada as a whole. We certainly have committed within this budget an allocation for the Canadian Energy Research Institute. I know that the member is a key part of that, and they do exceptionally good economic research. It's the type of research that we would very much take into account in terms of policy-making within our government, and we value the work they do. We are supporting them in this budget and are pre-

pared to commit long term. We would like to see industry and the federal government also step up on this important project.

**Mr. VanderBurg:** Thank you for those comments. In your meetings with the federal minister have you had an opportunity to talk about the importance of this institute not only here in Alberta but nation-wide, North America-wide? Will you have the opportunity in maybe upcoming meetings? If you could schedule those discussions, I'd appreciate it. I'd like to hear your comments on that.

**Mr. Liepert:** I haven't had that many opportunities to have lengthy discussions with the federal energy minister. It seems as though there are a lot of balls in the air, if you will. I can't recall us having discussions specific to this particular institute. I'm more than happy, as a result of the member's encouragement, to have those discussions.

In fact, we're going to be very fortunate here in Alberta this year. We're going to be hosting the federal-provincial energy ministers' conference in Alberta this year. We have some significant input into the agenda. We have focused the conference around trying to work towards agreement among the various energy ministers across the country on at least agreeing on the goals and objectives that could lead us to a national energy strategy or a national energy framework. That's been our major focus, but let me see if there isn't a role or a placeholder that this could fit in relative to that energy ministers' conference this July.

**Mr. VanderBurg:** Mr. Minister, I'd appreciate that. I know the federal government has stepped up to the plate and has been a very good partner in this, but I'm just concerned about future budgets and the implications of nonsupport, so I would appreciate that.

I'd like to move on to the business plan, page 53, as it relates to 1.1. "Alberta has a competitive and effective royalty system, incenting development and maximizing benefits to Albertans." I'd like to talk about an important project that's in my constituency and on the edge of my constituency, the Swan Hills Synfuels project. Can you tell me, so that I can relay the comments back to my constituency, how that partnership is going, how the support from your department and the government of Alberta has incented this group to develop? What will we see in the near future with the economic spinoffs not only in the mature fields of Carson Lake or Eddy Creek or Virginia Hills, but what will see as an immediate spinoff in the next, well, I guess I'll say within this business plan, up to 2014, because of that incentive that the government of Alberta has been involved in?

**Mr. Liepert:** Well, the member raises a very good point relative to one of the four carbon capture and storage projects that I will remember, as we move forward, were termed "boondoggle" by people who were going to try and take your job away from you, hon. member. I hope that in the next election you remind your constituents about what these guys are talking about, the project in your constituency.

The Synfuels project is one that I think holds incredible promise for this province, not only in an environmentally friendly way, but I think that certainly from my discussions with those who head up the Synfuels project, we see this as a project where ultimately the next projects probably can proceed on their own. You know, if we can use CO<sub>2</sub> to gasify coal, why wouldn't we do that? Well, because if you keep your head stuck in the sand, then it'll never happen. But we want to make sure that we're looking forward, that in 50, a hundred years from now your grandchildren will look back and say: that was a pretty darn smart, strategic government to get into some of these other initiatives like coal gasification.

While we haven't yet finalized the contract to Synfuels – these are difficult negotiations – we believe that that will be a project that will be, I hope, under construction before year-end and completed, I guess, about the conclusion of this business plan or a year or so beyond that. I think it will be an economic generator for this province for years to come, that technology, not just that plant.

**Mr. VanderBurg:** Again, further on 1.1, the enhanced oil recovery opportunities abound, and I can't say enough about what I've learned about it. Have you any proof that the enhanced oil recovery process at Swan Hills Synfuels is going to work in the area and any kind of estimates of the possibility of how many billions of barrels we could extract from a 40-year-old oil field that's in my area?

**Mr. Liepert:** Well, again, we rely on experts, and the climate technology group has done their research work, their work with geologists, with scientists. They say to government that the potential for enhanced oil recovery, the potential of \$25 billion in royalties, is very real. You know, we can call this initiative all of the names we want to call it, but the name that I would put on it is an economic generator for the future.

5:30

**Mr. VanderBurg:** Thank you very much for that. The other part of it that I would like to know about is again on 1.1. What will we need to do to incent development of the use of the gasification of coal to develop the power industry in our area, and what opportunities are we going to see to drive major power generation because of this gasification opportunity in my area of the province?

**Mr. Liepert:** I think that as we move through this session, we'll have an opportunity in this Legislature to probably consider some legislation that will go a long way to ensuring that this actually happens. Again, you raise a good point relative to cogeneration. There are opportunities for clean production and generation of electricity. I come back to the fact that it's no good producing the electricity if you can't get it to where the market is. It again comes back to the need and requirement. We have to be in a position that wherever electricity is generated in this province, it has the ability to get to market.

**Mr. VanderBurg:** Thank you.

I'm going to move on to another topic, 1.2: "Energy and mineral resource revenues are accurately calculated, collected and reported." Some two decades plus ago we kicked off some major oil sands developments. There was an incentive by the province of Alberta through a discount given to those companies to develop and over time write off their capital expense. I understand that soon those projects will move into a full royalty opportunity. How is that going to be reported, collected? How are Albertans going to get the information that, you know, we're moving from a 1 per cent to a full royalty on those projects? Which projects do you expect in this business plan will be affected by that?

**Mr. Liepert:** Well, as the member raised, the Auditor General had some advice for the department in terms of how to ensure that that is transparent and understandable. We have made the changes that were suggested, and the Auditor General has clearly told us that we're doing it right.

I don't want to get into sort of specific plants in the province that will be hitting payout. I know that last year the Cenovus plant at Foster Creek on the Cold Lake air base hit payout. There's a substantial jump in the royalties paid once the plant moves from the upstart royalty rate to the full payout rate. I know that there are

a number of others, especially in the in situ area. The mining operations tend to be larger in scope and higher in capital cost and, you know, obviously take a little longer for payout, but the in situ projects, because they're smaller, tend to hit first. I don't have the exact number or who they are in front of me, but there will be certainly over the next three years several of them that will be hitting that payout number.

**Mr. VanderBurg:** Further with 1.2 – and I've raised this earlier in the Legislature. There seems to be misguided information about how Alberta compares to countries like Norway – Alberta is a province; Norway is a country – and about the collection of the resource and royalty fees. As you know, the federal government collects billions of dollars each year from resource extraction, and that seems to be forgotten. People just seem to think about what's collected here in Alberta.

How come those comparisons between Alberta, Canada, and a country like Norway are not accurately conveyed to Albertans? You know, we are a province. The feds collect their share, we collect our share, and here's this Norway with a big, huge bank account. I mean, wouldn't it be nice to have the royalties that the federal government collects in our bank account? I think something is lost in the messaging there. Is there a way in this business plan that you can get that message across more accurately?

**Mr. Liepert:** Well, I don't know if the business plan is the right approach to get that message across, but the message is absolutely right. You have a situation, I think, in Norway as well where there's a whole different personal tax structure and all of those other things. It's not a fair comparison.

We have done a pretty extensive review of how we compare to other relative jurisdictions albeit in North America. Once you start comparing things like offshore, many of your offshore production facilities are huge producers. There are whole different cost structures around offshore versus onshore, whole climatic changes. It's difficult to compare Alberta to Norway. You're absolutely right. The total take goes to Norway. It's also a state-owned operation, I think, pretty much exclusively.

I don't really think that we can get into that comparison, but we have certainly got into comparisons on other jurisdictions on the North American continent that are more relevant. I can tell you that we stack up very, very well.

**Mr. VanderBurg:** I'm going to move on to 1.4. "The ministry and its partners have the required policies and programs to encourage value-added development in Alberta." I'm sure the minister knows this, that the precious mines and minerals industry is a very important industry. It's just about to take off and be the next industry in the next couple of decades.

As you know, I'm sure, the first diamond ever found in Alberta was found in my constituency. Kimberlite pipes have been found all throughout this province. Your ministry has spent big dollars making sure that the mapping is accurate and working with those industries, especially the junior mining companies, to develop that. To date most of the kimberlite pipes that are found are in the north. Many are diamondiferous, and many are being surveyed right now and drilled and tested. What is in your business plan to help develop that precious mines and minerals industry, and what are your thoughts on that going forward?

**Mr. Liepert:** Well, I guess it would be fair to say that I might not be quite as enthusiastic as the member is relative to where this industry is going to be in 10 years. I hope he's right and I'm wrong, actually. We know that there is potential in the mines and minerals sector, but it's been slow to develop. The member proba-

bly points out something that is, I think, worthy of us taking away, and that is that we have to address whether we have the right regime in place to encourage this kind of activity. I would suspect that we don't have quite the right regime in place.

I don't know if it will necessarily apply or not, but as the member knows, we're doing some terrific work on the regulatory front. I think that once we get the regulatory enhancement project recommendations out and implemented, that could spur on some of this activity. I don't know that I could add much more than that. We will take away the encouragement to see what it is we could do to maybe enhance some of the opportunities, I guess.

5:40

**Mr. VanderBurg:** Well, thank you, Mr. Minister. I know that 20 years ago people in the Territories would never have thought they would have had the infrastructure that they have in place today.

Some of the world's most prestigious diamonds are the polar diamonds that are found in the north. It started with some companies out of this province making some major finds of some kimberlite pipes in the Territories. I don't want to limit our opportunities. I want to make sure that, you know, we get the best out of Alberta that we can get and that we don't sterilize land and that we don't think small. I think we need to think big, and we need to think bigger when it comes to the precious mines and minerals industry.

That moves me on to my next topic, and that's potash. I understand that it's not just Saskatchewan that has potash deposits, that it's also the government of Alberta. What in your business plan have you done to encourage potash development in Alberta?

**Mr. Liepert:** Well, I don't want to make light of the question, but in the I guess about a year and a few days now that I've had the privilege of this portfolio, I can honestly say that we haven't had a lot of discussions around potash other than talking about what transpired in Saskatchewan over the past period of time. I am not a geologist and don't even try to profess to be one, so I can't even comment whether that's an opportunity for Alberta or not.

**The Deputy Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair. I'm looking forward to this. I think we can get some good information out here. I'll go a little bit easy. I don't want to hurt the minister's feelings. I know he doesn't like his feelings hurt.

I want to first talk about oil royalties. This is on page 136 of the estimates. The reason I'm worried, of course, is because this is the minister that decimated our most important core social service, health care. I'm hoping he doesn't decimate our most important industry. The reason I have some trepidation on that with regard to the bitumen revenues that we have coming in here is that I distinctly remember challenging the people sitting around the caucus table over and over again on the royalty framework and getting dumped on along with a couple of other people that are still over there on that side of the government and then watching while this minister and several other cabinet ministers sat like bumps-on-a-log and did absolutely nothing whatsoever to defend the oil industry.

I find it a bit rich that he's over there talking about, you know, just how wonderful this government has been with regard to the royalty framework. They've been a disaster for this province. They've cost us billions of dollars, thousands of jobs. To claim that this minister in particular had anything to do with reversing them – the reason that they were reversed is because of the pressure that they were feeling politically. Anyway, I am worried about the health of our bitumen royalties and about our industry with this minister at the helm of this ministry.

What I want to talk about today and get some answers regarding is Bill 50 and these transmission lines, which I think, frankly, are this government's version of the federal sponsorship scandal. It smells that bad. It's a shameful act, what's been done there. It's an absolute affront to the processes that we've put in place here to guard against government corruption and so forth. To put this bill in, just the appearance of it, is just offensive to anybody who respects democracy, respects transparency, and who respects rule of law, frankly. One thing we will do as a Wildrose government after 2012 is repeal Bill 50, and we'll take great glee in doing it.

What I want to talk specifically about surrounding Bill 50, to start with, is these plants that the minister seems to know so little about, these natural gas power plants around my community, two of them. The one in Crossfield, that just went online last year, produces 120 megawatts of electricity from natural gas. The other one is a plant that is due to be online in 2014 by Shepard, which is also in my community, which is to bring on 900 megawatts of electricity. Then, of course, there is the Bonnybrook plant, which is going to bring on about 150 megawatts of electricity. In total that's about 1,200 megawatts of natural gas powered electricity right in the Calgary area, this during that same time frame when 560 megawatts of electricity was taken offline from Sundance 1 and 2.

So we have almost 1,200 megawatts of new natural gas electricity being put together in Calgary. We have 560 megawatts of electricity coming offline at Wabamun on Sundance 1 and 2. Between Wabamun and Calgary we have 2,000 megawatts of transmission capacity between those central Alberta plants and Calgary, and somehow this minister can't seem to understand how different the landscape is from when they first contemplated this bill.

Everything has changed. The price of natural gas has crashed. It's in the toilet. We get cheap natural gas, and we can build cheap natural gas power plants right beside where the demand is in Calgary and in other centres. Not only that, he has not taken into account the cogeneration of electricity at these industrial plants all across Alberta. Hundreds and hundreds and even thousands of megawatts of electricity are going to be generated this way thereby making a lot of the need for these new, massive 20-storey transmission lines obsolete.

Now, we can go back and forth and have a debate about whether these new transmission lines and the costs associated with them are needed. That's the whole point. I'm not an expert on electricity. But you know what? This minister is less than an expert on electricity, and it's very clear from his comments that he doesn't understand the grid, you know, half as well as the Member for Calgary-Glenmore does. So I get a little perturbed when he throws out things that he doesn't know what he's talking about and contradicts himself every five minutes.

What I'd like to know is why he feels a need – with all of this change and with all of these facts in place, why does this minister not do what should just be a normal course of action and demand that the ERCB oversee that the AESO, which is this independent arm, as he calls it, goes to the AUC, goes through an independent needs assessment process by the Alberta Utilities Commission? Let them determine in the next year or so whether or not these billions and billions of dollars of new transmission capacity are in fact needed.

Frankly, there's a huge debate – and it favours my side of the debate – that these are no longer needed in the amount that you're talking about here. I would like him to comment on that and explain why he felt the need to skip an independent needs assessment process so that he could give Alberta, you know, billions and billions of dollars of new transmission lines that we

probably don't even need given the differing circumstances that have come up.

**Mr. Liepert:** Mr. Chairman, this member just proves again that he's a dreamer when he's talking about who's going to be the government after 2012 and also about two power plants next to Calgary. He stated in question period the other day that there are two plants under construction. Well, there are not two plants under construction. There is the Shepard plant, which is on hold by Enmax, and there is the Bonnybrook plant, which hasn't even gone through the application process yet.

You know, there are some people you can reason with; there are some people that just flat out aren't interested in the truth. I've responded to all the other rhetoric that he's just gone on about, and I don't plan on repeating myself.

**Mr. Anderson:** Well, then, what this minister can do is go on the record right now to say that in the next three years the Bonnybrook and the Shepard plants are not going to be online. Go on record, then, and say: these are mythical power plants that aren't going to go online.

I'll tell you that the only reason they wouldn't go online, Minister, is because you've put a whole bunch of free transmission lines into the hands of several companies up north, particularly TransAlta and others, ATCO, AltaLink. You've given them these contracts, and if they decide not to go ahead with those projects – they still will go ahead – that would be the reason that they don't go ahead because you meddled in the industry, and frankly just like a big, you know, socialist, left-wing government decided that you were going to pick winners and losers. If there is a loser in this, it's going to be business that could have done this cheaper and more effectively right by Calgary. That's a fact. But they will still go ahead, almost certainly, because there is a demand for it in Calgary and because natural gas is so cheap.

**5:50**

The point is, sir, that you talked earlier about: oh, well, industry wants these new power lines. Well, look at this, the IPCAA. Maybe you can read through the report. The Industrial Power Consumers Association of Alberta, which represents billions of dollars worth of companies working in Alberta right now, is saying that these transmission lines are completely unnecessary and completely unneeded. They talk a lot about cogeneration and other things that have changed the economic realities here, but they also say that it's going to drive business out of this province.

**Mr. Boutilier:** I think you hurt his feelings.

**Mr. Anderson:** I know. I probably hurt his feelings.

That's what the Industrial Power Consumers Association of Alberta is saying, and this is the document that they presented to caucus and to members of this government long before Bill 50 was passed. You know, once again, he says one thing, yet reality is completely different. The Industrial Power Consumers Association of Alberta. Industry doesn't want this, sir, so don't make it up. It's not true.

How about another respected report? The University of Calgary School of Public Policy put a very good report together on whether Bill 50 was needed and whether you handled it correctly by usurping and skipping over the independent needs assessment. That's what this report says. You can go through it. You can read it. It's very well thought out, great statistics. That's what it says, yet you ignore it. You sit there and you laugh and so forth, and that's fine. You know, it just shows the arrogance. It shows you can't answer the question either.

The fact of the matter is that the School of Public Policy at the U of C, IPCAA, many other nonpartisan groups that have skin in the game – in other words, it means that they have businesses that they have to pay power bills for – have said over and over again: the lines are not needed. And we're not even asking – not even asking – this minister just to simply take our word for it. Go to the AUC, the Alberta Utilities Commission, Minister, and say: let the AESO do an independent needs assessment. Make the determination yourself. Why not do that, Minister? Why won't you do it? Let him do it.

**Mr. Liepert:** Well, my only comment, Mr. Chairman, is that this member wants me to go on record saying something. I'd like him to go on record and justify his comments from the other day, which said: there are two natural gas fired generating plants next to Calgary that are under construction. Under construction. To me that means there's actually something happening there. That's exactly what he said. If he wants to go look in *Hansard*, have him go look in *Hansard*.

Mr. Chairman, this particular member – you know, I really, really sit here and watch. I've never seen a member of this House that has such a chip on his shoulder, and I really wonder sometimes. He gets so angry that we all sit here and wonder when he's going to have a heart attack. But you know what? That's theatre, and he loves to be in the theatre. So we'll just sit here, and if he wants to talk till the time is up, let him go ahead.

But I'd like him to show me where these two plants are under construction, that are going to generate 1,100 megawatts of energy. If he can't do that, I'd suggest, then, he's got no credibility in anything else that he says.

**Mr. Anderson:** That's fine. I did not say under construction; I said that are planned to be constructed.

**Mr. Liepert:** Look in *Hansard*.

**Mr. Anderson:** Absolutely. I will look in the *Hansard*. I will look in the *Hansard*, sir. [interjections]

**The Deputy Chair:** Okay. Whoa. The hon. member has the floor.

**Mr. Anderson:** You're going to have a heart attack in this Assembly. Holy smokes. Look at that red face.

Anyway, what I will say is that construction to me means – there are many segments to construction. One is a planning phase. I know that's hard because you don't do much planning, Mr. Minister, but there is a planning phase in construction, and part of that planning phase says: "We're going to go and make the engineering designs, and we're going to go ahead with the construction. We're going to buy the land." The land has been bought. The equipment is being moved in there. There is stuff happening on the ground by Shepard. Go take a look. It's happening.

I don't know what they're waiting for. Probably, you know, they're at some regulatory process right now. But the fact of the matter is that those plants are being undertaken right now. He can talk all he wants and yap and yell like he always does and have his little daily heart attack, but he doesn't know what he's talking about, just like he didn't know what he was talking about with health care.

Anyway, this goes to the last question I have for him. Let's pretend that these lines are just absolutely critical and necessary.

What possible excuse does this one have, other than underhandedness, that in his mind and in the mind of this government would allow them to give these contracts to two companies, AltaLink and ATCO, to just give them these contracts without any competitive bid? A guaranteed rate of return on a multibillion-dollar set of projects, and you sit there – and these guys are sponsoring some of your dinners for crying out loud. Don't you just see the appearance? Don't you see the appearance of wrongdoing here? Why wouldn't you put these out to an open tendering process, sir?

Do the right thing. Save Albertans some money. Put it out to a completely open tendering process, and then go forward with it. I want to know why you won't do that. Why will you not do an open tendering process and make AltaLink, ATCO, and all these other companies from around the world tender it?

You know, it's funny. Just before I actually left the government over the stench of this garbage – I don't regret it one day – I talked to one of your assistant deputy ministers in Energy, and he confirmed to me that there was no open tender to this. So there's no spinning this. You can't have it both ways. You didn't tender the contract, sir, and Albertans are getting ripped off. The question is: why? You bring up the need for these power lines, that doesn't exist, and then you give them to your buddies. You give them to your buddies without open, competitive bidding. I'm not saying they shouldn't have been able to bid, but at least make them compete. You could save Alberta taxpayers money. Why didn't you do that? Why did you just sit and do absolutely nothing except turn a blind eye to it?

**Mr. Liepert:** Well, as I said when I don't think this particular member was in the Assembly – but I'll repeat it – these particular proponents are going before the Utilities Commission. The Utilities Commission will determine whether the lines are approved. The application could be denied.

**The Deputy Chair:** I hesitate to interrupt the hon. minister, but pursuant to Government Motion 5 agreed to on February 23, 2011, three hours of debate has passed. The Committee of Supply shall now rise and report progress.

I'll give a few seconds for the staff to leave so that we can conclude.

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration resolutions for the Department of Energy relating to the 2011-12 government estimates for the general revenue fund and lottery fund for the fiscal year ending March 31, 2012, reports progress, and requests leave to sit again.

**The Acting Speaker:** Does the Assembly concur with the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I move that we stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 5:59 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, March 10, 2011

Issue 11

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 10, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. As we conclude for this week our work in this Assembly, we renew our energies with thanks so that we may continue our work with the people in the constituencies we represent. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. As everyone here would know, today is World Kidney Day, and it's my great pleasure to introduce to you and through you two very special individuals from the Kidney Foundation, Northern Alberta: Sheelah Zapf, president, and Heidi Erisman, executive director. Sheelah has served on the board of directors since 2007. She has a son who is a paraplegic and a kidney transplant recipient. Heidi has been with the organization since 2005, and she played a very key role in working with Alberta Health and Wellness to implement the living organ and donor reimbursement program. I would ask both of these special guests to please rise and receive the enthusiastic applause for being here from our colleagues. Thank you.

It's also my great pleasure to introduce to you six or seven visitors here from the L'Arche Association of Edmonton, which is housed in my particular constituency. Along with their caregivers we have Janis Radink, Jessica Rodriguez, Kate Kim, Irina Bezrukova, Kanako Kikuya, and Abigail Lee. They come to us from Korea, Japan, Russia, Costa Rica, Germany, and right here in Edmonton. If they could please rise and receive the warm, enthusiastic welcome from the House, that would be great. Welcome.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. Yesterday I had the privilege of introducing two classes of bright young students from Sir Alexander Mackenzie school in St. Albert. It's my pleasure to rise today and introduce to you and the Assembly 45 more grade 6 students from Sir Alexander Mackenzie school in St. Albert, who are equally as bright as their colleagues from yesterday. I'll ask them to stand and receive the warm welcome of the Assembly. Thank you.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. It is, indeed, very rare I get visitors to this Legislature from my constituency. Today I am so proud to have the pleasure of introducing to you and through you 31 bright, rambunctious grade 6 students from St. Andrew's school in High Prairie. They're here to watch their government at work. As you know, grade 6 studies government. They are joined by teachers Mr. Al Baird and Mrs. Emily Ferguson and, of course, parent helpers Mrs. Elaine Rederburg, Mrs. Ruby Walker, Mrs. Rachel Kemp, Mrs. Rosemary Halldorson, Miss Stewart, Mrs. Pardell, Mrs. Gauchier, Mr. Cross, Mr. Lanigan, and Mr. Lamouche. They're seated in the members' gallery. I'd ask that they all stand and receive the warm welcome of this Legislature.

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

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you two of my constituents, Jason Edmonds and Samson Kandie. They both work at the Balwin Villa centre, which recently opened and had its grand opening. Jason has not been to the Legislature since his grade 6 field trip 10 years ago, and Samson, originally from Kenya, is a newcomer to Canada. They're both seated in the public gallery, and I'd ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you, Mr. Speaker. It is my distinct pleasure to introduce to you and through to all members of this Assembly two very distinguished members of the Public School Boards' Association of Alberta. The first one is Madame Patty Dittrick, president, and the second lady is Mary Lynne Campbell, executive director. We had a very productive meeting a few minutes ago about the discussion on the education act. They're looking forward to seeing the introduction of this legislation in the House and the inclusion of the definition of inclusiveness, natural persons, and enabling public school boards to achieve educational and community goals. I would ask them to rise and receive the warm welcome of this fantastic Assembly.

Thank you, Mr. Speaker.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I have two groups of guests to introduce today. First, I'm pleased to rise today to introduce to you and through you to all Members of the Legislative Assembly representatives of the Tunisian community living in Edmonton. Tunisia was the first site of the many recent popular uprisings across North Africa and the Middle East calling for democratic reforms. Tunisians have achieved remarkable success in ending the unjust Ben Ali regime. Our guests today are lending an encouraging hand to those in their home country by developing support and solidarity with the Tunisian people across Canada. They are currently mobilizing around a petition campaign across Canada to be sent to the federal government advocating for government support in resolving continuing injustices against the Tunisian people and ensuring a quick transition to a peaceful and democratic society.

I would now like to welcome the members of the Tunisian community who are seated in the members' gallery of the Legislature. I would ask that they now rise as I read their names: Fathi Ben Mardas, Hounaida Ayed, Abdennaceur Salem, Adel Laifi, Nariman Saidane, and there may be others with them whose names I do not have. I would ask them now to please rise and receive the warm traditional welcome of the Assembly.

My second group of guests, Mr. Speaker, is the new members of the NDP caucus staff as well as one individual who is leaving after a number of years of remarkable service. Rob Pearson has served as our director of outreach for three and a half years, and he has done an outstanding job of increasing the engagement of Alberta's diverse society with the political process in this House. I want to thank him very much for his contribution to our caucus. He will indeed be missed. I would also like to take this opportunity to welcome some of our new and very talented staff, who bring a wide range of skills and have already demonstrated their determined work ethic and their passion for their positions. They are sessional researcher Geoff Brouwer, outreach assistant Myles

Curry, research officer Kate Millar, and Carissa Halton, who is my executive assistant. I would ask them to please rise and receive the traditional warm welcome of our Assembly.

### Statement by the Speaker

#### Election Anniversaries

**The Speaker:** Hon. members, I have a few introductions today as well. On March 11, 1997 – that's 14 years ago – eight members in this current Assembly were elected to this Assembly for the first time. So congratulations to the hon. Member for Edmonton-Whitemud, our Minister of Education; the hon. Member for Sherwood Park, our Minister of International and Intergovernmental Relations; the hon. Deputy Speaker, the Member for Calgary-Fort; the hon. Member for Banff-Cochrane; the hon. Member for Olds-Didsbury-Three Hills; the hon. members for Edmonton-Centre, Edmonton-Gold Bar, and Fort McMurray-Wood Buffalo. Congratulations on your 14th anniversary.

On March 12, 2001, 10 years ago Saturday, 11 members in this Assembly were elected to this Assembly for the first time and will be presented with a 10-year Mace pin momentarily by the pages, who will assist me in this regard. The pages may move as I speak. To the hon. Member for Innisfail-Sylvan Lake, our Minister of Transportation; the hon. Member for Lac La Biche-St. Paul, our Minister of Infrastructure; the hon. Member for Vermilion-Lloydminster, our President of the Treasury Board; the hon. Minister of Municipal Affairs and Member for Dunvegan-Central Peace; the hon. Member for Grande Prairie-Smoky and our Minister of Sustainable Resource Development; the hon. Member for Calgary-Shaw and our Minister of Tourism, Parks and Recreation; the hon. Member for Edmonton-Castle Downs, our Minister of Employment and Immigration; the hon. former Deputy Premier, the Member for Spruce Grove-Sturgeon-St. Albert; the hon. Member for Calgary-Bow; the hon. Member for Whitecourt-St. Anne; and the hon. Member for Edmonton-Riverview: congratulations on your 10th anniversary. Please wear your Mace pins with pride.

On March 12 it'll be happy birthday time to the young Member for Stony Plain.

1:40

### Members' Statements

#### Alberta Business Awards of Distinction

**Mr. Dallas:** Mr. Speaker, on March 4 the Alberta Chambers of Commerce held its 20th annual Alberta business awards of distinction at Enoch, just outside of Edmonton. Out of the 11 awards the Alberta government sponsored five: three from Employment and Immigration, one from Aboriginal Relations, and one from the Alberta Human Rights Commission.

These awards are presented to the province's top employers, organizations that have excelled as employers of youth, aboriginal people, and persons with disabilities. Other awards noted excellence in entrepreneurship, marketing, exporting, and developing relationships with aboriginal organizations and communities.

This year's Premier's award of distinction, the ceremony's top award, was presented to PTI Group, Inc., an Edmonton-based company employing more than 2,800 people around the province. PTI is a key player in our province's oil and gas sector by providing the many services needed to set up and service remote work camps. It has established an excellent reputation for developing strong relationships with First Nations and Métis communities. PTI has found a way to balance local businesses and economic goals with First Nations' rights and environmental and cultural concerns.

I would like to congratulate PTI Group, Inc. for this award and for being an example of an exceptional employer and contributor to Alberta's workforce and economy. I would also like to encourage the Alberta government to continue to foster strong partnerships with business and industry through organizations like the Alberta Chambers of Commerce.

Thank you.

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

#### Long-term Care

**Mr. Mason:** Thank you very much, Mr. Speaker. There's much talk these days about the legacy of the current Premier. He seems eager to claim that it will be some rosy time for Alberta seniors, with couples able to stay together through the years in comfort and security. The reality being created by this government is much less attractive and should be alarming to both those who will need more care and their families and friends. Either this Premier does not know the difference between long-term care and continuing care or he is determined to confuse Albertans with deceptive language.

Long-term care spaces are where those needing medical care will receive it as part of a fully public health care system. They will not have to drain savings and create massive obligations on family and friends. This development is not in any way keeping pace with the demographic growth of those needing such care. The refusal to plan for what lies ahead will lead to a major crisis in the next few years. We need to do much more to assure everyone of affordable assisted living options and good home care, but this will never be completely adequate. The vision the Premier lays out of people staying together is a pretext for inadequate and unaffordable care based on a for-profit model where every bit of care costs extra fees.

Promises to create new long-term care beds have been broken. The language has been changed to boast about inadequate and costly continuing care spaces whenever questions are raised about vitally needed long-term care spaces. We are moving to a full-blown crisis, when it will be impossible to act quickly enough to prevent unnecessary suffering for many seniors.

This so-called legacy is already spilling over to impact all Albertans in need of health care. Medical experts assert that the crisis in emergency departments will not be solved by new protocols that create hidden waiting rooms for people to wait in for days but only when large numbers of acute-care beds are not being used by those who need long-term care.

We hear of families that have had to quit jobs or wipe out savings to get care for loved ones. We hear exhausted and stressed staff in facilities saying that they cannot provide the care needed because even the inadequate facilities that now exist are understaffed.

Mr. Speaker, the Premier's slavish commitment to . . .

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

#### Fetal Alcohol Spectrum Disorder

**Mr. Vandermeer:** Well, thank you very much, Mr. Speaker. More than 23,000 Albertans are affected by fetal alcohol spectrum disorder. FASD results in a range of lifelong disabilities such as brain damage which is caused by premature exposure to alcohol. Alberta has a 10-year innovative plan that aims to establish

awareness and prevention, assessment and diagnosis, and research and support for individuals with FASD and their caregivers.

Alberta is also a member of the Canada northwest FASD partnership, which is an alliance of provinces and territories working together to reduce the incidence of FASD and improve the quality of life for those living with FASD. Last week was the 4th International Conference on Fetal Alcohol Spectrum Disorder.

Mr. Speaker, you will be pleased to know that the Minister of Children and Youth Services assumed the leadership of the Canada northwest FASD partnership for the year 2011-12 on behalf of Alberta. This partnership will create a supportive environment for building community capacity and providing the appropriate training, education, government leadership, evaluation, and research. Alberta's participation in the partnership will help in the prevention of FASD and assist people living with FASD and their caregivers.

Mr. Speaker, I'd like to say congratulations to all the partners for 10 years of hard work and especially for the work our minister is going to be doing, and congratulations to Alberta for taking a lead in this.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

### Childhood Obesity Initiatives

**Mr. Horne:** Thank you very much, Mr. Speaker. I rise today to speak about a national initiative that has been created to look for solutions to a very serious health issue. On March 7 provincial health representatives joined the federal Minister of Health, Leona Aglukkaq, to launch a national dialogue on childhood obesity. Alberta's own chief medical officer of health, Dr. André Coriveau, was part of this national launch.

Mr. Speaker, the factors contributing to the rising rates of childhood obesity are complex. Reduced levels of physical activity, unhealthy eating habits, increased time spent in front of computers and televisions are just some of the contributing factors to this national epidemic. In fact, current statistics tell us why a national dialogue on childhood obesity is such an urgent issue. More than 1 in 4 children and youth aged two to 17 are either overweight or obese, a trend, I'm sad to say, holds true for Alberta. Obese children are being diagnosed with a range of health conditions that were once only seen in adults such as type 2 diabetes and high blood pressure.

Mr. Speaker, the national dialogue offers a number of opportunities for Canadians to participate in a conversation about how to tackle the obesity epidemic, including a website, online and in-person discussions as well as a national summit. This national initiative complements the wellness forum, hosted by our own Minister of Health and Wellness last December, as well as an international wellness symposium planned for the fall. Discussion is now under way to have the Alberta symposium serve as the national summit for the dialogue about national healthy weights.

We have a number of Alberta initiatives that promote healthy lifestyles. These include the Communities ChooseWell program, that has involved 162 communities, promoting wellness over the past four years, and the healthy school communities award, that celebrates school communities that support healthy choices and healthy environments for kids.

Mr. Speaker, Albertans are encouraged to participate in the healthy weights dialogue by visiting the website [www.ourhealthourfuture.gc.ca](http://www.ourhealthourfuture.gc.ca). Finally, as the business of public health care in Canada increasingly becomes the business of man-

aging chronic disease, I can think of no other important conversation . . .

**The Speaker:** The hon. Member for Calgary-North Hill.

### Community Chili Cook-offs in Calgary

**Mr. Fawcett:** Thank you, Mr. Speaker. I want to thank the hon. Member for Edmonton-Rutherford for the perfect segue to my member's statement today, and that is on chili night in Calgary North-Hill. This isn't a formal event, but last Saturday I got to participate in two different chili cook-offs in my constituency, that being hosted by the Mount Pleasant Community Association and the other one by the Highwood Community Association. These events brought community members and families together and included not just sampling the various chilies that were made but also other activities such as sledding, drumming, lip-synching, and dancing.

I personally and my fiancée got to taste over 20 different chilies, Mr. Speaker. They had multiple flavours, from spicy to sweet to smoky, with different ingredients. Some were vegetarian, some were your standard beef chilies, and some had turkey in them. There were more different kinds of beans than I or my fiancée care to remember.

1:50

What is most important, Mr. Speaker, is not the different types of chili or whose was best, but it was the fact that this allowed many different members of the communities to come together with their families and have fun for the evening. I want to thank all those who cooked the chilies during the day as well as those organizers and volunteers who spent the time to put these events together for these two communities. It certainly allowed lots of friends and neighbours to be able to break bread over dinner.

Thank you, Mr. Speaker.

**The Speaker:** You forgot to tell us when you're going to marry this wonderful young woman.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Emergency Medical Service Delays

**Dr. Swann:** Thank you very much, Mr. Speaker. Yesterday the Premier said, "I am here to support our doctors." That's hard to believe because ER doctors don't trust Alberta Health Services' sham review into 322 cases of compromised ER care dating back to 2008. The doctors say that this review is nothing more than a witch hunt. Dr. Paul Parks is quoted: Alberta Health Services won't provide us with written assurance of immunity if we do hand over the details, and without the details it's impossible to do a meaningful investigation. Why has the Premier chosen to cover up that the Alberta Health Services internal review went absolutely nowhere because doctors are afraid to speak?

**Mr. Stelmach:** Mr. Speaker, I said yesterday that I'm not going off on some wild goose chase after baseless allegations of payoffs to doctors. However, very reckless statements in this House have caused ordinary Albertans to question the care they receive from doctors and other health care professionals. This is about maintaining confidence in the health care system. Accordingly I've asked the Minister of Health and Wellness to work with the Health

Quality Council of Alberta to clear the air, reassure Albertans that they will get good care when they need it.

**Dr. Swann:** Well, Mr. Speaker, the Premier continues to confuse all of us by talking about other allegations. We're talking about 322 cases of compromised ER care. Are you or are you not going to have the Health Quality Council investigate these?

**Mr. Stelmach:** Mr. Speaker, again, this is a quote that was in *Hansard*. "How can Albertans, including the health care workers in this system, have any trust in this government when since 2008 you have failed to investigate 322 concrete cases of malpractice?" Doctors deliver service. So to say that this wasn't against doctors is totally wrong. I can tell you that we are supporting doctors. That's what we're all about.

The minister has further details in terms of the extent of the review.

**Dr. Swann:** Well, that's embarrassing, Mr. Speaker, that the Premier continues to avoid answering the question Albertans are asking, that professionals are asking. Three hundred and twenty-two cases in emergency since 2008, Premier: are you going to investigate them through an independent Health Quality Council investigation or not?

**Mr. Stelmach:** Mr. Speaker, the Minister of Health and Wellness will be working with the Health Quality Council – and the terms of reference will be very clear – to investigate all the matters that have been raised, to clear the air once and for all, and to make sure that these baseless allegations that were made in this House are addressed. Again, our aim here is to reassure Albertans that they do have confidence in the health care system.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Let's try this again, Mr. Speaker. For the benefit of the 322 patients who received compromised care in 2008, the time has come for the Premier to stop playing games. Show true leadership. Do the right thing to restore confidence in the health care system. It's time for the government to listen to the growing chorus of professionals who are demanding an independent investigation of 322 cases, Mr. Premier. Will he finally keep his word and direct the Health Quality Council to independently investigate the 322 cases?

**Mr. Stelmach:** Mr. Speaker, in fact, we're going to go beyond that. It'll be up to the Health Quality Council to investigate all matters that have been raised with respect to the 322 concrete cases of malpractice, I suspect by doctors the way I read this. We're also going to look at ER waiting times, look at a cancer strategy. The terms of reference will be entered into and agreed upon by the Minister of Health and Wellness and the Health Quality Council. They will do a thorough review of all of the practices, the amount of money going in, how we can improve access to health care, and to make sure that we're getting good value for the dollars that we're investing.

**Dr. Swann:** Well, Mr. Speaker, I guess I have to ask the Premier if the fact that he knew about these cases since 2008 has anything to do with the fact that he is trying to hide the facts by not allowing an independent Health Quality Council investigation.

**Mr. Stelmach:** Mr. Speaker, the Health Quality Council is independent. They are independent. They receive evidence under the Alberta Evidence Act, which will be kept perfectly confidential.

They have various powers under their own act. They are independent. Learn what you're talking about once and for all. Just stop these baseless allegations and get to the facts. They will investigate everything, including the statements made by this hon. member in terms of accusing doctors of malpractice in 322 concrete cases. Those are his words, not mine.

**Dr. Swann:** Well, Mr. Speaker, I think I heard the Premier say that he is allowing the Health Quality Council to investigate. That's a good sign. That's very good news. I guess I want to ask if he will take the next step now and make the Health Quality Council report to the Legislature instead of to the health minister? That would truly prove his intentions to make them independent.

**Mr. Stelmach:** Mr. Speaker, without any issue in terms of making the report public, that report will be made public. It will be presented here in the Legislature. It will also be made public to all Albertans so that Albertans can see for themselves what is in the report and the recommendations coming from a very qualified group of professionals that are going to do a thorough review.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Centre.

#### Water Quality Monitoring in the Oil Sands

**Ms Blakeman:** Thank you very much, Mr. Speaker. The water monitoring report released yesterday said exactly what everyone expected it to say, that monitoring is insufficient and the government has no clear idea of the impact of the oil sands on the environment. Now, the minister continues to respond that they need time to implement a monitoring system, but this government has had 40 years to create a monitoring system with the growth of the oil sands, and all it has done is deny and stall. To the Minister of Environment: in the new monitoring system will the government actually be doing the monitoring? I'm not asking who's paying; I'm asking who's doing.

**Mr. Renner:** Mr. Speaker, the member knows perfectly well that I have appointed a panel that is led by two pre-eminent Albertans whose job it is in consultation with highly qualified scientists to provide me with recommendations on how the system should operate. For me to try and presume what that recommendation is going to be in advance of the report from that committee would be inappropriate.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Back to the same minister. I asked about who was going to do it. Now I'm going to ask about who is going to pay for it. Who is going to pay for this monitoring system that is being developed? Is it going to come out of the minor \$17 million system that the government has right now, and what percentage will be covered by government?

**Mr. Renner:** Mr. Speaker, that's another part of the terms of reference for the panel. If the member would like a copy of those terms of reference, I'll be happy to provide them. It's a public document. I've asked the panel to provide me with advice on how the system should be paid for, but I can say at the outset that the lion's share of the cost will be borne by industry. We have a very firm commitment that that is the case, and that will be the case. The balance of the costs should be borne, I would expect, jointly by the provincial and federal governments.

**Ms Blakeman:** Well, that's a bit of an answer.



Back to the same minister: has the minister learned the lesson from the inadequate water monitoring system and started reviews on other monitoring and reporting in the area? In other words, can he get some work done while we wait for more panels to report back on what an extensive monitoring system should look like?

**Mr. Renner:** Well, Mr. Speaker, if the member would take the time to actually read the report that came back yesterday, she would see that, in fact, the panel reported to me that the work that has been done to date is actually very good, high-quality work but that the work that was done by Dr. Kelly and Dr. Schindler was focused in a different area. The main point that was made yesterday was that there needs to be a much more co-ordinated approach among the various medias. We can't separate air and water and have them going down two different paths. They have to be co-ordinated. That's what the panel will be putting together.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

## 2:00                      Emergency Health Service Delays (continued)

**Mr. Anderson:** Thank you, Mr. Speaker. Dr. Paul Parks has now joined Dr. Tyrrell, chair of the Health Quality Council, and many other doctors who say that enough evidence exists to conduct a full public inquiry with full immunity for witnesses regarding an avalanche of health system failures in our ERs, yet this government continues to run and hide and do nothing. To the health minister: Albertans want to know why you're so scared of calling a full public inquiry to look at these 322 cases, with immunity for witnesses who want to testify.

**Mr. Zwozdesky:** Mr. Speaker, I believe the Premier just indicated that he's given me instructions to direct the Health Quality Council of Alberta to conduct a review, and that's what I'll be doing.

**Mr. Anderson:** We don't want a review. We want a full public inquiry with witnesses called and immunity. That is critical.

The evidence we're all talking about, except for you, was leaked last fall from ER docs at a single Alberta hospital, 322 ER horror stories. This already tabled document, which we all have, is your evidence. Your government has known about it for three years, but all they've done is evade, evade, evade. To the minister: will you call a public inquiry to investigate what is going on in our ERs?

**The Speaker:** There are no preambles.

**Mr. Zwozdesky:** Mr. Speaker, I'm going to repeat this now for the second time, after the Premier repeated it four or five times. I'll try and do it slowly enough. I wonder if I could have unanimous consent to go over the 30 seconds to make sure that everybody hears it.

**The Speaker:** No. I'm not asking for permission from the Assembly. We're in the question period, the Routine. Go.

**Mr. Zwozdesky:** Okay. Then I have 10 seconds left. I am directing the Health Quality Council to review wait times for emergency rooms as well as for cancer services in relation to health quality provisions in this province.

**Mr. Anderson:** A review is not good enough. We want to be able to make sure that who people come forward are able to testify openly with full immunity, sir – full immunity. Will you give them that immunity during this review?

**Mr. Zwozdesky:** They will have that full immunity. Subject to the Alberta Evidence Act section 9(5), there will be no liabilities in that regard. They will have full protection of the regulation and the law of this province, and that guarantees their anonymity.

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

## Villa Caritas Geriatric Mental Health Facility

**Mr. Mason:** Thanks very much, Mr. Speaker. At the grand opening of Villa Caritas earlier this week the health minister publicly stated that the facility was safe and that he had no reason to believe that it was not. What he didn't say was that a few days earlier a patient had tragically died at that facility. My question is to the minister. When was the minister informed of this tragic death?

**Mr. Zwozdesky:** Mr. Speaker, I believe I found out about it when this member asked the question in this House. But let me tell you what else is out there in the public. The family contacted Mr. Rutherford on his radio show this morning, and the family said this. They were upset that the leader of the NDP was using their father's death as a political weapon. They said the NDP leader was, if I could use the word, lying and making assumptions. They said that the family is convinced it could have happened anywhere, and they do not blame Covenant Health or Villa Caritas for anything. So if you'd like to take this opportunity to apologize.

**Mr. Mason:** Mr. Speaker, I will never apologize for trying to make our facilities safe, something this minister should do.

Given that both the Public Agencies Governance Act and the Alberta health minister's mandate and roles document say that the minister must be notified of any adverse event that affects activities, operations, or the well-being of Albertans, it's clear that this minister should have been informed, and not by me. So if the minister insists that he was not told, will he explain why he was not informed of this by his staff as the law requires?

**Mr. Zwozdesky:** Mr. Speaker, my office was informed. I was not personally informed. However, what is important to know here is that sometimes after a circumstance like this occurs, the family requests a period for condolences, for sympathies. That period, as I understand it, was offered, certainly by my office, certainly by me. I'm surprised that this member wouldn't understand how grave this situation is and how much worse he is making it.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. We're trying to make the facility safe, and this minister is stretching credulity by saying that he was not informed by his staff. Frankly, I don't believe him. He categorically told this House that he was not informed, so he must either take action against the people who didn't inform him or admit he knew about the death and still chose to tell Albertans that Villa Caritas was safe despite the tragedy.

**Mr. Zwozdesky:** Mr. Speaker, these allegations are unbelievable. This is an extremely safe location for people with mental health difficulties, specifically geriatric people. It underwent a lot of review. People were interviewed, people with expertise in mental health. There were other people who went and visited other facilities of a similar nature to ensure that we had state-of-the-art facilities there. Again, there are things like 19 monitored cameras in all the hallways. There are shatterproof glasses. There are barri-

ers in the stairwells. There are a number of safety precautions, and I would tell you that there are no hooks in this facility either.

**The Speaker:** The hon. Member for Lethbridge-East. [interjections] Lethbridge-East, you've been called.

### Safety in Psychiatric Facilities

**Ms Pastoor:** Mr. Speaker, these questions will be delivered with absolutely no disrespect intended. Whenever a patient dies unexpectedly in a health care facility, health care providers are left wondering whether there was anything that might have been done to prevent it. It's a deep concern for front-line health care providers. To the minister of health. It's been noted publicly with respect to the recent death at Villa Caritas that Alberta does not have detailed safety protocols governing safety at psychiatric facilities. Mr. Minister, why is that?

**Mr. Zwozdesky:** Mr. Speaker, to my knowledge there are policies and procedures at all of these facilities that they follow. In fact, there are exactly those kinds of safety procedures in place at Villa Caritas. The policy, in fact, I believe, was faxed over to my office, and if you'd like a copy of that, hon. member, I'd be happy to provide it to you.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Given that there are internationally recognized codes and standards on safety and security in psychiatric facilities, will the minister undertake to review them within a time frame of six months to ensure that Alberta has not fallen behind in patient safety?

**Mr. Zwozdesky:** Mr. Speaker, I'll give the hon. member assurance that that will be done.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you very much. To the same minister: given that this particular case has focussed attention on the neglected area of mental health in our health system, will the minister please review the need to reinstate the Mental Health Board to ensure a voice for the mentally ill?

**Mr. Zwozdesky:** Mr. Speaker, I've spoken with Alberta Health Services about an issue similar to this, and in fact they are working through some of the details right now to create a mental health advisory council the same way they are looking at creating a cancer advisory council. So the short answer is that almost the same thing, or a similar function at least, to what you're asking for will be created.

**The Speaker:** The hon. Member for Stony Plain, followed by the hon. Member for Edmonton-Gold Bar.

### Sundance Power Plant Unit Closures

**Mr. Lindsay:** Mr. Speaker, TransAlta recently announced a notice of termination for units 1 and 2 of its Sundance plant. Under the terms and conditions of the power purchase arrangements, referred to as PPAs, these units produce almost 600 megawatts for the grid and will now be sitting idle even though the expiry date of the PPA is 2017. My questions are to the Minister of Energy. Is this decision by TransAlta an indication that the terms and conditions of the PPAs are inadequate?

**Mr. Liepert:** No, I don't think that's the case at all, Mr. Speaker. In fact, under the terms and conditions of the PPA that's in place, there are provisions for this type of situation. It is my understanding that TransCanada, which is the purchaser of the power under this PPA, has a period of time to contest the decision of TransAlta. If necessary, there's a dispute resolution mechanism that is defined in legislation, and that's a process that needs to be followed.

**The Speaker:** The hon. member.

**Mr. Lindsay:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Will this force majeure cause an increase in cost to power consumers in Alberta?

**Mr. Liepert:** Well, I don't think it's any secret, Mr. Speaker, that the electricity prices in the province have increased from the previous month since the unexpected shutdowns. You know, it's a matter of simple economics, supply and demand. But I think we also have to recognize that, I believe, next month the Keephills 3 plant is due to come on stream and add some 450 megawatts of power, and there was a very positive announcement today that Greengate Power has received approval from the Utilities Commission to start construction on Canada's largest wind farm in southern Alberta.

2:10

**Mr. Lindsay:** Mr. Speaker, will this minister commit to a review of the PPA process to ensure that other generation units in Alberta don't end up in early retirement because the PPA does not allow for sufficient funds for major rebuilds?

**Mr. Liepert:** I wouldn't want to leave the impression that there's an overall review of the PPA process, but I'm certainly pleased to look into that.

At the end of the day the decision on whether to rebuild these units or shut them down is one that has to be made by the owner. There's no question that when it comes to coal-fired power generation, it is operating under some uncertain market conditions today due to some federal carbon policies which haven't been fully explained. But as I said earlier, next month the Keephills 3 plant will come on stream.

### Health Services Financial Reporting

**Mr. MacDonald:** Much to the surprise of the health minister, the Auditor General's report last October indicated that Alberta Health Services found numerous errors in the way data was being processed from the ledgers of former health authorities, including Capital health. One error resulted in more than \$500 million in misclassified expenses; another resulted in the omission of \$420 million of expenses. To the minister of health: how does the minister explain these errors in expenses totalling \$920 million?

**Mr. Zwozdesky:** Mr. Speaker, when Alberta Health Services was doing their review of the books, they found that some items had been put into the wrong categories. It's like putting beverages in with entertainment or lunch or something along that line. Now, obviously, the numbers are much larger than that, but I use that simple example.

The other thing is that there were nine different health authorities, and some of them had their own classification systems. So when Alberta Health Services had to bring this all together, they had to reclassify some of those items.

**Mr. MacDonald:** Again to the same minister: is that \$500 million that the Auditor talks about in misclassified expenses that needed

to be corrected in the topside ledger, or the ledger of Alberta Health Services, an example of one organization having two sets of books?

**Mr. Zwozdesky:** No, Mr. Speaker. That is so ridiculous. I'll already cleared this all with the Alberta Auditor General in relation to some allegations that surfaced a week ago Monday. There is no such thing as two sets of books. What there were were some entries that had been put into this category, and they should have been put into that category. The Auditor General flagged that, and so did Alberta Health Services. They've straightened it all out. No money is missing. No money is misappropriated. It's all there, it's all accounted for, and it's all been audited.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister: given that the Auditor indicates in his 2010 report that \$420 million of expenses was omitted between what was in the Alberta Health Services ledger and what was in I believe it's Covenant Health's and Capital health's ledgers, is that not another example of this organization, the one that you are in charge of, sir, having two sets of books?

**Mr. Zwozdesky:** Not at all, Mr. Speaker. I fully resent the accusation or allegation or innuendo that underlies the tone of that question. The fact is that Alberta Health Services spent considerable – considerable – amounts of time to reclassify 1,300 different entries. They did it manually to ensure that it was properly done and that it passed the smell test of the Alberta Auditor General, and it has.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Calgary-McCall.

#### Gas Station Leak in Bowness

**Ms DeLong:** Thank you very much, Mr. Speaker. Residents of the Bowness neighbourhood in my constituency continue to deal with the impacts of a gasoline leak from a local gas station. They're concerned that as the months pass, all they see is one plan after another. My question is to the Minister of Environment. When will my constituents see actual work being done to clean up the contamination so that their lives can get back to normal?

**Mr. Renner:** Mr. Speaker, I would like to express my support for those residents in Bowness. This must be a very difficult situation for them to deal with. I can assure them and I can assure their MLA that work has already begun to clean up this incident. In fact, 3,000 litres of the estimated 7,000 to 9,000 litres have been collected. I've instructed my staff to do everything that they can to speed this process up. They're delineating the plume as we speak, and that will help to put the plan together.

**The Speaker:** The hon. Member.

**Ms DeLong:** Thank you, Mr. Speaker. My first supplemental to the same minister. Remediation takes time and money. What compliance tools does your ministry have to continue to push and place pressure to ensure that the company is held accountable?

**Mr. Renner:** Well, the fact that the company is held accountable is really the underlying premise for everything that we do. We have in place at this point an environmental protection order that gives us the ability to demand that services be performed by the company. We continue to work with this company, with its environmental consultants to monitor the work that's ongoing. Mr. Speaker, at the end of the day I can assure members of this House

that it is the polluter who is responsible for paying, and we will ensure that not only is the work done in a timely manner but that the taxpayer is not left on the hook to pay for it.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. My second supplemental to the same minister. The mayor of Calgary has appointed a point person from the city to handle this issue on their side. Will he consider doing the same?

**Mr. Renner:** Well, we have a regional director in our southern region office who is the lead person on this file. Our staff have been working with the residents and making themselves available to discuss issues and also, in a similar vein, with city officials because the city is involved with this as well. We've had a number of neighbourhood meetings. In fact, just last week our staff met with the residents. We'll continue to provide updates and answer questions as necessary. We understand the importance of this issue to the local residents.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Ellerslie.

#### All-terrain Vehicle Safety

**Mr. Kang:** Thank you, Mr. Speaker. In Alberta the rate at which children and teens less than 16 years of age are killed in ATV-related deaths is astounding. Of those children who have died, 47 per cent were not wearing a helmet. Mandatory helmet legislation is not only a necessity but should be common sense for this government. To the Minister of Transportation: does this minister know how many deaths have occurred due to weak and insufficient ATV safety legislation?

**Mr. Ouellette:** Mr. Speaker, I've got to say that one – one – innocent person dying or one person dying is too many if it can be prevented in any way. It's very, very important what we do for safety with ATVs in this province. We work every day on trying to better our education system, on making sure that people are educated before they get on these powerful pieces of equipment.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. We require helmets for bicycles. Why not for ATVs? To the minister again: why has this government done nothing to protect these innocent children that the minister is talking about?

**Mr. Ouellette:** Mr. Speaker, we do a lot to protect these innocent children. There's no one under the age of 14 years that's allowed to ride an ATV in this province without direct supervision by either riding with the person or riding beside the person. You can't legislate common sense, but you sure can try to educate people, and you work with people all the time. I have ATVs myself. I never allow anybody on them without a helmet.

**The Speaker:** The hon. member.

**Mr. Kang:** Well, thank you, Mr. Speaker. You can legislate common sense. We have done it with seat belts.

To the minister again: will this government make a commitment today to support helmet requirements for ATV operators under 16?

**Mr. Ouellette:** Mr. Speaker, we're looking into that all the time. I've got to tell you that before you pass legislation, you have to make sure that you can look after all the unintended consequences that could come from that legislation, and that's what we're working with. We can only enforce on public lands. We can't enforce on private lands. Therefore, we're working on what the best piece of I'm going to say education can be to keep educating people. It's not just helmets. There are all kinds of safety equipment that people should be wearing when riding those ATVs.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Strathcona.

#### 2:20 Social Assistance Programs

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. In 2008 a review of social-based assistance programs was announced with the goal of simplifying the process for those Albertans who rely on these key programs. My questions are to the Minister of Seniors and Community Supports. Since you were asked to lead the cross-ministry review and since we haven't seen any results recently, does that mean the review is no longer a priority of your ministry?

**Mrs. Jablonski:** Mr. Speaker, there is nothing further from the truth. In fact, this is not just a good-news story; this is a great-news story. This government is very committed to the Alberta Supports program and its goal of improving and simplifying the delivery of its social programs to eligible Albertans. The commitment is confirmed in the latest budget with Alberta Supports receiving \$14 million in the '11-12 budget to support this worthwhile initiative.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: how will this investment benefit Albertans, and what does it mean to my constituents who rely on these social-based assistance programs in their day-to-day lives?

**Mrs. Jablonski:** Mr. Speaker, Alberta Supports will make it less complicated for Albertans to find information, access services, and get help when they're transitioning between programs and when they're looking for programs. Currently we've launched the provincial call centre and a web portal. As well, several pilot projects are being implemented to test new approaches to delivering services to Albertans in person. Results from these pilot projects will guide future improvements to our in-person delivery of services.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister. While these plans are encouraging, they're just that: plans. When will Albertans actually notice a tangible difference from Alberta Supports?

**Mrs. Jablonski:** Mr. Speaker, we've already started to make a difference. Along with other changes the Alberta Supports contact centre and the web portal were launched last year, and already these tools are catching on. Last month there were 6,000 hits on the website, and there have been over 40,000 hits since last June. The contact centre received 25,000 calls last month; there have been over 100,000 calls to the contact centre since June.

The vision for Alberta Supports is to give Albertans the choice of online, telephone, or face-to-face to receive and provide information that can help them to get the right services at the right time.

#### Water Quality of the Athabasca River

**Ms. Notley:** The Minister of Environment is on the record claiming that toxins in northern Alberta water are naturally occurring and unrelated to oil sands activity, yet yesterday a scientific report found that industrial activity is contributing to water contamination and that government monitoring had never been designed to test for the impact of oil sands on the contamination. So will the Minister of Environment now apologize to Albertans for repeatedly making scientifically unfounded claims that the lower Athabasca water quality is not threatened by industrial operations?

**Mr. Renner:** Mr. Speaker, I stand by my comments. I've always indicated that there are no detectable levels of contaminants and that we have done everything we can to ensure that the water quality in the Athabasca River is maintained by prohibiting any discharge of any industrial fluids into the river.

What the report yesterday identified is that there are very small quantities of emissions that come through the air that could theoretically end up in the water and that more testing needs to be done to assure ourselves that we have control of that.

**Ms. Notley:** Well, Mr. Speaker, given that the Minister of Environment is also on the record lauding the RAMP monitoring system as adequate and given that yesterday's report concludes that the notion of RAMP as an adequate system of environmental monitoring is incorrect, will the Minister of Environment apologize for consistently and repeatedly providing the wrong information to Albertans about the quality of environmental monitoring in the lower Athabasca?

**Mr. Renner:** Mr. Speaker, RAMP has done an admirable job of doing what they were intended to do, and that was to monitor inputs into the system. However, the science has changed. The concept of environmental management has changed since the inception of RAMP, and now it's time to move on. It's time to begin to think about how we're going to monitor, to understand the impact from a cumulative effects perspective from all media: from water and air and land and biodiversity. RAMP was not intended to do that.

**Ms. Notley:** Given that 40 years of inadequately monitored development has occurred under this government's watch – and it didn't just change yesterday, by the way – and given that after all this time change had to be initiated by an outside scientist not under the thumb of this government or industry, will the Minister of Environment tell us how exactly Albertans are ever supposed to trust this government to protect Albertans' environment, public health, or international reputation?

**Mr. Renner:** Well, Mr. Speaker, I have to dispute the assumption that this member makes that this was somehow initiated by someone from outside of Environment. The panel that we have in place today was put in place for the implementation of cumulative effects environmental monitoring. I've been talking about that long before the report came from Kelly and Schindler. The fact of the matter is that we passed in this House the Alberta Land Stewardship Act. The Alberta Land Stewardship Act is the regulatory authority . . .

#### Drug Shortages

**Dr. Taft:** Mr. Speaker, I rise to address an issue of life-and-death importance that doesn't get enough attention. The Pharmacists Association is concerned that over 90 per cent of pharmacists have

difficulty filling prescriptions for common medicines, including antibiotics, antidepressants, and heart drugs. Patients are often frustrated and angry, and patient health is being affected. To the minister of health. The pharmacists' top recommendation is to set up an information system about drug shortages. What's the minister doing to get such an information system in place?

**Mr. Zwozdesky:** Mr. Speaker, I met with the representatives from the Alberta College of Pharmacists just a few days back. We are making some progress on this, perhaps not as quickly as even I would like to see, hon. member, but nonetheless the discussions are taking place, and we are moving it along reasonably quickly.

**Dr. Taft:** Given the severity and widespread nature of this issue, I'm wondering what the provincial government as a major drug purchaser with a direct impact on supply and demand is doing to bring in policies that will promote rather than hinder timely supply of drugs?

**Mr. Zwozdesky:** Mr. Speaker, the hon. member has indeed flagged a very important issue. I want to point out to Albertans that this particular shortage that occurred, for example, in Calgary not that long ago wasn't only local to their area. For those particular drugs it was also a world-wide situation. There are issues of chemical supply to make some of these particular drugs that are at play, and there were other issues with a couple of the manufacturers to do with their assembly lines. So there were some reasons for that. That's why we flagged it a couple of weeks ago to try and get something done about it here.

**Dr. Taft:** Well, given that the patient always comes first, what does the minister of health say to Albertans who need medicines like penicillin or other antibiotics or antidepressants or heart drugs and cannot get them because of drug shortages? What do you say to them?

**Mr. Zwozdesky:** Mr. Speaker, by and large the shortages that occurred were with respect to generic drugs. So what we have said is that we will cover the cost of the brand-name drug. So they still have access to the same drug, and we'll cover the difference in pay.

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Calgary-Fish Creek.

#### **Assured Income for the Severely Handicapped**

**Mr. Cao:** Thank you, Mr. Speaker. The Assured Income for the Severely Handicapped program, known as AISH, is a very important program for vulnerable Albertans. The rising cost of living has put great pressure on our AISH recipient constituents, who are already on very tight budgets. My questions today are to the hon. Minister of Seniors and Community Supports. Can the minister explain why the overall AISH budget was increased but not the monthly \$1,188 payment to our AISH constituents?

**Mrs. Jablonski:** Mr. Speaker, the AISH budget was increased by almost \$50 million to a total of \$783 million this year. This increase allows us to maintain the current maximum AISH monthly benefit while still being able to accommodate caseload growth. The AISH living allowance is \$1,188 per month, as the hon. member mentioned. There have been five increases totalling \$290 million since 2005, and three of these increases have happened under this Premier.

2:30

**Mr. Cao:** Thank you, Minister. To the same hon. minister: when our AISH constituents are faced with emergency situations, what other assistance is available to them?

**Mrs. Jablonski:** Mr. Speaker, in addition to their financial assistance, AISH clients may also be eligible for personal benefits for needs such as special diets, child-related expenses, medical transportation costs, and emergency situations. As well, AISH clients, their spouses, and dependent children are all eligible to receive benefits, including prescription drugs, eye care, dental care, and emergency ambulance services. The average amount per client for health benefits is about \$370 per month.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister. Our AISH constituents have expressed concern over having the AISH payments reduced when they receive CPP disability payments. Can the minister explain why this reduction is allowed?

**Mrs. Jablonski:** Mr. Speaker, our government has been working with the federal government for years. The AISH program works together with federal government programs such as CPP; it does not replace them. Benefits from the CPP disability program are considered replacement income, intended to cover basic-living needs. The income is nonexempt and is considered dollar for dollar when determining a client's monthly AISH assistance. This process is consistent with the treatment of CPP income by other social assistance programs in the country.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Edmonton-Mill Woods.

#### **Support Programs for Doctors**

**Mrs. Forsyth:** Thank you, Mr. Speaker. Alberta has a family doctor shortage, and it's time to remind the health minister about this, considering that nine programs that support family doctors are set to expire before March 31 if negotiations aren't agreed on. These programs are essential for family doctors to operate, and they must continue. Why, Minister, are you trying to destroy the trust between family doctors by eliminating the dollars you provide for more complex care and the time that they have to spend with their patients?

**Mr. Zwozdesky:** Mr. Speaker, nobody is trying to destroy or diminish or whatever she's alleging. In fact, we're working very closely with doctors on a number of initiatives pursuant to our five-year health action plan, and that's going very, very well.

With respect to the AMA negotiations I think I've already indicated in this House on numerous occasions, Mr. Speaker, that I am not part of the negotiating committee. Each of the three groups – Alberta Health Services, the Alberta Medical Association, and Alberta Health and Wellness – has negotiators at the table, and I wouldn't be surprised if they're still at the table even right now.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Minister, you are the Minister of Alberta Health and Wellness. Speak up.

I want to follow up on something that you said. Given that you continue to talk about your five-year funding plan, the first of its kind in Canada, how do you plan to keep family doctors in this province if you're going to eliminate these programs?

**Mr. Zwozdesky:** Mr. Speaker, nobody is talking about eliminating programs. They're negotiating how to go forward with those programs. That's what negotiating is all about. But let's not lose sight of the fact that we have some harsh fiscal realities in this province, and we are fortunate that we came through them as well as we did under the leadership of this Premier and this entire government caucus.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Again to the health minister. You stated several times that your goal is to attract and retain family doctors. Why, then, are you attacking the family doctors in such a callous way by eliminating their physician and family support program?

**Mr. Zwozdesky:** I don't know where she's getting this notion that anything is being eliminated. There are negotiations going on, and to the best of my knowledge our folks are not negotiating through the media. We have a lot of support already for the clinical stabilization initiative. That's about \$42 million. There's the business cost program, that helps physicians get established. That's about \$62 million. We've got a physician on-call program. That's about \$91 million. We have a specialist primary care initiative program. That's \$10 million. We have physician benefits of \$16.8 million, of \$5.9 million. And I could go on, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Varsity.

#### Economic Recovery Initiatives

**Mr. Benito:** Thank you very much, Mr. Speaker. In the past couple of years we have been hit with the worst recession since the early 1930s. We were prepared for it, but we did not come out completely unscathed. My first question is to the Minister of Finance and Enterprise. What is this government doing to help get the province's economy back on track?

**Mr. Snelgrove:** There's no way I can answer that in 30 seconds, but I'll try. Mr. Speaker, first we brought out a budget that reflects what Albertans want to do. It keeps them healthier, educated. It keeps them working. It keeps Alberta as a very solid, stable place to attract investment. We have reassured the business community, including Albertans, that we have confidence in them and their future. I just look down the line: the drilling program, that put thousands of Albertans back to work; the agriculture initiative to sell our food to other markets in the world. The province is on the right track. We've never lost sight of that. It's just a little detour.

**Mr. Benito:** Productivity and being competitive are two very important ideas in moving forward. My first supplemental is to the same minister. What specific initiatives does your ministry have in place to ensure that Alberta remains more productive and competitive?

**Mr. Snelgrove:** Mr. Speaker, quite honestly, the answer is in the question. We have to be more competitive, and we have to be more productive. We established Productivity Alberta in 2008, that can bring different industry and Alberta initiatives together to work on it, and we've got the Competitiveness Council, that is looking at a broad range of how we can maintain our competitive advantage around the world. I look forward to their report, which should come to us early in the summer.

**Mr. Benito:** To the same minister: what assurances and commitment can your ministry give to Albertans that every possible measure is being taken to speed up our province's economic recovery?

**Mr. Snelgrove:** Well, Mr. Speaker, one of the challenges that business has identified to us is skilled labour. We invested more money in advanced education. We're working with Employment and Immigration to make sure that we have the training in the regions where the upgrading needs to take place. You know, the tools need to be there for industry to create the wealth and create the jobs, and that's really, quite honestly, where the government is. We need to create the environment, both socially and economically, for businesses to locate or re-establish themselves in Alberta and provide that job so that that Albertan has some jingle in his pocket.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Nose Hill.

#### Forensic Pathologist Supply

**Mr. Chase:** Thank you, Mr. Speaker. The Calgary medical examiner's office will soon be inoperative after its two remaining forensic pathologists resigned. The indications are that overwork and stress were major contributing factors to the departure of these last two doctors. My questions are to the Minister of Justice. Are these resignations indicative of the province expecting too much forensic work to be done by too few doctors?

**Mr. Olson:** Mr. Speaker, I'd like to thank the hon. member for raising this issue. It's one of which we are well aware, and we're very concerned about it as well. I would just point out that this is a problem that's pervasive around North America, if not the world. Medical examiners of this type are highly trained, and they're in great demand. Everybody is looking for them. We're aggressively out there recruiting. We have received notice from several of the examiners that they will be leaving. They're not gone yet, and we're taking that time to recruit.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. It's a shame that 20 positions for medical training were reduced at the universities this past year.

Given that justice delayed is justice denied, how can the absence of Calgary-based pathologists not unnecessarily delay Calgary court cases?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you. There are a number of initiatives that we're undertaking in the short term. We will be looking at locums. We're also looking at using hospital pathologists. I will say, too, to the hon. member that we have an arrangement with the University of Alberta, which will be training interns to work as medical examiners. We want to train our own people. That's very much part of our plan. We're also looking at a business plan to increase the number of medical examiners.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. I hope part of the solution is foreign-trained upgrading, more seats available to upgrade foreign physicians, foreign-trained pathologists.

Given that upgrades to the Calgary morgue were made in 2009-10, is this yet another example of the government funding facili-

ties without providing adequate staff and resources to operate them?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you. Mr. Speaker, in recent years we have increased the number of medical examiners in Alberta from four to seven. As I said, we're looking at a business plan to increase it even more. It's a tough, competitive market out there to recruit medical examiners. As I say, they're in great demand around the world, but we're quite confident that Alberta is an attractive place for medical examiners to come and work.

**The Speaker:** The hon. Member for Calgary-Nose Hill.

2:40

#### **Barbless Fish Hooks**

**Dr. Brown:** Thank you, Mr. Speaker. Over the past number of years there have been more and more regulations for sport fishing in Alberta: catch-and-release only, bait bans, and barbless hooks only. A number of studies, however, have indicated that the utility of barb hook restrictions as a management tool is severely limited if not lacking altogether. My questions are all for the Minister of Sustainable Resource Development. Given the fact that there is no clear scientific justification for barbless hook requirements, Mr. Minister, would you consider eliminating that regulation?

**Mr. Knight:** Well, Mr. Speaker, the member opposite makes a very good observation. That is, in fact, backed up by the Fishing Phile, written by the venerable Bob Scammell, that indicates that this should be looked at. The department, of course, is committed to improving Alberta's fisheries through a variety of initiatives. This happens to be one that was undertaken in probably 2002, 2004. I would say to the hon. member . . .

**The Speaker:** We'll keep setting out the lure.

**Dr. Brown:** Mr. Speaker, will the minister consider relaxing the regulations at least for younger fishermen so that we can get them involved in the sport of angling?

**Mr. Knight:** Well, again, Mr. Speaker, the business of relaxing regulations: I don't think that's exactly what the member would suggest that we should do. As long as the regulations and the conservation efforts that are put forward by our department and by all anglers in the province of Alberta are maintained, I think that there's adequate opportunity to bring younger anglers into the sport in Alberta.

**Dr. Brown:** Can the minister advise the House what he's doing to encourage young kids to get out fishing and to join in the sport of angling?

**Mr. Knight:** A number of things, Mr. Speaker, but I think the one that we might look at as an outstanding piece of work is that, you know, we've got a number of educational opportunities. We stock a lot of bodies of water in the province with fish. There is good opportunity, I think, for youngsters to be involved. The Bow Habitat Station in Calgary is probably one of the major pieces that we do that helps educate youngsters relative to the angling industry.

**The Speaker:** I could declare a recess, and we could all go fishing for the next few days. Of course, the Government House Leader could propose a motion that we take the next week off to go fishing, too.

That was 18 members who were recognized today, with 108 questions and answers. In a few seconds from now we'll continue with the Routine, with part of Members' Statements. We'll continue in about 20 seconds from now.

[The Deputy Speaker in the chair]

#### **Members' Statements**

(continued)

**The Deputy Speaker:** The hon. Member for Calgary-McCall.

#### **Calgary Ring Road**

**Mr. Kang:** Thank you, Mr. Speaker. Infrastructure keeps a city moving and its economy growing while giving its people the means to pursue a high standard of living. Projects such as the Calgary airport tunnel ensure that communities are able to thrive and prosper. But it's not enough to simply build a tunnel or an intersection or a bridge or a road. These projects need to be done the right way, in the right place, and at the right time.

All of this is especially true when it comes to Calgary's ring road. For three full decades this government has failed to come to an agreement with the Tsuu T'ina Nation, preventing the south-west portion of the ring road from being constructed. So now as an alternative this government is back to considering the five options of their plan B, the best known of which involves going either under or over the ecologically sensitive Weaselhead natural area, an important green space for our growing city.

Mr. Speaker, this is no solution. This government must find a way to bring the Tsuu T'ina Nation back to the negotiating table so that the Sarcee Trail extension can move forward with minimal environmental impact as well as achieving a positive economic impact for the Tsuu T'ina. It's time to breathe new life into plan A and get moving on the only real viable option for Calgarians. Completing the Calgary ring road will provide immeasurable benefits to the city and to the province. It will improve quality of life, economic opportunity, and even environmental benefits as vehicles merely passing through Calgary won't have to waste time stuck in the city, burning fuel while idling at stop lights.

Mr. Speaker, I urge the Premier and his ministers to complete this project in a timely manner without damaging the Weaselhead. Our city must grow, but it must do so with respect for the environment and sensitivity towards the delicate ecological balance.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Bonnyville-Cold Lake.

#### **World Kidney Day**

**Mrs. Leskiw:** Thank you, Mr. Speaker. I rise to speak about World Kidney Day, being celebrated on this, the 10th of March. World Kidney Day aims to raise awareness about our kidneys' role in maintaining our overall health and wellness and to reduce the frequency and impact of kidney disease and related health problems world-wide.

The theme of this year's World Kidney Day is Protect Your Kidneys, Save Your Heart, reminding people that kidneys play a key role in the regulation of blood pressure, filtering the blood, and bone health, to name only a few. Amazingly, the kidneys filter a litre of blood in the body every minute, removing waste, regulating blood pressure, and balancing the body's chemicals. The kidneys often exhibit the first signs of larger health problems,

including diabetes and hypertension. They are, in essence, our body's smoke alarms.

These are issues that affect a growing number of Canadians. More than 22,000 people in Canada are on dialysis, and almost 160,000 are living with transplanted kidneys. In Alberta an estimated 1,900 people are on dialysis. One-quarter of all Albertans will experience some loss of kidney function after they reach the age of 65.

While the health implication issues such as high blood pressure, diabetes, and kidney failure are obvious, there's also a high cost to treating kidney failure in Canada. While only .1 per cent of patients in Canada suffer from chronic kidney disorder, nearly 2 per cent of Canada's health spending goes towards dealing with this disorder. Maintaining healthy kidneys and being aware of their importance to our overall health will produce a cascade effect that can only benefit Alberta's health system in the long run.

On this World Kidney Day I encourage all Albertans to be active, to make healthy food choices, to cut back their sodium intake, and to work to reduce their blood pressure. Mr. Speaker, these conscious efforts will go a long way in ensuring that all Albertans live a long and enjoyable high quality of life.

### Presenting Petitions

**Dr. Brown:** Mr. Speaker, as chair of the Standing Committee on Private Bills I request leave to present the following petitions that have been received for private bills under Standing Order 98(2):

- (1) the petition of the Alberta Association of Municipal Districts and Counties for the Alberta Association of Municipal Districts and Counties Amendment Act, 2011;
- (2) the petition of the Galt School of Nursing Alumnae Society of Alberta for the Galt Scholarship Fund Transfer Act;
- (3) the petition of the Auburn Bay Residents Association for the Auburn Bay Residents Association Tax Exemption Act;
- (4) the petition of the Cranston Residents Association for the Cranston Residents Association Tax Exemption Act;
- (5) the petition of the New Brighton Residents Association for the New Brighton Residents Association Tax Exemption Act;
- (6) the petition of the Tuscany Residents Association for the Tuscany Residents Association Tax Exemption Act; and
- (7) the petition of Glenn McNamara, Chair of the Board of Governors of Hull Child and Family Services, for the Hull Child and Family Services Amendment Act, 2011.

[The Speaker in the chair]

2:50

### Notices of Motions

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise today pursuant to Standing Order 34(3.1) to advise the House that on Monday, March 14, 2011, Written Question 9 will be dealt with and Motion for a Return 2 will be accepted.

### Introduction of Bills

**The Speaker:** The hon. Member for Airdrie-Chestermere on behalf of the hon. Member for Calgary-Fish Creek.

#### Bill 204

#### Justice System Monitoring Act

**Mr. Anderson:** Thank you, Mr. Speaker. I'm pleased to introduce Bill 204, the Justice System Monitoring Act, on behalf of my colleague from Calgary-Fish Creek.

Mr. Speaker, there's a famous saying: justice delayed is justice denied. Too often when it comes to serious crimes, victims' suffering is compounded by long, drawn-out court cases. In the rarest cases in which innocents are charged, every extra day it takes to clear their name is a travesty. While the Criminal Code is a federal matter, this province is responsible for administering justice. Simply put, Alberta's Justice department needs to do a better job of ensuring that court cases are handled in a reasonable amount of time. It is not only victims that suffer from delays; our remand centres are overflowing and prosecutorial staff are overworked. Something practical and tangible needs to be done. As with most things, the first step towards making improvement is understanding the problem and then measuring your progress.

Bill 204 would mandate the Justice department to track and present statistics on various measures of efficiency, including length of time from laying a charge until verdict, total time of court hearings in a case, length of time between reporting an offence and laying a charge, number of delays exceeding three months, number of prosecutors involved on each file, number of adjournments granted, number of trials that begin on their designated day, approximation of costs of delays in terms of peace officers and prosecutors as well as witnesses, victims, and jurors.

While respecting the personal information of those involved, this bill will cast light on our justice system and better enable all Albertans to understand where the efficiencies in the system are. It will also provide a baseline from which the government can tangibly report progress. The ministry will have six months after the calendar year-end to present a report online providing the statistics outlined in the act. If the House is not sitting, the report must be tabled within 15 days of the next sitting.

These reasonable measures will ensure that the public, the House, and the Minister of Justice are all aware of the state of our justice system and that there is an ongoing dialogue about where improvements need to be. Victims of crime as well as those falsely accused deserve verdicts as swiftly as possible. Bill 204 is an important step in that direction.

Thank you, Mr. Speaker.

[Motion carried; Bill 204 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a letter that I wrote to the Member for Calgary-Buffalo regarding the Election Finances and Contributions Disclosure Act and the Chief Electoral Officer's role in reviewing possible contraventions of that act.

Thank you.

**The Speaker:** The hon. Solicitor General.

**Mr. Oberle:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of the Law Enforcement Review Board's annual report for the year 2009.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. As per the standing orders I'm tabling the requisite number of copies of a letter I've mailed to the hon. Member for Edmonton-Ellerslie.

Thank you.

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



**Mrs. Sarich:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of the advisory task force report Building Financial Capacity for School Board Trustees and Superintendents. As chair of the task force I've brought together stakeholders from the Alberta School Boards Association, the College of Alberta School Superintendents, and the Association of School Business Officials of Alberta to review school board budget systems and processes as well as the financial oversight. I'd like to thank all those stakeholders for their tireless work on this particular task force.

Thank you.

**The Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of three documents which deal with barbless hooks and angling. The first of these is an article from the August 2010 issue of the *Alberta Outdoorsmen*. The article is titled Mandatory Barbless: Good for Fish or Gormless Boondoggle, by Bob Scammell. The author points out that the scientific data does not support the ban on barbed hooks and that lots of enforcement time is wasted on unnecessary regulation.

The second is an article entitled Effect of Hook Type on Mortality, Trauma, and Capture: Efficiency of Wild Stream Trout Caught by Angling with Spinners, authored by Robert DuBois and Richard Dubielzig of the University of Wisconsin-Madison. It's published in the *North American Journal of Fisheries Management* and indicates that a biological advantage with the use of single- or barbless-hook spinners with wild stream is not justified.

The third article is titled Barbed Hook Restrictions in Catch-and-Release Trout Fisheries: A Social Issue, by D. J. Schill and R. L. Scarpella from the Idaho Department of Fish and Game, published in the *North American Journal of Fisheries Management*, which concludes that managers proposing new regulations should consider the social costs of regulations such as barbed hook restrictions that produce no demonstrable biological gain.

**The Speaker:** Ordinarily I draw to the attention of the member the length of the statement with respect to the tablings. This being such an intriguing subject, I just couldn't bring myself to do it.

**Mr. Anderson:** A very intriguing subject as is this, Mr. Speaker. I have a number of tablings today and I'll try to work through them as quickly as possible.

The first is the Thursday, March 3, 2011, copy of the *Calgary Sun*. The front of it has a picture of the federal building, House-Poor Idea, of course, referring to the waste of the federal building, \$115 million this year.

The second is the *Edmonton Sun*, one of the favourites of all blue-collar workers around the province. I love the *Sun* as well. It's entitled The Money Pit. A very interesting article there.

There's also an editorial, again from the *Calgary Sun*, called Expensive Symbols of Our Discontent, outlining how this was a gross mismanagement of taxpayer funds at this time.

There is a further editorial, also March 8, from the *Calgary Sun*, called MLAs Play and We Pay. Again it talks about the utter waste of taxpayer dollars on the federal building at a time of deficits and increasing debt.

Also, going out to rural Alberta, we have an article entitled What Will We Do When the Piggy Bank's Empty? A fantastic article there on the federal building and the gross waste and mismanagement of funds by not delaying that project.

There's also Canadian Newsstand, which also goes out to many rural papers. Budget 2011: A Sea of Red Ink. It goes through many of the wastes with regard to the federal building.

We have the *Vegreville Observer* right in the Premier's home riding, I think that is. New MLA Offices Not a Priority. Again it's an editorial saying how much of a waste this project in the federal building is.

Then, of course, we have another Sun Media article on March 3: MLAs' \$275M Home Blasted. It goes through and essentially savages the government on their gross mismanagement and wasteful spending on the federal building.

We also have one of my favourite papers, the *Airdrie City View*. Again an editorial saying that the renovations, the \$275 million, to the federal building, were a complete utter waste and something that should not have been a priority for the government.

I have 30 or 40 more of these, but I will wait to table them maybe on another day. Thank you.

**The Speaker:** I'm always amazed when a member stands up and says "I'll be brief," and then takes seven minutes to be brief.

Hon. Member for Calgary-Varsity, do you want to continue your legacy?

**Mr. Chase:** Yes, I do.

**The Speaker:** Please proceed.

**Mr. Chase:** Thank you, Mr. Speaker. And I sincerely hope the government will inform members of the opposition prior to the demolition of the Annex.

Mr. Speaker, I am tabling e-mails from the following individuals who are seeking the preservation of the Castle wilderness and believe clear-cutting, otherwise known as block cuts, will damage the ecology, watershed, wildlife, and natural species and must be prohibited at all costs: Clark Davis, Sue Allen, Jenifer Guillemine, Jane Stanley, Claudette Chase, Marlene Osterberg, Matt Hornland, Shawna Trudel, Judy Wright, Marg Sutton, Tanya Brunelle, Amanda Doyle, Janice Cook, Randal Clark, Kerry Pitt, Craig Hall, Nick Aikins, Wendy Glossop, Kathy Ponto, Angela Wiens, Alain Robert, Lyn Schwarz, Pamela Gordon, Kirk Miles, and Mintje Jacobson.

Thank you, Mr. Speaker.

3:00

**The Speaker:** I think, hon. members, Standing Order 7(7) now kicks in. It says, "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." Shall I call Orders of the Day?

## Orders of the Day

### Government Bills and Orders

#### Third Reading

#### Bill 9

#### Appropriation (Supplementary Supply) Act, 2011

**The Speaker:** The hon. President of the Treasury Board and Minister of Finance and Enterprise.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It is my privilege to rise today and move third reading of Bill 9, Appropriation (Supplementary Supply) Act, 2011.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I would like to read *Hansard*, but I also like to read supplementary

supply estimates. After question period I had time to do that, hon. member, and I have more questions for you.

**An Hon. Member:** You do?

**Mr. MacDonald:** Yes. There are lots of questions in here. My first question would be, of course, the Treasury Board minutes that are referred to in the supplementary supply document, not in the bill but in the estimates. For a government that claims that they're open and transparent and accountable, why can I not go to the library downstairs and look up the details of each and every Treasury Board minute?

I'm just going to pick one, for instance, in Service Alberta for 10 and a half million dollars, Treasury Board minute 47/2010. Why is that so difficult for taxpayers to have access to? That would be one. Transportation: I have more questions on the Transportation adjustment here in a moment, but there's a Treasury Board minute, 41/2010, where there is an adjustment of \$205 million. I would appreciate the details. I think taxpayers would appreciate the details. Treasury Board minutes are not public documents, and I must say that I was surprised and disappointed to learn that. I just naturally assumed they would be public documents if one knew where to look, but that's not the case.

Now, to the hon. minister. The adjustments to the gross amount include an increase of \$306 million as a result of an approved carryover of 2009-10 unused capital investment appropriations, and this is according to the Financial Administration Act. Most of it is in Transportation. There's some in Tourism, Parks and Recreation, Sustainable Resource Development, Solicitor General and Public Security, Service Alberta, and \$66 million in Infrastructure. I assumed after reading this that this was transferred forward to these estimates, and I cannot find those amounts. The unused amount was carried over. Carried over to where? If I could have, Mr. Speaker, an explanation on that, I surely would appreciate it. That's a significant amount of money.

I know in the health care budget, certainly, \$300 million: what do we care if we can't find it? That's sort of the attitude over there. I know the Treasury Board president doesn't share that view. He would look after every nickel, every dime, every quarter, and every dollar. I have confidence in that. But other ministers: I don't have the same confidence. I just don't. I read the Auditor General's reports, and I think to myself: my, still in cabinet?

Now, Mr. Speaker, with Bill 9 this side of the House has certainly reviewed the budget for Aboriginal Relations that's requested and for Advanced Education and Technology. I would like to note with Advanced Education and Technology that I was surprised last week to receive a call from an unemployed apprentice who was endeavouring to become an electrician. This young man made many trips to NAIT, many trips early in the morning, to get in the lineups to see if he could take a class, and he could not. We're looking at – and I'm a little skeptical on this one – a labour shortage right now. There are so many people in this province who want to get training or additional training who cannot. They can't seem to get access to the system. I'm curious as to how we are deploying our financial resources in Advanced Education. It seems to me quite odd that individuals who are unemployed and who want to upgrade their skills seem to be having such difficulty accessing the classroom of their choice.

We talked in committee on Children and Youth Services. We talked about Culture and Community Spirit. I read in *Hansard* what other hon. members had to say about the Culture and Community Spirit request, and I have nothing to add.

Now, Employment and Immigration. We have certainly gone over that. Environment, Infrastructure, Municipal Affairs, Seniors

and Community Supports, Service Alberta, Sustainable Resource Development, and Tourism, Parks and Recreation, of course, looking for a \$300 million amount. That may not seem like much. One can read off those names of various departments, and what is it? It's three-quarters of a billion dollars. Oh, well, we missed the mark again. There are some valid reasons for these requests, but there are some that I'm a little skeptical of. I'm a little skeptical. Yes?

**Mr. Liepert:** It's the first time you've ever been skeptical.

**Mr. MacDonald:** I never was skeptical, Mr. Speaker, until I read the 2008-09 Health and Wellness annual report, signed off by a certain hon. member of this Assembly. What is said in the audited statements is certainly not repeated in the minister's, if I can call it, brag book section. A brag book section: that's the first part of an annual report, where we talk about performance measures and we try to meet the general accounting standards and we have the minister's speech. Yes, hon. member, I am skeptical, and I'm skeptical for a number of reasons.

With that report in question, 2008-09, I would be skeptical for \$69 million reasons because I for a number of days have had a great deal of difficulty trying to balance what's in one part of that annual report and what's in another. So there, Mr. Speaker, would be my reasons for being skeptical of this government's overall ability to manage money and budget so that we do not have such an issue each and every year with supplementary supply.

In conclusion, Mr. Speaker, I would appreciate an explanation at some point from the government members about the adjustments that are noted on page 7 in the estimates, which are formulated in this bill. If I could have an explanation of where precisely that \$306 million that's carried over goes. Is it into general revenue, is it into the next year, or where? I would appreciate that.

Thank you.

3:10

**The Speaker:** Hon. members, the hon. Member for Edmonton-Strathcona now becomes the third speaker in this debate. The speaking time now is 15 minutes, and 29(2)(a) is available at the conclusion. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to rise to speak briefly to Bill 9 and the elements that it contains. In general, I mean, this is a bill, of course, that's geared towards accessing additional funds from those that were initially planned for in the budget of 2010-11. There are certainly reasonable grounds, in certain cases, for when the government would have to be coming back to us for more funds, depending on whatever sort of unpredictable situation arises. However, I would suggest that most of the places where they're coming back to us for more money are places that were actually quite predictable.

I'm not necessarily disagreeing with some of the requests that are coming forward. Some of them are of concern to me, but many of them I don't disagree with. What I do disagree with is this notion of trying to pretend that these cost pressures have gone away and then underbudgeting the need for this expenditure, disrupting the planning accordingly, and then coming back to this Legislature seeking more income.

It seems to me that this arises primarily from the political liability associated with introducing a budget that has a deficit which is bigger than members of the government believe is politically palatable. Fair enough, you know. As, certainly, myself and my colleague from Edmonton-Highlands-Norwood have stated repeatedly in this Legislature, our party actually has the best record

in the country for introducing the greatest number of balanced budgets over the last 25 years, so I understand the value of introducing a balanced budget. That's a valuable thing, and it's what Albertans and taxpayers expect.

I would suggest that rather than underestimating the resources that are necessary to meet the needs and the expectations of Albertans, instead what needs to happen is that the government needs to more responsibly look at its revenue side of the budget. In particular, the government needs to look at collecting the fair share of royalties that are owed to Albertans as a result of the exploitation of resources which belong to Albertans.

This government has over the course of the last five years actually reduced quite significantly the amount of money that Albertans collect and enjoy as a result of oil company utilization of our oil and gas resources. In so doing, they then create a false pressure to reduce spending in order to balance the budget. Then we get into this situation where they, in fact, claim that they're reducing spending, which anybody would reasonably expect could not be done. So we get into the situation where a year later we're looking at trying to have the Legislature approve this spending of additional funds. As I said, I'm not necessarily opposed in all cases to the spending of additional funds, but I am opposed to this pattern of budgeting and the complete unwillingness on the part of government members to collect a fair return for Albertans on our oil and gas resources.

Having said that, there are a few areas within the supplementary supply estimates that I have some concerns with. The first relates, of course, to the additional funding that's being requested by the ministry of advanced education in the form of an additional roughly \$60 million for student loans. It's worth noting that a mere two years ago this government was coming to us looking for roughly \$130 million for student loans. If we pass this bill, we will look at actually expending \$260 million for student loans.

What that represents is a significant and profound increase in the debt load that we are shifting to the shoulders of students in this province. That is happening for a variety of reasons, not the least of which is this government's failure to honestly address the need for tuition freezes as they impact students. They suggest that they are kind of freezing tuition in relation to the cost-of-living formula, but then, of course, they're letting institutions willy-nilly go out and come up with arrangements around those freezes in order to increase the costs shouldered by students in the form of noninstructional fees. Notwithstanding that there were suggestions that they wouldn't allow that to go ahead, it clearly is going ahead at, you know, 70 to 80 per cent of the rate which was first proposed. That's going ahead, and that's creating more pressure for our students. Obviously, the institutions themselves in many cases need that extra money.

Then the question becomes: is this government truly interested in investing in a greater level of education for its citizens in order to fund this transition into what we hope someday will be a new economy, a knowledge-based economy, using the government's language here, or are we just interested in saying that we're going to do that and then making students shoulder unnecessary levels of financial burden?

Quite frankly, in many cases what it will do is ensure that only those students who come from families that are comfortable with taking on \$60,000, \$70,000, or \$100,000 debts in order to finish their education will go to university, only the kids from those families. Kids from families that are not comfortable with taking on that kind of debt, usually because they are lower income families, working-class families, will no longer have unfettered equal access to our systems of advanced education, which we should be encouraging in this province if we are truly going to educate our

workforce. What I see, then, in this extra ask in this bill for advanced education is a clear decision to move the cost for advanced education onto the shoulders of only those students that can afford it, and that's a concern.

In aboriginal affairs I had a question that we discussed in estimates, but I do believe it actually relates to the year passed, which would then be appropriate for this conversation. Under the First Nations development fund, which is the lottery fund, which I understand is actually coming in under budget – and we see that in this bill – I had noted that there appeared to be some reporting inconsistencies in that one particular band appeared to have received a total of about \$30 million from the First Nations development fund, yet the online listing of recipients of the funds from that fund only showed about \$20 million of what those dollars were used for. So there appeared to be about a \$10 million gap, and I'm inquiring as to whether this \$8 million shortfall that is related to that is somehow related to that misreporting. It's just a question. Certainly, any light that can be shed on that would be appreciated.

[The Deputy Speaker in the chair]

Obviously, as well, one of the areas that we have a significant concern about is the area of Employment and Immigration. I recall very clearly two years ago and last year sitting in the budget discussion with the Minister of Employment and Immigration and suggesting that their plans to reduce funding for income support programs were very poorly thought out, that it was clear that the demand on those programs was going to increase, and that as a result of the economic slowdown more and more people were going to need to access those funds. Those concerns were ignored, and we went ahead with a budget that clearly underestimated the demand on those line items.

Once again and for the second year in a row, maybe even the third year, we are back in this House seeking more funds for income support programs. I'm concerned when the government does that. Clearly, there is still a need for this, and I am very concerned about what kind of institutional gatekeeping and pressure on applicants has occurred in order to reduce the number of applications and reduce what is coming back into this House. On one hand, we see that the ministry clearly doesn't have a good sense of what the pressures are out there; on the other hand, we see that they have a tremendous desire to dramatically decrease the level of income support provided.

So I certainly worry that what we've actually got is some pretty significant examples of institutional gatekeeping as far as people's access to these programs when they need them. You know, I am concerned that that's the case. Why wouldn't we simply acknowledge what the best guess is in terms of providing proper support for Alberta's lowest income citizens rather than consistently overestimating the amount to which the demand for that will decrease? To me that just doesn't seem like good planning. It doesn't seem like responsible financial management.

3:20

Another area which I'm concerned about as well is the Ministry of Environment. We see that, in fact, we're looking to have more money paid out in that ministry, but that is primarily due to a legal settlement. The settlement was greater than what the ministry is coming back to us for because the ministry has found additional savings within itself on the operating side of their budget. In particular, they have found an additional almost \$8 million in environmental assurance, which, of course, includes monitoring. I'm really quite concerned because last year this ministry cut about \$18 million for monitoring. Now what I see is that they

didn't actually cut \$18 million; they cut \$25 million. This was in the same year that we had all these independent, third-party scientists come out and clearly identify that the government is not doing its job on this issue, that they are breaching their trust with Albertans, that they are letting Albertans down day in and day out in terms of failing to properly monitor the environmental implications of increased development, in particular in the oil and gas sector although not exclusively.

Then, of course, we have now the spectre of government keeping that line item stable and static at the same time that they anticipate significant increases in industrial activity as part of their predicted revenue streams, not an increase in the rate of what they're collecting, certainly – we couldn't possibly have that – but an increase in the amount of industrial activity. Yet we have no corresponding increase in environmental protection. What this bill does is that it essentially has this Legislature approving after the fact additional cuts made to environmental monitoring last year above and beyond what the minister brought before us when we first looked at this budget. In the current context of the complete lack of credibility of our environmental monitoring system both provincially and internationally I am very, very concerned that this Legislature would now be asked to condone mid-year additional cuts in this very, very, very important ministry. That's a concern to our caucus.

The last area that I want to talk about really quickly is the area of Seniors and Community Supports. This relates to an issue that I had started to discuss with the minister in that area but, of course, didn't get through because estimates are so ridiculously short in this province. In this what we've got here is the minister coming to us for approval for expenditure of an additional \$39 million for the ASLI programs. That's great unless you identify that, in fact, last year the minister came to us suggesting that we were going to spend an extra \$75 million on affordable living accommodations for seniors. An extra \$75 million, not \$39 million but \$75 million.

Of course, this was raised through the bond issue that the government came up with last year. We didn't spend all \$75 million last year. We only spent \$39 million last year. That's fine. There's a good reason for that, but what that means, of course, is that going forward, we should anticipate an additional \$36 million in this year's budget. Now, in this year's budget we don't actually have \$36 million; we have \$75 million. What we should have is \$86 million. What it means is that the government has cut quite significantly its investment in affordable living spaces for seniors as a result of having issued the bonds last year. Basically, what this shows is that they issued the bonds, and they asked Albertans to pay for the bonds and said that that would provide for our seniors, but we've actually just taken other money away from it.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. Any hon. members wishing to take part?

Seeing none, any others wishing to speak on the bill?

The chair shall now call the question.

[Motion carried; Bill 9 read a third time]

### Consideration of His Honour the Lieutenant Governor's Speech

Mr. Drysdale moved that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour Colonel (Retired) the Honourable Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate March 3: Mr. Hancock]

**The Deputy Speaker:** Hon. Member for Edmonton-Mill Woods, do you want to speak on the throne speech?

**Mr. Benito:** Yes. Thank you very much, Mr. Speaker. It is my honour to rise today and respond to the Speech from the Throne, delivered by His Honour the Lieutenant Governor. Before I share my thoughts on the merits of his speech, I would first like to thank His Honour for his service to our country. During his time with the Canadian Forces he served in some of the most dangerous regions on Earth. While there he brought with him our Canadian values of tolerance, freedom, and the rule of law. I thank him for his sacrifice.

Mr. Speaker, I would also like to thank our hon. Premier for his leadership and guidance. His stewardship of our province has enabled us to ride through the recent economic storm better than any other jurisdiction in Canada. I thank him for his vision.

In my mind the Speech from the Throne is highlighted by Bill 1, the Asia Advisory Council Act. As His Honour stated,

our province has relied heavily on a single customer, the United States, which buys about 85 per cent of our province's exports.

If Alberta is to grow to its greatest potential, we need to diversify our product development through technology and take advantage of other markets.

In simple terms, Mr. Speaker, Alberta needs to look beyond the United States for trading partners, and without a doubt the best place to look is the emerging economies of Asia. Nations like India and China are growing at an outstanding pace, and they will need the resources and skills that Alberta has to offer. Alberta is blessed with food, timber, and energy. These will be needed as the building blocks for these nations' growth.

Beyond these resources, Mr. Speaker, these nations will need the skills and expertise that Albertans have to offer. As is often stated, our people are our greatest resource, and it falls to a wise government to ensure that its people are as trained and as qualified as they can be. That is why I am optimistic about His Honour's words when he stated that "we will continue to beckon the world's best researchers, innovators, entrepreneurs, and investors to join us in areas of strength such as energy and the environment, biotechnology and bio-industries, and health research." Innovation, Mr. Speaker, and advancement of technology will be imperative to our future economy, but right now they will be imperative to the advancement of economies around the world and instrumental in connecting Alberta to the expanding global marketplace.

Mr. Speaker, I would also like to touch briefly on His Honour's comments regarding infrastructure. As His Honour stated: "Infrastructure is a critical foundation for our province's future. It is an economic enabler and a driver of competitiveness, and it helps support the quality of life Albertans enjoy." That is why I'm so pleased to see that even during these challenging economic times this government has had the foresight to build. Alberta will return to economic prosperity, and when that happens, we will need schools, hospitals, and roadways. We must have the infrastructure in place that the people will need.

Building right now makes sense. Not only is the price of construction down, but spending now employs people when they need jobs the most. By not panicking and cutting spending carelessly, we have managed to mitigate the worst of the economic storm and keep people working. This is sound governance. Mr. Speaker, I

am pleased that His Honour's speech highlights this sound leadership, and I am excited to see what 2011 brings to the people of Alberta.

In closing, I would like to again thank the Lieutenant Governor for his touching words and for his service to the people of Canada. I would also like to again thank the Premier for his leadership and steady hand. With that, I will conclude my comments, Mr. Speaker.

Thank you.

3:30

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions.

Seeing none, the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I've been looking forward to sharing my thoughts on the recent Speech from the Throne delivered by His Honour the Lieutenant Governor. He is certainly a figure that all Albertans can be proud of, and I certainly share that sense of pride.

Having said that, residents here and residents of Fort McMurray-Wood Buffalo share that respect and pride. But I want to say that as the Member for Fort McMurray-Wood Buffalo I do not share the same respect pertaining to the governing party relative to important issues. Specifically, I want to say that I talk to my constituents on a daily basis, and it's important to look at and reflect on the Speech from the Throne because my constituents feel, like many people, that we need to rescue important rights when it comes to the issue of where we go forward.

I want to proudly say that the people of Fort McMurray-Wood Buffalo have priorities that I think are so important, Mr. Speaker, and as we go forward, we must centre on important issues. Those are important issues that really capture the feeling and the spirit that the people of Fort McMurray, that Albertans are looking at. The big picture talks about: how do we have a important focus on Albertans? I believe that as we go forward, it's important to not lose sight of the people of all Alberta.

Most importantly, let us not forget the goose that is laying the golden egg. I believe that the goose that is laying the golden egg is in the oil sands area, and when it comes to the oil sands, the resources are coming from the area of Fort McMurray. I believe the oil sands are truly the goose that is laying the golden egg when it comes to this valuable resource, a resource that is so important. It is something that we proudly – proudly – contribute to the future for the benefit of all Albertans.

Mr. Speaker, we all care deeply about the future and about what is next. I proudly can say that my wife and I are so interested in the future. Where we go forward is so important to the future. I will say as a proud father of a three-year-old son that we believe that future is so important. I say that as someone who is now just 50 years old, that that is so important, so important from the perspective of where we go forward.

I think all Albertans and all members of this House clearly believe that the future of Alberta was never more important than now. The issue is: where do we go from here? We all proudly want our province and Alberta to go forward in a manner that is so important to our future, and as we go forward, I sincerely say that I believe that we all care deeply about the future of Alberta in all parties, representing all Albertans.

Mr. Speaker, I believe in the important area of my community of Fort McMurray-Wood Buffalo and its contributions. The resources that we have in Fort McMurray, called the oil sands, are so important. Consequently, I think all of us in this Assembly recognize the role that the oil sands play.

Now, it's interesting that when we talk about the oil sands, there have been issues relative to the oil sands. What's most important with the oil sands is the energy that it contributes to the rest of the world. So I do believe, Mr. Speaker, that the oil sands are so important in contributing.

3:40

For instance, the issue of health care and the issue of seniors are important. The Speech from the Throne, that was tabled by His Honour, is something that we believe is so important to the rest of all of Canada.

Consequently, I believe that as we go forward, the big picture is simply this. Our real bosses – our real bosses – are Albertans. As our real bosses I think the issue of our seniors is so important to them. Our seniors are so important that it is my hope and my prayer that a long-term care centre will be built in Fort McMurray. I think all people across Alberta, especially our seniors, are people that we will never forget. Specifically, the long-term care centre in Fort McMurray is important so that at the end of the day we will treat with respect the seniors that, in fact, have built this province.

As we go forward, I believe, Mr. Speaker, that we will not forget our seniors, who have built this province. Let's be proud of our seniors and never forget our seniors, who built this very province that we enjoy together, collectively, our children and our youth, seniors and young people, for the future that is so important. I believe we shall never forget historically the importance of our seniors.

**The Deputy Speaker:** We still have Standing Order 29(2)(a) for five minutes of comments or questions.

Seeing none, the chair shall now recognize the hon. Member for Calgary-Glenmore on the throne speech.

**Mr. Hinman:** Thank you, Mr. Speaker. It's an honour to rise and address the throne speech. On behalf of the Wildrose Alliance caucus and our leader, Danielle Smith, I'd like to congratulate the Lieutenant Governor on the delivery of his first Speech from the Throne.

Now, Mr. Speaker, the purpose of the Speech from the Throne is to articulate government's vision for Alberta, but unfortunately this speech lacked vision entirely. It did nothing to eliminate the wasteful spending that has been a hallmark of this government. It did nothing to reverse the record deficits that this government has fallen into as a result of irresponsible spending. The already meagre savings of our resource-rich province are being vaporized by this government's spending addiction, and their only solution is to hope that they can save this by another royalty boom.

This government's first bill, a bill that's supposed to set the tone for the rest of the session, was the establishment of a committee to discuss trade with Asia. Mr. Speaker, whether this government's grand vision for our province is to host a geography lesson for the cabinet or whether it's an economic lesson to find out where the Asian tiger is at, we're in serious trouble.

But, Mr. Speaker, I want to be clear. The Wildrose caucus is not here solely to point out the failures of this PC government. We are here to offer meaningful alternatives to what we see now. We have an alternative vision for where this province needs to go, a vision where Albertans want to go, and our vision is one where Albertans can trust their government to ensure that health care is accessible, our finances are stable, our environment is cared for, and our property and democratic rights are respected.

Before elaborating on that vision, I want to make one thing clear. While we believe Albertans are ready for a change and that only a new party can offer the change that Albertans want, the

members of the Wildrose caucus are committed first and foremost to representing our constituents. In doing so, we will support the government when they bring forward good legislation, and we are committed to working with them to find solutions that we can all be proud of. That said, like most things this government has done in recent years, this Speech from the Throne was a disappointment for us. We did not see meaningful steps towards fixing our broken health care system or our ailing democratic system, nor did we see any meaningful recognition that past mistakes were made with regard to property rights.

Mr. Speaker, I'm going to talk a bit about our vision for Alberta, about some of the things that were missing from the throne speech. The Wildrose vision for Alberta is one to prioritize Albertans' rights and needs rather than the government's wants. Rather than being about government entitlements, we see a government that focuses on what the people of Alberta are entitled to. It is a vision that seeks to root out the mismanagement we see throughout our provincial government and replace it with a government that is not only competent but which is truly accountable and transparent.

Our vision is for a successful and vibrant Alberta, one where business enjoys a clear competitive advantage over other jurisdictions instead of receiving failing grades for the regulatory burden our government inflicts on entrepreneurs.

Ours is also one where the environment is meaningfully protected for the future. Our land will be better protected by respecting those closest to it, the landowners and municipal authorities. Our air can be helped by ensuring that pollution is reduced and that a natural gas strategy is adopted. In addition to ensuring our rivers are clean, the Wildrose will remedy the growing water problem in the south by implementing a strong water storage plan.

Ours is a vision of Alberta where property rights for individuals are sacred instead of one where the system is systematically ignored or rights are even extinguished. Bills like 19, 24, 36, and 50 would be repealed, and land-use planning would ensure that locally elected councils are where the decision-making authority would lie.

It is not only in land-use planning that local autonomy would be respected but also with school boards, hospitals, PDD delivery, infrastructure, parks, pore space. Over the last few years this government has embarked on a shocking crusade to concentrate as many powers as possible around the cabinet table. In the Westminster system there is already a tremendous amount of power in the executive. Here in Alberta we have a big legislative majority on the government side, where the Premier and cabinet go virtually unchallenged even from within the caucus. We have witnessed a few challenges followed by expulsion. The common saying I hear is: this is not the mountain to die on.

Here in Alberta there is a need for greater independence for municipal authorities and less direct interference from cabinet ministers in delivery of services, governance of land use, and other local matters. There is also a need for greater transparency in things like infrastructure spending. This government has been spending our savings in a mad rush to get MLAs to as many ribbon-cutting ceremonies as possible before the next election. Our vision includes a transparent and public infrastructure priority list so that infrastructure projects go forward on a community-needs basis, not strategic pork-barrelling and vote buying.

3:50

Albertans need to know if and when roads and schools will be built, and the construction industry deserves the stability that comes with long-term planning and prioritizing. This also includes

a funding regime for municipalities that allows the municipalities to determine the projects that deserve the highest priority. We would replace the Green TRIP fund with more independent and predictable municipal funding because a city's infrastructure decision should not require the satisfaction of the whim of the minister. The transportation needs of municipalities should be planned and administered by municipalities, not by the province. Whether it's education, infrastructure, or health care delivery, a Wildrose government would have fewer ministries, with less over-reaching powers, allowing for local decision-making by those most affected.

Our vision focuses on fiscal responsibilities, which we haven't seen in this province for some time. Savings funds would be added to rather than emptied. The heritage and sustainability funds were meant for a time when our natural resources could no longer provide the vast revenue streams that we now enjoy. It's true that the natural gas revenues have fallen, but the fact remains that oil is yielding more royalty revenues for this government each year. The result is that our royalties right now are relatively high compared to past standards and astronomically high compared to other provinces. While this government acts like Saudi princes who think that their money can never run out, they're vapourizing our savings and jeopardizing our future.

Like I said earlier, we need to respect the checks in our system to ensure executive powers do not get carried away. The biggest check is with the people. In our vision for Alberta democratic reform would play a major role. Citizens would be empowered to trigger referendums and to recall their members of the Legislature. Accountability, Mr. Speaker, would be a top priority for a Wildrose government instead of being just something to pay lip service to at election time.

Mr. Speaker, the government has failed to stand up for Albertans and govern responsibly. Reannouncing projects and writing legislation to hold committees is not what Albertans are asking for. People are literally dying because of the mismanagement of our health care system, and this government's Speech from the Throne did nothing to calm their fears. We are falling into a fiscal black hole, and this government is doing nothing for the future except praying for another royalty boom.

Danielle Smith and the Wildrose have a vision for Alberta to grow into. We know that centralizing planning and decision-making is wrong. We have a vision for a prosperous province, one that is full of opportunities for all Albertans, not just those with good political connections; an open and competitive market where government and public infrastructure is always tendered openly; a focus on health care; and democratic reform with recall, referenda, set election dates along with free votes. The entrenching of property rights is paramount.

Finally, Mr. Speaker, I will close with a vision of where this government is blind, and that is one of fiscal responsibility. One must live within one's budget, actually having the discipline to save for the future, creating an actual heritage fund that reaches \$100 billion or \$200 billion, where annual income could actually reduce other taxes in the province to ensure the Alberta advantage in the future. We hear on a daily basis from Albertans that they want a balanced budget. Yes, that means that you have to do a good job in prioritizing your spending, but we can do it, we will do it, and we look forward to serving Albertans in the future.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions.

Seeing none, does any other member want to speak on the bill? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. It is a thrill for me to speak to the Speech from the Throne. I've prepared for this for a long time.

**An Hon. Member:** It better be good.

**Dr. Taft:** It should be good. That's right.

This speech, that was delivered on February 22, spends a fair bit of time on the economy, on investing in infrastructure, competitiveness, adding value to raw resources. It refers to gas and the oil sands and so on. I thought that I would address some of those issues, Mr. Speaker, but do it from a somewhat different perspective. It's a perspective of reality, actually, a perspective that's based on the best available data, provided by primarily Statistics Canada but by a number of other groups as well.

To start off, Mr. Speaker, if it had been a throne speech that we had delivered, we would probably recognize first of all what an incredibly prosperous place Alberta is and what a huge opportunity we have here.

I just want to read a few statements into the record, Mr. Speaker. On a per capita basis Alberta has one of the largest economies in the world: so said the TD bank in 2007. Alberta has a small population, equivalent to about metro Montreal or metro Seattle, and it's spread across an area about the size of Texas or France. It sits in one of the wealthiest, most stable countries on Earth, and we are next door to the largest economy in the history of the world, the United States.

What really sets us apart are the oil and gas resources of this province. On a per capita basis the people of Alberta through their government own the largest reserves of recoverable oil in the world – that's on a per capita basis – 51,900 barrels per person according to the Canadian Association of Petroleum Producers, and that was in 2007. One of the unique things about Alberta is that those reserves are actually increasing, unlike in most areas of the world. If you were to value that resource at \$80 a barrel, that's equivalent to over \$4 million per citizen. That's just oil resources. In addition to that, Mr. Speaker, we're one of the largest exporters of natural gas in the world. So it's not surprising that about half of this province's economy is directly or indirectly supported by oil and gas.

A couple of other pieces of information from the Canadian Association of Petroleum Producers. A full 87 per cent of the world's known oil reserves are state owned or state controlled by countries like the members of OPEC and Russia. Only 13 per cent is openly accessible to international oil companies. Almost half of that accessible oil, 6 of the 13 percentage points, is in Canada's oil sands. Mr. Speaker, in other words, Alberta contains almost half of the entire world's oil reserves that are available for free market development. If private corporations are going to be in the oil business, sooner or later they're almost certain to come to Alberta.

As a result of this resource, in 2010 CAPP forecast that over a trillion dollars – that's a thousand billion dollars – will be invested in Canada's oil and gas industry over the next 25 years. So Alberta really has a supersized economy, Mr. Speaker, and it makes me wonder why so much of the discussion in this Assembly is about cutbacks and restraints and deficits when we should be talking about opportunities and savings and building up our heritage fund and so on.

A couple of other pieces of information. This is information from the TD Bank Financial Group, from a pretty well-known study they did in 2007 on the northern tiger, the Calgary-Edmonton corridor. The Calgary-Edmonton corridor enjoyed a \$15,000 U.S. advantage in GDP per person over the United States. That's in 2007. That's pre-recession, when the U.S. economy was booming and Alberta's economy was actually generating \$15,000

per person more than the Americans. Alberta's GDP per capita is larger than every country in the world except Luxembourg.

Here's something that TD also identified, which I've done some work to develop a bit, Mr. Speaker. This doesn't come up often. Corporate profits – corporate profits, not investment, not revenues – as a share of our economy in Alberta were 22.8 per cent. In other words, almost one-quarter of Alberta's entire economy went to corporate profits, not to government, not to personal income, not to capital investment but to corporate profits. Now, if that seems high to any of the members here, 22.8 per cent, it is. If you look at other provinces, it's about 12 per cent. If you look at the United States, in a good year in the U.S. about 12 per cent of their economy goes to corporate profits. More typically it's running at 9 or 10 per cent.

4:00

Alberta's economy is producing for corporations profits at more than double the level of what's normal in the U.S. or other provinces. That's something we need to think about. Is that sustainable? No. Is it smart? Well, it's great if you're an investor in a corporation in Alberta, but if you're a citizen of this province thinking long term, maybe we want to say: "Hmm. Is that the way to build the future?"

With that information in mind, then, Mr. Speaker, I want to ask a few questions. I'm going to start by just trying to address the common sound bite that's thrown out there – we hear it from the third party constantly and frequently from the government – that public-sector spending in Alberta is out of control, that it's soaring, that it's going to bankrupt us all, that we have to cut taxes further or cut royalties more, or we have to cut services. The truth is that once you adjust for inflation and our booming population, that's just not the case.

I spent some time with a couple of economists from the U of A running through the Statistics Canada data, which is pretty readily available, actually, adjusting for our growing population and adjusting for inflation. The Statistics Canada data runs over 20 years. It's available province by province from 1989 up until 2008.

What did we find? Well, once you adjust for inflation and population growth, believe it or not, average spending by Alberta's provincial government in the period 2004 to 2008 was 3.7 per cent lower than it was for the five-year average for 1989 to 1993. In other words – and this was 2004 to 2008, before the brakes were on at all on government spending – we were still spending less than we were 20 years ago. That's not out-of-control spending. All of our incomes are up. Corporate profits have soared.

But if you really look at the trends, government spending is flat. Actually, I shouldn't say flat, Mr. Speaker, because if you plot the annual spending on a yearly basis, it looks a little bit like a roller coaster ride. From 1989 to 1993 it was just over \$8,000, between \$8,000 and \$8,500. Then in 1993 with the election of Ralph Klein there was a dramatic cut. It bottoms out in about 1998. It climbs rapidly from that natural gas boom.

There's a bit of a spike in 2001, which, coincidentally, was the year of a provincial election. We'll all remember the cheques that were mailed out to everybody, I think, over the age of 16 – wasn't it? – in Alberta. Maybe it went to everybody. Maybe it went to every last citizen of Alberta. Yeah. So there's a huge billion-dollar spike in spending on that. As well, there was a very generous settlement with the nurses that actually threw the health care system right across the country out of sync because it was so generous, and it had to be followed up with a generous settlement with the doctors. So you see a real spike there in conjunction with the election in 2001.

Then it tails off a bit, and it climbs up finally in 2008 – and these, I should say, are all standardized to a currency of 2002 dollars to adjust for inflation – to just under \$9,000. So over those 20 years, it went up and down and up and down but showed no long-term trend of rising.

In fact, there are other measures, Mr. Speaker, which are important. Alberta's spending has shrunk as a portion of our overall economy. If we think of our economy as a pizza, 20 years ago it was a medium-sized pizza, and it's grown and grown and grown. It's an extra-large pizza, but you know what? Public services are still just getting two slices. They were getting two slices in 1989; they're still just getting two slices.

**An Hon. Member:** But they're bigger slices.

**Dr. Taft:** They're not bigger slices. They're the same slices. It's a bigger pizza.

The question is: who's eating the rest of the pizza? I tell you, there's some good news in here. To some extent personal incomes are up. In our economy personal incomes are up, so individuals are getting a somewhat bigger piece. But you know who's getting most of that pizza now? Corporate profits. That's what's happened.

We need to, I hope, through that information concede two things: first of all, that provincial spending, once you adjust for inflation and population growth, is virtually the same today as it was 20 years ago and that the incredible wealth of Alberta is actually flowing mostly into big business. I think we need to ask ourselves: where is that money going? I don't have that answer. You can't get the answer from the Statistics Canada information, but my hunch is that a huge amount of that money is flowing to Wall Street and Bay Street, right out of this province. I'm concerned. As a Legislature I would have liked this to be in the throne speech. I want to have stronger control as a government over the resources of this province, over the incredible wealth here, because we're going to wake up one day, Mr. Speaker, and the party will be over, and we'll be the last ones to realize that the money is all gone.

Now, Mr. Speaker, I'm probably starting to run out of time. We did an analysis on a whole lot of other areas of spending. We looked closely at health care, and it revealed some very interesting questions. What it shows, actually, is that the biggest increase in health care by far has been not in hospitals and not in doctors and not in prevention. In fact, in all of those areas it's about the same as it was 20 years ago. A huge jump, starting in 1996, in what's called other services: administration, drugs, and contracted-out services. That's the only area there's been a real increase in spending.

Mr. Speaker, I would have liked to have seen a throne speech that addressed these issues and was based on this kind of information, which is available. I think the challenge to all of us is to think long term, and I think we probably all want to do that. I think we need to have the backbone, as the former leader of the PC Party, Peter Lougheed, used to say: to think like owners. We own per capita the largest oil reserves on the planet. Are we being sharp? Are we being smart? Are we being assertive and aggressive? Or are we rolling over and playing patsy for the rest of the world? My goodness. We welcome in the government of Kuwait, the government of China, the government of Norway, the government of France, the government of Korea, the government of Thailand, and who knows who else to invest in our oil sands. We ourselves are too timid.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. I was quite enjoying your conversation there. In particular, I had a chance to read through some of the research that you had done that formed the basis of that talk, and I'm wondering if you could tell members a little bit about some of the conclusions you came across with respect to the percentage of social spending and antipoverty spending as it relates to the share of the pie that's been going to corporate Alberta and, more likely, corporate U.S.A.?

**4:10**

**Dr. Taft:** That's a very interesting question, and I think it's telling. When we ran the numbers – you plot them on a graph, and a graph is essentially just a picture – sometimes the results were startling. I think for me the single most startling picture, maybe not quite – it was one of the most startling – was the one on social services spending per capita in 2002 dollars. We tracked that over 20 years. We didn't torque the numbers at all. We just took the straight Stats Canada data, adjusted for inflation and population growth. It's actually a dramatic picture because what it shows is that from 1989 until 1993 Alberta is spending \$1,500 to probably about \$1,800. It actually peaked in 1992-93 at about \$1,800, and we were above the Canadian average. This is spending on services for people living in poverty, for seniors, for people who are struggling to get through daily life.

Then from 1993 to '94 this line, that was trailing gradually up and above the Canadian average, just plummets. It's actually quite dramatic. The Member for Foothills-Rocky View is close enough to see how dramatic that line is. Alberta goes from the highest spender, or at least well above average, to dramatically lower than the Canadian average, in one year a 50 per cent decline, in fact, clearly, the lowest supports in the country for needy people, and it stays there. In one year it's cut in half. It goes from about \$1,800 to below \$1,000, and it sits there year after year after year.

Some members here, the Minister of Education and many others, will have heard me argue passionately for support for school meals. Let's feed our hungry kids, kids who go to school every day who are without a meal through no fault of their own. And you know what? I run into a stone wall. I run into a stone wall, and this graph, this information, reflects that. This province alone among the whole country won't put together a bit of money for school meal programs.

In contrast, you know, I want to give credit where credit is due. I think we need to understand reality. A reality-based throne speech would be nice. If we look at the education system, for all the controversies and issues around education I think most of us would admit Alberta has a pretty good education system. Well, if we look at funding for education, not only is it significantly more stable than funding for health care, but it's consistently, other than a very few years in the middle 1990s, just a little above the Canadian average. We can find it in our souls to be just a little bit more generous than others in supporting our education system, and I suspect that stability and that generosity goes a fair ways to explaining why our students consistently do among the best in the country.

I could go on about other issues, policing issues. I was surprised. Policing spending in Alberta actually comes out well below the national average. I didn't expect that. Environment spending is very erratic, up and down. It's often higher than average. Sometimes it's lower.



Anyway, numbers can tell a real story. They do reflect a reality, and it was a reality, as I say, that I could only wish was reflected in a throne speech.

Thanks.

**Mr. Campbell:** Mr. Speaker, I move to adjourn the debate.

[Motion to adjourn debate carried]

## Government Bills and Orders Second Reading

### Bill 11 Livestock Industry Diversification Amendment Act, 2011

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

**Mr. Prins:** Well, thank you, Mr. Speaker. I'm pleased to rise today and move second reading of Bill 11, Livestock Industry Diversification Amendment Act, 2011.

The primary purpose of this amendment is to enable Alberta Agriculture and Rural Development to exercise full legislative authority for domestic cervids. At present legislative responsibility that deals with the regulation of farm cervids is shared by Alberta Agriculture and Rural Development, ARD, and Alberta Sustainable Resource Development, SRD. SRD's current role pertains to the issuance of certain licences and permits in respect of farm cervids as identified in the Wildlife Act and wildlife regulations. Sustainable Resource Development is supportive of the initiative and has been working closely with ARD for this purpose.

Through these amendments to the Livestock Industry Diversification Act a one-window approach to dealing with domestic cervids will be created. In turn, this will reduce the regulatory burden upon both the industry and government in two ways: first, by streamlining processes and, secondly, by reducing unnecessary administrative duplication. These amendments also reflect a cultural shift in the domestic cervid industry that has occurred over the last 20 or so years, when the Livestock Industry Diversification Act was first written. Indeed, they reflect the application and adaptation of recognized modern agricultural practices to domestic cervid farming as a valid agricultural operation. As such, industry response has been overwhelmingly in favour of this transfer of responsibility, as was indicated to us through stakeholder consultation that took place in late 2010.

This act also has the potential to improve the economic diversification of rural Alberta. In addition to adding domestic cervids to the LIDA act, ARD seeks to broaden the scope of this act so as to have the future ability to regulate other nontraditional livestock species. It is important to note that there are no plans to make any legislative changes to the Livestock Industry Diversification Act as it relates to hunt farms in Alberta.

This amendment is an important step forward for both industry and government.

At this time I would like to move adjournment of debate on Bill 11. Thank you, Mr. Speaker.

[Motion to adjourn debate carried]

### Bill 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011

[Adjourned debate March 1: Mr. Rogers]

**The Deputy Speaker:** Opposition, do you want to speak first?

**Mr. Hancock:** With respect, Mr. Speaker, it's been moved, and now it's the Official Opposition critic who gets the next opportunity.

**The Deputy Speaker:** Okay. Hon. Member for Edmonton-Riverview, please continue.

**Dr. Taft:** Yes. Thank you, Mr. Speaker. I was just trying to surprise everybody and be courteous to the government here.

This particular bill, the Engineering, Geological and Geophysical Professions Amendment Act, 2011, is I think probably worth supporting when we've had a look at it. It's not a bill that's going to change the course of history, but it's one that addresses some issues that are worth addressing. It would replace the current practice of geology and the practice of geophysics with a new consolidated practice of geoscience. That's perhaps a good thing. I think it reflects a broadening of our understanding of both geology and geophysics.

We would rename the act to the Engineering and Geoscience Professions Act and rename the association that we know as APEGGA, just take out one of the Gs as it would turn out, and it would become the Association of Professional Engineers and Geoscientists of Alberta. I think it's worth noting here that APEGGA is a huge organization. It reflects what I was saying in my comments on the throne speech, the massive natural resources, particularly oil and gas, that we have in Alberta. As a result we have a huge number of engineers and geoscientists, as we'll be calling them now.

4:20

Geoscience won't just include geophysics and geology, but we're talking here about, for example, geochemistry. It's really a bill that keeps the language of the professions moving. It keeps in time with how the world is changing and how we're beginning to understand that all of these different fields are interrelated. They're all part of the same thing. In fact, you know, the geochemists will be working on, I suspect, fluids and chemicals that will be pumped into the ground for fracking. That fracking is led by geologists, and it has geophysical implications. In fact, I think I just heard the other day that Quebec or some of the American jurisdictions are raising concerns about fracking related to earthquakes, which seemed like a bit of a stretch to me, but maybe it's happening. You know what? I would want a geoscientist to give me information on whether that was true or not, so that's the kind of reason I'm supporting this bill.

**Mr. Knight:** Kevin, it's 20 after.

**Dr. Taft:** I'm getting good-natured support from the Minister of SRD.

I will conclude my comments, such as they are, just with a definition of geoscience from Penn State University. Pennsylvania is one of the first places that oil in substantial volumes was discovered in North America, and that's why we have Penn State oil in our racing cars.

**Mr. MacDonald:** Quaker State oil.

**Dr. Taft:** Quaker State oil. Sorry. I just watched the *Frost/Nixon* movie the other day, and I didn't realize that Richard Nixon was a Quaker. I'd forgotten that. [interjections] Focus. I'm sorry, Mr. Speaker.

What is geoscience? Geoscience includes all the sciences (geology, geophysics, geochemistry) that study the structure, evolution . . .

Oh, maybe this is more controversial than I thought.

... and dynamics of the planet Earth and its natural mineral and energy resources. Geoscience investigates the processes that have shaped the Earth through its 4600 million year history and uses the rock record to unravel that history – it is concerned with the real world beyond the laboratory and has direct relevance to the needs of society.

Modern geoscience is founded on plate tectonic theory.

Now, Mr. Speaker, plate tectonic theory is something that Canadians should be very proud of. Plate tectonic theory was developed by a Canadian named Tuzo Wilson, a very famous Canadian. I don't think he won the Nobel prize. He might have; he should have. It's a great story about how he came to realize that the Earth's crust was divided into huge plates that moved and shifted against each other. It was one of those truly revolutionary theories. I just thought that was a note worth making.

Back to the definition of geoscience.

Modern geoscience is founded on plate tectonic theory which states that the outer part of the Earth (the lithosphere) is composed of a series of interlocking plates in relative motion. All geological processes such as mountain building ...

And we have beautiful mountains in Alberta.

... earthquake and volcanic activity are directly or indirectly related to the motions of the plates.

That's what geoscience is. This bill formalizes the place of geoscience in the laws of Alberta, and I like that, Mr. Speaker.

Thank you.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. I will be brief but wanted to have a chance to get up and speak to this bill before it passed second reading. This is a bill that certainly on its face appears relatively benign. I guess the concern that we in the NDP caucus have is on what's driving this bill, and of course what's driving this bill is the desire of the government to accommodate the obligations under TILMA, which close followers of the proceedings of this House would know is not something that members of our caucus support.

It is a concern because one of the things that we were not supportive of that is a component of TILMA is this notion of potentially sort of a race to the bottom between various jurisdictions and also the capacity that TILMA has to expand the scope of business control over the authority of the Legislature. That arises from the structure of the language around TILMA in that it sets out that everything that's not specifically excluded from TILMA is included, which means that over time that which is included under TILMA grows and grows and grows. By including various matters under TILMA, then the ability of the public bodies to exercise the control, which is vested in them through our demo-

cratic system, over the activities of businesses under TILMA is slowly diminished over time, and for that reason we are not supportive of TILMA.

This bill is a bill that's being brought forward in an effort to streamline and facilitate the application of TILMA. I note, actually, that back when we were having debates about the application and the introduction of TILMA, it was, in fact, members of APEGGA who identified that they were concerned about the application of TILMA to their profession and concerned about what it would do to the ability of members of the Alberta profession of geologists, engineers, and geophysicists to control the quality of work when they were compelled to compete against similar organizations from other jurisdictions that weren't necessarily governed in the same way, that were not necessarily demanding the same quality of work out of their members. As a result they raised those concerns.

I'm not sure what the outcome of that was, and I'm not sure how this bill addresses those concerns or if it does address those concerns. I'd put on the record, though, that given its relationship to TILMA, we have some suspicions, and until such time as the sponsor of the bill is able to assure me that the original concerns identified by members of APEGGA have been addressed, then we will not be supporting this bill. But I'm certainly open to being convinced otherwise.

Those will be my comments for now. I'm pleased to have had the opportunity to speak about it. I do think it's an important issue because of the relationship of this bill to the slow, creeping application of TILMA to the affairs of Albertans both in the public and private sectors and the slow reduction of the public sector's ability to make decisions in the best interests of the population as opposed to simply being compelled to subject themselves to whatever business deals might be established under the auspices of TILMA. At the end of the day that does not make for good public policy. As a result this bill raises some concerns for us.

I certainly do await assurances from the sponsor of the bill that the concerns identified by APEGGA have been addressed and are no longer there, and certainly if that's the case, then, you know, we are open to reconsidering our position on the bill.

With that, I would like to move that we adjourn debate on this bill.

[Motion to adjourn debate carried]

**Mr. Hancock:** Mr. Speaker, seeing as it's 4:30 and the normal adjournment hour, I guess I would move that we adjourn until 1:30 p.m. on Monday.

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

## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to March 10, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

- 1 Asia Advisory Council Act (Stelmach)**  
First Reading -- 6 (Feb. 22 aft., passed)  
Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft., adjourned)
- 2 Protection Against Family Violence Amendment Act, 2011 (Brown)**  
First Reading -- 18 (Feb. 23 aft., passed)  
Second Reading -- 133-34 (Mar. 1 aft., adjourned)
- 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**  
First Reading -- 18 (Feb. 23 aft., passed)  
Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft., adjourned)
- 4 Securities Amendment Act, 2011 (Brown)**  
First Reading -- 18 (Feb. 23 aft., passed)  
Second Reading -- 135 (Mar. 1 aft., adjourned)
- 5 Notice to the Attorney General Act (Rogers)**  
First Reading -- 18-19 (Feb. 23 aft., passed)  
Second Reading -- 136 (Mar. 1 aft., adjourned)
- 6 Rules of Court Statutes Amendment Act, 2011 (Olson)**  
First Reading -- 19 (Feb. 23 aft., passed)  
Second Reading -- 136 (Mar. 1 aft., adjourned)
- 7 Corrections Amendment Act, 2011 (Oberle)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft., adjourned)
- 8 Missing Persons Act (VanderBurg)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft., adjourned)
- 9 Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 113 (Mar. 1 aft., passed)  
Second Reading -- 185-86 (Mar. 3 aft., passed)  
Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)  
Third Reading -- 305-08 (Mar. 10 aft., passed)
- 10 Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft., adjourned)
- 11 Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft., adjourned)

- 12        Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)
- 201       Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)
- 202       Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203       Alberta Get Outdoors Weekend Act (Rodney)**  
First Reading -- 152 (Mar. 2 aft., passed)
- 204       Justice System Monitoring Act (Forsyth)**  
First Reading -- 304 (Mar. 10 aft., passed)





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday, March 14, 2011

Issue 12

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
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Berger, Evan, Livingstone-Macleod (PC)	Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC), Deputy Government House Leader
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)	Lund, Ty, Rocky Mountain House (PC)
Bhullar, Manmeet Singh, Calgary-Montrose (PC)	MacDonald, Hugh, Edmonton-Gold Bar (AL)
Blackett, Hon. Lindsay, Calgary-North West (PC)	Marz, Richard, Olds-Didsbury-Three Hills (PC)
Blakeman, Laurie, Edmonton-Centre (AL), Official Opposition House Leader	Mason, Brian, Edmonton-Highlands-Norwood (ND), Leader of the ND Opposition
Boutillier, Guy C., Fort McMurray-Wood Buffalo (WA)	McFarland, Barry, Little Bow (PC)
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McQueen, Diana, Drayton Valley-Calmar (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	Morton, F.L., Foothills-Rocky View (PC)
Campbell, Robin, West Yellowhead (PC), Government Whip	Notley, Rachel, Edmonton-Strathcona (ND), ND Opposition House Leader
Chase, Harry B., Calgary-Varsity (AL), Official Opposition Whip	Oberle, Hon. Frank, Peace River (PC)
Dallas, Cal, Red Deer-South (PC)	Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC), Deputy Government House Leader
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)	Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)
DeLong, Alana, Calgary-Bow (PC)	Pastoor, Bridget Brennan, Lethbridge-East (AL), Official Opposition Deputy Whip, Official Opposition Deputy Leader
Denis, Hon. Jonathan, QC, Calgary-Egmont (PC), Deputy Government House Leader	Prins, Ray, Lacombe-Ponoka (PC)
Doerksen, Arno, Strathmore-Brooks (PC), Deputy Government Whip	Quest, Dave, Strathcona (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)	Redford, Alison M., QC, Calgary-Elbow (PC)
Elniski, Doug, Edmonton-Calder (PC)	Renner, Hon. Rob, Medicine Hat (PC), Deputy Government House Leader
Evans, Hon. Iris, Sherwood Park (PC)	Rodney, Dave, Calgary-Lougheed (PC)
Fawcett, Kyle, Calgary-North Hill (PC)	Rogers, George, Leduc-Beaumont-Devon (PC)
Forsyth, Heather, Calgary-Fish Creek (WA), WA Opposition Whip	Sandhu, Peter, Edmonton-Manning (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC)	Sarich, Janice, Edmonton-Decore (PC)
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)	Sherman, Dr. Raj, Edmonton-Meadowlark (Ind)
Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-St. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

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Law Clerk/Director of Interparliamentary Relations	Robert H. Reynolds, QC	Committee Research Co-ordinator	Philip Massolin
Senior Parliamentary Counsel/ Director of House Services	Shannon Dean	Sergeant-at-Arms	Brian G. Hodgson
Manager – House Proceedings	Micheline S. Gravel	Assistant Sergeant-at-Arms	Chris Caughell
		Assistant Sergeant-at-Arms	Gordon H. Munk
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

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Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### **Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### **Standing Committee on Community Services**

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### **Standing Committee on the Economy**

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### **Standing Committee on Health**

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### **Standing Committee on Legislative Offices**

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### **Special Standing Committee on Members' Services**

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### **Standing Committee on Private Bills**

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### **Standing Committee on Privileges and Elections, Standing Orders and Printing**

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Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### **Standing Committee on Public Accounts**

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

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Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### **Standing Committee on Public Safety and Services**

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### **Standing Committee on Resources and Environment**

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

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Berger  
Boutilier  
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Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### **Select Special Ombudsman Search Committee**

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Monday, March 14, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Grant that we the members of our province's Legislature fulfill our office with honesty and integrity. May our first concern be for the good of all our people. Let us be guided by these principles in our deliberations this day. Amen.

Hon. members, I am now going to invite Mr. Paul Lorieau to lead us in the singing of our national anthem and would invite all to participate in the language of one's choice.

**Hon. Members:**

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

**The Speaker:** Please be seated.

### Introduction of Visitors

**Ms Evans:** It's a great privilege to rise today and introduce to you and to all members of the Assembly some very special guests who have joined us here this afternoon. Dr. Andrew Pocock and his wife, Julie Pocock, who are resident in Vancouver, are here with the consul general of the United Kingdom, Alexander Budden, and a trade commissioner from Calgary, Tracey Grindal. The British high commissioner was only appointed a scant two months ago, and within the first seven weeks on the job he determined that he wanted to come to Alberta and make this a priority. He recognized very quickly that there are incredible trade opportunities between both large and small companies, including technology companies, in Alberta. He wanted to be here. Most of all, Mr. Speaker and members of this Assembly, he wanted to visit our oil sands. We congratulate him for that choice. We're thrilled that he's here. He is seated in your Speaker's gallery with his delegation. I would ask Dr. Andrew Pocock and his delegation to please rise and receive the very warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Minister of Transportation.

**Mr. Ouellette:** Thank you, Mr. Speaker. It always gives me great pleasure to rise and introduce to you and through you to all members of this Assembly a group of bright young students from my constituency. We have with us today 38 grade 6 students from Bowden Grandview school, who are seated in the members' gallery. They may not be in here yet, but I'll introduce them anyway. I've said many times before that they will be tomorrow's leaders, so it's great for them to be able to come and experience the Legislature on a tour. With them they have some teachers and parent helpers. They have Mrs. Jo Anne Pearson and Mrs. Jill Admunson as teachers. They also have parent helpers Mrs. Cheryl Bradshaw,

Mr. Gordon Wood, Mrs. Brenda Stacey, Mrs. Tammy Bodman, Mrs. Lianna Scott, Mrs. Dana Fox, Mrs. Alicia Heit, Mrs. Carla Sparks, Mr. Kees Verhoef, Mrs. Kyra Bona, Mr. Kevin Robinson, and Mrs. Tammy Cocke. I'd like them to rise if they have gotten here. If not, I'd still like to have the members give them a warm welcome.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's my pleasure to introduce on behalf of the MLA for Spruce Grove-Sturgeon-St. Albert the Camilla school group. There are 37 students here and teachers Amanda Murray and Jessica Garner. I'd ask them to please rise and receive the warm welcome of this Assembly.

As well, I have three guests from the Northern Gateway school division. They had a meeting with me today. I have Chair Judy Muir; Jim Govenlock, with whom I served 15 years on town council; and superintendent Kevin Andrea. I'd ask them to rise and receive the warm welcome of this Assembly as well.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. There's a beautiful little school in my constituency called Chinook Winds Adventist Academy. I'm very pleased that they have come to the Legislature to learn more about government and to get a little taste of it themselves in case this might be something that they want to do in the future or just to get more of a feeling for how government works. I'm very pleased that they're here. There's one teacher with them, Mr. David Elias, and two parents, Mrs. Wendy Dobbin and Mrs. Darlyne Lessard. If they could please stand and if all the members would welcome them, that would be wonderful.

Thank you.

**The Speaker:** The hon. Member for West Yellowhead.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of the Assembly 15 grade 9 students from the Yellowhead Koinonia Christian school. They are accompanied today by their teachers, Mrs. Pamela Graham and Miss Michelle Stewart, and parent Mr. Henry Fousert, who is also the chairman of the board. I'd ask them to rise and receive the warm welcome of this Assembly. They're in the members' gallery.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all hon. members of this Assembly a visiting group from St. Gabriel school. There are 40 visitors from the school, and it is another fine public school in the Hardisty-Capilano neighbourhood of Edmonton-Gold Bar. This group is led today by teacher Mrs. Svetlana Sech. She is accompanied by Mr. Zdunich and Ms Zapisocki. I would now ask this group—they're in the public gallery—to please rise and receive the warm traditional welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to all members today 86 visitors from St. Augustine school in my constituency of Edmonton-Rutherford. The students are accompanied today by teachers Mrs. Nancy Ellestad, Ms Carmen Chevalier, and Ms Roberta Stevens

and also by parent helpers Mrs. Leanne Hafso-Shepherd, Mrs. Marivic De Guzman, and Ms Maria Fiorini. I've had the pleasure of visiting with these students on a couple of occasions, and I'm just delighted to be able to introduce them today. I'd ask them all to please stand and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Children and Youth Services.

**Mrs. Fritz:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly five members of the Alberta College of Social Workers who are seated in the members' gallery today. They've joined us as we celebrate National Social Work Week. I would ask that our guests rise as I introduce them and to please remain standing until we can give them the warm welcome of the Assembly. We have Alison MacDonald. She's the associate registrar at the college. Derek Chewka works for Children and Youth Services and is a council member. Scott Stewart is with Covenant Health and is the chair of the gerontological social work committee for the college. Brandy Delaire is a caseworker in adoptions, and Peter Smyth is the supervisor of the high-risk youth unit in Old Strathcona. Peter's son Braden is a page here in our Assembly. I'd ask that the Assembly please join me in thanking these wonderful people, that work hard on our behalf every day on behalf of children and youth, and give them the warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's an honour for me to introduce to you and through you to all members of this Assembly some students who are here today from Greenview elementary school and volunteers from the Ladybug Foundation. These students, inspired by the Ladybug Foundation's efforts to help the homeless, fund raised and donated money to help the homeless in Edmonton. One of the best things about this job is visiting schools, and I had the privilege of meeting with these students and their local MLA last month, when I was rather moved by their efforts to help homeless people as well as raise awareness of the particular topic in this province. The students are joined by their school principal and student helpers. They're seated in the members' gallery, and I'd ask that these great Albertans rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I am very pleased to introduce to you and through you to this Assembly two very distinguished individuals, Sheila Thompson and Jim Hawkins. They are both educators that have worked in the Elk Point-St. Paul area since 1975. They have been very active volunteers in the community. Sheila has been a leader and an integral part of the establishment of the trail systems in our area, in part the Iron Horse Trail. Also, Jim has been very involved in minor hockey and in being a mentor for so many youth in the community. As an aside, I'd also say that he played hockey with the hon. Member for Stony Plain and was his bodyguard for many years. It is indeed a pleasure for me to introduce to you my honoured guests. Jim and Sheila, would you please stand and receive the traditional warm welcome.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Well, thank you, Mr. Speaker. I'm very pleased to introduce to you and through you two good friends of mine, Mr.

Jeff Carlson and Mr. James Carpenter. They are both very successful businessmen from the Olds-Didsbury-Three Hills constituency association, and I'm very pleased that I have the benefit of their counsel as board of directors for my constituency association. They've often heard me talk there of the time-honoured traditions of this Assembly and especially about the exemplary and respectful decorum that's exhibited in this House on a regular basis. They're here today to experience that for themselves, and I trust we won't disappoint. They're seated in the members' gallery, and I'd ask them to stand to receive the very warm welcome of this Assembly.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I am pleased to rise today to introduce to you and through you to all members of the Legislature two remarkable Albertans. William and Susan Prettie are dedicated volunteers, celebrated artists, and passionate members of my constituency. William and Susan are very active in making the area of Highlands-Bellevue a more livable, accessible, and beautiful place for all. They've taken a strong role in the Walkable Edmonton initiative and are currently working with a neighbourhood planning group to encourage the green streeting of 112th Avenue.

In addition to this, Susan and William have been nominated several times for the city of Edmonton's good neighbour award as well as its front yards in bloom award. They're both photographers and provide all of the photos for the Highlands-Bellevue Highlights quarterly magazine, and they strive to facilitate community awareness and participation through their work. Susan has won photography awards in a province-wide competition called Open Photo and in the Edmonton Horticultural Society's annual Bench Show. William was recently a featured artist at the Spruce Grove gallery. Susan and William will also be showing in an exhibition at the Jubilee Auditorium this summer. I would ask William and Susan Prettie, who are seated in the public gallery, to please rise and receive the warm traditional welcome of this Assembly.

## Ministerial Statements

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

### Japanese Earthquake and Tsunami

**Ms Evans:** Thank you, Mr. Speaker. I rise today not as a minister or MLA but as a citizen of humanity. I speak now mindful of the compassion expressed by the Premier in his words over the weekend. It has been only four days since an earthquake of horrific intensity struck Japan on March 11 at 2:40 p.m. When the shaking finally ended and tears of emotion began, northern Japan was struck by yet an even greater disaster. A 30-foot wall of water engulfed the region around Sendai, swallowing villages and in an instant changing lives.

Thousands of lives have been lost, and tragically the numbers continue to rise while hundreds of thousands more are displaced from their homes and living in evacuation camps. The suffering and the distressing images we see taking place are both heartbreaking and difficult to watch. It reminds us all of our human fragility and that a natural disaster can strike anywhere at any time on any continent.

On behalf of Albertans I join our Premier and members of this Assembly to extend our deepest sympathy and heartfelt condo-

lences to the Japanese people, to all Albertans, to all Canadians of Japanese descent as well as to the many Canadians living in Japan. Our thoughts and prayers are with our friends in Japan.

Mr. Speaker, while this is a disaster of incredible proportions, we're encouraged by the tenacity and resilience of the Japanese people during the last few days. It gives all nations hope that individuals can come together as one to overcome what is almost insurmountable adversity through acts of compassion, bravery, and inspiration. While we recognize the enormity of this tragedy, we're inspired by the strength of the human spirit. I believe Mother Nature only has one equal, human will.

Mr. Speaker, I take this opportunity to share with all members of the House a letter I received from dear Kyoko Minemura, wife of Yasuo Minemura, who departed recently for Japan to assume another post. She writes:

When the earthquake hit at 2:40 p.m. on the 11th, I was on the 10th floor of the Takashimaya Department Store in Shinjuku.

I felt swinging and heard screaming. Some china started to fall off and break. I was grabbing onto a huge pole to hold myself. It lasted for a long time and before it became stable, the second one came. I have never felt that big of an earthquake before. I tried to reach my husband and my son but my phone didn't work at all.

I knew that no train service was available. I was left alone to imagine the worst. But at last I received a phone call from my son at 7:30 p.m. while I was sitting on the stairs at the station. Later I had new information that some train lines were moving, and it would take me close to my house. So I headed to the subway station. I waited a few hours more and managed to finally reach home at 1:45 a.m.

I feel so sorry for the folks in Tohoku. This earthquake was the biggest one I have ever felt in my life – I have never experienced this kind of emergency whatsoever.

She goes on to thank me for my concern and says: Iris, I feel I am not alone.

It warms my heart that my good friend was able to make it home to see her family; so many didn't. It does also to know that our office staff in Tokyo are all safe.

Mr. Speaker, I know Japan is not alone and that Albertans, Canadians, and the international community are ready to provide whatever assistance is needed to help survivors start over. It reminds us all of our resilience and of our shared future on this planet. I am confident that Japan will find the strength to overcome the sorrow and the courage to rebuild. We are with them in spirit and in the strong hope that they, indeed, will.

Thank you.

**The Speaker:** On behalf of the Official Opposition the hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. Thank you, Madam Minister, for those words of understanding. Like all members of this Assembly – indeed, like hundreds of millions of people around the world – I was horrified by the images and the videos of the devastation in Japan. The toll of human suffering caused by this massive earthquake and the following tsunami is already horrific and only grows in scope with each passing day. Like the dreadful Indonesian tsunami of 2004, once again humanity is faced with a natural disaster of epic scale. Our thoughts and prayers go out to the people of Japan, who now face what their Prime Minister has called the greatest calamity they have faced since the Second World War.

There are many ways in which Albertans can help: the Red Cross, Doctors without Borders, Save the Children, Salvation

Army, GlobalGiving, and a host of other charities and nongovernmental organizations are rushing to deliver assistance to victims of the disaster. All of these organizations are accepting donations, and thanks to the Internet and smart phones, it's now much easier to be able to do this. The issues that we debate in this Assembly are important; there's no question. The Official Opposition will continue to do its duty and hold the government accountable for the people of Alberta. That's our job. But a disaster like this really puts everything into perspective.

**1:50**

In Sendai entire communities have been utterly destroyed, mercilessly washed out to sea. I can't even wrap my head around something like that, thousands of people lost in an instant. I'm very proud of the countless Albertans who have already donated to the relief efforts, and I know that more will join them. A disaster of this scale touches everyone on the globe, and we Albertans are certainly there in spirit.

**The Speaker:** I've been advised that additional members would like to participate. In order to do so, unanimous consent of the Assembly must be given. I will raise one question. Is any member opposed to allowing additional members to participate in response to this ministerial statement?

[Unanimous consent granted]

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker, and thank you to the Assembly. Albertans are citizens of humanity, as the minister mentioned earlier. It is a sad circumstance that I speak to the tragic situation in Japan. I know all members of this Assembly and all Albertans' and Canadians' thoughts and prayers are with the people of Japan as they recover from this massive earthquake and the subsequent tsunami that struck last week. Thousands upon thousands of lives have been lost. Homes and entire villages have been wiped out and have disappeared as Canadians, Albertans, and the rest of the world have looked on in horror.

Because Japan is home to the most earthquakes in the world, they are the most prepared in dealing with natural disasters, yet no one could have ever imagined the devastation of an earthquake that was 8.9 on the Richter scale. I applaud the people of Japan, as I know all members of this Assembly do, in their organized response because the devastation to people and to the environment could have been much worse, even with the horror that we looked onto.

The Japanese are a resourceful and resilient people. Earthquakes and tsunamis literally are a fact of life. The Japanese people have pulled themselves up before and, clearly, have built one of the most advanced and largest economies in the world. No matter what the setback the Japanese have always moved forward stronger than ever. We believe in the power of spirit, and now the world must join together. Every brick we lay in rebuilding Japan will honour those who have been lost in this horror, in this tragedy.

I've also been inspired by the charitable spirit of Albertans. When Haiti was struck by an earthquake, Albertans stepped up and raised money. Every dollar helped to aid relief efforts. The same spirit when Hurricane Katrina struck New Orleans. I do have hope, Mr. Speaker, about the future, and I thank all Albertans who continue to do their part in helping those less fortunate in times of suffering such as what is being experienced today with the Japanese people. Our thoughts and prayers are also with Albertans and all Canadians who are currently in Japan and with our Japanese

community right here in Alberta, in our province. Our thoughts and our prayers are with them all, and God speed.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker, and thank you also to the minister and to the subsequent members for their kind thoughts on this day. The past days have deeply touched the hearts of Albertans as we've see the terrible news coming from Japan. The loss of lives is tragic. The continuing suffering and anxiety as people search for loved ones and as authorities struggle to deal with the problems at their nuclear power plants are situations that we feel here in Alberta despite the distance from our nation. Our world is very closely connected today, and we see the images and even here can feel just a little of the horror and pain that this means for those in the midst of the catastrophe. At the least we can be clear that we care about the agony that so many are experiencing, and we can also be clear that we are inspired by the heroic efforts that have been demonstrated by the Japanese since these tragedies occurred.

People of Japanese origin have been contributing to life in Alberta for many decades. To these friends and neighbours in particular we extend a caring hand. We know distance does not reduce the feelings when something like this happens, and we are ready to support you in every way.

None of us ever know when disaster might strike or how, and the events of the past days in Japan are a clear message that when this happens, it is essential for us to remember our common humanity and to add our caring hearts and our practical services to support those who are afflicted. It is good to see people and nations around the globe moving forward with offers of assistance.

These events also remind us that we must be as careful as possible with all human developments that add to dangers in the world such as nuclear power because it is clear that there are already so many matters over which we have no control.

Mr. Speaker, the NDP opposition sends its deep condolences and sympathies to every person in Japan and especially to those who have lost loved ones or who are dealing with injuries. We look forward to coming together with Albertans from all walks of life who will reach out in efforts to raise money and provide whatever support is needed to ameliorate the tragedy suffered by the Japanese nation.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. What happened recently was an absolute tragedy. I'd like to thank the hon. minister for her kind words and thank everybody else here. Our collective humanity has faced major challenges recently from the earthquakes in Haiti to the floods of Hurricane Katrina as well as the floods in Pakistan. This is a time for us to remember that Canada and Alberta are the world's hope. We are from everywhere in the world, and Albertans have a value of giving back to their community. This is a tremendous opportunity for us to do what we've always done, come to the rescue of people most in need.

It's just an honour for me to be an Albertan. It's an honour for me to be a member of this Assembly. I look forward to Alberta playing a major role in helping these poor people in Japan. As human beings this is the one thing that unites us all when we suffer, and I believe that we can do much more.

Thank you.

## Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Quality Council Review

**Dr. Swann:** Thank you, Mr. Speaker. With a dark cloud hanging over this government by increasing allegations of intimidation and misconduct, Albertans have no reason to trust this Tory government. If this Premier truly cared about the health of the people he leads, he would immediately support the united opposition call for an independent public inquiry. The opposition will not allow our doctors and nurses to be threatened for telling the truth, and we will not allow public health care to be destroyed by this government's dishonesty. To the Premier: will he finally recognize that this health care investigation on the fly won't suffice for these damning new allegations of government misconduct and that Albertans deserve a fully independent, public inquiry?

**Mr. Stelmach:** Mr. Speaker, my interest is in having the best performing publicly funded, publicly administered health care system here in Alberta, and I also want to support the 90,000 or so people that are working in the health system every day that are bringing care and compassion to Albertans. I informed this House that if emergency care or cancer care has been compromised in any way by waiting lists, we want the Health Quality Council to ensure they bring that evidence forward and tell us why and how to prevent it in the future. And if there are any other allegations out there that are going to be made by physicians or nurses or anybody in the health care system, they are free to bring that evidence forward to the Health Quality Council.

**Dr. Swann:** Of course, Mr. Speaker, that's not at all true. They cannot bring anything forward without threat to their future, to their career. Only a public inquiry can do that.

Are you willing, then, to come clean about your government's dishonesty and incompetence by disclosing all cases where the government, Alberta Health Services, regional health authorities . . .

**An Hon. Member:** Point of order.

**Dr. Swann:** . . . paid any form of compensation to people for their silence? Are you willing, sir?

**The Speaker:** I have that point of order.

**Mr. Zwozdesky:** Yes. Thank you, Mr. Speaker. There is a point of order there. The hon. member should know better. We'll deal with it later.

Let me make it very clear to this House and to the hon. member asking the question that I have ordered an independent review by the Health Quality Council of Alberta, which even he himself is on record numerous times over the past several days supporting. In fact, he asked for the Health Quality Council to be brought in. They are going to do an independent review. It will be made public. They will set their own terms of reference, Mr. Speaker, and they will determine exactly who participates as the review panel. That's very, very accountable.

2:00

**Dr. Swann:** Mr. Speaker, will this Premier support the united opposition call for an emergency health care debate today to openly discuss these allegations from doctors that were intimidated, punished, and paid for their silence by this government?



**Mr. Zwozdesky:** Mr. Speaker, I find it really interesting that a group of politicians stands up on a little stage on Friday, and after jostling each other to get to the microphone first, they say this has nothing to do with politics. Come on. This is all to do with politics, and you know that.

The important point here is what they're trying to do with these innuendoes. They're standing up there besmirching the College of Physicians and Surgeons, the Alberta Medical Association, and the two faculties of the University of Alberta and the University of Calgary for political reasons.

**Mr. Anderson:** Point of order.

**The Speaker:** We have another point of order. One thing is clear to me. We've now arrived at 2 o'clock, and if I look at the time, we're never even going to get to the subject on the agenda called Notices of Motions before 3 o'clock.

Second Official Opposition main question. The Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Only this Premier would have the audacity to blame his failures in health care on the opposition. In his statement yesterday, the Premier said, "Let's focus back on the facts and less on the theatre." Well, the fact is that this Premier and ministers knew about the 322 cases of compromised ER care over three years ago and failed to act. This Premier again failed to act when these cases became public six months ago. To the Premier: why has it taken three years for the Premier to finally act on these 322 cases of compromised ER care? What were you hiding?

**Mr. Stelmach:** Mr. Speaker, once again the hon. member is raising a letter that was sent to me, I think in March '08, where I clearly identified to the writer of that letter the steps that we are taking as a government. We have met all those commitments that I made in '08.

With respect to all of the other allegations, as the minister of health said: anything and everything can come forward to the Health Quality Council under absolute confidence. I have huge trust in the Health Quality Council to do their best.

**Dr. Swann:** Well, absolute confidence my ass, Mr. Speaker. I'm one of those . . . [interjections]

**The Speaker:** Okay. Please. [interjections] Please. [interjections] Please. [interjections] There are children in the galleries today. They have schoolteachers. I believe the schoolteachers would reprimand their children.

The hon. Leader of the Official Opposition.

**Dr. Swann:** I apologize for that statement, Mr. Speaker. But I was one of those this government fired in 2008. I know you cannot speak with impunity to this government. Don't give me that.

Why do you believe that both you and your minister should escape accountability? Why, Mr. Premier? Why should you escape this?

**Mr. Zwozdesky:** Mr. Speaker, you know, on March 3 this same Liberal leader said: ask the Health Quality Council to investigate the cases of delayed or compromised care. Well, we're doing that. On the same day he said: can the Health Quality Council give confidence to the people by looking into this seriously? Well, they're going to look into it seriously. Then, a couple of days later he said: return these 322 cases to the Health Quality Council. He went on making good references about a good organization that he

knows very well has the trust, faith, and confidence of every member of this House and of all Albertans.

**Dr. Swann:** Mr. Speaker, are Albertans expected to believe that it was merely coincidence that this Premier finally agreed to the Health Quality Council review just hours before McNamee's allegations of intimidation and compromised patient care surfaced?

**Mr. Zwozdesky:** Mr. Speaker, again, you have a statement of claim by one doctor against a statement of defence where another doctor is implicated, as is a health authority, as is a credible hospital in our province. This is a statement of allegations. This is a statement in defence against that. Allegations are not necessarily fact, and you don't substantiate one allegation by raising more allegations. I expect that by the time the day is over, we'll see even more allegations but no proof and no evidence.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Meadowlark.

#### Dr. Ciaran McNamee

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier said in this House that health care workers have an obligation to come forward when they see compromises of patient care, yet it is alleged that a senior executive of the Capital health region told a prominent surgeon who raised these patient safety concerns that advocacy would not be tolerated. This is the same surgeon who presented his concerns to the current minister of health, who was the Associate Minister of Health and Wellness at the time, as well as several members of the PC caucus in this cabinet, all of whom now conveniently claim they have no recollection of him. Mr. Premier, were you aware of Dr. McNamee's presentation to caucus and that the Capital . . .

**The Speaker:** The hon. Premier. [interjection] The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, I don't know the doctor that the member is referring to. All I know is that the allegations have been made and raised by the member that just rose. They were made in this House under immunity. There were allegations made against third-party members, and as of this minute there is no substantiating evidence tabled in this House.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given the fact that the Premier just said that there's no substantial evidence tabled, I have tabled Dr. McNamee's statement of claims to the Legislative Assembly.

My second question is to the Minister of Health and Wellness. Were you aware when you were the Associate Minister of Health and Wellness, way back when, in 1999 to 2001 that the Capital health region made claims against Dr. McNamee about his competency and mental health prior to . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, I believe he's talking about a time before I became the associate minister. I became the associate minister approximately May 15 or so of 1999, and I was in that position until approximately March 15, or whenever the election was called, in 2001. Do I have any vivid recollection of any sort regarding Dr. McNamee? Absolutely none. Did he appear before

some committees where I may have been in the room? Possibly. I just don't recall it at all, hon. member.

**The Speaker:** Hon. member, I'd just refer you to *Beauchesne* 409(6). "The Minister to whom the question is directed is responsible to the House for his or her present Ministry and not for any decisions taken in a previous portfolio."

Please proceed.

**Dr. Sherman:** Thank you, Mr. Speaker. My last question is to the Minister of Justice. Given that the Premier has said that health care workers have an obligation to come forward when they see compromises to patient care, will you release Dr. McNamee from his nondisclosure clause in his out-of-court settlement to allow him to come forward and speak publicly to the Health Quality Council and to a public judicial inquiry?

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I would just point out that there is ample protection for whistle-blowers. The Criminal Code has protection. The contractual documents that Alberta Health has has protection.

One of my concerns about this whole process is that there have been some very serious allegations, allegations that could point towards some criminal activity, financial mismanagement, and so on. We have a process for that. It's called the police. The police can investigate. They're professional investigators. If there is evidence, then they can move on to prosecute.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

#### Health Quality Council Review (continued)

**Mr. Boutilier:** Thank you. Mr. Speaker, last week in this House the health minister said no, no, and no on Monday, Tuesday, and Wednesday to a Health Quality Council investigation. Then on Thursday in a stunning display of crude politics the Premier said yes just before a news broadcast that would shine light on allegations of his government's silencing and intimidation of a prominent Edmonton surgeon. To the health minister: why did you resist our demands on those days and months before and put the health of your political party ahead of the health of Albertans?

**Mr. Zwozdesky:** Mr. Speaker, it's so unfortunate that you have a number of members making allegations, and we are living with that. Now you have a member misquoting, again for some simple political gain. At no point did I say: no, never. I said clearly: "No, not at this time." I said clearly that I will take appropriate action at the appropriate time with the appropriate information. I took that action, and I think Albertans understand that even though this member may not.

**Mr. Boutilier:** That's unbelievable, Mr. Speaker. He should have said: not at this time.

Given that the current health minister was the junior minister from May of '99 to March of '01, the entire period in question as it relates to allegations of silencing and intimidation, does he not see the obvious conflict of interest in having the Health Quality Council investigate the actions of his department and then report directly back to him?

**Mr. Zwozdesky:** Well, Mr. Speaker, I find it very interesting that this hon. member can on one day stand up and say one thing and

then just flip right over and say something else totally erroneous. He's asking for an independent review by the Health Quality Council. That was on March 8. He made other references in the days before and after that where he said the Health Quality Council said that there should be an investigation. Well, I agree, hon. member. And you know what? There will be. It will be made public, and it will be totally independent of this House. Even that member can appear if he wishes to.

2:10

**Mr. Boutilier:** Given that the Health Quality Council investigating the health minister and then reporting back to him constitutes an obvious conflict of interest, will the Premier of Alberta call an immediate and full public inquiry independent of conflicting political interests? To the Premier.

**Mr. Zwozdesky:** Mr. Speaker, let's be really clear. It's true that I was an associate minister of health. I was responsible for AADAC. I was responsible for bringing in the electronic health records. I was responsible for early detection and screening of important diseases and so on. That was my responsibility as an associate minister. I was not the minister of health in any way, shape, or form. Perhaps this member would like to stand corrected on that fact at least.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. I've got here a letter to the Premier signed by the Leader of the Official Opposition, the Wildrose Party, the NDP opposition, the House leader of the Alberta Party, and the MLA for Edmonton-Meadowlark calling for a full, independent public inquiry. Why will the Premier not call a full, independent public inquiry?

**Mr. Olson:** I'd just like to clarify. I think a lot of people are confused by all this talk of inquiries. An independent public inquiry, first of all, is directed by the Lieutenant Governor in Council, so it would be the government that would be creating that. Now, I suspect that that may fall under some criticism, but that's what the law says. You have a judge or somebody else who is appointed as a commissioner, and at the end of the day what you get is a report. You do not get action. You get a report.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks, Mr. Speaker. Well, perhaps action would be too much to hope for from this government.

I want to come back to the question about the conflict of interest inherent in a Health Quality Council that reports to the minister of health and has to investigate activities under the minister of health's purview. How can you think that's acceptable?

**Mr. Zwozdesky:** Mr. Speaker, I'm going to table copies so that this member can maybe read it and understand it. This is an independent review in which the Health Quality Council itself is going to set its own terms of reference. They will choose whom they wish to speak to or people who wish to come to them to speak. They will make that report public. They will determine who is going to be on the interview or review panel, and that, as was said this morning on a popular radio show, may likely include people from outside the province to give it yet even more independence. As soon as that report arrives, it will be brought forward and made public.

**Mr. Mason:** Mr. Speaker, given that the Health Quality Council is not competent to investigate whether health professionals were

intimidated or fired or coerced and given that it's not independent from the government, then I want to ask the health minister once again: why are you trying to prevent an adequate investigation into this very, very serious matter? It doesn't even have the power to call witnesses or to subpoena evidence.

**Mr. Zwozdesky:** Mr. Speaker, they can contact whoever they want, and I'm sure they will. They do have credibility because they are from and with and part of the community that delivers health care or they're formally involved in it. People feel confident and comfortable coming to them. That's the reason we appointed them to do it, an independent review. Otherwise, as the Justice minister just said, you would have cabinet determining a public inquiry. That's not what I hear Albertans asking for. They want an independent review, and that's what they're going to get.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. Usually what the guilty always say is: show me the proof. The current Minister of Health and Wellness was associate minister of health at that time. He completely sloughed his responsibility. I was his associate minister of health. I spoke up, and I have a duty and a responsibility not only as a physician but as a legislator when I'm aware of these cases of physicians begging for resources, and the minister completely sloughs any responsibility he has as a legislator. Minister, can you . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, the last I recall, in this country you are innocent until proven guilty. I challenge this member to provide some evidence that would make somebody feel guilty before they have had a chance to prove it otherwise. Stand up and provide it. Stop this game playing. You're making a bunch of wild accusations, and you're bringing forward allegations. Hon. member, we're giving you a chance here. You've got the stage. You've got the platform. Do something with it that is evidentiary.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. All I've heard is: we have no proof; show us the proof. To the Premier: are you actually the Premier of this province, and do you have the authority to investigate these matters, or do you require me to give you the proof that you are the Premier before you act?

**Mr. Zwozdesky:** Mr. Speaker, there are questions that deserve answers. Then there are questions that don't deserve to even be asked, and that would have been one of them.

What we have here again is something that has been requested even by this member himself, who on February 28 said, "Will he call the Health Quality Council of Alberta and carry out a fatality review?" Well, they're coming in to carry out an independent review. If there were fatalities caused as a result of some negligence, I can assure you that the proper steps will be taken, the proper bodies will be brought in, the proper mechanisms will be kicked into force, and they will get to the bottom of it.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Doctors have over the years pleaded for help and no inquiry, no immediate action was taken until a CBC report was going to come out. Doctors will be coming out in droves, and I will be tabling further evidence in the near future. If the Premier and the current Minister of Health and

Wellness refuse to order a full public investigation with the ability to subpoena witnesses . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, if this member inside this House or outside this House has evidence or knows of evidence that has to do with real corruption, as he is alleging, or some other performance with respect to fraud or other words that he has used, you have a duty to take that to the police, hon. member. You have a duty to do that, and I would encourage you to do that because the police have ways of dealing with allegations like that. If you have proof, take it there. If you have financial malfeasance proof, take it over to the Auditor General.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

### Health Services Financial Reporting

**Mr. MacDonald:** Thank you. Between 2003 and 2009 the Calgary health region provided a detailed breakdown of the \$1.7 billion incurred in expenses under its Other column in the annual reports of Alberta Health. In the same time period Capital health had \$1.6 billion in other expenses and failed to provide a breakdown like Calgary. To the minister of health: why did this government allow these two health authorities to report some of their expenses so differently over a seven-year time period?

**Mr. Snelgrove:** Mr. Speaker, what the hon. member leaves out of the Auditor's report is probably the most telling statement. It says, "Our auditor's opinion on [the ministry and department's] financial statements for the years ended March 31, 2010 and 2009 is unqualified." That means they are without question and correct. Read the whole story.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. I'm talking about the period between 2003 and '09 and the annual reports from the ministry of health, nothing to do with the Auditor's report.

Now, again, given that the Capital health authority failed to provide any details on over \$300 million of a \$1.6 billion expense that they incurred in the seven-year period, why did this government allow Capital health to avoid any disclosure of the \$300 million in expenses while Calgary gave an account of the money?

**Mr. Snelgrove:** In their entries held to by their predecessors, there are different auditing types. One of them in the \$500 million was misclassified expenses that needed to be corrected in the topside ledger, and with Covenant Health as, too, with Capital health they had a unique classification that was not picked up by the topside ledger, and approximately \$420 million of expenses were omitted. The topside ledger layered on top of multiple legacy general ledgers does increase the risk for error. However, it took considerable time to reconcile the two accounts.

2:20

**Mr. MacDonald:** Again, Mr. Speaker, I'm talking about Alberta Health and Wellness annual reports, not the Auditor General's report, but I appreciate the minister's earnestness.

Now, again to the minister of health: has any of the \$300 million undisclosed by Capital health been used to fund any of the court settlements, the lawsuits, or legal fees against doctors who have spoken out against this government about your policy and direction on public health care?

**Mr. Snelgrove:** Mr. Speaker, none of the \$300 million that he's alleging is unaccounted for. They are all audited. Alberta Health Services, Capital health, and Calgary health: all the health regions were audited. All of our books are audited. They are included in our consolidated statement, which has been given unqualified support by the Auditor General.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Calgary-Buffalo.

#### **Vulnerable Infant Response Team**

**Ms DeLong:** Thank you very much, Mr. Speaker. I have heard from constituents in the community of Bowness increasing concerns about infants at risk of harm, so I was pleased to attend an announcement on Friday by the Minister of Children and Youth Services that a million dollars was being allocated to establish an Alberta Vulnerable Infant Response Team in Calgary. My question is to the Minister of Children and Youth Services. What has changed with at-risk infants to cause you to establish this rapid response team?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. Six months ago I was very concerned when I saw increasing reports of infants aged zero to three months in Calgary who were at risk of harm due to abuse or neglect. That's between 45 and 55 infants per month. Sixty per cent of the concerns were raised by health professionals; 15 per cent were raised by the Calgary Police Service. The minister of health, the Solicitor General, and I developed a partnership with our child and family service authorities, with public health, and with the Calgary Police Service to address this serious situation.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. It's heartbreaking to hear of infants coming to harm through abuse and neglect, but it's also heartbreaking to hear of babies being separated from their parents during those critical early parent-child bonding days. To the same minister: can the minister please explain how this one initiative will help protect those vulnerable infants without the need to take them into provincial care?

**Mrs. Fritz:** Well, Mr. Speaker, we know that many parents are not prepared for having babies, and for some it can be very overwhelming, especially families that have complex issues like addictions, mental health issues, or family violence. So that's why we'll have four CFSA caseworkers, four public health nurses, and one Calgary police officer all working together as a critical response team. They will assess at-risk infants and their families, they'll develop safety plans, and they'll connect those families with intensive supports in the community. I hope that that will help to ensure that their babies are safe and cared for.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. To the same minister: why is the Alberta Vulnerable Infant Response Team only benefiting children in Calgary?

**Mrs. Fritz:** Mr. Speaker, I anticipated that that question would arise. This member has discussed that with me. We know it is vital, as I said earlier, for new, at-risk parents to get the assistance they need with their babies early on. This is the first time in Canada, actually, that we're going to have an integrated approach

where we provide immediate resources and supports for infants aged zero to three months with the four caseworkers, four public health nurses, and a police officer working closely together. Our plan is to take that information from that model and to ensure that it's developed in Edmonton by August.

#### **Nuclear Power**

**Mr. Hehr:** Mr. Speaker, due to the tragic events in Japan it's come to light that there's a clear danger of a nuclear leak occurring. Given our proximity there's a possibility of the jet stream carrying radiation through the upper atmosphere to Alberta. To the Minister of Environment: is there any action being taken by emergency services, our air monitoring systems, or other protection agencies to prepare for the possible risk of radiation spreading to Alberta through the jet stream?

**Mr. Renner:** Well, Mr. Speaker, the responsibility for emergency management in Alberta falls under the Ministry of Municipal Affairs, so I won't begin to try to answer on behalf of that ministry. But I can assure this member that all kinds of contingency plans lie within their responsibility, and I'm sure that they have begun putting some contingencies in place.

**The Speaker:** The hon. member.

**Mr. Hehr:** Well, thank you, Mr. Speaker. To the Minister of Energy: given the events with the nuclear power stations in Japan and the Bruce Power application that is being included in the AESO long-term capacity forecast, does the minister support nuclear power in Alberta?

**Mr. Liepert:** Mr. Speaker, first of all, there is no assumption of anything happening relative to nuclear power in Alberta, and to sort of tie this together at this time I think is inappropriate.

**The Speaker:** The hon. member.

**Mr. Hehr:** Well, thank you, Mr. Speaker. To the same minister. What role, if any, does the Alberta government play in assessing safety impacts of nuclear power development in Alberta? Or is that inappropriate as well?

**Mr. Liepert:** Mr. Speaker, any applicant under our open, competitive generation market makes application and has to abide by a certain number of rules and regulations. Until such time as an application may be received, it's hypothetical.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by the hon. Member for Lethbridge-East.

#### **Farm Safety Advisory Council**

**Mr. Berger:** Thank you, Mr. Speaker. Farm safety is an important topic in my constituency. My question is for the Minister of Agriculture and Rural Development. In November the minister announced the creation of a Farm Safety Advisory Council. Can the minister tell us what has happened since then?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. Actually, today we announced the 15 members of the Farm Safety Advisory Council. They include members from diverse backgrounds in primary agriculture, agribusiness, and safety areas. The council will be co-chaired by one of my assistant deputy ministers. It came about

through recommendations from a consultation process that involved groups that represented 50,000 primary and agrifood businesses throughout the province.

**Mr. Berger:** To the same minister: how do we know one sector of agriculture will not overly influence the direction of this council? In other words, is this council going to work in the interests of all agricultural producers, not just one sector of the industry?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. In fact, all areas of agriculture are represented: forage, grain, beef, and dairy. Even beekeepers are represented. These people are all well known within the industry and all have a good background in concerns with respect to safety. I know that they're going to work very well together and be a good board.

**The Speaker:** The hon. member.

**Mr. Berger:** Thank you. My final question is: what will the council be doing in regard to on-farm industries that actually have nothing to do with food production?

**Mr. Hayden:** Well, Mr. Speaker, a priority of the council is going to be to develop a joint industry and government action plan on farm safety. In addition, the advisory council is going to be responsible for helping government enhance the safety programs and training that we have in place right now and co-ordinate a communication approach and strategy with the industry. Agriculture is a very unique industry, and we've always said that government shares the responsibility for the safety of these people.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Whitecourt-St. Anne.

#### Farm Worker Safety

**Ms Pastoor:** Thank you, Mr. Speaker. The former member probably looked at my questions because this is an excellent segue. When an explosion at a natural gas well in Edson injured 12 workers earlier this month, provincial safety inspectors rushed to the scene to investigate. But when two Albertans were tragically killed in December, safety inspectors sent to the site had to turn around and go home. Why? The second incident involved paid farm workers, meaning that occupational health and safety inspectors are not allowed to investigate. To the Minister of Agriculture and Rural Development: will the minister support the Alberta Liberals' call earlier this year to make investigations mandatory for serious farm safety accidents?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. What the minister will support is what has been recommended by the industry. Alberta's farmers and rural Albertans are no different than urban Albertans. They want government out of their face. They want us to help them with the tools that are available, and we're going to do that. We're not going to complicate their lives. But what they are unanimous on in rural Alberta and urban Alberta is that they have no respect for ambulance chasers.

**Ms Pastoor:** How is the government supposed to design an adequate program to reduce the number of farm worker deaths and injuries when you don't even investigate the causes of the incidents?

**Mr. Hayden:** Mr. Speaker, we do investigate. We take a great deal of pride in the work that we do along with the producers in the province and the different organizations to try and ensure that we save lives of Alberta farmers and agriculture industry people by reducing injuries, and we're doing that. That's where our concentration is now, and that's what the industry has asked us for.

2:30

**Ms Pastoor:** Will any of those investigations be made public, and will the newly appointed farm safety council have any power to request inquiries? A simple order in council could address this. I might add that there's only one representative south of Calgary.

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. We will do as we've done with the original consultations: we'll take very seriously any recommendations that come forward. We do have Laura Nelson from Raymond, Alberta, in southern Alberta, which is very close to the border. We've got people throughout the province. I suppose it depends where you want to put a pin on the map. If you want to go to the middle of our province, that's Swan Hills, then all but two members are in southern Alberta.

**The Speaker:** The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Calgary-Fish Creek.

#### Land Sales

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. My questions today are all to the Minister of Energy. Last week Alberta had another land sale record, earning approximately \$160 million for the province. This follows a record year of land sales with revenues over \$2 billion for the first time in history. Mr. Minister, can you tell me if these land sales are because of the price of oil, because of the new finds, or because of our new competitiveness review?

**Mr. Liepert:** Mr. Speaker, the short answer is probably all of the above. What it really boils down to is that it's a situation where as government we worked with industry to see what needed to be done in order that these land sales could take place. I think a lot of what we did last spring in changing the fiscal regime was around new technologies that are now being employed, things that I don't know much about but that certainly are part of the industry – horizontal drilling, multifracking, those kinds of things – and it's paying off.

**Mr. VanderBurg:** Well, again to the same minister. All of those technologies are centred in my constituency of Whitecourt-St. Anne, a very important service sector. Can you tell me how soon these benefits will reach the northwest part of our province?

**Mr. Liepert:** Well, I think that it's pretty evident that it's reaching all of the province, Mr. Speaker. It doesn't matter what corner you go to in this province, from High Level to Milk River, the activity is very buoyant. I know that last week's and a couple of the other major sales that happened recently were actually in my colleague's constituency of Grande Prairie-Smoky, but they're very close to where this particular member represents, and I'm sure the economic spinoff will impact positively his constituency.

**Mr. VanderBurg:** Well, in our part of the province we all know that in Whitecourt-St. Anne we service the Grande Prairie-Smoky area as well, and we do that, you know, with a lot of the sector that's in Grande Prairie and in Whitecourt and in Edson.

**The Speaker:** Now, finish with your question there.

**Mr. VanderBurg:** So, Mr. Minister, when will we expect to see the wheels rolling on our machinery?

**Mr. Liepert:** Well, I think the wheels are rolling right now. In some cases I know industry is expressing concerns about labour shortages, about inflationary costs relative to input costs. But it's a good problem to have. I was very interested on the weekend, Mr. Speaker, where one of the economists was quoted in the daily media as calling Alberta the job creation machine.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Calgary-McCall.

#### **Health Quality Council Review** (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. As the Wildrose health critic I've been hearing all week from doctors and health care professionals, and these are not preposterous allegations despite what the health minister has indicated in the past. One doctor – let's call him Dr. X – called me to say that he knows of nondisclosure agreements that have been signed by health care workers who were silenced after advocating for patients. My questions are all to the health minister. Given that there is more than one doctor willing to testify, will you immediately call a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, I don't know who Dr. X is, but Dr. X is certainly welcome to speak to Dr. Y, and Dr. Y is Dr. John Cowell.

**Mrs. Forsyth:** Well, Mr. Speaker, the health professionals I'm hearing from indicate that that's not enough.

Given that I was e-mailed a letter, that I'm now happy to table, from a doctor – and let's call him Dr. Y – who indicated that there are many cases of physicians being intimidated and discredited and that there's a daunting culture of silence that needs to be broken, Mr. Minister, will you please immediately call a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, I don't see the need for a public inquiry at this time because we already have an independent review going on, and I've explained that.

What I'd like this hon. member to do is explain to us how five politicians would stand there from the opposition on Friday and make some outrageous remarks that somehow infer that there was some grand conspiracy, which there never was, that involved the College of Physicians and Surgeons, the Alberta Medical Association, the two faculties of university in Edmonton and Calgary as well as a former health authority, and they stand united by that.

**Mrs. Forsyth:** Minister, I don't think that Albertans would call what we did on Friday outrageous, quite frankly.

Given that it's not only doctors I'm receiving calls from – as well, there's the case with Nurse Z who complained to me this weekend about the silence imposed on everyone because of the strict Alberta Health Services code of conduct – will you immediately call a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, in this case I think she referred to a nurse. I would encourage that nurse to get in touch with the Health Quality Council. They can also get in touch with CARNA or any other organization if they wish. The point here is that there is a process in place where all of these suggestions or points can be

made, and that process is to contact the Health Quality Council of Alberta, a credible, knowledgeable, and very skilled organization.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for St. Albert.

#### **Fort McMurray Apartment Evacuations**

**Mr. Kang:** Thank you, Mr. Speaker. Over the weekend more than 300 people were evacuated from several apartment buildings in Fort McMurray after engineers found the buildings unsafe. Albertans have a long list of complaints when it comes to oversight of the construction industry. To the Minister of Service Alberta: beginning with the home inspections can the minister explain what interests continue to delay action on this issue 18 months after Service Alberta announced it was consulting with the stakeholders?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. This is a serious situation, and the regional municipality of Wood Buffalo has taken action in the interest of safety. There are multiple legal issues involved, and I will take this under advisement and refer it to the Minister of Municipal Affairs.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Albertans are hurting out there, and the government is so slow taking any action about the plight of Albertans. To the minister again: with the Alberta economy heating up, when can Albertans expect the minister to finally put forward amendments to the Fair Trading Act to give some protection from shoddy workmanship?

**Mr. Danyluk:** Well, Mr. Speaker, the independent municipalities are responsible for, I guess, the enforcement of the safety codes. There's no doubt that the safety codes and building codes are brought forward by this government, but municipalities are responsible for making sure that those safety codes and building codes are implemented.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. All those codes are inadequate, and we should have some uniformity there and some enforcement in the building codes. To the minister again: given that in the Fort McMurray episode the condominium association had to shoulder the costs of the inspections, can the minister tell us when we might expect some results from the long-running Condominium Property Act review?

**Mr. Danyluk:** Well, Mr. Speaker, first of all, I want to say that as far as building codes and safety codes, they are being readjusted all the time and being updated, and the hon. member has an opportunity for input.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Centre.

#### **Métis Settlements Land Tenure**

**Mr. Allred:** Thank you, Mr. Speaker. In 1990 the government of Alberta passed the Metis Settlements Act, giving the Métis settlements a form of self-government. The legislation also established a unique form of communal land tenure on the Métis settlements.

Unfortunately, this communal land tenure does not allow for the land to be mortgaged. To the minister of aboriginal affairs: has the effect of this legislation been reviewed by the Métis settlements and/or your department?

**Mr. Webber:** Well, thank you, hon. member, for that interesting question. I can say that yes, absolutely, the legislation effects have been reviewed by the Métis settlements, and it was done a number of years ago. They did submit a business case to the government back in 2007, which did recognize some of the challenges that they face with the current Métis land structure, but the business case, Mr. Speaker, also identified a number of options to deal with these challenges, including investment through land planning and creating long-term land leases.

2:40

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. Given that the noted economist Hernando de Soto has posited that citizens need to have title that they can leverage by way of mortgages in order to establish themselves economically in society, does the hon. minister feel that the Métis settlement system of land tenure is viable to establish self-reliant communities in the Métis settlements?

**Mr. Webber:** Mr. Speaker, the Metis Settlements Act does have the ability for them to develop and carry out policies that will contribute to self-reliance. I can tell you that the settlements did insist on the current land structure when the legislation was passed back in 1990. Over the years the settlements have remained consistent in wanting their land secured the way it is for their future generations.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you. Given that the Metis Settlements Act has been in place for 20 years now and the original monetary settlement has been extended for three years, when does the minister think that the Métis settlements will become self-sustaining?

**Mr. Webber:** Well, Mr. Speaker, first I need to clarify that the original funding agreement ended in 2007. We entered into a transitional funding agreement in 2008, which provided an additional \$18 million over three years, and it does come to its scheduled end here this month. In regard to the hon. member's question on self-sustainability the settlements have made a lot of progress since the legislation came into effect, but like any local government each settlement is at a different level of achieving its goals.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Leduc-Beaumont-Devon.

### Abandoned Wells

**Ms Blakeman:** Thanks very much, Mr. Speaker. This government talks big when it comes to the oil and gas industry covering the costs of cleanup after development, but collecting \$12 million this year to cover the cost of cleaning up abandoned or orphaned wells and \$820 million for the life of the fund for reclaiming the oil sands simply won't cover it. To the Minister of Environment: when the government has collected only \$12,000 per hectare from industry to pay for a cleanup that will actually cost closer to \$150,000 per hectare, why is the taxpayer inevitably on the hook?

**Mr. Renner:** Mr. Speaker, let's be very clear. It is the industry who is on the hook to do the cleanup. The funds that the member

refers to are only contingency funds in case the circumstance should arise that the industry that created the disturbance is no longer economically viable. That is by far the exception, not the rule.

**Ms Blakeman:** Sorry. The bottom line is that the buck stops with the taxpayers if there's no oil company to cover it.

Still to the minister: why won't the minister require companies to put up the cash for cleanup at the start of a project with the opportunity for top-ups as the project expands instead of allowing oil sands companies to push payments to the end of the life of the project? That increases the risk and the liability for taxpayers if the companies go bankrupt or walk away.

**Mr. Renner:** Mr. Speaker, I'm a little confused. I don't know if the member is referring to oil sands development or oil and gas well development.

**Ms Blakeman:** Both.

**Mr. Renner:** Well, she says both, Mr. Speaker. Unfortunately, there are two sets of rules, so I can't answer the question in the way that it was asked. I will say that we have been developing a very robust new revised regime for mine liability. I announced last week that we would be coming forward with the details, and I encourage the member to stay tuned because it should be later this week.

**The Speaker:** The hon. member, please.

**Ms Blakeman:** Thanks. The final question is to the Minister of Energy. Why did the minister give cleanup of the environment no consideration at all when developing the oil sands progressive reclamation strategy, proposing virtually no payment from the oil sands sector for reclamation until the end of the life of the project, where they can determine when the end of the life is?

**Mr. Renner:** Mr. Speaker, the program that the member refers to was developed by Alberta Environment, and that's the program that I referenced earlier. Despite the fact that the opposition felt it necessary to release the documents in advance of our scheduled announcement, the announcement is still scheduled, and it will be later this week. I encourage the member to come and get all of the details.

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Calgary-Varsity.

### School Construction in Beaumont

**Mr. Rogers:** Thank you, Mr. Speaker. The town of Beaumont is one of the fastest growing communities in Canada, with about 25 to 30 per cent of the population being of school age. The schools are bursting at the seams. To the Minister of Education: why was nothing included in this year's budget to rectify this situation, and when can the parents and the students of Beaumont expect some relief?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. There are a number of communities across this province which are suffering from the same issue. That's a wonderful issue to suffer from. It's an issue of growth, it's an issue of people wanting to come to this province and work in this province because of the good opportunities here, and it's an issue of people having their families and raising their

families in Alberta. The fact of the matter is that the capital spending for a new school in Beaumont wouldn't hit the actual budget for two years out or three years out. We're working on the issue with respect to the capital plan. We hope to be able to do some things which will help communities like . . .

**The Speaker:** The hon. member now, please.

**Mr. Rogers:** Well, thank you, Mr. Speaker. To the minister: thank you for that answer. It's encouraging, Mr. Minister, that you suggest that there may be some relief coming in the near future on the capital side, but assuming that an announcement is sometime soon, nothing would start for three to five years. What is your department doing to work with St. Thomas Aquinas and Black Gold schools to mitigate the current overcrowding?

**Mr. Hancock:** Actually, Mr. Speaker, as the hon. member knows, I've met with both of those jurisdictions on a number of occasions over the past year to discuss the issue. We have moved forward in approving STAR, St. Thomas Aquinas Roman Catholic, to move ahead to lease space, not the best space possible but at least where they can start a school in Beaumont and have some accommodation for students. We're working with the Black Gold board to acquire more modulars so that they can deal with their population growth.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker, and I do thank you for that, Mr. Minister, on behalf of the parents of Beaumont. That temporary school really has made a big difference in the community, but with the growth that is going on not only in Beaumont but in Leduc and many other parts of the area that I represent, how can the parents be assured that this situation will not occur again in the future?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. In the Department of Education we have some very good people who have developed with help a very strong demographic modelling tool which allows us to work with school boards to predict growth in student population, to take a look at where we need the new schools, where the growth is going to be, where the student spaces are needed. We also have in our capital development department a group that works with school boards in regions to do value reviews to see how we can make the best use of the public space that's available regardless of what school board owns it. We can do appropriate planning to determine what we need to do with respect to improvement of schools that we already have and where we need to build new. There's a considerable amount of work that's happened and considerably more work now in terms of how we finance and build.

**The Speaker:** Hon. members, that now concludes Oral Question Period for today. Seventeen members were recognized. There were 102 questions and responses.

Because of the time and the requirements of our standing orders and the 3 o'clock situation, we are going to move forward immediately now with Members' Statements, and I'm going to call on first of all the hon. Member for Bonnyville-Cold Lake.

**Mr. Hancock:** Mr. Speaker, rather than interrupt a speaker while they're speaking in Members' Statements, I wonder if it might be appropriate now to ask for unanimous consent to waive the standing order and allow the Routine to move past 3 p.m.

**The Speaker:** I can certainly do that. The request is that we allow the Routine to move beyond 3 o'clock p.m., and I'll ask it in such a way: if any member is opposed, please say no. Is any member opposed? Okay.

[Unanimous consent granted]

### Members' Statements

**The Speaker:** Hon. members, we have received on behalf of the Legislative Assembly of Alberta a message from Her Majesty the Queen, Head of the Commonwealth, a message for dispersal this Commonwealth Day titled Women: Agents of Change! I now would like to invite the hon. Member for Bonnyville-Cold Lake, Alberta's representative on Canadian Women Parliamentarians, to present Her Majesty's message as part of her member's statement today.

### Commonwealth Day Message from the Queen

**Mrs. Leskiw:** Thank you, Mr. Speaker.

Last week, on the 8th of March, we marked the hundredth anniversary of the first International Women's Day. The idea of having a women's day was first proposed against the backdrop of the rapid industrialisation in the early twentieth century. From small beginnings, this idea has grown to become a widely recognised way of celebrating women around the world. While some people use this day to acknowledge the love, admiration and respect for women, others use it to remember the great social and political strides made both by and for women in the last hundred years. There is no right or wrong approach.

[Mr. Mitzel in the chair]

In the Commonwealth, every year, 26 million girls are born; and this equates to one new baby girl arriving almost every second of every day. In the time it takes to hold the Commonwealth Observance Service at Westminster Abbey, nearly four thousand girls will have been born in Commonwealth lands. And every one of these births marks the start of a new life, a journey which begins with the hopes of parents, families and communities, and which is continued through the aspirations of those girls themselves.

2:50

This year, the Commonwealth celebrates the important role that women already play in every walk of life and in every Commonwealth country – from the richest to the poorest areas, across continents and oceans, from villages to places of international debate, in every culture and faith – recognising that women are "agents of change" in so many ways: as mothers and sisters, teachers and doctors, artists and craftspeople, smallholders and entrepreneurs, and as leaders of our societies, unleashing the potential of those around them.

And also this year, the Commonwealth reflects on what more could be achieved if women were able to play an even larger role. For example, I am encouraged that last year the Commonwealth launched a global effort to train and support half a million more midwives worldwide. In all this work the commendable goal is to create a greater opportunity for women as children and adults to pursue their hopes and dreams, to attain their goals, and to make best use of their talents and knowledge.

Thank you.

### Health Care System Public Inquiry Request

**Mr. Hehr:** Trust, accountability, and openness are absolutely vital to Canadian democracy. When a government loses the confidence



of its people, when citizens take everything the government says with a huge grain of salt, our entire society suffers. This government's mismanagement of public health care and its ham-handed approach to criticism from health care professionals at the heart of the system have shaken people's trust and confidence.

That's why on Friday representatives of all opposition parties as well as the hon. Member for Edmonton-Meadowlark issued a joint call for a full public inquiry, an independent inquiry with full protection for witnesses, led by a justice of the Crown. This unprecedented step was taken because of startling new suggestions that at least one doctor was intimidated into keeping quiet about problems in health care delivery. If there is even a grain of truth in these allegations, then we must get to the bottom of the affair and any others that have yet to come to light.

It's time to clear the air. It's time to stop intimidating doctors. It's time to learn the full sordid truth about this government's mismanagement of health care and its alleged attempts to cover up this mismanagement. I urge this government to leave a legacy it can be proud of, to allow a full public inquiry free of government censorship and interference so that Albertans can regain their trust in government and so that our health care professionals can finally feel free to speak out about the challenge they face in properly treating their patients. It's the right thing to do.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Strathcona.

#### National Social Work Week

**Mr. Quest:** Thank you, Mr. Speaker. I'm pleased to rise today in recognition of National Social Work Week, which celebrates an important profession with a long history of commitment to improving the well-being of people in our province. Social workers help people facing some of the most difficult and challenging circumstances of their lives, assist families in need, and reach out to others facing social, health, and financial problems. They provide counselling, advice, and support for people who want to better their situation. This year's National Social Work Week theme is Social Workers for Dignity and Inclusion: Upholding Human Rights.

In promoting human rights and inclusion, social workers help to improve the dignity and well-being of all. Social workers ensure that children and youth are kept safe, that people with disabilities receive assistance, and that families receive the support they need to be strong and to stay together.

Alberta is privileged to have skilled and dedicated professionals delivering programs and services to our children and families. Thank you to all of those who are in this honourable profession and who undertake the task of working with our most vulnerable.

I encourage all members to take the time this week to recognize the important contribution social workers make to the lives of all Albertans.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-Montrose.

#### Vulnerable Infant Response Team

**Mr. Bhullar:** Thank you very much, Mr. Speaker. A sad reality in our world is that an increasing number of vulnerable infants are coming to the attention of Calgary and area child and family services authorities each month because of neglect or abuse. We must deal with such circumstances proactively, before a precious child suffers. We must aim to keep families together.

That's why I'm very pleased that this past Friday the Minister of Children and Youth Services announced a new Alberta Vulnerable Infant Response Team in Calgary. This new, \$1 million initiative is a team of child and family services caseworkers, public health nurses, and a Calgary police officer working closely together to assess families with vulnerable babies, develop safety plans, and provide immediate and strong supports to families before a crisis occurs.

[The Speaker in the chair]

Depending on the challenges a family faces, supports may include addictions or family violence counselling and access to mental health care. Mr. Speaker, through this initiative at-risk parents will get the assistance they need early on so they are able to provide a safe and nurturing home environment for their child. The new Alberta Vulnerable Infant Response Team will help at-risk parents with challenging life situations learn parenting and coping skills to keep babies safe and well cared for and families together.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Community Initiatives Program

**Mr. Elniski:** Thank you, Mr. Speaker. Churchill said that the loudest sound he usually heard was that of axes grinding. We live in a noisy world, and we work in noisy places. All the noise, however unpleasant, cannot drown out the sound of the good such as the sounds of a senior with Alzheimer's clapping her hands to a long-forgotten song played on a new baby grand piano or the cheering of a gymnasium full of junior high students celebrating the work of their principal and teachers in getting them a new workout centre. These are the sounds and the joys of small yet mighty community initiatives program grants.

Each of the two groups I talked about used roughly \$16,000 in grant money to make a big difference. In the first example the Rotary Club of Edmonton West raised \$32,000 for a baby grand piano for the Grandview seniors' home in the Edmonton-Riverview constituency. I'm told that Senator Tommy Banks has offered to christen the piano and that the hon. Member for Edmonton-Riverview has offered to sing the opening song. I look forward to being there as it should be a night to remember.

Spruce Avenue school principal and former Edmonton Eskimo Chris Morris raised a similar sum to turn part of his school's stage into a fitness centre. Spruce Avenue school is in my constituency of Edmonton-Calder. The fitness equipment supplier sold the school a fully refurbished workout centre, exactly the same equipment he sells to the football team. It's high-quality stuff. If it stands up to the players, it should last a long time in a junior high.

So to groups like the Rotary Club of Edmonton West, the downtown Rotary, the staff and parents of Spruce Avenue school, thank you for your foresight, your creativity, and efficiency in making these things happen. I have listed but two of hundreds of small expenditures that make big differences. You have in your own way made life a better thing for those close to and around you. It didn't cost much, but it is worth a great deal.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

#### Community Facility Enhancement Program

**Mr. Benito:** Thank you very much, Mr. Speaker. I rise today to recognize an outstanding program and speak to how it benefited

the constituents in my constituency of Edmonton-Mill Woods. The Ministry of Culture and Community Spirit established the community facility enhancement program to help foster the unique characteristics of Alberta's many communities. This program has been designed to respond to local facility enhancement needs and to work in partnership with community groups and volunteers.

The community facility enhancement program assists communities with the construction, renovation, or redevelopment of community public-use facilities and is designed to help enhance the quality of life in communities across the province.

Mr. Speaker, two Saturdays ago I was able to see first-hand how the community facility enhancement program benefits local communities. In my constituency I was able to present a cheque for \$125,000 to the Ghana Friendship Association for the purchase of a community centre. The cheque presentation coincided with the 54th anniversary of Ghana's Independence Day, Edmonton's Ghana Week, and it saw a large number of Ghanaians and members of the African community on hand. I feel that this \$125,000 cheque for the purchase of the community centre will make Mill Woods a better place to live and raise a family.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for West Yellowhead.

### 3:00 Firefighters at Robb Gas Well Blowout

**Mr. Campbell:** Thank you, Mr. Speaker. I'd like to rise today to acknowledge the events which happened at the Husky natural gas well near Robb last Monday. In an unfortunate incident 11 workers, including four firefighters, were injured due to a flash fire caused by fracking operations at the well. The firefighters showed great courage in their battle to contain the blaze as they fought to extinguish the flames and rescue injured individuals despite suffering burns to their hands and faces.

These firefighters were employees of HSE Integrated, an industrial safety services firm, and the company president, David Yager, stated: "Every single one of our firefighters came out with another injured worker. They're heroes."

Mr. Speaker, I'm pleased to say that our government is committed to ensuring that these firefighters and all firefighters injured on the job have the best care. The burn unit at the University of Alberta hospital is among the best in the world, and I'm sure these four firefighters will receive unparalleled treatment through the duration of their stay.

While the names of these injured firefighters have not been yet released, I commend them for their valour and courage, and I wish them the very best in their recovery.

Thank you, Mr. Speaker.

### Notices of Motions

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

**Ms Blakeman:** Yes, Mr. Speaker. At this point I'd like to give oral notice of a Standing Order 30 request, and I have the appropriate number of copies to be distributed. The request is that we would suspend the ordinary business of the Assembly to discuss a matter of urgent public importance; namely, the new evidence that has surfaced demonstrating that the government silenced critics of the health care system, thereby contributing to the crisis in Alberta's health care and undermining confidence in public health care.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. Under Standing Order 30 I'd like to serve notice that

the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, that given the willingness of multiple health professionals to now come forward under the protection of a full and independent public inquiry, the need for the government to immediately appoint a commission under the Public Inquiries Act to investigate allegations that health care professionals may have been intimidated or faced the loss of employment or professional certification or had their character or mental health questioned unfairly in order to prevent them from speaking out publicly about deficiencies in the delivery of health care such as excessive wait times for cancer surgeries, leading in a number of cases to unnecessary death, and, further, that individuals may have received payments from public health authorities in exchange for their silence.

I have the requisite table copies.

### Introduction of Bills

**The Speaker:** The President of the Treasury Board and Minister of Finance and Enterprise.

#### Bill 13

#### Appropriation (Interim Supply) Act, 2011

**Mr. Snelgrove:** Thank you, Mr. Speaker. I request leave to introduce Bill 13, the Appropriation (Interim Supply) Act, 2011. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 13 read a first time]

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

#### Bill 14

#### Wills and Succession Amendment Act, 2011

**Mr. Drysdale:** Thank you, Mr. Speaker. I rise today to request leave to introduce first reading of Bill 14, the Wills and Succession Amendment Act, 2011.

The Wills and Succession Act governs how and to whom property is transferred when a person dies. Bill 14 will amend this legislation to clarify that the new court powers to validate or correct wills may only be exercised in respect of wills of those who die after the act comes into force. This amendment corrects an issue in the original act which seems to allow correction powers such as the power to rectify a will by adding words that were mistakenly omitted to apply to wills of people who are already dead. We want to avoid uncertainty and to avoid costs or delays caused by people trying to open closed matters or hold up administration of estates.

Thank you.

[Motion carried; Bill 14 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that Bill 14 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

### Bill 15 Victims of Crime Amendment Act, 2011

**Mr. Oberle:** Thank you, Mr. Speaker. I rise and request leave to introduce a bill being Bill 15, the Victims of Crime Amendment Act, 2011.

Mr. Speaker, this bill seeks to amend the Victims of Crime Act, hence the crafty name. We hope to ensure that the services we provide in Alberta to victims of crime are both timely and fair.

Thank you, Mr. Speaker.

[Motion carried; Bill 15 read a first time]

### Tabling Returns and Reports

**The Speaker:** I have down here the hon. Member for Calgary-Mountain View. Is there a tabling? Hon. Member for Lethbridge-East, proceed.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I will be tabling on behalf of my colleague the Member for Calgary-Mountain View, Leader of the Official Opposition. These are actually tablings from last week that had been corrected. It's the five copies of a letter concerning gender reassignment.

Nine letters are from physicians who are again asking why there's going to be a cut in the physician support programs.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling e-mails from the following individuals concerned about block cutting, otherwise known as clear-cutting, in the Castle wilderness: Roger Gagne, Larry Semchuk, Julie Walker, Katrina Kellner, Richard Collier, Annette Le Faive, Timothy Petkau, Lisa Hurst, Sean Willis, Joan Poulsen, Morris Prokop, Margaret Roberts, Rebecca Hohnsbein, Debra Bornhuse, Wendy Francis, Catherine Diebel, Adrian Thyse, Jeremy Derksen, Leanne Silva, Daniel Rudy, Elaine Roberts, Gene Oleksin, Robert Reeves, Terry Hrudehy, and Dorothy Tovell.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I have two sets of tablings today. The first is a letter to the Premier that was sent to him today, signed by the hon. Leader of the Official Opposition, the leader of the Wildrose Alliance Party, the House leader of the Alberta Party, the MLA for Edmonton-Meadowlark as well as myself, leader of the NDP opposition. The letter calls for a public inquiry, and it goes on to say that the Health Quality Council cannot compel witnesses to testify nor require evidence be produced and lacks power to overrule non-disclosure agreements. It does not have sufficient independence from government, or sufficient separation from the medical establishment.

My second set of tablings, Mr. Speaker, is a series of documents outlining the public statements of the Premier. The first one, from March 9, is entitled Premier Rejects Health Inquiry. The second one, from March 11, reads: Health Inquiry Ordered. Finally, on March 14 it says that the Premier quashes inquiry calls. I'm expecting another one in a few days.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a poll recently released regarding the

future of the Castle special management area. The poll finds that over 85 per cent of Lethbridge and Coaldale residents oppose logging in the Castle special management area west of Pincher Creek. A similarly overwhelming majority instead support the establishment of a wildland park, and 94 per cent of residents favour protection of the Castle watershed and wildlife habitat over recreational use. The Legislature, therefore, ought to act to protect this special area.

Thank you.

3:10

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I wish to table three separate tablings. The first is a letter dated September 10, 1999. It's on Capital health letterhead. It's about a physician who had a conflict with the hospital administration over patients suffering and dying in emergency rooms. It's a notice under the Trespass to Premises Act for the physician not to attend the hospital facilities anymore.

My second tabling is a letter dated September 14, 1999. It's on Capital health letterhead. It's about that same physician and his privileges being brought into question, and it's signed by an executive vice-president and chief clinical officer of Capital health, also the associate dean of clinical affairs for the Faculty of Medicine & Dentistry.

Then I have a third tabling dated June 5, 2000. It's from the deputy registrar of the College of Physicians and Surgeons about the said physician in question, saying that there is "no negative entry in your personal file at the College offices. You are in good standing at this time," and you're free to practise medicine. There are no impediments based on competency or mental health issues. Mr. Speaker, that physician is this current member of the Legislature.

Thank you.

**The Speaker:** Are there others? Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'll be tabling a letter that I got from Dr. Y and that I referred to in my questions in question period, where he said:

There are so many of us, wanting to do the right thing for patients, but who are working in fear of retribution if we speak out.

I have direct knowledge of several health professionals, who were negatively impacted by their efforts to advocate for better healthcare. They were silenced or worked out, or discredited, one after the other. I have also been . . . impacted by this "muzzling of physicians voices", and this "culture of silence" was simply reinforced. Anyone questioning the status quo would be "dealt with" rapidly and effectively.

He goes on: "Our moral distress continues . . ."

**The Speaker:** Hon. member, table the letter. It is not necessary to read the whole letter.

The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It is my pleasure to rise and table with you the appropriate number of copies in follow-up to an answer I gave during question period earlier today. It's basically my letter to Dr. Tyrrell, chair of the Health Quality Council of Alberta, in which I am asking them to do an independent review and "determine, to the extent possible, the impact of wait times on a group of emergency department patients identified by emergency department physicians, and others." The letter goes on similarly with respect to the impact of wait times on

cancer patients. This, again, will be a fully public document once they finish their review.

Thank you.

**The Speaker:** Okay. Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Stelmach, Premier, a partial transcript dated March 9, 2011, from the *Rutherford* show, CHQR/CHED radio, with guest Dr. John Cowell, Health Quality Council, with attached 630 CHED web page dated March 9, 2011.

On behalf of the hon. Mr. Hayden, Minister of Agriculture and Rural Development, pursuant to the Livestock Identification and Commerce Act the Livestock Identification Services Ltd. summary of activities April 1, 2009, to March 31, 2010, fiscal year 2010, with attached financial statements dated March 31, 2010.

On behalf of Dr. Sherman, hon. Member for Edmonton-Meadowlark, Court of Queen's Bench amended statement of claim dated August 27, 2002, between Dr. Ciaran J. McNamee and Ciaran J. McNamee Professional Corporation, plaintiffs, and the University of Alberta hospital, Capital health authority, and Dr. Robert Bear and Dr. Tim Winton, defendants.

**The Speaker:** Hon. members, we also have three points of order to deal with. The first one is from the hon. Government House Leader, who rose on a point of order. The hon. Government House Leader.

### Point of Order Parliamentary Language

**Mr. Hancock:** Thank you, Mr. Speaker. Earlier today during question period the Leader of the Official Opposition was very intemperate with his remarks on a number of occasions, as he has been both in and outside the House. Specifically, I would raise a point of order under 23(j), "uses abusive or insulting language of a nature likely to create disorder," and (l), "introduces any matter in debate that offends the practices and precedents of the Assembly."

I would also draw the Speaker's attention to a number of citations in *Beauchesne's*, referencing at least one of the statements that was made by the member, where he talks about: "come clean about your government's dishonesty and incompetence by disclosing all cases," et cetera.

Now, Mr. Speaker, it is parliamentary practice to ask questions and even to be aggressive in asking questions, but under *Beauchesne's* 409(7) at page 121 "a question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it." *Beauchesne's* 411: it must not be hypothetical and be only in relation to current portfolios; it must not reflect on character. The short of it is that as parliamentarians there's a duty on us to act in the public interest, and that includes letting the public know. That's 410(4), that I was going to cite. "In the view of the watching public, decorum is of importance."

It is absolutely inappropriate to use language alleging dishonesty and corruption except in one very, very important circumstance, and that is the circumstance where you're prepared to bring evidence to show it. In that case it's appropriate to have that referred to the appropriate officer of the House or to the police for investigation. But if you do not have evidence of dishonesty or corruption, it is absolutely without the proprieties of

the House to use that language to describe members or a collective of members in this House. The hon. member today offended that propriety with his language.

Mr. Speaker, I raise this as a point of order because it is important. We've talked about this on a number of occasions in the past. We can disagree on important matters of public policy and on issues important to the public without being disagreeable, and in fact we have an obligation to do so. If we cannot engage in this House in appropriate levels of public discourse and exchange of ideas and viewpoints without rancour and without allegation and without bringing in accusations about other members, what kind of an example are we setting for the discussion of public policy in this province?

This is a very important role that we have. It's important that we carry out this role with a sense of dignity and decorum, as befits this House, and I would ask you to ask the hon. member to apologize for his offensive language.

**The Speaker:** The hon. Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I do rise at this time to refute that there is a point of order in this particular instance.

Now, I'm going to take it that the Government House Leader was referring specifically to the one phrase that he put on the record, that had been uttered by the Leader of the Official Opposition. I agree with him that there are many times where we can find language to disagree with each other in this House, but I will say that over a prolonged period of observation, especially in this session but going back several years, there is a movement on behalf of members of the government that genuine questions, backed up by proof of any kind that you wish, are asked by any member of the opposition, and they are met with, generally, a denial, then a trivialization of the issue, and then some sort of insult about the intelligence of the person asking the question or their ability to comprehend the issue or the problem at hand or some other offhandedness. So the respect in this House, for both sides, has been disintegrating for some time. That tone does get set, and it does get set by the government members.

3:20

Now, we have had a particularly spirited discussion back and forth about the need to have an inquiry to investigate the issues that have been brought up around the deaths of the 322 people in emergency care and various forms of care. What we have had from the government is: "Well, we don't answer these questions. I'm not the minister any longer, so I'm not going to answer that question." Or the administration says, "That was then; this is now; that's not our problem" as though it were somehow a different government that was in charge, and that's simply not true.

From the position of the oppositions in this House and, particularly, the Official Opposition we have to try a little harder, yell a little louder, and dig a little deeper to try and get the information out. In fact, I believe that when the Leader of the Official Opposition talked about coming clean and about dishonesty, we have one that has been presented with proof, and that is that we've had a doctor who was in fact chased out of the province, lost their licence, lost their privileges. There was a deal made – and that has been brought on the public record – and there was a payment. If there was nothing wrong – I've never seen the government move with such alacrity to settle something as they did in that particular case.

So proof is on CBC and on their website and now in a number of other media. [interjection] Well, there are interviews with the

individual, and if you don't want to listen to the interviews, I can't help you. But it's certainly public reference. It's certainly available from a number of places. If the government wants to argue about how much proof is enough, okay. We can have that argument. But you said, "Prove that this has happened," and that proof has stepped forward in public, on the record.

To say that the government was dishonest in saying, "This has never happened; it's not our problem; we've never heard of this," yes, I think that a person on the street would see that as dishonest. We have had a number of high-profile medical personnel who've left their positions, Mr. Speaker. We've had four medical officers of health in the Edmonton region, the previous head of the Provincial Laboratory of Public Health. We've had a medical officer of health with Palliser, who is now known as the Leader of the Official Opposition. We've had Dr. O'Connor, a physician for the Fort Chip area, where the government asked both the college and the AMA to review his record. So right there are a number of examples where we have brought forward or the individuals have brought forward that there was an issue, and we can't get any information from the government.

As far as whether or not the language should have been used, it has to be looked at in context, Mr. Speaker, as you have well advised us many times. As I reviewed the citations that were made by the member and that appear for us in *House of Commons Procedure and Practice*, clearly there are examples where on language and decorum the deciding factor is: did it create disorder in the Chamber? Through that question period there were a number of times that disorder was created, and I cannot say that that particular time was the largest disorder. I think, in fact, it was one of the smaller disorders. I can give the Speaker 619 as that particular quote and also, on the previous page under 618, a ruling on the basis of the context in which the language was used.

I would respectfully argue back to my colleague that he believed at the time that he used it – he probably still believes it – that that particular choice of language was in order based on what we have seen and that that was an appropriate choice of language for that time. It's not hypothetical in this case, which was quoted using 411(5). This is not a hypothetical case anymore. It's not. And that's what keeps happening to the opposition. We bring issues up, we're pooh-poohed by the government, and then we're able to back it up. This is another example. We've backed it up. You asked us for evidence. We provided the evidence. Now the evidence isn't good enough; that's not the language that we should use to present it.

Thank you very much for the opportunity to speak, but I do deny that there is a point of order in the context of what was said today and in the context of the larger question period.

Thank you.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. I want to support what the hon. House leader on our side has said, and I want to draw some clarity to the issue in terms of some of the allegations and some of the references that were just made by the previous speaker.

I don't think there's anyone in this House or anyone out there who would not understand the difference between an allegation and truth. I don't think there's anybody who would not understand the difference between a statement of claim, which is a statement from one particular party's interests and from one particular party's side of the argument, and what a statement of defence would be. The fact is that some of the issues they've dealt with seem to fuzzy the issue. They don't provide any clarity.

What the hon. member on the opposition side did today is, in my view, a point of order. I would hope that you will find in that respect. But let's not start dragging in all kinds of other issues to do with clinical skills or practices in medicine that do or don't apply in this case. Let's stick to the point of order. I'm hoping you'll find that there wasn't one.

We'll have ample time perhaps, if the vote goes a certain way, to discuss some of the other issues that this member wishes to raise. Until then, let's get back onto the business of the House.

**The Speaker:** The hon. Member for Edmonton-Meadowlark on this point of order.

**Dr. Sherman:** Mr. Speaker, thank you. Having taught medicine and law to medical students for years and having served as an expert witness many times on medical lawsuits, lawsuits are settled three ways. Either the person drops the action, or they go to court, or it's settled. In that particular action Dr. McNamee is unable to speak. The action, therefore, I assume, is settled.

**The Speaker:** Hon. member, there were no names mentioned in the point of order before us. Let's stay on the point of order. Are you continuing on the point of order? No names mentioned.

**Dr. Sherman:** My apologies.

With respect to the evidence that was produced in the statement of claim, with Dr. McNamee not being able to speak openly, there are certain allegations . . .

**The Speaker:** Please sit down. Okay? I think we'll move on if you don't mind.

Who else would like to participate on this point of order? We've got all afternoon. The hon. Member for Edmonton-Riverview. Don't hold back. We're dealing with a point of order.

**Dr. Taft:** On the point of order, if there was no evidence, then why did the government pay a settlement?

**The Speaker:** Anybody else want to participate? No?

Well, okay. Here's what happened, just so that everybody can remember, because it's important to get back to the point. The hon. Leader of the Official Opposition is already partway through his answer, but I think these are the words that caused the hon. Government House Leader to rise.

Are you willing, then, to come clean about your government's dishonesty and incompetence by disclosing all cases where the government, Alberta Health Services, regional health authorities paid any form of compensation to people for their silence? Are you willing, sir?

I do believe that it was at that point the hon. Government House Leader rose and dealt with this matter.

Now, it's very, very clear that in our rules – and they've been commented on by various speakers in here already this afternoon – you cannot say that deliberately about any individual member. We have a situation here where it was not really deliberate to one particular member, but the comment was about "your government's dishonesty and incompetence," so clearly some people could make the argument that you are making a direct accusation against another member.

3:30

I'm going to just read again because it's kind of important for us to be reminded of these things: page 618, chapter 13, Rules of Order and Decorum, *House of Commons Procedure and Practice*, second edition, 2009, under Unparliamentary Language.

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members.

Good way to begin.

Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults and obscenities are not in order. A direct charge or accusation against a Member may be made only by way of a substantive motion for which notice is required.

If language used in debate appears questionable to the Speaker, he or she will intervene, as happened this afternoon, when a particular member stood up and referred to a part of his *derrière*.

Nonetheless, any Member who feels aggrieved by a remark or allegation may also bring the matter to the immediate attention of the Speaker on a point of order. Points of order may not be raised during Members' Statements or Question Period, however, the Speaker may address a matter of unparliamentary language at once if he or she believes the matter to be sufficiently serious to merit immediate attention,

which happened.

Normally, the matter is dealt with at the conclusion of Question Period. Since the Speaker must rule on the basis of the context in which the language was used, points of order raised in regard to questionable language must be raised as soon as possible after the alleged irregularity has occurred.

And that certainly did happen.

Then there's something in here about if the Speaker didn't hear the words. Well, the Speaker did hear the words, so that paragraph doesn't apply.

In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words at issue were directed; the degree of provocation; and, most importantly, whether or not the remarks created disorder in the Chamber. Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary the following day.

This really helps in arriving at a conclusion, by the way, hon. members.

The codification of unparliamentary language has proven impractical as it is the context in which words or phrases are used that the Chair must consider when deciding whether or not they should be withdrawn. Although an expression may be found to be acceptable, the Speaker has cautioned that any language which leads to disorder in the House should not be used. Expressions which are considered unparliamentary when applied to an individual Member have not always been considered so when applied "in a generic sense" or to a party.

Therein, I think, is where we arrived at this afternoon.

I certainly do not believe that the language is parliamentary in terms of the tradition of the province of Alberta, but by the same token it was not against a particular member although some might argue that it is. No member can accuse another of a deliberate falsehood, and in this case the Leader of the Official Opposition does not directly accuse another member, but it's pretty close to the line. So this is not good reflection – not good reflection – but it's also not going to be upheld as a point of order.

Hon. Member for Airdrie-Chestermere, you have a point of order.

**Mr. Anderson:** Mr. Speaker, I shall be very brief.

**The Speaker:** Oh, take your time.

**Mr. Anderson:** Yeah, exactly. Shovel it under the rug, right?

The standing order is 23(j). What I would just say is that the hon. minister of health said that at a news conference on last Friday members of the opposition besmirched and attacked the

credibility of the members of the College of Physicians and Surgeons, the AMA – that's the Alberta Medical Association – and other health professionals. This statement is categorically untrue and, I think, is abusive and insulting language, and I would hope that the minister would retract that completely untrue statement that he talked about. But with that, I withdraw my point of order. I just wanted to make sure that was on the record.

Thank you, Mr. Speaker.

**The Speaker:** Sorry. You made an accusation against someone and then withdrew it?

**Mr. Anderson:** Well, no. Sorry. Mr. Speaker, I just wanted to make sure that it was clear that we did not in fact besmirch the College of Physicians and Surgeons and the AMA, as was alleged by this minister. I'm not asking him to withdraw his comments, and therefore I'm withdrawing my point of order.

**The Speaker:** I don't know what point you're rising on, but go ahead.

**Mr. Zwozdesky:** I'm not sure. I think at the very least we need some clarity because at the beginning of his point of order he made some innuendoes about the Speaker shoving something under the rug, and I think he should be held to account for that. I know we don't do points of order on points of order, but since there wasn't a point of order at the end – he's withdrawn it – I'm raising a point of order.

#### **Point of Order Reflections on the Speaker**

**The Speaker:** If the hon. Member for Airdrie-Chestermere said something similar to what you've just said, I would have no choice but to have him disembowelled, but I'm going to give him a chance. I did not hear that. If you said that, honourable sir, have the integrity to stand up and take responsibility.

**Mr. Anderson:** You know what? This guy wouldn't know the truth if it hit him in the head.

**The Speaker:** No, no. I want to know.

**Mr. Anderson:** It's a very shameful comment. I didn't say anything to you about that, and he should withdraw that remark. He's being untruthful and dishonest with this House. [interjections]

**The Speaker:** Okay. Look. [interjections] Whoa. Settle down here, please. I did not hear any such comment, okay? I asked the hon. member in front of all of you if he'd said the comment. He said he had not. So I'm cool, okay? I feel good about myself. I feel okay, and I don't feel challenged. I'm not taking the medical procedure against the hon. Member for Airdrie-Chestermere.

We have no point of order, and the hon. Minister of Health and Wellness is happy because he's got a smile on his face. You're okay? You're happy?

**Mr. Zwozdesky:** It's okay. Fine.

**The Speaker:** That's good. That's good.

Okay, hon. Government House Leader. The third point of order.

#### **Point of Order Allegations against a Member**

**Mr. Hancock:** Well, Mr. Speaker, again rising under 23(h), (i), and (j), (h) being making allegations against another member – in

this case it was against another member; it was against the current minister of health – “imputes false or unavowed motives to another Member” and “uses abusive or insulting language of a nature likely to create disorder.” Also, I’m rising under the appropriate rule in *Beauchesne’s*, which indicates under 409(7), “must adhere to the proprieties of the House” and one of the other rules, that says you can’t ask somebody about . . . Oh, sorry. On page 122, 410(16), “Ministers may be questioned only in relation to current portfolios.”

The language which was offensive essentially was when the Member for Edmonton-Meadowlark persisted, actually, in asking questions about a previous portfolio and actually did so after he was admonished by you that it’s not appropriate to ask those questions. But when the first question was responded to by the minister of health, the minister of health very clearly indicated that at the time the member was talking about, he was the associate minister of health, and I very clearly heard him enunciate the responsibilities that he had in that context.

The Member for Edmonton-Meadowlark then went on to say something to the effect – and I don’t have the benefit of the Blues on this one – that he completely sloughed off his responsibilities. Now, that would seem to be a milder characterization than what we heard previously, but again I go back to the propriety of the place. If we want to really have discussion on public policy that’s meaningful, if we want to engage the public in discussions, then we really do have to be people of good order in this House and set an example in debate. The hon. member was specifically admonished by you not to ask questions about previous portfolios, so he turned the question into a slur and made an allegation against another member and, in his language, made aspersions about the member’s character and conduct.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I want to respond to this, too, because I do believe there is a point of order that has to be made. The hon. Member for Airdrie-Chestermere made some statements here that are simply not true. They don’t even actually probably deserve this much level of debate. I want to assure the member that everybody was listening and watching when five politicians, five opposition politicians stood together on Friday on a platform and, united they stood, said things like:

Investigate whether or not Health Authorities, the Alberta Medical Association, professional organizations or any other body, including medical faculties, participated in any of the activities included in [the first point raised] and whether or not they did so in conjunction, directly or indirectly, with the Government of Alberta, any of its ministries or with any of its officials, elected or non-elected.

What was item 1, that they all stood there united and solidarity reigns forever? Item 1 was:

Investigate whether or not health care staff and professionals were subject to intimidation, including retribution, professional or employment discipline or the threat thereof.

The quote goes on.

3:40

Another member standing there on Friday said words to the effect of: all of these organizations – the universities, the Alberta Medical Association, College of Physicians and Surgeons, the government, and health authorities, and perhaps others – engaged in a climate that fostered fear and intimidation. They all stood together, and now they’re trying to distance themselves from it.

**The Speaker:** Hon. Minister of Health and Wellness, I very much enjoyed the last few minutes. I’m trying to conclude in my mind what it has to do with the point of order that has been raised.

As far as I can understand, the hon. Member for Edmonton-Meadowlark said the following.

Thank you, Mr. Speaker. Usually what the guilty always say is: show me the proof. The current Minister of Health and Wellness was associate minister of health at that time. He completely sloughed his responsibility. I was his associate minister of health. I spoke up, and I have a duty and a responsibility not only as a physician but as a legislator when I’m aware of these cases of physicians begging for resources, and the minister completely sloughs any responsibility he has as a legislator.

I believe, hon. Government House Leader, that it was at that point in time that you rose on a point of order.

So we’ve now heard from the hon. Government House Leader and the hon. minister of health. Does anybody else want to get involved in this point of order? Oh, the hon. Member for Edmonton-Meadowlark, by all means.

**Dr. Sherman:** Thank you, Mr. Speaker. It is truly an honour to be served my first point of order as an elected official for speaking up on an important issue of public safety for Albertans. I was faced with an ethical and moral dilemma. I became aware of something very serious.

**The Speaker:** Hon. member, with the greatest degree of delicacy, please would you just have a chair. The point here is about the words you used, not about you. It’s about what you said today in the House. It’s not about you. It’s not about the past, not about three weeks ago, four months ago, but today, this afternoon, in the House, the words you used. That’s what this issue is about.

**Dr. Sherman:** In that case, Mr. Speaker, with respect to using the word “sloughing,” I will apologize to you and the Assembly.

**The Speaker:** In the history of our Assembly when we receive an apology, we move on. We accept everything, and we move on. So that has now been dealt with. I do believe that that’s cleaned up the three points of order that we had this afternoon. Thank you, hon. member.

## Emergency Debate

**The Speaker:** Now we have the hon. Member for Edmonton-Centre on a Standing Order 30 application, urgency being the key.

## Health Care System

**Ms Blakeman:** Yes, sir. Thank you very much for the opportunity to bring this standing order before the House. I did do the oral notice as required, and it was delivered to the Speaker’s office and also a copy to all of the other caucuses and the independent member. If I may be bold enough to say, I have been asked to make sure that people understand that all of the opposition parties and the independent member are asking for this emergency debate to take place.

I just want to quickly run through the requirements of urgency given that we’re looking for issues that are specific. They are urgent and important and require urgent consideration. Under *Beauchesne* 387 and 389 as well as – I’m sorry; this is the older version – *Marleau and Montpetit*, parliamentary reference, 585 and the parameters set out in *Beauchesne* 387 to 398 we’re looking at an opportunity for debate.

Now, the budget debate, Mr. Speaker, is on April 13. However, that is four weeks from now, and this issue has more immediacy than four weeks away. As well, the format for the debates is now very narrowly focused and doesn't allow for a back-and-forth, wide-ranging debate. There was no mention of this particular issue in the throne speech regarding public inquiries, the 322 cases, or the wait times that connect to them. There was nothing outlined in the government media release of February 14 on the spring session. There's no private member's public bill or private bill on the Order Paper. There are no government motions. There are no motions other than government motions that are likely to come up in any kind of a short time order. The department of health was not included in the supplementary supply budget at all.

In Oral Question Period, obviously, this issue has been raised a number of times, particularly around the issue of public inquiries, but *Beauchesne* 408(1)(e) and (f), 408(2), and 410(7) all speak to brevity, and none of them encourage the kind of debate that we're actually seeking under Standing Order 30. The written questions: there are questions on health and recruitment, but the government did not call them today, and otherwise they are not called and due until day 17, so they are not available to us at this time. There is a motion for a return sponsored by the Member for Edmonton-Highlands-Norwood, again not due until day 24.

None of this is giving us anything that we can work with on an immediate basis given how pressing the public interest is on this particular issue. In that, I'm referencing *Beauchesne* 389, that the public interest will suffer if this issue is not given immediate attention. Certainly, the government has been aware of the 322 cases and the surrounding controversy since 2008. There was no public inquiry called. We're not aware of an internal inquiry.

The Health Quality Council is not sufficient for the level of whistle-blower protection and witness immunity or to address issues of health care professionals' intimidation or the loss of employment. The recruitment and retention of health professionals has been an ongoing challenge in this province, and the urgency of this issue for a public inquiry continues for this House and for Albertans. It is so urgent that the opposition parties and the independent member have joined together, and despite the derision that the health minister seems to hold for that, I think that is generally recognized in the public as a very strong illustration of the seriousness of this issue.

We have had a number of examples that the opposition members have brought forward – and I'm speaking wider than the Official Opposition – and those as general situations and some specific ones have been denied by the government. Then when we try to press further, we're told, "No, I'm no longer the minister there; I'm not responsible," or we get the general response from the government: that was then, this is now, and we're not responsible for what the same government with the same political party made choices about four or five years ago or three years ago. Well, somehow they're not responsible for any of the choices that were made although most of the people there were there for that decision-making process and are still there. Somehow they forget. I guess it's selective amnesia.

It is a crisis of confidence for the public. We know from the recent polling that two-thirds of Albertans do believe that there is an issue around management and mismanagement in the health care system. We wanted to be able to allow a public inquiry and a debate around a public inquiry to allow the government to show their proof, and certainly we've already put ours on the table. Where we're lacking is in the response from the government on why they wouldn't do this.

We have to be able to offer immunity to the witnesses. We have to be able to conduct this as a public inquiry with the full protocol

of the quasi-judicial structure. We need to be able to compel witnesses, sir, because otherwise those witnesses may not come before us. That would be including some of the people that are opposite me on the government benches as well as people working for the government. The government has always denied these allegations, but there is proof, specifically in the case of Dr. Ciaran McNamee, and that is definitely on the record.

What needs to happen today is that a debate needs to go forward. There is no structure or venue for doctors to speak out, and that is why a public inquiry is needed and why we need to hold the debate in this House, suspending the regular order of business in order to debate that public inquiry. I ask the Speaker respectfully to rule in favour of this motion and to put the question to the vote of the Assembly.

Thank you.

3:50

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would dearly love to stand here and take the same amount of time to refute the rather spurious allegations that have been made by the hon. Member for Edmonton-Centre. However, I do agree with her on one particular issue, and that is that there is an issue of urgent public importance. It's none of the ones that she has raised. I feel a bit like a boxer taking a fall in a fight. It's none of the issues that she has raised. The issue of urgent public importance, that is framed rather ineptly in the motion, is these allegations that are being made about government being corrupt, about government being dishonest, about all those things, referring to character of members of this government rather than to the public importance of issues. It says in the motion, "The new evidence that has surfaced demonstrating that the government silenced critics . . . thereby undermining confidence" in the health system, clearly referring back to earlier statements about allegations that have been made.

Now, a statement of claim is not proof of anything. A statement of claim is, in fact, an allegation. The Member for Edmonton-Riverview said: well, if a statement of claim is issued and an issue is settled, that means there's proof of something. It means absolutely nothing of the sort. Lawsuits are settled all the time for all sorts of reasons and usually without any acceptance of responsibility whatsoever. The hon. member really cannot say that the issuance of a statement of claim means anything.

But there is a matter of urgent public importance here, and that is that we have a discussion in this House, which is the most appropriate place for the discussion, about the allegations that have been raised by the members opposite with respect to the conduct of this government, and that doesn't need a public inquiry.

Members opposite should be prepared to come this afternoon – I presume they've been planning this in concert as a coalition over the weekend – with whatever proof they might have, not just allegations, not just insinuations, not just recklessness. Bring some proof and have some discussion this afternoon of where the government has done wrong. If all they can allege is that some HR manager someplace did something or that management throughout the health system resulted in somebody being fired, that's not proof of corruption. That's not proof of dishonour. That's not proof of fraud. That's not proof of payment of people to go away. Bring the proof, bring it this afternoon, bring it before this Legislature, stand behind what you say, and then go outside and say it again.

**The Speaker:** Hon. members, under the rules the chair can hear from a number of speakers with respect to this, but here's the dilemma that I have for you. Normally we can get to Orders of the



Day by 3 o'clock. If we would have addressed this matter prior to 3 o'clock and if the ruling would have been in favour of waiving the Routine for the day, there would have been upwards of 180 minutes available for debate. The rules say 10 minutes per speaker. That could have been 18 members to participate. We've now arrived at 6 minutes to 4 o'clock in the afternoon, and I can invite additional people to participate on this, or I can come up with my ruling now. If I invite additional people to participate in this, I suspect we're going to be here until 20 after 4, which means that the number of speakers, if it were to be in the affirmative, would be limited to very few.

There's a real dilemma when we have the Routine of the type that we had today, with lengthy introductions, lengthy tablings, ministerial statements, responses from everyone, 14 members' statements. There is very, very little. So I'm going to look at your body language, and I'm going to conclude in my head that the appropriate thing for me to do is to deal with this matter now.

I have listened to the debate. We received the notice at the appropriate time, by 10:12 this morning. I'll let you read *House of Commons Procedure and Practice*, pages 689 to 696. The motion has already been dealt with.

There's one thing that is very apparent in dealing with one of these matters dealing with emergency debate, and that is of the willingness by the hon. members to proceed with the debate on this matter. I believe that in looking at and hearing what I've heard in the last several hours, there is a willingness to proceed to waive the ordinary business of the day, so I find that the request for leave is in order primarily because of the willingness of the members to participate. By saying that the request for leave is in order, if members are opposed to my decision, you can stand. Well, all right.

Hon. Member for Edmonton-Centre, proceed with your motion under Standing Order 30. Ten minutes per speaker. Oh, by the way, just before you proceed, we do have an issue at 5:15 this afternoon in that we have to deal with the motion that says: in reply to the Lieutenant Governor's speech. At 5:15 the Speaker must put the question, and following that, there's a question on Government Motion 10. So if everybody wants to speak 10 minutes, there is a small number of people who are going to participate. If you speak five minutes, you double up the numbers. I'm going to go in rotation: one opposition, one government, one opposition, one government. That's the way we're going.

Proceed, Edmonton-Centre. You have the floor.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Just as a point of clarification, then, my 10 minutes starts over?

**The Speaker:** It starts right now, 15 seconds ago.

**Ms Blakeman:** Excellent. Thank you so much. I appreciate the willingness of the House to approach this subject because it's clearly one that has caused a great deal of discomfort, if I can say that, on the government side or perhaps anticipation. [interjections] Outrage? Outrage. I'm corrected. My colleagues opposite want to make it clear that they feel this has caused them outrage.

On this side of the House it has created, I have to say, an unprecedented coming together of opposition members, which has indeed made for some interesting coalitions. This is clearly an issue which has transcended the normal boundaries of ideological differences, and people have come together on it, so it is an important one.

Now, let me go back to where this all started because this is about a health care system. Really, do I believe that this health care system is going to end tomorrow? No, I don't, but we as leg-

islators are dealing with the public trust and the credibility of the health system, and every time the government tries to make the system better, they fiddle with the administration, which actually impairs the delivery of the system, so we have a declining public belief in the government's management of a health care system.

Well, what makes that level of belief improve? Generally it's fresh air, sunlight, openness, transparency. If somebody says something and someone else says, "No, it isn't," then you need to be able to show your proof and get it out in the open so that the public can look at that and go: "Okay. Person A said this. Person B said that. All right. I've looked at both of them, and this is who I believe."

Our problem on the opposition side is that repeatedly we see things happen in the health care system. We question the government on it, and as I said, you know, first of all the issue is trivialized. "Oh, that's not a problem." Well, it is a problem. We raised it. People have identified it to us as a problem, and therefore we put it on the table, so to speak, on behalf of Albertans, on behalf of citizens.

4:00

The second part of that is that then they somehow are derisive of the person asking the question, that we don't understand and that we don't have the intelligence to do it, et cetera. That's not transparent. That's not giving us the information that we're looking for. I mean, this government is repeatedly voted the most secretive government in Canada, and I know they're proud of that, but it's not something that Albertans are proud of because we're just trying to find out.

I mean, freedom of information and protection of privacy, as is often said in Alberta – and this involves swear words, so I'm going to put asterisks in place – doesn't mean asterisk off; it's private. It means freedom of information and protection of privacy. It was intended to give the government a process by which they could open the doors of information and give it out to the public so the public could see what they were doing and how they had made decisions.

So what do we have here? We have the case of 322 cases that were brought to the attention of the government several years ago, three years ago now, backed by health professionals the government had hired. These health professionals said: "There is a problem with these cases. Things have gone wrong. You need to do something." Now, the government may well have answered them at the time. I have no idea because they won't tell me, and they won't give me any records that show me that they did answer that. What we see are more health professionals that come forward and go: I'm really concerned about the state of health care, and nobody will listen to me on the government side.

I'm trying not to use people's names, so I wrote down the titles. The representative of the ER doctors in Alberta also had a long e-mail that went public, again describing and referencing many of those original 322 cases and continuing to talk about wait-lists and problems in accessing ER. This time there came out the concern that they were not able to speak out, that there was consternation about the government putting something in place that was muzzling them. Then we get other people coming forward. In fact, that's when we get a member of the government's old caucus coming forward, saying: "That's absolutely right. That's what's happening. Doctors are feeling they can't speak out, that they're muzzled, and more than that, aside from their concern about it doing damage to their patients, it's doing damage to them."

I referenced a number of people that as a citizen I go: "What the heck happened there? Why can't we know what happened?" I am not interested in prying into delicate human resource negotiations.

If there was something else going on there, fine; it's enough that you can say that to me. But nobody did. So we don't know why we ended up with three respected health professionals who were medical officers here in Edmonton who all left their jobs and, I think, even left the province: one, two, three. What?

Now we've lost a number of pathologists from Calgary. Gone, gone, gone. What? Why? If you've got a good workplace and you're supported and you're being well paid and you're not being incredibly overworked, why would you be leaving? These people don't feel they can tell us anything, or perhaps they've signed something that means they can't tell us anything. What does that mean for the citizen? That means they can't find out what's going on in the health care system. How do we find that out? Well, generally, I'll have to say that in the worst-case scenario – by that, I mean in the penultimate scenario – we have to keep pushing this government until everything explodes.

I mean the whole episode with the flight manifests and the flight logs and the: well, you use this word; I use that word. Tomayto, tomahto. It rolls and rolls and rolls. It took a year, and finally all of this stuff comes out. Not incredibly complimentary to the government; I'll give you that. I can see why they didn't necessarily want all that information out there, but finally we did get it out there. It took a lot of pushing to get it, and in this case the pushing is about a public inquiry, and thank you, all, for your willingness to hold that.

I'm not getting it from the body language, but I'm hoping that members of the government will have the information to be able to stand up and actually give us some information about why these people that have signalled there's a problem, you know, why there's no need to look further into what they've raised, or tell us that they will do a public inquiry or that we'll get some kind of information about what's actually gone on here. Since 2008 we've had a series of these.

Let me reassure you that, honestly, there's enough work on my desk and in my constituency office that I don't need to make stuff up. I don't. There's lots for me to do. So if the opposition has gone to the point – well, hey. I'm the critic for Environment. Do you think I wouldn't have done four environment questions if I could have gotten on the board? But I can't get on the board because the rest of my colleagues are so concerned about trying to dig out some answers around what is happening in health care. We don't give over those kinds of presents to others to be able to raise questions without a fight, but those ones, clearly, are going to trump me on the board. They did today, and they did last week, and they did the week before that.

Now we get down to the thing about: you put your evidence on the table or button it. Well, frankly, I'm willing to . . . [Ms Blake-man's speaking time expired]

**The Speaker:** Hon. members, I have a minimum of 16 speakers ahead that I have on my list, and I'm still dealing with members. So please remember the time frame. We're going to go in this regard for the next four speakers: the Minister of Health and Wellness, then the hon. Member for Calgary-Fish Creek, then the hon. Minister of Justice and Attorney General, then the hon. Member for Edmonton-Highlands-Norwood. Proceed, please.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. I rise in support of this Standing Order 30 having come forward because I think we do need to have this discussion and to clarify several things. I can tell you from the calls that I'm getting, from the e-mails that I'm getting, from letters, and from people stopping me on the street that Albertans have had enough of these unsubstantiated allegations. What they really want is for someone, anyone

who is making these allegations or someone they might know who is behind these allegations or somehow connected to them to come forward with something along the lines of some evidence, preferably with some proof to back that up. If they can, then let's get on with the next steps that might be necessary.

But at this time and at this stage there's just nothing to substantiate such outlandish allegations from the opposition politicians: you know, allegations and claims that people may or may not have died on cancer wait-lists, allegations that doctors were somehow paid hush monies, allegations, for example, that there were possibly two sets of financial records or to cover up payments are absolutely ludicrous. I can't imagine that the Auditor General of this province would ever have signed off in the past or would ever sign off in the future anything that caused him some kind of concern. I'm sure that he would stand by that.

I also want to mention this coalition that occurred last week. The coalition of opposition politicians who stood so valiantly together, united, who provided a brave, unified front last Friday was all about politics.

**Mr. Anderson:** Hear, hear.

**Mr. Zwozdesky:** I hear the Member for Airdrie-Chestermere saying, "Hear, hear," which means to me that he supported everything that was said there because they stood behind each other. If that's the case, then let them stand up and say so.

[Mr. Mitzel in the chair]

What they alleged but offered no proof of whatsoever were comments such as that the Alberta Medical Association, the College of Physicians and Surgeons of Alberta, the two faculties of medicine in Alberta, the former health authority, the government, and Lord knows who else somehow colluded in some alleged conspiracy to create a climate of fear and intimidation. That's what some of their members said at that press conference. I know they stand united behind all of that, and if they don't, then stand up and distance yourself from it. We'll see how long you stay united, because those comments were made. So let's hear what you have to say about that.

4:10

Let's also hear what you have to say about some of the other allegations to do with the alleged two sets of books. If somebody here has information about two sets of books or some other phony, nonsensical notion of that sort, bring it forward or take it to the police. It's that serious. If you don't, then kindly withdraw the statements, make the apology, as has been shown and demonstrated in this House earlier today, and let's move on with it. I'm not going to stand here and have these innocent people and these innocent health and health service organizations be maligned by these malicious comments that the members over on the opposite side in the opposition there feel so united behind. If you have proof, offer it up.

But what do they offer? They offer some disagreements. Mr. Speaker, people who understand the democratic system, the court system in this province understand what a statement of claim is, and here is one. Here's a statement of claim made by one doctor in which he is saying that his clinical skills were brought into question, that his clinical skills were deficient. In the same statement of claim he says that somewhere there was incomplete or preoperative staging, and investigations were incomplete. In this same statement of claim he's indicating that people were accusing him of an overly aggressive approach to surgery, of unplanned pneumonectomies, which is the unplanned surgical removal of certain

body parts. The list goes on of allegations that this doctor is trying to comment on.

Then you have a statement of defence saying: no, none of that is true. None of that is proof. None of that allegation is evidentiary. As a result, they have a disagreement.

So you have a statement of claim alleging one thing over here. You have a statement of defence denying those claims over there. [interjections] At the end of the day, Mr. Speaker, the two sides got together, as is parliamentary rule – did you want to rule against the interjections on the other side?

**The Acting Speaker:** Hon. member, are you on the list for later on?

**Mr. Hehr:** No. I'm just wondering if he'll tell us what a settlement is. No, I don't want to be on the list for later on.

**The Acting Speaker:** Well, then the hon. minister has the floor.

**Mr. Zwodzesky:** Thank you. I don't frequently interrupt them, and I'd appreciate if they could stop interrupting me.

The point here, Mr. Speaker, is that disagreements do occur. They occur in every profession in every province of this country. When people have a disagreement, there's a process to follow. If it gets to the point where one feels it has to hit legal parameters, then that's what they do. They bring forward a statement of claim. But a statement of claim is simply one person's opinion about something. In this case it's one doctor arguing with two other doctors, a health authority, and a university. That's what that is all about. That's not proof of anything. That's not evidence of anything. That's simply a disagreement. It was settled somehow between the two parties, and good for them. They went their separate ways.

I want to also talk really quickly here about some of the comments that have been made in Standing Order 30, which talks about "undermining confidence in public health." Mr. Speaker, nothing could be further from the truth. We are not undermining public confidence. The opposition are trying hard to do that. Why? For political gain. When you have five opposition politicians standing up on stage together, vying for the media's attention, saying one thing and then coming in here like they're chatting and yapping today, trying to distance themselves from that, you know it's all about politics. That's all it's about. It's about pure politics. They are the ones undermining it.

What we're trying to do is strengthen it. Are there problems in health care, Mr. Speaker? Of course there are. There always have been, and there probably always will be some. Are we doing something to address those problems? That's the question. The answer, directly and honestly, is absolutely. That is why our government made a commitment to a five-year funding plan which guarantees certain incremental increases in each of the next five years. At the same time we backed it up with a five-year health action plan and with 50 key performance measures. Why did we do that? Certainly not to undermine the confidence in the system, as the hon. Member for Edmonton-Centre is alleging in here and as others over there are agreeing with, I'm sure. However, the fact is that we did that to put confidence into the system, more confidence, to improve that confidence. That's what we're doing.

We're also doing other things. For example, we know that as a result of the tablings that were brought into this House, in particular the issues that were brought to me by the emergency docs shortly after the Thanksgiving Day weekend last fall, the number of emergency in-patients is dropping. This is a very good thing. That means we're moving them through the hospital system to a proper bed more quickly.

How are we doing that, Mr. Speaker? We're doing that by adding at least a thousand – in fact, probably closer to 1,300 – new continuing care spaces in our province as we speak. We're doing that by adding 360 new – net new – in-hospital beds, acute-care beds, mental observation beds, medical assessment unit beds, palliative care beds, mental health beds. The list just goes on and on. We're doing everything we can to help strengthen the system while the opposition members are doing things that would hurt it. We're adding 3,200 more cataracts over and above the 30-plus thousand that we do per year right now. We're adding 5,000 more general surgeries. We're adding 9,000 more MRIs. We're already doing about 165,000 MRIs in this province, and now we're adding 9,000 more to help speed up access, to help reduce wait times. We do over 250,000 surgeries per year. We're adding 5,000 more to that. We're adding dozens if not hundreds more staff – more health care providers, more doctors, more nurses – more of everyone who is needed to help out, and that we're doing to strengthen it, certainly not to undermine it.

I'll talk about a couple of other things here. In the area of cancer care, Mr. Speaker, we've just made the most significant commitment to cancer care facilities and cancer care improvements in the history of this province. We're adding hundreds of millions of dollars to build three new cancer radiation therapy corridors. One has just opened in Lethbridge. Another one will open in a couple of years in Red Deer. Another one will be part of the \$520 million hospital, the brand new one we're building in Grande Prairie. I'm sure we'll probably need more elsewhere, perhaps even in Fort McMurray at some point, and we'll look at that. We're adding more equipment, we're adding more staff, we're trying to get more physicians here, and we are succeeding.

Finally, I just want to say that I have ordered the Health Quality Council to conduct a full, independent review of emergency wait times and of cancer wait times. Why do we do that? We're doing that because it's time to put those facts on the table and to have people come forward and talk to the Health Quality Council, which is highly respected, as members in this House have said on numerous occasions.

**Mrs. Forsyth:** Oh, my gosh, Mr. Speaker, he talks and he talks and he talks, and he dances and he dances and he dances, but he doesn't get anywhere near the facts. You know, I've been in this Legislature a long time, 15 years with the government, now as a member of the opposition for a year and about six weeks. There's a reason that happened. It's something that one doesn't take lightly after being a member of the Progressive Conservatives since 1976. I reflect back to the press conference that I was at on the 4th of January last year. I reflect back on the rationale that I gave Albertans and the reasons why I crossed the floor, and one of them, the number one priority at that time, was health care. You know, I quietly listened to this minister and sat here thinking: no wonder I left.

I don't know if the government thinks that as members of the opposition we have tea together every day and we sit around and we chat about how we're going to take down the government and that we get together and we have beer and we have lunch and we have coffee and we even maybe pray together about how we're going to take the government down together. Mr. Speaker, what happened last Friday was unprecedented. You do not get opposition members coming together in a joint press conference and agreeing. You had the member of the opposition from the Liberal Party, the Wildrose . . . [interjection] You can have your time to speak, Mr. Treasury Board. He's giving me this. Albertans should see this and see how polite the government members are on the

other side. That's the minister of the Treasury, for Albertans that are watching. That's how serious he thinks this debate is.

We had the independent member, we had a member from the NDP, and a member from the Alberta Party, which, in my mind, is unprecedented.

I'm going to read a letter that I received. I want to make something very clear, and I want to make it crystal clear. The government minister has said that we do not support the Alberta Medical Association, nor do we support the College of Physicians and Surgeons. I want it on the record that as the Wildrose we support the AMA; we support the College of Physicians and Surgeons. I've met with the AMA. We've had numerous discussions about what's happening with health care. We've discussed with and talked to the College of Physicians and Surgeons, and we have a great deal of respect for what they do in this province.

4:20

I will talk about, though, as the health critic for the Wildrose the number of calls, the number of e-mails that I'm getting in regard to what is happening. I tabled a document in the House today from a doctor that I'm going to call Dr. Y. The reason I'm reading this into the record is that I would probably guess that 80 per cent of the people sitting in this Legislature right now haven't bothered to even look at the tabling, and I need to have this on the record. I received this from him today.

Many of us within the system were not surprised. We had noticed the problems worsening over time, and the ongoing lack of leadership was evident. There are so many of us, wanting to do the right thing for patients, but who are working in fear . . . if we speak out. This culture continues to this day. It causes moral distress as we are placed in an impossible position.

What had been especially troublesome was the direct observation among peers that no level of public dissent would be tolerated by the Health Region (I worked in Capital Health) or by the later AHS. I have direct knowledge of several health professionals, who were negatively impacted by their efforts to advocate for better healthcare. They were silenced or worked out, or discredited, one after the other. I have also been negatively impacted by this "muzzling of physicians voices," and this "culture of silence" was simply reinforced. Anyone questioning the status quo would be "dealt with" rapidly and effectively.

Like colleagues around me, it was evident that the political decision-makers had a strong-hold on what had become a centralist, non-patient focussed health system. Like many other physicians, I felt and continue to feel intimidated by AHS and Government. Many of us are afraid to advocate for our patients. Yet, we have an ethical duty to advocate in the best interest of our patients. We have repeatedly observed the punitive consequences in those who did so, and realize that the risk is immensely high.

With the involvement of the AMA (Optics couldn't be worse on calls to MDs about Sherman's mental health; November 30, 2010, Edmonton Journal), many of us realized that the age-old strategy of discrediting dissenting voices was perhaps now at play. We learnt that upon receiving a phone call from Hon. Horne, Dr. White started questioning the mental stability of Dr. Sherman. Like had been the case with other outspoken doctors in the past, insinuations appeared very effective in making an example of Sherman. Physicians were reminded (yet again) that this fate might befall them if they chose to speak out against the system. The voices of several physicians were drowned out of fear for the repercussions, simply because the political appetite was not aligned with their advocacy efforts.

Our moral distress continues and is getting worse. Why is the Health Quality Council mandated to only investigate the wait times and cancer-deaths? What about the slew of suicides

we experienced in Alberta? Like the one some of our Politicians knew about during the ceremony at Villa Caritas, but no-one spoke a word?

Anything short of a judge-led public inquiry, with full power and accountability, will not restore any level of trust in this Government and its Health portfolio. Many of us feel that we may be beyond a point of "repair."

**The Acting Speaker:** Hon. member, we have a point of order. What's your citation?

#### Point of Order Allegations against a Member

**Mr. Hancock:** Standing Order 23 (h), (i), and (j). With respect to the comments the hon. member is making, she just referred to a suicide at Villa Caritas. The hon. member is not allowed to skirt the rules of the House by reading from a document, whether using the names of members in the House, which she's used several times, or by casting aspersions on a member. By reading someone else's comments, she's adopting them as her own, and she is casting aspersions on a member of the House.

The minister of health a number of days ago, in response specifically to a question, indicated that he had not any knowledge of the suicide until it was raised in the House, which was after the ceremonies, and the hon. member ought to know that.

**The Acting Speaker:** The hon. Member for Airdrie-Chestermere on this point of order.

**Mr. Anderson:** On the point of order. In the interest of time I will keep it short, but I will just say that this hon. member is reading a letter from a health professional. She has every right to read those words into the record. She's not adopting them as her own. She's saying that this is more evidence that exists, and she's reading it into the record. For this member to say that that is not permitted is utter nonsense, Mr. Speaker.

**The Acting Speaker:** Well, I'm willing to rule on this. First off, yes, the hon. member did mention the names of members in the House here. I know the hon. member said that she had tabled this particular letter earlier today. That doesn't give her the leeway to actually use their names. I let that go. I was waiting to see whether you were going to continue using them or not and ask you to withdraw that, but you didn't use them anymore, so fine.

With regard to that, as far as I can understand it, the letter was tabled. You were reading a letter that was tabled. With that, I don't call a point of order.

**Mrs. Forsyth:** Thank you, Mr. Speaker, and I apologize. You are correct on reading the members' names, so I will call him the Member for Edmonton-Meadowlark. You know, the doctor that sent us this letter doesn't understand House protocol.

#### Debate Continued

**Mrs. Forsyth:**

Anything short of a judge-led public inquiry, with full power and accountability, will not restore any level of trust in this Government and its Health portfolio. Many of us feel that we may be beyond a point of "repair." Physicians who are intimidated do not make the best partners in rebuilding the healthcare system, and Albertans continue to pay the price with their lives.

As I do not consider myself immune to reprisal from those within AHS and [the government], I respectfully ask that you keep my identity secret if you wish to refer to this letter in any way.

The point is, I guess, that we sat in this Legislature in December and had yet another emergency debate on health care, about the length of time in emergency. The government stands up and they pretend that they all of a sudden are interested in that.

The letter came from a Dr. Parks in 2007, and I can guarantee you as a former member of this government that that would not have become front and centre if it had not been leaked to the press. All of a sudden we're dealing with all of these emergencies. The minister of health stands up, and he brags away about the protocol and talks about his emergency protocols that he's put in place. He feels like he's, you know, the star. Then he starts talking about the 1,300 continuing care beds that he's putting into this province. Well, I can tell you, Mr. Speaker, that there's a huge shortage of long-term care beds in this province. The government can brag all they want about the continuing care beds, but as the minister had indicated, I don't think he's talked to people.

Let's talk about the seniors when they can't fit into the continuing care model anymore and all of a sudden they have nowhere to go. I live that every day when I deal with my mom at her assisted living and some of the seniors that are dealing with that. I brought that up to the minister of seniors during estimates. I guess that's another subject for another time.

**The Acting Speaker:** The hon. Minister of Justice and Attorney General, followed by Edmonton-Highlands-Norwood.

**Mr. Olson:** Thank you, Mr. Speaker. I want to just add a few comments to the discussion specific to some of the allegations that relate to criminal wrongdoing and financial mismanagement and wrongdoing. I think my colleague the hon. Minister of Health and Wellness has very eloquently set out the reasons why the Health Quality Council is a good organization to do what we're asking them to do here. That's exactly why they were set up. The rules are set up to allow them to investigate. The minister has gone to some lengths to explain that he's going to be asking them to be very liberal in their approach.

4:30

I want to talk about some of the other allegations that have been made that don't maybe specifically relate to the management of the health care system, which is what I would see the Health Quality Council working on. I want to talk about the allegations of things like pay-offs, fraudulent hiding of money, and so on and so forth. Those are serious allegations, and they need to be dealt with, I would submit, in a very efficient manner. Now, some have suggested that we need a public inquiry. I would just point out that public inquiries are provided for in the Public Inquiries Act, but they do not bring you to any action at the end other than a report from the commissioner.

I would suggest that if there are these serious allegations out there, anybody who knows of them, who has that evidence needs to bring that evidence forward and turn it over to the police. Certainly, if they are members of this Assembly, they should be doing that because I think it's a question of demonstrating our respect for the institutions of our government and our society. We have police there who are trained to investigate, to analyze evidence, to look at evidence. Again, I would agree with my colleagues who have commented on it that an allegation in a statement of claim is not evidence. Were that so, then any statement of defence that is filed with also allegations or, certainly, denials would, I presume, offset the allegations in the statement of claim. Then you're nowhere. Those allegations and the denials in a statement of defence all have to be weighed, and that hasn't been done in anything we've seen so far.

I would submit that if somebody has evidence, turn it over to the police. Let them look at it, and if there is fire where the smoke is, then charges will be laid. A court will deal with it, and at the end of the day there will be sanctions against anybody who is found guilty rather than just a report. I very firmly believe that that is the process that should be used when it comes to allegations that could be criminal in their nature.

I'd just also like to comment on the issue of financial mismanagement, financial fraud, and so on. The Auditor General, as has been pointed out, is somebody who is very thorough in what he does. Now, he doesn't work for this ministry. He works for this Assembly. He's an officer of this Assembly, and he decides what he's going to investigate. If anybody puts information before him that would be of interest to him, he could and, I'm sure, would investigate. There again, we have a process in place.

All I'm asking of my hon. colleagues who are talking about a public inquiry is to consider that there would be a more efficient way of getting to the bottom of some of these allegations and then actually doing something about them if they are substantiated by evidence.

Thank you, Mr. Speaker. Those are my comments.

**The Acting Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Minister of Finance and Enterprise and President of the Treasury Board.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I'm very glad that we've had a chance for at least a few members of the House to debate this issue today. I really did regret the scene that went on before we got around to having the debate with the points of order and the delays that that engendered.

Now, I believe that we need a public inquiry, Mr. Speaker. We clearly need something that is as independent as possible from the government. The Public Inquiries Act, in my view, is the right tool to use. Hopefully, the government would see fit to appoint a federal judge or a retired judge to oversee this.

There's been a lot of talk about whether there's proof or not, and the government is setting a very high standard of proof before they're even willing to consider this. Mr. Speaker, I submit that what we need is not absolute proof to have an inquiry because if we had it, we wouldn't need the inquiry. What we do need is evidence, and that is what the government has been calling for. The government has been calling for evidence to back up the claims from the hon. Member for Edmonton-Meadowlark, and that evidence is starting to flow. Quite frankly, I think that if the government doesn't seize this opportunity to have an inquiry, the evidence will flow in a way that they'll find very, very difficult a little bit down the road. We have evidence.

Now, the hon. Justice minister has talked about the need for criminal charges to come forward to the police if there are criminal acts. Many of the things that we're talking about, Mr. Speaker, are simply acts of intimidation and job-related actions, profession-related actions that are not crimes, but they are entirely inappropriate, and they need to be investigated. For example, when a physician is threatened with the loss of their licence, that is not a crime, but it's something that the public needs to know about and we need to know about, something that this government doesn't want us to know about.

I want to take the instance of Edmonton-Meadowlark because we all know some of the facts around there. I know that the minister has made a big stink about any mention of the Alberta Medical Association or the College of Physicians and Surgeons being bodies not accused of anything but whose roles are to be investigated

as part of the terms of reference that the opposition parties put forward. They should be.

We saw, for example, that when the hon. Member for Edmonton-Meadowlark was in debate, at the behest of the hon. Member for Edmonton-Rutherford the president of the Alberta Medical Association phoned a number of colleagues of Edmonton-Meadowlark's and said that there were some issues around his mental health. There have been suggestions made – and I think they've been substantiated – that specific types of mental illness were attributed to the hon. member. Then within a day or two the College of Physicians and Surgeons sent a psychiatrist to the hon. member's office in order to perform a psychiatric assessment on him – that's the Alberta Medical Association and the College of Physicians and Surgeons – based on a call from a politician on the government side, which was under a great deal of pressure at the time.

Mr. Speaker, here I very much regret not having been able to come forward with my point of privilege because those actions by those two bodies or officers of those bodies were taken not based on Edmonton-Meadowlark's performance in his job as a doctor but based on his behaviour in this Chamber. I think those officers and those organizations should have been brought before the bar of this Assembly and made to account for their attempts to interfere with the hon. Member for Edmonton-Meadowlark.

We now have a statement of claim by Dr. McNamee. His experience, as recounted in his statement in a legal document, is eerily similar to that of Edmonton-Meadowlark: faced with a loss of licence. He was speaking up for his patients, and they were prepared to take away his licence. There were allegations made about his mental state and so on, and he eventually had to sign a confidentiality agreement, which prevented him from speaking about this, I would assume – I don't know – in exchange for financial compensation. That's normally how it's done. He left the province.

Then we have Dr. Maybaum. Dr. Maybaum is the president of the Calgary & Area Physicians Association, and he said that he received a warning letter in 2008 when he spoke out about this government's postponement of a new psychiatric wing in the south Calgary hospital. He said just this weekend: we need this judicial inquiry desperately; this is our chance to make a change in the system.

Mr. Speaker, also, a former member of the Calgary health authority by the name of Mairi Matheson has said, quote: an inquiry would reveal some shocking numbers; there have been untimely deaths in large numbers as an outcome of the closure of acute-care beds.

4:40

So, Mr. Speaker, people are starting to speak up. Now, is this proof? Of course it's not proof, and we do not require proof in order to have a public inquiry. What we need is evidence, and we need professional people who have been involved in the system and who have experienced this to come forward in increasing numbers to substantiate the experience and the allegations of the hon. Member for Edmonton-Meadowlark.

Paul Parks, another doctor, says that the health system is becoming toxic. There are many others. A lot of people will come forward, and I think that this is what the government fears.

So I want to say that I've wondered for some time now why we can't seem to fix the health care system. Certainly, the government throws money at it. I will give them that. They certainly put money into the health care system. Although two years ago they wanted to cut a billion dollars out of it, now they're putting some money in. But we can't fix it. Why? I think this is one of the reasons, Mr. Speaker, that we can't fix it, and that is because we've

got a culture of intimidation in the health care system. The people who see problems for their patients, who see people dying unnecessarily are afraid to come forward. That is why this public inquiry is so essential. We need to change the culture in the health care system, which has come down from the government and infected the whole system, in my view, in order to make sure that people can speak up and carry out their Hippocratic duty to speak and put their patients' welfare first.

Mr. Speaker, I want to deal just briefly, while I can, with the whole question of why a public inquiry with a judge is appropriate and why what the government has proposed is not. Now, the Health Quality Council, as we've said, is not a bad organization, but its mandate is to look at health quality issues. So I think it's quite appropriate for this body to deal with, for example, some of the problems with wait times in emergency rooms. Perhaps it could deal with the relationship of the government's backward policy on long-term care wait times. It can look at cancer wait times. It can go back. It can examine many of these functions. But in terms of the policies of the government and, potentially, some other organizations in the health system acting as agents for the government in order to create this culture, it's not competent. It's not within its terms of reference, and it's not competent to do that.

The minister has strived to assure us that they'll be allowed to set their own terms of reference, but I think we need to be clear what the terms of reference are. I think that it's very important that those things include whether health care professionals were subject to intimidation, including retribution, professional or employment discipline or the threat thereof, or attacks on their character and professional reputations, in order to prevent them from speaking about issues which affect patient care and the effective delivery of health care.

Now, the other thing here, Mr. Speaker, is that the medical establishment in our province is relatively small. It's a small world, so you find, for example, that Dr. John Cowell, who is the CEO of the Health Quality Council, is a member of the same consulting firm as Dr. Bob Bear, the same guy that fired Dr. McNamee. So it's a pretty tight little group. I'm not saying that there's any problem with that relationship whatsoever, but it does say that we need a degree of separation. We need to get outside the medical establishment and have a truly independent look at it from outside.

Finally, Mr. Speaker, the last reason is that the Health Quality Council cannot subpoena witnesses. If someone doesn't want to voluntarily come to answer questions, they don't have to. They can't subpoena evidence, and they can't protect people, so they can't get to the bottom of it. They won't be able to get to the bottom of it, which is exactly what the government wants. They don't want to get to the bottom of this, and that's the bottom line.

**Mr. Snelgrove:** Mr. Speaker, it is quite a stretch for the hon. member to say that what we really want is just a cultural change in the way that we look at our health care system. That's quite a stretch from accusing doctors of both giving and taking bribes. That's quite a stretch from accusing them of malpractice. That's quite a stretch from accusing the health authorities of keeping two sets of books. That's just about where they've gone. They seem to have forgotten what was put out on the table to start with. They're talking about the freedom of information. There's a balance that you are well aware of. It's called the protection of privacy, and people deserve that balance, so they can make all the allegations they want and say: well, we can't get the information.

Occasionally, Mr. Speaker, you have the right as an individual in this province to protect your privacy. It's a red herring that they want to throw out. They talk about how hounded they are for just sticking up and looking for more money. Well, I can let you in on

a little secret. If everybody that worked for this government in Alberta got chastised for asking for more money, we don't have enough chastisement to go around. There isn't a department that doesn't come looking for more money, for goodness' sake. As if somehow health care would be immune from that or that somehow other provinces aren't faced with exactly the same challenges for money that we have, that their doctors don't feel the same pressure to provide more.

The amazing part of the coalition over there is that they cannot truly argue in one day. "Spend more. Spend less. No, it's something else. We're just mad, so we'll find a vehicle to somehow raise our level, and if we distract the public enough from what was actually said and what's actually going on, then it'll work to our favour."

The fact, Mr. Speaker, is that we have a democracy because of the rule of law, not in spite of it and not in the absence of it, and the law is used in a couple of ways. One, it can be used to prosecute people who deserve to be prosecuted on the basis of evidence, or it can be used to protect the innocent, and that is equally important. But one thing that law has to have is due process. People have to have access to the information about which they're being accused. You cannot in any moral character or fibre stand up in this House under the protection that this House offers and say things about people that they cannot defend themselves from. That is maybe within the law, but it's clearly outside any moral authority given to man. If you don't have the courage to face your accuser and let your accuser face you, then you have a very, very serious imbalance of priorities and certainly of respect.

To suggest, as even the hon. Member for Edmonton-Gold Bar tried to allude to the other day, that somehow there were inaccuracies in the books and, to the allegations from the hon. opposition, that there were two sets of books – yet here we have an Auditor General, Mr. Dunn at that time, who certainly would never be accused of playing favourites. That man got to the bottom of every issue he went after. Yet for those years that they're talking about, he says that the government of Alberta's books, including the regional health authorities, Alberta Health Services, the Department of Health and Wellness, are unqualified. It means every question that he could ask or everywhere that he could put processes or checks and balances in place to make them better was accepted, addressed, and moved on.

It does take time when you are bringing nine regions into one. Just the medical opportunities, the medical challenges, are enormous, and you have nine sets of books to try and bring together and get them into the same format with a \$12 billion budget. It would be a real stretch to think that that would have gone like clockwork without the Auditor saying, "Well, you may have to do this," and they know that. To say in here, "You're running two sets of books so you can pay off doctors," well, giving a bribe and taking a bribe, Mr. Speaker, are against the law. There should be no one out there that should look at it any differently.

As the Justice minister has said, there is a part where the Health Quality Council can look. If they can find changes or improvements or things that we need to do in the medical system that they could recommend on, that's good. If they find something in there that might indicate to the Auditor that there are differences or something that doesn't add up, well, they can go to the Auditor first. If the Auditor finds that, then he goes to the police. You don't get a free ride because you're in government. If you cook the books, if you steal the money, you go to jail. It doesn't matter whether you're in health or education or out in Joe's Sand and Gravel.

4:50

If you get around to the fact that they find evidence, criminal evidence is exactly what it is. If someone has accepted a bribe to

keep quiet over something they know to be wrong, then that person probably didn't deserve to ever have a licence of any kind for anything. You are as guilty as giving it.

They talked about no one feeling comfortable enough to come forward. Well, Mr. Speaker, I can assure you that where I live, that's not the case. What my doctors and nurses tell me is that they are sick and tired of being in the middle of a charade of political posturing. They joined these fraternities because they genuinely care about people, and they want to heal, care, and cure people and get them back out into their lives. But in any group, whether it's a union or whether it's a bunch of farmers having coffee or whether it's a professional association, there will be those that seek publicity, that love to be in front of a microphone.

When you have 90,000 employees in Alberta Health Services, the biggest employer in Alberta, I would have bet there would be some disagreements, and occasionally there will be people that need to move on. It would be quite unrealistic to accept anything different. I would expect that if they wanted to put a tenth of the effort into looking in Advanced Education or Education, with their 65,000 or 70,000 people, there have been people that signed agreements and said: "This isn't working for either one of us. It's time to go." You come to a mutually agreed upon deal that both protects your privacy and the privacy of the people that you're dealing with, and you move on. That happens not just in government, Mr. Speaker; that happens in business.

They talk about: the information is coming high and fast now. If you keep writing yourself e-mails, most judges wouldn't agree that was a preponderance of evidence. As a matter of fact, they might think you have too much spare time on your hands. The one member talks about Dr. McNamee. His own member in the coalition says: "No, I never talked to him. He wasn't the reliable source I've got." Then to go on and say: "The doctors all know it. All of the doctors know." Oh, come on. With a single swing of the bat they can besmirch the reputation of every physician in this province and then get away with it and then pretend it's them that they're sticking up for? Their little charade on Friday made it very clear, Mr. Speaker. Whatever we can do to get attention and to distract from what's actually going on in there and the good things that are going on in health, we'll do. They say that politics makes strange bedfellows. That was quite a bed full, and it was certainly strange.

[The Speaker in the chair]

Mr. Speaker, I feel a little bit guilty that the hon. private member didn't have his opportunity to debate his bill today, but as the hon. Government House Leader said, it's time Albertans heard both sides to this story. I for one am sick and tired of the innuendo, the allegation, the accusations of malpractice against a 90,000-strong workforce, where 89,995 just go to work every day to provide Albertans with the best health care in this country, and that's what they want to get back to doing. That's what you guys ought to think about.

**The Speaker:** The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Rutherford.

**Mr. Taylor:** Well, thank you very much, Mr. Speaker. It's an odd pleasure to join this debate, that's been going on as long as it has now and would have gone on longer if we had just been able to get down to business sooner today, closer to 3 o'clock rather than the time that we finally did.

I think the hon. minister of finance has kind of labelled us the Coalition of the Strange over here, so as a member of the Coalition of the Strange who was not present for the unified news conference that was held on Friday but who understands that it went very well

and very effectively and as someone who gets one set of questions a week in this House and one member's statement every two weeks, as someone who has not been able to participate on a daily basis in the developing story around the public trust or lack thereof in Alberta's health care system, I feel like I can take a somewhat arm's-length, somewhat objective view of this whole thing.

Standing here, Mr. Speaker, I honestly cannot imagine how the government can take the fact that four opposition parties and an independent member of this House joined together to call for a full public inquiry, a judicial inquiry, presided over by either a working or retired judge, with the ability to subpoena witnesses, to call evidence from wherever, whenever, in order to clear the air around the allegations that have been made and could then say that this is some kind of political opportunism on the part of the various opposition parties.

Look, if we are the Coalition of the Strange, it's because there are many things about which we don't agree. I see the Member for Airdrie-Chestermere and the Member for Edmonton-Highlands-Norwood chit-chatting back and forth in the House from time to time, and knowing their respective political philosophies, I'm amazed that they're actually able to carry on a civil conversation. It gives me hope that we might actually be able to move beyond the polarization that governs this House and governs politics in this province on a day-to-day basis and actually work in a bipartisan or multipartisan fashion on behalf of the public interest for a change. That those two members can actually chit-chat and not come to fisticuffs is a good sign.

I mean, day in and day out there's no particular consistency to the various parties' views of how this province should work, and that, Mr. Speaker, is a very, very good thing because that's the essence of democracy, too. The more voices who get to be heard, the more opinions that get to be shared, the more opportunity we have to actually make an intelligent decision. I think it's come to the point where we need to hear some voices that are, quite frankly, protected from retribution, who can speak out and tell what they know. Then at the hands of a judge they can be put to the test as to whether their testimony actually stands up or not. A report can be written, and the air can be cleared. Public trust in our health care system, I would suggest, holding the recent Environics poll upside down to read the results that you want to see as opposed to the results that are in there notwithstanding, is at a low ebb right now.

Now, the Member for Edmonton-Meadowlark a few weeks ago – what was it? – two weeks ago now, I think, two to three weeks ago made some fantastical allegations in this House, and they are, essentially, to this day unsubstantiated. The proof has not been provided by that member. We can all have our own thoughts, our own opinions as to whether that member is handling this situation appropriately or not.

The interesting thing is that at the end of last week, at the end of our last legislative work week, which ends on a Thursday, of course, after three straight days of denying opposition requests to have the Health Quality Council of Alberta investigate, which had made the offer to investigate, some of the goings-on that we've been talking about since last fall in health care in this province, dating back many years, suddenly the Premier and the health minister jump up in this house and say, "Well, we're going to give it to the Health Quality Council, and as soon as we make up the terms of reference" – we're doing this on the back of an envelope, Mr. Speaker – "We're going to get that thing going, and we're going to clear the air."

Not three hours later, Mr. Speaker, it comes out that Dr. Ciaran McNamee went through – I'll use the word "ordeal" – a situation about a decade ago not unlike the scenario that had been concocted, laid out by the Member for Edmonton-Meadowlark. Now,

the Member for Edmonton-Meadowlark also said that he had not spoken to Dr. McNamee, that this was as much news to him as it was to the rest of us. And good on the reporters who ferreted out the court documents. You know, it gets to the point where you have to feel that if you have one case that pretty much lines up with the allegations that have been made, that are unsubstantiated, that the government has gone to great lengths to absolutely say are without any foundation whatsoever, and then you get an independent case that turns out to kind of have the same smell to it, well, then I think you have grounds to look further.

5:00

You have grounds even if you're one of those on the opposition side who called for the Health Quality Council to investigate. You have grounds to say: yes, we did call for the Health Quality Council to investigate, and now we're calling for a public inquiry because there is new information and the Health Quality Council investigation is no longer enough. The Health Quality Council does not really have the mandate to go as deep as a judicial inquiry would. That's why we're calling for a judicial inquiry.

You know, there are a few things that we in the Alberta Party believe would help address over the longer haul the issue of public trust and public confidence in our health care system in this province: the creation of an independent health auditor, reporting to the Legislature, who ensures that the health care system remains responsible and accountable to Albertans – the government has sort of gone down that route, except that they want their health guy to report to the minister – firm and fair whistle-blower protection, and the creation of internal disclosure mechanisms that would give fair options to health care professionals to speak to their employers before you get to the need for whistle-blower protection.

You need that there. There are jurisdictions in other parts of North America that have that, and it gives doctors and nurses and the guy who sweeps the floor in the hospital cafeteria the surety, the confidence that they can speak out about what they see that they feel is wrong and then find out whether it's wrong or not without any repercussions coming back to them.

The government wants evidence, Mr. Speaker, and the public inquiry can determine whether that evidence is there. Absent the public inquiry what we do have are unsubstantiated allegations, some of them pretty horrible, maybe overstated, maybe not. It's not for me to say; I think that's for the inquiry to say. We have a number of cases, brought up by a number of different people connected with the health care system, of substandard care, of problems in the emergency room. We have anecdotal reports going back 10, 11, 12 years from various health care professionals, that all basically end up sounding like this: things are not good in the acute-care system, and we're scared to speak out about it because even though we have an ethical duty to speak up for our patients, there's a chill imposed by management on us, and we could lose our jobs if we do.

Now, Mr. Speaker, members opposite have tried to portray allegations of the giving and taking of bribes. That's a long, long way from something that is absolutely legal, which is the paying of money in exchange for nondisclosure. [Mr. Taylor's speaking time expired]

Thank you.

**The Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Rutherford, followed by the Leader of the Official Opposition.

**Mr. Horne:** Thank you very much, Mr. Speaker. I appreciate the opportunity to participate in the debate this afternoon, and I cer-



tainly support the decision of the House to set aside Routine business in order to make this possible.

Mr. Speaker, I'd like to talk about two things. First, I'd like to speak briefly about the Health Quality Council of Alberta review that has been ordered by the Minister of Health and Wellness and why I believe that process, in fact, is going to assist us not only in resolving the issues that have been put forward in this House and elsewhere but position us for the future to help ensure that elements in the culture of health care, if you will, that need to be addressed are in fact addressed, not in a punitive fashion but in a proactive fashion that truly engages the 90,000 people that deliver care in this province and those who support them.

I guess the second thing that I'd like to talk about just briefly, Mr. Speaker, is this whole question of our focus as an Assembly on the issue of health care and whether or not we might want to pause to believe it is well placed at this time, given the issues that we've chosen to raise in this debate so far.

First of all, Mr. Speaker, in terms of the Health Quality Council I think there are many members of this House that will have sufficient familiarity with their role and their review processes that they would be able to appreciate not only the powers of the council as set out in the Health Quality Council regulation, including the fact that quality assurance reviews operate under section 9 of the Alberta Evidence Act, but, I think, more importantly, the degree of engagement that we haven't seen this council demonstrate in previous reviews.

Most recently, perhaps, we could point to the H1N1 review that took place and was recently reported on. I think that, more importantly, for example, Mr. Speaker, we think of the review into infection prevention and control procedures in the East Central health region a number of years ago, where we saw a report that talked not only about facts that were identified in the course of the review that had to do with internal procedures within institutions and other health facilities but that also very pointedly spoke to cultural issues within that health region that led to situations where perhaps people were not comfortable in expressing concerns, where there was a culture that did not encourage people to report patient safety issues that were identified. It made some very substantial recommendations for how to change that for the future.

Mr. Speaker, I think that this review, that has most recently been ordered by the minister, has the potential to do the same and to go even further. In the letter of direction the minister tabled today, that he wrote to Dr. Lorne Tyrrell of the Health Quality Council – you know, a number of members have talked about this process not going far enough. If you take a moment to review the letter, you'll see that, certainly, in the first paragraph the council is directed to review issues with respect to emergency department services and cancer care services in the province and to make recommendations for system improvements. That is, of course, ultimately, the thing that is going to result in better experiences and better outcomes for patients.

If you go down a bit, Mr. Speaker, you will see that the minister has specifically directed the council to look at the question of the impact of wait times on a group of emergency department patients that were identified by emergency department physicians in the province and to determine whether as a result of that information, which has been tabled in this House, any patients experienced compromised care.

Similarly, in the next point the council is directed to determine if a group of patients waiting to receive cancer care and who were recently alleged to have died during their wait for care can be identified in this House. In the event that group can be identified, the council is directed to review the cases specifically and to make recommendations based on factual findings to improve, as re-

quired, health system performance. So, Mr. Speaker, I think that some of the claims in this House, that this review will not address some of the specific allegations that have been raised, are without merit.

The other thing, Mr. Speaker, that I think we've got to consider is the powers of the council. As the Minister of Justice and Attorney General has pointed out, section 9 of the Alberta Evidence Act protects those who bring forward testimony before the council or who provide information to the council from any liability as a result of their testimony or that may result due to the information that they choose to share with the council.

Mr. Speaker, I think as well that the minister in his letter instructs the Health Quality Council, as is their purview, to exercise their full discretion in bringing in any external experts to support the review process, and that is as it should be because as we've found in this province on many occasions, year after year, the expertise and the experiences and the strategies that are employed by health systems that are perhaps better performing than Alberta's or Canada's as a whole are invaluable to learning how we can improve performance in the future.

5:10

I guess the next thing I want to talk about, Mr. Speaker, is something that I think is as important as any individual allegation that has been raised in this House over the last few weeks. In doing so, I want to say that I'm not suggesting for a moment that Albertans should not be concerned by what they're hearing in this House or should not be concerned by what they may be reading in the media. In fact, I know that a number of my own constituents have expressed great concern that some members in this House or the totality of our debate as a whole could be seen to amount to playing fast and loose with public confidence in our health care system. I recognize that there are, you know, many members around this House who may share those concerns. Nonetheless, I think what we've got to zero in on here is: what do Albertans really want us to do?

As someone who has spent a considerable period of time in the last year travelling the province talking to Albertans about issues in the health care system, discussions that resulted in recommendations like the establishment of a health advocate for Alberta, I can tell you that people are concerned about overall policy direction for the health care system and, more importantly – and we've seen this in recent months – the performance of the health care system, Mr. Speaker.

That performance is expressed in a number of ways. It's expressed through wait times for things like emergency department services and cancer care, performance in terms of access to family physicians, but equally important, Mr. Speaker – and this was certainly something that came out of the report that I delivered to the minister in the fall – they are concerned about opportunities for meaningful engagement in discussions about health care, and this is not limited to citizens who use the system. It is very much a feeling of providers of care, not just physicians but nurses, pharmacists, other health professionals, support workers who want to have a say in what issues the system chooses to focus on and strategies that will help us get to the outcomes that we're trying to achieve.

That, Mr. Speaker, I think is the larger challenge, and I think in many respects that the tone, if I may say, of the debate and some of the decorum that's been observed in this House has fallen short of Albertans' expectations. The way we're going to get to that is not by focusing on some of the rather outlandish allegations we've heard. If we spend all of our Assembly time on that, we're obviously not going to get to the issues of access and quality that

Albertans want us to focus on. What I think will get us to those questions is exactly what the Minister of Health and Wellness has directed the Health Quality Council to undertake.

I think that as members of this Assembly we have two obligations. We have an obligation to support an honest and forthright and thorough review of the performance of our health care system in these two critical areas. We have an obligation as part of that same review to support the council in investigating the question of opportunities for engagement, the opportunity for staff to raise concerns, and any role that those things may have played in a resulting poor performance that we may have perceived in the last year and before. In doing so, Mr. Speaker, as parliamentarians we demonstrate that our focus is on building a culture of continuous improvement in the health care system in this province.

As has also been pointed out, Mr. Speaker, those who would stand in this House or outside this House or through whatever means make allegations of financial wrongdoing, of clinical malpractice, of improper treatment of employees by agencies, boards, and commissions of this government need to also take the responsibility to bring forward not just evidence but sufficient evidence, substantial evidence so that these can be . . .

**The Speaker:** I'm sorry to interrupt the hon. member, but your speaking time has now evaporated.

I'm going to recognize the hon. Leader of the Official Opposition but advise that in one minute from now I'll be rising to deal with Standing Order 19(1)(c).

**Dr. Swann:** Thank you very much, Mr. Speaker. It's an honour to step up to the plate and talk about something as close to my heart as health care and the freedom to speak in this province. I need to say that this is the first real opportunity I've had to address the reason I'm in politics, and I welcome that opportunity. I did not choose politics; it chose me when the Member for Cypress-Medicine Hat, then chair of the board of the Palliser health region, fired me for no cause except that I was speaking out on issues that were affecting public health in relation to climate change.

I feel very passionately about the notion that this whole issue needs to go to a public inquiry. There is no confidence in the professionals today that they can speak with impunity. I myself spoke and am a living example of what happens when you speak.

**The Speaker:** Sorry to interrupt you, sir. I will come back to you. You still have nine minutes and 13 seconds of speaking time left.

Hon. members, pursuant to Standing Order 19(1)(c) I must now put the question on the following motion for consideration of His Honour the Lieutenant Governor's speech.

### Consideration of His Honour the Lieutenant Governor's Speech

Mr. Drysdale moved that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour Colonel (Retired) the Honourable Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate March 10: Mr. Campbell]

[Motion carried]

## Government Motions

### Address in Reply to Speech from the Throne

10. Mr. Hancock moved on behalf of Mr. Stelmach:  
Be it resolved that the Address in Reply to the Speech from the Throne be engrossed and presented to His Honour the Honourable the Lieutenant Governor by such members of the Assembly as are members of Executive Council.

**The Speaker:** This is a debatable motion. If no further participants are to be found, I will deal with the motion now.

[Government Motion 10 carried]

## Emergency Debate

### Health Care System

(continued)

**The Speaker:** We now return to where we were. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. As I indicated, it's purely as a result of the actions of the Palliser health region that after 10 years of rather exemplary service, with no identification on my file that there was any problem at all with either my communications, my standard of conduct, or my work for the health authority, I was summarily dismissed. Only after huge public outrage and a letter-writing and phone-calling campaign did they invite me back to talk about the conditions there and made it very clear to me that I would not be welcome back there, that I would not be welcome as a medical officer of health, and that I needed to stop talking about issues that might inflame the public around the connection between political decision-making, public policy, and the health of Albertans.

It's very clear to me after seven years in this House, very clear to me, again, from members that I've talked to in the public, members of the professions, including nursing and other professions – teaching and social work – that are funded by this government, that there is a prevailing concern about their jobs, their future, their opportunities if anyone speaks out of turn or challenges what the government is doing or where their priorities are.

I need to say at the outset, Mr. Speaker, that the Health Quality Council is a reputable body that can do good work in relation to process issues, access to the health care system, outcome quality. They cannot deal with the questions of financial impropriety, mismanagement in the leadership. They cannot deal with health professionals who are intimidated, who have been threatened, who have lost their jobs as a result of this kind of activity that we're seeking redress and an open and accountable response to.

As far as other physicians who have been affected, we've heard about Dr. McNamee today. I need to let you know about two more physicians who announced on television just tonight that they're going to come forward – and they have come forward – to say that they, too, were silenced. One was fired; the other was moved on. In one case a significant amount of money was transferred. Dr. Anne Fanning, who was the head of tuberculosis in this province, is now saying that she herself was fired as a result of challenging this government on its lack of leadership, lack of commitment to Albertans.

**An Hon. Member:** Where is your evidence, Dr. Swann?

**Dr. Swann:** Well, just listen to the news. Dr. Anne Fanning will be presenting her evidence. A senior retired official with tremen-

dous credibility now working with the World Health Organization in Africa because she was dismissed by this government.

Four medical officers last year were dismissed under a cloud of uncertainty about why they were not rehired, particularly at a time just leading up to the H1N1 epidemic, and why we have the highest death rate in the country raises questions about, again, mismanagement, how we deal with professionals, how professionals are intimidated from speaking out and dealing with the very fundamental issues of caring for people, making sure that we get value for money, improving efficiency at the front line, and ensuring that people, especially those with an ethical duty, as physicians, nurses, other health care workers have, are free to speak and make the kind of changes that all of us know must be made to make this the best, most efficient, best accessible health care system in the world.

5:20

I come back to the need again, Mr. Speaker, for a public inquiry. We are not saying that the emergency room cases, the 322 cases, need to have a public inquiry. The Health Quality Council is well able to deal with this. What we are saying is that the culture of fear and intimidation across this province – the suppression of information, the lack of open and accountable financial information that we've been able to get as opposition members, and the clear indications from a host of professionals that they have been terminated, that they've been given a fee, and that they were to sign a confidentiality or a nondisclosure agreement – is becoming more and more open now to the public, and there's no way of eliminating this through the Health Quality Council. They simply don't have the powers to subpoena. They don't have the ability to make immune those people who are risking their careers, their futures, as a number of physicians have now experienced, including myself.

There's no question that if this government has nothing to hide, they have nothing to lose from a public inquiry. They have everything to gain from bringing forward people – respected professionals, nurses, others – who have been harmed or not by this government's mismanagement of our health care system.

I am in politics today, as I say, because I want a better health system. I want a more accountable government. I want freedom to speak for all Albertans, including my family members, my future generations, and all Albertans who care about the future of this place and, particularly, this most sacred trust that we've been given as members of the Legislature to protect the health care system of millions of people in this province. There is no question in my mind that if you're serious as government members about getting to the bottom of the issues that we are raising and that physicians are now coming forward with at risk to their own futures, we have to go to a public inquiry.

I don't see and I don't think Albertans will see any excuse now for this government to back off on a public inquiry, which can protect professionals, can protect patients who want to speak, and can protect this government if they're willing to open up the books, if they're willing to open up the information that physicians and the law courts have available as a result of actions taken either by government against physicians or nurses or the reverse, actions taken by health professionals against this government or against the health services or against the previous health authorities.

The evidence is incontrovertible now. We have two members in the House who have suffered from the question of intimidation, threats, and ultimately dismissal, and now we have increasing numbers of health professionals saying: it's time for us to come forward as well. If you are serious about trying to eliminate this problem and moving on to solutions, as the hon. member has

asked before, then be serious about installing a public inquiry. I see no other opportunity to clear the air and ensure that people in this province have confidence again, trust in the leadership in this health care system, and move on to getting solutions, listening to the front lines, and ensuring that the management of this system is trusted and that people are dealing with issues as they emerge with much more of a sense of purpose, clarity, integrity, and fulfilling their own ethical duty to make constructive solutions to the problems we face today.

I can tell you that the morale of the front-line health workers has never been lower. I speak to physicians and nurses intermittently during the week. They have never felt so demoralized about the management of the system, about where health care is going, about their ability to make a difference. There's just no question in my mind.

I, like most of you, want to see solutions. We want to see action. We cannot get there under the current climate of fear and the culture of intimidation. We simply cannot get there. I'm imploring the House that if there's nothing to hide, move on. Let the Health Quality Council do what they can do on the emergency cases. Let us move on with a public inquiry to look into the potential – I'm saying: potential – intimidation, threats, severance packages with confidentiality or nondisclosure agreements, the violations, basically, of the principles of health professionals to speak their truth, to see change enacted in good faith and not be faced with the possibility of being eliminated or having their future compromised since we now have only one hiring mechanism in this province for all health workers. It's even more difficult, with only one health authority in this province, to find any work in this province if you say something that offends or discourages or in some way compromises the leadership of the health care system in this province.

Again, Mr. Speaker, I thank you for this opportunity. I see an option; I see a practical solution. It's the reason we had the emergency debate today. It's the reason we have united as opposition members. There is simply no question that we cannot go on as we are, stumbling from one solution to another, one crisis to another, when the underlying issue is public trust.

**The Speaker:** Thank you, sir.

The hon. Leader of the Official Opposition sent me a note. Do you want to deal with that matter contained in your note now?

**Dr. Swann:** Yes, please.

**The Speaker:** Proceed.

**Dr. Swann:** I would like to request the unanimous consent of the House to extend the debate to the usual time of adjournment, 6 o'clock, Mr. Speaker. There's much more to say about this issue.

**The Speaker:** That would be a point of order or a point of administrative – I'm going to come back with that prior to 6 o'clock. We're going to continue so that we do not deny an opportunity for other members to participate at the moment.

The hon. Minister of Housing and Urban Affairs, followed by the hon. Member for Airdrie-Chestermere.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a pleasure to rise today to discuss this important matter. Dealing with rule 30 does not happen that often, and I don't take it lightly. I was prepared to vote in favour of having this debate today as there has been a lot of discussion in and outside of this House about this particular issue ever since two weeks ago, when the Member for Edmonton-Meadowlark made the allegations, that I took very seriously, allegations of payoffs, bribes. These are things that I

take very seriously. Over the weekend, then, in fact, a statement of claim was filed. That's something that greatly interests me as someone who's got a legal background.

Mr. Speaker, a claim is just that. It's a claim. It's something that has yet to be proven, and indeed anybody can put anything in a claim. As the hon. Minister of Health and Wellness had stipulated earlier, the claim itself was defended. It has not gone through any discoveries. There have been no examinations. There have been no witnesses called. Again, it is just a claim. It is not, in particular, evidence. When I started to look at this, somebody said to me over the weekend, you know: is there any proof for this? It reminded me of the infamous Jean Chrétien quote dealing with: a proof is a proof. Everybody knows that infamous quote as well.

There have also been some suggestions that some people are silenced when they say something untoward. This is really just the opposite in the policy that I was actually able to find earlier, and the policy that I was referring to is from Alberta Health Services. It states:

Any member of AHS Personnel who has a reasonable basis to believe that Improper Activity has occurred or is occurring within [Alberta Health Services] is required to disclose the information on which the belief is based.

In the next question it does give: well, what about that person's protection? Well, you can just look down further in the policy.

AHS will not take or condone any adverse action (including demotion, suspension, termination, harassment, or denial of service or benefits) against any AHS Personnel or other individual who: (a) is the purported perpetrator of the Improper Activity, in the absence of reasonable evidence; or (b) in good faith and without malice or desire for personal benefit, reports Improper Activity in accordance with this policy.

Mr. Speaker, that is pretty clear. That not only talks about protection, but it talks about a positive duty to go and report these particular things and about that particular protection from any reprisal that that individual may have as well. The hon. Minister of Justice and Attorney General spoke earlier about Criminal Code protection, and I won't go and berate that dead horse.

There are a lot of accusations here, but the one thing that is very clear to me just from what I have heard in and outside of this particular issue is that there is an established lack of proof. I want to look at some of the allegations here. The hon. Member for Edmonton-Meadowlark on Twitter called my party a gestapo. He later apologized for that. I give him credit for that. He said that physicians were silenced while people were dying. He said that good guys have been railroaded. He said that he's playing the middle card of a royal flush. Mr. Speaker, again, these are very, very serious allegations.

5:30

I've talked about the positive duty to report, but in addition to the positive duty to report, I would also put out there that any one of us has a moral duty as an officer of this House to actually report anything negative that we see. Who do we report that to, Mr. Speaker? Well, if you see some wrongdoing, I would put it to every member of this Assembly that we should report it, in fact, to the police. These allegations are serious, and they erode public confidence in the system and members of all parties. We have a positive duty to report this to the police. If we want an independent inquiry, what's more independent than if we report something to the police? They go and lay charges if there are any, and it goes to that particular court.

I have seen quite a few more allegations, again, on this particular topic over the last little while. The Member for Airdrie-Chestermere today in the *Calgary Beacon* said: with such revelations beyond any reasonable doubt. Wow. I didn't know that we

had gone to court on that yet. He also alleges criminal wrongdoing. I would suggest, Mr. Speaker, that this member has a positive duty to go to the police and tell the police what exact evidence he has. Those are very, very serious allegations.

There are some other allegations. The hon. Leader of the Official Opposition talked about corruption. There was a leader of another party who said that she wanted a federally appointed judge. Well, if you go to the police and they lay charges, Mr. Speaker, you actually get, typically, a federally appointed judge if it's an indictable offence. The leader of the Alberta Party, whom I have not met, at Friday's news conference talked about fear and intimidation. I suggest to her – again, she talks about fear and intimidation – that intimidation is a tort. Go to the police. The Member for Calgary-Buffalo suggested earlier today about intimidating doctors, censorship, interference. Again, if that's the case, this member should go to the police.

Moving forward here, Mr. Speaker, I don't see any evidence that warrants that, but, you know, I'm not a law enforcement official, and that is exactly where this belongs. An impartial body? Well, that's what the police, in fact, are there for.

So, Mr. Speaker, in conclusion, there is no evidence that I've seen that warrants an inquiry beyond the Health Quality Council. The Member for Edmonton-Rutherford quite correctly stated that there is an immunity under the Alberta Evidence Act, section 9(5). [interjections] Even though I get all these rude comments and gestures from these members across here, I will pay no attention. As much as they may talk, the reality is that there is no evidence here. If there is, the proper place to go is to the police.

Thank you.

**The Speaker:** Hon. minister, I do believe you quoted from a document. Are you prepared to table that document with the appropriate copies?

**Mr. Denis:** I quoted from several documents, actually.

**The Speaker:** Then we'll do it tomorrow at the appropriate tabling time.

**Mr. Denis:** Absolutely, sir.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Calgary-Mackay, followed by the hon. Member for Edmonton-Strathcona, followed by the Minister of Employment and Immigration.

**Mr. Anderson:** Thank you, Mr. Speaker. When he tables those documents, I would ask that everyone read them. It's a very good read, I must say.

The hon. opposition leader has first-hand knowledge. He's been through a situation where he lost his job for speaking out. The Member for Edmonton-Meadowlark got kicked out of caucus for speaking out about health care and for not retracting his comments. As someone who's coming into this – obviously, I have no background in medicine, any of those things. The thing is that when I came in to join this party over on the other side of the House there, the PC government, I have to say that, you know, I was excited. I really was. I mean, I really felt that here was an opportunity to contribute. I met some of the members over there, awesome people, you know: the Justice minister for example, the Member for Athabasca-Redwater, from Calgary-North Hill, and others. I mean, these are awesome people that, for my part anyway, I still call friends and respect a great deal.

There is an insidious culture that I was not aware of. I don't know who all over on that side of the House is involved in that

culture. I really don't know. I do hope that it is a small group, if any, of people over there. I hope, you know, that if there are folks over there, hopefully it's just people under them, who report to them, and that maybe they've been kept out of the loop. I don't know if the minister of health is involved. I don't know if the Premier had any knowledge. I don't know, and Albertans don't know.

That's the point, Mr. Speaker. There are a lot of things going on that just aren't right. You see it every day right now in the allegations coming forward. You're right; they are just allegations. They are. But there is evidence because people keep coming forward. Has it been proven beyond a reasonable doubt? Has it been proven in a court of law? No, not yet. It hasn't.

What clearly has come to light is simply this. Look, I was in that room behind there when the Member for Edmonton-Meadowlark let me hear the phone message that he had on his cellphone, and it clearly was a doctor warning this member, after a call from the Member for Edmonton-Rutherford to the head of the AMA, that, you know, he was essentially trying to drum up support to look into the mental state of this member. That's a fact. I heard it. [interjection] I heard it on the phone. You can deny it all you want. You haven't heard it on the phone. I have heard it on the phone. [interjection] Good. Well, there you go. That is exactly what was said.

The fact of the matter is that that's the culture of intimidation we're talking about. That's evidence. Now, does it prove that everything that we're saying is true? Does it prove everything that the Member for Edmonton-Meadowlark has alleged in this House? No, it doesn't. But it's a start. It is evidence; there's no doubt about that. It's evidence, and a judicial inquiry should be given the opportunity to see if there is anything to these allegations.

We have Dr. Fanning on the CBC just a few moments ago coming forward and saying: I need to step forward now and take a risk because I don't like what's happening in our health care system, and people need to know about the culture of fear and intimidation that exists. They're all using that wording. They're all using that.

There was the quote from a woman doctor. Her face was blacked out, but the CBC was talking with her, and she said that there was a culture of suppression and even vindictiveness, that when she started speaking out and advocating for her patients, she was demoted, marginalized, and eventually fired. And here's the kicker. Her mental sanity, her mental state was questioned by the health authorities.

Are we seeing a pattern here? We saw this with the allegations of Dr. McNamee. Those need to be looked into. These are all pieces of evidence, and I don't know where the puzzle leads. Hopefully, it's just a couple of, you know, tyrannical bureaucrats that are running around making a mess of things, and their stupidity is causing great shame upon the entire health care system. Maybe it's just a couple of people. Well, let's find those people. Let's make sure that they are not in a position of trust anymore. Let's clear everyone's name in this House from wrongdoing, if that's the case, if there was no wrongdoing by any member of this House. I hope that's the case. I really do. I know that the vast majority of the members opposite – I just cannot fathom that they would be involved in something like this.

I'll tell you what I do believe. There's no doubt in my mind, let's put it that way, that there is a culture of fear and intimidation out there. I don't know who is involved. All I know is that we keep getting e-mails from this good doctor.

The Member for Calgary-Fish Creek said, you know, Dr. Y. Well, we have to say Dr. Y. The members opposite were laughing at that. We have to say that because he asked us to. He says: as I do not consider myself immune to reprisal from those within the

government and Alberta Health Services, I respectfully ask that you keep my identity secret if you wish to refer to this letter in any way. We did look him up. He is a credible senior physician in this province, someone who's been around a long time, someone that, if you knew, you'd say: wow, that guy is not lying.

5:40

These are serious allegations. There is no doubt. But there is serious evidence to say that something is the matter here. If we bury our heads in the sand right now, hon. members across the way, and close our ears – you know, see no evil; hear no evil – and pretend it's not happening, then what happens is that you become culpable in this. You become culpable in the wrongdoing. Your job is to protect the trust that Albertans place in their health care system. These are your constituents. These are your constituents. It's just a matter of calling a public inquiry and giving this former or current justice the right, the power to subpoena witnesses, the power to compel documents that are relevant to his investigation. These are things that a judicial inquiry is suited to do.

You can't ask the Health Quality Council to look into potential wrongdoing like this, into allegations of wrongdoing. That's not what they're qualified to do. They're qualified to look into issues of health quality, so they should be and they are investigating the 322 cases of suboptimal outcomes, I guess you would say, in the emergency rooms. They're investigating the long cancer waits and whether or not people may have passed on while sitting on those wait-lists. That's what they're qualified to do. They look at the system. They kind of take it apart and say: "Okay. Why are these long wait-lists happening?" Then they make recommendations to stop it from happening again.

But that's not what a public inquiry is for. A public inquiry gives these justices the powers they need to find the truth, to get to the bottom of it, to look into the wrongdoing. That's something we can't ask the good doctors at the Health Quality Council to do. They don't have the tools to do that nor the expertise. We all know that. The Minister of Justice knows that. The former Minister of Justice, who's running for the leadership, knows that. The hon. Member for Calgary-Egmont, who just got up before me, knows that. This is absolutely tailor-made. You could not get a better, a more relevant, a more appropriate situation to call a public inquiry than what we have right now.

Let's just clear the air. Let's all clear the air here. If you've got nothing to hide – and I honestly believe that the majority of the government members, if not all of the government members, have nothing to hide. If that's the case, let's call the inquiry. Let's get it all out in the open. Let's find the people who are responsible for these allegations if they, in fact, are true. They're still alleged. But if they are true, let's find the people responsible, and let's relieve them of their duties. Let's make sure that they are not allowed to perpetuate this culture of fear and intimidation over and over and over again.

You listened to the letter that the hon. Member for Calgary-Fish Creek received at 10 a.m. today. He says: we had noticed the problems worsening over time, and the ongoing lack of leadership was evident; there are so many of us wanting to do the right thing for patients but who are working in fear of retribution if we speak out, and this culture continues to this day, and it causes moral distress as we are placed in an impossible position.

**The Speaker:** Thank you, hon. member. The letter in question, that was just referenced, was returned to the hon. Member for Calgary-Fish Creek because it did not abide by the rules of the Legislative Assembly for filing. I want all members to know that.

The hon. Member for Calgary-Mackay, followed by the hon. Member for Edmonton-Strathcona, followed by the Minister of Employment and Immigration.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. I rise to speak today to provide an added perspective on the subject matter that we are speaking about today. I wish to speak today as someone with family members that have had close interactions with our health care system over the last number of years as well as having close family members who are part of the system.

Mr. Speaker, my mother was diagnosed with lung cancer five years ago. Our family actually discovered her cancer quite by accident. In a very short time her family doctor and all of us in the family realized that she was in need of a heart operation to start with. She immediately received that operation, and from there she was put through a number of tests and finally diagnosed with a small cell aggressive lung cancer. She was almost immediately put through consultations, orientations, and linked to the appropriate health specialists in the system, and in December 2005 she went through both radiation and chemotherapy.

Our family was very impressed with the care and quality of service she received and the fact that she was admitted into the system in a most timely way. She was connected with other related service agencies and volunteers, and together the system and the service agencies and family supported her through that treatment and recovery process. I'm very pleased to say she was told by her oncologist just a few months ago – and I was with her – that she no longer needed to see him every three to six months, a relationship my mother deeply treasured and appreciated.

Some of the recent discussions and focus on health have made me reflect on my own relation to the health care system in Alberta. Mr. Speaker, I was reminded that my father was involved in a car accident just under a year ago. Even though he got a clean bill from the initial assessment and tests, we realized a few months later that he was suffering from hemorrhaging in his brain. Once his symptoms and conditions were recognized by the urgent care centre, he was immediately admitted, examined, operated, and also linked to the therapist to assist him with recovery. In both of these cases my parents received quality care and very timely services.

Two of my children actually are currently proud members of the 90,000 of the Alberta health care system, and I'm reminded regularly that the hard-working, dedicated health care providers do recognize the need for change and improvements in our health care. As young people they do expect to see concrete and constructive changes in a reasonable time frame from all the people who share the responsibility to sustain an effective and efficient system.

Mr. Speaker, it is hard as relatively new members of the system, after all the long hours and long days of very hard work, whether it's transporting patients, looking after abuse victims, 15 straight hours of surgery, or working in full neonatal intensive care units, to be bombarded by the created public confusion about the roles and performance of the various health entities, to become frustrated by the political rhetoric that has dominated the public discourse on health. These are the current practitioners in the system and future leaders of our health care system, and they're not impressed by the level and form of the debate on the health discussion today. The health care providers that I have spoken to are aware of their obligation to report on patient safety issues, and they do take that obligation very seriously.

My life prior to becoming an elected official did include taking on the role of community advocate from time to time, so I do have some understanding that it is indeed not easy to be an advocate, a

road that is often driven by a deep sense of concern and commitment to an issue, to a cause. People who take on that role not only require courage, dedication of time and resources but also have to face public scrutiny, threats, and intimidation. However, people who have concerns and wish to advocate for change must be clear and fair about ownership and responsibility for the problems. We owe it to the public and to this House to ensure that we provide clarity in our debate, and we're also responsible for upholding the integrity of this House.

Mr. Speaker, to close, my intent this afternoon is to try to bring this discussion back to the ground with the hope that we can actually have this very important discussion with a greater degree of balance. Let's all be reminded that Albertans by and large are receiving high-quality health care in a reasonable time frame in our province. I would also like to reinforce that we have many people who are working very hard every day to provide quality care to Albertans. Many of these people do share the interest and desire with all Albertans to see an even more effective and responsive system to an evolving population and environment. We know people are getting quality care once they get into the system, and the system is responding very responsibly to those with acute-care needs. There is no doubt a need to take a critical look at the wait time issue, and that should be our priority focus.

A public inquiry which will not provide resolutions and must be based on an investigation of all the facts, which is precisely what is being put in place as we speak, should be given the time, space, and support to do its job as the most appropriate immediate action.

Thank you, Mr. Speaker.

5:50

**The Speaker:** Hon. members, the rules with respect to the Standing Order 30 application, rule 30(5): "the debate will conclude . . . at the normal hour of adjournment in the afternoon." That's at 6 o'clock today. The only way that this could be waived would be unanimous consent of the Assembly.

**Mr. Hancock:** I wasn't asking for that. I was just asking to go to 6.

**The Speaker:** We are going to 6.

**Dr. Swann:** I have requested beyond 6.

**The Speaker:** Listen. This is not going to be a debatable thing. If you want to raise it, Leader of the Official Opposition, raise it now because we're denying another member the opportunity to speak.

**Dr. Swann:** Thank you, again, Mr. Speaker. I respectfully request that with the unanimous consent of the House we extend the emergency debate on this vital issue to all Albertans.

**The Speaker:** I take it: beyond 6 o'clock to whatever time it terminates. Okay. Such a request will require unanimous consent of the Assembly; that is, to go beyond 6 o'clock to an unknown destination point on this debate. I'm going to ask one question. Does any member object? If so say no.

[Unanimous consent denied]

**The Speaker:** Hon. Member for Edmonton-Strathcona, you're good till 6.

**Ms Notley:** Thank you, Mr. Speaker. I am disappointed that I am, unfortunately, the last person that gets to speak to this because I know there are many members who would like to, particularly given that, basically, with only 45 minutes or an hour left in this

debate, even additional information was reported, which, of course, was not dissimilar from the kind of information that was first discussed late last Thursday, which generated the need for this debate. That new information is information coming from yet two more doctors, one who has come forward in his entirety and another who has come forward although wishing to remain anonymous.

In both cases those doctors raise some very, very serious concerns, concerns that, strangely, replicate the types of concerns that have been identified by previous people. In the case of one doctor we have that doctor suggesting that when she went to raise concerns with the region for which she was employed and with, ultimately, the College of Physicians and Surgeons, her issues were not heard and there was really no response. Then her employer engaged in what she believed was a process of, first, marginalizing her administratively and then, ultimately, her being demoted and then dismissed. That, obviously, is the type of thing that we've heard about from other doctors as well.

Then, the other doctor suggested that, in fact, when she raised concerns about the effect of funding cuts to the TB program on her ability to do her job and, more importantly, on the health of the patients for whom she was required to care, once again, she was fired for raising that issue.

We now have one, two, three doctors that have come forward since Thursday who are prepared to talk to the media about this culture of fear and suppression. So this is something that I think the government has to take seriously. Now, members from the other side have suggested: wow, you are putting forward some pretty crazy allegations, and you should take those to the police. Well, first of all, it's not us putting them forward; we are simply bringing into the House statements that have been made by a number of physicians from within the system.

But more to the point, my question back to members opposite is this: is this government really suggesting that the standard of behaviour for a government should drop as low as, "Well, no one's proven that we've breached the Criminal Code yet; therefore, nobody has any right to be concerned"? That is exactly the argument that the government is making at this point, and it is specious. There are repeated allegations that have been made out there by a number of people that go to the very heart of our ability as legislators and as the government, who are administrators, to get at what's really going on within our system.

Now, the government says: "Well, it's all right. We can send it over to the Health Quality Council, and they'll deal with it." But here's the problem with the Health Quality Council. That may well be the place to look at sort of best practices and what can be done in order to improve the ER wait lists and the cancer wait lists, and that's fine, but the Health Quality Council, first of all, are not appointed with a view to their ability to assess whether coercion or intimidation has occurred.

Secondly, the Health Quality Council regulations which govern how they function very clearly state that any report that they prepare must first be reviewed and must be approved by the minister of health, which, of course, right away raises the issue of the degree to which we can count on the independence of that body. That's not a function of the individual members of the body; that's a function of the process that this government wants to subject this inquiry to. It is the government's decision to make the body accountable that much to the minister that makes the work that they do less than entirely trustworthy as it relates to that issue.

The final thing about the Health Quality Council is that the regulation itself says that they will be given "reasonable access to

information." It doesn't even say full access to information, just reasonable access to information. So quite clearly the Health Quality Council will not be given anywhere near the scope or the ability to seek information that it needs in order to address this issue, which is one of a decade of suppression and coercion and intimidation of public health professionals within the health care system. They have no ability to subpoena, and most importantly they have no ability to provide immunity to those staff members who would come before that council to talk about the problems in the system.

Let us be very clear. We've had members here talk about this ridiculous AHS policy. Well, anybody who practices law in this area knows that an employer policy is not binding when you get before an arbitration. The employer gets to fire you first, and you get to use whatever means at your disposal afterwards to try and get your job back, and you may or you may not be successful. An employer policy like that is in no way binding nor does it set out any kind of remedies. So if I were a lawyer for a doctor, I would look at that policy and say, "Sorry. That gives you no protection." If I were a lawyer for a union that was helping nurses or other health care professionals, I would say, "You know what? That document gives you no protection."

Members of this government know that that document gives their employees no protection, yet they continue to speciously refer to it as though somehow that will ensure an inquiry that is fair and open. But it's not. It won't do it. They are clearly setting up a kangaroo court that is not designed to get at these very serious allegations that deeply undermine the ability of our system to improve itself and serve the best interests of Albertans and their health needs.

Ultimately, I mean, that really is where all of this ends up. What we all want to do is make sure that we have a system that will work effectively, that will deal with the wait times in ER, that will deal with cancer wait times, that will deal with our impending and extensive crisis in seniors' care, that will deal with our failure with respect to mental health and our failures with respect to children's mental health. None of that can be done within the chilled climate that currently exists within our Alberta Health Services, and none of that can be done through the Health Quality Council given its limited scope. The government knows that. They are not interested in getting to the truth; Albertans are. Albertans care about their health care system.

By the way, that is a political decision. People who care about their health care system getting genuinely better, talking about it in a political setting, that's what they should be doing, and anyone who suggests that people should not be linking this to their democratic right to ultimately vote this government out of office is someone that does not respect democracy. But we do, and the members on this side do.

That's why we came together, because this government right now is doing everything in its . . .

**The Speaker:** Thank you, hon. member.

The Assembly stands adjourned until tomorrow afternoon at 1:30 p.m.

In 30 minutes from now the policy field committee will reconvene in this Assembly for consideration of the main estimates of the Department of Employment and Immigration. This evening's meeting will be video streamed.

[The Assembly adjourned at 6 p.m. to Tuesday at 1:30 p.m.]









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, March 15, 2011

Issue 13

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 15, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome.

Let us pray. Guide us so that we may use the privilege given us as elected Members of the Legislative Assembly. Give us the strength to labour diligently, the courage to think and to speak with clarity and conviction and without prejudice or pride. Amen.

Please be seated.

### Statement by the Speaker

#### Anniversary of the First Session of the Legislative Assembly

**The Speaker:** Before we proceed, hon. members, there is some significance to this date in the history of the province of Alberta. One hundred and five years ago today, on March 15, 1906, some 4,000 people attended the opening of the First Session of the First Legislature in the history of the province of Alberta. This was at the Thistle rink here in Edmonton.

As its first item of business the new Legislative Assembly elected Charles Wellington Fisher as its first Speaker. Premier Rutherford's speech at the opening of the First Legislature explained that the House would be "laying the foundations of empire in this new land."

### Introduction of Visitors

**The Speaker:** The hon. Minister of Environment.

**Mr. Renner:** Thank you, Mr. Speaker. I have two distinguished visitors that I would like to introduce to you. They're seated in your gallery. I would like to introduce my counterpart from the province of Saskatchewan, the Hon. Dustin Duncan, Minister of Environment, and with him his chief of staff, Cam Baker. I'd ask all members to welcome them.

### Introduction of Guests

**The Speaker:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Speaker. On behalf of the Member for Red Deer-North it's my great pleasure today to introduce to you and through you the students of Gateway Christian school. This is an innovative and creative school that looks beyond the classroom to the world. They're here today to observe the Legislature and to observe members here in the House. The hon. Member for Red Deer-North would have liked to be here to make this introduction and hopes that each of our guests enjoys their time at the Legislature. I'd now like to introduce teachers Mr. Jim Driedger, Mrs. Klaaske de Koning, and Ms Sherry Glebe and parent helpers Mrs. Anna Haar and Mrs. Jenni Duke. If I could ask our guests to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm very pleased to rise today to introduce to you and through you to this House a group of very

bright grade 6 students from St. Martha school and their teacher, Shelley LaFontaine. I had an opportunity to have a chat with them. They raised a lot of questions about this Legislature and also about my duty as an MLA. I'd like to ask them to rise to receive the traditional warm welcome of this House.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. Today it is my honour and pleasure to introduce to you and through you to all members of this Legislature a delegation from the city of Grande Prairie. They have joined us here today to meet with several ministers to promote the interests of the beautiful city of Grande Prairie. The talented mayor, councillors, and city manager are proud of the strong northern community and are incredibly dedicated to representing the issues of the citizens of this outstanding area of our province.

At this time I would ask the guests to please rise. I am privileged to introduce Mayor Bill Given, Councillor Lorne Radbourne, Councillor Alex Gustafson, Councillor Justin Munroe, Councillor Dan Wong, and Greg Scerbak, the city manager. Mr. Speaker, the Member for Grande Prairie-Smoky and I would like to thank this hard-working group for visiting the Legislature today. I would ask them to remain standing and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. I'm truly blessed today because I get to introduce to you and through you a vibrant, beautiful, bright young lady who hails from Widewater, 20 kilometres west of Slave Lake. She has been a principal consultant of Milestone Consulting, in fact, for the last five years now and has worked with and for nonprofit organizations to raise dollars, carry out projects, do research, and write great proposals. She is a third-term councillor with the MD of Lesser Slave River No. 124, and her name is Ms Darcie Acton. She is seated in the members' gallery. I'd ask that Darcie please stand and receive the warm welcome of this Assembly.

**The Speaker:** The Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you four very special people from Newthorad Seniors Housing based in Thorhild. The first is Shelly Hanasyk, a third-term councillor of Thorhild county and chair of Newthorad Seniors Housing. You can stand, Shelly. Next are Kevin Grumetza, a fifth-term councillor and deputy reeve, and Julian Topolnisky, an administrator of Newthorad housing. Interestingly, Julian attended school with our Premier. I'm sure he's got a few interesting stories to tell. Finally, Nick Hoffman, who's a loyal and dedicated maintenance worker at Newthorad whom residents very much enjoy visiting with every morning. I'd like to thank them for everything they do for our constituency and invite the Assembly to give them a traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you very much, Mr. Speaker. It is my honour today to introduce to you and through you to all members of this Assembly Nicholas Ameyaw and Grace Owusu, who are seated in the public gallery. Mr. Ameyaw is the president of the Ghana Friendship Association of Edmonton, and two Saturdays ago they celebrated the 54th year of Ghana Independence Day. The association is very much thankful to the Alberta government for the

\$125,000 in funding for the purchase of their community centre in Edmonton-Mill Woods. I would ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It is my pleasure to rise today to introduce to you and through you to members of this Assembly a group of individuals who you may have visited over the lunch hour today, the Harmony Dialogue Group, who were serving their Noah's pudding in the lower rotunda. Harmony Dialogue Group is a nonprofit organization that focuses on intercultural dialogue promoting unity among all cultural heritages in the city. Each year as a symbol of this unity the Harmony Dialogue Group serves Noah's pudding in public places across Edmonton, giving them an opportunity to interact with their neighbours and strengthen our overall community. I thank the Harmony Dialogue Group for their visit with us here today and for their continued contributions to our community, and I would ask that the seven representatives, who I believe are in the public gallery, please rise and receive the traditional warm greeting of the Assembly.

Thank you.

**The Speaker:** I believe, hon. members, that there is a group of grade 6 students from Aldergrove elementary school, located in the constituency of Edmonton-Meadowlark, who are here today as well. I'd ask them to rise and receive the warm welcome of the Members of the Legislative Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Canadian International Hospital

**Mr. Elniski:** Thank you, Mr. Speaker. It's not every day that someone comes up to you and says: hey, I think we have the same DNA. So when a member of the third party said that very thing to me over a pizza not so long ago, I didn't really think very much about it. As events unfolded, however, I began to wonder how someone could possibly know a person's DNA unless they had access to some pretty advanced medical technology.

It turns out that one of the finest places on Earth to get such information is the Canadian international hospital in Hanoi, Vietnam. Now, this is a five-star facility. This 200-bed luxury hospital, fully staffed with Canadian physicians, operates the most modern diagnostic and treatment facilities, including patented DNA sequencing technologies.

1:40

Now, I've never been to Hanoi, but clearly there must be some link here. I was not surprised to learn that the chairman of this facility, this private, for-profit luxury hospital that caters to the seriously rich sick people, happens to be none other than a well-known doctor, former cabinet minister, and recently proclaimed Wildrose policy adviser on health.

The Canadian international hospital, which sounds more like a resort than a hospital, has the finest, most modern facilities. I am particularly impressed by the accommodations for the 30 Canadian physicians who will move to Hanoi. I mean, so long as you have a surplus of doctors in Alberta, how can the loss of 30 really matter? Of course, it does translate into about 200,000 cancelled appointments per year over here. But, really, who's complaining? You can get in to see one of these doctors. All you have to do is fly to Hanoi. Of course, that's only about \$2,700.

Again, that's 30 physicians that a key supporter of the third party has just shipped offshore, at a time when the third-party leader today, Mr. Speaker, talked on the radio about a shortage of doctors in the province of Alberta. Thirty physicians will no longer be in a position to accept patients right here at home, 30 physicians who, if they worked 1,800 hours a year, could see 200 patients a year, and they will in Hanoi, Vietnam.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### Health Care System Governance

**Mr. Hinman:** Thank you, Mr. Speaker. The floodgates are starting to open, and this government is scrambling for the life rafts. First, the government attempted to cast Dr. McNamee's story of silencing, intimidation, and dismissal as a one-off, a human resource dispute. Yesterday we had no fewer than five physicians emerge with their stories, some with personal details of being victimized by this government's playbook when it comes to suppressing advocacy and dissent in our health care system.

Dr. Fanning says that she was fired after criticizing the government over health care. Dr. Maybaum says that doctors and health care workers must be liberated from the culture of intimidation and that government politicians are insulting health care workers in this province. Dr. Francescutti says that doctors, nurses, and paramedics must be allowed to come forward to tell the truth. Two more doctors, still fearful of this government's retribution, remained anonymous in saying that a culture of silence and personal intimidation has repressed health care workers for years.

Make no mistake, Mr. Speaker, that what we are seeing right now is 15 years of centralization, which has necessitated a culture of intimidation, mismanagement, and political corruption within our public health care system. This same government, who never misses an opportunity to brag about their record for the last 10 or 15 years, now is trying to distance themselves from the reality of the system which they created and nurtured. To say that it was some other government or some other party responsible for these unforgivable acts of bullying and intimidation is wrong.

Forty years ago a tired old government was replaced. Today Albertans have a tired but powerful old government that is no longer able to hide the incompetence, arrogance, and abuses of the power within their system. This government is way past its best-before date. There should be more following the Premier's example and announcing their resignation. The next six months will show what 40 years of unbroken PC rule has inflicted on our democracy. The emperor does not have new clothes. They are exposed.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

#### Mighty Peace Watershed Alliance

**Mr. Drysdale:** Thank you, Mr. Speaker. The Peace River watershed is the largest in Alberta and covers about one-third of the province. Its water and aquatic systems are critical to the health of Alberta's natural environment. That's why this is an exciting week for my constituents. On Friday the Mighty Peace Watershed Alliance will hold its first meeting and elect its inaugural board of directors. The alliance is a partnership between the Alberta government, environmental organizations, aboriginal communities, industry, and others in the Peace River watershed. Its role is to provide an opportunity for people to improve their knowledge and understanding about the watershed and to safeguard the health of the aquatic system in the region.

The Mighty Peace Watershed Alliance will be Alberta's 11th watershed planning and advisory council. These councils are a key component of Alberta's long-term strategy to manage water resources: water for life. This bold plan aims to ensure secure, safe drinking water and healthy aquatic systems for all Albertans. It will accomplish these goals through knowledge, research, partnerships, and water conservation, positioning our province as the leading jurisdiction in North America for water management.

I'm happy to see that northwestern Alberta will soon have its own officially designated council. Watershed planning and advisory councils provide important information to help government make the best water management decisions possible. They also provide valuable information to all Albertans by reporting the state of the watershed.

Mr. Speaker, I commend the members who have joined the Mighty Peace Watershed Alliance as they embark on its critical journey of leadership, stewardship, and education. I encourage those in my constituency and all Albertans to get involved in the protection of our precious water resources. After all, the success of these groups often depends on the passionate individuals who volunteer their time and effort to safeguard our environment.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### Hospital Services Utilization

**Mr. MacDonald:** Thank you, Mr. Speaker. Just before session started, I hosted a town hall meeting on health care. Donna Wilson, a nurse, professor, and researcher, presented an update on health care here in Alberta, an update that shatters the old Tory myth that seniors are responsible for rising health care costs. Ms Wilson's research indicates that in 1993, when we had a \$4 billion health system, we had 110 hospitals, with 13,000 beds. That's one bed for every 200 Albertans. Then came the Conservative cut-backs. Over 12 per cent of nurses were laid off, and 6,500 hospital beds were closed, most of them in Edmonton and Calgary. Then came the constant restructuring of health care governance, which resulted in growing wait-lists and rapid cost inflation, culminating in a single nonelected board. Wait-lists have gotten even worse, cost issues continue, and quality of care is suffering.

Last year our \$15 billion health care system still had 110 hospitals but only 6,800 beds, one bed for every 600 Albertans. Seniors didn't lay off these nurses or close these hospitals. In fact, they're not even using the hospitals as much as people under the age of 65. Seventy-six per cent of all hospital admissions and 84 per cent of all emergency room, day surgery, and outpatient care are for people under the age of 65. These statistics absolutely refute Conservative myths and claims that an aging population is driving up health care costs. In recent days this government has made a big deal about saying that 60 per cent of people have confidence in the health care system. Well, before, it was 90 per cent with confidence in the health care system. In just nine years, Mr. Speaker, health care costs have risen 110 per cent, more than double. This government should stop blaming seniors for those rising costs.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

#### Farm Safety Week

**Mrs. Leskiw:** Thank you, Mr. Speaker. March 13 to 19 is Canadian Agriculture Safety Week. Here in Alberta agriculture is our largest renewable resource, and we have more than 50,000 farms. Farm safety is a year-round priority. We believe the key to safe farms is education and awareness. This week the Minister of Agri-

culture and Rural Development announced a new 15-member Farm Safety Advisory Council. The council was formed in response to consultations with more than 20 stakeholder groups, representing more than 50,000 producers.

Its membership includes a variety of representatives with backgrounds in safety, business, and agriculture, all of whom have a deep commitment to farm safety. This council will be co-chaired by industry and government. The advisory council is tasked with developing an action plan on farm safety and will be responsible for helping government enhance farm safety training and education to address the needs identified by industry.

Agriculture and Rural Development's Safety Up! awareness campaign is targeted to new and young farmers and the farm safety club, educating children four to 12 years of age about safe behaviour on farms and working with 4-H to promote agricultural safety. All of these efforts increase local delivery of farm safety knowledge through rural partnership.

The focus of this year's farm safety week is on implementation of safety procedures to manage risk and control hazards. I would like all Albertans to recognize Agriculture Safety Week, and I strongly encourage rural Albertans to look at ways to participate in their community, whether by implementing a farm safety plan or by teaching their children how to play safely on the farm.

Thank you, Mr. Speaker.

1:50

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Health Quality Council Review

**Dr. Swann:** Thank you very much, Mr. Speaker. Late last week Albertans learned that these Tories forced respected surgeon Dr. Ciaran McNamee out of his job for complaining publicly about surgery wait times and inadequate patient resources. These damning allegations against the Tory government make it clear a Health Quality Council investigation is not enough and that Albertans deserve a fully independent public inquiry completely free from government interference, control, or intimidation. To the Premier: if your government has nothing to hide, will you support the opposition call for a fully independent and open, judge-led public inquiry?

**Mr. Stelmach:** Mr. Speaker, what I do support is a complete review by the Health Quality Council, allowing physicians and nurses to come forward and talk about how better to improve the system so that we can learn from the past.

On the other, if there is any wrongdoing on behalf of anyone in the system, it is the duty of those to report directly to Alberta Health Services, or if somebody has their hand in the cookie jar, a criminal matter should go directly to the police.

**Dr. Swann:** Will the Premier do the right thing and release the financial terms of settlement for Dr. McNamee, including the terms of the confidentiality agreement he was forced to sign, so that all Albertans can see how this government muzzles health care professionals for speaking out?

**Mr. Zwozdesky:** Mr. Speaker, that's not a matter for this Assembly to even consider. Let's get this straight. You have a disagreement. You have doctors on one side who are working hard for their particular area of practice. You have other doctors who are working hard for their side of a particular practice. What they've done is come to some kind of an impasse. As a result of

that, a statement of claim got filed, a statement of defence got filed, and guess what? Both sides had their arguments vetted between themselves. They agreed to walk away from it, and that's where it ended.

**Dr. Swann:** Well, Mr. Speaker, the denials continue. Will you continue to ignore the facts, Mr. Premier, or will you finally concede that health care staff, including Dr. McNamee, are subject to intimidation and retribution, are disciplined for speaking out on behalf of patients?

**Mr. Zwozdesky:** Mr. Speaker, I don't think we saw anybody attempting to muzzle the doctors who spoke out on the Thanksgiving Day weekend last year. I can tell you that nobody at the AMA conference last weekend felt intimidated by my presence there or by my staff's presence. What they felt was the building of a good, solid relationship, and we're continuing to foster that while you folks on the other side are trying to undermine it.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Physicians

**Dr. Swann:** Thank you, Mr. Speaker. The list of damning allegations against this government is growing as well-respected doctors, including Dr. Anne Fanning and Dr. Lloyd Maybaum, are speaking out against this government's culture of fear and intimidation. Dr. Maybaum went as far as to say, and I quote: there is just plain fear you'll lose your position. There are a number of different ways that people are fearful and can experience the backlash that occurs when you speak out. End quote. When will the Premier get off his soapbox by saying that health professionals like Maybaum are free to come forward when he says otherwise, with evidence of a culture of fear and intimidation making it impossible?

**Mr. Stelmach:** Mr. Speaker, as I've said many times in the House, physicians, all those that may have had some disagreements in the past within their organization: come forward to the Health Quality Council and bring those allegations forward and have the Health Quality Council look at it. These are physicians that sit on the Health Quality Council. They are professionals, and they are better able to judge what is coming to them in terms of evidence, real, hard evidence of all of these allegations of hush money and allegations.

**Dr. Swann:** Seriously, Mr. Premier, what do you have to lose by holding a public inquiry, a transparent public inquiry, into allegations of intimidation and financial misconduct? What do you have to lose?

**Mr. Zwozdesky:** Mr. Speaker, I have to stand up and again remind the member to take a look at the tabling I made a few days back, where the Alberta Health Services leaders, the College of Physicians and Surgeons leaders, and the Alberta Medical Association signed a letter jointly last June. Here's what it said.

The Alberta Medical Association (AMA) stands behind any physician who advocates on behalf of his or her patients. Similarly, the College of Physicians and Surgeons of Alberta (CPSA) and Alberta Health Services (AHS) also strongly support and encourage patient advocacy.

There it is in print. You should read it.

**Dr. Swann:** A lot of good that did me in 2002, Mr. Minister.

Instead of finding real solutions to the culture of fear and intimidation, this government is advising health care workers to call the cops. Well, Mr. Speaker, that's hardly a solution. Is that what you're expecting, Mr. Premier? You want us to call the cops when there's a problem?

**Mr. Stelmach:** Mr. Speaker, just hearing the comments from the hon. member, I would suggest that he maybe look to the Alberta Medical Association and to the college, really, to find out why they weren't there to support him during an issue that I suspect he had – what? – over 10 years ago.

**The Speaker:** Both the Leader of the Official Opposition and the Minister of Health and Wellness: you quoted from documents. I'd ask that you table the appropriate numbers of those documents during the tabling routine.

Third Official Opposition main question. The hon. Member for Edmonton-Centre.

#### State of the Health Care System

**Ms Blakeman:** Thanks very much, Mr. Speaker. Let's do a checkup on health care basics because that is where this government started to lose credibility, and it doesn't look like the diagnosis is improving. To the minister of health: why do 250,000 Albertans still have no access to a family doctor?

**Mr. Zwozdesky:** Mr. Speaker, there are number of initiatives that we're doing to strengthen primary care, and that's one tremendous benefit of a commitment to five years of funding, of a commitment to a five-year health action plan and to the performance measures. We are working very hard to ensure that those people who don't have a doctor or perhaps didn't think they needed a doctor will have access to one. There are two primary parts to this. One is improving access in health care, and the other is reducing wait times. If we added a third, it would be to strengthen primary care, and that's precisely what we're doing.

**Ms Blakeman:** Get the crash cart.

Back to the same minister: why do more babies die of congenital syphilis in Alberta than in the rest of Canada combined if not for the fact that this government refused, intimidated, and fired the medical officers who were working on that very issue?

**Mr. Zwozdesky:** Mr. Speaker, I don't know about the allegations that have just been made, but I can tell you that there is a syphilis problem in this province, as there is perhaps elsewhere, and we're doing something about it. Very soon, within a few days if not a few weeks, you will see our approach to this matter. You will see the augmentation of dollars into that area because we have to let people know that this is a serious issue, and we're treating it very, very seriously immediately.

**Ms Blakeman:** No. This government is flatlining on health care.

Back to the same minister: why are waiting lists for nonemergency procedures still months and months and months long?

**Mr. Zwozdesky:** Mr. Speaker, as I said, one of our primary goals is to reduce wait times. Why do you think we gave a guarantee of 6 per cent increases? Why do you think that our province is among the fastest growing rates of doctor personnel? I'll tell you why. Because here we have a plan, and the plan is starting to work, and they don't like it.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Highlands-Norwood.

### Patient Advocacy by Physicians (continued)

**Mr. Anderson:** Every day more and more evidence mounts, unveiling a pervasive culture of fear and intimidation against our doctors and other health care professionals wanting to speak out for their patients' safety: those aren't my words, Mr. Speaker. Those are the words of Dr. Lloyd Maybaum, president of the Calgary physicians' association. The good doctor says that health professionals are fearful of AHS backlash that can occur when speaking out for patients. To the health minister: why won't you call a public inquiry with full powers of subpoena to investigate what has become a total breakdown of confidence in our health care system?

**Mr. Zwozdesky:** Mr. Speaker, just a week or two ago his colleagues from Calgary and Fort McMurray were practically begging for the Health Quality Council "to investigate the 322 cases that were documented previously." They said among other things, "We applaud the Health Quality Council's effort to restore public confidence in health care." Others said, "Will the minister of health today commit to all Albertans . . . to launch an investigation?" Well, guess what? That's exactly what we've done. We've brought in an independent review that will be done by a very highly respected body called the Health Quality Council, which two weeks ago they were praising.

**Mr. Anderson:** Minister, the Health Quality Council is not qualified or sufficiently empowered to investigate allegations of wrongdoing and political interference. You know that, sir. Minister, if evidence continues to be released substantiating a pervasive culture of fear and political interference in our health care system, will you commit to Albertans that you will call a full public inquiry, or will you continue to refuse? It's starting to look like you or your government is hiding something, and I sure hope for your sake that that's not the case.

2:00

**Mr. Zwozdesky:** Mr. Speaker, allegations followed by more allegations. The fact is that we have an independent council that is setting its own terms of reference, that is choosing its own people to serve on that committee, that may well bring in people from outside – I don't know – and they'll make all of that public. That is a tremendous accountability. Otherwise, if you follow this member's advice, you'd have cabinet and government determining those things. That's not what I see necessary at this time.

**Mr. Anderson:** Four new doctors bravely came out of hiding just yesterday, sir – Dr. Maybaum, Dr. Fanning, and others – and there are more coming forward every day. How much more evidence do you want? Given that Dr. Maybaum says, quote, there is a clear and present problem in the health care system, and anybody who suggests that this is preposterous – like this minister always does – quite frankly, is insulting health care workers, unquote, why then does this minister continue to say that the allegations are preposterous? Are you saying that Dr. Maybaum is lying, sir? Is that what you're saying?

**Mr. Zwozdesky:** Mr. Speaker, I've never said words to that effect, and I don't think you'd ever hear me saying that. What I am saying is that there are occasionally disagreements that happen such as was the case with some cases that were brought forward, and perhaps there will be more. As people go and they find differences in their opinions or differences in their perspective because they're lobbying hard for this or they're lobbying hard for that,

obviously some separation of those agreements sometimes occurs, and that's all that's happened here so far that I've seen.

**The Speaker:** Hon. Member for Airdrie-Chestermere, please table the appropriate documents as well at the time coming up.

The hon. Member for Edmonton-Highlands-Norwood.

### Health Quality Council Review (continued)

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, more doctors are stepping forward by the day with similar allegations – intimidation, questions raised about their mental health, firings – yet this PC government flippantly dismisses these allegations, telling those concerned to go to the police. Will the Premier admit the obvious, that the government has actually no intention of getting to the bottom of this scandalous situation?

**Mr. Stelmach:** Mr. Speaker, as I've said many times in the House, the minister has asked the Health Quality Council to draw its own terms of reference and do a full review of all of the allegations that have been made and also how to improve the system given all of the evidence that will be coming forward to the Health Quality Council. I suggest that we give them the opportunity. They're going to move forward almost immediately, and we will have a full review of not only the allegations that have come forward but how to improve the system well into the future.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Given that in his written instructions to the Health Quality Council regarding this review the minister excludes any mention of investigating charges of intimidation and retribution against doctors or other health care professionals, will the Premier admit that he is merely pretending to get to the bottom of these allegations?

**Mr. Stelmach:** Mr. Speaker, the Health Quality Council membership is comprised of health professionals, people that know how to deliver health care services. They'll be able to look into all of the allegations and sift out all of the information that is going to come forward. They've always done good reports in the past. They looked at H1N1. They looked at a report coming soon on medevac services in this province. I have tremendous confidence in them to do the right thing for all Albertans.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Given that more and more doctors are clearly saying now that they will not come forward and co-operate with this government's so-called investigation for fear of retribution, will the Premier please admit that that is exactly what he wants?

**Mr. Stelmach:** Mr. Speaker, you know, over the last number of years there has been no province in Canada that has seen such a large increase in the number of physicians practising here. They are the best paid, with the lowest taxes and also a five-year funding commitment going to Alberta Health Services. Yesterday – good news – the AMA reached an agreement with government in terms of a three-year funding agreement. That tells me that we have an increase of 22.5 per cent in the number of physicians. They want to come here because it's the best place in Canada to work.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for St. Albert.

### Severance Agreements with Physicians

**Mr. MacDonald:** Thank you, Mr. Speaker. Taxpayers deserve for once a straight answer from this government. My first question is to the minister of health. Where in government books can interested taxpayers find the details revealing the financial settlements made to doctors who stood up and spoke out against this government's health care policies?

**Mr. Zwozdesky:** Mr. Speaker, if there were any kinds of severance agreements and payouts related to that – and I suspect there were – then they will be accounted for in the category for that. I don't have the details for it right in front of me, but I can assure you that it would all have been audited by the Auditor General, and it would all be appropriate.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. You should have those details, sir.

Again to the same minister: what is the total amount paid out by this government to silence doctors who stood up and spoke out on behalf of their patients about how you were running health care?

**Mr. Zwozdesky:** Mr. Speaker, I suspect the number is zero. What I do think, however, is that there were some honourable negotiations that took place. Some differences of opinion were voiced. In some cases it resulted in separation. In other terms it might have resulted in divorce. But the fact is that the agreements were made. They are sealed in accordance with the nondisclosure agreements that were signed by the parties in question.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: given that over \$42 million – that's \$42 million – was listed last year by Alberta Health Services under other fees, can you please tell taxpayers how many of those other fees were spent in these negotiations to settle with doctors whom you were trying to silence?

**Mr. Snelgrove:** Mr. Speaker, there is a process in this government called Public Accounts, and that's the point where members are able to get into the detail of just those such agreements, and if I'm not mistaken, the chairman of Public Accounts is the hon. Member for Edmonton-Gold Bar. Maybe he ought to do his job in Public Accounts and ask those questions there.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Buffalo.

### Patient Advocacy by Physicians (continued)

**Mr. Allred:** Thank you, Mr. Speaker. Physicians are alleging that they're being silenced, that they're not allowed to speak up for patients. To the Minister of Health and Wellness: do we need a public inquiry to help create an atmosphere where physicians can speak up?

**Mr. Zwozdesky:** Mr. Speaker, physicians are speaking up. They do it daily. They've been doing it for quite a while, I suspect. I think what we need is the independent review that has been ordered and that the Health Quality Council of Alberta will carry out. In fact, no one is telling physicians they can't advocate. The exact opposite would be true. The document I referred to earlier,

which I had tabled quite a while ago but will table again at your request, explicitly states, in addition to what I've already said, that "if a physician feels that it is necessary to advance the interests of patients, then he or she should do so."

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My second question is to the same minister. Has our relationship with physicians broken down in some fundamental way?

**Mr. Zwozdesky:** Mr. Speaker, I don't believe so. I think the point that the Premier mentioned a little earlier, that we now have an agreement in principle between the government, Alberta Health Services, and the AMA, is a very positive sign that we are moving forward and that there is a relationship that is beginning to work. I just want to say thank you to the Alberta Medical Association and all of its members for recognizing our economic situation, the worst since 1930.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My final question, again to the same minister. The fact remains that some physicians are saying that our relationship with physicians does not work, and they feel that our government has dismissed their concerns. Have we?

**Mr. Zwozdesky:** Well, absolutely not, Mr. Speaker. If we had, we wouldn't have an agreement in principle, obviously. I think what has happened here is that doctors more and more are finding Alberta to be a very attractive place to come and practise, and that's why we have had the highest growth rate in attracting doctors of any province over the past 10 years right here in Alberta.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Cypress-Medicine Hat.

### Air Quality Monitoring for Radiation

**Mr. Hehr:** Mr. Speaker, due to the tragic events in Japan it has now been confirmed that radiation is leaking from nuclear plants affected by the tsunami. Meteorologists report that there is danger of nuclear radiation spreading through the atmosphere to Alberta. Accordingly, my question is for the Minister of Municipal Affairs. What action is being taken by emergency services' air monitoring system or others to prepare for the risk of radiation spreading to Alberta through the jet stream?

2:10

**Mr. Goudreau:** Mr. Speaker, first, I want to indicate that this is such a tragic situation, and our hearts certainly go out to everyone that was affected by this disaster. Having said that, my department is in regular contact with our counterparts in Ottawa, and at this time they're telling us that the radiation leak in Japan is not expected to pose any health or safety risks in Canada.

**Mr. Hehr:** Well, Mr. Speaker, to the Minister of Environment: given that meteorologists worry that radiation may in fact reach Alberta, does our air monitoring system have the capacity to measure for radiation in order to protect Albertans?

**Mr. Renner:** Mr. Speaker, we work very closely with our federal counterparts, and this would be a case where it's not only national but international. The kind of monitoring and measurements that the member refers to would not only apply just in Alberta but would be on a national scale, so we would depend upon our na-

tional and international experts to advise us on the ongoing issue if there is one.

**Mr. Hehr:** Mr. Speaker, my final question is for the Minister of Energy. Prior to a nuclear plant proposal going forward in this province, will your ministry commit to establishing an expert panel to consult with the public to see whether a nuclear power plant is a viable option for this province?

**Mr. Liepert:** Well, first of all, I think the member may not be aware, but the first step that any nuclear plant proposal has to clear is the federal government, so I would suggest that he might want to direct that question to the federal government.

### Spring Flooding in Southern Alberta

**Mr. Mitzel:** Mr. Speaker, last June my constituents in southeast Alberta faced significant and devastating flooding, which resulted in the largest disaster recovery package in our province's history. With warmer temperatures now occurring, my constituents are again facing real flooding concerns. A high water table and larger than normal snowpack only exacerbate the situation. In fact, many have been in close contact with me, and they are worried. My constituents need to know their government is on their side. To the Minister of Environment: what are you doing to ensure your department is providing all assistance necessary to mitigate potential flooding?

**The Speaker:** The hon. minister.

**Mr. Renner:** Well, thank you, Mr. Speaker. First of all, let me point out that not only are this member's constituents concerned but mine, as we are in adjoining constituencies. I can assure all of the residents of southeastern Alberta that we are doing everything that we can to prepare for any kind of negative impact. We've just today activated the Flood Response Coordination Centre to co-ordinate the flow of information between the city and the county and the residents. This morning we issued a snowmelt advisory, and we will continue to work very closely with city and county officials to ensure that appropriate actions are taken.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. My first supplemental is to the Minister of Municipal Affairs. Given that this may just be the start and that two homes I know of currently have water running through them because of this early melt, I'm sure there will be more. What plans do you have in place to assure and assist this area of the province with the flooding they are currently experiencing?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. The southeastern area of the province is certainly experiencing localized flooding. We've been planning for flooding and working with the county of Cypress and the city of Medicine Hat to get prepared. As of this morning we've got an emergency management officer on site, and we've arranged for the loan of a sandbagging machine from the city of Calgary and authorized the purchase of a Candam, which is a 300-metre dam made in Medicine Hat, that will help prevent the spread of water.

**Mr. Mitzel:** My second supplemental is to the same minister. As this is now a new flood and all claims are not yet cleared from last year and residents are still dealing with the effects of the flood

from last year, what's being done or what will be done to help them?

**Mr. Goudreau:** Mr. Speaker, our efforts to assist the affected Albertans are ongoing, and our goal is to ensure that they receive the maximum amount of dollars that they are eligible for under the disaster recovery program. We've successfully provided first cheques or closed 98 per cent of the residential applications in this area. While we're running nine disaster recovery programs throughout the province, we continue to pay special attention to southern Alberta. We're all working together to prepare as well, and we're watching closely to see what Mother Nature might bring us.

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

The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-Hays.

### Farm Worker Safety

**Ms Pastoor:** Thank you, Mr. Speaker. I'll stay on the health-related theme for today. Agricultural work makes the top-five list for high-risk occupations in Canada. This government is aware of that, yet the rights of farm employees in Alberta continue to be ignored. To the Minister of Employment and Immigration: where is the logic behind the decision made by this government to have mandatory investigations for some workplace injuries in the case of the 12 industrial oil workers?

**Mr. Lukaszuk:** Well, let me try to explain the logic, and if what I say doesn't make sense, I would encourage the hon. member to meet with some actual farmers, and maybe they can reinforce what I say. The fact of the matter is, Mr. Speaker, that the majority of farming in Alberta is done on family farms, where people not only work and farm their own land but actually live and play and entertain on that land. Obviously, the presence of occupational health and safety in a setting where you have people living and working at the same time is not very conducive.

**The Speaker:** The hon. member.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. That's a total red herring, and this minister knows it. He knows we aren't talking about family. We are talking about employees, corporate farms.

As the president of the Alberta Federation of Labour stated, the Farm Safety Advisory Council is a blatant example of public relations. Why another stall tactic instead of action to provide paid farm workers with the same rights as other workers in Alberta?

**Mr. Lukaszuk:** Mr. Speaker, all farms are incorporated; hence, they are corporate farms.

I have to tell you that our minister of agriculture has just put in place a plan on how to deal with the health and safety of farmers and individuals who work on farms and who live on farms by way of educating, sharing best practices, and actually having farmers help farmers, having individuals who know something about farming, unlike, perhaps, the hon. member and myself, institute safety on the farm.

**Ms Pastoor:** When members of the board instead of its chair are already speaking about their views on farm safety in the province, it's clear to me that shared views with the government have already again led to membership on a board. Is the minister just looking for confirmation of a decision that he's already made?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. These wonderful Albertans that offered their time to serve on this board came from all over the province and put forward their names. I had it reinforced for me again this morning in a meeting that I had in Trochu, Alberta, with a group of 25 agricultural producers when I asked them right flat out how we could help them and they said: no more regulations. I said: are we moving in the right direction with our farm safety instead of workmen's compensation and occupational health and safety? They said: absolutely; this is what we want.

**The Speaker:** The hon. Member for Calgary-Hays, followed by the hon. Member for Edmonton-Strathcona.

### **Allegations of Criminal Wrongdoing**

**Mr. Johnston:** Thank you, Mr. Speaker. For the past few weeks opposition members have implied or accused the government, the current and former ministers of health, the University of Calgary, the University of Alberta, the College of Physicians and Surgeons, and the Alberta Medical Association of everything from breaking the law through blackmail and payoffs to fraudulent bookkeeping. All my questions are for the Minister of Justice and Attorney General. Can the minister explain once again how any allegations of criminal misconduct should be dealt with and who they should be reported to?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. I do feel as though there's a need for some precision in language here. The debate in recent weeks has passed back and forth between allegations relating to management issues and so on, which I would submit are certainly a good subject for the Health Quality Council to deal with, but from time to time they've crossed over into allegations of criminal wrongdoing, and there is only one answer for that situation, and that is the police and police investigation.

**Mr. Johnston:** To the same minister: further to your first response can you then explain to the House what a public inquiry can and cannot do?

**Mr. Olson:** Well, a public inquiry is not meant to be a substitute for a criminal investigation. So referring to my first question, if we are talking about allegations of criminal wrongdoing, there is only one process. That's the courts. That is an independent judge, and it has sanctions at the end. If we're talking about something else such as management issues, then there is an appropriate venue already in place. If there were a public inquiry, what would a judge do? He would need experts to help him such as the Health Quality Council.

**The Speaker:** The hon. member.

2:20

**Mr. Johnston:** Thank you, Mr. Speaker. The opposition members have been using a statement of claim as supposed evidence to prove wrongdoing by this government. Can the minister explain to the House what is contained in a statement of claim and what its purpose is?

**Mr. Olson:** Well, Mr. Speaker, a statement of claim contains allegations in a civil matter. It's usually met by a statement of defence, which contains either further allegations or denials. We can't base decisions on allegations and denials in a statement of claim and a statement of defence. We need evidence.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Varsity.

### **Nuclear Power**

**Ms Notley:** Thank you, Mr. Speaker. Yesterday the Minister of Energy brushed off the dangers related to nuclear power, but with the tragic events in Japan, we are seeing prudent governments – Germany, Switzerland, and Austria, for example – taking strong actions to respond with measures to increase safety. Indeed, the EU just today completed an emergency debate on the issue and agreed on a number of preventative actions as a first step. Will the Minister of Energy join this discussion and reassure Albertans that nuclear energy is one hazard that this province will steer clear of now and in the future?

**Mr. Liepert:** Well, Mr. Speaker, I assume they had an emergency debate because they have nuclear power. Alberta doesn't have nuclear power. I'm not quite sure what the member is trying to get at.

**Ms Notley:** Well, Mr. Speaker, given that the Minister of Infrastructure recently joined the Member for Athabasca-Redwater at a meeting to defend its deeply unpopular land-use bills and that those attending were told that the need for a massive proposed power line is to facilitate a nuclear power facility in northwest Alberta, will the Minister of Energy admit that the government is actively enticing Bruce Power to bring the nuclear industry to Alberta and commit to reversing this position immediately?

**Mr. Liepert:** Mr. Speaker, you know, I have no idea what the member is talking about because I wasn't at any particular meeting. But I did hear the member who I think was referred to, who happens to sit next to me, express some outrage when that particular accusation was made. Considering the track record of that member and the accuracy of some of her preambles, I'm just going to pass on it.

**Ms Notley:** Well, Mr. Speaker, given that Albertans have already expressed strong opposition to nuclear power and have so far been ignored by the Tories and given that the events in Japan demonstrate that the most fail-safe nuclear plants are never actually completely fail safe, will the minister assure Albertans that nuclear power is excluded from all consideration as an option to provide power for the province?

**Mr. Liepert:** Well, Mr. Speaker, again the member's recollection of what Albertans expressed through the public consultation process that we undertook is wrong. What Albertans expressed to us is that we have an open, competitive generation market and that at such time that an application is filed, it should be considered along with any other particular proposals, provided, of course, that it gets approval at the federal level, which is the first step that any project would need.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Strathcona.

### **Education Funding**

**Mr. Chase:** Thank you, Mr. Speaker. The government claims that education was protected in the budget this year, but parents, teachers, and school boards have been crunching the numbers, and they are saying that that's simply not true. To the Minister of Education: are struggling school boards, larger classes, and staff



layoffs what the minister had in mind when he talked about Inspiring Education for the past three years?

**Mr. Hancock:** No, Mr. Speaker. When I was talking about Inspiring Education, I was talking about the kind of education we need to have for the students of our province now and in the future so that they can be citizens of the world and compete in a global economy as well as in the local economy. We're talking about students with 21st century skills – literacy skills, foundational skills, and numeracy – those types of things which make it possible for every child to succeed. In Inspiring Education we are talking about every child having value and every child being able to succeed to their potential.

**Mr. Chase:** It would seem, Mr. Speaker, that every child, if they're to have value, should be invested in, but that's not what's happening with your cuts. At a time when other countries are looking to copy the Alberta initiative for school improvement in their own schools, why is this government cutting AISI by 50 per cent? How is that progressive?

**Mr. Hancock:** Mr. Speaker, the fact that this year we have a restrained budget and we need to show restraint at a time when revenues are not as high as they have been in the past means that we have to make some very tough decisions, and education is not immune from those tough decisions. I would grant, hon. member, that cutting the AISI budget was one of the most difficult decisions that I've had to make as minister because AISI is a very, very important program.

**Mr. Chase:** Obviously, AISI is dependent on oil and gas revenue rather than sustainable funding.

If this government needs to save \$40 million, why not trim the \$170 million taxpayer dollars going to subsidize private school tuition every year instead of cutting projects that help public schools improve student learning?

**Mr. Hancock:** Mr. Speaker, as I said in my first answer, every student in Alberta has value. Every child in Alberta has value, and every child in Alberta, I'd go on to say, needs to have a place in the education system. Some people choose to be in the private school system, and those students are supported by public dollars to the tune of 70 per cent of the operational dollars that public school students get. So if we were to cut the funding to the private schools, I would suggest that we would find more of those students in the public schools, and we would end up having to take the dollars for the public school system and spread them even more thinly.

**The Speaker:** I would like to remind all members again that this is question period. Budgetary questions and particularly Education's budget will come before the House on the afternoon of April 19. There will be three hours that could be devoted to this subject.

The hon. Member for Strathcona, followed by the hon. Member for Calgary-Fish Creek.

#### Employment and Immigration Funding

**Mr. Quest:** Thank you, Mr. Speaker. As Alberta and the world emerge from one of the worst recessions in decades, the number one concern is ensuring that Albertans are back at work. My question is to the Minister of Employment and Immigration. Has Alberta regained all of the jobs it lost during the recession?

**Mr. Lukaszuk:** Mr. Speaker, no, not entirely. As a matter of fact, there has been good news coming to Alberta from Statistics Canada, showing that we are regaining jobs at a leading pace. However, during the recession Alberta had some 2.08 million people working, and now there are approximately 2.06 million, so we still have some way to go. However, we're on the right track, and we're leading the country right now in job recovery.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. To the same minister. On Friday Stats Canada released encouraging numbers, showing Alberta tied for the second-lowest unemployment rate, but I still have constituents looking for a job or for a better job. What's your department doing to help them fully participate in the labour force?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. A number of initiatives are in place. Our 59 LMIC offices throughout the province deliver a variety of programs. One of them will be the building and educating tomorrow's workforce strategy, which allows for programming for upgrading skills, providing some foundational learning for Albertans and also providing benefits and a subsistence allowance for those who choose to upgrade their skills and re-enter the workforce at a higher level of pay and a higher level skill set.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Again to the same minister. Youth unemployment is high in parts of the province, yet the minister has cut the Youth Connections program from his budget. Why did you cut this program?

**Mr. Lukaszuk:** Mr. Speaker, the answer is obvious. Some budgetary decisions had to be made. This ministry has a budget diminished by some \$70 million. The budget may be diminished, and the offices may not be available any longer, but I have to assure you that the services will continue to be delivered to our youth through our 59 offices throughout the province and through the use of social media and other delivery methods that actually, perhaps, could be much better received by our young people.

**The Speaker:** I'm going to repeat what I just said to the previous member with respect to budgets. This budget for this department was dealt with in this Assembly last evening for three hours. This is the question period.

The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Edmonton-Ellerslie.

#### Health Quality Council Review (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. Yesterday, when questioned by the Wildrose, the health minister denied that he'd ever categorically said no to a Health Quality Council review, instead insisting he said: no, not at this time. Days later the Health Quality Council review was announced. Later in the day, when I asked him if he would call an independent judicial inquiry, he said: no, not at this time. To the health minister: given that you've set the precedent for changing your mind, and you're going from no to "not at this time," when can we expect you to say yes and call a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, it's like saying: I love you, but I'm not ready to marry you at this time. What part of that don't you understand? No, not at this time.

I said that I would review and take appropriate actions at the right time. That's all there is to it. After I had more information and we looked at it and had a chat about it, we decided to call an independent review as requested

2:30

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Yikes, Mr. Speaker.

**The Speaker:** Are you going to accept? He's already married.

**Mrs. Forsyth:** No. Not at this time. [laughter] Holy mackerel, Mr. Speaker. You've got to be kidding me. Whoa.

Given that the health minister has said no and not at this time – and I'm not talking about marriage, thank you very much – and the Premier continues to say a flat out no, will you on behalf of Albertans and the medical profession fulfill your role as a health minister and push for a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, I'll go through this again. On March 7 this same member said, "Given that the Health Quality Council can't investigate until directed to do so, why hasn't the health minister given such orders?" Guess what? I did. Later that day this same member who's asking the question said, "Mr. Minister: will you call in the Health Quality Council to investigate the 322 cases that were documented previously?" Yes, I will. And, yes, I already did.

**Mrs. Forsyth:** I'm pretty good at convincing people, and that same minister said no. Then he said: not at this time. Then he said yes. So thank you.

My final question is to the minister. If you truly care about the health care system, if you want to live up to your commitment of an open and transparent government, and if you really believe health care professionals and doctors shouldn't be silenced and they shouldn't be muscled, will you reassure Albertans and call for a full public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, a public inquiry, which clearly they don't understand, would require cabinet to direct and dictate the terms of reference. Who would conduct it? Who would sit on it? That's not independence the way people want an independent review to be done. I find it quite interesting that on one day they are praising the Health Quality Council, and now they are casting innuendo against the people that they stood behind just last week. I don't understand that. It sounds very confusing on their part.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Centre.

### Temporary Foreign Workers

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Yesterday the government announced changes to the way noncompulsory tradespeople employed as temporary foreign workers can apply for permanent residency. My question is to the Minister of Employment and Immigration. Why was there a need to make this change now?

**Mr. Lukaszuk:** Well, Mr. Speaker, it's a case of walking your talk. I strongly believe that not only Alberta's but Canada's immigration policies have to reflect what is good for Canada and what

is good for Alberta. We have a cap of 5,000 appointees under the provincial nominee program, and it is imperative that we nominate the skill sets that are needed by our economy right now and allow them to stay.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: on the whole is Alberta getting immigrants with the skills needed in our province to ensure that our economy has a sufficient supply of labour?

**Mr. Lukaszuk:** Mr. Speaker, for those immigrants that are appointed through the provincial nominee program, the answer will be yes, 100 per cent yes. Those immigrants are matching exactly the needs of our economy. Other streams through which immigrants come in: some happen to have the skill sets that are compatible to our economy but not all.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister. The fact is, Minister, that after employing every Albertan and Canadian, we still need immigration. What concrete steps are you taking in your meetings with your federal counterparts to increase the flow of skilled immigrants to Alberta?

**Mr. Lukaszuk:** Well, Mr. Speaker, I continue to impress the urgency upon our federal colleagues. The fact is that we're facing a perfect storm. Baby boomers are retiring as of this year, natural population growth is slightly above zero, our economy is growing at a great pace, and our appetite for services is insatiable. What does it mean? It means we will have severe shortages of workers for many years to come.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Montrose.

### Security of Health Data

**Ms Blakeman:** Thank you, Mr. Speaker. What personal information could be more private to individuals than information about their surgery and wounds labelled with their names? This is the sensitive information that has been reported missing from the Misericordia hospital. The Health Information Act is supposed to protect the privacy of this kind of health information but has repeatedly failed. My questions are to the minister of health. Why doesn't the minister conduct random audits to ensure compliance with security standards, especially for encryption of mobile IT devices?

**Mr. Zwozdesky:** Mr. Speaker, what happened with respect to the file that went missing may well have been a simple case of human error. I know that Covenant Health has accepted full responsibility for that, and they are going to do everything possible to ensure that it doesn't happen again. Unfortunately, human error does occur to even the best of us, hon. member.

**Ms Blakeman:** You have to have health privacy that includes the human error. Why are you unable to do that? You have to be able to work human error into your privacy legislation. Why haven't you done it?

**Mr. Zwozdesky:** Mr. Speaker, as new technologies, new procedures are developed, we look at them. We consider them. We try

to keep up as best we can with these changing technologies to provide the very assurances this member is looking for. I can assure her and I can assure all Albertans that we take cases like this very seriously, as does Covenant Health.

**Ms Blakeman:** Okay. Well, back to the same minister, then. As more and more databases are being strung together and personal health information in electronic form can be sent across the world with the hit of the send button, what protocols has this government identified for connected networks where information gets secondary and tertiary use like the new TALON system?

**Mr. Zwodzesky:** Mr. Speaker, that's a pretty good thought there, and I'm going to have to take a look into the exact details of what Alberta Health Services has in terms of its own operations and what Covenant Health has in terms of their operations. I'm sure that they have taken this already under advisement and into account, and I would be equally sure that they also have some protocols to offer the maximum protection possible. But in the end you still have human people doing human entries, and human error may still occur, unfortunately.

**The Speaker:** The hon. Member for Calgary-Montrose, followed by the hon. Member for Calgary-McCall.

#### Degree Granting Approval Process

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I think it's fair to say that Alberta is known for the quality of our postsecondary programming. We need to ensure that these high standards are upheld and new programs of study are introduced that meet society's needs as well as the needs of students. The Campus Alberta Quality Council makes recommendations on what new degree programs are offered in the province. However, I'm told the process can be very slow, and I'm told that the process is more subjective rather than objective. My questions are to the minister of advanced education. Minister . . .

**The Speaker:** We'll hear from him now.

**Mr. Bhullar:** . . . tell me why it takes so long.

**Mr. Weadick:** Thank you, Mr. Speaker. I'm pleased to rise and respond to that. In my travels around the province and in talking to institutions I, too, have heard concerns about the time that it can take to get a new degree or new diploma approved. It can be quite onerous. So I talked to the department, and there is a process that has to be followed. First, the program has to be reviewed by the department to ensure that it meets the institution's guidelines, that the program is needed, that the funding is available to deliver the program. Then there are experts recruited from around the world, actually . . .

**The Speaker:** The hon. member. [interjection] The hon. member has the floor.

**Mr. Bhullar:** Thank you, Mr. Speaker. Can the minister tell me what specific process improvements he's considering to ensure that institutions don't have to wait many, many months or even years to get an answer?

**Mr. Weadick:** Thank you, Mr. Speaker. We are constantly looking at program reviews to shorten the timelines on these new degree programs. One of the key things is making sure that the application is complete when it comes in. Often we have to go back and work with the institutions to continue to garner informa-

tion until we get a complete application that can be reviewed. This can take some time as we develop the process, but we're trying to streamline that each time we do one.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you again, Mr. Speaker. My final question will be to the same minister. Minister, what if a postsecondary institution does not agree with the council's decision? What appeal mechanisms do they have, if any? What mechanisms do they have to make sure that the actual answer was based on the best interests of Alberta students?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Through the department we also do review these, but each institution has the opportunity to reapply for any program that may have been brought forward with some changes made to it. So there's never a no. We try to work with institutions to ensure that each program has the best opportunity to be approved. So we'll continue to work with institutions, and we'll try to make sure that all of these get a fair shake and get a chance to be approved.

**The Speaker:** The hon. Member for Calgary-McCall.

#### Residential Building Code

**Mr. Kang:** Thank you, Mr. Speaker. More than 300 tenants of the Penhorwood apartments in Fort McMurray were evacuated after a report commissioned by the condo association identified major structural problems. Unfortunately, this is a situation that is being played out in communities across Alberta with increasing regularity. To the Minister of Municipal Affairs: will he admit that his lack of oversight and inaction on the regulation of construction file has led to the erosion of construction standards?

2:40

**Mr. Goudreau:** Mr. Speaker, the opposite is, actually, what's happening. It's because of the due diligence of the inspectors and looking at the building codes that we're able to identify such buildings and actually work with individual residences to make sure that the buildings are safe for occupancy.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. They had to hire separate investigators to find things out.

To the minister again: why has the minister been so reluctant to exercise the authority granted to him under the Safety Codes Act to intervene in cases where homeowners impacted by poor building practices are unable to get satisfaction from their local municipalities?

**Mr. Goudreau:** Mr. Speaker, the changes to the building codes occur because of the comments that we constantly receive from Albertans, and those concerns and issues are brought forward. That's how the codes are improved and enhanced.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: given the minister's very public comments about introducing legislation this spring to protect homeowners from poor building practices, why has he failed to do so?

**Mr. Goudreau:** Mr. Speaker, I continue to work with my counterparts and with industry, and it's still our intent to look at changes in legislation in the very near future.

**The Speaker:** Hon. members, that concludes Oral Question Period. There were 19 sets. Nineteen members were identified today and 114 questions and responses.

Just a bit of a follow-up from the question period, there are some tablings that will have to be dealt with. I asked the Leader of the Official Opposition to table some documents that he quoted from. Hon. Minister of Health and Wellness, I believe you indicated in a subsequent question that you had already tabled that document, so that won't be required to be redone. Member for Airdrie-Chestermere, you were requested to table some documents as well.

In a few seconds from now we'll continue with the Routine, and the Routine is dealing with Members' Statements.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Calgary-Currie.

#### Health Care System Administration

**Mr. Taylor:** Thank you very much, Mr. Speaker. My constituents are excited about two things today, the return of spring finally and the feeling that after years and years we're finally getting close to getting some answers about what's wrong with the management of our health care system.

Mr. Speaker, it is no secret that the people of Alberta continue to have great faith in the ability of our system to deliver great health care provided they can find the secret password that allows them to access the system in time. In other words, the people continue to believe that if they're facing a serious illness or a medical emergency and they can get in, our acute-care system will likely save their lives. But it's also no secret that the people of Alberta have next to no confidence in the administration of Alberta's health care system, and that is true no matter how far the current minister puffs out his chest and spouts righteous indignation at his critics. They've been watching it get worse for 15 years now, through three massive reorganizations, about a dozen different deputy ministers of health, and enough 180-degree changes of direction that it's a wonder our kids haven't all been born dizzy.

Here's the thing. The people who deliver great health care are, among others on the front line, our doctors; and the administrators, the people who run the part of the system Albertans have no faith in, are from this government on down the people who would be in a position to silence and intimidate the front-line docs and others who are responsible for speaking truth to power when they see a problem.

We now have the case of Dr. McNamee and that of another Edmonton doctor who has told CBC she was forced from her job and her mental stability questioned. She remains anonymous because of a nondisclosure agreement. Dr. Fanning has now gone public. Dr. Maybaum says health care professionals have to be liberated from the climate of intimidation that pervades the system. I'd bet you, Mr. Speaker, that every single opposition member has had doctors tell them horror stories ending with the words, "But I can't go public; it'll cost me my job." I know I have.

A full public judicial inquiry would clear the air, Mr. Speaker. In fact, it's the only thing that can.

### Presenting Reports by Standing and Special Committees

**Dr. Brown:** Mr. Speaker, in accordance with Standing Order 99 the Standing Committee on Private Bills has reviewed the petitions that I presented in the House on Thursday, March 10, 2011, and I can advise the House that all but one of the petitions comply with standing orders 90 to 94.

The committee has considered the petitions and recommends to the Assembly that Standing Order 94(1)(b) be waived for the petition of the Galt Scholarship Fund Transfer Act subject to the petitioner completing the necessary advertising in accordance with the standing orders before the committee hears the petitioner.

Mr. Speaker, this is my report.

**The Speaker:** Hon. members, do you concur in the report just provided? All in favour, say yes.

**Hon. Members:** Yes.

**The Speaker:** Opposed, say no. It's carried.

### Introduction of Bills

**The Speaker:** The hon. Member for Calgary-Currie.

#### Bill 205

#### Municipal Government (Delayed Construction) Amendment Act, 2011

**Mr. Taylor:** Thank you very much, Mr. Speaker. I rise today to request leave to introduce my private member's bill, Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011.

This bill will allow municipalities to better regulate construction within their own boundaries and to ensure that projects are not significantly stalled, suspended, or delayed for unreasonable lengths of time. The legislation would give municipalities clear authority to intervene when construction sites become significantly stalled, suspended, or delayed. In these cases I propose that municipalities should hold the authority to require the owner of a delayed project to improve the appearance of the site within a specified time frame.

Thank you, Mr. Speaker.

[Motion carried; Bill 205 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise to table the requisite amount of copies of two documents to which I referred yesterday during the Standing Order 30 emergency debate.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of the website pro forma for the Canadian international hospital.

Thank you.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I have the requisite number of tabling copies of a letter to the Minister of Sustainable Resource Development from Bill Leithead, an Albertan, pertaining to his concerns and not getting responses to the issues surrounding Bill 36 and Bill 50.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes, thank you very much, Mr. Speaker. I would like to table on behalf of the hon. Leader of the Official Opposition an article from the *Calgary Herald*, dated Tuesday, March 15, 2011 – this, of course, comes from question period – where Dr. Lloyd Maybaum, president of the Calgary & Area Physicians Association states: many, many cases of physicians being intimidated and threatened.

**The Speaker:** Hon. member, that was the tabling document that I requested?

**Mr. MacDonald:** That's correct.

**The Speaker:** Okay. It's completed, then.  
The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling e-mails from the following individuals who are seeking the preservation of the Castle wilderness: C. Morag Dornian, Randy Zielke, Patricia Sullivan, Fred Vermeulen, N. Sjoman, Gwen Wozny, Denise Wall, Eileen Kosior, Robin Hitchon, Dwayne Hebron, Bernie Schaloske, Lorraine Nordstrom, Andrew Burla, Maddy Gustavson, Marion McFall, Ann Card, Dr. Maureen McCall, Janice Pitman, Bonnie Denhaan, Dawn Macdonald, Noreen Sundstrom, Dave Collyer, Matthew Johnson, Patricia Gaviller, and Alan Kane.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Airdrie-Chestermere, you sent a note with respect to the tabling that you must provide to the House. You said in a note to me on the back of an envelope: the quote was taken off a CTV broadcast report, not print; how do I table that? Well, very simply. What you do is get a copy of the television broadcast. You get it translated into English, you have a notary public declare it to be true and correct, and you come back tomorrow and table it in the House with the appropriate copies. Not a problem.

2:50

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Olson, Minister of Justice and Attorney General, a letter dated March 7, 2011, from the hon. Mr. Olson, Minister of Justice and Attorney General, to Mr. Drysdale, chair, Standing Committee on Public Safety and Services, regarding a letter dated February 15, 2011, from the hon. Ms Redford, former Minister of Justice and Attorney General, to Mr. Drysdale correcting costs related to administering and supervising a leadership disclosure system.

### Orders of the Day

#### Government Bills and Orders Second Reading

#### Bill 15

#### Victims of Crime Amendment Act, 2011

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you, Mr. Speaker. I rise today to move second reading of Bill 15, the Victims of Crime Amendment Act, 2011.

Mr. Speaker, victims of crime in Alberta must be treated with dignity and respect, and I believe that these amendments will help us to provide them with the services they deserve. The impact of violent and serious crime can be profound for victims, and we want our legislation to provide as much support as possible.

The number of victims applying for financial benefits has increased significantly; therefore, our current processes are also being reviewed to ensure they continue to effectively handle this increasing volume. As part of the review we held consultations with stakeholders in January, Mr. Speaker, and we asked for public input via a website, an online survey. The input received during consultations is reflected in the proposed amendments.

Mr. Speaker, two core programs serve victims of crime in our province: the financial benefits program and the victims of crime grants program, which allocates funding to organizations that provide information, support, and referrals to victims of crime. Albertans who are victims of violent crime can apply for a one-time financial benefit for their injuries through the financial benefits program. This program is unique in North America because benefits are based on the severity of injury. It is not a compensation program. For example, it does not require victims injured in a violent crime to provide records of expenses or to show a loss of income. It's an acknowledgement that the victim has suffered due to injuries associated with a criminal act. The benefits program does not compensate for property damage, motor vehicle collisions, or lost wages.

This year, Mr. Speaker, we are providing \$14 million for the financial benefits program. Organizations in Alberta that provide services to victims of crime receive funding from the government of Alberta through the victims of crime fund. In the province there are currently 121 police-based and 29 community-based organizations that provide such vital services. Last year \$9.7 million was allocated between these 150 programs, which, in turn, provided support for more than 60,000 victims of crime and trauma in our province.

Mr. Speaker, I'll go briefly into some detail about the proposed amendments. They relate to four main areas, the first of which involves administrative processes relating to the Criminal Injuries Review Board, or the CIRB. Amendments relating to the CIRB will safeguard the rights of applicants to receive fair reviews and will help increase the efficiency of the CIRB processes. We propose that the board only review the evidence before them rather than accepting new evidence. In addition, we propose that the board must send an application back to the director when new evidence or information is uncovered. This clarifies that the board does not reinvestigate, and it will ensure consistency and efficiency, resulting in timely decisions for victims.

Our amendments also state that the board chair can appoint up to three members to sit on a review panel. This will also improve the flexibility of the review process. We also wish to amend the processes for providing notification to the parties involved and for making submissions to the board. In addition, we propose that the board must refer matters back to the director when a decision on eligibility or dismissal of an application is overturned by the review panel. Mr. Speaker, these proposals will result in a more efficient and equitable review process, ultimately resulting in better service for victims of violent crime in Alberta.

This bill will also bring the director's authority in line with the applicant's ability to challenge a board decision, Mr. Speaker. Currently the applicant can appeal to the Court of Appeal while the director seeks judicial review at the Court of Queen's Bench. The amendment will give the director and the applicant the same rights of appeal, leading to consistent interpretation of the act. We

also wish to replace the word “hearing” with the word “review,” which will help clarify the intent of the process.

Finally, Mr. Speaker, in this area we propose a transitional period to allow reviews already in progress to be concluded in accordance with the relevant legislation. This will ensure that people already involved in the appeals process are treated fairly.

These changes will reduce the amount of time required to bring an appeal forward to the CIRB, Mr. Speaker, which means quicker decisions for victims. Also, each time new evidence is introduced by a victim on appeal, the case will be sent back to the program. This will again result in quicker decisions.

We also wish to set the death benefit in the regulation, a solution which will be fair and compassionate to victims and surviving family members.

With respect to the length of time to apply, Mr. Speaker, currently the department receives applications for injuries that are decades old. There may be no police or medical records available, and without such independent verification the likelihood of fraudulent applications increases. So we propose to introduce a 10-year limit on applications. This is in line with the Limitations Act, which sets a limit of 10 years on civil matters. For child victims the 10-year period would start when they reach the age of majority to ensure that they have access to the financial benefits program.

At the moment applicants must apply for benefits within two years from the date that they become aware of or know or ought to have known the nature of their injuries. However, the current legislation allows for open-ended discretion on this time limit. We propose to change the above reference to: should have known that a crime has occurred or 10 years from the date that the crime occurred, whichever expires first.

We also wish to address grant funding for victims of crime programs and organizations. The bill will make sure that victims of crime legislation is current with other acts, such as the Youth Criminal Justice Act, that reference the victims of crime fund. In the current act the minister can only introduce or improve programs or initiatives to benefit victims of crime by amending the act. This has limited the government's ability to be innovative and to fund new programs. In this bill we are proposing to allow the minister to make recommendations for grants both with and without the recommendations of the victims of crime committee, making the process more responsive to the immediate needs of organizations serving victims. Mr. Speaker, the change will not impact the grant application process funding for police-based or community-based programs.

Other proposals state that definitions may be added, amended, or deleted to help modernize the act. For example, Mr. Speaker, the term “law enforcement agency” is being replaced with “police service” to provide clarity. We also propose giving the Lieutenant Governor in Council the authority to make additional regulations as required. This again will make programs more responsive and current.

Mr. Speaker, this government and my ministry are committed to ensuring that victims of crime continue to be treated with dignity and respect. The amendments being proposed today are needed to ensure that the services, programs, and financial benefits currently available to victims of crime continue to be provided efficiently and fairly. As a result of these amendments victims will be able to receive a financial benefit sooner, new government programs can be introduced in a more timely fashion, and the appeals process will be faster. The amendments will also provide support for those organizations that assist Alberta's victims and will recognize the hardships that victims experience through no fault of their own.

Thank you, Mr. Speaker, for the opportunity to provide these comments. At this time I would move that we adjourn debate.

[Motion to adjourn debate carried]

## Bill 12 Alberta Investment Management Corporation Amendment Act, 2011

**The Speaker:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Speaker. I'm pleased to rise and move second reading of Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011.

The Alberta Investment Management Corporation, better known as AIMCo, is the government's investment manager. AIMCo is responsible for managing nearly \$70 billion in investments for the government, including the Alberta heritage savings trust fund, the sustainability fund, and public-sector pension funds.

**3:00**

AIMCo was formed in 2008 with a mission to seek the greatest financial returns with an acceptable level of risk for the clients on whose behalf they invest. Now that AIMCo has been in operation for a few years, amendments are needed to its governing legislation to allow AIMCo to continue to invest Albertans' money as effectively and efficiently as possible. An amendment within Bill 12 would provide AIMCo with additional indemnification powers for its employees and directors.

[The Deputy Speaker in the chair]

Under the current legislation AIMCo can already grant indemnity, or legal protection, to a person who acts or acted as a director or officer of a directly owned corporation. The amendment essentially broadens the scope of people who can be indemnified as part of their investment process. It will now include those whom AIMCo appoints indirectly as directors on boards of corporations or similar entities they make significant investments in. It would also ensure that AIMCo employees who act as directors of indirectly held corporations are covered.

A second set of amendments within Bill 12 would see changes to the section which outlines directors' responsibilities. We are adding a provision to the act that clarifies that AIMCo must consider the best interests of the designated entities, which are their clients, in providing investment management services. The act already contains a requirement for directors and officers to act in the best interests of the corporation. This amendment makes it clear that what is in the best interests of the corporation is to act in the best interests of its clients. This change replaces the current wording in the act, that requires AIMCo directors and officers to have due regard to the interests of the Crown and designated entities.

As well, a conflict of interest subsection is being added to protect the corporation and its directors further. This addition will effectively provide the same conflict of interest provisions that apply to directors of any company under the Business Corporations Act.

The remaining amendments within Bill 12 deal with some minor technical changes. For instance, language is being added to explicitly state that compliance with any directive issued by the government is deemed to be in the best interests of the corporation. This would relieve directors from liability provided that they comply with the directive in a prompt and efficient manner.

We're also clarifying the legal ownership structure of AIMCo. Since the act states that AIMCo is a corporation with one share owned by the Crown, it is confusing to also say it consists of a board of directors. We're clearing up the confusion by removing those words with no legal consequence.

As you've heard, the amendments within Bill 12 are needed to ensure that AIMCo has the proper governance in place and can

continue to operate effectively while investing the province's substantial assets on behalf of Albertans.

Thank you, Mr. Speaker. With that, I move that we adjourn debate.

[Motion to adjourn debate carried]

#### Bill 14

#### Wills and Succession Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. It is a pleasure to rise today to move second reading of Bill 14, the Wills and Succession Amendment Act, 2011.

The Wills and Succession Act governs how and to whom property is transferred when a person dies. Bill 14 contains a small but important amendment to the Wills and Succession Act, which was passed in this Legislature in the fall of 2010 and will likely come into force in January 2012.

The new act will allow courts to correct certain deficiencies in invalid wills to make them valid. This correction power applies to wills or, more accurately, invalid wills made after the act comes into force. For example, under the Wills and Succession Act a court can add words to a will if there is proof they were omitted by mistake.

As this act reads now, it appears that the correction powers can be used to re-evaluate wills of people who are already deceased. This creates the immediate potential for disputes, delay, and expense. In fact, there are already a few cases in which parties are holding up estates and probate applications so that they can try to get wills that are invalid under current law validated under new law. There may also be attempts to open closed estates.

The intent of the Wills and Succession Act was that the new act operate on a go-forward basis. This amendment in Bill 14 will make it clear that the new will correction powers will not apply to the estates of people who are already deceased. Justice officials, the Alberta Law Reform Institute, and similar reforms proposed in British Columbia all support the proposed approach.

As this is already affecting the administration of some estates, it is important that we act quickly to incorporate this change. I urge all hon. members to support this important change.

Mr. Speaker, I'd like to move to adjourn debate at this time. Thank you.

[Motion to adjourn debate carried]

#### Bill 13

#### Appropriation (Interim Supply) Act, 2011

**Mr. Snelgrove:** Mr. Speaker, it is my pleasure to move second reading of Bill 13, the Appropriation (Interim Supply) Act, 2011.

The Appropriation (Interim Supply) Act, 2011, will provide funding authority to the offices of the Legislative Assembly and to the government for the period of April 1, 2011, to April 28, 2011, inclusive. It is anticipated that funding authority for the entire fiscal year ending March 31, 2012, will be provided on that date. The required funding authority for the full year is detailed in the 2011-12 government and Legislative Assembly estimates tabled on February 24, 2011. These interim supply amounts reflect both the anticipated date of full supply and the fact that many payments are monthly. Other payments are due at the beginning of each quarter and at the beginning of the fiscal year.

The act would provide spending authority for the following amounts: \$4.94 billion in expense, \$252 million in capital investment, and \$43 million in nonbudgetary disbursements.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Thank you, Mr. Speaker. It's a pleasure to rise and have a few things get on the record regarding Bill 13. It's not unusual for this government to request interim supply. It's not unreasonable. When you go through the list – well, everyone is included in this list, as far as I can see, including the offices of the Legislative Assembly. Certainly, the one that catches my eye is the office of the Chief Electoral Officer, which is to receive 2 and a half million dollars from this bill. Hopefully, that is money or funds that will be used to plan the enumeration that is to occur, as I understand it, in September. I believe it's the last week in August and the first two weeks of September. Hopefully, we will have a thorough enumeration that will provide to all political parties accurate information on the 87 constituencies we now have. That would certainly be one expenditure of note.

3:10

With the office of the Chief Electoral Officer I find it odd that many of the returning officers for the next election have been appointed through Elections Alberta, but I have yet – now, I could stand to be corrected – to see a list of those individuals who have been selected by Elections Alberta to manage or conduct the next provincial election. But looking at that item, certainly this amount of money and what was provided last year should fund the administration of a provincial election, not only fund it but make sure that it is fair and even for each and every political party.

Now, the Health and Wellness budget – of course, we're looking at getting started there – at the end of the year will be probably above \$15 billion. It is a lot of money, and I for one don't have confidence in this government's ability to manage the health care budget. That's right. I do not have confidence in this government's ability to manage the health care budget, manage the \$40 billion in expenditures as well.

I don't have confidence, hon. minister, and this is why. For the last week or so we have been asking questions, Mr. Speaker, regarding Health and Wellness. We know Health and Wellness would always put out, essentially, two annual reports, section I and section II. Section I dealt with the ministry, the budget of Health and Wellness, and section II would deal with in this case the nine RHAs, the Alberta Cancer Board, the Alberta Mental Health Board, and the Health Quality Council of Alberta. The Health Quality Council of Alberta would be the last entity noted in the financial reports.

When you look at the financial reports and you compare them from one year to the next, you certainly see a lot of differences. Now, Mr. Speaker, this is why I think we have to be very, very reluctant whenever we're authorizing this government to spend money on behalf of citizens because there are some changes made in these financial statements that relate to the questions we have asked. The first change: this is in the unaudited portion, and I'm going to use 2008-09 as an example. Why would you, for instance, make a statement under the financial highlights? Again, I would like to stress that these financial highlights are not audited. They're unaudited. So if you want to hopefully get correct information, you would go to the audited statements.

Now, I asked questions about this last week. I didn't get any answers. The government is asking for a lot of money, over \$2.2

billion, for health care. My questions were around the one-time funding. If we look at the annual report, Mr. Speaker, we can see where the government indicates:

Excluding one-time funding, Alberta Health Services received a \$522 million, or an eight per cent, increase in base operational support. If one-time funding is included, it equals an \$830 million funding increase, or 12.5 per cent, primarily attributed to population increases and inflation. One-time funding for 2008/2009 includes a \$97 million payment to the former Chinook, Calgary and Peace Country health regions for 2007/2008 net accumulated deficit elimination.

In other words, that's money that was provided to those three health authorities; \$97 million was provided to those three health authorities for a previous year's deficit.

Another one-time \$80 million payment was required to support the transition of provincial health service delivery to a single health authority.

There are a lot of different things going on in that one health authority, Mr. Speaker, now. That \$80 million was transferred out to the old East Central region, and it was used for everything from transition costs – that's correct – to severance payments, to top up those pension funds, including, of course, the one big pension, the \$22,400 a month pension for life, that I believe is indexed, to Mr. Jack Davis, the former administrator at the Calgary health authority. That's where that \$80 million was slotted for.

Now, you have \$80 million, and you have \$97 million. That totals \$177 million. Perhaps in the course of debate the minister of finance can finally shed some light and clarify this. When you look and you do the math, you have a lot of money left. You have \$131 million. We know that, for instance, in supplementary supply that \$97 million allocation was made, that \$80 million allocation was made, but the additional money – and if we go to another portion of the annual report, we can see where it is outlined. There are \$200 million of overexpended amounts in the books. So, of course, you get this \$377 million total.

To clear up the confusion around this, the government could provide an explanation as to where that money came from, the \$200 million. If it was spent on one-time funding, where? I can't find any details on this. The only thing the government can do to try to defend themselves is to say: "Well, it's audited. It's audited, and if you don't like that, go to the cops."

I was listening in question period, you know, Mr. Speaker, and I was thinking: "K Division is not that far north on 109th Street. Maybe that's the place to go for an answer." But I think in the course of debate with this requisition, those details on how this government is going to budget and manage their money this year are related to what has happened in the past. And if hon. members of this Assembly are a little bit reluctant to support Bill 13, well, there are a number of reasons.

If you read the Auditor General's report, which I'm sure everyone in this Assembly has, you can clearly see in his report from October of 2010 where the Auditor makes some key recommendations to this government. In fact, I was surprised. I'm sure that under the minister of finance's watch we're going to see a budgeting process that's not going to be a repeat of what happened in previous years when, incredibly, Alberta Health Services with their \$8 billion plus budget had to work three times – three times – to finally get it right with their budget.

I heard yesterday the minister, and the minister was very, very defensive in trying to explain, unsuccessfully, the reasons why there was a \$500 million error between two ledgers and a \$420 million – it wasn't described as an error. It was described as a misclassification, I believe.

3:20

Mr. Speaker, those would be examples of what the Auditor General has had to say, and those comments in those reports only add to the suspicions of the public about this government and how they're managing health care and the dollars that are allocated to provide that essential service to sick Albertans.

When you look at all of this discussion, when you look at what the Auditor General has said, and then you look at the fiscal plan of this government, and you note at the very back in the small print of the fiscal plan that it is going to take the government until 2013 before they get their transition act in order with this Alberta Health Services one system of delivery across the province, essentially it's going to take them five years, Mr. Speaker, from the firing of the regional health authorities and the creation of the one superboard before they have a plan to manage their money. During that time, if you can believe the government's own budget documents, there will be well in excess of \$47 billion spent on public health care. I would point that out as one of the reasons why citizens don't have confidence in this government when it comes to managing health care.

Now, this \$2.2 billion amount that we're talking about in Bill 13 certainly is going to get the fiscal year off to a start, and we will see what happens. But year after year, Auditor's report after Auditor's report, there are flags going up, there are suggestions about how this money can be managed more effectively and more efficiently, but the government doesn't seem to be able to get it right.

In conclusion, Mr. Speaker, hopefully when Bill 13 is passed and the money is allocated to the appropriate ministries, this government will try once and for all to ensure that we are getting fair value for every dollar that is requested here.

With that, Mr. Speaker, I conclude my remarks on Bill 13 and cede the floor to another hon. member of the Assembly. Thank you.

**The Deputy Speaker:** Does any other hon. member wish to speak on the bill? The hon. Member for Calgary-Glenmore on the bill.

**Mr. Hinman:** Yes. Thank you, Mr. Speaker. It's a privilege to stand up on Bill 13, the Appropriation (Interim Supply) Act, 2011. My biggest concern on Bill 13 and the interim supply appropriation is that when this Premier came in, they were going to start having early sessions. We were going to get in here, we were going to have the government budget out early so that we could debate all these things. What this is is just poor planning, looking at extra work and having to double cover for the first month. Had we met earlier, gotten the budget out earlier, we could go through that, and we wouldn't need to go through the interim supply appropriation to ensure that we have a month of funding in order for all the programs to go in there.

What we kind of have is double jeopardy, every department wondering: "Well, okay. Are we going to get our interim supply appropriation? Yes, of course we are. But is it going to be good for the rest of the year?" The biggest comment is that what we need is a government that's efficient, that's effective, where all of the departments know the budgets months in advance, can have them debated, and have that consistency going forward.

Once again, it's just disappointing that we're having to spend the time to go through the interim supply appropriation because this government wasn't able to get its act together, to bring forward a budget in a timely manner, and to bring it in here to debate.

With that, I'll sit down, and we'll see if there's anybody else to speak on it.



**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you, Mr. Speaker. I would like to ask, please, a question to the hon. Member for Calgary-Glenmore. Are you concerned, sir, about the cost of information technology expenses within Alberta Health Services? In 2007 there was roughly \$180 million spent, and this has increased dramatically to 2011, where it's anticipated to be close to \$340 million. That is a significant increase. I'm wondering if you could shed some light on how this government is spending their money, particularly in health care. This is just one example where we see IT expenses going up and up and up. For instance, we saw in the media here the other day where there was a breach of information technology and the private information of some citizens was jeopardized.

**Mr. Hinman:** I really appreciate always the astuteness of the hon. Member for Edmonton-Gold Bar and the details that he is able to focus on when he's going through all of the different money bills. Yes, it's a major alarm bell going off. Again I think this is all relative to the so-called centralization of this government. I've spoken with many different doctors' offices that were frustrated. I actually have gone to a clinic that specializes in radiology and the digital imagery that they're dealing with in having to upgrade and meet the government standard.

I think that when we look at technology, the Internet and it's ability, it's very interesting when we look at, you know, the big computers that were originally built and everybody having to have access to that big computer versus the current system of the Internet, where you can get wired into the smallest computer to the biggest server and it's all there. This government has made, I believe, a poor decision in wanting to basically be the master of all of the programs and saying that we're going to create them.

I mean, the gun registry is just another wonderful IT boondoggle on trying to manage all of this digital . . .

**An Hon. Member:** It's federal.

**Mr. Hinman:** Yes, it is federal. You guys seem to be following in the footsteps of some foolish decisions by centralized government, making big deals with big corporations. You have to wonder about the validity of it and what they're trying to accomplish in bringing these programs forward.

I'm very alarmed. I don't believe that they've gone in the right direction. Again what we're most vulnerable to right now is the loss of that information. I think your colleague from Edmonton-Centre asked some very good questions today on: what are they doing to have that secondary and tertiary involvement in these records, and how are we going to protect them? We've spent a lot of money for a system that is quite vulnerable at this point it seems, and we don't know if it's efficient and if the access is there. It's costing the different doctors, the different clinics a lot of money, to say that they have to buy into this program in order to be part of Alberta Health Services.

I hope that answers the hon. member's question.

**Mr. MacDonald:** Yes, it does.

**The Deputy Speaker:** Any other hon. members wish to speak on 29(2)(a)?

Seeing none, any other members wish to speak on the bill?

Seeing none, the chair now shall put the question.

[Motion carried; Bill 13 read a second time]

## Government Motions

**The Deputy Speaker:** The hon. Minister of Agriculture and Rural Development.

### Canadian Wheat Board Act

11. Mr. Hayden moved:

Be it resolved that the Legislative Assembly urge all members of the Canadian House of Commons to pass Bill C-619, An Act to Amend the Canadian Wheat Board Act (notice of opting out and licence for activities), allowing western Canadian producers to opt out of participating in the Canadian Wheat Board, thereby giving Alberta farmers the choice to market their product as they choose.

**Mr. Hayden:** Thank you, Mr. Speaker. I'm pleased to move Government Motion 11. I believe it's imperative that I bring the attention of this Assembly to Bill C-619, which was recently introduced into the House of Commons. This bill will amend the Canadian Wheat Board Act and will allow western Canadian wheat and barley producers the option to market their wheat and barley as they choose.

3:30

Currently farmers in Alberta and in other western provinces are obligated to sell their product through the Canadian Wheat Board only. They have no choice, Mr. Speaker. With this amendment, however, western producers will be given the choice to opt out of participating in the Canadian Wheat Board for a minimum of two years. Bill C-619 will bring parity to western farmers and will allow them the same marketing opportunities for wheat and barley as farmers in eastern Canada currently enjoy. Eastern Canadian farmers are able to freely market their wheat and barley as they choose.

Mr. Speaker, over the last several years the federal government has pursued changes to the marketing system for wheat and barley in western Canada. Some of the highlights are that in April 2007 the federal government proposed amendments to the Canadian Wheat Board regulations which would allow for marketing choice for barley, which would have taken effect August 1, 2007. However, before that could happen, on July 31, 2007, the Federal Court ruled in favour of the Canadian Wheat Board retaining its monopoly on barley marketing. The federal government subsequently appealed this decision, and in February 2008 the Federal Court of Appeal ruled against the federal government. Unfortunately, this reaffirmed the decision that barley cannot be removed from the Canadian Wheat Board jurisdiction without opening up the legislation.

In March 2008 the federal government introduced Bill C-46, An Act to Amend the Canadian Wheat Board Act and Chapter 17 of the *Statutes of Canada, 1998*. Bill C-46 passed first reading in the House of Commons in March 2008 but subsequently died on the Order Paper when the Governor General dissolved the House of Commons in September 2008. In May 2010 the government of Canada introduced Bill C-27, the Canadian Wheat Board Payments and Election Reform Act. Unfortunately, once again the House of Commons adjourned for the summer before this bill made it past first reading.

Mr. Speaker, as of today western Canadian farmers are still waiting for the changes to be made. In 2007 the federal government's barley marketing plebiscite revealed that 62 per cent of farmers across western Canada and 78 per cent of Albertans are in favour of an open market for barley. It is clear that western Canadian farmers want choice. Our government strongly believes that

wheat and barley producers should have the right to freely market their own grain products however and to whomever they choose. International markets need our products. Farmers need competitive options for maximizing those marketing opportunities. Alberta's wheat and barley farmers make incredible investments and take great risk, but they do not have the freedom to market their products as they see fit.

Understandably, Mr. Speaker, they are frustrated. Marketing choice does not mean a dismantling of the Canadian Wheat Board but, rather, a transition to an efficient and voluntary organization that effectively competes in an open market. Bill C-619 would allow farmers who opt out of the Canadian Wheat Board to opt back in if they so choose. Options are always good for Alberta producers, and this motion is a step in the right direction.

Thank you.

**The Deputy Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. This has certainly been, as has been pointed out, an extremely contentious issue over the last number of years. I'm not a farmer. I don't sell wheat, and I don't sell barley. As far as making a comment about whether it's a good idea or not, I don't think that I'm qualified to make that judgment. I know I've listened to both sides of the argument, but I think my problem over the years has been the process.

The Canadian Wheat Board is a duly elected board. I don't believe that either the federal government or any provincial government should be trying to bring in legislation through the back door or sideways to be able to change what an elected board has decided that they would do. There are appointments to the board, and I know that they have tried to get people elected that would be able to change it from inside, and that hasn't happened yet.

My whole problem with this is the process. I just heard a few moans when I bring this forward, but I think it's a democratic process that has to be questioned. Because an elected board or because people outside of that board can't get their own way, they go and have the government change the legislation or change the way that the board would operate. Clearly, the courts have not agreed with that premise either, with both of the decisions that had been spoken of previously.

Mr. Speaker, I will sit down and let others speak. Particularly, I want to of course hear from the farmers. I'm sure many in the House, from my understanding, are in support of having choice. That's fine, but the process still should not be through any level of government that interferes with a duly elected board.

**The Deputy Speaker:** I have on my list here the hon. Member for Highwood, followed by the hon. Member for Calgary-Fish Creek.

**Mr. Groeneveld:** Well, thank you, Mr. Speaker. I am a farmer, and I'm pleased to rise today to speak in support of Government Motion 11, which encourages all members of the House of Commons to support Bill C-619, an Act to Amend the Canadian Wheat Board.

Mr. Speaker, this proposed legislation has been a long time coming. For decades farmers in western Canada have been obligated to sell their wheat and barley to the Canadian Wheat Board whereas farmers in eastern Canada, as the minister has just stated, have been able to market their wheat and barley as they want. This two-tier system is unfair, and Alberta farmers deserve the same choice and freedoms as their eastern counterparts. Under this legislation farmers in western Canada would be able to opt out of participating in the Canadian Wheat Board by providing proper notice by April 1 of each year. Farmers that choose to opt out would then be able to sell their wheat and barley products to purchasers of their choice. For

many farmers this could mean more profit from sales of wheat and barley, but again it would be their choice.

I strongly support such a practice. It is a fundamental of the free market system that individuals and businesses are able to sell their products to whomever they choose, and this legislation will ensure farmers in western Canada are free to market their wheat and their barley as they like. After all, it's the farmers who work year-round to monitor and plant and harvest their crops, and these same farmers take on huge risks as the capital investment and time investment required are more than substantial. It is only right that in a free market economy farmers are able to be rewarded for their time and effort by marketing their product as they choose. Mr. Speaker, international markets need our products, and farmers should be able to take advantage of these international markets if they so desire.

Certainly, a small percentage of farmers have expressed concerns with this proposed legislation, but Bill C-619 will not end the Canadian Wheat Board. It will simply make participation in the board optional. This would allow the board to make a transition to an efficient, voluntary organization that competes in the open market. The Canadian Wheat Board would still serve the interests of those who choose to participate in it. Although some farmers are opposed to the change, the fact remains, as was mentioned, that 78 per cent of farmers support an open market for barley, as the 2007 barley plebiscite showed. We will stand up for these farmers' wishes so that they have access to the same markets as their counterparts in eastern Canada do.

3:40

Mr. Speaker, I would encourage all members of this Assembly to support this motion. The current legislation and practice limits Alberta farmers' ability to market their products, once again, as they choose. Bill C-619 will ensure that Alberta farmers have the option to market their wheat and barley to a purchaser other than the Canadian Wheat Board. This act is imperative to maintaining free market principles for producers from all industries. We should support the wish of the majority of Alberta farmers – I stress the Alberta farmers in this for we are in Alberta – and encourage members of the House of Commons to support Bill C-619.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It's good to rise today and have the opportunity to speak in support of Bill C-619 from the motion of the hon. Member for Drumheller-Stettler. It's always good to speak to a motion like this because so often in this House, lately especially, we've been giving the government some, obviously, pretty heavy criticism on their handling of the health care file and the finance file and the land-use framework and other disastrous bills and initiatives that they've undertaken. So it's always nice to be able to stand up and lend full support as a member and as a caucus for a government motion that is completely appropriate and healthy for this province and will be a good thing for this province. I commend the minister of agriculture for bringing this motion forward.

You know, the biggest thing for me that this represents is choice. We can't cloud the fact that some folks will say: "Oh, the Canadian Wheat Board is elected. It's duly elected. Therefore, it's appropriate that we kind of leave it alone and just let it do its thing." The problem is that just because a body is elected does not mean that the way that it's constituted is right or is acceptable.

In this case the Canadian Wheat Board, essentially, is a board that forces our grain farmers to sell their wheat to it while their

competitors in other areas of the country, in eastern Canada, do not have that same mandatory requirement. It is, essentially, a western wheat board monopoly, and it's completely unacceptable and completely out of line with any principles of democracy or free markets or anything that I can imagine that our province would be based on principlewise.

Our caucus along with our leader, Danielle Smith, believe that wheat and barley farmers in western Canada must be provided with the same choices as wheat and barley farmers in Ontario or Quebec or anywhere else. This does not mean completely dismantling the Canadian Wheat Board but merely affording farmers the right to operate independently. The board could remain a producer-controlled entity providing the same services that it does today. Other jurisdictions, including Ontario and Australia, have successfully transitioned from a single-desk approach like the CWB to an open market.

Mr. Speaker, the Canadian Wheat Board became mandatory for farmers during the Second World War so as to ensure a steady supply for the duration of the war. It has been 66 years since the war ended, for those keeping count, yet farmers are still subjected in our province to a monopoly that prevents them from choosing how best to maximize their profits. In 1996 numerous prairie farmers were arrested and subsequently tried and convicted in a court of law for simply trying to make a living. One of those, a constituent of the Minister of Transportation, Jim Chatenay, was hauled off to jail for having the audacity to sell his wheat to the United States. What an absolute travesty, frankly, what a pathetic joke that we would ever have our police officers arrest somebody and prosecute them under this act. Just ridiculous.

They were all sentenced to pay large and unjust fines as well. In protest some chose to spend a number of months in jail rather than pay, like Mr. Chatenay. In fact, one farmer was fined \$2,000 for donating a bushel of wheat – \$2,000 for donating a bushel of wheat – to a 4-H club in Montana. That was not even about profit. That farmer was simply trying to perform an act of charity for our neighbours to the south. That's how ridiculous and pathetic the Canadian Wheat Board monopoly had become.

In terms of international relations the Canadian Wheat Board has proven to be problematic baggage in trade negotiations. As a result of the board's monopoly and government-mandated price guarantees the United States views the Canadian Wheat Board as a subsidy and often mentions its dissolution as a condition for U.S. support. An even more alarming element is that the Algerian grain board has stated that they enjoy very low prices on Canadian wheat. This is at the direct expense of Canadian wheat farmers, that could find, clearly, higher prices elsewhere if they had the right to market their grains elsewhere.

It is true that some farmers support the Wheat Board because they believe they cannot market their grain effectively without it or because they believe the Canadian Wheat Board is getting a fair price on their behalf. There is also a concern that without the Canadian Wheat Board farmers might find themselves in a situation like that in the early part of the 20th century, when they were at the mercy of big agribusiness and the railroad monopolies. However, times have changed, and it is obvious to us that nonboard crops such as canola do not face this type of problem. The introduction of market forces can only benefit western farmers. Choice can only benefit western farmers.

We must realize that many western grain farmers are already transporting, selling, and exporting products not regulated by the Canadian Wheat Board such as canola, pulse crops, and oats. For them or any others this bill would simply give them the freedom to broaden their businesses' activities to include that of barley and wheat.

Obviously, I come from a 'rurban' constituency, as it's called. We have cities. We have the city of Airdrie, with about 40,000 people. We have Chestermere, with about 15,000 people, and we have about 15,000 people in Rocky View. Many of those folks are grain farmers, and I want to make sure that those farmers have the same opportunities as any other wheat and barley farmers across this nation to market their wheat to whomever they so choose.

I also want to make clear that the Wildrose and myself personally support still having the Canadian Wheat Board as an option – an option – a choice for farmers if they so choose to utilize it, but it should never be forced upon them. It's still ridiculous that we live in a country that forces this type of unjust monopoly on one region of the country, and I think that as Albertans we should stand up against it.

Fiscally measurable costs to farmers of the single-desk approach exist. According to one study they vary and could be as high as \$20 per tonne in any year for wheat. Taxpayers' costs could be another \$5 to \$6 per tonne. For barley growers the hidden costs of the board are larger than \$20 per tonne, and the taxpayer costs are approximately \$9 per tonne. All of that wasteful spending could be avoided.

Mr. Speaker, while our party rarely finds itself, obviously, in agreement with the government these days, I must congratulate the minister of agriculture, Drumheller-Stettler, on raising the profile of this important bill. I know it must be difficult for him to hear me agreeing with him so profusely and showing such praise, but he deserves it. I hope that this government will continue to push this file in ways like this to support our friends in the federal government in getting rid of this intrusive and unacceptable monopoly for our wheat and barley producers.

Thank you, Mr. Speaker.

3:50

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions.

Seeing none, the chair shall now recognize the hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Gold Bar.

**Mr. Horner:** Thank you very much, Mr. Speaker. It's a pleasure to rise and speak to this government motion as it relates to the bill in the House of Commons and to the Canadian Wheat Board. I rise to speak on this because it's been something that has been intertwined with my family and my business and my operations for some 25, 30 years now, and it's also been something that has been discussed a lot not only by previous ministers of agriculture, our current minister of agriculture but, certainly, producers in the province. I think it would be good to have a little bit of an historical perspective so that you would understand why this is close to my heart.

When the Canadian Wheat Board was created, it was created so that we could gather the product and prepare it for a time of war, really. It was also a time when we could originate the grain and bring it forward to the areas where that grain would be processed to reach other markets and to reach the consumer, and those processing areas were in eastern Canada. So it's no surprise that the Canadian Wheat Board's legislative mandate only applies to British Columbia, Alberta, Saskatchewan, and Manitoba but not to Ontario and Quebec or any other provinces. It was designed to move raw materials from the west to the east to be processed and then sent out to those markets, and at the time that probably seemed like a pretty good idea.

Then it morphed into – well, now we have the ability to have a single-desk seller. In the '40s, '50s, and '60s perhaps that was a

good idea because farmers were not as sophisticated in terms of managing their own hedge accounts, in terms of managing their own sales, in terms of finding that customer. Not many farmers in those days could have arranged the logistics of a small vessel to go to Mexico or a small vessel to go to the Ukraine or anywhere else in the world. Today times have changed, Mr. Speaker. Producers are doing those things. They are managing their own hedge accounts. They're managing their own currency evaluations. They're putting product in bags, and they're shipping it all over the world.

We were one of those producers, Mr. Speaker, in our operation. We would look to create a pearled barley product in western Canada because there was only one that was doing it, and we thought it would be a good idea. Then we thought: "Well, what about oats? Why not get into oats, oat processing, good old Quaker Oats? Why not do that?" In those days it wasn't the granola bar; that came a little bit later. We realized that the only processor or oats was actually located in Peterborough, Ontario, the Quaker Oats plant. There was a plant that was in Winnipeg but burned down the year that we were looking at it, so that would have been about the mid-80s. That plant was actually scheduled to be rebuilt in Ontario.

We started to do a little investigating to find out why those plants were there, and our first thought was that, well, it's because it's close to market: easier access to your market, easier access to the customer. What we discovered, to our chagrin, was that you had to sell all of your oats to the Wheat Board, then you had to buy it all back from the Wheat Board if you were within the Wheat Board zone.

That becomes a bit of a nightmare for a processor. Rather than deal with that nightmare, Mr. Speaker, the processor simply moved out of the jurisdiction and stayed in Canada, but they stayed in Ontario. It wasn't until oats were removed from the Canadian Wheat Board, very similar to the kind of process that we're talking about today, that processing of oats – the majority of the production of oats is in western Canada – started to happen in western Canada.

Today the majority of the production of oats for human consumption is done in western Canada, and there's a reason for that, Mr. Speaker. It's because we can buy directly from the producer. We can do research on varieties of oats that will increase our yield. There are a number of reasons why we want to be able to deal directly with the farmer. We're creating food product. We want to have a source of supply that is consistent. That made a tremendous difference to the food production value and the value-added chain in western Canada.

So why not barley? Why not wheat? It's a very interesting question. Why not? If you're not going to do it for just western Canada, why not, then, extend the Canadian Wheat Board to the rest of the country? In fact, Mr. Speaker, I suggested that to the federal government one time. The governments of Quebec and Ontario flatly refused to have anything to do with the Canadian Wheat Board. That should tell us something right away. A federal law should apply to all portions of Canada, not just our provinces.

International sales experiences that I've had over the last 25 years, prior to being elected to this honourable Chamber, told me that, yes, people dealt with the Canadian Wheat Board because they had to. But when I came to them – and we were doing transactions on canola, on oat products, on raw oats, on feed oats, on various other products – they appreciated the fact that they could deal directly with an Alberta customer and an Alberta client in providing that product.

I had the interesting experience in a previous portfolio, Mr. Speaker, of sitting down and talking to one of the largest brewery

companies owned by a family in the world. I was talking to one of their executives, who happened to be one of the sons of the owner. They had just recently built a brand new malting plant in a state directly south of us. I asked them why they didn't build it in Alberta. We grow some of the best barley in the world. They said: well, this way we can deal with your single-desk seller, but we can do all of the contract growing and the research directly with the farmers in the United States. That's a tremendous loss to the producers of Alberta, and it's one we will never get back, and it's one of the reasons why I believe choice is an absolute necessity for western Canada. It's an absolute necessity for our producers, and it's an absolute necessity for our market.

The hon. Member for Airdrie-Chestermere mentioned the international trade issues that the Canadian Wheat Board brings up, and they do. As a previous minister in charge of the WTO file I had the opportunity to sit in a room and listen to other members of the WTO tell us that the Canadian Wheat Board being a choice would go a long way in advancing Canada's position in the trade talks. That was then. Perhaps it's different now, Mr. Speaker; I'm not there. But I can tell you that it's an irritant that needn't be there because it would benefit us as much as it would benefit Canada and the rest of the WTO.

The global food markets are changing. They're not the same as they were when we developed the Canadian Wheat Board. The environment that the Canadian Wheat Board developed in is not the same. The voting mechanisms that are in place today are not relevant to the type of production that producers in western Canada do. It's time, Mr. Speaker, that we finally deal with this, and I fully support the federal government's proposal to create choice in the Canadian Wheat Board. I, too, would not like to see the Canadian Wheat Board gone. I would like to see it run like a grain company but not like a subsidized grain company.

With those comments, Mr. Speaker, I'll take my chair.

**The Deputy Speaker:** Again, Standing Order 29(2)(a) allows for five minutes of comment or questions. The hon. Member for Little Bow.

**Mr. McFarland:** Thank you, Mr. Speaker. As somebody who's actually just received a cheque for some durum that I sold, I'm at a loss to understand. I know the experience that the former speaker has had both as a minister and as a marketing agent in international trade. Why would it be an advantage to stay in a system involuntarily because it's duly elected and I'm part of a zone that covers Saskatchewan and Alberta, where there's a variation of freight rates? Why is it advantageous for me to stay in a system where it costs me \$1.35 a bushel to ship grain to a point artificially, that never went there, when I only get \$3.60 a bushel back?

**Mr. Horner:** Well, I think the hon. member answered his own question, Mr. Speaker. I think that what we have to recognize – I go back to what I said before – is that the producers that we have today are considerably more sophisticated in how we do business in the grain industry than ever before. They have the knowledge about freight rates. They have the knowledge about what it takes to load the car. They have the knowledge about what it takes to market that car.

There are agents and brokers that are working very closely with producers today on other grains, and canola is the best example of this that one could look at. If you're going to look at marketing your canola and the returns that producers have received on canola even in times of price distress, there's no pool. There's no interest rate recovery. There's no prepayment. It's based on what the pro-

ducer does and what he does with his partner in marketing. I would suggest to you, Mr. Speaker, that the returns for those producers have been considerably more. They've had the choice of whom they deal with and to whom they sell it, and when they do the selling, their returns have been much better.

There is no advantage, in answer to the hon. member's question.

4:00

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

**Mr. Hancock:** Thank you, Mr. Speaker. I wonder if the hon. member as the recent Minister of Advanced Education and Technology – well, I'm not wondering. I know he's aware of a plant and pilot project in south Edmonton that produces a sugar-type substance from a natural source, particularly starch. I wonder if the hon. member would care to comment on the difficulty for people who want to start plants like that here of acquiring a direct source of starch in the neighbourhood, with people having to sell their product to the Wheat Board and then have it bought back?

**Mr. Horner:** Well, Mr. Speaker, imagine if you were the company that wanted to get rolling and you had a great idea. You took – well, I don't know – let's say, barley, and you figured out a way to take the aleurone layer out of barley, to separate only that piece out, and it had some very interesting properties. Maybe you weren't even going to use it for food, but you might use it for food and pharmaceuticals. So you go to a group of farmers, and you say: "I want you to grow a particular type of barley for me. I want a particular weight and protein, I want a particular moisture, and I want it delivered at particular times throughout the year because my process is going to be steady, but perhaps I'll only need a little bit at a time." Fabulous. You find a farmer. You think that's great. Then uh-uh. The Wheat Board comes in and says: "No, no. He has to sell it to me. Then you come to me, and we'll tell you what the price is." Then there's no guarantee that the producer is going to be able to keep his product separate from anybody else's that the board might be buying that day.

It's an impediment, Mr. Speaker, to the creation of value chains within our province on either new and innovative starches or new and innovative foods or, in fact, new and innovative pharmaceuticals. In some cases I know of companies that have been importing product that is, actually, within the purview of the Canadian Wheat Board, but they've simply disguised it as a soup base or some other base and then used that product because it was cheaper, actually, than going and getting it from the Canadian Wheat Board.

Mr. Speaker, this is just simply something that was designed in its infancy to create raw commodities moving eastward to process in eastern Canada, and it's never left that situation. We need to provide choice to companies and producers who want to create new products.

**The Deputy Speaker:** Twenty-five seconds under Standing Order 29(2)(a).

Seeing none, the chair shall now recognize the hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Lacombe-Ponoka.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I've been listening to the hon. members speak about Government Motion 11, and I've found the speeches certainly interesting. This is an issue that doesn't seem to go away, and I'm confident that it's not going to go away any time soon. Of course, that's the issue of what role the Canadian Wheat Board should play in the marketing of wheat and barley, mostly in western Canada.

Now, certainly, we've heard a historical perspective on all of this from a previous speaker. We know that in the past there have been efforts made through Agriculture and Rural Development to support the side, of course. The side on this issue that the government is supporting through the Alberta Grains Council and others is that we need to offer this supposed choice option, that farmers want more choice.

Well, farmers should decide and have decided in the past across B.C., Alberta, Saskatchewan, and Manitoba what they would like, and I think we should leave it at the direction of the farmers. They can vote. I certainly read – and I would encourage all hon. members of this Assembly to have a look at it – a recent feature in the *Globe and Mail* on the Wheat Board and the politics around the Wheat Board with the provinces and with the federal government.

Now, certainly, the federal government has changed some of the rules recently regarding appointments to the Wheat Board, and I would like to say, Mr. Speaker, that the city of Winnipeg should for sure have two things, the Jets and the corporate headquarters of the Canadian Wheat Board.

**An Hon. Member:** Why? Are you from Winnipeg?

**Mr. MacDonald:** No. Those are two things that I'm confident Winnipeg should have. They also have – and I'm not going to get into that, hon. member – very competitive electricity rates. But I'm not going to go there.

**Mr. Danyluk:** You ought to move.

**Mr. MacDonald:** I'm not going to move, but industry is going to move from this province, hon. minister, because of this government's mismanagement of our electricity file. Low-cost electricity is going to attract a lot of industry from Alberta, unfortunately, to Manitoba.

Now, when you look at how the composition of the Canadian Wheat Board has changed, obviously, the federal government that we have now wants to see significant changes. Many MPs elected from western Canada certainly want to see significant changes.

I think the farmers' interests would be much better served if there was an effort made to change some of the unfair trade laws. We have spoken on that issue in this Assembly in the past, Mr. Speaker. Certainly, there are many countries which have unusually high tariffs on many of our agricultural products, including wheat and including barley. I heard an hon. member talk earlier about the World Trade Organization and what would happen or what could happen or what might happen if the Wheat Board's wings were clipped, so to speak. I would like to urge the hon. minister of agriculture to stand up and defend the farmers in this province and their interests in places like South Korea, where they have up to an 80 per cent tariff on agricultural products from this area.

Hon. members previous to me had spoken about all the trade and the trade patterns from the pioneer days to Ontario and to Quebec. Well, the trade patterns are now going west to the Asian markets. That's why I would encourage this government and the federal government to try once and for all to reduce some of those tariffs in many of the markets in the Far East, where there is a growing population and people are moving from rural areas to urban areas to participate in the industrialization of their economies. Of course, they're not growing their own food, so naturally one would assume that this is a fine place to source that food. That is what I would like to see this government do.

I find it interesting to hear the Wildrose Party's take on this Government Motion 11. When I first read it, hon. members, I just assumed that this massive majority had read the latest polling

numbers, where in rural Alberta the Wildrose, if they're not number one, are a strong second and coming up. I thought that this was just political mischief by this government, who knows they're in trouble where their power base is and are trying to protect the last remnants of their vote from this party. I originally saw Government Motion 11 as a political move to try to convince rural Alberta that this government was standing up and speaking out on behalf of their interests.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Minister of Infrastructure.

4:10

**Mr. Danyluk:** Thank you very much, Mr. Speaker. My question is very simple. The hon. member had a lot of discussion about individuals leaving Alberta and that they were leaving Alberta partially, I believe his innuendo was, because of the high electricity costs. So when the hon. member talked about this province having higher electricity costs than other provinces, going to the comments about Manitoba, I just want to know if he took into consideration the data that right now Manitoba has between \$7 billion and \$8 billion debt against electricity costs or their energy production and also that a planned modernization, or I can call it an upgrade, is estimated to cost \$18 billion. Is he taking that into account in the cost of electricity?

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. I would like to start by expressing my gratitude to the hon. minister for the question. The first thing I would like to correct in the minister's assumptions is that I didn't say individuals; I said businesses. There are already businesses that are so frightened and so upset at the cost of electricity and the uncertainty of the market here with our power that they're looking at relocating to Manitoba because they have low electricity costs, including businesses that are currently sited in Lethbridge, because businesses cannot afford to pay the power bills that this government has created as a result of deregulation.

Now, regarding Manitoba's debt I don't know how this hon. member could stand up and make that statement when this government has now forced up to \$14 billion onto the bills of consumers of electricity in this province, whether they're residential or whether they're commercial or industrial users, to pay for the expanded infrastructure system that you're promoting through your land grabs through your bills. Think of what you said. Because of electricity deregulation here, we now have an infrastructure deficit which has to be paid by the consumers of this province. We, too, have a deficit.

**Mr. Danyluk:** Who else is going to pay for it?

**Mr. MacDonald:** Who else? Well, certainly the generators, hon. member. In fact, it was your government that arbitrarily and behind closed doors changed the regulatory decision made to share the cost 50 per cent between generators and consumers. Behind closed doors this government decided that consumers would foot the whole bill, which is \$14 billion. So, please, don't compare yourself to Manitoba.

**Mr. Danyluk:** You did. You did.

**Mr. MacDonald:** Manitoba is a well-run, well-managed province and on occasion changes governments to New Democrats, to Conservatives.

**Mr. Danyluk:** Answer the question.

**Mr. MacDonald:** I am answering the question. You asked me to answer the question, sir, and I'm answering it. You might not like the answer.

**Mr. Danyluk:** You didn't answer the question. So the answer is no.

**Mr. MacDonald:** Please don't interrupt.

When you talk about deficits, and you pluck a number out of the air from Manitoba, I would ask you to consider the electricity deficit that you and your government have created as a result of electricity deregulation.

I appreciate the discussion on electricity deregulation, Mr. Speaker, even though we are talking about Government Motion 11, which is to promote the elimination of the Canadian Wheat Board.

Thank you.

**The Deputy Speaker:** We have 35 seconds left. In 35 seconds?

**Mr. Lund:** Yes.

**The Deputy Speaker:** The hon. Member for Rocky Mountain House.

**Mr. Lund:** I would like to ask the hon. member: who all is able to vote for the board of the Canadian Wheat Board? Who is allowed to vote?

**Mr. MacDonald:** If you sit down, I'll answer the question.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. Every time there's a vote, this government has had suggestions and, certainly, the federal government has had suggestions as to who should vote. It's a selective vote.

**The Deputy Speaker:** Now we get back to the motion. I have a long list of speakers here: the hon. members for Lacombe-Ponoka, Calgary-Fish Creek, Cardston-Taber-Warner, Edmonton-Highlands-Norwood, Rocky Mountain House, Calgary-Glenmore, Little Bow, Calgary-Bow, and Red Deer-South.

**Mr. Prins:** Well, thank you very much, Mr. Speaker. I'd also like to rise and add my comments to the debate on Government Motion 11, which urges all members of the House of Commons to support and pass Bill C-619.

I realize that this is a federal issue, but it has serious implications to farmers, especially farmers in the prairie provinces. Bill C-619 would bring parity to western farmers, allowing them the same marketing opportunities for wheat and barley as farmers in eastern Canada. I believe that wheat and barley producers should have the right to choose how and to whom they market their grain products.

The Canadian Wheat Board has had a monopoly on marketing wheat grown in western Canada since 1943. The government at that time made selling wheat through the board mandatory to ensure or to guarantee that we'd have a supply of wheat to Europe during the war years. This may have been a good idea in 1943, but we are living in a different world now, and it is time to change this monopoly, which only affects western farmers, to reflect the realities of 2011. Changing the current monopoly will lead to increased innovation in secondary and tertiary processing in the wheat and

barley industries. This is what our maltsters and other value-adders need to be competitive in the 21st century.

I want to just talk about how it affects people in my area. Rahr Malting in Alix is in my constituency of Lacombe-Ponoka. It is a large malting plant. It's the largest single-cell malting plant in the world, and it's located in central Alberta because of the availability of the best malting barley in the world. To access barley, they can contract with local farmers, but it has to be done through the Wheat Board.

When the farmer delivers their grain directly to the malt plant, the plant has a couple of options for paying the farmer. They can pay part of the money directly to the farmer, and there is a fee paid to the Wheat Board as well. The other option is to pay the full amount to the Wheat Board, and the Wheat Board will keep their portion of the fee and send the balance of the payment to the farmer at some other time, at a much later date and after some pooling costs and other costs are deducted from this fund. Either way, the farmer is paying a fee to the Wheat Board, which comes off his bottom line or the bottom line of Rahr, you know, if Rahr pays more money for the wheat in order to get it from the farmer.

The problem with this is that often the charges from the balancing pool that the Wheat Board keeps are for demerge on ships or other costs that have absolutely nothing to do with delivery of the barley to the malting plant. Neither the farmer nor the malster receive any services from the Wheat Board for the marketing or transportation of their product. In fact, the very fact that Rahr has to contract with the Wheat Board makes it more difficult for them to contract with their customers as well.

Currently the Wheat Board fees being collected at the Rahr plant, right in Alix, are between half a million to a million dollars a year. Year after year not only in Alix but in every grain-processing plant in western Canada millions and millions of dollars are being paid to the Wheat Board in fees, and the farmers have no choice of where they market their grain. There are good examples of marketing choice in other jurisdictions around the world, and good models have been developed in Canada. I would encourage everyone to support Government Motion 11.

In fact, one of the models for marketing has been developed right here in Red Deer, I think, with the Chambers of Commerce, and one of our hon. members, Red Deer-South, was part of that process to develop that model. This is the kind of model that needs to be promoted so that farmers in western Canada have that same parity.

I would ask all members here in our Legislature to support the motion and speak to Members of Parliament to support Bill C-619 so that it will eventually lead to marketing choice for all farmers in Canada, which is absolutely critical to the future success of not only our farmers but to the processing industry in Canada.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions.

Seeing none, the chair shall now recognize the hon. Member for Calgary-Fish Creek, followed by the hon. Member for Cardston-Taber-Warner.

4:20

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. It gives me a great deal of pleasure to rise and support this motion. Everybody will know that this is a true urban girl, with very little rural background. I was honoured to have a rural buddy, when I was making my way through the Legislature, in the Member for Rocky Mountain House, who decided to take me under his wing and teach me about all of the rural issues and all the farm issues that I think were important. I was lucky to be able to have his expertise as I

became a little bit of an expert on some of the rural issues. I had grandparents that were farmers, but they ended up in Saskatchewan, moving to the city.

I do not have a lot of rural expertise, but I've been lucky to have some expertise, including my colleague from Calgary-Glenmore. In recent developments, being a member of the Wildrose, you learn very quickly as you travel the province and talk to people in the rural areas because there are only four of us plus our leader. I'm pleased to stand up and support the government motion.

I think what I've learned is that farming is extremely hard work that is fraught with risk. Grains are, obviously, sensitive to the weather, and finding the right balance is always a tough task. The weather can be too hot. It can be too cold. It can be too wet. It can be too dry. If someone is going to take risks and work hard, they need to be rewarded, and they need to know that they will enjoy the fruits of their labour. This is why the government motion calls on all Members of Parliament to pass federal Bill C-619. It will allow farmers to opt out of the Canadian Wheat Board. I think the bill is quite reasonable to all sides in that it lets farmers opt out of the board in a timely and orderly fashion so that farmers that choose to remain in the pool are not negatively affected.

Because so few Albertans today work on a farm, they have a tough time relating to agriculture issues, but I always like to try to dig a little deeper and put the issues in context. I've always asked a few questions. My colleague from Rocky Mountain House knows that. My colleague from Calgary-Glenmore knows that I ask a lot of questions. They're pretty simple questions, but when you're an urban girl – my colleague laughs at me because he's been very, very kind in helping me through the process of some of the agriculture issues that I don't quite understand. As he explained to me one day, there are no stupid questions, only stupid answers. He's been very patient. As I explained, I like to dig a little deeper, and I put the issues in context, and I've asked a lot of questions.

For those farmers who have refused to abide by the Wheat Board, who felt like they have worked so hard and have their efforts controlled by someone else, there have been severe consequences for disobeying the Wheat Board's monopoly. As has been mentioned in the House, in 1996 a Manitoba farmer was tired of having his grain sold by the CWB. He decided to take some of his harvest across the border and sell it in the United States, and because of what he did, he spent five months in prison. If you grow barley or wheat, you must sell it to the CWB. It's up to them to market and distribute the grain. No one else can. Imagine owning a bakery or a greenhouse and having to sell your hard work to someone at a flat price. If you don't, they'll throw you in prison.

Throughout my career I've always asked myself: what are the priorities of Albertans? If you take the time to meet face to face with Albertans and truly listen to them, they will not tell you they want the government investigating farmers for selling their products. Albertans want the government going after drug dealers for selling their products. They want pimps to be in prison, and they want prostitutes getting the help that they need. Albertans want safe streets. They want to know that when someone is convicted of a crime, they will pay their debt to society, not be released early for being nice in prison.

Albertans also know that resources are limited. There are only so many dollars to go around. Priorities have to be questioned here. We need the police on the street. We need violent criminals off the street. We need hard-working farmers on their fields. We want the hard-working farmers feeding Albertans and growing not just grains but the Alberta economy.

We will, as has been mentioned before, support Government Motion 11. We think all members of the House of Commons should pass Bill C-619, and I think that with this government mo-

tion on the floor today it sends a strong message that we support our Alberta farmers, and we want them to have the choice to market their products as they choose.

Thank you.

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

Seeing none, the chair shall now recognize the hon. Member for Cardston-Taber-Warner, followed by the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Jacobs:** Thank you very much, Mr. Speaker. I'm happy today to rise and speak in support of Motion 11, urging the federal government to pass Bill C-619. I think this is an important bill, and I think it brings choice and balance to this debate. I acknowledge to this Assembly that I have many friends and associates in my constituency who are strong supporters of the Wheat Board, and I respect their views. The thing I like about this bill is that it protects their right to keep the Wheat Board because those who want choice would have to opt out, stay out for two years, and then would have to be given a year to get back in. I think this is a good bill and would satisfy many of the concerns.

I want to make a couple of points today, Mr. Speaker, and the first point I want to make is that monopolies do not create a healthy business climate. They do not encourage free enterprise and free markets, some principles that I espouse totally. Under the Canadian Wheat Board monopoly the western farmer has been the loser. There are no incentives to cut inefficiencies, no competition to encourage better returns to farmers.

Mr. Speaker, I'd like to just share a brief story with the Assembly which I've shared before, but I think it's worth repeating. It's from Don Baron's book *Canada's Great Grain Robbery*. He tells some stories about some wild hogs in Horseshoe Bend. I believe this story makes some points that are relevant in this debate.

The story is told that

years ago there lived a herd of wild hogs in a great horseshoe bend down a river deep in the southern United States. Where those hogs came from no one knew. But they survived floods . . . freezes, droughts and hunters. They were so wild the greatest compliment a man could pay to a dog was to say it had fought the hogs in Horseshoe Bend and returned alive. Occasionally a [hog] was killed either by dogs or a gun – and became a conversation piece for years.

One day, a lean-faced man came by the country store on the river road and asked the whereabouts of these wild hogs. He drove a one-horse wagon, had an axe, some blankets and a lantern, a pile of corn and a single-barrelled shotgun. He was a slender, slow-moving man who chewed his tobacco deliberately and spat very seldom.

Several months later he came back to the store and asked for help to bring those wild [hogs] out of the swamp. He said he had them all in a pen.

Bewildered citizens all gathered together to go view the captive hogs in Horseshoe Bend and wanted to know what happened.

"It's all very simple," said the patient lean-faced man. "First, I put out some corn for them. For three weeks they wouldn't eat it. Then some of the young ones grabbed a cob and ran off into the bush. Soon, they were all eating corn. Then I commenced building a pen around the corn, just a little higher every day. When I noticed they had stopped grubbing for acorns and roots and were all waiting for me to bring the corn, I built the trap door.

"Naturally they raised quite a ruckus when they seen they was trapped. But I can pen any animal on the face of the earth if I can just get him to depend on me for a handout."

In view of my comments about free enterprise, choice, and not having others be responsible for us, I think this story makes a good point.

The other point I'd like to make today, Mr. Speaker, briefly, is that I have constituents who years ago wanted to add value to their wheat by milling it into flour. It was a good idea, and as the former minister of agriculture pointed out to us, you know, it would have worked. It would have brought business and jobs to our area. But because of the Wheat Board monopoly and because they couldn't market their own wheat and had to sell it to the Wheat Board, who would then sell it back, the economics didn't work.

You know, I think the point needs to be made here that this is a monopoly. Monopolies are against competition, against free enterprise, so I am very much supportive of this bill and of choice.

Thank you very much, Mr. Speaker.

4:30

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

Seeing none, the hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Rocky Mountain House.

**Mr. Mason:** Thank you very much, Mr. Speaker. You know, I hate to wreck the party here, but I don't think I'm going to be supporting this motion. That may not be a great surprise for hon. members. I want to just indicate that I believe that the bill that is being introduced in the House of Commons by Bruce Stanton of Simcoe North – that is, Bill C-619 – would allow farmers to opt out of having to market their wheat and barley through the Canadian Wheat Board. I believe that the present circumstance is far more preferable and far more democratic, to allow the Wheat Board to make that decision and to continue to allow the farmers to elect their own representatives to the board of the Canadian Wheat Board.

Now, it's interesting to me that the hon. Member for Cardston-Taber-Warner acknowledged that many of his friends, many of his constituents favour the Wheat Board. I find that this is actually a fairly widespread situation. I do in fact get out to rural areas and talk to people and talk to farmers, and it's clear to me that this government's position and the federal government's position, the Tories in Ottawa, do not represent necessarily even a majority of wheat and barley farmers in Canada or in Alberta. I note that in the last election to the Wheat Board four of five directors that were elected took a pro single-desk position, and the one that was re-elected in the Peace Country was re-elected very narrowly. This is fairly typical of these elections.

Now, I know that some hon. members are going to say, "Well, you know, it's just the small hobby farmers and so on that outvote the big corporate farms and so on," but I don't buy it. In fact, not so long ago, when the minister was Chuck Strahl, the federal government had 20,000 people removed from the voters list in that campaign. They were deemed ineligible for such reasons as not having delivered grain in the past two years or not having produced enough wheat and so on. Those people have been removed from the voters list, but we still see a situation where despite repeated interference from the federal government and repeated urging of this government, the farmers continue to elect people that will represent them.

Mr. Speaker, I believe that there are some different interests at play here among farmers. In my opinion, the corporate farms or the very large producers have the resources, they believe, to market their own barley and cut their own deals. But I think the majority of farmers, being middle and small farmers, benefit from



the single desk, and I think that's why they regularly elect the pro single-desk directors.

Now, there are people or interests in the United States and in the European Union, some of our biggest competitors, who would dearly love to see the dismantling of the Canadian Wheat Board. I think that what would happen is that it would accelerate the loss of the family farm, of small farms, and it would tend to increase the rate at which there was a concentration of ownership in fewer and fewer hands.

Mr. Speaker, I think that this Legislature should instead oppose Bill C-619 and support the democratic right of wheat and barley farmers to make their own decisions with respect to this matter. I know that the argument is being made that we're not going to get rid of the Wheat Board. It will continue; we'll just let farmers opt out. Well, of course, it will be the biggest farmers that will opt out, the ones that produce a lot of the grain, and it will seriously weaken the position of the rest of the farmers that want to participate in the Wheat Board. It's a way of undermining and eventually rendering irrelevant the Canadian Wheat Board.

This has been tried, Mr. Speaker, in Australia, and it was not a success. It has not been a success there. It's just that the Conservative government in Canada and the Conservative government in Alberta have tried a number of different approaches to get rid of the single desk. The approach they're taking now is to say: "Well, we'll keep the Wheat Board. It'll still market your wheat if you want to participate." The big guys or anyone who wants can leave. The big guys, of course, will, and the ability of the Wheat Board to market grain and get a good price for the people participating will be diminished, so I don't think that we should support this motion.

I think, Mr. Speaker, just to conclude, that I don't accept this government's repeated attempts to try and eliminate the single desk. They're acting for a smaller group of agricultural producers and not for the small operator, not for the family farm, and it's not something that we're prepared to support. We believe that most wheat and barley farmers do want to retain the single desk.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions. The hon. Member for Rocky Mountain House.

**Mr. Lund:** Well, thank you, Mr. Speaker. Once again, the hon. member mentioned the elected board and that there were four out of five that supported the Wheat Board. I would be curious to know the criteria. Who all could vote for the members of the board? If the hon. member would answer that question. The hon. Member for Edmonton-Gold Bar dodged it and didn't answer. I don't think he knows.

**Mr. MacDonald:** Point of order.

**Mr. Lund:** If he knows, then I would hope that he would answer.

**The Deputy Speaker:** You want to raise a point of order right now?

#### Point of Order Factual Accuracy

**Mr. MacDonald:** Yes, I do, Mr. Speaker. Under 23(h), (i), and (j) – and that's certainly reflected in the standing orders – I would ask the hon. member to withdraw that comment that he made regarding my exchange with him earlier because that simply is not true, and the hon. member knows it.

**Mr. Lund:** Well, Mr. Speaker, I'd be only too happy to withdraw it, but I would have thought that he would answer if he knows.

I will redirect the question to the person that I was asking the question to in the first place.

**The Deputy Speaker:** So you have withdrawn your comment?

**Mr. Lund:** Yes, I've withdrawn it.

**Mr. MacDonald:** Further, to clarify that, Mr. Speaker, I didn't even have time to finish because the clock had run out. There was a five-minute . . .

**The Deputy Speaker:** Hon. member, you raised a point of order. The hon. member has withdrawn the comment, so we'll continue on.

#### Debate Continued

**Mr. Mason:** Well, I'm happy to give the hon. Member for Edmonton-Gold Bar some of my time if he wants to answer the question. I was hoping he'd help me out, Mr. Speaker, because I think it's a trick question.

I'm not familiar with the specific requirement, but I know that farms who produce one tonne of grain or more are eligible for a ballot, and I know that some farms receive several, but incorporated farms only receive one. If the hon. member can further enlighten me and the hon. Member for Edmonton-Gold Bar, that would be great.

4:40

**The Deputy Speaker:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I just have a question for the hon. member. He very explicitly talked about that wheat and barley farmers should have control of their position or, if I can interpret, their destiny and have the opportunity to vote. He also made mention that the hon. Strahl took out 20,000 producers. Well, if I can just ask him because it contradicts your statements: does he really believe that if you are not in the wheat and barley production, you should have the eligibility to vote on something that you have nothing to do with?

**Mr. Mason:** Mr. Speaker, you know, I know that farmers change crops, and they are affected by droughts and other weather conditions and so on, so I'm sure there is some variability in who's eligible. Perhaps the system doesn't fully reflect that. I don't know.

**Mr. Danyluk:** Well, Mr. Speaker, as long as an individual is able to take out a permit book, regardless if he has production that year or not, he's able to vote, and that is a continuing process that takes place. Just to make that blanket statement is completely erroneous.

**Mr. Horner:** I just wanted to pose a quick question to the hon. Member for Edmonton-Highlands-Norwood. If you had a group of small family farms in the province of Alberta – and I would hope someone would define for me one day what a family farm is. Let's say you had a group of them together. They were wheat growers, and they wanted to start their own flour mill. Would you be opposed to the fact that they could combine their production of, say, five or six families into a nice little co-operative, which I'm sure the hon. member would support, and have their wheat flow into there without any interference by any other force, create a flour, and sell it into the marketplace? Would you be opposed to that, hon. member?

**Mr. Mason:** I would think it would be great to establish that kind of co-operative, and I'm sure that the Wheat Board would be happy to supply them with all they wanted.

**Mr. Horner:** Mr. Speaker, if the Wheat Board were to decline such an opportunity for those farmers, if the Wheat Board were to say, "No, you cannot; you must sell it to me first, and we'll add on what we want and sell it right back to you," would you be opposed to that, hon. member?

**Mr. Mason:** I just said: they could buy the wheat that they wanted from the Wheat Board.

**The Deputy Speaker:** Can we get back to the motion? The hon. Member for Rocky Mountain House, followed by the hon. Member for Calgary-Glenmore.

**Mr. Lund:** Well, thank you very much, Mr. Speaker. I want to take this opportunity to thank the hon. Minister of Agriculture and Rural Development for bringing this forward and giving us an opportunity to discuss it and to send a clear message to the legislators in Ottawa about the inequity that many of us have to face out here simply because of the Canadian Wheat Board.

Now, I want to make it very clear that years back the Canadian Wheat Board served a very good function. Back in those days we used to produce and take it to the gate and expect somebody else to pick it up and market it. But those things have changed.

In fairness to the Wheat Board, they have made some baby steps in opening up. I can remember when we couldn't even sell some of our feed grain to a neighbour without processing it first. If we processed it, then we could do it legally. Of course, there was grain changing hands. Seed grain could also, but it was very small quantities that you could do.

I think there are a couple of things we need to get on the record. One, the hon. Member for Lethbridge-East commented about the court ruling. The court ruling wasn't that the federal government couldn't change it. They had to change their legislation before they could do it, and that was the ruling. They couldn't do it the way they wanted. They had to change the legislation first.

This question that I was asking the two members about: who was eligible to vote for the board members? You have to have delivered grain. I don't remember the exact quantity, but I believe it was something like 40 tonnes that you had to deliver before you could get a ballot, and you had to prove that you'd done that. Just having a permit wasn't good enough.

The comments about the minister removing a number: that was because they simply were not delivering grain to the Canadian Wheat Board. We tried to get a ballot this last time, this last election, but we couldn't because we hadn't delivered. We stopped growing grains that we had to sell through the Canadian Wheat Board.

Now, the hon. Member for Spruce Grove-Sturgeon-St. Albert commented about a maltster that he talked to. When I was minister of agriculture, we also had a large pasta manufacturer that wanted to establish here in Alberta, but when he learned about the problems that they were going to have to go through with the Canadian Wheat Board, I believe it was North Dakota that they ended up building their plant in. That's because of the hassle to go through the Canadian Wheat Board. You've got an interim step there that costs money. It adds no value, but it's a cost to the producer.

I remember talking to the owners of the malt plant in Alix, that the hon. Member for Lacombe-Ponoka talked about. From our farm we were shipping two cars of malt, two-row barley, and it was going to Thunder Bay. He was telling me that he was getting some two-row barley, a similar variety even, and it was coming from Manitoba to Alix. So loaded cars are meeting. Well, guess

who pays for that? The farmer does. That was all because the Canadian Wheat Board also steps in if it's a maltster. You can sell feed barley – you can't sell it outside of the country; you can sell it in the country – but you can't sell malting.

Now, there's another side effect to all of this that I want to mention, and that is that in the processing and malting there are certain characteristics that the maltster wants. When you think about contracting directly with a farmer to get the exact kind of qualities, some of the qualities that you want, the maltsters are prepared to spend a lot of money on research to get the product that they want and then would of course contract back directly to the producer. So there's a huge advantage.

Now, it's kind of ironic, I guess, that we're discussing this today because one of the things that the Canadian Wheat Board does – and we're not trying to get rid of it – is they do have an initial payment, that when you deliver, you'll get that payment. Today and yesterday the grain market has been just plummeting, so those of us that won't ship through the Wheat Board, of course, we're losing quite a bit of money these last two days. It'll come back, but it does fluctuate. So that's something.

Things have changed now that we've got the Internet all through the rural area. I know on our farm we're looking at those prices hourly and watching where they're going, watching the trends, and have the ability to phone in or e-mail to the buyer, and out comes a contract, sign the contract, send it back, and that's how the system works. But if you're going to go through the Wheat Board, you've first got to sign a contract.

4:50

I can tell you right today that there is a huge problem developing. There is a large grain purchaser at Joffre. The Canadian Wheat Board had a contract that they put out for wheat back in the fall, and it actually was a pretty good price compared to what they had been paying, a long ways from the \$8 that was in Chicago, but it was not too bad. That plant at Joffre: there were a million tonnes that had been contracted through there. They haven't delivered one bushel yet. Here we are in the middle of March, and the crop year ends, of course, the end of July. We don't know what's going to happen to all of those contracts. I guess the board will take it sometime, but the poor farmer is now stuck with that on his property. He can't move it, and he's got no cash flow, so he's got another big problem, and it's all because we don't have choice.

If you're going to grow that kind of product and sell it, you're going to have to go through the board. On our farm we've just stopped growing those products. We've gone to canola, a little bit of oats now that oats are out of the board, peas, and, of course, feed barley. The board has outlived its usefulness.

Another thing where it was handy for the federal government was the floor price. At times the floor price had been set too high, so the federal government would step in and cover the shortfall. That disappeared – I don't know – 10, 12 years ago, so there is no advantage there.

One of the other things that they did, though, to help eastern Canada and to keep the farmers down there quiet was the Crow rate. They would take feed grain from western Canada, ship it down to Ontario, and we would have to ship our feeder cattle down there to eat the grain that was grown here in Alberta. It makes absolutely no sense. But that's gone, thank goodness.

I would urge all members to support this motion so that we can send a very strong message to our colleagues in Ottawa. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions.

**Mr. Mason:** I appreciated the hon. member's comments. When I talk to farmers, what I hear is the tremendous difference between the input costs that they have to pay, so for their fuel, their fertilizer, and a number of things – all of their input costs keep going up, and they can't control those. Then the price they receive for what they produce doesn't cover their input costs or doesn't leave them any margin. Of course, people work now at multiple jobs just to keep the farms going. My question to the hon. member is: does he not see some role for marketing boards in helping the farmers get a return that will cover their input costs plus a reasonable margin?

**Mr. Lund:** Don't confuse this with a marketing board or supply management. Oh, I shouldn't say that because, really, what the Wheat Board does is it prevents you from forward contracting and all of those things, so in some ways, yeah, it's supply management. Your supply of opportunity is diminished because you've got to go through the Wheat Board.

The input costs: yes, that's a problem. But I don't know what kind of board you're talking about that would be able to solve that problem. There's everything from your machinery to your labour costs to your fuel costs, and the list goes on.

One of the things, of course, that's really going to cause a problem for us is all of the so-called climate change/clean stuff. We bought a tractor a year ago, partly to get ahead of what's coming. Diesel motors now all will have a thing on them where they put urea into the exhaust, which is supposed to clean it up. It does nothing for the efficiency of the motor. It does nothing to reduce your costs. As a matter of fact, it increases it. The tractor that I'm familiar with costs around \$300,000. With this urea thing on, it's an additional \$30,000.

Another thing that's coming up, the biofuels. They're not as efficient as our low-sulphur diesel, so that's going to be an additional cost.

**The Deputy Speaker:** The hon. Member for Highwood to comment.

**Mr. Groeneveld:** I assume time is short, but I would just like the hon. Member for Rocky Mountain House to comment to help some people with the voting process, dealing with the fact that so many of our young people that have gotten out of the barley and wheat business because of the Wheat Board don't have a permit book anymore, have no ability to vote, and wouldn't even if they could right now. Would you comment on that?

**Mr. Lund:** Thanks, hon. member. I made the comment that we on our farm were wanting to get an opportunity to vote because this time we could have voted for somebody that was wanting to implement change and give the farmers the opportunity, but by the time we would apply for the permit and deliver the grain, it was too late. They mail out the ballot – archaic, but that's the way they do it – and we just missed out on the opportunity.

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Little Bow.

**Mr. Hinman:** Thank you, Mr. Speaker. It's truly an honour today to rise and speak in support of Government Motion 11 and to talk about the importance of Bill C-619 at the federal level and how that will really, I feel, if passed federally, be a boost to agriculture here in the province of Alberta. It's a great opportunity – and I've enjoyed the discussion so far in the House here – to talk about the importance of choice, to talk about the importance of the free market.

I guess I just want to start by referring back to the principles of prosperity and where that root is. It's never been rooted in a government that wants to regulate an industry. We can look at many of the Eastern bloc countries, where government stepped in and confiscated the land and redistributed it amongst the citizens and said: you can have stewardship over this land, but we're going to be the ones to tell you what and where and how and when to grow your crops. Those people, basically, were put into a situation where they couldn't even feed themselves, and they had to import grain from such great countries as Canada, the U.S., Australia, where the free market was somewhat allowed and agricultural producers were efficient and could produce for their own benefit.

I think that one of the things that we've maybe got a little bit off on in this discussion is that we've talked against the Canadian Wheat Board. I must, again, agree. In my previous life I was a farmer. I can't remember if it was in 1989 that I quit. I was so disgusted that I never renewed my permit book and went straight off Canadian Wheat Board grains so that I wouldn't have to deal with them because I was so frustrated with them. They were one of the reasons that I actually got involved in politics, along with many other government restrictions that didn't allow for myself as an individual to be an entrepreneurial businessman, that I wanted to be. I invested in a hay-cubing plant way back then so that we could start exporting and growing our hay. There have just been many aspects.

5:00

The important thing is that Bill C-619 is not an attack on the Wheat Board. What it does is that you're allowed you to opt out. It's an option. Let's say that 80 per cent of Alberta farmers did want to stay with the Canadian Wheat Board. It's there for them. This isn't an attack, to say that we're going to destroy it; we're going to take it away. Thou shalt not grow grain for the Wheat Board. It's just the opposite. It's that freedom. It's allowing for that entrepreneurial farmer, who realizes that in the U.K. there's a selenium deficiency and there's a need for high-selenium wheat. So he does his research, and he realizes: "You know what? I live in a region where there is a high selenium content. I've done the extra work on analyzing my wheat, and I meet the criteria of high-selenium wheat." But can he now go over to Great Britain and say, "Here's the product that you're out looking for on the market; I'd like to sell to you"? No.

The biggest problem that we see, Mr. Speaker, when we don't allow that freedom, that entrepreneur, that risk taker – farmers are incredibly high risk takers. When you look at the capital that they actually have invested in their business versus the return on that capital, it truly is a miracle that we have agricultural producers that are willing to stay out there and continue to work the land and enjoy that lifestyle.

We want that entrepreneur to be able to grab and seize a market. Whether that's rolled oats, whether it's the bioenzymes from barley or from some other product, we want them to have that freedom. With the Canadian Wheat Board it's not there.

I am familiar with some of those farmers who have actually gotten together and created a mill, yet the viability is challenged. One of the few that is still functioning is south of Magrath. The viability, though, is challenged every year because of the cost of having to buy their own grain back through the Wheat Board. It serves no purpose other than to prohibit – I shouldn't say prohibit but to make it virtually economically unviable to try to vertically integrate grain products here in western Canada. It was mentioned once, and I need to mention it again, that this is a federal law, yet it's not for the whole country. Do we or do we not live in a country where it's one law, one land? It's just wrong. It's wrong to say

that the federal government is going to what I would refer to as inflict pain on western producers, to say: thou shalt pay for this Wheat Board.

Whenever we create monopolies, it generally always leads to inefficiencies in the market. The monopoly is created. The people that are there say: oh, we have this cost; we have that cost. There's no competition, and the price starts to rise.

It kind of reflects back to the hon. Member for Cardston-Taber-Warner, who talks about Don Baron's *Canada's Great Grain Robbery*. I've always loved that story. Why it's such a great story is because it's true. Any time we can hand something out and say that it's free and have individuals become dependent on that only to find themselves trapped when the gate is shut and they say, "Aha, now you have to pay," there's always a day of reckoning. There's always a day when you have to pay the piper who is giving away that freedom. They give it away. That's the enticement.

It amazes me how well that continues to work today. When we look at all of the marketing of new products, of products that we need to use, whether it's cellphones, new iPads, whatever, they're more than happy to say that the first three months are free. Why? Because they want people to come and try it, and then we say that we can't live without it. They don't give it away for three free months. What they've done is reduced the price by 25 per cent over a year so that you will go into that, so you will buy into their product and try it. It's never free. There's a high cost.

It's argued by many entrepreneurial farmers, who say: there's an extremely high cost when I'm involved with the Wheat Board. The hon. member that has spoken at length about, you know, not renewing his permit book is very frustrated. There are many, many Alberta farmers who have gone that route, saying: you know, I'm not going to renew my quota book because we're going to grow other products. That has not been in the best interests of Alberta, yet the cost efficiencies have been there. To say that if they don't have this monopoly, they'll destroy their ability to market in the world is, again, fearmongering. It's scary.

The most important thing with Bill C-619 and why we need to support the federal government in doing this – it's interesting that it is an MP from Ontario who looks over into western Canada and realizes this is wrong. There's nothing more powerful than speaking out when you see an injustice being committed. When this bullying goes on, it's important that it's that third party who steps up and says, "This is bullying; we can't allow this" and speaks up on behalf of that individual or that region that's receiving those injustices.

Bill C-619 allows the freedom of choice. It allows for the free market to come back into effect in western Canada and allows our wonderful entrepreneurial businessmen to go out around the world and say: "Hey, we've got the best barley. We've got the best wheat." They're going to reach out and develop new markets that the Wheat Board would never consider doing because of the size of that market. It might be a small market of only 100 tonnes of high-selenium wheat that opens the doors to realize a new potential. It might be a vertically integrated pharmaceutical-based company that opens up the door that changes the whole dynamics of the genetic breeding of our canola, our barley, our wheat. I guess with the canola we can already do that.

Again, we saw the breakthrough in the '70s with the breeding of dwarf plants. Now what's the genetic breakthrough that we can have by putting the genetics together for valuable crops, nutritious crops for various areas of the world? Whether it's selenium or whether it's disease-based, there are many, many potentials there, but because of the Wheat Board that entrepreneurial spirit goes down south of the border. It goes to another country to set up.

Mr. Speaker, it's an honour to vote in favour of this motion. It's exciting to think that once again, after six decades, western farmers might have the opportunity to have the freedom of choice to grow their wheat where or how or when they want to do it. I'm excited to see, I guess, the overall support here in this House and look forward to sending that message to the federal government to say: yes, we support Bill C-619, and we hope that the federal legislators will pass it for the benefit of western farmers.

Thank you, Mr. Speaker.

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

See none, the chair shall now recognize the hon. Member for Little Bow, followed by the hon. Member for Calgary-Bow.

**Mr. McFarland:** Thank you, Mr. Speaker. My comments are more as an actual grain producer. We can talk about philosophies and history all we want, but for many of us who actually produce grain – and I have for some 39 years – it comes down to dollars and cents as much as anything.

You know, in 1972, when I first started to farm, we had a variety of grains that we grew. We had some oilseeds. Over the course of years because of an interest in conservation we've switched to some hay. We have over the years switched to a lot of nonboard grains. I'll call them nonboard. Those are the ones that don't have to be marketed through the Canadian Wheat Board. The reason that our family farm did that – and I consider myself proudly a family farm. I would be one of the first that would bail if I had an option to leave the Wheat Board. I'm not a large farmer. I guess by today's standards we're somewhere between small and medium.

The fact is that when I have to grow grain and I have to market it through a Wheat Board that selects the time of the year that they'll call for so much grain, and then I only get a partial payment on that grain for the balance of the year and at some point in time finally receive what's called a final payment and, if you're really lucky, an interim adjustment in between, you finally get paid for your own inventory at some point way in the future.

5:10

Sometimes I've talked to urban cousins, and I have explained it this way: if I had a men's clothing store in Calgary or Edmonton, and I had somebody telling me that I couldn't sell all the sweaters that I had on the shelf this winter season, that I could only sell a percentage of them, would I be in that business? Would you hold that inventory and not be able to move it through and make all your commitments as a businessperson, pay your taxes and pay your operating expense and your light and your power? I don't think many of them would. If you want to further compound it, would you like to be told that you could sell 60 per cent of your inventory, but you had to sell it at about 70 per cent of what you thought the real value was, and the 70 per cent may or may not cover all the input costs of operating that business. That's a parallel that I see between operating a business in the city and farming.

You know, there were other points that made me decide I wanted an option. I'm not against having the Canadian Wheat Board there. I think they do a wonderful job selling grain internationally. There's no amount of grain that I or my neighbours will produce that could meet a big contract to Algeria when it comes to, say, durum, one of our biggest competitors. I grow durum, Mr. Speaker, which is turned into pasta, and I grow malt barley, which becomes beer, and I grow rye, which becomes drinkable rye, and I grow mustard, which is a condiment mustard that you put on your hot dogs. So I think I kind of understand where a lot of this stuff is coming from.

But what I resent more than anything is the fact that when I sell my grain, I have to sell it, if it's a board grain, through the Canadian Wheat Board through an elevator company, and I pay the freight all the way. I pay it from the time it leaves the farm till it gets to an elevator. The elevator, in turn, gives me an advance payment on behalf of the Canadian Wheat Board. In the meantime, while that grain is being transported out to a terminal, whether it's Vancouver or Thunder Bay, at any point in time there are something like 13 different unions that could hold up the movement of that grain. That puts our reputation as reliable suppliers of foodstuffs at risk, and I still have to pay the freight.

[The Speaker in the chair]

If in the meantime you want to consider how people have not advanced in today's trade technology, only about one-third of all the grain producers are actually trying to market something outside the Canadian Wheat Board.

I always come back to durum. I mentioned this earlier to one of our colleagues. I just sold two super-Bs of grain. That's about 80 tonnes, about 1,770 bushels each. That 1,776 bushels netted me \$6,236, but I paid over \$2,400 on top of that for artificial freight and elevator charges and holding charges for a grain that may not even get out to Vancouver. In all likelihood it's going to go from the elevator to a local flour mill in Lethbridge, Alberta, which, in turn, has to pay freight artificially for the grain to come back through the Canadian Wheat Board from a terminal in Vancouver that may not have seen that grain. So those things alone add up to a lot of cost.

In my world 28 per cent additional cost for something that isn't valid, that isn't provable, that isn't even there is a huge profit margin potential for any farm or, in the case of any of my colleagues in Alberta, an opportunity for them to stay in business whether they're big, whether they're small, or whether they're in between.

I just wanted to put that on the record, Mr. Speaker, because I do support choice. I do support the Canadian Wheat Board to the extent that I think they do a good job marketing internationally. I can't compete with that. But I do want the opportunity to sell my grain to the Alix processing plant, in the case of malt barley, without it being artificially sent somewhere else. I want the opportunity for my durum to end up in a pasta plant somewhere in Alberta without them artificially charging me as though it were to go to Vancouver and then charge that same production plant to haul it back here to turn it into pasta.

I think I've gone on long enough, but that's a point of view from an ordinary grain producer. Thank you, Mr. Speaker.

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

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

**Ms DeLong:** Thank you very much, Mr. Speaker. I am aware that this tends to be very much a rural issue, but I did want to speak up on behalf of Calgary-Bow, a very urban constituency, just to express our dismay in terms of our own sense of fairness. It makes no sense to us that there would be Canadian laws that apply differently depending on whether you're an easterner or a westerner. So just basic fairness. It really offends us.

The other thing is that, you know, as urban people most of us don't actually produce that much. Maybe we do some crafts. We have artists. We have writers. Again, it really offends our sense of fairness that someone would work very, very hard to produce something and then not be free to sell it to whomever they chose

to sell it to, whether it's arts, crafts, or whether it's wheat. It just really offends our sense of fairness.

I did want to say that we do wish the Canadian Wheat Board well. We also realize that if the Canadian Wheat Board had proper competition, the Canadian Wheat Board would probably be a much better organization. So we do wish them well. We want them to be the best that they can possibly be.

As a representative of the constituents of Calgary-Bow we wanted to support our rural neighbours in this motion. Thank you very much.

**The Speaker:** Standing Order 29(2)(a) is available should there be questions. Comments?

The hon. Member for Strathmore-Brooks.

**Mr. Doerksen:** Thank you, Mr. Speaker. I won't speak long on this topic, but it is my privilege to stand up and speak today in favour of Government Motion 11, which urges the members of the Canadian House of Commons to pass Bill C-619, that would provide marketing choice to western Canadian grain farmers. I would also like to thank the minister of agriculture for raising this issue in the House and for providing us the opportunity to support that initiative.

This is certainly an issue that has been talked about for many years. It's been important to Canadian agriculture producers. I think the opportunity to advance the marketing choices for western Canadian grain farmers is significant and important.

As someone who's had a permit book – I've marketed grain, board grains and nonboard grains, for many years – this isn't about criticism of the good work that the Canadian Wheat Board has done for Canadian grain farmers. But we live in a day where agriculture producers are certainly sophisticated in their ability to market the products that they grow. There are multiple examples of the success of that initiative by individual producers, as has been noted by my other colleagues. I think the opportunity to move that forward is important, and we should take advantage of it. I certainly hope that as a result of the support that's lent from this House, that will be advanced at the national level. It is an initiative that the federal government needs to move on, and I hope that we're successful in that.

As someone who has sons involved in the future of agriculture and involved in young farmer initiatives across this province, across this country, I think it's important that we give these young people a range of opportunities to do the best they can in agriculture. It's a challenging business. Certainly, in any market reality it's challenging. But adding costs unnecessarily: we need to avoid that. The opportunity here to advance this cause I think is a positive one.

With that, I would lend my support. I appreciate the comments that other members have made in favour of marketing choice. Thank you, Mr. Speaker.

5:20

**The Speaker:** Hon. members, 29(2)(a). The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. I'd like to ask the hon. member – I wasn't sure whether he was there or not, but one of my proud moments as an Albertan was on October 31, 2002, when I was at a Lethbridge rally, where there were 13 farmers who did their patriotic duty to say no to a law that wasn't, I guess, applicable to all Canadians, and they went to jail. There were different members, I believe, in the House that were there at that time. I'm just wondering what his thoughts were on those individuals that have fought this law for a

long time and, if he was there at that rally, how he felt about it back in 2002.

**The Speaker:** Hon. member, if you wish.

**Mr. Doerksen:** Well, thank you for that question from the Member for Calgary-Glenmore. In fact, I wasn't there. I didn't have a permit book at the time. In fact, I believe I was on the board of the Alberta Beef Producers at the time and working on behalf of Alberta cattle producers on a range of issues. But I was certainly aware of that initiative. I guess that's part of the history that I spoke of and that others have spoken of, and it's important that we take opportunities to advance that cause.

I mean, you look at the level of sophistication of agriculture and the importance of that. There have been comments about the family farm, but that doesn't and can't compromise the level of sophistication that agriculture producers need to bring to this business. Whether it's a family farm or an individual or a large company, the importance of these issues is similar. I think that we need to advance the cause of agriculture from that perspective, looking forward, not trying to protect something that was yesterday's approach to business.

I'm not criticizing that in any way, but the importance of looking forward and making sure that we've got the regulatory framework in place to allow and to encourage people to succeed as a result of their own hard work and initiative: those are the things that have been the highlights of the success of Canadian agriculture and Alberta agriculture for many years. I look forward to that continuing as a result of the things that happen in this House as well.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you for that answer. I guess the reason I was wondering about that is because, you know, with the transportation inequities that were there, it had a major impact on the beef industry, I guess, before that was changed, where we were losing our grain to the east and then our cattle going to the east to follow the grain because of that. So that's why I thought that perhaps you'd be involved.

Do you see any downside to the beef industry, then, with the opening up of the freedom of choice for whether or not you participate in the Wheat Board?

**Mr. Doerksen:** Thank you for that question. The Member for Calgary-Glenmore makes a good point with regard to the fact that inasmuch as single-desk selling keeps feed grain prices low, it was good for cattle producers. I recall during that time frame that some friends of mine, some people I knew well, made the argument also in the Canadian agriculture press that, in fact, the Wheat Board in fact was favourable to the livestock feeding industry in this province, whether it was hogs or beef.

I think the big picture with regard to livestock producers is, in fact, the importance of access to international markets, and inasmuch as single-desk selling was raised as a concern at WTO and those types of discussions, it's a concern for Canadian beef producers. In that light, the opportunity for choice and the opportunity to advance markets and to make it easier to get in and stay in markets is extremely important. The argument that was made was there, but I think the opportunities are in choice.

**The Speaker:** Additional comments or questions?

Hon. members that exhausts our speaking list unless there's an additional member who would like to participate.

Shall I call the question?

**Hon. Members:** Question.

[Government Motion 11 carried]

## Government Bills and Orders

### Second Reading

(continued)

#### Bill 2

### Protection Against Family Violence Amendment Act, 2011

[Adjourned debate March 1: Dr. Brown]

**Mr. Dallas:** Mr. Speaker, I'm pleased to rise today to speak to Bill 2, the Protection Against Family Violence Amendment Act, 2011. Family violence has devastating consequences for many people in our province. Preventing and addressing family violence remains an important priority for our government so that all Albertans feel safe in their communities and homes.

The Protection Against Family Violence Act provides for the safety of individuals and families affected by family violence through protection orders to protect those who have experienced family violence and to prevent further violence. The most significant amendments to the act are to add provisions for prosecuting breaches of these orders. Currently breaches are prosecuted through civil contempt or the Criminal Code, where the penalties available vary considerably. The proposed changes will clearly spell out in the act that breaching a protection order is an offence with specific consequences, helping to ensure consistent enforcement across the province.

If this bill is made law, Alberta's penalties for violations of protection orders will be among the strongest in Canada, which will send a strong message to perpetrators that breaches will not be tolerated. These changes reflect advice and feedback the province has received from key stakeholders, including police and the courts.

Mr. Speaker, if passed, the proposed amendments will improve our response to this issue, increase protection for individuals and families affected by family violence, and hold those who breach protection orders accountable. I ask that all members of the Assembly show strong support for Bill 2 to help ensure that Albertans are better protected from the threat of family violence.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Decore.

**Mr. MacDonald:** Yes. Thank you very much. It's a pleasure to get this opportunity to speak on Bill 2 as presented to the Assembly by the hon. Member for Calgary-Nose Hill. Certainly, our research on this side of the House indicates that this amendment act has the goal of establishing clear penalties for people who breach the emergency protection orders, with the intent that this will send a clear, strong message that family violence is, once again, totally unacceptable.

This legislation will make it clear what penalties there should be when an emergency protection order is breached by the respondent; in other words, an abusive family member. Prior to this the breach of the emergency protection order was dealt with under civil contempt proceedings or under section 127 of the Criminal Code, which states that it is an offence to breach an order of the court.

These two avenues, Mr. Speaker, do not specifically address family violence, and there was a wide variance in what penalties were used for breaches of emergency protection orders. Certainly,

it is our view that Bill 2 clarifies the evidence which a Court of Queen's Bench justice must consider when reviewing the emergency protection order that was granted by the Provincial Court.

I think this bill as presented is certainly a step in the right direction. The majority of this bill is, one would consider, housekeeping in nature from a legislative drafting process, but there are six areas – I think there are six, Mr. Speaker – or sections dealing with changes to the Protection Against Family Violence Act, and these are all meant to make it in line with other legislation, again, to clarify issues that have arisen since the act was put into force. The main changes are removing the term “designated justice of the peace” and making it simply “justice of the peace” and clarifying what type of contact can be restrained in the emergency protection order and what evidence a justice at the Court of Queen's Bench must take into consideration.

5:30

Now, one amendment of note to this act is the inclusion of offences and penalties for the person who breaks the terms of the emergency protection order. This change, it is our view, will make it clear that family violence is a societal problem and that there need to be clear, defined penalties for those who break the emergency protection orders. I think everyone in this Assembly, Mr. Speaker, should consider supporting this bill as this will provide more certainty to the court in what they can consider as evidence and what type of contact is not allowed under an EPO, or emergency protection order, and it will also provide more clarity on what the penalties are for breaking that emergency protection order.

Certainly, I think the members on this side of the House will be supporting this piece of legislation, which deals with the unfortunate circumstances around family violence. I would like to get on the record and thank the hon. Member for Calgary-Nose Hill for his work on this, and I will listen with interest to what other members of the Assembly have to say regarding this bill. I think it is something that we on this side of the House can support.

Thank you.

**The Speaker:** Hon. members, the hon. Member for Edmonton-Gold Bar was the third spokesperson. That means that 29(2)(a) kicks in. Any questions?

Then the hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you, Mr. Speaker. I'm honoured to have the opportunity to speak to Bill 2, the Protection Against Family Violence Amendment Act, 2011. This bill takes great strides to improve protection available for individuals and families affected by family violence. Also, it goes beyond the awareness campaigns which are held every year in November.

The main element of this particular bill is in the introduction of offence provisions and the strong penalties for those who violate protection orders. Mr. Speaker, under the current Protection Against Family Violence Act protection orders can be issued to help protect abused persons and to prevent further violence, but if an abuser violates a protection order, current enforcement options vary, and they are applied inconsistently. The amendments within Bill 2 will add the offences and penalties right into this act, strengthening the legislation to show that breaches of protection orders are serious, with specific consequences.

Mr. Speaker, I understand that the proposed penalties reflect what government learned from reviewing domestic violence legislation from across Canada and from consulting with police and the courts right here in our province. The penalties proposed in the amendments include a \$5,000 fine and possible jail time of up to 90 days for the first offence, mandatory jail time of 14 days to 18 months for

a second offence, and of 30 days to approximately 24 months for third and subsequent offences. These penalties will be among the strongest in the country. Imposing mandatory jail time for subsequent offences sends a strong message that breaches of protection orders will not be tolerated and will have severe consequences.

The Protection Against Family Violence Act was first proclaimed in 1999. It was then amended in 2006 to include the following: to add stalking to the definition of family violence, provide a better definition of what constitutes family violence, broaden who is protected under the act, protect vulnerable people, including seniors, and remove barriers that prevented children from getting counselling and treatment. These changes increased the effectiveness of the act and helped to make communities across the province safer and demonstrated that the government is truly committed to ensuring that our legislation continues to evolve to meet the needs of families affected by violence.

Mr. Speaker, a recent report from Statistics Canada said that incidents of criminal harassment or stalking have been gradually rising in Canada over the past 10 years. By adding stalking to our legislation in 2006, we helped to make sure that those who are stalked or harassed can get the protection they need to feel safe in their homes and communities. Through the amendments proposed in Bill 2 we will take another step forward, Mr. Speaker, to help make sure that those who do violate protection orders understand the severity of their actions and that penalties applied reflect the significance of this activity.

Mr. Speaker, the Protection Against Family Violence Amendment Act contains changes that will indeed improve protection for families and strengthen our legislation. I ask that all members of the Assembly strongly support Bill 2.

Thank you.

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

I have no additional speakers on this. The hon. Member for Lethbridge-East to participate in the debate?

**Ms Pastoor:** Yes.

**The Speaker:** Please proceed.

**Ms Pastoor:** Thank you, Mr. Speaker. One of the things that I'd like to mention right off the bat, before I go into some other comments – I'd like to repeat a comment that was made by Jan Reimer of the Alberta Council of Women's Shelters. This is a woman who, since she has stepped down as the mayor of Edmonton, has devoted all of her energies to looking after and bringing forward the necessity, which is unfortunate, for women's shelters. She said that people who aid victims of domestic violence have long been unhappy about the lack of consequences for abusers who breach emergency protection orders. She also states that she hopes the bill will encourage police to lay criminal charges when people do breach protection orders. One of the other things that I was pleased to see is that it isn't just physical contact that would fall under that. It is also any kind of contact.

Anyone who has worked in this particular area will understand how easy it is for the perpetrator of the abuse to be able to still have a tremendous hold over that person, and of course it's even worse when there are children because they're caught between the mother and the father. Even when parents are really bad parents, the kids still only have those two people as parents, so they're torn, and they're upset. Then they've got the father that will come and make all sorts of promises. It's a vicious, vicious circle that goes around. Very, very unfortunate. I'm sorry that we don't have even more women's shelters because the need out there is so

great. I believe that Alberta has the third-highest rate of family violence in Canada, which is certainly nothing to be proud of.

The Protection Against Family Violence Act has been in force since 1999, but in 2006 it was amended so that additional protections were granted to victims of family violence such as improved protection against stalking and protection of relatives regardless of whether they're living with the victim, and it clarified when an emergency protection order can be granted.

Most of the amendments that are coming forward with the Protection Against Family Violence Amendment Act are of a housekeeping nature except for the new provisions to include a specific offences and penalties section for breaches of an emergency protection order. They're not easy to get, the emergency protection orders. There is a process that sometimes takes time. I'm glad that we can now have not a designated – what's the word? – justice of the peace but, rather, just one that can be used.

Often people will show up after midnight at women's shelters. It doesn't happen in the afternoon, when it's really easy to get hold of people within the justice system. The women that come need time. It's not just a 24-hour process. They need time. Some even need as much as three weeks just to be able to figure out what's going on. They're frightened. They're scared, their kids are upset, and it takes a long time and well-trained people to work with them to be able to get them on their feet so that they can say: "No. I won't put up with this again. There are other things that I can do to make it good for my children and myself. We don't have to go back to this." Although many still do, which is very, very unfortunate.

5:40

The emergency protection order is a tool that can be used to immediately address the safety of victims of family violence. It can provide that the abuser has no contact or communication with the victim and that the victim can stay at the residence while the abuser is not able to and other conditions that can provide for the immediate safety of the victim and the family members. When the women and their children go back to the house, unless these women can feel absolutely safe, they're always looking over their shoulder, they're always nervous, they don't sleep, and they're very mixed up.

Again, that circle of abuse can continue even if it isn't being done by the perpetrator of the abuse. It happens in the women's minds because they don't have that security. If they know that some have actually been prosecuted for breaking this emergency protection order, hopefully it will give them a little bit of security so that they can then try to go forward and not always have to be looking over their shoulders.

An emergency protection order can be obtained at no cost. Children and Youth Services caseworkers and the police can apply for it within 24 hours, seven days a week. Victims can also apply at the Provincial Court during court hours. If the EPO is obtained, it's always scheduled to be reviewed within nine working days, and this allows for the emergency protection order to be extended or to be changed to a Queen's Bench protection order. The Queen's Bench protection order can only be applied for by the victim and not by the caseworkers or police. I'm glad that it takes that long because most times the women involved are often very, very hesitant about bringing forth charges because they're still frightened.

The Edmonton Police Service has stated that they investigated 6,700 cases of spousal abuse in 2010, and in 2008 they investigated 4,000 cases. Clearly, this trend is going up. I'm not sure why, but I know that there are people doing research to answer that question. Often in boom times it happens, but it also happens

in the bust times, when people are under such pressure. I'm hoping that the research would come forward and we could get some kind of an answer so that we could prevent some of this ahead of time or, in fact, allow some women to know what the signs are before they'd even marry people. Often the signs are there, but because love is blind and often very blind, they marry people that are just not suitable for them.

With that, Mr. Speaker, I'll take my seat. I think this is a very, very important bill. Hopefully, those numbers that I just spoke about in terms of spousal abuse will be able to be decreased all through this province, not just in Edmonton.

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

To the hon. Member for Lethbridge-East, there was a quotation from a document. Would you kindly table the document tomorrow in the House so all members can have it?

**Ms Pastoor:** Yes.

[Motion carried; Bill 2 read a second time]

### Bill 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011

[Adjourned debate March 10: Ms Notley]

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Well, thank you, Mr. Speaker. I'm pleased to rise today to indicate my support for Bill 3 and the role that it will play in advancing the geological and geophysical professions in this province. The present act, the Engineering, Geological and Geophysical Professions Act, regulates three related professional groups: professional engineers, professional geologists, and professional geophysicists. With changing technology and the growth of the oil and gas industry in Alberta these latter two professions are sharing more and more common ground – pardon the pun – these days, so bringing them together under a single, broader nomenclature makes abundant sense.

Alberta is also unique in Canada in that 90 per cent of the geophysicists in Canada practise in Alberta. None of the other provinces have separate designations for geologists and geophysicists. Aligning designations nationally will facilitate professional administration under the agreement on internal trade as well as within the professional associations.

On concerns expressed by the hon. Member for Edmonton-Strathcona about TILMA, I think it is fair to say that most professional associations had some initial concerns about TILMA and the potential for having a difficult time exercising their professional responsibilities across provincial borders. As I understand it, these concerns have all been worked out, and I believe all of the Alberta professional associations are quite comfortable with the arrangements under TILMA.

If passed, this amendment act will combine the existing professional geologist and professional geophysicist classifications in Alberta into a single new class to be known as professional geoscientists. These professional designations are granted by the Association of Professional Engineers, Geologists and Geophysicists of Alberta, or APEGGA, which approved these proposed changes in 2009. As my colleague the hon. Member for Leduc-Beaumont-Devon has indicated, these proposed changes are important to Albertans since we will all continue to benefit from the acceptance of professional responsibility for work done in these areas by qualified geoscientists.



Having a licensed, accountable professional in the position of approving work is the key to providing public safety in any field, whether it's engineering, land surveying, medicine, law, or, in this case, geoscience. That is the basis of professionalism, and it is the reason why the province grants regulatory organizations such as APEGGA the right to regulate those who work in the profession. As a government it is our responsibility to ensure that the safety and protection of the public is maintained. We continue to do that through the regulations of the professionals we entrust to protect the safety and well-being of the people of Alberta.

Mr. Speaker, it is important to note that the professional associations bear a huge governmental responsibility, relieving government of the cost and burden of maintaining competent professionals to deliver these highly technical and specialized services to Albertans. In exchange, however, for granting professional associations an exclusive field of practice and protection of title, those associations have a responsibility to ensure that their memberships are, firstly, qualified academically as well as experientially to engage in the practice of the profession but, more importantly, to ensure that those members, once admitted to practice, maintain their competency and keep up to date with changing technology and knowledge. This challenge, I would submit, requires not just vigilance on the part of the professional association but, more importantly, in the ethical pursuit of the specialty by the practitioner.

Just to capsulize the responsibility of the self-governing profession, Mr. Speaker, I'd like to offer this quote from Everett Hughes. "In place of the cautionary admonition of the market place – caveat emptor (let the buyer beware!) professional practice should substitute the encouraging injunction – credat emptor, (let the buyer trust!)"

Mr. Speaker, by passing this bill, we are also living up to commitments that have been made by the province regarding the interprovincial mobility of labour. Professional geoscientists are needed here. Our economy relies on their expertise and the innovative techniques that they use to explore, locate, and develop valuable natural resources. This proposed act builds on the expertise by creating an up-to-date and comprehensive scope of practice for Alberta's geoscience profession. It also allows the interprovincial mobility of geoscientists from other provinces to fill Alberta's demand for skilled professionals in this field.

Thank you, Mr. Speaker.

5:50

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available.  
The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. Certainly, Bill 3, in light of what has happened across the globe in Japan, is to say the least an interesting draft of legislation for us when you consider that the definition of geoscience includes all the sciences – geology, geophysics, geochemistry – that study the structure, evolution, and dynamics of Planet Earth and its natural mineral and energy resources. Geoscience investigates the processes that shaped the Earth through its 4,600 million year history and uses the rock record to unravel that history. It is concerned with the real world beyond the lab and has direct relevance to the needs of our society.

Now, modern geoscience is founded on plate tectonics theory, which states that the outer part of the Earth, the lithosphere, is composed of a series of interlocking plates in relative motion. All geological processes such as mountain building and earthquake and volcanic activity are directly or indirectly related to the motions of the plates.

Geoscience. Across Canada there appears to be widespread acceptance of the umbrella terminology "geoscience," and other hon. members in debate so far have certainly covered that with Bill 3 and the changes to rename the act the Engineering and Geoscience Professions Act and rename the association which administers these professions to the Association of Professional Engineers and Geoscientists of Alberta. It would be APEGA, with one G, as I understand it.

Certainly, with what's going on in Japan, I'm certain that the members of this organization or body would probably be going there to study not only the effects of the earthquake but also the tsunami that followed quickly afterwards. I'm confident in saying that some of our engineers will probably be watching closely three of the four nuclear reactors that are located very close to tidewater and how they have been affected by these unfortunate events. In our part of the world we may forget sometimes the importance of sound engineering and how important it is that we follow not only sound engineering practices but that we ensure that our engineering professions are protected. By that, I mean the integrity of the academic programs. There are many people who want to shift a lot of our engineering offshore, and I'm not convinced the standards are the same in some of those locations as they are here.

With that, Mr. Speaker, I would just like to caution all hon. members of this Assembly that through our education system we train some very, very able people under the professions that we have earlier discussed with Bill 3, and I think that that should and hopefully will continue.

Now, this certainly is a lengthy bill. Bill 3, I think, if I am correct, is just changing the various geological fields, as we said, and grouping them under the single name, the one name "geoscience." Hopefully, this will work out for everyone concerned, and I would like it to formally be on the record that I appreciate the efforts of the Member for Leduc-Beaumont-Devon on this.

Thank you.

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

I have no additional speakers. Shall I call on the hon. Member for Leduc-Beaumont-Devon to close the debate?

**Mr. Rogers:** Thank you, Mr. Speaker. I have been listening intently to the comments made by my colleagues. As I alluded to in my previous comments, this is just a straightforward process of harmonizing our professional geoscience legislation with that of other jurisdictions and, in so doing, fostering labour mobility across our country.

Mr. Speaker, I look forward to further discussion in Committee of the Whole. Thank you.

[Motion carried; Bill 3 read a second time]

#### **Bill 4 Securities Amendment Act, 2011**

[Adjourned debate March 1: Dr. Brown]

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I've just got to find my notes here. Bill 4, the Securities Amendment Act, 2011, also proposed by the hon. Member for Calgary-Nose Hill, is certainly an interesting bill. I have a lot of questions about this bill, and I appreciate the opportunity to speak at this time.

These amendments harmonize the passport system that originated six years ago in a memorandum of understanding between the federal and provincial governments. I don't think Ontario was

included in that. The amendments here also support Canada's conversion to the international financial reporting standards. We are looking at creating a framework for regulating credit-rating organizations with this legislation. Bill 4 will also allow the Alberta Securities Commission to impose sanctions for late filing of disclosure. That is more similar to the British Columbia model. I believe there are also further amendments to ensure that Alberta's registration regime is harmonized with the other provinces.

Now, there certainly has been some interest in this bill. I had an individual phone me yesterday regarding this legislation. I had to inform this individual that I was sorry, that I had not had an opportunity to look at this bill in as much detail as I would have liked. I know this legislation has been discussed around the drafting table by the government. Probably the lawyers and Alberta Justice were diligent since last fall in preparing this legislative proposal for the House. But I had to inform this individual that I had not had a chance to have a look at it yet, that that's not the usual practice of this government. He was astonished to learn that, and he thought that was unfair, Mr. Speaker. He thought that all members of the House would be updated as this bill worked its way through the drafting process. He also was of the opinion that:

oh, well; it'll go to a committee, and the committee can have a look at it. I told him, with all due respect, that that, too, was wishful thinking.

This legislation certainly will allow for the harmonization or the mutual recognition of securities regulators in Canada throughout the passport system. Now, amendments have been made to securities legislation each and every year, that I'm aware of, since 2004. This happens across the country to bring the language of the legislation into a common baseline. There's a lot of back and forth, as they say, between the provinces . . .

**The Speaker:** Hon. member, excuse me. You will be recognized again when this matter returns, but the Assembly now stands adjourned until tomorrow afternoon at 1:30.

I would advise all members that the policy field committee will reconvene in 30 minutes from now in this Assembly, at 6:30 p.m., for consideration of the main estimates of Tourism, Parks and Recreation, and that meeting will be video streamed.

So we will meet again tomorrow afternoon at 1:30.

[The Assembly adjourned at 6 p.m. to Wednesday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday, March 16, 2011

Issue 14

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
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Anderson, Rob, Airdrie-Chestermere (WA), WA Opposition House Leader	Liepert, Hon. Ron, Calgary-West (PC)
Benito, Carl, Edmonton-Mill Woods (PC)	Lindsay, Fred, Stony Plain (PC)
Berger, Evan, Livingstone-Macleod (PC)	Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC), Deputy Government House Leader
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)	Lund, Ty, Rocky Mountain House (PC)
Bhullar, Manmeet Singh, Calgary-Montrose (PC)	MacDonald, Hugh, Edmonton-Gold Bar (AL)
Blackett, Hon. Lindsay, Calgary-North West (PC)	Marz, Richard, Olds-Didsbury-Three Hills (PC)
Blakeman, Laurie, Edmonton-Centre (AL), Official Opposition House Leader	Mason, Brian, Edmonton-Highlands-Norwood (ND), Leader of the ND Opposition
Boutillier, Guy C., Fort McMurray-Wood Buffalo (WA)	McFarland, Barry, Little Bow (PC)
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McQueen, Diana, Drayton Valley-Calmar (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	Morton, F.L., Foothills-Rocky View (PC)
Campbell, Robin, West Yellowhead (PC), Government Whip	Notley, Rachel, Edmonton-Strathcona (ND), ND Opposition House Leader
Chase, Harry B., Calgary-Varsity (AL), Official Opposition Whip	Oberle, Hon. Frank, Peace River (PC)
Dallas, Cal, Red Deer-South (PC)	Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC), Deputy Government House Leader
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)	Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)
DeLong, Alana, Calgary-Bow (PC)	Pastoor, Bridget Brennan, Lethbridge-East (AL), Official Opposition Deputy Whip, Official Opposition Deputy Leader
Denis, Hon. Jonathan, QC, Calgary-Egmont (PC), Deputy Government House Leader	Prins, Ray, Lacombe-Ponoka (PC)
Doerksen, Arno, Strathmore-Brooks (PC), Deputy Government Whip	Quest, Dave, Strathcona (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)	Redford, Alison M., QC, Calgary-Elbow (PC)
Elniski, Doug, Edmonton-Calder (PC)	Renner, Hon. Rob, Medicine Hat (PC), Deputy Government House Leader
Evans, Hon. Iris, Sherwood Park (PC)	Rodney, Dave, Calgary-Lougheed (PC)
Fawcett, Kyle, Calgary-North Hill (PC)	Rogers, George, Leduc-Beaumont-Devon (PC)
Forsyth, Heather, Calgary-Fish Creek (WA), WA Opposition Whip	Sandhu, Peter, Edmonton-Manning (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC)	Sarich, Janice, Edmonton-Decore (PC)
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)	Sherman, Dr. Raj, Edmonton-Meadowlark (Ind)
Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-St. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

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Law Clerk/Director of Interparliamentary Relations	Robert H. Reynolds, QC	Committee Research Co-ordinator	Philip Massolin
Senior Parliamentary Counsel/ Director of House Services	Shannon Dean	Sergeant-at-Arms	Brian G. Hodgson
Manager – House Proceedings	Micheline S. Gravel	Assistant Sergeant-at-Arms	Chris Caughell
		Assistant Sergeant-at-Arms	Gordon H. Munk
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

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Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 16, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. We give further thanks for the gifts of culture and heritage which we share. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a man who has inspired millions of people with his courage and his vision. Twenty-five years ago his Man in Motion World Tour did what many people thought was impossible. He rolled his wheelchair around the entire globe to raise awareness of spinal cord injuries. He showed Canada and the entire world what can be done when someone has heart, determination, and courage to make it happen.

Over the past 25 years his foundation has helped raise money to fund important spinal cord research that is changing the lives of so many people. Now, 25 years later, he is planning another Man in Motion marathon across Canada. He is honorary chair of the Alberta Premier's advisory council for persons with disabilities and is here today to raise awareness of his upcoming relay. He is seated in your gallery. He's accompanied by Mr. Mark Aston and Nadine Jarry. I would ask Rick Hansen to give us a wave and receive the traditional warm welcome of this Assembly. [Standing ovation]

### Introduction of Guests

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

**Mr. Doerksen:** Thank you, Mr. Speaker. I have two introductions to make this afternoon. First of all, it's my pleasure to introduce to you and through you to all members of the Assembly members of the Brooks composite high school jazz band. They were in Edmonton this morning to compete in a jazz band competition and have taken the opportunity to come and observe question period with us here today. They are accompanied by their teacher, Mr. Brian Stone, and parent helper Mrs. Karen Peters. I'd ask them all to rise and enjoy the warm welcome of this Assembly. They're in the visitors' gallery.

My second introduction, Mr. Speaker, is to introduce southern Alberta irrigation districts representatives. They were in Edmonton this morning to provide the Premier with an educational video series called *The Story of Water Management on the Bow River*. They are the chairman of the Bow River irrigation district, Mr. Harold Unruh; the vice-chairman of the Bow River irrigation district, Mr. Ron Schlaht; the BRID manager, Mr. Richard Phillips; the chairman of the Western irrigation district, Mr. Dan Shute; a director of the Western irrigation district, Mr. Doug Brown; as well as the executive manager of the Western irrigation district,

Mr. Jim Webber. They are accompanied up there in the members' gallery as well by Mr. Mike Scarth, who is the executive director of the Alberta WaterPortal, and Mr. Jim Dau. They're all standing, and I'd invite you all to give them a warm welcome to the Assembly this afternoon.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a privilege for me to honour a great Albertan who's actually joined my office for the short term of a week, filling in for another staff member. Sherry Wynnnyk works in the correspondence management unit at Housing and Urban Affairs, and tomorrow is actually her second anniversary with the government of Alberta. She's a strong advocate for animal rights, which makes for a lot of interesting conversation. I try not to hold it against her that she's a fan of both the Edmonton Oilers and the Edmonton Eskimos. Please join me in welcoming Sherry to this Assembly.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great pleasure to introduce to you and to all members two new friends from Calgary, Christopher Tahn and Vivian Jones. In 2005 Mr. Tahn volunteered in relief efforts in New Orleans, Louisiana, following the Katrina and Rita hurricanes. That experience inspired him to pursue his dream of providing equipment and services designed to mitigate loss of life and property from natural and man-made disasters through his company, EnviroDam Canada, a made-in-Alberta emergency service solution provider. Ms Jones served first as a nurse and as an addictions counsellor at Alberta Health Services adult addiction services in Calgary. She personally assessed and counselled over 100,000 Albertans in her 30-plus years, focusing primarily on skill development, group therapy, and addictions behaviour. She has selflessly dedicated her life to the health and well-being of others, and we're grateful for her service. I'd ask all members to give them the usual welcome.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly Eric Musekamp and Darlene Dunlop of the Farmworkers Union. As a paid farm worker Eric deserves the same protection from occupational health and safety and WCB legislation as all other workers in Alberta. I'm glad that they're here today to help us celebrate farm safety week. I would ask all members to extend the traditional warm welcome.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members individuals representing the Alberta Federation of Labour: Joanne O'Hare, a member of the Canadian Union of Public Employees 3550; Xavier Cattarinich from the Calgary Workers' Resource Centre; Alex Shevalier, Calgary & District Labour Council representative. Our caucus had the pleasure today of meeting with these members to discuss women's equivalency and women's rights in the workplace. I can tell you that they are truly remarkable Albertans, and I strongly believe that as a result of their efforts we are moving towards our goal of greater labour equality for women. I would like all members of this House to extend the traditional welcome to the three individuals standing.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Legislature members of the Nigeria Association of Alberta. The Nigeria Association is a not-for-profit group established in 1985 by Nigerian-Canadian professionals with the aim of providing a conducive environment for their generation and future generations of Nigerians who want to make Edmonton home. The association helps nourish a united community to promote Nigerian cultural heritage. I would like to welcome the members of the Nigeria Association of Alberta, who are seated in the public gallery, to the Legislature. I would ask that they rise as I read their names to receive the traditional warm welcome of the Assembly: Dr. Mike Afara, Ikechukwu Okoro, Dr. Bede Eke, Dr. Patrick Iroegbu, William Nwaribe, Cajetan Ngede, and Dr. Eugene Nnamani. I apologize for the pronunciations.

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

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Legislature two representatives of the International Brotherhood of Electrical Workers. We met today as part of the Alberta Federation of Labour's lobby day and, like the previous member, had a good discussion on issues around women's rights and equality. These particular members work in the building trades. I find it interesting that as we are talking about the need to increase the number of temporary foreign workers and foreign workers in the province and at the same time have a huge wage gap between men and women in this province, we haven't done more to increase the number of women in the trades. These women serve as a fabulous example. I would now ask Amber Gaddy and Robyn Schaapman, who are seated in the members' gallery, I believe, to rise and receive the traditional warm welcome of this Assembly.

**1:40**

**The Speaker:** The hon. Minister of Sustainable Resource Development.

**Mr. Knight:** Well, thank you very much, Mr. Speaker. It is a pleasure and a surprise for me today to be able to introduce to you and through you to all Members of the Legislative Assembly a very good friend and colleague of mine that I notice is in the members' gallery. Mr. Tom Burton has been a very long-time public supporter from the point of view of municipal representation, worked in the fire department in the community of DeBolt, worked tirelessly in the recreation area with respect to that whole community around DeBolt. I'd ask Tom to please rise and receive the warm welcome of this Assembly.

### Members' Statements

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

#### Water Management on the Bow River

**Mr. Doerksen:** Thank you, Mr. Speaker. This morning a number of colleagues and I had the opportunity to participate in the premiere of a new educational video series, *The Story of Water Management on the Bow River*. This premiere is timely as this is Canada Water Week, when all of us are reminded of the importance and significance of water to the things we do every day.

Water is a primary resource in southern Alberta as it is the lifeblood of much of the economic and people activity in the region.

Mr. Speaker, it was an eye for opportunity that initiated the construction of irrigation infrastructure on the Bow River more than a hundred years ago and has resulted in the dynamic and balanced development of this region in the interests of agriculture, industry, and people, and it is opportunity that will continue that growth into the future. Innovative, efficient, responsible, and increased use of the precious resource, water, will make that growth possible.

Mr. Speaker, I would like to commend the Eastern irrigation district, the Bow River irrigation district, and the Western irrigation district for their foresight in producing this educational series of videos and the Alberta WaterPortal for agreeing to host it on their website. It highlights for all Albertans a better understanding of the important linkages between rural and urban Alberta created by wise stewardship of water and the many benefits that have occurred because of conservation efforts on the Bow River.

I would encourage all hon. members to visit [www.albertawater.com](http://www.albertawater.com) to view the videos and learn more detail about the story of water management in the Bow basin and trust you will encourage your schools and community groups to do the same. This high-quality video series very effectively links the proud history with the dynamic of today and a bright and optimistic future for residents of southern Alberta. I would like to table a copy of the video series if I could, Mr. Speaker.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

#### Gender Equality

**Dr. Sherman:** Thank you, Mr. Speaker. Today the Alberta Federation of Labour is making the government aware that Albertan women are falling behind in gender equality. This unfairness is felt at all levels of society as on average women earn 72 cents for every dollar that a man earns, and Alberta women with university degrees earn only 67 per cent of the wages earned by men with similar degrees. At the same time Alberta families headed by females alone are the most vulnerable, with the highest lone-parent poverty rate in Canada. Alberta is the only federal, provincial, or territorial jurisdiction in Canada that does not have any institutional voice for women on women's issues and gender analysis of policy. The Alberta government is lagging behind other provinces in acting to address gender inequality.

Mr. Speaker, our province needs to improve family leave benefits and child care spaces so that women and our mothers may have the freedom to choose to raise their families without negatively impacting their careers or the well-being of their children, our future. Women's voices must be heard if this unfair treatment is to end. We have a very distinguished history of women pioneers in this province from the Famous Five to the Hon. Lois Hole and many elected women in this Legislature today, some of them ministers.

Alberta used to be at the forefront of the fight for equality. It is time for Alberta to take that leadership role back in this nation. The Alberta Federation of Labour hopes that this government and all Albertans join together and take action now to end gender inequality.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Calder.

### Nanotechnology Guinness World Record Achievement

**Mr. Elniski:** Thank you, Mr. Speaker. I'd like to take this moment to tell the members of this Assembly about a recent technological achievement in Alberta. More to the point, this achievement has earned a spot in the Guinness book of world records. Specifically, Dr. Robert Wolkow and his research team members, Dr. Mohamed Rezeq and Dr. Jason Pitters, at Canada's National Institute for Nanotechnology in Alberta have created the world's sharpest object. They achieved this milestone using patented fabrication technology.

Of course, we all know the importance of a fine edge on a tool. Well, Alberta really does have the finest edge possible on the smallest tool one could ever imagine. The world's sharpest object is a valuable tool in the specific scientific discipline of nanotechnology, where it allows for more accurate electron microscopes.

Many Albertans may be surprised to learn that nanotechnology research has been going on at our universities for decades. Alberta researchers were in on the ground floor of this new and emerging science, and to help us stay ahead of the pack, our government continues to support nanotechnology research and commercialization.

Mr. Speaker, the creation of the world's sharpest object is only one of the exciting projects going on in Alberta's nanotechnology community. Hitachi, the world's leading manufacturer of electron microscopes, is working with the National Institute for Nanotechnology and the University of Alberta to commercialize improved instruments using these sharper scanning probes. Acticoat bandages using nanosilver particles are manufactured in Alberta, and they are used world-wide. GE is working with Alberta researchers to use nanotechnology in applications that reduce the environmental impact of industry on our air and water. And right now students in Alberta universities and technical colleges are learning about nanotechnology and preparing for exciting careers in the field.

Mr. Speaker, I would like to extend my thanks to Dr. Wolkow and his team. Finally, I would encourage all Albertans to learn more about Alberta's burgeoning nanotechnology community at [nanoalberta.ca](http://nanoalberta.ca).

Thank you.

**The Speaker:** The hon. Member for Calgary-Mackay.

### Immigrant Nominee Program

**Ms Woo-Paw:** Thank you, Mr. Speaker. Earlier this week our government was proud to announce the changes to the Alberta immigrant nominee program. This change will not only make applying easier for temporary foreign workers with Alberta trade certification; it will also strengthen our province's workforce.

Each year the federal government caps the number of new AINP nominees to Alberta at 5,000. This relatively low number means that Alberta needs to make the most of our newcomers who want to live and work in this province. That is why foreign workers who are classified under one of the 31 designated optional trades in Alberta are now able to apply directly through the strategic recruitment stream without an employer's application. Previously optional trades applicants had to apply under the employer-driven stream.

This is a significant and positive change for temporary foreign workers in the optional trades. In the past these foreign workers would have to rely on their employer to apply with them for their permanent status, but the new change puts the future of the workers in their own hands. If the worker falls under one of the 31 designated optional trades, they can apply directly to the program

once they obtain certification from Alberta apprenticeship and industry training in their trade.

Mr. Speaker, this is good news for TFWs and a big win for Albertans, too. Labour groups have also been applauding the decision. I just spent an afternoon and lunch hour with some of the people from the immigrant service sector, and they're very pleased with the change. We are facing a labour shortage in the next few years, and making sure we have more certified tradespeople as part of the annual 5,000 Alberta nominees will help us stay competitive in the global market as we enter the next boom.

Details on the application process are readily available. Our Immigrate to Alberta information service can be reached at [www.albertacanada.com](http://www.albertacanada.com).

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. These Tories are not interested in truth or transparency. The list of damning allegations against their culture of fear and intimidation in the health care system grows daily. Today Dr. Abilio Nunes, a staff anaesthesiologist at the Grey Nuns, had this to say: I believe there needs to be a public inquiry, I have evidence that a culture of fear and intimidation does exist in the capital region, I personally have faced more than five years of intimidation for speaking out. End quote. When will the Premier finally concede that the only way to fully address this government's culture of fear and intimidation is a public, judge-led, independent inquiry, as called for?

1:50

**Mr. Stelmach:** Mr. Speaker, if you want to see a demonstration of an organization's culture, you look to its leadership. There has been leadership through the three associations – Alberta Health Services, the College of Physicians and Surgeons, and the Alberta Medical Association – who issued a joint statement in terms of how to support patient advocacy by doctors and other health care workers. Subsequent to that, there were bylaws that were agreed to by 90 per cent of the physicians. Over a thousand physicians replied to a poll in terms of the medical staff bylaws. It's all in the staff bylaws. There is ample opportunity for any doctor to come forward.

**Dr. Swann:** Mr. Speaker, we've gone way beyond a reassuring letter from Alberta Health Services.

Will the Premier ensure that Dr. Nunes receives complete immunity from any disciplinary action for his comments condemning this government's culture of intimidation, or will he allow what was done to me to be done to Dr. Nunes?

**Mr. Stelmach:** Mr. Speaker, further to what I just said, there is also a letter that was distributed, signed by Dr. Chris Eagle and Dr. David Megran and Dr. Francois Belanger, that very clearly identified what the processes are for physicians and other front-line health care providers to provide evidence and advocate on behalf of patients. I will table those documents at the end of question period.

**Dr. Swann:** Mr. Speaker, the Premier doesn't get it. He needs to take a reality check and realize that doctors don't trust Alberta Health Services to deal with these issues. They're not independ-

ent. Sorry, Mr. Premier. Calling the cops is an absolute farce, and the only way to restore confidence is through a public inquiry. When will you do the right thing, sir?

**Mr. Stelmach:** Mr. Speaker, when you see someone stealing a car in the back alley, you don't call for a public inquiry; you call for the police. If there's anything that's happening out there that is wrong, that's where it goes to. A public inquiry?

**The Speaker:** The hon. leader.

### Health Quality Council Review

**Dr. Swann:** Thank you, Mr. Speaker. The Health Quality Council review on wait times for emergency rooms and cancer patients is a necessary first step, but it cannot clear the air on the issue of intimidating doctors and financial misconduct. Only a full, public, judge-led inquiry can subpoena witnesses and provide immunity. Everybody knows this. The evidence of intimidation continues to grow, and Dr. Paul Parks said this today: the public have the right to fully demand we get to the bottom of this. Anything less is unacceptable. End quote. Will the Premier finally agree with the many medical experts and call a judge-led public inquiry and put this issue to rest?

**Mr. Stelmach:** Mr. Speaker, as I've said before, the Health Quality Council will have the opportunity to look at any accusations that come forward, any allegations, this allegation about two sets of books. We have an honourable group. Alberta's Auditor General has no evidence of any two sets of books. But if somebody has some hidden books somewhere in Alberta, man, we've been at this now – for what? – since November. You would think we'd be able to find them and bring evidence to the Auditor General or to the police.

**Dr. Swann:** How hard have you looked, Mr. Premier?

The Premier likes to call the Health Quality Council . . . [interjections]

**The Speaker:** The hon. leader has the floor.

**Dr. Swann:** The Premier likes to call the Health Quality Council independent. I'm sorry; we all know that isn't the case. Who does it report to but the minister of health? How can you be called independent if you report to the minister?

**Mr. Stelmach:** Mr. Speaker, again yesterday this hon. member asked us, the government, to then make public a disclosure statement that was entered into by the Alberta Medical Association and the physician in question. We're not even a party to that agreement, and he wants to give this government power to open up a personal disclosure document that we weren't a party to. That is absolutely ridiculous.

**The Speaker:** The hon. leader. [interjections] Actually, here's how it works. When the Speaker designates someone and that person rises, the television cameras go directly to him, his microphone is live, and nobody hears anything else.

Proceed, please.

**Dr. Swann:** Thank you, Mr. Speaker. The Premier has just given all the more reason to have a public inquiry. Will the Premier stop playing word games with the public and agree to a public inquiry that can define its own terms of reference and that can report directly to the Legislature. That's what we're asking, Mr. Premier. Will you do that, sir?

**Mr. Stelmach:** Mr. Speaker, as I said countless times, all of these matters will go to the Health Quality Council. This is a group of doctors and professionals in the field of medicine. They have tremendous respect in this province, have brought forward recommendations in many other areas that we've asked them to as the people of Alberta, and they'll continue to do that. This is the best opportunity to once and for all deal with some of the wait time issues and cancer surgery wait times and, most importantly, get to the bottom of these allegations that have been raised in the House.

**The Speaker:** A number of quotations were made during the exchange of these two first questions. I'd ask that the documentation be tabled this afternoon at the appropriate time.

Third Official Opposition main question. The hon. Member for Calgary-Buffalo.

### Settlement Agreements with Physicians

**Mr. Hehr:** Dr. Ciaran McNamee was let go from his employment as a surgeon and accordingly filed a lawsuit against this government. Dr. McNamee believed that he was let go because he was advocating for his patients and that this was making the government uncomfortable. As a result of calls for a public inquiry, the need for it backed up by Dr. McNamee, members of this government have given their interpretation of what a statement of claim is, what a statement of defence is, and so on. It's been a virtual law school class in here, Mr. Speaker. Continuing on that theme, I'd ask the Justice minister to tell this honourable House what a settlement is.

### Speaker's Ruling Legal Opinions

**The Speaker:** Look, you boys are both learned members of the Law Society of Alberta, and you lawyers like to do this sort of stuff. One of the things that is not part of question period is legal interpretation. If the hon. member who is a trained lawyer is asking another hon. member who is a trained lawyer for an interpretation, perhaps the two of you might just get together, have coffee, go for a walk in the park this afternoon, and we'll move forward.

**Ms Blakeman:** Point of order.

**The Speaker:** I will invite the hon. Minister of Justice and Attorney General to respond if he wishes.

### Settlement Agreements with Physicians (continued)

**Mr. Olson:** Mr. Speaker, perhaps I could give just a general comment. In my experience people who make settlements are usually both unhappy. The person who received any kind of compensation feels they should have received far more because they were right. The person who had to give any compensation is very unhappy because they should have never had to pay anything because they were right.

**The Speaker:** That really clarifies government policy. You want to proceed with your second question?

**Mr. Hehr:** It's helping me a lot, Mr. Speaker. My question is again for the Justice minister. As a result of Dr. McNamee filing a statement of claim, a settlement was reached with him whereby

money was given to him to settle the lawsuit. Is that what happened?

**Mr. Olson:** I don't know.

**Mr. Hehr:** My final question is for the Justice minister. It's our understanding that a settlement was reached with monetary value. Is it standard practice of this government to settle claims where there's no validity to them at all?

**Mr. Olson:** As far as I know, the government of Alberta was not party to any such settlement.

### Agreement in Principle with Physicians

**Mr. Anderson:** Yesterday, when asked if the government's relationship with Alberta doctors had broken down, the minister of health said that

we now have an agreement in principle between the government, Alberta Health Services, and the [Alberta Medical Association that] is a very positive sign that we are moving forward and that there is a relationship that is beginning to work.

Mr. Minister, do you stand by that statement? Is the relationship between your government and our doctors a positive one?

**Mr. Zwozdesky:** Mr. Speaker, I'm not sure if he quoted exactly everything that was there. I don't have *Hansard* just in front of me, but I believe what I said is that we have a working relationship and we're working toward improving it, or words to that effect. The fact is that we do have a relationship with the AMA. They have a relationship with us, but they're in the midst of negotiations right now. Neither I nor the president of the AMA, to the best of my knowledge, is at the negotiating table. There are issues there that are very serious. As we know with negotiations, they take them seriously.

**Mr. Anderson:** A good relationship, Mr. Speaker.

Minister, why, then, in a letter released 48 hours ago does the president of the AMA say that during the negotiations for this new agreement that you're talking about, "for the first time ever – Government threatened the loss of programs and services to try and [threaten] physicians," and that doing so diminished the ongoing relationship with the medical profession . . .

**The Speaker:** The hon. minister.

**Mr. Anderson:** Minister, please explain the misinformation you gave . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, I want to call a point of order on that because I gave no wrong information yesterday whatsoever. What I'm going to be interested in is to see which parts he quoted and which parts he left out. That will be of interest, hon. member.

What I did say was that we do have an agreement in principle and that the rep forum recommended that or sent it out or whatever they did with it. They got it out to their members, and they're waiting for ratification for it. My position on this is that I support those programs. I support those benefits for doctors . . .

2:00

**Mr. Anderson:** Yeah. Right. You're on top of those things.

**The Speaker:** Okay. Let's get on with the question. There are no preambles. [interjections]

**Mr. Anderson:** I know. It is embarrassing. It is embarrassing for the government. I agree.

Will you now call for a full independent public inquiry, with full judicial powers to get to the bottom of what has become a complete breakdown in the relationship of trust between Alberta's health care professionals and this government? A total breakdown of trust, Minister, between the doctors and this government.

**Mr. Zwozdesky:** Mr. Speaker, there's no breakdown of trust. What there is is an agreement in principle.

I'll tell you that what I find shameful is for this member to stand here and pretend to be a defender of health care when their chief strategist is out of the country trying to somehow take doctors from here to support a private hospital elsewhere. Explain that one to the public of Alberta.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood. You're recognized. You're on TV. The mike is on.

### Patient Advocacy by Physicians (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. You'll find it a little harder to use that dodge on this party, Mr. Minister.

The minister keeps referring to agreements with the Alberta Medical Association and Alberta Health Services as an example of the wonderful working relationship that this government has with doctors. But to quote from the same letter from Dr. White, the president of the AMA:

[The] Government threatened the loss of programs and services to try and intimidate physicians. And it repudiated the philosophy of collaboration and of shared responsibility and leadership that epitomize the current . . . master agreement.

So, Mr. Minister, how can you continue to pretend that you have a proper relationship with the . . .

**The Speaker:** The hon. minister. The hon. minister has the floor.

**Mr. Zwozdesky:** Mr. Speaker, what I'm surprised at is that that member doesn't understand how union-type negotiations can sometimes go. They can go a number of different routes. I'm not going to inflame the situation any further. I'm sure the AMA has its reasons for putting things out the way that they did. Unfortunately, we're not in a position where we can negotiate through the media.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the doctors are saying that you're intimidating them, the head of the Alberta Medical Association, and that the United Nurses of Alberta have added their voices to the call for a full and independent public inquiry and given that the president says that intimidation is not new to nurses and that pressure to keep silent about less than desirable patient care conditions is common, how can you say that you have the confidence of anyone in the health care system?

**Mr. Zwozdesky:** Mr. Speaker, what I can tell you is that Albertans by and large do have huge confidence. But I'll tell you where confidence breaks down. It breaks down when unsubstantiated allegations like this start to create fear, fear for patients who are out there with their loved ones waiting for some surgery. They're on a wait-list here, perhaps just like they might be in some other province. [interjections] If they would just shut up for a little

while and listen, that would be wonderful. [interjections] Well, Mr. Speaker, there are just so many interruptions.

**The Speaker:** Okay. Please sit down. I want to make it clear again. The way this thing works is that if I give you permission to talk, the light goes on. The mike is on. Nobody hears anything else. You speak to me. I like to listen. I'm actually a pretty good listener.

Continue, please, Minister.

**Mr. Zwozdesky:** Well, thank you, Mr. Speaker. As I was saying, the point here is that we have an independent review, which this hon. member who asked the question asked for just a week or two ago.

**The Speaker:** Unfortunately, we've now run out of the time allocated.

The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the current Alberta Health Services code of conduct explicitly prohibits health professionals, including nurses and others, from speaking out publicly against what the government is doing if it affects their patients' health and that it says specifically that they can be terminated for doing so, why won't the health minister admit that his government is responsible for creating a culture of fear and intimidation in the health care system that has affected patient care?

**Mr. Zwozdesky:** Simply because we're not. I don't discount that there might be a few people who feel differently; however, it's very clear here in the recently released Alberta Health Services medical staff bylaws, which this member should have a copy of, on page 38, where it says that "individual members of the Medical Staff have the right and the responsibility to advocate on behalf of their Patients." And I applaud them for doing so.

#### **Speaker's Ruling Tabling Cited Documents**

**The Speaker:** Okay. Before we move to the hon. Member for Calgary-Currie, to the Leader of the Official Opposition, the Premier, the Member for Airdrie-Chestermere, the Member for Edmonton-Highlands-Norwood, and maybe the Minister of Health and Wellness: everybody quoted from documents. You've got about 35 to 40 minutes to have it all ready for tabling at the appropriate time.

The hon. Member for Calgary-Currie.

#### **Health Quality Council Review (continued)**

**Mr. Taylor:** Thank you very much, Mr. Speaker. The Quality Council of Alberta, created by the government 20 years ago, a completely independent, self-supporting entity with a mission to promote the use of quality methods in both the private and public sectors, says that it is extremely concerned with the decision to charter the Health Quality Council to investigate recent allegations concerning the health care system. The QCA has reviewed the HQCA's research on two previous occasions and described the 2010 satisfaction survey and the 2009 ER patient experience report as junk science. I will table those documents. To the Premier: will he now do the right thing and call the full public inquiry that my colleagues in the opposition have been . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, as I have said countless times in the House and I continue to say, this matter is all going to the Health Quality Council. They will do a good job of evaluating all of the evidence and all of the allegations that are going to come forward once the terms of reference are set and the membership of that council is made public.

**Mr. Taylor:** Well, Mr. Speaker, given the QCA's charge that the Health Quality Council pretended "that a 38% response rate on a discretionary sample qualifies as a random sample. It doesn't" and that the 2010 report is "guilty of flagrant overreaching," can the Premier perhaps explain to a skeptical public why they should trust the results of a Health Quality Council review?

**Mr. Stelmach:** Mr. Speaker, the Health Quality Council has the respect of Albertans. They've done very good work in the past, and they'll continue to do that. This matter is going forward to the Health Quality Council, and the sooner we can get it to the council, we'll resolve a lot of these issues and just settle down many of the allegations, all of which have been totally unsupported by any evidence.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. When the QCA says that it does not believe that these past efforts of the Health Quality Council have demonstrated the level of quality that would warrant entrusting it with this new and important investigation, will the Premier enlighten us as to how he expects this review of theirs to clear the air?

**Mr. Stelmach:** Mr. Speaker, in the direction that I gave the minister of health, I wanted him to ask the Health Quality Council to look at waiting times in emergency, look at waiting times in cancer treatment, and look at how best to ensure that those waiting times are reduced given the five-year funding commitment that's going forward, given the fact that we're training 2,000 more nurses by 2012, all of those huge increases in not only dollars going to health but also in staffing. On these other allegations that have been raised in the House, we're waiting for further proof.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Gold Bar.

#### **Water Quality Monitoring in the Oil Sands**

**Ms DeLong:** Thank you very much, Mr. Speaker. Last September Drs. Kelly and Schindler released a report that measured snow-pack depositions in the oil sands region and made conclusions that caught the attention of many individuals, organizations, and especially this government. All of my questions are to the Minister of Environment. How do the conclusions of Kelly and Schindler differ from the monitoring that has been performed by the government and other organizations?

**The Speaker:** The hon. minister.

**Mr. Renner:** Thank you, Mr. Speaker. Well, the most obvious difference is that the conclusions with respect to human versus naturally occurring contaminants were different. The report itemizes a number of reasons for that, one of which is that there were differences in sampling methods. There were differences in reference sites. One thing I would like to point out to the member, though, is that the report also points out that neither of the reports actually dealt with the actual concentrations or their effects on organisms.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. Since these conclusions were so sweeping and significant, the Premier asked for an independent committee to be formed to review the data of this report along with that of the government's. Did this independent committee affirm the potentially significant conclusions made by Kelly and Schindler's work?

2:10

**Mr. Renner:** Well, Mr. Speaker, the panel concluded that each of the studies presents some useful information; however, each also suffers from some limitations. It applies to both the government studies as well as the academic studies. For example, the panel found that Kelly and Schindler made assumptions that may be too simplistic and may not have enough data to determine the true impact of the effects of development in the region.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. Suggestions have been made in conventional and social media, fuelled by opposition criticism, that the multidecade monitoring that government has conducted is invalid. Is this truly what the independent committee suggested in their report?

**Mr. Renner:** Mr. Speaker, the purpose of the report was to examine why there were different conclusions, not to come to some kind of a conclusion over who was right and who was wrong. As a matter of fact, yesterday I met with the committee, and they affirmed that, in fact, the historical data that has been developed by Alberta Environment and RAMP and others is based on solid science, but they pointed out that there needs to be an opportunity for that research to adapt and to be a much more co-ordinated system to answer the questions that are being asked.

#### **Settlement Agreements with Physicians** (continued)

**Mr. MacDonald:** During question period yesterday the minister of health suspected that there were severance agreements and payouts to some doctors. This was in regard to my questions about some of the doctors who stood up about the flawed health care system as promoted by this government. Now, to the minister of health: where in your annual reports can taxpayers find these severance agreements and payouts? Is it in book 1 or book 2?

**Mr. Zwozdesky:** Mr. Speaker, I had no part in any severance agreements or settlements or whatever else he's driving at, but if he has something that qualifies for a motion for a return or something that qualifies as a written question and he wishes to submit that for that level of detail, we can try our best to find it or see if someone else can.

**Mr. MacDonald:** Mr. Speaker, taxpayers certainly deserve an answer from this government. Again to the minister of health. You, sir, are responsible. You're the one that signs off on everything. Why does this government continue to conceal the details around these severance agreements and payouts? What are you hiding from taxpayers?

**Mr. Zwozdesky:** Mr. Speaker, there are innuendos in that question which really don't even deserve an answer of any dignity whatsoever. The fact is that the Auditor General looks at all of these books. He indeed verifies them. The money is all accounted for. I would ask the hon. member to please clean up his questions

a little bit because you're heading into a very deep trough there, sir.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. I would ask the minister of health to please read carefully the financial statements about who audits what and when in your own annual report.

Again to the minister: who ordered these severance agreements and payouts to silence doctors who stood up and spoke out? Was it the Premier's office?

**Mr. Hancock:** Point of order.

**The Speaker:** The Government House Leader has a point of order.

**Mr. Zwozdesky:** Mr. Speaker, I don't know what he's driving at. Sometimes he's 10 years ago. Sometimes he's 15 years ago. A few days ago you told him that he was going back to 1934. You know, if you've got a specific question about a specific time, about a specific case, then ask the proper channel, the proper authority. Okay? Nobody is hiding anything from anyone here. But information with that level of detail is not something that you carry around in your hip pocket.

**The Speaker:** That's the third point of order.

The hon. Member for Calgary-North Hill, followed by the hon. Member for Calgary-Varsity.

#### **Photo Identification**

**Mr. Fawcett:** Thank you, Mr. Speaker. I've had a constituent express his concern over how the government issues photo identification. Before government-issued photo identification expires, either a driver's licence or an identification card, the individual must turn their identification in, at which time they're provided with a temporary ID without a photo while they wait for their new ID to be mailed to them. My question is to the Minister of Service Alberta. For Albertans who rely on photo identification for their livelihood or just the day-to-day activities of their lifestyle, this can cause a huge inconvenience or even impact their quality of life. How can the minister justify . . .

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Alberta has one of the most secure drivers' licences in North America, and we take identity theft and personal information very seriously. When an individual is getting a new driver's licence, they do surrender their old licence, and the temporary one is issued. It does not have a photo on it, and this is a further protection of their identity.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. My only and final supplemental is to the same minister. In a time of heightened security and more stringent measures undertaken to prevent identification theft and financial fraud, does the minister not think that it is, actually, a basic necessity for citizens of our province to always be in possession of government-issued photo identification?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to the licences it's about a three- to five-day turnaround when the new licence is mailed out. In a rare case when an Albertan requires

photo ID during an interim period, we can provide a certified image from the motor vehicle database to use in combination with their ID. As well, it's always useful to have a passport. We have received very few complaints from the public about this process.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Lesser Slave Lake.

### Minimum Wage

**Mr. Chase:** Thank you, Mr. Speaker. For the past two years Alberta's minimum wage of \$8.80 an hour, the second-lowest in the country, has been deliberately frozen by Canada's wealthiest provincial government. Over 60 per cent of minimum wage earners are women while the remainder consists to a significant degree of seniors on fixed incomes and students helping support their families or saving for postsecondary. To the minister of employment: despite the Committee on the Economy's unanimous recommendation last October to raise the wage a measly 25 cents, why have you failed to act?

**Mr. Lukaszuk:** Well, Mr. Speaker, first of all, to correct the member, the minimum wage is not paid by this wealthy provincial government. Wages are paid by employers and businesses and those who create jobs in Alberta. I don't believe there is any position within the government of Alberta that's anywhere near the minimum wage.

However, Mr. Speaker, there was an all-party committee that met and discussed what the minimum wage in Alberta should look like. They just very recently, a few days ago, reported it to my office. I'm reviewing the recommendations, and a decision will be made in due course.

**Mr. Chase:** Very recently. October, November, December, January, February, March: half a year, Mr. Speaker.

Given that according to a Stats Canada figure 78,000 Alberta children are living below the poverty line within primarily single-mother-supported families, how can the minister continue to fail vulnerable families?

**Mr. Lukaszuk:** Mr. Speaker, the report that was provided to me by the all-party committee gives some very good recommendations, and I want to thank all members of the committee. We will be making a decision on the minimum wage in due course. Let's not forget that minimum wage is earned by a very small portion of Albertans, and those who truly are vulnerable in our province have a whole array of social assistance types of benefits offered to them by this very ministry.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. How long is this minister willing to sit on his assumption that market recovery is just around the corner?

**The Speaker:** The hon. minister. Just before you do, I'm sure I'm going to get 25 more phone calls today telling me I should really, really discipline whoever speaks with such foul language in this Assembly.

The hon. minister. [interjections] The hon. minister. Fine.

**Mr. Lukaszuk:** Mr. Speaker . . .

**The Speaker:** Sorry. I called on you three times, so now we're going on to the hon. Member for Lesser Slave Lake, followed by the hon. Member for Calgary-Glenmore.

### Slave Lake Community Building Assessment

**Ms Calahasen:** Thank you, Mr. Speaker. The town of Slave Lake in partnership with this government built a beautiful, one-stop shopping, government centre, and library. People love it, and it provides a great service. However, the town of Slave Lake has grave concerns with the property assessment placed on this facility creating a huge financial problem. My questions are to the Minister of Municipal Affairs. Why did Municipal Affairs assessors reduce the assessment on this building to less than half the actual cost?

**Mr. Goudreau:** Mr. Speaker, Crown-owned properties are exempt from paying property taxes, but the province does pay a grant equivalent to those property taxes. When an application for a new property is received, a review is undertaken by professional auditors from our assessment audit unit. The assessments are based on market value. Current market information for the town of Slave Lake does not support the value put forward by the town.

**Ms Calahasen:** To the same minister: of all the facilities that we have a partnership in, why was this specific property selected to be reviewed?

**Mr. Goudreau:** Mr. Speaker, all new grants in place of tax applications are reviewed by the ministry to ensure the reported assessment is reasonable and equitable within the municipality that the property is actually in. The town was advised of the assessment prepared by my department, and they were asked to provide any market data that they may have to support a higher assessment. At this point none of that information has been received.

2:20

**Ms Calahasen:** Well, thank you. I'm sure they're listening to that.

Given that the town has no means to appeal and is requesting a review by an assessor, at least an independent body which will ensure fairness and transparency and be binding on both parties, will you agree to do that, Mr. Minister?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. There are a number of adjustments made each year, and the adjustments may be increased or decreased. All changes and comments are reviewed with the municipality before they're made. Although there's no formal appeal mechanism, I'm prepared to review and consider any information the town may wish to provide.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Lethbridge-East.

### Land Stewardship Legislation

**Mr. Hinman:** Thank you, Mr. Speaker. I've understood that the advocates of central planning always – always – have envisioned themselves as a central planner, but last night I learned this truism had a name, Kip's law. I spent last evening in Clyde, Alberta, along with 400 engaged citizens who learned of this and many other things about the case for repealing Bill 36, from Keith Wilson. Yesterday was a bad day for Bill 36. In the afternoon the government's own former Justice minister jumped on the bandwagon of repealing this central planner's dream, admitting that it was big mistake.

**The Speaker:** Okay. We've now reached the time to go. Some-



body's got to respond if they want to. A thirty-five second time limit, hon. member. You know that. Everybody else knows it.

Second question.

**Mr. Hinman:** Given that this government . . .

**The Speaker:** That's the second question.

**Mr. Hinman:** The leadership candidate from Calgary-Elbow, your Attorney General at the time, wants to repeal Bill 36 because of, as she puts it, its inadequate compensation provision, its failure to protect people's property investment, and its superseding of all other provincial regulations. How long will it be before you realize what everybody else in Alberta realizes? You need to repeal Bill 36. [interjections]

**The Speaker:** Okay, okay. [interjections] Settle down.

We're now going to the third question. Would you kindly identify who the question is to?

**Mr. Hinman:** To the Minister of SRD: given this government's horrendous culture of intimidation that permeates through caucus and into many of their departments and given that the candidate for Calgary-Elbow wouldn't be taking this position if there wasn't support for it in the PC caucus, how many more government MLAs will have to stand up against this horrendous culture of intimidation before you follow the Wildrose lead and just repeal Bill 36? Why don't you stop the bleeding?

**Mr. Knight:** I'm going to relay to you, Mr. Speaker, to the members of this House, and to all Albertans a little lesson about regional planning, which is exactly what we're doing here. There's a regional planning process in place in the province of Alberta. We've gone out and consulted with thousands of Albertans relative to plans in the region of lower Athabasca and now in South Saskatchewan. We continue to do that good work on behalf of Albertans.

**The Speaker:** The hon. Member for Lethbridge-East.

### Residential Building Code

**Ms Pastoor:** Thank you, Mr. Speaker. Yesterday the Minister of Municipal Affairs suggested that building inspectors in Fort McMurray were responsible for identifying major structural problems at the Penhorwood apartments and recommending that tenants be evacuated. The building inspection, in this circumstance, failed to catch the problems, resulting in the condo board having to hire its own structural engineer. Is the minister now willing to acknowledge that this is the fact?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Well, thank you, Mr. Speaker. We certainly recognize that this is a difficult time for residents who've been affected by the evacuation order. The regional municipality of Wood Buffalo administers the Safety Codes Act in its jurisdiction and, as such, has the authority to address this particular case.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Given that we now know there is no corrective legislation coming this session, can the minister tell Albertans in straightforward language if he believes that we have a problem with construction standards in this province?

**Mr. Goudreau:** Mr. Speaker, there's no doubt that there are some issues around the province. Is it an issue that is major? For those individuals that are affected, it certainly is. When we look at the thousands and thousands of buildings being built, I would say that the majority are built according to the codes. There's no doubt there are a few buildings that need additional attention. But in this case we continue to work with the regional municipality. The matter, I understand, is under litigation.

**The Speaker:** The hon. member, please.

**Ms Pastoor:** Thank you. I believe the minister was trying to answer my third question. Will the minister exercise the authority granted to him by the Safety Codes Act and help straighten out the mess facing tenants of the Penhorwood condos in Fort McMurray and other Albertans who have been victims of shoddy construction practices and poor inspection?

**Mr. Goudreau:** Mr. Speaker, our government continues to ensure that Alberta's Safety Codes Act is amongst the strongest in the province. To go back to Fort McMurray, it's very inappropriate to comment specifically on that case as it's under litigation.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-McCall.

### Affordable Housing

**Mr. Benito:** Thank you very much, Mr. Speaker. Access to affordable or subsidized housing is an important issue in my constituency of Edmonton-Mill Woods. My constituents are saying that they lack access to affordable housing units, especially the more than 14 per cent of single parents in my area. The minister is taking every opportunity to tell great stories about his ministry's progress on this issue, but my constituents say that they just don't see it. My first question is to you, Minister of Housing and Urban Affairs. What is being done specifically in Edmonton-Mill Woods for access to subsidized . . .

**The Speaker:** The hon. minister. You're away.

**Mr. Denis:** Thank you very much, Mr. Speaker. You're quite right. We are awake on the job here today.

The hon. member has made an important point about access to affordable housing throughout Alberta. It's important to have confidentiality but also access to the four corners of this province. We are building 11,000 affordable housing units by 2012. We can't build them on every block. In the event that we don't have affordable housing in a particular area, we do have a rent supplement program, which people qualify for on an annual basis, and people in his constituency also can qualify.

**The Speaker:** The hon. member.

**Mr. Benito:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Your ministry has set a goal of establishing 11,000 affordable housing units in the province to serve all of Alberta by 2012. How close are we to achieving this impossible dream?

**Mr. Denis:** Well, Mr. Speaker, it's anything but impossible, and it's anything but a dream. This year we're getting just over 10,000 affordable housing units built in this province. Next year we will have another open and competitive tendering process in which the private sector can partner with us. We've saved over \$1 billion

over the last four years through private-sector partnerships as opposed to government-subsidized housing.

**Mr. Benito:** My second supplemental is to the same minister. I need your policy confirmation, Mr. Minister. Is helping low-income families, seniors, and mentally challenged individuals your ministry's priority?

**Mr. Denis:** Well, Mr. Speaker, even though we have achieved a 36 per cent budgetary reduction since I took over, there is \$100 million still available in this year's budget for capital and for construction. I'm sure this member will agree with me that that deserves an award of excellence.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Nose Hill.

### Highway 63

**Mr. Kang:** Thank you, Mr. Speaker. After another tragic fatality on highway 63 we have to ask ourselves why this road has not been twinned yet. This government has been at it since 2007 and over eight years later will still have not completed this essential project. To the Minister of Transportation: what will it take, sir, to devote the appropriate amount of resources to this project and finally finish?

**Mr. Ouellette:** Well, Mr. Speaker, I think the hon. member was first talking about a tragic accident that happened there a couple of days ago. I have to say that that is very, very tragic news, and our prayers and thoughts are with the victim's family.

Mr. Speaker, we're moving as fast as we can right now on twinning that highway with what our budget allows. We're spending \$190 million this year on that highway, and we're going to move ahead as fast as we can.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I don't think we are moving fast enough on that highway. Given the latest tragedy why has the minister chosen the most delayed method of completing this project? How many more deaths have to happen before we speed things up?

**Mr. Ouellette:** Well, Mr. Speaker, as I've said before, on any highway in Alberta one death is too many. I do have to say that we're going to move along as fast as we can. We're spending that \$190 million there. I don't know what the hon. member thinks. Money doesn't grow on trees, and we can only move as fast as our budgets allow.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think money has been growing on trees here in this province, and this government has been mismanaging our money.

To the minister again: will the minister commit to completing the twinning of highway 63 before 2015?

**Mr. Ouellette:** Mr. Speaker, I'm going to commit that we're going to move along as fast as we possibly can on that highway, and that's as far as I can go.

### 2:30 Glenbow Ranch Provincial Park

**Dr. Brown:** Mr. Speaker, all of my questions are for the Minister

of Tourism, Parks and Recreation. In August 2006 it was announced that a beautiful area on the Bow River west of Calgary would be purchased and developed as a provincial park, and it was anticipated that public access would be allowed into the area within a year or so. The people of southern Alberta are still waiting patiently to use this park. Minister, spring is just around the corner. When are Albertans going to be able to access this new park?

**Mrs. Ady:** Well, Mr. Speaker, I'm not at all surprised that the hon. member is excited about this park, the Glenbow Ranch provincial park. I've been hearing about it for the last two years. The number one question I get asked is: when will this beautiful park open? I'm happy to say that we are planning on opening it this summer, hon. member. We just need to make sure that it's safe, that it's accessible but that we also are protecting the important environment there and that we don't love this park to death. We've been working really hard over the last two years, but sometimes . . .

**Dr. Brown:** Will the minister assure Albertans that unlike the natural disaster of Fish Creek provincial park, there's going to be a proactive plan to preserve the grasslands in the new Glenbow provincial park?

**Mrs. Ady:** Well, Mr. Speaker, for the 3 million visitors a year who go down into Fish Creek, I don't think they think it's a natural disaster. I think they think it's a beautiful park. Since 1975 that park, actually, had been farmed, so it just had a few areas where fescue was left. This park, on the other hand, has some 3,000 acres of this very beautiful fescue grass. We've been working with the Foothills Fescue Research Institute and the park foundation to ensure that it's preserved. You'll see cattle grazing in this park.

**Dr. Brown:** Given the expanding environmental footprint on southern Alberta's natural areas, can the minister advise the House what plans she has for expansion of areas in our grasslands region?

**Mrs. Ady:** Well, Mr. Speaker. I think of the OH Ranch, which is a working ranch that we brought into the parks system since I've been parks minister.

As far as future opportunities, Mr. Speaker, that's part of the land-use framework. We are looking at new recreation opportunities and park opportunities, so we'll have to follow along with that process before we know where those new opportunities would be. But I would go back to the OH Ranch as a really great example also of a beautiful preservation of grasslands.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for St. Albert.

### Water Allocation

**Ms Blakeman:** Thanks very much, Mr. Speaker. In 2006 Alberta Environment stated that no new water licences would be awarded in the south. But transfers of water for money? Those are just fine. Our watersheds cannot afford these delays in action while a mad scramble is going on to continue development and to buy water allocation for current and future use before the rules of the land-use plans get finalized if they ever do get finalized. To the Minister of Environment: does the minister not recognize that transfers will ultimately lead to higher levels of use?

**Mr. Renner:** Well, Mr. Speaker, what this member fails to ac-

knowledge is that there is only a limited supply of water, and there are ever-increasing demands for water. The good news is that at the same time technology is changing so that historic users of water can become more effective and more efficient with the use of that water. That's how we continue to have development in the area. That's why the Water Act, not in 2006 but long before that . . .

**The Speaker:** The hon. member, please.

**Ms Blakeman:** Thanks very much. Well, given that the allocation of water through existing licences is critical in Alberta, especially in the South Saskatchewan River basin, and will get worse as development pressure continues and folks race to get in ahead of the land-use plans, what specific action is the minister going to take over the next six months to address issues of overallocation in this river basin?

**Mr. Renner:** Mr. Speaker, the member is suggesting somehow that there is widespread abuse of the licences. The fact is that in case of a drought situation, where there is pressure that's on the system itself, we do have provisions to deal with it, and we have dealt with it in the past. So in direct answer to her question, over the next six months . . .

**The Speaker:** The hon. member has the floor now.

**Ms Blakeman:** Well, thanks, Mr. Speaker. Maybe you could share your listening ability with the minister.

I'll try for the third question here. This government and this minister dismissed, trivialized, and denigrated multiple calls for better monitoring in this province until outside pressure forced their hand. Will it again delay action on protecting our water as well?

**Mr. Renner:** Mr. Speaker, there is no one who is more committed to protecting our water than this minister, and I think that my track record is evidence of that.

That being said, Mr. Speaker, we have a very good system for water allocation in this province. However, we have freely acknowledged that we have to make some changes to that system on a go-forward basis, and we will do so.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Lacombe-Ponoka.

### School Year Modification

**Mr. Allred:** Thank you, Mr. Speaker. In Alberta the school year contains two semesters, running from September to January and February to June. It seems inconsistent for examinations to be held in January, just a few weeks after a lengthy Christmas break. To the Minister of Education: is there any discussion with regard to changing the school year to align the mid-term examinations with the Christmas break?

**Mr. Hancock:** Yes, Mr. Speaker, there's been quite a lot of conversation over the last three years under our Inspiring Education program talking about any time, anyplace, any pace learning. With that comes the question of how you do assessment in accordance with that. There has also been specific discussion, brought up by a number of people, around the question of the appropriate alignment of the school year, of semesters, and specifically about the issue around whether semesters could end before Christmas.

In actual fact, the school year and the school day are in the purview of school boards, and they can do that. I can tell you that

there are pilot projects happening across the province now where school boards have made . . .

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My second question is to the same minister. Given that June and July are probably our best summer months, if we ever get summer, would it not make more sense to have the school year start in August and go to the end of May rather than the present system?

**Mr. Hancock:** Well, Mr. Speaker, as I said, I'm not sure there is actually consensus about when the best months of summer are in Alberta, but the fact of the matter is that we have students going to school virtually every month of the year now. Modern students, many of them in high school particularly, are quite keen. You'll find, particularly in the urban areas – but I think it's also true in rural areas as well – summer programs where students are going to school. We really do need to look at the whole question of alignment because what's most important in the school system is making sure that the students are engaged . . .

**The Speaker:** The hon. member, please.

**Mr. Allred:** Thank you, Mr. Speaker. I think my final question has been partly answered. It was with regard to school authorities having the discretion to set their own school year, but are there some that actually modify the school year other than having holidays in July and August?

**Mr. Hancock:** Well, Mr. Speaker, as I said, the school boards do have the purview to set their own school years. We do have summer school happening a lot. What we have in this province, of course, the one issue that is difficult with that, is the alignment with the exam schedules, which is where the hon. member started. We have exams available in August, in November, in January, in April, and in June, but if we're going to go to an any time, anyplace, any pace learning process, we will have to try and develop flexibility in exam schedules. The problem, of course, is how you do that with security, how you do that with technology, how you do that in a way that is financially successful.

**The Speaker:** Hon. members, that concludes Oral Question Period for today. Eighteen members were given an opportunity to raise questions. There were 104 responses and questions in all.

### Speaker's Ruling Decorum

**The Speaker:** I have received an inordinate number of notes here from members in the Assembly today, from all quarters of the Assembly, I might add. "Mr. Speaker, would you shut them up?" "It was my turn to raise a question, and there's nothing but a bunch of thunderous applause" or something else. "I can't hear myself think." I got it from all quarters. I want to make that very, very clear. This is not a singular thing. I do know that the lights lit up in my office as well today, and they're not kind compliments that come when phone calls come from the public.

2:40

This is the second time, in fact, this week that we've had an inordinate number of calls from people about language and attitude and heckling and other stuff. Some members think it's cute. Okay. Some places it happens. We've had a history of great decorum in the province of Alberta. I've been very proud of it in the past.

We'll continue with the Routine in 15 seconds.

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(continued)

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

**Mr. Jacobs:** Thank you, Mr. Speaker. I'm really pleased today to rise to introduce 32 hard-working young students from St. Mary's school of Taber. These students have travelled about six or so hours on the bus to get here today. I'm really happy they could come here although I want to tell them that the decorum isn't always like this in the Leg. They are accompanied by some adults and teachers. They're accompanied by their principal, Mr. Ken Sampson; Mr. Patrick Pyne, a teacher; Mrs. Debra Brandics, an EA; Mrs. Jamie Rolfe; Mrs. Johan Muller; Mrs. Carla Gouw; and Mrs. Shawna Phillips. I would ask them all to rise and please receive the warm welcome of this Assembly.

### Members' Statements

(continued)

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

### State of the Economy

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's my pleasure to rise today to speak on an issue which all Albertans and indeed all members of the Assembly can take pride in, and that is the growing strength of our economy. The recession which began in 2008 affected many Albertans, many of my constituents. Some were affected in one of the most profound ways possible, the loss of a job. At the height of the recession there were 80,000 fewer Albertans working. Today we have recovered to the point where 2.06 million Albertans are at work. We're not quite back to where we want to be, but we are definitely on our way.

Mr. Speaker, a year ago the unemployment rate in our province was 6.8 per cent. Today it stands at 5.7 per cent, tied for the second-lowest rate of unemployment in the country and far below the national average of 7.8 per cent. Our province and its employers created 13,700 jobs in the last month alone. This accounts for 90 per cent of the jobs created in this country. This shows the strength of the economy, the confidence that Albertans have in their province, and the confidence of foreign investors in the future of Alberta. As our Premier has said on a number of occasions, Alberta will lead Canada out of the recession, and these numbers are certainly proving that.

The indicators on a number of economic fronts are promising, and this is good news not only for Alberta businesses and Alberta employees but indeed all Canadians as the economic benefits of a strong and vibrant Alberta economy are felt across the nation.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Agreement in Principle with Physicians

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I'm certain all members of this Assembly want the best health care system possi-

ble in helping fellow Albertans and our constituents. Presently there is a dark cloud, we can all agree, looming over the very system we have here in Alberta. Yesterday in this House I was encouraged when the minister of health and Member for Edmonton-Mill Creek proclaimed – and I quote from the *Hansard* – that the agreement in principle between the AMA, Alberta Medical Association, the government, and the health superboard “is a very positive sign that we are moving forward and that there is a relationship that is beginning to work.” Again, these are the words from the Member for Edmonton-Mill Creek in the *Hansard*.

Well, Mr. Speaker, I have a letter now from the president of the Alberta Medical Association dated March 14, just two days ago, that says the direct opposite, and I will table the letter at the appropriate time. The president of the AMA writes: “With Negotiations 2011 – for the first time ever – Government threatened the loss of programs and services to try and intimidate physicians.” And I repeat: intimidate. He also says, “In doing so, Government diminished the value traditionally attached to a constructive . . . relationship with the medical profession.”

Mr. Speaker, that does not sound like a relationship that is beginning to work. In fact, quite the direct opposite. I'm disappointed. The question is: who should Albertans believe, the minister of health or Alberta doctors? I know who I'll believe, and I think I know who Albertans will believe.

### Tabling Returns and Reports

**The Speaker:** First of all, we have a little homework to do, please. Hon. Member for Airdrie-Chestermere, yesterday you were to return today with some documents with respect to a TV interview. Do you have them, sir, for tabling?

**Mr. Anderson:** No, I do not, Mr. Speaker.

**The Speaker:** Will you have them by tomorrow?

**Mr. Anderson:** You need me to get a sworn affidavit that that's what was said?

**The Speaker:** Well, that's what I asked you to do.

**Mr. Anderson:** Yeah. Okay.

**The Speaker:** You'll have them by tomorrow, please.

**Mr. Anderson:** I will.

**The Speaker:** Thank you.

Okay. For today, then, is anybody tabling the documentation on behalf of the Leader of the Opposition?

**Ms Blakeman:** I've called again for it, Mr. Speaker, and I'm assuming it's on its way.

**The Speaker:** Is anyone tabling the documentation on behalf of the Premier? The hon. minister.

**Mr. Hancock:** Yes. Mr. Speaker, I'm happy to table on behalf of the Premier a copy of a document on the letterhead of Alberta Health Services entitled Information. It's a letter to physicians, and it's signed by Dr. Chris Eagle, acting CEO and president; Dr. David Megran, executive vice-president, or EVP, and acting executive lead for quality and service improvement; and Dr. Francois Belanger, acting EVP and chief medical officer. The

context of the document is that doctors do have a duty and an obligation to speak up if they have concerns.

**The Speaker:** Okay. That follows through from today's question period.

The hon. Minister of Health and Wellness following through from today's question period, please.

**Mr. Zwodzesky:** Thank you, Mr. Speaker. It's my pleasure to table with you and for all members here page 38, which I quoted from, from the Alberta Health Services medical staff bylaws, specifically section 4(2)(3), patient advocacy, which states clearly in a single sentence: "Individual members of the Medical Staff have the right and the responsibility to advocate on behalf of their Patients." There it is, and I hope the opposition members will review it.

**The Speaker:** The hon. Member for Airdrie-Chestermere following through from today's question period, please.

**Mr. Anderson:** Yes. Mr. Speaker, first, I'll table the letter dated March 14, 2011, from the president of the AMA, detailing what was said in question period today; namely, that "for the first time ever," the doctor said, "Government threatened the loss of programs and services to try and intimidate physicians."

Then an additional tabling, five copies of the minister's statement in question period yesterday. He said earlier that I had misquoted him. In fact, I took it directly from the *Hansard*, when he said that the relationship is beginning to work. I quoted directly from the *Hansard*, so he can take a look if he would like.

**The Speaker:** Okay. So, Airdrie-Chestermere, we're clear other than the one that you have to return tomorrow with?

**Mr. Anderson:** Yeah.

**The Speaker:** Hon. Member for Edmonton-Strathcona, do you have a tabling on behalf of your colleague, which was referred to in the question period today?

**Ms Notley:** Well, Mr. Speaker, my colleague quoted from the document that was just tabled by the Member for Airdrie-Chestermere.

**The Speaker:** But we will never know that for sure unless the document is tabled.

**Ms Notley:** Pardon me?

**The Speaker:** We will never know that for sure unless the document is tabled. Your hon. member quoted from it. We assume it's the same document.

**Ms Notley:** So you're suggesting that . . .

**The Speaker:** Well, no. We'll accept your word that that is the same document.

**Ms Notley:** Thank you.

**The Speaker:** The hon. Member for Calgary-Currie as a follow-up from today.

**Mr. Taylor:** Yes. Thank you, Mr. Speaker. I have two documents to table here. The first is five copies of an e-mail from Robert Gerst, the chair of the Quality Council of Alberta.

Next is five copies of an accompanying document from the Quality Council of Alberta entitled Junk Science from the Health Quality Council of Alberta.

Thank you.

2:50

**The Speaker:** Okay. As of today we're only following through with one further documentation, and that comes from the Leader of the Official Opposition.

Now, for today's tablings the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I will also mention that one of the documents that the Official Opposition leader quoted from has indeed already been tabled. I understood that we were encouraged to not double the tablings.

**The Speaker:** Oh, no. Absolutely not. But if it's been tabled, somebody should mention that. I would not know that.

**Ms Blakeman:** Thank you. Again, one of the documents from yesterday was a newspaper article, which I again understood it was not encouraged for members to be tabling newspaper documents.

**The Speaker:** Nor quoting from them. But if they quote from them, they should table them.

**Ms Blakeman:** Thank you for the correction. That's very useful.

I have three tablings of my own. The first is from constituent Marymae Olds, a handwritten note with very nice script. It makes very clear to me that as a senior citizen of Alberta she wants a public investigation by a judge to deal with the Alberta health crisis of cancer patients. Very nice handwriting and very clear on what she wants to see.

The next two tablings – one from constituent Naomi Fridhandler and the second an e-mail from Amelia Ethier – are both from students. Ms Fridhandler is a fourth-year medical student at the U of A, transitioning into obstetrics and gynecology. Ms Ethier is a second-year medical student. Both are concerned about possible loss of funding for the Alberta Medical Association's physician and family support program.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Speaker. It's my privilege to table an appropriate number of copies of a letter from a constituent of mine named J. Rowan Scott, which is a very articulate advocacy for support for the physician and family support program. This is one of quite a number of contacts I've had on this issue.

Thank you.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I'm tabling the required five copies of a statement that I had made yesterday when I was quoting Jan Reimer, in which she had said that she has long been unhappy about the lack of consequences for abusers who breach emergency protection orders and, also, that she was hoping it would encourage the police to lay criminal charges when people do breach protection orders.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have two tablings today. The first is a letter that I received from the

office of the Minister of Finance and Enterprise. It is regarding capital cost allowances and how Imperial Oil calculates their costs for construction done in South Korea and how it affects the royalties schedule here.

The second tabling I have is a letter that I wrote on December 13, 2010, to the Minister of Employment and Immigration. I'm asking for more details on the external consulting costs. The ministry indicates there is \$5.5 million in consulting costs, but our research from the blue books indicates that, certainly, there is significantly more. In fact, there is \$6 million more than what has been reported.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling e-mails from the following individuals concerned about the fate of the Castle-Crown: Mary Ann McLean, Leanne Dalderis, Peter Lebitka, Katie Pearson, Andy Kitchen, Jacqueline Pollard, Ann McIvor, Rebecca and Martin Thouin, Michael Teetzel, Nicole Koshure, Rod Russell, David Boyd, James Ramsay, Ruth Anne MacEachern, Terri Robins, Xavier Smith, Blair Petrie, Jim Dutton, Tom Gray, Brian Cutts, Courtenay Kelliher, Marjorie Sandercock, Rosalinde Schulze, Frances Backhouse, and Sharon Lawrence.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Strathcona, I have on my list of those members wanting to table today the hon. Member for Edmonton-Highlands-Norwood. Do you have something for him?

**Ms Notley:** Yes, Mr. Speaker. I have three tablings. The first tabling is a copy of the revised Alberta Health Services code of conduct, which, while not quoted by the Member for Edmonton-Highlands-Norwood in his questions, was referenced. Within that document we see a section stating that employees are expected to not engage in public discussions or comments about confidential information relating to AHS business, that should they breach the code, they would be subject to discipline up to and including termination of their employment.

The second tabling is the appropriate number of copies of a letter received by the office of the Member for Edmonton-Highlands-Norwood from Jim Eigner of Edmonton, in which he expresses his opposition to any provincial money being used to support the construction of a new arena in Edmonton.

The third tabling is the appropriate number of copies of a document produced by the Alberta Federation of Labour entitled Women's Equality in Alberta a Long Way Off. It cites statistics that show that on average women make 72 cents for every dollar a man does and that university-educated women earn 67 per cent of what men with an equivalent education earn, and it notes that Alberta is the only jurisdiction in Canada that doesn't have a ministry dedicated to supporting the voices of women.

Thank you.

**The Speaker:** I'll thank you for that. The explanation was very, very important and significant but just a little long, perhaps.

The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I have four tablings. I wish to table the appropriate number of copies of the Alberta Liberal policy 2010 requiring MLAs to sit as independents after floor crossing until the next election.

Secondly, I wish to table the appropriate number of copies of two Wikipedia pages, the first containing the election results of an

independent Liberal candidate for Lethbridge District in the 1909 election. This was Archie McLean, by the way.

Thirdly, a biography of the same politician, Archie McLean, known as one of the Big Four who helped found the Calgary Stampede in 1912.

Finally, Mr. Speaker, I would like to table the appropriate number of copies of a signed letter from a widow, Ms Stephanie Grivicic, dated March 2, 2011, regarding the unfortunate and premature death of her husband, Mike, to cancer as a result of delays in care. She's applauding the article in the *Calgary Herald* for speaking up about public cancer cover-ups.

Thank you.

**The Speaker:** Others? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you, Mr. Speaker. I am tabling the requisite number of copies of a letter to the ministers of Municipal Affairs and Employment and Immigration pertaining to my constituents, pertaining to a disaster relief request for the residents of the Penhorwood Street complex. It was truly a disaster for seven condominium complexes, where over 300 residents had to leave because of safety concerns. They are now homeless, and I'm asking for help from the government from the appropriate ministers.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of Dr. Sherman, hon. Member for Edmonton-Meadowlark, an e-mail message dated March 12, 2011, from Abilio Nunes to J. Sinnema, regarding fear and intimidation in the Capital region, including the Caritas Health Group and Covenant Health; and a newsletter dated December 2006 entitled The President's Letter, prepared by Dr. Mark Joffe, president, Capital Region Medical Staff Association.

**The Speaker:** Hon. members, during the question period today three purported points of order arrived, the first from the hon. Member for Edmonton-Centre. There was an exchange going on, and I asked you to take your place. I assume you wanted to raise a point of order.

**Ms Blakeman:** Yes, I did. Thank you very much, Mr. Speaker.

**The Speaker:** Please proceed.

### Point of Order

#### Explanation of Speaker's Ruling

**Ms Blakeman:** Mr. Speaker, this is under the citation of 13(2), the Speaker explaining reasons for decisions. When I look at yesterday's *Hansard* on page 358, so from March 15, 2011, I notice that the three questions from the Member for Calgary-Hays, who is a member of the government caucus, were as follows. "Can the minister explain . . . how any allegations of criminal misconduct should be dealt with and who they should be reported to?" Could the Minister of Justice "explain to the House what a public inquiry can and cannot do?" Finally, a question about: "Can the minister explain to the House what is contained in a statement of claim and what its purpose is?"

3:00

Today we had the Member for Calgary-Buffalo, who is a member of the Official Opposition and a lawyer – I do not believe the Member for Calgary-Hays is a lawyer – ask the Minister of Justice what a settlement is. I'm looking for clarification from the Speak-

er as to what in the Member for Calgary-Buffer's statement caused the Speaker to rise and intervene in the proceedings. To my mind, the only difference I can see in the questions is that perhaps it was because the Member for Calgary-Buffer is a lawyer and for some reason shouldn't be asking a question or because he's a member of the opposition. I don't know. Aside from that, we have four questions that are all asking the Justice minister on exact process. So if the Speaker would be so kind.

**The Speaker:** Hon. member, well most surely and certainly it was not the latter of the two assumptions the hon. member had for herself.

I've made at least two interjections, perhaps three times, with respect to the question period. Yesterday's question period was one in which I think I could literally have ruled out every opposition member's question because it violated everything that we're supposed to be doing. Secondly, virtually every question contained preambles in the second and the third questions, a clear violation in terms of the paper that I have received with signatures from members in this Assembly telling me there would be no violations, none whatsoever.

Today when I interjected, I interjected basically and essentially with respect to *Beauchesne* 408 and *Beauchesne* 410, which basically say that legal opinions were not required. Most certainly – most certainly – if a member is a member of the bar, the chair would take that into consideration. If, in fact, the thing is, "I'd ask the Justice minister to tell the hon. House what a settlement is," I could perhaps understand, recognizing as well that I did give more leeway than I should have, and I will not in the future. I will not in the future deal with legal interpretations of questions, and if the point is raised here, it should not come from a government member who is not a lawyer. That definitely will be the rule henceforth.

I will start intervening on the preambles, so there will be no preambles in the second or the third. I will be very firm about the rules that we have with respect to this. In fact, I'm even going to do some reiterating. I've done this now twice. Or is it three times? I want members to read pages 403 in *Beauchesne* to at least 420. At least. In addition to that, the Canadian House of Commons book on procedure has multiple pages in there with respect to what the questions are and what the subject matters aren't.

By way of clarification I really appreciate the question being raised today because I think it's really important. I've said it now twice or three times. Inflammatory questions with language in them, questions that answer their own question, et cetera, et cetera, are all out of order – are all out of order – according to our rules. Hon. members, I'd be delighted, starting tomorrow, and I'll start intervening with the first one because that's where the first one is going to come. There will be no question period because all it will be – the Speaker's intervention period is what it is. I've said this before. Ask but hope you never receive is one of those truisms about history as well.

Let's go back to the rules. Let's all remember what they are. This is just a brief précis one more time, page 502 of the *House of Commons Procedure and Practice, Second Edition, 2009*.

In summary, when recognized in Question Period, a Member should:

- ask a question;
- be brief;
- seek information; and
- ask a question that is within the administrative responsibility of the government or of the individual Minister addressed.

Those pretty much sum up the four.

Furthermore, a question should not:

- be a statement . . .

Your opinion matters not.

- . . . representation,

What are you asking for?

- . . . argument, or an expression of opinion;

- be hypothetical;

We have no nuclear plants in Alberta, yet we have questions on nuclear policy. I'll tell you again. When I was Minister of Environment in 1986, I got up one Friday morning, and Chernobyl came across the world. That day I received over 500 phone calls in my office as Minister of Environment. Virtually every phone call said: shut down Alberta's nuclear plants. Not one asked if we had a nuclear plant in Alberta.

Should not:

- [ask] an opinion, either legal or otherwise;
  - seek information which is secretive in its nature, such as Cabinet proceedings or advice given to the Crown by law officers;
  - reflect on the character or conduct of Chair Occupants, members of the House and of the Senate or members of the judiciary;
  - reflect on the Governor General;
- i.e. the Lieutenant Governor in Alberta.

- refer to proceedings in the Senate.

Well, we don't have one here.

- refer to public statements by Ministers on matters not directly related to their departmental duties.

So if a former minister stands up and makes a comment, it says in here that it should not

- refer to public statements by Ministers on matters not directly related to their departmental duties.

If the hon. Member for Calgary-Elbow has an opinion on something, that really has nothing to do with the question period.

- address a Minister's former portfolio or any other presumed functions, such as party or regional political responsibilities;
- be on a matter that is sub judice;
- deal with the subject matter of a question of privilege previously raised, on which the Speaker reserved his decision.

Once again, a question should not

- create disorder.

That's got two words, that one: should not "create disorder."

- make a charge by way of a preamble to a question;
- be a question from a constituent;

How often do members stand up and say, "My constituents have asked me to raise this question"? Well, it violates the rules.

- seek information from a Minister of a purely personal nature;
- request a detailed response which could be dealt with more appropriately as a written question placed on the Order Paper; or
- concern internal party matters, or party or election expenses.

Finally, all questions and answers must be directed through the Chair.

Now, these are honoured, well established. Okay. I guess that's the fourth time we've gone through them in – what? – 10 days? Oh, today is day 14. I'll keep doing this. If you ask, you'll get.

**Ms Blakeman:** Mr. Speaker.

**The Speaker:** Yes?

**Ms Blakeman:** Thank you. I'm just trying to get the specifics of the question that I asked regarding the Member for Calgary-Buffer. So three questions asked the previous day.

**The Speaker:** No, no, no. Please don't go that way with me. Please don't.

**Ms Blakeman:** One question asked today. Why?

**The Speaker:** Please sit down. The hon. Member for Calgary-Buffalo was allowed to ask his questions today. He raised his questions. I gave the Minister of Justice and Attorney General a chance to respond. I also stated a little earlier that the Member for Calgary-Buffalo is a learned member of the bar. The Member for Athabasca-Redwater is not.\* I said that I also gave more leeway yesterday than I should have with respect to that question because I had done it earlier for everybody else, for everybody else. I could have ruled everyone out. If you want that adjudicated, I'll start it tomorrow. Member, I'm looking forward to the questions.

**Mr. Allred:** Mr. Speaker.

**The Speaker:** On 13(2) as well?

**Mr. Allred:** No, clarification of what you just presented. I thank you for a very comprehensive clarification, Mr. Speaker, but I would request, if you wouldn't mind, your circulating those two pages you asked us to read and possibly those other pages which clarified what we should ask in question period. It would be very educational.

**The Speaker:** Well, the ones I just read have been circulated because they are now in *Hansard*. On the previous occasions when I've spoken, they're also in *Hansard*. In terms of the other books, they're located right over there in the library, in *Beauchesne*. They're available. All members and all caucuses have them. I've circulated multiple copies to the leaders you have in each of the caucuses. I assume the caucus leaders spend some time with their caucus members on an education process. In addition to that, when all new members became members, we had a session in this Chamber within two weeks after the day you were elected, in which we went over a lot of this. So, you know, okay? But I'm happy to re-educate again.

Okay. The second one was the Minister of Health and Wellness.

### Point of Order Imputing Motives

**Mr. Zwodzesky:** Thank you very much, Mr. Speaker. I rise under section 23(i) out of our own standing orders, which says:

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

(i) imputes false or unavowed motives to another Member.

I believe that occurred today when the Member for Airdrie-Chestermere somehow tried to infer or misportray something that I had said in *Hansard* yesterday. I'm sorry that I don't have the benefit of the Blues from today yet to be exact in what he attributed to me or not, but the tone with which he raised it and what sounded like an inappropriate or a shorted quote avowed to me, I thought, was something that needed me to rise and question that member.

3:10

I think that he inferred that somehow I suggested that the relationship between the Alberta Medical Association and the government or perhaps with AHS – I'm not sure; we'll have to check *Hansard* – was somehow misportrayed. I think he suggested that the spirit in which this was raised was other than what was intended, and I rise to set the record straight.

I believe he was referring to a question that was put to me yesterday in this House by the hon. Member for St. Albert wherein that member said on page 356 of *Hansard* yesterday:

Thank you, Mr. Speaker. My second question is to the same minister. Has our relationship with physicians broken down in some fundamental way?

Mr. Speaker, I responded, and here is the full quote according to *Hansard*.

Mr. Speaker, I don't believe so. I think the point that the Premier mentioned a little earlier, that we now have an agreement in principle between the government, Alberta Health Services, and the AMA, is a very positive sign that we are moving forward and that there is a relationship that is beginning to work. I just want to say thank you to the Alberta Medical Association and all of its members for recognizing our economic situation, the worst since 1930.

Then you, Mr. Speaker, recognized the Member for St. Albert again, and the Member for St. Albert said:

Thank you, Mr. Speaker. My final question, again to the same minister. The fact remains that some physicians are saying that our relationship with physicians does not work, and they feel that our government has dismissed their concerns. Have we?

I responded:

Well, absolutely not, Mr. Speaker. If we had, we wouldn't have an agreement in principle, obviously. I think what has happened here is that doctors more and more are finding Alberta to be a very attractive place to come and practise, and that's why we have had the highest growth rate in attracting doctors of any province over the past 10 years right here in Alberta.

That is the entire section from there.

Now, the fact that the member chose to perhaps use part of that but raised some innuendoes ahead of it or perhaps after it suggests to me that he was avowing false motives in my direction.

That's just one example, Mr. Speaker. This same member is starting to develop a pattern, and everybody in this House knows it. Let me just draw to your attention, to make my point, page 332 of *Hansard* from March 14, wherein, Mr. Speaker, you ended a statement by saying:

Hon. Member for Airdrie-Chestermere, you have a point of order.

The Member for Airdrie-Chestermere rose and said:

Mr. Speaker, I shall be very brief.

The Speaker then said:

Oh, take your time.

Then the Member for Airdrie-Chestermere said:

Yeah, exactly. Shovel it under the rug, right?

We all heard him say that.

But then later, you spoke to me, Mr. Speaker.

I don't know what point you're rising on, but go ahead.

I said:

I'm not sure. I think at the very least we need some clarity because at the beginning of his point of order he,

meaning the Member for Airdrie-Chestermere,

made some innuendoes about the Speaker shoving something under the rug, and I think he should be held to account for that. I know we don't do points of order on points of order, but since there wasn't a point of order at the end – he's withdrawn it – I'm raising a point of order.

Then the Member for Airdrie-Chestermere stood up and said:

It's a very shameful comment. I didn't say anything to you about that, and he should withdraw that remark. He's being untruthful.

Well, who's being untruthful, hon. member? It's right there in *Hansard*, and I would encourage everyone here to take a look at the doublespeak of this member because it's becoming a pattern, which is my point.

\*See page 403, right column, paragraph 4



Now, we've been in this Assembly for some time, and we understand what it takes to be a politician in today's age. We also understand what it means to develop a thick skin and so on. But when people start underquoting, short quoting, misquoting, or using innuendoes to make a point, that is politics at its worst.

A simple apology would be in order. A withdrawal would be in order. In any event, I'll leave it to you, Mr. Speaker, to find what you feel is necessary to preserve the decorum that otherwise has come to characterize this House and what Albertans expect from here.

My last point is that it's not only today that he's done this but, again, a day or two ago, and it's now starting to rub off on his colleague from Fort McMurray-Wood Buffalo because again today he was quoting something or avowing a quote to me about something I said. I think the quote included the words "health superboard" or something to that effect. I'll have to check and see where that quote exactly exists because I've looked through *Hansard* from the last few days, and I don't ever recall using that particular phrase.

Similarly, a little while ago with respect to the Health Quality Council and me calling it in or not calling it in, he kept harping on the point "no," that I had said no – that I had said no – but he's not using the full quote. If you read *Hansard*, it says, "No, not at this time."

These are silly little things that they're playing with over on the Wildrose Alliance side, and I just think it's time for it to stop. I would ask you to review that and at the appropriate time make the appropriate decision that you feel is necessary, Mr. Speaker, under the circumstances.

Thank you.

**Mr. Anderson:** Well, 23(i), "imputes false or unavowed motives to another Member," I think is what the beginning of that rambling statement was. Mr. Speaker, first of all, I would like to reiterate what I told you both in the Legislature and privately afterwards. When I said "shovel it under the rug," I was specifically referring to the health minister for shovelling this controversy under the rug. I was clearly not impugning you as you, obviously, as Speaker have nothing to do with this health care controversy. So for him to claim that I was saying that is not just a stretch; it's a leap around the world. Anyway, this minister plays fast and loose with the truth. He's the biggest dancer in this Assembly, but, you know, I will leave Albertans to make the judgment on that.

With regard to the point of order the member has a problem with the statement. I don't have the Blues either, but I do have this, the question that I read from. First I say:

Well, Minister, why, then, in a letter released [less than] 48 hours ago does the president of the AMA say that during the negotiations for this new agreement . . .

and I quote from the document that was tabled earlier,

"for the first time ever – Government threatened the loss of programs and services to try and [threaten] physicians," and that doing so diminished the ongoing relationship with the medical profession.

So that's the president of the AMA referring to the negotiations that the minister of health and Alberta Health Services had entered into with the AMA, this tripartite agreement that they have just signed.

Now, in the *Hansard* the previous day the Member for St. Albert said, "Mr. Speaker. My second question is to the same minister. Has our relationship with physicians broken down in some fundamental way?" That was the question. The health minister replies:

Mr. Speaker, I don't believe so. I think the point that the Premier mentioned a little earlier, that we now have an agreement in principle

referring to the tripartite agreement,

between the government, Alberta Health Services, and the AMA, is a very positive sign that we are moving forward and that there is a relationship that is beginning to work. I just want to say thank you to the Alberta Medical Association and all of its members for recognizing our economic situation, the worst since 1930.

Okay. In this he clearly says, Mr. Speaker, that he feels that there's a very positive sign that we are moving forward and that there is a relationship beginning to work.

The same day that he gives this, I received a letter in the mail from a couple of doctors, actually, as did other members of our caucus, who had this letter from the president of the AMA. This is the same day that the minister said that – I'll use the exact wording – "is a very positive sign that we are moving forward and that there is a relationship that is beginning to work." The very same day the president of the AMA, who he refers to – now, he doesn't refer to the president of the AMA; he refers to the AMA and this agreement that they just entered into. The president of the AMA says:

With Negotiations 2011 – for the first time ever – Government threatened the loss of programs and services to try and intimidate physicians. And it repudiated the philosophy of collaboration and of shared responsibility and leadership that epitomize the current, eight-year, trilateral master agreement.

In doing so, Government diminished the value traditionally attached to a constructive and ongoing relationship with the medical profession, which has implications for the future. It brings into question the legitimacy and sincerity of statements such as, "The Alberta government is committed to working with its partners."

So that's what the president of the AMA says, obviously, Mr. Speaker, a total contradiction of the assessment given in this House by the minister of health, 180 degrees different.

3:20

So after quoting these statements, I asked the question: Minister, please explain the misinformation you gave to this House yesterday about the state of your government's relationship with our doctors. He said that it was about to get better or that it was improving, that it was about to improve. What's the exact quote? "A relationship that is beginning to work" is the exact quote. The president of the AMA says the exact opposite.

Now, if that isn't misinformation about the state of the relationship between doctors in this province and the minister of health, then I don't know what is. That is clearly a judgment call. We'll let Albertans decide. But, you know, for this minister to suggest otherwise is just completely out of touch with reality. Anyone who reads the two documents would come to that same conclusion if they had any rationality in them.

So that speaks to his first comments as well as to the comment suggesting that I had said to you that you wanted to sweep something under the rug, Mr. Speaker, which is just an absolute falsehood by the member opposite.

Now, with regard to his other comments that he brought forward . . . [interjections]

**The Speaker:** The hon. Member for Airdrie-Chestermere has the floor. There were no interruptions when I allowed others to speak.

**Mr. Anderson:** Thank you, Mr. Speaker. I appreciate that.

With regard to the other allegations that the member brought against me about, you know, my habitually not using parliamen-

tary language in this House and so forth, I think it's a real slight against you, Mr. Speaker. You've been very clear . . .

**The Speaker:** Hold on a second. Don't bring me into this. Bring me into this and you'll not like the answer.

**Mr. Anderson:** Okay. Fine. All right. Fair enough. Fair enough.

All I know is that I trust you and the points of order as you interpret them, Mr. Speaker, to make good decisions. I don't think I need this minister telling this House or telling anybody else about whether I use unparliamentary language or not. That's not his job, thank goodness. It's your job.

With that, those are my remarks. There is no point of order, in my opinion. Thank you, Mr. Speaker.

**The Speaker:** Sir, you've already spoken on this matter.

**Mr. Zwozdesky:** I'd like to speak again if you wouldn't mind.

**The Speaker:** But on what basis would that be? Please sit down. Points of order are not to be used to extend debate. They're to bring a grievance or something like it to the Assembly. I recognized you to do that. I recognized one speaker on the other side. We'll be here all afternoon on this. As I understand it, there's other business. Now, there are five House leaders on the government side. If somebody else wants to participate, I'll recognize them.

Anybody else? Okay. The Deputy Government House Leader.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I'm looking here at the transcripts, and the minister of health says:

Mr. Speaker, I'm not sure if he quoted exactly everything that was there. I don't have *Hansard* just in front of me, but I believe what I said is that we have a working relationship, and we're working [to improve it],

or words to that effect. However, in his response the Member for Airdrie-Chestermere attributes comments that were made by the AMA representative to the minister as if the minister had said it. So what we're dealing with here . . .

**The Speaker:** Thank you very much, hon. Deputy Government House Leader. As I indicated earlier, points of order are not to be used to continue debate. We're having a debate now. He said this. I said that. You said that. We said that. He said this. Maybe we said that. Oh, just a second; maybe we didn't.

Certainly, there was language here that diminishes the importance and the role of a Member of the Legislative Assembly in the province of Alberta. Very clearly, the Minister of Health and Wellness quoted from *Hansard* from March 15. It's very clear what it says to me. Then the hon. Member for Airdrie-Chestermere today basically says: Minister, please explain the misinformation you gave to this House. The hon. minister interjects. We've had now a chance for exchanges back and forth. There was, quite frankly, a lot of tension in this House today. Actually, maybe even hostility, which is odd. It should be odd.

We've now spent 20 minutes getting an explanation back and forth. I don't think we're going to get any further ahead on this other than for me to say that the language is, I think, beneath the level that should be used, beneath the dignity that should be expected from honourable men or women, and I think we can do a lot better. The hon. Minister of Health and Wellness certainly was given ample opportunity to explain his position, his concern. We all heard it. We all understand it. The hon. Member for Airdrie-Chestermere responded. Okay.

A little earlier this afternoon you said that you wanted no questions in question period that violated anything. The same thing

should apply to the language as well. You've all got 17 pages of this. So tomorrow it will be Mr. Speaker's intervention period. I doubt that we're going to get one question through. I doubt we're going to get more than a few answers. You asked for it. You want it.

The hon. Minister of Finance and Enterprise on behalf of the hon. Government House Leader.

### Point of Order Improper Inferences

**Mr. Snelgrove:** Thank you, Mr. Speaker. I would quote section 409(3) in *Beauchesne*: "The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations." Section 409(6): "A question must be within the administrative competence of the Government. The Minister to whom the question is directed is responsible to the House for his or her present Ministry and not for any other decisions." I can quote more, but I don't think I need to. Also, *House of Commons Procedure and Practice*, page 503, "make a charge by way of a preamble to a question."

Mr. Speaker, very clearly the Member for Edmonton-Gold Bar in his question to the minister of health asked the question or words: who signed the cheques to silence the doctors? Was it the Premier? Was it the minister of finance? That's abhorrent for a couple of reasons. To suggest that anyone in government signs the cheques to the doctors, which the hon. member knows is incorrect, and then to suggest that the Premier or the finance minister would sign a cheque to silence anybody, would indicate, you would expect, that they would commit a criminal act of bribery for silence. The hon. member may have got excited in his questions, may not like the answers he's getting, but the simple fact is that to accuse several ministers of that kind of an act is not only dishonest, but it's wrong, and the hon. member ought to withdraw that statement.

**Mr. MacDonald:** Mr. Speaker, I think this hon. minister of finance should withdraw that statement because that's certainly not what I said in this House. In response to the point of order, Mr. Speaker, I would like to also point out *Beauchesne* 410(5), which certainly indicates: "The primary purpose of the Question Period is the seeking of information and calling the Government to account." That's exactly what I was doing. Section 410(6): "The greatest possible freedom should be given to Members consistent with the . . . rules and practices." Brevity. Certainly, that was a very brief question. There was no preamble to that whatsoever.

I'm surprised that the minister of finance would indicate that I talked about cheques. I certainly did not. I certainly did not. I'm asking for that to be retracted from the official record. Clearly, this is what I said, Mr. Speaker: "Who ordered these severance agreements and payouts to silence doctors who stood up and spoke out" to be hidden from taxpayers? The Premier's office, the minister of health, or the minister of finance? The reason why I thought about asking the minister of finance is because, of course, the minister of finance was anxious earlier this week to participate in questions that I was directing to the health minister.

3:30

Now, the health minister said this yesterday. Please, sir, listen. This is on page 356 of *Alberta Hansard*, March 15. The hon. minister of health:

Mr. Speaker, if there were any kinds of severance agreements and payouts related to that – and I suspect there were – then they will be accounted for in the category for that.

That is what was said by the minister of health yesterday, so naturally I followed through today in question period asking for more details.

Now, also yesterday the Minister of Health and Wellness said this on page 356 of the *Hansard*:

But the fact is that the agreements were made. They are sealed in accordance with the nondisclosure agreements that were signed by the parties in question.

So there's evidence that these deals were sealed by your own caucus colleague, your own cabinet colleague, no one else. Naturally, taxpayers want to know about the details of these payments, these severance agreements.

Now, I would remind all cabinet ministers, Mr. Speaker, of the accountability statements that each and every one of them makes in the front of their annual reports, that the minister's annual report was prepared in accordance with the Government Accountability Act and the government's accounting policies. So it's only fair. It's only natural. I'm not getting any information from this government on their severance payments, and when I do look in the annual reports, whatever, book 1 or book 2, what do I see? Well, it's very interesting. In 2008-09 I see \$22.5 million listed in severance on page 105 of East Central's transition and restructuring expenses. If that's where these payments were made, tell us.

Perhaps we should have a look at Capital health. Now, Capital health has been brought up here in the past. For Capital health, if we look at the financial statements, the chief executive officer, for one person, had a severance in 2008-09 of \$1.5 million. I don't think those are the settlements we're talking about, but if it is, then the hon. minister should tell us.

I could go on and on, Mr. Speaker.

**The Speaker:** No, you can't. As I pointed out several times this afternoon, a point of order should not be used to continue debate.

Okay. We've gotten real good clarification in there. Again, here is exactly what was said so that there is no misunderstanding.

Thank you, Mr. Speaker. I would ask the minister of health to please read carefully the financial statements about who audits what and when in your own annual report. Again to the minister: who ordered these severance agreements and payouts to silence doctors who stood up and spoke out? Was it the Premier's office?

And it continues, but that was the fruit of that.

Well, that definitely might get some people's hair up with respect to the tone of the question and everything else. I'm not sure that it violates too many of the rules that we have with respect to the question period. Some may argue that it creates provocation because you don't like the type of question, but it's not really so.

There's another great little chapter in the Canadian *House of Commons Procedure and Practice*, page 497.

The Speaker has implicit discretion and authority to rule out of order any question posed during Question Period if satisfied that it is in contravention of House rules of order, decorum and procedure.

So if I rule a question out of order in the future and someone rises under 13(2), my response will be that it is a contravention of House rules of order, decorum, and procedure.

In ruling a question out of order, the Chair may suggest that it be rephrased in order to make it acceptable to the House. Or, the Speaker may recognize another Member to pose the next question. In cases where such a question has been posed, if a Minister wishes to reply, the Speaker, in order to be equitable, has allowed the Minister to do so.

The Speaker may also direct that certain questions posed during Question Period be instead placed on the Order Paper. These are questions which, in the opinion of the Chair, are not

urgent or are of such a technical or detailed nature as to require a written response.

Okay. We had a continuation.

One other thing, page 632 under Points of Order:

Although Members frequently rise claiming a point of order, genuine points of order rarely occur. Indeed, points of order are often used by Members in attempts to gain the floor to participate in debate; in such cases, the Speaker will not allow the Member intervening to continue.

Just a correction in response to the hon. Member for Edmonton-Centre. There were two similar-sounding names. The questions raised yesterday were not by the Member for Athabasca-Redwater; they were from the Member for Calgary-Hays. So I want to correct that.\*

Secondly, to the hon. Member for St. Albert. By the end of the day the pages will place on your desk those sections from *Beauchesne* that I referred to for required reading, sections 403 to 420. Starting tomorrow, I can assume that every member of this Assembly will be rising virtually on every question to raise a point of order because you'll all have the stuff right in front of you.

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 13

#### Appropriation (Interim Supply) Act, 2011

**The Deputy Chair:** Are there any comments or questions or amendments to be offered with respect to this bill? The hon. minister of finance and President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Chairman. In response to some of the questions from opposition yesterday I think it's important to get them on the record. The greatest concern seemed to be about some money that was spent in 2008-2009. Its relevance to the spending proposed now I'm not sure of, but if that's what the hon. Member for Edmonton-Gold Bar considered relevant, then it's just our public duty to respond.

The \$200 million was one-time funding that was a grant to the health authorities and was reported in the third-quarter fiscal update released on February 26, 2009. The \$200 million was reallocated from a number of Health and Wellness programs that had significant lapses that year, including health facilities infrastructure. It was a one-time support to help the regional health authorities address the significant deficits they were forecasting for 2008-09. It was not earmarked for specific programs, and it supported a variety of services.

The hon. member also questioned the need for more funding for the offices of the Legislature, particularly the office of the Chief Electoral Officer, which would clearly be to include material, supplies, and other such preparations for a full province-wide enumeration.

In another display of stunning irrelevance, he also questioned the appointment of the returning officers. They were listed in the *Gazette* by the Chief Electoral Officer on March 15.

Those appear to be all of the questions, relevant or not, Mr. Chairman.

**The Deputy Chair:** The hon. Member for Edmonton-Centre.

\*See page 400, left column, paragraph 3

**Ms Blakeman:** Thank you very much, Mr. Chairman. It's very kind of the President of the Treasury Board to stay. Since he's here, I have some extemporizing I can go on about, which he doesn't need to concentrate on, but I do have a couple of questions, while I do have his attention, that I've always been curious about.

3:40

The actual figures that appear in the Appropriation Act: I can't figure out where they come from. Is this a percentage of the budget? In past interim supply appropriation requests we've been told, for example, that this is 40 per cent of the budget even though it's covering time from the beginning of April to the end of June, which is not 40 per cent of the year. Evidently, there is some front-end loading on some of the summer programs, and that's why that much money was needed. I guess my question is: is the interim supply request essentially a percentage that is asked for?

Secondly, how are the amounts determined that have to do with the capital expense in each of the departments that are listed? Again, is that a percentage of anticipated capital investment over the year, or is it something specific? I guess I'm sort of wondering how much time the government puts into interim supply.

Those are a couple of questions that I'd like the President of the Treasury Board and Minister of Finance and Enterprise to answer.

Two other things I want to raise while I have his attention. I'm finding that the current budget process is not very . . . [interjection] No, it's not. It's a terrible process. It's not giving good information. The minister and I have spoken about this before. Currently the information that's available in the budget books is minimal. Budgets that used to be expanded out quite a bit so that you could actually tell what programs are being funded under a given category are now so rolled up that you get a budget vote. I spend a lot of time in departmental budget debates asking what programs are funded and for how much, which is not an incredibly good use of time, but I have no other way to get the information.

Now, if I go back and I look at the previous year's annual report for a given ministry, I can sometimes sort of figure out what's being funded under a given vote line. If he's looking for an example, look under the Culture and Community Spirit budget under AFA, Alberta Foundation for the Arts, and he'll get a sense of what I mean. Or even if you look under a budget line. This got moved, but major exhibitions and fairs used to be a vote line under community development and now it's under Agriculture, I think, or maybe Municipal Affairs.

Anyway, you know, we get this very short description, and there are millions, sometimes billions of dollars. AHS, Alberta Health Services, appears as one line in the health department budget, and it's billions of dollars. We don't know what's in it, and there's no way to find out. You can go back and look at the previous year's – it's actually at that point almost two years ago that the annual report applies to – and try and figure out if the programs that are talked about in there are turning up under a given line.

I just don't understand why we have to spend so much time – and it's not just members of the opposition; it's members of the government caucus – trying to figure out what the heck is there. I just don't find it a good use of time. It's not talking about why the government made certain choices or why they've identified these as priorities or what they'd like to do differently or what they think they're doing particularly well. It's almost strictly an accounting gesture.

The entire budget process. We have, basically, three responders to the budget speech. The budget speech itself is delivered. You have two members of the government caucus move and second it,

and then you have a response from the Leader of the Official Opposition, and I'm pretty sure that's it. Then we go into the actual estimates debates for each ministry. So, really, our opportunity to talk about the overall direction and choices of the government is by doing it through the appropriation budgets, as I'm doing right now, for interim or for the Appropriation Act for the actual budget itself, which comes at the end of all of the supply votes.

It does occur to me that I don't get a real opportunity to talk back and forth with the government about why they've made the choices they have. I'm looking again for the plan, and what I'm getting is: boom, bust, pray; boom, bust, pray. I don't have any other way to get a sense of this. You know, we get a boom, many things happen, then we get a bust, many things go wrong, and then we all pray. The government leads us in prayer in the hope that we get another boom, and then we go into another boom cycle.

Already people are talking about: employment figures are up; housing starts are up. They're talking about another boom starting to happen in Fort McMurray. Activity is going up in the support services around Edmonton. People in Calgary are looking happier every day. I'm thinking: yeah, here we go one more time. All of the world-wide indexes and the Canadian indexes are saying: okay; our recession was officially over I think it was the third quarter of 2009 or something. Truly, in Alberta, because we are so blessed here, I think it could be argued in many ways that we hardly had a recession. We sort of had a hiccup.

I thank the chair for allowing me leeway to broaden the discussion during this appropriation debate in Committee of the Whole, but I am looking for those plans. I would like to know whether there is a plan, after the prayer, that is being considered by this minister. Is there a plan that we're going to come out of this and devote a certain amount of resource revenue to endowment and savings plans that would in fact fund postsecondary education 15 years down the line? What is the plan around revenue from the government in the future?

I talked about a white paper and developing a white paper and leading a couple of years' worth of discussion with the public about how we feel it's appropriate. Should we be dumping income tax completely and going to a consumption tax system? Should we be freeing up that educational property tax to the municipalities, leaving it to them? Fine, but then how are we going to fund education? Those kinds of discussions never seem to happen, and I wish I could spend less time prying for details and more time looking at those larger discussions.

I'm quite concerned that we take nonrenewable resource revenue and apply it directly to today's budget. It came out of the ground yesterday, and essentially we're spending it through the government coffers today. This resource belongs to all of us, including future generations. Well, really, can I say that we've had the benefit of this for two generations, to be on the positive side of that? My father comes from Black Diamond, a mile away from Turner Valley, the original site of the gas in Alberta. He's now in his 80s. That stuff was happening when he was a boy. He was on the derrick that left Leduc, and the next crew in was the crew that was there when Leduc No. 1 went. In his lifetime he's seen, really, the beginning of that natural resource revenue come in and subsidize the government. When he dies, which I hope is not soon, will his grandchildren or his grandchildren's grandchildren still be able to benefit from that?

3:50

I can see the government going forward with a deliberate strategy to say: building assets is always a good place to spend your resource revenue because you have an asset. Building bridges and roads and opera houses and – I better not say sports arenas – recr-

educational facilities, curling rinks in rural Alberta: those things are assets. They're tangible. They're worth something. I think that is a reasonable place to spend that money, never to spend it on operational money because operational money, as the minister well knows, is gone. It paid for a service, and it's gone, and that service is not here now. It's been consumed; it's over.

I'll just close by gently – no, not gently – kind of whacking the government a bit about why you cannot get your timing better. This is my 15th budget. This is my 14th interim supply request. So there was only one year in the 14 years I've been elected and have served where the government has been successful in bringing in a budget and passing it before the 1st of April. The government is in complete control of when we are called in, when budgets are due, when all of this is produced. I mean, you can say that it's the opposition's fault if you wish, but really you've got all the cards. You choose the game. You choose when it's played. So why are we so unable to do that?

I realize now that some of your revenue is intricately tied to the federal government, and you're waiting for federal government amounts on certain programs. But, sorry; that's not enough to be an excuse for why 14 years out of 15 we're looking at interim supply in a province where, you know, you've been in control for 40 years. Really, your track record is bad when you look at it that way. You should be able to do better, and I don't understand why you choose not to because you have all the cards to be able to choose to do it.

I've given you a whole bunch of stuff to talk about. I'll sit down and let the minister respond to me. Thank you very much for the opportunity.

**The Deputy Chair:** The hon. minister.

**Mr. Snelgrove:** Thank you, Mr. Chairman. Thanks to the hon. member. I'll try and cover it. If I miss some, she can send me a note, and we'll do it. By and large, most departments would be a percentage of their operating. If it's for a quarter, it would be that way. If it's for a month, obviously it would be reduced like this one. But some of the departments have front-end costs, just exactly what you've suggested, and some of them have agencies that also have front-end costs that they need to move. There is no hard-and-fast rule that says: that's what it is. It really is just working from experience and working backwards, to a certain degree, and saying: we know that that particular department will need that many dollars before this particular time. It's different for several of the departments; for most of the departments it's not.

On the right department for reporting, we've moved up, as you'll know, the business plan reporting, consolidated and complete disclosure, to June. We used to not get the final numbers for a year out until September or October, so you're half a year behind. We've asked and expect all of our departments to be able to have final year-end in June of this year, which will allow you to see the reconciliation between what we said and what's there. I know it's kind of closing the gate when the horse is gone, looking backwards, but that does give you an indication of where exactly we hit our target and where we may have missed, and then that may explain changes in the coming year's budget if you actually have that document close enough to budgeting.

We've tried to make our budget document more readable. We're here all the time, and it is still a difficult document if you don't understand or if you're looking for more detail than a budget would contain. I will make the very sincere offer to sit down – and I know we have shared with the opposition – about the new format we've taken. I don't have any problems, hon. member, if there is a better way to display the numbers, even to go to more columns as

opposed to just out-years. What was last year? Comparable? What do we need to do? I'm absolutely open to suggestions from you about how the document becomes not only more readable but, in a kind of capsule, more understandable for Albertans. We do get paid all year long to look on an ongoing basis at it, and we have relooked at our Measuring Up documents, too. I think you know that I just don't believe you set a target that you can get just because it's an easy target.

That document has been shared with other provinces. In my opinion – and I think you would agree – there's more to a budget than simply aligning money with the issue. If you don't have that other document that says, "Yeah, yeah, you spent your money," did you actually get anything done? So the two documents need to be worked together.

On the detail level that we go into, I know you've seen our blue book. You know, that is probably six inches or eight inches thick at the end of the year. I know that can be transferred into computer language that might make it far easier for people to look into a category where they want to look without thumbing through it.

Somewhere between the blue book and this book we can come to an understanding about what it is. I know you're not suggesting anything different, but there are legal and accounting principles that we must adhere to to do it, and if we can achieve those and if there's a more clear way to get it across, then I'm all ears. I mean, I've had to deal with accountants for close now to 35 years in my business life and this thing, and it's not quite as simple as we'd like it.

Obviously, I agree. I think the ideal time is to have the budget completed before year-end, no question, but, you know, when so much of our budget is based on outside activity – what's the dollar going to do? what's oil going to do? – you really do hate to go in and make decisions that are unrealistic. When you see oil activity coming back so strong in Alberta and you see what the dollar is doing, in many ways you want to get as close to the date that says: well, we can't wait any longer. But we need to be fair to Albertans, to not lowball, highball, or manipulate the numbers for price and volumes of oil or bitumen and to keep an eye on natural gas.

I know that with some of the extreme weather that was happening in the States, maybe in a selfish way from a Treasury point of view we had anticipated a little greater movement in natural gas. We used to see real volatility. When the cold blast hit the east coast, it would go up two bucks. You think: "Well, we know they've got the shale gas. We know it's not all in production. We know it's maybe not quite as easy to produce as it might be in areas that aren't populated." So you watch these events.

We start our budgeting from the expenditure side in June, basically. To the process, we meet with dozens and dozens of groups: nonprofits, chambers, unions. We have a list. I think it's over a hundred representatives from different groups through the spectrum of nonprofits right up to the Canadian federation of businesses. Anyway, it's as thorough a consultation process as it could be.

I hope I've answered your questions. Thank you.

4:00

**The Deputy Chair:** Laurie, go ahead.

**Ms Blakeman:** Thanks. Sorry. The one piece that the minister didn't get to was the longer range shape of things and what might be considered, since we're talking about interim, looking into the future. What are some of those larger pieces that the government is looking at? Would they consider something like producing a white paper on government revenue, or are they committed to the revenue stream that they have currently?

I mean, there's a lot of talk out there right now about different ways of raising money to operate government that are fairer. It seems to me we've just added on and added on and added on to a system, and it's very convoluted and filled with, in some cases, dumb rules and overlapping programs. Maybe it's time to stop and take a step back and clean it up and start over.

If he can give me a little bit of time talking about what he thinks he sees for the future shape of revenue gathering and whether he is content with continuing to use nonrenewable resource revenue to supplement today's budget – if we took that out of the budget, we'd be running one-third of a deficit, which is a big chunk of change – I'll let him talk about that.

**Mr. Snelgrove:** You have to come to Treasury Board estimates.

**The Deputy Chair:** Hon. minister, do you wish to respond?

**Mr. Snelgrove:** No. Mr. Chairman, I'd just invite her to the Treasury Board estimates, that will be coming soon.

**The Deputy Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair. I listened with a lot of interest to that last back and forth. A lot of good information there. I know that one of the things I respect about the Member for Edmonton-Centre is that she always wants to know what the details are of these vast amounts of money that we approve in these interim supply acts, these appropriations acts. I don't think that's too much for her to ask. Frankly, I think that it's just basic, you know, transparency and accountability.

There's a lot of money, a lot of huge dollar amounts, in this act: Municipal Affairs, \$100 million; Seniors and Community Supports, \$400 million. I don't even want to see what Health is. What's Health here? Health, \$2.2 billion. Just huge, huge amounts of money.

I think that we could cut down on a lot of the waste in government. Governments are wasteful. Most governments, if not all governments, are wasteful. One of the ways we can cut back on waste is to ensure that we have very transparent and detailed documents of what money is being spent on. When, for example, we have, you know, monies going to movies about the oil sands that paint the oil sands in a bad light that cost the government \$50,000, well, those type of things could be eliminated very quickly if there were very detailed numbers in advance of approving that kind of money. I would really like to see more effort in that regard.

Now, I do want to say, though, that there's no doubt that the books – I've compared many of the government of Alberta's fiscal updates and their fiscal plan and their budget plan that they release at budget. It is better than a lot of provinces, more detailed, and that's good. That's a good start, but it isn't detailed enough.

If we want to get rid of some of the waste and have a real discussion about how to balance the budget without affecting core programs, doing so in a way that we can still build priority infrastructure and so forth, it would be a lot easier to have that debate. The debate would be a lot more thorough and effective if we had a very clear breakdown of all the different expenses, all the different programs, all the different subsets of programs that go on in government, a detailed breakdown of which roads are being paved. Which roads are we planning to pave with this money? Which roads are we planning to widen?

I was talking with a constituent after the budget was introduced by the Treasury Board President. He lives out in an area where they're expanding the road in rural Alberta. It's a huge project. It's expanding highway 9 over to Drumheller, and that goes right

through my constituency on its way to Drumheller. He said: "Why on Earth? We had a pretty good road there. Clearly, it needs some upgrading, but why would we do that this year, when we have such a huge deficit number?" And I said, "Well, you know, there's a line item, billions of dollars on road infrastructure, and that's kind of all we hear until it's actually paved. Once you start repaving something, it's kind of hard to stop, obviously, because they've torn up the whole road." And he said, "Well, why are we doing this when we have a \$7 billion cash shortfall and a \$3.7 billion deficit?" I forget what the actual number is off the top of my head, \$3.7 billion – that's right – and a \$6.2 billion cash shortfall. And there is no good reason.

You know, when all of a sudden the economy tanks and we have this boom-bust cycle, if we had in these types of acts, Bill 13 for example, a detailed list of what was included to Transportation – what's included in this \$160 million of expense, you know, \$151 million of which is capital investment? Which roads are we talking about here? Which ones? Can they wait? Can we forgo that project? Can we do without twinning that bridge for another year? In some places you can't. In some places it's got to be done right away. In some places you can delay.

I'll give you an example out of my own constituency. In Airdrie eventually we're going to need another overpass on the south side. We're at 43,000 people now. We're going to be at 75,000 within the next 10 to 15 years. We're going to need an overpass there, but we can do without it right now. We don't need it today. We can certainly spread it out and do it, you know, three, four, five, six years from now as we get close to that time when traffic congestion just is about to start to get really tough.

I know we want to plan ahead, and we want to do that. I get that. But when you have a \$6.2 billion cash shortfall and a \$3.7 billion deficit, you have to delay those things even if it means a little bit of annoyance. That's just the way it goes. You've got to deal with that traffic light for another year instead of having an overpass.

That's just the way it goes sometimes, whereas in Airdrie – same issue – our need for schools this year, for the last several years, is literally a crisis. They've actually partitioned my little boy's library at Nose Creek elementary in Airdrie and turned it into two classrooms. There's an hour, essentially, where the kids can go in and get a book. They can't stay there because there are classes going on, but they can get a book and go out. It's that serious. I mean, it is nuts. My little guy is in a class of over 30, but there are some classrooms of over 40 kids. It's just unbelievable. We've put on all the portables that the facility can hold. There's no room for portables anymore on the core. The core can only support so many portables, and we can't even put any more portables on our schools.

We have this need, and we need that money now, and we're willing in our community, in Chestermere and Airdrie, to forgo any other planned projects, road paving, anything. We're ready to forgo that for another year or two years if it would mean getting those schools built.

That's what I mean by prioritizing, but it's so hard – so hard – to prioritize when you don't know what the \$151 million under Transportation for capital investment is being spent on. So, you know, we have a debate about all these different programs and all these big numbers, but we don't really have anything to debate at all. I mean, how do I know it can be deferred under Employment and Immigration? Maybe there's a program that we could do without this year to help decrease the amount that we're being asked for. Maybe there's something in Culture and Community Spirit. Maybe we're spending too much money on those anti oil sands videos. We can cut those out.

4:10

You know, there are all kinds of different areas where if we could see the line by line item in the document here, we'd be able to say: "You know what? We can do without that. Look. We can save \$5 million out of that program, or we can save \$10 million. We don't need to twin that road or whatever." So that's the biggest frustration I have, and I really would like a response from somebody over there, from the minister, hopefully, on what exactly these amounts are for.

Particularly under Transportation, I'd like to know how much of the expense here under capital investment – I'd like to know which pieces of highway this is slated to pave, what projects this is supposed to deal with. Same with Education. I would like to know how much of that \$300,000 capital investment – what exactly is that for? That would be helpful to know as we go forward.

Anyway, I said I would keep it to only 10 minutes today, so I will, but, you know, I'm trying to have a debate here. I hope somebody from the opposite side can explain to me if there's any way that in the future we could have more detail on this appropriation bill and what specific projects are under this that we're paying for when we pass this huge amount of money, a total of \$4.9 billion, that we're approving today. And it's this thick. That's what we have approving \$4.9 billion. That thick. That's a very thin piece of paper. Not very helpful.

Thank you, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Chair. I find the discussion that's gone on interesting, and it's somewhat encouraging in some areas to hear the minister of finance say that he'd be open to some different ideas and some formats, more years being shown in the columns and those types of things, which is encouraging for myself to think of. Sitting on other boards and going through budgets, I just find it very frustrating to have a \$4.9 billion budget that we're supposed to vote on and say: yes, we'll go for that. It's six pages with, you know, just a few numbers on those pages, totalling \$4.9 billion. So I, too, want to put my request to the finance minister that we need to change this process.

It was also encouraging to me because I've asked many times: "Why do we have to spend this time on interim supply? Why don't we just have a budget come out on time?" It was encouraging to know that, actually, 1 year in 15 they did that, so the precedent is there that we could do it. I would encourage the government for next year: let's do it. Let's get in the House. Let's have the budget and vote on it so that we don't have to go through interim supply.

It's interesting also, though, that it was mentioned, again, by the hon. Member for Edmonton-Centre: where do these numbers come from? You know, where's the \$160 million in expenses for Transportation going? Where's the \$150 million in capital investment actually going? In question period we never have enough time to actually ask those questions, so I'd like to ask it again, and it's been brought up now by the hon. Member for Airdrie-Chestermere.

Again, it's been a long-time problem for me. Where is the list? How can we do it? There's nothing that I would like more than to help the government as opposition members, to say "yes, this cut could be made," and they'd know that we're not going to sit there and argue and debate and squeal about it. "Oh, you can't cut there. You can't cut there." We don't know where we can cut because there is no list. I mean, it's so frustrating to have a line item or a number, and you're supposed to vote for it. This is Education.

Okay. They say: oh, you can't vote against that because we're going to lose teachers. Well, is that the only place where money goes? "Oh, you can't vote against that for Justice. It's going to go to defend those who need the help."

There is nothing in this. I will also argue that in our full budget there's nothing other than line items and numbers. What we need is a plan. What we need is a list that says, you know: "Here are our top 15 infrastructure projects. This is the one that's carrying over, and this is what we need in this interim supply for the first 30 days." Whereabouts is this \$1.5 billion in capital that we have here going for expenses in Transportation? Are there not areas where we can cut? We in the opposition have said: yes, there are, but we need a list.

We truly believe that if the government was to give us a list on these things, we could sit down and prioritize and agree on what we could do to reduce our deficit. We don't need to spend \$4.9 billion in such a short order of time and not have a really good debate on what the priority is. Is it to bring in the arts and to have a couple of films that are filmed here in Alberta? Is it to study the caribou so that we can't proceed with highway 63 and we've got to have two more years? What is the list? What is the line item value?

I also found it very interesting that the minister of finance said: well, we'd like to hold off to the very last minute if possible so that we can be as accurate as possible. That's great, and it's wonderful, but the fact is that we have that dilemma every year. So why hold off? I know that Albertans would not be upset if, in fact, we made the budget in February and the price of oil was to go up in the spring. We'd say: oh, we have a surplus. I just don't think there are going to be too many Albertans that are going to be pointing their fingers at this government and saying: what poor planning. No. We had the plan. Things changed.

The hon. minister of finance says: well, you know, when that cold snap hits in the eastern U.S., we used to see a jump of \$2. That isn't what the budget and the planning are. What was dismaying to me, though, was that it sounded to me like the government was actually planning on the budget and on this interim supply: we want to wait to the last minute so we can spend absolutely every last dollar that we think is going to be coming in. It's just not the proper way, when we're running a huge deficit, to be looking at that. What we should be looking at is: what are our priorities? What's actually in this interim supply of \$4.9 billion that we really need to press ahead with? For example, some of these overcrowded schools, whether it's Fort McMurray, Beaumont, Airdrie: we know that. I am very confident that Albertans would say: that should be higher up on the priority list.

Highway 63 and highway 3 to Medicine Hat are areas where the government department has said: "These are areas that need to be upgraded. We should be going there." Is that where this \$1.5 billion is going? I don't think so. For the last two years there hasn't been a ton of pavement going on highway 63. So what are the priorities? Is it a back road going between two cities that already have an adequate road, or is it a main corridor that we need to upgrade and see that it's working there?

I just want to go over the format for a minute. Again, the hon. minister of finance talked about: do we need more years in the columns? Yes, we do. Do we need more details? Absolutely. He talked about the blue book and the necessity of it being six inches thick. It's nice that we have it electronically now, but I must say that it's much easier for me to sit down and flip through the blue book. Looking through there – I don't know – it just pops out more to me.

**Ms Blakeman:** That shows your age.

4:20

**Mr. Hinman:** Yes, it does. I just don't try to hide it. I'm not going to do anything fancy. [interjection] Sorry, Mr. Chair. Sometimes it is entertaining to get sidetracked on the little humorous things that we do here in the House.

To get back to the problem of this interim supply, number one, we shouldn't be doing this. We should be actually going over the budget. We need more detail. It is just so critical. If, in fact, we want to balance the budget, if we want to do a better job, it means we have to have better information. We need to have more detail. It's very difficult to make a decision, to vote on something and say: "Oh, yes, the Treasury Board needs \$62 million. Municipal Affairs needs \$1.04 billion." What for? How can you vote against or for something when there are no details in it and it's just supposed to be *carte blanche*? "Here it is. We need \$4.9 billion. Let's rush this through so that we can go on with running our government."

All of these things are alarming to me. It's concerning to me more so than ever. When I was first in this House, gratefully we were running a balanced budget or a surplus. The last two years that's not been the case. We need to do our due diligence. We need the information, and it needs to be public so that we can go back and say to those we represent, to those we are collecting tax dollars from and spending on: "This is where it is. You know, if you're not happy with this project – it's not going to the southwest ring road or the southeast ring road. We don't want to spend it at this point. Let's save it, then, until we can do that."

The bottom line, Mr. Chair, is that we need better information. We need more time to go over that in committee, where we can ask the details, make an informed decision, and not just simply a yea or a nay for a one-line item and say: well, that's good enough.

I appreciate the time to speak on this. I hope that going into next year we will not see an interim supply, that we will not need the Appropriation Act because we'll have it done. That will be exciting to me. We can just get right into the budget. I hope we change that whole format, how we're doing that, so that it's more functional, that we can actually look at and make some good, sound decisions on how we're going to prioritize and spend the tax dollars here in Alberta for the betterment of our whole province and not just for some different areas.

I appreciate that time, and I'll look forward to any more discussion on Bill 13.

**The Deputy Chair:** Any other members wish to speak?

Are you ready for the question on Bill 13, the Appropriation (Interim Supply) Act, 2011?

**Hon. Members:** Question.

[The clauses of Bill 13 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That's carried.

## Bill 2 Protection Against Family Violence Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. It is a privilege here to speak in favour of Bill 2. I know the sponsor of this bill, the MLA for Calgary-Nose Hill. I'd like to thank him for bringing this bill forward at this time. I think it's a measure that goes a long way toward increasing the protection for individuals and families affected by family violence by holding accountable those who violate protection orders and makes Alberta's penalties for these violations stronger than they were. Again, I'd like to commend him for bringing this bill at this time.

Alberta has higher than average rates of family violence. There's no doubt that we need to do everything possible not only to crack down on family violence but at the same time to support families in that we have mechanisms in place so that people are hopefully living caring, sharing, productive lives. If the government could do that through this bill by having a little bit more authority with the penalties that are out there, that is excellent.

The nice thing, too, about this act is that it amalgamates a couple of processes here. The legislation will make it clear what the penalties should be when an emergency protection order is breached by a respondent or an abusive family member. Prior to this, a breach of an emergency protection order was dealt with under civil contempt proceedings or under section 127 of the Criminal Code. This stated it was an offence to breach an order of the court. These two avenues do not specifically address family violence, and there was a wide variance in what penalties were used for breaches of emergency protection orders. This bill will clarify that and allow for a more streamlined process or allow for these types of things to less easily fall through the cracks.

The bill also clarifies that evidence which a Court of Queen's Bench judge must consider when reviewing an emergency protection order that was granted at Provincial Court. These are two different levels of court that maybe in some cases weren't seeing the same evidence, or the judges weren't seeing what the standards were from other levels of court. This makes the process a lot better and a lot easier for practitioners who are out there trying to enforce emergency protection orders.

Like I said at the beginning, the emergency protection order is a tool that can be used immediately to address the safety of victims of family violence. It can provide that the abuser have no contact or communication with the victim, that the victim can stay at a residence while the abuser is not able to, and other conditions that can provide for immediate safety of the victim and the family members. You see, it's very important for people who are suffering from family abuse to be able to go to our court system and have an emergency protection order put into place quickly.

Without that mechanism or having that ability, people are going to be out there suffering the vagaries of an abuser. If they can't get to our court system and use it effectively, well, then, we haven't done our job. This, hopefully, will enable fewer people to become abused, and we're hopefully going to be able to separate the abuser from the victim and then get them into some support systems to rebuild their lives. That's the other arm of this picture that we've got to work on, too.

Nevertheless, this is a good bill. Like I mentioned earlier, we have a large volume of domestic violence cases here in Alberta. It's something we should be continually striving to lower. In fact, the latest information from Statistics Canada showed that Alberta was the third highest in proportion of spousal violence, right behind Nunavut and Quebec. It's not really a pleasant picture. Nevertheless, this should hopefully bring in some rules that maybe provide a little more safety for individuals.

Looking at the bill as a whole, this is a good measure to try and provide victims of violence with an ability to get to court, an ability to separate themselves from an abusive relationship, an ability



to find, hopefully, for themselves and their children protection. That's what our court system is there for, to protect people from unwanted and hurtful situations.

Again, I'd just like to commend the hon. member for bringing this forward. It moves our legislation in a more streamlined fashion as well as in a fashion which will go quite a way to protecting more individuals.

I'd like to thank you for the opportunity to speak to this, and we'll hear some other members speak on this.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Airdrie-Chestermere.

4:30

**Mr. Anderson:** Thank you very much, Mr. Chair. I'm going to speak in favour of Bill 2, the Protection Against Family Violence Amendment Act, 2011. It's an important bill, I think, that adds stiff penalties for those who ignore protective orders issued by the courts. I think that we can all agree in this House that actions certainly speak louder than words, especially with people who have broken the law. When a court issues an order, it must be respected, with no ifs, ands, or buts about it, because it's the law.

I'd like to commend the hon. member – as I always say in this House, one of my favourite members of the Legislature – the good doctor from Calgary-Nose Hill, for bringing this forward. It's a very good act, and I really liked the way that this member went about it, too, Mr. Chair. It deserves recognition that he always goes out of his way to do a briefing with members of the opposition or to answer any questions that we may have about the bill. At least, that's been my experience. I find that it's just very refreshing. I actually feel that this member takes very seriously bringing a bill to the Legislature. He only brings bills forward that he believes in and that he thinks are appropriate, not just ones that are stuck on his desk by some minister. I really do appreciate that very much. He's a good example of a parliamentarian.

Back to Bill 2. As I said earlier, when a court issues an order, Mr. Chair, it needs to be respected, no ifs, ands, or buts about it. The situation as it stands with regard to this is certainly not good enough with regard to the penalties for those who ignore protective orders issued by the courts. If a fearful wife and mother, a fearful woman, a fearful anybody receives the protection order from the court, there are almost no meaningful consequences for ignoring the order. This is unconscionable at the present time. A violator can be found in contempt of court, but there are no specified penalties for that contempt of court. It's a civil offence.

Someone that intimidates children – it has been well documented – receives nothing more than, really, a slap on the wrist. This clearly is not good enough. It's obvious that if you want to protect children in general, you take family violence seriously, and you do something about it. Based on police-reported data, when a child is physically or sexually assaulted, it's by someone they know 85 per cent of the time. I just shake my head when I hear statistics like this, when I learn of statistics like this. This is based on police data and investigated cases.

Based on our most recent data, from 2007, 53,000 children and youth were victims of assault. Has it gone up in 2010? It probably has. Thirty per cent of those perpetrators were family members in this province. The message is clear. The family home must be a safe place, a refuge from harm. Usually in the vast majority of circumstances parents are caring. They're loving. They would do anything to protect their children. Their rights to be parents and their ability to be parents are not in any way being questioned by this bill, but there is that percentage – whether it's 1 or 2 per cent, it's far too large – where the abuse happens.

Tragically, sometimes it's sexual abuse, which is just beyond anybody's comprehension in this House. Oftentimes it's verbal abuse and physical, violent abuse. It does happen, and many of us, I think, have seen what happens. I don't think many of us have seen it actually happening in front of our eyes although I'm sure some of us have. But all of us have seen and known victims of the abuse, and it is just heart wrenching to see.

If someone is brave enough to say, "Enough; that's gone too far," to step forward and get a protective order, it must have force and real consequences for disobeying it. I generally like the penalties included in this bill. I like mandatory minimum sentences. Surprise, surprise. Albertans need assurance that broken laws have real punishments, real consequences. Wrist slaps don't count. They're not good enough.

A first offence will allow a judge to levy a fine of \$5,000 or up to 90 days in jail. On this I would like to see a mandatory minimum. All I see is a maximum. On the second offence there's a minimum jail sentence of 14 days, for a third offence 30 days. Although these penalties are a step in the right direction, I think they still could be stronger. I do think that we're moving in the right direction here, but these are very serious. I think that when these protective orders are violated, the consequences should be very serious in virtually all cases, with very little discretion given.

Although these penalties are a step in the right direction, I think they could be stronger. Someone that repeatedly ignores court orders, for example, should be treated harshly, especially when it comes to family violence. I really do like the upper-end punishments in this bill. A second offence could land you in prison for 18 months. Very good. A third would see someone behind bars for 24 months. This is very good. We all know that violence, if left unchecked, will escalate. A threat will lead to an assault, and an assault can lead to a death or a child being exploited and harmed and victimized for all time that they're on this Earth.

Forty-one per cent of child and youth homicides were committed by a family member. It's usually the people children trust most. It's usually parents. It's usually, unfortunately, the father or the male figure in the house when it does happen. Again, I want to repeat that the vast majority of fathers out there would step in front of a train for their kids if it meant taking care of them and keeping them from harm. But for some reason there's an insidious population out there that feels that they have the right to abuse the people that are closest to them.

Another 27 per cent of these acts were committed by someone the minor knew, and that's a big warning for all parents out there to make sure that they are aware of who their children are associating with. Whose house are they going to? Who are their friends? Who are the parents of their friends? We need to be careful with that because it's incredible how sneaky and conniving some of these individuals are. That's not to say that we need to be suspicious of everyone. We just have to do our due diligence and make sure our children are hanging around good people.

I think this government could be doing more on the family violence file, though. There is more that they could do. For example – and this is a big one for us in the Wildrose – the government has dragged its feet on proclaiming the Mandatory Reporting of Child Pornography Act, that the hon. Member for Calgary-Fish Creek proposed. It was passed last year. We have begged this government over and over and over again to put a date for implementing the bill into effect and to announce it, to make it not only law but completely in force. There has not been any action on it, and that is unacceptable. The Mandatory Reporting of Child Pornography Act: there's just no acceptable reason why we haven't proclaimed that bill. Surely, the members opposite and the members running for leader of the PC Party and so forth will find it in their hearts to

proclaim this bill and make it mandatory to report some of the most disgusting abuse that happens in our society.

**4:40**

There is also a motion before the House, Motion 503, that urges the government to create a task force to reduce the exploitation of children. The motion isn't a government motion; it's a private member's motion. I think it's great that that member is putting the motion forward, but this isn't being put forward by the Minister of Children and Youth Services. It would be good if that minister would look into the creation of that task force, and I urge her, as someone who I know obviously cares very much about the protection of children, to do that.

I like the progress that this bill will make, but it's obvious to me and to Albertans that the safety of families needs to be a higher priority of this government. It's not that they're not doing anything on it, but they're not doing enough. I assure Albertans that to ensure the protection of children and youths in any place that they are is an absolute priority for the Wildrose caucus and will be a priority of our government if we are elected thus in the next election.

Thank you very much, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you, Mr. Chairman. I appreciate the opportunity to get on the record in Committee of the Whole on Bill 2, the Protection Against Family Violence Amendment Act, 2011. To my reading of it this is the "we really mean it" amendment bill.

As a bit of an historical vignette, this piece of legislation has a really interesting pedigree to it. The original version of the bill was introduced by Alice Hanson, who was then the Member for Edmonton-Highlands-Beverly and sat in the Official Opposition at the time, which was a Liberal caucus then as well. It is one of the very few bills ever brought forward in this Assembly by a member of the opposition that passed second reading.

There was a great deal of emotional investment in the act. There were some really amazing speeches from various members of the Assembly, and it's worthwhile to go back and have a look at that. It's very revealing how many people had family members who had been victims of spousal abuse or family violence, may themselves have been in that situation. Very, very interesting. This would have been about 1995, '96 maybe, and the bill passed second reading.

The member, Alice Hanson, who's now passed away but was then the Member for Edmonton-Highlands-Beverly, did a number of consultations over the summer, brought the bill back in the fall in Committee of the Whole to do some amendments. Through the use of a procedural parliamentary process – it was perfectly legitimate; at the time I remember thinking it was a dirty trick – in Committee of the Whole there was a motion to have the chairperson leave the chair. The chairperson left the chair, and therefore they had to rise and go back into the regular proceeding of the House. The bill literally disappeared into ether because it had not been passed. Nothing had been done with it. It hadn't been reported. It was nowhere. It literally disappeared. The motion was brought forward by the Member for Calgary-Fish Creek.

Then when I was first elected, in '97, I reintroduced a version of the bill. It didn't get up because I think my number pull was so far back. Then in '98 or '99 the Member for Calgary-Fish Creek brought it forward again under her name, and the bill passed.

It has come back to us, I think, once for sure for amendment. We strengthened a number of the things that had been identified as

problematic, particularly around giving more weight to kind of not abusing the victim further. In situations, for example, where the police intervene, they're taught, they're trained to move the easiest person. So when you've got a combative father and husband and a victimized wife or spouse, they tend to get the wife to leave. Well, now you've uprooted the wife and the kids, and they're gone. They don't have their toothbrushes, their teddy bears, their pajamas, nothing, and they go and stay at a friend's for the night or go to a shelter. What the legislation was trying to do was give the police more teeth and more options to legally say: "Nope. Sorry, buddy. It's you. The law says that you're the one that should be out of here." And it worked with a number of other processes.

I'm very pleased to support this bill. I'm very pleased to see that the main thrust of the bill is to establish that offence and penalty provision inside of the legislation for breaches of emergency protection orders. Someday I'll give you a little historical vignette on the whole history of emergency protection orders and all the different grassroots movements that brought that one into play and eventually got it sort of legitimized and legalized through legislation. Others have talked about exactly what the act does, so I won't go into that.

I think that the points that I want to bring up specifically here are my overall concerns about our failure as a society and as a generation to have been successful in minimizing the severity and the number of family violence incidents. I honestly don't understand why. I've been working on this issue for almost 40 years, and I'm baffled. We should have been on top of this one. We've poured money into education. We've poured money into and made it a requirement that people that are in front-line service delivery – dentists, dental hygienists, doctors in emergency, nurses, EMTs – anybody that saw something they thought might be spousal violence, was to report it and, you know, move generally a woman but sometimes a man into assistance. We have shelters. We have support programs. And guess what? We turn more women away from shelters than we are able to serve, and we have a fair number of shelter beds in this province now. Granted, you know, our population has increased as well, but we've been utterly unable to get a handle on this.

My concern is that when you escalate to a level of severe violence, you are still in this case where we're talking about an emergency protection order. You still – put this image in your head – have a woman standing on the street with a piece of paper going: "Please don't hurt me, shoot me, knife me, club me. I have an emergency protection order. You can't do that." Not very effective, is it? That's the bottom line. You do have a legal piece of paper, but it really only works if the person that is coming to attack you believes that they should cease doing something because of that legal piece of paper.

What we have now is a legal piece of paper that contains clauses in it that have very, very specific punishments involved, you know, financial punishment with fines that are now going to range between \$5,000 and imprisonment, starting with the first offence, of not more than 90 days; then a second offence, 14 days to 18 months; and the third offence, not less than 30 days, not more than 24 months. So, you know, serious stuff. But still, a piece of paper when you're standing on the street and somebody is coming at you with a knife or a shotgun or a club, a tire iron . . .

**An Hon. Member:** A golf club.

**Ms Blakeman:** A golf club. Just about anything you want to imagine that could be used as a weapon or even just somebody's fists.

This is the real problem, that we still have those situations. And if anybody is reading this or listening to this online and you're in that kind of difficulty, if you're in that kind of fear, please contact the police. Ask for very specific help to get a personal safety plan put in place.

4:50

Now, I will acknowledge here – and you guys hear me talk a lot about the differences between rural and urban and how we're not paying enough attention to urban issues – that in this instance there's a real difference between the resources that are available to urban people that are victims of family violence and rural victims. In the urban areas there are more resources. There are police officers that work in special units that know exactly how to work with someone to develop a personal safety plan so that they do not become a crime statistic as a fatality from spousal abuse. They work with prosecutors in the Justice department. It's a whole team that will come out and work with women. If anybody is listening to that that needs that kind of help, get it. It's there for you. We fund it. That's why it's there.

If you're trying to avoid somebody or not be noticed or hide, it's a little easier to do in a city. There are more people around. It's easier to not get noticed, right? If you're in a rural area, it's easier to get noticed. People instantly start going: "Who are the new people in town? Who moved into that house next to the Johnsons?" You get noticed a lot more when you're in a rural area. You could be much more isolated. It's more difficult for you to get help. You could be dealing with police forces or law enforcement that don't have that kind of specialty training, so it is more difficult to get that kind of direct help. Frankly, there are more guns because it's much more a part of a rural or farm life where you would have guns on the premises for controlling . . .

**An Hon. Member:** Gophers.

**Ms Blakeman:** Well, no. I'm just thinking about predators and varmints and things, coyotes and stuff. [interjections] I'm getting help from my farming friends here.

There is a difference there about what's available, and it's simply about numbers. It's about an ability to deliver that service efficiently and effectively in rural areas. So there is a difference there. Definitely, the women that are in urban locations have access to better resources there.

The bottom line is that we still have too many families out there that are dysfunctional to the point where somebody is beating the tar out of somebody else or, worse, they're killing them. That costs all of us. We all pay for the ambulance, for the emergency services, for the court processes, for the rehabilitation processes, for the lost productivity, and, frankly, for the screwed-up kids that are going to be coming out of that family. It costs every one of us real money, bucks on the barrelhead here. This is not a victimless crime. This is not a cheap crime. It's expensive.

I can't tell you what it is we need to do to solve this. I wish I could, but I can't. I don't know why we have utterly failed to raise the next generation to not beat on the people that are closest to them. I don't know how we failed to do that, but we did because the statistics are even worse.

One of the things that this government stopped doing – and I understand why they stopped doing it. It was embarrassing. Okay. Fair enough. But you know what? Woman up here. There are all kinds of analogies and rude things I could say about – find some courage. For heaven's sake, get over it. I don't care if you're embarrassed about publishing annually the statistics of the numbers in the shelters. I can't even remember how long ago it was that the

government stopped publishing the numbers of women who are turned away from the shelters.

We know now – you can dig it out from places if you're determined enough, but that shouldn't be how it works – that we turn away more people that come to shelters than we're able to find space for. I know that's embarrassing for the government. Tough, because the rest of us need to know that. We need to know what those numbers are and how many of those people are out there and looking for assistance because it reflects on us. It gives us all an out. It lets all of us off the hook because: hey, they're all looked after, right? No, they're not. I think we're somewhere in the tens of thousands range of women that are turned away from shelter spaces in Alberta at this point. I don't mean 30,000. I mean 13,000, if I remember the last statistic that I heard, but I'm out of date by a couple of years there. I think we all need to know that information to understand how large the issue is in our province and in our cities and in our communities.

The other thing that happens there is – and I just have to speak out on behalf of women who don't have children – that the women who get accepted into the shelters first and get space looked after are women with children, and you can understand why that happens. It makes perfect sense. They've got little kids. You can't leave a kid out on the street. You can't say: "Well, go couch surfing at a friend's place. Go and sleep at a friend's place for a couple of nights." You can't do that if you've got a couple of kids with you. So women with children get admitted to these shelters, and they will be taken care of. Women that turn up at a shelter without children: those are the statistics of women that got turned away.

So we have to discriminate. There is discrimination there, and the discrimination is against battered women who don't have children. It's not that we want to do that, but that's the way it works. That's tough. I mean, the idea, the thought behind that is that, well, they can find some other kind of help. They could find a friend to stay with for a couple of days and then move on to another friend and work something else out.

To me it's still a reflection of how we make excuses and how we deal with what is a really insidious and pervasive crime against our society. I'm offended when a woman is beaten because she's a partner to someone that thinks that it's okay to beat on her. That's an offence to me, it's an offence to every person sitting in here, and we need to think of it that way.

This bill is a good step in the right direction to show we really mean it and here's the punishment if you don't obey those protection orders, but we still have a heck of a long way to go on this whole issue. We've actually gone backwards, and it may be that we've managed – you know, way back when, when I first started working on this, I remember doing a project when I was at the Advisory Council on Women's Issues. I tried to figure out how much money a battered spouse – and that can be a man, by the way. Don't think that doesn't happen. It exists in gay and lesbian relationships as well. Nobody gets off the hook on this one. Nobody gets to be proud and say, "Not in my community," because that's simply not true.

I shouldn't get so far off on tangents. I forget. The train leaves the station, and I forget where I was. So no one gets off the hook. The number of people: oh, I don't know. It's totally gone.

Thank you very much for allowing me to speak in favour of this bill. I do think that it's a symptom of a much larger problem that we have.

Oh, the statistics. That's what I forgot. I'm sorry. I sat down, and people laughed at me. They hooted with laughter when I phoned and said, "Well, how much does it cost to send a police car out on a call?" and phoned emergency rooms and the AMA

and all of these other places going, “Well, how much does it cost, you know, to pay an ER doctor for a year, and how many visits do we know of that are women going into emergency?” I was trying to figure out how much this could possibly be costing us.

I came out with this figure, and everyone went: “Oh, that’s preposterous. That’s outrageous.” I now know that I was way under. But we weren’t keeping statistics like that then. We didn’t pay any attention to that kind of thing. At the time we started to say that we think 1 woman in 10 is a victim of spousal abuse, and the reaction was total outrage and negation. “Absolutely not. Where did you pluck that number from? Out of thin air? There’s no possible way that 10 per cent of the women in our population have experienced some kind of spousal abuse.”

5:00

Well, as years went on, we were able to gather the statistics. We knew we needed to speak the language of the people that held the money and held the power, and that was all about statistics. It was all about showing how many people were affected, how many times the police were called, how many times there was an admission into the ER. It was all the stuff that I was trying to do at that time 30 years ago. By building those statistics, we were able to start to figure that out. What we found out was that it wasn’t 1 in 10. It wasn’t even 1 in 5. It’s much closer to 1 in 3. That’s how much it pervades our society.

Now, it depends on how you’re going to give a definition of abuse or violence, you know, but generally what we do know is that men have much more ability to inflict much more serious harm on women than the other way around. So even where you have statistics that show that battering goes both ways – and we certainly have those statistics – the damage that is done is far more serious and long lasting and lethal to women than to men. That’s not an excuse. That doesn’t say that it’s okay to beat your spouse because it’s a man. That doesn’t make that acceptable in any way, shape, or form, but it does tell you how serious this is and how much it covers our whole society.

I’ve been really interested while I’ve been speaking to see how much other chit-chat has gone on and other conversations and other attention being directed away from what I’m saying and toward other things.

Thank you so much, Mr. Chair.

**The Deputy Chair:** Any other members? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thanks, Mr. Chair. It’s a pleasure to rise and speak on Bill 2, the Protection Against Family Violence Amendment Act, 2011. This is an important bill. Many, many individuals in Alberta have looked forward to an increased protection against family violence. It truly is shameful in this day and age that family violence is still such a pressing need here in the province. That’s why I’m pleased to support the government on this bill. Hopefully, they will take a few more steps forward in ensuring that those who commit family violence are treated properly and that those who have the offence committed against them are protected properly.

Family violence is still a serious issue in Canada. I found a shocking statistic from the Minister of Justice in Ottawa, that nearly 2.5 million Canadians over the age of 15 have been stalked in the last five years. That truly is just an unbelievable number to me. Millions of Canadians are being harassed and tormented by people they are close to. Spousal violence itself is almost 15 per cent of all police-reported crime. It’s a known fact that family violence is vastly unreported. They estimate that 30 per cent of

spousal abuse victims report their crimes to police. It’s not a confidence in the system to realize that such a low percentage are willing to come forward. They truly feel that the system will fail them; therefore, they won’t come forward.

To quote Edmund Burke, as I often do: all good people have to do is nothing in order for evil to flourish. To me this statement is true here. Too often evil people do something and good people do nothing to protect those who have been victimized. It’s also the situation as it stands with protective orders. When children are harassed and spouses are under threat, victims get a court-approved protection order. There are no specified penalties for violating protective orders. Most often offenders are dealt with in a civil court, where they are found in contempt of court. Contempt of court is handled by the court itself with no set penalties. There’s also the option of charging an offender with criminal charges, with breach of conduct.

With over 1,000 charges filed every year, 70 per cent of these charges are dropped. This is an alarming number to me. Are there that many charges that are inappropriate that have been filed? I don’t think so. To think that with 70 per cent of those charges we are not able to follow through with prosecution is a real concern. Abusive spouses and parents have received the message loud and clear: protective orders don’t mean much. Abusers are fearless. It’s time that we change that. We need to have those who are known abusers held accountable.

Changes to the Protection Against Family Violence Act are a good step in the right direction. Minimum sentences are going to be put in place. A second offence will lead to 14 days in prison, no questions asked. A third offence will see an offender spend 30 days in prison.

We’re falling short, though, on the first offence. One of the problems, I believe, and why we see that 70 per cent of the charges are dropped is because these people are getting off. The repeat offender is the problem. Someone has gotten away. They understand the system, they have that fear and intimidation, and they bully on. The victim, once again, doesn’t see any action happening. It reduces the rates of phoning in. The calls, the cries for help aren’t put in there because the abuse has escalated. The intimidation goes on there. I truly hope that this bill will take a step forward in helping that.

I think it’s appropriate that there are maximum sentences as well. A first offence can lead to 90 days in prison, a second leads to 18 months, and a third means 24 months in prison. These are serious penalties, and I’m glad they’re being proposed.

The part that concerns me the most, though, is the big picture. This is a small piece of a bigger puzzle. Protecting children, especially the vulnerable children, is important. My caucus colleague brought forward the Mandatory Reporting of Child Pornography Act. That was passed, yet it’s never been proclaimed. That’s a real concern for us in the Wildrose. Why do we pass acts like this, that have actually passed in this House yet are not proclaimed? What is the message that we’re actually sending to Albertans about this?

I really have a serious question. How many children would be saved if, in fact, that act was passed, if there was mandatory reporting of child pornography? This is a problem. Again, when we catch somebody and they can get off, where do we go? Only downhill. What we want to do is to raise the bar. We want to protect the children. We want to protect the abused spouses and go forward.

This act, again, is an important act. It’s taking one or two steps forward, which to me is very important. I’m sure that because this is government sponsored, there’ll be a much higher chance that this will in fact be proclaimed, yet it still astounds me how many

bills have been passed that have not been proclaimed. Mr. Chair, there are so many things that we need to do.

I like it when a government gets tough on crime. The question is: who are we being tough on? It's shameful, though, when we don't have the proper tools to enforce the laws we already have. Crown prosecutors and judges are extremely short-staffed and overworked, and this has created a backlog in our justice system. As far as I'm concerned, justice delayed is justice denied.

Mr. Chair, I personally know of cases where parents – and this is the most appalling to me – use their children to victimize the other spouse. Again, it's because of the backlog and the lack of social workers and those proper assessment tools that we have way too much abuse going on with children. There's nothing more appalling than parents that are actually using those children to try and hurt the other spouse.

I appreciate the sentiment of this bill. I appreciate the content of this bill. The question is: is it enough?

I just want to read a few other things. How often does a vindictive spouse use and punish the other one unjustly? How often do they use the children to do that? Again, we don't step in and have enough protection in the courts, and the judges are often left in the position where they don't have the time to hear the full case. They have to err on the side of safety rather than on the side of justice to find out: are these allegations just or are they not? Again, it's a two-edged sword, where the children are hurt, are abused, where the spouse is abused, or where the innocent is being accused falsely and can't get a fair day in court because of the backlog and the months that it can take before the air can be cleared or we can come to the truth on these things.

The failing to comply with a protection order is definitely a weakness that we need to address.

5:10

The bottom line is that we have some important initiatives. We need to increase shelters for both women and men but definitely for women and children. Too often they look at that, and literally in their minds they do not see a way out of the trap. "What can we possibly do to get out of here?" They say, "You know, we just need to carry on" because they haven't seen the successes of other abuse victims getting out.

Providing safe visitation sites in the province is huge, where children can actually have a safe environment to be visited in when we don't know the situation and how it's going. There are so many areas that we need to do a better job in. The hon. Member for Calgary-Fish Creek's Mandatory Reporting of Child Pornography Act: we need to have this bill passed and proclaimed. It will do us a great favour because we are truly judged as a society on how well we protect those who can't protect themselves.

Again, you know, I don't question any member in this House that we want to be able to say that we have the most just society of anywhere in the world. The only way we can have a just society is when we stop those injustices that occur to our victims. The repetitiveness of crime is known. We know that it goes on there. It's critical that we get these people, that we record them, and that there is mandatory sentencing as it escalates so that there is an actual price paid when these awful acts of violence occur.

With that, I'd just like to say that I support this bill and look forward to it being passed and proclaimed. My heart goes out to all those victims that have suffered in the past because of the inadequate tools that we've had in order to protect those victims.

Thank you.

**The Deputy Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I'd like to speak to Bill 2, Protection Against Family Violence Amendment Act, 2011. I just want to indicate that we are supportive of this approach. I just want to focus on a couple of things; first of all, the purpose of the bill, which is to set out clearer consequences for those who breach protection orders by adding an offence provision for breaches of protection orders. This bill, we understand, aims to decrease violations of protection orders, thereby decreasing family violence, which is highest in Alberta. Across Canada it's highest here.

You know, right now a breach of a protection order can only be pursued in a couple of ways, whether there's a prosecution under a civil contempt or, alternatively, under Criminal Code section 127, which is a general provision for breach of any type of court order and which carries a maximum sentence of two years' imprisonment. Currently under this act perpetrators and victims have little certainty that there will be consequences or even outcomes when the law is breached, and they do not know under what law the perpetrator would be prosecuted. There's also no way to collect data on the type of breach; that is, a civil contempt or a general section 127.

Now, I think that the proposed amendment purports to set out clearly the consequences for breaches of protection orders and to increase the punishment for second and subsequent offences. I just want to indicate that those provisions, I think, will improve the situation. For a first offence a guilty person is liable to a \$5,000 fine or no more than 90 days in jail, for a second offence to a term of no less than 14 days and no more than 18 months, and for a third or subsequent offence to imprisonment for a term of not less than 30 days and not more than 24 months.

Mr. Chairman, I want to say that in general we are supportive of the provisions of this bill and supportive of the intention of the government to provide greater assurance that protection orders are obeyed. I think that it will have the intended effect of increasing the protection available to women and children from people who want to harm them.

I want to ask a few questions about this because I think we need to ask the government why there isn't more support in this province given to women seeking shelters and to provide social assistance and other things for them. In 2007, Mr. Chairman, 12,000 women and children were housed by Alberta women's shelters while 14,000 were turned away. Clearly, the 1,569 shelter beds have not been sufficient to meet the needs of women and children in crisis. This government funds less than half of the shelter beds that are in operation.

I think there are some other questions. I hope that someone on the other side, the minister or the proponent of the bill, could answer in what way this legislation is preferable to section 127 of the Criminal Code. What are the advantages of bringing it in under the Protection Against Family Violence Act? For example, when a woman leaves the province, how will the protection order information be available in other provinces, and will they be able to ensure that a perpetrator has a protection order or that it's ensured? I'd like to know how the police forces in Alberta will be properly resourced to deal with breaches that they'll need to investigate and address. I'd like to know from the hon. Solicitor General, perhaps, if additional resources are going to be provided to our police in order that they can effectively enforce the provisions of this act.

Mr. Chairman, I have to say that violence against women and children is a very, very serious problem in this province, and the responses have been inadequate. One of the things that I think we really do need to address is how we provide the supports for women to look after their children when they're faced with a

spouse or a former partner who's inclined to abuse them or to use violence, how we protect them. That's more than just toughening the sentences, although this is part of it. It's also making sure that they have the financial resources they need. It's ensuring that they have access to social services, that they have good, safe housing, and that there are sufficient shelters available to them when they need them.

In these areas the government has fallen short by a long shot, and I think that anyone that talks to people who work in shelters for women will tell you that they struggle very hard, and it breaks their heart when they have to turn women away who desperately need the shelter beds because there are far less in this province than actually needed. So I would urge the government, in addition to passing this act, to get serious about providing adequate resources to the women and their children who are in threatened circumstances, and that includes housing. That includes financial support as well as it includes stronger protection from individual perpetrators of violence and abuse.

With that, Mr. Chairman, I will take my seat and indicate that we do think this act is part of the solution, and we will be supporting it. Thank you.

**The Deputy Chair:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Chairman. I'm pleased to rise and speak to Bill 2, the Protection Against Family Violence Amendment Act. As other colleagues from my caucus have indicated, we'll be supporting this. Several members have spoken before me, and I don't really care to repeat their comments, most of which I thought were quite valid. There's no question that we are addressing a serious issue with this bill, that it's a step in the right direction, that there are widespread problems with family violence, and that this is only one part of a broader approach to addressing family violence. Every member of this Assembly will condemn family violence.

5:20

I thought I would take a chance here, Mr. Chairman, to just get a little bit of evidence on the record. I'm going to quote primarily from a report that comes from the Canadian Centre for Justice Statistics, which is under Statistics Canada. The report is titled *Family Violence in Canada: A Statistical Profile, 2008*. It's a fairly extensive document about family violence, and it draws heavily on police databases. It compares incidents and rates across Canada and among age groups and across genders and so on. Just to reinforce with members of this Assembly and with anybody who may be reading *Hansard*, I thought I would take a moment to get some of the information from this report into the Assembly's record, so I will quote here, starting from page 6, which is part of the highlights of the report. I'm only going to select a few.

The first one I'm going to quote I want to discuss briefly. It says:

Females continue to be the most likely victims of police-reported spousal violence, accounting for 83% of victims compared to 17% males. This holds true for every province and territory across Canada.

Clearly, we all perceive family violence as visited more frequently and more seriously on women. That's the stereotype, and that's the stereotype backed up by the evidence. I don't want to lose track of the fact, though, Mr. Chairman, that boys and men can also be victims of family violence, and my suspicion is that the balance may not be quite as distorted as the statistics indicate. I think there is at least a plausible possibility that men are more reluctant to come forward as victims of family violence, so I think that we need to be careful in our own minds to not fall into the stereotypes.

I remember in the 1980s, when family violence and violence against women were first really becoming part of the public agenda, there was an education campaign funded by the government of Alberta. They had big posters up in the bus stations and other places, and they actually defined family violence as – this was striking to me – violence by men against women. I'll be honest; I took some offence to that because it isn't quite that one sided, so I want to drive that home. Without diminishing the terrible number of women who are victims of family violence, I do want to make sure that we don't just assume that it's always women.

Here's another quote from page 6 of that same study.

Male victims of spousal abuse were nearly twice as likely as female victims to report incidents of major assault (23% of male victims vs. 13% of female victims). One possible explanation may be that while male spousal abusers are more likely to use physical force, female abusers tend to rely on weapons.

It goes on in the detailed notes of this report to speculate that because of differences in average strength between men and women, women may rely more heavily on weapons, which seems reasonable to me. Those situations can be complicated. They may well be women defending themselves, but I think we need to remember that that's not always the case.

The study then goes on, and I'll quote again.

Charges were laid by police in three-quarters . . . of all police-reported incidents of spousal violence in 2006. Incidents involving female victims were more likely to result in a charge being laid than those involving male victims.

I think it's worth exploring this a little bit. I'm going back to my comments about stereotypes. Are police more inclined to brush off a complaint brought forward by a male than by a female? I don't know, but that's a potential explanation here.

I'm skipping over various other highlights, but I think it's important to draw on the data, Mr. Chairman, because we want evidence-based law as much as possible.

I want to talk a little bit about family violence against children. It says in this report:

About 4 in 10 child and youth victims of family violence sustained a physical injury in 2006, compared to 5 in 10 when the perpetrator was a non-family member. The majority of injuries sustained were considered to be minor injuries requiring no professional medical treatment or only some first aid.

Then it goes on in the next line to say:

Boys were more likely than girls to sustain physical injuries resulting from family violence.

I think we need to keep that full picture in mind, Mr. Chairman, about children, boys and girls, too often being victims of family violence.

This study also looked at older members of family and how often older adults were victims of violence. Again, I'm just continuing to stretch out the stereotype here. This is interesting to think about. I quote here from page 7 of this study.

Police-reported data consistently show that seniors (aged 65 years of age and over) are the least likely age group to be victimized. In 2006, the rate of violent crime committed against seniors was 16 times lower . . . than the rate committed against 15 to 24 year olds, the age group at highest risk.

Then it goes on to say, specific to family violence and seniors:

Senior victims were more likely to report being victimized by someone they knew . . . than by a stranger.

I think that's generally true. They were most likely to report being victimized by an adult child or current or former spouse.

Mr. Chairman, there's a lot of useful information in this document. There is, perhaps, occasionally some cause for hope in these grim statistics. I will quote from the bottom of page 7:

Over the past decade (1997 to 2006), the rate of firearm-related spousal homicides decreased by nearly 50%.

Now, Mr. Chairman, I'm a supporter of the gun registry, and I suspect that this is one effect of tightening controls on firearms. When we see a 50 per cent decline in the rate of firearm-related spousal homicides over 10 years, it's reasonable to think that some of that has to do with guns being locked up, with guns having to be registered, perhaps with unregistered guns being turned in under amnesties, and so on. I think there's no question that that's a healthy trend.

**Mr. Hinman:** That's a bit of a leap.

**Dr. Taft:** The Member for Calgary-Glenmore, who I guess opposes the gun registry, thinks I'm making a leap there, so I'd be interested to know what his explanation would be. It seems a plausible coincidence there.

**Mr. Hinman:** It could be stricter gun laws.

**Dr. Taft:** Well, stricter gun laws would be a good idea; I don't doubt that.

There was one other statistic in here that I wanted to quote that was also encouraging, Mr. Chairman, but I am afraid that in all the pages and numbers I've lost it. Oh; here we go. Not quite the bottom of page 7:

Overall, rates of spousal homicides for both male and female victims have been declining over the last 30 years (1977 to 2006). The rate of spousal homicide against females has been between 3 and 5 times higher than the rate for males.

The second sentence wasn't quite so encouraging, but the first one indicates that over the last 30 years rates have been declining. [interjection] In fairness, the Member for Calgary-Glenmore is pointing out that the beginning of that period was before the gun registry.

5:30

I just wanted to take the time of the Assembly to get the evidence that would support this bill on the record, to quote from a much more extensive study, and to just keep reinforcing two or three points. One, spousal violence is a serious problem. Two, there is some cause for hope. Three, let's not fall into any stereotypes, Mr. Chairman, that it's men who are always the perpetrators and women and children who are always the victims. It goes all ways. It can be children against older parents. It can be women against men. It can be mothers against children and fathers against children. Whatever the case, there are too many victims, too many crimes, and if this bill does a little bit to lower that number, then it's well worth supporting.

Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much. I just wanted to say a few words. Very good to hear the words of the opposition on this, the awareness that family violence is family violence and comes in different forms.

One of the things that you might have also added on this whole issue is that if you look at family violence as just something that men do to women, then there is no solution. If you just say that this is because men are bad and it all has to do with men against women, you know, if the wife who has been abused is given that as a solution, then you're essentially saying there is no solution aside from changing one's sexual orientation. So in terms of coming forward with good solutions, if one looks at this in a gender-neutral way – okay? – then solutions do come out of it.

This is something that I have been working on internally, within the government, for many years to ensure that all of the publications that come out, including our legislation, of course, are gender neutral. I just wanted to thank the opposition for bringing this forward.

Thank you very much.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. I'm pleased to speak on Bill 2, the Protection Against Family Violence Amendment Act, 2011, in Committee of the Whole. I'd again like to acknowledge the Minister of Children and Youth Services and her department for their ongoing work to reduce the incidence of family violence in the province. I do appreciate the positive comments made by 11 other members of the Assembly, including members of the Official Opposition and the third party and the fourth party.

Mr. Chairman, Bill 2 is for the first time adding offence and penalty provisions for breaching protection orders. Just in response to a couple of the comments that were made regarding section 127 of the Criminal Code, I would like to say that the statistics that refer to 70 per cent of the prosecutions not having any conviction or penalty: we don't know how many of those prosecutions were protection orders. They could be anything from a failure to produce evidence in a court or failure to appear in a court proceeding. We just don't know. That's one of the side benefits of having the penalty provisions right in this legislation. We are going to be able to track those statistics henceforth with the amendments because we'll know how many are prosecuted under this legislation and how many are convicted. So there will be statistical information that will be forthcoming, and we'll know, you know, how the courts are treating these particular offences.

A remark was made by the Member for Airdrie-Chestermere regarding the fact that we don't have any mandatory jail time for the first offence. There are reasons for that, including the fact that sometimes a breach of a protection order is not necessarily an assault, not necessarily a failure to keep weapons away, or anything like that. It could be something as simple as a telephone call in breach of a protection order. So once that first offence is, well, a breach and there is a conviction, I can assure you that the attention of that person is going to be directed to making sure that that kind of a misdemeanor doesn't repeat itself because there is mandatory jail time required for a second offence.

Some remarks have been made by several of the members regarding the fact that this is certainly not the solution, that there is an ongoing problem. I think that the department and the minister acknowledge that fact. In addition to the strengthening of the legislation that's happening in this bill, there are a number of other measures that are ongoing, including addressing the need for more emergency shelter spaces for women, the fact that we have specific domestic violence courts and police teams, safe visitation sites that are now available in the province, victim support outreach projects, and the family violence information line, incidentally, and I'd like to mention that on the record: 310.1818. That's the number where help is available any time in 170 languages throughout the province of Alberta.

Just in concluding, Mr. Chairman, it's certainly our sincere hope and expectation, in fact, that Bill 2 is going to strengthen this important piece of legislation, that it will help to protect Albertans who are affected by family violence. I would thank the members for their support, and I would urge all hon. members to support the measures and to speed this bill through the House.

**The Deputy Chair:** Any other members wish to speak?

Are you ready for the question on Bill 2, the Protection Against Family Violence Amendment Act, 2011?

**Hon. Members:** Question.

[The clauses of Bill 2 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

### Bill 3 Engineering, Geological and Geophysical Professions Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thank you, Mr. Chairman. I spoke at some length on this in second reading. We've not heard of any concerns with this. It seems like a fairly straightforward piece of legislation just to update some terminology, not that that's insignificant. The change in terminology reflects the advances in engineering, in geophysics, in geoscience. We see nothing in here that is a concern, so I will take my seat, having stated that we will be supporting this legislation.

Thank you.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Chairman. I just wanted to respond briefly to a few questions raised by the hon. Member for Edmonton-Strathcona in second reading. The hon. member raised some questions that in her understanding there was some question regarding TILMA, the trade, investment, and labour mobility agreement, and the licensing of professionals from other provinces when they come to Alberta. It was her contention that APEGGA, the regulatory organization for engineers, geologists, and geophysicists in Alberta, was in some way concerned about the quality of potential transfers of professionals into this province. She was also concerned that in some way the private sector was playing a bigger part in the licensing of professionals across the country, taking the control away from the public sector.

5:40

Mr. Chairman, I can put the hon. member's fears to rest right now. The role of Bill 3 is simply to align the wording of professional legislation in Alberta to be in harmony with other provinces which have already consolidated their geological and geophysical professional licensed categories into one. Bill 3 is really all about smoothing the way for labour mobility, not impeding it in any way.

The proposed amendments to the existing Engineering, Geological and Geophysical Professions Act that are included in Bill 3 were requested by the members of APEGGA after its members voted in favour of them in 2009. Professional geologists and geophysicists in Alberta have themselves asked for these proposed amendments, which include a consolidation of their classes of licensure into a new single class to be known as a professional geoscientist. These proposed changes, Mr. Chairman, are in keep-

ing with what many other jurisdictions have already done and will harmonize our professional geoscience legislation with theirs. By passing these proposed amendments, we will be living up to our labour mobility obligations, which are to foster the movement of workers across the country.

Secondly, Mr. Chairman, there's no cause for alarm or concern that APEGGA is losing control over the quality of professional geoscientists who come to Alberta. Quality control over the professions of engineering and geoscience is, of course, the primary concern of APEGGA as the professional regulatory organization for engineers, geologists, and geophysicists in Alberta. Its role, first and foremost, is to ensure that its professional members serve the public interests by meeting APEGGA's practice standards.

Mr. Chairman, APEGGA works closely with the academic community and with its counterparts across the country with respect to education and experience requirements for professional certification. These organizations have established high standards for anyone seeking a professional licence to practise. The reason for these high standards is simple. They are needed to ensure safety and the protection of the public.

With that, Mr. Chairman, I would invite, if there are no other hon. members who wish to participate, that we would call the question. I thank all members for their support.

**The Deputy Chair:** Are you ready for the question on Bill 3, the Engineering, Geological and Geophysical Professions Amendment Act, 2011?

[The clauses of Bill 3 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I move that the committee now rise and report.

[Motion carried]

[Mr. Mitzel in the chair]

**Mr. Dallas:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 13, Bill 2, and Bill 3.

**The Acting Speaker:** All those members who concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

### Government Bills and Orders Second Reading

#### Bill 4 Securities Amendment Act, 2011

[Debate adjourned March 15: Mr. MacDonald speaking]

**The Acting Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. It seems to me that we get



securities amendment acts before this Assembly fairly frequently, annually almost, which reflects, I suppose, in part an industry that's changing very, very rapidly through forces such as globalization and advances in technology and, of course, as a result of the sometimes criminal and often immoral activities that led to the financial collapse of so much of the world's banking and finance system in the last few years.

Luckily, in Canada we were spared most of that direct pain anyway. I think it's a really good example of how important good public policy is. The Canadian financial system has stood strong when those of virtually every other developed country and many developing countries collapsed. I think that we as legislators should always remember that whether we are enthusiastic about it or not, what we do in here can be very important.

Bill 4 wades into an issue of some national debate, and that's the role of provincial versus national regulators in the securities industry. This is not an easy issue, and I won't profess to have any great expertise in it. When I was Leader of the Opposition, I spent some time with various people trying to understand it, and as a caucus we came out supporting provincial regulation. That being said, I will acknowledge there's a case to be made for a national regulator as well. This is going to be a tough one, and it's going to get solved in the courts because I believe the government of Alberta, among a few other provincial governments, is challenging the federal government's initiative to bring in a national securities regulator.

I think it's worth pausing for a moment and just reflecting on federal-provincial relations not only in this field but in this Assembly. The case that the Alberta government is taking forward concerning securities regulators is that it's none of the federal government's business, that it's not federal jurisdiction to wade in and govern provincial securities. But it's interesting that this same government with wholesale support yesterday brought forward and passed with enthusiasm a motion that actually wades with great enthusiasm into federal parliamentary activity. In fact, it's quite explicit with Motion 11 that this Assembly is eager and enthusiastic to meddle in the affairs of the federal Parliament, urging the federal Parliament to take particular activities.

Yet when it comes to securities amendments and securities regulation, which is addressed in Bill 4, oh, heaven forbid; we don't dare tolerate the federal government meddling in our business. I think it's somewhat of a double standard, Mr. Speaker, if I may say so.

**Ms Blakeman:** Not somewhat; it is.

**Dr. Taft:** Well, I am being urged on. It's not just somewhat of a double standard; it is a double standard. Either we welcome levels of government meddling in each other's business, or we don't. We can't just choose: it's good to meddle when it's an issue we agree with, and it's bad to meddle when it's an issue we don't agree with. I think that comes to the point here.

**An Hon. Member:** What's your point?

**Dr. Taft:** Well, if we are masters of our own house, then we need to recognize there will be masters of other houses.

Anyway, this particular piece of legislation, Bill 4, is designed to smooth over and improve the operation of the passport system, which is the response that the various provincial regulators have come up with to counter the move towards a single national regulator. It does generally seem to work pretty well. I will admit that there are major players, particularly in downtown Calgary, who would love to have a single national regulator, and I'm sure that

many members of this Assembly have heard from them. I'm sure the minister of finance and the Premier have as well.

5:50

But we are going to stick to our guns here, Mr. Speaker, and support provincial regulators. This piece of legislation is intended to facilitate the operation of securities regulators not just in Alberta but, frankly, across the country by standardizing some issues. As long as we are going to have provincial regulators, we want that system to work as smoothly as possible. We want the provinces to be co-ordinated, and we want investors in one province to be very confident that securities issues being managed by another province are being managed effectively.

If you're an investor in Saskatchewan buying securities traded in Alberta or an investor in Alberta buying securities traded in Quebec, you want to be confident in how that securities management is going. Likewise, if you're trying to raise capital as a business in Alberta and you're trying to attract investors from across the country, you don't want to have to go through 10 different approval processes, with 10 different sets of regulation; you want co-ordination. I believe this piece of legislation is going to help that.

I will listen with interest as the debate on this legislation advances. I may change my mind because of the power and the information and the general usefulness of debate in this Assembly, or I may find that that just reinforces my position. But right now, Mr. Speaker, my position is towards supporting Bill 4.

Thank you.

**The Acting Speaker:** Hon. members, Standing Order 29(2)(a) is available if anyone wishes to comment or question. The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Sure. Well, I just wanted to ask the hon. member – I just couldn't quite understand. You're saying that you support this, which, obviously, strengthens the passport system which deals with trading securities. So we're dealing with a quasi-federal area that's in our interest. It's quasi-federal, right? They regulate, for example, certain things in the securities system. We regulate most of it. But I guess I'm just trying to figure out why you feel it's not a good idea for us to urge the government of Canada to pass a bill that would see us have the ability for our grain farmers and barley farmers to have the ability to sell the grain to whom they want? If you could just clarify that for me. How is that related?

**Dr. Taft:** Try to bring it back to Bill 4, Mr. Speaker? Is that the challenge you're laying before me?

**The Acting Speaker:** Please. Please.

**Dr. Taft:** Well, my point is that, actually, despite the comments from the Member for Airdrie-Chestermere, securities regulation has long been provincial jurisdiction, that we are trying to assert provincial jurisdiction there, and we are arguing that the federal government should stay out of our business. If we are arguing that the federal government should stay out of our business, then I would suspect that the argument is that we should stay out of their business as well. The Wheat Board, which was set up 70 years ago, which covers half the country, is a federal issue.

More to the point, Motion 11 doesn't just generally support the idea of disbanding the Wheat Board; it actually goes to the specific matter of wading into the business of Parliament. I think that we as an Assembly would probably take offence if Parliament in Ottawa specifically came in and urged this Assembly to do X, Y,

and Z. We'd say: "Hey. Buzz off. That's not your business." And I think they would have every right to say the same to us.

So I don't know if that helped the hon. Member for Airdrie-Chestermere. I suspect I did not change his mind, Mr. Speaker, but I will keep trying at every opportunity.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is still available. Now, we're talking on Bill 4.

**Mr. Groeneveld:** Well, I can't respond to what he just talked about? I don't like the federal government in my business, so is it just Parliament, or can they still rule on my private business because I have to deliver grain to the Wheat Board?

**The Acting Speaker:** Hon. Member for Edmonton-Riverview, do you wish to respond?

**Dr. Taft:** Well, I'm going to just take a little different approach here, Mr. Speaker. I had breakfast about a month ago, as I was telling this member, in the old hotel in Nanton. They serve a darn good breakfast there. I happened to run into, I think, the cousin of this member.

Now, let's imagine that the people who operate that business want to expand their business and raise some capital, and they want to issue shares. They're going to want, as they do this, to have a smoothly functioning securities system. In the case of Nanton they'll probably go to Calgary, and they'll hire a broker there and some lawyers and so on and try to issue securities. You know, if they did that, I might even invest. I don't know. I'd look at it carefully. The point I'm trying to make here, in trying to keep in the spirit of the Speaker, which is to stay focused on Bill 4, the Securities Amendment Act, is that this piece of legislation would make it easier for the Nanton hotel to raise capital should they ever want to do so.

Thank you.

**The Acting Speaker:** Any other members who wish to speak? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** I would like to speak to Bill 4, Securities

Amendment Act, 2011. I'd like to say that I support this act. I support the former minister of finance's very clear and concise arguments for why we need to keep securities regulation provincial in nature and protect our jurisdiction over it.

You know, I find that the Canadian government just seems to continue to try to find excuses to get involved in areas of provincial jurisdiction that I just don't think is their business. For example, education. Education is clearly a provincial jurisdiction, yet they have all kinds of programs, student loans programs, all of these different programs that are run federally for the provinces. Why not just transfer the tax points to the provinces and let us administer all of the student loans, for example, and all of the different funding for these types of things? So that's an example.

Another example is health care. Why does the federal government have any right whatsoever to regulate . . . [interjection] Well, the British North America Act doesn't give them the right to do that. They've assumed that power, and they've just kind of filled the space that I don't think they should have the right to fill. I think that areas of health are a provincial jurisdiction. That will allow provinces to experiment with different forms of health care delivery and so forth and make sure that we can have best practices instead of being tied to the whims of a federal Parliament that has no business dealing with health care legislation. That's not their purview. It's not what they should be dealing with.

There are all sorts of different areas where the government of Canada has encroached upon the provincial jurisdiction of the provinces: health care, education, and many others. I would say, too, that, you know – well, I guess that's a separate example that I talked about yesterday with regard to the Canadian Wheat Board, but I just find it amazing that we can't sell our wheat and barley in western Canada.

**The Acting Speaker:** Hon. members, I hesitate to interrupt, but the time is now 6 o'clock, and the Assembly stands adjourned until tomorrow afternoon at 1:30.

The policy field committee will reconvene here tonight at 6:30 for consideration of the main estimates of Children and Youth Services. This meeting will be video streamed.

[The Assembly adjourned at 6 p.m. to Thursday at 1:30 p.m.]

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The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, March 17, 2011

Issue 15

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-St. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

## Officers and Officials of the Legislative Assembly

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Law Clerk/Director of Interparliamentary Relations	Robert H. Reynolds, QC	Committee Research Co-ordinator	Philip Massolin
Senior Parliamentary Counsel/ Director of House Services	Shannon Dean	Sergeant-at-Arms	Brian G. Hodgson
Manager – House Proceedings	Micheline S. Gravel	Assistant Sergeant-at-Arms	Chris Caughell
		Assistant Sergeant-at-Arms	Gordon H. Munk
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 17, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

Let us pray. Give to each member of this Legislature a strong and abiding sense of the great responsibilities laid upon us. Give us a deep and thorough understanding of the needs of the people we serve. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to members of this Assembly 25 grade 6 students from Neerlandia public Christian school within your constituency. They're accompanied this afternoon by their teacher, Mr. Jim Bosma; assistant Brenda Gelderman; parent helpers Raine Kooger, Rudy Sybesma, Denise Stoik, Albert Slomp, and Arjan Koekkoek. They are seated in the public gallery this afternoon, and I'd like to ask them to please rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I've got another group I'd like to introduce to you and through you, some students from my constituency. They're from Thorhild central school. It was a pleasure to meet them this afternoon and have a picture taken on the steps. We've got 19 grade 6 students with us from the Thorhild central school and their teacher, Mike Popowicz, teacher's assistant Sharon Lakusta, and parent Monique Hoffman. Monique's husband, Nick, was in earlier in the week. It was a pleasure to have him in here as well. They're seated in the public gallery as well, and I'd like to ask them to rise and please receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you very much, Mr. Speaker. It's indeed a pleasure for me today to introduce to you and through you to the Assembly 17 amazing students from Morrin elementary school, towards the south end of my constituency. These are quite possibly some of the brightest and best-looking students in the province of Alberta. I had a chance to have my picture taken with them on the steps today, and it was wonderful. They are accompanied today by their teacher, Mr. Saltys, and also by 13 parents and aides, that I will not use the whole afternoon introducing. I invite all of my colleagues to join me in welcoming these wonderful students and their parents and teachers and aides.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members of this Assembly a good friend and constituent from Lethbridge. He's a businessman and a community volunteer. I'd like to just thank Mr. Mark Switzer for coming up to visit. I would ask that he receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. I have the great pleasure of hosting an individual I've known for many, many years. I call her an old friend, but actually she's a friend of old. She's been involved for years in seeking equality for aboriginal people. She's president of the youth justice committee and has worked 23 years at the Solicitor General Staff College teaching aboriginal awareness to all Justice employees. Of course, we had a really great lunch. She's standing already. Her name is Lenda Fisher. I'd ask this Assembly to please give her a warm welcome.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. As you know, I represent the fabulous constituency of Edmonton-Centre. In Edmonton-Centre there is a wonderful postsecondary institution called Grant MacEwan University, and inside of that is Minerva Senior Studies. We have joining us today in the public gallery 11 seniors who are members of that wonderful institution. They are always a vigorous group, and I so enjoy our spring teas. With them today is their group leader, Ms Jo Whitford. I would ask the members of the Minerva Senior Studies to please rise and accept the warm welcome the Assembly. There they are.

**The Speaker:** The hon. Deputy Speaker.

**Mr. Cao:** Well, thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of this House Mimi Hui, executive director of the University of Alberta language learning program, and Tammy Ma, the program assistant, along with 20 government officials and civil servants from Vietnam. The Minister of International and Intergovernmental Relations and myself met with this group early this afternoon. Their group leader is Mr. Hào, deputy director of the Department of Information and Communication. Other guests include the director of the Red Cross, the director of the Agriculture Promotion Centre, the dean of the School of Politics, and public officials from various government departments and regions of Vietnam. They are here on a government of Vietnam program to learn about Canadian culture and language. Now I would like to ask them to rise and receive the warm welcome from our Assembly.

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

**Mr. Chase:** Thank you, Mr. Speaker. I'm honoured to rise today to introduce to you and through you to all members a special guest who joins us in the public gallery. Lori Sigurdson is the professional affairs co-ordinator for the Alberta College of Social Workers and is here today to be recognized in honour of National Social Work Month. Social workers find it extremely challenging to support families facing issues of poverty beyond their control. While many other provinces have implemented comprehensive poverty reduction strategies, Alberta remains without. I will rise again to make a statement on the college's joint initiative for a poverty reduction strategy for Alberta, but in the meantime would the members of this House please give Lori a cordial greeting.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce a young man. His name is Andrew Lineker. At the age of 13 he worked on Laurence Decore's campaign, and after that he worked on Grant Mitchell's campaign. Most recently he ran in the mayoral election, and I believe he finished fourth in Edmonton. When we bring these young people to the Legislature, they indeed one day will run for public service and, hopefully, one day will replace

us all. I'd like to thank Andrew for his commitment to public service and serving Alberta and serving Edmonton. I'd like him to rise to receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Speaker. I have a guest today from out of province, actually. He's from Victoria, B.C., and I'd like to introduce him to you and to all members of the Assembly. His name is Ryan Pineo. He's a legislative assistant to the government caucus in British Columbia, and he is spending some time here in Edmonton, watching how the Legislature of Alberta works in comparison to B.C.'s. I see he is standing in the public gallery. I'd ask everyone here to please give him a warm welcome.

Thank you.

## Statement by the Speaker

### Election Anniversaries

**The Speaker:** Hon. members, this weekend March 20 will mark the 22nd anniversary of the first election of two members of this Assembly. Congratulations to the hon. Member for Lesser Slave Lake, and congratulations to the hon. Member for Rocky Mountain House.

## Members' Statements

### St. Patrick's Day

**Mr. McFarland:** Mr. Speaker, this morning was the 26th annual St. Patrick's Day parade in my hometown of Carmangay, which has gained notoriety as being perhaps the shortest parade in the world. Residents and visitors at the post office gather for a one-block trek to the Grange Hotel for complimentary beer and/or Irish coffee.

Today is a celebration for those of us of Irish descent and those who want to be for the day. My siblings and I are especially proud to be the fifth-generation descendants of great-great-grandparents who came to York, Ontario, from county Tyrone in Northern Ireland in 1850, before this was even a country. In 1898 my great-grandparents arrived in southern Alberta prior to us establishing ourselves as a province in 1905. Our family is very proud of the history that we have, and I want to salute my brother Todd for the passionate work he's done in putting together the family history that we can study in our homes.

1:40

You know, the history of all these people that came not just from Ireland but from all the other countries exemplifies the work and tenacity that they had in creating our province. They truly are the pioneers, those that came in those early years, not today's seniors; I'm sorry.

I salute all my forebears for their tenacity, their pride, and their love, especially our Aunt Barb, the last of our family's fourth generation, who passed away this past year. The memento on your desk is a symbol of what she would have shared with you had you had the opportunity to visit her in her home in St. Albert. I guarantee it would have been a larger, fuller version. Her words would be: may the best day of your past be the worst day of your future.

Thank you, Mr. Speaker.

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

### Child Poverty

**Mr. Chase:** Thank you, Mr. Speaker. Social workers are among

the most altruistic and caring citizens in Alberta. Each one makes a deliberate choice to dedicate their life to helping the less fortunate. Today the Alberta College of Social Workers is calling on this government to take real steps to reduce one of the most important problems of our time, child poverty.

According to the latest data approximately 53,000 children live in poverty, half of them living in single-parent Alberta families. Keep in mind that this data doesn't take the recession into account, so the current numbers must be even higher. I've heard it's closer to 80,000 these days.

There are a number of positive steps a truly progressive government could take to alleviate child poverty. For example, they could support the Alberta Liberal plan to provide hot lunch at school for at-risk kids. Hungry children have a hard time focusing on their schoolwork. This step would help address that problem by giving poor kids some of the help they need to succeed at school and, therefore, stand a better chance of escaping the cycle of poverty.

This government should also look at the minimum wage. Our current minimum wage of \$8.80 an hour is the second lowest in the nation, and it has been deliberately frozen by Canada's wealthiest provincial government. Over 60 per cent of minimum wage earners are women, many of them supporting children in poverty, yet this government won't even raise Alberta's minimum wage a measly 25 cents as recommended by the Committee on the Economy. Another 25 cents an hour doesn't sound like much to anyone sitting in this Assembly, but to the working poor it can mean the difference between feeding their family or being forced to skip a few meals.

The list of proactive steps that could be taken goes on. Alberta needs far more affordable housing. Alberta's high school completion rate and the rate of students moving on to postsecondary education must both be drastically improved.

Mr. Speaker, all three territories and 6 out of 10 provinces have action plans to reduce poverty. Alberta is lagging behind, and as a result Albertans are falling behind as well. Let's follow the advice of the College of Social Workers and join our fellow Canadians in ending the cycle of poverty.

**The Speaker:** The hon. Member for Calgary-Montrose.

### Monterey Park Telecommunications Tower

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Constituents in my area have raised concerns over plans to build a telecommunications tower in Monterey Park. The structure itself will consist of a 25-metre-long stealth monopole tower. It appears the proposal may sit just metres from the homes of several of my constituents living on Del Monica Place. Specifically, this tower could be just metres from the homes of the Duong and Yanke families. This is the second time these families have had to deal with a provider trying to put up a cellphone tower directly over their shared fence.

I'm told that this site may be one of 300 to 400 which may be built in the city of Calgary. This has the potential to cause many families undue distress and force them to mobilize their communities.

Mr. Speaker, because telecommunications companies are federally incorporated entities, it appears federal legislation or regulations set out the rules that essentially must be followed. Therefore, I think that it's due time that the CRTC and the federal government provide guidelines, number one, that put in place mechanisms that deal with applications that are submitted to address the same location so that families don't have to through the same process twice.

Number two, I have been informed that the CRTC has no regulations to determine the physical distance between a wireless tower and a residence. This, too, Mr. Speaker, I think is a void on the part of the CRTC.

As proposed, I do not support the construction of this tower, and I simply take the side of my constituents, who deserve a voice around the federal table.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Nose Hill.

### State of the Health Care System

**Dr. Brown:** Thank you, Mr. Speaker. Day after day we hear from some quarters of the House that Alberta's health care system is somehow in crisis. What is seldom heard is that Alberta has a first-class health care system. My constituents tell me that they have health care when they need it. Let me share some examples of excellence in our system and how it continues to get better.

From 2004 to 2008 Alberta had the highest percentage increase of physicians in all Canadian provinces, a 22.5 per cent increase. Despite an aging demographic our stroke strategy has led to a 23 per cent decline in the numbers of stroke patients presenting in emergency departments and admitted to hospital. Emergency patients who come in to our emergency departments and have been seen, assessed, and are waiting for a bed dropped by 68 per cent in Calgary and 42 per cent in the Edmonton area since September alone.

In our five-year health action plan we have the most progressive approach to renewing and strengthening the publicly funded health care system ever put in place by any provincial government in Canada. Alberta is a Canadian leader in the advancement of medical research and technology, and we're on track to have the best performing publicly funded health care system in Canada.

I want to thank the 117,000 health care workers, 7,400 physicians, hospital staff, nurses, therapists, orderlies, and those who clean the hospital rooms, all of whom perform countless thousands of tasks every day, not to mention the 15,000 volunteers who assist in our health facilities. They don't get the recognition they should have for making Alberta's universal, publicly funded health care system among the very best in the world.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

### National Cord Blood Bank

**Mr. Horne:** Thank you very much, Mr. Speaker. I rise today to speak about a new national program that will help thousands of Canadians and Albertans who require medical treatments that can involve the use of stem cells. On Monday, March 14, Canadian Blood Services and the Provincial and Territorial Blood Liaison Committee announced the national cord blood banking program. This national program will manage the collection and distribution of donated umbilical cord blood across Canada.

While Canada does have three cord blood banks, including the public Cord Blood Bank here in Alberta, there is no system in place, Mr. Speaker, that links them together. This program will make sure that any patient in Canada will have access to cord blood therapy no matter where they live.

Umbilical cord blood is an important source for stem cells, which are used in transplant procedures, gene therapy, and to combat diseases such as leukemia and sickle cell disease. Cord blood stem cells are often a better option over bone marrow stem cells because they are less likely to be rejected by the patient.

Currently more than 800 patients need a blood stem cell transplant to help combat disease. Canada has access to more than 15 million potential stem cell donors and more than 460,000 cord blood units world-wide, but the needs of Canadian patients and Alberta patients are not all being met. That's why this national program is so important.

In 1996 Dr. John Akabutu founded the Alberta Cord Blood Bank, which is the only public cord blood bank in Alberta. It is located in Edmonton, Mr. Speaker. It shows that we are a pioneer and a strong leader in this area.

With the launch of this national program we have a unique opportunity to share our experience and our expertise in cord blood therapy to provide a valuable resource to the rest of the country.

Thank you, Mr. Speaker.

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

### Minimum Wage

**Mr. Mason:** Thank you very much, Mr. Speaker. The Minister of Employment and Immigration had been dragging his feet on the minimum wage. He has had a report from the Standing Committee on the Economy since last October and taken no action. The report of the committee, that has been under study by the minister for five months, has seven simple recommendations and is only two pages in length.

With plans for an increase in B.C. Alberta is again about to become the province with the lowest minimum wage in the nation. This is absolutely disgraceful. But this government is guilty of more than just foot-dragging on this issue. There was a process in place to make regular adjustments to minimum wage to keep up with the cost of living. They've cancelled that, Mr. Speaker, so low-wage workers are falling further and further behind. This is in the face of increases, particularly in the area of food.

The proposed increase in minimum wage, which the minister feels so little urgency about, would mean \$2 more a day for a full-time worker. This government won't take action on that, but they can find \$1.4 billion in drilling incentives for big oil companies.

1:50

Trying to have a decent life on a low income creates tremendous stress. It affects health. It affects safety. It affects the success of children. It creates huge and unnecessary additional social costs of all sorts. A society that leaves some of its people behind will pay a larger price for that along the way and for a very long time.

Most provinces in this country not only have significantly higher minimum wage levels; they have moved on to focus on eliminating poverty with comprehensive plans that include attention to the idea of a living wage. Mr. Speaker, the committee's report recommends that Alberta get to work on this as well.

Failure to act immediately on a minimum wage increase and to start working on poverty reduction is to abandon Albertans to a life of unnecessary struggle. It's time this minister acted and made a clear commitment to a livable minimum wage.

Thank you.

### Statement by the Speaker

#### Oral Question Period Rules

**The Speaker:** Hon. members, before the Clerk calls question period, just a few comments of guidance with respect to the upcoming Oral Question Period. Yesterday afternoon we had a rather lengthy discussion in this House about decorum, about

manners, about the rules associated with question period. I had tabled on all members' desks some documents out of *Beauchesne* dealing with, I believe, sections 403 to 420. In addition to that, certain guides were read into the *Hansard*, and emphasis was placed on such things as preambles – preambles on the first question, not on the two following ones – brevity, clarity, and no provocation. Those were the wishes. The chair indicated as well that he would be intervening. The chair does not want to intervene but will if required.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. The Alberta Medical Association supports the opposition call for a public inquiry into allegations of government intimidation of physicians who raise concerns over health care delivery. In a letter AMA president Patrick White wrote:

There are concerns that, when speaking out, physicians may not feel they will be heard or may fear negative consequences . . . One proposal being put forward is that government should call a full public inquiry regarding the issue of intimidation . . . The AMA will support and cooperate with such an approach if [it] occurs.

To the Premier: with the AMA now supporting the opposition, will the Premier call an independent, judge-led public inquiry and restore . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, the hon. member forgot to read the rest of the letter, where it says:

While I am not an expert in the various approaches that may be taken, an open and full review is needed to clear the air and move forward. The AMA will support and cooperate with such an approach if this occurs.

**Dr. Swann:** Mr. Speaker, will the Premier finally concede that only a public inquiry will allow doctors to come forward without threats of intimidation, and only an inquiry can subpoena witnesses, including your own ministers?

**Mr. Stelmach:** Mr. Speaker, the AMA supports a review to clear the air, and just hot off the press: the Health Quality Council issued their terms of reference. They went to the media, they went to all Albertans, and we've just received them. One of the terms of reference, of course, is to hear physicians advocate on behalf of their patients to the Health Quality Council.

**Dr. Swann:** Well, Mr. Speaker, the refusal of the Premier to call a public inquiry clearly shows he's afraid of what they might find. What is it you're afraid of, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, once again, the Health Quality Council just informed all Albertans of the terms of reference. They are very clear, and one of the terms, of course, is to review "the role and ability of physicians to advocate for patients" and whether it is compromised. That, to me, is very clear.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Mr. Speaker, where there's smoke, there's fire. There's an alarming trend of doctors coming forward and being called mentally unstable by this government for speaking out for their patients. The list continues to grow: Dr. McNamee, Dr. Maybaum, Dr. Fanning, the hon. Member for Edmonton-Meadowlark, and recently Dr. Nunes. Incredibly, in the case of Dr. Nunes he fought back for five years, and a court finally ruled the allegations of mental instability were unsupported. His privileges were reinstated. How many doctors and health care professionals, Premier, like Dr. McNamee and Dr. Nunes will have to come forward, risking their reputations before . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, this government, to my knowledge, has not, against the names that have been listed there, issued any opinion on the mental state of any of the physicians. The competency of physicians, the licence to practice is done through the College of Physicians and Surgeons and is not the responsibility of the minister nor of the Premier.

**Dr. Swann:** To the Premier: is what happened to Dr. Nunes' reputation what this Premier had in mind when he advised all health professionals with concerns of wrongdoing to directly report to Alberta Health Services? Is that what you had in mind?

**Mr. Stelmach:** Mr. Speaker, the doctor that the member is referring to: I have no knowledge of his concerns raised to Alberta Health Services, and the other is that, again, it's not my responsibility or the minister of health's to deal with situations that may come up, differences of opinion between physicians, their employer, which is Alberta Health Services, their college, or the AMA.

**Dr. Swann:** Mr. Speaker, the list of damning allegations grows daily. Will the Premier finally answer the question: will you call a public inquiry and put this issue to bed?

**Mr. Stelmach:** Mr. Speaker, once again, I've answered this question many times. I've asked the minister to have the Health Quality Council conduct a full review. We've now just recently received all of the terms of reference that the Health Quality Council will be operating under. They are extremely broad and give the Health Quality Council a lot of latitude to hear all of the evidence that is necessary to conduct a good review.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

#### Settlement Agreement with Dr. Ciaran McNamee

**Mr. MacDonald:** The Government Organization Act clearly outlines the authority and the responsibility for each and every ministry. The Premier is the final authority as the President of Executive Council. My first question is to the Premier. Given that this government reported in 2009 in its books a \$1.6 million severance payment to the former chief executive officer of the Calgary health region, Jack Davis, why was this settlement deal made public while the settlement deal with Dr. Ciaran McNamee is hidden somewhere in this government's books?

**Mr. Stelmach:** Mr. Speaker, the Calgary regional health board was appointed by government, the CEO, and it's the same legislation that applies to other CEOs that work for boards that are under the auspices of the government, including, I believe, even superin-

tendents of various organizations that report to government. Those salaries are made public according to our legislation.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the Premier: given that this government reported in 2009 in its books the \$1.5 million severance payment made to the CEO of the Capital health authority, Sheila Weatherill, why again is the settlement deal with Dr. Ciaran McNamee hidden somewhere in this government's books?

**Mr. Stelmach:** The same answer I gave to the first question although a different doctor. Again, we have a responsibility according to the legislation that we have passed in this Legislature. Those that are CEOs of those operations that report directly to government: those salaries are then made public and also any of the contractual obligations that we might have entered into.

**Mr. MacDonald:** Mr. Speaker, again to the Premier. Given that his government promised that they would be open and transparent, another example, this time in 2009. Dr. Jean-Michel Turc, CEO of the Alberta Cancer Board, received a severance payment of \$1.8 million. Why is this settlement deal public while the deal with Dr. Ciaran McNamee is hidden somewhere in the books of this government? Explain that, please.

**Mr. Stelmach:** Mr. Speaker, once again, the doctor he was referring to was reporting to the CEO of the cancer board, which reported directly to the minister of health. Once again, we are following the legislation that was passed in the House.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### **Patient Advocacy by Physicians** (continued)

**Mr. Hinman:** Thank you, Mr. Speaker. Earlier this week the Premier accused opposition parties of playing political football by asking for a public inquiry into the government's intimidation of physicians and public health care professionals. Today the AMA president released a letter saying, "AMA supports a public inquiry." To the Premier: is the president of the AMA playing political football by supporting a public inquiry?

2:00

**Mr. Stelmach:** Mr. Speaker, once again a shorter quote according to this member than the previous member. Let me again read it into the record, and I have the copies here to table at the conclusion. It says:

One proposal being put forward is that government should call a full public inquiry regarding the issue of intimidation. While I am not an expert in the various approaches that may be taken, an open and full review is needed to clear the air and move forward. The AMA will support and cooperate with such an approach if this occurs.

Funny how they always miss the last three words.

**Mr. Hinman:** The AMA supports a public inquiry. To the Premier: given that the AMA president in today's St. Patrick's Day letter says that a public inquiry is needed to clear the air and move forward regarding the issue of physician intimidation, will you now call a full, independent public inquiry with the full power to subpoena witnesses and compel evidence?

**Mr. Stelmach:** Mr. Speaker, once again it's very clear. In the terms of reference that were released just a few minutes ago by the

Health Quality Council, they're telling all Albertans that they are going to ensure the role and ability of physicians to advocate for their patients, whether that was compromised. They'll be able to hear all the evidence and anybody that wants to come forward and appear before the council.

**Mr. Hinman:** The pressure will keep building.

Again to the Premier: given that in order to run a health care system you actually need doctors willing to perform surgeries and treat patients here in Alberta and given that those doctors are today calling for a public inquiry to clear the air and move forward, will you support our doctors or continue to protect your political hide at the expense of Alberta's health?

**Mr. Stelmach:** Mr. Speaker, comments coming from a party that just sent 30 physicians to Vietnam.

**Mr. Anderson:** Point of order.

**The Speaker:** Point of order. Okay.

The hon. Member for Edmonton-Highlands-Norwood.

#### **Bruce Power**

**Mr. Mason:** Thank you very much, Mr. Speaker. This Minister of Energy has steadfastly refused to answer questions about nuclear power in Alberta and the government's covert support for Bruce Power and its plans to build a nuclear reactor in Alberta. Given the emerging catastrophe in Japan, Albertans deserve clear answers about this government's involvement with Bruce Power and its plans to build a nuclear reactor in our province. Will the minister come clean with Albertans and tell them exactly what's going on behind closed doors between this government and Bruce Power?

**Mr. Liepert:** Well, Mr. Speaker, I hate to disappoint the hon. member, but I've seen no application from Bruce Power to construct a nuclear plant in Alberta.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. Well, given that former PC campaign manager Randy Dawson was a paid lobbyist for Bruce Power and given that this government has been involved in dozens of meetings behind closed doors with Bruce Power and its paid lobbyist, will the minister commit to putting on the record every single piece of correspondence, meeting, and topic discussed between this government, its agencies, and nuclear industry lobbyists? Yes or no.

**Mr. Liepert:** Mr. Speaker, I've never met with Bruce Power. I do not know anyone that works for Bruce Power. If the member is asking for this government to put on record such documents, I would suggest there's an appropriate place on the Order Paper to ask for that.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, given that Bruce Power donated \$17,000 to the PC Party between 2008 and '09 alone, \$990 of which was to the constituency association of the MLA for Dunvegan-Central Peace, and given that Trans-Canada Pipelines, one of the companies that owns Bruce Power, donated \$119,000 to the PCs between 2004 and 2009, will the minister admit that this Tory government is working hand in glove with Bruce Power to bring incredibly dangerous nuclear power plants to Alberta and is deliberately hiding that fact from the people of this province?

**Mr. Liepert:** No, Mr. Speaker.

**The Speaker:** The hon. Leader of the Official Opposition, followed by the hon. Member for Cypress-Medicine Hat.

#### Health Quality Council Review

**Dr. Swann:** Thank you, Mr. Speaker. Last week, just hours before the McNamee allegations surfaced, the Premier inexplicably reversed course to support a Health Quality Council review. Yesterday the damning allegations from Dr. Nunes surfaced, and within an hour there's an open letter to physicians from Alberta Health Services extolling the virtues of doctors bringing concerns forward in an open Alberta Health Services environment. Now with the AMA statement the Health Quality Council of Alberta released its concerns and its terms of reference. To the minister: was the minister's office aware that the McNamee lawsuit would be released by the media before you made your decision and the government made its decision to support the health quality review?

**Mr. Zwozdesky:** No, Mr. Speaker, I was not personally aware. However, what I think is important to note is that a lot of what this hon. member is talking about falls into that category: that was then; this is now. I'll tell you what we have now. We have a three-way letter signed by the Health Services, the College of Physicians and Surgeons, and the Alberta Medical Association that clearly states what patient advocacy is all about. We also have Alberta Health Services medical staff bylaws, which clearly say that it's their duty and their responsibility. Today we have the Health Quality Council terms of reference that's going to be looking into this further.

**The Speaker:** The hon. leader, please.

**Dr. Swann:** Thank you, Mr. Speaker. Was the minister of health aware that Dr. Chris Eagle would distribute the open letter to physicians as a response to Dr. Nunes' allegations outlining a culture of fear and intimidation?

**Mr. Zwozdesky:** Mr. Speaker, what I am aware of is that three very respected doctors, specifically Dr. Chris Eagle, Dr. David Megran, and Dr. Francois Belanger, issued a letter I believe it was yesterday. It was an open letter to physicians, that went out to about 90,000 people in the system, telling them essentially what I just said in the last series of answers, and that was that there is a duty here for . . .

**Dr. Swann:** Well, Mr. Speaker, I think most people know that sunshine is the best disinfectant. I'm sure this minister knows that. Will you push forward for a public inquiry and clear the air on intimidation and threats and potential financial misconduct?

**Mr. Zwozdesky:** Mr. Speaker, clearly, he's not yet aware – perhaps I should make him aware – of the fact that the Health Quality Council just probably an hour or so ago released their terms of reference. That looks to me like the first step in a process for an independent review that's going to look into quality of care and safety of patients and the role and process of physician advocacy, and very soon they will appoint a blue-ribbon panel to effectuate this.

**The Speaker:** There may be some tablings required here. Be ready to do them later.

The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Calgary-Buffalo.

#### Spring Flooding in Southern Alberta

**Mr. Mitzel:** Thank you, Mr. Speaker. Our agriculture industry through no fault of its own is once again experiencing some challenges with excess moisture in southern Alberta. Producers and residents are already seeing some localized flooding as a result of the snowmelt. In fact, there's one area so far that is under flood alert. I'm also receiving calls from other areas of my large constituency. My question is to the Minister of Agriculture and Rural Development. Are the pumps you mentioned last week still available?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. Yes, they are, and there are, in fact, some more pumps being moved into position in southern Alberta. These pumps are available for producers at no cost, as they were last year. We also have them available for the Alberta Emergency Management Agency and Alberta Environment, and they are spread among the communities now to try and respond quickly.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. Following up on that, to the same minister: given that you mentioned that these pumps have been strategically placed and they could easily divert a large amount of water, what's the process for accessing these pumps?

**Mr. Hayden:** Well, application requests for the pumps actually go through ARD's water-pumping program. We've already alerted our drivers and our delivery people to be able to respond on a moment's notice because we know that the situation is very serious. It's important to note that a number of risk management and crop insurance programs are also available through FSC to help address some of these flooding problems.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. My next supplemental is to the Minister of Municipal Affairs. Will the mitigation efforts that you mentioned last week such as the Candam material and others be made available right now for our residents who require them?

**Mr. Goudreau:** Mr. Speaker, we've assisted the municipalities in their role by providing flood mitigation equipment. Eighty-three thousand sandbags are on location now. There's an additional 80,000 bags that were ordered today through Service Alberta, and 30 metres of Candam is on location. I've confirmed this morning with municipalities that this government will be providing \$1 million in grant funding to support those and other short-term mitigation efforts. Municipalities are responsible for determining the best way to use and allocate those resources based on their local priorities.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Red Deer-South.

#### Heartland Electricity Transmission Line

**Mr. Hehr:** Thank you, Mr. Speaker. This government's heartland 500-kilovolt transmission project will have significant impacts on the people living in the county of Strathcona and the city of Ed-

monton. This high-voltage power line is scheduled to be built in close proximity to homes, schools, daycares, hospitals, and environmentally sensitive areas. To the Minister of Energy: does the minister deny that there are health impacts to residents in close proximity to the above-ground high-voltage power lines that are going to be built?

**2:10**

**The Speaker:** Hon. minister, if it's an opinion, it doesn't count. Government policy.

**Mr. Liepert:** Well, I think it's important, Mr. Speaker, to put some facts on the record because this member has just made some allegations or comments that I think need to be refuted.

First of all, there is a hearing by the Alberta Utilities Commission that will commence next month. All of the facts will be laid before the commission, including anyone who wants to lay supposed health facts before the commission. All I can say is that Health Canada monitors these situations. There are no known risks according to Health Canada with electric currents in any form.

**Mr. Hehr:** Mr. Speaker, I thank the minister for that answer. I guess the follow-up is: are these citizens wrong to insist that these high-voltage power lines that will be going up in their neighbourhood should be buried underground?

**Mr. Liepert:** Again, Mr. Speaker, I'm not saying anybody is right or wrong. All I'm saying is that we are doing what we should be doing: having a full, open, independent hearing on these power lines. In addition to that, we are using statistical data that Health Canada has on its website, if the member would like to take a look. We're trusting those who are experts.

**The Speaker:** The hon. member.

**Mr. Hehr:** Well, I thank you. So just confirming here, this government is open to other options besides running these high-powered lines above ground in Strathcona. Is that what I'm hearing?

**Mr. Liepert:** Well, Mr. Speaker, I think this member was in the Legislature when we approved Bill 50 with four critical transmission lines; one of them is the heartland transmission line. Within that, however, the process is that the Alberta Utilities Commission will determine such things as siting, cost allocation, and that's what will be the subject of the hearing next month.

#### Postsecondary Education for Rural Students

**Mr. Dallas:** Mr. Speaker, while Alberta has a number of excellent rural colleges, there are other communities who would like an institution of their own. It is believed that this would make post-secondary education accessible to more Albertans and reduce expenses for students who need to commute or relocate. My questions today are for the Minister of Advanced Education and Technology. The ministry's goal is to increase options and opportunities for Alberta students. Are we not considering more rural colleges?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. We're always looking for opportunities to deliver new programming and new courses across the province. In fact, as we speak, Northern Lakes College is looking at a new facility in Gift Lake to help create opportuni-

ties for students in the northern part of our province. We also look at online opportunities like eCampus Alberta, which will have close to 20,000 courses delivered this year and is providing opportunities to many, many students across the province right at home.

**Mr. Dallas:** Mr. Speaker, my first supplemental is to the same minister. Some programs aren't feasible to deliver online or require specialized facilities. What supports are available for students who do have to relocate?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. We appreciate that many students must travel to access the courses and the programs that they need, so we have a full range of programming and supports for students. We have loans available as well as housing opportunities. We try to make it as easy as possible for students to access those programs. In fact, now a master's degree can be delivered online in Camrose from the University of Alberta, so students can stay in a rural setting while taking a course that's only available in Edmonton.

**Mr. Dallas:** Mr. Speaker, my final question to the same minister: what are you doing to expand the programs that are currently available at rural colleges?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. This is a very important area across the province. Many of our communities want to keep their young people at home as much as possible. I know that right now there are discussions in Red Deer and Medicine Hat about increasing degree opportunities for young people in those communities to be able to stay at home and take an extra degree there. So we're working with them. In fact, this year in our budget there's funding available to allow those schools to work with universities to provide those degree opportunities.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

#### Arts Funding

**Ms Blakeman:** Thank you very much, Mr. Speaker. My questions are to the minister of culture. The minister backed off on a decision to cancel the funding of artists associated with schools. He backed off on a decision to discriminate against arts groups and artists associated with municipalities. What was the reasoning behind pushing forward with the cancellation of funding to artists and arts groups associated with universities?

**Mr. Blackett:** Well, first of all, Mr. Speaker, I didn't back off the funding to schools or to postsecondary. That was somebody in our department who had had that conversation with someone, that was not supported by myself. We're not backing off any cuts because we aren't making any cuts.

**Ms Blakeman:** Given that the minister is on record as saying, "We all have to take our medicine; we all have to tighten our belts; everybody has to share the burden," why have the artists associated with universities been chosen for special discriminatory action? You have cut their programs.

**Mr. Blackett:** Mr. Speaker, yes, I said that we all have to share in our burden. That was in Budget 2010-11. My department had a 16 per cent cut across the board, and we had to share the pain right

across the board, from heritage to the arts to the not-for-profit sector to the Human Rights Commission. This year in the budget, which we will discuss, there is none of that, but we can discuss that at estimates.

**Ms Blakeman:** Well, the minister has said that artists are very well taken care of, and I'm curious how the minister believes that artists associated with universities are very well taken care of when the funding for their programs was cut and not restored.

**Mr. Blackett:** Mr. Speaker, for lots of artists, lots of arts organizations, when you have a 16 per cent cut to your budget – guess what? – everybody has to take a little less. As I said, our budget has not yet been discussed for this year, so any assumption on that will have to be discussed at the estimates.

**The Speaker:** Members may wish to note that the estimates for the Department of Culture and Community Spirit will be reviewed in this Assembly on the afternoon of March 23.

The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Strathcona.

### **Heartland Electricity Transmission Line** (continued)

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. One of the 500-kV power lines is proposed to be constructed within or very near to the homes in my constituency of Edmonton-Ellerslie. My constituents are very concerned about the need for these lines as well as the negative health, safety, property value, and environmental impacts. My questions are to the Minister of Energy. Given that some of the upgrader projects in the heartland area are on hold or have been cancelled . . .

**The Speaker:** The hon. minister.

**Mr. Liepert:** Mr. Speaker, there has been some confusion or some misunderstanding that somehow the heartland transmission line was only part of the four critical transmission lines to serve the Industrial Heartland and the development there. What is really important, that needs to be on the record, is that the greatest growth area in the province in the next 20 years, in fact I'd say in the country, is the entire northeast part of Alberta.

Also, part of that is cogeneration, wherein . . .

**The Speaker:** The hon. member, please.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's been brought to my attention that to bury the heartland transmission lines, the cost is 8.9 per cent more than the overhead lines. Once again a question to the Minister of Energy: if this is the case, with safety concerns in mind, wouldn't this be a better option?

**Mr. Liepert:** Mr. Speaker, I think I want to finish the first answer because the answer to the supplementary is that that will be a decision made by the Alberta Utilities Commission as part of the hearings that commence next month. But we need to ensure that the fastest growing area of power generation in Alberta is going to be cogeneration from the oil sands, that needs to get into the grid.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: what cost-related measures are in place to ensure that the building of transmission lines remains

reasonable in terms of construction costs and in terms of burying the line?

**Mr. Liepert:** Well, again, Mr. Speaker, as I mentioned previously, the whole allocation of costs is part of the Utilities Commission hearing that will take place. One of the things that I'm sure will be part of the proposal is that one option is burying the lines. Of course, that's a decision the Utilities Commission will make, and they will provide some options as part of their recommendation, I'm sure.

**The Speaker:** Hon. Member for Airdrie-Chestermere, you stand still when the chair speaks, please. It's one of the decorum things. I know it's tough. And you're walking now between the chair and the hon. member, which is a no-no. Walk behind, please. Thank you very much.

The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Lethbridge East.

### **2:20 Health Quality Council Review** (continued)

**Ms Notley:** Thank you, Mr. Speaker. I have reviewed the Health Quality Council terms of reference. Given that the Health Quality Council investigation still only has limited access to information, can't compel witnesses, and cannot promise to protect those who might otherwise volunteer to be interviewed, my question is to the minister of health. Will he admit that the Health Quality Council is simply not equipped to crack the culture of fear and agree, instead, to an inquiry process that is?

**The Speaker:** The hon. minister of health.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. In fact, the letter that I wrote on March 12 to the Health Quality Council on page 2 does say, "This independent Review shall be provincial in scope and is to be conducted utilizing Section 9 of the Alberta Evidence Act in order to maintain evidentiary privilege over the provision of documents and evidence of participants." Then I also said, "The Council shall also take whatever steps it deems necessary to maintain confidentiality of the people who participate within this process."

**Ms Notley:** Well, Mr. Speaker, that does not address the issue of immunity.

Given that the AMA voice has joined the chorus calling for a public inquiry into intimidation in the health care system, an issue that cannot and will not be addressed through your kangaroo court, why won't the minister of health listen to the health professionals that he's been ignoring and agree to a judicial inquiry?

**Mr. Zwozdesky:** Mr. Speaker, a few weeks ago and over the last several days, in fact, they were asking for the Health Quality Council to come in and do a review. We've now ordered that to be done. It will be independent. They took the first step today. They released a very reasonable, a very sensible set of terms of reference. They've also indicated that they will be appointing "a panel of experts . . . to assist and advise the [HQCA Council] in this review." Let's give them a chance to do that.

**Ms Notley:** Mr. Speaker, the minister denies the health system's culture of intimidation, but given that the current code of conduct orders employees to refrain from publicly discussing confidential information about AHS business and to balance what they say against its impact on the reputation of AHS, how can the minister deny that these directions force health staff every day to ask



whether they should be more worried about patients, the reputation of Alberta Health Services, or their jobs?

**Mr. Zwozdesky:** Mr. Speaker, I don't think that's what's occurring, but I would like to quote from the open letter that was sent to all physicians yesterday by Alberta Health Services. It says on page 2, "The AHS Code of Conduct does not restrict a physician or other practitioner to speak out, quite the opposite. In essence, we are required to bring our concerns forward," and it goes on.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Livingstone-Macleod.

### Spring Flooding in Southern Alberta (continued)

**Ms Pastoor:** Thank you, Mr. Speaker. Unfortunately, here we go again as residents of the Medicine Hat area brace for new flooding. No. I'm sorry. They're bracing for excessive moisture. The response to last year's excessive moisture was poorly prepared and, in fact, finally contracted out to a private firm to handle. To the Minister of Municipal Affairs: what tangible changes have been made to ensure that Albertans will see a more timely and better co-ordinated response this year?

**Mr. Goudreau:** Mr. Speaker, the person asking the question is making assumptions that we're going to be facing exactly the same experiences as we did last year. Last year's certainly was a very sudden storm, and the communities were taken unprepared. This year we are monitoring the situation a lot closer. As I identified to the previous member, we are providing \$1 million in funding for temporary flood mitigation efforts in both of the communities out there.

**The Speaker:** Thank you very much.  
The hon. member, please.

**Ms Pastoor:** Can the minister confirm if the province is still dealing with any outstanding flood claims from last year?

**Mr. Goudreau:** I think I answered that earlier this week, Mr. Speaker. We are basically about 98 per cent done on the residential claims. There are still a number of claims that are outstanding. As we receive additional information, we process individual applications, and we'll continue to work with individual applicants that were affected last year as time moves along.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Given that Municipal Affairs required an additional \$191 million in unbudgeted funds to help pay for last year's flooding, excessive moisture, should the province not be setting aside more than the \$200,000 it currently budgets for disaster recovery?

**Mr. Goudreau:** Mr. Speaker, disaster recovery programs are very, very unpredictable, and we don't know when we're going to need them. We've got a process in place to access dollars, and we've been using that particular process. This past year we've declared just about a dozen DRPs, or disaster recovery programs, throughout the province, and we've been able to access those funds as we've needed them.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by the hon. Member for Fort McMurray-Wood Buffalo.

### Grain Transportation

**Mr. Berger:** Thank you, Mr. Speaker. Many grain and oilseed farmers in southern Alberta are telling me they are unable to sell or ship their produce due to full elevators and a backed-up shipping system. To the minister of agriculture: what is the reason for the backlog and delay in shipping?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. I think it's important to point out that the problem is primarily in the Canadian Pacific area of the province. I have heard from people myself, and of course it's delays in delivery. CP tells us there are a number of reasons: shortages of rail cars, delays due to extreme weather, avalanches, strained capacity. But I also understand that the Canadian Wheat Board and grain companies such as Viterra are trying to work directly with CP now to speed the system up.

**The Speaker:** The hon. member.

**Mr. Berger:** Thank you, Mr. Speaker. Back to the same minister: what is your ministry's role in trying to address this issue?

**Mr. Hayden:** Well, Mr. Speaker, we've worked in a number of areas, and we know that this is a very important issue. We are continuing to encourage our federal counterparts to take action on the issue, and we are asking them to include in that a federal rail freight service review. This just highlights the need for marketing choice for producers. If they had other options, they could ship some through the United States but also find their own customers and make some shipping options available.

**The Speaker:** The hon. member.

**Mr. Berger:** Thank you. Back again to the same minister: is there any action that our producers can take to help alleviate the situation in the shipping with CP?

**Mr. Hayden:** Well, really, Mr. Speaker, the only option available to the producers themselves – and we encourage them to do this – is to pressure CP directly through their MPs to get these issues resolved. We also encourage grain shippers to file a level of service complaint to the Canadian Transportation Agency. We believe that will get them some results.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Bonnyville-Cold Lake.

### Penhorwood Apartment Evacuations

**Mr. Boutilier:** Thank you very much, Mr. Speaker. In my constituency over 350 residents in Fort McMurray who own or rent condos in a seven-building complex are now homeless. The impact is almost like there was an earthquake. They clearly feel there is a state of emergency. Does the Minister of Municipal Affairs, responsible for emergency management in Alberta, feel that this is a state of emergency, and is he taking the appropriate action?

**Mr. Goudreau:** Mr. Speaker, the hon. member, having been a past Minister of Municipal Affairs, should know better. He is aware of the processes of declaring disaster recovery programs. He was, I believe, minister when those particular buildings were built and was in charge of the Safety Codes Act at that particular time. There is a process in place, and, you know, often a disaster may not be declared if there is . . .

**The Speaker:** The hon. member.

**Mr. Boutilier:** Given that the minister just said no and he's not willing to help the residents, to the minister again: will you declare a state of emergency in helping these almost 400 citizens that are homeless right now?

**Mr. Goudreau:** Mr. Speaker, we are in touch with the individual municipalities. The municipality is aware of the various services that are available to those individuals that were displaced from the properties. If it's a matter of health, they can work with the ministry of health. If it's a matter of, you know, financial needs and meeting those financial needs, then there are other avenues through the Minister of Employment and Immigration and their particular offices. So there are a number of options that are available to those particular individuals.

**Mr. Boutilier:** Given, Mr. Speaker, that this minister said that he's out of touch with what is going on, in my interpretation of what he just said, will he help these 400 citizens that are helpless as opposed to giving us this bureaucratic protocol rather than . . .

**The Speaker:** The hon. minister. [interjection] Okay. Okay. Okay. We all know the rule we all agreed to. The hon. member was here yesterday.

**Mr. Goudreau:** Mr. Speaker, we're going to do everything we can to help the individual people. There's no doubt, as I indicated before, that we have services that will deal with individuals in situations like this one and in other situations. As I indicated, if residents need emergency support, they can certainly visit one of our Alberta Works offices, and those could help in terms of covering things like utility arrears or damage deposits or rental arrears.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Riverview.

2:30

### School Bus Strobe Lights

**Mrs. Leskiw:** Thank you, Mr. Speaker. I've heard from parents of schoolchildren in my constituency who feel that bus drivers are sometimes unsure of exactly when to use their strobe lights. My first question is to the Minister of Transportation. Would he revisit the use of highway and rules of road regulations and make any updates to ensure that strobe lights are being used as intended?

**Mr. Ouellette:** Well, Mr. Speaker, I'm very, very proud to say that this government has taken significant steps to improve school bus safety, and we're told we're leading the country with our comprehensive approach. All 10 recommendations from the school bus safety report have been fully implemented, including mandatory strobe lights. We want to make sure that our regulations are clear, so we will work with school boards and the school bus industry to clarify what's necessary.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. To the same minister: given that weather conditions change quickly in Alberta, would it not be appropriate to have our bus drivers keep the strobe lights on all the time when travelling on the highway?

**Mr. Ouellette:** Mr. Speaker, the purpose of strobe lights is to alert drivers that a school bus is ahead. The regulation requires that school bus drivers use strobe lights in situations of low visibility, when it's foggy or it's snowing or it's raining heavily, or at any

time that increased visibility is needed. This is all about keeping our children safe, so if there is some clarification needed on the issue, we'll do that.

**Mrs. Leskiw:** My second supplementary is to the same minister. Given that other jurisdictions mandate that strobe lights stay on whenever a school bus is in a rural area, would this minister commit to the same policy here in Alberta?

**Mr. Ouellette:** Mr. Speaker, the school bus industry contributed greatly to the school bus safety report, but there was not a recommendation that came forward in that way. The recommendation implemented was to have mandatory strobe lights on busses to increase safety in poor visibility. We don't want the strobe lights to become routine. Our goal is to have them used to bring greater attention in specific situations, and that's very, very important.

### Municipal Zoning Exemption for Universities

**Dr. Taft:** Mr. Speaker, section 121 of the Post-secondary Learning Act exempts universities from municipal zoning controls of any form, whether they concern land use, traffic, parking, density, design, community impact, or anything else. To the Minister of Advanced Education and Technology: what's the reason that some universities are granted this pretty remarkable privilege?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Our three residential universities in the province of Alberta do fall under a specific act which gives them broad, sweeping powers over traffic and planning on their sites, but we also know that they must work with the municipality and the neighbours to ensure that they don't encroach and that their facilities and sites work well within the municipality that they're in.

**Dr. Taft:** My question is to the same minister. Given that a small-business owner wanting to remove an interior wall or a homeowner wanting to build a deck or a developer wanting to put up a condominium all must comply with municipal zoning, is it fair that some universities are completely exempt from zoning?

**The Speaker:** The hon. minister. That's an opinion.

**Mr. Weadick:** Thank you, Mr. Speaker. All I can speak to is the legislation that does exist, that these universities were created under, which does give them powers over how they develop, how their buildings are developed, and how their transportation is done. It still all falls under building codes and other codes within the province.

**Dr. Taft:** Well, again to the same minister. Given that Mount Royal and MacEwan universities don't yet appear to have the privilege of a complete exemption from municipal zoning, will that privilege be extended to them or not, and if not, why not?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Both of our new baccalaureate universities were developed under other legislation, and they do fall under all municipal bylaws for planning and that. We did give them some new powers last year over issuing fines and collecting fines for traffic violations on their campuses, but on other issues they do fall under the Municipal Government Act in planning for the community.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Calgary-Varsity.

### Telecommunications Tower Siting

**Mr. Fawcett:** Thank you, Mr. Speaker. As the Member for Calgary-Montrose passionately expressed earlier today, siting of cellphone towers is a frustrating issue for many families, homeowners, and communities. Last April I asked the Minister of Municipal Affairs a question on this, and he indicated he would look into it. My question is to the minister. Has he been able to work with communities, municipalities, and the federal government to bring clarity to this issue?

**Mr. Goudreau:** Mr. Speaker, all three, and since it was brought up last year, I have specifically written to the federal minister responsible for Industry Canada in regard to this particular issue. I've raised consultation concerns pertaining to the cellphone towers. I'm still waiting for his reply to my letters.\*

**The Speaker:** Thank you.  
The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. My supplemental is: does the minister see that there is there a role for him or his department to assist communities and municipalities in dealing with these challenges with telecommunications companies, the CRTC, and the federal government?

**Mr. Goudreau:** Mr. Speaker, telecommunications companies must apply to Industry Canada for a licence to operate an installation at each specific location. As part of this licensing process Industry Canada requires that the companies contact the city, in this case the city of Calgary, for input. The city is to review these referrals, then indicate whether or not the proposed installations can be supported. We've written to the large centres about their role in this particular issue, and they've indicated they have procedures in place now . . .

**The Speaker:** The hon. member.

**Mr. Fawcett:** I'm good.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Mill Woods.

### Castle Special Management Area

**Mr. Chase:** Thank you, Mr. Speaker. Ghost-Waiparous, Indian Graves, McLean Creek, and currently the Castle either wilfully through this government's failure to legislate and enforce the land-use framework or through its blind-eye neglect have been turned into resource extraction battlegrounds, worsened by the toleration of massive cumulative illegal off-roader wilderness destruction. To the Minister of SRD: are you aware that almost half of the trails in the Castle-Crown land-use area have been illegally carved by outlaw off-roaders?

**Mr. Knight:** Mr. Speaker, the only answer I can give to that is that I'm not personally aware of any outlaws in the Castle area.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. It's unfortunate that the minister is unaware . . .

**The Speaker:** Hon. member, the preamble rule, please.

**Mr. Chase:** Yes, sir. Why other than during the singular May long weekend public relations show of co-ordinated ministerial enforcement are areas, including the Castle-Crown, abandoned to block clear-cutters and off-trail outlaws due to departmental understaffing?

**Mr. Knight:** Mr. Speaker, if the hon. member opposite has evidence of outlaws in the Castle, he should report that to the police.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. I will be tabling the documents supporting the complaint.

**The Speaker:** Yes. We're going to move on, though.

**Mr. Chase:** To the Minister of Tourism, Parks and Recreation: will you finally put an end to your government's sanctioned multi-use madness in the Castle-Crown and the decades-long discussion of destruction by creating the Andy Russell I'tai Sah Kòp provincial wilderness park?

**Mr. Knight:** Mr. Speaker, what we are doing with respect to Tourism, Parks and Recreation and Sustainable Resource Development working together is that we're developing a trail system for the province of Alberta. We hope that we'll have a DAO in place that would assist in, number one, the development; number two, the operation; number three, the policing; and number four, the financing of these trails so that all Albertans can enjoy the great outdoors in this province.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Electricity Prices

**Mr. Benito:** Thank you very much, Mr. Speaker. I'm hearing concerns about our electricity system. In particular, my constituents are uneasy with the high electricity prices they've had to pay in the past as well as the potential for higher prices in the future. My first question is to the Minister of Energy. How can you ensure that the electrical system is operating as efficiently as possible to give Albertans lower prices for power and have it available when and where they need it?

2:40

**Mr. Liepert:** Well, Mr. Speaker, the fact of the matter is that Alberta electricity prices are at about the same rate today that they were in 2002. We have some of the most competitive rates, and that's primarily because our generation market is deregulated. Unlike some other provinces that have Crown corporations or try to meddle in the marketplace, our generation is deregulated.

As far as whether consumers are receiving a fair price, Mr. Speaker, that's really part of the purview of the utility . . .

**The Speaker:** The hon. member.

**Mr. Benito:** My first supplemental is to the same minister. Since 2008, when the provincial energy strategy was released, what specifically has Alberta Energy done with respect to providing reasonable electricity prices?

**Mr. Liepert:** I think it needs to be stated, Mr. Speaker, that the Department of Energy has really nothing to do with setting prices. We have a deregulated retail market as well as a generation market. When the government moved to deregulation a number of years ago, at that time I think there were about three companies – ATCO, EPCOR, and Enmax – which were retailing electricity.

\*See page 454, left column, paragraph 5

Both ATCO and EPCOR have vacated that market, but we now have some half a dozen different retailers who are offering a number of options to retailers throughout the province.

**Mr. Benito:** My second supplemental to the same minister: what is your ministry doing to ensure that competitiveness remains in Alberta's retail electricity market?

**Mr. Liepert:** Well, as I said earlier, we took the initiative – I don't know; I think it's 10, 12 years ago – to ensure that we have a competitive retail market, Mr. Speaker. What we're going to do is continue to ensure that that market works appropriately.

**The Speaker:** Hon. members, that concludes the Oral Question Period for today. Thank you very much for your co-operation. Today 20 members were recognized. There were 118 questions and responses.

In a few seconds from now we will continue with the daily Routine, which still has one additional member participating in Members' Statements.

### Members' Statements (continued)

**The Speaker:** The hon. Member for West Yellowhead.

### Online Parenting Resource

**Mr. Campbell:** Thank you, Mr. Speaker. It's my pleasure to rise today and share information on a government of Alberta website for caregivers with children aged zero to six. Research has shown that children's early experiences set the foundation for success in school and life, and parents and caregivers play the most important, significant role in a child's early years.

It is essential that parents, families, and care providers have easy access to available services, information, and support networks to ensure that young children have the resources and supports to realize their potential. There's a lot of information out there, especially on the Internet. The challenge is in sifting through all that information and determining what is both useful and reliable. To help make the process less time consuming, the government of Alberta has developed the Raising Children website: [www.raisingchildren.alberta.ca](http://www.raisingchildren.alberta.ca).

The Raising Children website brings together all government information on services and programs targeted at families and caregivers. Other credible sources are also included, including Alberta Health Services and Health Link. Using the Raising Children website will help parents and caregivers make informed decisions. It will also put them in faster contact with the appropriate sources at the most opportune time. On this website you'll find a wide range of information, including health information for coping with crying, immunizations, saving for your children's education, information on government grants to support your savings, information for parents, and multiple supports for foster and kin parents and programs available for those raising aboriginal children.

The information is easy to find as it is divided into different categories by age, topic, and a section called Parents Like Me. I encourage all parents and caregivers to visit the site and to share the link with others.

Thank you, Mr. Speaker.

### Notices of Motions

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

**Mr. Hancock:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, March 21, 2011, written questions 1, 2, and 11 will be accepted; written questions 6, 7, 10, and 12 will be dealt with. Also on March 21, 2011, motions for returns 1, 4, and 10 will be accepted and 3, 5, and 9 will be dealt with.

### Tabling Returns and Reports

**Mr. Anderson:** Yesterday at your request I dutifully obtained five notarized copies of the transcript of the interview with Dr. Lloyd Maybaum that was done by CTV news at 6 on Monday, March 14, 2011. The doctor said:

There's a plain fear . . . you'll lose your position, you might lose operating room hours. There's any number of different ways that people are fearful and have experience the backlash that can occur when you speak out.

. . . [There's] a real clear and present problem in the health care system and anyone who suggests that this is preposterous, you know, quite frankly is insulting to health care workers. This is the kind of culture we have worked in for many, many years.

I'll table those copies.

**The Speaker:** Thank you.

I've got the hon. Leader of the Official Opposition for a tabling. Hon. Member for Lethbridge-East, do you have one for yourself as well?

**Ms Pastoor:** I do as well. Thank you, Mr. Speaker. Actually, bear with me. I think I've got about seven here.

On behalf of the Leader of the Official Opposition from yesterday I'm tabling the requested copies in which he quoted Dr. Nunes, who asked for a public inquiry and agreed that, indeed, there existed intimidation and fear when one spoke out.

This is from a quote on March 16, again from the Leader of the Official Opposition from yesterday. It was Dr. Parks who had said: the public is right to fully demand we get to the bottom of this; anything less wouldn't be acceptable. That's from Wednesday, which was yesterday.

Also, from today a quote from the president of the Alberta Medical Association's letter.

My own is the cheque that I send out every month to a food bank, of course, with my mantra to ensure that AISH is indexed as are MLAs' salaries.

I have some letters to table from Drs. Grant and Christine Kennedy, who are both emergency doctors, saying that they're very concerned about the probable cuts to continuing medical education reimbursement, physician and family support, and the physician retention programs.

Also, another letter from a Dr. Francis, another emergency doc, who said that he is also concerned with the probable cuts to the physician and family support programs.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Centre, do you have tablings, too?

**Ms Blakeman:** Yes, sir. Four.

**The Speaker:** Okay.

**Ms Blakeman:** The first is an e-mail correspondence from Darlene Natalia Konduc, who was a nephrology nurse-clinician at the University of Alberta at the time that Dr. Anne Fanning was there and was shuffled out by the government and is speaking up for the need to support doctors.

These next two are both regarding concerns about funding cuts. They are practising family physicians in Calgary. Olga de Sanctis is concerned about the funding cuts upcoming in Health and Wellness and their impact on the delivery of care. Another, an e-mail from Dr. Karen Zwiers, who is a clinical lecturer in Calgary and has been in practice for 11 years, concerning cuts to primary care and the primary care networks and competitive fee increases for physicians.

Finally, from a constituent of Edmonton-Centre, Dennis LeFebvre. He is a resident in the emergency medicine program at the University of Alberta and is concerned about any possible cuts there to the physician and family support program.

Thank you.

2:50

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

**Mr. Hancock:** Thank you, Mr. Speaker. Earlier today the hon. the Premier referred to a letter from the president of the Alberta Medical Association. If I was listening correctly, it may well have been tabled, but if not, in any event, I'll table it again. If it's a duplicate, the Clerk can sort that out. It's the letter dated March 17, 2011, in which it very clearly states, "The AMA will support and cooperate with such an approach [i.e., a public inquiry] if this occurs," which is quite different from the way it was quoted by the Leader of the Opposition and the member of the Wildrose in their questions earlier today.

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

**Mr. Chase:** Thank you, Mr. Speaker. I have three sets of tablings. The first comes from Global Forest Watch, backing up my concerns about how badly cut up the Castle is by both clear-cutting and roads. The contact information is [www.globalforestwatch.ca](http://www.globalforestwatch.ca).

My second tabling is a letter from Beverly Kaltenbruner. She has a very telling comment here. "While hiking I have documented with my camera and my heart the massive destruction of watershed, forest, & habitat due to 'environmentally conscious, sustained growth' logging methods/operations."

The concerns of Beverly are reflected by the following 25 individuals, who have also sent me correspondence, Mr. Speaker: Matt Holland, Geoffrey Scatchard, Patrick Thompson, Margaret Johnson, Michael Marcoux, Wendy Menghi, Jeanne Keegan-Henry, Helen Hertel, Peter Stockdale, Ken Farquharson, J. Hobart, Joanne Wallace, Silvaine Zimmermann, Romilly Cavanaugh, Barry Cogswell, Randall White, Elizabeth Zaikow, Andrea Lee, Robert Blair, Susanna Jani, Mary Stewart, Ursula Lowrey, Heather Schamehorn, Margaret McKea, and Tanya Ulyatt.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. I would like to table, please, a copy of a letter that I received on December 2, 2010. This letter was from the Employment and Immigration minister. He was trying to explain, unsuccessfully, why there are two sets of numbers regarding claim durations. The first set of numbers is in the WCB 2008 annual report, and the second set is in the 2008 Occupational Injuries and Diseases report from his own department.

Thank you.

**The Speaker:** Are there others? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I'd also like to table the appropriate number of reports from the president's letter dated the 17th of March, St. Patrick's Day, and be very specific that right at the start of this letter the AMA supports a public inquiry. They say that the fact that these perceptions are out there is still a source of major concern. How do we . . .

**The Speaker:** Hon. member, the document has already been tabled.

The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you. This is a letter from a regional council, from an exchange this afternoon with the Minister of Municipal Affairs, that I received this morning. The letter is requesting support from the province that the city at this point has not received – and I table this from the regional council of Wood Buffalo – in helping the 400 residents that are now homeless.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mrs. Klimchuk, Minister of Service Alberta, in response to a question raised by Mr. MacDonald, hon. Member for Edmonton-Gold Bar, during Oral Question Period on February 28, 2011, regarding fees for vehicle registrations and licence plates; in response to questions raised by Mrs. Forsyth, hon. Member for Calgary-Fish Creek, during Oral Question Period on March 2, 2011, regarding the legal name change process.

### Projected Government Business

**The Speaker:** The Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. At this point under Standing Order 7(6) I would ask the Government House Leader to share with us the projected government business for the week commencing Monday, the 21st of March.

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

**Mr. Hancock:** Thank you, Mr. Speaker. For next week, as the House is aware, March 21 is private members' business.

March 22 in the afternoon Committee of Supply on Environment.

Wednesday, March 23, in the afternoon Committee of Supply on Culture and Community Spirit as per the schedule that's published on the Order Paper.

On Thursday, March 24, in the afternoon for second reading Bill 1, Asia Advisory Council Act; Bill 5, Notice to the Attorney General Act; Bill 7, Corrections Amendment Act, 2011; Bill 8, Missing Persons Act; Bill 10, Alberta Land Stewardship Amendment Act, 2011; Bill 11, Livestock Industry Diversification Amendment Act, 2011; Bill 12, Alberta Investment Management Corporation Amendment Act, 2011; Bill 14, Wills and Succession Amendment Act, 2011; Bill 15, Victims of Crime Amendment Act, 2011. Under Committee of the Whole Bill 4, Securities Amendment Act, 2011; and Bill 6, Rules of Court Statutes Amendment Act, 2011. Of course, we won't be able to accomplish all of that in an hour and a half, so we will as usual discuss with the opposition which ones we'll actually bring forward and in what order.

**The Speaker:** Okay. The hon. Member for Airdrie-Chestermere on a point of order.

## Point of Order Factual Accuracy

**Mr. Anderson:** Yes, Mr. Speaker. I rise on a point of order from Standing Order 23(b)(i),(c),(e), and (j). I believe they all apply. The basis of the comment that I'm referring to was – I don't have the Blues in front of me; they're not available yet. Basically, the Premier, referring to the Wildrose caucus, says: this coming from a party that sent 30 doctors over to Vietnam. Clearly that is hogwash. It's misleading the House in every possible way. It's just a completely untrue statement, the insinuation also being that a former member of this House – he's been called all sorts of things in here.

It's amazing. They talk about using the privilege of this House to impugn people outside of the House and how inappropriate that is. They keep accusing people on this side of the House of doing that, and then they go and do the exact same thing with a former colleague. It's really quite shameful.

The other thing, too, is that former colleague, in fact, is not a . . .

**The Speaker:** I'm not aware that that was part of what was stated today. Let's deal with the point of order, though, okay?

**Mr. Anderson:** Well, Mr. Speaker. I'll try to explain. I'm just trying to make a complete argument. That's all I'm trying to do. I'm sorry if I'm not being clear. The point being that he's referring to the party . . .

**The Speaker:** Hon. member, please sit down. You were here yesterday. You heard us have the discussion that points of order are not to be used for the purpose of continuation of debate. What was stated today – and I have the Blues in front of me. This is the Premier. He looked at me, and he said, "Mr. Speaker, comments coming from a party that just sent 30 physicians to Vietnam." At that point I recognized a point of order from the hon. Member from Airdrie-Chestermere. Let's focus on that item. Please go forward.

**Mr. Anderson:** Okay. On that point, sir, I will go and say this. If the member continues with that same logic, the fact that this person has joined our party, who is not a chief adviser, who is not on staff, not being paid – if they continue to say that that person represents this party and continues to represent this party and their policy, then I'm assuming that they, too, would assume that the fact that Ken Hughes, who is leading up Alberta Health Services, was advocating for a private luxury hospital in Mexico would mean that the government supported private health care as well.

Now, of course that's an asinine statement to make because this government does not support private health care. We know that. I know that. I don't think the NDP knows that, but I know that.

So if I'd said in the House, "because Ken Hughes supports a for-profit hospital and the government hired him to be the head of AHS, this government supports private health care," so, too, is it just as asinine to say that because somebody joins our party who happens to be involved overseas in Vietnam at a private hospital and who happens to be a member of our party, therefore this party promotes private health or, even worse, shipped 30 doctors over there.

It's completely untrue. It's misleading, it's false, and it's pathetic. They need to withdraw the comment.

**The Speaker:** The hon. Government House Leader on this point.

**Mr. Hancock:** Thank you, Mr. Speaker. It's very interesting that

within the space of two weeks they embrace as a chief policy adviser somebody who is introducing their leader and is speaking for their party, embrace it and make a big public display of it, and then two weeks later they want to disavow the connection. He's no longer the health adviser, I guess, no longer the person who speaks for them with respect to health policy and gives them advice. It's absolutely amazing how this party is positional – I think that's the best I could say – with respect to their philosophy and their sense of direction.

3:00

In any event, I think it's clear that the Wildrose Party couldn't ship anything anywhere; therefore, I do think that it probably was a little bit over the top to say that the party just shipped 30 physicians to Vietnam. So on behalf of the Premier – and I do have his permission – I would withdraw that remark and apologize for suggesting that they shipped 30 physicians to Vietnam when, clearly, it is their chief health policy person who's involved with the private hospital there and there's no indication that their party is involved directly or indirectly in that hospital.

**The Speaker:** Well, we've heard an apology; we've heard a withdrawal; we've heard a clarification. It's now time for Orders of the Day.

## Orders of the Day Government Bills and Orders Third Reading

### Bill 13 Appropriation (Interim Supply) Act, 2011

**The Speaker:** The hon. President of the Treasury Board, Minister of Finance and Enterprise.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It's my privilege to rise today and move third reading of Bill 13, the Appropriation (Interim Supply) Act, 2011.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar on the debate.

**Mr. MacDonald:** Yes. Certainly, Mr. Speaker, any time one gets a chance to examine in detail the budgeting habits of this government, I think one has to take the opportunity. I had a meeting earlier today, and I was trying to explain to citizens how we were for the fourth year in a row in a budget deficit and how the sustainability fund was being reduced to almost nothing and that if we're not careful when the election is called, all the money that's left in the stability fund, slightly over \$5 billion, will be committed to grip-and-grin photo opportunities as this government tries to buy its way with taxpayers' money into another four-year term. Now, certainly, I was taken aback, and I'm sure if the provincial finance minister was with me, he would have been taken aback and he probably would have been embarrassed. This group could not believe that it was four years in a row that this government somehow managed to have a deficit budget.

The first couple of years they were small. They've gotten bigger, and who knows how the end of this year will look. Mr. Speaker, I'm talking about 2011-12. One of the first things I do in the morning now is look at the exchange rate. The exchange rate is moderated when you compare us to the Americans and their dollar, but certainly if that exchange rate was to remain constant for the entire fiscal year, we'd be looking at a loss of at least \$600

million from the minister's projections. So when this government stands up and requests an appropriation amount to get started in the fiscal year – it's really no different than an allowance – questions have to be asked. What are the plans? What are we going to do to control costs?

In committee we noted the \$2.2 billion that is requested for health care. We have seen over the years – and people are really starting to take notice of it now – the great cost of the continual changes that have been made by this government without any plan, without any cost-benefit analysis to see what, if anything, would work. Nothing was done in that respect. But we've seen the quality of care go down, we have seen growing wait-lists, we have seen diverse services around the province, and we've seen rapid cost inflation.

Ultimately for who knows what reasons the government decided in March of 2008, three years ago almost precisely, to create one big superboard. We disbanded the nine RHAs, the Cancer Board, the Mental Health Board, and we got this one superboard with an unelected board of directors. Some of them got so dissatisfied with this government – I don't know if it was over budget issues or what it was over.

**Mr. Hancock:** Point of order.

**Mr. MacDonald:** They got so dissatisfied with this government that they resigned.

**The Speaker:** Hon. member, please. The hon. Government House Leader has a point of order.

#### Point of Order Relevance

**Mr. Hancock:** Mr. Speaker, I've been listening intently. I know that the bill that's under debate is interim supply, which is about the provision of money for the first few months of the year for government operations while we continue deliberation of the details of the budget. The hon. member is talking about government creating one board for health. He hasn't touched, so far as I can tell, for the last five minutes of his talk on anything to do with interim supply, so I'm wondering if there's anything relevant in what he has to say at all.

**The Speaker:** On the point of order.

**Mr. MacDonald:** Yes. There certainly isn't a point of order. The minister clearly was not paying attention, and I would appreciate it if he would pay attention. I haven't even been speaking for five minutes, to start with.\*

In this bill here, Bill 13, Mr. Speaker, this government is requesting \$2.2 billion for health. I'm astonished that he would even suggest that there's a point of order here. If we cannot ask questions on which direction this government is going with their spending of that allocation and examine their past habits and what they have done to public health care, I'm just astonished. Quite frankly I'm disappointed in this hon. member that he would even suggest that there's a point of order here.

**The Speaker:** Well, now I'm totally confused. The hon. Government House Leader gets up on a point of order, and then the hon. Member for Edmonton-Gold Bar gets up and says: yes, there is a point of order.

**Mr. MacDonald:** I didn't say that there was a point of order.

**The Speaker:** Yes, you did. You absolutely said that right at the start, but I understood that that was not what you meant. It's what you said, though.

Let's continue with the debate, okay? There is 20 minutes allocated to the second speaker on third reading. We'll continue, and we'll focus on the appropriation bill, which is Bill 13.

Edmonton-Gold Bar, please proceed.

**Mr. MacDonald:** Okay. I appreciate that, Mr. Speaker.

**The Speaker:** You both agreed there was a point of order, so I'm not saying anything more.

**Mr. MacDonald:** Mr. Speaker, I would have to say that I appreciate your guidance on that point of order, but if my mother was alive, she would say to you: you have a vivid imagination.

**The Speaker:** Your mother would be an astute person.

**Mr. MacDonald:** She was a teacher by profession.

**The Speaker:** Your mother must have been brilliant. I hope it was genetic. [interjections] Proceed, hon. member.

**Mr. MacDonald:** I didn't hear that.

#### Debate Continued

**Mr. MacDonald:** Now, when we vote on this \$2.2 billion allocation that's requested in Bill 13, we have to examine this government's previous spending habits with health care. We have seen total spending in billions of dollars – and we even go back only nine years. I know, Mr. Speaker, that immediate past history is not an interest of this government, but in 2003 we had spending in health care of a little less than \$7 billion. It has certainly gone up and beyond that in 2011. In 2012 this \$2.2 billion request will be supplemented by an additional 13 and a half billion dollars, if not more.

Citizens all over the province, whether the government wants to admit it or not, are looking at these health care expenditures, whether they're in this bill or in previous years, and they're asking themselves questions. Where did the money go? Where did it go? Are we getting better value? Are we getting more service? Are the emergency room wait times going down? Are we waiting a lot less for access to orthopedic surgery or to other types of surgery? The answer, clearly, is: no, we're not. So we're spending more, and we seem to be getting less.

3:10

Now, an example of this would be facility-based emergency and outpatient services. There has been a \$350 million increase over five years, and the emergency room situation seems to be getting worse. I know there was a photograph in the *Edmonton Journal* today of the minister of health, and he was pointing at a chart. What exactly it had to do with that article, I don't know, but it was in there. It was there. What I would like to see and what the hon. Member for Edmonton-Riverview would like to see with at least a portion of this \$2.2 billion that's requested here for health is a look at hiring more emergency staff, expanding primary care networks, and expanding community health networks. If we were to do that, perhaps at some time in the future we could start reducing some of these budgets, particularly for emergency room care because we wouldn't need as much emergency room care, and we would increase service and decrease wait times. I know the Alberta Liberal Party has had some good ideas that have been adopted

\*See page 457, right column, paragraph 5

by this government in the past, and you would be welcome to have a look at this suggestion as well.

Another example before we pass this bill, Mr. Speaker, is the IT expenses, or the information technology expenses, of Alberta Health Services. Obviously, they're going to get a portion of this \$2.2 billion. Now, if you look at 2007, they got slightly less than \$190 million. The next year they were up around \$230 million. The next year after that they were up to \$270 million. In 2010 it was almost \$300 million, and then the next year it snuck up to \$335 million or even more. That's an 80 per cent increase in five years in IT costs. Yet with this bill the government is looking for just an unlimited credit card allowance, if I could use that, with health care. We've got to get some of these costs under control.

The *Globe and Mail* had a very interesting article, I believe on January 26 of this year, regarding IT costs and health care systems across the country. We know it's happened in Ontario. We know it's happened in some other provinces. We've got to ensure that we're getting value for the money that we're spending, and with this government, unfortunately, we can't guarantee that. Maybe the hon. Member for Calgary-Glenmore has more to say on this. I don't know. When you see these 80 per cent increases in IT costs over five years, it doesn't include all the health information systems within the ministry, and that was another \$75 million last year.

The government members may not want to hear what I have to say, but here's what the office of the Auditor General of Alberta had to say:

- Improve the oversight of electronic health records systems by:
  - maintaining an integrated delivery plan that aligns with the strategic plan
  - improving systems to regularly report costs, timelines, progress and outcomes

If the hon. Member for Edmonton-Whitemud, the Government House Leader and Minister of Education, doesn't want to hear my take on this, I would encourage him to follow up with the Auditor General.

Mr. Speaker, when we look at this budget again, the \$2.2 billion for health care, we know a portion of that is going to Alberta Health Services. It was interesting to note that Alberta Health Services put their third-quarter financial statements up on the Internet over this past weekend. It's very interesting to see that they do have a surplus, and they're going to be able to pay off their deficit from last year, and they're going to have, I think, roughly \$300 million left. They're going to spend \$200 million of it on equipment somewhere. I don't know where, but that's essentially what's going on there.

We were told, Mr. Speaker, by this government, when they created the superboard, that they would get management staff under control and there would be a lot fewer managers. We were going to have a lot less administration. We certainly know that with administrative expenses that hasn't happened. But if we look at the management staff – and I'm going to take the risk of going back quickly three years – we will see that there were roughly 3,480 total management staff in the nine regions and the health board and the Cancer Board. So these were total management staff reporting to the board and, ultimately, the minister. The next year that jumped to close to 3,700, and this was at a time when we were told: "Hold on. Be patient. All this will work out, and we will have a lot less management." It didn't happen. But in the year 2009-10, before we had this budget, it did go down slightly to 3,540.

Now, did the costs go down? Naturally, a curious Progressive Conservative would wonder: what is the total cost of all these managers? If we're going to give a billion dollars or \$1.4 billion to

Alberta Health Services to keep them going from April 1 until the budget is passed, what kind of money are they spending over there on management staff? Well, it's significant. It was even significant in 2007-08. It was \$407 million or \$408 million. It jacked up to 470 some-odd million dollars in 2008-09, and it has sort of maintained that level. Even though there are a few less managers, it would be, I think, around \$472 million to be exact.

I wasn't impressed with the pledge, or the promise, that was made that there would be fewer administrative costs and that there would certainly be fewer managers if we went with the superboard. That hasn't happened. So we need to consider the information, and we also need to remember the information when we're providing organizations like Alberta Health Services money from the general revenue fund, and this is exactly what's happening with Bill 13.

Also, while I have the time, I would like to speak a little bit about Justice. In Justice here the request is for \$68.7 million. I'm wondering if, in the course of debate, someone in the Department of Justice could go back, because I just don't have the time, Mr. Speaker. I don't know who is doing it, the Public Affairs Bureau or the Premier's office – I don't know – but all the researchers that we hired in our caucus have been hired away by this government just like that. We train them, get them up to speed, and they're hired away. It's sort of a curious pattern that at the fourth year of every term there is an exodus of Alberta Liberal caucus researchers to the government. The hiring freeze that they suggest to the public is on, doesn't apply to our researchers. So I'm going to have to get the Justice department to research this item for me before I would vote for this bill.

3:20

The legal services that Justice provides to each and every department of this government: I would like to know what that budget was. Let's go back eight years, to 2002. What would it be for legal aid? Let's compare what this government is spending over an eight-year period on themselves and their own departments and what they're willing to spend on individuals who simply cannot afford to hire a lawyer, but they need good, sound legal advice and good, sound legal direction. I certainly would like a response from the folks over in Justice on this. How much do you spend on yourselves over an eight-year period, and how much are you willing to spend on others to help them out?

With those remarks, Mr. Speaker, I would certainly thank the honourable House, particularly the hon. Member for Edmonton-Whitemud, for allowing me this opportunity to get some questions on the record regarding this government's spending habits.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's an honour to get up in third reading of Bill 13, the Appropriation (Interim Supply) Act, 2011, and to continue, I guess, with the questions and the concerns that we have because of the major deficit, the cash to expenses, that this government is running. I feel that with all the discussions that go on in the Treasury Board and behind closed doors and with the numbers that they hopefully have and we request to see, we are unable to see in this very short Appropriation Act, with a huge amount that the Treasury Board is requesting, the billions of dollars – it's just a major concern, with the \$3.7 billion deficit that we're running, that we're not going over the specifics of these requests in detail.

[The Deputy Speaker in the chair]



We start off, you know, under the government with Aboriginal Affairs, Advanced Education and Technology, Agriculture and Rural Development, Children and Youth Services, Culture and Community Spirit, Education, Employment and Immigration, Energy, Environment, Executive Council, Finance and Enterprise, Health and Wellness, Housing and Urban Affairs, Infrastructure, International and Intergovernmental Relations, Justice, Municipal Affairs, Seniors and Community Supports, Service Alberta, Solicitor General and Public Security, Sustainable Resource Development, Tourism, Parks and Recreation, Transportation, Treasury Board all needing supplemental interim supply.

The paramount question that first comes forward is: why? I would ask why because this government isn't being efficient in its timelines with bringing forward the budget in a timely manner. They delayed coming back to this House, and you have to ask: why would they delay coming back to this House? It was one of the Premier's first promises when he got in. I remember that. I thought: "Man, that's going to be great. We're going to get in there. There's going to be a budget the second week in February. We can debate it and pass it before year-end on March 31."

It was interesting for me the other day to learn from the hon. Member for Edmonton-Centre that, in fact, in the last 15 years there was one time that we didn't have to have interim supply. So the question has to be asked: why can we not do that every year? I think that the government is fully to blame for why we cannot do that. They fail to act in an efficient and appropriate manner, and they seem to think: well, we can just push \$2.2 billion through quickly; it won't take too much time. And, again, no details.

It's always interesting to me that with opposition parties they say: oh, we oppose everything. I very much disagree with that. We oppose those things which we feel are not in the best interests of Albertans, and I'm very much opposed to the exorbitant amount of money that this government continues to spend without properly informing the opposition, the citizens of Alberta what those priorities are or where they're going to spend that money. Any budgetary process that one goes through, the first thing you look at is how much money you have. Then you look at: what are our needs, what are our priorities, and how do we match those?

I don't know too many people personally that don't have to worry about budgeting. As the hon. Member for Edmonton-Gold Bar said, this government just seems to have a gold-plated credit card with no limits. It sounds like some of those fancy, rich children that go around the world spending lots of money with no limits, and every now and then daddy calls up and says: "Whoa, whoa, whoa. This is getting a little bit out of control here. What are you spending your money on?"

Two or three weeks ago the *National Post* was interesting to me. I read an article about a Saudi prince that needed to be reined in because he was spending \$15 billion annually. He was called in, and they said: you're going to have a budget of just \$300 million per month. What a budget. But it aligns with this government in doing that.

The point is, though, Mr. Speaker, that we as opposition would be more than happy to sit down and go through and items where we would say: "Yes. We agree. This should be taken out of there. We'll wait a couple of years on this one. This one shouldn't be this high on the priorities. We shouldn't be starting these projects." When we're not given that opportunity, it's very hard to say: "Well, yes. We want to support and vote for this budget." Why and how could we do that? It doesn't make any sense to just willy-nilly go along and vote for this interim supply while saying: well, this is just what we need. No.

It's very disappointing to me as a sitting MLA, going door-knocking and talking to individuals, and they ask: well, where are

we spending all this money? And I say: I wish that I had access to the books so that we could really see where they're spending the money. We can see this after it comes in. The south hospital is going to cost, I think, \$1.3 billion, way over budget. The renovations of the federal building: some say it's \$135 million to \$270 million. But we've already started that, and there's nothing we can do. That's the problem. That's the reason why you budget.

Why we debate these things is: before we start, let's look and analyze and prioritize. This government fails to do it, fails to allow us to do it. Those decisions, those lists are behind closed doors. We have no access despite the number of times that we've asked. "Please show us your 20-year infrastructure plan. Please show us your five-year one. Let's see your priorities. What are they? How many miles of highway do you plan on doing and where?" It's critical.

I continue to drive and put a lot of miles on my vehicle every year to get around this wonderful province and listen to the concerns in rural Alberta and urban and north and south. Generally the majority of our roads are in decent shape, but boy we have some that are really problematic. Highway 63 is one of those, yet we haven't seen any movement going forward on that. There has been no pavement actually laid in two years. Again, that's not adequate. We need to change that.

So there are many, many concerns, Mr. Speaker, in this interim supply. I have to say, you know: without information, how can you blindly vote for something like this? It's inadequate to present. Any board of directors of any company would find this unacceptable when the numbers were presented. I very much feel that same way, that these numbers should be presented in full and open view that the public can see.

The minister of finance says: oh, you just want to politicize the list. I think it would do just the opposite. If the list was actually opened and could be discussed and the reasons were there, there would be much less political maneuvering that would go on if, in fact, the list was there. A person could look and say: well, why are we doing this overpass in this area? When you look at the count, you look at the problems, you look at the deaths, these are the areas where we need it. But when the government waits, makes the announcement that this is what we're doing, well – okay – what were the other ones on the list? We don't know. How do we prioritize when we don't know? They won't given us the information.

3:30

Things need to change, Mr. Speaker. I have to say that it's not possible to vote in support of this without more information. I hope, as the minister of finance said I believe yesterday in Committee of the Whole, that they're prepared to look at the format and what they're going to present for next year. I do hope that we can sit down and come up with a much better system so that next year we can actually be discussing the items rather than a few lines and a few numbers, that we can actually be discussing the plans and the priorities for the people of Alberta and where we can spend our tax dollars most effectively to increase our quality of life and enjoyment here in the province.

With that, I'll sit down and let someone else speak on this. Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions.

Seeing none, any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Riverview on the bill.

**Dr. Taft:** Mr. Speaker, I won't speak for too long here, but I just

need to reinforce a message to the government that I've made at other times in the past when we've debated interim supply. This legislation, if we had a better budgetary process, would be unnecessary. The fact of the matter is that we should be debating and voting on the budget long before the beginning of the fiscal year so that everything can be in place.

It wouldn't of course just mean that we wouldn't have to spend time in this Assembly on interim supply bills, but it would make a real difference for all kinds of people out in Alberta who depend on public funding. I'm thinking, for example, of various nonprofit groups that provide important social services, the organizations who run shelters or who run all kinds of other facilities or lots of other organizations who are actually left hanging financially.

**Mr. Oberle:** Vote for the bill, then. We have interim supply. That's the point of it.

**Dr. Taft:** I'm getting encouraged by the Member for Peace River, the Solicitor General. He likes what I'm saying, I think.

My point was that until we have a proper budgeting system in place as a government, these interim supply bills get debated. Until the budget itself is passed, all kinds of people out in the community are left wondering what financial support they will be getting. I've gone around. I've talked with all kinds of people from north to south, east to west in this province who plead with me to urge the government to come up with a better budgeting system. They have staff. They've got bills. They've got contracts for rent and so on. They're left until very, very late in the process before they know whether they will get provincial funding or not. That's simply unfair, and it's, frankly, very inefficient.

There is a solution that would mean that next year and other years we wouldn't need to go through this kind of debate, and that would be to have the budget brought in earlier, have the debate occur earlier, have the vote earlier. It's just simple good management, Mr. Speaker, and it's a mystery to me why we don't see that done by this government. It used to be done. It's absolutely doable. There would be all kinds of benefits to it. I would urge this government to next year get on top of their budgeting process six or eight weeks sooner in the calendar year and have everything dealt with so we don't need these kinds of interim supply bills.

Those are my comments. Thank you, Mr. Speaker.

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

The hon. member for – the hon. leader of the ND opposition.

**Mr. Mason:** Thank you. That will do just nicely, too, Mr. Speaker. I appreciate that.

I'm happy to rise and speak to Bill 13, the Appropriation (Interim Supply) Act, 2011. I just want to echo some of the comments of the hon. Member for Edmonton-Riverview, that this bill should be unnecessary and that I don't think it's good financial management of the province. In fact, Mr. Speaker, had this Assembly been called when it was originally planned to be and had the budget been brought forward immediately after that happened, we would have passed the budget now in its entirety, and we wouldn't have required it.

But what happened was that the government decided that they had to go out on a cabinet tour. They were really kind of worried about what people were thinking, and they wanted to get their message out, so they postponed the Legislative Assembly session. They went out and talked to people all over the province, and suddenly they found out that people didn't like them very much. They cut that off, came back, the Premier resigned, and they decided: you know, we'd better go to plan B.

You know, this is pretty typical of how the government operates. Instead of having a systematic financial and legislative framework that they work within, they're always changing things around because, well, they're always screwing up, Mr. Speaker. People get mad, and they decide that they better get out there and talk to people, and then they find out that, well, it's kind of past time to get your message out. It's a little bit too late. So they dropped the cabinet tour, they rushed back to the Assembly, the Premier quit, and they figured: "Well, let's start over again. It's worked for us in the past when we get into a lot of trouble. We bring in a new leader, and everybody will like them, and they'll forget what's been going on." Well, I think that worked when Premier Klein came in, but I don't think it's going to work again.

I think that it is, frankly, unnecessary for us to be discussing an interim supply bill. Had the government stuck to its responsibilities as a government instead of trying to play politics – you know, who knows what other rabbits they're going to try and pull out of the hat in order to avoid what's coming to them in the next election? Hopefully, we're going to see a government that is prepared to put the management of the public finances and the legislative process ahead of their own short-term political needs. I'm prepared to commit, Mr. Speaker, that a New Democratic Party government will do just that.

Thank you very much.

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

Seeing none, the chair shall now recognize the hon. Member for Airdrie-Chestermere on the bill.

**Mr. Anderson:** Thank you. On the bill, Bill 13. I talked a little bit about Bill 13, the Appropriation (Interim Supply) Act, 2011, yesterday in committee, and I would echo a lot of the same sentiments of the other opposition colleagues in this Legislature, that I don't see why we should even be here debating this bill.

**Mr. Hancock:** You don't need to.

**Mr. Anderson:** That's right. There is no need to. You're right. We don't need to, as the House leader from the government says. As opposition we could all just turn our heads, close our eyes, plug our ears, and say: "Nothing bad is happening. Nothing bad is happening. Just business as usual. Business as usual." But we don't do that because our duty as an opposition is to make sure that when the government does dumb things, we point them out to the public so that voters can have the opportunity to remove them from their position in the next election should they continue to do those dumb things. Clearly, we are on the road to such a time, if every piece of evidence is not ignored, anyway.

3:40

I look at some of these figures and, again, the amount, the sheer magnitude of what we're approving here, being almost \$5 billion on a little piece of paper this big, a few pieces of paper, actually. Sorry. There are more than one. There are two pieces of paper stapled together, and in these two pieces of paper we will approve \$5 billion. I have no idea and neither does anyone in this House know other than maybe some pencil-pusher in the back of some government department what this \$5 billion is paying for. We know that some of it's going to education, \$643 million – that's good – and \$300,000 of that is going to capital investment. That's not too promising.

But we don't know what that money is being spent on. We're assuming there are some salaries in there, we're assuming there are a few other things in there, but what's it being spent on? We don't know because they don't say. Frankly, we could be hiring a

circus to come in and march around. We could have the circus and the clowns march around all the different schools to teach them about the circus.

**Mr. Mason:** How the government runs things.

**Mr. Anderson:** About how government runs things; that's right.

The point is that we don't know because we don't have a clue what that \$643 million is. Could you imagine running a budget this way in any kind of corporation or school board or union? Could you imagine running anything this way, coming to a board of directors and saying: "Here's our budget. It's \$4 billion. It's two pages thick"? I mean, it would be laughable. It is laughable. Yet this is how we approve budgets or interim supply appropriation in the province of Alberta. This is how we do this in the province of Alberta.

It is no fluke that we are running a \$6.2 billion cash shortfall and vapourizing our savings for future generations. It's because of silliness like this, where you can ram through \$4 billion, \$5 billion dollars' worth of money and not have any idea what we're spending it on and just say: the bureaucracy will handle that. I don't understand why we do it so differently. It's not like we're in a minority government situation here. That, of course, may change or could.

In a minority I could understand, you know, if some things happened and it's difficult to keep the calendar steady and every year have the same dates for passing budgets and getting things done, but in a majority government for 40 years you would think that after all those years the government could somehow put a calendar together and have the competence and the wherewithal and the financial management capabilities to put together a calendar where we wouldn't have to approve \$5 billion essentially without even knowing what we're approving it for because we didn't get back here in time to introduce and pass the budget. It really does not make a whole lot of sense.

Any CEO or CFO who took a budget like this to a board of directors would be thrown out on his derrière and told not to come back except to maybe clean out his office or her office. I think that is pretty much exactly what may occur here for a lot of folks if we continue to pass \$5 billion and multibillion dollars in projects and transmission lines, carbon capture and storage to good corporate buddies and so forth, BRIK programs, and all these different things where we just kind of on a whim say: "Here you go. There you go. Have at 'er. Here's \$500 million. Here's \$2 billion. Here's \$300 million. Off we go." Yet that's exactly how we manage the affairs of this province at this time.

Actually, I'll give you a little insight. I don't and I won't and I still will not ever say what an individual member in the caucus over there said in any given caucus meeting, but I will say what was discussed in caucus. I remember in caucus what was discussed about carbon capture and storage, for example. It was actually kind of funny. I remember it was at a Stampede caucus, and we were all sitting around the table, and all of a sudden we were presented with a new program. "This is what we're going to do. We're going to spend \$2 billion on a carbon capture and storage fund, rolling it out over several years. We're going to spend \$2 billion on what we will title a Green TRIP program, which will be grants to municipalities and private corporations that have innovative ideas for mass transportation. The person that will decide what an innovative idea is is the Minister of Transportation," which warms my heart and gives me a huge amount of confidence in that program. That was it.

Then the folks went down and did their press conference, and it was, "Those in favour?" – you know, pound the desk – "Those

opposed? Carried," that sort of thing. That's how \$4 billion of your public money was approved by this government. That's how it went down. It was that quick. Literally, we're talking about a 20-minute conversation here for \$4 billion. That's what we're talking about. This is not a word of a lie, and everyone sitting in this Chamber on that side knows that.

Of course, after the fact, it became a bit of a debate amongst the caucus members about whether that was appropriate or not, but the point is that there wasn't really time for debate. It just happened: \$4 billion out the door, approved, signed, sealed, delivered, done. That is what a government whose spending is completely out of control, who has lost all sense of reality with regard to respect for the public purse and for taxpayers' cash, looks like on the inside. There are many other examples where that has occurred, but that was the most expensive example that I can recall: 20 minutes, \$4 billion, essentially no real discussion, just a bunch of hands pounding on the desks.

That is one of the problems. If you look into the bill and we see some of the amounts here, let's look at Transportation. Transportation: \$151 million in capital investment. That's great; we need transportation. We need roads and infrastructure. But what is that \$151 million being spent on? Is it going to be spent on widening highway 9 to Drumheller? One constituent asked me: "Why are we undertaking this project when we have a \$6.2 billion cash shortfall? Why are we doing that right now? Could that not have waited a couple of years until we were back in surplus? Would the entire economy shut down if we do not widen that road in the next two years?" I don't think it would.

It's not saying that we don't need roads. We like roads. We need roads to put trucks on and transport goods and people to see their families and all those things. We absolutely do need those things. It's so funny over here. You know, everyone talks about: oh, the Liberals and the Wildrose and the New Dems are so different. Indeed, we do have definite policy differences, but for one thing – at least with the Liberals, when I was reading their budget proposal, that was similar to ours – we both understood the need for living within our means and stretching the capital budget over a longer period of time. They proposed five years; we proposed four years. I don't think their five-year idea was that bad. They were saying: look, we need to balance the budget. Good. We say four years. [interjections] Yeah, well, I'll have to think about it a little more.

The point is that when you have a party which is considered – you know, who cares? We're not going to be ideological today. When you have two parties that everyone says are so different from each other saying essentially the exact same thing on fiscal responsibility with regard to the capital budget, you would think that – I don't know – maybe the government would say: "Oh, you know what? Maybe they have a point there. Maybe we can balance our budget, and we can have everything we need and want, but we just can't have it all this year."

3:50

The Education minister has a hard time with this. Whenever we're in estimates, I'm always saying: "We can have it all, Minister. We can have it all. We just can't have it all this year. We've got to therefore decide which projects we can delay an extra year or two and which ones we can't, and there is where we need the list of projects." Then when we get the list of projects, we can sit down and have a debate over which projects, based on objective criteria, are most urgent and which are less urgent. The less urgent ones: perhaps the federal building, equipped with interactive water features, an agrizone, an ecozone, and skating rink, would have

fallen on the last part of the priority list, kind of down the list a little bit, and wouldn't get built.

Then the stuff at the front of the line would include – no doubt about it – schools for Fort McMurray and Beaumont – clearly, Beaumont is in need – for Airdrie and Chestermere. Critically needed schools. They're partitioning classrooms. They're putting two classrooms into a library and shutting the library down in some schools. I've got classes in my constituency of 40 kids in elementary school. There's a priority. Highway 63 to Fort McMurray: a huge priority. We've got to get that finished.

Do we need to be building thousands of new acute-care beds right now? Do we need to be building expensive new hospital infrastructure, that we can't afford to staff, when we could be spending a fraction of that amount on long-term care and assisted living to free up bed blockers in acute care, who are the first ones to tell you they want to get out of there and get into more appropriate housing? That would make some sense. Maybe we could put off some of those new acute-care beds and focus on less expensive long-term beds and actually accomplish the exact same thing we're trying to do, which is increase acute-care capacity without spending all these additional billions of dollars.

Instead, we have a south-side hospital, for example, that is going up. We don't even have the money budgeted to staff it. We don't have a cent budgeted to staff the thing when it opens up, so what are we going to do then? Even if we had the money budgeted, I wonder if we even have the staff necessary in the province to staff that size of a hospital. I mean, everyone likes hospitals, but what good are they if you can't afford to staff them and if you can't find the staff to train because you don't have enough trained staff?

It just is beyond belief, Mr. Speaker, that we can't find a way to prioritize, slow the capital build a little bit, and make sure that we can staff all the facilities that we're planning on opening, that we can staff them appropriately, rather than just build them all. You know, they just kind of sit there empty, or at least a huge percentage of them do, or half empty or a quarter empty or three-quarters empty and so forth. So not a very good bill.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or question.

Seeing none, any other hon. member wish to speak on the bill?

Seeing none, the chair shall now put the question.

[Motion carried; Bill 13 read a third time]

## Bill 2

### Protection Against Family Violence Amendment Act, 2011

**The Deputy Speaker:** Any hon. member wish to speak on the bill? The hon. Member for Edmonton-Gold Bar on Bill 2.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. We're certainly getting the constituency name back as spring progresses. The name "snow bar" is snowbank.

**The Deputy Speaker:** Hon. member, excuse me.

Has the hon. Member for Calgary-Nose Hill moved the bill? I thought you moved it last time, but if you haven't moved it, then please stand up and move it.

**Dr. Brown:** My apologies, Mr. Speaker. I am very pleased to rise and move Bill 2, the Protection Against Family Violence Amendment Act, 2011, for third reading.

I do appreciate the discussions we had regarding these matters. If there are other members that wish to speak to that at this time, I'm interested in hearing what they have to say.

**The Deputy Speaker:** Hon. Member for Edmonton-Gold Bar, please continue.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. Certainly, as spring progresses, we are getting back to our original constituency name of Edmonton-Gold Bar. It had been changed for obvious reasons this winter to Edmonton-Snowbank. I believe it was the Member for Calgary-Varsity that provided that name to our constituents.

**Mr. Hancock:** There's been no lack of snow coming from the member.

**Mr. MacDonald:** Oh, there's a little bit there. The hon. member is also in the same snowstorm as I.

**Mr. Mason:** You're drifting.

**Mr. MacDonald:** I may be, but I can still see.

Now, Bill 2, Protection Against Family Violence Amendment Act, 2011, is a very important piece of legislation. We had commented on this earlier. Again, to the Member for Calgary-Nose Hill, an expression of gratitude for your efforts on this. I certainly hope that this legislation works to reduce family violence by holding accountable those who violate protection orders. This legislative initiative has been called for by many people.

The hon. Member for Lethbridge-East spoke earlier about the efforts of Jan Reimer, the former mayor of the city of Edmonton, and her work now with the Alberta Council of Women's Shelters. Certainly, Ms Reimer has indicated a number of times that the Council of Women's Shelters has expressed concern about the lack of consequences for those who abuse or breach emergency protection orders. She's hopeful – and so am I – that this legislation will encourage police all over the province to lay criminal charges when people breach protection orders.

Every now and then I think each and every member of this Assembly meets with a constituent who is a victim of family violence and needs a peaceful, secure place to rest with their children while these rather difficult issues are at least stopped and there is a resolution to some of the disputes. Ms Reimer and other individuals from the Alberta Council of Women's Shelters see almost daily, unfortunately, first-hand some examples of what this bill is attempting to do, and that is to go after those who are responsible and let them know once and for all that their actions are no longer going to be tolerated.

With those remarks, I would like to be mindful that this certainly is a step in the right direction. The member is making an effort to get tougher on domestic violence. There are different measures that have been discussed in the throne speech. There are different legislative initiatives that are going to proceed through this House in this session. When you look at family violence and how Alberta families are affected by this – I'm not going to get into the comparisons between each and every province or territory, but we have a lot of work to do in this province, and this bill reflects an intention to start. I hope it works.

Thank you.

4:00

**The Deputy Speaker:** Any other hon. member wish to speak on the bill?

Would you like to close the debate, then, hon. Member for Calgary-Nose Hill?

**Dr. Brown:** Thank you, Mr. Speaker. I would like to make a couple of very brief remarks. I want to reiterate my appreciation for the support of 12 different colleagues who spoke to this bill in second reading and in Committee of the Whole and here again in third reading. I want to just briefly address some of the questions that were raised by members of the Assembly during Committee of the Whole.

The Member for Edmonton-Highlands-Norwood had asked me about the offences and why the offence and penalty provisions would be better in the act rather than addressing the breaches of protection orders through the Criminal Code. I did address that in part. I mentioned the enhanced tracking that would be available and the fact that all sorts of a grab basket of various offences are brought within the ambit of section 127. A lot of them would be failure to appear in court, failure to produce evidence, all sorts of things which may not be related to family protection orders.

Another direct benefit of having this matter directly in the act rather than having it under a civil process for contempt of court or under the Criminal Code is that by having the enforcement directly under the legislation, it will ensure that the Crown prosecutors are directly involved in all those cases, with better access to information. There will be more consistent application of the penalties, and in many cases the penalties that are provided for under the act will be more severe.

Some members also raised questions about the amount and the appropriateness of the penalties in the bill, that that could be stronger. I would advise the House that the extent and the amount of the penalties proposed were determined in discussions with Justice and Attorney General and a review of other domestic violence legislation right across the country. These measures will be amongst the strongest in the country, and they will send a clear message that a breach of protection order is a serious matter with significant consequences.

There were also some questions about enforcement interprovincially if an abused person were to leave Alberta and the resources for police. Protection orders are entered into the Canadian police information centre's computerized information system, and that does provide all Canadian law enforcement agencies with information on crimes and offenders. I've been advised that the government is working closely with police on how those changes would be implemented, and they also provided input on the penalties and offence provisions in the development phase.

Mr. Speaker, a few members had questions about the support being provided to address family violence. I've already addressed a number of those other issues and measures which are directed towards reducing family violence, including the emergency shelters that I mentioned. I just would like to point out that the funding for emergency shelters for women has increased by 73 per cent. The hon. Member for Edmonton-Centre had raised some concerns about that. It's raised by 73 per cent since 2004-05, from \$15 million to more than \$26 million a year right now. As I discussed during Committee of the Whole, there are other programs in the communities which are doing very good work: domestic violence courts and police teams, safe visitation sites, victims outreach projects, and the family violence info line, which I already mentioned.

That concludes my remarks, Mr. Speaker. Thank you to all the members who have indicated their support for the bill. I ask the Assembly to concur in passing this matter on third reading.

[Motion carried; Bill 2 read a third time]

### Bill 3

#### Engineering, Geological and Geophysical Professions Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very pleased to rise and move third reading of Bill 3, the Engineering, Geological and Geophysical Professions Amendment Act, 2011.

Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Yes. This is a terrific bill, and I stand to support this bill. We certainly had an opportunity to speak to this at second reading. I'll just be quite brief, Mr. Speaker. The bill would alter the existing terminology in the Engineering, Geological and Geophysical Professions Act by using the umbrella term "geoscience," which is a commonly accepted term across Canada for various sciences of a geological nature.

Now, certainly, this bill is adding a lot to various statutes and is presented by the hon. Member for Leduc-Beaumont-Devon. I understand you're losing Devon in the next election. I'm sad to hear that.

Mr. Speaker, I appreciate the hon. member's efforts. We talked about the importance of these professions, certainly in light of what's going on in Japan, for instance, whether it's the earthquake, the tsunami, or now the engineers who would be trying to control the heat in those reactors. These are very, very important professions. We have to ensure that they are respected and that those who enter the profession and who receive accreditation are protected and that the disciplines that they practise in are protected.

I have to point out that regardless of where you are in the world, there has to be a set of standards, particularly for individuals practising that profession. I'm suspicious of the enforcement of a lot of those standards, hon. member. We have a tendency to shift a lot of engineering work offshore. There are blueprints that are transferred electronically from one jurisdiction to the next and are worked on by qualified engineers, supposedly.

With this legislation I would just, in conclusion, be reminding people in this Assembly that we have to make sure that when we ship this stuff around – and by stuff I mean complete engineering packages – that those that then work on them in a foreign jurisdiction have the same qualifications as the individuals who would practise the engineering professions in this province so that we can ensure that we're just not undermining their professions.

Certainly, the individuals here are well qualified, the training programs at our universities are exceptional, and there is no reason in the world why we should not make a commitment here to enforce those standards.

Thank you.

**The Deputy Speaker:** Does any other member wish to speak on the bill? The hon. Member for Edmonton-Riverview.

4:10

**Dr. Taft:** Thank you, Mr. Speaker. I appreciated very much the comments from the Member for Edmonton-Gold Bar. They raise for me just a question I'd like to put to the Member for Leduc-Beaumont-Devon, who's bringing the bill forward, whether he can address it now or in his closing remarks or not. In third reading we talk about the impact of the bill. As we change the terminology

around our engineering professions and geology and geophysics professions to geoscience, it does raise the question: what's happening in other jurisdictions?

Here in Alberta we train geologists and geophysicists who go from here to other parts of the world, and we train people who come from other parts of the world to here. If somebody is designated as a geoscientist in Alberta in the future, what, if any, effect does that have if they then proceed to work in Texas or Africa or the Middle East or wherever? Is there any kind of interjurisdictional and international recognition of the term "geoscientist." There may well be, and I suppose I should perhaps know that myself, but I can see that it could cause some confusion.

We know from other professions – physicians, teachers, or others – that if they're coming here from other countries, it can get pretty complicated figuring out if a physician is a physician is a physician, depending on where they're from. I'm just wondering if the term "geoscientist" is gaining global recognition. Are we the first to incorporate that or one of the first? Does anybody anticipate any confusion as this global community of experts moves around from one province to another, one country to another?

Aside from that, Mr. Speaker, I have said earlier all I have to say on this bill, and I think we should move on. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions.

**Mr. Allred:** Mr. Speaker, if I could just make a comment, and I made it in my remarks in second reading. With regard to the term "geoscientist" my understanding is that the term in all other provinces of Canada is "geoscientist." I don't know about the rest of the globe, but certainly a lot of Canadian petroleum engineers, geologists, and geophysicists, now geoscientists, do an awful lot of work in the Middle East. There are an awful lot of our personnel there, as has been obvious in the latest strife in Libya, where we have quite a number of Canadian trained people in that field. That's also similar in Saudi Arabia and other countries. That's some clarification.

**The Deputy Speaker:** Does any other member wish to speak on the bill now?

Seeing none, on the bill, the hon. Member for St. Albert.

**Mr. Allred:** Yes. Just one other comment. I should have stood up when the hon. Member for Edmonton-Gold Bar had some concerns with a lot of the work being done offshore. He's certainly correct. There's a lot of the work that is done offshore, but the purpose of professional legislation is that there is a person that must be registered with the Alberta association that takes ultimate responsibility for the work even if some of the work might be done offshore. There is always someone that is registered with the provincial association that takes responsibility for that work. I think that's really the guarantee.

I'd just make another comment. Our professional legislation in Canada is quite unique compared to professional legislation in any other country. We have totally self-regulating professions, and they are involved in the entire process, from the initial registration of the member through to maintaining competency and discipline if necessary. That's not a system that is common in most other countries. I think that if you can reflect on the number of concerns that are expressed with engineers, they're very, very low in Alberta and Canada, and I think that's a tribute to the system that we have in this province and this country.

**The Deputy Speaker:** Standing Order 29(2)(a) anyone?

Seeing none, any other member wishing to speak on the bill?

Seeing none, I'll now call on the hon. Member for Leduc-Beaumont-Devon to close debate.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very pleased to close debate on Bill 3. I would just offer a brief comment to the Member for Edmonton-Riverview that comments made by the Member for St. Albert were the exact comments that I would make, that these changes are consistent right across Canada.

Thank you.

[Motion carried; Bill 3 read a third time]

## Government Bills and Orders Second Reading

### Bill 4 Securities Amendment Act, 2011

[Debate adjourned March 16: Mr. Anderson speaking]

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere to continue the debate.

**Mr. Anderson:** Thank you. How much time do I have? Do you know, Mr. Speaker?

**The Deputy Speaker:** You have 12 minutes.

**Mr. Anderson:** Twelve minutes? Okay. I just want to rise and again express support – I forget where I left off last time – for Bill 4, the Securities Amendment Act, 2011. The reason the Wildrose supports this is because it seeks to improve the passport system, which we think and we believe is a good system. It's a system that has worked very well for our securities regulation. It's been great to have the ability to have a flexible provincial security regulator, that is flexible to our local needs and local economy, specifically trying to raise capital for energy investment, which is a big one. We think that it's very important that we maintain control over that jurisdiction.

I would say, too, as other members have said, that securities regulation, obviously, has always been a provincial jurisdiction. What I'm worried about is that once the federal government inserts itself into an area of provincial jurisdiction, as it often does, it's very difficult to get them out of it. So what is right now a provincial jurisdiction all of a sudden could quickly become a shared jurisdiction. Even though the constitution doesn't say that, that's essentially what might happen.

Again, we've seen this in health care. We've seen this in education. We've seen this a lot in agriculture. We've seen it in a lot of different areas where the federal government feels that they need to come in and, certainly, assist certain areas that are clearly provincial matters instead of what they should be doing, which is transferring tax points to the provinces from the federal government so that they can better raise money for education and health care and all these different things and not have another level of national bureaucracy, even farther removed from the people, to affect issues such as health care, education, the environment, and so forth. There are a lot of them.

4:20

We completely support any move by this government to encourage and promote and strengthen the current passport system and to maintain exclusive jurisdiction over securities regulation. There are many reasons for that, and I hope that people understand why it is so important to maintain this jurisdiction. One of the big reasons is that, you know, once you give up something – say we

did have a national securities regulator; it probably would be based out of, most likely, Toronto. There might be suboffices across the country, but I would assume that the heart of it would be on Bay Street. Once you cede that territory, what would happen inevitably because of their larger population and larger market share and so forth that they would have in securities in the country is that they would start setting the rules, and we wouldn't have much of a say in it.

That could quickly evolve if you get somebody in there who doesn't understand the needs of the various regions and all of a sudden they decide that they're going to start throwing their weight around and making it more difficult to raise capital. Or perhaps they don't regulate it enough and just kind of get lazy and have an anything-goes attitude. It's hard as a province – although we're growing and although our importance is certainly improving in regard to our economy within Canada, we're still not by any stretch the big kids on the block yet. We're getting there, but we're still the fourth-largest province, and Quebec and Ontario and B.C. are bigger. So if they start throwing their weight around in a way that we don't agree with and in a way that we don't want to go along with, it's going to be very hard as part of a national securities regulator to have any real say, and that is not acceptable.

I talked previously about the system being more responsive to regional interests and flexible enough to accommodate the unique needs of our local markets. The good thing about the passport system, though, is that there are a lot of areas in securities regulation where all the provinces, certainly all the major provinces, agree completely on what and how something should be regulated. So we've come together and made this passport system, which provides a single point of access to markets across Canada through a harmonized regulation with the other provinces and their securities regulators.

We feel that this is great. We do not agree with the premise of the federal government – and we're glad to see this provincial government doesn't agree with the premise of the federal government – that a national securities regulator is needed to decrease the costs of raising capital, of doing public offerings and so forth. We don't feel that's the case at all. We feel that the passport system, obviously, can always continue to be improved and updated and more and more streamlined, but it has been very effective. I think, you know, that one of the big misnomers out there, that I heard the current federal Finance minister talk about, was how with the recession and the world economy and everything, the tumult that was going around, we need this new national securities regulator to make things better and to help make it easier and simpler to raise capital in the capital markets here in Canada.

Well, if you look at the meltdown that occurred with regard to the economy with these derivatives and such bogus paper assets that were out there, although Canada was definitely affected, it was affected less than most. We were able to frankly weather the recession better than any other G-8 country and, I would say, probably most industrialized nations if not all industrialized nations. You know, it's the old adage: don't fix what isn't broken. If it ain't broke, don't fix it. This is a classic example. Could it be improved? Could we improve our enforcement? Yeah. Could we improve our policing with regard to fraud and so forth? Yeah, absolutely, we could. But that doesn't mean you rip up the whole system and start from scratch with a huge national regulator down in Ottawa.

In the rankings we see that Canada's regulatory system is consistently ranked as one of the best systems in the world, meaning that the provinces have done their job well in the field of jurisdic

tion. Some organizations, think tanks, and publications have ranked Canada very highly. These are very prestigious and well-respected organizations; for example, the OECD, the World Bank Group, *Euromoney*, and the Milken Institute. These are obviously very influential and well-respected economic organizations and think tanks, and they have clearly said that the way we do raise money in our securities regulation set-up that we have here in Canada is very effective, amongst the most effective in the world. We in the Wildrose concur. There's no reason to fix what's not broken.

You know, it's kind of like the royalty framework, hon. Member for Calgary-Glenmore, isn't it? If it ain't broke, don't fix it. This government did that and cratered the natural gas industry. It's never been the same since. But they have since backtracked to essentially where they were before. They still raised it a bit, but they came back a little bit, and sure enough the money is flowing back. Let's not do the same thing to our securities regulatory framework that this government did in cratering our natural gas producing industry.

I think, in conclusion, that Canada clearly fared better than most countries in the world during this last financial crisis. There was nothing in our securities regulatory framework that in any way harmed us or inhibited us from getting through this last recession. As we go forward, there are no substantive barriers to raising capital in our Canadian capital markets by leaving the current passport system in place. I hope that all members of this House, regardless of what party they belong to, the PCs or the NDP or the Wildrose or the Liberals or the Alberta Party – there's no reason why we should change what is not broken.

I hope that the current finance minister and President of the Treasury Board and the Premier and the new Premier, whoever that is in six months when we decide that we want to have a Premier again, you know, that it is not a lame duck – I hope that those individuals will continue to uphold our provincial jurisdiction on this issue and so forth.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Calgary-Glenmore under Standing Order 29(2)(a).

**Mr. Hinman:** No. On the bill.

**The Deputy Speaker:** We have only one minute.

**Mr. Hinman:** Never enough time when it comes to talking about finances.

It's exciting to be able to talk on Bill 4. It's critical that we continue to protect our jurisdiction when it comes to securities. Bill 4, I feel, is taking a good step forward in protecting our Securities Act.

It's interesting, you know, that in a world of financial disasters right now – and you can look around; it's one country after another – and with the printing of money that's going on, I don't think there's ever been a more important time for us to have a provincial . . .

**The Deputy Speaker:** I hesitate to interrupt, hon. member, but pursuant to Standing Order 4(2) it's now 4:30 and the chair declares that the House stands adjourned until 1:30 p.m. next Monday.

[The Assembly adjourned at 4:30 p.m. to Monday at 1:30 p.m.]





## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to March 17, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

**1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft., adjourned)

**2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

**3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

**4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft., adjourned)

**5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft., adjourned)

**6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft., adjourned)

**7 Corrections Amendment Act, 2011 (Oberle)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft., adjourned)

**8 Missing Persons Act (VanderBurg)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft., adjourned)

**9 Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**

First Reading -- 113 (Mar. 1 aft., passed)

Second Reading -- 185-86 (Mar. 3 aft., passed)

Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)

Third Reading -- 305-08 (Mar. 10 aft., passed)

Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]

**10 Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**

First Reading -- 122 (Mar. 1 aft., passed)

Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft., adjourned)

- 11      Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft., adjourned)
- 12      Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft., adjourned)
- 13      Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)
- 14      Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft., adjourned)
- 15      Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft., adjourned)
- 201      Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)
- 202      Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203      Alberta Get Outdoors Weekend Act (Rodney)**  
First Reading -- 152 (Mar. 2 aft., passed)
- 204      Justice System Monitoring Act (Forsyth)**  
First Reading -- 304 (Mar. 10 aft., passed)
- 205      Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
First Reading -- 362 (Mar. 15 aft., passed)

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday, March 21, 2011

Issue 16

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Senior Parliamentary Counsel/ Director of House Services	Shannon Dean	Sergeant-at-Arms	Brian G. Hodgson
Manager – House Proceedings	Micheline S. Gravel	Assistant Sergeant-at-Arms	Chris Caughell
		Assistant Sergeant-at-Arms	Gordon H. Munk
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Monday, March 21, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. At the beginning of this week we ask for renewed strength in the awareness of our duty and privilege as members of the Legislature. We ask for the protection of this Assembly and also the province we are elected to serve.

I'm now going to invite Mr. Paul Lorieau to lead us in the singing of our national anthem, and I would invite all present to participate in the language of one's choice.

### Hon. Members:

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

### Introduction of Guests

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Thank you, Mr. Speaker. I wish to introduce to you and through you to all members of the Legislature 24 visitors from Mundare school. We have accompanying the students today teachers Mrs. Tanyss Rogers and Mrs. Bernice Komarnisky and parent helpers Mrs. Lisa Rozumniak and Mrs. Josephine Galandy. They are seated in the visitors' gallery. I would ask everyone to give them the traditional warm welcome of our Assembly.

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to the members of the Assembly 30 grade 6 students from York academic elementary school. York academic is the northeast district site for the gifted and talented program. The challenge program provides a rich and challenging environment for the students throughout grades 1 to 6. The students are accompanied by their teacher, Ms Dora Strasdin, and parent helpers Brenda Berg, Mrs. Galina Brindza, and Mrs. Mary Palamaruk. They are seated behind me, and I would like to ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. I've two introductions this afternoon. First, it's my pleasure to rise and introduce to you and through you a very special group of 26 students from Guthrie elementary school in Lancaster Park, which is at Edmonton Garrison and part of Sturgeon school division. These students are accompanied by their teachers, Colleen Tremblay and Becky Williams, and parents Rhonda Draeger and Mrs. Jackie Mewett. Of special note, all these children have parents serving in Canada's

military, so we'd like them to take back our best wishes to their parents as well. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I'm also pleased to introduce to you and through you some elected officials and some important staff that we have with us from Smoky Lake county. I have the distinct pleasure of working with this group, and that has certainly been a privilege for the last three years. They're seated in the members' gallery. I'd ask them to rise one by one as I call their names: Reeve Dareld Cholak, Deputy Reeve Randy Orichowski, Councillor Ron Bobocel, Councillor Lori Danyluk, Councillor Rick Cherniwchan, CAO Cory Ollikka, Assistant CAO Lydia Cielin, and Public Works Foreman Doug Ponich. I'm really pleased that they're here today. They're here as part of AAMD and C meetings. I'd ask the Assembly to please give them the traditional warm welcome.

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. It's my honour today to introduce to you Lilly Lewis, who celebrated 90 years as an Alberta citizen just recently. She has got members of her family here with her. She and her husband were veterans of World War II, served in the Canadian Forces. She also served a number of cabinet ministers here in this building. As a new minister I was thinking that maybe she could help me out, but she's enjoying her retirement, I think, and isn't available. After retiring she also did work in missions around the world. She's here today, as I mentioned, with her children, and they're in the members' gallery. If they could please rise and receive the welcome of the Legislature.

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

**Mr. Jacobs:** Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of this Assembly some of my friends and council members from the MD of Taber who are visiting us today and are here in Edmonton for the AAMD and C convention. I would like them to rise as I call their names: Reeve Brian Brewin, Deputy Reeve Ben Elfring, Councillor Don Johnson if here, Councillor Duff Dunsmore, Councillor Dwight Tolton, and their administrator, Derrick Krizsan. I thank them for coming and invite my colleagues to give them the warm welcome.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'd like to introduce through you and to you Fatima Remtulla, a dear friend and a supporter who has been spending the day shadowing me and the rest of caucus. I'd like ask Fatima to rise and receive the warm welcome of the Legislature.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly somebody very important to me through a very interesting and challenging time in my life. I'd like to ask my partner, Sharon MacLean, to rise and receive the traditional warm welcome of the Assembly.

**Mr. McFarland:** Mr. Speaker, although my colleague introduced all the fellows from the MD of Taber, he did miss one, and he's the newest one. I'd like the Assembly to recognize Bob Wallace from the Hays district, who is a newly elected MD of Taber councillor.

## Ministerial Statements

### International Day for the Elimination of Racial Discrimination

**Mr. Blackett:** Mr. Speaker, it's an honour to rise. March 21 is the International Day for the Elimination of Racial Discrimination. This significant day is observed around the world to focus attention on the harmful effects of racism and the need to promote racial harmony. March 21 was declared in honour of those who lost their lives in the Sharpeville, South Africa, massacre, where during a peaceful protest 69 anti-apartheid protestors died and 180 were wounded.

Proclaiming the day in 1966, the United Nations General Assembly called on the international community to redouble its efforts to eliminate all forms of racial discrimination. Canada was one of the first countries to support the United Nations declaration.

Although the majority of Albertans believe their human rights are protected, racism and discrimination continue to exist in Alberta. Mr. Speaker, on Saturday I happened to be in downtown Calgary with some of my colleagues, and we were walking to an event. We noticed that there were police surrounding the area that we were walking through. There were riot police. There were sharpshooters. There were all kinds of people. It was a little disconcerting because we didn't know what was going on. Then it came to our attention it was a white supremacist march. We went into our function and came out, and we were told we might have to stay because these two groups, the people supporting our fight against racism versus the white supremacists, were going to meet and there could be a clash. I never really gave it much thought.

1:40

As I walked out of there with the Member for Calgary-Montrose and the Minister of Housing and Urban Affairs, we started talking about it. The Minister of Housing and Urban Affairs suggested how disgusting it was that in 2011 we still have to deal with that issue. I looked at the Member for Calgary-Montrose, and I said: I guess we're the ones they're poking their fingers at. It just brought back all these different memories. At that moment I wasn't an MLA. I wasn't a cabinet minister. I was just an individual. I went back to my car, and I thought about that. You know, it brings back all those memories of racism that you endure as a child, but I remembered one thing quickly, and that is that we live in Alberta, and it's 2011, and we have to snap out of that.

We have the Alberta Human Rights Commission, which offers education programs and resources to help Albertans resolve human rights complaints. Eighteen per cent of those complaints, Mr. Speaker, that go to the Human Rights Commission are based on discrimination for race, colour, or creed.

We also, though, are proud to say that there are 10 municipalities in Alberta that have joined the Coalition of Municipalities against Racism and Discrimination: Wood Buffalo, Calgary, Grande Prairie, Edmonton, Drayton Valley, which was brought forward by the current Member for Drayton Valley-Calmar, Brooks, Lethbridge, St. Albert, Innisfail, and most recently the city of Wetaskiwin in September 2010. Each has made a commitment to follow key principles in order to combat racism and discrimination and help build welcoming and inclusive communities and workplaces.

Mr. Speaker, as hurtful as it was for me, it's no different for those victims of the Holocaust or their descendants or those of the Holodomor and their descendants. To think that people don't understand that what they say isn't only something that's offensive — those hurt people, and we in Alberta have to be vigilant to make

sure that people in our communities feel welcome and safe and are able to raise their families in an environment like that.

Mr. Speaker, safe communities are strong communities, and strong communities are safe communities. Albertans expect us to bring that forward and continue in our fight to do that, and they deserve no less.

**The Speaker:** On behalf of the Official Opposition the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. People of good character have been advocating the virtues of mutual respect and tolerance just as long as racists have been spreading hatred. I believe the forces of tolerance and acceptance have made great progress, but racial discrimination continues. Many citizens of our First Nations people remain systematically marginalized, with higher rates of homelessness, poverty, and incarceration. Immigrants are often the targets of misdirected blame when unemployment rises. Cultural practices and religious beliefs are often misunderstood or misinterpreted. Some people are still upset about decisions that recognize the right of Sikhs to wear turbans while performing as RCMP officers and allowing girls to play sports while wearing a hijab.

I just spoke with Changing Together, my favourite organization helping immigrant women, and their executive director noted that immigrant women face special challenges and underemployment because their credentials aren't recognized here. There's no easy path to upgrading those credentials, with few courses to get these women up to speed and even fewer with any form of subsidy. This sort of discrimination may or may not be conscious or deliberate, but it does have a real impact on the ability of immigrant women to integrate as well as hampering their ability to participate fully in the life of the province.

This year's cuts to funding for English as a second language programs will increase the challenges for all immigrants, a short-sighted decision given education's power to discourage racial discrimination. Fortunately, there are teachers and educational opportunities everywhere.

Many years ago I attended an antiracism symposium, and one of the speakers gave me the best bit of advice that I've ever heard on how to fight racial discrimination on a daily basis. Her advice was this: simply look people in the eye, smile, and say hello. That simple act recognizes the inherent worth of any person you acknowledge, and we don't do it as often as we should or could.

Thank you very much, Mr. Minister, for your remarks. As the minister said, fighting racism is a year-round effort, and we all have a role to play.

Thank you.

**The Speaker:** Hon. members, on an occasion such as this I know that additional members would want to participate. In order to do so, we need unanimous consent of the Assembly to proceed. I'll ask one question. Is anyone in the Assembly opposed to allowing additional members to participate? If so, please say no.

[Unanimous consent granted]

**The Speaker:** I'll recognize the hon. Member for Calgary-Glenmore, then the hon. Member for Edmonton-Strathcona, then the hon. Member for Calgary-Currie, and additional members should send me a note.

**Mr. Hinman:** Thank you, Mr. Speaker. It is my honour to speak on behalf of the Wildrose caucus in support of International Day for the Elimination of Racial Discrimination. I believe and I know

that in the minds of our children racism does not exist. This is an important lesson that we can learn from our children. Through the eyes of a child the purest and kindest message for humanity is so evident for in the final analysis we have much in common with all creeds and races. We all breathe the same air, drink the same water, and we all inhabit this small planet together and cherish our children's future, a future that should be free from racial discrimination and abuses. As Martin Luther King said: judge me by the content of my character, not the colour of my skin.

Today in our global economy we have good reason to be hopeful of a better future as we turn to the rising generation. Our youth today are truly more global citizens. They are by far freer of the discrimination that we have witnessed in years gone by. Seeing a child in kindergarten playing with her fellow classmates free of any judgment or discrimination is the world we all seek for everyone.

I recently had the privilege and honour to speak with all grade 7 social studies classes at John Ware junior high school. In 1967 I listened to Lieutenant Governor Grant MacEwan talk about his book, *John Ware's Cow Country*, in my grandmother's house. John Ware became a childhood hero of mine. He inspired me to buy a bullwhip and practice for hours so I could handle this important cowboy tool as well as he did. He was a master with cattle, and I wanted to be just like John. It didn't matter to me the colour of his skin. It only mattered to me that he was a great man and had lived here in Alberta.

Alberta is today what it has always been, a land of opportunity where people of all races and creeds come to pursue a better life. While there are still unfortunate cases of racial discrimination in our province, never has civil society been so squarely intolerant of racism. I am confident that we will continue to be a beacon for the world when it comes to ending racial discrimination by the example we continue to set.

On Friday I had the privilege of attending the immigrants of distinction awards in Calgary, a great mosaic of Calgarians from around the world. I am hopeful that in the coming years virtually all the children in Alberta will be able to maintain their virtue as we have eliminated racism.

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

**Ms Notley:** Thank you, Mr. Speaker. On this day as we renew our commitments to work to end racism, we are aware that this hateful perspective still has life in our province. Within the past few weeks people have been arrested in Edmonton, charged with racist attacks. We've seen a white power rally and the home invasion of a prominent antiracist spokesperson in Calgary.

The minister has noted that a significant percentage of the human rights complaints received last year by the Human Rights Commission related to such matters. The commission knows from its own polling that this is a larger issue than the numbers of actual complaints and that much of what is happening is in informal situations that do not lead to formal complaints but do add to the stress and fear for many people in our communities.

We are still a long way from abolishing racism. The adverse effect of systemic discrimination in particular requires effective strategies. We see the evidence in the overrepresentation of indigenous people in prisons and children in government care. We see it in overrepresentation of racialized populations in low-income groups. We move in the wrong direction when we cut support services for immigrants as we are doing in this budget.

One of the best tools for creating equality is education, but we need effective programs, not just superficial marketing gimmicks, and we need education in workplaces, not just classrooms.

This government must make legislative and administrative changes to eradicate racism and ensure human rights for all. We should not see the Human Rights Commission's authority decreased or limited, as has been advocated sometimes by some members of this House in the past. Instead, what we must do is work more closely with groups such as the Centre for Race and Culture, the John Humphrey centre for human rights, and the Sheldon Chumir Centre for Ethics in Leadership, all of which are doing exemplary work to eliminate racial discrimination in our province.

Finally, as members of this House we need to renew our commitment to work against racism, both overt and systemic. Until we recognize and combat both types of racism, we will eliminate neither.

Thank you.

1:50

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. Today is a significant day as we rise in this House to commemorate the police brutality experienced by peaceful antiapartheid demonstrators in Sharpeville, South Africa, 51 years ago. It is imperative to remember not only this event but the Holocaust, the Holodomor, and so many other stains upon our shared humanity because public displays of racism and racial discrimination still occur in our province. Just this weekend a white supremacy demonstration took place in Calgary. Fortunately, Mr. Speaker, the group was outnumbered at least 10 to 1 by antiracism demonstrators, Albertans standing in solidarity to say: this is not what we are about.

However, Mr. Speaker, let me repeat some of the minister's own words. "The strength of our province lies in the diversity of its people." While ours is a much more diverse population today than it was 25 years ago when I arrived here, it is a strength that still too often is underrecognized, sometimes ignored altogether.

Too many of our visible minority immigrants are lagging behind native-born Canadians in terms of access to opportunity. Sure, language is a barrier for many, but it is a barrier that we don't do nearly enough to remove, and it's not the only one. Professionals arriving from other countries, fully trained in their respective fields, are still facing barriers to practising in their chosen fields here in Alberta. Further, there is research that indicates that the children of immigrants do not have the same opportunities as children of native-born Albertans, and Alberta's First Nations continue to suffer from institutional racist barriers which impede their hope for future success.

Mr. Speaker, we are all Albertans, some of us by the accident of birth, some of us by deliberate choice. A lost opportunity for one is a lost opportunity for us all.

Thank you.

### Oral Question Period

**The Speaker:** Before we begin the Oral Question Period, I'd just like to congratulate and thank all members for the wonderful decorum experienced in this Assembly on Thursday last. Along with that congratulations, of course, comes a hope on my part as well that needs no further declaration.

First Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Quality Council Review

**Dr. Swann:** Thank you very much, Mr. Speaker. From 1999 to 2008 Capital health authority was headed by a leadership team that included Sheila Weatherill, CEO; Neil Wilkinson, chairman;

and Noela Inions, legal counsel. This was a period when many physicians and others felt intimidated and signed nondisclosure agreements. Today these three people are, respectively, a board member of AHS, the provincial Ethics Commissioner, and the AHS ethics and compliance officer. To the Premier: how is the culture in the health care system now different from the culture then, given that the same people who led it then maintain leadership positions now?

**Mr. Stelmach:** Mr. Speaker, the Alberta Health Services Board is the board responsible for delivery of health services across the province. They have negotiated with government a five-year funding agreement. They've anticipated, of course, increases in population and demand for increased services. That is the first agreement of its kind that has been entered into in this country of Canada and shows that they have the best interests of Albertans in their mind.

**Dr. Swann:** Well, nice dodge, Mr. Premier.

Given the United Nurses of Alberta stated that the Alberta Health Services ethics and compliance officer dismissed their complaint in 2009 without interviewing complainants in one specific case, what confidence can Alberta Health Services employees have that their concerns are taken seriously? The same people are still calling the shots.

**Mr. Stelmach:** Not true. But for anyone that comes forward that wants to bring to the Health Quality Council any issues, personal experiences, the terms of reference that were issued last week by the Health Quality Council are very broad. They're very robust. And as we heard over the weekend, Dr. John Cowell will listen to anyone that comes forward to present evidence to the council.

**The Speaker:** The hon. leader.

**Dr. Swann:** Thank you, Mr. Speaker. Given that the Health Quality Council of Alberta review may take nine months to complete, and this Premier promised the same review by letter during the 2008 election, will the Premier just admit he's trying to sweep all this under the rug?

**Mr. Stelmach:** Mr. Speaker, I believe Dr. John Cowell said that they were looking at an interim report in about three months, one at about the six-month interval, and then the final report within nine months. I think that speaks to trying to anticipate how many people will come forward. There are a lot of, I'm sure, files to look at. If a lot of people come forward, it will take more time, and if fewer people come forward, they may be able to deliver their report, but at least he said six months leading up to nine months.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. It is said that once is a chance, two a coincidence, and a third time is a pattern. Well, just hours before the McNamee allegations surfaced, the Premier reversed course to support a Health Quality Council review. Then last Thursday, as opposition parties continued our call for a public inquiry, the Health Quality Council conveniently released its terms of reference that include an expanded mandate to investigate doctors advocating for patient safety. The coincidences keep piling up. Was the Premier or anyone in his office personally aware that the McNamee lawsuit would be released by the media before a decision was made to call the Health Quality Council review?

**Mr. Stelmach:** Mr. Speaker, once again the opinion of the hon. member is wrong. I always said that the door will be open in terms of having an authority listen to any of the issues that may come forward, whether it be from doctors or other health care providers, and we followed up on that. I was very clear in the opinion that I expressed two weeks ago.

**Dr. Swann:** Well, did the Premier or the minister of health or their offices have any dialogue with or provide direction to the Health Quality Council of Alberta regarding expanding their terms of reference to include, quote, physician advocacy in patient safety ahead of the Health Quality Council releasing its terms of reference?

**Mr. Stelmach:** Not from me.

**Mr. Zwodzesky:** Mr. Speaker, not from me either.

**Dr. Swann:** Mr. Speaker, my final question. Did the Premier or his office have any dialogue with the Alberta Medical Association following the Alberta Medical Association distributing a letter to its members supporting the call for a public inquiry but before the AMA softened its position later that day?

**Mr. Stelmach:** Mr. Speaker, this is a very broad question because the issue here is that the government of Alberta, through our negotiator, was involved in long and protracted negotiations with the Alberta Medical Association. As a result of those discussions and negotiations we do have an agreement in principle that will take probably till the end of June to ratify. As I acknowledged last week in my statements, the Alberta Medical Association has shown great leadership. It is a contract that's looking at zero, zero, plus COLA in the third year. That's pretty hard negotiation . . .

**The Speaker:** Third Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Physicians

**Dr. Swann:** Thank you, Mr. Speaker. This government's "that was then; this is now" approach, dismissing the culture of intimidation that exists, is insulting to health professionals and to Albertans. While this Premier and minister continue to say that there isn't a culture of fear and intimidation in the health care system, respected health professionals like Drs. McNamee, Maybaum, Parks, Nunes, and Houston say otherwise. This weekend the *Calgary Herald* lent its voice to the chorus calling for a public inquiry. To the Premier: when Dr. Maybaum says that, I quote, colleagues are all fearful, and this problem is real, and anyone that suggests it isn't is completely out of touch with health care workers . . .

**Mr. Stelmach:** Well, one thing that this paper he refers to did not mention is that in the letter to the doctors it said: this is not a matter of forcing you to be quiet, but it is a matter of teamwork and leadership. Funny how they always miss out that part of the letter.

**Dr. Swann:** And funny, Mr. Speaker, how he never answers the question.

Was Dr. Maybaum lying when he said that there was a culture of fear and intimidation among many professionals, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, he's asking me to give an opinion. The doctor is free to appear before the Health Quality Council and deliver the evidence that he may have in his presence. That's why the hearing is there.

**Dr. Swann:** Why does the Premier continue to ignore the growing chorus of respected voices calling for an independent public inquiry into the health care crisis? Will you finally do the right thing and call a public inquiry?

**Mr. Stelmach:** Mr. Speaker, we've done the right thing, and that is asked the Health Quality Council to review the matter. They have drafted their own terms of reference, which are very robust. They're very rigorous. Anybody, according to Dr. Cowell, can bring forward any evidence that they so wish.

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

**2:00 Health Quality Council Review**  
(continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. The Premier continues to claim that the review undertaken by the Health Quality Council into, among other things, the ability of doctors to advocate for their patients is free from government intimidation, is entirely independent, and is at arm's length from the government. My questions are to the Premier. Who funds the Alberta Health Quality Council?

**Mr. Stelmach:** Mr. Speaker, the Alberta taxpayer.

**Mrs. Forsyth:** Mr. Premier, it's Alberta Health Services that funds it. Mr. Premier, are you honestly saying that having the Health Quality Council investigate Alberta Health Services is truly an independent, arm's-length review when the council is entirely funded by the very people they are being asked to investigate? How can you say that, Premier?

**Mr. Stelmach:** Mr. Speaker, the last time I looked at our budget, Alberta Health Services – all physicians, all doctors, anybody working in public health care – is supported by the provincial taxpayer. Also, all people working in Justice, all judges, are all paid for by the Alberta taxpayer.

**Mrs. Forsyth:** Mr. Premier, taxpayers want to know the answers. Given that section 16(1) of the Health Quality Council regulation states, "The Council is accountable to the Minister for the manner in which it . . . exercises its powers," how can you, Mr. Premier, look into the faces of Albertans and tell them that the review is independent when the council reports directly to the very minister that it may be investigating?

**Mr. Stelmach:** One thing that they fail to mention: in the public inquiry it'll be the minister that would be drafting the terms of reference. You know, it's always those little bits of information that don't come forward in this Assembly.

I have great confidence in the Health Quality Council to do a thorough review. They wrote the terms of reference – they're very rigorous; they're very robust – and I'm looking forward to the interim report.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the Premier continues to contend that the Health Quality Council review is going to be a sufficient inquiry into the allegations of doctor intimidation that we've seen with growing force around the province. My question is to the Premier. If, in fact, there is someone who has in their possession information that could verify a statement made by one of the people who might be interviewed by the Health Quality Council and they refuse to come forward, how will

the Health Quality Council be able to compel testimony from an individual who is refusing to co-operate?

**Mr. Stelmach:** Mr. Speaker, that's the issue here, that if somebody is so compelled, and especially all these doctors that have been named in this Assembly, that if they have all the evidence that they talked about, you would think they would be the first in line to sit before the Health Quality Council in strict confidence and deliver the evidence. If there is evidence of any criminal malfeasance, they should have been at the police months ago.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, if one doctor alleges that he or she was intimidated by an official, say, of Capital region health and they deny it and there's another individual that could corroborate the story, how are you going to make that person come forward so that you'd actually get to the bottom of conflicting stories, which often emerge in situations like this? How will you find the truth by what you're doing?

**The Speaker:** Hon. minister, if this has to do with government policy, proceed.

**Mr. Zwozdesky:** Mr. Speaker, I think it's pretty clear that the Health Quality Council has set its own terms of reference independently. They have presumably looked into whom they want to sit on that health advisory panel independent of government. They will be probably choosing the people that they want to not only advise but also to conduct the review independently, and I think that process is something that this member himself supported as early as two weeks ago. [interjections]

**Speaker's Ruling**  
**Decorum**

**The Speaker:** Okay. Okay. Settle down. Calgary-Fish Creek, you're out of order. You're misbehaving. It may be the feng shui of some of your colleagues that's coming onto you, but you can do better, as can they.

Now, hon. Member for Edmonton-Highlands-Norwood, you have your third question, please.

**Health Quality Council Review**  
(continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that nothing that's been said here in answer to the questions today would indicate that the Health Quality Council is going to be able to get to the bottom of conflicting stories or compel anyone to testify in order to clear up these matters, how can the minister and how can the Premier continue to maintain that the Health Quality Council has a ghost of a chance of actually finding out what happened?

**Mr. Zwozdesky:** Mr. Speaker, they have an excellent chance of getting to the bottom of some of these unsubstantiated allegations and perhaps even some of those issues that others have mentioned where certain doctors have come forward. The fact is that in their own news release they said that this is unprecedented, for them as a council to be able to set their own particular terms of reference. That is very, very independent of the other process that he's alluding to.

**The Speaker:** The hon. Member for Edmonton-Riverview will take the sixth question today.

### Congenital Syphilis Outbreak

**Dr. Taft:** Thanks, Mr. Speaker. Intimidation of the health professions can have deadly consequences. People die when good decisions are stifled. Dr. Stan Houston, an expert on infectious diseases, was stifled by this government when he spoke for better care during a syphilis crisis that led to several babies dying. To the minister of health. Alberta's fight against syphilis lost ground when Alberta Health did not renew the contracts of four public health doctors, who were then required to sign nondisclosure agreements. Why did this government muzzle those important voices?

**Mr. Zwozdesky:** Mr. Speaker, the important voice right now is this Assembly, and this Assembly, I hope, will support our budget because in that budget you will see that there is a specific strategy aimed at blood-borne pathogens. That includes STIs, sexually transmitted infections. There's going to be a very, very robust plan that will address syphilis, and it requires the awareness campaign in doctors' offices, in some of the hotels, pubs, bars, and other locations. I certainly hope this member asking the question will support it.

**Dr. Taft:** That was offensive. That was offensive to the babies who have died and the families who have watched them die.

Given that day-to-day issues on treating and preventing syphilis such as how to treat a pregnant woman with syphilis were not being properly addressed because the government, this government, stifled its own experts, will the minister admit that the culture of fear and intimidation this government has imposed on health professionals cost human health and even human lives?

**Mr. Zwozdesky:** Mr. Speaker, I don't know if that was the case or not. If it was, I sincerely hope it wasn't, but I can't correct the past. All I can tell you is what I'm doing to influence the future, and the future is a very aggressive plan to combat syphilis in this province. We have a syphilis problem. We're aware of that, and we're doing something about it.

**Dr. Taft:** Well, this minister is boasting about what they're going to do about the syphilis outbreak, so will he tomorrow table in this Assembly Alberta Health's plan, a so-called robust plan, for addressing the syphilis outbreak? The outbreak is unprecedented on this continent.

**Mr. Zwozdesky:** Mr. Speaker, I'm surprised that he didn't read the five-year health action plan, where on page 27 section 4.18, section 4.19, and section 4.20 talk about our exact strategy, which he's asking about. Perhaps he would like to visit that. We are serious about this problem. I'm thankful that he's raised it. I don't like the tone in which he's raised it; nonetheless, he should know that it is moving forward.

**The Speaker:** We have a point of order arising out of that.

The hon. Member for Edmonton-Centre, followed by the hon. Member for Whitecourt-St. Anne.

### Water Management

**Ms Blakeman:** Thank you very much, Mr. Speaker. This government creates panel after panel to improve water management and conservation and then ignores recommendation after recommendation. The Water Council's recommendations, the wetlands policy, and the South Saskatchewan regional plan are all stalled. Even members of the Alberta Water Council say that this government is failing to implement water for life and their recommendations. Fresh

water is our most valuable resource. To the Minister of Environment: given all of this, who is the minister listening to?

**Mr. Renner:** Mr. Speaker, we listen to all stakeholders in a number of different areas. On these particular policies all of the policies that this member has referred to are at various stages in our internal approval process. That's prudent. That's the appropriate way for us to deal with it. As I've said many times before in this House, they will be moving forward into the public domain at the appropriate time.

2:10

**Ms Blakeman:** Well, that's why there needs to be more transparency, because these internal processes . . .

**The Speaker:** Is that a preamble, hon. member?

**Ms Blakeman:** Absolutely not, Mr. Speaker. Certainly not, since you gave us instructions not to do that.

Why has this minister hedged and reneged on a permanent no-net-loss wetlands policy when wetlands are a significant aspect of greenhouse gas reduction?

**Mr. Renner:** Mr. Speaker, the member is wrong. We have a wetlands policy that is in place in this province, and it applies only to the white zone. It only applies to private land. We've been working very diligently to be able to expand that policy so that it will include Crown land as well. For this member to suggest that that policy is in place is incorrect. We are in the process of developing that policy. The member is referring to . . .

**The Speaker:** The hon. member, please.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Once again to the same minister: why would the minister even consider allowing a system that gives water to the highest bidder rather than distribution based on need, on who's rich, not on who's thirsty? Times have changed; so must the system.

**Mr. Renner:** Well, Mr. Speaker, apparently we've now left wetlands, and we're into something else entirely again. The fact of the matter is that we have had a policy in place for some time, since the introduction of the Water Act, that allows for water licences to transfer from one holder to another. It's the only way, frankly, that we're going to be able to have development, to incent conservation, and to allow for more water users to use the same amount of water that's available.

**The Speaker:** The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Edmonton-Centre.

### Hunt Farms for Cervids

**Mr. VanderBurg:** Thank you, Mr. Speaker. On the weekend in Whitecourt-St. Anne I met with many residents that were concerned about the possibility that hunt farms for domestic cervids are going to be allowed in Alberta. My question is to the Minister of Agriculture and Rural Development. Is there a government plan or something within your ministry that's giving my constituents this idea?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. Absolutely not. In 2002 a cross-ministry initiative that went out for direct input from the public and also from stakeholders in different areas looked at this,

and the decision was made at that time that this government would not allow cervids, deer and elk, to be hunted on farms.

**Mr. VanderBurg:** Again to the same minister. At the same meeting some concerns were also raised about the health of farmed cervids. Can the minister tell us what steps are being taken to ensure that farmed cervids are healthy and will be?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. In 2002 the decision was made that there wouldn't be hunt farms for cervids, and of course that remains today and is our position forward.

With respect to the health from 2003 right up to today these animals have been tested, 3,000 to 5,000 a year. They are completely disease free, and we stay right on top of it.

**Mr. VanderBurg:** My last question to the same minister: again, are you saying that there are no plans, nothing in your ministry plan, for hunt farms for cervids?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. That's what I'm saying. There will absolutely not be hunt farms for cervids. Period.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Bonnyville-Cold Lake.

#### Integration Services for Immigrants

**Ms Blakeman:** Thank you very much, Mr. Speaker. Today marks the International Day for the Elimination of Racial Discrimination, but in Alberta we seem to be sending mixed messages. Last Friday evening in Calgary we honoured strength in diversity at the immigrants of distinction awards while on Saturday a small but vocal group of people celebrating racism again marched through our streets. To the Minister of Culture and Community Spirit: other than slogans and special festival days what is your ministry doing throughout the year to promote and preserve and protect Alberta's diverse cultural heritage?

**Mr. Blackett:** Well, Mr. Speaker, we do a multitude of things. As we debated the human rights bill here a couple of years ago, I said that we needed to have administrative changes so that we can improve the efficiency and equity of the Human Rights Commission. What we did was we brought a federal judge to oversee the commission, and we were able to through a national search attract a director of national significance in Philippe Rabot. What we've done is we've separated the commission from the department physically. We've added new resources to both the director and the chief commissioner. In addition to that, we have provided . . .

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much. To the Minister of Education: given that immigrant students represent the highest statistical dropouts or failures to achieve high school in three years, followed closely by First Nations individuals, what is the minister's rationale for undermining language acquisition skills through further cuts to ESL second-language support programs?

**Mr. Hancock:** Well, first of all, Mr. Speaker, I don't know what the hon. member means by "further cuts." I'm not aware of any earlier cuts.

What has been proposed in this year's budget – and we'll have opportunity to discuss that during estimates – is that the enhanced ESL grant will be eliminated. Members should be aware that there is an ESL grant of about \$1,155 per student for language education. The enhanced grant was put in place a few years ago in order to assist school boards to prepare and improve their techniques for teaching English as a second language to immigrant students to . . .

**The Speaker:** The hon. member now, please.

**Ms Blakeman:** Thank you very much. This next question is to the Minister of Employment and Immigration. Mr. Minister, given that many in your government caucus have personally experienced the challenges faced by new immigrants, especially around functional English language literacy, can you justify your ministry's cuts to English as a second language training programs?

**Mr. Lukaszuk:** Well, Mr. Speaker, there's a topic I can speak to with a reasonable amount of expertise, having arrived in this country not speaking one word of English. I have to tell you that not only my personal but this government's commitment is not only to provide integration services to our immigrants but to actually attract immigrants that will be stimulating our economy for many years to come. However, that member would be interested to find out that immigrants learn in many different ways, and we're exploring ways that are actually very accessible to our immigrants.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Calgary-Buffalo.

#### Mine Financial Security Program

**Mrs. Leskiw:** Thank you, Mr. Speaker. The government just announced a number of initiatives it is working on to ensure the progressive reclamation of disturbed lands, including the restructuring of Alberta's mine financial security program. My questions are all to the Minister of Environment. While this program collects significantly more financial security in the long term, aren't you putting Albertans at risk by collecting less security over the short term?

**Mr. Renner:** Mr. Speaker, I must make it abundantly clear: absolutely not. Albertans will not be required to pay for cleanup. What the new program recognizes is the value of the resource as an asset. The program is designed to ensure that at no time during the process should that asset-to-liability ratio go below 3 to 1, or with 15 years left in the mine, then we begin to ramp up and collect full value for . . .

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. My first supplemental is to the same minister. With some critics claiming that even with the changes you've made, there still won't be enough security in the long run, how are reclamation costs determined to ensure that appropriate securities are taken care of?

**Mr. Renner:** Mr. Speaker, some of the criticism that we've heard is making an assumption that no reclamation takes place during the life of the mine, and as anyone that has been involved in mining knows, that's simply not the case. The other point that I think needs to be made is that the cost of security will be dependent upon the actual circumstances in the mine. The cost of reclamation from one mine to another can be significantly different depending upon the nature of the operation. So it's hard to make a gross assumption about costs in the early stages.

**Mrs. Leskiw:** To the same minister: given that only a small parcel of land in the oil sands region has received a reclamation certificate, is the industry not reclaiming the lands it should?

**Mr. Renner:** Mr. Speaker, the answer is that there is a tremendous amount of work that's currently under way on the reclamation side. The fact, however, is that reclamation certificates come at the end of the process, not at the beginning of the process. We feel that it's important that we introduce an opportunity for the public to have more information than that. We will be introducing this summer a web-based map that will allow people to have direct access, see for themselves what reclamation . . .

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Calgary-Hays.

### Education Funding

**Mr. Hehr:** Mr. Speaker, this government's recent Education budget reads something like an insurance policy. What the large print giveth, the small print taketh away. At first blush what looks to be a slight increase to the Education budget is just smoke and mirrors. The real picture is significant cuts to grants provided to school boards, that will end up affecting children's future. To the Minister of Education: the minister of health likes to talk about how great this government is for providing long-term sustainable funding, so why does this government not do the same for education?

2:20

**Mr. Hancock:** Mr. Speaker, a number of things in that preamble would be incorrect. First of all, a 4.7 per cent increase to the Education budget is not unsubstantial, and it's not a cut.

This is not going to be an easy budget for education. I've maintained that from day one. It's very difficult. There are programs such as the AISI project that are very important to education going forward that we're working very hard to make sure get maintained, but we are living in a difficult fiscal time, and we do need to be part of that process and that strategy.

**Mr. Hehr:** Given that the Calgary board of education, after adding up all these cuts, is facing a \$61.7 million shortfall, teachers will have to be let go, which will no doubt lead to children facing larger class sizes. Accordingly, does the minister admit that this will be the result of these cutbacks?

**Mr. Hancock:** Mr. Speaker, there are not cutbacks. In fact, there's a 4.7 per cent increase. However, we have had to eliminate some grants because the increase in the budget was short of what was needed to maintain all of the things that we're doing now. We did have to eliminate some grants that we looked at and said: these grants have either fulfilled their intention or are no longer relevant. Yes, it's going to be difficult for school boards, and it may well result in school boards doing some things differently and perhaps even fewer teachers.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. This is a fairly simple question. Given that in 2002 this government accepted the Learning Commission's recommendations on class sizes and this government appears now to be moving backwards on this, not forward, has the ministry simply given up on lowering class sizes in Alberta?

**Mr. Hancock:** What the ministry has done, Mr. Speaker, is recognized that in times when there is fiscal restraint and fiscal concern, we need to focus the resources in the areas where they

make the most difference. So we've focused the class size resources on K to 3, where the evidence does show that it could make a difference in students' learning, and in high school classes, where small class sizes are important for safety reasons. We've focused there. We still have the expectation that school boards will meet the class size guidelines in the other areas, but we've focused our resources in the places where the data show it makes a difference.

**The Speaker:** So that no member of the Assembly misses it, in the afternoon of April 19 the estimates for the Department of Education will be dealt with in the Assembly.

The hon. Member for Calgary-Hays, followed by the hon. Member for Airdrie-Chestermere.

### Funding for Nonprofit Organizations

**Mr. Johnston:** Thank you, Mr. Speaker. The community facility enhancement program and the community initiatives program continue to provide much-needed funding for many nonprofit and voluntary agencies. This past weekend the Minister of Culture and Community Spirit was in Calgary, where he made announcements totalling \$2.1 million in funding to four nonprofits in that city. My questions are all for the Minister of Culture and Community Spirit. Given the number of applications for funding from across the province how does the minister justify such a large amount of funding provided to four projects in a single municipality in a single year?

**Mr. Blackett:** Mr. Speaker, the four agencies or organizations in question all deal with the vulnerable, and we wanted to encourage and reward collaboration. The Calgary Urban Project Society deals with the homeless. The Calgary Immigrant Educational Society: that was for a new building so that they can expand their ESL and computer training programs. The Cerebral Palsy Association in Alberta: that was to pay off part of their debt so that they could offer more services in their collaborative efforts. The Community Kitchen Program was a project of 22 different organizations.

**Mr. Johnston:** Mr. Speaker, given the number of nonprofit and voluntary agencies vying for limited grants, many of them so that they can provide services to some of Alberta's most vulnerable citizens, can the minister provide some rationale for giving \$75,000 to the Airdrie Regional Air Show?

**The Speaker:** The hon. minister.

**Mr. Blackett:** Yes, Mr. Speaker. The Airdrie air show was very successful in 2009. I was approached by Mayor Peter Brown, who said it was very important to the community. At that event we had 40 representatives of sponsors, the volunteers, the board of directors, and other members at large. It's one that provides economic and tourism benefits to the area and is supported by the whole community.

**The Speaker:** The hon. member.

**Mr. Johnston:** Thank you, Mr. Speaker. With these government funding programs highly oversubscribed, what is the minister doing to encourage greater private-sector support of community-based nonprofit and volunteer organizations?

**Mr. Blackett:** Well, Mr. Speaker, we join with the different umbrella organizations around the province. We've been working through our dialogue sessions to establish a way to communicate the benefits of the not-for-profit community, the 22,000 that do



such great work and are the underpinnings of our social safety net, and we are now actively engaged with representatives from the different business communities around the province in seeing how we can collaboratively work together to provide better services.

### Health Quality Council Review (continued)

**Mr. Anderson:** Mr. Speaker, as reported in the *Calgary Herald* on Friday, quote, there are people high up in the government who want your head on a platter, unquote. That was the alleged threat by senior health officials in Calgary to Dr. Lloyd Maybaum, president of the Calgary physicians association. There is also a letter threatening the job of Dr. Maybaum for speaking out after the delay of a treatment centre for mentally ill children. To the health minister: do you know who the people are or were high up in government who, allegedly, wanted Dr. Maybaum's head on a platter?

**Mr. Zwozdesky:** Mr. Speaker, I'm so glad the member said "allegedly" because I don't know if that was the case.

What I do know is that the issue that gave rise to this particular doctor writing was mental health capacity in Calgary. It's true that initially there were plans for the south Calgary health campus to build a self-standing pavilion for mental health; unfortunately, that wasn't able to be done. But what is being done is that 33 additional beds are being provided there. Thirteen of them are brand new additional capacity, and that should help.

**Mr. Anderson:** I didn't think he would know, Mr. Speaker, so two questions. First, do you feel it is important for Albertans to know which person high up in the government made and directed these threats? If so, does the Health Quality Council have the power to subpoena those identified by Dr. Maybaum to find the answers? Or are you counting on the goodwill of those who said these things to just kind of come forward and admit to these threats on their own?

**The Speaker:** That's three questions in one.

**Mr. Zwozdesky:** Mr. Speaker, the fact is that the Health Quality Council, in setting its own independent terms of reference, added a section called patient advocacy, and that is an open invitation for anyone to come forward, even those issues that go back many, many years, which, I suspect, is where this one comes from. I would welcome those people to come forward to the Health Quality Council, where these issues can be aired and addressed.

**Mr. Anderson:** I'm sure he'll welcome them, Mr. Speaker, but he can't compel them. That's the point. Given that this minister knows full well that only a public judicial inquiry has the power to subpoena witnesses and compel evidence, will he now call a full, judicially empowered public inquiry, that can use its subpoena powers in order to verify these threats, identify those involved if they occurred, and restore confidence to the public that their health care system isn't being run by a gang of goons and bullies?

**Mr. Zwozdesky:** Mr. Speaker, I don't know why this member is going against his own leader, who on March 11 said words to this effect: I do believe that the work of the Health Quality Council should proceed. That's what we're championing, that that work should proceed. They will invite whomever they wish. They will appoint whomever they wish to do the inviting, and I'll bet they get a very high turnout of participants.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Grande Prairie-Wapiti.

### Residential Building Code

**Mr. Kang:** Thank you, Mr. Speaker. Last week the Minister of Municipal Affairs suggested that the municipality of Wood Buffalo was responsible for responding to the Penhorwood condo issue. To the Minister of Municipal Affairs: instead of putting all the blame for the situation on the municipality, will the minister admit that his own failure to introduce corrective legislation in a timely manner was a contributing factor?

**Mr. Goudreau:** Mr. Speaker, the issues in Fort McMurray are centred on the approval process and the quality of work there. We're certainly not aware of any issues regarding the content of the building code, but if it shows in the future that the building codes are somewhat at fault, then we would review that as part of our ongoing reviews of building codes. If there is a need to change the building codes, then we're prepared to look at that.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think we have been doing the reviews for too long.

If the minister could speak to the condo residents, who got just 15 minutes to collect their belongings, would he still hold the same rosy view of Alberta construction standards that he has been putting out in this Assembly?

**Mr. Goudreau:** Mr. Speaker, we will continue and we are continuing to take steps to improve residential construction. We are working on a very solid long-term approach that includes things like enforcement and education, some consumer protection and recourse to deal with concerns about buildings.

2:30

**Mr. Kang:** To the minister again. Since the minister keeps dodging questions about assisting Albertans affected by shoddy construction practices, will he at least acknowledge that the Safety Codes Act gives him broad powers to act in these cases and that he could do something now if he wanted to?

**Mr. Goudreau:** Mr. Speaker, you know, just as an example, we're leading the country and we have led the country in making building code changes. One particular example: we led the country in terms of the high-intensity residential fires. We tend to be ahead when it comes to that.

When it comes to municipal inspections, you know, there certainly is a need to look at that aspect. Municipalities are responsible and mandated to do the inspections because they've got better reach and they can do more inspections if required.

### Career and Employment Services for Youth

**Mr. Drysdale:** Mr. Speaker, the Youth Connections program was cancelled for the province. Since then many people, organizations, and private-sector representatives have asked about what will happen when the program ends in the Grande Prairie region at the end of June 2011. My questions are to the Minister of Employment and Immigration. What arrangements are being made to ensure that the 8,000-plus youth per year who are currently being served in the local Youth Connections office will continue receiving comparable services?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. These young people will continue to receive comparable services. This ministry has 59 offices scattered throughout this entire province. We will be providing them with comparable services except that instead of out of stand-alone Youth Connections offices or locations for Youth Connections, we will be doing this out of our offices.

Also, Mr. Speaker, our young people now acquire a lot of information via social media and webcasts and podcasts, and we will be reaching out to them that way as well.

**The Speaker:** The hon. member.

**Mr. Drysdale:** Thank you, Mr. Speaker. To the same minister. Questions have been asked by members of the Grande Prairie region about the timing of the cancellation of the Youth Connections program. Were local Youth Connections offices consulted as to the depth and breadth of services they provided and as to best practices when working with this client group?

**Mr. Lukaszuk:** Well, Mr. Speaker, the timing is not coincidental. This government has made a commitment to have its operating budget balanced, which means that many ministries had to take somewhat of a haircut.

The fact is that the unemployment rate is dropping. Alberta is in second place. Even though young individuals still experience higher than average unemployment rates, job opportunities are becoming more available. We will continue serving them and matching them with employers through our existing offices throughout the province.

**Mr. Drysdale:** Mr. Speaker, given the limited capacity of the remaining services available to youth in the region, is there a potential to look at other career and employment options for youth, especially those identified as youth at risk as they might pertain to the Grande Prairie region?

**Mr. Lukaszuk:** Mr. Speaker, we routinely review our programs, and we see what is the best way in which to deliver a program not only to a young person but to any Albertan. If we identify groups of young people that are not reaching out to our regular 59 offices or if we find that they require a different, a more innovative way of receiving services, we definitely will be open to it. At the end of the day our federal funding has diminished, our provincial funding has been curtailed, and this is the result.

#### **Bonuses for AIMCo Employees**

**Mr. MacDonald:** By law the minister of finance is responsible for the Crown corporation AIMCo. The 2010 AIMCo annual report disclosed in a rather convoluted way that bonuses of \$14.3 million were granted for the 2009 calendar year. My first question to the minister of finance: why is underperformance rewarded at AIMCo with multimillion-dollar bonuses totalling over \$14 million?

**Mr. Snelgrove:** Mr. Speaker, underperformance is not rewarded. As a matter of fact, AIMCo is working very, very well on behalf of the people of Alberta. If the hon. member wanted to check comparable bonus structures anywhere else in the investment climate in the world, he would find that the management of AIMCo are being very prudent with the amounts of and the requirements for the bonuses that are paid to their employees.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Given that target bonuses at AIMCo are being paid for value-added of less than one-quarter of 1 per cent, why are bonus targets set so low? They can't fail.

**Mr. Snelgrove:** Mr. Speaker, look at what they accomplished at the end of the year. Look at what they've put in the back. They're performing now at about a 7 and a half per cent rate. Leo de Bever has done a lot of good work attracting very talented people who want to come and live in Alberta, bring their expertise. He's paying them well below the scale of Toronto or the New York markets, and they're performing very well in a very modest fee structure.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: why are there no stakeholder representatives from the pension plans or from your own government now on the AIMCo Board of Directors?

**Mr. Snelgrove:** Mr. Speaker, we work for these pension funds. They present to AIMCo what they want to accomplish with their funds. They may identify investments that are off base for them – they may be ethical investments or green investments – and then AIMCo goes to work to get the very best return for these pension funds. The board is staffed by some of the most talented financial advisers in the world. That's who I hope Albertans would want looking after their money.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Riverview.

#### **Healthy Food Choices**

**Mr. Benito:** Thank you very much, Mr. Speaker. Health Check is a food information program of the Heart and Stroke Foundation of Alberta. Food companies and restaurants voluntarily submit products or menu items to be evaluated by the foundation. It sounds like an excellent program, but I have some questions for the Minister of Health and Wellness. First, what assurance can you give that this new program will receive ongoing support, not one-time support, Minister, as is often the case?

**Mr. Zwozdesky:** Well, Mr. Speaker, the first assurance I would give this member is that in addition to the \$560,000 that I spoke about over the weekend and at the press conference on Friday, I've just augmented the funding by another \$340,000 for the Heart and Stroke Foundation, who are doing a tremendous job with this program.

The second point is that this specific program is mentioned in our five-year health action plan as a long-term commitment. So we will be there today, and we will also be there tomorrow to ensure that whatever help possible gets to the Heart and Stroke Foundation and to the restaurants who are participating.

**Mr. Benito:** To the same minister: how will we know if this program is accomplishing its goal of making healthier food choices?

**Mr. Zwozdesky:** Mr. Speaker, we'll see some consumer surveys that will yield some important information. We hope to see a growth in the number of restaurants who are participating with the red circle and white check mark inside it that tells you it's a Health Check food item. Thirdly, we'll know by the number of people going to restaurants and using these particular menu choices. Today we have SAGE Savouries, a food company here in

Edmonton, that is participating, and we have 13 Husky restaurants across Alberta. That's already a good indication that it's working.

**Mr. Benito:** To the same minister: given that healthy food choices are only one part of wellness, why aren't you promoting other areas like physical activity programs, for example?

**Mr. Zwodzesky:** Mr. Speaker, the short fact is that we are promoting other aspects of wellness because we know that healthy food choices is an important one, but it's only one. We are promoting better knowledge and awareness of what it takes to be healthy, including the food items that are talked about. We're also doing a program called Communities ChooseWell, which has activity as one of its central points. We're also promoting and funding a program called healthy school community wellness fund, which is about active living and positive mental well-being. The Department of Education is also working hard with us on the Healthy U campaign. So we have a number of ministries that are focused on a lot more than just eating.

### Municipal Zoning Exemption for Universities

**Dr. Taft:** Mr. Speaker, my questions are to the Minister of Advanced Education and Technology. As I explained last week, this government's legislation gives a handful of Alberta universities complete exemption from all municipal zoning, including traffic and parking, density, design, and everything else. No developer, no private citizen, and no business gets this remarkable privilege. Will the minister please explain this week what he didn't explain last week, which is: what is the justification for this policy?

**Mr. Weadick:** Well, Mr. Speaker, I appreciate the question. It centres around the legislation under which those universities were created. That legislation has been in place for many, many years. In fact, the University of Alberta was created around the same time as the province. At that time certain rights and privileges were given within those universities, which is consistent with universities across Canada and in other parts of the world.

**Dr. Taft:** Well, Mr. Speaker, given that it's not consistent with legislation across Canada – in fact, it's not even consistent with legislation in Alberta – let's pursue this issue. Since NAIT, MacEwan University, and all other postsecondary institutions in Edmonton do just fine without this exemption, why does it still exist for the University of Alberta?

2:40

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It also exists for the other residential universities in the province of Alberta. Our colleges and technical institutes are developed under other legislation, and they fall under the Municipal Government Act in areas of planning and other things. So our colleges and technical institutes do fall within that legislation. As you know, MacEwan University and Mount Royal University were both created under that colleges legislation.

**Dr. Taft:** Mr. Speaker, this is going to be a long debate. I am asking the minister to justify this law. Saying that this law is justified because it's the law is not an answer. What is the justification for a complete exemption by the universities of Alberta, Calgary, and Lethbridge from all municipal zoning? Why do they get the privilege?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I know this is an issue within the riding in Edmonton because of south campus and that there have been some discussions around access to programs and to projects being built. We believe that the university in Edmonton continues to work with the city and with neighbours to ensure that that facility is being developed in the best interests of both the city and the neighbours as well.

**The Speaker:** The hon. Member for Lesser Slave Lake.

### Job Preparedness in Northern Communities

**Ms Calahasen:** Thank you, Mr. Speaker. Pardon me. I almost fell over.

Alberta Employment and Immigration announced closures of three Alberta Job Corps sites in the northwest and will continue to close them all in my understanding. Alberta Job Corps has provided numerous people with the opportunity to develop employment skills, particularly in the trades, and helped them get jobs. My question is to the Minister of Employment and Immigration. Where are unemployed Albertans going to get the supports they need so that they can . . .

**Mr. Lukaszuk:** Well, Mr. Speaker, I'm glad to know that the hon. member is falling over me. That's really good.

Mr. Speaker, we have made a decision to make sure that adequate services are provided. In some parts of the province we have facilities that could be better utilized by Advanced Education to allow Albertans to develop skills and certificates in areas such as welding and other professions, but we continue to be committed to providing Albertans with foundational learning as we have in the past.

**Ms Calahasen:** Mr. Speaker, just like all men, he wishes.

To the same minister: now that you're taking away the tools to help many people prepare for the workforce, what are you intending to do to replace that preparedness which has worked so well in the past?

**Mr. Lukaszuk:** And I shall continue wishing, Mr. Speaker.

I will tell you that foundational learning is very important to individuals that perhaps haven't had a chance to be fully engaged in employment, and there are many different means by which we can provide foundational learning. Even though the responsibility for Job Corps has now been transferred, the facilities have been transferred to Advanced Education, where they will be able to better utilize those facilities, in many cases very expensive, well-equipped facilities. We will provide foundational learning in more appropriate settings through more appropriate vendors.

**Ms Calahasen:** As much as I'd love to keep . . .

**The Speaker:** Aw, come on. No more preambles.

**Ms Calahasen:** My last question is to the Minister of Advanced Education and Technology. Are you co-ordinating with the Minister of Employment and Immigration to ensure that colleges like Northern Lakes can access that equipment so they can increase access to postsecondary education, especially in northern communities?

**Mr. Weadick:** I'd like to assure the member that we are working together to ensure that programs are available in northern communities. We know it's critically important to have training available, and these facilities are extremely fine facilities. A good example would be in the community of Slave Lake, where the facility that

has been mentioned will be transferred to Campus Alberta, to Northern Lakes College. They're going to deliver carpentry and welding programs for the students there and continue the good work of Campus Alberta.

**The Speaker:** Hon. members, 19 members were recognized today. That was 114 questions and responses.

We have one additional business, though, arising out of the question period last Thursday. The hon. Minister of Municipal Affairs would like to supplement an answer. That will allow the member who was involved with the minister to raise an additional question. The hon. minister.

### Telecommunications Tower Siting

**Mr. Goudreau:** Well, thank you, Mr. Speaker. I just want to clarify a comment that I made last Thursday during question period, and that was to questions from the Member for Calgary-North Hill. I indicated to the member that I was still waiting for a response from the federal government. In fact, I had received an answer from the hon. Tony Clement, the Minister of Industry, whereby he did indicate to us that land-use authorities – and that's concerning the telecommunications towers – are encouraged to facilitate the implementation of radio communication services by establishing their own consultation process for the siting of antenna systems. I just wanted to put that on the table.\*

**The Speaker:** Okay. Hon. Member for Calgary-North Hill, if you wish, you have a question.

**Mr. Fawcett:** Thank you very much for the information. I don't have any further questions.

### Members' Statements

**The Speaker:** Hon. members, we have seven today. Because of the time we're going to proceed immediately.

The hon. Member for St. Albert.

### Safe Digging Month

**Mr. Allred:** Thank you, Mr. Speaker. April has been designated in many jurisdictions across the continent as Safe Digging Month. Alberta has one of the most comprehensive and complex systems of underground infrastructure, that provides the essential electricity, natural gas, communications, water, and sewer to our homes, businesses, and industries.

Today's society depends heavily on the safe operation of all these buried facilities, which are estimated to span more than 1 and a half million kilometres within Alberta, including 400,000 kilometres of high-pressure pipeline. We are always one improperly conducted ground disturbance away from a fatality. These countless transmission and production lines can be just a few feet below the surface. Failure to call before you dig is the most frequent cause of facility damage.

The Alberta Damage Prevention Council is dedicated to minimizing damage caused to underground facilities from unauthorized contacts and is mandated to promote safe working environments for all agencies involved in development and construction. When an individual or organization is planning any ground disturbance, they must contact Alberta One-Call in advance of the construction to have all buried pipes, cables, and other facilities marked on the ground to ensure that they do not come into contact with those facilities, causing damage to the

facility and/or danger to themselves. There's no cost for the service. Costs are all borne by the individual utility companies.

For something as simple as planting a tree, putting up a fence, or installing a mailbox, call 1-800-242-3447. Call at least two working days before you plan to disturb the ground. Then Alberta One-Call will notify the buried-facility operators, who will then mark their facilities. Only then can you safely dig.

It's better to be safe than sorry. Be safe. Call Alberta One-Call before you dig. Safe digging is no accident. Next week being constituency week, I challenge members to take this message back to their constituencies.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

### Kirti Kumar Sherman, 1939 to 2011

**Dr. Sherman:** Thank you, Mr. Speaker. After a life full of joy, love, happiness, and hope, yesterday, Sunday, March 20, my father, Kirti Kumar Sherman, completed his journey at the age of 73. He is survived by his loving wife of 54 years, Santosh, his four sons, and nine grandchildren. He is predeceased by his sister Vijay and survived by his sister Krishna and numerous relatives and friends.

Born in Sakruli, a humble village in Hoshiarpur, Punjab, India, the son of Pandit Bal Mukand and Parsini Devi, my father was an accomplished state-level athlete and soccer player. He graduated with a master's degree in political science from Punjab University, where he studied with India's Prime Minister Dr. Manmohan Singh. He was politically active and became dear friends with President Giani Zial Singh. He went on to become a schoolteacher and in 1965 emigrated to Vancouver, Canada, in search of a better life for his young family.

He worked as a mailman in Prince Rupert, a prison guard at Oakalla penitentiary, and held numerous jobs at the mill in addition to being a member of the volunteer fire department and union rep for the IWA at the Weldwood lumber mill in Squamish, B.C., until his retirement.

He comes from a family of public servants. As a 17-year-old his father arrived in Canada in 1906 and took a leadership role in B.C.'s lumber industry, India's freedom movement, and as a supporter of Prime Minister Mackenzie King. Dad's grand-uncle Munshi Ram was a passenger aboard the *Komagata Maru* ship in 1914, an unfortunate incident in Canadian history for which Prime Minister Harper apologized.

His finest qualities were honesty, integrity, and hard work. He will be remembered for his jovial nature and sense of humour and commitment to his family. He instilled in his children the same values that his parents instilled in him, the duty to serve. He had a deep and abiding love of life and for all the people within it. He'll be dearly missed by his family and all those who came to know him.

My family and I would like to thank Edmonton EMS, all the health care staff, including his nurses and doctors, for the excellent and compassionate care that he has received over the years and ask Albertans to make a donation to the Heart and Stroke Foundation.

Dad, we thank you for all you've done for us. We love you and bid you farewell. May God bless you.

**The Speaker:** The hon. Member for Calgary-Bow.

2:50

### Ward of the 21st Century

**Ms DeLong:** Thank you very much, Mr. Speaker. Many in this Assembly have heard me talk about the amazing health research happening in Alberta, and today I'd like to tell you about an amaz-

\*See page 429, left column, paragraph 4

ing place where health research is being put into action, Calgary's ward of the 21st century at the Foothills hospital.

Mr. Speaker, the W21C, as it's fondly known, is where health care providers, researchers, and innovators work together to test new products and ideas for improving care. What makes this facility special is that it's also a real, functioning medical unit where doctors and nurses help patients every day.

The ward of the 21st century gives researchers and innovators an opportunity to test how new approaches to care and new technologies can work in a real health environment. Right now the ward is home to more than 20 active projects supporting this priority, projects like specialized computer keyboards that limit the spread of infection and mats that allow caregivers to continually monitor pressure points that are a primary cause of bedsores.

This unique facility allows health care providers and patients to interact with tomorrow's tools of medicine and improve upon made-in-Alberta health innovations, and that makes it something all of us as Albertans can be proud to call our own.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-East.

#### East Calgary Health Centre

**Mr. Amery:** Thank you, Mr. Speaker. I rise today to recognize the recent opening of the east Calgary health centre in the eastern quadrant of the city. The centre opened last fall, and residents of Calgary-East are very appreciative of the new facility because of the essential services it provides to the whole community.

The highly dedicated health team at the east Calgary health centre provides standard public checkup examinations and other services such as chronic disease management, language, addiction, and mental health services, just to name a few. In all, more than 30 different clinics and programs are available at the facility. I must concede that it would be even better if there was an emergency centre attached to the facility, but having this new 75,000-square-foot site still provides many very essential services under one roof.

New health centres are made possible through the five-year funding plan put forward by the Ministry of Health and Wellness, which allows for continued access to high-quality health care services throughout the province. Mr. Speaker, the east Calgary health centre is truly a great model of community-based health care as well as a facility that works for patients, the staff, and the community. The government of Alberta has taken into account the diverse needs of all Albertans and has strategically invested in the health system to support patients and communities to stay healthy, and the opening of the east Calgary health centre is a wonderful example.

Mr. Speaker, looking forward, it would be ideal, again, if an emergency centre could be added to take the pressures off the hospitals as well as provide such essential services locally.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-North Hill.

#### State of the Health Care System

**Mr. Fawcett:** Thank you, Mr. Speaker. The rhetoric in this House over the last several weeks has caused me to think very seriously about how lucky we are as Albertans. This is because what I've been hearing from Albertans does not match the health care apocalypse being espoused by the opposition here in the Assembly.

For example, I've recently spoken to a constituent who shared the following story with me: on March 10 I went to the emergency room of the Rocky View hospital in Calgary; when I arrived at the hospital, the triage nurse took my blood pressure, which at that

time was 195 over 120; I was immediately taken to a bed and within moments was being monitored by several nurses and a doctor; my wait time was under five minutes, and the care I received was excellent.

Just to show me that this story was not an exception to the rule, she followed up with this story, Mr. Speaker: during the H1N1 outbreak my son, who is a type 1 diabetic, had a fever of 40 degrees Celsius, and his blood sugar was around 22; normally the level is 5.5; after calling Health Link, I was advised to take him to emergency; we waited about 10 minutes in the ER before being seen; he was stable and home in about four hours with Tamiflu.

Mr. Speaker, also, on Sunday I had the chance to visit my grandmother at the new Michener Hill Village seniors' home in Red Deer. Wow, what a great facility, and the staff there are providing great care. My grandmother, despite some health-related issues and the natural uneasiness of having to move from a familiar situation at the age of 86, is very happy with her surroundings. However, I was appalled last fall when certain hon. members of the opposition and special-interest groups attempted to exploit the uncertainties and fears of seniors making this transition to this facility, all in the name of political gain.

Mr. Speaker, there's no doubt, even with the evidence of all the good things happening in health care today, that we do have challenges. However, I can stand here today with more conviction and say that the rhetoric of the past several weeks has not contributed even one bit to improving our health care system.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

#### Pigeon Lake Ice Golf Tournament

**Mrs. McQueen:** Thank you, Mr. Speaker. This past Saturday, March 19, Jim and I had the pleasure of attending the ice golf tournament in Mulhurst Bay on picturesque Pigeon Lake in my constituency of Drayton Valley-Calmar. It was an absolutely wonderful day to get outside and have a great time with family, friends, and constituents, with over 145 registered golfers. This annual tournament is a popular event for many who live in the area, and this year was the 15th annual tournament, which made it even more special.

The unique 18-hole course was carved out of ice and snow on Pigeon Lake. The tournament was fun for all ages, with a Texas scramble. The golf tournament was supplemented by a delicious dinner, an awards presentation, and a silent auction. There were many prizes, trophies, and raffles, which were a great deal of fun for the more competitive golfers and those of all ranges of abilities who just wanted to come out and have a good time. I am not sure how, but our team managed to come in second, and I know it was not my skills but those of my fellow teammates.

For those who wished to enjoy the day in Mulhurst Bay but were not avid golfers, there were family sleigh rides on the lake, concessions on the beach, and restaurants to sit down and enjoy a bite to eat.

I would like to thank the Pigeon Lake Regional Chamber of Commerce for putting on this fantastic event and the entire community of Mulhurst for hosting it. I was proud to be a part of this event as the whole community pulled together to support this event from several local businesses and volunteers.

Everyone had a great time enjoying the warmth of spring, fun and exercise in the outdoors, and fellowship with golfers and their neighbours. Special thanks to all the golfers who participated and to City TV and the *Pipestone Flyer* for coming out and promoting our event.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder.

### Pythagorean Theorem

**Mr. Elniski:** Thank you, Mr. Speaker. The hon. members for St. Albert, Edmonton-Beverly-Clareview, Edmonton-Manning, and others are likely all very familiar with Pythagoras and his theorem, which states that the sum of the squares of the sides of a right triangle are equal to the square of the hypotenuse. As a quick refresher, the hypotenuse is the triangle's longest side, the legs being the other two sides, which meet at a right angle. This theorem, as most will recall, can be written as an equation relating to the lengths of the sides  $a$ ,  $b$ , and  $c$ , and thus we have the Pythagorean theorem of  $c^2 = a^2 + b^2$ .

This theorem and its rather intimidating moniker is nothing more than the elegant and universal 6-8-10 rule, which skilled tradesmen use every day to square a wall, calculate the length of a stair stringer, or commence a boundary survey of real property. It is such a beautiful and flexible thing that you do not have to simply stick to 6-8-10. You can use any division or multiplication of this sequence. For example, 3-4-5 or 12-16-20 can also be used.

Pythagoras died in 500 BC, but his rule influences us today, about 2,500 years later. Even today we have direct evidence that the work of Pythagoras was accurate. His law has stood the test of time, and it is comforting to know that there are things that are reliable and can be spoken of with absolute precision. I find this a rare thing, Mr. Speaker.

Our work in this House is not based on such reliable laws as Pythagoras but, more likely, upon *Beauchesne's Parliamentary Rules & Forms*, section 494, which begins, "It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted" and ends by saying, "No imputation of intentional falsehood is permissible. On rare occasions this may result in the House having to accept two contradictory accounts of the same incident." There we have it, Mr. Speaker, proof that freedom exists for members of this Assembly to take contradictory positions, even with themselves, whenever they find it convenient to do so.

Thank you.

3:00

**The Speaker:** Hon. members, our standing orders read, 7(7) . . .

**Ms Blakeman:** Mr. Speaker.

**The Speaker:** Yes. Sit down.

. . . "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly," and the Speaker is notifying the Assembly.

Now the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I had sent a note to the Speaker earlier requesting that I be acknowledged because I would like to ask for the unanimous consent of the Assembly to waive Standing Order 7(7), which is the one that has us proceed immediately at 3 o'clock and which the Speaker just read out. We have other business to conclude in Routine, and I would appreciate the support of the Assembly with unanimous consent to complete the Routine today.

**The Speaker:** The hon. Member for Edmonton-Centre has asked that the Assembly declare unanimously its desire to waive 7(7) so that we may continue the Routine. I will ask the question so that it will allow only one answer, and the question will be the follow-

ing: does any member oppose the waiving of Standing Order 7(7), allowing us to go back to the Routine? If so, simply say no.

[Unanimous consent denied]

**The Speaker:** We did have a point of order, though, and it's always been my practice to deal with points of order, so we'll deal with that. The hon. Member for Edmonton-Riverview.

### Point of Order Factual Accuracy

**Dr. Taft:** Thank you, Mr. Speaker. I called the point of order on the Minister of Health and Wellness, and I will cite our standing orders plus *Beauchesne*. The sections of the standing orders that are relevant are 23(h), (i), and (j) and particularly 23(h), which refers to making allegations against another member. Two passages in *Beauchesne*: the first paragraph I want to refer to is 417, "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate," and as well *Beauchesne* 97, which I think is quite powerful. It says:

The Speaker has stated: "While it is correct to say that the government is not required by our rules to answer written or oral questions, it would be bold to suggest that no circumstances could ever exist for a prima facie question of privilege to be made where there was a deliberate attempt to deny answers to an Hon. Member, if it could be shown that such action amounted to improper interference with the Hon. Member's parliamentary work."

With those in mind – and I can come back if you like, Mr. Speaker, to *Beauchesne* 97 because it's so powerful – I thought, first of all, I would briefly set the context and then address my concern. The context was around a series of questions concerning the intimidation of medical staff who work in my constituency. One in particular had raised concerns about being stifled and intimidated when they raised their own concerns about how the syphilis outbreak was being handled or, as it were, mishandled by this government. That provided the general context.

I think it's important to note that I'm quoting the particular expert here. His name is Dr. Stan Houston, a globally recognized specialist. He said just the other day, quote: How are our syphilis rates doing? They're not improving at all after five long years. End quote.

My question specifically concerned a report – and I don't know if I need to table this, Mr. Speaker, because it is a government of Alberta report – dated December 2010. It's titled The Syphilis Outbreak in Alberta, and it's from the office of the chief medical officer of health.

Now, the minister alleged I had not read a different report, the five-year action plan, as he calls it. In fact, Mr. Speaker, I have read it, and I am aware of two things. First of all, the five-year action plan was actually published before the report called The Syphilis Outbreak in Alberta, so it's logically not possible that the five-year action plan would have addressed a report that came out after the five-year action plan was made public. I think it's also worth noting that the five-year action plan does not ever refer to the word "syphilis," and when it addresses sexually transmitted diseases, it does so in a very cursory and brief manner, just a few short lines as opposed to this long, multipage, and very detailed report that came out after the five-year action plan.

I think it's worth noting that The Syphilis Outbreak in Alberta report makes a couple of crucial, indeed, Mr. Speaker, life-and-death statements. I will quote from page 1.

In Alberta in 2009, there have been seven confirmed cases of infants born with congenital syphilis; another six infants remain

under investigation. By contrast, in 2009 there has been one case of congenital syphilis reported in one other Canadian province.

That gives you a sense of how far out of standards Alberta is with all the rest of the country. I did raise that in my question, and that's what's motivating my question.

Then this report also goes on and gives several pages of recommended actions. It says, and I quote from page 5, "Our response needs to be bold, innovative and compassionate." Then it addresses a recommendation to reduce the risk of getting the disease. It has subrecommendations: educating populations at higher risk, exploring more innovative ways to promote condom use, reducing transmission through screening and early prophylactic treatment. It addresses sex trade workers, aboriginal communities, examples of other screening and prophylactic treatment opportunities, and it addresses tracking infected individuals and partner notification, improving access to STI services province-wide, and finally . . .

**The Speaker:** Please. Please. I have now permitted nearly eight minutes. I'm still waiting to try and determine what the point of order is. That eight minutes to rise on a point of order is an inordinate amount of time to begin with. Points of order are not to be used to continue debate in a subject. I would like to know what the point of order is, please.

**Dr. Taft:** I did mention partway through, Mr. Speaker, the justification for my point of order: the allegation by the minister that I had not read and should have read the five-year action plan is simply untrue. He made a false statement against me. Beyond that, *Beauchesne* 97 says, "While it is correct to say that the government is not required by our rules to answer written or oral questions, it would be bold to suggest that no circumstances could ever exist for a prima facie question of privilege." I didn't raise a privilege, but I could have.

**The Speaker:** No, sir. Please. You misunderstand the intent of these points of order. Sorry, but, due respect, we understand what the point of order is. The point of order has to do with a member of the Assembly saying that you did not read something. Is this correct?

**Dr. Taft:** Mr. Speaker, that's part of it. The other part is that he did not address the issue, and as a point under *Beauchesne* 97 that's an unfortunate offence of the tradition.

**The Speaker:** Yeah. Okay. I understand that.

Government House Leader, do you want to participate in this?

**Mr. Hancock:** Well, thank you Mr. Speaker. I don't believe there's a point of order there. With respect to the first point – and I did pick up that that was what the hon. member was concerned about – that there was an allegation that he wasn't doing his homework or that he hadn't read the five-year action plan, the minister may well be within his right to have assumed that given the nature of the debate. But as you have said many times in this House, an hon. member is to be believed, and the hon. member did say that he has read the five-year action plan. I think that takes care of it.

On behalf of the minister I would be prepared to apologize to the hon. member for an insinuation that he didn't read it when he has clearly said that he did read it. That will leave aside any question of whether he understood it or whether or not it had any relevancy, and we can get into a discussion in another place on that particular topic at some appropriate time.

3:10

The question that's most important here, though, is the very important question that the hon. member raised about the outbreak of syphilis in Alberta and what's happening about it. The minister did say – I heard him respond to that question today as I heard him respond earlier – that there is a plan in place, a campaign to alert Albertans to the seriousness of this issue. In fact, I think that today in the Blues it will show that he indicated that the public relations campaign will be in doctors' offices but also in bars and other public places. So the issue with respect to whether this government is taking the issue of the syphilis outbreak seriously I think was very clearly answered by the hon. minister.

If the hon. member is really talking about what took place two or three or four years ago relative to the question, that may be another question that he may want to raise at another time, but clearly the gist of what I heard him ask today was: are you taking this very important issue seriously? Clearly, the answer was that we are.

**The Speaker:** Thank you. I'm going to repeat what I said earlier. The purpose of points of order is not to continue debate. I heard a withdrawal or an apology. That almost in all cases deals with the matter, so that matter is finished.

I also, though, want to make some clarification, and I ask the hon. Member for Edmonton-Gold Bar to return to his seat. If hon. members would look at *Hansard* on March 17, 2011, at page 433, I wish to point out to all members that I am guilty of mishearing something, and I want to make sure that the record and *Hansard* actually have it clarified.

There was an exchange on Thursday last when the Government House Leader stood up and the Member for Edmonton-Gold Bar was speaking. The hon. Government House Leader said that he was rising on a point of order. I was listening, I thought attentively, and I thought I heard the hon. Member for Edmonton-Gold Bar say: there certainly is a point of order. What the hon. Member for Edmonton-Gold Bar said was: "There certainly isn't a point of order." I heard the "is" but not the "n't." Then I got up a little later and I said: well, both members agree that there was a point of order. Then there was an exchange about the hon. member's mother, and I had some fine words to say about her.\*

I just wanted to clarify in the *Hansard* that the hon. Member for Edmonton-Gold Bar did say, "There certainly isn't a point of order," when I thought he said: there certainly is a point of order. I want the *Hansard* to read that because I don't want some archaeologist 4,000 years from now to come in here and, you know, get totally confused about what happened.

That clarifies that.

## Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Jackfish Oil Sands Wellhead Failure

Q1. Ms Blakeman:

How much oil was spilled as a result of the wellhead failure at Devon Energy Corporation's Jackfish oil sands site, which sent a plume of bitumen-laced, high-temperature steam into the air for nearly 36 hours on July 10 and 11, 2010?

\*See page 433, left column, paragraph 10

### Previous Wild Rose Foundation Grants

- Q2. Ms Blakeman:  
Which groups that previously received funding from the Wild Rose Foundation but were no longer able to receive funding after the program was cut were unable to obtain similar funding through publicly funded grant programs such as the community initiatives program?

### Land Expropriations

- Q11. Ms Blakeman:  
How many times and under what circumstances has the Lieutenant Governor in Council authorized expropriation of land under section 9(2)(h) of the Alberta Land Stewardship Act?

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

### Occupational Health and Safety Prosecutions

- Q6. Mr. Chase asked that the following question be accepted.  
How many occupational health and safety cases has the Ministry of Employment and Immigration sent to the Ministry of Justice with a recommendation to prosecute for each of the years 2003 to 2010?

**Mr. Chase:** Thank you, Mr. Speaker. I believe the hon. Minister of Employment and Immigration would like to read his amended proposal.

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Indeed, the member is correct in his presumption.

I move that Written Question 6 be amended by striking out “cases has the Ministry of Employment and Immigration sent to the Ministry of Justice with a recommendation to prosecute for each of the years 2003 to 2010” and substituting “investigation files has the Ministry of Employment and Immigration sent to Alberta Justice between 2003 and 2010 for its review to determine whether the evidence supports laying charges.”

Mr. Speaker, the reason I'm doing this is that it should be well known to all members of this Assembly but also to all Albertans that all a ministry from which an investigation arises can do is lay the information before the Crown prosecutors' office. It is unbiased information that is deemed to be factual by the investigators. Then having reviewed not only the evidence put before them but also the applicable law, it is the Crown prosecutors' office, in isolation from the Minister of Justice and in isolation from the minister for whom an investigation arises, that makes the ultimate determination whether charges will or will not be laid. In this case the question suggests that somehow this minister influences the Crown prosecutors' office in whether they should or should not lay charges, and that simply would be misleading in its question.

**The Speaker:** If I recognize the hon. Member for Calgary-Varsity, that in essence closes the discussion and the debate on the amendment. Does any other member wish to participate before I call on the hon. Member for Calgary-Varsity?

Then you, sir, close the debate on the amendment.

**Mr. Chase:** Thank you very much, Mr. Speaker, for this opportunity to discuss the amendment. I am aware that there is a different responsibility for the Ministry of Justice and the Ministry of Employment and Immigration. I'm also aware that in the past year only nine files were sent along for the ministry to potentially

prosecute whereas at the same time in Saskatchewan 47 files went forward from the labour ministry to the Minister of Justice for prosecution. I understand what the Minister of Employment and Immigration is saying in terms of what his responsibilities are versus those of the Ministry of Justice. However, my concern is that it's up to the Minister of Employment and Immigration to forward files, and if the Ministry of Justice doesn't receive the files, they can't then go forth and prosecute.

However, to the minister's credit, I appreciate the fact that he will be supplying the information indicated in his amendment to my written question, and I'll look forward to receiving that information.

[Motion on amendment carried]

**The Speaker:** We've got discussion and debate here now and a motion as amended. Additional speakers?

Should I call on the hon. Member for Calgary-Varsity to once again close it all or call the question?

**Mr. Chase:** Thank you. Speaking to the motion as amended, while it does not distinguish between the rules of the Ministry of Employment and Immigration and the authority of the justice system, it is up to the minister to decide which cases he thinks should be sent along based on hazards, injuries, and deaths at a workplace. The information that he's willing to provide will be of some help, and therefore I am accepting the amendment because to not do so, Mr. Speaker, would mean I would have nothing.

[Written Question 6 as amended carried]

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

### Bitumen Royalty in Kind Program

- Q7. Mr. Hehr asked that the following question be accepted.  
What are the monetary values attributed to bitumen, per grade per barrel, for each company included in the Alberta bitumen royalty in kind program?

**Mr. Hehr:** Well, thank you, Mr. Speaker. I'm asking the government to provide some very important information. I find that this would be very pertinent for us in the opposition to have as at this time we are moving forward with great speed on our Alberta bitumen royalty in kind program. I for one find it a very good program that we should in fact be capitalizing on, possibly expanding. Getting the information of which companies are taking part and what the amount is of the value-added materials we are getting from this bitumen royalty in kind program could really serve my purposes as Energy critic. It would be very helpful

3:20

If you look at where we are today, we're still upgrading roughly about 67 per cent of our bitumen here in this province. In my view, we should continue ramping that up. If we just stay where we are today, even with the announcement of the North West upgrader project, if we just stay with that one project, even with what's going on up at the Suncor plant, we could be back in a situation where we're only upgrading 60 per cent of our bitumen here in this province within 10 years if we don't continue to work on striving to produce more of this bitumen, which, in my view, is very important to this province's future, maximizing every dollar we can get out of this one-time gift. If you want to take a look at oil and gas resources in that view, we should look at maximizing what they can do for the Alberta people.

That's what the Alberta bitumen in kind program could and should do. Hence, getting this information from the government



would be very important for me. For instance, we can look at whether we can stimulate other companies to take part in this, whether it be a suggestion from the opposition on how to incent the marketplace or whether we are talking about, with the Minister of Energy, whether there is, in fact, right now an open place in the marketplace where possibly some government investment in an actual upgrader may actually be wise at this time and to have that discussion and debate.

If we look back to a situation like it was in 1970, when Premier Lougheed started the Alberta Energy Company, is it time for us to do that with an Alberta bitumen company? I don't know, but it's something to be discussed and something where this information would go a great ways towards enhancing the opposition's knowledge and at the same time, then, enhancing all Albertans' knowledge on this very important issue.

Those are my comments, and I'd wait to hear the government's response to this matter.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm rising today on behalf of the hon. Minister of Energy with a few points that I'd like to make with respect to this particular question to the Member for Calgary-Buffalo. First off, bitumen values in the market fluctuate on a daily basis, just like pretty much every other commodity on the open market. Another issue is that we're still developing administration of the bitumen royalty in kind program and that the process of how we implement this is the focus of the current consultation with the industry. Over the course of this year we will continue to develop the rules and regulations of implementing the BRIK program, and I can assure the Member for Calgary-Buffalo that Albertans will receive the best value for their particular resource.

We must also keep in mind that the information on bitumen valuation provided to us from specific companies would be considered confidential information pursuant to the Mines and Minerals Act of this province.

Mr. Speaker, we can't really answer this member's question, and I would suggest that we respectfully reject it. In the meantime, in order to get a sense of the market values for bitumen, I would respectfully advise this member to check out publicly available data with respect to the western Canada select and Lloydminster blend heavy crude prices. In fact, the Minister of Energy has offered to send him a note outlining some websites that publish that information.

**The Speaker:** Hold on, hon. member. If I recognize the hon. Member for Calgary-Buffalo, that closes the debate on this matter. Is any other member wishing to participate?

Then the hon. Member for Calgary-Buffalo to close the debate.

**Mr. Hehr:** Well, I thank the hon. member for the comments given on behalf of the Minister of Energy, and I can say that I'm disappointed. I think I outlined a reasonable case why the opposition should have this information and should be privy to it at all times. Yes, I guess there probably is some opportunity for me to gain knowledge on what the price of bitumen oil is, but whether I would have the knowledge of the government on who exactly we've made contracts with, who exactly we have accepted bids for, and who exactly we are doing the upgrading at, that is information that they would have.

Further, I understand that there was some reference to the Mines and Minerals Act and how this would somehow be classified information. I don't accept that. This would really be one of those cases, in my view, where the information could be provided very

easily. I think that referring to some obscure passage in the Mines and Mineral Act that may apply to this information, that should be readily available to members of this House, is simply borderline ridiculous. I think this information should be provided, in particular on something that is going to affect Albertans going forward for a long period of time.

In my view, the traditional oil and gas sectors are on their decline and, in fact, on their way out of production. If you look at what we've done over the last 40 years, what you can say is that we've significantly found a way to spend every last dime of fossil fuel resources that has come into this Legislature's hands. For better or for worse, I think we've got to get a handle on how we manage that resource in the future to try and get some sort of long-term, sustainable mechanism that recognizes this is a one-time opportunity to maximize a resource for the Alberta people.

One of the ways to do that is through the bitumen royalty in kind program. I think it's an excellent program that the government has come out with. I think it can lead to development of an upgrader industry here in Alberta, that we can upgrade more bitumen, but in order for the opposition to do its job, to provide maybe some options for the government to do something, to maybe lead a public debate on it, to discuss it reasonably and rationally, we need some of this information. On that front I'm disappointed that the government didn't give the information right now, but at the end of developing these rules and regulations, I will again, if I am so honoured to be in this Legislature at that time, put another request on the Order Paper, and maybe the information will be forthcoming at that time.

[Written Question 7 lost]

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

#### Requests for Exclusion from a Course of Study

Q9. Mr. Hehr asked that the following question be accepted. How many times have parents requested that a student be excluded from instruction, course of study, educational programs, or the use of instructional materials under section 11.1 of the Alberta Human Rights Act since the section came into force on September 1, 2010?

**Mr. Hehr:** Thank you very much, Mr. Speaker. In the course of my time here in this honourable House there have been few debates that have really, I guess, assumed the public's attention or even this honourable House's attention like Bill 44 did and the changes that were made to the Alberta human rights act, which essentially recognized gay and lesbian rights as being protected under our human rights code and enshrined them and listed them. That's something we had not done since the Vriend decision – I believe it was 1997 – that actually mandated us to do so by the Supreme Court of Canada. For some reason unbeknownst to me this government didn't move very quickly on that. We did in Bill 44 enshrine that piece of the legislation.

At the same time we brought in, in a little bit of a backhanded way, some restrictions on what, in fact, is going to be taught in our classrooms. I believe the wording of this section was: any time that sexual orientation was discussed in the classroom. This in our view was one of those terms that it was unfortunate to use when terms like human sexuality would have covered it off just fine. Nevertheless, given that it was Alberta, given that in our view there was a divided caucus and there were some members in caucus who believed that there may have been a difference in what sexual orientation is, we believe that was part of the reason that that came up.

3:30

Also, we on this side of the House believe that this bill interferes with learning opportunities as they arise in the classroom. For instance, when the topic of human sexuality comes up as a one-off, this will stifle the ability of a classroom teacher to sort of deal with the matter and to hear a reasoned and measured approach to how these things should be dealt with.

One of the arguments we put forward at that time was that there were going to be, possibly, large numbers of parents writing in requesting they be excluded from instruction, course of study, or educational programs because of the changes to the human rights act, which in our view would not be very conducive to a learning opportunity. In fact, in a day and age like we are discussing today, when Alberta should be moving forward with the protection of human rights or recognition that all citizens regardless of race, religion, or sexual orientation should be respected and that there should be no difference that occurs, whether in our human rights legislation or in the way we deal with that in our classrooms, that should be an affront to any people in this province, and this government should lead the charge on it.

That's why we're asking for this information, because at the time we believed that many requests would be forthcoming. The government assured us that very few requests would be forthcoming. This is the time for us to see what, in fact, has happened. Hence, we request this information, and I look forward to a response.

**The Speaker:** The hon. Government House Leader and Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. At this time I would indicate on behalf of government that we are rejecting this request. There are a number of reasons for that. First of all, I would postulate that there haven't been any. I can't guarantee that, but I would suggest that anecdotally that would be the case. But the actual answer to this question is that there is no way of knowing. We don't collect that kind of information. We don't ask school boards to collect that kind of information.

In any event, it would be difficult to know whether or not a request was done under the human rights act or not given that the provision in the human rights act was put in which allowed people to have access to the Human Rights Commission with respect to any concerns about not having been informed and being allowed to exempt their student from teaching under the issue of religious instruction or religion or human sexuality. I believe that is the way it's referenced in the act: human sexuality.

The fact of the matter is that in each of those cases those were practices which were already under way in the Alberta education system. Under section 50 of the School Act parents have the right to have their children opted out of religious instruction. Under the policies with respect to discussion of potentially controversial topics parents have always had the right to be informed of any instruction with respect to human sexuality and to opt their child out of that. So to be able to say that there has been a request under the human rights act when there was always the opportunity to request under those acts and they haven't been labelled would be a very, very difficult issue.

In fact, I can say to the hon. member that the net effect, if there has been one, of the amendments of the human rights act under Bill 44 in this particular area is that we have requested that school boards put in place a more formalization of the process that had been engaged in on a more informal basis; in other words, that there be a standardized way of advising students or parents with respect to times when there was religious instruction or instruction

with respect to human sexuality and of their right to opt out and that each board put in place a process relative to any appeal or concern that was raised by a parent relative to a failure to do so.

While there have been some discussions with school boards relative to how to ensure that they were following appropriate processes in the event that there was ever a concern relayed to the Human Rights Commission, we do not and we have not requested that school boards keep track of particular requests. We never have asked for that. Quite frankly, it's contrary to the process that we've undertaken. We in a time of fiscal restraint, as we should at any time, have gone through value reviews and gone through processes whereby we're asking school boards to not do things that don't add value. We're cutting out a number of areas that we're asking school boards to report to us on with respect to various things if we don't think that they add value. So it would not be our intention to ask school boards to report on this.

This is simply a functional matter which continues a practice that has long been a practice in this province, that parents can opt their children out of religious instruction and instruction with respect to human sexuality. That will continue to be the practice, but it's not something that is of such significance or importance with respect to the process that we would ask school boards to keep statistics on it or report them to us.

**The Speaker:** The hon. Member for Calgary-Varsity on this particular written question.

**Mr. Chase:** Yes. Beyond a doubt, Mr. Speaker, as a teacher for 34 years who taught, amongst other subjects, human sexuality, it was a clear-cut circumstance. Parents were sent home information that human sexuality would be taught on such-and-such a date in the classroom. We usually had a parent meeting beforehand so that they could get a sense of what it was within the human sexuality program that would be referenced.

However, when it comes to the areas of religion and sexual orientation, it's a different ball game altogether. It appears to me from the hon. Minister of Education's response that if you don't ask, you're not going to hear the answer. Bill 44 threw what I believe was a significant wrench into the workings of day-to-day teachers.

With regard to religion, Mr. Speaker, part of my grade 7 social studies curriculum was world religions, and I would talk about the potential number of people who practised a particular religion in a geographic location throughout the world. Obviously, I wasn't promoting a particular religion, but my ability or the ability of a grade 7 teacher currently teaching to handle topics on religion could potentially be compromised by a parent objecting to that child being made aware that there are religions beyond the religion that their particular family practised. Is the teacher supposed to stop his discussion? Where does he put the child who isn't interested in the fact that there are other religions in the world? Are they supposed to be sent to the library? Does that then become the librarian's responsibility? Or does the child stay home for that day? This is part of the confusion. If you think religion and the teaching of religion causes potential confusion, imagine what happens with sexual orientation.

Bill 44 in one sense, as the hon. Member for Calgary-Buffalo recognized, brought in the front door the recognition of the Vriend case of sexual orientation equality for transgendered, lesbian, gay, and bisexual individuals. But then, on the other hand, it said that it's potentially objectionable for any references to sexual orientation to be taught in the school system. In other words, it was institutionalizing prejudice against people whose orientations were potentially different from that of other individuals in the class.

3:40

Mr. Speaker, quite often it can occur as early as elementary school, but by the time junior high hits and by the time high school comes around, a person becomes extremely aware of their sexual orientation and their attraction either to the same sex or the opposite sex or, as in the case of bisexuals, to both. This Bill 44 basically marginalized further those individuals that it was set up to recognize.

Calling for this information was an attempt to track what was happening at the classroom level. Obviously, Mr. Speaker, the government lobbed this grenade into the classroom but wasn't interested in finding out what effects of this grenade occurred. If you don't look and you don't ask, you're obviously not going to see and you're not going to hear. While I find the answer of the hon. Minister of Education unacceptable, I hope that teachers are bringing forward their concerns to their various boards of education. I am grateful that to date no cases have been brought before the quasi-judicial Human Rights Commission for decision because how they would arrive at a decision based on Bill 44 creates an impossible circumstance.

Thank you, Mr. Speaker, for allowing me the opportunity to respond to Written Question 9 by the hon. Member for Calgary-Buffalo.

**The Speaker:** Are there others who would like to participate before I call on the hon. Member for Calgary-Buffalo?

The hon. Member for Calgary-Buffalo to conclude the debate.

**Mr. Hehr:** Well, thank you, Mr. Speaker, for an opportunity to close the debate on Written Question 9. I, too, would join in echoing the hon. Member for Calgary-Varsity's sentiments. It's almost beyond belief that the government hasn't tracked what has happened as a result of Bill 44. As I brought up earlier, we spent hours debating that bill both on our side and the government side. I thank the government members for participating in that debate.

I remember that one of the things that was most contentious was, rightly or wrongly, our contention that including the reference to sexual orientation in the new human rights act unnecessarily, we say, to really highlight some things that were going on that had no business being referenced in human rights legislation – one of the things that was referenced was the fact that we thought this was going to disturb classrooms and the ability to teach human sexuality unnecessarily. The government in response got up and said that we were crazy, that we were on a rant, that we had misjudged this piece of legislation, and that we had no reason to fear that education may be being compromised in Alberta.

When you don't even bother to track something, that's when I get worried. We look at this bill, and really the answer by the hon. Minister of Education was very disappointing to me. The government didn't even bother to track the information from what was passed in Bill 44, a bill that I look on at the end of the day as offensive to our gay, lesbian, and bisexual communities, one that was brought in as a backhanded slap to that community. It was done for those reasons, and I stand by that statement.

I also believe that it made things difficult for our teachers in this province unnecessarily. The information could have been brought very easily to disprove what I've just said by the hon. Minister of Education tracking this information. He could have got up today and said: "Well, hon. Member for Calgary-Buffalo, you were off your nut. You were crazier than a sack of hammers back then when you were arguing that this would interfere with Bill 44 because we tracked these results, and we found that there was going to be no interference with the classrooms." That information could have been presented here.

Nevertheless, now that we've brought it up, I'll ask the government to maybe look into this and to see whether Bill 44 has unduly caused any duress in our classrooms and, in particular, for members of our community who are possibly suffering as a result of Bill 44 unnecessarily including the words "sexual orientation" in there when it had no business being included in human rights legislation.

I thank you for the opportunity to close debate. I look forward to the government trying to track this information and, hopefully, when they arrive at a new leader, possibly looking back at Bill 44 and redoing that piece of important legislation.

Thank you very much, Mr. Speaker.

[Written Question 9 lost]

#### Alberta Creative Hub

Q10. Mr. Chase asked on behalf of Ms Blakeman that the following question be accepted.

What is the current position with respect to funding and staffing of the Alberta Creative Hub corporation, the non-profit organization incorporated to develop and oversee the Alberta creative hub project, and what is the construction schedule for the project?

**Mr. Chase:** I look forward to the government's response.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm rising on behalf of the hon. Minister of Culture and Community Spirit. On behalf of the minister as aforesaid I'd like to reject written question 10.

The Alberta Creative Hub is a project under the auspices of the Alberta Creative Hub corporation. It's a part 9 nonprofit corporation pursuant to the Companies Act, which was formed to build and operate Alberta's film, television, and interactive media facilities being planned for in Calgary. The corporation was formed in December of 2009 by Calgary Economic Development, and questions relating to the funding and staffing of the corporation as well as to the construction scheduled for the project should be directed to the corporation itself.

I would urge members to reject this motion.

**The Speaker:** If I recognize the hon. Member for Calgary-Varsity, this closes the debate. Proceed, please.

**Mr. Chase:** Thank you, Mr. Speaker. The government does a considerable amount of appointing of positions to associations, boards, and commissions. The government provides subsidies to a number of organizations and is involved in the governance of the organization. The government is suggesting that my hon. colleague should go directly to the Alberta Creative Hub corporation to find that information, and I gather that because the government isn't willing to proceed further, a FOIP request will probably be provided to the organization.

I'm sure the hon. minister of housing, probably more likely the minister of community supports, will receive a rewritten question talking about how much funding and what role in governance the Alberta government has for the Alberta Creative Hub corporation, but that is an argument for another day.

Obviously, we're disappointed, Mr. Speaker, but I know we need to move on.

[Written Question 10 lost]

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

### 3:50 New Home Warranty Program

Q12. Mr. Chase asked on behalf of Ms Pastoor that the following question be accepted.

What was the budget surplus, number of claims filed with, and number of claims approved by the Alberta new home warranty program for the 2009-2010 fiscal year?

**Mr. Chase:** Thank you, Mr. Speaker. This question was asked in the name of transparency and accountability. Sometimes a statement is worth less than the paper upon which it is printed. We have raised numerous issues in this province about houses and condos that are falling down because of a lack of government regulation and legislation, and what the Alberta New Home Warranty Program for the 2009-2010 fiscal year is suggesting is: don't worry; this is an insurance policy that will cover any defective construction, any problems that were not picked up in inspections.

Now, when people buy a home, they're assuming that the builder has followed all the regulations set out by the government, but if the regulations, Mr. Speaker, are insufficient, how can an approval take place?

The government has denied the information requested, which is extremely specific. It's for one year, 2009-2010. It's asking for the budget surplus, the number of claims filed, and the number of claims approved by the Alberta New Home Warranty Program. In other words, what we're looking for from the government is governance over this program, protection for individuals purchasing homes, whether condos, apartments, or houses.

I am looking forward to hearing the government's response because it seems like a rather straightforward request having to do with the quality of construction and the value of what, basically, appears to be either an insurance or, at the very least, an assurance program.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. In response to the written question, as the Alberta New Home Warranty Program is operated by member home builders as one of the five that are operated across Alberta, this is an independent organization, and we do not collect this kind of information through the government. I'd respectfully suggest that the member contact the Alberta New Home Warranty Program and request this information directly from them.

**The Speaker:** Hon. Member for Calgary-*Buffalo*, did you want to participate?

**Mr. Hehr:** Well, yes, please.

**The Speaker:** Go ahead.

**Mr. Hehr:** I thank the hon. member for her answer, but frankly I find it somewhat misguided for her department not to be collecting this information. Simply put, this is information that the government could use, that could actually look into building practices, whether people are satisfied with what is going out, and actually look to creating some rules and regulations that actually protect individuals out there. Really, if you're not collecting this information, what information do you find relevant under your auspices or are you supposed to be in charge of? I find it a complete derogation of responsibility to not even bother to collect this information, but I'll leave that for another day. We'll put it on the record, and maybe they'll start collecting this information next year.

**The Speaker:** The hon. Member for Calgary-*Varsity* to close the debate.

**Mr. Chase:** Thank you. In closing the debate, Mr. Speaker, my concerns remain. This is the equivalent of: if a tree falls in the forest and there's no one to hear it, did it actually fall?

As was the case with the lack of collection of information with the Bill 44 question that was raised earlier, it appears that the government, as my hon. colleague from Calgary-*Buffalo* pointed out, doesn't seem to care about the collection of the information regarding the quality of home warranty programs in this province. That should come as a shock to Albertans, especially those that are contemplating or have recently purchased a home, that the government doesn't consider this part of their governance to track the quality of construction and the value, to what extent there is value, to the Alberta New Home Warranty Program. Builders are offering this as a program, an insurance program. What is it worth?

Well, unfortunately, Mr. Speaker, as you noted in calling me to close the argument, we're not going to know the answer from the government. We'll request, as the government has suggested, this information from the Alberta New Home Warranty Program individuals. But governance, building code, fraudulent practices: that all falls under the auspices of the government, and I suggest that they're not doing their due diligence in being able to, first, be interested in compiling this information and then in providing it to us.

Thank you, Mr. Speaker.

[Written Question 12 lost]

### Motions for Returns

[The Clerk read the following motions for returns, which had been accepted]

#### Calgary Airport Trail Tunnel

M1. Mr. Kang:

A return showing a copy of all reports, studies, financial forecasts, and any other materials prepared for Alberta Transportation regarding the construction of the proposed Calgary Airport Trail tunnel.

#### Government Air Transportation

M2. Mr. Kang:

A return showing a copy of all detailed information, including flight records, final destinations, duration of stay, unscheduled stops, and a list of occupants on each flight, however recorded, stored, or archived, by electronic means or otherwise, that relates to the operation and usage of any provincially leased or owned aircraft from January 1, 2009, to December 15, 2010.

#### Alberta Creative Hub

M4. Ms Blakeman:

A return showing copies of documents relating to the participation of the Ministry of Culture and Community Spirit in the development of the Alberta creative hub, including documents created by or submitted to the ministry to assist in the ministry's decision to provide funding for the project.

#### Adult Inmate Population

M10. Mr. MacDonald:

A return showing copies of documents supporting the statement in the 2009-2010 annual report of the Ministry of Solicitor General and Public Security that Alberta's adult inmate population is expected to grow by 23 per cent between 2010 and 2015.

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

### Nuclear Power

M3. Mr. Chase moved on behalf of Mr. Hehr that an order of the Assembly do issue for a return showing copies of all correspondence between Bruce Power and the government regarding proposals for nuclear power in Alberta for the time period between January 1, 2006, and February 20, 2011.

**Mr. Chase:** Thank you, Mr. Speaker. The reason for bringing forth this motion is that Bruce Power has been lobbying the government over the years that we have requested information for with regard to the potential of building a nuclear facility in northern Alberta in the Grande Prairie area. Obviously, given the disastrous events that have recently occurred in Japan, Albertans are justifiably nervous about the potential benefits versus drawbacks of nuclear power, including the disposal of nuclear waste.

I am aware that the current hon. Minister of Energy has indicated that he hasn't directly participated – at least, our current Minister of Energy has not had direct discussions with Bruce Power, but our question goes back to January 1 of 2006. I may stand to be corrected by an hon. member of the government opposite, but to suggest that Bruce Power isn't on the lobbyist registry or has not had any contact with the government I would find surprising.

4:00

If, in fact, there has been contact, whether it's government initiated – and you've heard my expression: if the government comes courting, there's no reporting. I cannot believe that there has not been some type of contact. What we're asking for is the nature of that contact.

Thank you, Mr. Speaker.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I recognize well that there are many good researchers over in the Official Opposition caucus office. One of the said researchers thinks that they're a big expert when it comes to FOIP, but what we have here by this opposition is nothing more than an attempt to use the rules of this Assembly to bypass the established FOIP process. In the fall of last year there was a similar request from this said opposition.

Mr. Speaker, this process exists for many reasons, which I will not belabour this House with today. Just a couple of them: one of them is to ensure that proprietary information is protected while also ensuring that the public has open access to government information. In this case this member is requesting all public correspondence received in government related to a specific industry regarding nuclear power.

Mr. Speaker, this is a fishing expedition. I think that the FOIP process is an appropriate filter to apply to this request as it safeguards all parties. On that basis I'm recommending that we reject this particular motion. The FOIP process is designed to create a balance between the rights of an individual to privacy but also the flip side of that coin. We don't want to just engage in a fishing expedition over these particular items.

In my previous life as a trial lawyer quite often the judge would say: "This is a fishing expedition. We need some more evidence, and we need some more proof before we give you this particular order." This, in particular, Mr. Speaker, is no different and simply is going too far. I'd request every member in this Assembly to please reject this motion.

**The Speaker:** The hon. Member for Calgary-Varsity to close.

**Mr. Chase:** Yes. Thank you, Mr. Speaker. The hon. minister of housing misinterpreted what we're asking for. It says: "copies of all correspondence between Bruce Power and the government." You're referring to correspondence between the public and, potentially, Bruce Power or the public and the government. Also, you were alleging that this was an end run to somehow avoid the \$35 fee or whatever it's become for a FOIP request. That belittles the whole notion of concerns that Albertans have with regard to progress in establishing the potential for nuclear power in this province.

For the government to suggest that this is just an opposition end run puts all of the concerns of Albertans, especially those located in the northern location close to a fault line, where the initial nuclear power station was suggested to be built – it suggests that somehow we're Chicken Littles for bringing up a concern that has become a very dramatic concern given what's happened in the Fukushima precinct in Japan.

Now, it's kind of like the children's game Go Fish. That's basically what the minister of housing has said to us as opposition, that this is information privy only to the government. In the name of transparency and accountability and the concerns that Albertans have over the potential development of nuclear power, it's a rather sad response.

I'm sorry that we haven't received the very limited information that we requested from January 1, 2006, to February 20, 2011, a span of approximately five years.

[Motion for a Return 3 lost]

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

### Foundation for the Arts Grant Programming

M5. Mr. Chase moved on behalf of Ms Blakeman that an order of the Assembly do issue for a return showing a copy of any assessments of the new Alberta Foundation for the Arts structure for grant programming that was introduced in April 2010 following the foundation's program evaluation.

**Mr. Chase:** Thank you, Mr. Speaker. This is a pretty straightforward request. We've had the Alberta Foundation for the Arts grant programming taking over from previous programming that the Alberta government has provided. There's been an overall reduction in grants, and that has been previously brought up in question period. Considering that we're almost into April 2011 and that it's taxpayer money that is involved here as well as lottery funds, an accounting of that money and the value of the assessment program of Alberta Foundation for the Arts to me seems like a very reasonable request. It's very time specific. It's basically: how has the program been evaluated over the last year? I don't understand it. It doesn't fall under the proprietary information that has been used as an excuse before. This is an extension of the ministry of culture.

I wait to hear, Mr. Speaker.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I guess both the hon. member opposite and I are becoming a bit of an expert on a couple of these other ministries today.

All witticisms aside, I do have to recommend rejection of this motion. The member has asked for a copy of any and all assessments of the new grant program structure for the Alberta Foundation for the Arts. The program changes resulting from the Alberta Foundation for the Arts program evaluation have not in fact been fully implemented. I'm not sure if he was aware of that or not. Those program changes that have been implemented have been in place for less than one year.

With respect to all members of this Assembly, Mr. Speaker, my submission is that that is simply not enough time to warrant the conduct of a formal assessment. I'm not saying that this would be rejected at a later date, but at this time I would have to urge all members to reject this motion because, at the very least, it is premature.

**The Speaker:** The hon. member to conclude the debate.

**Mr. Chase:** Yes. Thank you. To close, Mr. Speaker, we're talking about significant sums of money, in the millions of dollars. We're talking about an organization that has existed for almost a year. Transparency and accountability are key to myself, to Alberta taxpayers, and to members of this House.

Mr. Speaker, I take my membership in Public Accounts very seriously. This is an accounting question. I also have a responsibility as vice-chair of the policy field Standing Committee on the Economy. As a teacher I was required to provide updates to parents formally four times a year. For the government to say, "Well, we've only had a year to evaluate, and we were not able to do it," again, I find that answer unsatisfactory, and I think other Albertans would as well.

[Motion for a Return 5 lost]

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

#### 4:10      **Electronic Monitoring of Offenders**

M9. Mr. Chase moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing copies of documents providing analysis of the cost-effectiveness of electronic monitoring of offenders in Alberta as discussed in the 2009-2010 annual report of the Ministry of Solicitor General and Public Security.

**Mr. Chase:** Thank you very much, Mr. Speaker. I do want to note that today is kind of a 50-50 game when it comes to accepted written questions and motions for returns from the government. I am pleased that basically 6 out of 12 have been provided, and I thank the government for that. I'd just like to increase their batting average.

Mr. Speaker, I was at the University of Calgary when the former Minister of Justice who is now seeking the position as leader of the Progressive Conservative Party in Alberta and, in so doing, seeking the premiership was at the University of Calgary when this particular program was revealed. I also was at the University of Calgary because it's in the constituency that I represent. Anything that would prevent harm from occurring to individuals, male or female, regardless of age is obviously, we would hope, of value. Now, the number of times restraining orders have been put out to no effect indicates the need, the potential need at least, for electronic monitoring.

Again, this information was introduced over a year ago, and hopefully some analysis of the cost-effectiveness of this program is forthcoming because, obviously, if we're not getting dollar value, then why would we be continuing the program? Mr. Speaker, my assumption is that this program was brought in because other methods of tracking individuals had failed. I would think this would be one the government would not only want to answer but would want to boast about, the effectiveness of the electronic monitoring of offenders program.

Mr. Speaker, I'm not a lawyer. I was a teacher. But the right of an individual to be out of a jail circumstance or a remand centre, to have certain rights providing they don't interfere with other people's rights, is extremely important. Monitoring would allow an individual to a large extent to go about their day-to-day business without providing a threat to the individual whose circumstance led to their having to be monitored in the first place.

Mr. Speaker, I won't prolong. I'll listen to the answer. Hopefully, this gives the hon. minister an opportunity to provide details to this House and onto the record as to the effectiveness of this program.

Thank you, Mr. Speaker. I look forward to the government's response.

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you so much, Mr. Speaker. I'm pleased to rise and join the debate and, by doing so, move a motion to amend Motion for a Return 9.

Mr. Speaker, I would like to move that Motion for a Return 9 be amended by striking out the words "providing analysis of the cost-effectiveness" and substituting the words "pertaining to the effectiveness." The amended order would thus read: "copies of documents pertaining to the effectiveness of electronic monitoring of offenders in Alberta as discussed in the 2009-2010 annual report of the Ministry of Solicitor General and Public Security." Mr. Speaker, the hon. Member for Calgary-Varsity used those very words in his closing sentence, which was a great segue to the motion for amendment.

Now, if the members are truly seeking cost effectiveness, I can give it to them right now. It costs, Mr. Speaker, about \$12 a day to electronically monitor an offender. Obviously, the program is cost effective. The question is not whether it's cost effective; it's whether it's effective. So by changing the wording of the motion, I will actually be able to provide the member with more information about the actual effectiveness of electronic monitoring. I think that's what he's seeking, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Varsity, then.

**Mr. Chase:** Thank you. I want to thank the hon. Solicitor General and Minister of Public Security because we're after the same end, and that's protecting people. You've also provided the information of the low cost of this particular device, so I would suggest that it's cost effective. I would look now to the results that you've indicated you will provide, and I thank you for providing them.

[Motion on amendment carried]

**The Speaker:** Any further speakers, or should I call the question?

**Hon. Members:** Question.

[Motion for a Return 9 as amended carried]

### **Public Bills and Orders Other than Government Bills and Orders Committee of the Whole**

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the Committee of the Whole to order.

#### **Bill 201 Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011**

**The Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. In speaking to Bill 201, Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, I'd like to begin, Mr. Chair, by recognizing the calmness and the decorum that is present in the House this afternoon. I'm not only very pleased to be on duty with my hon. colleagues from Calgary-Buffalo and from Calgary-McCall, but I'm extremely pleased with the explanations and the co-operation provided by the government. In some cases information was withheld, but in other cases very direct attempts were made to provide information important to Albertans.

Now, Mr. Chairman, when we first were presented with Bill 201, I indicated my support for increasing individual organ donations. I talked about a number of circumstances where organs could be harvested without causing a problem to the individual. We had members talking about bone marrow transplants and blood donations. Some members I think mentioned that they were up to a hundred in terms of their donations. I haven't reached that lofty goal yet, but I'm a regular contributor. Primarily, the bill had to do with that in the event a person was deceased, their organs could be harvested within a time period that would allow them to be used by other individuals, obviously suffering.

4:20

Mr. Chair, one of the areas that I pointed out that to me would best accomplish this intent without any punitive actions being taken was the establishment of an electronic chip-implanted health card, where an individual could provide the information to the government that they were willing upon their untimely death to have whatever needed to be harvested, whether it was ligaments, whether it was organs, whether it was skin tissue. To me, as well as improving the donation of organs, this would also provide a type of portable, substantiated health record which would not be easy to copy and would provide security in health records as well as indicating an individual's desire upon their demise to continue to contribute to society by having their organs continue to operate within an individual.

I have a concern that our health cards are not secure. When I was first elected, back in 2005, the concern was that there were three times as many health cards in circulation as there were Albertans for whom they were supposed to provide access to health and information. I support the notion of improving the donor card. I've described a method that I believe would achieve that improvement, and that's an electronic chip, nonreproducible health card, that would secure information as well as provide it. The first responders would clearly be able to identify this particular card because it would be of at least the same quality and substance as our current driver's licence, it would, hopefully, with the electronic chip be less liable to fraud or counterfeiting, and it would achieve the point of Bill 201, which is to increase donations.

Mr. Chair, I am supportive of Bill 201 minus the punishment part, where people could still get health cards but not with the same assistance and timeliness as is currently available. To me we could achieve that two-birds-with-one-stone qualification by making all health cards electronically viable through a secure card that we would carry on our persons and assist with donation.

Thank you, Mr. Chair, for this opportunity to support Bill 201.

**The Chair:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Chairman. I'm pleased to rise today in Committee of the Whole to debate Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. The intent of this bill is to increase organ donation in Alberta, and I believe that various sections of this bill achieve that

aim. However, I have heard concerns from both my colleagues and members of the medical community about section 22.1(2), so I would like to begin by moving an amendment.

**The Chair:** The hon. member is introducing an amendment, so we'll pause to give time to the pages to distribute the amendment.

Hon. Member for Edmonton-Manning, please continue on the amendment.

**Mr. Sandhu:** Thank you, Mr. Chairman. I am introducing this amendment in response to some of the concerns I've heard raised during second reading. This amendment reads that Bill 201, Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, be amended as follows:

- A Section 3 is amended in the proposed section 21(h) by striking out "and the requirements for issuing certificates of registration".
- B Section 4 is amended in the proposed section 22.1 by striking out subsection (2).

In essence, this amendment removes a section of the bill that could potentially deny a health card to individuals if they refuse to make a clear choice regarding organ donations. It's not my intention nor is it within the spirit of my bill to deny health care service to anyone. In fact, I proposed Bill 201 to improve our health care system. I believe that this amendment will remove any concern people may have about these issues.

I would also like to take some time and attempt to answer some questions my colleagues may have about this amendment. First, there may be a concern that the amendment might remove the teeth from the bill or make it unenforceable. While I understand this concern, I would stress that this bill is about encouraging Albertans to make an explicit decision regarding their personal organ donor status. It is about creating discussion and encouraging people to talk with their families about their wishes.

Mr. Chairman, there is a great opportunity to increase the number of donated organs in Alberta. Without section 22.1(2) it is indeed possible that we might miss out on a few people who choose not to answer the question regarding their organ donor status, and we may not get a hundred per cent compliance. But even if we were to get 90, 70, or 50 per cent, this could equal a great number of donated organs, and it could equal a great number of lives saved.

The second concern I would like to address centres more on what this amendment does not do. During second reading there was a suggestion brought forward by several members that an organ donation choice be made on a driver's licence rather than a health card. Mr. Chairman, I agree with this proposal, and I think that would be a valuable next step to help push this issue further. However, I feel that this change would be too great for the scope of this bill; it may in fact change the intent agreed upon in second reading. Therefore, this amendment I am proposing today does not address this issue, not because I don't agree with it but because I think it falls outside of what this bill can do. My hope would be that another piece of legislation, either private member's or government, would be introduced to push the driver's licence idea forward.

4:30

Mr. Chairman, I believe that even without this suggested change the amendment that I am proposing today is valuable. I believe that it addresses the concerns that were brought forward in second reading, and I believe it ensures that the original intent of this bill remains intact.

With that, I will conclude my comments and urge all members of the House to support this amendment and to support Bill 201. Thank you, Mr. Chairman.

**The Chair:** On the amendment, the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. Yes, speaking to the amendment. The hon. mover of the amendment in part A took out “and the requirements for issuing certificates of registration” in section 3. I’m somewhat confused. The Alberta health card currently is a recognized certificate by the government, in general, that can be used as a piece of identity, the equivalent to a driver’s licence, when asked to produce two examples of who you are. So I’m not quite sure, taking this out, how it relates to that.

The striking out of subsection (2) does not deal with the concern, the punitive aspects. The hon. member was talking about whether you decide: I’m not donating or I am donating or I’m undecided about donating. I’m assuming that part of this amendment was to bring it down to potentially two choices from three. The part of the bill that I think still – if you want to have it closer to perfection, it’s removing the punitive aspects. I don’t believe that this amendment does that.

I’m hoping that there may be someone with greater legal understanding and background that can argue the case. I do see the hon. Member for Calgary-Nose Hill. He can potentially straighten me out on my certificate of registration misunderstanding if at all possible.

Thank you.

**The Chair:** Any other hon. members wish to speak on the amendment? The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Chair. It’s a pleasure to rise today in Committee of the Whole to discuss Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, as amended. By explicitly asking Albertans to choose yes, no, or undecided regarding their organ donor status, Bill 201 intends to increase awareness and the overall number of donors in Alberta.

Once an Albertan turns 18 or if someone needs their health card reissued, they’d be asked to fill out the necessary questionnaire. Current health care card holders would not be required to update their organ donor status. Bill 201 does not apply to those under the age of 18 or to those unable to provide appropriate consent.

Mr. Chairman, while I believe the wording of this bill for the most part reflects its intent, certain sections do not support the member’s ultimate goal. That’s why I’d like to focus my comments on the amendment that the hon. member has brought forward and how I feel this amendment ensures that the integrity of the bill is retained. This amendment will alter the initial Bill 201 by changing the proposed section 21(h) by striking out “and the requirements for issuing certificates of registration.” Further, it will amend the proposed section 22.1 under section 4 by striking out subsection (2), “A certificate of registration shall not be issued to a person 18 years or older unless that person completes the declaration form referred to in subsection (1).” I believe that these are all important changes to ensure that the overall intent of Bill 201 is maintained.

Although Bill 201 requires Albertans to choose yes, no, or undecided when obtaining their Alberta health care card, some individuals may not wish to select one of the three choices. As the declaration form would be improperly filled out, under the current provisions of Bill 201 a certificate of registration may not have been issued. Although this would not impact the care that an Albertan would receive, withholding a certificate of registration such as a health care card is not the intent of this bill. The intent is to present Albertans with the question of whether or not they would

like to become organ donors and encourage them to explicitly make a choice.

Therefore, it’s appropriate to bring forward a provision that ensures that health care cards are still issued even if an individual chooses not to make a decision regarding their donor status. This would ensure that the bill still makes it so that the question is posed to every Albertan; however, there would be no penalty for not choosing. This would continue to encourage Albertans to make a decision and, hopefully, raise donation rates within the province.

Mr. Chairman, ultimately organ donors save lives. Unfortunately, there are more Albertans that are in need of donated organs than there are donors. Donation rates in other countries often far exceed those in Canada. There are nearly twice as many organ donors per million in the United States and triple as many in Spain. In fact, Canada has far lower numbers of consent rates than most North American and European countries.

I know that many of my constituents feel that organ donation is a very personal matter. An individual’s beliefs and personal experiences play an important role when deciding their donor status. Mr. Chairman, options are important, especially when dealing with topics such as organ donation. That’s why Bill 201 allows an individual to choose between yes, no, or undecided. Albertans are not being forced to become organ donors; rather, they’re being asked to think about what may be the best option for them and their family.

At present there are quite a few Albertans who have not filled out the back of their current Alberta health care cards. I’d encourage everybody here to do that now. If an unforeseen accident was to occur and a spouse or family member had to decide the donor status of their loved one, they may be unsure how to decide. Many of these types of complications and barriers are removed by Bill 201 as Albertans could clearly select their donor preference.

Organ donation can sometimes be a difficult subject. It’s based upon unfortunate events in life. However, it’s an important topic and perhaps should be discussed more frequently. Bill 201 aims to clarify an individual’s position on organ donation. Such clarification would prevent the wrong decision being made by a spouse or family member. This is only one example of many.

Mr. Chairman, there are many Albertans for whom organ donation is a matter of life or death, and I can only imagine the severe stress and anxiety for those waiting for a donation. Accidents happen, complications occur, and any one of us could require an organ donation. The same can be said for our loved ones. As a result, organ donation affects the lives of all Albertans. It’s not a topic reserved for a small segment of the population. One or more organ donors can save many more lives.

By allowing Albertans to select their donor status prior to receiving their Alberta health care card, Bill 201 hopes to create increased awareness of organ donation. As Bill 201 provides options for Albertans on donor status and seeks to improve the health of those in need of new organs, withholding a certificate of registration for not selecting yes, no, or undecided is against the spirit of this legislation.

That’s why, Mr. Chairman, I support the amendment that the member has brought forward. Bill 201 as amended would ensure that Albertans would receive their certificate of registration even if they forego selecting yes, no, or undecided as their donor status. The intent of the bill remains intact. With the amendments Albertans would still be asked to think about their organ donor status and decide what they feel is best.

As for those Albertans who feel strongly about their donor status, Bill 201 will provide a clear way to express their decision. Therefore, the amendments to this legislation are important, Mr.



Chairman. Through increased awareness, dialogue, and clarity Bill 201 could make Alberta a national leader in organ donation. Clearly, the amendments do not detract from Bill 201's initial goals.

4:40

I'd like to thank the Member for Edmonton-Manning for his efforts in promoting positive change with regard to organ donation. This bill does not force Albertans to become organ donors. If someone is unsure, there is an option of undecided. Additionally, the proposed amendments protect unsure Albertans who may feel uncomfortable choosing undecided. With the proposed amendments in effect, Albertans only stand to gain from this legislation.

Thank you, Mr. Chairman.

**The Chair:** On the amendment, the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Chair. I'd just like to take this time to thank the hon. Member for Calgary-Nose Hill. The beauty of the committee process is that individuals, regardless of their political stripes, can more informally sit together and exchange information. The information that the hon. Member for Calgary-Nose Hill shared with me was very, very helpful.

He indicated that the primary reason for this amendment was simply to eliminate the potential bottleneck of somebody having to decide how they were going to send out the health cards. The three options were: yes, you can harvest my organs; no, you cannot harvest my organs; or at this point I'm undecided. That caused a bit of multiple-choice confusion, but then the most confusing part, Mr. Chair, was if you didn't check one of the three boxes.

What the Member for Calgary-Nose Hill has pointed out is that this is intended to streamline the process, get the health cards out more quickly. It doesn't necessarily address the punitive aspects, but it deals with the logistical nightmare of deciding who got to have their health cards and at what time. As such, I think it goes a considerable way in improving Bill 201.

Thank you, Mr. Chair.

**The Chair:** On the amendment, the hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Chairman. I am pleased to rise today in Committee of the Whole to speak to the amendment on Bill 201 and on the bill as amended. I'd first like to thank the hon. Member for Edmonton-Manning for bringing forth this legislation. I know that the hon. member has put a lot of work into this bill, and I commend him for that.

Mr. Chairman, the topic of organ donation is an important topic, and the discussion we have had thus far has been very productive. While commenting on the amendment, I will comment on some of the more important amendments that this legislation will make to the Health Insurance Premiums Act. While this legislation does not make a lot of amendments to the Health Insurance Premiums Act, it certainly does make some important ones. As they say, the meat and potatoes of this bill as amended is that it will add section 22.1(1) to the Health Insurance Premiums Act which will state:

A certificate of registration shall include a declaration form concerning organ and tissue donation that specifies the following 3 options:

- (a) yes;
- (b) no;
- (c) undecided.

While other sections of the act are important and no doubt necessary, this is the part that most Albertans are going to hear about,

and I think it is worth while for me to explain briefly why I think that this section is significant.

[Mr. Mitzel in the chair]

I'm sure other members will want to comment on this section, so I will keep my comments relatively brief. However, before I can fully discuss section 22.1(1), we need to consider the definition of certificate of registration, which means:

- (a) a certificate of registration issued under this Act, or
- (b) any other document prescribed by the regulations as being a certificate of registration for the purposes of this Act or the Alberta Health Care Insurance Act.

While this section may sound complicated, Mr. Chairman, in the context of this act a certificate of registration essentially means an Alberta health care card.

Mr. Chairman, as discussed in second reading, we currently have the option of signing the back of our health cards if we wish to donate organs upon our death. This bill will change the current situation and give individuals three choices with respect to their wishes for organ donation. Of course, the obvious thing would be for there to be two choices, yes or no. However, I think the choice of undecided is an important one. After all, people should not be compelled to make a decision about organ donations. They may wish to think about the implications and possibly discuss the matter with their family. Having the undecided option allows individuals to opt out of making an explicit decision until they are comfortable with their choice.

Mr. Chairman, another benefit of having such a choice is that by choosing undecided, individuals are effectively leaving the decision to the discretion of their family. After all, it is impossible to know the circumstances of one's death, and an individual may wish to leave the decision up to a loved one. That way, the family can make a decision, taking into consideration the details of the situation. Ultimately, individuals could be aware that their family's wishes may vary depending on circumstances, and therefore they may wish to remain undecided.

Mr. Chairman, as well, some individuals might be genuinely unaware of whether or not they want to donate organs should they die. I am sure a lot of people don't know the exact details of organ donations, and they may have even heard conflicting opinions and concerns about organ donations from various credible sources. What I'm saying is that individuals may wish to find out more about the subject of organ donations before making their decisions, so it is prudent on our behalf to allow them to choose the undecided option.

Mr. Chairman, another important part of this bill is that it would amend section 21 by stating that the Lieutenant Governor in Council may make regulations

- (h) providing for any matter relating to the completion of declaration forms under section 22.1.

The main clause of this section allows for regulations to be made pertaining to any matter relating to the completion of declaration forms. In particular, this section is important because it will be determined in the regulations exactly how the question about organ donation is phrased. The particular wording is very important and can influence an individual's decision; therefore, it is important to be cognizant of this fact and work towards ensuring that the individual's personal desires are respected. So the fact that this bill as amended allows the Lieutenant Governor in Council to make regulations related to the completion of declaration forms is important so that we can maintain respect for Albertans no matter what their decisions may be.

Furthermore, we will need some time to evaluate the current system by which Albertans receive their health care cards in order

to ensure that the intended goals of this legislation are being met. As it stands now, individuals who need a card can apply in person or do so by fax or mail. Individuals need to provide proof of residency in Alberta, proof of identity, and proof of legal entitlement to be in Canada. Of course, Mr. Chairman, the logistics and costs of such a system are complicated, so it will take careful planning to ensure that we can adapt the system to reflect the changes proposed in this bill as amended.

Another potential complication, Mr. Chairman, is the fact that one partner may have to make the decision for the entire family when applying for a health care card. Some family members may have different thoughts on organ donation, or as children move into adulthood, they may wish to change their choices.

The extent to which such a system is electronic is also important as this could alleviate some logistical hurdles of having a paper-based system. Mr. Chairman, as the system stands right now, an individual cannot apply for a card electronically, but this might be something we want to look at if individuals wish to declare their wishes regarding organ donations without having to visit a registration centre or applying through the mail. Nonetheless, these concerns can be addressed in regulations, where we will consider the particulars of such a system. As such, I feel as though section 21(h) is an integral part of this bill.

Mr. Chairman, overall I feel the wording of Bill 201 as amended accurately reflects the intent. I look forward to hearing more input from my hon. colleagues here in Committee of the Whole discussion.

Thank you, Mr. Chairman.

4:50

**The Deputy Chair:** Any other members wish to speak to the amendment? The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Chairman. You know, I bet there isn't anybody in this Legislature who doesn't want more organs to be available to people who are sick and possibly even dying, but sometimes what seems most obvious to us in terms of a law coming forward can actually create the opposite of what we're trying to accomplish. I'm afraid that this is one of those situations. This amendment does not solve the basic problem of this legislation.

As has been discussed earlier, it turns out that it's actually the family. It's the family of the possible organ donor that actually makes the decision in the end, and sometimes those families hesitate. They hesitate. They're afraid that if they say yes, their loved one, who might otherwise somehow survive, is going to be disconnected and have their death caused by the actual moving forward and the ultimate harvesting of the organs. So there are people who, if they had a choice between yes, no, or undecided, might possibly put in no because they are afraid. You know, they might come from a foreign country where life isn't valued as much as it's valued here. They might be very, very uncomfortable and want to just put a no on there. The no is where our problem is with this legislation.

Right now everyone – everyone – in southern Alberta who could possibly donate their organs is donating their organs, okay? What happens is that if they haven't signed the back of their licence, it's a little bit more difficult to get approval from the family. If you have signed it, then it's much easier for the family to give their approval. If we had people who actually, because of fears, quite reasonable fears in their eyes, said no, legally we would not be able to approach that family to get approval. Right now we are getting 100 per cent of the possible organs donated, and with this legislation we would no longer have that option

available to us because of those noes. Those noes would essentially stop the process.

Even though I'm sure everyone here wants more organs donated, wants to make sure that all of those people out there whose lives depend upon getting organs get organs, by approving this, then we are in a situation of possibly having fewer organs. So I regretfully say that this amendment is not sufficient. It's not sufficient to deal with those noes, so I suggest that we reject it.

Thank you very much.

**The Deputy Chair:** Any other members wish to speak to the amendment?

Seeing none, I will call the question.

[Motion on amendment A1 carried]

**The Deputy Chair:** We are now speaking on the bill as amended. Any members wish to speak on the bill as amended? The hon. Member for Calgary-Nose Hill. You've got about three minutes.

**Dr. Brown:** Thank you, Mr. Chairman. I do wish to speak very, very briefly regarding the bill. I won't repeat the arguments that I made at second reading, but as I said at that time, I do support the bill. It's one step towards increasing the availability of organ donations.

I think it's important to remember that one's specification of one's wishes with respect to organ donation after death is simply that. They are simply wishes. They are not a legally binding directive in any way, shape, or form. It is an expression of a person's wishes as to what should happen to their body after their decease.

It must be remembered that the final decision with respect to any organ donation is with respect to the next of kin, but it's certainly my hope that making one's wishes known to one's next of kin and to the health providers will encourage more people to make donations.

Those are my remarks.

**The Deputy Chair:** Pursuant to Standing Order 8(6) the committee will now rise and report progress.

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on Bill 201. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** All those members of the Assembly that concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

## Motions Other than Government Motions

### Alcohol Warning Labels

502. Mr. Amery moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to make warning labels mandatory on all alcohol sold at retail outlets in the province.

[Debate adjourned March 7]

**The Acting Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you very much, Mr. Speaker. I would like to rise today and share some thoughts on Motion 502, proposed by the hon. Member for Calgary-East. This motion urges the government to consider legislation whereby alcoholic beverages would have mandatory warning labels. I would like to commend the hon. member for bringing this initiative forward.

Motion 502 intends to raise awareness of the harmful effects alcohol can have on those who consume it negligently. A wide range of health effects can originate from improper alcohol use, and I think we've all seen that and heard and read much information on this issue. Among these health effects are cirrhosis of the liver, as we know, liver cancer, and fetal alcohol syndrome if it's consumed by a pregnant mother.

As has been alluded to before, Mr. Speaker, the establishment of this labelling initiative is not the entire goal of Motion 502. Rather, this motion seeks to be a first step towards raising awareness and, ultimately, preventing the incidence of impaired driving in our province. Motion 502 could have the ability to change attitudes surrounding impaired driving, and I hope that it does if this labelling is done.

Organizations such as Mothers Against Drunk Driving, otherwise known as MADD, have been vocal advocacy groups on issues relating to impaired driving. They have outlined recommendations designed to curb impaired driving, one of which includes extending an absolute zero per cent blood alcohol content for all Alberta drivers under the age of 21.

The number of vehicle crash fatalities in Canada that are caused by impaired drivers has seen a modest decrease in recent years. Statistics published by MADD Canada show that in the past 10 years there has been a 7 per cent decrease in impaired driving related deaths. Looking at a four-year trend, a decrease of 4 per cent has been seen. Mr. Speaker, while these stats do show an improvement in this regard, it is still a rather modest one. When comparing Alberta to other Canadian provinces, we still have a lot of work to do. Per capita we have nearly double the number of impaired driving related deaths of British Columbia. Again per capita we see triple the number of impaired driving related deaths than Ontario.

5:00

In addition, our province sees some of the most lenient administrative licence suspensions in the country. The duration of Alberta's short-term administrative licence suspensions is just 24 hours for the first, second, and third occurrences whereas provinces like B.C., Ontario, Nova Scotia, P.E.I., and Newfoundland see much more stringent and escalating licence suspensions for each subsequent offence.

Mr. Speaker, it is comparisons such as these that highlight the need for alcohol-related awareness that Motion 502 seeks to bring forward in our province. While impaired driving is undoubtedly a serious issue and alcohol as a whole can be dangerous if used irresponsibly, it is unrealistic to see Motion 502 accomplish an eradication of impaired driving and alcohol abuse on its own. However, I commend the idea and believe it has been brought before us with the best of intentions.

With that I would like to say that I support Motion 502 and again would like to thank the hon. Member for Calgary-East for bringing this initiative before us today. I am looking forward to making sure that this motion passes.

Thank you.

**The Acting Speaker:** Do any other members wish to speak?

Seeing none, I would ask the hon. Member for Calgary-East to close debate.

**Mr. Amery:** Thank you, Mr. Speaker. I am pleased to rise and offer some closing remarks on Motion 502. Before I do that, I'd like to recognize four individuals in the members' gallery, and they are Cathy Gladwin, Shandy Reed, Melissa Visconti, and Crystabel Soza Hernandez, representing the Alberta Centre for Injury Control & Research. Thank you for being here.

Mr. Speaker, the goal of Motion 502 is to help educate the public on the adverse effects of alcohol consumption, especially when consumed in excess or carelessly. Motion 502 urges the government to introduce legislation to make warning labels mandatory on all alcohol sold at retail outlets in the province. Mandating labels on alcohol containers is a concept that has been around for some time now, not just in Alberta but in many jurisdiction across Canada and around the world.

Some of these jurisdictions have taken the idea one step further and passed legislation to this effect. At last count, Mr. Speaker, 17 nations around the world have legislation in place mandating warning labels on alcoholic beverage containers, countries like Argentina, Finland, Taiwan, Brazil, and Portugal, to name a few. The mandated labels in these countries target a wide range of audiences.

In Argentina, for example, consumers are reminded that alcoholic beverages are not for people who are under 18 years of age. They are also reminded that they should drink in moderation. In all jurisdictions health warnings abound. In Finland one label specifically targets pregnant women with messages highlighting the negative effects of alcohol on the fetus. Cautions against driving under the influence are also prominently featured in many jurisdictions. Closer to home, Mr. Speaker, in the United States all liquor products have been carrying warning messages since 1989. Like most jurisdictions, they focus on drunk driving and on alcohol's adverse effects on health.

As has been stated, Mr. Speaker, the establishment of this labelling initiative is not the entire goal of Motion 502. Rather, this motion seeks to be a first step towards raising awareness and ultimately preventing the incidence of impaired driving in our province. Motion 502 could have the ability to change attitudes surrounding impaired driving.

Organizations such as Mothers Against Drunk Driving, otherwise known as MADD, have outlined recommendations designed to curb impaired driving. Specific to Alberta MADD suggests four such proposals. One is to make alcohol ignition interlocks mandatory for all impaired driving offenders. What this alcohol ignition interlock would specifically do is prevent a driver from starting his or her vehicle if the device detects alcohol. A second is introducing a mandatory seven-day vehicle impoundment program for suspended drivers. Currently Alberta's is just 24 hours.

Recommendation number three is to introduce a seven- to 14-day administrative licence suspension for alcohol impairment at a .05 per cent blood alcohol level. A fourth recommendation by MADD is to extend an absolute zero per cent blood alcohol content for all Alberta drivers under the age of 21. Provinces like Manitoba, Ontario, and New Brunswick have enacted such limits already. Mr. Speaker, while the third and fourth MADD recommendations may be too harsh or too extreme to endorse at this point, the overall concept of developing such strategies to help curb this issue is still welcome.

Again, I believe the biggest idea behind this labelling initiative is to raise awareness similar to that raised by organizations like MADD. Mr. Speaker, this could inform citizens who are in the highest risk group, like minors and pregnant women, of the harmful effects of even a little alcohol consumption. To those who are already sensible consumers of alcohol, this motion will have little

effect on them yet still act as a visual reminder that this product must be enjoyed responsibly.

Mr. Speaker, this government continues to take a leadership role in ensuring that people are educated and protected. I'd like to thank each and every one of my colleagues who participated in this motion debate. I value and respect my colleagues' comments regarding Motion 502, and I urge your support.

Thank you.

[The voice vote indicated that Motion Other than Government Motion 502 lost]

[Several members rose calling for a division. The division bell was rung at 5:07 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Mitzel in the chair]

For the motion:

Amery	Hehr	Lindsay
Calahasen	Horne	Lukaszuk
Chase	Jablonski	Quest
DeLong	Kang	Sandhu
Fritz	Klimchuk	Xiao
Groeneveld	Leskiw	

Against the motion:

Brown	Evans	Redford
Denis	Fawcett	Rogers
Doerksen	McFarland	Snelgrove
Drysdale	Oberle	Vandermeer

Totals:	For – 17	Against – 12
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[Motion Other than Government Motion 502 carried]

**The Acting Speaker:** Hon. members, pursuant to Standing Order 8(5), which says, "Only one motion other than a Government motion shall be considered on Monday afternoon," I'll call on the hon. Deputy Government House Leader to adjourn.

**Mr. Denis:** Thank you very much, Mr. Speaker. When I was appointed Deputy Government House Leader last year, a few people said to me that my measure of success is in getting people out early. In the spirit thereof – and it's 5:20 – I would move that we adjourn until 1:30 tomorrow.

**The Acting Speaker:** The policy field committee will reconvene tonight at 6:30 for consideration of the main estimates of the Treasury Board. This meeting will be video streamed.

[Motion carried; the Assembly adjourned at 5:20 p.m. to Tuesday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, March 22, 2011

Issue 17

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 22, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Let us keep ever mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work let us find strength and wisdom. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Culture and Community Spirit.

**Mr. Blackett:** Thank you, Mr. Speaker. As a Calgary MLA I don't often get the opportunity to receive visiting students, so it's with great pleasure today that I introduce to you and through you to all members of the Assembly 81 grade six students from St. Basil Catholic school, located in my constituency of Calgary-North West. Accompanying the students are teachers Anil Dolan, Carolyn Krahn, and Marianne Murray, along with 18 parent chaperones. Although this school has not yet been seated in the members' and public galleries as they will be joining us shortly from 2 to 3 p.m. to observe today's question period, I would still ask that they receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Speaker. It gives me great pleasure to rise today to introduce to you and through you to members of this Assembly a group of 41 students that are here from the Battle River-Wainwright constituency. Specifically, they come from Blessed Sacrament school in Wainwright. They are accompanied today by three teachers and helpers: Mrs. Michelle Folk, Mrs. Michelle Nanas, and Mr. Rene Rajotte. These teachers always invite me to come in and do a mock Legislature, and I get to spend a couple of hours with these students because I was a teacher. In nine years the most enjoyable part of this job is when I get to go back into the classroom. I understand groups 1 and 2 are seated behind me in the members' gallery, and group 3 is seated in the public gallery. I would ask them to all rise and receive the traditional warm welcome of this Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It is indeed an honour and a privilege to rise today to introduce to you and through you to all members of the Assembly visitors from the constituency of Edmonton-Decore. There are 24 bright and wonderful students, filled with passion for education, from Northmount elementary school, where they work towards providing a safe, positive learning environment in which students as lifelong learners develop their skills, knowledge, and attitudes to become responsible, caring, and productive citizens. They are joined today by their teacher, Mrs. Krystal Lim. I would ask them now to please rise and receive the traditional warm welcome of the House.

Thank you.

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's indeed an honour and a privilege to introduce the 45 students and parents from the Percy Baxter school. They are seated in the members' and public galleries. Today was one of those testimonies to the bus driver. We had some whiteouts between Whitecourt and Edmonton, and he got here safely with the students and I'm sure will get safely back to Whitecourt. I'd ask them now to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you individuals who have travelled here from India on a trade mission to explore Alberta and the many opportunities we have to offer. They are Sukhdev Singh, Sikandar Singh, and Harnek Singh, visiting on behalf of the Pearl Group of companies. Their visit was initiated following the Premier's mission to India in November 2010. Joining them today are local prominent members Yash Sharma, editor of *Asian Tribune*; and Atul Seth, a local accountant. At this time they're all standing. I'd like to ask the Assembly to give them a traditional warm welcome.

**The Speaker:** The hon. Member for Little Bow.

**Mr. McFarland:** Thank you, Mr. Speaker. It's a pleasure for me today to introduce to you and to all members of the Assembly a few of the councillors from Vulcan county. They're up for the AAMD and C. We had a luncheon get-together with the guys. As they have their names announced, I'd ask that they please rise. There are Councillor Ian Donovan from the Mossleigh area; Councillor Rick Geschwendt from Champion, whose family just got the 100-year Century farm award last year; Councillor Rod Ruark from north of Vulcan; CAO Leo Ludwig, the new administrator, who is a former classmate of our Member for Edmonton-Manning; and, of course, our new reeve, Dave Schneider, from the Vulcan area. I see that they're standing. Would you please give them a warm welcome? Enjoy the AAMD and C.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you to all members of the Assembly today a friend of mine who I haven't met for about 20 years and happened to meet in the cafeteria downstairs today. Walt Wiens drove a coach-load of young people up here from Cochrane today. Walt is a former owner of Braman Furniture in Lethbridge and a friend of mine. As I said, it was a happy circumstance that we met today. I'd like to ask Walt to rise and enjoy the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. I'd like to introduce to you and through you a good friend, a long-time acquaintance, and someone I've spent a lot of time with, Mr. Leo Ludwig, who is now working in the county of Vulcan.

**The Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly two guests from the great constituency of Calgary-East. Mr. Khushroop Gill relocated to Calgary from India approximately nine years ago, and he tells me that Alberta is the best place in

the world in which to work, live, and raise a family. Also, we have Mr. Jag Goodoo, who is no stranger to many members of this Assembly. He was a great friend to the late hon. Harry Sohal. Mr. Goodoo in 1994-95 was the first private Albertan to voluntarily donate 5 per cent of his pay to the elimination of the budget deficit. They're both seated in the public gallery. I'd like to ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's always a pleasure to rise and introduce to you and to all members of this Assembly the awesome Albertans who come to participate and to watch what goes on in this House. I'd like to ask James Cole, the president of the Calgary-Elbow constituency, to rise and receive the warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne.

#### Whitecourt Health Care Centre X-ray Unit

**Mr. VanderBurg:** Thank you, Mr. Speaker. Recently it was announced that there will soon be a new X-ray machine at the Whitecourt health care centre. This was welcome news to my constituency. The new equipment will help ensure that residents of Whitecourt-Ste. Anne are able to access the health care and services they need. This new machine will provide consistent and reliable services to patients in the Whitecourt area and will be easier for staff to operate.

Through infrastructure maintenance programs Alberta Health Services maintains over 120 health care sites and approximately 500 buildings throughout the province. Providing new equipment like this X-ray unit is a priority for Alberta Health Services and this government. Alberta Health Services is strategically investing in the health system to support patients and communities like Whitecourt to stay healthy and to manage illness effectively.

I'd like to thank not only the current health minister but his predecessor for all their care and concern for my constituents and for taking the time to visit the health care facilities within Whitecourt-Ste. Anne. Lastly, I'd like to thank all the health care workers not only in Whitecourt-Ste. Anne but throughout the province for their excellent work and caring and dedication.

Thank you, sir.

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

### Seniors' Care

**Mrs. Forsyth:** Thank you, Mr. Speaker. This government brags about how they're taking care of our seniors in this province. They brag about how they're increasing continuing care spaces. They tweet about how they're improving access and opening more assisted living beds. What they don't brag about are the seniors that can't stay in assisted living or don't belong there in the first place.

What do you do with an 86-year-old senior in assisted living who is lashing out at his spouse both verbally and physically because of dementia? What do you do with a senior with incontinence problems? What do you do with a senior who spends hours wandering the hall looking for their home, not realizing that they moved months ago? These are our beloved seniors that have fallen through the cracks.

**1:40**

This government insists that seniors should be in assisted living and not long-term care. Proof is in their action. No additional long-term cares have been built in years. ASL homes charge \$20 for a bath, \$500 for incontinence management, and \$7 to be escorted for their meals. Seniors are being nickelled and dimed so that this government can pinch pennies. If a senior belongs in long-term care, put them in long-term care. The government needs to be clear: assisted living is not long-term care.

What's going on doesn't save money for seniors or government. Hospital beds cost \$250,000 per year while long-term care beds cost about \$60,000. Our ER and long-term care backlogs could be solved if we built the right beds, giving the seniors the right care at the right time and in the right place. This government needs to educate itself on the difference between assisted living and long-term care. This government needs to be honest to Albertans and do what's right for seniors.

I want to thank the families and health care professionals that do an exceptional job of providing care for all of our seniors. Day in and day out they make sure that our seniors, who have given so much to Alberta, receive the care in return.

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

### World Water Day

**Mr. Doerksen:** Thank you, Mr. Speaker. Today is World Water Day. World Water Day was established by the United Nations in 1993 to recognize the importance of fresh water and promote effective water management. The theme or focus this year is Water for Cities or, I would suggest, water for people. The objective of World Water Day 2011 is to focus international attention on the impact of rapid urban population growth, industrialization, and uncertainties caused by variables like climate, people conflicts, and natural disasters on urban water systems. This is the first time in human history that most of the world's population live in cities, 3.3 billion people, and the urban landscape continues to grow.

Mr. Speaker, we are fortunate to live in Alberta, where we have access to some of the safest drinking water in the world. As such, I want to focus on some of the positive and forward-looking initiatives we have in Alberta to manage this important resource responsibly. Advanced water treatment facilities to serve our cities, regional systems to support smaller communities, and Alberta's groundwater mapping projects are important initiatives. Responsible and efficient management of water by industry and agriculture accommodates expanded use of water as Alberta grows. Important and forward-looking land-use planning around Alberta's watersheds will further secure the long-term availability and efficient use of fresh water for people in this province. These ongoing commitments are part of Water for Life, Alberta's strategy to safeguard and manage our water resources today and in the future. It is our commitment to ensure safe, secure drinking water and healthy aquatic ecosystems in our province.

Mr. Speaker, World Water Day serves to remind us of our shared responsibility to protect water resources now and for future generations.

Thank you.

### Health Care System Strengths

**Dr. Brown:** Mr. Speaker, I would like to highlight some more strengths of health care in Alberta. Our province dedicates the highest amount per capita for health of any Canadian province. Alberta pays \$4,712 per capita, far exceeding the national average

of \$3,673. We've been successful in attracting the best and brightest in medical fields by having the best-paid doctors in Canada and among the best-paid nurses.

Alberta has funded top-quality, internationally competitive health research for the last 30 years, bringing leading-edge clinical treatments to Albertans and to others around the world. For example, our hospitals provide advanced organ and tissue transplant procedures. Last year the University of Calgary researchers made the first-ever documented transplant of living cartilage into a shoulder and also made extending the life of donor cartilage tissue possible. Alberta's researchers lead their fields in areas like cardiovascular health, brain development and health, diabetes, biomedical technologies, infectious diseases, and bone and joint health.

Alberta research has improved wait times for health and knee replacements, helped to treat antibiotic infections like the virulent hospital bug *Clostridium difficile*, allowed scientists to communicate with the brain, and saved heart-damaged babies' lives. Alberta has taken a leadership position in the treatment of diabetes with several advancements in programs, including performing the first insulin-producing islet transplants, greatly reducing patient need for insulin, and programs like the mobile diabetes screening initiative and the Alberta monitoring for health program which assists low-income Albertans with their diabetic supplies.

I could continue, Mr. Speaker, but as you can see, the publicly funded universal health care system in Alberta is strong and innovative and continues to be on track to be the best performing health care system in all of Canada.

**The Speaker:** The hon. Member for Calgary-Mackay.

#### Continuing Care for Seniors

**Ms Woo-Paw:** Thank you. Mr. Speaker, 2011 marks the first year that baby boomers start turning 65. By 2030 1 out of 5 Albertans will be seniors, and just as our demographics are changing so, too, is our way of doing things. Today seniors are more independent and healthier than previous generations. Albertans have told us their preference is to age in their own homes and in homelike settings in the community.

In November we released our five-year health action plan, and one of the strategies is to provide more choice in continuing care. Mr. Speaker, as part of that plan we are adding 5,300 continuing care spaces over the next five years, but providing more spaces is just one aspect of the strategy. More than 107,000 Albertans receive home-care services, allowing them to remain independent for as long as possible. We are expanding and adjusting home care. In this year's budget we announced an expansion of home-care hours to allow at least 3,000 more people to receive services.

We are increasing support to caregivers. We are developing pilot projects that remove barriers and use technology to help seniors age in their own homes and close to their communities. The emergency to home pilot project in several emergency departments throughout the province links emergency department home-care co-ordinators with seniors in the ED to ensure that those who can return home have the support services they need to do so.

The neighbours helping neighbours initiative partners volunteers with seniors or those with disabilities to help them with everyday tasks and to keep them connected with their communities. We are also launching a project that tests new technologies aimed at providing increased safety for those who live on their own.

Mr. Speaker, we are building a stronger, more integrated province-wide health system that will be sustainable for years to come, a health system that will help deliver quality care to Albertans.

#### Castle Special Management Area

**Mr. Chase:** Assault on the Castle. Mr. Speaker, each day of this spring session I have tried and will continue to place on the record the names of the over 1,000 individuals who have contacted my office regarding the devastation being allowed to take place in the Castle-Crown by this government either overtly through clear-cut logging, euphemistically referred to as block cutting, where species-unique old-growth forest is turned into a checkerboard of cuts under the pretense of pine beetle control, or subvertly by having insufficient staff available to arrest the off-road outlaws whose illegally carved trails further scar the landscape throughout large sections of the Castle.

In question period, during budget debates, through tablings, and now as a member's statement on behalf of all outraged Albertans I am calling this government to account. As they were with Bill 29, the Alberta Parks Act, which proposed to take governance out of the Legislature to behind closed ministerial doors, Alberta's citizens are similarly opposed to allowing the SRD minister dictatorial control of their Crown land and, in many cases, their livelihoods.

In addition to the numerous communications I and other government MLAs have received but have yet to table, several newspaper articles have been written about this government's ongoing assault on the Castle and demanding that the area be restored to protective status through the establishment of the Andy Russell I'tai Sah Kòp wilderness park. Among the journalists who have answered the call of the Castle and raised the alarm are Kelly Cryderman of the *Herald*, Bill Kaufmann of the *Sun*, Dave Mabell and Gerald Gauthier of the *Lethbridge Herald*, Rose Sanchez of the *Prairie Post*, Lorne Fitch, a biologist, in a *Pincher Creek Echo* article and the *Nanton News*.

Examples of government's centralization, exploitation, and behind-closed-doors mismanagement are growing daily. As a local physician recently noted: sunshine is the best antiseptic, to which I would add that a large voter turnout would provide the best cure.

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Health Quality Council Review

**Dr. Swann:** Thank you, Mr. Speaker. Well, a doctor a day continues to come forward with damning allegations of intimidation, yet this Premier continues to duck and dive and dodge questions in the House. Well, Mr. Premier, you can't hide forever, and you can't rely on your damage control strategy of referring everything to the Health Quality Council as a quick fix, hoping the problem goes away. Albertans see through the government's blatant attempt at PR spin and damage control. Mr. Premier, what are you hiding, and who are you protecting by avoiding the calls for an independent inquiry?

1:50

**Mr. Stelmach:** Mr. Speaker, we are going to have an independent inquiry. That is going to be done by the Health Quality Council under some very, very robust terms of reference that they themselves wrote. They'll be conducting their review based on those terms of reference.

**Dr. Swann:** To restore public confidence is to call an independent public inquiry. The Premier knows this. If you won't, please tell

Albertans why restoring public confidence in our health care system is not a priority of yours.

**Mr. Stelmach:** Mr. Speaker, as I said, the Health Quality Council will conduct a full review. We asked them to conduct a full review of wait times in emergency rooms and also look at cancer surgery. Given their terms of reference, that they wrote, they'll be able to listen to any evidence that comes forward from any individual, any Albertan that might want to bring evidence forward to the Health Quality Council.

**Dr. Swann:** Well, can the Premier explain how the Health Quality Council is going to subpoena people and records?

**Mr. Stelmach:** I would think that with the list that the hon. member provided the other day, these physicians – and there may be some, perhaps, nurses and other health care providers – will come forward to the Health Quality Council and deliver their evidence. It will be done in full confidence and in complete impartiality.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Care Ethics and Compliance

**Dr. Swann:** Mr. Speaker, the Tories continue to add insult to injury by insisting that health professionals are free to speak and then referring to the code of conduct. What they neglect to mention is that every avenue of raising concerns leads to the same destination: the ethics and compliance officer. This officer happens to be the former legal counsel of Capital health and has had a record of brushing away legitimate concerns of health professionals. Again to the Premier: how can you say that the old culture of intimidation is gone from Alberta Health Services when the same people are still in senior positions calling the shots?

**Mr. Stelmach:** Mr. Speaker, the people that are assigned responsible positions within Alberta Health Services have delivered those services extremely well. They have a huge responsibility. They're trying to resolve a lot of the issues. I know that one of the issues brought forward yesterday was the complaints by two nurses. That is public. It was on the website. There's nothing there to hide. Anybody and any Albertan can look at what is on the website with respect to the complaint from the nurses.

**Dr. Swann:** Mr. Speaker, this Premier continues to insist that there's a comprehensive process when everything eventually ends up in the hands of one person: that ethics and compliance officer who has been there for a decade. How do you explain that, Mr. Premier? How can people have confidence?

**Mr. Stelmach:** Actually, when a person has been in a position for that period of time, he must be doing a good job and be qualified to do that. You know, I'm sure that the individual in question must have heard many individual cases that have come forward and used best judgment to listen to both sides and make the decision at the end of the day.

**Dr. Swann:** Given that the closed-door review cannot compel witnesses nor grant immunity to witnesses nor subpoena documents, will the Premier finally allow a public inquiry, or is he waiting to be tipped off on the next damning case of complaint?

**Mr. Stelmach:** As I said, Mr. Speaker, we'll continue with the Health Quality Council review. The terms of reference are in place, and the review will start. The first report will be in about

three months, the secondary report in about six months, and the final report within nine months. We'll know within three months which direction the Health Quality Council is heading.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Centre.

### Provincial Environmental Monitoring Panel

**Ms Blakeman:** Thank you very much, Mr. Speaker. The 2009 Alberta Public Agencies Governance Act was to take the politics out of appointments to government agencies, boards, and committees. Now I understand why it languishes in legislative purgatory and was never proclaimed, because here we are with another Tory buddy appointed to the water monitoring panel, a buddy that is now being investigated by the RCMP. To the Premier: why did the government feel it was acceptable to overlook the conflict-of-interest issues and appoint a friend to the water monitoring panel in the first place?

**Mr. Renner:** Mr. Speaker, the panel that was appointed included a number of experts from a number of various fields. The member in question was appointed because he is the executive director of the Canada School of Energy and Environment and brings expertise to the panel that would have been very beneficial such as having an in-depth knowledge of the kind of research that is going on at the various institutions, academic and otherwise, across the entire country.

**Ms Blakeman:** Well, he's now on leave from that committee as well.

Back to the Premier. Was it worth it to appoint a friend when it could irreparably damage the credibility of the recommendations of that committee?

**Mr. Renner:** Well, Mr. Speaker, the suggestion that somehow this was an appointment of a friend I think is ludicrous. I've just explained the reason why the appointment was made. Does this member think that the most recent allegations were known to this minister when the appointment was made? It's a ridiculous suggestion to think that the recent allegations came into part of that decision.

**Ms Blakeman:** Well, Mr. Speaker, if that act had been in place, maybe they would have known.

Back to the Premier. Won't the fact that the panel is mired in controversy and short a member for an undetermined period of time impact the ability of the board to fulfill its mandate?

**Mr. Renner:** Mr. Speaker, this member is suggesting that this board somehow is not going to be able to fulfill its mandate. I would suggest to her that that's simply not true. There are extremely capable people on that board. The co-chairs, Mr. Kvisle and Dr. Tennant: I have the utmost faith that they will be able to work with the rest of the members of that panel and come forward with very, very credible recommendations.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Patient Advocacy by Health Professionals

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Dr. Lloyd Maybaum spoke out for his patients. Good for him. Superboard officials, again using intimidation and bullying, said, and I quote: we want his head on a platter. The minister of health actually, in



fairness, had an opportunity to demonstrate leadership and send a strong message that your government does not tolerate this type of behaviour, but the minister did absolutely nothing. Why does this minister continue to support intimidation and bullying of Alberta doctors and nurses by his nonaction?

**Mr. Zwozdesky:** Mr. Speaker, nobody in the government supports anything of that kind whatsoever. There's a very clear policy that was signed by a three-way group last June. I will repeat it again. It suggests very strongly that it is doctors' duty and responsibility to advocate on behalf of their patients. There was an open letter to physicians signed by the Alberta Health Services leadership just a couple of weeks back here suggesting exactly the same thing. There's also a change to the medical staff bylaws to ensure that that does not happen again.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given your other failure to take action, based on that response my next question is: how can you say to Alberta doctors and nurses that they should feel free to come forward and speak out based on what you have said in the past?

**Mr. Zwozdesky:** Mr. Speaker, because it is in their Hippocratic oath in slightly different words. It's also in the bylaws. It's also in the letters that I've just enunciated.

I think the other thing that's important here is for us to turn this page, to move on and get on with the excellent services that are needed today and tomorrow. Not much we can do about the past, Mr. Speaker, where they continue to live.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given that this minister wants the issue to die – I don't, nor do Albertans – my third question is to the Premier. Given the dark cloud of intimidation hanging over the government, through the chair to the Premier: will you take full action now and show leadership before you retire and call a public inquiry for the benefit of Albertans?

**Mr. Stelmach:** Mr. Speaker, for the benefit of all Albertans again I'll refer to the letter, as I did yesterday, which went out to Dr. Maybaum. It says very clearly: this is not a matter of forcing you to be quiet, but it is a matter of teamwork and leadership. That to me is not some sort of intimidation of a physician that's coming forward and speaking out from his area of expertise.

**The Speaker:** Hon. Member for Fort McMurray-Wood Buffalo, if you quoted from a document in your first question, would you kindly table it at the appropriate time?

To the Premier: you quoted from a letter. I don't know if that's been tabled or not, but I would expect it to be.

The hon. Member for Edmonton-Highlands-Norwood.

## 2:00 Health Quality Council Review (continued)

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, we know that this Tory government is the most secretive in Canada, and we also know that this culture of secrecy has seeped down into the health care system, intimidating front-line health care professionals from speaking out on behalf of their patients. To clear the air about the role of the Minister of Health and Wellness, will the Premier ask him to testify in public before the so-called hearing of the Health Quality Council?

**Mr. Stelmach:** Mr. Speaker, last week the Health Quality Council issued very rigorous terms of reference. They will be conducting their inquiry based on those terms of reference. I'm eager for the committee to get going in terms of listening to the evidence that's going to come forward. Once again it's about waiting times in surgery and also with respect to ER, but they've also expanded the terms of reference so that if any physician or health care provider wants to come forward with any ideas or what happened in the past, they're free to do so.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, given that the Minister of International and Intergovernmental Relations, the Energy minister, the current Minister of Health and Wellness, and Mr. Gary Mar, PC leadership candidate, were all health ministers during this period of intimidation of health care professionals, will the Premier formally request his colleagues to appear before his so-called public hearing of the Health Quality Council and give testimony in public?

**Mr. Stelmach:** Mr. Speaker, the Health Quality Council will conduct the hearings, and they will conduct them in the manner that they feel is the best to get the most information out.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, you know, will he ask his colleagues, then, to volunteer, I guess is my given?

Given again that the culture of intimidation took place first when Mr. Gary Mar was the minister of health, will he formally request Mr. Mar appear before the so-called hearing at the Health Quality Council and give public testimony?

**Mr. Stelmach:** Mr. Speaker, I do have the five copies of the appropriate tabling, and I'm going to quote from one of them.

Despite all of our challenges in Alberta, we continue to provide a high standard of medical care and public health services and programs to all Albertans. It is time to reflect on these blessings; we are incredibly fortunate.

And so I respectfully submit that it is time for us all to move forward and to continue to rebuild the excellence that we have previously seen in our public health and other health services in Alberta.

That is from Dr. Ameeta Singh, which is in a letter to the *Edmonton Journal*.

**The Speaker:** The hon. Leader of the Official Opposition.

## Emergency Room Wait Times

**Dr. Swann:** Thank you, Mr. Speaker. Well, following up to the Premier, the Canadian Institute for Health Information just released a report on wait times for six procedures like heart bypass surgery. While the rest of Canada is making progress, Alberta is the only province that has either made no headway or in some ways is getting worse. To the Premier: why does the Premier continue to claim we have the best performing health system when the facts show that we lag behind the rest of Canada?

**Mr. Stelmach:** Actually, Mr. Speaker, he's wrong. According to the information I have from the report that came out, the benchmark right across Canada is 99, and we're lower than 99. There is a lot of room for improvement – there's no doubt about it – in all of the areas. But to say that we're the worst in Canada is absolutely ridiculous.

**Dr. Swann:** Mr. Speaker, the new data parallels the lack of progress on lengths of stay and wait times in emergency rooms. When will the Premier heed our call to open mothballed facilities and mobilize additional staffing and relieve pressure on the ERs?

**Mr. Stelmach:** Mr. Speaker, that's what we've been doing for the last couple of months. There will be 3,200 more cataract surgeries done. There will be more staff hired. In fact, with \$2.6 billion in our three-year capital plan a lot of hospitals will be completed later in 2011 and in the beginning of 2012, that will add even more room for the many new Albertans that continue to move here to the province from Ontario, B.C., and other countries.

**Dr. Swann:** Mr. Premier, will you restore confidence in the system and call a public inquiry now?

**Mr. Stelmach:** Mr. Speaker, as I said before, the Health Quality Council is prepared to begin its review. Again it was directed to look at cancer wait times, look at emergency room waiting times, but they've also expanded their terms of reference to hear from all Albertans in terms of those that are providing health care to come forward with ideas on how to improve the system, and if there was something that happened in the past, they can very easily bring that to the Health Quality Council. There are physicians that are interested in hearing what others are saying about the health system.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Edmonton-Riverview.

#### Income Support for Emergency Housing

**Mr. Quest:** Thank you, Mr. Speaker. From time to time situations arise where unexpected tragedy strikes Albertans and their homes are destroyed or otherwise uninhabitable, instances such as the evacuation of the Penhorwood condominiums in Fort McMurray or the fire on the weekend at the apartment complex in north Edmonton. My question to the Minister of Employment and Immigration: in situations like this, what does your ministry do?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Well, in situations like these or, frankly, in any situation where an Albertan finds himself in financial peril, Alberta Works benefits dispensed through this ministry, through the 59 offices that we have throughout the province, provide benefits such as damage deposits, rental arrears, utility arrears, utility payments, or other emergency benefits subject to eligibility. Obviously, as stewards of taxpayers' dollars we make sure that those Albertans who need those benefits, that assistance, will receive it.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. To the same minister. When people are suddenly displaced, they do need help. What types of situations do the benefits you just mentioned cover?

**Mr. Lukaszuk:** Well, Mr. Speaker, this actually gives me an opportunity to extend my gratitude to our staff throughout the entire province. As a matter of fact, during any emergency, no matter when it happens, in the middle of the night, or where it happens, our staff make sure to be there on the site of the emergency to offer immediate assistance and to make Albertans aware of the plethora of benefits that may be available to them. For example, in the condominium situation and our recent fire in Edmonton our

staff would be on-site at the time of evacuation, or whatever the peril is, and make themselves available to provide that immediate assistance.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Again to the same minister: so what level of benefits are provided to these people that you're talking to on-site?

**Mr. Lukaszuk:** Mr. Speaker, that would vary based on the situation. Obviously, every applicant, Albertan, must apply or must exhibit their need to one of our staff. Their eligibility is evaluated based on what their financial situation happens to be. As stewards of public dollars we will always provide assistance to those who truly need it and show that they need it. As I indicated earlier, basic expenses are taken care of by the department for those Albertans who need that help.

#### Noninstructional Postsecondary Tuition Fees

**Dr. Taft:** Mr. Speaker, despite this government's earlier promise that the cost of postsecondary tuition fees would be capped at the rate of inflation, the minister of advanced education has allowed professional faculties at both the U of A and the U of C to significantly raise tuition fees. Further, he's allowing a growing list of institutions to charge mandatory noninstructional fees that are little more than end runs around tuition caps. To this minister: since students were previously consulted and then betrayed, where does he stand on tuition fee increases?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I would like to stand and say that we're very pleased and proud that we do consult with our students. We work very closely with them on many of these issues. I can tell this member that they have not been betrayed. We continue to work with our students. It's critically important that they be at the table. There were six market modifiers that were approved last year that will come into effect later this year, that were supported by the student faculties in those areas, and they're there to help bring those schools in line with others similar.

**Dr. Taft:** Well, to the same minister: first, I'd ask him to table the details of that information; and then, since this minister told this Assembly on March 9 that he's been discussing ways that students could be involved in voting on noninstructional fees, will he confirm that those discussions are going to lead to binding votes?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Yes. We've had discussions with the students around fees, and there are a number of different kinds of fees that are available through the school. Some of them are directly for sporting events, for those types of things, for use of athletic facilities, and those are between the students and the schools. The fees that seem to be causing the largest amount of angst are those fees which are simply for extra costs of operations, and those do not have support from this department. We believe that the CPI modifier is the appropriate way to handle tuition.

**Dr. Taft:** Well, there was a glimmer of hope in the minister's comments. I'd like to follow up on them. When he indicated that those mandatory noninstructional fees that do not have a direct tie

to any particular service are not supported by his department, will he, then, order colleges and universities and institutions around the province to stop that practice?

2:10

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. We're reluctant to simply across the board stop that practice. Right now our education system is based on access and quality, and we want to make sure that it's affordable but that the quality remains. We want to work with our institutions and with our students to make sure that we can keep those three pillars here. We don't want to tie the hands of all of our institutions, but we believe the students must be involved in helping to make those decisions, and we will continue to work with the students.

**The Speaker:** The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Calgary-Varsity.

### Gravel Extraction Management

**Mr. VanderBurg:** Thank you, Mr. Speaker. The sand and gravel rush is on in Whitecourt-St. Anne. Many applications for new projects are being made within my constituency. The overall land impacts, water impacts, and dust and noise concerns are causing a problem for my constituents. Counties are not able to respond to the issues being raised by the residents. My questions are all to the Minister of Environment. How is your department ensuring that the environment continues to be protected with the growing number of gravel pits in Alberta, especially within the Lac Ste. Anne county in my constituency?

**The Speaker:** The hon. minister.

**Mr. Renner:** Thank you, Mr. Speaker. Well, first of all, the initial responsibility for zoning lies at the local level, so the municipality makes a decision whether or not to zone for a gravel pit. Once that's taken place, the applicant must follow a prescribed code of practice that is designed to protect the environment. Larger operations require licences, and in the process of approving those licence applications, there is a great deal of effort on the part of my staff . . .

**The Speaker:** The hon. member.

**Mr. VanderBurg:** Well, getting a little closer to the situation, given that the Riparia resources application is currently before the department, how will the minister ensure that the residents in the area are properly consulted so that their concerns are fully understood and considered before this application is approved?

**Mr. Renner:** Well, Mr. Speaker, on this particular application I understand that we have received an application along with a secondary application under the Water Act. It's currently undergoing our comprehensive environmental review, like all applications. This is an open and transparent process that requires public notification. I understand that to date six statements of concern have been received, and our staff will take into account these statements of concern plus all of the other environmental issues in their consideration of whether or not to approve the application.

**Mr. VanderBurg:** Mr. Speaker, to the same minister: how is the minister ensuring that appropriate decision-making now in the absence of a regional plan under the land-use framework is done?

**Mr. Renner:** Well, Mr. Speaker, every application is evaluated for potential impacts on the environment. Decisions that are made today use an existing process that ensures that we have the ultimate focus on protecting the environment. Once a regional plan comes into place, I would suggest that that will help to further inform the decision-makers about the achievement of locally determined outcomes that balance both development and the environment.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Bow.

### Castle Special Management Area

**Mr. Chase:** Thank you, Mr. Speaker. In freedom to exploit Alberta, private government-sanctioned greed consistently outweighs public good. Who you know in government trumps scientific evidence. Ironically, the greatest threat to sustainability is the minister of the moment. To the Minister of Sustainable Resource Development: given the devastating environmental and economic costs of the 2003 Lost Creek fire, why would you expose the Castle to the heightened threat of tinder-dry clear-cutting this summer?

**Mr. Knight:** Well, Mr. Speaker, with respect to the region that the hon. member talks about, there has been a program in place to manage the forest land use in that region. Probably better than 50 years of commercial logging operations have been going on there. A lot of the lovely, pristine trees that these folks are looking at today are actually ones that were put in place in reforestation projects 60 years ago.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Again to the Minister of SRD: is it your ministry's master plan to deliberately wipe out naturally diverse old-growth forest in the Castle in order to create more convenient, single-species tree farms for future harvesting? And don't give me the 60-year bit.

**Mr. Knight:** And don't keep standing over there and pointing at me.

Mr. Speaker, the situation with respect to the Castle is that two-thirds of that area is off limits to logging in the first place. Of the remaining one-third that is available to log, only 1 per cent per year will be logged, and it must be reforested according to Alberta law.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. Alberta law is limited. It's a farce.

Does the fact that 85 per cent of southern Albertans recently polled by the Lethbridge College are opposed to this government's clear-cutting of their environmental, recreational, and economic legacy mean nothing to this cut first, measure not government? Who's got your ear, Mr. Minister?

**Mr. Knight:** Mr. Speaker, who's got my ear is not the gentleman opposite. That was an interesting statement he made about the law in Alberta given that he's a lawmaker.

Mr. Speaker, the University of Lethbridge: we very much work with them with respect to watershed issues in the area and that type of thing. Another thing is that the studies that have been done relative to that issue and to the drainage that comes into the rivers in the area indicate that the rivers are in good-quality condition.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Strathcona.

### **Fish Population in the Bow River**

**Ms DeLong:** Thank you very much, Mr. Speaker. Downstream of Calgary the Bow River is one of the top trout fisheries in the whole world. Upstream as the Bow River runs through the constituency of Calgary-Bow: not so many fish. I have been told in the past that the reason there are fewer fish in my area is because the water is so clean that there are too few nutrients for the little bugs to grow, and the fish need these bugs for food. Now, a recent report has . . .

**The Speaker:** Sorry. The time has gone.  
The hon. minister.

**Mr. Knight:** Well, Mr. Speaker, we had so much interest in that question, and I think I actually have not a bad answer. According to the data that we have, fish populations are not declining in the Bow River within the city limits of Calgary. Current regulations allow limited fish harvest, but the latest information I have, in the creel assessment in 2006, is that the fish quantity and quality within the city limits of Calgary have remained as they have been for a number of years.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you. A few years ago I reviewed the data regarding nutrient load in the Bow River, and as it comes through Calgary-Bow, aside from flood conditions our water quality was excellent. To the Minister of Environment: has our water quality been improving or declining?

**Mr. Renner:** Mr. Speaker, if the member is referring to that reach of the Bow River immediately upstream of Calgary, I would suggest that it probably has been improving since we've improved the infrastructure that's in place for the management and the treatment of municipal sewer from Canmore and Cochrane.

I also have to point out that we also need to be concerned with the health of the rivers right across the entire province. There are concerns with respect to nutrient quality . . .

**The Speaker:** The hon. member.

**Ms DeLong:** No further supplementals. Thank you.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Lethbridge-East.

### **Provincial Environmental Monitoring Panel** (continued)

**Ms Notley:** Thank you, Mr. Speaker. Last week Albertans learned that a member of the oil sands monitoring panel, so touted by the Minister of Environment, is under investigation by the RCMP for criminal lobbying activities. Can the Minister of Environment explain to Albertans why he did not immediately show leadership in completely removing Bruce Carson from the panel now and in the future and, more importantly, why he won't do so now?

**Mr. Renner:** Mr. Speaker, the last I heard is that in this country individuals are still innocent until proven guilty. I understand that allegations have been made and that an investigation is under way. Mr. Carson has offered his leave of absence. I have accepted that

leave of absence pending the outcome of the investigation. I think it's a perfectly appropriate response.

**Ms Notley:** Well, Mr. Speaker, given that Carson's fiancée has a financial stake from which she stands to earn tens of millions of dollars in a water treatment company, a company for which he has been lobbying, and given that this company would have a financial interest in monitoring on the Athabasca River, can the minister explain how he failed to suss out this obvious conflict before appointing Carson to his panel?

**Mr. Renner:** Mr. Speaker, Mr. Carson was appointed to this panel in his capacity as executive director of the Canada School of Energy and Environment. It's not common practice for us to delve into that degree of personal scrutiny prior to making appointments of this nature.

2:20

**Ms Notley:** Well, definitely, the minister doesn't vet for conflict of interest. Given that the minister clearly doesn't vet for criminal records, will this minister admit that the only thing he does look for in his appointees to his sham of a panel is close connections to the Conservative Party?

**Mr. Renner:** Mr. Speaker, let me repeat what I said the first time. Allegations have been made. These allegations to date have not been substantiated, and an investigation is under way. At the conclusion of that investigation appropriate action will be taken.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-MacKay.

### **Labour Protection for Paid Farm Workers**

**Ms Pastoor:** Thank you, Mr. Speaker. A trucking company employee is in serious condition in hospital after machinery he was operating hit an overhead power line in Wetaskiwin on Saturday. To the Minister of Employment and Immigration: is occupational health and safety investigating this incident?

**Mr. Lukaszuk:** Mr. Speaker, it's unfortunate when any Albertan gets hurt, be it on or off the job. I am not certain of the specifics of the particular accident she is referring to, but as always I extend a welcome to this member to contact my office. As a matter of fact, come in person to my office, tell me which file you're talking about, and I'll have it checked for you right away.

**Ms Pastoor:** Well, given that this incident probably merits – not probably; it does merit – an OHS investigation, why is it that OHS cannot investigate the deaths of two men who were electrocuted in December when machinery they were transporting from a farm hit an overhead power line?

**Mr. Lukaszuk:** Well, Mr. Speaker, it appears the member knew the answer to her first question; she just answered it, so maybe she will not want to meet with me.

The fact is that in any workplace where occupational health and safety applies, every single incident and accident is investigated duly, and the findings of those investigations are shared with my office. Again, if she is making a reference to a specific accident somewhere in Alberta, if she gives more accurate detail of which accident she is talking about, I will take a look into it.

**Ms Pastoor:** Well, it was a fairly publicized and fairly serious incident that happened last Saturday.

Is the safety of a farm worker worth so much less than the safety of any kind of worker in Alberta? Can the minister explain why Alberta is the only province in Canada – the only province in Canada – where farm employees are not covered in the same way by workplace laws?

**Mr. Lukaszuk:** Mr. Speaker, no one's life or health or safety is more important than another person's, obviously. The member knows very well that the Occupational Health and Safety Act does not apply to farms, and for that reason our minister of agriculture has put a program in place that will be assisting our farmers with matters of occupational health and safety on Alberta farms.

**The Speaker:** The hon. Member for Calgary-MacKay, followed by the hon. Member for Calgary-Glenmore.

#### **Innovation Voucher Program**

**Ms Woo-Paw:** Thank you, Mr. Speaker. Albertans have heard a lot lately about the importance of innovation in the Alberta economy. Initiatives like the innovation vouchers go a long way to boost innovation among smaller Alberta companies. However, I have been contacted by constituents concerned that this valuable program is being discontinued. My question is to the Minister of Advanced Education and Technology. Why is this voucher program no longer accepting applications?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. The innovation voucher program was indeed a very popular program. It was launched as a pilot program. It provided 350 companies in 44 communities with \$11 million to use towards innovation research. It was an extremely positive pilot. We're now reviewing that so that we can come forward with an even better program in the future, and it will be continuing to run into the future.

**Ms Woo-Paw:** My question is to the same minister. If the program is so positive and successful, can the minister tell us why we need the review?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. It was run as a pilot program. Through the project we have heard some issues around how to access it, some players that couldn't get access, and some of the research places that didn't receive any of the vouchers. Today in Calgary at the Nanotech Showcase I spoke with a gentleman who's developing a Band-Aid that can read your body vitals and your core temperature from a distance. That can be very positive. He received a voucher, but he said that some of the companies weren't available that could do the research, and he's looking forward to the next one.

**Ms Woo-Paw:** Again a question to the same minister. Would companies have an opportunity to provide input to the review?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. That's exactly what the review will do over the next couple of months: talk to those people that receive vouchers and some of the research that was provided and see if we can make this program a little easier to access. Sometimes we put programs in, and the paperwork can be onerous. It can be difficult to fill out for some smaller companies

and users. We want to make sure that this is streamlined and easy to access for Alberta companies.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Calgary-North Hill.

#### **Patient Advocacy by Health Professionals** (continued)

**Mr. Hinman:** Mr. Speaker, again today this government has said that no investigation is necessary for the top officials who demanded the doctor's head on a platter. This government resembles a centralized autocratic regime. Municipal officials and PC MLAs know that if they criticize the government, they will pay a price even if their concerns are totally valid. This cripples our democratic system. To the minister of health: how can you not see that intimidating our health practitioners cripples our health care system also and that a public inquiry is the only way to clear the air?

**Mr. Zwozdesky:** Mr. Speaker, I've had an opportunity to read this letter that is being referred to, and nowhere in here do I see anyone using the term "called for the head on a platter." What I see here is someone who at the time was a physician lead, who wrote a letter asking for his colleagues to take up the cause for more mental health capacity. I can assure the member that that is going to happen. I indicated yesterday that there are 33 beds planned for the new south Calgary health campus. Thirteen of them are brand new, additional capacity beds.

**Mr. Hinman:** Well, there's the problem. They don't follow up. It's in the paper. The quote was there. It's been tabled. A head on the platter isn't intimidating?

Given the explicit declaration in the superboard's original code of conduct that all health workers must fall in line and the repeated corroboration that has been coming out from individuals that have been reprimanded for advocating for the patients, will the minister explain why he uses military discipline to control our 90,000-strong army of health care workers?

**Mr. Zwozdesky:** Well, Mr. Speaker, I think it's time for even that member in that party to get into the present tense. There is no such muzzling order in effect. What there is is an open policy that is now a duty to disclosure policy, so why they keep raising things from the past and inferring that they're still in place or perhaps never were in place I don't know. The fact is that today it's an open, transparent process that encourages doctors, nurses, and other health providers to speak out. You know what? They're listening, and they're responding appropriately.

**Mr. Hinman:** Mr. Speaker, this is a 1970s horror show. Triple D: deny, deny, deny. Given how many times the opposition has pointed this out to him, does the minister still not realize that the Health Quality Council is only capable of investigating health quality concerns, that the multiple allegations of workplace intimidation coming from the top of the health department calls for a public inquiry and a full . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, I think the Health Quality Council has made it very clear that they have set precedent in this particular case because they have gone out there and designed their own terms of reference, and very soon we're expecting them to tell us who their panel members are going to be. None of us knows who that is. They're going to tell us who their health advisers might be.

I would warn this member to not mislead, miscommunicate, and misappropriate statements.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Calgary-Buffalo.

### Education Property Tax

**Mr. Fawcett:** Thank you, Mr. Speaker. Today many Calgarians are wondering why they thought they were getting a cut in property tax only to find out the city of Calgary is moving in on the available tax base. This has many people scratching their heads, from taxpayers to school boards. My question is to the Minister of Finance and Enterprise. Has the government changed its policy on the collection of revenue via property tax so that municipalities like Calgary can collect more revenue?

**Mr. Snelgrove:** Well, Mr. Speaker, the answer is no. We determine the amount of money that we're going to collect on behalf of Education, and we assess that equitably across Alberta municipalities. Whatever reason the city of Calgary feels it needs to raise taxes is a complete issue between the residents of the city of Calgary and their city council.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. Given that the reduced revenues have caused challenges to the provincial budget and given that Calgary taxpayers are not seeing a break in their property taxes this year, does the minister not think it's prudent to change this particular policy at this time?

2:30

**Mr. Snelgrove:** No. That was my first answer.

Mr. Speaker, we committed years ago to a tax structure around education that commits only to growth, and that's approximately 2 and a half per cent that we're adding this year. That is not to suggest that the city of Calgary isn't responsible to its own citizens or residents for its tax base. Whether they would assume it's because we didn't charge as much as we could have for education or for whatever reason, they are separate issues.

**The Speaker:** The hon. member. Third question.

**Mr. Fawcett:** Yes. Thank you, Mr. Speaker. My next question is to the Minister of Education. Given that the province is leaving \$47 million available in property tax revenue in Calgary and given that the Calgary board of education is facing close to a \$50 million shortfall in its budget, is the minister still committed to the policy that the education portion of the property tax is to provide basic support for Alberta's K to 12 education system?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. The education property tax provides about 30 per cent of the cost of basic education to the system. It's not the full cost; it's about 30 per cent of it. It's about \$602 million from the city of Calgary during the 2011 year of the \$1.27 billion in provincial funding.

The reality is that in our education property tax we have increased the amount collected by the growth in assessment, not by the inflation value. I don't think citizens in Calgary would want us to grow our education property tax assessment because the value of their property grew by way of inflation. I think they would expect that we would capture that same tax from the growth in the assessment roll because of new houses and new businesses.

### Education Funding

**Mr. Hehr:** Mr. Speaker, like I indicated yesterday, the Education budget reads like an insurance agreement in that what the large print giveth, the small print taketh away. A 4.7 per cent increase in the top line looks impressive until cuts to school board grants are factored in. To the Minister of Education. School boards have indicated the results of cuts to the rural sustainability initiative and cuts to AISI. Teachers will have to be let go, and this will lead to higher student to teacher ratios in the classroom. Does the minister deny that this is a result of his budget?

**Mr. Hancock:** Mr. Speaker, that could well be a result of the budget. There's no question that while the budget was increased by 4.7 per cent, which is an incredible amount of increase to the budget in any department, that's only \$258 million – only \$258 million – and in order to cover all the costs that are on the table, we needed about \$363 million. So we had to find targeted grants in the amount of about \$107 million. That is going to have an impact. When 98 per cent of our budget goes through the school boards, it will have an impact. But the other side of this equation is . . .

**The Speaker:** The hon. member, please.

**Mr. Hehr:** Given that the rural stabilization grant cuts will force schools like the one in Lougheed to close down and this will force kids to go to school in another jurisdiction, my question is again for the Education minister. How long of a school bus ride to the next community is acceptable to this minister?

**Mr. Hancock:** Mr. Speaker, how long of a school bus ride is acceptable is really a question for the local community. In my particular case I wouldn't want a child to have to ride for more than an hour any way, but that's my personal view.

The premise of the question is wrong. The budget is not forcing anybody to close a school. School boards decide the priority for their funding. School boards across the province have in excess of \$300 million of operating surplus, and if it's their priority, they can keep the schools open.

**Mr. Hehr:** The premise of the question is: who is providing the money for our local school boards? Is that you, Mr. Minister? If it is, are you providing them with ample funding?

**Mr. Hancock:** Well, I don't have that kind of money, Mr. Speaker, but the Alberta taxpayer wants to support education in this province and does support education in this province well, to the tune of \$6.2 billion a year. If you add the opted out, it's probably up around \$6.4 billion a year. It's an incredible amount of money for a very, very important function; that is, making sure that each and every child has an opportunity for a good education. We do have local school boards, and it's their job to make sure that the education system operates well for their local students.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by the hon. Member for Edmonton-Gold Bar.

### Foreign Qualifications and Credentials

**Mr. Sandhu:** Thank you, Mr. Speaker. A newly released report by the Canadian Centre for Policy Alternatives talks about visible minorities in the workforce, and it says that on the whole they earn less than white Canadians. My first question is to the Minister of Employment and Immigration. Why do we encourage immigrants

to come to Alberta if they are not going to be successful in the workforce?

**Mr. Lukaszuk:** Mr. Speaker, we encourage immigrants to come to Alberta because we know for a fact that we're walking into a perfect storm relative to worker shortages for many years to come. If we want to continue to enjoy the lifestyle that we have right now and the services that are available to us, we will need workers, and many of them will come from outside. But we also work very hard to make sure that the pay and the conditions under which, frankly, all Albertans work are equitable to all.

**The Speaker:** The hon. member.

**Mr. Sandhu:** Thank you, Mr. Speaker. My second question is also to the same minister. I get questions from many people saying that they are frustrated with the job market, where employers tell them that they don't have Canadian work experience and qualifications. To the minister: what's your ministry doing to help skilled, educated newcomers get their qualifications and experience recognized?

**Mr. Lukaszuk:** That's a very good question, Mr. Speaker. In conjunction with various governing bodies like colleges and institutes that govern professions, we work on foreign credentials recognition to make sure that every immigrant works to his or her maximum capacity. At the same time, there is great room for improvement on the federal side to make sure that we inform prospective immigrants whether their credentials will or will not be recognized here in Canada upon their arrival.

**Mr. Sandhu:** My last question is also to the same minister. Does this mean that foreign-trained engineers, doctors, accountants, and other highly skilled professionals can stop working at entry-level jobs unrelated to their professions?

**Mr. Lukaszuk:** Mr. Speaker, not necessarily in all cases, but provincial programs are put in place that allow foreign-trained professionals like medical doctors to be assessed and when shortcomings are detected, to avail themselves of additional education to one day meet our Canadian standards. At the end of the day – and I'm sure our minister of health would agree – we have to have a balance of recognizing foreign credentials but, at the same time, not jeopardizing the quality of care that Albertans receive in our hospitals. It's a difficult balance to strike, but at the end of the day, again, we will continue to attract immigrants and make sure that they work to the maximum of their ability.

### Funding for Police Officers

**Mr. MacDonald:** Last week a convicted murderer escaped from the federal prison in Drumheller, stole a vehicle, held two women hostage, then had a shootout with police. The Solicitor General has said that he found this four-day rampage concerning and a reason for pushing the federal government on its crime legislation. To the Solicitor General, please. This incident was not about gaps in the law; it was about getting police out to stop serious crime. Why is this minister passing the buck to the federal government?

**Mr. Oberle:** I'm doing no such thing, Mr. Speaker. The fact of the matter is that the inmate was in federal custody and was under escort of a federal agent. It happened in our province. I have expressed my concern that it happened in our province, and I am seeking a comment from the federal minister on how it

happened and how we might be able to avoid such incidents in the future.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the same minister: given that Stats Canada data show that to the end of 2010 Alberta ranked 12th out of 13 provinces and territories for the number of police officers relative to population, why is the Solicitor General looking to federal government laws instead of solving the problem right here on the ground in this province by hiring more police officers?

**Mr. Oberle:** Well, I might point out, Mr. Speaker, that the member's statistics are wrong. We've had this debate before; we'll probably have it in estimates again. He should be prepared to explain why our crime statistics are going down under our current police force.

Yet again I would point out to him that it was not a police officer that was escorting this prisoner. The fact that the prisoner escaped has absolutely nothing to do with the number of police that we have in the province.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. The Stats Canada information is here, for your interest.

Again to the same minister. Being taken hostage in your own home should be more than just concerning. It strikes at the heart of our cherished belief that we should be safe in our own homes. What is the Solicitor General doing to bring policing to a level that will protect Albertans from being taken hostage in their own home?

**Mr. Oberle:** Well, that's precisely why that member, Mr. Speaker, wouldn't accomplish anything with his query. The number of police officers in our province has absolutely nothing whatsoever to do with the fact that a criminal escaped. I am deeply concerned that a criminal escaped. I'm going to take it up with the federal minister, the only avenue I have to solve the problem.

2:40

**The Speaker:** Well, 19 members were recognized today. There were 112 questions and responses.

I would like to point out that there has been some creeping in here of preambles on the second or the third questions. That's pretty noticeable today, and that seems to then give rise to a lot of increased volatility and emotion because it tends to be debate and argumentative. We were doing okay Thursday and yesterday, so let's see if tomorrow we can come back and try it again. Okay? This creeping in is really not that healthy.

In a few seconds from now we'll continue with the Routine. We're making good progress today.

### Notices of Motions

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Yes. Mr. Speaker, I'd like to bring notice that under Standing Order 30 we'll request leave to adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance; namely, the need for a public inquiry, the urgency of debating whether there is a need for a public inquiry given new revelations that have come . . .

**The Speaker:** I think you had better read into the record your motion. That's the only thing we're talking about.

**Mr. Anderson:** Okay. Sorry, Mr. Speaker.

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, that given new evidence from health professionals concerning threats to their careers that follow from public advocacy for patients, in particular the release of a letter by Dr. Lloyd Maybaum containing an explicit threat from his superior in 2008, the government needs to immediately appoint a commission under the Public Inquiries Act to investigate allegations that health care professionals may have been intimidated or faced the loss of employment or professional certification or had their character or mental health questioned unfairly in order to prevent them from speaking out publicly about deficiencies in the delivery of health care and, further, that individuals may have received payments from public health authorities in exchange for their silence.

Thank you, Mr. Speaker.

**The Speaker:** Hon. member, it's also appropriate that copies be prepared and available for all members of the House. Table officers have advised me they have not been notified that you will be providing the appropriate number of copies, in this case being 90. You'll have to have them here in a couple of minutes from now.

**Mr. Anderson:** Yeah.

### Introduction of Bills

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

#### Bill 16

#### Energy Statutes Amendment Act, 2011

**Mrs. McQueen:** Thank you, Mr. Speaker. I request leave to introduce Bill 16, Energy Statutes Amendment Act, 2011.

This bill supports the important work of both the Alberta Utilities Commission, the AUC, and the Energy Resources Conservation Board, the ERCB.

Amendments will update existing legislation to authorize the regulation of extraction of coal through in situ gasification or liquefaction. Further amendments will remove duplication in approval requirements for the use of large amounts of energy for industrial and manufacturing operations and will enable the ERCB to make regulations and to approve amendments to coal permits in line with other industries that the ERCB regulates. Other amendments support the effective functioning of the electricity market in ensuring service quality to utility consumers.

Mr. Speaker, I move first reading of Bill 16 and encourage all members to support its passage. Thank you.

[Motion carried; Bill 16 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I'd move that Bill 16 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

### Tabling Returns and Reports

**The Speaker:** The hon. Leader of the Official Opposition.

**Ms Blakeman:** Sir, can I table on his behalf, please?

**The Speaker:** Proceed.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Two tablings on behalf of the Leader of the Official Opposition, and then I'll ask permission to continue and do my own tablings.

The first is referencing tablings we tried to do yesterday, so this is a letter from the United Nurses of Alberta signed by Karen Craik and Jane Sustrik. They are concerned that there was no serious investigation and that the dismissal of a complaint was completed without even interviewing the complainants, and they feel that this is a very serious problem.

The second is in reference to comments that the Leader of the Official Opposition made today, and that is Wait Times in Canada: A Comparison by Province, 2011, from the Canadian Institute for Health Information. This was released in March of 2011, the appropriate number of copies of that.

May I continue with my own tablings?

**The Speaker:** Yes.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have two additional tablings. One is a tabling to correct a tabling I did before in which I did not include the e-mail header that showed that this was an e-mail. Again, it is from Naomi Fridhandler, who is a U of A medical student who wrote me with her concerns about the potential loss of funding for the Alberta Medical Association's physician and family support program. This is through the negotiations between the Alberta Medical Association and the government. I will table those documents again.

Finally, my second tabling is notification of a rally here at the Legislative Assembly for Saturday, March 26, at 1 p.m., which is people interested in health asking for a public inquiry now. They can contact Friends of Medicare for additional information.

Thank you very much, Mr. Speaker.

**The Speaker:** Hon. Government House Leader, when the Premier was speaking today, there were documents to be tabled, as I recall.

**Mr. Hancock:** Yes, indeed, Mr. Speaker. I table on his behalf the appropriate number of copies of a document entitled Time for a Truce in Health-care Debate. It's a digital version of a copy of a letter published in the *Edmonton Journal* on March 22 at page A19 in the letters section, final edition, from Dr. Ameeta Singh, and it includes the quote that the Premier referenced.

**The Speaker:** Hon. Member for Fort McMurray-Wood Buffalo, as I recall, you quoted from a letter. Kindly table it.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I provide the requisite number of copies. In question period this afternoon, as was indicated earlier, with the minister of health an exchange took place, and the quotation was where Dr. Maybaum said that he was told to keep quiet and that there were people high up in the government who want his head on a platter. I submit them today.

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

**Mr. Chase:** Thank you, Mr. Speaker. I have four sets of tablings today concerning the Castle, the first of which includes the authors and articles I referenced in my member's statement as well as a more recently published article by Trevor Howell and one by Susan Quinlan of the *Prairie Post* entitled Parks Legislation under Revision, Drawing Concern.

My second set of tablings is an e-mail from Juergen Boden of Oststeinbek, Germany, who is seeking the preservation of the Castle wilderness by stating:



We here at Alouette Verlag – Book and Film Productions – are in strict opposition of your plans to undertake block-cut logging in this unique wilderness place as it is of irreplaceable spiritual, ecological and recreational value for all Canadians and for all visitors from abroad.

My third set, Mr. Speaker, has to do with the following individuals who share Mr. Boden's concerns regarding the Alberta government's exploitation of the Castle. The individuals include Taylor Will, Shawna Edworthy, Leslie Stastook, Sue Sargent, Jenny Ferguson, Alexandra Shriner, Jessica Eustace, Mark Matheson, Nyk Danu, Erica Heuer, Shizu Futa, Chelsea Vignola, Robyn Duncan, Linda Rae, Peter Herrmann, Dana Rothkop, Dr. Emma Griffiths, Sanne van der Ros, Chelsea Boida, Dana Armitage, Laura Dupont, Betty McInnes, Melissa Lawrence, Anita Romaniuk, and Phillip Sorbetti.

2:50

Mr. Speaker, my last set involves Jeremy Kurtz, Debra Yendall, Robert Klei, John Postma, Cecilie Davidson, Harold Funk, David Feeny, Sheila Winder, Paul Falvo, Emma Pike, Mark Essiembre, Jennifer Groot, Sue Maxwell, Sarah Fletcher, Lesley Willows, Carol Zhong, Susan Bull, Mary Gorecki, Bob Stuart, Margaret Kennedy, Dianne Olmstead, Rita MacDonald, Senan Griffin, Walter Mirosh, and Marjorie Larson, all concerned about the Castle.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I have the appropriate number of copies and would like to table a program. Immigrant Services Calgary had a wonderful gala, called the immigrants of distinction awards, on the 19th of March, 2011, down in Calgary. I had the honour of attending. The contribution and the recognition of the various immigrants that have come to Alberta recently – and some of them have even been here for quite some time. The contribution that they've made: it's just incredible. I think that the Members of the Legislative Assembly would find it quite intriguing to read.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. A couple of tablings. Earlier during questions to me there was a reference to a report, Canada's Colour Coded Labour Market, on the gap between salaries of Caucasian and non-Caucasian immigrants to Canada. I'd like to table copies of that particular report.

Also, a copy of a letter that I issued to the hon. Member for Fort McMurray-Wood Buffalo in response to his letter, as he tabled, outlining the wide scope of services that our office in Fort McMurray has been and continues to offer not only to all residents in Fort McMurray but particularly to those affected in the condo and also inviting him to stop over in Fort McMurray one day to visit our staff and perhaps express his gratitude for the same.

### Request for Emergency Debate

**The Speaker:** Hon. Member for Airdrie-Chestermere, please proceed with your Standing Order 30 application, with brief arguments in favour of urgency.

### Patient Advocacy by Health Professionals

**Mr. Anderson:** Yes. Thank you, Mr. Speaker. This is my first Standing Order 30, so please bear with me. I will try to do my best.

Standing Order 30(1), of course, states:

After the daily routine and before the Orders of the Day, any Member may request leave to move to adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance when written notice has been given to the Speaker at least 2 hours prior to the sitting of the Assembly.

As I understand it, the question here is: is this matter that we are bringing forward here of urgent public importance? Is there public importance, and is it urgent? Or can we discuss this at other times and places in the Legislature during session here?

The reason that we in the Wildrose feel that it is of urgent public importance is – I don't think the public importance part is in dispute. I think, obviously, we're talking about health care. We're talking about a crisis of confidence in the system, with all these different doctors and individuals coming forward and saying that they've been intimidated into not advocating for their patients. That's well documented. I do think that it is important, and we see this with the government's own actions by calling for an Alberta Health Quality Council review. So I don't think public importance is too much of the issue here.

What I do think is the issue and what there may be a debate over is the urgency, especially given that we did have a debate on a different motion, put forth by the Liberal caucus last week, last Monday actually. We also had submitted a notice of Standing Order 30 at that time, too, but you can only debate one in a day. So we debated for about an hour and a half the issue that the Liberals brought forward, and it was a good debate.

Now, aside from the fact that we don't think there was enough time during that debate – but that's not at issue here – the problem is that since that debate took place last Monday, there has been literally an avalanche of new information, new revelation that has come forward that was not known at the time that we had the debate.

For example, last Monday the only thing that we had, really, was the allegations by Dr. McNamee in a somewhat older statement of claim that he had been essentially bullied, intimidated, essentially let go for advocating on behalf of his patients. We had that document. There were some other doctors who were off the record saying a few things, which are very serious allegations, but there was nothing, really, other than that. There wasn't all that much besides that. We also had, of course, at that time, obviously, what happened with the Member for Edmonton-Meadowlark last fall as well as what happened to the Leader of the Opposition while he was in Medicine Hat.

We had these kinds of past issues that were dealt with and that we discussed in that emergency debate on Monday, but since then, I would submit, the evidence has compounded greatly, to the point where we have, of course, as has been tabled earlier in this House, the AMA, the Alberta Medical Association, coming forward with two letters. The first, given a few days ago, on the 14th, said that for the first time ever the government had resorted to intimidation tactics to get the AMA to agree to the government agreement.

There was a letter a couple of days later, also from the AMA, that's also been tabled in this Legislature, that specifically noted that there needs to be a clearing of the air and that they fully supported a public inquiry and would co-operate should one be called. That's the AMA, representing doctors and our physicians as a whole. It is, obviously, very problematic if you have, essentially, the body that represents the physicians in Alberta saying that there needs to be a clearing of the air publicly. If we do not clear the air, if we refuse at this point to have a full public inquiry, I think that I could say that the people that we're talking to, the people that I know other opposition parties are talking to, would feel that there is truly a crisis of confidence in the health care system, not just by

the public but by the very doctors that work in the system. How can we go forward in that way? That is one of the major things that has changed since last week.

The other thing that I think has created some urgency, Mr. Speaker, between last Monday's debate and where we sit today, eight days later, is the letter, the smoking gun, brought forward by Dr. Lloyd Maybaum. The letter – and that's been tabled in this Legislature as well – clearly threatens his position within Alberta Health Services. It was written by a member of Alberta Health Services who is now a very senior AHS official in the area of mental health and addictions. To have that person still at AHS after writing this letter – now, we don't know who directed that individual to write that letter. We don't have a clue about that.

The thing is, Mr. Speaker, that unless we have a debate today and determine whether or not – we'd have to understand how we're going to get to that information, or else we'll never know, and these intimidation tactics will continue. Clearly, we have to debate whether the Alberta Health Quality Council is the right forum to get at that information or if a full independent public inquiry, with powers of subpoena and the ability to compel evidence, et cetera, is the right vehicle to go forward on this. I won't make arguments on that because that's not what we're debating right here, but we absolutely have to have that debate as we move forward.

3:00

The other major and, I think, frankly, scary thing that has come up since last week is, again, the same Dr. Maybaum, who quotes a senior health official in Calgary telling him that there are people high up in the government – it doesn't even say health officials; it just says high up in the government – who want his head on a platter. The Member for Fort McMurray-Wood Buffalo just tabled that document a few minutes ago. That's a very threatening and menacing tone. It is very recent. This is around 2008, so it involves the sitting government. It happened during the time that the current administration was elected. It is very important that we get to the bottom of this.

Again, we did not have any of this information prior to last week. Of course, there are others since last week, and I'm only going to go there because . . .

**The Speaker:** Hon. member, please. I have now given you the liberty of eight minutes to briefly state your case about the urgency. If, in fact, Standing Order 30 was upheld, you would have a maximum of 10 minutes to speak. On the argument for urgency you have spent eight. Is there additional information you have to provide to deal with the question of urgency?

**Mr. Anderson:** Thank you, Mr. Speaker. I will wrap up, then. Very quickly, on the issue of urgency there are many doctors that are coming forward not only to us but to other opposition parties as well as having been quoted in numerous reports, saying that they cannot and will not come forward unless there is a full public inquiry. My fear is that if we don't have this debate today and if we don't settle this issue and give them a forum in which they can come forward, we will lose the opportunity that we have right now, right this second, where doctors are finally willing to come forward and talk about this on the record.

If we don't do this today, if we continue to delay, I fear that the intimidation tactics will continue. These doctors, in order to save their careers and to be able to get the operating time that they need, et cetera, will slide back into the shadows and will forever not testify before a full public inquiry. So those are my arguments on urgency, Mr. Speaker.

**The Speaker:** Can I have some idea as to how many individuals would like to participate in this? The standing orders are very clear:

The Member may briefly state the arguments in favour of the request for leave and the Speaker may allow such debate as he or she considers relevant to the question of urgency of debate and shall then rule on whether or not the request for leave is in order.

So can I get some idea of how many want to participate? No. Sorry. I'll accept two speakers: the Government House Leader and the Opposition House Leader. Briefly, please, on urgency.

**Mr. Hancock:** Thank you, Mr. Speaker. I was tempted to intervene earlier, but I just got the notice of motion, actually, quite late in the process, which in itself is a departure from the normal process.

Under Standing Order 30(7)(d) "the motion must not revive discussion on a matter that has been discussed in the same session pursuant to this Standing Order." Very clearly, this is on exactly the same topic. In fact, the hon. member in his comments referenced the fact that we had this debate one week earlier, but he didn't have as much information to say at that time. He wants another opportunity on the same discussion so that he can bring forward more information. He might have more information, but it is the same discussion, and it's out of order to have a Standing Order 30 motion that revives discussion on a matter that has been discussed in the same session pursuant to this standing order.

The Speaker will recall that on March 14 – and it's referenced in *Hansard* issue 12, page 328 – the motion was that new evidence has surfaced, almost the same language, "demonstrating that the government silenced critics of the health care system, thereby contributing to the crisis in Alberta's health care." It's exactly the same language as the hon. member used in supporting the need for another opportunity for him to discuss and for this House to discuss exactly the same issue that was debated on March 14.

Mr. Speaker, the motion is out of order under our standing orders. It's clearly out of order under our standing orders.

The hon. member, as you pointed out, in his rather lengthy short process to suggest urgency goes on to misquote some of the letters that have been tabled in the House – they've been tabled in the House, and they've now been available for people to read for a week; he still can't read them – saying that the AMA in their second letter fully supported a public inquiry. Well, they didn't. It's clear on the surface of it.

The short of it is, Mr. Speaker, that there is a public investigation happening through the Health Quality Council. There is an opportunity for all of the information to come forward to the Health Quality Council. The terms of reference of the Health Quality Council inquiry have been made public. The opportunity is there for any person who's an employee of Alberta Health Services or who otherwise operates in the health system to go before the Health Quality Council. An interim report will be made public in three months, a subsequent report in six months, and a final report in nine months. There will be opportunity to discern this once the information is actually known rather than the allegations that are being brought forward. There's plenty of time to deal with this issue if there is an issue.

The short of it is that we had an emergency debate on this a week ago, and it's not in order to have another one today.

**The Speaker:** The hon. Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Indeed, there was a debate a week ago. That's clearly on the record. But equally on the record through tablings and other means of raising the issue

is that there have been quite a stack, a litany of new things to consider along with this issue.

I just want to address what appears in 387, where it's asking that there should be no other reasonable opportunity for debate on this particular issue. That contributes to the urgency of having the debate now in that we have had no bill debate come before us in which we could have done this. There's been no government motion in which we could have discussed it although we did manage to have a government motion to discuss interfering in another level of government, so clearly there was time to do that.

But there was no government motion to discuss a public inquiry in health care. There was no private member's bill or motion on the Order Paper. The appropriation bill was for interim supply and was limited in the amount of debate that was allocated for that in that the government had the power to and did in fact call adjournment to the speakers and then brought it back for a vote later. There were not written questions or motions for returns on this issue, and it would take us three weeks to get one through the process in order to have it up. So it's impossible for us to do that now.

A number of questions were raised in question period, but I am very mindful of the number of times the Speaker has reminded us that question period is not to provoke debate and that, therefore, that is an inappropriate place to discuss the complexity of the issue before us.

Having just raised the context of, "Where else could we have discussed this?" there is a debate coming on the ministry of health, but, Mr. Speaker, that is not for some three weeks, almost four weeks from now. Given the speed at which things have changed on this issue, I would have to say that three weeks away is far too long to wait in order to be able to have a serious conversation about the additional allegations that have been brought forward and personal commentary and testimonials that have come forward in the last seven days. Clearly, the urgency of the issue is mounting.

Thank you very much.

**The Speaker:** Thank you very much, hon. member, for the brevity with which you addressed this matter. That's very much appreciated.

I say that, hon. members, because there is a Routine this afternoon. The standing orders suggest that should there be an estimate this afternoon, which there will be, a minimum of three hours must be addressed to that estimate. So if it takes me five minutes now to deal with this, then presumably your estimate will start at 3:15 and it would not curtail itself until at least 6:15, which would then set that the next segment tonight, which has to be 30 minutes thereafter, would not be able to commence until at least 6:45, which means that you would be here till at least 9:45. Time is important, and I value your attendance in the House.

3:10

I am prepared to rule on whether the request for leave on this motion to proceed is in order under Standing Order 30(2). The hon. Member for Airdrie-Chestermere did meet the requirements of providing at least two hours' notice to my office by providing the required words to me at 11:23 this morning, March 22, 2011.

As I've indicated many times before in these interventions, the relevant parliamentary authorities on this subject are pages 689 to 696, *House of Commons Procedure and Practice*, second edition, and *Beauchesne's*, paragraphs 387 to 390.

Hon. members, last Monday, March 14, 2011, this Assembly adjourned the ordinary business to discuss a matter of urgent public importance under Standing Order 30. The motion from last

Monday can be found at *Alberta Hansard* for that day at page 328, and it read as follows:

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the new evidence that has surfaced demonstrating that the government silenced critics of the health care system, thereby undermining confidence in public health and contributing to the crisis in Alberta's health care system.

Standing Order 30(7)(d), which has been alluded to, states that one of the applicable conditions for a request under this standing order is that "the motion must not revive discussion on a matter that has been discussed in the same session pursuant to this Standing Order."

I recognize that the Member for Airdrie-Chestermere is trying to cast his request in a different light than the motion by the Member for Edmonton-Centre last week, but in the chair's view it is substantially the same issue and, therefore, out of order.

The hon. Member for Airdrie-Chestermere as well in his remarks this afternoon basically said that there was need for a decision and a decision made today with respect to the matter, but Standing Order 30(6) clearly states, "An emergency debate does not entail any decision of the Assembly."

The chair refers members who are interested in previous rulings concerning the application of Standing Order 30(7)(d) to *Alberta Hansard* for July 20, 1989, at page 890, and to November 17, 2005, at pages 1718 to 1719.

Furthermore – and I repeat it again – this motion would seem to entail a decision of the Assembly if it was permitted to proceed, which violates Standing Order 30(6). And there are very applicable words in there, the need "to immediately appoint a commission."

Accordingly, the chair does not find the request for leave in order under the Assembly's rules, and the question will not be put.

## Orders of the Day

### Committee of Supply

[Mr. Cao in the chair]

**The Chair:** Hon. members, the chair would like to call the Committee of Supply to order.

## Main Estimates 2011-12

### Environment

**The Chair:** Hon. Minister of Environment, please, you have the floor now.

**Mr. Renner:** Thank you, Mr. Chairman. First of all, I would like to thank my staff for joining me here this afternoon. I'm looking forward to the next three hours: talking about some of the great things that are under way in Environment, clarifying some comments and questions that the members of the House might have, and hopefully cajoling all the members of this committee into recommending the support of my budget when the appropriate time comes.

Just before we get into some brief introductory comments, I would like to take a moment to introduce all the folks that have joined me here this afternoon. To my immediate right is Mr. Jim Ellis, deputy minister. Next to him is Mr. Bob Barraclough, assistant deputy minister of monitoring and science. Bob is the newest ADM, that was appointed to take on our newly created division of

monitoring and science. Next to him is Mike Dalrymple, senior financial officer. Next to Mike is Ernie Hui, assistant deputy minister of policy. To my left is Ms Bev Yee, assistant deputy minister for strategy; Mr. Rick Brown, assistant deputy minister responsible for operations; and finally, Mr. Al Sanderson, who's the assistant deputy minister responsible for corporate services.

Also joining us in the members' gallery: Mr. Jeff Kasbrick, my executive assistant; Mr. Josh McGregor, special assistant to the minister for my office; Erin Carrier, acting director of communications; Martin Krezalek, executive director to the deputy minister; and Shelly Little, section head, financial planning and reporting.

Mr. Chairman, I want to just briefly begin things by expressing my confidence that we continue to operate effectively within the allocated budget, maintaining our commitment to protecting the environment that Albertans hold so very dear. Committee members may notice that Environment's overall budget has decreased to \$290 million this year, compared to last year's \$308 million. I do want to take a few moments to talk about how that came about, and then we can get into it in a little bit more detail a little bit later.

I also want to point out, you may have noticed, that we have reorganized the department. In previous years I expressed frustration that I didn't think that the department was organized to the point where it made strategic sense, and that has been rectified. The budget has been rejigged as best as possible so that we can have true comparables from one year to the next. So where people have been moved around, we took the dollars with them. I think that you will find that for the most part the comparables make sense, and we can deal with those questions throughout. The 2011 budget has been updated to reflect that structure. The new organizational design streamlines our operations and will ultimately improve environmental management across the province.

I also want to point out that water for life no longer has its own line item within the budget. It's included among a number of divisional budgets, but I can assure all members that we remain committed to the strategy, which includes implementing a provincial wetlands policy.

Our priority areas for the 2011 budget: \$121 million for climate change, that includes \$68 million for the climate change and emissions management fund – that is what we expect to collect this year – and \$51 million for projects under the Canada ecotrust for clean air and climate change fund. We have \$97 million for ongoing environmental operations programs – that includes compliance, enforcement, regulatory work, and approvals – and \$22 million of nonvoted operating amortization of the water infrastructure throughout the province of Alberta. There is \$17 million for monitoring, science, and reporting. That's a 21 per cent increase over last year. It will support the development of a world-class environmental monitoring system that is now being developed by an independent monitoring panel, that will be providing their recommendations in June of this year.

3:20

The budget also includes \$18.9 million for water for life. As I mentioned earlier, it is divided out among a number of different divisions within the budget. Cross ministry there is about \$25 million in the government of Alberta budget that can be directly attributed to water for life.

We also have \$190 million in Alberta's capital plan to support drinking water and waste water. That is not in my budget – that is in the Transportation budget – but it's a significant part of what we do in Alberta Environment.

I mentioned that we have an overall decrease in our budget this year, \$10 million less than last year. Nine and a half million for that is the Bassano dam settlement. So the budget-to-budget drop is actually \$18 million. Our budget is \$18 million less than it was last year because we had an increase for the Bassano dam settlement that was added into the budget. The reason for that is quite simple: less money was paid than forecast into the climate change and emissions management funds. That's good news. That means that more facilities are improving their operations or purchasing offsets under our CO<sub>2</sub> management program.

We also include in this budget \$1.1 million for the Bassano dam for access payment and \$9.5 million for discontinuance of claims and litigation by Siksika in the first annual access payment. I need to point out that the Bassano dam is really a crucial piece of Alberta's water management infrastructure. This settlement involves the Alberta government, the federal government, as well as the Eastern irrigation district. It secures water supply for many Albertans and secures the historical wrong that goes all the way back to 1910, when land was taken from the Siksika First Nation for the construction of the dam. All payments are not yet paid and are awaiting federal approval, but we're confident that that will take place.

Our budget protects our core programs, takes action on strategic priorities, and shows that we are being fiscally responsible with Albertans' tax dollars.

With that, Mr. Chairman, I'm more than happy to take questions. I understand it's the practice of this committee that the first period of time is allocated to the Official Opposition. I would be more than willing to engage in a to-and-fro if that's the wish, but I leave that up to the Member for Edmonton-Centre.

**The Chair:** The next hour is allocated to the Official Opposition, and like the minister said, there will be a dialogue between you two. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I just want to express my appreciation to the staff members from the Department of Environment that have joined us on the floor and have joined us in the gallery. I know that sometimes this is regarded as not your favourite day. Nonetheless, I understand how hard you work and how dedicated you are to environmental stewardship in this province, and I do appreciate it.

I'd also like to express my appreciation to Avril McCalla, who's joining me on the floor today. She is responsible for approximately half of the portfolio research that we are currently doing in the Official Opposition, so I'm very grateful to have her on the floor with me today, seeing as she has about 11 other ministries to be looking after at exactly the same time.

Cutting right to the chase, as you all know I like to do: tough year for credibility around the government and protection of the environment. What I want to do today is ask a few questions. I'm more than willing, by the way, Mr. Chair, to engage in a back and forth for the 60 minutes' time that we have. What I'd like to do is ask a few general questions about the budget and then talk about monitoring, tailings ponds management and reclamation, water, emergency response, climate change and the climate change emissions management program, alternative energy, including energy conservation and energy efficiency, cumulative effects management. Then I've got some odds and sods if we get there, and if we don't, I'll just pass the list on to you.

Let me try going through that first list of questions. I'm referencing page 142 of the estimates. As we look back and forward at a tendency here, between 2008-09 and this year of '11-12 we saw a fairly significant increase in the total budget for Environment

and then a kind of slower but steady decline. I'm wondering, given how important the environment is and our good name internationally, why there hasn't been better support – and this might be a difficult for the minister to answer – for a plateauing of his budget rather than a decrease of his budget given the recession that we were in.

The second question in that series. There was a forecast last year of it looks to us like \$227.8 million, but the actual amount was quite a bit less, at \$199.7 million. So what money didn't get spent last year, and did that stay the same this year? Did it get replenished, or did it stay at the same of whatever got cut out of the previous year? I'm a little concerned that stuff has been cut quite a bit, and then it's going to stay at that level. That's part of the trouble that we're experiencing in health care right now, so I don't want to see the same trend.

There's also a great deal of fluctuation between the actuals and the budgeted amounts over the last couple of years. I'm wondering: is there a particular reason why this budget is fluctuating consistently over the years?

Now, I've just got one more question in that series. Under section 2 of the estimates, under Policy, the \$74.8 million: how exactly is this policy money spent? What do Albertans get for it? How exactly is it broken down? I mean, clearly, we can see some general categories there, but I have no idea what programs are included in that or aren't included in that.

I will let the minister just answer some of those questions very quickly.

**Mr. Renner:** Thanks, Mr. Chairman. I want to begin with some general comments. The member pointed out that our budget has climbed and appears to have dropped. I tried to explain that in my opening comments; I don't think I did a very good job. I want to point out that the reason why there are changes in our budget is because of the magnitude of some of the one-time charges that come into our budget.

I talked about the ecotrust fund. This was an injection of dollars that were federal dollars that basically passed through our budget. We are over time allocating and expending those dollars, and as we run out of that fund, those dollars are no longer reflected in our budget. Those dollars are not used to pay for costs of operating Alberta Environment's budget. We made very, very clear to our staff that we didn't want to compromise our ability to do the work of the department by taking some of these one-time federal dollars and becoming dependent upon them within the department. That would be the reason why it would appear that the dollars are going less, because the amount of funding that's coming out of there is less.

3:30

The other reason, as I explained, was that this year the estimate for the emissions management fund is about \$10 million less than it was last year. That, too, is a flow-through fund. Dollars come in; dollars go out. We are estimating that the amount that we collect will be less because we're seeing higher than anticipated take-up on some of our programs that were developed here in Alberta for offset credits. So rather than paying the \$15 a tonne into our compliance fund, some of the designated emitters are finding opportunities to buy offsets. It's good news. They're Alberta-based offsets. That was the reason why we put the program in there in the first place. But those dollars, then, don't end up coming through our budget.

Then, finally, I did explain that last year we had included some of the settlement costs for the Bassano dam. They actually went through in supplemental estimates; we just dealt with them a while

ago. But they have to be reflected in the reporting for last year. When we report what we expect the forecast is going to be, we include those dollars because we expect that they will be expended in last year's budget. Those were, again, one time. They do not affect our ability to continue to operate the department for our operations side.

The member also talked specifically about the policy side of our department. There are, as you can see outlined on lines 2.1 through to 2.5, five different areas where these dollars are allocated.

Air, land, and waste policy is geared primarily toward policy development, so the kind of things we do there is to provide leadership and policy advice for the development of the air quality management system. That's something that we've been doing on a national basis. Alberta has been taking the lead in developing the air quality management system. We collaborate with the federal government and the provinces to implement that program. It supports the development of air plans that feed into the land-use framework. So although we are not the ministry responsible for Alberta land stewardship, we will be responsible for providing the scientific input for the development of air and water limits and triggers along the way. It supports the development and implementation of the greening government strategy, continues to implement our Too Good To Waste strategy. I won't go on because I've got a lot here.

The other, 2.2, is climate change. Under climate change there is the technology fund, the emissions management fund. The flow-through amount is included in that climate change. It also includes our conservation energy efficiency programs that are reflected in there. The other main one, I think, would be that it also includes Ecotrust, that I talked about a little bit earlier. Again, that's fairly reflective of the discussion that we've been having.

Item 2.3 is clean energy. That's to address the cumulative effects on the oil sands region by developing strategies, management frameworks, and policies to support the lower Athabasca regional plan.

Policy innovation: the work that is currently under way to support Alberta Energy in establishing a single regulator and a systematic common risk and management approach.

Finally, the water policy is for reviewing and renewing the water policy framework for the upstream oil and gas sector in support of enhancing Alberta's regulatory system and preparing our water management policy and systems for water events such floods, droughts, and shortages, including responsive water allocation systems.

So a number of the programs that we've had discussion on that are involving the actual development or application of policy would be included in this division.

**Ms Blakeman:** Thanks very much to the minister for those answers, then. I do hear him, that essentially he's saying that there hasn't been a drop in the money that's allocated to the Department of Environment although it looks like it. You've got the Ecotrust money. It's been sitting in that account. It is essentially being drawn down, so every year there is less in it, and therefore your bottom line has less on it. Also, you had those two settlements which would also affect your bottom line, and the emissions management fund, where less is collected.

Now, a couple of quick questions out of that, too. When you say offsets, I'm hearing cap and trade in my head. Is it the same language, or is there a different thing going on here? I'm pretty sure it's the same thing.

The second thing is my observation that \$74 million is a lot of money for policy development. I realize he was kind of skipping

through his lists, so I would ask if you can provide the list of exactly what gets broken out under each of those votes. He was giving me a kind of quick list, but I would appreciate the thorough list if it can be provided to me through whoever is supposed to get it, and then it comes to me. I guess you table it. I would appreciate that. That's the sort of cleanup from the last one.

Now I'm going to go on. The next is the focus on the oil sands and water monitoring. We've had a lot of panels. We had the Schindler report, which the government initially started to discredit Dr. Schindler about and then quickly met with him to compare science. I think that was the language that was being used. From that, we had the provincial panel, the Water Monitoring Data Review Committee. That was provincial panel 1, and it reported.

Provincial panel 2 was a second panel to determine a new monitoring system in the oil sands, and that's the one that I was talking about in question period today. I don't remember the name of that one. It's the water monitoring something. A Foundation for the Future, Building an Environmental Monitoring System for the Oil Sands: oh, no, that's the federal one. Sorry. This is why this just gets so confusing. So there's the monitoring one that's reporting, from which you've lost two members. That's provincial panel 2. You've got federal panel 1, which was the one set up by the former federal minister, Jim Prentice. It found that essentially there wasn't a clear, equitable measure-to-measure monitoring system in the region.

Then we had wild card panel 1, which is the Royal Society of Canada Expert Panel: Environmental and Health Impacts of Canada's Oil Sands Industry, which had more or less the same sort of response, that current evidence was insufficient, regulatory capacity is weak, Alberta faces major potential liabilities as a result of weak financial security practices, that there are valid concerns with RAMP, the regional aquatics monitoring program, and that the environmental impact assessment process is deficient. They have a long quote in here. They've

identified deficiencies in environmental assessment practices compared with international best practice guidance from guidelines promoted by Canadian agencies, international agencies, and industrial associations.

There's a whole list of them there.

Notably, there has generally been inadequate overall risk assessment for technological and natural disasters, assessment of community health impacts (negative and positive), integrated and cumulative ecological impact assessment, and assessment of regional socio-economic impacts.

Then we had provincial panel 3, which was the original aquatics monitoring system, which reported this past January, eight weeks ago or so. So three different panels.

Now I'm going to look under the estimates on page 142 but also the ministry business plans on pages 57 and 58. I think I also reference page 42 of the fiscal plan. This is the one where \$17 million was provided in this year, which is an increase of \$3 million over the previous year, or the 21 per cent that the minister mentioned. It sounds grander when the minister says it because he says 21 per cent and not so grand when I say it because I say \$3 million. This recently appointed Environmental Monitoring Panel will provide the recommendations by June. I'm taking it that this is this water monitoring one.

3:40

My question is: why isn't one of the priority initiatives that's listed in the ministry business plan for 2011-14 to develop and implement a science-based monitoring system for the Alberta oil sands? I expected to see that as part of the language that is being put forward, and I expected to see it to back up the ministry's shift in messaging around monitoring. The closest thing that I see is priority initiative 1.2 in the business plan, which is: "contribute to

building an integrated information, monitoring, reporting and knowledge system." It's not quite what I expected.

The performance measurement, on the other hand, which appears on page 58, reads: "Water quality" – oh, yeah; this is the one I want to know about – "of six major Alberta rivers at key sites, based on monthly data on four groups of variables . . . which are averaged to provide an overall water quality rating." It is suggested that the last actual, which was for '08-09, saw good to excellent water quality in 6 out of 6 river systems.

My questions. What six rivers are tracked under this performance measurement? Two, how is the water tested? In other words, what is it tested for, and how is it done? Three, I'm interested, if one of the rivers is the Athabasca, in how the results that were being produced from that – I'm going to push on how that could be trusted given that we have heard over and over again in the last couple of months that the information that was being produced by the government panels did not account for certain things that are being accounted for elsewhere.

I'm going to stop talking and let the minister answer those questions for me.

**Mr. Renner:** Thank you, Mr. Chairman. I want to begin by having a brief discussion over the remarks made by the member that suggest that I was attempting to discredit Dr. Schindler and his report. I don't agree with that observation. What I did point out was that there is a disagreement on the interpretation of facts and that I had indicated that our reporting and our monitoring were indicating that we were maintaining a good quality of water in the river, and that really leads into the final remarks.

That's why I asked a panel to have a look at the work, the ongoing science, based on Alberta Environment and our historical data and the science that Drs. Kelly and Schindler did. The conclusion that that panel came to was that, in fact, there is good science in both camps but that the science . . . [A timer sounded]

**The Chair:** It is indicating the first 20 minutes, so continue on, Minister.

**Mr. Renner:** . . . was designed perhaps to do different things. They said that the work that Dr. Schindler did indicated that there could be a deposition from snow, which would be airborne deposition, but there were a number of assumptions that had been made to draw the conclusion that the samples that they found in very isolated and small numbers of samples of snow would then equate to a significant impact on the river. They said that they didn't necessarily agree that that conclusion could be made.

They also reaffirmed even what Dr. Schindler had shown, that if there are these airborne depositions that are ending up in the river, they're in very small quantities, so small that the monitoring that goes on does not measure them. That's how we get into this dichotomy where you have, on one hand, someone saying that we have good quality and, on the other hand, someone saying: well, we have evidence to indicate that there is something to be concerned about. That's the reason we are now in the process of reviewing our monitoring system, so that we can understand whether or not at some point in time these very small deposits could be entering our water system or perhaps are entering our water system and, if so, what we need to do. What are the kinds of actions that we would take from a management perspective to deal with it?

The panel also pointed out that it's important that we not only identify and quantify the quality of water but that we have more emphasis in the monitoring and science on determining whether or not that is causing adverse effect on the environment, particularly from an overall biodiversity perspective. That's why we are de-

veloping a program right now that is designed to incorporate all the various media: land, water, and air as well as biodiversity. At the end of the day, really, it's the health and relative well-being from a biodiversity perspective that tells us whether or not we are adequately protecting the environment and we have appropriate mechanisms in place.

The member asked which rivers we monitor. The rivers: the North Saskatchewan, South Saskatchewan, Athabasca, Bow, and Old Man. As I indicated, the testing that we have been doing has indicated from all independent kinds of standards that are set for water that our rivers are in that good to excellent category. That is true, but I think there's probably a good chance that when the numbers come out for next year, we will find, particularly in the South Saskatchewan, where we saw a flooding event take place last year, that the turbidity in that river will probably be enhanced. So we may not be able to say next year 6 out of 6. We may find that it maybe will drop to 5 out of 6 because of the amount of sediment that's washed down with these flood events and that the turbidity, then, will take some time to settle down in the river basin. So that's the nature of this performance measure.

Let me say that as we move towards cumulative effects and as we start to put in place much more rigid triggers and limits into the water management system through our Alberta land stewardship – and we'll soon see the numbers that have been arrived at for the lower Athabasca region – these kinds of performance measures will in all likelihood change. They'll become much more specific as to whether or not we are meeting the expectations and we are appropriately taking action as various triggers are reached or approached. I would think that the performance measures, particularly in my department, will become much more meaningful in the future than perhaps they've been in the past.

**Ms Blakeman:** Okay. Thank you. I missed one of the rivers, but I'll pick it up from the *Hansard*.

I'm going to stay on the monitoring for a bit longer. The new monitoring system: I'm wondering if it is going to be government run or if the minister is going to put it under RAMP to continue to lead water monitoring in the oil sands area? I would argue that that's a discredited agency now and not a good place to put it, but I'm interested in what's happening with that. The minister may well say: "Well, I'll do whatever the panel that's developing this monitoring is going to tell me," in which case he's got two answers to give me. One, if they tell him it should be government run and, two, if they tell him that it should be under RAMP, is he going to listen to that?

3:50

I'm also interested in what the funding structure would look like. The minister has said a number of times that he expects that it will be industry funded. Now, I see \$17 million in the budget for monitoring, science, and reporting. So is that the idea, that that amount of money is not including money to actually put this new monitoring system in place? I'm interested in what is under line 5, monitoring, science, and reporting. It's a single line. If I could get the breakdown of exactly what that does fund, and if it's a long list, I'm perfectly happy to get it in writing.

On page 42 of the fiscal plan it looks as though this water panel is going to cost \$3 million. That's what it seems to say. I'm quoting here from the section Environmental Monitoring, Science and Reporting.

About \$17 million is provided in 2011-12, an increase of \$3 million or over 21% . . . The recently appointed environmental monitoring panel will provide recommendations to government by June 2011 on the development.

It looks to me as though this panel is going to cost \$3 million, so I'm just looking for confirmation about that. I'm wondering if the costs that are associated with the monitoring panel that was appointed by the minister are included under monitoring, science, and reporting. If not, where is it? It's not being pulled out here, and I'm wondering exactly where it is.

I'm just going to move on now and talk about the health impact study in Fort Chipewyan, in which there was a sort of trifecta of ministries involved: Health, Aboriginal Relations, and Environment. I know that the process is currently stalled because the ministers are waiting for certain things that the First Nations – well, it's back and forth. The First Nations believe certain things are essential, and the ministry involved is waiting to go ahead, and they can't provide certain things. So the ball is bouncing back and forth.

I'm wondering: what is the role that this ministry has played to date in the initiation and follow-through of this health study in Fort Chip? If it goes ahead, will the Minister of Environment have any role, or has the ministry committed any funding? If so, again, where would I find it under the budget lines that appear on page 142? Does the ministry have a commitment to table the results of this health study or, at a minimum, their piece of the results of that health study?

I'll let the minister answer those questions.

**Mr. Renner:** Mr. Chairman, the breakdown for line 5: I have a page here, and I'll be happy to forward it to the member if she likes, and we won't waste a lot of time.

I want to get to the crux of the discussion, and that is: is this new monitoring panel going to be coming back with recommendations, and when they do, how am I going to be dealing with them? I think that one of the things that I discussed with the panel when I met with them in providing them with a little bit of advice over and above the terms of reference that they already have was to point out to them that at the end of the day we have to have a system that is science based, that will stand the scrutiny of peer review, and that is seen to be credible. I've also pointed out that, whether it's true or not, one of the criticisms of RAMP is that it is too much under the thumb of industry. I won't begin to presume what the recommendation is going to be, but I would suggest that it's pretty clear that we've recognized that if the monitoring system is seen to be controlled by industry, it will fall short on that credibility criteria.

When you ask me, "Is this going to be a government-run organization?" I say that I don't know. I can't begin to predict what the panel is going to tell me. I suspect that at the end of the day it will be a collaboration of some kind. The federal government has been involved. Environment Canada, as you know, is looking at their role, the role that they can play in monitoring. We have a role to play in monitoring. We do some monitoring and will continue to do some monitoring. Then there is also a role for ongoing monitoring, similar to what RAMP has been doing but probably changed.

The bottom line is that it needs to be co-ordinated. You can't have one organization that is responsible for monitoring air and one organization that's responsible for monitoring water and another organization that's doing biodiversity and those organizations never talking to one another. As Dr. Schindler pointed out, sometimes you need to be looking for things on the air side to find out if there are impacts on the water side, and sometimes you need to be looking for indications on the biodiversity side to find out if there are indications in other areas. The emphasis of what they're doing is on designing a system that is co-ordinated among all the various media.

Like I say, I don't want to put words in the panel's collective mouths, but I'm confident that they're very aware of some of the issues that we have been dealing with up to date and the reason we've asked them to come into force.

The \$3 million increase in this line item is not there simply to reflect the costs of this panel. The direct costs of the panel will be substantially less than that. We anticipate probably in the vicinity of about \$100,000. There is significantly more money in the monitoring budget to beef up some of the monitoring that we as a government do. That may well be part of the implementation of that monitoring report. Again, I can't predict precisely what portion of that \$3 million will be used to offset costs that are driven directly by the monitoring panel.

I almost hesitate to do so, but I do want to point out that if you go back two years, you'll find that we took a million dollars out of this budget. So putting \$3 million in replaces the \$1 million that was pulled out before. That will help us to beef up some of the programs in some areas. We've talked about the fact that in some of our programs we reduced the frequency. I'm not suggesting that everything would be automatically restored to where it was before, but it does give us some additional flexibility in some areas if it's necessary. I think that pretty much reflects the \$3 million.

I want to respond to the questions regarding the community health study that was referenced with respect to Fort Chipewyan. We had committed to the community of Fort Chipewyan that we would engage with them to develop a community-based environmental monitoring program. We were never able to come to any kind of an agreement on the terms of reference, what this monitoring program would look like. I'm extremely disappointed that that was the case. We just never could get the community and ourselves eye to eye on where this is going to go. I would suggest that the work that Environment does will be incorporated into the community health study that is driven by Alberta Health.

So Alberta Health will take the lead. The funding for the program is within Alberta Health, but Environment will provide appropriate support as requested. If there is a need for some environmental monitoring to be incorporated into that community health study, then we would provide the expertise and be on the ground to help them set that up in whatever way that they request us to do it.

4:00

**Ms Blakeman:** Thanks very much. Thank you for the information, and I'll look forward to receiving the list that the minister offered.

I'm going to shift slightly, but not very far, to water. The minister had mentioned that the water for life line item was taken out and that the entire budget was redistributed. Actually, one of the questions that I had is: where is water for life? The minister now tells me, "It's everywhere," so if his support staff could be so kind as to give me a breakdown of where it went. We had an estimate of \$18.9 million that was allocated to water for life. The minister mentioned it, and do you think I can find the notes I took on that now? Oh, here we go. Water for life, \$18.9 million – okay; I was right about the numbers – and a total of \$21 million cross ministry. That \$18.9 million: can you give me the breakdowns of where it turns up in your line items that appear on page 142? That would be very helpful.

I would be very interested in the minister's opinion or in your analysis of what was achieved in reference to water for life and, therefore, what's expected to be achieved in water for life. What are the improvements? What are the tangible differences that have happened in the program? How has water for life improved water management in the province?

I look at page 42 of the fiscal plan, and it talks about water for life. "In addition to \$190 million in capital support, \$25 million in operating support will be provided . . . to continue implementation of Alberta's Water for Life strategy." How will the \$190 million in capital support be used? How is it distributed? What specific projects are being required for the implementation of water for life? How much of this is coming from the Department of Environment? If it's not coming from Environment, then who is supplying it?

Then I want to also talk to the minister and have more of a discussion on what is happening with a new Water Act or the whole question about the water allocations that exist now, the FITFIR system, first in time, first in right, which for anybody listening at home or reading the *Hansard*, which I know everyone does, paying attention to every word, essentially said that the people who got there first have the allocation that is there. That allocation is never 100 per cent of the flow, obviously, but it is a certain allocation. The problem is that we now have a lot more people that need water, but only sort of the first group that got there, that first queue, have the licences for those allocations.

I have always felt that we are under a different time and that we need a different system and that the government should move away from the FITFIR system. I'm picking up, I'm sensing that the minister doesn't agree with me, and I'm sure he will put that on the record. I'm most concerned because in the system he talks about with transferring, money gets involved.

I understand that's the second 20 minutes.

**The Chair:** Hon. member, you have the last 20 minutes. Continue.

**Ms Blakeman:** Thank you. I think we start to tiptoe into some really dangerous territory, and it is a slippery slope. I mean, we can look at what happened in Australia and Chile. As they went to a water market system, essentially, you know, they ended up privatizing their water and then having to buy it back.

There are a couple of good questions that have been brought up to me, and one of them is that what we do with our water affects the rest of the world. If we make certain choices about how we talk about our water or legislate our water, that may well give an opening to other countries to come in and, for example, if they can buy land and get rights to water, allocation to water, transfer of water, they would then be able to do whatever they want with that, and we lose control of it. Then the control goes to another country.

The concept of water being, essentially, a public trust and that the government holds water in trust for the public and is required to protect that is something I would like to see the government move to. My reading of that does not include things like a water market because it moves away from a public trust concept.

Essentially, you want to make sure that everything that's done with water is in the broader public interest and does not make a choice that is primarily in a private interest or primarily benefits a private interest. You know what? We had one of those before us with the Balzac racetrack, which didn't happen in the end, but the shopping mall certainly did. I mean, they were looking for water, and that was a private interest. That's a perfect example of what can happen and did happen here. Now, because of the laws we had in place at the time, they ended up getting their water not from where they thought they would, but they were able to purchase a licence or part of a licence from an irrigation district to carry through with this. But that's the slippery slope that I'm looking out for.

I'd like the minister to talk more about when we're going to see that Water Act. He dances pretty well when I ask that question; he's pretty light on his feet. I think it's important that we have a



much clearer sense of when that's coming, just to be fair. I've been the critic for this portfolio now for – this is my third budget. I've been hearing the same answer around that Water Act: it's soon. Three years is a long time to be soon. When is the Water Act coming? Is he going to go with some kind of transfer of licence or transfer of allocation system; in other words, a water market? Is he going to choose a water market as the delivery system for this as we move forward?

Also, is he planning on taking any kinds of steps inside of a Water Act that would be more conscious of how water gets used? We've made some choices where we've done basin-to-basin water transfers in order to keep a settlement of people going or even to allow them to increase their density. The question that I ask when I look at that is: was it appropriate to allow that to continue? We did. We enabled it to continue by transferring the water. Is that a sensible thing for a government to be allowing or encouraging, legislating to happen given that they are holding water in public trust for everyone else? Things like crops that we decide to grow given irrigation – am I making everybody up there crazy?

I think this is the most important discussion, aside from the monitoring issue, that the minister and I can have because I think these two things are at the bottom of what's really going on around environmental stewardship. There are a number of other ones like reclamation and the oil sands and things, but really if you don't have a clean glass of water or you don't have enough water to grow food in a local area – see, this starts to roll onto a lot of things.

I keep talking about recognizing that most Albertans live in urban settings, but that doesn't mean that I don't care about what's happening outside of those. I care very much, especially when we look at food security. A big issue around security is: can we grow enough food close to home that we're not transporting it, you know, thousands of miles in a truck, which is burning gas and contributing to greenhouse gases? It all starts to come around and go around at a certain point.

I'm going to sit down and let the minister try and answer the specific questions that I gave him and try and give me some more information about when the Water Act is coming, what some of the key things are that he's set in place around that, and then whether he has anticipated trying to actually shape and move our water use as part of that act.

**The Chair:** The hon. minister.

4:10

**Mr. Renner:** Thanks, Mr. Chairman. The member started her comments by talking about water for life and referencing the fact that the water for life line item is no longer in the budget. I can give you the breakdown on where the funds are. There's about a million dollars in ministry support services; \$3 million in clean energy initiatives; \$2 million in the approvals section of the budget; water operations, another \$2 million; monitoring and reporting, \$1 million; water policy, \$8.5 million; relationships and partnerships, \$1 million; and policy innovation, approximately half a million dollars.

I also want to point out that in '09-10 we prepaid grants to the WPACs, watershed planning and advisory councils, which amounts to about 4 and a half million dollars under the water for life program as well.

The significant portion that I referred to – that is, the water for life budget that is not within the ministry's budget but is, instead, in Transportation – is available on Transportation's website. I have a copy of the website here that shows the approvals up to June of 2010. It's Alberta municipal water/waste-water partner-

ship, regular program, stand-alone systems, projects approved up to June 2010. It's available on the website. If you have trouble finding it, I'll certainly have someone provide you with a little bit more detail.

You asked: what are the results of water for life? Well, water for life is an ongoing strategy. It's not complete as of yet, but it is complete to the point where we feel that it has been integrated into the core business of what we do within the department. That's the reason why it finds itself spread throughout the department, because it really governs the way we do business. To continue to have it as a stand-alone line item no longer makes sense because it doesn't reflect what it is that we do.

I think that there are a couple of areas I could point to as being significant accomplishments of water for life. One is the development of these strong partnerships that are there, particularly in the development of WPACs around the province. We just last week announced the development of yet another WPAC for the Peace River. We've got these local, community-based watershed councils now that are operating on virtually every major water basin throughout the province, helping us to make that kind of awareness at the community level and to also help us to develop appropriate policy for protecting water along the way.

We have seen significant adoption of water conservation initiatives. The water for life partnership says that we should be increasing our water conservation initiatives by 30 per cent by 2015. We've seen significant progress in the irrigation districts, in municipal governments, both rural and urban. The AUMA is actively engaged with us, as is AAMD and C. We've also had a significant amount of success on the conservation side within industry, the oil and gas industry in particular.

The discussion around water allocation. The member asked: when are we going to bring in a Water Act? Well, I want to point out that we have a Water Act. We have a Water Act that is widely acknowledged as one of the best pieces of legislation in the world. I'm told – I wasn't here at the time; I was in this House during part of the time, but I certainly wasn't minister – that the Water Act under which we operate now took from about 1991 to 1999, from the time that the discussions originally began until it was fully implemented.

The discussions around legislation as it affects water, as the member has quite rightly pointed out, are very difficult, very emotional, and one needs to tread lightly and make sure that you get it right. That's the process we're in right now. We're saying that we have excellent legislation. That legislation is serving us well, but there are areas where we have to have a look at whether or not it can serve us better or whether changes to that legislation are necessary for it to serve us better.

One of the things that is in the Water Act, that has been there since 1999, is the separation of water licences from land titles. Previously water licences were attached to land. You don't get access to water unless you acquire the land. In 1999, recognizing that the world had changed then, there was a separation of the water licence from the land. There are instances where licences that are attached to land for various reasons are no longer relevant. The use of the land has changed, so that water licence becomes redundant.

We put in place a process whereby licences could be transferred from one holder to another. This is nothing new. This is nothing that has been introduced recently. What has heightened the attention and the focus on licence transfers of late is the fact that the South Saskatchewan River basin has been closed. Once you have a closed basin, you can no longer come to the government and ask for a new water allocation because there is no more water to allocate. Now we're starting to see more frequent use of the

opportunities that are available within the Water Act to transfer licences.

There are many – and I think the member even alluded to those – kinds of speculations that allowing water licences to be transferred somehow creates a commodity for water, commoditizes water, and removes any ability to continue to use water, and I categorically deny that that's the case. It is very, very clear that any licence that is being contemplated for transfer from one user to another has to be able to demonstrate on both sides of the transaction. On the original holder side that holder has to demonstrate how their actions have resulted in reduced need for that water, reduced use of that water. You can't simply transfer surplus water that you've never used. You have to say: we have taken specific action or will take specific action as a result of this transfer and the cash that we have from this transfer to reduce the need for water.

That was the case in the Balzac situation that she talked about. The Western irrigation district said: "We will take money, invest it into our infrastructure. We will replace open irrigation ditches with underground pipes that will reduce the amount of evaporation. We'll beef up our storage capacity so that we better manage the water that's within. At the end of the day we will be able to actually irrigate more acres than we did formerly, using less water." The water that is saved is transferred on the licence transfer.

Conversely, on the other side of the coin, someone who applies to receive one of these licence transfers has to be able to demonstrate that there's reason to believe that they can use that water, that they have a demonstrated use for that water. We cannot and do not allow any transfers to take place for speculative reasons, for example. No one can acquire a licence if they can't demonstrate how they're going to physically receive that water out of a diversion and how they are going to use that water. So the suggestion that somehow someone could acquire a licence and then ship it off, you know, to points unknown is simply not the case.

Now, if someone puts a bottled-water plant together and you have a soft drink manufacturing facility or something, some of that water probably ends up outside of the water basin, but it is of an insignificant amount, and it's done as common practice everywhere, not just in Alberta. But to suggest that someone could actually make wholesale interbasin transfers of water simply because they hold a licence for that water is simply not the case. It is not the case in the Water Act, and it's never been the case in any of the discussion documents that we've been involved in.

4:20

Now, the million-dollar question, or maybe it's more than a million-dollar question: when is all of this going to happen? All of this is going to happen when we have an opportunity for the public (a) to engage in the discussion and (b), more importantly, to engage in a way that allows people to participate in that discussion of water from a knowledge base that allows the discussion to be based on fact and not hyperbole.

I get very frustrated with a lot of the noise that is around the discussion of a water allocation policy, whether it be in the social networks or whether it be in newsletters or other places, where people are suggesting that somehow the government has got this nefarious plan to deny Albertans the access to water that they need. Nothing could be further from the truth. Absolutely nothing. Nothing could be further from the truth when it comes to ensuring that we conserve water for the purpose of maintaining healthy aquatic ecosystems. That has to be the underlying premise for any kind of water allocation system that we would move towards.

I can't answer that question. Frankly, I'm disappointed that we have not moved forward yet. Every time we start to get close to

having that discussion, the furor whips up again. People get all excited, and no one has really got their minds focused on having a good, intelligent conversation around what we are going to do to accomplish three things: conserve water for the ecosystem, preserve water for recreational and human use, and at the same time facilitate the transfers from existing users to new users that need to have access to that water because we have a growing economy.

**Ms Blakeman:** Thanks very much. I know that my time is almost up. I'm going to ask the pages to deliver a list of extra questions over to the minister. I do want to encourage the minister again to include in amendments to the Water Act, which is the way I should have phrased that – I'm sorry; that is what I'm waiting for – that it be specifically stated that water is owned in trust for each citizen and that citizens would have standing in court if that trust is threatened, for example.

I think that's going to protect us when we start to look at what it tells the rest of the world. If we tell the rest of the world we don't have strong limits on water licensing or markets, then it says that our only tool is regulation of a private interest, which is much weaker than a strong statement about water being subject to a public trust and that the Legislature does not have the power to give up that trust, that the Legislature doesn't have the right to override that because holding that water is in the public trust.

I didn't get anywhere near through most of my questions here, but I appreciate the time that I did get from the minister. Let me just quickly go back and see if there's anything I can pop in in the 30 seconds I've got left here.

Of the \$739 million for environmental projects that's listed on page 20 of the fiscal plan, how much is for carbon capture and storage projects? Another way of wording that is: how much of this has already been committed to CCS through the \$2 billion? I'm trying to sort out how much you've spent, how much you're going to spend, and how much is still sitting there. I'm wondering if the long-term plans for the fund have changed and if the minister expects to see continuing declines in the fund as companies in Alberta improve their practices.

Thank you very much, Mr. Chairman.

**The Chair:** Hon. members, the next 20 minutes are reserved for the third party. To the hon. minister and the hon. Member for Fort McMurray-Wood Buffalo, you want to exchange within the 20 minutes?

**Mr. Boutilier:** Sure.

**The Chair:** All right. Go ahead, hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you. It's kind of a lot more comfortable over on this side asking questions this afternoon. To the minister and his staff, I welcome you. It seems to be that there are a few more ADMs there from a few years ago.

I want to say first and foremost that I was actually going through your mandate letter. It's signed by the Premier. I'm not sure actually who did write the letter for the Premier, but I do know this. It talks about the fact that to achieve our goals, our priorities for the coming year remain. I have to ask the minister. It says first – and it's not even actually a sentence – "Resourceful," period, "Responsible," period. Is there a missing word in that objective in your mandate letter given to you last year in February? It's not a full sentence. I found it to be somewhat unusual in your mandate letter.

It talks about ensuring Alberta's resources are developed in an environmentally sustainable way, but it starts with just simply one

word, “Resourceful,” period, and then the word “Responsible.” Can you give me just a brief elaboration in a minute or so on what that means to you the way it’s written? Maybe it was amended, where there actually is another word or two that’s been added to your mandate letter because, quite simply, “Resourceful,” period, “Responsible,” period, is not good English, I guess. If you want to clarify that, I’ll provide the opportunity to allow you to do that now.

**Mr. Renner:** Mr. Chairman, I would suggest that the reference in the mandate letter probably comes from the government of Alberta’s vision statement, that says that the government of Alberta will work towards staying the course on our long-term goals. Resourceful, responsible means ensuring that energy resources are developed in an environmentally sustainable way.

**Mr. Boutilier:** Just reading it, if you don’t see the entire government global view of what it is, it kind of appears to be, I guess, basically two words that were extracted from part of a sentence. In my view, to the minister, you may want to perhaps add some meaningful words to that because I think it would give a clearer message of what your ultimate goals are as a ministry. Of course, you don’t write the letter. That’s written by the Premier, who appoints the members to Executive Council. I strongly, just friendly, suggest that it could be articulated in a more efficient manner to capture the imagination of Albertans on what is intended. That was my first observation.

On that, I first of all want to compliment this minister for the fact that as I was looking through, starting off with ministry support, a couple of things I observed. First and foremost was on the issue of environment. I think your ministry support demonstrated, just going by memory, that total ministry support is either 500 or 700. The reason I say that: I’m actually making a reference to Sustainable Resource Development because I have a suggestion in the budget debates today that you may find helpful in terms of how we continue to stretch our dollars further.

Ultimately, under ministry support for your ministry I believe the estimates are about \$18.4 million. As I go over to Sustainable Resource Development, which, of course, is another ministry, that you’re not responsible for, I saw the potential for a natural merger because it’s actually, under the ministry support for this ministry, \$34.9 million, almost \$35 million, yet your ministry support is half of that. You’re at \$18.5 million, and Sustainable Resource Development is at \$34.9 million.

I look at the categories: minister’s office, cabinet policy, deputy minister’s office, communications, human resources, corporate. They’re the exact same titles, but your ministry only, in fact, cost \$18.4 million for this proposed budget. SRD is actually proposing \$34 million, almost \$35 million. So my first observation is that you’re getting double the value that the sustainable resources ministry is doing unless the comparison is unfair.

4:30

My first question would be this. Would you be willing to take over the Ministry of Sustainable Resource Development? As you know, by way of history and as a former Minister of Environment, clearly, in today’s economic times – and I’ve heard this minister in this Assembly talk about continuing to shuttle funds to the front line for things that go on. Would you be willing to do that with your existing ADMs and your DM, to take over Sustainable Resource Development?

By way of history – history is a great teacher – in actual fact a large portion of Sustainable Resource Development, when it was created as a new ministry, really resulted from the Ministry of Environment.

**Mr. Renner:** Well, I’m hesitant to answer directly the question that the member has posed because I think the member knows very well that it’s a somewhat mischievous question in that it’s not a decision that I would make. That’s a decision that the Premier makes when he or she puts together the composition of his or her cabinet. I guess that given that we have a leadership contest under way, we’ll get a chance to find out this fall what the new leader’s vision will be.

There certainly are some instances where it makes sense for parts of Environment to be included with parts of SRD. When I attend my counterparts’ meetings for the Canadian Council of Ministers of the Environment, there are probably as many different combinations across the country as there are provinces. Some provinces include parks in their Environment ministry. Some provinces include mining in their ministry.

I don’t know that there’s a right or a wrong, but clearly there are advantages and disadvantages to combining various operations within this. I think we do a very good job of dealing with those by having an interdepartmental group that works very closely together, where we have Sustainable Resource Development, Environment, and Energy working very closely together in the areas where there is – I won’t call it duplication because I don’t believe that in most cases it is although we’re working to avoid it when it does happen. We work together and make sure that we do co-ordinate our activities so that one isn’t stepping on the toes of another.

As for the ministry support budget, I won’t presume to speak on behalf of the Minister of SRD. I will point out that a value for dollar – well, I shouldn’t point it out because on that basis I don’t know. We have about 700 employees; they have about 2,000 employees. The corporate support for a department roughly three times the size of ours is likely the main difference in the budget. If you look at line 1.6 in our budget, we have \$15 million in corporate support. I don’t know what SRD’s budget looks like, but I suspect that apart from that, it’s about the same.

**Mr. Boutilier:** Just on that, Mr. Chair, with the fact that your corporate support is \$15 million and theirs is almost \$30 million, I’m trying to understand what is so different. Corporate support is a pretty broad term. I certainly would allow the minister an opportunity to delve into the \$15 million. The question I’ll be asking SRD will be: what’s so different about your corporate support, that costs \$30 million to Alberta taxpayers, versus the only \$15 million that it costs the Ministry of Environment? Now, in many ways that can be a compliment to your ministry and to your officials in what has been going on, but for some reason SRD corporate support is twice that, \$30 million.

**Mr. Renner:** I think that question should be asked of the Minister of SRD. I can’t speak to another minister’s budget.

**Mr. Boutilier:** Well, I’d ask you to speak to the \$15 million. What value do Albertans get for corporate support in a large sum of money, \$15 million, which is actually the largest sum? Where does that \$15 million actually go? Also, keeping in mind the umbrella of shuttling funds to the front, where ultimately is the service providing value to Albertans? I guess it’s an opportunity to provide value to Albertans on that \$15 million.

**Mr. Renner:** Well, I don’t have the line-by-line breakdown, but let me just discuss some of the things that are provided under that corporate support item. We have our human resource/people support services, our communications, financial services, strategic business planning, integrated risk management, project management, performance measurement and evaluation, information

technology systems and support, our freedom of information and protection of privacy work, legal services, accommodations, and records information. So it is really the backbone of the department, providing all of the support services.

An interesting one is FOIP. The member may be aware that Environment has one of if not the largest FOIP areas in government. The reason for that is that when there is a land transaction, not every time but most times, when a piece of land is transferred from one owner to another, one of the searches that is often done is through Environment to determine whether or not there have been any environmental issues associated with that particular piece of land. I'm not so sure that the FOIP process is the appropriate process. In fact, we have been working very hard to find a less administratively burdensome way of doing it. Nevertheless, we have literally thousands of requests that we deal with that tend to be pretty standard requests, not the kind of request that you would normally think would require a freedom of information request, but they do. That's just one of the examples of the things that we do under corporate services.

**Mr. Boutilier:** Certainly, communications, that you make reference to, is \$1.267 million in a separate column. Under corporate is \$15.432 million, and I'd appreciate a breakdown of how that \$15.432 million is actually divvied up in terms of connecting to my original question on the value for Albertans, where that is, because communications is in another ministry.

With that, I move on to a couple of important issues. Sadly, if I reflect back on the past year, if we were to ask how we think the year went when it comes to the environment and the perception of the environment – in this House we deal with perceptions, and I think everyone, all members of this Assembly, including the minister and his staff, agree that we want the best and the strongest environment possible in a sustainable manner. In doing so, I might add that every 30 or 40 years, when governments change or when new leaders come about, new things are done. I'm very proud to say that in 1971 there was a new leader called Premier Lougheed. He, in fact, was the first Premier to decide that we should have a ministry of environment.

Many of the members here may not be aware that Alberta was the first province in all of Canada to have a ministry of environment, ahead of Quebec, ahead of the province of Ontario, and also ahead of the federal government. I think it speaks to the values that Albertans place on their environment, which I think is naturally what a leader would do in terms of capturing that in the form of a ministry. Good for Premier Lougheed during those days.

As we go forward, I think it's a fair comment to say that in the perception of specifically my constituency, Fort McMurray and the oil sands, it hasn't been a good year. It hasn't been a good year, so the question is: how do we earn back the respect and confidence of Albertans and the people in my community, where we say, "It's my backyard"? My three-year-old son plays in that backyard and breathes the air there every day. Oftentimes we talk about how proud we are of smelling the oil sands. We do say that it is an important resource that we've been blessed with, well beyond any of our control, but we've been blessed with it.

To the minister: in terms of the dollars he has been allotted in this past year, going forward, are you optimistic that this can be a better year for the Ministry of Environment and, specifically, a better year for my backyard of Fort McMurray-Wood Buffalo, which I've called home for now almost 35 years?

4:40

Certainly, I was pleased to see the minister in Fort McMurray when we had the reclamation of Suncor pond 1, which took al-

most 40 years. Technology is of course helping us now be able to do that 30 years sooner than what took place before. My question is: are you more hopeful that this year the perception by Albertans and around the world is that we can be viewed as even more environmental in terms of caring for the environment in light of everything that's taken place in the last year? The reason I say that, just to conclude, is that there was a sense where the minister somewhat upset me because I thought he threw the oil sand companies under the bus. I actually, if you can believe this, complimented the Minister of Energy, saying that he was the only one who didn't throw the oil sand companies under the bus. It was in a question period.

To the minister: are you hopeful that we can have a better year, the government and the Ministry of Environment, in terms of the perception that is taking place relative to the oil sands, the reclamation that's going on, the monitoring, and what is so important to my backyard and my three-year-old son? Will we have a better year?

**Mr. Renner:** Mr. Chairman, I can't begin to predict events that might occur throughout the next year that would perhaps affect the focus on oil sands, but I can tell you that for the areas that I do have control over, I am very optimistic that we are moving in the right direction, and we will in fact, to use the member's words, have a better year.

The lower Athabasca regional plan is absolutely critical in the development of that. I take some umbrage – I guess that is a word that might fit – from this member suggesting that we need to have a better year when his party seems to be doing everything that is within their power to delay or destroy the impetus on Alberta land stewardship legislation, which is the very essence of ensuring that we will, in his words, have a better year. It's all about cumulative effects management. It's about establishing legislation so that we can conserve land, so that we can put plans in place that bring about triggers and limits on air and water emissions that will allow us to once and for all demonstrate to Albertans, demonstrate to the world that we are serious about developing this critical resource in the most appropriate ways.

We are in the later stages of developing a tailings management program. Just this week I made an announcement that I think is really quite monumental when it comes to reclamation, talking about putting the plans in place to initiate emphasis on progressive reclamation, transparency so that Albertans, our customers, can see the work that's under way with respect to reclamation. We had discussions earlier this afternoon about the panel that's now developing a world-class monitoring system not just for the Athabasca region but for all of Alberta, but the target will initially be on the Athabasca region.

**Mr. Boutilier:** Okay. Thank you. I only have one or two other final questions. You made reference to a political party. It's very clear that we do believe that the bill that you made reference to certainly should be repealed and rescinded. When we have strong environmental licences and acts in place such as the Water Act and others, the fact that they can be usurped by a cabinet based on how they feel – and the cabinet is not like a council or a public meeting – is unfortunate. And it's unfortunate that I'm out of my time.

**The Chair:** You're right, hon. member.

The next 20 minutes is reserved for the fourth party. Hon. Member for Edmonton-Strathcona, you have 20 minutes of dialogue with the minister.

**Ms Notley:** Thank you. I think in this particular case what I'm going to do is just do the 10 minutes, I'm afraid, because I found it doesn't really work as well in this setting to do the back and forth when you have such a short period of time. It frustrates me because I have so, so, so many issues to go over here, and it's going to be difficult.

However, I'd like to start by thanking the minister and his staff for being here to provide us with information and, also, his staff for having provided some very detailed information after the last set of estimates in response to our researchers' requests. I do appreciate that. I also appreciate the fact that this minister on a personal level does a very good job of being very sort of moderate and reasoned and measured in his responses. I think that's good because he really is a target in a lot of cases.

Having said that – and I continue to believe that to be the case very much with the minister – overall I have to say that when I started preparing for this and I started reading my estimates notes and the estimates debate from three years ago and then two years ago and then last year and then I started looking over at everything that's been happening and then I started looking at the budget, quite frankly, Mr. Minister, you may not believe this, but I fully believe that your cabinet has essentially thrown you under the bus. Repeatedly you are put in a position where you are being asked to defend an increasingly indefensible environmental record and certainly in this case an environmental budget which is absolutely indefensible at this point. I feel for you because you do it with as much grace as one can in the situation that you are in.

I do believe that what we see here today in terms of the budget for Environment and the record of this ministry over the last year is a clear indication that this government has abandoned this issue as any form of priority. Where do I see that reflected, and where are there some questions that you might be able to answer? Well, obviously, I think there's already been some indication about what the budget reflects overall. Since 2002 in real dollars we've seen compliance and enforcement down by about 13 per cent, but we've seen communications up by about 50 per cent. That's in sort of a real dollar thing.

Even with the discussion about the change in contributions to the climate change emissions fund and the fact that you paid out last year to settle a legal account that was not anticipated, ultimately we still see from last year's budget, not forecast but budget, to this year a \$10 million cut in funding for this ministry, that we see primarily existing in the climate change line item. That's after you take into the account the fund issue. So you're still seeing an overall reduction in costs.

Now, how does that work? Well, in the last year we've seen repeated critiques of the quality of work that happens within this ministry. We've seen from the Royal Society of Canada: "The regional cumulative impact on groundwater quantity and quality has not been assessed." Another quote: "[The] regulatory capacity of the Alberta and Canadian Governments does not appear to have kept pace" with the rapid expansion. Another quote: "The Government of Alberta has a government-wide portal on its website to address oil sands, but the current content is largely public relations documents regarding the industry." Another quote:

The ERCB faces difficult public interest determinations on future projects unless these information deficiencies, especially on cumulative impacts, are corrected. Accordingly, the necessary studies need to be completed with highest priority to assure a sound evidence basis for the public interest decisions . . . on project applications.

Meanwhile, they say, there is little tangible progress in current regulatory policy as it relates to cumulative impacts assessment. So that's there.

Then, of course, we've already talked about the Schindler report.

Then, of course, we have the report that your own panel released two or three weeks ago that identified that in many cases your folks were not asking the right questions, were not testing for the right chemicals, and in many cases do not even have the technical capacity to measure a number of the chemicals and toxins that need to be tested for.

So that's the overview, just in terms of monitoring. Yet we see no extra resources going into monitoring, and we have an oil sands panel, that we've talked about in many different forums, which is fundamentally flawed. But even if it weren't fundamentally flawed, there's no money in your budget to raise your gain at all this year, at the same time that the government is estimating and planning for increased industrial activity in the very areas that require your ministry's concerted, increased attention with a much, much higher level of quality. To me it's a clear decision to abandon what you've been told needs to happen.

4:50

I'd like to quickly go to 4.2, approvals. I've heard you, when we've talked about issues related to monitoring and compliance and spot checks, a lot of time refer to how, well, the approval process is the process by which we make sure that all the ducks are in order – perhaps a bad turn of phrase – but, nonetheless, that everything is in order and it unfolds properly down the road. But we see a 6 per cent decrease there, and after inflation it's more like a 10 per cent decrease in that line item.

I have a few questions with respect to that. I'm wondering within that line item how much money is spent on consultants as opposed to staff, so third-party consultants. I'm wondering if you could advise me of the breakdown of approvals that are reviewed by consultants versus approvals that are reviewed by direct staff and the percentage of each. Then you can tell me whether or not your ministry has a policy or practice in place with respect to ensuring that those consultants do not have current or adjacent contracts with industry, because that's a definite problem, so I'm wondering if you can provide an answer to that question.

With respect to general enforcement I see that we've had in 2005 roughly about 83 people employed as either investigators or other types of enforcement officers and that in 2010 that number was down to 82, which is fine. It has basically kept pace. There were a couple of vacancies. Again, the question becomes: with all the increased activity over that period of time, how in heaven's name can you maintain the same quality of monitoring enforcement and compliance with those numbers in place?

Cumulative effects. We've had some fabulous conversations about cumulative effects management over the course of the last three years. I remember being so excited when I first heard that stuff being talked about, when I heard about it in the context of the land-use framework and I heard about the critical role that the ministry plays in terms of providing the science to inform that process and to inform each regional plan. But here we are three years later: no movement.

In estimates last year we were promised – I think it was the second or third deadline – that the lower Athabasca land-use framework would be completed by December 2010, and it's not. Again. And it's the one that's furthest ahead. I know that there have been commitments that this would all be completed by 2012, but based on what's happened thus far, I'm just wondering if at some point the minister is prepared to acknowledge that it's not going to get done, that you're grossly behind unless there's a doubling of your budget.

You'd be happy to know – I mean, I've said it publicly in front of the cameras – that as a starting point I could absolutely and completely, with full confidence, double your budget and not

think for a second that I was being irresponsible with taxpayers' money because I believe that the disparity between what needs to happen and what is happening is so great, not only quantitatively but qualitatively, that that's what needs to happen. Having said that, the question becomes: are you prepared to acknowledge that the land-use framework and the regional cumulative effects plans are not going to be completed by the spring of 2012? It's very clear that we haven't got one of the nine complete, let alone all of them.

Directive 074. Last year we talked about how only 2 out of 7 companies that had been assessed under that had met compliance. Now we're at 2 out of 9. I am concerned about why that is and, of course, the fact that they intend not to be in compliance at least two years out from now. It's not a question of just right that minute they weren't in compliance; we're planning for at least two years of noncompliance past this year. I'm curious about the reclamation program, why that didn't include tailings.

I'm also wondering – oh, I'm running out of time, and this is so frustrating for me – if you could tell me why there was no inclusion of a third-party review of industry reclamation costs given the clear academic and objective consensus that industry does nothing but underestimate reclamation costs every time that issue has been discussed, yet we have no third-party reclamation process, which is going to undermine economic growth in the future as well and undermine the economic stability of the industries.

Orphan wells fund. Your ministry is responsible for signing off on reclamation: \$30 million over the last two years. How many of them have been reclaimed as a result of that investment?

Finally, why was there no . . . [A timer sounded] Sorry.

**The Chair:** Hon. Minister, you have a maximum of 10 minutes to answer those questions.

**Mr. Renner:** Thank you, Mr. Chairman. I almost feel like starting at the bottom because I'd like to get to those questions first, but I won't. I will try and get through all of the questions.

First of all, I want to thank the member for her kind comments. I think she was genuine in offering them, and I hope that I do bring a reasoned approach to this ministry. At times it is difficult to remain calm, but the fact of the matter is that this is an important position. It is critical that we get it right not only because of the expectations that Albertans have, but this is also a critical building foundation for future generations to continue to have success here in Alberta.

The ministry budget is, I think, not unlike any other ministry budget in government. If we had opportunities to have bigger budgets, we would certainly find all kinds of worthwhile places to spend them. However, we're no different than any other department. We have to work within the overall restraints and constraints that are put in place if we're going to manage the dollars in an appropriate way. Yeah, I wish at times that I would have opportunity to have more budget, but I don't. So I'm a pragmatist when it comes to that, and I say: okay; given the constraints that we're under, how can we make sure that we accomplish everything that we possibly can with the dollars that are available to us?

I do want to point out that the member suggested there is a \$10 million cut in our climate change budget. I don't know if she heard earlier, but the reason for that is that we have reassessed the estimate on our CCEMC, the climate change emissions fund, through offsets.

I want to talk about the concerns around money for the monitoring panel report because it's critical that everyone understands that at the end of the day the expectation is that industry is going to continue to pay for the lion's share of costs associated with im-

plementing this report. There will undoubtedly be dollars that will have to be incorporated from Alberta Environment's budget, there may be some dollars, frankly, that will come from SRD's budget, and there will probably also be a certain amount of dollars that come through Environment Canada from a monitoring perspective. But the lion's share of the costs needs to be and will continue to be borne by industry. The issue at hand is: how can we have a system where the lion's share of the costs is borne by industry but industry is not in control nor is industry seen to be in control of how those costs are expended? That's a critical part of the work that the panel has before them.

I think it's also worth noting on the issue of industry involvement that one of the line items in climate change is reflective of the fact that we have these funds that flow through our department from compliance costs associated with CO<sub>2</sub> mitigation.

5:00

I was participating a couple of weeks ago, maybe three weeks ago, with a funding announcement that was made by the Climate Change and Emissions Management Corporation, where they were allocating about – I can't remember if it was \$20 million or \$30 million. They pointed out at that point that to date about a hundred million dollars has been awarded to various organizations for this fund, but the leveraging that takes place as a result of the criteria that's used to determine where these various grants go will result in about \$500 million in expenditures. Now, some of those go into commercialization of projects around the province. Some of them go into research projects. So you have to keep in context that not all of the dollars that are being spent as a result of the policies of Alberta Environment are necessarily reflected in Alberta Environment's budget.

You asked how many approvals are reviewed by consultants, and I can honestly say that the answer is zero, none. We do have consultants from time to time that we'll bring in to assist us in the evaluation and development of policy or putting on various kinds of consultations and workshops and the like. There are consultants that industry will engage to put together proposals that come to our department. But at the end of the day there is never an approval granted by our department that is not reviewed and signed off by one of our employees. We do not delegate that authority to nonemployees.

The budget itself in approvals: the member wondered why it had actually gone down, and there is a very simple explanation. It's because within approvals we have some flow throughs as well. It's primarily due to dedicated revenue shortfalls where fewer applications were received for reclamation and remediation certificates, resulting in fewer site audits being conducted. The \$1.6 million decrease shown in the estimates is due to reduced dedicated funding required under the reclamation and remediation programs. So these are programs that are flow-through dollars. People come to us, they pay their fee, and we process their application. If there are fewer applications, then the revenue is less.

I'm pleased to report on the enforcement side that in the last five years our complement of staff has actually increased by 10 per cent. We now have environmental protection officers that number in total 85, and that is up seven over the last five years from where we were.

She asked: will the land-use framework ever be completed? Yes. The answer is yes. In fact, I am very encouraged by the work that's under way, particularly on the lower Athabasca. The lower Athabasca is the first out of the chute. The South Saskatchewan River basin is the second out of the chute. Both of those are moving along very well. I encourage the member to continue to stay interested and involved. I want to make it abundantly clear once

again that it is the essence of our go-forward ability to continue to do what we do in Environment on cumulative effects, and our whole regulatory approach is enveloped within the land-use framework. We are moving forward, and the member will see very well that that's the case.

Directive 074. She says that many are not in compliance. It is, I think, important to keep our eyes clearly focused on the end result. Directive 074 talks about the need to be in compliance and to implement over a period of time, but at the end of the day there needs to be a plan that says that we will no longer be increasing the amount of tailings that we produce. I'm confident that all of the mining companies will in fact be able to accomplish that by the end of the day. Some of them will not be able to implement as quickly the technology that will get them there, but by the end of the day they will be there.

Then, frankly, the focus has to be on the area that we are now focusing on, that you made reference to, and that's tailings management, to deal with the legacy ponds. Directive 074 only deals with the production of tailings on a go-forward basis, but everyone knows that we've got tailings ponds that are there from the last 20 years of production in that area. So it needs to have a combined approach. Directive 074 ends the increase of tailings, but then we are working very aggressively with industry. Industry, to their credit, is working equally as hard on developing policies that will allow them to deal with the legacies as well as the existing.

**The Chair:** We now get to the next 20 minutes. Hon. Member for Calgary-Currie, do you wish to exchange for 20 minutes?

**Mr. Taylor:** Yes, Mr. Chair. If we could go to a back and forth, I would like that very much.

I'm going to start out by seeing if I can get a direct answer to what I thought my colleague from Edmonton-Strathcona put forward as a rather direct question, which is about these land-use plans. When are they going to get done? When can we expect the lower Athabasca to be done? When can we expect the other watersheds to be done as well, Minister? Specific dates, please.

**Mr. Renner:** Mr. Chairman, the Minister of SRD is ultimately responsible for the development of these plans. I cannot give a direct answer to that question because it will depend very much upon a number of factors. The lower Athabasca is the one that we are focusing on now. The intention is to have that one completed this year, let me say that. The South Saskatchewan is at a different stage.

For the lower Athabasca we've already received the report back from the regional advisory committee. That report has been the subject of public consultation, and now it's in the government's court to respond and bring out a document that is the government's response. That's the next step. Then there is further time for further input and consultation on that report. The way that the program is designed to work is that based upon that final round of consultation, the final plan is then put into place.

On the South Saskatchewan the RAC, the regional advisory council, has submitted their report, and it will be subject to that next round of consultation very soon. We just have to ensure that we have the resources to be able to deal with it in a timely manner. But, clearly, the sooner the better as far as I'm concerned because it does give us the opportunity to really get rolling and get moving on cumulative effects.

[Dr. Brown in the chair]

**Mr. Taylor:** Thank you. Clearly, we're running significantly behind schedule in terms of what the original goals were for having those plans done.

I guess that brings up another question. I'll refer you back, Minister, to your ministry's goal one that environmental outcomes and objectives are established with Albertans, communities, government, and industry. The overarching objective is integrating those efforts, I think, and working together to achieve outcomes that work for all parties. I would argue that the stakeholders are listed in order of priority there. It's Albertans who create the communities, who elect governments to represent them, and upon whom industry depends.

I think the Castle special management area – and I know that we're talking about land that falls under the Ministry of Sustainable Resource Development because I already went through this dance with the Minister of Tourism, Parks and Recreation. But I would argue that her ministry has an interest in the outcome of this discussion as does your ministry. The Castle special management area is, I think, a good example, or maybe a bad example, of this government missing the importance of Albertans and of the community as development of this area is set to go ahead despite protests from the local people there and in spite of the fact that we are slowly getting going with the South Saskatchewan plan.

5:10

Priority initiative 1.1 says:

Lead Alberta's transition to an outcomes-focused environmental cumulative effects management system within Alberta's Land-use Framework to address the impacts of development on land, air, water and biodiversity, at a regional and provincial level.

This case relates directly to that priority initiative. It shows the importance of establishing these regional plans that can protect areas of environmental significance – I think this is an area of extreme environmental significance – and perhaps, more importantly, it shows the necessity of having interim planning strategies in the absence of regional plans. What process does your ministry have or does this government have for environmental protection and conservation prior to the establishment of these regional plans?

**Mr. Renner:** Well, the process that we have is the legislation that I and my staff operate under, and that's the Environmental Protection and Enhancement Act of Alberta, EPEA. That's the bible in our department that is constantly referred to. It is a robust piece of legislation.

I think one of the areas that often gets overlooked is that every approval that is made by our department of any kind is subject to public notice. Then when there are statements of concern that arise out of that public notice, the applicant is required to address those statements of concern. Approval is then made based on both the statements of concern and on our existing environmental policies that are in place under EPEA and other pieces of legislation. Finally, every decision is also subject to appeal. We have an independent appeal board that deals with the most contentious decisions and I think does a very good job of (a) mediating where mediation is possible and (b) making sound and appropriate recommendations to the minister for implementation.

**Mr. Taylor:** Two follow-up questions, if I may, Minister. What role did your ministry have to play in the block-cutting applications as far as the Castle special management area is concerned? How vigorously have you been in there advocating for protection of that land? It seems that there is significant local concern that the environmental integrity of that area is being forever compromised, and it's doing so because one ministry, SRD, is allowing logging to go ahead in an area that another ministry, Tourism, Parks and Recreation, thinks should be a park, if I understood the minister correctly when we talked about this last week. It has

clearly got some environmental significance, so I think, you know, at some point this falls into your lap as well.

**Mr. Renner:** Well, there are a number of ministries that are involved with this area. I am not going to stand here and contradict the fine work that's done by some of those 2,000 individuals that work in Sustainable Resource Development. I had the conversation with the Member for Fort McMurray-Wood Buffalo.

The fact is that forest management is something that needs to take place on an ongoing basis. I don't begin to present myself as an expert, but I do know, having had the opportunity to explore parts of the world down in southwestern Alberta, not necessarily the specific area of the Castle that you're referring to but I have spent days and days and days wandering around in the Crowsnest area, that most of that area at one point in our history was logged. In fact, most of the access roads that everyone uses to recreate in that area are as the result of many years of logging history in that area, so I won't accept that the only way to preserve an area, to manage an area and ensure that we have a healthy environment on a go-forward basis is to prohibit logging in the area. Sometimes it makes sense to have logging in an area because it replaces what used to be resolved by Mother Nature through fires and the like. Let's look at this from the perspective of: what is the best for managing this area?

I heard today in question period that the Minister of SRD indicated that the vast majority of the land in that particular region will not be accessible to logging. It's only a very small proportion of the land that's accessible, and even at that it's a hundred-year program, so 1 per cent annual cut. We can't let this get drawn out of proportion.

**Mr. Taylor:** Yet it has raised such a stink among the local community. One member of this House has tabled over a thousand e-mails so far, I believe, complaining about the logging. So how does the minister square that circle? Somewhere here either there has been a failure to protect that area or a failure to communicate to the people who live in the area, who live near the area, who recreate in the area, who in some cases depend on the area for their own livelihood, who see the ecotourism value of the area that in fact everything is just hunky-dory. So which failure is it?

**Mr. Renner:** I'm not going to engage in this discussion any longer because it's not an area that my ministry is responsible for. But I'll give an example for an area that we are responsible for, and that's landfills. There are thousands of people who oppose landfill applications as well. Are you suggesting that we shouldn't have landfills? No, I don't think anyone would suggest that. What we have to do is ensure that when a landfill is developed, it's developed in a way that ensures that there are no adverse impacts on the environment, so we have very rigid and detailed specifications on how landfills are developed.

But at the end of the day, would I like to live next door to a landfill? No, I wouldn't. Nevertheless, I recognize that somebody has to because I'm not nor are Albertans at the point now where they're no longer generating any refuse, and if we don't have a landfill to put it in, it ends up in somebody else's front yard. So there are occasions where decisions need to be made that have much more than local concerns when it comes to these kinds of decisions on developments within the environmental landscape.

**Mr. Taylor:** Okay. A pretty impassioned defence for something that you weren't going to get involved in any longer. I do hope that while you're applying your stringent regulations around landfills and all the rest, your ministry is doing everything in its power

to ensure that we put less into landfills generally, so we don't need so many of them in the future.

I want to move on to another area, page 71 of the fiscal plan. I think it's not a point for argument that Energy and Environment are tightly linked in this province, that they have to be tightly linked in this province. In 2010-11 the gap between expenses in Energy and Environment is expected to be about \$49 million, with Energy forecast at \$358 million and Environment at \$309 million. For 2011-12 it's expected to be a gap of \$155 million. By 2013-14 there's a forecasted gap of \$538 million, with Energy expenses forecast at \$781 million and Environment at \$246 million.

It would seem to me that as energy development proceeds apace in this province, environmental protection should as well. So based on these numbers, expenses in Energy are going to overshadow any necessary increases in environmental funding. Why does this gap exist? Why are the departments trending in opposite directions? How can Alberta's environment keep up with Alberta's energy development if adequate funding is not provided?

5:20

**Mr. Renner:** I think, with respect, it is a bit of an apples-to-oranges comparison. The work that Energy does is largely an auditing, tax collection kind of a business. A lot of what Energy does is on royalties, collecting the royalties, and all of the administration that is involved with auditing and ensuring that the appropriate royalties are paid. They also are responsible for land sales and all of the administration around that end of the business.

Energy is not actually directly involved on the environmental side except through the arm that is the ERCB, and the ERCB is funded jointly by industry and by Energy. So there is a growth that takes place there that if you cut through all of the grants that Energy has within their budget, the programs that Energy has within their budget, and similar kinds of nonrelated programs within our budget, I think you'll find that generally speaking the dollars that are specifically involved in Energy have not grown at a pace that would exceed the similar circumstances in Environment.

**Mr. Taylor:** Okay. Somebody needs to bring out a book called cross-ministerial responsibilities and provincial budgeting for dummies; there's no question about that. I wonder if the minister can tell me, getting back to the industry-funded approach to compliance, which you touched on just a minute ago with the ERCB and you talked about at some length in your exchange with my colleague from Edmonton-Strathcona, for the average Joe out there in the real world is there a place that they can go that easily tallies up how much industry is contributing year in and year out so that we can make an apples-to-apples comparison there, so that we can see that as your budget is shrinking year over year, in fact it's more than being made up by the contributions that industry is making to compliance and to monitoring?

**Mr. Renner:** No, I don't think there is such a place. That's why when we talk about the need for additional transparency, we talk about the need for having a system in place that is not only credible but seen to be credible. That's an important part of it, and on a go-forward basis that has to be part of the new-look monitoring system that goes in place.

We've also directed the panel to present us with a web-based information portal where the public would have access to that kind of information plus all of the other data that would be gathered through the system.

**Mr. Taylor:** When can we expect to see that?



**Mr. Renner:** Well, the report is due back from the panel in June of this year. I'm expecting that to be a fairly high-level report. They will drive down the details, and I would hope that portions of that panel recommendation could be put into force and implemented probably as early as next fiscal year.

**Mr. Taylor:** Okay. Thank you for that, Minister.

Carbon capture and storage. The capital plan this year includes \$70 million in fiscal 2011-12, \$518 million over the next three years for carbon capture and storage projects. I'm told that you're working hard on finalizing agreements with the proponents of the four major projects announced in 2009. I was approached by people involved in one of those projects just last week – I won't mention which one – and they expressed some concern that they need to get into a position in the not-too-distant but not immediate future to be able to decide from a company standpoint whether they want to fund the project going forward or not, and they're curious as to when the agreements may be finalized. So I wonder if you can speak to that to some extent and give us some sense of how this is progressing and when these four projects might be expected to get off the ground.

**Mr. Renner:** I can't speak to the four specific projects in anything other than general terms. The CCS budget is in Energy, not Environment. The responsibility of Environment is through the legislation that we have in place from a climate change perspective. We regulate CO<sub>2</sub> emissions. We will be responsible for regulating the approvals necessary to actually initiate action to get these facilities up and running, but the dollars allocated to the program will be under Energy.

There may be an ancillary role for Environment as we begin to have discussions around how we deal with . . . [A timer sounded] Is that the time? I'll just finish my statement, and then we'll move on.

We also have the carbon offset program, so there are ongoing discussions as to whether or not CO<sub>2</sub> that is injected through some kind of a CCS project would be eligible for recognition under an offset program. There may be a role for us there at some point in the future.

**The Acting Chair:** The chair will recognize the Member for Edmonton-Centre. Do you wish to share your 20 minutes with the minister?

**Ms Blakeman:** Of course I can share my time with the minister. I'm going to try and run through my questions on oil sands reclamation, alternative energy and conservation, climate change, and cumulative effects.

Starting with reclamation, under priority initiative 3.3, which is on page 58 of the business plan, it says to "develop and implement the Progressive Reclamation Strategy." My question is: what line item in the estimates reflects the development of the strategy, and where are the costs of the implementation? So two different parts of it, and if you can tell me where those are, that would be great.

Now, in the news release that came out around the March 17 announcement about the new reclamation security strategy, the government claims that transparency and consistency of reporting would be increased. Again, can you tell me how much the increased reporting would cost annually, and where would I find it? Additionally, if you need more staff members around this increased transparency and consistency of reporting, how many new staff members, if any, would be hired to track this rate of reclamation? I do note that you've had no change in FTEs from last year to this year, so I'm wondering if you're losing some somewhere else in order to put that in place.

On the same topic, if you could share with me the costs that are associated with the new website. Congratulations on that. That's a great idea. I think that will be very interesting for people. But I'm interested in what the costs are and, again, where they're reflected in the budget. Don't spend a lot of time on this, but I want to encourage the minister to put as much information on that site as possible.

I'm quite taken with the city of Edmonton's commitment to open data, in which they put all their information that they regularly keep onto their website and allow other people to use it in different ways. They ended up with an excellent bus app that you can get on your phone. Because all of their information about bus routes and stops and the numbers on them were all online, somebody else came along and developed an app out of it. You know, someone else took advantage of that. Now you can go to any bus stop, plug in the number, and find out when the next bus is coming.

I want to encourage you to put as much information up on that site as possible. I know that that runs a little bit counter to this government's kind of tight holding and centralization of information, but I think it'll help you in the long run.

On the same topic around the liabilities, the Pembina Institute has pointed out that there's about \$15 billion in liability that is not covered. I'm wondering if the government has any plans to cover that liability before they move on to this new program and deal with new liability that they are creating in ongoing – what's the word everyone uses now? – go-forward oil sands projects and reclamation projects. You've got \$15 billion that's sitting there now with a whole bunch of other things; now you're going to have a new program. Are you going to cover that \$15 billion, or are you just going to move forward from today?

5:30

This is actually a point that Avril came up with, and it's a really good one. The ministry consistently works under the assumption that the oil industry isn't going anywhere and that it's going to continue to operate at what we know and understand today and that everything will stay on more or less the same track. What is the ministry forecasting for growth in the oil sands, and how long is that concept of today? For anyone reading *Hansard*, I'm doing air quotes around the word "today." How long is that going to last? I'm thinking there are a lot of very bright people up there with a lot of technology at their disposal. I'm assuming the oil sands should be moving forward technologically, but I don't see what the ministry is doing moving along at the same time. I hope that made sense to you. I'll let the minister respond to that.

**Mr. Renner:** Okay. The issue of progressive reclamation is part of our policy innovation, line 2.4. That's where it would be developed. Progressive reclamation is an add-on to MFSP, the mine financial security policy. The cost of administering that is still under development. The program itself will have to become implemented over time.

There are two aspects that we have to work on. The first one is to determine: what is the base security deposit that has to be held, particularly if we see new mines come on, both coal mines and, more particularly, oil sands mines? The cost of compliance and audit will be built into our budget over time, but at initial stages there won't be a significant additional cost.

I want to deal with this issue of liability and the reference to the Pembina Institute estimate that there's a \$15 billion liability. There's a very basic assumption that comes to that \$15 billion, and that assumption is that virtually no reclamation takes place until the very end of life, that you mine the life out for the 20 or 30

or 40 years during the life of the mine and you do virtually nothing. At the end of the mine's life there could be \$15 billion in liability.

But that's not the way it works, and it's certainly not the way it works under progressive reclamation, which is what this is all about. It's about doing everything that can be possibly done at earlier stages to leave a minimal amount of reclamation that's done at the end of the mine's life. That's why, as we begin to approach the point where we start to ramp up the reclamation, the amount of reclamation will be dependent upon the amount of work that has already taken place. If a significant amount of work has already taken place, the amount of reclamation would be less.

Thank you for the compliments on the website. I'm very pleased with it, and I think that there continues to be room for improvement. The cost was approximately a million dollars, I'm told, and that was part of the clean energy line item, 2.3.

I think the member's comments with respect to the more transparency the better is something that I fundamentally agree with. We do have issues that we have to constantly wrestle with over whether or not there is privacy, whether the information that we have is private, whether or not, you know, there's intellectual property or there's information that we hold that is not quite ready for the public domain, but I think that we're getting better and better at trying to move that out.

I was on the warpath a while ago because I was very upset that we continue to have all of the FOIP requests that we do given the fact that we had made a conscious effort to put a lot of that information onto a public portal. We actually had some great fanfare about saying: you can now go on our website, you can look at a piece of property, and you can get all of that information that you require with respect to environmental issues on that property. We continued to have all of these FOIP requests, so I said: why is it that we're doing this?

The staff have found out that not only does government take a long time to change its ways, but so does the private sector. Many of the law offices have kind of got it as a bit of a ritual that when you do a land transfer, one of the things you do is put in a FOIP request to the government. They're not completely convinced in their own minds that the amount of information that we put on this public access site is really all of it. "We got the information that you put on your public site, but we're not sure if we believe you or if it's all there. So just to make sure we cover all our bases, we're going to do a FOIP request as well."

That's also the reason why, then, there were reports that Environment had all of these FOIP requests where we responded: there are none. Well, those were the ones. We don't have anything that's not already on that public site. There was some confusion on how that reporting took place.

But I agree that the more transparent we can be the better. We are going to be striving to be as transparent as we possibly can, particularly with respect to oil sands.

The assumption that the member referred to on moving forward with new technology is one that we struggle with. Sometimes there is a hesitancy to give approvals to a company that comes to us with new technology. That's because regulators tend to be fairly risk averse. If your technology that you came to us with doesn't work, who's going to be left holding the bag? Is it you, or is it us? That's why I think that we need to have much more focus on this whole concept of outcomes-based regulation.

If we say to you, "You will have emissions coming out of your stack that are less than so many parts per billion, but we're not going to be prescriptive and tell you how to do it; you figure out how to do it" or "If you want to bring in a new piece of technology that we've never seen before, that's fine; you do it, but know

that at the end of the day if it doesn't work, it's not us that are responsible; it's going to be you, and you'll have to fix it," that is the difficulty. Oftentimes we have new technologies that are brought forward to us that, in the opinion of our staff, are not yet proven technologies, and we do have some difficulty in figuring out how to get those into an approval process.

We have something in the industry that's called BATEA, best available technology economically achievable. That's sort of the underlying criteria that we use now. It's known technology that's been used elsewhere. We've never figured out a way for us to actually take the risk and set the standard that others can follow because there is this aversion to taking that risk. What if it doesn't work?

5:40

**Ms Blakeman:** Interesting answer. Thank you very much.

Just two comments picking up on what the minister said. Now, you know, if you say that, well, you don't really know what the cost is yet because you still have a bunch of things to figure out, to that I say: well, how on earth did you come up with the numbers that are in the budget? If you didn't know what the numbers were, you must have guesstimated at something. So I'm not going to accept that comment from the minister that he can't tell me what any given thing cost because he hasn't quite worked it out. You must have put a budget figure in there to come up with the numbers that you've got.

The second thing is around that idea of progressive reclamation. I understand what you're doing, and I don't entirely disagree with you, but you are also putting that plan in. You are not going backwards and picking up all of the old sites that are there. You are going forward on that. You're picking up some old sites, but you're not picking up everything. You're not picking up that liability that's sitting there. So my argument around that is that you haven't picked up the entire liability that's out there for the taxpayer if things go wrong. You are more or less going forward from this day.

Now I'm going to change gears and talk about climate change. Sorry; that's a bit of a head-snapper. The minister has talked about the declines in the fund. Given that the ministry relies on the money from the climate change and emissions management fund and given that the ministry relies on that fund for climate change initiatives, are there plans to increase the \$15 levy in order to keep some money in that fund? If it just keeps going down because companies are buying offsets and that's the fund that you're relying on to pay for climate change initiatives, eventually we won't have enough money in there to do that. What's the consideration about that \$15 levy?

The larger conversation, which we don't have time to have here, is that that levy at \$15 is a joke because at this point I think the figure that's bandied about is 90 bucks a tonne. If you really want to see change in oil and gas – and I'll talk about conventional oil and gas and oil sands; they're two different things – you've got to get that number up to where it makes more economic sense to the companies to do something different than to just pay the levy as part of doing business. But we don't have time for that conversation.

Back to climate change again. If you're not going to increase that levy, then are you considering going from 100,000 tonnes, I think you've got, of greenhouse gas and reducing that to 50,000 tonnes for emitters being required to pay into that fund? That's another way of continuing to get money and at the same time incenting or disincenting the industry enough to change what they're doing. That's certainly a part of the environmental policy that I developed, that we would move that bar down so that it picked up the emitters that are in the 50,000-tonne range.

I also want to ask about line 2.2 of the estimates, climate change. I'm wondering what exactly this is used for. Is that all the tech fund, or is there anything else in there? I haven't heard the minister talk about anything else in any of the other questions others have asked him, so I'm looking for the list of what's covered under that particular line item.

The last bit is alternative energy. I'm wondering – again, this is a long conversation that we don't have time to have – why there is so little spent on clean energy and so little focus on clean energy in your business plan. If we're going to diversify the economy, if we're going to move forward, all those things we're always told, we need to look at more alternative clean energy. I'm just not seeing it, so why?

Under priority initiative 3.2 in the business plan it says that the climate change strategy is going to be updated. I'm wondering what exactly those changes are going to consist of. The minister has referred to the updates or the changes in the climate change strategy as well, and I don't know what that means, so if he can let us know.

On page 19 of the fiscal plan it talks about: over \$100 million is allocated to support various environmentally sustainable resource development plans. Could you provide a breakdown or point me to a website where there is a list of who is getting that hundred million dollars and how much each one gets? It turns up on page 19 of your fiscal plan. It's under Energy and Environment.

Over \$100 million to support various environmentally-sustainable resource development programs, including incentives for bio-energy product development, environmental monitoring and reporting, land stewardship and water management.

How are they breaking that up? Well, can I ask the minister to ask the President of the Treasury Board how they came up with that hundred million dollars? Specifically, I'd like to know how much is being allocated to the biofuel initiatives. It seems to me that there's a heck of a lot of money going into that sector to the detriment of other alternative energy and conservation sectors.

The last thing I have is cumulative effects management. There was a lot of emphasis on that two years ago, nothing in the budget last year, and now it's back in prime time. What did the government use last year to figure out exactly what the cumulative effects are going to be that he could use this year? I've watched that sort of development, and I think there was a lot of emphasis two years ago. Last year there was almost no discussion in the budget debates about it, and now it's back, you know, with bells and whistles and neon lights. What was the thinking? What's it going to look like to be implemented? What are the enforcement mechanisms that are going to be included in that?

**The Acting Chair:** Your speaking time has expired.

**Ms Blakeman:** Could you put me back on the list, please, Mr. Chairman? Thank you.

**The Acting Chair:** The chair recognizes the hon. Member for Edmonton-Strathcona. Do you wish to combine your speaking time?

**Ms Notley:** I will try combining this time and see how that goes. I think I've probably said this on previous occasions: short questions, short answers. If I interrupt, it's not to be combative. It's simply to move on to the next topic or to sort of ask a follow-up question or something like that. Just to sort of make sure that this is clear, I'm assuming that if you don't get to answering those questions on those issues that we have raised, they will be answered in written format and tabled, with all people getting copies of them. Is that correct? I understand that there was some incon-

sistency amongst the committees. We did get some of that information back subsequently, but I'm just ensuring because I do know that I had some questions that remain outstanding from our last round. I'm assuming that you'll get to those.

I wanted to start quickly. I'll deal with three issues together if I can. The first is with respect to the climate fund. You did speak about the \$100 million having been kicked out the door thus far, and you talked about the additional money leveraged there. I'm wondering if you can talk a little bit about the specific performance measures that the ministry or the fund is relying on in terms of ensuring that that money has been invested and created a project that reaches back to certain goals. The greater the specificity the better, of course, because subjective performance measures are not of value. Notwithstanding that industry is putting its own money into it, we are putting, essentially, regulatory money into that as well, so presumably we would have some fairly strong performance measures.

I did want to just start really quickly on the numbers with respect to the orphan wells, the number that have been reclaimed over the course of the last two years. Then in terms of the larger reclamation policy, the mine reclamation policy, we've had some debate on that issue both in the House as well as through the media, but I would like a more specific answer about why the reclamation policy, first of all, does not address issues with respect to initial land disturbance, doesn't look at postreclamation maintenance liability, and does not look at groundwater liability. My understanding is that those things are still not included in the definition of liability that would be covered under the reclamation program. If I'm mistaken, then I'm sure you'll be happy to correct me.

**5:50**

Then the other question with respect to that. The Member for Edmonton-Centre talked about the \$15 billion liability, but quite frankly my concern is the liability that Albertans stand to be facing 15, 20 years from now. The most conservative – the most conservative – of estimates around that are, as has been said, \$15 billion but also up to \$30 billion. Then, of course, we have the experience of Total recently in their application process having put forward their per-hectare reclamation estimates. Of course, if those were perceived to be the more accurate number, we'd actually be looking at more like a \$90 billion liability versus \$30 billion down the road. My question, of course, is: how is it that we think that \$6 billion by 2030 can possibly leave Albertans in a position where their liability is covered?

Linked to that, then, is this whole issue of having third-party verification of the liability estimates provided by industry. As I stated before, there's a long documented history of industry, whether intentionally or unintentionally, underestimating liability. It's not only a question for Alberta taxpayers in ensuring that the liability is properly estimated, but it's also, frankly, a question ultimately for shareholders. We may actually find that, you know, the stock markets and various regulations governing how these companies function in other settings will demand a clear estimation of liability just on behalf of shareholders. But I'm not here to advocate for oil company shareholders. I'm here to advocate for Alberta taxpayers. So I want to know why we're not looking more clearly at a third-party liability verification system because that's not currently included in the reclamation policy. To me that seems to be a tremendous shortcoming.

I'll stop there and then move on to some other issues. That gives you about five minutes unless I interrupt you.

**Mr. Renner:** Well, thanks for the short question. I'll try and give you an equally short answer. The performance measures for the

Climate Change and Emissions Management Corporation are within the corporation. I think it's important to note that if we are going to be managing this as an arm's-length corporation, then we have to be careful that we do not try and exert too much direction over that board.

The Auditor General makes it very clear that if an organization is under the care, control, and custody of the minister, then that corporation needs to be part of the minister's consolidated reporting. That would be very problematic in this case because part of the process for consolidated reporting is that funds must be expended in the same year that they are collected, and it doesn't allow for the kind of flexibility that this corporation has to have when it signs some of these agreements with these proponents that maybe will have funds that will be paid out as various benchmarks are achieved over a period of time.

I can't include in my business plan the performance indicators or the performance measures, but I will refer the member to CCEMC's website. They have one. It's very clear what they use as criteria for establishing value for dollars from their perspective. If you don't find what you're looking for there, then refer back to our office.

The orphan well program is not part of Alberta Environment; it's in Alberta Energy. So I can't give you statistics on the orphan well program.

**Ms Notley:** But your staff are responsible for inspecting.

**Mr. Renner:** No, our staff are responsible for issuing reclamation certificates.

**Ms Notley:** Exactly. So that's why I'm asking you to tell me how many reclamation certificates have been issued.

**Mr. Renner:** Okay. Forty-four orphan sites received reclamation certificates in '09-10. The Orphan Well Association is estimating reclamation certificates for 40 more sites in '10-11.

The mine financial security policy: much discussion on that and much discussion around liability. I can assure you that in the calculation of liability all of the criteria that would lead to liability will be used in the calculation. This is a program that is designed to put some assurance in place that the taxpayer is not going to be left holding the bag, but it's also a program that is designed to acknowledge that there is value in the asset that's left in the mine at early stages. At early stages the cost of reclamation is far exceeded by the value of the resource that's still left in the ground. We then put a care-and-custody deposit in place. Should the current operator abandon that mine, it would revert to the Crown, and we would be responsible for care and custody until we could find someone else who would take over the mining of that resource and would also therefore take over the financial responsibility for reclamation.

At later stages that same ratio doesn't apply, and that's why we've talked about the need for a 3 to 1 ratio, 3 to 1 asset to liability. At later stages it's either when the 3 to 1 asset to liability is no longer applicable or 15 years left in mine life. That's when it kicks in that they have to start contributing security on an annual basis. That's where the calculation is made for what is the appropriate amount of security, and that is a calculation that will be part of the transparency. The way that the calculation is arrived at will be part of the disclosure and the transparency of the program. It is something that is not simply calculated by industry but is jointly arrived at between industry and government.

You know, the member has suggested that a third party needs to be involved. I would suggest that she's almost answered her own question. A third party is involved because once it gets to be that

transparent, then the company's own auditors, our auditors are going to be examining this to ensure that these are appropriate levels that are in place.

I'm not so sure that that third-party verification is not already in place with the Auditor General in Alberta, who will review those, as he already has and pointed out to us that work needs to be done, and we've now done that work. I would suggest to the member that as we become increasingly more transparent, as she's already pointed out, the shareholders will hold the companies accountable through their auditor as well and ensure that there is appropriate disclosure on their financial statements also.

[Mr. Cao in the chair]

**Ms Notley:** Well, thank you for that answer. I think the problem is that we don't currently have the transparency, and we currently have a plan that's estimating a certain amount of money. There's nothing in the plan that suggests that we're going to change the way we identify what we've already identified as the liability. I mean, we've already made assumptions about liability, and the process for making those assumptions has not been transparently disclosed.

The plan itself includes assumptions about liability right now that are not clearly explained, so that problem continues. You know, you're quite right that the Auditor General started out by identifying that we don't have enough security, but I suspect that if we go back into it, we'll find that we still don't have enough clarity around how the liability is calculated. As I say, I don't know exactly how Total came up with a number that was three times what the assumption is in the ministry's plan for this reclamation, but I do know that they did. This is concerning. I'm not an expert, so I'd like an objective expert. Just the same way we've needed objective experts who are scientists to come in and tell us that our monitoring really hasn't been so great for the last many years, we need that independence for this.

6:00

I'd like to go on as well that we still have a problem with the 3 to 1. I'm concerned that we're still short even with your explanation up to now.

I had a quick question just to follow up on the orphan wells. With the \$20 million having been added to the fund by the taxpayer last year, for the year '10-11, I'm a little concerned that we haven't seen a significant increase in the number of reclamations through that fund. In fact, we see a slight decrease. Yet we spent \$20 million last year. My question is whether people who are issuing those reclamation certificates in your ministry anticipate a big bump this year to account for that fairly significant public investment.

With respect to the land-use framework and cumulative effects my colleague from Calgary-Currie asked the question: well, while we're waiting endlessly for the land-use framework and for the cumulative effects program to be put in place, what are we doing? The minister responded by saying: well, we do what we've always done; we've got our monitoring that we've always had in place there. That's fine except that what we've had over the last 12 months is a lot of third-party assessment and identification that what we've got in place right now is not good enough. We've got an oil sands panel, and we're waiting until June for them to report. Then I suspect they'll come up with some process, and if it looks anything at all like the land-use framework and the cumulative effects management, we could be two or three years down the road before we get any kind of substantive change in how monitoring and approvals and measuring and all that kind of work is done.

My concern continues to be that right now we seem to be really good at carrying on with industrial application reviews and approvals, but we're not so good at moving forward in an effective and fast way to ensure that we're actually measuring the right stuff before we approve development. So I'm asking you to deal with the fact that: are you prepared to acknowledge that there has been some third-party expert assessment that what we're doing right now is not good enough? What do we do while we wait for the process to complete, where we figure out how to make it better? In the meantime we're not stopping development, so what are we doing in the meantime?

I want to ask a final question because I suspect you'll use the rest of the time for answering these questions. With respect to this issue of monitoring you say: oh, it's not a question of just looking at the budget being reduced or staying the same or whatever because always remember that once we come up with our fabulous new model, industry will still be doing the bulk of the monitoring and will still be paying for this. But the problem, which is very clear through RAMP, is that when industry is paying for it, there is no public accountability; there's no transparency. You've identified that. You've totally identified that, and that's good, and I'm glad that some of that work is going to be considered through the work of the oil sands panel.

My question is simply this. Not only does the process of monitoring have to be public in how they spend their money and where they spend their money and what kind of monitoring they use and what kind of measures they use and how often they do it – all of that has to be public – but the results have to be public. If we end up with a monitoring system that is not entirely, entirely transparent, with no regard for any of this proprietary interest crap – and I use that word quite intentionally – that puts a barrier between the public and their ability to assure that their lands and air and water are safe and what's actually going on, then it's not good enough. So my question is: is there a commitment that we will no longer be dealing with the kinds of barriers between public access to information and industry payment of monitoring when you move forward with whatever your new plan is, which I'm sure will be ready to go in June?

**Mr. Renner:** I didn't think I would get time to respond. Thank you.

Very quickly on orphan wells. Again, it's Energy that has the responsibility. I'm told – because I've asked the same question, quite frankly – that the majority of the wells that were reclaimed under the funding that we injected were some of the worst ones, some of the most expensive ones so that the number of certificates is somewhat reflective of the fact that some of these were very expensive projects to get work done on. So a reminder that that orphan well program is a program that deals with very old sites that were abandoned long ago and the owners can no longer be traced. If we know who did it, they'll be paying themselves.

Let me get to this whole issue of: why do we continue to allow development if we don't have an adequate monitoring system? Every one of the reports that we've seen has indicated that there is room for improvement – and we have said there is room for improvement – but no one has suggested that we are at a point where there is no additional room within some kind of a reasonable regulatory program. When we talk about cumulative effects, cumulative effects is all about putting management triggers in place and putting a system in place where you put limits. For example, we've now got limits in place for the Industrial Heartland, for that area, and the limits are far in excess of what the current development is. They would pose some, I guess, pressure on all of the development. If all of the upgraders that had been contemplated for that part of the world had gone ahead, we would have

had to make some very difficult decisions on how we're going to maintain that new development and stay within a current limit.

The same thing applies in the oil sands. We're talking about a regime where the limits that would be put in place to the point where we would have to take some serious action far exceed where we are at now. We're in the process of putting together the land-use framework. We're putting in the monitoring program that will help us to determine where to go in the future, not today or tomorrow.

**The Chair:** All right. We have the last seven minutes.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. I'm just going to pick up on some of the things I sort of left on the table. I do want to pick up on the monitoring because I think this is where I fundamentally disagree with the government. I think it is a role of government to perform the monitoring because that is the only agency that can be absolutely impartial because they have no money-making that's on the line for that, no profit margin that's on the line, and can be seen as unbiased. I know it's expensive, but frankly I think that Albertans are willing to pay that price if they know that they're going to get that straight-across monitoring and that it is absolutely reliable because the government did it.

I don't think anybody trusts the stuff that industry does because it's that old thing about the fox looking after the henhouse. It just doesn't make sense to people. So I encourage the minister and I would certainly encourage his colleagues to support additional funds going into his money to cover that monitoring. I know it's a fundamental difference in ideology. I don't expect the minister to spring up and go, "I agree with you, Laurie," and that's the dividing line between us. I think that it's a function of government to do monitoring, not only in his department but everywhere else.

Okay. I had put some questions on the table around oil sands reclamation, some of which he's answered but not all, if your assistants are able to weed my stuff out of what he's answered in answering the Member for Edmonton-Strathcona.

I'd also talked about alternative energy and why there was so little emphasis and so little money put into it and how that was going to work inside of their climate change strategy. The breakdown of the hundred million, which he said he didn't know and I encouraged him to find out. The biofuels. The cumulative effects management. My last question on that is: can you provide more detail on what the cumulative effects for the lower Athabasca would look like? You started to talk about it, and I have notes somewhere, but if you can give us a bit more detail about exactly what it is you think that's going to be.

**6:10**

You talked a bit about limits, for example. I mean, in looking at what the Lower Athabasca Regional Advisory Council came forward with, they came forward with a recommendation of 80 per cent development, 20 per cent conservation. Is that the kind of limit that you're talking about? I don't think that's particularly going to fly. I know that with the cumulative effects management you're actually talking about, you know, limits of – what are you talking about? Is it like limits of so many particulates in the air and so much stuff in the water? He's nodding his head.

I'm wondering why that cumulative effects context was not in place before those regional advisory councils started to work. It seems to me that you're moving forward at the same time on a couple of different streams instead of having something set it out much more strongly coming from the policy direction.

Why don't you answer that? Thanks very much.

**Mr. Renner:** I want to deal with the last one first. The reason we haven't been able to implement cumulative effects yet is that the legislation that we have is focused on individual project-by-project regulation. When we give an approval to someone to emit something, whether it be particulates into the air or degree of a municipality to discharge their treated sewer into the river, it's all about that particular approval. We need the land-use framework and the lower Athabasca plan to talk about ambient air qualities and talk about total limits from all sources, not from individual sources. That's what will be in the plan.

There will be in that plan reference to air quality – total air quality, total emissions, total particulates in the air – and that's what we regulate to. It adds another degree of regulation. Not that we're going to forget about the individual approvals – they'll still be there – but we're also going to say that there comes a point where you can't have any more approvals because you're going to exceed the limit. If you're going to have more approvals, then you're going to have to do a better job on the downstream side to prevent those emissions in the first place, and in the absence of that, we can't do more approvals. That's what it's all about. That's literally what it's all about.

That's why it is such earth-breaking legislation. That's why I get so excited about it. I'm sure that you're going to quite enjoy reading the plan when it comes out.

The member talked about alternative energy and biofuel. Again, that's in Energy, not in our department. We have energy efficiency. We did the consumer rebate programs. We did those. But we don't have grants for biofuel. We don't have grants for alternative energy. That is Energy.

Finally, I won't say that I agree with you that government has to do monitoring. What I will agree with you on, though, is that industry cannot be seen to be in control. I don't know who's going to do the monitoring at the end of the day, but I do know that industry cannot be seen to be in control. It may be government that does it. It may be a different organization that does it. But, clearly, if we're going to have the credibility that we need to have, it has to be seen to be managed by an organization that is not accountable to industry.

**Ms Blakeman:** On the cumulative effects management it sounds to me like you've almost got a FITFIR that will be in place. The

first ones that get there, get their emissions to fit into the total amount allowed, but by the time you get to the 10th one, they won't be able to start because everybody else is taking up the allocation. Then how are you going to do this? Go back to the original nine and say, "If you guys cut your emissions, you can let in the 10th guy"? In the world of the free market I can't see that one happening. Do you just stop the development in a given area at the point where they reach, or do you start to move your target around?

**Mr. Renner:** Eventually there comes a point where you would have to stop development, but in the meantime you have an opportunity to co-ordinate the program. You have capital turnover. New technology becomes available. The later projects usually have much better, newer technology than the older projects. So you have to put in a plan that recognizes capital turnover . . .

**The Chair:** Hon. minister, sorry. I hesitate to interrupt, but pursuant to Government Motion 5, agreed to on February 23, 2011, the Committee of Supply shall now rise and report progress.

The chair would advise the officials to leave the Chamber so that we can continue on.

[The Deputy Speaker in the chair]

**Dr. Brown:** Mr. Speaker, the Committee of Supply has had under consideration resolutions for the Department of Environment relating to the 2011-12 government estimates for the general revenue fund and lottery fund for the fiscal year ending March 31, 2012, reports progress, and requests leave to sit again.

**The Deputy Speaker:** Those in concurrence with the report, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. So ordered.

It's now past 6 o'clock, so the chair shall now declare that this Assembly stands adjourned until 1:30 p.m. tomorrow.

We also have a field policy committee starting at 6:50 p.m.

[The Assembly adjourned at 6:18 p.m. to Wednesday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday, March 23, 2011

Issue 18

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 23, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. We give thanks for the bounty of our province, our land, our resources, and our people. We pledge ourselves to act as good stewards on behalf of all Albertans. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Well, thank you very much, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly 53 grade 6 students from l'école Father Jan school in St. Albert. These students are accompanied by their teachers, Julie Maisonneuve and Corinne Chan, and their parent helpers, Bruce Hoyt and Michelle Guest. I would ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of this Assembly 26 students from one of my favourite schools in the Edmonton-Calder constituency, and that's Kensington school, one that I can virtually see from my house. With us today, in addition to the 26 students, are teachers Ms Keri Haskell and Miss Rebecca Yu. Of course, no mention of this particular class would be complete without mentioning my buddy Aziz. I'd ask them all to now rise and receive the traditional warm greeting of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's a great privilege and an honour to introduce 80 guests that we have here today from Percy Baxter school. That's three classrooms that have travelled 200 kilometres to visit us today. I'd ask them to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It's indeed a pleasure for me to rise today and introduce to you and through you to all members of this Assembly nine members of CAUS, the Council of Alberta University Students. I had the privilege to spend a little bit of time with the students last night and to hear some of their issues and concerns. This is a bright group of students and very strong advocates for education in our province. I'd like them to stand as I introduce them, and then we'll give them the warm welcome. They are Hardave Birk, Keith McLaughlin, Nick Dehoda, Lauren Webber, Taz Kassam, Aden Murphy, Zack Moline, Andrew Williams, and, last but not least, Duncan Wojtaszek.

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Webber:** Thank you, Mr. Speaker. I think that this is appropriate. Although the hon. minister just introduced my daughter, I

just want to introduce her once again. I feel like I have to. Not only is she the U of C Students' Union president; she is beautiful, and she has also just been awarded the 2011 student with distinction at the U of C along with her being the 2011 graduating class valedictorian. So I am quite proud of my daughter.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Montrose.

#### Barlow Trail Underpass

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Next month when Barlow Trail at 48th Avenue N.E. closes so that a new runway and international terminal can be built at the airport, a whole new set of transportation issues will be faced by residents of northeast Calgary as well as all Calgarians.

It is estimated that the cost of the proposed underpass will be \$295 million. Of that figure, it is reported that Calgary will contribute \$25 million, and the balance, \$270 million, will come from other government sources. It appears, Mr. Speaker, that the bulk of that funding will come from this government through MSI funding. This government is producing results for the residents of northeast Calgary. Airport passengers also help pay for the runway and terminal improvements through a \$22 airport improvement fee per passenger charged by the authority.

The city of Calgary and the province are willing to do their part. It is the airport authority that needs to step up to the plate and make a significant contribution to this project, which benefits all Calgarians. Mr. Speaker, I understand that the airport authority and the city of Calgary have many differing opinions on issues such as compensation for the land. Media reports indicate that the airport authority wants \$24.6 million for the land for the underpass. That is land that sits largely below the runway. That doesn't make any sense to me. In addition, the authority wants to oblige the city to build interchanges and road improvements among many other matters.

Mr. Speaker, I encourage the authority to consider the overall impact of the closure of Barlow Trail and the need for an underpass for all Calgarians and, indeed, all Albertans. As elected representatives we all try to do the right thing and move forward on initiatives that are in the best public interest. I encourage the airport authority to do the same thing.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### Health Services Financial Reporting

**Mr. MacDonald:** Thank you very much, Mr. Speaker. In order for any government to retain the trust and confidence of citizens, it must keep accurate records of its spending. Each expense must be carefully accounted for so that taxpayers know their money is being used to benefit the public. Many Albertans are wondering if the government used taxpayers' money to silence doctors concerned by Progressive Conservative mismanagement of public health care. That's why it's more important than ever to ensure that public money isn't being used for nefarious purposes.

When hundreds of millions of dollars are hidden in mysterious and vague categories such as other expenses, taxpayers have a right to wonder exactly why the details of these expenses have been hidden. The books of the Capital health region, for example, show \$300 million in undisclosed expenses over seven years. I asked this government if any of that money was used to fund any of the settlements, lawsuits, or legal fees against doctors who spoke out about government mismanagement of health care. Naturally, these questions have been dodged.

Last year Alberta Health Services hid another \$42 million under the “other fees” category. What was that money used for? The government won’t say. Why were severance payments and out-of-court settlements hidden somewhere in government books rather than identified according to good, transparent accounting practices? The government won’t say.

Alberta taxpayers are proud of their public health care system. They want it to be there when they need it, and they want to be sure that they’re getting good value for every penny of tax money that funds the system. I’m sure most Albertans would be outraged if they were to discover that any of the tax money was being used to silence doctors who were only trying to do their jobs. It’s time for this government to come clean and provide truly open and transparent accounting for each and every dollar of funding that goes through and towards public health care.

Thank you.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

### Healthy Food Choices

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. Today thousands of Albertans will buy their meals from one of Alberta’s restaurants, bars, cafés, or delis. Just last week the hon. Minister of Health and Wellness pointed out that the food service industry in Alberta is a \$600 million a month business. Almost a quarter of Alberta’s youth are reported to be obese, Mr. Speaker. More than half of Alberta’s adults are overweight or obese. Albertans love to eat out, but how can we help families and health-conscious citizens make healthy choices when eating out?

The Heart and Stroke Foundation’s Health Check Alberta restaurant program is one answer to that problem, sir. The program uses the familiar Health Check symbol that appears on thousands of food products on store shelves and puts it next to menu items in participating restaurants that have been determined as healthy choices. Registered dietitians decide which foods get the Health Check symbol based on criteria set out by the Canada food guide. In addition to the logo the amount of calories, saturated fat, trans fat, sodium, and fibre are listed for each approved menu item. Already the Health Check symbol appears on menus of larger chain restaurants like Boston Pizza, Swiss Chalet, Pizza Hut, Second Cup, and the White Spot.

1:40

Mr. Speaker, I was happy to see two Alberta-based restaurants, SAGE Savouries and Husky House, join the program last Friday, and I hope that we see more restaurants join in the future. Ultimately, I hope that healthy meal options become something that Albertans ask for when they go to their favourite eatery. Putting the familiar Health Check symbol on menus across Alberta will go a long way in helping families make healthy choices when eating out. It will contribute to the overall health of Albertans and will help the sustainability of our health system in the future.

Thank you, sir.

**The Speaker:** The hon. Member for Calgary-Hays.

**Lorraine Farmer  
Mary Phillippo**

**Mr. Johnston:** Thank you, Mr. Speaker. It’s a great pleasure and honour for me to rise today to recognize two ladies who were hospitalized recently and had nothing but positive comments about the treatment they received in our health care system.

The first is a brave and courageous Albertan, Lorraine Farmer. Lorraine was diagnosed with breast cancer in April of 2006. The treatment at the time resulted in an almost five-year cancer-free life. Unfortunately, the cancer returned as a walnut-sized tumour on the brain, and Lorraine was diagnosed and taken to hospital on March 4, 2011. She had surgery on March 6 and went home on March 9, 2011. Lorraine is a fighter, and she checked herself out of the hospital early and went home to convalesce. From her original diagnosis Lorraine complimented the professionalism and dedication of the doctors and nurses at High River and the Foot-hills hospital. Her entry and exit from the hospital was a very smooth transition. Lorraine believes that a positive attitude coupled with the best health care treatment in Canada contribute to her ongoing recovery. She commented: we are blessed in Alberta to be living in a province that places such a high emphasis on quality health care for our citizens.

The second one. I received an e-mail from, Mary Phillippo, a recent arrival from Nova Scotia. She says that

I have nothing but positive words to say about the Alberta Healthcare system. A few months ago I had to schedule a mammogram and ultrasound. To my surprise my appointment was scheduled for the very next week. Typically, a person could wait up to two to three months for this same procedure in Nova Scotia, which is where I’m from. I applaud the Alberta government for addressing the medical needs of Albertans.

Thank you, Mr. Speaker.

### Health Care System Strengths

**Mr. Benito:** Mr. Speaker, we hear that Albertans receive exceptional care in our health care system across the province every day, and that’s because we have talented and dedicated health professionals who are committed to delivering the best possible care right here in Alberta.

You know what, Mr. Speaker? Health professionals across Canada have recognized that Alberta is a great place to practise medicine. The proof is in the numbers. This province has had the highest percentage increase of physicians out of all the other provinces at 22.5 per cent from 2004 to 2008.

The government has also committed to funding 367 seats in the University of Alberta and University of Calgary faculties of medicine, a 62 per cent increase from 2005. Residency positions have also increased nearly 50 per cent in about the same time period, Mr. Speaker.

It’s not just physicians we are investing in; it is many of the front-line health workers such as nurses. Alberta Health Services has committed to hiring at least 70 per cent of our nursing graduates. About 1,000 more registered nurse graduates will have jobs when they are finished their programs. One of those graduates is my daughter, Mr. Speaker. The three-year collective agreement that Alberta Health Services signed with the United Nurses of Alberta last year will ensure that our nurses remain among the best paid in the country so that we can keep them close to home.

Mr. Speaker, we hear time and time again about the great care Albertans experience in our health care facilities. It is because these men and women love what they do . . . [Mr. Benito’s speaking time expired]

**The Speaker:** Thank you.

The hon. Member for Airdrie-Chestermere.

### Integrated Ambulance Services in Airdrie

**Mr. Anderson:** Thank you, Mr. Speaker. Last year Airdrie had one of the most effective and efficient integrated ambulance and

fire services in the country. It was a prized, life-saving jewel of our city. And then came the Alberta superboard. When determined by this government that AHS would manage provincial ambulance services, I was promised by the current Minister of Energy that this would not mean Airdrie would lose its integrated service. In fact, he said Airdrie would benefit from the province picking up the cost.

Well, it turned out that wasn't true. AHS, led by a reprehensible bureaucrat named Darren Sandbeck, would not enter into a contract with Airdrie unless it complied with a litany of expensive upgrades that made keeping the service financially impossible. As a member of the government I begged the now Energy minister to intervene. He responded by paying a former PC cabinet buddy to unsuccessfully mediate the dispute.

After leaving the PCs, I pleaded with the current health minister to intervene, as did the mayor, over and over again. We even had him down to city council to personally brief him on the situation. Nothing changed. After endless head-nodding, we were assured it would be dealt with. Nothing was done. So we lost our integrated service, and in came the white knights at AHS to run our ambulances.

Last night I received a call informing me that AHS is now reporting a 33 per cent increase in Airdrie response times since the takeover. This means that someone suffering a heart attack will wait almost three minutes longer for life-saving treatment than they did prior to the takeover, increasing the risk of premature death.

The centralized superboard experiment has been a complete failure, and I have no doubt that this government will receive this verdict from voters at the next election. But let me assure those involved with this Airdrie ambulance debacle that if we lose one person in my community to premature death because of this incompetence, I will personally ensure that those responsible are held accountable to the full extent of the law. On behalf of my constituents I demand that the health minister order AHS to get those ambulance response times back to where they were prior to his superboard's incompetent takeover. Failure to do so will have very serious consequences.

#### **Speaker's Ruling Referring to Nonmembers**

**The Speaker:** Hon. members, the chair does not intervene in members' statements, but, hon. Member for Airdrie-Chestermere, did I hear you name a person who is from outside of this House and use an adjective, I guess, in this case: reprehensible?

**Mr. Anderson:** Absolutely, sir. And I stand by that comment.

**The Speaker:** Fine. I just want to caution all members that it violates the rules of the House when we refer to people who cannot defend themselves in this House. The hon. member might choose to wish to deal with this issue outside of the House rather than inside of the House. [interjections] Okay. [interjections]

Airdrie-Chestermere, would you just cool it, please? If you want to violate the rules in a member's statement – I provided my statement in here, have dealt with it in here. You can deal with it outside of the House now on your own.

We're going to continue with the Routine.

#### **Introduction of Bills**

**The Speaker:** The hon. Member for Lethbridge-East.

#### **Bill Pr. 2**

#### **Galt Scholarship Fund Transfer Act**

**Ms Pastoor:** Thank you, Mr. Speaker. It is my pleasure to be able to rise and have leave to introduce Bill Pr. 2, the Galt Scholarship Fund Transfer Act.

The Galt School of Nursing Alumnae Society of Alberta has presented a petition requesting that the terms of the trust be modified and that the trust fund be transferred to the University of Lethbridge and that the Galt scholarship fund be continued under this act.

Mr. Speaker, this is some nurses from the Galt school of nursing who over a number of years have been putting money aside for scholarships. The scholarships now going to that particular group have been decreasing, and they in their generosity are going to turn over a substantial amount of money to the University of Lethbridge for nursing scholarships.

Thank you.

[Motion carried; Bill Pr. 2 read a first time]

#### **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### **Patient Advocacy by Health Professionals**

**Dr. Swann:** Thank you, Mr. Speaker. In 2000 Capital health region recruited top thoracic surgeon Dr. Tim Winton from the University of Toronto. Dr. Winton took over as director of thoracic surgery after Dr. Ciaran McNamee was pushed out of his job for speaking out for more patient resources. In turn, Dr. Winton is no longer the director of thoracic surgery and is now listed as a university course co-ordinator. To the Premier: can the Premier advise if Dr. Winton was pushed out of his position as head of thoracic surgery in circumstances similar to Dr. McNamee?

1:50

**Mr. Stelmach:** Mr. Speaker, if any physician, including those that were named by the member across, feels that in some way they have been hampered in what they brought forward to the board or bullied in some way and weren't able to carry out their duties, feel free, if they feel that way, to bring the evidence before the Health Quality Council.

**Dr. Swann:** Mr. Speaker, will the Premier take the necessary steps to grant immunity to Dr. Winton so that he can explain his position without fear of retribution?

**Mr. Stelmach:** One thing we know for sure is that anybody who appears before the Health Quality Council will have the protection of the Alberta Evidence Act, and anything that they bring forward to the Health Quality Council will be kept in strict confidence.

**Dr. Swann:** To the Premier: we'll never know the truth about why Dr. Winton left his position without an independent judicial inquiry, so will the Premier finally concede that it's time to call an independent judge-led public inquiry?

**Mr. Stelmach:** As I've said countless times, the Health Quality Council is prepared to hear from all physicians and even nurses and anybody in our health care system that feels in some way that they've been bullied. They can bring that to the Health Quality Council. It'll be held confidential. No one else will know in terms

of what evidence they have brought to the Health Quality Council, and that is the best place for that.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

#### Wait Times for Cancer Care

**Dr. Swann:** Thank you, Mr. Speaker. A recent medical journal article from *The Lancet* reports that the five-year survival rate for lung cancer in Alberta is only 15.1 per cent, the lowest of all provinces in the country. In response to the study a prominent thoracic surgeon from Harvard said, and I quote: this is irrefutable evidence by an impartial third party that Albertans suffer with cancer care. End quote. To the Premier: how can the Premier deny the connection between the country's worst lung cancer survival rates and the dismissal of these two prominent lung surgeons in Edmonton?

**Mr. Stelmach:** If the hon. member believes that that is the reason, then those two physicians that he named should appear before the Health Quality Council, and if it is true, what he said, then they should do it immediately.

**Dr. Swann:** Well, would the Premier agree with the assessment of Dr. Ciaran McNamee that the third-party review here shows irrefutable evidence that Albertans suffer with inadequate cancer care?

**Mr. Stelmach:** Mr. Speaker, as we've heard in this House, many Albertans have had excellent cancer care. There are others, in terms of waiting times, that I know we've heard can be improved. That's the purpose of the Health Quality Council, to see how we can further decrease waiting times in emergency rooms, improve cancer care in the province. We've come a long way, but there is always room for more improvement.

**Dr. Swann:** Given that the Premier has asked for evidence of unnecessary deaths and we are presenting it, will he finally acknowledge that there is enough evidence supporting the allegations from the Member for Edmonton-Meadowlark to call for a full judicial inquiry?

**Mr. Stelmach:** Mr. Speaker, once again, as I said, these physicians that were named can go immediately to the Health Quality Council and present their evidence. That is the council that will hear the evidence and will make recommendations to the government. That report will be public. The first report will be released in three months, then in six months, and the full final report will be done in nine months.

**The Speaker:** Third Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Health Professionals (continued)

**Dr. Swann:** Thank you, Mr. Speaker. These Tories talk a great deal about, quote, helping doctors advocate for their patients and turning the page. End quote. While it's nice to see their tacit admission that there was a culture of fear and intimidation in the past, there has actually been no improvement to the process by which doctors can speak up. As seen in the Alberta Health Services safe disclosure policy, every route for raising concerns ends up in the hands of their ethics and compliance officer. To the Premier: does the Premier see any problem with Alberta Health

Services' reporting measures being entirely internal, with no outside oversight?

**Mr. Zwozdesky:** Mr. Speaker, I'm glad this member mentioned this because yesterday he gave out such an inaccuracy so as to almost mislead people here. The compliance officer who looks after these kinds of issues was an employee of the health system up until 1997, and then she left until 2008, so she was not there in the way this member suggested. But they do have a compliance and ethics officer who is doing a very good job looking into these matters. Any matters that come up that belong over at the Health Quality Council review will find their way over there.

**Dr. Swann:** Given that Dr. Maybaum was told that, quote, there were people high up in government who wanted his head on a platter, end quote, how would the ethics and compliance officer and the Alberta Health Services Board be able to do anything about intimidation directly from the government?

**Mr. Zwozdesky:** Mr. Speaker, we've made it very clear that we're encouraging doctors to speak out in this way, and I'm glad they're taking that opportunity. Now we're encouraging them to also take those issues to the independent review. I might add: an independent review that just named five very prominent people to its health advisory council, including the former Deputy Prime Minister of Canada, including two highly respected doctors, including a cancer specialist from Calgary, and including a former Chief Justice of this province.

**The Speaker:** The hon. leader.

**Dr. Swann:** Yes. Thank you. We're not talking about who's on the committee; we're talking about what their mandate is.

Given that Alberta Health Services' internal reporting has no external oversight, given that the Health Quality Council review is behind closed doors, will the Premier now allow a public inquiry to uncover the truth about intimidation of health professionals?

**Mr. Stelmach:** Mr. Speaker, once again, I want to make sure that any physicians that feel that they were intimidated in some way with fear of reprisal, whether it happened 15 years ago or it happened five days ago, take it to the Health Quality Council.

**The Speaker:** Hon. Member for Edmonton-Centre do you want to lead a chorus? You keep singing a word.

The hon. Member for Calgary-Glenmore, followed by the hon. Member for Edmonton-Highlands-Norwood.

#### Critical Electricity Transmission Infrastructure

**Mr. Hinman:** Thank you, Mr. Speaker. For the last month we've been focused on what is likely the biggest ethical scandal in this province's history, the intimidation of health care professionals. But as this government ducks and denies while this issue burns, it's full steam ahead on what's surely the biggest financial scandal in Alberta's history, Bill 50 and the \$16 billion overbuild of our electrical system. To the Premier: given that this will surely tarnish your legacy, will you do the honourable thing and call for an independent needs assessment before sticking Albertans with a tab that will take them decades to pay?

**Mr. Stelmach:** Mr. Speaker, there was an independent review. The review began back in 2001. Over 300 meetings were held. Many Albertans presented evidence in terms of the need for transmission into the province of Alberta. We haven't seen any improvement for the last 30 years. In that 30 years our population



has doubled. As a result, the system is strained, and we have to improve the transmission system.

**Mr. Hinman:** Mr. Speaker, it's 2011, not 2001. Things have changed.

Given that the government nullified the real purpose of the AUC when they passed Bill 50 in order to eliminate the most important step, a needs assessment, will the Premier do the honourable thing and repeal Bill 50 and let the AUC decide just what size of power lines we actually need before it's too late?

**Mr. Stelmach:** Mr. Speaker, there is an authority that listened to Albertans and determined need. In fact, even during the recession they were out .1 per cent in their projections. We're seeing energy consumption, electricity, grow by 3 per cent a year. The first build-out will be about \$4 billion, depending on what the tenders will be. Roughly speaking, that's \$1 for every \$1 billion invested in the infrastructure.

**Mr. Hinman:** Completely out of touch and misunderstanding the situation.

Given that multiple studies and business groups like IPCCAA are telling you that monstrous overbuild will drive up electrical prices so much that Alberta will lose businesses and jobs and that voters are outraged about having to pay jacked up power prices for decades, why are you so stubbornly clinging to this untended backroom deal? It's just wrong, Premier. It's wrong.

**Mr. Stelmach:** Mr. Speaker, here are the facts. In British Columbia B.C. Hydro is looking at increasing their electricity rates 30 per cent over the next three years and 52 per cent by 2015. That group over there is advocating us building more natural gas electricity generation. Sounds great at \$4 gas. But I can tell you that \$4 gas and today's coal-priced electricity are about the same. As gas increases to \$6, I wonder if they're going to stand up and defend Albertans for . . .

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

2:00

### Health Care System

**Mr. Mason:** Thanks very much. Mr. Speaker, the health minister wishes the opposition would forget about the past and just look to the future. But, you know, those who do not learn from the mistakes of the past are condemned to repeat the mistakes again and again. This could be this government's motto. I want to ask the Premier: will he admit the PC government's responsibility for the health care mess we find ourselves in, including the culture of intimidation, and if not, tell us who is responsible? Is it doctors? Is it . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, once again, if there is any fear, if any physician feels that there has been some intimidation, then the door is open to appear before the Health Quality Council. Today we heard very eminent members from Alberta appointed as advisory members, a lot of experience in the law. It's not very often you have a former Deputy Prime Minister appointed to a committee or the former Chief Justice of Alberta appointed to a committee. That is simply outstanding.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that there's a whole string of former health ministers still sitting over

there on that side plus Gary Mar, who's seeking the PC leadership, who collectively bear responsibility for the culture of intimidation that we're now seeing, will the Premier please say whether or not this government accepts responsibility for the mess that the health care system is now in? If not, who is it?

**Mr. Stelmach:** Mr. Speaker, as we heard in the House from many of our members, our system is not in a mess. It is better funded than others in the province. We've attracted more doctors to this province than any province in Canada. We remain committed to train 2,000 more nurses by 2012, and we will meet that goal plus over 300 new physician positions in the province of Alberta. Compared to other provinces, we've taken a leadership role, and we're committed to meeting those goals.

**Mr. Mason:** Mr. Speaker, given that all of the indications are that the health care system is actually getting worse – waiting times are getting worse in a number of areas – and given the collective responsibility of this government for the culture of intimidation that we've seen, will he ask the former ministers of health, including Gary Mar, the leadership candidate, to appear before the Health Quality Council and give their account of what went wrong?

**Mr. Stelmach:** I guess he missed some of the latest interviews out there. Anybody that was asked by the media in terms of former ministers, anybody in government said: sure; if the Health Quality Council calls us, we'll be glad to give any sort of evidence that they wish.

**The Speaker:** The hon. Member for Calgary-Currie.

### Health Quality Council Review

**Mr. Taylor:** Thank you very much, Mr. Speaker. I've been going over the terms of reference for the Health Quality Council's review. You know, maybe it's just because I can't get last week's charge that the council has engaged in junk science out of my mind, but I'm finding discrepancies. For instance, there's a promise to look into the possibility that the safety and quality of care of 250 cancer patients was seriously compromised by a delay in surgery "as alleged in a document tabled in the Alberta Legislature on February 28, 2011." Assembly documents and records show no such tabling.

**The Speaker:** Okay. We need a question.

**Mr. Taylor:** To the Premier. Given the Health Quality Council's terms of reference refer to a nonexistent document, how can a skeptical public . . .

**The Speaker:** If you want to respond, hon. Premier.

**Mr. Stelmach:** I'm not quite sure what the hon. member is driving at, but as I said before, the Health Quality Council will listen to anyone who comes forward with evidence and ideas and maybe gives some history in terms of how we did operate in the past, how we can improve in the future in terms of new funding, getting better value for their dollars. All of that is on the table.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. Again to the Premier: given that the council's terms of reference limit the review to the years 2003 to 2006, when the period in question begins with Dr. McNamee's patients in 1999, how is the Health Quality Council going to adequately investigate these allegations in any depth?

**Mr. Zwozdesky:** Mr. Speaker, the items referred to were those that had been tabled in this Assembly, and the tablings covered two essential areas. One of them was the impact of wait times on emergency care, and the other, which I think was a single document, was wait times with respect to cancer care. So based on what was tabled, that's part of what I assume governed the terms of reference that were developed independently by the HQCA.

**Mr. Taylor:** Well, Mr. Speaker, those documents certainly weren't tabled on the 28th of February 2011. Again to the Premier: given that the Health Quality Council is unable to even determine where it needs to look, will the Premier commission an independent, fully independent, judge-led inquiry into these allegations?

**Mr. Stelmach:** Mr. Speaker, as I said before, the Health Quality Council has very rigorous and robust terms of reference, and they can go back as far as they want. They can listen to any evidence that they want. They can call anybody to deliver the evidence. As I said, if some of these issues go back 15 years, come forward. If you've got some issue five days ago, come forward. They're there to listen.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-Varsity.

### Occupational Health and Safety

**Mr. Elniski:** Thank you, Mr. Speaker. Flint Energy Services has announced recently that they're looking for about an additional thousand people for their mod yard, so it looks like we're once again on the verge of the economy heating up. Considerable economic growth means more jobs, more work, and more money in the jeans of Albertans, which, obviously, is pretty good news. My questions are to the Minister of Employment and Immigration. What are you doing to ensure that the rate and volume of work increases and the workplace safety remains uncompromised?

**Mr. Lukaszuk:** Well, Mr. Speaker, the importance of occupational health and safety and keeping our job sites does not fluctuate with economic activity. Our workers, our employers, and the government of Alberta are fully committed to making sure that no matter how busy or how slow our economy may happen to be, we will enforce safe workplaces in this province.

**The Speaker:** The hon. member.

**Mr. Elniski:** Okay. Thank you, Mr. Speaker. Given that we recognize that it is in fact a shared responsibility, what specifically is occupational health and safety doing to prepare for the increased activity?

**Mr. Lukaszuk:** Well, Mr. Speaker, as many Albertans may know, over the last year or so we have developed a 15-point plan on enforcing occupational health and safety, somewhat shifting the balance from education to enforcement. We have hired some 52 per cent more officers over this and the next fiscal budget, so definitely there has been a great deal of attention both on policy and on enforcement of occupational health and safety.

**The Speaker:** The hon. member.

**Mr. Elniski:** Thank you, Mr. Speaker. My final question. As much as I endorse the emphasis on northern Alberta, it's undeniable that the cost of living in Fort McMurray is extremely high, so specifically, Minister, what's being done to help the OH and S officers that are living there?

**Mr. Lukaszuk:** Well, Mr. Speaker, as we realize, a great percentage of this economic boom that's definitely on the horizon will happen in northern Alberta. We have now divided enforcement of occupational health and safety into three zones, the Fort McMurray-Wood Buffalo area being one of them. We have also dedicated officers to that particular region. Not only will they become more acquainted with the industry, but they will develop better relationships with workers and employers, so their efficacy in enforcing occupational health and safety will be much improved.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Mackay.

### Calgary Board of Education

**Mr. Chase:** Thank you, Mr. Speaker. Yesterday we learned that the Calgary board of education is facing a \$61.7 million budget shortfall and is looking to cut 172 support staff in addition to over a hundred more teachers. The Learning Commission's reduced class size initiative has become a rapidly fading memory. To the Premier: why did the province create tax room for municipalities by lowering the education property tax rate but won't return to school boards the autonomy to collect and locally determine how best to use their educational portion of the property tax?

**Mr. Hancock:** Mr. Speaker, what the province did with respect to the education property tax is what we promised to do 10 years ago and have been doing consistently ever since. We've maintained the assessment for education property tax, increasing it by the amount of real growth in assessment but not increasing it by the amount of inflationary growth. So we've increased it annually from the amount that it was frozen at 10 years ago. We are capturing that across the province. As it applies to assessment bases in each individual municipality, it provides for some differences.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. To the Minister of Education: will the minister cover the Calgary board of education's budget shortfall this year given that the province helped to close a similar funding gap last year?

2:10

**Mr. Hancock:** Mr. Speaker, the difference between this year and last year is that last year I informed boards at the time of the budget they could expect the government to fulfill the commitment to the 2.92 per cent increase because it hadn't been known at the time of the budget that that was the amount, and we actually did that. The fact the boards went through a budgeting process, ignoring that advice, was not in accordance with the advice that I had given them. This year we put the 4.4 per cent increase to operating grants into the budget, but in fact there was not enough increase in the budget to cover all the issues that needed to be covered; therefore, I had to cut back on certain targeted grants.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Support staff, AISI, special needs: all gone. Given that the process of constantly underfunding school boards and then inconsistently bailing them out is counterproductive, hugely disruptive, and creates ongoing uncertainty for students, parents, and teachers alike, is your real plan this year to force all school boards to drain what, if anything, remains of their surpluses?

**Mr. Hancock:** No, Mr. Speaker, that's not the plan. But it wouldn't be a bad idea for school boards first to look at their accumulated operating surpluses. After all, that is money that was granted to school boards to fund today's education with today's dollars. I know the school boards have saved money for various purposes, but when they have money in an operating surplus account, and when we have a tough fiscal budget like we have this year, it is a very good year to look at your operating surpluses before you look at cutting staff.

**The Speaker:** The hon. Member for Calgary-MacKay, followed by the hon. Member for Edmonton-Gold Bar.

### Special-needs Education Funding

**Ms Woo-Paw:** Mr. Speaker, on June 11 last year the ministers of Education, Health and Wellness, and Children and Youth Services announced the Setting the Direction Framework: Government of Alberta Response. I was able to attend that event. Since I have heard from principals, teachers, parents, and community members that support and services are difficult to access, that schools have limited capacity to provide appropriate programming, and children and youth with some of the most challenging issues are compromised, my questions are to the ministers of Education and Children and Youth Services. To the Minister of Education: what progress is your ministry making in implementing . . .

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Progress has been slow, but it's very important that it be done thoroughly because we're talking about a real culture shift in the way that we do this. First and foremost, we've worked internally within government, bringing together primarily the three departments of Health, Children and Youth Services, and Education but also other departments involved, to make sure that we align our approach within government. Secondly, we've now set up the inclusive education provincial advisory committee, that was part of the process. That will bring stakeholder groups together to provide oversight and advice on the implementation.

**Ms Woo-Paw:** To the Minister of Children and Youth Services. People in the system are telling me that one of the barriers to improving support for these children is around the lack of communication from Children's Services. Has the ministry identified this as a barrier? If so, what is the plan and current status for addressing the issue?

**Mrs. Fritz:** Well, Mr. Speaker, as a result of the success in school initiative for our children and youth in care, we have developed a new protocol, and that protocol ensures, as the minister had indicated earlier, that our educators, our caregivers, our caseworkers work together on behalf of our children and youth in need. The good news that we have about this and what's important that you know is that our children and youth are directly involved in developing their educational plans and that ensures their voices are heard.

**The Speaker:** The hon. member, please.

**Ms Woo-Paw:** Thank you. Back to the Minister of Education: what is your ministry doing to broaden community engagement and inform Albertans about its work so that we can engage sectors to work together to meet these children's needs?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. That's a very important question. I wanted to add to my earlier answer that while we're putting in place the oversight and the co-ordination, the project team is actually engaging in a number of pilot projects with divisions across the province and implementing on the ground. That's part of the story, to share that work with others across the province, to let people know what projects are on, to have them go to the website and see what's going on with it, and to send out communications to the people who are involved, the 7,000 Albertans that were involved in the consultation in the first place, to let them know that progress is happening.

### Health Services Financial Reporting

**Mr. MacDonald:** Over a seven-year period between 2003 and 2009 Capital health listed under other expenses in their annual reports over \$300 million. I asked questions to the minister of health on this two weeks ago, and I'm disappointed, Mr. Speaker. I have yet to receive an answer. My first question is to the minister of health. What efforts has the minister made in the last two weeks to provide a detailed list of all those expenditures that went out under other expenses?

**Mr. Zwozdesky:** Mr. Speaker, the first effort I made was to appeal to this member to put this question to the proper process, which he knows very well. There is a thing called Motions for Returns, and there is a thing where he knows very well that he's allowed to put a question forward through his own group, that he chairs.

**Mr. MacDonald:** Point of order.

**Mr. Zwozdesky:** But the point here is that the Auditor General has indicated that the predecessor organizations to AHS had their own individualized accounting systems. That resulted in some classifications of their own unique findings. That's the answer.

**Mr. MacDonald:** Mr. Speaker, yes, I did raise a point of order.

Again to the same minister: why did the government allow Capital health to hide \$300 million in expenses when other regions were required and did on a voluntary basis list all their expenses? What is this government hiding?

**Mr. Zwozdesky:** Mr. Speaker, I hope the hon. member will read what he just said because I'm sure he didn't mean it.

Nobody has hidden anything. The fact is that the Auditor General has audited all of these findings. Let me just quote to you what the Auditor General said in the October 2010 report that he issued: "The predecessor organizations had different policies and processes for their financial operations. AHS staff identified some of these areas, such as capital assets and financial instruments, and made conforming changes." There you have it.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister: will the minister list for the interest of taxpayers the complete details of the \$300 million that Capital health spent between 2003 and 2009 and conveniently hid in the Other column of their annual report? List it.

**Mr. Zwozdesky:** Mr. Speaker, again I say that that is a very offensive allegation. Nobody hid anything. The monies are all there. They were properly accounted for. The Auditor General himself signed off on it. If there are more details, he's got Written Questions and Motions for Returns, and he also has the Public Accounts Committee through which he can ask those detailed questions.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Fort McMurray-Wood Buffalo.

### Aids to Daily Living Program

**Mrs. Leskiw:** Thank you, Mr. Speaker. I know that our government has a number of programs that provide support to Albertans with disabilities and to seniors. My constituents are asking me about the assistance the government provides for other necessities. My questions are to the Minister of Seniors and Community Supports. It appears that the budget for the AADL program has increased. Does this increase translate to more support for the average Albertan?

**Mrs. Jablonski:** Mr. Speaker, the AADL program helps approximately 85,000 Albertans to obtain health-related supports such as hearing aids, medical and surgical supports, wheelchairs and mobility aids, and respiratory equipment. The budget is \$124 million. It's an increase of \$5 million over last year, and most of this money goes to the caseload growth that we will see in AADL. These health-related benefits assist people who have a long-term disability, a terminal illness, or a chronic illness to receive the supports that they need to maintain their independence.

**Mrs. Leskiw:** To the same minister. My senior constituents want to stay in their homes longer. Is there anything in her department budget this year that supports this?

**Mrs. Jablonski:** Mr. Speaker, our ministry's budget this year included increases to maintain programs and services that help seniors in their home. Programs like the Alberta seniors' benefit, the education property tax assistance program, and special-needs assistance for seniors help them to remain as independent as possible. Funding for these and other seniors' programs has increased this year in my budget by \$15 million.

**Mrs. Leskiw:** My final question to the same minister: does her department's 2011 budget provide any additional benefits for dental and optical needs for my seniors?

**Mrs. Jablonski:** Mr. Speaker, the total budget for Seniors and Community Supports is \$425 million. That does include an increase to the seniors' optical and dental program to assist those that are coming into the program. As you know, there are 2,000 more seniors in Alberta each month, but more than 209,000 low- and moderate-income seniors are eligible for this assistance for dental supports and for prescription eyeglasses. I'm proud to say that Alberta is one of the very few provinces that has this sort of program for our seniors.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Calgary-McCall.

### Minister of Health and Wellness

**Mr. Boutilier:** Thank you very much, Mr. Speaker, on this beautiful spring day. When asked if he would resign from cabinet and announce a bid for the PC leadership, the health minister said that there was too much going on his portfolio to announce. Indeed, there's lots going on in health care. So far, though, the health minister has utterly failed to do anything about any of these issues. He won't dismantle the failed superboard, he won't discipline health officials for threatening doctors and nurses, and he won't call a public inquiry. To the minister of health . . .

**The Speaker:** The hon. minister.

2:20

**Mr. Zwozdesky:** Mr. Speaker, I think the record will show very clearly that I as minister of health with the support of the Premier and all of these colleagues have done a great deal to improve health outcomes in this province. I think the record will also show that we have demonstrated that in a number of ways: for example, the first province ever – ever – to have a five-year funding commitment; the first province ever to have a five-year health action plan; the first province ever to have a suite of 50 performance measures to help hold the system accountable.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given that nonresponse – and there is a difference. Given the fact the minister of health said, "I'm going to take a walk in the snow," there's a difference between taking a walk in the snow and a head in the snow. To the minister: will he resign and get on with what he's really doing today in seeking the leadership?

**Mr. Zwozdesky:** Oh boy. I can see where this would-be leader is going with his own party. That's very, very clear. I think your own leader is probably a little bit nervous about your aspirations, hon. member, not to be outdone by Airdrie-Chestermere, of course. I think I'll just leave it there for now, Mr. Speaker.

**Mr. Boutilier:** Mr. Speaker, given the nonresponse and given the fact the minister clearly has his eye on other things than health care, will he do the right thing for the benefit of all Albertans and officially resign his post so he can officially run for the PC leadership, like others are doing, and not collect the cabinet salary?

**Mr. Zwozdesky:** Mr. Speaker, I've indicated very clearly that I am focused and riveted on health care. We have a great health care system. My job is to make it better, and I'm getting good help doing that.

Thank you.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Ellerslie.

### Penhorwood Apartment Evacuations

**Mr. Kang:** Thank you, Mr. Speaker. Shoddy construction practices have consequences. The residents of Fort McMurray's Penhorwood condos were not only forced out of their homes in the middle of the night and given 15 minutes to collect their belongings, but many are now homeless. To the Minister of Municipal Affairs. Homeless evacuees are now relying on Children's Services for support. Would the minister agree that having some building regulations beats providing emergency housing?

**Mr. Goudreau:** Mr. Speaker, we are in constant touch with the municipality of Fort McMurray. I want to indicate that they've established a task force, and they are dealing with individuals there. Those individuals that have had some issues in terms of finding additional accommodations or financial support, if they require help, are being helped through the offices of the Ministry of Employment and Immigration. So they are being looked after.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. The help is not coming fast enough.

To the minister again. Forty per cent of those Penhorwood residents bought these condos confident that this province has

standards and that the standards are enforced. What would the minister advise these owners about losing their homes and their savings?

**Mr. Goudreau:** Mr. Speaker, we recognize that there are 52 condo unit owners. Those individuals are being given similar assistance as renters. There is a legal action that has commenced, and this is in the courts. I would suspect that the courts will make those decisions as to who might be liable in this case for additional support.

**Mr. Kang:** You know, that's very good help, Mr. Speaker. Condo owners suffer while they go through a legal process.

To the minister again. Municipal Affairs is responsible not only for building standards but also for emergency management. So how is the minister assisting the municipality in helping the victims in this emergency?

**Mr. Goudreau:** Mr. Speaker, the Safety Codes Council is responsible for accrediting municipalities, corporations, and agencies that sell permits and carry out work under those particular permits. The municipality is at liberty to choose those individuals that will do the inspections on their behalf. They indicate to me that they've got a better reach and they can do more inspections. They're closer to development issues, and they are closer to residents. So the municipalities themselves are managing the inspection process.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Centre.

#### Protection against Discrimination

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. This government prides itself on promoting equality, fairness, and an atmosphere where people of all backgrounds feel welcome, safe, and respected. Unfortunately, not every visible minority in our province experiences such an environment. My questions are to the Minister of Culture and Community Spirit. What measures does your ministry have in place to ensure that the rights of minority are protected and will continue to be fully protected?

**The Speaker:** Minister, your estimates are up in about 35 minutes from now, so stay away from budgetary answers. Just deal with policy, please.

**Mr. Blackett:** Mr. Speaker, we have the Alberta human rights act, that protects minorities against discrimination for employment, for accommodation, for government services. We have the human rights, citizenship and multiculturalism fund that funds organizations who help educate organizations and different community groups as well as employers on their rights and their rights to one another. Mr. Speaker, this is something the government can't do by itself. We need partnerships like CMARD, the Coalition of Municipalities against Racism and Discrimination.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: in what ways do programs specifically educate youth on the harmful effects of racism and discrimination?

**Mr. Blackett:** Well, Mr. Speaker, a program was developed by the Alberta Somali Community Centre and supported by our department, the Alberta Culture and Community Spirit's human

rights branch. This involves 10 to 15 individuals from the Somali community receiving training and leadership development and monitoring skills that support community involvement, civic participation, and academic excellence. In essence, they're being taught to be leaders. They're going to go back into their community and help those other individuals become better participating citizens and feel more inclusive in their communities.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: what concrete measures has your ministry taken at reducing discrimination and encouraging a diverse and inclusive society?

**Mr. Blackett:** Well, it's always hard to quantify that, but I know from the performance measures that we looked at a year ago, 89 per cent of the people of Alberta say that they feel that they are protected against discrimination. That's something that we all have to work on, Mr. Speaker. That's something we all have to be vigilant on, not just government. Those are individual Albertans, those are the private sector, those are our organizations that we support, and all of us in this House. We have to be vigilant on that.

#### Speaker's Ruling Anticipation

**The Speaker:** Hon. members, one of our traditions is that we don't really ask questions of a minister if his department estimates are coming up that particular day, and in this case they are. That was very close to the edge. I feel rather uncomfortable about that, so I will intervene in the future.

The hon. Member for Edmonton-Centre, followed by the hon. Member for St. Albert.

#### Provincial Environmental Monitoring Panel

**Ms Blakeman:** Thanks very much, Mr. Speaker. The Environment minister insists that the appointment to the water panel of a self-described best friend of the Prime Minister was based on expertise, not political connections, but it is difficult to find confirmation that this individual had specific expertise on water beyond his part in helping to create the Canada School of Energy and Environment and his subsequent appointment as head of that school. To the minister: can the minister point to any actual working expertise in water matters of this person?

**Mr. Renner:** Mr. Speaker, the representatives that are on that panel bring a number of different skills and assets to the panel. We have scientific expertise; we have people that have a business background that have been involved with the business side. In this particular case, as I've indicated, in his capacity as executive director of the Canada School of Energy and Environment, Mr. Carson brings to the committee his knowledge and expertise with working . . .

**The Speaker:** The hon. member, please.

**Ms Blakeman:** He has no direct water experience.

Back to the same minister. If there was a background search done prior to this person's appointment to the water panel, then how is the minister unaware of both a criminal record for fraud and a professional disbarment?

**Mr. Renner:** Mr. Speaker, let me once again remind this member that the purpose of this panel is not water. This is to be bringing

forward a world-class monitoring system that will bring all media together: water, air, land, and biodiversity. Each member of the panel is expected to bring various forms of expertise to bring all of this together.

2:30

**Ms Blakeman:** Back to the same minister: why hasn't this government proclaimed the Alberta Public Agencies Governance Act as this act would likely have excluded this same panel member from ever being appointed in the first place? He has no expertise in these areas.

**Mr. Renner:** Mr. Speaker, I beg to differ. I believe that the people that are on this panel were brought into the panel for different expertise in different areas. Some have a scientific background, some have a business background, and some have a background in being able to liaise and bring forward complementary research in other areas. So I disagree with the premise that the member brings forward.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Lethbridge-East.

#### Grants and Bursaries for Postsecondary Education

**Mr. Allred:** Well, thank you very much, Mr. Speaker. With the cap on tuition fee increases at Alberta's postsecondary educational institutions several institutions are getting around the cap by imposing noninstructional fees for such ridiculous things as snow removal and registration services. To the minister of advanced education: what plans do you have to limit the imposition of non-instructional fees by postsecondary educational institutions?

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'd like to thank this member and others in the House for meeting with members of CAUS this week and hearing some of their concerns. This is one of the concerns that the students have brought forward, maybe their most important concern, that some schools are looking at opportunities to go around the tuition fee cap by imposing other fees. We believe that this is a very serious issue. We're going to continue to work with the students and look for a solution to this.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. Again to the same minister: given that student debt has increased dramatically in the past few years, how are students expected to manage their growing debt?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. The good news is that student debt last year for graduating students averaged about \$16,000 per student for government debt. This can be an amount that's difficult to manage, but we do have programs in place for remittance. Loans are offered at prime rate of interest for students. There's a six-month period after they graduate before they have to start paying. For students that are in really difficult positions, we have a RAP program, which allows them to negotiate a better payment schedule to allow them to be successful.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. Following that, to the same minister: will the minister be reinstating grants and bursaries once the economy picks up?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. As you know, last year we did reduce the number of grants and bursaries and put that funding towards loans, which would allow us to increase the number of student loans. That number has increased to almost 58,000 students, or 30 per cent of our student body, receiving loans last year. We do believe that bursaries and grants are important to the system, and we would like to continue to look at ways to increase scholarships, grants, and bursaries.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Drayton Valley-Calmar.

#### Residential Building Code

**Ms Pastoor:** Thank you, Mr. Speaker. It's often been said that during boom times builders will pretty much hire anybody who can swing a hammer. Consequently, many people believe that as the economy ramps up, residential construction quality tends to diminish. To the Minister of Municipal Affairs: given the oil patch's propensity to draw away those who might otherwise consider working in the construction trades, particularly during boom times, can the minister guarantee that new residential construction is always being done by properly trained tradespeople?

**The Speaker:** Normally questions that have the word "guarantee" are ruled out, but proceed.

**Mr. Goudreau:** Well, thank you, Mr. Speaker. We continue to work with industry, and I guess there are a number of different ministers that are working with that particular industry to ensure that individuals are qualified. There's the minister of advanced education, who is responsible for some of the trades that come through. We are responsible through the building codes to make sure that certain things are met. There are a number of individuals that do work with industry and trade to ensure that the construction . . .

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Apparently, it's not really that successful.

Given that a key recommendation of the ministry's April 2008 Building Envelope Survey was that the government should enhance consumer protection and recourse relative to the building code, why is it that Albertans are still having to cope with inadequate protection? I think Fort McMurray is a huge example.

**Mr. Goudreau:** Mr. Speaker, we continue to take steps to improve both residential and industrial construction. We are working on an approach that includes enforcement, education, consumer protection, and recourse to deal with concerns about buildings and building envelopes.

**Ms Pastoor:** Thank you for that, Mr. Minister. What other changes is the minister contemplating that would better protect Albertans from shoddy construction practices but also address the unique challenge of anticipated overheated-construction employee shortages?

**Mr. Goudreau:** Mr. Speaker, we recognize that buildings are often the single biggest investment that most Albertans make. We want to make sure that they are built to the standards that Albertans expect and deserve. As I indicated in my previous answer, we will continue to take the steps that are needed to improve construction practices.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Mill Woods.

### Women in Postsecondary Education

**Mrs. McQueen:** Thank you, Mr. Speaker. Lately we've been hearing about the underrepresentation of women in our workplaces and in positions of power. We've been hearing about inequities and barriers that continue to hold many women back. As a mother of four daughters my questions today are for the Minister of Advanced Education and Technology. Postsecondary education can open so many doors. Can the minister tell us: are women also underrepresented on Alberta's campuses?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. I am happy to stand and answer the member on this. Right now in our institutions 6 out of every 10, 60 per cent, of all certificates, diplomas, or degrees are granted to women. They are having a significant impact. In the fields of engineering, medicine, and science we have more women registered than men in these programs, so it's a great step forward.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Again to the same minister. I'm glad to hear that. Can you also tell me: are women making the same progress when it comes to pursuing apprenticeships and careers in the trades?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. I'm pleased to say that we are having some impact on women in the trades. Right now almost 10 per cent of our tradespeople that are in apprenticeship are women; however, it's not as much as we would like. The numbers have grown. In 2005 there were 3,900 women. Now we have 5,600 women registered in apprenticeship training.

**Mrs. McQueen:** Finally, to the same minister. You've got some good news there, but you've got a whole lot of work to do on that. What is your ministry doing to increase the number of women in Alberta's trades?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It is true that there is a long way to go to make sure that our young women are aware of the great opportunities in trades. There are wonderful jobs. We have a program available called women building futures, and this gives women a chance to try the trades, to understand what's involved in the trades. It does help people to select what they would like to do. We'd like to continue to work with our young women and create opportunities in the trades.

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

### Municipal Funding

**Mr. Prins:** Thank you, Mr. Speaker. Municipalities are responsi-

ble for providing core services for their citizens, and the province provides them with many levels of support. My question to the Minister of Municipal Affairs: to this point in 2011 how much MSI funding have municipalities received?

**Mr. Goudreau:** Mr. Speaker, since 2007 MSI has provided \$2.2 billion in long-term funding to help municipalities meet the demands of growth and sustainability. Again, those numbers constantly increase. The allocations are based on a formula developed in consultation with over 450 municipal representatives.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you again. Some municipalities claim that they are receiving less MSI this year than last. What are the criteria for funding each municipality?

**Mr. Goudreau:** Mr. Speaker, first, each municipality receives the base funding of \$120,000 per year except for summer villages, which receive \$60,000. Also, there's \$15 million per year in sustainable investment funding, and that's divided between municipalities with populations below 10,000 and limited local assessment. The vast majority of the funding, 48 per cent, is allocated on a population base, 48 per cent on the education tax requisition, and another 4 per cent on kilometres of local roads. So it's meant to address the needs of all municipalities.

2:40

**The Speaker:** The hon. member.

**Mr. Prins:** Well, thank you again. My last question to the same minister: do MSI amounts in all municipalities increase at the same rate?

**Mr. Goudreau:** Mr. Speaker, decreases or increases are due to annual changes in the municipality's proportion of population, education tax requisition, or kilometres of road compared to the provincial total.

In addition, some communities may see changes in their assessment base, again in relationship to the provincial average, which could in turn reduce the sustainable investment funding that they receive. This sustainable investment provides additional support for those with a low property tax base in relation to their population. This funding is then redirected among those municipalities that are eligible for sustainable investment funding.

**The Speaker:** Hon. members, 19 members were recognized today, with 114 questions and responses.

In a few seconds now we will continue with the Routine. We are at the Introduction of Bills stage.

### Introduction of Bills

(continued)

**The Speaker:** The hon. Member for Calgary-Hays.

#### Bill Pr. 3

#### Auburn Bay Residents Association Tax Exemption Act

**Mr. Johnston:** Thank you, Mr. Speaker. I request leave to introduce a bill being Bill Pr. 3, the Auburn Bay Residents Association Tax Exemption Act.

[Motion carried; Bill Pr. 3 read a first time]

**The Speaker:** The hon. Member for Calgary-Hays.

**Bill Pr. 4  
Cranston Residents Association  
Tax Exemption Act**

**Mr. Johnston:** Thank you, Mr. Speaker. I request leave to introduce a bill being Bill Pr. 4, the Cranston Residents Association Tax Exemption Act.

[Motion carried; Bill Pr. 4 read a first time]

**The Speaker:** The hon. Member for Calgary-Hays.

**Bill Pr. 5  
New Brighton Residents Association  
Tax Exemption Act**

**Mr. Johnston:** Thank you, Mr. Speaker. I request leave to introduce a bill being Bill Pr. 5, the New Brighton Residents Association Tax Exemption Act.

[Motion carried; Bill Pr. 5 read a first time]

**The Speaker:** The hon. Member for Calgary-Hays.

**Bill Pr. 6  
Tuscany Residents Association  
Tax Exemption Act**

**Mr. Johnston:** Thank you, Mr. Speaker. I request leave to introduce a bill being Bill Pr. 6, the Tuscany Residents Association Tax Exemption Act.

[Motion carried; Bill Pr. 6 read a first time]

**The Speaker:** The hon. Member for Calgary-Lougheed.

**Bill Pr. 7  
Hull Child and Family Services  
Amendment Act, 2011**

**Mr. Rodney:** Thank you, Mr. Speaker. I request leave to introduce a bill, that being the Hull Child and Family Services Amendment Act, 2011.

Thank you.

[Motion carried; Bill Pr. 7 read a first time]

**Tabling Returns and Reports**

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's my pleasure to table with you for the Assembly the requisite number of copies of the following two reports. First, the 2009 annual report from the College of Physicians & Surgeons of Alberta, titled Good Medical Practice: It's What We're All About.

Secondly, the 2010 annual report from the College of Registered Psychiatric Nurses of Alberta, which I will add, Mr. Speaker, is their 60th anniversary report. Congratulations to all of you.

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

**Mr. Chase:** Thank you, Mr. Speaker. As of today I will have tabled approximately one-fifth of the concerned Castle correspondence that I have received. If the session continues to June, as proposed, I might finish. The names of the concerned Castle individuals today are as follows: Mary Jane Phillips, Jenni-

fer McGowan, Karen Leask, Clayton Baumung, Craig Murray, Cindy Cox, Franziska Nonnenmann, Crystal Van Lare, C. Cummings, Christine McLaughlin, Brice Peressini, Jeremy Nathan Marks, Darlene Varaleau, Jessica Warner, Jane Keast, Joshua Cornfield, Agata Bedynski, Roger Short, Marilyn Harris, Diane Poloczek, Jannie Mills, Caitlin Beresford, Linda Gearing, John Dale, and Marian Veasey.

Thank you, Mr. Speaker

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have tablings today, and I want to put them all in a package. The first is a letter that I received – and I appreciated receiving it – on January 21, 2011, from the Minister of Employment and Immigration. It outlines the number of occupational injuries and diseases in Alberta, the stop-work orders that have been issued, and a number of other very interesting facts.

I also have included in this tabling some fine research done by the Alberta Liberal caucus researchers regarding the percentage of occupational health and safety inspections resulting from this order from 2002 to 2009. The handwriting on there is mine. It was done outside, and it was a very cold day when I did it, so that will explain that.

Thank you.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. It's my pleasure today to table the requisite copies of two letters, the first from a constituent of mine by the name of Victoria Morgan writing to express her concerns regarding some proposed changes to the education act in relation to lowering the required age for grade 1.

The second is from another constituent of mine, Allison Humphreys, writing to express her concerns regarding the impact of the recent provincial budget for the Calgary board of education's 2011-2012 funding.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I have two tablings today. One is from Myrna McDonald, a constituent. She has been waiting for a response from the minister of health for a while now. Essentially, I'm not going to read a fraction of the letter, but I've promised her that I would mention this: it has been five months since I wrote to the Premier and the health minister, and I asked for an apology, if not an assurance, that women and men are treated with the respect they deserve in a hospital and not have to share a full bathroom and room with both genders. This is humiliating, to be standing in a glass shower and using the toilet and have someone of the opposite gender walk in on you. Patients are suffering enough after surgeries and should not have to put up with such indignities and stress for weeks thereafter. I would table this and ask that the health minister have someone in his office please contact this individual and speak to her concern.

**The Speaker:** This is tablings now.

**Mr. Anderson:** The second tabling is regarding my member's statement that I made earlier today. I mentioned in it an Alberta Health Services report that was presented to the city of Airdrie showing that response times since the takeover of the Airdrie integrated service by Alberta Health Services in Airdrie have



increased by 33 per cent, or about three minutes, for serious situations.

Thank you, Mr. Speaker.

2:50

**The Speaker:** The hon. deputy Leader of the Official Opposition.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have two tablings to do today on behalf of the Leader of the Official Opposition. The first is a document from Alberta Health Services listed as policy EC-01, established on January 14, 2009. It's titled Safe Disclosure, and it falls under ethical conduct under the Alberta Health Services Board. The leader referred to that in his question today.

The second tabling is from *The Lancet*, which is an article entitled Cancer Survival in Australia, Canada, Denmark, Norway, Sweden, and the UK, 1995-2007 (the International Cancer Benchmarking Partnership): An Analysis of Population-based Cancer Registry Data. He referred to data from this report, which is peer reviewed, I'll make a note of. The leader had referred to statistics here which showed that Alberta has the lowest survival rate for lung cancer in Canada.

Thank you.

**The Speaker:** We have a point of order that was raised by the hon. Member for Edmonton-Gold Bar. Let's be very succinct, okay? I think I understand what has happened here.

Hon. Member for Edmonton-Gold Bar, proceed with your point of order.

#### Point of Order Clarification

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I rise on this point of order under 23(h) and (i), "makes allegations against another Member" and "imputes false or unavowed motives to another Member," and also (l), "introduces any matter in debate that offends the practices and precedents of the Assembly."

Certainly, in question period earlier today the minister of health suggested that, well, these are matters that could be dealt with at Public Accounts. The minister of health knows full well – he has been there as a minister. If he hasn't had an opportunity to attend, certainly, there has been correspondence from the Public Accounts Committee to the minister's office regarding how the process works. The minister was also a member of this Alberta Liberal caucus in the late '90s, and he sat on the Public Accounts Committee, so he should know the rules.

The rules are this, Mr. Speaker. It's quite explicit. We are only dealing at Public Accounts with the previous year's financial statements, in this case 2009-10. The questions I asked earlier in question period dealt with the period between 2003 and 2009 and, specifically, the amounts that were spent at Capital health and then put under the other expenses column without an explanation. Now, the Government Accountability Act, I would note, gives the minister complete responsibility for his department.

I would like to note in this House that as chair of the Public Accounts Committee I no longer have the right to set the schedule for the meetings; that's done by the committee. That was one thing that was made quite plain to me by the government majority on that committee.

In conclusion, Mr. Speaker, I would ask the hon. minister to withdraw the reference that this issue could be dealt with at Public Accounts. It cannot. The rules of this House are quite clear. They're quite plain about that. I'm disappointed that the minister didn't remember that during question period. So I would with all

respect ask him to withdraw that suggestion that these questions should be directed to Public Accounts because certainly they cannot, and he of all members, with his past experience on this side of the House with the hon. Member for Edmonton-Centre and his many years as a government minister, should know that.

Thank you.

**Mr. Zwozdesky:** Mr. Speaker, there may be a difference of opinion here, obviously, which we'll await your ruling on. However, the simple fact, as this member obviously knows, is that matters of financial recording are accounted for through a system called Public Accounts. Now, whether that was for the immediate previous year as has just been alluded to or not – it's sometimes difficult to understand exactly which year this member is asking about because he has gone back as far as six, seven, eight, nine, 10, 12, 15 years. Nonetheless, I accept the clarification that he has given.

What I would ask is that this hon. member remember that Written Questions and Motions for Returns are adequately described as places where detailed questions that would require instant recall over a period of many years could better be placed. If he'd be willing to do that in the future with his questions, I'd be willing to withdraw the point that I made earlier.

**The Speaker:** Hon. members, there always is a difficulty with, I guess, when a question is asked and the time frames related to it. We without any doubt have a situation called Written Questions and Motions for Returns. Traditionally, if you look at all of the questions in the Order Paper, the requests for information can go back two years, four years, six years, eight years, 10 years.

Whether or not a minister has that kind of finite information in front of him when he answers a question in the House is quite questionable, I would think. Some ministers may have a photographic memory and be able to carry all of this in their minds, but I suspect the norm is that very few of us in life actually have a photographic memory beyond what's happened in the last year or two as opposed to X number of years.

Secondly, what was really stated in the Blues – and I listened very attentively to the question; I do to all members. The minister of health:

Mr. Speaker, the first effort I made was to appeal to this member to put this question to the proper process, which he knows very well. There is a thing called Motions for Returns . . .

Okay.

. . . and there is a thing where he knows very well that he's allowed to put a question forward through his own group that he chairs.

I actually thought that was what the point of order was going to be, but it didn't actually come up that way.

There is a tradition that goes back – and it's certainly followed in most committees but not all committees – that, in essence, the chair does not ask questions. The chair does administrative things. However, there always has been a provision that if the chair of a committee chooses to want to ask a question, he simply leaves the chair, asks the deputy chair of the committee to serve in that capacity, and then he can ask questions. I do not believe this has been the tradition of the Public Accounts Committee. I read the minutes, but I don't follow that, specifically.

If, in fact, the point of order was going to be that "I can't raise a question," I think that the hon. minister of health would probably not necessarily know that because why would any minister, if they appear before Public Accounts once a year, actually know that? So we certainly had a point of clarification.

I don't believe this is a point of order. It's one of those little things that can cause some real, real frustration if one member

raising a question says, "Well, I know I can't ask a question at that committee," and somebody says, "Well, why don't you use your job at your committee to ask the question?" Yeah, okay. We're going in two different directions in here. So I hope there's a bit of a clarification.

Members might want to take a look at *House of Commons Procedure and Practice*, page 504. They might also want to look at sections on pages 1031 and 1039 with respect to this. It's certainly not often the case where the chair would leave and the deputy chair would come in. I certainly indicate that for the Members' Services Committee for the years that I've been on that committee, which is almost 30 some-odd years, that's never been the procedure that we've followed in that committee.

### 3:00 Committee of Supply

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the Committee of Supply to order.

## Main Estimates 2011-12

### Culture and Community Spirit

**The Deputy Chair:** Hon. minister, do you wish to open this?

**Mr. Blackett:** Yes, Mr. Chair. My officials will be in momentarily.

Good afternoon. I'm pleased to be here today with key ministry staff to review the 2011-12 Alberta Culture and Community Spirit estimates. I will be joined by my deputy minister, Lois Hawkins; Assistant Deputy Minister Tom Thackeray; Senior Financial Officer Pam Arnston; the acting director of planning and performance measurement, Brad Babiak; the director of lottery funding programs, Carl Royan; and the communications director, Parker Hogan.

Through one-on-one meetings of our regional dialogues Albertans from the arts, cultural, heritage, not-for-profit, voluntary, and diversity sectors have shared ideas on how we can best achieve our shared goals to give every Albertan the opportunity to express their cultural identity through improved access and increased capacity, every opportunity possible to develop as artists and performers, and to explore and experience our rich and varied history from people to paleontology, give them new opportunities for creative, innovative ideas to take shape on the stage or the screen, in print, or in digital format and the encouragement to be involved in their communities.

This year's budget reflects the realities of the economic climate that we are living in today. We must be prudent to ensure that our recovery and our growth are sustainable. In this budget we are holding a responsible line on spending while looking for opportunities to make strategic investments that will build on the strengths of Alberta and Albertans. We see these opportunities as we see the strengths of our cultural industries and our arts and heritage communities and our not-for-profit and voluntary sectors. This work enhances the quality of life for all Albertans and pays dividends and even greater economic, cultural, and social returns.

For 2011-12 the total budget for Culture and Community Spirit is \$225 million. Within this budget we are able to maintain the same level of operational funding as we had last year at \$174 million. It is important to note that while Budget 2011 shows a net reduction of \$35 million in my ministry's funding, this is related to capital funding, not the operating budget. As we complete the 2010-11 fiscal year, we've also completed \$35 million in capital funds commitments for major projects like the Go Community

Centre and Citadel Theatre renovations in Edmonton and Canada's sports hall of fame in Calgary.

We are projecting expenditures of \$58 million in support of the arts and cultural industry sector. Of this, \$30 million will support artists, arts organizations, book and magazine publishing, and the sound recording industry through the Alberta Foundation for the Arts and direct department funding.

In film and television throughout the realm of digital media Alberta's star is on the rise. During my recent tour to Los Angeles with Alberta producers, directors, and union and guild representatives my message was that Alberta is home to some of the best talent in performance, technical production, and locations in North America. I'm pleased to say that most studio heads echoed those sentiments.

With this budget we are committing nearly \$21 million in support to our creative and multimedia industries. Included in this total is a \$2 million increase in base funding for the Alberta multimedia development fund, bringing the value of the fund to a total of \$18.3 million.

The stories of Alberta will continue to be told for the benefit of the audience and the teller alike. The stories of our past and present will come to life for visitors to provincial heritage sites and museums, and young Albertans will continue to have access to programming that meets curriculum standards through direct visits and distance learning via video conferencing or web-based conferences.

Within Budget 2011 \$47 million is assigned for heritage programming, including support for the Royal Alberta Museum, the Royal Tyrrell Museum, the Provincial Archives, and our provincial museums and historic sites across Alberta. This also includes \$8.2 million for the Alberta Historical Resources Foundation and for the preservation and maintenance of historic sites held privately or by municipalities. This investment will ensure that all Albertans have the opportunity to experience the culture and the ever-growing legacy of the land and its people.

Alberta's not-for-profit and voluntary sectors play a vital role in providing community-based services. Many of these services support the most vulnerable Albertans. The value of these services is estimated at \$9 billion of gross domestic product annually. This is an amazing rate of return on the investments we have made in supporting our not-for-profit and voluntary agencies and organizations, and we will continue to make these wise investments.

In Budget 2011 \$105 million is being designated for community and voluntary support. This includes \$38 million for the community facility enhancement program and \$25.25 million for the equally successful community initiatives program. Budget 2011 provides \$16 million for the community spirit program donation grant, which encourages more individual donations to not-for-profit organizations and registered Alberta charities. These dollars will help grow the already impressive contributions of our not-for-profit, voluntary, and community groups and the positive impact their work has on the lives of Albertans. The positive impact and energy of our voluntary sector will be felt and seen in Edmonton on June 14 and 15 as program staff, board members, and volunteers gather for Vitalize 2011.

Alberta's cultural policy, the Spirit of Alberta, is built upon the idea of inclusion. The Spirit of Alberta provides the opportunity for all Albertans to express their cultural identity, to do so freely, to take pride in and to share in the richness of their ancestry, to live in a tolerant environment free of discrimination. This is the right of all Albertans.

Budget 2011 provides \$5.2 million to the Alberta Human Rights Commission. With this support we continue to ensure that the human rights of all Albertans are protected and work to resolve

the differences that arise through a streamlined and effective dispute resolution process. Our continued investment of \$2 million in the human rights education and multiculturalism fund will support efforts to build healthier, more tolerant communities.

At a time when there remains much global uncertainty, Albertans can be optimistic about the present and the future. As a government we have worked hard to strategically manage all of our resources. We have looked for new ways to increase efficiency internally so that we are able to maintain funding levels to program areas.

Our investments in information technology infrastructure have improved communications with stakeholders. With more people using Internet-based services for information, we need to have the systems in place for effective and efficient delivery of that information. With those systems in place we are better able to promote and deliver our programs and services and help build capacity and understanding.

The resources provided in this budget will allow us to continue to achieve the goals set out in the Spirit of Alberta. We cannot lose the momentum that we have created in the past three years to develop, foster, and showcase our culture and community spirit. Working together, we have already achieved a great many successes.

My ministry continues to work closely with our stakeholders and all Albertans so that we may achieve so much more in the future, remembering the four key pillars: striving for greater access for all Albertans to arts and culture; maintaining capacity in all our communities for arts, culture, and recreation; focusing on excellence; and providing sustainable support for our cultural industries.

Thank you.

**The Deputy Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Chairman. May I welcome and thank the staff of the minister who are on the floor here today to aid him.

**The Deputy Chair:** Hon. member, do you wish to go back and forth, as has been the practice?

**Ms Blakeman:** Yeah. Sure.

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

**Ms Blakeman:** I know it's not always your happiest day to be here, and I appreciate it. Some of you, I'm sure, enjoy it, but others not so much. I'm sure the minister appreciates it, and I appreciate it. If we have additional staff in the gallery, my welcome to them as well.

Thank you to the minister for the overview. I did my best to take notes. I'm afraid I got a bit lost at a certain point, so I may not have taken down every fact and figure that he gave. If I ask for a statistic he's given, please forgive me.

3:10

I do note and agree that there appears to be a whopping big decrease in the budget this year. But as we set out – and I was quite specific about setting it out last year – there was some \$30 million included in the budget last year, which actually made the cuts look not so bad, which were specifically capital improvements, and it was flow-through money from the federal government. Of course, this year that money is not there, so it looks like the budget dropped by a lot of money, and it, in fact, was not that bad. When you take out that 30 million six hundred

and something dollars, you've got fairly stable funding in most areas, and I will ask specifically when I see an area where there's been a significant drop.

I will point out to anyone listening or following this at home that the funding for this department goes a long, long way. What looks like a large percentage is actually a pretty small amount of money here. You know, you can have 21 per cent representing only a million dollars or something. It sounds like a big percentage, but it's actually quite a small amount of money. The groups that are funded through this department stretch that money further than anyone could believe possible. Keep in mind that I think we all get very, very good value for our money out of this particular department.

Just a couple of observations. The ministry support services are up what looks to be about 25 per cent from the 2010-11 budget, and I'll come back to that a couple of times. Corporate initiatives: I remember us talking about that last year. Again, it's up 65 per cent. Neither of those, I think, are particularly direct support to artists or art organizations. It's administrative money. I will come back later and question that.

The creative and multimedia industries, as the minister noted, are up \$2 million, which represents some 8 per cent, bringing that fund to \$8 million.

The administration for the Alberta Foundation for the Arts appears to have gone up by 41 per cent, again not reflective of money being delivered straight to the artists.

I'll come back to the Wild Rose Foundation because it appears to have gone up 91 per cent from last year's budget. Now, there's no additional funding from government here, so it seems like a really optimistic projection.

Community and voluntary support services is down, but again that is reflective of that federal capital money.

Under heritage historic sites and other museums it's down by 8 per cent, which is going to hurt them a lot. The Alberta Historical Resources Foundation is also down. Some organizations out there are going to be trying to squeeze more money out of – what's that phrase? You can't get blood from a stone. That's it. You can't get more money out of this.

In specifically looking at the estimates on page 82, line 1, ministry support services, it looks as though a lot of the program areas did take cuts and last year even looked like they were underspent. I'm wondering why there was such significant overspending in ministry support services and why this budget has been increased for 2011-12. It was higher than budgeted, and then there's an additional increase. Again, we're not talking billions of dollars here. Nonetheless, it is an increase that I'm asking about.

Under the corporate initiatives, which is line 1.7 of the voted expenses by program, appearing on page 82 of the budget – most of my questions are around that page 82 – I'm wondering what these corporate initiatives are. I asked specifically last year, and it wasn't incredibly clear, so again the explanation for the 65 per cent overage. It was budgeted for \$2.9 million, and it was forecast for the end of the year at \$4.3 million, and next year it's at \$4.8 million, which again is a fairly substantial increase. Could I get an explanation for why it was overspent? Again, what is anticipated being spent under that corporate initiatives sector? If it's funding certain projects, I'd like to know which ones, please.

Under equipment purchases, again that's under corporate initiatives: what are the equipment purchases that have happened here, and, I guess, why do they have a priority now? If some programs are taking operational programming hits and are able to deliver less, I'm wondering why the minister felt it was important to continue the funding of the capital?

I think I'll let you answer that section because it's kind of a complete section, and then we'll continue. Thank you, Mr. Chair.

**The Deputy Chair:** The hon. minister.

**Mr. Blackett:** Well, thank you, Mr. Chair. The reason for the increases with respect to corporate initiatives is that Service Alberta no longer provides the funding for a lot of the initiatives with respect to IT, whether it's management – we were stuck as a department going through a conversion to a different program, a different network. To be able to fund the finalization of that integration, we had to take that out of our own dollars, so those were significant dollars that we needed to do it. We couldn't stay in no-man's-land.

We identified IT as one of our key cost-effective measures to create access for all Albertans. We've got all of our historic sites and interpretative centres. We're now trying to focus more on distance learning, like we do so well at Head-Smashed-In Buffalo Jump and at the Royal Tyrrell Museum. We're encouraging other sites, like the Frank Slide Interpretive Centre and the Oil Sands Discovery Centre, to utilize that web-based kind of connectivity. It means that people in other remote locations across the province can have access to that kind of information as well.

In terms of the equipment, the equipment was used to purchase the GATE system, our new computer system, which would give online application access and reporting and updates with respect to our community investment programs through lottery, so our CFEP program, our CIP, our community spirit donor program. It will eventually include our AFA and our Alberta multimedia development fund. We had to expend money in the previous year to make sure that we developed the system, and we worked with a supplier to be able to do that. This year we had to have the actual physical equipment, so that's why it's in the budget.

**Ms Blakeman:** Okay. I would expect, then, that the money in that area would decrease in the year following, seeing as all of that has been paid for.

I also have to make the observation that, unfortunately, I've been here long enough that I saw the creation of Service Alberta, and there was money transferred from departments to create Service Alberta to pay for all of that admin. I'll have to put it on the record that I'm a little ticked if Service Alberta is punting stuff back to departments without returning the money. I'll put that one on the record because, as far as I'm concerned, that's not a square deal. Each department certainly funded it to begin with.

I'm going to move down now and look at cultural industries, which is up slightly, very slightly, 2.5 per cent from last year's budget, but we've got to take this in context of what happened the year before that. It's down still \$10 million from the previous year, '09-10, so none of these ones have recovered to where they were. They took a huge hit, and they're getting a little bit back in a lot of cases in this budget.

Under cultural industries can the minister provide a breakdown of where the funding is going, in particular how much is going to film and television? Now, he'd mentioned the \$18 million. There may be an opportunity there to explain a bit more about that, or perhaps it's still just the \$18 million.

3:20

Now, I noticed that in the business plan on page 42 two of the three priority initiatives are relating to the AFA application process.

- 1.1 Refine the Alberta Foundation for the Arts' application processes to improve efficiency, transparency and accessibility...

- 1.2 Increase the use of peer assessment... to foster artistic excellence, promote organizational health and ensure transparency.

I'm wondering where the funding to support those initiatives turns up in this budget. What line item is it under? I'm wondering if there are funds being taken from artistic support programming to support the implementation of those two priority goals. That's one series under cultural industries.

I'm going to keep moving and look at the funding for the Alberta Foundation for the Arts. Now, I actually can't quite tell if this funding went up or down because depending on where you look at it, you get slightly different numbers: somewhere between \$26 million and change and \$27 million and change. But the administration is budgeted at the same level as the 2010-11 forecast, and that's 41 per cent up and 49 per cent up from the previous year. So again I'm seeing administration costs go up a lot, but direct delivery of grants to artists and arts organizations is either stable, a little bit up, or a little bit down. I'm wondering why administration has had to increase by almost half as much again twice, coming into the '10-11 year and then the '11-12 year that we're talking about here.

I'm also looking to confirm that the administration numbers are coming under vote 2.4. It's saying, "Assistance to the Alberta Foundation for the Arts," but I know from those numbers that actually is the Foundation for the Arts. So if there could be clarification, please, around how that actually breaks down.

Now, one of the issues that came up last year was the timing. At the time of the debates I raised it with the minister because in response to a number of questions where I was looking for particular details, the minister's response was: "Well, we're deciding that. We're working on it. We'll figure that out in May, June. We're having consultations." This puzzled me because the way I was taught to do a budget, you had to know what the numbers were to actually project the budget, and this seemed to be more: "Well, we'll put this number in here, and then we'll kind of figure out what we're going to do."

The results of this were – and he did appear to consult the groups in May, June, but I was hearing from groups over the summer that they still had not received their cheques and, in some cases, weren't too clear on exactly how much money they were going to get. That became very problematic because they had been warned the previous summer that, yes, there might be terrible cuts coming but not to worry: "Don't do anything because maybe there won't be cuts." So they didn't quite make the moves because they weren't too sure, and they were instructed by department staff to, you know, not do anything drastic, to wait. But then they waited and waited and waited, and they waited past the budget. They waited past May, June, and some of them into, as I say, the summer to find out exactly what their budget was. For a couple of them this was really difficult because by the time they found out they'd had a 15 or 16 or, in one case, a 19 per cent cut, they were already well into their year.

I'm wondering what the minister is doing to improve the certainty of the grant amounts that are going to both artists and through the grant programs and whether there is a process for both indicating the amounts and delivering the grants faster?

I'll give you an opportunity to answer those.

**Mr. Blackett:** I think the first question was: out of item 2.3 how much was for the multimedia development fund? In this budget I believe it's \$18.3 million, and that's an increase from \$16.5 million in the last fiscal year. We thought that was important to be able to do that because there is going to be an increase in the

number of productions that we're going to have in Alberta in this coming year, and we wanted to be able to support that.

With respect to item 2.4 you had mentioned the increase in funding for other initiatives, and you wondered if that was administrative in nature and if they were coming out of program funding. The thing is they are all coming out of it. That is coming out of administration. There is no increased administrative expenditures to be incurred by our department for those initiatives, and that will come out of the existing dollars, which I believe is under program support, item 2.1, \$748,000.

Now, under administration, the AFA, you will have a line on page 94. If you look at page 94, the expense there is \$1.278 million. I stand corrected. The \$748,000 I said was for administrative grants; the \$1.2 million is actually administration of all the other different programs.

In response to the performance measures . . .

**Ms Blakeman:** Priority initiatives.

**Mr. Blackett:** Those priority initiatives and the funding of those, I think we have addressed that. That will come out of those other administrative dollars.

You had made a reference to cuts that were made, that organizations felt that they didn't know what was going to happen after the budget last year, and they didn't find out until July. From what I can remember, our AFA grants to those organizations always came out about that same time frame. I'm told that this year we will be giving the groups an advance while the board reviews their allocation for the groups. So they will find out, they will get an advance, and that, I imagine, would occur after April 1, and then they will receive the balance of their funding in July. Since we have no further reductions in funding for this coming fiscal year, I think most of those groups should feel fairly confident that they will receive the amount that they received last year.

I think that answers all of the questions.

**The Deputy Chair:** The hon. member.

**Ms Blakeman:** Thanks. That's very useful. Yes, for some time the department gave advances and then followed up with the exact amount that was owing further on. I don't know whether we got away from that, but boy there was a lot of uncertainty and stress in the community last year because of that.

Okay. We need to clear this up. I think this is all connected, but I have raised in question period a couple of times and in the media and other places an issue with respect to artists who were receiving monies through grant programs that were associated with, generally, a specific location. Initially through the community series grant, I think it was, any group that was associated or performing in a building that was owned by a municipality was told that they would not be eligible to apply for that grant anymore, which was in their minds the same as a cut. That got turned around, and they were told that wouldn't be implemented but that they would have to form themselves into a not-for-profit so that they could apply to get the same money they had before, but it couldn't be coming and be associated with a municipally owned building.

Then there was the program that was the artists in the school program, I think. I may not have the right name there. Sorry. So any school that received funding to bring in artistic groups that would work with the kids over an extended period of time, artists in residence programs, that kind of thing – it wasn't a performance; it was a working artistic experience for the kids – people were told that that was being cut, that they actually had their last grant and that there would be no more money coming in this grant

period. Both the Member for St. Albert and myself asked the question: why is there discrimination to this group of artists based on the fact that they're doing a project in a school? That's discrimination based on where they're doing it. The minister said that he hadn't okayed that, and that was turned around or withdrawn.

3:30

The last groups out there that are still being discriminated against are groups that are performing their work and whose affiliation is with the location of a university. That one the minister has not turned around. I have asked him questions in question period on that. For example, the difference between Mile Zero Dance and Orchestis: one is a dance group that's affiliated with the University of Alberta. They have been told that that's it, that they've already had their last grant; they had it last summer, and it's over. The U of A mixed chorus, the organ recital group, any arts groups that are somehow situated or associated with the universities have been told: game over; no more money flowing through there. Assistance for the book publishers as well: game over.

Again I question why there is discrimination based on place. I'm going to connect the dots here. I think this has to do with the minister's desire to have other ministries take over funding for groups that he believes are more affiliated with that location than with the arts specifically, but I'll let him tell me if I'm right there.

I'm looking for consistency here. If we've managed to recognize that it's inappropriate to discriminate against artists and arts groups that are affiliated with municipal buildings and artists that are affiliated with educational institutions, why do we insist on continuing the discrimination based on an association with universities and colleges? I would like an explanation on that because I don't think it's fair. I think if we're a cultural ministry and we're trying to support artists – artists work all over the place. I can tell you that when I was a working artist, most of my rent money came from doing things that were artistic and certainly used all of my training. But I was delivering stuff in the police service; I was working for the hospitals. I was all over the place, and that paid a lot of rent money. So saying that where you're doing it somehow makes you ineligible for artistic grants I think is inappropriate, but I'll let the minister put the explanation on the record.

I'm also wondering how we're going to get the communication on that, if it's going to be carried through, so that it's far enough ahead that people are able to plan for that.

Following up on the minister's statements that playgrounds should be paid for by the Department of Education and things, can the minister tell us if any ministers did respond to his encouragement and take up the gauntlet, take up the torch to fund the initiatives that were previously funded by Culture and Community Spirit? I'd be very interested to see if that happened because I suspect the answer is no. Further to that, does the minister still believe that this is a viable approach to funding initiatives that fall between the cracks? If it hasn't worked so far, does the minister have any other ideas about how to convince these other ministers to take on the responsibility for funding what he views as cultural and/or community-based funding through their departments?

The other examples that he made were Environment creating water groups that were then registered as not-for-profits that then applied for funding through CIP or CFEP. He felt that they should be funded through Environment. This is all coming to mind because I've reread the *Hansard* from last year's debate, and that was one of the examples that he raised.

I guess what I'm seeing here is a bit of ministry turf wars, and the casualties are the artists, which, I would argue, should not be the casualties in this war. To cut them off and then hope that some

other minister is going to pick them up I don't think is the way to build our capacity for artists and the access to artists and to community-based programs in this province. But I'll let the minister talk about that.

**The Deputy Chair:** The hon. minister.

I might note that we're in our second 20-minute section.

**Ms Blakeman:** Thanks very much.

**Mr. Blackett:** All right. That's fine.

There's a lot to go over there. But let's be perfectly clear. We haven't wavered at all from our commitment to focus on artists and providing support. This artists in residence program was something brought forward by our department, as I said here in the House. There are people in my department that can have their own ideas. There are people in the Alberta Foundation for the Arts that can have their own ideas. But I can tell you the buck stops with me. I never signed off on any document. I never asked anybody to look at cutting any of those programs, and there is no cut to the artists in residence program. There was never any intention by this minister to cut the artists in residence program, and it will not be cut as long as I am minister.

The performance for universities and colleges: that money has not been cut. I don't know why you insist on going out and creating angst and anxiety amongst all of our artists by coming up with these things that are false. Other people in our department may have proposed them, but that was never my intention; again, never something I signed off on. We have to support our artists. Where are they going to learn if they have to when they're in school, when they're in college, when they're in university? That's a foundation, a building block, and that's how we get to excellence. We have to support them from when they're young children through our K to 12 education and beyond and to the point where they can be whoever they want to be.

As far as the book publishers: they aren't turfed. They're not under the Alberta Foundation for the Arts; they're under cultural industries. For the last two years the Alberta Foundation for the Arts board has asked that they not be included under the Alberta Foundation for the Arts. They are still part of our department. Book publishing and magazine publishing and songwriting or sound recording are all under cultural industries, under that line.

In terms of uptake of initiatives the Minister of Education has said that it is appropriate that new playgrounds for schools be built by his department. That is a great step forward. I would love for a lot of other people to be able to go and take that leap of faith, but the Minister of Education has stepped forward with that.

I also believe strongly that things belong where they belong. That's why horse racing is no longer in my department. That's why bingo is no longer in my department. And that's why major fairs and exhibitions have been transitioned out of Culture and Community Spirit to Agriculture and Rural Development. It's because that's where they're better aligned. That allows that minister to be able to utilize his resources for multiple different areas for the collective good of the agricultural industry and the rural community.

I don't think we've been consistent in that, and I will continue to work towards making sure that the dollars that are allocated to my department are spent with the stakeholders that we're entrusted with, and those are our arts and cultural groups, our heritage groups, and our not-for-profit and volunteer and community organizations. As you know, hon. member, if you've been here for a long period of time, it is not always possible to get what you want.

I was going to also mention that as far as the funding for those students in the universities and the colleges there's a jury process going on right now, as we speak, for the selection of those grants. Just to look at support of excellence, if you look at the front page story today in the *Edmonton Journal*, Ben Wheelwright and Quinn Ritco-Dooley are students out of Victoria school for the arts and are auditioning for the National Theatre School. I know you're proud of that.

I remember when I was down in Montreal at that institution during Journées de la culture as part of Canada Culture Days, I looked up on the wall, and 25 per cent of those donors were from Alberta. That's something to be proud of, and I think we both agree on that.

3:40

**Ms Blakeman:** We do, indeed, although I'll just make a brief pitch for my alma mater, seeing as the two best performing arts schools in Canada continue to be the National Theatre School in Montreal and the University of Alberta department of drama here in Edmonton, which consistently produces the finest actors, directors, playwrights, and masters of design in the country. When we are proud of people like that – most of the kids from here audition in both places, and it depends how far away from home they want to get. Generally speaking, our kids get into both places, and then they have the choice. I chose to go here, to the University of Alberta. National would have been fun, too, but my French was appalling. Okay.

I'm glad to hear from the minister that there are no cuts to programs based on where the art takes place. I will find the e-mails and provide them to the minister, but I actually quoted it in my notes here. There was one that actually said: "As of April 1, 2011, the AFA will discontinue the Artists and Education program . . . No new grant stream will be put in place to replace [it] or the old Educational Touring grant programs." That's pretty definitive. If that's the one that got out there that hadn't been approved by the minister, great, glad to hear it.

The other group I was talking about are not necessarily students at the university. It's any grant, artistic program, or arts agency or organization support program that is getting money, and they're affiliated with the university, not necessarily students. The printing was part of it because they have a printing press at the university, and they did do specific runs of books out of there. They are not lumped in with cultural industries because they're very specific to the kind of work that they do there. So a slight misunderstanding from the minister there. I'm very glad to hear that none of those programs are disappearing. I'm sure the others will be, too.

Let's talk about the Premier's Council on Arts and Culture. Now, the department reported in '09-10 that the cultural policy had been championed by the Premier's Council on Arts and Culture. It is an agency of the department, and its members are appointed and report to the minister. Its mandate in its terms of reference is to champion the cultural policy and that the chair of the council regularly communicates with the minister to share insights of the council with him. That seems to be all that's required of them.

Last year when I asked about this, I was told with some asperity by the minister that they had exceeded their requirement for meetings and had actually met four times instead of two as was required, but I'm still not understanding what it is exactly that the minister sees as the council's role in championing and developing the arts. Perhaps he could give me some examples of what the outcomes are. Have they produced any documents, anything on paper that anybody could look at, or was there a business plan, or

have there been recommendations, for example? That's what you get from the seniors' council or what used to be the women's council; you get recommendations. It just seems like this council exists, but I can't find what they do, and there's nothing on paper. Perhaps the minister just wishes them to meet and to share insights with him. I'll be interested in what that is.

On to the cuts. I did point out that a number of groups took cuts of around 15 per cent. What I was interested in seeing is that the two departments that took the hardest hit and were also amongst the smallest departments last year were Service Alberta and Culture. The minister talks about: well, we all had to tighten our belts, and we all have to pull our weight, and we all have to contribute to this. But I'm curious as to why the minister thinks that his ministry was one of the two that was particularly singled out, especially since it's not a lot of money. They didn't exactly balance the budget on the backs of, you know, a couple of million bucks that they took out of Culture and Community Spirit.

I'm wondering, in addition to why he thinks it happened, what has been done? I kept asking this question last year, and there wasn't much pickup on it. What has been done to measure the impact of the cuts and to assist in the recovery of the organizations and artists this year, next year, and beyond? They've all had a huge cut, and now they're stabilized but much down from where they were. How do we know how they are? When we talk about capacity and excellence and organizational health, what is the department's administration doing to put that into effect?

In addition, around the budget cuts the minister said that he, and I quote: fervently believed that there was 10 to 15 per cent waste in the ministry either through inefficiency or bloated programs. That appears in *Hansard* on page CS-261. Was the minister able to locate this inefficiency or bloat? Where was it? I'm assuming he didn't find 10 to 15 per cent of it, but you never know. Maybe he did, and it went somewhere else.

Those are a set of questions on the council on the arts and specifically on the cuts. Thank you.

**The Deputy Chair:** The hon. minister.

**Mr. Blackett:** All right. Well, I've got some documents that I would like to distribute if I'm allowed to do that.

First of all, the first question was on the Premier's Council on Arts and Culture. I have a slide deck here that I think the hon. member would like to see. I would, if I may, have those distributed.

**The Deputy Chair:** Hon. minister, perhaps you could table those. I think that might be better.

**Mr. Blackett:** Okay. I can certainly do that.

The first question was about the Premier's council. The Premier's council advises the minister of policy changes. One of the challenges they have is that we've been moving pretty fast in our department. We've had three different series of dialogues across Alberta. We started out in December of 2009 through January of 2010. We had another session that was in September-October of 2010. We were in places like Fort McMurray, Grande Prairie, Red Deer, Edmonton, Calgary, Lethbridge, Medicine Hat, Cold Lake, and I know there's another one that I'm missing. We sat down and had meetings with arts organizations and not-for-profit organizations.

For this particular relevance we'll talk about the not-for-profit organizations, and I will table our copies of the dialogue sessions, which went online a couple of days ago. They are responses to the initial dialogue sessions that we had a year ago, some of the things that we were working to improve upon and then having feedback

from that, and going back on the second one, what we've heard, what people have submitted online, and what they've heard in person from those different areas.

I thought it was important that I have my government officials, people from my department, getting out to these different areas to actually experience and hear first-hand what's going on from these individuals. Too often in Edmonton we create our policies in a vacuum, and we forget that Alberta is very diverse. People in Lethbridge are not the same as people in Fort McMurray, and they're not the same in Grande Prairie as they are in Hinton. We have to recognize that. We have to make sure that our programs suit all of those. The Premier's advisory council was part and parcel of those dialogues and passing on information, but a lot of the information they gave was information that we had received from the individuals through those different dialogues.

I do meet with the chair every couple of months. We talk about a multitude of different things. One of those things that they encouraged a lot was to start telling our story in a more effective manner.

Here in this slide presentation, you know, it shows just an example of things that we have done in the last three years: the Montrose Cultural Centre in Grande Prairie; the Olds College Fine Arts & Multi Media Centre in Olds; the new Telus World of Science, which will open in Calgary this October; the Southern Alberta Art Gallery, which opened last September; the new Canadian sports hall of fame, that we're going to open in July of this year; the new Mount Royal Conservatory – the shovel is about to go in the ground – the Nina Haggerty centre for the performing arts here in Edmonton; the Go centre; the beautiful Art Gallery of Alberta; the Rosebud Theatre expansions; La Cité francophone; Athabasca Regional Multiplex; the Medicine Hat clay district national historic site; the Edmonton humane society; upgrades to the Citadel Theatre; the Jubilee auditoriums, two of the top 100 performing theatre venues in the world, which ranked last year 40 and 46, and only Massey Hall ranked in the top 100 in Canada; the old Bailey Theatre, 101 years old, which we refurbished when we opened this year; and the Canmore Opera House, to name just a few.

3:50

I tell you; when I gave that presentation to the Minister of Canadian Heritage and Official Languages, he was shocked because, you know, there is no other province in Canada that has one of those programs, one of those buildings going on. That's our cultural policy coming to life. That builds access, that builds the capacity, that fosters the excellence, and that certainly supports our cultural industries.

Now, you want to measure the impact. Well, there is that, but our dialogue sessions – again, it is talking to people directly and having them tell us exactly what that is. Yes, I understand that 16 per cent is a lot of money to a lot of organizations, but we also have increased funding to AFA in the last six years by 55 per cent – 55 per cent – and the amount that we had to reduce is smaller than most of the provinces that are bordering on either side of us.

Yes, my budget – I think wholeheartedly that we spend a dollar more effectively than any other department in government, and you'll get a greater bang for the buck. We have \$9 billion of GDP that we create for the not-for-profits, and we create \$4.54 billion of gross domestic product out of creative industries.

Lastly, locating inefficiency. We've done a fantastic job. We've been doing that for the last three years, and there will be dollars that we will have found this year. I did promise arts organizations that if we found dollars, they would receive some of those dollars back. The end of the month is about a week away, so stay tuned.

**Ms Blakeman:** Great. Well, I am really interested in hearing where the inefficiency and bloat was and how much money you're able to redistribute as a result of that.

I know that it's good political spin for the minister to keep saying that there was a 55 per cent increase in the funding for the AFA, but I lived through that. Between 1989 and 2005 there was, for all intents and purposes, no increase, not even cost of living. As I ran a theatre company or tried to work in theatre companies and they tried to go out and buy set pieces or tap shoes or whatever else, they were trying to buy it at 2001 prices using 1989 dollars. So we more than earned that 55 per cent. That was not an increase. You could clearly look at that as cost of living. Everybody else got it. Transportation got it. Municipalities got it. Everybody else got it; we didn't get it. I know he needs to say that in order to repair some things, but I'm sorry; you get no standing ovation from me on that one.

What we had was a coming up to – I think it should have been even more than it was, but we were all very appreciative of the money we got, and there has been a decrease from that. It's affecting all of us because now we're trying to deal in 2011 dollars to buy things, to buy paper, to buy, you know, art paper, acid-free paper, and all the rest of that, so it really makes a difference to us.

I'll just climb down off my high horse and get on with it. Okay. Under cultural policy the government's cultural policy highlights four keystones of – and you mentioned it – access, capacity, excellence, and fostering cultural industries. I'd like to talk about access. I'm wondering how the minister or the department staff expect to improve access when, in fact, groups are able to offer less programming. I'm just going to highlight the Alberta Craft Council, that did a stunning exhibit as a way of driving home their point recently in which there was nothing on the walls. There was nothing displayed – there was no sculpture – because they wanted to show the exhibition with the empty walls, highlighting the effects of the cuts in programming.

Somebody is going to jump up here and say: we didn't cut it. Yes, but not increasing it, even cost of living, is in effect a cut, and there were cuts. They were in the tens of thousands range here. That matters. So how is that keystone of access going to be achieved in this year? How is the keystone of capacity going to be achieved?

I note specifically that from 2009 to 2011 the department spent nearly \$12 million on cultural policy initiatives, and that's coming out of their annual report on page 49. The policy itself was announced as completed in 2008. During the same period the Alberta Foundation for the Arts spent a little more than \$10 million on grants to individual artists, which is less than the amount that was spent on the work for the policy. If you want to put it another way, it's about one-quarter of what the AFA provided in grants to the arts organizations. Can the minister explain the balance here between the amount of money that was spent on policy initiatives with respect to capacity and the amount that was actually spent on developing capacity through grants to the arts? I'm curious about that.

The business plan also includes as a priority initiative developing a strategic plan and policy objectives to address the future direction of creative industries in Alberta. That's in the business plan, page 42, initiative 1.3. We've heard a lot about how there have been plans and consultation and blueprints, and community spirit policy has all been developed, so I'm a little curious about why there is a business plan that includes a priority to develop a plan. Maybe you could explain that. How can we expect to see the strategic plan and the explicit policy objectives from that?

I'm going to go forward now to cultural policy integration. The ministry's most recent annual report states that "aspects of the

policy have been successfully integrated into the work of government." That appears on page 12 of the minister's annual report. I'm finding that a bit vague as a statement of results. Could the minister detail what success means in this context and how I could expect to see the cultural policy integrated into the work of government in this year that we're looking at?

The minister often said last year that, well, you know, we're doing the train in Vancouver, and we're giving \$6 million to support the Alberta artists that performed in the square. I'm wondering if that's what he's including as successfully integrating the cultural policy into the work of government or if there's something else that's happening that I'm not aware of. How do I see this integration in the rest of government? Is it something tangible, or has everybody just agreed that it's a good idea?

Last year the minister said that the budget cuts were made with an eye to "increasing the competitiveness of our cultural industries in the future." That is in *Hansard* on page CS-260. I guess I'm looking to see how the minister can explain how cuts were supposed to increase competitiveness. Since the future is now, could he give us an example of the results of this strategy? How did cutting cultural industries result in them being more competitive, or is there a cultural industry that's doing demonstrably better than it was as a result of these cuts? Exactly what was happening?

The last piece of this is the cultural sector labour force. Now, last year I had talked to the minister about the 2004 labour market review for cultural workers. I asked about how we were getting on with the next one. In fact, in 2010 the federal Cultural Human Resources Council published an additional cultural human resource study, and it's some of the GDP numbers that he has been using.

4:00

We were not involved in the 2004 project, and I'm wondering if he can tell us who took the lead for Alberta in the 2010 project. What I was hearing was that since we identified no one, nobody got sent to participate in that particular survey. I'm wondering if we were able to participate in it. Once again, it's the federal government's Cultural Human Resources Council publishing a cultural human resource study. It came out in 2010. As a result, were we able to get any cultural workforce information that is usable in Alberta, and has that helped with the minister's competitiveness strategy? Maybe I could put it that way. I'm thinking we didn't get in on this one and that they don't have numbers for us, but maybe I'm wrong, and I'm happy to have the minister tell me that. So I'll let him answer that sort of series of questions.

**Mr. Blackett:** Sure. The first one was on access and how. You mentioned the Alberta Craft Council. You know, one of the things we have a great opportunity for here is to take leadership and tell Albertans first and tell the rest of the world what great cultural institutions we have, what great artists we have, and how we'd like to work together to foster that excellence.

Now, the Alberta Craft Council. That was fantastic. They had a display, and they sent out postcards. By the way, the postcard? That was I Love Alberta Art. That's something we promoted out of our department. It's nice of them to take that and take the negative because you know what? Why would they want to tell the good story? Why would they want to take the time to say: "You know what? This is what we do for Alberta artists. This is what they represent. You should support us. You should come and buy more product because this is fantastic. Our artists are not getting paid enough, and we need your support to come and do that." But, no. And I would have been happy to help them with that.

In terms of access most of our departments, in terms of the



problems they've had – what we've had to focus on in the last two years is trying to do more with less, to become more efficient in our operations. There is waste all around the board, and I'll get to some of that in a moment because you brought that up with another question.

Our council's integration in government. One of the things that we've had very successfully is Alberta Arts Days. We started that in 2008, and in 2009, with help from the Premier's council and the AFA, we were able to get the Minister of Education to go out and encourage all the K to 12 schools in the province to participate. I think we had over 80 of those participate. We had the Minister of Municipal Affairs send a letter out to all the libraries across Alberta asking them to participate. We had 142 libraries participate. Last year, in 2010, we did the exact same thing, and we increased that. We want every year to be more inclusive with Albertans, and this is encouraged by our Premier's advisory council. Culture has to be larger. Arts is a subset of that. You've got to take people in their communities, the multicultural aspect, and make every one of those 3.7 million people feel welcome. We did that.

We also partnered with the not-for-profit community last year. The Edmonton Federation of Community Leagues was fantastic. That 151-member or 152-member organization had their own functions. We hope to do that again here in Calgary, and we will continue to work through other departments and other organizations and municipalities. I'd like to say that the city of Grande Prairie put forward a motion, and they declared that they would put \$5,000 towards their Arts Day program for 2011.

In terms of cuts for competitiveness I didn't say that cuts will make us competitive. Cuts force us to be competitive. I know that many of those organizations run lean and mean, but that's what we have to do.

In terms of our Alberta Film Advisory Council we focused on two things that we need to do to get the industry back up and employing as many people as possible, having as many productions here and generating as many dollars in Alberta as possible. We had to look at innovation. We had to look at what new technology we can be a leader in, that we can participate in, and that we can grow and have a niche market that is second to none in North America. We thought that was HD and 3-D technology.

Then we looked at competitiveness, and that was a wide range of things. We had to look at our incentives. When we went to L.A., we found out that our incentives weren't the problem, that we had other little niggling issues. There was the lack of a master agreement between unions and guilds and our producers. They are working hard to be able to do that. We weren't working as a partnership. We weren't working as government and unions and guilds and producers and our film commissioners and our postsecondary facilities. We needed to do more of that.

We needed to be more efficient in the way that we utilized the money that was in the Alberta multimedia development fund. There are projects that we had there. There are genres that we probably should be funding. We don't fund sports. We don't fund news. We don't fund reality television. Some others reportedly were given money with the belief that they're actually going to be seen. That was the premise on which they would receive money, and some of those didn't happen.

We are all working together to make sure that in the year 2011 we're going to actually have those union and guild memberships working. We paid out almost \$20 million last year and \$34 million the year before, and there are still people that are sitting and not working. We need to work at efficiencies. It's a balance of indigenous work and service work and all the different genres. We have to make sure that we're making that money work for us and

that it give us the best bang for the buck. I'm happy to say that the industry is working together to make that happen today.

Our federal human resource council and who led that: I had a meeting with Minister Moore just last week. We didn't get in on that one in 2010, but I talked to him after the FPT. We said that we need to share a lot more resources amongst the provinces and with the federal government. We've asked for a couple of different things from them and the Canadian Tourism Commission. We want to get more information as to the economic impact for film, television, and digital, not just on the direct. Look at New Zealand, for instance, with *The Hobbit*. They say that that's a billion or billion and a half dollars. It's not just what's spent on salaries. It's not just what's spent in the hotels. It's not just what's spent on costumes. How many people are coming to New Zealand now because they saw that movie? We know that Brits love to go to countries that they see in movies.

They hadn't had a lot of definite information on that, so we're working together with them on that. He has said that when that information comes forward, he will certainly share that with us. I will give Minister Moore credit because he was the one that made me realize what the percentage of our gross domestic product is in relation to other industries. For Canada it's, like, \$46 billion. That's twice what agriculture is for the country. In Alberta we're a little bit more the flip side on that. We've got to get past where we think that this is an expenditure. This is an investment.

We spend \$20 million or \$30 million, and what we're going to get out of it is a multitude of benefits. I'll give you one. We got \$13 million of economic benefit. It cost us \$2 million, but we also got notoriety throughout Hollywood for our crews, our location, and our professionalism. That will leverage other projects, not just for Warner Bros. but for Disney and HBO and the like.

Thank you.

**The Deputy Chair:** The hon. member.

**Ms Blakeman:** Thanks. I've asked to go back on the list so I can complete my questions. Actually, the minister did say that cuts were going to make the cultural industries more competitive. It is on page 260, and I can read it back to . . .

**The Deputy Chair:** Hon. member, the time has passed.

The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair.

**The Deputy Chair:** Hon. member, are you going to combine your 10 minutes each?

4:10

**Mr. Anderson:** Back and forth if we could. That would be great.

Thank you. It's always good to see the smiling face of the minister there. He's very passionate about his area, about his ministry, and that's much appreciated.

I also want to thank the government for sponsoring and supporting the Airdrie air show. It's a great part of our community. It's a new event that we're putting on. This is the second version of it; we did one two years ago as well. It was just phenomenal. We had thousands and thousands and thousands of people show up, so I do appreciate the support from this minister on that issue.

I do want to talk about the CIP and CFEP programs, and I have talked to this minister in private about it as well, so he knows generally where I'm coming from on this issue. First of all, I can only say from my own experience, and I know the minister can only go from his own experience, too. When I was a member of the Progressive Conservative caucus, how it worked, in my expe-

rience, with regard to CFEP and CIP monies and grants was as follows.

There were two types. I had the opportunity to sit on both the Calgary caucus and the rural caucus. I'm going to start with how things were done in my own constituency, specifically in rural Alberta, and then I'll move to Calgary. There was a certain specific amount of money that was allocated for each constituency in rural Alberta. I forget the exact amount. It's probably changed since I last checked, but it was several hundred thousand dollars for both CFEP and for CIP.

Now, how it worked in my two years there – you brought this up.

**Ms Blakeman:** I did.

**Mr. Anderson:** You brought this up. I remember that, hon. member. The first time it had ever been mentioned in the Legislature, I almost . . .

**Ms Blakeman:** I nailed you.

**Mr. Anderson:** You did. Well, for telling the truth.

What happened at that time – well, I won't go into that. Essentially, somebody would come in from lotteries or from the program and would sit down with us and say: "This is how much money you have in your budget every two years" – I think that it's over two years that they spread it; it might be three years – "and here's how much money you have that you need to spend in your CIP and CFEP budget that you have left for your constituency." Then they would go through the list of programs that were being applied for, and they would go by the city of Airdrie or by Chestermere or the Airdrie Pro Rodeo or whatever. They go through these different applications, and they would say exactly where we were in this application process. Then they would ask: "Mr. Anderson, would you like to support this project, and if so, for how much?"

Every single month, essentially, when applications came in, we would be asked by the individual – community liaison officer was, I believe, the title – whether we supported the project and to what dollar amount. Never in my two years, the entire time I was in government, did anyone say no when I said that I supported the project and I said the dollar amount that I supported it for. Not once in that two years, not a single time, was the actual grant that went out unequal to what I had specifically supported, to the dollar. Never once was there a problem with it, which was fine. That was fine.

People would come in to see me. They would say: we need to build a new playground. My assistant and I had so many playgrounds going up in the area that we said: "Okay. For each playground it's going to be \$30,000. That's how much we can budget, \$30,000 per playground." This is probably shocking to you, hon. member. Anyway, that's what occurred.

I have documentation here – and I'll table it tomorrow in the Legislature – correspondence between myself and my assistant and the community liaison officer talking about these things, talking about this back-and-forth, about how much money I would support it for, what project I supported, et cetera.

**Ms Blakeman:** Is that happening now?

**Mr. Anderson:** Well, incredibly, it's not. Incredibly, since I've become a member of an opposition caucus, I don't get that, Mr. Chair. I don't get that same heads-up. I'm not asked for my opinion. I have been back and forth with the minister on this issue, and we're talking about, you know, ways that he can maybe give us

more of a heads-up when projects have kind of been approved so that we know beforehand what has been approved, and I appreciate that. That's better than what I was getting before. But it's just so categorically 180 different from what it was when I was a member of the Progressive Conservative caucus.

I don't mind that we do it this way. I actually think the MLA should have a role in weeding through the malarkey that's out there. I don't like the idea of someone from a constituency coming forward and applying and then, you know, some civil servant in Edmonton, who has no clue what the needs of the local community are, making a decision. I certainly don't disagree that the MLA should have a role, but what I do disagree with is whether that role that the MLA has should be based on whether they're in the government or not.

Since I've been in government and since the hon. Member for Calgary-Fish Creek has been in government, we have not whatsoever in any way, shape, or form been consulted. We can write a letter to the minister, and we can say that we hear that this application from a constituent is coming forward and that we support it in principle, whatever, but the same consultation, the back-and-forth process that existed when I was in the government, absolutely and categorically does not exist today. That's unacceptable. That's just absolutely not right.

**Ms Blakeman:** Did you get to hand out the cheque?

**Mr. Anderson:** Yeah, we got to hand out the cheques. I mean, I was glad to see the Airdrie air show supported. I got no heads-up on the cheque announcement, but that's just, you know, another matter.

I would as an MLA in rural Alberta from an opposition party like the ability to have a say in a project or at least be able to express my support or lack of support for an application knowing that I know the needs of my community a whole lot better than somebody in your office, just like, hon. minister, you know the needs of your community better than any other MLA in this Chamber. So that's the first thing.

As a member of the Calgary caucus it was a little bit different. Now, my funds were not put into the Calgary caucus, but I did attend the meetings where they were divvied out. Essentially, we would go through project by project. People would come to Calgary caucus, give their presentation, and then we would go around the room and essentially talk about which projects we supported and for what dollar amounts, et cetera, et cetera, et cetera. The Calgary MLAs would pool their money, and then they would divvy it out according to whatever they discussed. So that's how it's done in Calgary caucus. That's how it worked.

Now, I don't know if things have changed since then, hon. minister, but if they haven't changed, if it's still that way, I as a rural MLA would like the ability to participate in the decision-making process or at least participate and have in advance the opportunity to express support or lack of support for the projects in my community to the dollar amount, just like I was when I was a PC member. I think that's a fair request. I'll let you respond to that.

**Mr. Blackett:** Mr. Chairman, I'd love to respond to that. First of all, let's be perfectly clear. No MLA is responsible for administration of the dollars in their constituency no matter what. The hon. Member for Fort McMurray-Wood Buffalo said to me in a letter, which I would be glad to table tomorrow: I am the one responsible for handing out grants in my area; I will take care of that; you nor the Premier nor anybody else in your government needs to come there; I will take care of that. That is wrong, absolutely wrong.

I'll tell you what the policy is today because I met with the

Member for Airdrie-Chestermere. First of all, prior to that, I said to him: "Let's be clear. Of all the opposition-held ridings in the province, there is a disproportionate amount of money that goes to them. Higher than the average of any other constituency goes to Edmonton-Centre, Calgary-Buffalo, Calgary-Mountain View, Edmonton-Gold Bar, et cetera, et cetera, et cetera."

We divvy out the money on an average per constituency. There is no constituency that actually gets exactly the money because in some constituencies we don't have as many applications as we have money allocated to them. Sometimes we take that extra money, and we try to divvy it around to programs that we think have good benefit. But we always look from the CLO standpoint. Is the application viable? Do they have the matching funds that are required? Do they have community support? A lot of times that community support comes in the form of the MLA.

4:20

Now, what we have today, I can tell you, are reports that go out to MLAs once a month which will tell you what projects are being put forward in your constituency. That goes out to our opposition MLAs. It says: ABC organization has applied for a grant. If they want to, they can write a letter of support on that grant, and we will take that under advisement. Actually, there have been several in some of those ridings that I've already mentioned that they supported, and we did award them a grant based on that. So I think it's fairly equitable.

But when you are a government member, it's not the same as being an opposition member, and when the minister is out there presenting something, he's going to take his government colleagues. That happens. I'm not denying anybody else from it. If the hon. member is suggesting that I should be notifying all of them, that's fine. But today I can categorically say that those CLOs do not give that information out to the members. I give that information out to the Members of the Legislative Assembly, to my government members and to the members opposite. If they want something approved or they want help, like the Member for Edmonton-Strathcona had with a previous application, I would be more than happy to sit down and talk about that. We certainly helped with that project, and that organization did receive funding. We'll continue to do that. We're as transparent as we possibly can be.

My father came from a background of working with Revenue Canada and the Auditor General, and he told me that the very first thing you do is you go talk to the Auditor General and the Ethics Commissioner. You make sure that you've got all your ducks in a row and that things aren't offside. Anything that is offside with the Auditor General is offside with me. We made sure that we streamline some of those things. Some of my colleagues maybe didn't like that, but that is the responsibility that we have to the taxpayers of Alberta. We think we've been fairly fair, and we will continue to do so. I'm very proud of those programs.

**Mr. Anderson:** As I said, I completely agree with the minister that the program is a good program. It's not about the amount of money. I'm not for one second saying that Airdrie has been short-changed under the CIP and CFEP programs. I get the same amount in our community as every other rural community, for example. That's not in dispute here.

What I have a problem with is that as an opposition MLA – you know, Albertans voted for me, and Albertans voted for you. We all got people to vote for us, and that's why we're in the Legislature today. The issue, though, is that as an MLA I think that regardless of what party you're from, you should receive a notification when you're going to give out government money because

we're the local representative in our constituency. We're not saying that this cheque comes from MLA Rob Anderson or anything like that.

**Some Hon. Members:** Names. Names.

**Mr. Anderson:** Sorry. Names, names. I agree.

I'm not saying that that should be the case. All I'm saying is that we should have an ability to at least be there to represent our constituents, so a notification. My first question is: will the minister undertake to at least notify opposition MLAs of events prior to cheques being distributed so that we can at least attend and be present?

The second question is kind of attached to that. Before an application for something is approved, can we at least be asked for our opinion on it, just give an opinion? You don't have to follow the opinion, you know. Okay. This playground is coming down. The application is for \$80,000. Can I at least say, "Yes, that is very much needed; I support this project" or "No, those guys were in for money three years ago, and I think they're just milking you" or whatever? Can we at least respond to it and give our honest opinion of whether the project is supportable? So notification prior to the cheques, and if we could have some input into things prior to the approval, that would be fantastic.

I'll give you an example of this prior approval. Again, I will table these tomorrow. This is an excellent opportunity for this minister, who's obviously passionate about his ministry and has done a lot of good things in his ministry, to really, you know, change the way that business has been done on the CFEP/CIP programs, show a lot of ingenuity and transparency, and make these decisions more nonpartisan and transparent. I think it would be a great opportunity for him to do so.

One of these things. There was a message from a Cheryl Dalwood, the community liaison officer. I just want to stress that this person is doing her job. Clearly, she's doing nothing wrong because she's following directions. This is to my assistant, Donna. In the e-mail she says, "Just wondering if Rob has had an opportunity to review this funding request yet?" This is for the CIP application for the Olympic torch relay community celebration. "Drumheller, Red Deer South and Red Deer North have committed to support their part of the event. Please let me know as soon as possible."

She had asked a couple of times, and for some reason my assistant and myself hadn't gotten back to her, so she was following up again the second time saying: we really need to know whether you as the MLA support your part of the funding for this so that we can go ahead with this project. I think this is great. I think this is the way it should be. It needs to be transparent. MLAs need to be responsible for what projects they support and what they don't support and why they support and why they don't support. People need to know that. Our voters need to know that.

As I said in my article, if you remember, Member for Edmonton-Centre, that's part of the transparency that should exist, that we should be accountable for the support or nonsupport of things that we do so that people can judge for themselves. You know, it's just like anything else. Transparency will make us all stronger MLAs, will make us more accountable.

Would you be willing to do those two things, Mr. Minister, notification and asking for input prior to approval?

**Mr. Blackett:** Well, Mr. Chairman, two things. On the first one I'm open to the idea of looking at notifying opposition members of things that have been made. I will look at that.

On the second one let's be perfectly clear. No government

member now is asked for a yes or a no from my department or myself. I'm not going to extend that opportunity to the opposition because that doesn't happen right now. We provide a report that will tell you which one of those applications is currently being considered. You have a chance to write a letter of support or pick up the phone and call our office if you'd like, and you can put that on the record and notify your people in your constituency, write a letter to your local newspaper, just like anybody else here can. But we will not be asking anyone yes or no. Those members here know they can provide letters of support if they would like to. They get those reports, and we move forward.

In terms of notification I don't think that's something that's unreasonable to ask for, but on the second one the answer would have to be no.

**The Deputy Chair:** The hon. member.

**Mr. Anderson:** Yeah. Just to clarify quickly, I agree. I don't want to be asked yes or no, but can we at least just get a heads-up before the approval to ask for input? Just input. I know from these documents and I know from my own experience that there's no doubt that I have been asked yes or no personally, but maybe that has changed. Maybe you've changed that in your department. I don't know. I haven't been there for a year and a half. Can we at least get a notification prior to approval to at least have the ability to give some input into the project? Just any input. I'm not saying that you have to follow it. It's not a yes-or-no question. It's just that if we could get that opportunity to have input into a project prior to final approval of that project, I think it would be a great, transparent thing.

**The Deputy Chair:** The time has elapsed on this one.

The hon. Member for Edmonton-Strathcona, please.

4:30

**Ms Notley:** Thank you. I think I'll try going back and forth. We'll see how that works. I have a number of issues that I need to cover off.

I'd like to start with just a fairly open-ended kind of question. Of course, I haven't gotten any of these one-on-one consultations that have been described, but on behalf of some people in my constituency I know the minister is aware of the efforts by the Varscona Theatre to acquire funding. They've made some, obviously, very good arguments. They've succeeded in getting a fairly significant commitment from the city, and there appears to be a fair amount of productive conversation with the federal government, but they seem to be running up against a brick wall with the provincial government.

This is a theatre that, you know, is one of the busiest theatres in the country, that has about 350 performances a year, that has over 35,000 people go through its doors every year, and that offers a range of programming to kids and to youth and to adults. So it's a key community and cultural centre in our city, and they have some very, very serious capital problems with respect to the state of the building right now.

I understand that in the past they got some CFEP funding to do some work around the assessment of their needs, and that's great. But, as you may well know, I think the assessment concluded that there was about \$4 million or \$5 million that was needed. So my question is pretty open-ended, really, to the minister: where would you suggest that these folks go and look to get some support provincially for the amount of dollars that they need? Do you believe that refurbishing the Varscona Theatre is a project that is worth pursuing?

**Mr. Blackett:** Thank you, hon. member, for that question. The Varscona Theatre is a wonderful facility. I have a soft spot for it because I got to perform with Die-Nasty there a couple of summers ago. We had a discussion. We had a presentation by them. I think it was somewhere in 2009. I haven't heard from them in quite some time, so I'm not familiar with the city coming forward. It's probably time to reconnect with them to see where they're at in their process.

We have the community facility enhancement fund right now, a program that we could utilize, but there's a limited amount of money in there. It's \$35 million trying to spread across the province, so that's tough. When we had the major community facilities program is when we talked to them. It was just the tail end of that. We thought we'd be able to utilize that, but we haven't had that happen.

I'd be happy to sit down with them. We can provide some funding through CFEP. It may be in excess of the \$125,000 that's there, but it will not be in the millions of dollars because we just don't have it. But I'd love to sit down with them and see where they're at. If the city supports them and the federal government supports them, the province of Alberta is usually someone who can be counted on. I'll talk to some of my colleagues in the Edmonton area and see what we can do to help them with that. I'd love to have that discussion.

**The Deputy Chair:** The hon. member.

**Ms Notley:** Thank you. Well, I think a good starting point would be for them to have an opportunity to make a presentation to the capital region caucus, which I understand is not something that they've been successful at doing yet. So that would be a good start.

I'd like to talk about another issue that you're very familiar with as it relates not just to my constituency, but it's through my constituency that I brought it forward to you. As I'm sure you're not surprised, I am quite – well, disappointed is probably an understatement. Just to recap the history on this in terms of your understanding of where I'm coming from, as you know, there was the decision that CIP funds would not be made available to municipal bodies, and that was something that was discussed in the last round of estimates.

Then, lo and behold, arts and culture projects that were orchestrated through the Old Strathcona Business Association, which is a business revitalization zone – suddenly they were told that they would not be eligible for these funds, which seemed like a bit of an oddity because, of course, they are not actually municipal bodies. We got correspondence about that. We met with you. Two different leaders of two different business revitalization zones met with you along with me, and at that time you assured us that it didn't make sense, that you understood that it didn't make sense, that it was sort of a gross expansion of that policy to that group, that it didn't make good public policy sense, and that you would have it fixed.

Based on that – and this is the thing that's really concerning – I know of at least one business revitalization zone organization that went ahead and invested money and time and volunteer efforts to move forward on projects that they believed they were eligible to apply for funding on. Then just a mere three weeks ago they got yet another letter telling them that, no, after all, they're not actually eligible. My first problem, of course, is with the fact that this organization acted on the assurances that they received in person from the minister several months ago, to their detriment. So that is the first issue here.

The second issue here is again the public policy implications of this. Business revitalization zones don't get money, specifically, any more or less from municipalities than any other community group, nonprofit society, or anything else. The municipalities merely act as a collector for them. What they do is they collect funds that businesses voluntarily agree to provide, and that's all they do. They are simply a flow-through mechanism. There could be a variety of different flow-through mechanisms, but at some point in the past it was determined that the municipality was the most appropriate flow-through mechanism.

In the past this minister has talked about the need to leverage – this is one of your favourite concepts these days – dollars from other communities. So if government money goes into something and you can get corporate sponsorship or community sponsorship to add onto it, then one taxpayer dollar turns into four ultimate dollars for the project. Now, these business revitalization zones are built-in dollar leveraging mechanisms because small business – you know, people think: “Oh, yeah. The NDP don't like small business.” But I actually like small business, and these BRZs are exactly the reason why. They give right back to their community because they live and die on the health of their community, the community we all live in. So they make an effort to give back to their community, and that's what the purpose of these BRZs is.

They've put in their own money. In the particular projects that the Old Strathcona Business Association has been ineligible to get funding for, the businesses have put in additional resources above and beyond the regular levy that they contribute, which is funneled to them by the municipality. So they put in extra work on these particular projects, and they're being penalized. Here's a community organization that is actually being penalized for the fact that they have set up a systemic regular process of ensuring that there's other money there that can leverage the public money. It seems to go absolutely counter to good sense to exclude them from eligibility for the CIP.

So I'd like the minister, first of all, to comment on the investment that was made, to their detriment, on the basis of the assurances that we received from the minister in that meeting in October or November. I'd also like the minister to comment on how it is that this makes any kind of sense based on your own desire to add community money to taxpayer money when building community initiatives. Of course, as you know, the initiatives in this case are all about building the local music industry, which is squarely within the terms and the objectives and the mandate of your ministry.

**Mr. Blackett:** Well, Mr. Chairman, the hon. member did meet with me, and I met with a representative of the business revitalization zone. I was told at that time that they were not-for-profit organizations. We had talked about whether they were a part of the municipality, and we were told they were not-for-profit organizations.

We spent an inordinate amount of time in my department trying to find out through Municipal Affairs and through the different municipalities exactly how they're constituted. Funny enough, there is not one municipality that has the same type of governance, the same type of rules. They don't disclose. You have to dig very, very deeply within the municipalities – and I'm not making this up – very, very deeply to find the information as to if they get funding, how the funding flows through. Not everybody works like the city of Edmonton. We're talking about a policy that would be – if I say that that's for that BRZ, then the next BRZ says that that's a precedent.

4:40

It was hard to get that information. They are governed by the

municipality. Their governance is by the municipality. And you can shake your head. I can tell you that I've got the paperwork, and we've done it to prove it. They cannot operate without direct permission of the municipality for a specific purpose and are then funded by the tax levy. As you mentioned, if incorporated as a not-for-profit, then they would be eligible. But for a lot of them it's the legality, and it's the paperwork. My department couldn't find any consistency or anybody that could provide the information to make that. I said to you that it makes no sense. If you're clearly a not-for-profit and we can demonstrate that, then it should be straightforward, and they'd be eligible. There's no guarantee they would get funding. But from what I could see and everything that's been put forward to me, that's not clearly there.

**Ms Notley:** Well, I would sure have appreciated it, Mr. Minister, if your department had called up the Old Strathcona Business Association while they were in the process of not getting this information and maybe asked it from them because they would have gotten that information. They would have found out that they're audited to higher standards than 90 per cent of the organizations you currently fund right now. And you would have maybe just given them notice that they ought not to invest all the money that they were investing on the basis of your word. So right there, I mean, that's the first problem.

The second thing is: I don't know how the other BRZs work, but the ones that you met with told you what they told you, and I know that their bylaws, their auditing, their financials are completely transparent, and not once did anybody in your ministry contact them and ask for this information. So I find this really hard to buy, quite frankly.

**Mr. Blackett:** I'm not sure if anybody in my department contacted them, but I'm telling you one thing: one rule for the BRZ that you have given me does not transfer to everyone. We're not going to give one and not be able to give to others because there are inconsistent rules and regulations on how they all operate. That is my responsibility, to make sure that's there. Until I'm satisfied that that can be done – understand that the rules with respect to municipalities having access to government grants are made by the Department of Municipal Affairs, and the reason for that was that most of these organizations are eligible for MSI funding, which those not-for-profit organizations that I have to deal with, most that come through our department aren't. If we can get assurances that they are a not-for-profit – I went back and forth with my department in several different meetings, and I'm told that that is not there.

**Ms Notley:** They're not eligible for MSI. Just to be clear, these organizations don't get a single cent from the municipality any more or less than any other community organization, and they're not eligible for MSIs, so that's not a legitimate rationale.

Moreover, you should have told them. You should have told them. They went out on a limb. They invested time. They invested money. Your folks met with each other – and every time they go off and meet with each other they get confused – but they didn't actually sit down and talk to the people that they were providing the inaccurate information about. It's perfectly possible to come up with a set of standards for all the BRZs and say: okay, the BRZs will not be exempted providing they meet these standards of auditing or whatever. But there was no thought put into that. There was no consultation. There was no discussion with them. Meanwhile, they went off and invested all of this money.

So it's not an indication of a good track record of managing an issue on the part of your staff. I don't have a lot of time left, but I

do think that we'll go on about this in a different forum because I think the record that we've got thus far is really not something that anyone in your office should be particularly proud of.

I'd like to go very quickly to the issue briefly raised by the hon. Member for Airdrie-Chestermere. Now, he seemed prepared to accept that it was reasonable that you would just maybe in the future give us notice of cheques being presented in our ridings. I have to say that, I mean, in response to the questions that I asked last year, we got a list of the 25 or so cheque presentation events that occurred, the 40 Conservative MLAs who were invited to them, and it's very clear that no opposition MLAs were invited to them. It was indicated that there were press releases on the ministry website that announced these events every time they happened, so it's clear that ministry resources are going to help organize these events, but no opposition MLAs are being invited.

Does the minister not understand how the average taxpayer would look at that expenditure of communications resources and event-organizing resources and see that opposition MLAs are being excluded, government MLAs are being included, and taxpayer dollars, not PC Party dollars but taxpayer dollars, are going to do that and not believe that it creates an overall picture of a certain amount of corruption? Do you not see how the average taxpayer would be quite offended by that expenditure of their taxpayer dollars?

**Mr. Blackett:** Well, Mr. Chairman, I don't see why the average taxpayer would be offended because no money is expended on communications for those. The events are usually organized by the organizations themselves, the primary reason being that it is for their benefit to have the fact that they have a program that's being given funding or a building that's being given funding to – that's matching funds. They still have to find dollars from the corporate community or individual donors, and we help do that, just like we did this weekend with the Calgary Immigrant Educational Society. We did it with the Community Kitchen, and we did it with Cubs, that deal with poverty. A lot of people don't know those organizations exist.

So what did we bring? We brought a backdrop, we brought a big cheque, and we showed up. I don't know what communications dollars that required other than a press release that went out, and we generate press releases every other day. There was no huge expenditure. There was no huge highfalutin promotional material or mechanism or development for this. We just went out and handed out a cheque because we are the government of Alberta. We are representatives of the government of Alberta, so we go and present a cheque that the government of Alberta gave them. That's it.

**Ms Notley:** That's exactly right. You are the government of Alberta. You are the government of Alberta using government of Alberta funds, and you are only inviting Progressive Conservative MLAs to it, and that's where it goes wrong. That's where it's dirty. It's dirty, dirty, dirty. And just to be clear, you have \$525,000 in your communications budget this year, so money does go on it.

I used to work in a minister's office. I know how much work goes into organizing these events. I know that the staff have to call to make sure that, you know, the podium is there and the people there that have been invited and that the backdrop is there. Work goes into organizing those things. Don't try to pretend it doesn't. It's taxpayers' dollars that do it. They're there to promote Conservative MLAs, and you're using taxpayers' dollars to do it, and they should be offended.

I want to quickly go to human rights. The workload at the Human Rights Commission is continuing to go up. We've had a 25 per cent increase in ongoing open files. Over the last two years we've got the number of complaints going up. We've got all that stuff. In the last two rounds of estimates you indicated that there would be new intake officers hired, and then last year you said you meant to, but it never happened. Now this year we've got the same budget line item with no increases. So my question to you is: is it acceptable to you that the wait times go up between 10 and 20 per cent every year under your watch, that the number of unresolved cases over the course of the year goes up every year under your watch? Is that acceptable? Or when exactly are we going to see some improvements with respect to the functioning of the Human Rights Commission?

**Mr. Blackett:** Well, Mr. Chairman, first of all, the Human Rights Commission and the numbers: they go up and down each year. Last year they were higher, the year before they were less, and the year before they were higher. What has happened, though, is that when we changed the Alberta human rights act, one of the provisions we put in there is that the Human Rights Commission would not see a case unless it's seen in another forum.

**The Deputy Chair:** The twenty minutes has elapsed.

The hon. Member for Edmonton-Centre.

4:50

**Ms Blakeman:** Thanks very much, Mr. Chairman. I'm pleased to have an opportunity to complete, I hope, my questions.

I'm just going to go back and pick up where I left off, which was around the cultural workers. Part of the point that I was trying to make there – and the minister acknowledges that we did not get in on the 2010 federal survey of cultural workers. But part of the reason why – and this is what I was talking about last year – is that there is no designated organization in Alberta that is representative of cultural workers that has the stamp of approval or the recognition from the government that they will listen to the group. Therefore, we can't send anyone.

We keep getting asked by the feds: "Who are you sending? Is it PACE? Is it the Edmonton Arts Council?" which isn't appropriate, "Is it the Calgary cultural development authority?" which again is not appropriate because it's municipally based. And CPAA is gone now. But there needs to be an organization in which the government recognizes that if they designate workers to go from that organization, the feds will pay for it. They'll pay to fly people to the meetings. But without the understanding or the signed memorandum of agreement or whatever that the government is going to listen to them when they come back from the meeting, we can't send anybody. So that needs to be resolved, whoever is responsible for that.

This is indicative of how long I've been elected that I just take it as kind of normal that the government MLAs get to be in on this whole cheque thing. I appreciate the Member for Airdrie-Chestermere bringing it up. The fact of the matter is, Mr. Minister, that we in the opposition do not get a list in advance in which we can choose to write a letter of support, in which there is a list of applications. We don't. What we get is a listing after the fact, and sometimes way after the fact, that says: you should be thrilled because in Edmonton-Centre all of these people got grants.

I actually go through that list, and I'm sure someone in your department reported back to you that I was asking about a couple of cases because there were groups that got money that aren't from my constituency. The answer back was: "Yes, that's true. They're located, you know, on 170th Street, but they were doing

an event in Victoria park, which is in your constituency, which is why they got funded.” I do look at that list, but I don’t get it in advance ever, so I have no opportunity to write those letters of support. So I would appreciate it if the minister could address that as he is slowly unraveling the partisanship of these grants.

This is not a government pot of money. The money that we approve as this Legislative Assembly is approved by the Legislative Assembly to go forward. It’s not government. It’s not caucus funds. It’s not party funds. It’s funds from the Legislative Assembly, and the members of the government are cabinet. So if you want to have a cabinet member go out and represent the government, the big G government, to hand out a cheque, fair enough, but to have the big cartoon cheques – I’ll tell you, at one point they had the big cartoon cheques, and members actually wrote their names on them, actually wrote their names as though they cut the cheque. This is a political exercise. As the Member for Edmonton-Strathcona said, this is intended to make a distinction based on money or the belief that a group will get money only if they support a government member. That’s the point of it. [interjection] Yeah, it is. That’s why it’s been there for so long.

[Mr. Lund in the chair]

So let’s unravel this. Let’s take the partisanship out of it because the closer we get to an election, the worse the government members, including backbenchers, look on this one. Interestingly, grant amounts often go up closer to an election. People are going to start calling you on this one, so the faster you can unpartisanish it, the better. Included in that would be that notification in advance so that we can give you information or write letters of support. It would be very polite, when you come into my constituency to hand out a cheque, if you let me know in advance. When I go to your constituencies, I let you know I’m there. It’s a courtesy. And you’re using it for political reasons. You know, that’s why you’ve got the big cartoon cheque. I mean, you’re trying to get your photo in the paper. That’s the point. But it would be very courteous if you would let the local members know so they could attend, and I would appreciate that as well.

I want to talk about the Varscona Theatre as well. The city of Edmonton has been waiting and holding onto their grant money. I think they’ve ponied up \$2 million. I think the feds are in for \$2 million. Everybody is waiting on the province. Now, I gather you’ve just ironed that out as I sat here and listened, that the minister will be open to or will pave the way for the Varscona Theatre consortium to approach the appropriate caucus or caucus policy committee or however you guys organize that stuff to do this. But I just want to point out to the minister that money was found to support Vertigo Theatre in Calgary, money was found to support the Grand theatre in Calgary, and in Edmonton we lost the Kaasa. Part of the reason why the Varscona has so much activity in it is because it is one of the only theatres. Very soon Catalyst is going to lose its space, and that will be, you know, next to Theatre Network, one of our only. It’s not considered a medium-sized theatre, by the way. It’s 175 seats, so it’s an F scale, I think.

There is a distinct lack of equality between the two cities. The minister will be quick to say: well, that was then and this is now, and times are tough and friends are few. Well, the funding at the time that Vertigo got it was not so great. That was a tough time as well. I really think that the government needs to step up on this one. They’ve been asking for a long time. They’ve been fund raising for a long time. It’s very important to the theatre community in Edmonton, and I would appreciate it if we could get that matching money and make it roll forward. So thank you for allowing me to put that on the record.

Now, let me go back. The other thing you were talking about was the film industry, and you talked a lot about what the minister believes he’s been able to effect as changes. There was a change in the grant structure, and the existing scheme was changed slightly. The minister has talked about how this is much better, but I’d like to know if contracts have been signed because one of the things in this industry is that there’s a lot of talk. My goodness, they’re good at talking. I’d like to know if we’ve actually got signed contracts for some of the projects he’s been talking about to go forward. Do we know if we’ve been able to woo any projects away from B.C. or New Mexico or Saskatchewan? That would be a lovely feather in the minister’s cap. Have we got any signed contracts there?

Here’s something I heard about this morning. There are a couple of projects that have just started shooting in, let me say, south of Red Deer because I’m not exactly sure if they’re in Calgary or just outside of Calgary. The rate they’re paying is half of scale, and on another shoot they’re paying minimum wage. You know, these are trained professionals with years and years and years of experience. I would be very upset to hear that the government was co-operating with a film company that was coming in and taking advantage of our workers because there’s so little work out there that they are taking jobs at minimum wage.

I don’t think that’s what the minister is trying to do here. I don’t think it reflects well on us in allowing a company to come in and basically undercut our workers and to pay them far below what they’re worth. If you can possibly look into that and make sure that we haven’t funded them, and if we have, use that big stick. That’s what it’s for.

The second thing I have is that he mentioned the tourism spinoff on having films shot in Alberta. Very true. But one of the things that is a distinction on that is: it is what it is. Fort Macleod was Fort Macleod in *Brokeback Mountain*. That’s partly why people go there. They didn’t pretend that it was someplace else. I don’t think they ever specified, actually, where they were shooting that. I’m getting a little tired of having film companies come in and then pretend that we’re Toronto or London or somewhere else. It’s much more helpful for us tourism dollars wise if they come in and say: “Yeah, it’s Edmonton” or “Yeah, it’s Red Deer” or “It’s outside of Balzac” or whatever.

I’m wondering if out of all that money you’ve devoted to policy development there are ways of using some of that to encourage or to put it in as part of the incentive sign-off with the contracts that it . . . [A timer sounded] Oh. Ten minutes because we’re splitting it. Sorry. Thank you. We agreed that we would both do it.

**The Acting Chair:** Back and forth?

**Ms Blakeman:** Back and forth. Yeah.

I’ll let you answer some of those questions, and we’ll keep going. Thanks.

5:00

**Mr. Blackett:** Okay. Thank you. A single voice for the arts: one of the things we found in the dialogue session was exactly that. You’ve got sports organizations and you’ve got other organizations where they’ve got regional bodies that flow into a provincial body, and then you have a collective voice. We don’t have that yet, and we need one that will be able to speak for the sector as a whole and do exactly what you’re talking about. That’s something that we have on our list to go forward to try to create, and hopefully we can do that in time for the next meeting. We will work with that. I hadn’t had that brought to me, so I didn’t know about that, but now that it’s on my radar, we’ll definitely look at that.

[Mr. Mitzel in the chair]

Your other point, though, about cheque presentations and this and that and the other thing. We had sent out letters – I signed them in January – that went out to every opposition MLA that said everything in the quarter that was coming up for review. I sent out every single one of them, and they will go out every quarter. We make decisions by quarter now as opposed to letting everything wait till the end of the year. We sent out a letter, and I will go trace those letters and present a copy tomorrow. I sent one out to every opposition member, and I will continue to do so.

We have the records. After decisions are made, we put them on our website. We very much believe in transparency. There's nothing untoward there. Your point is well taken about the fact that a grant is based on where the event took place as opposed to where the location of the actual organization is, which makes no sense to me, so I will look into that and make sure we rectify that one.

In terms of film and taking advantage of workers, I had an excellent meeting with the head of AMPIA and Mr. Damian Petti on Friday and when we were in L.A. and subsequent conversations after that. We want our workers to be employed. We want them to be well paid. We want them to make a living so they can actually stay here. Whether they rent a place or they own a place, they should be able to do that like anybody else does. I would never advocate anybody going and taking advantage of our talent and paying them minimum wage. I can't even believe that you can get away with that. So I would love to have more information. If somebody can provide those examples to me, we'll certainly take a look at those. I think that answers that.

**The Deputy Chair:** The hon. member.

**Ms Blakeman:** Thanks. I found it, and in fact we were issued a list on December 20, 2010, of applications that were being considered for CFEP and CIP grants from the 1st of October 2010 to December 31, 2010. I'm not sure how that's in advance. That would have given me 10 days left in the quarter, and everything else had already passed. So the minister may well be signing this in September, but I didn't see it in my office until December 20 for a quarter that went from the 1st of October to the end of December, okay? You can understand the frustration on this side as a result of that. Thank you for allowing me that clarification.

Now, let me keep moving on here. The cultural community and volunteer support services. I'm very interested in what is in the other initiatives because although this minister probably doesn't – well, okay. Here's a little historical vignette. There are a couple of people on your side that I know will have been around long enough to know what this was. This amount of money: at one time I got the minister to admit that there was no application form for other initiatives, there was no deadline for other initiatives, and the decision was exclusively by the minister. There was no appeal process. It was essentially a slush fund.

I'm wondering what exactly is in other initiatives this year. It has been cut by quite a bit. The actual for '09-10 was \$10.1 million. It was budgeted for \$6.5 million, but it actually looks like \$10.6 million was spent in the '10-11 year, and – whoa – a massive cut to \$4.1 million, so it's losing about 6 and a half million dollars out of other initiatives. Now, I know that's going to go up and down with how much money is extra there. But if he could please tell me what he spent it on this year and what is the list of initiatives he's expecting to spend it on. He did give me a list last year. Where can we find the final reports of what was funded through other initiatives last year so we know what those are?

The Wild Rose Foundation. I'm a little quizzical about this

because – this is in the estimates on page 98 – it appears to have a very high amount of money with sort of no backup for it. I'm wondering if you can explain that because it has no form of revenue, particularly, so where is the investment supposed to come from? It's actually up 325 per cent from '09-10, so exactly where's that going to come from? I would appreciate if I could get that comment. That's terrific. Thank you.

Further to what's happening in the NGO volunteer-based sector, I was going through the newsletter from the Calgary Chamber of Voluntary Organizations. This goes back to that capacity issue that I keep raising. If you look on page 3 of their newsletter, they show a graph that shows that the change in government policies or priorities was 58 per cent of the factors impacting voluntary organizations, so a huge effect on those organizations.

As well, we're still struggling in the voluntary charitable sector with the difference in salaries between what the comparable position is that's paid through the government if they were on the government payroll as a social worker versus being a social worker with foster parents or something like that. In this one it's a newspaper article of a woman who works for the Bow Cliff Seniors' centre. Yeah. "We just can't magically get it done on these salaries with this expectation of professionalism" because she keeps getting people wooed away, so that continues to be a factor for us in this area.

I'm moving on to heritage now. There was a cut in heritage. What action has the ministry taken to ensure that the ministry sites don't degrade to the point where we're in the same position that we are currently with infrastructure, where there has had to be a huge influx of money to make up for what wasn't put in there on a regular maintenance basis? What is the minister doing there to help under heritage?

Finally, the Royal Alberta Museum. What the heck is going on there? Who is it that's asking for two sites? If it was a politician, they would have jumped in front of every camera there was, and nobody has ever jumped in front of a camera saying: I'm the one that's pushing for a second site. So who's pushing for this? This doesn't make sense. We've got a perfectly good site. We own it. There was a good plan. They redid it. There was a second good plan. Now that one seems to have been punted for some reason. Now we're talking about two plans. I'd like a detailed breakdown of how much money the province is going to put in this year, next year, and year 3; how much money the feds are putting in this year, next year, and year 3. Where did this come from that we are going to build a second site here, and what is the justification for that? What's the business case for it?

I've never seen anything that backs this up. It's just a bunch of rumour that I've asked and asked about. It was denied, denied, denied, and then the minister said: "Oh, yeah. Definitely. That's where we're going to go." So let's hear about that. Let's hear about it, Minister. Go for it.

**Mr. Blackett:** Great questions. First of all, other initiatives. Now, it's quite interesting that you would mention that we're reducing our fund that you refer to as a slush fund. I don't think of it as a slush fund. Other initiatives program is set there for those programs, those organizations who can't get money through the regular process. Now, that includes that this year we will have the Canadian country music awards. We will have the Western Canadian Music Awards. The Canadian country music awards are going to be in Edmonton for three consecutive years, so we've committed to that. The Two Hills Community Centre, the Edmonton Triathlon Academy; \$3 million to the Art Gallery of Alberta, somewhat of a worthy cause . . .



5:10

**The Deputy Chair:** Hon. minister, the 20 minutes has elapsed.

The hon. Member for Airdrie-Chestermere. Are you going to share the time back and forth?

**Mr. Anderson:** Okay. Thanks. Back and forth, please. All right.

I've been listening intently, very interesting information. I want to go back to the issue. I want to get something done today, and I appreciate very much the minister agreeing to give some prior notification to opposition MLAs to cheque presentations. I do think that that's a good step in the right direction, and I look forward to receiving my first update in that regard.

The second portion that I wanted to get to – we got cut off when we were going back and forth on it. When I say that we should get the opportunity to give some input into a project before its final approval, I wanted to make sure that the minister understood that I wasn't asking as an MLA for a unilateral yes or no authority on whether or not a project is approved. That's not what I'm asking at all.

There's a sheet – and, again, I'll table all these documents tomorrow. Anybody on that side of the House will recognize these sheets. What it does is that it goes through all of the different projects that are in the queue, essentially, and it shows their project status. It will give the name of the applicant, the date the application was received, and its application number. It will give the project's status. In other words, on some of them there's a cheque that's been given out – this is July 22, 2008 – and it gives the grant request, the approved amount, and whether the funds have been paid out or not. It goes through that. It goes through each individual one.

The project status is included: cheque given out, in the minister's office, under tech review, review 1, evaluation. It has these different kinds of project statuses that it's at. Then at the very end here there's a summary status of project application. It will say: this is how much is in process, and these are the total amount of funds that have been paid out and declined. Then there's a rolling total. There's a three-year total. This is how much you have left in your three years because it's over three years. Then this is how much you have left this year, so in this case it's \$416,000. That's the document.

When I would get this, what would happen is that I would look at the projects. The community liaison officer would call me or call my assistant every month and say: "Okay. We need to go through it. This one is under tech review, and this one is under evaluation" et cetera. They would say: "We've done everything that we need to do on our side. Now we're just waiting for your comments."

That's what Cheryl Dalwood, the civil servant, was talking about in this e-mail I have here.

Just wondering if Rob has had an opportunity to review this funding request yet? Drumheller, Red Deer South and Red Deer North have committed to support their part of the event. Please let me know as soon as possible.

There are others. I've got two or three others here like that.

In the previous e-mail it says:

Hi Donna.

That's my assistant.

Would you please forward this information to Rob for his consideration of CIP funding? The total CIP grant request for the Airdrie-Chestermere constituency [in this case] is \$26,500.

The CIP application is being coordinated by The City of Red Deer with each community organizing their own respective celebration. The City of Red Deer will ensure that allocated

grant resources are dispersed appropriately and that required follow up reporting is completed on behalf of all communities.

Then it shows exactly the CIP grant request for each community: Red Deer, \$37,500; Airdrie, \$13,500; Chestermere, \$13,000; Drumheller, \$11,000. Then it says how the funds are going to be used. Essentially, they were saying: look; the members for Drumheller-Stettler, Red Deer-South, Red Deer-North have committed to supporting this project, so we're just waiting to see what you say about the project.

Again, I have to say, whether this was going on without your knowledge or not, Minister, that there was not a time that I didn't support a project on a specific dollar amount that was not accepted by the CIP, CFEP grant programs. I will swear an affidavit oath to that effect. That is absolutely true.

So we have this situation here, and all I would like to see, in addition to the notifications, is just to have this document, that I'll table tomorrow, that's sent out to government MLAs sent out to us so that we can see that: "Okay. This one here is still under review. This would be a good time. I'm going to call them up." It even has a contact person for the grant, so you can call them and say: "What's this grant all about? Is it something we need? What's the deal? What's it for?" It allows us to do our homework to see if we want to support the grant or not.

If we could even just get this or whatever you're sending now to your individual government MLAs, I think, certainly, that would be a very good step in the right direction, as you already have taken with allowing for notification, if indeed you follow up with that. This would be, I think, a way that we could move forward. I know that I would and our caucus would be completely happy with that. We think that would be a fair arrangement.

If we need to talk about the grant programs – I know the Liberals and others have talked about different ways to do it. You could have a community organization or something like that, and that's fine. Maybe we can have that debate in the future, but for the purposes of right now under the current system that we have, could we have the same document that's sent to government MLAs sent to opposition MLAs?

**Mr. Blackett:** Well, I can answer that quite quickly. On January 17 we sent out a letter to all opposition MLAs with a report, and that went out to all government MLAs. It was all of those applications that came forward in the last quarter of 2010 and the first quarter of 2011 that decisions will be made on, so decisions that are going to be made now before the end of this month. That letter went out on the 17th of January.

There will be another letter that will go out in the first month of the next quarter – so it will go out in April – which will be all the applications that we've received for the first quarter of 2011, where decisions will be made by approximately June of 2011. That's the consistent approach that we will continue on with. I will be happy to table those letters that we sent on the 17th of January. We will continue to do that because we believe in being open and transparent and consistent.

**Mr. Anderson:** Okay. Thank you. I appreciate that. The letter that I think the minister is referring to, the one that got sent to myself, is this one, and I'll table that as well. It does have part of the information that the government MLAs get. It has the application number, the date that it's received – that's consistent with what was handed out before – the name of the applicant, the contact person, and the project status, so under evaluation. Absolutely.

Now, the only thing it doesn't include – and this is what would be helpful so that we could see what was available – is that on the one that was sent out to MLAs it has a summary status of project

application. It will tell you at the bottom how many total funds have been paid out to this constituency. In this case it's \$115,000 at this point. That allows you, of course, to deduce how much is left in the minister's budget for this constituency.

5:20

This is very useful because if you have, you know, four schools or something that you know are going to bring forward playground applications, for grants to help with building a playground, you can put a letter together and say: "You know what, Mr. Minister? This is what I would recommend. There are these two schools that are upcoming. I would recommend that maybe we should make sure everyone is treated the same and that they each get \$30,000 or \$40,000 or whatever, the same amount, et cetera." Or you could say, "Given that there's only about \$50,000 left in the budget and we have two people applying for the grants, could I suggest that we be equal and do \$25,000 and \$25,000?" It just helps us to make a proper recommendation, a well-thought-out recommendation as MLAs.

The other thing that this is missing besides the total funds paid out is the grant request amount. I don't know, for example – on here it does not say how much the grant was for. It just has the contact person, the project status – these are all good things to have – but it doesn't have what the actual amount of the grant was. So could those two things be included in these quarterly letters that you send out?

**Mr. Blackett:** Well, Mr. Speaker, when we first talked about it, what you had asked for, we had given you. You don't need to know what the dollar amounts are. You know the program, and every opposition member knows how it works. You prioritize which ones you think are important, that you want to support. If you see three playgrounds, say: please don't allocate all the money.

Give us a list of priorities. I mean, we can certainly do that. We don't have to get into the minutiae of how we're going to allocate dollars.

**Mr. Anderson:** All right. Well, I guess that's one way of looking at it. I guess the other way of looking at it is that if I have a – let's say that in Chestermere, for example, the Chestermere yacht club got a grant last year. Didn't know anything about it. It was just given out to them, the Chestermere yacht club. That's fine. It was quite a substantial grant.

There were some other grants that were being applied for at the time, and if I had seen the size of the grant, I maybe would have said: "You know what? Why is this so large?" Maybe I should call them and say: is this a priority for the constituency, or are there some playgrounds or some equipment or some event, maybe the pro rodeo or whatever, that would be more important? In other words, if you have the Chestermere yacht club asking for money and I say that I support the project, then what am I supporting? Am I supporting something for 50 bucks, a hundred bucks, a thousand bucks, \$10,000, \$150,000? I don't know. How can I know to support it or not, you know, or if there are any red flags that I should be looking at?

The only thing missing on this sheet that is on the government one is just the application request amount. If it's a hundred thousand dollars, \$90,000, it would be literally just another column on the sheet. Then the opposition MLAs would get the same as the government MLAs, and it's all good. Is that possible, Minister?

**Mr. Blackett:** Mr. Chairman, I'm not going to repeat myself. As I said to the hon. member, we have that report that you have, so you'll have an idea of what's coming forward in your constituency. My

office has always been open. It's been open to any opposition member who wants to come and discuss a particular application. I have no evidence from anyone that says that that's been incorrect. So if you have a particular instance, come and see me.

**Mr. Anderson:** Okay. Fair enough. Well, can I get this commitment, then, Minister: in addition to getting these quarterly reports, which you're sending in the current form, can I at least have a commitment from you that my assistant or our constituency assistants can call your ministry any time during operating hours and get the amount of the application request from them just by asking them verbally? And can they get the amount of money remaining in the pot for the specific constituency of Airdrie-Chestermere? If they're not going to get it on this, can they at least call in and ask that question as any government member would be able to do and get an answer to that? Is that a fair compromise?

**Mr. Blackett:** Mr. Chairman, the answer to that is an unequivocal no. We have gone and we have given him information. There you go. We're not going to spend time in our department with staff that are doing an important job, trying to go back and forth because of opposition queries and get into the minutiae of it. You support an application, or you don't support an application. That's the most information that we've ever given an opposition member. If that's not good enough, that's not good enough.

**Mr. Anderson:** Okay. Well, I guess what would not waste the time of staff, Mr. Minister, is if you just put the number in like you do for the government MLAs. If you just put that in the document, that would save your ministry's office all the time and effort. There would be no need for my assistant to call and ask because it would be right there, just like it is for every government MLA. I guess I would ask: why is it appropriate, Mr. Minister, for a government MLA to call in and get that information on demand, but I as an opposition MLA cannot call in and get that information? How do you justify that inconsistency, that double standard?

**Mr. Blackett:** Well, Mr. Chairman, first of all, opposition MLAs can call in and get that information. Secondly, if the hon. member wants to get the same privileges as a government MLA, he should have thought about that before he left our caucus and walked across the floor.

**Mr. Anderson:** Okay. That's an interesting response.

Clearly, what the minister did say is that I can call at any time. Is that right? Can I or my staff call anytime to ask for that information? Is that what I heard? You seemed to say that I could. Is that not the case? My staff can call and get that answer. Is that right?

**Mr. Blackett:** Mr. Chairman, he may be a lawyer, and I'm not a lawyer, but I'm not being fooled. Let's be perfectly clear. I said that if you've got a specific instance and a question about a particular project that you need support on, call me, and I will help you with that discussion. I'm not going to provide all of the particulars and financial information because you don't need it.

**Mr. Anderson:** Mr. Chair, that's fine. I will take you up on that offer, Mr. Minister; I promise you.

Why do the government members need the information but I as an opposition member do not need that information? Why? What's the reason?

**Mr. Blackett:** Mr. Chairman, the process is that applications are submitted, and the CLO looks for those and makes sure that they

meet the criteria that I outlined before: that the project is viable, that the matching funds are there and they're actually accounted for, and that there's community support. For government members the importance of the money towards them doesn't matter either. [interjection] No. You're talking about a process that may have been in place at whatever time you're referring to. I'm telling you that there's a different operation method today, and we stand by that.

**Mr. Anderson:** Okay. All right. Well, we'll continue to call. I think that any Albertan looking at this objectively would say that it would be fair for an opposition member to make the same request as a government member with regard to getting information from the minister in this regard, that it would only be fair that that be respected.

You said earlier, though, real quickly, that I should have thought about whether I wanted to have access to that information or not before I crossed the floor. Should my constituency be feeling that way, too? Is my constituency going to be punished in any way because I decided to cross the floor, Mr. Minister? That seemed to be what you were indicating there.

**Mr. Blackett:** Well, Mr. Chairman, I said that if you wanted the privileges of a government member, then you'd have to be in the government to get those privileges.

Airdrie-Chestermere nor any other riding has ever been punished for having an opposition MLA. As I stated earlier, opposition-held ridings get a disproportionately higher amount of money in their ridings than anyone else does. I dare you to show me where Airdrie-Chestermere has been adversely affected by anything that we have done. The mayor, Peter Brown, and the people that I met with on Saturday were very, very happy and very, very appreciative of the fact that the government of Alberta was still there to support them whether they had a government member or not.

We'll continue to do the great work for Albertans and provide the programs that are there for all Albertans, irrespective of who they voted for, because that's the right thing to do.

**Mr. Anderson:** I appreciate that. I'm glad that the folks in Airdrie-Chestermere won't be penalized. That's definitely a good thing. If it wasn't that way, it would certainly have the taint of corruption, wouldn't it? I would just say that I'd like to put on the record one final time that even though the hon. Member for Edmonton-Centre and myself are members of an opposition party, we still represent the people that voted for us, and we still fight for them on a daily basis. Having the information available to us is important in order to do that.

5:30

**The Deputy Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. Well, this certainly became an interesting discussion this afternoon. All kinds of information on the record that we weren't able to get on the record before.

I'd just like to pick up where I was and continue now. I think the minister probably still has a list of questions he hasn't answered, so let me add to his list. We were talking about the RAM; that's right. I'm also interested in and I'm sure the minister has noted my questions on the hub in Calgary. Is there any money from this budget that is going toward that Calgary media hub? I remember that last year there was a sum of \$10 million, and then when I questioned him in the budget debate, it was less than that. I'm just wondering if there is any money in this budget, and if there is, how much is it, and which vote number does it appear

under that is going toward that Calgary Creative Hub? The Calgary media Creative Hub or some variation on that theme is what it's called.

I'm also wondering. I mean, it's a pretty big deal. How come it's not in the ministry plan? Or is it in the three-year plan? This isn't a three-year budget projection particularly, but if it is part of a three-year plan, could he lay that out for us? And what exactly is the government's role going to be in this? It's always been a bit of a sticky wicket, this one, because the Edmonton film studio was privately funded entirely and has since been bought by a different group and is being operated differently. It's a large outlay of money to actually build one of these, and it's been a struggle.

Over the years – I don't know – there's probably been four or five of these Calgary studios that I've heard were going to be built, and it's always an extraordinary amount of money, which usually is enough to stop it, and eventually it all trickles away. Then four or five years later you get another version of it. So I'm hopeful that this one is successful, but if I could get a bit more detail about what the government's involvement in it is and what the money is and where the money is, that would be terrific.

Okay. Go ahead and answer those questions.

**Mr. Blackett:** First of all, I think other initiatives, we're getting through that. We will be more than happy to send you a list of all of those. And very similar to the list that we talked about last time, it's the Canadian Theatre Festival Society, the Magnetic North conference for part of the Calgary 2012 bid, the Olympic tribute gala at Commonwealth Stadium, the Atlas Coal Mine Historical Society, the Glenbow Museum, the Alberta Sports Hall of Fame, Alberta Creative Hub, to which last year we gave \$1.2 million. We will gladly give you a copy of those.

Your next point was about the Wild Rose Foundation and where that money came from. We have an \$8 million endowment for that, and the \$325,000 would be interest on that on an annual basis. We use that money towards the Vitalize conference, and then the ministry tops up the difference. I think this past year it was about 700 and some thousand dollars that we spent on Vitalize, so \$325,000 or thereabouts would have come out of this endowment fund interest, and then we would top up the rest of it.

In terms of the voluntary sector – I'm trying to remember because we've gone back and forth. The salary levels: that's always been a problem, the wage gap for the people that are in the sector versus any other industry or any other sector, especially oil and gas when you're in Calgary, the professional sector here in Edmonton versus government workers. We have a human resources strategy process that we're going through right now to try to deal with some of that and come up with some concrete measures because, again, that's something that's repeatedly brought up in the dialogue sessions. In the 30-some years I've been involved in the sector that's continued to be a problem.

We talked about the heritage sites. We have \$2.3 million in capital toward the heritage sites. We will continue to do what we can toward making sure that they're up to date, but we do not have a large outlay at this particular time for any large capital-intensive projects. Under voted capital investment by program, page 84, it says \$2 million there, and if you look under capital investment by program, page 89, under heritage, it's \$2.330 million. The other \$2 million is a voted amount.

Now, with respect to RAM, we have \$50 million budgeted for this coming year, this fiscal period, \$70 million for '12-13, and \$60 million for '13-14 for a total of \$180 million. You mentioned about the two-museum concept. That's something that was mentioned back – I remember the Premier mentioning it – in December 2009. The original design for the very large building at

the Glenora site totally encompassed Government House. It was not respectful of it. That Government House is an icon, a heritage piece, and we had this huge monstrosity just completely overshadowing that. We looked at doing it all in one or looking at two different sites because the costs were comparable.

We've moved forward. Right now we're focused on finishing the Acheson site because when we start construction and we have to close the museum for a period of time, we've got to have a place to be able to put all our artifacts. That will be the Acheson site, and hopefully that will be completed this fall. We need that in order to be able to move to the next step.

Lastly, the Creative Hub. Yeah, it's a great deal of money, but it's something that we need. This spring we've got *Heartland* coming for its fifth season, and working out of warehouse space is inadequate. We have *Hell on Wheels*, a production for AMC, the American network, through Nomadic Pictures here. That's going to start filming, I think, next month. Then, we have the Sam Steele movie for CBC by Knight productions along with Nancy Laing. That's going to be filming here, starting sometime in May. So we need this kind of space.

It's Calgary Economic Development that actually will manage going forward. It's a not-for-profit entity that we've set up. We put \$1.2 million toward that last year, and that was to come up with a governance structure, come up with a not-for-profit organization that the money would flow through from all levels of government. That was also for hiring a consulting firm. Lawson Projects, which is a combination architectural firm, engineering firm, and real estate expertise, went and looked at the site that we had looked at and chose, Canada Olympic Park, to see if that was the best site and looked at all the other prospective ones. It was close proximity to the mountains on the way out to Banff and only 20 minutes from downtown Calgary.

5:40

They have come up with a business plan. They had the different levels of government take a look at it to make sure that it was feasible. That's the federal government and the city of Calgary. It also asked 60 representatives from the industry whether they would participate and to which level they would participate in the new Creative Hub if it was established. Overwhelmingly they said that they would, to the point where 45,000 square feet of office space has already been spoken for. We don't have any money in this particular budget for that, so I would have to go through the process of asking Treasury Board for those dollars, and we haven't had a chance to do that. But that's a number one capital priority after the Royal Alberta Museum in my department.

**Ms Blakeman:** And the Varscona?

**Mr. Blackett:** The Varscona will be third.

**Ms Blakeman:** Seriously? The Varscona Theatre would come after this Creative Hub when it's been in line longer?

**Mr. Blackett:** Yeah. I'll be glad to tell you why.

**Ms Blakeman:** Well, I'd respectfully disagree with the minister. I think the Varscona has been waiting longer, and there's leveraged money that's waiting for it. I don't know how long the feds and the city are going to hang onto their money, waiting for the province to come in on that one. So we could be chucking some money there. I would urge you to fund that one faster rather than slower.

Just a couple of questions that have come out of what the minister just said. He gave me the money that was going into the RAM: \$50 million this year, \$70 million next year, and \$60 million in

'13-14. Could he please give me what the federal money is for that, or is the federal money part of the money you just gave me? If it is, break it out. If it's not, could you tell me how much it is, please?

I'd also like to see the business plan for the RAM. If you have enough information to be able to give me the reasoning you just gave me, there must be a business plan somewhere. So can I get that business plan, please?

I'd also like to see the business plan that was submitted to the feds and the city of Calgary on the hub project. I'd like to know how much the contract was for that went to the Lawson Projects. I'm sorry; I may not have that name exactly right. I've got Lawson, but I'm not sure if I got the second bit exactly correct. Sorry about that.

The Acheson site for the RAM: my understanding is that it will be a storage facility, not a visitation facility. So for how long is it expected that Albertans and tourists coming from out of province, out of the city I suppose, would not have access to the exhibits? Why was the choice made to do that so that it was not accessible rather than putting it into another exhibition space where it was accessible? Let me just give you a quick example of that. We had the Edmonton Art Gallery that relocated for the period of three years, I guess, that it took to build the new Art Gallery of Alberta. The concept is understood here. It's been done before. I'm just wondering why the choice was made by the department to essentially shut down the museum and store it as compared to keeping some part of it going. I can see his staff nodding, so there's obviously an answer there.

The historic sites: Turner Valley gas plant, Bitumount, and Greenhill mine. Can I get an update on that, please? One, I want an update on the status of those sites. Two, are there contracts in place between the departments of Health, Environment, and Culture? Turner Valley gas plant for sure has had a boatload of problems with pollution, essentially whether it was safe for people to go there, and various environmental studies were done. There were questions about whether they were done appropriately, whether they were done at the right time of year, whether they were done when the water was high or low, and how it affected the wells in the nearby area. I'm just wondering where we're at with that.

I think Dingman 1 was just shut down. I can see somebody moving over there, so they know what I'm talking about. I'd like to know what is happening with the restoration of that. Who is the lead out of the three departments? Where does the buck stop? What are the timelines for achieving nirvana or whatever the acceptable state is? As well, are there any outstanding studies or remediation that needs to happen there?

The minister answered my question about long-term plans to ensure ongoing maintenance of historic sites in that there is money that covers the regular maintenance of those. Thank you for doing that.

Okay. We're coming down the home stretch, guys. [interjection] You've been sitting there; I've been standing.

The last category is human rights. My colleague from Edmonton-Strathcona raised a couple of points around that. Once again, I see that the total program budget has gone down, but the administration costs have gone up as a percentage of the total budget. The budget for assistance to human rights in 2011-12 is slightly up, but it's still 8 per cent below the figure for '09-10, which was the first cut. That appears in the estimates on page 91.

The minister spoke last year about the "changing multicultural complexities in places like Edmonton and Calgary". That appears in *Hansard* for the Committee on Community Services, I think, on page CS-260. I notice that in Calgary last week we had another

racially motivated demonstration there. Hate crimes are reported as up in all Canadian cities in all of the major categories, so that would be race, religion, and sexual orientation. I'd like to hear the minister's commentary on that because we do have less money in that fund to operate around educational opportunities than we did before.

When I looked on the website – and thank you for putting stuff on the website now. Open data is a great thing. It just takes a whole bunch of a load off you people from having to go and scrounge for information for people like me. The number of complaint files that were opened in '09-10 is up quite a bit from previous years. It's 803 compared to 799 – well, that's not that much; that's four – compared to 680. But then when we look at open files, as of March 31 it goes from 810 to 941 to 1,000 open cases. Yikes. Now, the minister put a lot of time and effort into this department in the last year. What kind of results can he boast to me about how great it's going?

The last point I have to make is a bit of an odd one, but I find it very odd that when I phone people in the minister's department, I get a polite but firm, edging towards curt response from whomever I've called looking for pretty mundane information – if it was politically tricky, I would phone the minister because you know how much I like holding him to the hot seat – and I'm always told by the staff: "I'm sorry. Opposition members are told to phone the minister's office or to write a letter in order to get that information."

You and I just had the oddest go-around, where I quickly phoned and asked for some statistics on something, the total AFA grants that were given out over a nine-year period or something. It was quick. At that point it was not on the website, or I would have gotten it myself. I phoned the department. No, I had to write a letter to the minister's office in order to get that information. I got a kind of snarky letter back from the minister saying: "Well, now, really, it's on the website. You should have gone and gotten it from there, but here's the information that you're looking for." I thought: why do I have to phone the minister's office to get authority? It's very clear that that happens because I'm an opposition member.

5:50

Now, we've had a lot of discussion today about the different treatment between opposition members and government members. At a certain point this starts to creep into the area of privilege. I'm interested why there is a policy out there, a hangover perhaps from before the minister's days, that opposition members can't just phone his department and get flat-out information, that we have to write a letter, not phone but write a letter, to the minister himself in order to get the information, and some six weeks later it'll turn around and come back out to me. I mean, in this day and age of instant turnaround on this kind of thing this is ridiculous. I'm interested in what the reasoning is.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Well, thank you so much, Mr. Chairman. Perhaps I'll allow this time to the minister to answer my questions.

Thank you.

**The Deputy Chair:** The hon. minister.

**Mr. Blackett:** Well, thank you. First of all, in terms of having access to the collection for RAM, we don't know that. There is no business plan that exists right now. We do this in conjunction with the Minister of Infrastructure. A lot of that work will be done by

them in terms of drawings and those types of things. Of course, they share them with us.

How long? We haven't determined how long the museum would have to be shut, so we don't know how long people would not have access to that collection. I should point out that the Acheson site was there for other museums and their collections as well as RAM.

Turner Valley and Bitumount: I've been to them several times. Great places. In good times we thought we were going to be able to move ahead with the interpretative centre to coincide with the hundredth anniversary of the Turner Valley gas plant, but that's not possible right now. We have done all the remediation so that the paths there are walkable. The site is acceptable. We continue to monitor that site through the Ministry of Environment, and they measure that water quality on an ongoing basis. Yes, it's made the papers many times, but the levels are natural and, I'm told, acceptable. When we have the financial wherewithal, hopefully together with industry we will be able to do something in terms of providing a proper interpretive centre there.

In terms of human rights our budget didn't go down. I mean, we upped it a year ago, and we have kept that consistent. I think it's \$5.2 million this year. The actual last year was \$4.887 million, so it's a slight increase. Part of what we were doing is that we had to get more people in there. We had to have legal representatives for both the chief commissioner and for the director. We now have a full-time commissioner to help with the backlog of cases, and we have some additional part-time commissioners.

One of the problems that I was just starting to talk about to the Member for Edmonton-Strathcona before the buzzer went is that because of our ruling now that says that the Human Rights Commission, which has always been a dumping ground for every complaint – 30,000 inquiries come into it. Two thousand actually have any merit, and we get about a thousand cases or fewer that actually go forward. So they are held. If it has to be looked at in another area or another forum – for instance, occupational health and safety – they've got to go through that process before they can come back to the Human Rights Commission. But that file is left as open because it's not resolved. We just have to find a different mechanism of actually showing that.

We do have fewer cases, but because of that rule – and we've moved some cases that are actually in other areas being resolved before they come back – it looks like there are actually more. We'll continue to reduce those cases. Blair Mason and Philippe Rabot are committed to doing so, and we've put the resources there to be able to do that.

The human rights educational fund: there was no reduction in that. It remains the same, and that's important. We have, I think, the actual last year of \$2.175 million, and this year it's going to be \$2.017 million. That's a slight reduction, I guess, of a hundred and some-odd thousand dollars. But we continue to use that because it's very valuable in what we do in terms of trying to combat racism, making people more aware, especially employers, of their responsibility.

We are a province where immigration is becoming an increasing factor. We're becoming more diversified, as I had mentioned. One of the things you'll see going forward in our department is that we are realigning some of our programs to make sure that we are able to address the needs of new immigrants, natives and Métis off-reservation, and youth who aren't at risk. We're trying to do some mitigation as opposed to dealing with the problems after the fact, in conjunction with some other departments.

Also, I should say that in June we're happy to be able to host CASHRA, which is the Canadian Association of Statutory Human Rights Agencies.

We're very proud of the steps we've made forward. There's much more to do, but I think we're moving well in the right direction.

The last one was with respect to opposition members. I ask that no members contact my staff directly, other than through my office. It's conflicting the information that comes out. It may be wrong. We had a letter that went out to someone that says that we're cutting a program. We're not cutting any program. I'd like to have a consistent message, and I don't want to get people all excited about something that need not be.

My letter to you: I was told that it was on the website. If it wasn't there, I apologize for that. We shouldn't take that long. I'll make sure we respond in our office a lot quicker than that.

So please do that through our office, and we'll make sure that we get back to you in a timely fashion.

**The Deputy Chair:** The hon. member.

**Ms Blakeman:** Thank you. If it's consistent, I have no problem with it.

Just to close off, then, if the ministry has no business plan for what they're doing with RAM, how do you know what you're doing? I mean, surely you have a plan for this. You have dates and timelines and contracts, and you are working with another department. There has to be something on paper. I can FOIP you if you really want, but that's going to make some of your staff grimace. Why don't you just tell me what planning documents you have that allow you to move forward going: this is what happens next, and this is what happens then, and this is what happens then? Where are the documents about what you're doing with the Royal Alberta Museum?

**Mr. Blackett:** Well, we have some plans, as I said. It's not a business plan per se. They're with the Ministry of Infrastructure. Our schedule, timelines, and contracts: we don't have those in place because everything has kept on changing, what we looked at and what I thought was going to happen in 2008. I mean, we had money that got moved out. Part of our capital plan got moved out because of the economic circumstances. It was pushed out of, I think, fiscal year '09-10, and then it got moved out into this year, that \$50 million. We don't have any contracts. We have no building permits or any of those things that have gone forward yet. Once that decision has been made, we'll make that clear. You can certainly ask through us, and we will provide the information that we have, but there is no business plan. You can do that through both us and the Ministry of Infrastructure.

**The Deputy Chair:** Hon. member, there are two more minutes left.

**Ms Blakeman:** Two minutes. I have a whole two minutes left.

I'm just following up on your question about the Turner Valley plant. You were talking about the pathway. I'm sure that someone sent you a note because at one point there was a memo out there that said: pregnant women and young children should not go off the pathway. I'm presuming that the pathways have been certified – what was the language they were using? Oh, he's saying yes. Okay. Whatever it is, walkable or accessible to people.

**Mr. Blackett:** It was remediated to a different level. There are different grades. I can't remember what they are. But the pathway is different out there.

**Ms Blakeman:** Okay. I think that one's going to be a no-win no matter how it works out because I think that to make it nontoxic, we're going to destroy it. Maybe you could make a really good film about it, and that might be a way of getting around the problem of people being able to not access the site very well.

Thank you very much for your patience and everyone else's patience in the room today. I really appreciate it. Have a good evening.

6:00

**The Deputy Chair:** Hon. members, pursuant to Government Motion 5, agreed to on February 23, 2011, the Committee of Supply shall now rise and report.

We'll give a few seconds to have the staff leave.

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration resolutions for the Department of Culture and Community Spirit relating to the 2011-12 government estimates for the general revenue fund and lottery fund for the fiscal year ending March 31, 2012, reports progress, and requests leave to sit again.

**The Acting Speaker:** All those members of the Assembly in favour of the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

Hon. members, it is 6 o'clock. This House stands adjourned until tomorrow afternoon at 1:30.

The policy field committee will convene tonight, in 30 minutes, for consideration of the main estimates for Transportation. This meeting will be video streamed.

[The Assembly adjourned at 6:02 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, March 24, 2011

Issue 19

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 24, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Let us be ever mindful of our responsibilities as elected officials. Give us the wisdom to serve for the common good of all Albertans, and help us to carry out our duties with respect and courtesy for all of our colleagues in this Assembly. Amen.

Please be seated.

### Introduction of Guests

**Mrs. Leskiw:** Mr. Speaker, I am pleased today to introduce to you and through you 29 wonderful young ladies, members of the Girl Guides of Canada Alberta Council and 4-H, who are celebrating the 40th session of the Alberta girls' parliament, being held from March 23 to 27, 2011, here in Edmonton. I'm also told by the hon. Member for Edmonton-Calder that this Girl Guide House, as you know, is located in the wonderful constituency of Edmonton-Calder. This unique program is modelled on the Alberta Legislature with delegates from all over the province. This year girls from Ontario and British Columbia are joining in the session. They are accompanied by adviser Melanie Reichle; Cindy Fendall, activities co-ordinator; Shannon Hoffman, registrar; Faye Greenslade, facility co-ordinator; Claire Dubreuil, staff member and parliamentarian; Shannon Robertson; and Caitlin Lyster. They are seated in the members' gallery this afternoon. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to Members of the Legislative Assembly on behalf of my colleague from Edmonton-Rutherford students visiting Alberta from Japan. The students are visiting as part of the D.S. MacKenzie school's 30th anniversary of exchange with Fushimi junior high school in Hokkaido, Japan. This past Monday my colleague for Edmonton-Rutherford had the opportunity to attend an assembly at D.S. MacKenzie and bring greetings from the province of Alberta.

To our friends from Japan: our hearts and our prayers are with you, your families, and your countrypeople as your country recovers from one of the most devastating earthquakes and tsunamis ever recorded. We are so happy that you are safe here with us and that you were able to be here.

Each year we continue to grow our cultural and educational exchanges to learn more about our friends from around the world, particularly Japan. Mr. Speaker, they are seated in the members' gallery today. I'd ask Lin Hayama, Minami Suzuki, Nina Masuyama, Takuma Osada, Takumi Odawara, Yuta Iida, and their accompanying students Shelby Hadden, Kyra Heidinger, Keely Green, and teacher James Hamilton to rise and receive the warm traditional welcome of this Assembly. Konichiwa. [Standing ovation]

**The Speaker:** The hon. Member for Livingstone-Macleod.

**Mr. Berger:** Thank you, Mr. Speaker. It gives me pleasure to introduce to you and through you today on behalf of the Member for Cardston-Taber-Warner 15 students from the Glenwood school

as well as three group leaders and teachers: Kelly Thomas, D.J. Scott, and Kathy Thomas. I think they're in the gallery behind me. I hope they are. If they would now please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly a group of students from the Fultonvale elementary school in Strathcona constituency. They are accompanied by their teacher, Ms Cindy Jackson, and parent helpers Carmen Toma, Ruth LaFlèche, and Roswitha Latta. They're seated in the public gallery, where I can't quite see them behind me here. I'd like to ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. I'd like to introduce to you and through to the members of this House a group of 11 grade 6 students from Talmud Torah school. They're here with their teachers, Mrs. Lindsey Todd and Ms Tania Nichiporik. I would like to ask them to rise and receive the traditional welcome of this House.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise today with pleasure to introduce to you and through you to all members of the Assembly a long-time veteran of this building – her name is Elif Algam – who is sitting in the gallery opposite. Over the last year Elif has had the opportunity to work in my office, serving a maternity leave, and unfortunately she has decided, actually, that she's going to leave the building over the next week. I want to say that it's a pleasure for me to introduce her but at the same time very bittersweet because Elif is hard working, she's loyal, and above all else she has become a friend to me. She will be missed in my office. Wherever she does end up in the rest of her life, I can tell you that the people there will be very, very lucky. Elif, you're really going to be missed in my office. Please stand up and let us give you a warm welcome.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. It's also my pleasure to rise and introduce to you and through you to the members of this Assembly six individuals from the department of official languages at the Edmonton Garrison. It's always a great pleasure to welcome people from the garrison to the Assembly here. The department provides second-language training in English and French to the military community. With us today are Isabelle Paradis, Martine Boily, David Tremblay, Pierre-Luc Otis-Monat, and Karine Stratford, and they are accompanied by their teacher, Deborah Stasiuk. They are in the public gallery, and I would ask them to stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to members of this Assembly four very special people seated in Speaker's gallery: Fred, Elsie, Trevor, and Roxanne Martin. They are very important and active members of our community of Athabasca and good friends of mine. Fred is a former justice of the peace. Elsie is former president of the hockey mothers, and Roxanne is past president of

Canadian Parents for French. All three are current curling club executives. Finally, Trevor is a past president of the Athabasca chamber of commerce and the Kinsmen, just to name a few. I'd like to ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. Our day is not long enough today to properly acknowledge the significant role and extensive accomplishments of my special guests that are here. It is my honour to introduce to you and through you to the members of this Assembly an amazing group of individuals representing organizations including the Centre for Autism Services Alberta, the Autism Society of Edmonton, the Autism Research Centre at the Glenrose rehabilitation hospital, and Children's Autism Services of Edmonton as well as parents, grandparents, and family members, all lifelong advocates for their loved one who lives with autism spectrum disorder. In addition to that we have two very special young guests. We have Nicholas Steblyk and Aidan Guerra. They're seated in the public gallery, and I would ask all of my guests to now rise and receive the traditional warm greeting of the Assembly.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all Members of the Legislative Assembly members of the Edmonton Somaliland Community Centre. The centre's goal is to help the Somali community in Edmonton to fully participate in Canadian society. It's a resource and referral centre providing settlement, youth, employment, and family services. It offers workshops such as legal rights, citizenship classes, parenting skills, and crime prevention. I would now like to welcome the members of the Edmonton Somaliland Community Centre, who are seated in the public gallery. I would ask that they rise as I read their names to receive the traditional warm welcome of the Assembly: President Sahra Hashi, executive director Kahye Dubow, Kin Hussein, Kali Muhidin, Asmara Mohamed, Huria Mohamed, Liban Muhidin, Habiba Abdulle, and Sagal Yusuf. Join me in giving them a warm welcome.

1:40

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

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Legislature five members of the light efficient communities coalition. The coalition is an organization of academics, professionals, technical and artistic individuals influencing governments to improve how we use exterior lighting in our communities. The group assists in the creation of lighting policies leading to efficient energy use while improving community health, safety, and living environments. I would now like to welcome the members of the coalition, who are seated in the public gallery, to the Legislature. I would ask that they rise as I read their names: Rod E. McConnell, Sherrilyn Jahrig, Dr. Doug Hube, Don Darnell, and Bruce McCurdy. I'd like it if everyone could join me in welcoming them.

**The Speaker:** Are there others? The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great pleasure to introduce to you and through you to the House our new researcher in the Alberta Liberal caucus, Kyle Olsen. Kyle has been involved in politics in the province for many years and

most recently returned to Alberta from Ontario and a consulting firm. He is a former student at the University of Calgary, graduate of the University of Calgary, and president of the Alberta Young Liberals. Let's give him a warm welcome to the Legislature.

## Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

### Autism Spectrum Disorder

**Mr. Elniski:** Thank you, Mr. Speaker. We're joined today by people from several autism groups who deal every day with the reality of the disorder known as autism spectrum disorder. April 2 is World Autism Awareness Day.

The hon. Mike Lake, Member of Parliament for Edmonton-Mill Woods-Beaumont, speaks with authority when he says, "It is important that Canadians realize both the challenges faced by families dealing with autism and the incredible uniqueness and creativity of individuals diagnosed with this mysterious disorder." Mike's oldest son is afflicted with this spectrum disorder.

This disorder manifests itself in many ways and is, like any disease or injury of the brain, a very difficult reality to deal with. As both caregivers and the disabled individual age, it becomes difficult if not impossible sometimes to maintain consistent quality of life and caring. Without the love and support of those around them, the life of an autistic person often becomes one of isolation, the afflicted trapped in their world, the caregiver bound there as well. There is little respite from this simply due to the nature of the disorder.

The fact, Mr. Speaker, is this. The things we can't ever forget to forget about can make a world of difference to someone with autism, like the consequence of a decision to ban incandescent light bulbs in the United States, for example. We know that often an autistic person cannot be in a room lit by fluorescent bulbs. This limits their ability to be in so many public places and their chances to do so many things.

Mr. Speaker, Alberta leads this country in the clinical work on the disorder, yet the continuum of care and research is far from complete. I am very proud to say that the leading-edge work is done at the Glenrose hospital in my constituency of Edmonton-Calder. This is a lifeline to the families as they treat, manage, and plan for the futures of their loved ones, who struggle daily with this disability. Parents, families, and friends do very little and ask for not much in return save for recognition of the growing number of children and eventually adults who will be faced with countless challenges brought on by this disorder. These parents are advocating for their children.

Please, members, give them the gift of your time when they call to see you.

Thank you.

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

### Safe Water

**Ms Notley:** Thank you, Mr. Speaker. Former United Nations Secretary-General Kofi Annan has said: "access to safe water is a fundamental human need and, therefore, a basic human right. Contaminated water jeopardizes both the physical and social health of all people. It is an affront to human dignity." Yet in Canada our governments have not recognized water as a human right. This has enabled governments to sell off water in bulk, to create water markets, and to sell licences to the highest bidder.

This is disheartening because we know that we're facing major issues in terms of safe water throughout our own province. In the north the people downstream from Fort McMurray are concerned about the safety of their water because the fish are becoming deformed, and corporations have admitted to dumping raw sewage in the river. In central Alberta farmers have written us and the government to express their concerns about flammable tap water. We know that human beings can live, however difficult, without money, but no human can live without safe drinking water. After three days without water there are grave health implications, and after five days almost all will certainly die.

Maude Barlow, the national chairperson for the Council of Canadians, has asserted that we are facing a crisis of global proportions as far as water is concerned. Nearly 2 billion people are living without access to clean water, and a lack of clean water is the number one killer of children world-wide.

Water is becoming more precious and valuable as the years go on. What we need is a government that will make the difficult decisions and that will put the health and well-being of Alberta families and ecosystems first. We need a government that is willing to engage in long-term planning to ensure that we have enough of our natural resources preserved and protected for future generations. Instead, we have a government that is set on selling our most precious natural resources, even those that are necessary for life, to the highest bidder.

Benjamin Franklin said that "when the well's dry, we know the worth of water." I urge my colleagues on both sides of this House to act before that day is upon us.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

### Health Care System Capital Plan

**Mrs. Leskiw:** Thank you, Mr. Speaker. I rise today to highlight the major capital investments this government is making in Alberta's health care system. As a part of our work to build the best-performing publicly funded health system in Canada, our government is investing \$2.5 billion over the next three years through our health capital plan.

Phase 1, announced in July 2010, was valued at \$1.2 billion over three years, including 22 facility projects in 15 small and medium-sized communities, to aid in the planning, design, and construction of the projects. The \$1.2 billion also supports province-wide facility maintenance and technology and equipment purchases. Phase 2, announced in December, provided \$1.3 billion over three years for projects in Edmonton and Calgary.

Mr. Speaker, cancer treatment capacity in these two cities will expand significantly as a result of a new \$208 million cancer infrastructure plan. This investment will support integrated and comprehensive cancer care and help meet the demands of a growing and aging population.

As part of our government's three-year health capital plan we have committed \$209 million for maintenance projects through the infrastructure maintenance program and an additional \$75 million for technology and equipment. This program provides funding to Alberta Health Services each year to cover the cost of repairs, upgrades, maintenance, and building systems costs.

My constituency is receiving some of this funding for things such as medical equipment, sterilization upgrades, a loading dock, and much more, all vital to providing the quality of care that my constituents and all Albertans expect.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

### Petroleum and Natural Gas Lease Licence Revenue

**Mrs. McQueen:** Well, thank you, Mr. Speaker. There continue to be indications that the recent royalty curve adjustments, with emphasis on new technologies, are solidifying Alberta's competitive position, and Albertans are reaping the benefits. The province held its final mineral rights sale yesterday, March 23, for the 2010-11 fiscal year. I am pleased to report the province had yet another strong sale, bringing in nearly \$200 million for the province. This sale is just another example of the renewed confidence in Alberta's energy sector. This means new opportunities for industry, and it means new jobs for Albertans.

Approximately \$1 in investment equals \$9 in economic stimulus, and we're talking about multimillion-dollar investments. For each rig it is estimated that 135 jobs are created directly and indirectly. This past year has seen many records set when it comes to the sale of mineral rights.

A new average price per hectare, \$2,185, which is the best measure for a sale, was established with the July 7, 2010, sale. Of course, members will recall that this sale also set a record. It was the second-highest sale ever recorded and brought in over \$450 million, nearly half a billion dollars, for the province of Alberta. This came about during a calendar year which saw the province collect over \$2.3 billion in sales for the first time.

Yesterday, March 23, saw yet another record set. A licence located south of Fox Creek sold for over \$96.5 million. This parcel brought in the highest ever bonus for a petroleum and natural gas or oil sands parcel. The previous highest bonus was for an oil sands parcel that netted just under \$80 million in 2006. For the fiscal year we achieved the highest petroleum and natural gas lease and licence revenue ever, over \$2.5 billion.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Wait Times for Cancer Care

**Dr. Swann:** Thank you, Mr. Speaker. While this Premier continues to hide behind the Health Quality Council of Alberta, Albertans are dying from lung cancer unnecessarily. The five-year survival rate for lung cancer in Alberta is the lowest in the country, at 15.1 per cent. To the Premier: given that these troubling figures provide clear evidence that lung cancer treatment in Alberta lags behind other provinces, can the Premier explain why Albertans with lung cancer are more likely to die in Alberta?

**Mr. Stelmach:** Yesterday the hon. member quoted something from *The Lancet*, I believe. You know, once again, we see the Liberal leader playing politics with health, and it is quite troubling because the individual is also a public health doctor. To take something, that has already been in the media yesterday, by Dr. Tony Fields, who called the comments from yesterday a big leap to make, where our cancer survival rates are much better than in the U.K., Denmark, Norway, and Sweden, and this fellow brings that kind of unreal information. . .

**The Speaker:** The hon. member.

**Dr. Swann:** I thought, Mr. Speaker, that the Premier was proud of our position relative to the rest of Canada. He suddenly shifted to international comparisons. Very interesting.

Is the Premier, then, saying that there's no connection between Alberta having Canada's lowest survival rates and this government's decision to dismiss two prominent lung surgeons? Are you saying that there's no connection, Mr. Premier?

**Mr. Zwozdesky:** You want to talk about Canadian statistics? We can talk about Canadian statistics, too. Let's talk about the fact that in Alberta the death rate for women with colorectal cancer is the lowest in all of Canada. We can stand here and I can tell you that the death rate for men with lung cancer is the second lowest in all of Canada. These are numbers, Mr. Speaker. We should be focused on improving early detection, more screening, and better health outcomes, and that's what we're doing on this side of the House.

**Dr. Swann:** Given that this is the potential evidence linking unnecessarily high death rates from cancer to the actions of this government to stifle physicians, will the Premier finally name an independent judicial inquiry with the power to subpoena witnesses and compel testimony under oath, and if not, why not?

**Mr. Zwozdesky:** Mr. Speaker, it's just unbelievable. First they ask for the Health Quality Council to become involved. We get the Health Quality Council involved. They ask for an independent review. We give them an independent review. Nothing is ever good enough for them. They ask for a judicial inquiry. We have a former Chief Justice on this advisory panel, and now that's not good enough. What will ever satisfy the opposition's quest for this wild goose chase? I don't know.

**The Speaker:** By my reckoning, there are approximately 125 young people in the Assembly today.

Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. This government has known for over a decade that resources for lung cancer surgery were inadequate, and it chose to do nothing. Instead of listening to years of concerns from top surgeons, Capital health ordered them to stop speaking out and then bound them to silence. One of those doctors, Dr. McNamee, now at Harvard, is again raising concerns about low lung cancer survival rates in Alberta, saying: irrefutable evidence by an impartial third party review; Albertans suffer when it comes to cancer care. Does the Premier dispute internationally recognized evidence that Albertans are suffering with inadequate cancer care?

**Mr. Stelmach:** Well, given the statistics that the minister just quoted, I believe we're doing very well in many areas of cancer treatment. Can we improve across the broad spectrum? Certainly. But to pick one particular area and not talk about the rest is not fair to the thousands of people that deliver health care in this province.

**Dr. Swann:** This government failed to act on the concerns of expert surgeons. Given that Alberta's lung cancer survival rates are the worst in Canada, will the Premier admit now that the government's continued mismanagement of health care is hurting Albertans?

**Mr. Zwozdesky:** Mr. Speaker, the important thing to keep in mind here is that at the time these allegations refer to, which is approximately 10 years ago, the wait time for access to lung surgery in Alberta was about 60 days. That's in that doctor's statement alone. Today it's 27 days. It's been cut in half. We're making vast improvements in this important area.

**Dr. Swann:** Well, thank you to the minister for acknowledging that their firing of two lung surgeons did contribute to the problems a decade ago. Thank you for that.

What is the Premier hiding, and what are you protecting by not calling a public inquiry? What are you hiding, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, nobody is hiding anything. I'm not going to be following this member's suggestions of stampeding to some sort of a judicial inquiry. Back where I come from, there's a saying: "Chekaj! Chekaj!" Whoa; let the Health Quality Council do their work.

**The Speaker:** Third Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Whether it's compromised care, wait times, a culture of intimidation, or the lowest cancer survival rates in the country, evidence of Tory mismanagement of health care in this province emerges daily. The Premier hides behind government spokesmen, ignores the concerns of doctors, nurses, and a respected international medical journal. This is a scandal that may well have cost many people their lives in this province, and this government is engineering a cover-up. To the Premier: given that the Health Quality Council of Alberta can neither subpoena witnesses nor . . .

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Mr. Speaker, talk about a culture of fear and intimidation. Members in this Assembly have been using the protection of immunity to question the integrity of men and women involved in providing health care in Alberta on a daily basis, individuals that have no way to defend themselves, and using inappropriately the traditional immunity of the House. If they do not withdraw the names of the individuals they mentioned, especially yesterday from the hon. Member for Airdrie-Chestermere, I think that is a total abuse of the traditional performance of this House.

**Dr. Swann:** Will this Premier admit that his government's greatest concern is doing whatever it can to protect its cabinet ministers, top officials, and friends from avoiding taking the witness stand? That's your greatest concern, not the health of Albertans.

**Mr. Zwozdesky:** Mr. Speaker, I'll tell you what we're doing. We're protecting Albertans' health, and we're protecting them against accusations like this. We're protecting them from accusations such as were levelled yesterday by the Wildrose Alliance against innocent bureaucrats, as he called them. To call someone a reprehensible bureaucrat is absolutely shameful.

**Dr. Swann:** Why is this Premier more concerned about covering up the truth about lung cancer death than he is about getting to the bottom of a scandal with a full inquiry that can subpoena evidence and question witnesses on the witness stand? Why the cover-up, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, I'm not about to question the capabilities of Dr. Cowell or Dr. Tyrrell, certainly not the capabilities of Dr. Lakhani or Dr. Sutcliffe. Nor am I going to question the two individuals that have been appointed to the advisory panel, former Deputy Prime Minister and law professor Anne McLellan or a former retired Chief Justice of the Court of Queen's Bench. If that party wants to question their capabilities, say so in the House.



### Integrated Ambulance Services in Airdrie

**Mr. Anderson:** Well, I had some questions, but I'm going to change them now.

Mr. Premier, yesterday I brought evidence to this House that showed a 33 per cent increase in ambulance response times in my constituency since your vaunted Alberta health superboard took over ambulance services from the city of Airdrie. A 33 per cent increase: that's over three minutes for people suffering a heart attack in my community that they are now going to have to wait to have an ambulance come and see them. This whole process was overseen by an individual, a high-ranking official named Darren Sandbeck . . .

**The Speaker:** I'm afraid we haven't time for the question. [interjection] No, no. Please sit down. Please.

I don't know who this question is going to.

2:00

**Mr. Stelmach:** I don't know what the question is, during whatever the member said, but we want him to keep in mind that there has been an 80 per cent increase in the population in the area. Over a period of time there has been an increase in the population in Airdrie. The minister is doing whatever he can with all of the municipal jurisdictions in Alberta to provide ambulance service. We have covered the cost as the government of Alberta and support . . .

**The Speaker:** Okay. I'm going to recognize the hon. Member for Airdrie-Chestermere with his second question.

**Mr. Anderson:** Given that the transfer occurred three months ago, not 25 years ago, which is the time frame you're referring to, how do you explain a 33 per cent increase in the response times for my community between the time Alberta's health superboard took over ambulance services for the city of Airdrie and the integrated service and what it was doing before?

**Mr. Zwozdesky:** Mr. Speaker, I can assure you that the people . . . [interjections] Did you want to recognize Fort McMurray-Wood Buffalo?

**The Speaker:** No. I'm going to recognize you, but I'm going to look at two of my little buddies over there.

I'm going to recognize the Minister of Health and Wellness for a response.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I can assure you that the EMS individuals and the firefighters and the fire and rescue team in Airdrie are the top professionals available. That's for sure. The fact is that there were two different locations out of which EMS used to be provided. I believe the current situation is that it is being provided out of one, and now Alberta Health Services is looking for a second site to add. But the number . . .

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Given that there is now a 33 per cent stronger likelihood that people in my community are going to die when they have a serious heart attack and they have to wait three more minutes for an ambulance service – and you were in that city council chamber, Minister, when we explained this to you prior to this decision being made. We begged you – we begged you – to not make that decision, yet you didn't listen. Will you take . . .

**The Speaker:** That's a long enough background. Minister, proceed if you wish.

**Mr. Zwozdesky:** Mr. Speaker, it's true. I met with the city council, and the city council had made an arrangement with Alberta Health Services. The takeover has occurred. If these services are as the member says, perhaps not quite where they should be, I'm confident that Alberta Health Services will look at that, and they will make whatever corrections and additions are necessary. It's as simple as that.

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

### Cataract Surgery Wait Times

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, Alberta has among its other failings the worst waiting times for cataract surgery in Canada. According to Alberta Health Services numbers wait times in the province averaged 38.6 weeks, putting us in last place in the country. My question is to the minister of health. How can the minister justify this deplorable state of affairs other than to admit that Albertans simply can't trust this PC government with our health care system?

**Mr. Zwozdesky:** Mr. Speaker, it's not a question quite the way this member is intending it, I'm sure. The fact is that there are a number of people who go to ophthalmologists in this province who sometimes are put onto what you might call a reservation wait list but not on a wait list as in: it's urgent, and you must have it right away. That's an important distinction to make.

**Mr. Mason:** Mr. Speaker, they don't call him the Velvet Fog for nothing.

Given that people wait 62 weeks for surgery in Calgary compared to 39 weeks in Edmonton, or one and a half times longer, and given that nearly all surgeries in Calgary are done in private, for-profit clinics in contrast to the surgeries done in Edmonton, will this minister admit that this PC government's failed experiment with publicly funded, privately delivered health care has simply made a bad situation even worse?

**Mr. Zwozdesky:** Mr. Speaker, there's no failed experiment of any nature whatsoever. The fact is that we have about 30 outstanding ophthalmologists in Calgary who perform a wide variety of surgical procedures for the eye. In fact, they're probably providing about 11,000 or 12,000. We've just ramped it up province-wide by another 3,200. You know what? If they vote for our budget, they'll see another ramp-up again because that's the service people want.

**Mr. Mason:** Given that this minister just seems to be chasing crises with dollars instead of planning forward for the health care system, will he do the right thing and support a full public inquiry into the health care system of this province?

**Mr. Zwozdesky:** Mr. Speaker, the fact is that we're doing well over 30,000 cataracts, just cataracts alone, in our province. We're spending millions of dollars to provide that outstanding service for Albertans. Yes, there are some wait lists; yes, there are some reservation lists. The point here is that the ophthalmologists are doing an outstanding job of lowering those wait times because that's one of our five-year health action plan objectives, and we will accomplish it.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Lacombe-Ponoka.

### Health Services Financial Reporting

**Mr. MacDonald:** Thank you. Former Auditor General Fred Dunn stated in 2006 about Capital health's shoddy bookkeeping, and I quote: auditing should not be a hide-and-seek exercise, whereby management hides the truth and auditors seek to get adjustments made in order that the financial statements reflect reality. End of quote. To the minister of health. The other budget line for 2005 was \$29 million for Capital health. What is hidden in this \$29 million line item? Is it settlements to silence doctors? Is it the legal fee . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, you know, 2005. I mean, you might as well ask the hon. member what he had for lunch on that day. Who knows? If there's some allegation he wants to make, then please bring it forward as a written question, as a motion for a return, or some other way, where that level of detail going back six years can be properly explained once and for all. Please do that, hon. member.

**Mr. MacDonald:** Shame on this minister. Again to this minister: why did this government allow Capital health to pick its own auditor?

**Mr. Zwozdesky:** Mr. Speaker, the regional health authorities, just like with AHS, were entities unto themselves. They had their own administration, they had their own bookkeeping, they had their own CEOs, they had their own vice-presidents, and so on. They ran their own show, and Alberta Health Services still does. They're a self-standing entity, not unlike a corporation.

**Mr. MacDonald:** I find it curious, Mr. Speaker, that the hon. minister can remember that from 2002-03, but he can't find the \$29 million from 2005-06.

Again to the minister: why did Capital health not provide its audit and finance committee with complete and accurate financial information in 2005-06?

**Mr. Zwozdesky:** Mr. Speaker, I would submit they did, and I'll bet you the Auditor General would agree.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Calgary-Varsity.

### Ethane Incentive

**Mr. Prins:** Well, thank you, Mr. Speaker. Yesterday this government announced an expansion to the incremental ethane extraction program. As I understand it, the program is a royalty credit program, where credits are provided to petrochemical companies consuming incremental ethane for value-added upgrading in Alberta such as ethylene, polyethylene, and other derivatives. My question today is for the Minister of Energy. Why does the government believe it is necessary to provide financial incentives to support the production of ethane in Alberta?

**Mr. Liepert:** Well, Mr. Speaker, the feedstock supplies for the petrochemical industry have been on a decline for some time with the decline in production of natural gas. But there are some 7,500 Albertans who work in the petrochemical industry. It's a very important industry in the province. In 2006 the incremental ethane policy was brought into place, and what we announced yesterday was the expansion of this program so that it will now include off-gases from the oil sands . . .

**The Speaker:** The hon. member, please.

**Mr. Prins:** Well, thank you, Mr. Speaker. To the same minister: what are the environmental benefits of this program?

**Mr. Liepert:** Well, one of the situations you have with the oil sands is that an awful lot of these off-gases are simply burned as fuel, and they have a high carbon footprint, Mr. Speaker. So what we are attempting to do is capture those off-gases, process them for value-added, and use natural gas as the fuel supply. We anticipate that annually the gas emissions could be reduced by as much as 1 million tonnes.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you. Mr. Speaker, my constituency of Lacombe-Ponoka is home to some of the bigger petrochemical plants in the world at Joffre and Prentiss. I would like to ask the minister: what are the benefits to these plants and other Albertans?

**Mr. Liepert:** Mr. Speaker, the member is exactly right. As I said in my first answer, some 7,500 Albertans are employed in the petrochemical industry, but we have been experiencing feedstock shortages. I had the opportunity to meet with the owners of the NOVA plant, which is now the United Arab Emirates, and they clearly indicated they're prepared to put additional investment into that plant for expansion if they could get some assurance that the feedstock supplies would be there. I think yesterday's decision will provide that assurance.

2:10

### Education Funding

**Mr. Chase:** Mr. Speaker, in 2003 this government accepted the Learning Commission's recommendations to fund optional full-day kindergarten and half-day junior kindergarten but never did. This government abandoned the commission's reduced class size initiatives, froze special-needs funding for the past three years, eliminated enhanced ESL funding, halved innovation support, and now the minister is pressuring boards into bankruptcy by suggesting they drain what little remains of their surpluses. To the minister: why is your government holding our children's education hostage?

**Mr. Hancock:** Mr. Speaker, that is absurd. The budget for school boards across this province has gone up 63 per cent over the last 10 years, and the enrolment has gone up 3 per cent. The improvements in education have been phenomenal, and the fact is that this province year after year after year under a PC government has among the best results in the world.

**Mr. Chase:** Mr. Speaker, if step 1, based on the minister's comments yesterday regarding draining school board surpluses, is to bankrupt boards, is step 2 to further centralize or eliminate local educational authority entirely?

**Mr. Hancock:** Mr. Speaker, over the past three years we've talked about Inspiring Education, and day after day I've said that one of the most important things we have in the education system is locally elected boards involving local communities in the education of local students. So I don't know where this hon. member has been, but what we're doing is asking boards in a time of fiscal restraint to take a look at their operating reserves and their other things, to take a look at what they're doing and making sure that everything they do adds value to students and student learning.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Given that last year's provincial funding shortfall forced the Calgary board of education to eliminate 277 full-time positions and as a result of this year's \$61.7 million government shortfall an equivalent number of support staff and teachers will disappear, are our children not worthy of sustainable, predictable government funding?

**Mr. Hancock:** Sustainable and predictable funding? We're talking about a \$61 million shortfall in the Calgary board. That would be a 7 per cent increase in their budget. Nobody ever promised anybody a 7 per cent increase in their budget. We have a 4.7 per cent increase in the education budget this year, and that's very good. But it's a tough budget for Education because we need a little bit more than that in order to balance things. So we had to cut back some targeted grants. The school board should be looking at their operating reserves. They've got \$34 million in operating reserves, and to come cap in hand and ask for a 7 per cent year over year budget is absurd.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Centre.

### Federal Budget

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Tuesday's federal budget is provoking a great deal of reaction across the country, from those who support it to those who don't like it and think it should trigger an election. The Alberta government's reaction seems to be somewhat in between: wishy-washy. My questions are to the Minister of Finance and Enterprise. Is this budget good or bad for Albertans, Mr. Minister? In clear words.

**Mr. Snelgrove:** Well, I guess until I watched the news I thought it was kind of a boring, mundane budget. But from the reaction of the opposition parties, apparently it wasn't.

Mr. Speaker, the reality in government is that we have to deal with real numbers, with real people, with real issues. Opposition parties have an opportunity to pull numbers and issues out of the air. The federal government matched many of our priorities: caring for vulnerable Canadians, trying to pay down their debt, keeping an eye on our economic recovery, making sure that we keep Canadians working. Is it good for Canada in that we're reducing our debt? Yes.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: given the federal budget again ignores Alberta's demand for fair treatment under the Canada health transfer, how can this government support this budget?

**Mr. Snelgrove:** Mr. Speaker, there are many, many issues that we need to deal with the federal government on. While it is troubling from the health transfer point of view – because we look at health in Canada as a national concern. We believe people with cancer or heart issues across this country should be dealt with fairly. We will continue to lobby the government. We would ask Albertans to contact their MPs to ensure fair treatment under the Canada health transfer, and that's why that's maybe the most troubling. Other than that, we have had a good relationship with the federal government.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Final question to the same minister: what is the impact on our resource sector of the tax measures in this budget?

**Mr. Snelgrove:** I can't tell you what the impact on the sector might be. They have made changes to some of the rules surrounding transfer of income from different industries within some of their partnerships. It has changed the way they're able to write off some of the expenses with regard to some of our mining.

Mr. Speaker, I would far rather sit down with this government than a coalition of opportunist Liberals, separatists, and socialists.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Leduc-Beaumont-Devon.

### Protection against Discrimination

**Ms Blakeman:** Thank you very much, Mr. Speaker. The Alberta human rights act prohibits discrimination against individuals on the grounds of physical or mental disability, but this law is outdated in that it allows discrimination based on future disability by permitting organizations to coerce individuals into providing their genetic information, and then it allows those same organizations to reject those individuals for employment or insurance. To the Minister of Culture and Community Spirit: will the minister support UNESCO's position that no one shall be subject to discrimination based on genetic characteristics?

**Mr. Blackett:** Well, Mr. Speaker, we had a fulsome and vigorous debate here two years ago on the Alberta human rights act, and we looked at all different types of protected grounds. We did not at the time think of that as a sufficient basis to put into the act, and we stand by that today. If there is a belief that somebody has been discriminated against, they can take that to the Human Rights Commission and let the commission determine it.

**Ms Blakeman:** Well, no, sir, they can't. If they feel they've been discriminated against because of genetic information, it's not a prohibited grounds of discrimination, so they can't take it to the commission. Where else would the minister suggest they take it, then?

**Mr. Blackett:** Well, Mr. Speaker, if it's not available under the Human Rights Commission, then I'm sorry. I'm not sure what opportunity they have. Maybe the courts is another avenue they should be looking at.

**Ms Blakeman:** I don't think you're making Albertans feel any more protected.

Back to the same minister: given these concerns will the minister request his colleague the minister responsible for the Personal Information Protection Act to specifically prohibit the use of genetic information by organizations to make decisions on employment and insurance?

**Mr. Blackett:** Mr. Speaker, I'm not aware of all the information in the allegations the hon. member is making. If the hon. member would like to submit that information to me in writing, I will give it some due consideration.

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

### New School Construction

**Mr. Rogers:** Thank you, Mr. Speaker. My constituents are concerned that despite all the money that this province has invested in capital projects, school space in communities such as Beaumont is not sufficient to meet the needs of growing communities, forcing the local school board in Beaumont to reconfigure grades in various facilities to the dissatisfaction of parents. To the Minister of

Education: why do school projects lag so far behind the need when population growth should be predictable? What are you doing to ensure that communities growing like Beaumont get the schools they need?

**Mr. Hancock:** Well, Mr. Speaker, there is a reality that we face. The province has been growing rapidly, and we have to try hard to keep up and, in fact, get ahead of the demand in areas like schools. We have some hot spots in the province. Nonetheless, we have completed about 110 projects over the last two years, and there are more projects happening. We are working with school boards, and we have one of the best demographic modelling tools available, so we have a very good predictive process relative to where we need schools. We're working with the school boards on dealing with their issues.

**The Speaker:** The hon. member.

**Mr. Rogers:** Well, thank you, Mr. Speaker. My first supplemental is to the Minister of Infrastructure. Mr. Minister, what are you doing to get new schools built in these growing communities, like Beaumont, where there is exceptional need?

**Mr. Danyluk:** Well, Mr. Speaker, as the hon. Minister of Education said, we are continuing to work with school boards. We have met with school boards, and we have done a detailed analysis of whether, you know, a school board needs modernizations or renovations or additions. Most importantly, we're looking at innovative and creative ways to deliver these schools, whether it be bundling or alternative financing. We need to ensure that the schools are provided on a cost-effective . . .

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker, and thank you to the minister. Again to the Minister of Infrastructure. You say that you are working on a plan. When can my constituents and the people in these other fast-growing areas actually see some concrete results? How soon will you get this done?

2:20

**Mr. Danyluk:** Well, Mr. Speaker, our Premier has committed that these schools will be delivered, and it is a priority of this government. It will happen, and it will happen soon.

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

### Health Quality Council Review

**Ms Notley:** Thank you, Mr. Speaker. Albertans won't be fooled by cheap imitations of public hearings. Yesterday the health minister announced a council to advise a council, and notwithstanding the elevated reputations of the council members in comparison to the council they're advising, it still looks like cynical window dressing to Albertans. To the minister: will he admit that his council squared still can't subpoena witnesses and still can't protect them if they come forward?

**Mr. Zwozdesky:** Mr. Speaker, I think the advisory panel members are held in very high esteem by members of this House and by Albertans. Dr. Zaheer Lakhani, the Hon. Anne McLellan, Mr. Art Price, Dr. Sutcliffe, the hon. Allan Wachowich, former Chief Justice: I'm sure they can handle whatever task is put in front of them, and I'm sure they will make the appropriate recommendations on how that review is to proceed.

**Ms Notley:** Well, Mr. Speaker, given that Albertans deserve to watch, hear, and read about any investigation into whether our doctors were intimidated while it happens and given that the Health Quality Council probe will still take place behind closed doors, safely tucked away from the public's pre-election eye, will the minister admit that his advisory group will do nothing to fix this fundamental flaw?

**Mr. Zwozdesky:** Mr. Speaker, let's be very clear. This is not my advisory group. This is an advisory panel selected, chosen, identified, and otherwise put in place by the Health Quality Council of Alberta. The important thing for Albertans to know – and I would hope the hon. members pay attention to this – is that the final report will be made public in its entirety.

**Ms Notley:** Mr. Speaker, given that the Health Quality Council regulation makes no provision for an advisory group to the council such that it's clear the government pulled this advisory council out of a hat under increasing public pressure, why won't the minister admit that this was a shameful and ineffective ploy to lend credibility to a probe that has none?

**Mr. Zwozdesky:** Mr. Speaker, that's what's so unfortunate when opposition members who have nothing whatsoever to contribute sometimes feel obliged to share it with everybody.

The fact is that in the news release that was issued by the Health Quality Council, they specifically said:

A team of health professionals and system review experts who have no known association with the specific matters under review will be appointed to the quality assurance committee.

A panel of experts will be appointed to assist and advise the Council in this review.

A quote from their press release.

**The Speaker:** And we will have a tabling of such documents, please. [interjection] It has been tabled? Okay. Fine. Thank you, then.

The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Fort.

### Spring Flooding

**Mr. Kang:** Thank you, Mr. Speaker. New flooding in the Medicine Hat area appears likely in the coming days or weeks. My questions are to the Minister of Municipal Affairs. Since this and many other parts of the province are prone to flooding, what permanent and needed solutions is the government considering to mitigate flooding rather than simply dealing with the costly damages on an ad hoc basis after the fact?

**Mr. Goudreau:** Mr. Speaker, that's an excellent question. We just wrapped up the convention with the Alberta Association of Municipal Districts and Counties, and certainly flooding was on everybody's mind, especially following last year's flooding. This was re-emphasized again by some of the localized flooding that we're presently experiencing in southern Alberta.

Mr. Speaker, just last week I announced a million dollars in funding for temporary flood-mitigation efforts in both Medicine Hat and Cypress county, and it's an expectation . . .

**The Speaker:** The hon. member, please.

**Mr. Kang:** To the minister again: if the province contracts out disaster recovery services again this year, will the same company be used, or will there be an open tender process?

**Mr. Goudreau:** Mr. Speaker, again, the contract, the RFP, was for more than one year, so we will be using the same company again this coming year. It's a contract that we have there to provide us with so many days and so many hours of work over a period of a number of years for a particular amount of money.

Mr. Speaker, there's maybe a little bit of insinuation that they weren't doing a proper job, and we've concluded satisfactorily about 98 per cent of the files. There are still a couple of complex files that we need to . . .

**The Speaker:** The hon. member, please.

**Mr. Kang:** Thank you, Mr. Speaker. That company hasn't been doing a great job. Some flood victims are still waiting for their cheques.

To the minister again: has the minister explored the feasibility of creating a dedicated disaster recovery fund instead of relying on emergency funds to cover flood claims?

**Mr. Goudreau:** Mr. Speaker, I continue to work with my counterparts across Canada, our provincial ministers and the federal ministers, to look at a very formalized mitigation fund. We know that under the DRP process we've got access to dollars through our Treasury Board, and we've been able to respond to the necessary costs that we incur as we move along.

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Calgary-Fish Creek.

#### Education Funding (continued)

**Mr. Cao:** Well, thank you, Mr. Speaker. A recent press release from the Calgary board of education states an estimated \$61.7 million shortfall for the coming school year. Young teachers and those involved with education are finding it more and more difficult to secure a job. My question is to the hon. Minister of Education. What explanation can you give to those in the education field who are either looking for work or presently worrying about losing their job?

**Mr. Hancock:** Mr. Speaker, there's no question, as we've said time and again in this House, that this is a difficult budget for Education this year. We have a significant increase of 4.7 per cent, but it's not going to go far enough to cover all of the costs, so we had to actually look at some of the targeted grants to see whether they were still performing their purpose and eliminate those ones where we felt they could be eliminated in order to participate with the government in a fiscally responsible budget and to keep the deficit as low as possible. That's what we needed to do. Unfortunately, that's going to provide challenges this year on some fronts, but we're asking school boards to try and manage that process.

**The Speaker:** The hon. member.

**Mr. Cao:** Well, thank you, Mr. Speaker. My first supplemental is to the same hon. minister. What is the government's policy on school board reserve funds, particularly when the fund is used up?

**Mr. Hancock:** Well, Mr. Speaker, we do expect that school boards will keep a modest operating surplus of around 2 per cent, which would assist them with ongoing expenses and shortfalls from time to time and managing things. We have significantly more than that across the province in reserves. We know the school boards have saved for a purpose, but we're in a tough fiscal time, and what we're asking school boards to do with their bud-

geting is to look at those areas, to look at everything that they do to determine: does it add value, does it help students, does it help maintain the class sizes?

**The Speaker:** The hon. member, please.

**Mr. Cao:** Thank you, Mr. Speaker. My second supplementary is to the same hon. minister. Given the fact that many Albertans put as much priority on education as on health care, would you explore the idea of our government creating a policy on sustainable, predictable, and longer term funding for education similar to Alberta's five-year funding for health care?

**Mr. Hancock:** That's something that has been discussed over the course of the last year and probably longer than that. One of the things that I would point out, as I mentioned earlier in the House, is that over the last 10 years there's been a 63 per cent increase in the operating funding for boards in the province in the school education budget and only a 3 per cent increase in student population. Now, we have an increasing population. I don't think people would really want to be limited to what they might get on a long-term funding basis when we do have challenges and opportunities that we need to deal with on an ongoing basis. But we do have three-year business plans, and there's no reason why school boards cannot plan in accordance with those three-year business plans.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Olds-Didsbury-Three Hills.

#### Alberta Children's Hospital

**Mrs. Forsyth:** Thank you, Mr. Speaker. The Alberta Children's hospital in Calgary is the jewel of the city. Sick children travel across the prairies to receive world-class treatment. Mismanagement in Calgary has overloaded the Foothills hospital and led to adults having lab work done at the Children's hospital. Not only are they being seen, but they are being prioritized ahead of the sick children because it's easier for the administrators. To the health minister: Are you aware that adults are now being treated before children at the Children's hospital?

**Mr. Zwozdesky:** No, Mr. Speaker, I am not. But if there's a story there that needs to be looked into, if there's some help needed, I can assure you that somebody will look into it and provide the help needed.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that the lab at the Alberta Children's hospital is equipped to test sick children, will the minister here and now promise to investigate this situation and make sure that children come first and that adults will wait as per their own policy?

2:30

**Mr. Zwozdesky:** Mr. Speaker, I will ensure that someone from Alberta Health Services looks into that as quickly as possible.

**Mrs. Forsyth:** Well, that's a good thing.

Given that Alberta Children's hospital is first and foremost for sick children and not to be used as an overflow for crowded hospitals elsewhere, will the minister again commit to having all children treated before adults at the Alberta Children's hospital?

**Mr. Zwozdesky:** Mr. Speaker, I'm sure they have protocols there that they're doing their best to follow. Perhaps there are some

issues with certain peak periods, where others need more urgent care than not regardless of their age, but whatever the situation is, I have already committed to this member that someone from AHS will look into this and will follow through on that.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Riverview.

#### **PDD Transition Funding**

**Mr. Marz:** Thank you, Mr. Speaker. Minors who are disabled, some from birth, and are receiving supports from government still have to apply for the assured income for the severely handicapped, or AISH, program when they turn 18. They and their parents wonder why they have to go through this process instead of it happening automatically. To the Minister of Seniors and Community Supports: why is this transition process not more seamless?

**Mrs. Jablonski:** Mr. Speaker, this member asks a very good question. I, too, have had constituents ask me this question, as I'm sure other MLAs have been asked. That's why we've been working so hard across five ministries, including Children and Youth Services, to develop Alberta Supports. That initiative will provide a more seamless transition between programs as people age or as their circumstances change.

**Mr. Marz:** What exactly is the minister doing to make this process more streamlined in the future?

**Mrs. Jablonski:** Mr. Speaker, the vision of Alberta Supports is to deliver social-based programs to Albertans in need with easier access and better transitions. Twenty-five families with kids between the ages of 16 and 19 have agreed to participate in a pilot project in central Alberta to test the ways that we can simplify and streamline transitions between programs. Case co-ordinators will help these families to move from one program to another without another application.

**The Speaker:** The hon. member.

**Mr. Marz:** Thanks, Mr. Speaker. To the same minister: what will the minister do with the results from this test project? What happens next?

**Mrs. Jablonski:** Mr. Speaker, we'll take the findings from this pilot project in Red Deer to other places and other client groups in the province. We believe that this pilot project will help Alberta Supports to achieve some very important goals: better client service, smooth transitions from one program to another, and better ways of doing business.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Mill Woods.

#### **Exemption from Municipal Zoning**

**Dr. Taft:** Mr. Speaker, I've repeatedly asked the Minister of Advanced Education and Technology to justify the remarkable privilege granted to three Alberta universities; namely, their complete exemption from any municipal zoning regulations. The minister has never offered a justification, which suggests there isn't one. One more time to the minister: what justification can he give for granting this privilege to a few select universities when no other institutions, businesses, or citizens receive it?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'm pleased to stand and answer that question. There is not a total exemption for any facility in the province of Alberta. Even on those campuses such as the University of Alberta or the University of Calgary or Lethbridge, if there is any commercial activity or any commercial development happening on that campus, it must go through all the processes within the municipality for approval.

**Dr. Taft:** Mr. Speaker, this minister needs to study both the legislation and the regulations.

Given that, what does the minister and his department do to hold universities to account when they violate the few planning and development requirements they face under the Post-secondary Learning Act?

**Mr. Weadick:** Mr. Speaker, at this time I'm unaware of any times where any of our universities have violated those planning rules around our municipal planning within the province.

**Dr. Taft:** Well, that raises this question, Mr. Speaker. Does the minister or his department ever look at what the universities are doing to check if perhaps they are violating their long-range development plans? Has anybody ever looked?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. We work very closely with our universities. We know that they do work with the municipalities, with the neighbourhoods, and with our department. All of their long-term plans are approved by us when they go forward, but where there are commercial properties, those have to go through the appropriate municipal processes.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Lethbridge-East.

#### **Community Facility Enhancement Program**

**Mr. Benito:** Thank you, Mr. Speaker. The community facility enhancement program assists communities with construction and the development of community public-use facilities. It's a wonderful program. In fact, I recently awarded a cheque for \$125,000 in civic funding to the Ghana Friendship Association. However, other groups in my constituency have longed for a community centre to call their own, but they've found it difficult to raise the necessary funds to help build them. My first question is to the Minister of Culture and Community Spirit. How, specifically, are the grant requests for community facility enhancement program funding processed?

**Mr. Blackett:** Well, Mr. Speaker, the first thing I'd like to do is clarify with the hon. member that he didn't award the cheque to that community association. He presented the cheque on behalf of the government of Alberta. I'd just make that clear.

We process applications in this way. An individual organization can put an application in to the community liaison officer or online through our system. That application is looked at based on viability, on the fact that there are matching funds approved, and that there's community support.

**The Speaker:** The hon. member, please.

**Mr. Benito:** Thank you, Mr. Speaker. My first supplemental is to the same minister. What, specifically, are the requirements a group must meet to receive a community facility enhancement program grant?

**Mr. Blackett:** Well, Mr. Speaker, first of all, they have to be a registered not-for-profit with the government of Alberta under the Societies Act. They have to meet the matching fund requirement. They have to meet the viability dictate that's there, and we have to make sure that there is community support. That includes letters of support from MLAs, municipalities, and others.

**Mr. Benito:** To the same minister: are there other alternative sources of funding to help those in the Mill Woods community build public-use community facilities?

**Mr. Blackett:** Well, yes, Mr. Speaker. It's an excellent program, but it's a matching program, so there are other sources. That would be from other levels of government. That would be from the private sector or individual donations. That is an excellent question. That deserves an award.

**The Speaker:** The hon. Member for Lethbridge-East.

### Municipal Sustainability

**Ms Pastoor:** Thank you, Mr. Speaker. The Alberta Association of Municipal Districts and Counties wrapped up their spring convention this week. They had some prepared questions to ask the minister, so I thought that I would ask a few as a follow-up. To the Minister of Municipal Affairs. The AAMD and C has worked closely with this ministry in drafting the proposed municipal sustainability strategy. What were the results of the consultation process, and is there a public report?

**Mr. Goudreau:** Mr. Speaker, we have resubmitted the report back to the individual municipalities, and we've asked them to provide input back to us on the sustainability report. That report is public. All the municipalities should have a copy of that report, and the report should be online. We are asking municipalities to provide responses. Then we're going to analyze those responses and carry on with the report.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Speaker. I think part of your answer was to my next question as well. How will the rural municipalities through the AAMD and C be engaged in the next steps of creating the municipal sustainability strategy, and why did it have to go back? Where were the stopping points?

**Mr. Goudreau:** Mr. Speaker, you know, the report was done by individual municipalities, the AAMD and C, the AUMA, and the members of summer villages as well as individuals from the municipal administrators. There were a number of groups that got together and actually formulated the report. It was sent back to us. We had a few questions and wanted their response to that particular report. That report was sent back with a deadline to respond to me, just to see with individual municipalities if that report hit the mark with them. We're waiting for their response.

**Ms Pastoor:** When can the municipalities expect the promised five-year review of the Municipal Government Act to actually begin, and what will the consultation process look like? I think it's something that is very timely and must be done.

**Mr. Goudreau:** Mr. Speaker, the MGA, the Municipal Government Act, hasn't been reviewed for quite a number of years. It's a very, very detailed act. The act is split up into three different sections. It's our intent to do the review as per individual sections within the Municipal Government Act, and I would suspect that

the review would start rather soon here. It will probably take a period of four to six years to fully complete, with necessary legislation coming into the Legislature as required and adaptations accordingly.

2:40

**The Speaker:** Hon. members, that concludes Oral Question Period for today. Nineteen members were recognized. There were 114 questions and responses. Needless to say, it's Thursday just before a break, so there were three phases to the question period. Questions 1 to 5: oh, excitement, energy, enthusiasm, rambunctiousness. Then it sort of settled down a bit with questions 6 to about 12, and then it slowed even further from questions 13 to about 18. All in all, it's like a flow, I guess, of a contest or a match. Nobody had to be named despite the fact that a couple of the boys want to be. I know who they are, but it didn't happen.

Let's take 15 or 20 seconds, and then we'll come back to the Routine.

### Members' Statements

*(continued)*

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

### High School Flexibility Enhancement Project

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my pleasure to rise today to speak about the high school flexibility enhancement project, that has the potential to change the face of Alberta high school education. This project encourages collaboration between schools, school jurisdictions, and the government to change the current programming structure of high schools so that the time the students put into their studies is better reflected by the credits they earn.

Currently in its second year this project involves 16 high schools from across the province, including Archbishop O'Leary Catholic high school in the constituency of Edmonton-Decore. Also, Mr. Speaker, my son is attending this particular high school in grade 11. Along with his classmates he is experiencing this project first-hand.

Mr. Speaker, each participating high school is exploring alternatives to high school program delivery by removing the current 24 hours of face-to-face instruction per course credit requirement. The project will work to encourage students to take ownership of their education and take an active role in shaping the way they learn through the directing of their own learning and personalizing their learning environment.

The goals of this initiative, Mr. Speaker, are to support students' learning, to improve high school completion rates, and also, more importantly, to enhance student achievement and success. This is just one example of how Alberta's education system is transforming one classroom at a time. Programs like this one are particularly important to our province as we plan for the future of Alberta and the sustainability of our economy.

Mr. Speaker, thank you very much.

**The Speaker:** The hon. Leader of the Official Opposition.

### Health Care System

**Dr. Swann:** Thank you, Mr. Speaker. In growing numbers health care professionals, doctors, and nurses on the front lines of patient care are courageously stepping forward to tell their stories of government mismanagement and intimidation within our public health care system. The stories are shocking, the allegations stunning, with grave implications for this Progressive Conservative government.

Over the course of the past several months I have repeatedly raised a wide range of health care issues, including growing wait times in the emergency room, burned-out health care professionals, problems associated with centralizing health care administration, cost overruns, and, most importantly, poor outcomes for patients, including avoidable suffering and premature death.

Alberta Liberals brought these issues forward: the evidence of government mismanagement and malfeasance, including 322 cases of grave emergency room problems at one hospital alone, allegations of over 200 premature deaths across the system, allegations from respected, highly placed health care professionals who were silenced by government when attempting to advocate for more resources for patient care, with a growing sense that this government brands any health care professionals who criticize them as mentally unstable.

This government has created an atmosphere of fear, intimidation, and distrust, that is unworthy of a modern liberal democracy. *The Lancet* review of Alberta's lung cancer rates and lung cancer survival is merely the latest evidence to show this government's incompetence. That this government still refuses to hold a public inquiry into mismanagement and intimidation of health workers is evidence as well, evidence the government has something to hide, evidence of its moral cowardice and ethical bankruptcy. Without truth there is no progress. The government must stop hiding behind the Health Quality Council review and allow a full public inquiry into the allegations of government mismanagement and intimidation in public administration. Step out of the shadows and face the cold light of the truth.

Thank you, Mr. Speaker.

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

#### **Glenbow Ranch Provincial Park**

**Ms Tarchuk:** Thank you, Mr. Speaker. In 2006 the government of Alberta approved an acquisition of over 3,200 acres of ranchland near Calgary from the Harvie family. A significant \$40 million was invested in what would become Alberta's newest provincial park, the Glenbow Ranch provincial park.

When this park officially opens later this year, it will join an existing network of municipal and provincial protected areas making a substantial natural corridor between Calgary and Cochrane. It will be one of Canada's largest urban parks and will protect this spectacular and increasingly threatened landscape along the north shoreline of the Bow River. It will also provide a unique opportunity to celebrate and showcase Alberta's rich ranching history.

Mr. Speaker, to ensure that the park's natural and historic resources will be preserved and that visitors will have a great experience, much work has been done on public consultation, environmental and historical assessments, engineering and access stations, and building more than 25 kilometres of pathways, washrooms, viewpoints, kiosks, and picnic tables.

I'd like to congratulate Tourism, Parks and Recreation and the Glenbow Ranch Park Foundation for their efforts and accomplishments to date as they prepare for this important opening. Constituents and Albertans look forward to exploring this park, and I for one am very proud of what I am sure will prove to be a wonderful, lasting legacy.

Thank you.

#### **Notices of Motions**

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

**Mr. Renner:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, April 11, 2011, written questions 3, 4, and 5 will be accepted; written questions 8 and 13 will be dealt with.

Also on Monday, April 11, 2011, motions for returns 6, 7, and 8 will be dealt with.

#### **Introduction of Bills**

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

##### **Bill Pr. 1**

#### **Alberta Association of Municipal Districts and Counties Amendment Act, 2011**

**Mr. Rogers:** Thank you, Mr. Speaker. I request leave to introduce Bill Pr. 1, the Alberta Association of Municipal Districts and Counties Amendment Act, 2011.

This act brings the act that authorizes the organization of the AAMD and C up to date. It was originally passed in 1923 and amended in 1971. It needs to be brought up to date, Mr. Speaker, as it currently names the original directors from 1923 and does not reflect the current realities, including how directors are elected. At the recently concluded convention of the AAMD and C yesterday members passed new bylaws that support this amendment.

I would encourage all hon. members to support Pr. 1.

Thank you

[Motion carried; Bill Pr. 1 read a first time]

#### **Tabling Returns and Reports**

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's my pleasure to rise and table the appropriate number of copies of the following reports: the 2009-10 annual report from the Alberta Health Facilities Review Committee, the 2009-2010 annual report from the College of Alberta Dental Assistants, and the 2009-2010 annual report from Alberta Health Services.

I'd also like to table a copy of a document I referred to during question period. These are the Canadian cancer statistics, Mr. Speaker, 2010, which show that Alberta has the lowest death rate or the second-lowest death rate in a number of areas related to cancer for men and women.

**The Speaker:** The hon. Minister of Culture and Community Spirit.

**Mr. Blackett:** Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of five packages of documents in response to questions raised by the Member for Airdrie-Chestermere in yesterday's Culture and Community Spirit main estimates. This documentation provides evidence of government openness and transparency with all nongovernment MLAs with respect to community enhancement grant programs.

**2:50**

The first tabling includes my letters of April 20, 2009, to various organizations, informing them of their successful grant applications whereby the Member for Fort McMurray-Wood Buffalo was copied on the correspondence and returned the copies with a handwritten note requesting to have all five cheques sent to his MLA office, noting that he would be working with media and volunteers to maximize exposure and that my department need not be involved.



The second tabling includes a letter of November 4, 2010, from the Member for Airdrie-Chestermere accompanied by my response of November 18, 2010, indicating that I agreed to look at options to address his request to receive future updates on pending community investment grant applications in his constituency.

The third tabling includes my letters of December 20, 2010, to all nongovernment MLAs following through on this request, which provides each of them a report of pending community enhancement grant applications in their constituency.

The fourth tabling includes a copy of my letters of January 19, 2011, and the applicable quarterly reports, addressed to each nongovernment MLA.

The last tabling, Mr. Speaker, includes a copy of a January 12, 2011, letter from the Member for Airdrie-Chestermere accompanied by my response of January 31, 2011, advising the member that I agreed to continue to provide him with quarterly intake reports about the community facility enhancement program and the community initiatives program, once again demonstrating consistent communication on these matters with my nongovernment counterparts.

Thank you.

**The Speaker:** Hon. Minister of Health and Wellness, do you have another tabling as well?

**Mr. Zwozdesky:** Yes, Mr. Speaker. Thank you. Just to be sure, I want to table the news release from the Health Quality Council of Alberta dated March 17, which I quoted from on page 3 today.

I also want to table the news release from the Health Quality Council of Alberta dated March 23, in which the advisory panel members are named along with their backgrounds and biographies.

Finally, I'd like to table a copy of the Health Quality Council of Alberta document received today, Mr. Speaker, in which they are making a correction to item 2 of their terms of reference wherein they're talking about:

To determine whether the quality of care and the safety of a group of 250 cancer patients on a surgical wait list of 1,200 were seriously compromised due to delayed access to surgery as alleged in a question raised in the Alberta Legislature on February 28, 2011.

Earlier they had referred to that as a tabling. The tabling, I believe, was made after that particular date, so this clarifies that it was actually an allegation raised in a question.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thanks, Mr. Speaker. I will be tabling the appropriate number of copies of a letter I received from a group of third-year students at the Faculty of Nursing at the University of Alberta. It's signed by a total of 63 of them. They raise questions around the value, a value they support, of initiatives for newly graduated nurses to assist them in training for more specialized care, and they are concerned that in recent years this initiative for new nurses has not been in place.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have five tablings today, and all of them are related to my questions earlier in question period. The first is a letter that I received from Capital health on June 6. I believe it is 2007. It is in regard to an

access to information request that I had regarding the performance and the potential dismissal of Alberta's Auditor General. That's my first tabling.

The second tabling I have is a letter dated October 25, 2006, from Capital health to Mr. Fred Dunn, Auditor General, province of Alberta, and it is signed by the chair of Capital health, Neil Wilkinson. This letter is in regard to the reappointment of the Auditor and the auditing firm.

The third letter that I have is dated November 15, 2005. It's again from Capital health to Mr. Dunn, and it's signed by Neil Wilkinson, chair of Capital health. It notes that the board recommends to the Auditor General that KPMG be reappointed for an additional one-year term for the audit process.

My fourth tabling is from the Capital health authority board meeting minutes of June 26, 2002, and it notes under the process for auditors appointments that the Regional Health Authorities Act is responsible for the requirement that the board appoint its own auditor.

My last tabling is an interesting document that we received at the office of the Official Opposition. It is a series of e-mails to clear up the fact that Capital health for some reason, after we initiated this FOIP request, wanted my own personal health records.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I'm tabling e-mails from the following individuals, who are seeking the preservation of the Castle wilderness: Lindy Clubb, Ronald Lovequist, Livianna Tosutti, Jacqueline Wakefield, Amy Fedrigo, Jose Costa, Daniel Rice, Tara Muir, Lynne Tyler, Daniel Murphy, Lynn McIntyre, Lou Probst, Greg Shaw, Carla Wong, Carly Armstrong, Chris McDonald, Terry Astbury, Rob Clement, Maren Hovi, Mark Carter, Elizabeth Cowan, Anne Curtis, Allan Briesmaster, Michael Street, and Anne Ellis.

Mr. Speaker, if I may at the appropriate time call upon the Government House Leader to provide the . . .

**The Speaker:** We're not there yet in the Routine. We may not get there if we don't get through the rest of the Routine.

**Mr. Chase:** Thank you. Yes, well, here we go.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's a privilege to stand and to table the requisite number of copies. I went to the Canadian Association of Petroleum Producers' awards last night, the RCE awards. They do a phenomenal job of industry's commitment to continuous improvement in environmental health and safety and social performances. We need to recognize the great work that's going on here in the province, and there were many companies last night that were recognized for their efforts in these areas.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to table the requisite number of copies of a series – I decided to do them all in one – of e-mails and documents and correspondence between myself and the Minister of Culture and Community Spirit as well as several community liaison officers from his ministry outlining what is clear from the documents, as you can see: asking for me to

approve or to show my support or nonsupport for different projects in my community and for what dollar amounts.

I would also like to commend very much the hon. minister for yesterday agreeing to give us a heads-up on cheque presentations on a go-forward. It was very stand-up of him.

Thank you, Mr. Speaker.

### Tablings to the Clerk

**The Acting Clerk:** I wish to advise the Assembly that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Snelgrove, Minister of Finance and Enterprise, pursuant to the Government Accountability Act the Measuring Up progress report on the government of Alberta business plan annual report 2009-2010, consolidated financial statements of the government of Alberta annual report 2009-2010; on behalf of the hon. Mr. Webber, Minister of Aboriginal Relations, pursuant to the Metis Settlements Act the Metis Settlements Appeal Tribunal 2010 annual report.

### Projected Government Business

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. Would the Government House Leader share his wisdom with all the members of the Assembly and in a few seconds tell us what we'll be doing next week?

Thank you.

**The Speaker:** Well, actually, it should April 11, is my understanding.

**Mr. Hancock:** Well, Mr. Speaker, I'd be pleased to share my wisdom. How long do we have?

With respect to projected government business April 11, 2011, of course, is a Monday and, therefore, private members' business.

Tuesday, April 12, 2011, in the afternoon we anticipate being in Committee of Supply for the estimates of the Premier and Executive Council, as is disclosed in the schedule on the Order Paper.

In addition, on the Wednesday the 13th in the afternoon, as the Order Paper discloses already, we'll be in Committee of Supply on Health and Wellness. It should be a fun afternoon.

On Thursday, April 14, in the afternoon we would anticipate doing second reading on Bill 6, Rules of Court Statutes Amendment Act, 2011; Bill 7, Corrections Amendment Act, 2011; Bill 8, Missing Persons Act; time permitting, Committee of the Whole on Bill 1, Asia Advisory Council Act; Bill 4, Securities Amendment Act, 2011; Bill 5, Notice to the Attorney General Act; and as per the Order Paper.

3:00

**The Speaker:** Hon. Member for Airdrie-Chestermere, you are on the record of rising on a point of order. I take it that that's not the fact.

**Mr. Anderson:** I'm sorry. I thought that hon. House leader was intentionally misleading the House when he said that it would take a while to express his wisdom, that it would take a long time. Sorry, Mr. Speaker.

**The Speaker:** It was an attempt at frivolity, is that correct?

**Mr. Anderson:** Yes.

**The Speaker:** Okay.

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 16

#### Energy Statutes Amendment Act, 2011

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'd like to move second reading of Bill 16, Energy Statutes Amendment Act, 2011, and adjourn debate.

[Motion to adjourn debate carried]

#### Bill 11

#### Livestock Industry Diversification Amendment Act, 2011

[Adjourned debate March 10: Mr. Prins]

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

**Mr. Prins:** Well, thank you, Mr. Speaker. I'm pleased to rise today to comment again on Bill 11, the Livestock Industry Diversification Amendment Act, 2011. I want to reiterate the purpose of Bill 11, which is to move cervid farming and its regulations from the Wildlife Act under Sustainable Resource Development and LIDA under ARD to LIDA alone under ARD. This will clean up some overlapping legislation and clarify some important issues for cervid farmers within Alberta, especially the ownership of their animals. It will reduce the administrative burden and possibly enable the industry to open new markets.

[The Deputy Speaker in the chair]

The elk and deer farming industry has been around for many decades, in fact probably for 30 or 40 years. In the early days the industry existed under the regulations within the Wildlife Act. Then in the early '90s, about 20 years ago, the Livestock Industry Diversification Act was created to recognize that the farming of elk and deer is a legitimate and valued industry in Alberta, with many farm families that make their living raising elk and deer. Today it is a mature industry that has great potential and needs to be regulated under Agriculture and Rural Development, where it actually belongs.

Bill 11 is supported by both ministries, the Sustainable Resource Development ministry and Agriculture and Rural Development, and it is supported by the elk and deer industry itself, which has been consulted many, many times to deal with these amendments.

Bill 11 was introduced a few days ago, Mr. Speaker, and it was soon realized that there was a perceived inconsistency in some of the bill. I received a number of calls and e-mails with comments from constituents and stakeholders that pointed out that there could be a loophole that may allow for hunt farms. This is clearly not the intent of Bill 11 as everyone can see in section 18.01(1), where the bill says "a person shall not hunt . . . a diversified livestock animal." Period. That's the end of the sentence. Then part of section 10.1(1) says "the Minister may issue a permit authorizing a prescribed activity." Now, these two statements have caused concern for some stakeholders even though they deal with completely different issues.

Mr. Speaker, I want to indicate today that the government will be introducing amendments to Bill 11 to make it perfectly clear what Bill 11 says about the ban on hunting cervids on farms. I'm

mentioning it today so that all members of this Assembly and all members of the public may be absolutely sure of the intent of Bill 11. The amendments will be introduced in committee, and I look forward to the debate in committee.

Mr. Speaker, I also move to adjourn debate on Bill 11.

[Motion to adjourn debate carried]

### Bill 1

#### Asia Advisory Council Act

[Adjourned debate March 3: Mr. Hancock]

**The Deputy Speaker:** The hon. minister of advanced education on the bill.

**Mr. Weadick:** Thank you, Mr. Speaker. It's indeed a pleasure for me to rise today in support of Bill 1, the Asia Advisory Council Act, because, quite simply, Bill 1 is the next logical step for our province as the hon. Premier's vision for Alberta's prosperity becomes reality. The hon. Premier has made it very, very clear from the start that his vision for Alberta includes a strong and prosperous economy that is globally competitive.

Mr. Speaker, he has clearly outlined how the ministry of Advanced Education and Technology can help make that vision come true. It's all there in black and white in the mandates that he has given the ministry over many, many years. He has laid out a clear path to ensure Alberta's global competitiveness by enhancing our province's postsecondary system and our research and innovation system. Each mandate has been a building block in the hon. Premier's vision for our province so we can strengthen Alberta's competitiveness and innovation world-wide, so we can enhance the knowledge-based economy of Alberta, and so Alberta can become a preferred destination for turning ideas into products and services that can benefit people not just here in Alberta but around the world and especially in key jurisdictions like China and India and other rapidly growing Asian markets.

One of the first mandates to our ministry from the hon. Premier supported the creation of Campus Alberta. He knew that increasing the access, the affordability, and the quality of Alberta's postsecondary education system would benefit everyone. It was what we need to have a strong system and help to build Alberta's economy so that we can achieve our full potential because, Mr. Speaker, these two are inextricably linked. To be successful, our economy needs well-trained graduates. The better trained and prepared Alberta graduates are, the better off Alberta's companies are going to be in a global marketplace. The more successful our companies are, the more taxes are generated, the more our businesses give back to schools that educate their personnel. It's a wonderful, positive, self-perpetuating cycle, and it directly contributes to the government of Alberta's international strategy.

In addition, Mr. Speaker, Bill 1 looks to expand existing economic, research, educational, and cultural opportunities between Alberta and Asia. Certainly, our ministry's international education framework will contribute to that goal. The framework provides direction on a number of issues and opportunities relating to international students, from developing global strategic alliances to making sure students everywhere know about Alberta and our institutions and know that we are leaders in learning, in research, and in innovation. It presents a road map for future planning and recognizes the importance of international education to Alberta's future economic and social success. International education, the exchange of people and ideas, is Alberta's window on the world and the world's doorway to Alberta. In a global economy where

knowledge has become the new wealth, Campus Alberta is the heart of what Bill 1 envisions.

Mr. Speaker, another initiative within our ministry that directly supports the goals of Bill 1 is the result of another mandate of our hon. Premier, our technology commercialization action plan, Bringing Technology to Market. This helps Alberta entrepreneurs get more of their ideas off the research bench and into consumers' hands by providing a range of tools and assistance to Alberta innovators like Alberta innovation vouchers and the growing list of product development centres around the province.

We are growing our knowledge-based economy and encouraging the development of Alberta's technology-based and value-added industry sectors. The assistance is helping companies move down the commercialization pathway to become more prepared to partner with foreign partners and export their products and services into new markets. This will create new wealth and job opportunities and create longer term economic stability by reducing our reliance on any particular industry.

What particularly excites me about the plan, Mr. Speaker, is that with Alberta's knack for being innovative, we can turn issues like climate change, energy security, water conservation, and food safety into unique innovations and new opportunities, opportunities to help improve people's lives.

3:10

Mr. Speaker, just as the hon. Premier saw a stronger postsecondary education system being a part of Alberta's global success, he knew the same kind of alignment needed to take place within Alberta's publicly funded research and innovation system. That's how another of his mandates resulted in the creation of Alberta Innovates. Alberta Innovates aligns all elements of our innovation system, from universities to business incubators, as we focus on areas that we are good at. These include biotechnology, energy and the environment, health research, platform technologies such as nanotechnology and information and communications technology, and technology commercialization, all of which are represented by our new Alberta Innovates corporations.

Mr. Speaker, people around the world marvel at the fact that we've been able to align complex systems like Alberta Innovates and Campus Alberta and get all the players together. It's important to note that these initiatives undertaken by our ministry – Campus Alberta, Bringing Technology to Market, and Alberta Innovates – don't exist in isolation. Each works in collaboration with the next, building alignment amongst our postsecondary institutions, our research organizations, our innovation support services, our businesses, and our entrepreneurs.

It's all about working together. That's what we must do if we want to build Alberta's knowledge-based economy and see Alberta succeed on a global stage. It's an honour for me to help take this vision to its next logical step, and I can tell you, Mr. Speaker, that our ministry is ready to go. We've got many agreements with Asian partners already in place, agreements that are exploring opportunities for educational partnerships and sharing technology and knowledge.

We're seeking new partners as well. Alberta already has sister relationships with Korea, Japan, and China – specifically, Gangwon, Hokkaido, and Heilongjiang – and it's important to point out that our ministry has broadened Alberta's relationship with these countries and areas beyond cultural and educational ties to include important science and technology linkages and partnerships.

In fact, Alberta's work on China projects with International Science and Technology Partnerships Canada, known as ISTP Canada, in areas like dairy genetics and petroleum technology is being used as a model for broader international collaboration be-

tween our ministry and ISTP Canada in China, India, Israel, Brazil, and many other developing countries.

In addition, just last month we co-hosted the first Environmental Technology Forum for Sustainable Water Resource Development with our partners in Harbin, China. Together our scientists and policy-makers gathered to explore ideas, to share information, and to examine how we can work together to protect our precious water resources and treat waste water through sustainable water resource technology. There's also our declaration, signed just a couple of weeks ago, that will see us co-operate with China, India, and Israel on nanotechnology research that will help us deal with the water issues that we all face.

Mr. Speaker, our ministry has many memoranda of understanding, or MOUs, with our valued partners in Asia, each of them as promising as the next. Alberta was one of the first provinces to have an MOU with China's central government Ministry on Science and Technology. We also have MOUs with the Heilongjiang Science and Technology Department, the Innovation and Technology Commission of Hong Kong, the Shanghai Municipal Science and Technology Commission, the China Cancer Research Institute, the Zhejiang Science and Technology Department, and the Standards, Productivity and Innovation Board, or SPRING Singapore, just to name a few of those relationships.

Our ministry has also been instrumental in helping to develop MOUs between Alberta's TRILabs and Hong Kong Applied Science and Technology Research Institute, NINT, or the National Institute for Nanotechnology, and Japan's Nanosystem Research Institute; and Athabasca University and SIM Global Education in Singapore.

Campus Alberta has already led the way as it has forged relationships with Asia. The University of Alberta has more than 30 agreements with Chinese universities as well as a number of agreements with institutes in India. Similarly, the University of Calgary has 26 agreements with Chinese universities. There's also the very promising agreement with India, which is bringing 50 top students from India this coming May to do research aligned with Alberta Innovates' priorities, including biosciences, renewable energies, and information and communications technology. And that's just for starters, Mr. Speaker.

We anticipate that our relationship with the mathematics of information technology and complex systems, Globalink, a MITACS program, will continue to help connect the best and brightest minds from India's prestigious technology institutes with Canada's business leaders, professors, and students through three four-month research and industry placements right here in Canada.

Mr. Speaker, I could go into detail on the successful results of each of these agreements, but I would need a great deal more time than I have here today. What this all boils down to is that our ministry stands at the ready to support the proposed Asia advisory council in its mandate. Campus Alberta, Bringing Technology to Market, and Alberta Innovates, each a stepping stone mandated by the Premier, are already strengthening the collaboration between Albertans, business, industry, and government to benefit international relations and to support the important work of the council. That's why I'll be voting in favour of Bill 1, the Asia Advisory Council Act, and I encourage all hon. members to do the same. I can't wait to see where we go from here.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions.

**Mr. Anderson:** I just wanted to ask the hon. member opposite. There are just so many different committees that government has

out there and councils and people on fact-finding missions, et cetera. Why on earth do we need a piece of legislation allowing us to or mandating that we form a committee? You know, we talk about cutting regulation and unnecessary laws and so forth. Why would we do that? Why wouldn't the Premier just make an announcement saying: I'm forming a council to look at this? Why a piece of legislation? It makes no sense.

**The Deputy Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'm very happy to respond to that. We as a government and the Premier believe that this new relationship, this developing relationship is too important for just an announcement. This is Bill 1. This sets it out as the most important thing that we're going to try to do in the upcoming number of years. We're focusing our energy on the Asian marketplace. We're looking at the opportunity for pipelines to the west coast, where we can start to move our goods into another marketplace.

We notice that our trading partner to the south is still struggling, and we need to expand our marketplaces around the world for our energy, for our education, for our technology. Working in the nanotechnology area, we're seeing incredible opportunities and in our forestry sector for some of our forestry products. Mr. Speaker, there are very unique opportunities in bio research. Some of the work through Genome Alberta, Genome Canada, and the prion institute is world-class research that will help all of us. Often the research we're doing into animal health is starting to translate into human health, and we have researchers around the world beginning to connect together to make that research happen.

Mr. Speaker, a very, very important part of what we're focused on is connecting with Asia and ensuring that that's central to the future of Alberta's economy.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yeah. Thank you very much. To the hon. minister of advanced education, as I sit in here on a Thursday afternoon, as we get ready to be able to drive to our constituencies, I have to tell you this. This is absolutely beyond belief. Essentially, it's like the government of Alberta finally today realized Asia is out there. They've decided finally that not only is Asia out there; it has billions of people, where there are markets. Why is it that this bill is really in front of us today when in actual fact the natural partnerships have developed over the last 10 years? What has the government been doing? Has it been sleeping? I mean, it's as if this government just today with this bill, the flagship bill, determined that now Asia is important. That makes no sense to me in light of the excellent work with business and others and universities that has been going on in Asia for the last 10 years.

3:20

**The Deputy Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. The member is absolutely right. This relationship has been developing between our universities and between our governments for many, many years. Just last year we met with education leaders from China, the first time we've had people of that high rank here in Canada. The relationship is growing and developing. This isn't a brand new idea. This is the focal point, where we have said: we believe that with all of these great relationships, with these new research opportunities, we want to take our focus to the next level and really focus to be able to drive investment in Alberta from Asia.

**The Deputy Speaker:** The hon. Member for Spruce Grove-Sturgeon-St. Albert.

**Mr. Horner:** Well, thank you, Mr. Speaker. I do know that the hon. member has been involved with a number of the institutions over, well, a considerable amount of time now and now in his capacity as the minister. I would ask the hon. member: during the discussions that he's had with the presidents of the institutions across Alberta – I do know that he has visited every one of those institutions in the province – how important is it to the institutions themselves, from a student perspective, to have that connection and that relationship and now having legislation that actually puts it out there for the world to see? Perhaps he could expand on the difference between the different sectors in Campus Alberta and what it means to have international students at the different levels.

**The Deputy Speaker:** You have 10 seconds.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Developing our international students is indeed a very, very important part of what we're doing. We're seeing an increase in the number of students, especially from Asia.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo on the bill.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Indeed, it's a pleasure to rise, as much as on a Thursday afternoon, and to talk about a flagship bill, put forward by the Premier, pertaining to another committee, called the Asia advisory council.

I describe it this way: not only are the inmates running the asylum; they've now handed over the keys. This is beyond my belief, and in fact this member is going to send to the Premier's office a globe. It's clear to me there must not be a globe in the Premier's office. To awaken today with a flagship Bill 1 talking about the importance of Asia when the rest of Alberta has already figured that out about 10 years ago, it basically demonstrates that the government is about 10 years behind where Albertans and Alberta universities and Alberta businesses are, who are forging ahead with incredible partnerships with the Asian community.

I must say, Mr. Speaker, that I am at a loss. I have never in my years read a bill that makes up three or four pages, right? I mean, I probably could have saved the government a lot of time by sending them a globe, and they at least would have found out where Asia is. Not only that, but also as a former minister of international relations did the government of Alberta know that we have 10 offices? Can you name what the 10 offices are that are going on in Asia right today, that have been going on for years? I'm sure the Minister of International and Intergovernmental Relations knows that, but the question is: it's clear the Premier doesn't know that. This bill does nothing other than basically say: "Let's form another committee. Let's form another unnecessary bureaucracy."

Again, the gap will widen between what Albertans and good, hard-working Alberta businesses and universities and students are doing – they know what is going on in Asia. I must admit that calling this Bill 1 is beyond belief. I say that because of the fact that Albertans have moved on. They have used their energy over the last 10 to 15 years in what they have been doing, in forging those important relationships with the good folks in Asia. Yet here we are today with a government 10 years later finally announcing an advisory council act.

Did you know, as it says in the preamble: "Whereas competitiveness is core to the Government of Alberta's plan to position Alberta." Well, the positioning should have been taking place 10

years ago. Here they are 10 years later positioning. And did you know that in Asia markets such as China, Japan, Korea, and India are Alberta's second-largest export market? Is that just new to the Member for Edmonton-Whitemud? He appears to be surprised by that. He is the Minister of Education, but he is surprised today. I will go to Staples and buy him a globe, and I'll even put a pin on there where Asia is so that he can determine for the future rather than wasting the time of this House with a flagship called Bill 1.

In fact, if he wants, he can take my international business course. It's business 479. It starts in May. If you want to, you may learn a thing or two rather than wasting the House's time with this.

To the hon. minister of employment: clearly, Mr. Speaker, I am going to send them all a globe. In fact, maybe I'll send them inflatable globes, you know, so they can put a pin in it and let it deflate, like what this government is doing right now in terms of ideas.

Ideas? This is absolutely pathetic. I have never witnessed a pathetic Bill 1. When I sat on that side, at least we saw a side that didn't form another committee and another bureaucracy and another layer of red tape. Thanks very much. This is admission that you can't even come up with your own ideas over there, which is, in my belief, absolutely showing that the winds of change are blowing. In this next election Bill 1 is going to be based on ideas. You know what? The two clues they have over there: they lost one, and they're looking for the other.

Mr. Speaker, I have to say on Bill 1: let's form another committee. Well, I can save you all a lot of time. Just enrol in my business class 479, okay? I'll teach you a thing or two. You know what? I'll even make sure the member over there can sit in the front desk. [interjection] Well, I don't know if he has the prerequisite, but we may allow him to come in. "Hey, Albertans, did you know? Asia is out there. Did you know? It's an important market. Let's make it Bill 1." Fifteen years later. Wow. That is beyond belief. It is truly beyond belief.

Now, I know the Member for Sherwood Park, the minister, does have an aptitude of understanding pertaining to missions. I know she spent \$16,000 in terms of value on a mission to Asia between November 1 and 15. I do know that there was also a mission to India, and that only cost Alberta taxpayers \$87,070.39. Can you believe that? Another mission to Asia and then a mission to China and Japan. Wow. That is incredible. Let's form a committee. I'm surprised you didn't form the committee first, before all of these trade missions, that, by the way, ended up spending hundreds of thousands of dollars. That's when we were not in session. The question Albertans are going to be asking is: is this good value for our dollar?

I would like to know – I was wondering – if the Member for Edmonton-Whitemud would like a big globe or a small globe because I know that when he spoke about wisdom, a big globe would assume the potential of greater wisdom. I'll make it a small globe so that we can expand your horizon so that you can truly get a first-hand look at Asia. Even though the rest of Alberta figured this out about 15 years ago, it's good to see that Alberta is catching up with the businesses and universities and colleges, where we forged these partnerships over the past many, many years.

I'm disappointed by Bill 1. I'm disappointed because it really is perhaps one of the most pathetic flagship bills for a Premier who's leaving. Now, I guess one of the things on this bill is that since he is leaving – sometimes it's called a lame duck. Believe me, we know a lot about dead ducks up in Fort McMurray. But be it a lame duck or be it a dead duck, I want to let you know that I certainly hope there's not going to be 1 cent of Alberta taxpayer dollars spent by this Premier, before he leaves office in September.

ber, for travelling Europe because the bottom line is that there's going to be a new leader.

Consequently, I'm sure the government is going to ensure that not one single cent is going to be spent on Asia by this Premier and that they will wait for the new leader to come in. Can anyone over there assure me of that? Relative to the fact that now that they've discovered where Asia is, would they assure us that the Premier will not spend a cent of Alberta taxpayer dollars going to Asia just as his swan song before he leaves office? We'll be watching closely, and we'll be in fact having a clock on how much it's costing Albertans if, in fact, someone is going there.

The members on that side can go ahead with: yes, sir, yes, sir, three bags full. But at the end of the day, thank you to the government for catching up with the rest of Alberta 15 years later. Not only are you not down the road and around the corner; you're not even on the same block. It's clear to me that by forming this committee, if you can believe – I always thought the Member for Vermilion-Lloydminster was never a big fan of red tape, of bureaucracy. I always thought that, and actually it's what I liked about the member. Then all of a sudden, the first bill: let's form a committee. If you form a committee, that's just a fancy way of saying: we don't have any new ideas ourselves.

3:30

Well, let me tell you that this party does have new ideas when it comes to Bill 1 and Asia. Not only that, we believe that it's an important link. More than that, we don't believe in a committee. We believe in actually rolling up our sleeves and embracing the tremendous opportunities as opposed to a piece of legislation called Bill 1, a flagship, that represents absolutely nothing.

Mr. Speaker, I want to say today that, really, this bill on a Thursday afternoon, Bill 1 – I can honestly say to you that this is truly, in my judgment, wasting the House's time because this is not a bill. They have formulated over 50 committees on that side without a bill, but this one is going to be a bill that they're going to legislate because it's so important. Well, really, when we examine that, it actually sends conflicting messages, and it builds on the uncertainty that this government has created in Asian markets because of that uncertainty.

I'm glad to see that they know where Asia is today, 15 years after Albertans discovered that. Did they know that 60 per cent of the population of the world actually comes from Asia? Did they know that? Well, I see the Member for Edmonton-Whitemud looking, and I see that he's not so sure. Is that a yes or a no, that he's aware that 60 per cent of the population comes from Asia? Is he aware of that or not? Is that a yes or a no? I'm watching closely to see if he will signify.

**The Deputy Speaker:** Hon. member, on the bill. Through the chair on the bill.

**Mr. Boutilier:** I'm glad to see that he even recognizes – he looks a bit surprised, but he recognizes that 60 per cent of the world population is actually in Asia. That's good, to get up to speed with others. That is so important. I'm glad to see that he's been listening. You could learn a lot in my international business class. Okay? In fact, you all could learn a lot over there, Mr. Speaker.

**The Deputy Speaker:** Hon. member, I have said to you three times to speak to the chair about the bill, please.

**Mr. Boutilier:** Well, Mr. Speaker, they seem to be trying to interrupt me, but I'll just talk over them because they're not very good listeners; I know that.

That being the case, my constituency, they may not be aware, is the oil sands capital of the world. As the oil sands capital of the world – everyone in Asia knows that northern Asia represents almost 40 per cent of Alberta's non-U.S. exports. Did you know that China is Alberta's second-largest trading partner? Well, let's form a committee, Mr. Speaker, so that we can find out. What would this government do if they didn't have a committee?

The bottom line, Mr. Speaker, is that China, as we know, is the second-largest consumer of oil in the world. I can say that as we go forward under a Wildrose government, clearly, under Bill 1 it is going to be – I can hear the laughs from the opposition-in-waiting. It's really quite amazing. I can say, as I talk to my constituents on a daily basis, that it's so important.

Member for Edmonton-Castle Downs, I can only say to you that from the people we're talking to, they have recognized that they're looking for a party under Bill 1 who knows where Asia is, and they don't have to legislate it. They know that – you know what? – they don't need another committee. Member for Edmonton-Castle Downs, I can only tell you this. Guess what? We'll send him a globe, too, because he doesn't know where Asia is.

**Mr. Anderson:** Call a point of order on that. That can't be true.

**Mr. Boutilier:** Yeah. Does somebody want to call a point of order on the fact of me accusing you of not knowing where Asia is? I'm not sure.

Mr. Speaker, I want to say, getting back to the legislation for a moment: let it be remembered that in the last session this Premier's flagship bill was the Competitiveness Act. What did that bill do? It set up a council to advise the Premier on competition.

It seems like every time the Premier doesn't know something, he has a bill written and a council set up to advise him. Well, Albertans are smarter than that, so consequently, I think that, clearly, this is an unnecessary piece of legislation. This is an unnecessary step of bureaucracy, another level of bureaucracy where you have unelected officials advising an elected official who is the head of Executive Council. I think, as I said in my opening remarks, that not only does it demonstrate that the inmates are running the asylum; now they've turned over the keys. They clearly have lost their address with Albertans when it comes to where they should be going.

So I'll not only send them a globe; I'll send them a map of Asia as well so that they can easily determine. I can only hope that whoever their next leader is, if you're going to forge relationships, make sure it's not with a lame duck Premier. Make sure it's with another Premier after the leadership. I want to be assured that not one single red cent under Bill 1 will be spent on a Premier going over and travelling as a swan song as Premier. I mean, that will be a total waste of dollars.

Mr. Speaker, as I conclude, let me say that as we go forward, I think it's so important that we eliminate the bureaucracy, eliminate committee work. You don't need to legislate a committee to advise you on competitiveness in Asia. You could actually come forward.

In this next election this bill will come back to haunt them. Do you know why? Because it's going to be about ideas, and ideas are like a newborn child. You've got to feed it. You've got to protect it. You've got to nurture it. But you have to have, first of all, a child, and you have to have an idea in order to feed, nurture, and protect. Clearly, this Bill 1, forming another committee – you know, it's been rumoured by most Albertans and most Alberta constituencies feel that if they don't know what they're doing, they just form another committee, another committee that can collect dust, another committee that can just simply say: oh, well,

we're getting a committee review. It's no different than what we've just witnessed in health care.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes for comments or questions. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. I must say to the hon. Member for Fort McMurray-Wood Buffalo that I enjoyed your remarks on this bill, but I have a series of questions. The first one would be: you imply throughout your remarks that government members are totally in the dark regarding Asia. I'm wondering: the globes that you have promised to deliver, are you planning on having them illuminated?

**Mr. Boutilier:** That is perhaps one of the most articulate and intelligent questions, and I thank the member.

**Mr. Snelgrove:** Of the last 20 minutes it was.

**Mr. Boutilier:** Oh, the Member for Vermilion-Lloydminster has awakened. I must admit the fact that we met so many Asians with our sold-out event in Lloydminster just a few nights ago. It was so nice, Mr. Speaker. It was so nice. I want to let you know there were a few globes going around there, and it could have saved the government a lot of time.

To the hon. member I just want to say this: a very good question. I must say that this member has demonstrated the frugality of looking at every single cent. He has demonstrated that on health care and other areas. I'm sure, like everyone on this side of the House, that we do not want one single cent spent by the Premier for a swan song to go all over Asia as kind of like his legacy. That is what is pathetic, so we're going to get a running cost of what it's costing Albertans, Mr. Speaker.

It's an important point that the member has asked, and that is this: would I give them globes that are illuminated? We've heard the saying: the lights are on, but nobody is home. I definitely think we'll put some lights on the globe as well. Since their new discovery of Asia, 15 years behind when Albertans found out where Asia was, the markets that our businesses and universities and colleges have developed – I want to say to the hon. member today that he is absolutely correct. The globes need to be illuminated for the members.

By the way, I didn't promise the globes to every member because that would be too costly. What I will do is that I'll give them specifically to those who are interested in enrolling in my class. I see three heads nodding now. The Member for Edmonton-Castle Downs certainly will be getting a globe, as will the Member for Edmonton-Whitemud. Is there anyone else over there, Mr. Speaker, who would like to get a globe? Put up your hand now. I only see two now.

3:40

**The Deputy Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Just on the topic, I just wanted to find out... [interjections]

**The Deputy Speaker:** Hon. members, hold it. Do you have a point of order?

**Mr. Lukaszuk:** No. I just want to ask a question.

**Mr. Boutilier:** We'll get your question later on. Back to the member, the very good question that he asked – that's like: down,

boy, down. It is really good that not only will we have a globe for him and the other; we'll make sure there's a bright shining light inside of it.

**Mr. Hancock:** Point of order.

**The Deputy Chair:** Point of order. The hon. Government House Leader.

## Point of Order

### Question-and-comment Period

**Mr. Hancock:** Mr. Speaker, Standing Order 29 provides that if there are a number of people who want to ask questions, it's not an opportunity for another five-minute speech after one question. If there's only one question, then that's what is shared, but surely the Speaker would want to look around the House and see if there are other questions.

**The Deputy Speaker:** From my perspective as the chair here, I would say: please shorten your answers. The question is whether the globe is illuminated or not. Yes or no, I think, is preferred, and then continue with the next member.

## Debate Continued

**Mr. Boutilier:** Thank you, Mr. Speaker. The lights will be on, and they will be illuminated for the member for Edmonton-Castle Downs and Edmonton-Whitemud. The light will burn brightly, so we can shine light on how they don't know where Asia is.

**The Deputy Speaker:** Hon. Minister of Employment and Immigration, you have a question?

**Mr. Lukaszuk:** Thank you. Well, the member clearly indicates that he's teaching a course at the University of Alberta, and he's inviting all of us to enrol in it. He spends a lot of time here at the Legislature. I'm just wondering: how does he manage to teach at the University of Alberta full-time and be here and still tell us that he's going back to Fort McMurray? How does that work?

**Mr. Boutilier:** Well, see, Mr. Speaker, this is the problem with this government. On the question, the reason is that it's not full-time.

**The Deputy Speaker:** I think we should have comments and questions relating to the bill. You can answer, and then we will carry on with the bill.

**Mr. Boutilier:** Let me speak very slowly. Mr. Speaker, clearly. Okay. I want to say this. Because of the close connection to the people of Alberta such as at universities and colleges and as the former international minister, one thing for sure – you notice how they say full-time. You see, it's really important to be able to deal with the demands of your constituency but at the same time be measured and be well balanced. Clearly, Mr. Speaker, this member doesn't know what that means. That's why we're able to do that and do a variety of roles and responsibilities in such an efficient manner. We use our time efficiently.

**The Deputy Speaker:** Well, I think before we go on, I just want to remind the member, like the hon. Government House Leader has correctly said, that the five minutes for comments and questions are about the bill. And be concise so that other members can participate.

The hon. Member for Calgary-Montrose.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It is indeed a pleasure to rise and speak to Bill 1, the Asia Advisory Council Act. This particular piece of legislation is incredibly important, although some may not understand the fact that when conducting business with Asian nations, sometimes gestures of friendship are incredibly important. When you introduce a piece of legislation that says, "We value the friendship and the relationship that we have with you, we value our cultural ties, our educational ties, our trade ties, our business ties, and we value the ties between Alberta families within Asia and Canada," when you make these gestures, it gives you the ability to show the people of the great Asian nations that you are absolutely willing and able to put them at the helm, at the front of your foreign agenda, and that's what we're doing. That's what we're doing.

There's absolutely no doubt that Alberta companies, many of them, and Alberta postsecondary institutions have forged wonderful relationships with many institutions in Asia. There's no doubt. We have done phenomenal work. Now, Mr. Speaker, is the time to as a government bring forth that work and to form new collective visions that will take us to the next level.

Mr. Speaker, nobody in this House can deny the fact that Asian nations are growing at rates that, quite frankly, I don't think North America will grow at, whether you look at population or even economic growth. Alberta is perhaps the only jurisdiction in North America that can compete with the sort of economic growth that's taking place in nations like India and China.

Mr. Speaker, with an abundance of growth taking place in Asia, with a rising middle class and a hunger to succeed come great challenges for those nations. One of those challenges is obviously energy. In meeting with Indian officials, they tell us that perhaps upwards of 80 per cent of their natural gas is imported. Now, they would love nothing more than to have the ability to import liquefied natural gas from nations like Canada. Engaging in these discussions – these are long-term discussions, and they require a series of small steps and some bold actions that will ensure that Albertans have new markets, that Alberta energy, our oil and our gas, will have profound new markets to service the growing middle class in countries like India and China.

Now, Mr. Speaker, this conversation is not just around oil and gas. Nations like India have a hunger to achieve world-class education. So when many postsecondary institutions from around the globe go to India, they pursue the same jurisdictions and the same institutions as fellow North American institutions work with. What we're saying by making this council is that we have to have a very thorough knowledge of those markets. I will give you an example of this. Average individuals looking to pursue educational ties in India think Bangalore immediately and Gujarat. Those are phenomenal states doing wonderful work with respect to education. But what they fail to understand is that there is an abundance of other states where there are populations that are very hungry to get education and quality education, so states like Haryana and Punjab may not be on their radar.

Now, a further analysis of this situation would have one learn that in Punjab there are over a hundred thousand children – a hundred thousand children – that go to kindergarten to grade 12, so primary education, outside of the state of Punjab but within India. They do that, Mr. Speaker, because they are in search of quality education. What that means for our postsecondary institutions is that now they have access to a new state in India that is hungry for quality education. So they have the ability to go there – and this is a commercial venture – and train teachers from primary school education systems because the people want that.

Mr. Speaker, that sort of knowledge comes about when those that have been working in Asian markets for a number of years

come together, when various postsecondary institutions and commercial ventures, when the folks involved in those come together and say: "This is what we have learned. How can we now best ensure that we are advancing the interests of the Alberta public?"

Mr. Speaker, those are just small examples. Education and energy are obviously important.

3:50

Agriculture. The agricultural production in countries like India is very different in some ways from the agricultural production in Alberta. Mr. Speaker, I'll be the first to profess that I am no expert on agriculture. However, what I do know is that the governments of these countries are moving forth to find new and innovative agricultural techniques. When they do so, they are knocking on our door and saying: how can you help us in this area? Now, on a council such as this perhaps you have a person, an individual, who has an in-depth understanding of Alberta's agricultural landscape who can assist such institutions.

The Premier's mission to India was discussed a little earlier. Mr. Speaker, let me say this. For the first time in Alberta's history Alberta and the state of Punjab signed a memorandum of understanding – for the first time in our history – during that visit to India. That is a powerful and profound first step in developing, I think, very financially as well as culturally rewarding relationships for both of our jurisdictions.

Now, when the whole world recognizes that nations like India, China, Japan, and Korea have incredible wealth and value to add to the rest of the world, what happens is that you have an abundance of western countries, European countries, and institutions knocking on the door of Asian companies, postsecondaries, and governments and saying: open the doors to us. So, Mr. Speaker, when you have an abundance of organizations knocking on their door wanting to forge relationships with them, you have to set yourself apart. By having an Asia advisory council that is empowered by legislation, that's a small gesture of friendship, a small step in friendship that we are taking, that sets us apart from other jurisdictions.

With all due respect, Mr. Speaker, when you have discussions such as this and you mock this, this does not send the right message to the folks we want to work with more in the future. I don't think that's appropriate. This is about new friendships and old friendships. This is about us moving forth together, saying: how are we going to ensure that we find win-win solutions for all of our jurisdictions, solutions that work for the folks of India, China, Japan, and Korea and that work for Alberta? That's what this is about. That's what this is about.

This is a powerful and profound first step in a new stature in our relationship, a new stature to say: we are jurisdictions that take you very seriously. Just as you bow when you meet people from various jurisdictions and, you know, greet people in various languages and traditional greetings, this is our way of saying: we get you. We get you. We understand that relationships in Asia are not just formed by economic interests. They're formed with respect, something that's so often lacking in this very Assembly. Respect. Acceptance. It's easy to say "tolerance." People can tolerate a stone they get in the bottom of their shoe. What we're talking about is acceptance. That's what we stand for on this side of the House, Mr. Speaker, acceptance. We stand for the fact that it is the profound strength of diversity that gives us an edge in international relations. When you form the friendships and the relationships first and then have conversations around business, the business comes much easier.

This act is a profound and wonderful gesture of friendship. This says: yes, our institutions have enjoyed wonderful relationships



and friendships in the past, and now we will as states – as states – enjoy new friendships on a state-to-state level, Mr. Speaker, not just on an institution-to-institution level, a strategic relationship based on mutual trust, understanding, and friendship, based on acceptance and respect. By putting forth this act, we are putting forth the best of us. We are putting forth our hand in friendship, the best of what the Alberta people believe in, not the minute dialogue that we far too often see in this House.

With that, I think that we are at a wonderful stage in our international relations with many Asian countries. We are taking bold new steps. I am very excited to see how we will capitalize on these new relationships culturally, financially. Mr. Speaker, this is the future. This government, I'm proud to see, is enacting something that will enable us to make great future progress.

With that, Mr. Speaker, I thank you very much for allowing me to speak to this bill.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Rocky Mountain House.

**Mr. Lund:** Thank you, Mr. Speaker, and I want to thank the hon. Member for Calgary-Montrose for those very insightful comments. When I had the opportunity to be with Premier Klein on a trade mission and we went to China and visited within China, I remember the reception we got and how important it was to have elected people and people from government.

We took a number of businesses with us. For example, the more interesting one – and I believe he probably ended up with a plant in China – was the person that grows sunflowers and processes them, the Spitz that you see in the stores. A very interesting type, he was along with us. I had the opportunity as a minister to meet with the third in command in agriculture and food in China. One of the very interesting things that he mentioned to me was the fact that to ship food products from Alberta over to China, where the bulk of the people are, was actually cheaper than them raising it in their own country and shipping it across. So I really appreciate that.

I would like to have the hon. member just expand a bit further on the types of businesses and the reception that you got on your trade mission to India.

**The Deputy Speaker:** The hon. Member for Calgary-Montrose.

**Mr. Bhullar:** Thank you, Mr. Speaker. The member has a great understanding of agricultural industries, so perhaps at some point I'd like to further expand on some dialogue that we had with respect to agriculture. One of the dialogues we had in India was around agriculture and food processing. India today has a very large percentage of their crops being grown on soils that are very, very addicted, as they say, to chemicals. This is an area where the central government of India has placed a focus. They are concerned with the high percentage of chemicals being used in growing food in India. Now, it's my understanding that there are some wonderful companies here that have in fact developed organic techniques and technologies that help reduce the soil's dependence on chemicals. That in my eyes seems to be a pretty simple fit.

4:00

In addition, Mr. Speaker, you have great issues in India with respect to food transportation and food storage. Now, it's my understanding that these are two areas where Alberta really excels, food transportation and food storage. However, the challenge in India is the infrastructure. In many parts of rural India they don't

have the infrastructure to allow, let's say, even tractor-trailers that could store and transport food from one region to another region, that would expand the life of the food. They don't have the ability to take a large tractor-trailer into a village in some parts of rural India where they need to. This is posing some very significant challenges in India because a large percentage of their food actually goes to waste. They're asking us now: "You are a leader in agriculture. How can you help us with these sorts of issues?" That's an area where I believe our two jurisdictions can again find synergies.

One more piece, Mr. Speaker, and that is water. Now, we have some great innovations coming about with respect to water in Alberta. For example, Olds College is working on some very innovative water treatment processes right now. Having an adequate supply of water . . . [Mr. Bhullar's speaking time expired]

Thank you, Mr. Speaker.

**The Deputy Speaker:** On the bill, the hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's an honour to be able to rise and to speak against Bill 1, the government's Asia Advisory Council Act. I am, as with most of the opposition members, amazed that the government would pick this as their flagship bill and say that the most important thing that we can do is to form a committee in order to go forward. There are a couple of good things about this bill, and I'll start off with that, just to cover the one or two things. I always like to try and look at things first from an optimistic point of view and what it is.

The best thing is the expiry date, section 9. This act expires on December 31, 2014, so it's good that they're only looking at a three-year bill. That's good. The other good thing is that there's no salary for those. They're not going to actually pay them to go on a vacation. They'll just allow them to go on a vacation and pay their expenses, so at least we don't have to pay them to go on a vacation. It's interesting to me, though, that in section 4(5) the chair of the council may serve as a member for the council for more than six consecutive years. I have to ask: why are they putting in an expiry date, yet they have the provisions in here for this to continue on? That's concerning, that the real intent is that they're forming a council here.

It was interesting to hear the government member talk about this wonderful first step. I mean, good heavens, this isn't a first step. This is – I don't know – the first of a continual amount of blunder that we're going to have with the committee. I'm not sure if the government member is aware of the fact that we have five Alberta offices over in Asia now. We had a mission to Korea and Japan on November 4, 2010, that we spent \$16,000 on. They had another trade mission to India on November 1 at \$87,000; a mission to China and Japan on May 14 of 2010 at \$137,000; a mission to India, United Kingdom, and Hong Kong on the 2nd of January 2009, \$27,000; a mission to Asia on the 13th of June 2008, for \$20,000. So this isn't a first step. This talk about it being this huge hand out in friendship: what I see this as is a huge hand out in friendship to 10 more friends of the PC Party. The government is going to say: "Well, here's my hand of friendship. Would you go on a vacation, all expenses paid, and come back and report?"

That's another ironic thing, Mr. Speaker. If they're going to come and report back to the House, why would they report back on the 30th of June, when for all intents and purposes I don't know a time in history when the House was sitting? Yet the provision in the bill talks about the importance of getting it to the House within 15 days of when it is sitting. Why couldn't they

report, you know, on the 1st of March or the 1st of April, when the House could have some value from the report? But they want to report during the summertime, when no one is paying attention, when school vacations are on, June 30, when it's not going to be a big deal. The opposition can't speak up and ask: "What did we get for value? What was the cost of this council?" Again, you have to ask the question: are they going to make the numbers easily available to know what the actual cost is of these individuals going out? I would project that in all likelihood they won't.

The best thing that I could think of when the hon. Member for Fort McMurray-Wood Buffalo talked about this globe: what I see this as and what I summarize this bill as is a beach ball globe. I'll throw it over there, and they think, "Oh, what fun this game is, that we can bat this back and forth." Then I'll hand one of them a pin and say, "Five dollars to the first one who can pin where Asia is," and, poof, the beach ball will collapse. That's about as much value as this bill has. We're just going to have a little game. The government gets to throw it back and forth, and it's going to collapse, of no value.

You have to ask the question on these Alberta offices that we have in five different areas in Asia – Japan, Hong Kong, China, Taiwan, and Korea – wouldn't it make sense that those would be the people, that they would bring a report together? They're there. They're working. They're in the area. I mean, what we're doing is having a great friendship here of trade committees. Trade missions are great, but that's kind of restrictive whereas if we have a committee: oh, my goodness, we can just be travelling all over Asia and coming back and reporting on June 30, once a year, on what a wonderful time and how uplifting and the wonderful friendships that we've developed.

I mean, I just do not believe, Mr. Speaker, that this is the role of government. It certainly isn't what I would call a flagship bill. This is a flagship boondoggle of money being spent for no business plan or direction that they have in mind. It's just hard to believe that we would go forward and that this government would be able to bring this bill forward with great pride and vigour and say: "Look what we're going to do. Asia is such an important part of the world." It is an important part. The government has been there. We do have a presence. Why we need an advisory committee is beyond my understanding of the purpose of this.

It's interesting, though. You know, when you look back a year ago, Bill 1 was, in fact, the Alberta Competitiveness Act. The reason I want to talk about the last Bill 1 is because what we seem to see with this government more than anything else is that they are like paramedics flying around in an ambulance trying to run over pedestrians so that they can stop and pick them up and then be heroes when they get them to the emergency room and show that, "Oh, we've got priorities" and get you through there so that they can come and make a member's statement or something and say: look what a great job we did. But what was the reason for the job? "Oh, because of a total boondoggle, where we ran over somebody that was in a sidewalk area." For all intents and purposes they're doing the right thing, but government just creams them out to bring them up.

That's what they did with the oil and gas industry. Frankly, Mr. Speaker, I am so tired of listening to this government now stand up and say: look what land sales are. I spoke out so adamantly that you have to put A and B for revenue, A being mineral leases and B – this is about Bill 1. That's what we're doing, giving some historical reference on what Bill 1 should be and how this government just continues to put out Bill 1 to try and save what they've blown up previously. They're just blowing up their areas.

When it comes to the Competitiveness Act, they talk and talk about land sales and what a wonderful job they're doing. Why

don't they show what land sales did after they brought in the new royalty framework? It devastated our industry. Again, with Bill 1 here, with the Asia advisory committee, what is the purpose of that? Are they going to run over all the work that's being done and then this committee is going to swoop in and say: "Look at what a wonderful repair job. Look at the friendship?"

The hon. Member for Rocky Mountain House brought up a very good point. I do understand and see the credibility of having elected people from government go and meet others elected at the government level. That really is where you open up to new regions, new opportunities. Often a business cannot go over there without the government opening up the door and setting up the meeting and saying: "This is an accredited business. This is something that we want to work." But a committee is not going to do that. I know that they're going to argue and say: well, but the committee is going to be the frontrunner. We have many things that are already going on that open up those doors, and we've been doing it in the past. It just seems to me that this is like so many things. This is the government coming to the party late.

4:10

There are so many businesses that have been going over to China and Japan and India and Korea, the Philippines, all through that area, and opening up businesses. We're doing fine with that. Now the government wants to swoop in there and get credit and say: oh, look, it's our wonderful committee. [interjection] You do. You literally go in and say: "Look what we've done to the oil and gas industry. Look how great it is." You destroyed it. You ran over them. Then you bring back a new one.

**The Deputy Speaker:** Hon. member, please address the chair and on Bill 1.

**Mr. Hinman:** I'm sorry, but when we start talking about these things, Mr. Speaker, there's just no question.

Anyway, what we need to do is send this bill to a committee. I'd like to have a notice of amendment to Bill 1. Perhaps I'll sit down while this gets distributed.

**The Deputy Speaker:** Would the pages please have the amendment distributed to hon. members.

Hon. member, continue on your amendment.

**Mr. Hinman:** Yes. I'd like to move a motion to second reading of Bill 1, that the Asia Advisory Council Act be amended by deleting the words after "that" and substituting the following:

Bill 1, Asia Advisory Council Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resources and Environment in accordance with Standing Order 74.2.

[interjections] I'm enjoying the remarks already because here we are now forming a committee or sending this to an already existing committee, and the government is mocking.

I'm going to explain to them that we already have a committee, and they want to mock this and make this rhetoric: "How much is that going to cost? How much paper is that?" So immediately it's being referred over to a committee that's already being paid to exist. If this is the number one priority of this government, I would think that that would be the number one priority of our Standing Committee on Resources and Environment, where we can actually go through these things and say: "What is the business plan? What is the purpose? What are we going to do?"

This is only a feel-good bill to extend a hand of friendship to 10 PC Party supporters. That is all that I see in this. By referring this over to the standing committee, which already exists, which already

meets and gets paid monthly to exist, it would actually perhaps come up with a business plan on what they're really trying to do. Bill 1 is actually, I think, the thinnest bill that the government has brought out this time, which is commendable, that they can actually bring a bill that is that short.

What it talks about here in the preamble of this bill and why this needs to go to the committee to be studied is that it says: "Whereas competitiveness is core to the Government of Alberta's plan to position Alberta for long-term prosperity." Well, actually, this should go to the economic committee because, boy, with their plans and what they've done with health care, with the new royalty framework, with the ambulance service: everything that they've done to date is not about prosperity, and it certainly isn't about quality of life. It's about running people over.

Also: "Whereas the Government of Alberta's international strategy sets the overall course for the Government's engagement internationally with the goal of making Alberta more globally competitive." Wow. That sounds exciting, that we're actually going to go to a competitiveness Olympics of economics and see what we are doing here in Alberta that's preventing us from being able to export. When I think of that, the first thing I think of is: what are we doing in order to advance our exports to Asia? We need a pipeline to the west coast. Is the government engaged in acting in the best way possible to ensure that we have a second opportunity to export our biggest export? That's bitumen and oil from the Fort McMurray-Wood Buffalo area. No. They're not engaging in that.

Again, I could see if that was to be Bill 1, if it was to say: "You know what? We need to open up a route, an access for our products – agricultural, petroleum, industrial – to get to the west coast to ship things out." Mr. Speaker, they're failing to do those things. What we have is a bill here that is flimsy. There is no content to it. There's no thought on what we're actually going to do to be globally competitive. There's no thought on what we're actually going to do to ensure prosperity for Albertans. How are we going to trade with these individuals? What good is it to go over there and try and sell some oil or gas products when we don't even have a pipeline that we can ship it out with? I think that should be a priority.

Government understood that when they first came together. They built a railroad in order to connect this country. We are an export nation. Alberta is an export province. What are the transportation corridors that we have in place to export our products? More important, how good is that transportation corridor to the west coast, which, really, is our neighbours and the link over to Asia? It's critical. If all we have are north-south lines and roads and transportation, we're kind of limited in that we have to export south. This whole Bill 1 is about Asia. So what are we doing? What are our links to open up to Asia and allow it to get over there?

I've sat on these committees. We have a lot of interesting people bringing forward their views, their ideas, and I think it's a far better position for this government to be in, to have this committee listening to experts and bringing in ideas on how, in fact, we do connect with the Asian market and how we export our products. But to just say that they're going to appoint 10 individuals when they already have . . . [Mr. Hinman's speaking time expired]

**The Deputy Speaker:** We have the amendment. Those to join the debate on the amendment? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to talk a little bit about why I like this amendment.

**The Deputy Speaker:** Hon. member, I forgot about Standing Order 29(2)(a). Do you want to use that or continue on the amendment?

**Mr. Anderson:** Sure.

**The Deputy Speaker:** You want the five minutes of comments or questions?

4:20

**Mr. Anderson:** Sure. I'll ask a question of the member.

Hon. member, I was listening intently to your comments. [interjection] That's right. The one thing that I just don't understand about this government is – I was looking under, for example, section 7 of the Government Organization Act. It says:

A Minister may establish any boards, committees or councils that the Minister considers necessary or desirable to act in an advisory or administrative capacity in connection with any matters under the Minister's administration.

Then it goes on to say:

A board, committee or council established pursuant to this section may, with the approval of the Minister, make rules governing the calling of its meetings, the procedure to be used at its meetings, . . .

et cetera, et cetera, et cetera.

So there's an act here under the Government Organization Act that specifically allows the minister involved to set up a committee without needing to pass legislation, without having to waste people's time, in order to cut down on the amount of legislation that's being brought forward. I mean, if we used the same logic as we are now for setting up this committee that the government is using, we would have to establish a committee under every single committee imaginable. I mean, we'd have to use legislation to establish it, and that would be, obviously, a gross waste of time and resources.

I think of the homelessness secretariat, for example. Did we need to pass a piece of legislation to have the homelessness secretariat and the oil sands secretariat? That's not to say that committees aren't important and so forth, but it is to say that you don't need a useless piece of legislation to set one up.

So my question is: why do you think that the government would, I would say, almost abuse the legislative process to bring forward a piece of legislation that is entirely redundant, unnecessary, completely unneeded when they have so many other ways to do it? They could refer it, as your legislation says, to the Standing Committee on Resources and Environment so that we could bring in people, experts, that could tell us what we need to do. We wouldn't have to pay an extra cent to anybody because we're already being paid for that. So why do you think the government would do that?

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Well, thank you. I'm happy to express my thoughts on why I think they did this. I thought I did a little bit earlier. It's one that they want to shake hands with the friends of their supporters and put them in that position.

But I think you had some interesting points there about being tired, redundant, unnecessary, could be replaced. That kind of summarizes the position this government is in. It's not until they've run over something and wrecked something that they look back and say: oh, we need to fix this.

I don't know that they've wrecked anything in Asia yet, but it makes me very nervous that maybe there's something that's happened that we don't know about, some relationships that they're trying to mend. It just seems that the only plausible reason they would do this is because they couldn't think of anything else to do, and when you get a bunch of people together in government, these elected MLAs, they think: well, what are we going to do about this;

what are we going to do about this? Government bloats because they say: let's form a committee.

The purpose of this amendment, Mr. Speaker, is that we already have a committee. That's why I want to in this amendment refer Bill 1 over to a committee that already exists and not need to go and spend – can I not answer his question?

**The Deputy Speaker:** Go ahead.

**Mr. Hinman:** Thank you. Your hand motions were . . .

**The Deputy Speaker:** There's an hon. member wishing to ask a question.

**Mr. Hinman:** I can appreciate that, but I need to answer the one that's up.

These committees have a purpose. The government has put in many committees in the past, like the oil sands secretariat. They've put together committees and commissioned reports. I looked at the report that they brought together for the ambulance integration that came forward. When they first came up with that committee and that report, they estimated it to be \$50 million. That's why these things need to go to an all-party committee. Because this government seems to fail when they put their committees together and do the research.

It's like the ambulance integration research. They first came up and said that it was only going to be \$50 million. [Mr. Hinman's speaking time expired]

**The Deputy Speaker:** On the amendment, the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yeah. Thank you. On the amendment that's put forward, that reads that, ultimately, it should be referred to a Standing Committee on Resources and Environment in accordance with Standing Order 74.2(1). I think it's important to recognize what a standing committee is. A standing committee is an existing infrastructure we have in place, where the costs of the standing committee are already absorbed. The time and effort by all members of this House who participate in that from all parties as well as the government, I think, is important.

I describe this amendment as one that really is like putting meat to the bones because at this point it's clear that the flagship bill does not have that meat to the bone. So in enhancing that, I think it's important that a standing committee, a standing committee that is very different than what is being proposed in this legislation, would actually get to the root cause and to the issue of building and strengthening the important relationships that Alberta businesses and universities and colleges have built with the Asian community over the past 15 years.

That being the case, I think this amendment, clearly, Mr. Speaker, in reference to going to the Standing Committee on Resources and Environment in accordance with Standing Order 74.2 is a good one because I think it is one that, ultimately, will add meat to the bones of this skeleton. It's like when you have an idea; you at least have to think out the idea. Not only do you want to be down the road, but I have always taken the approach of being down the road and around this corner. So this is intended to help get this government around the corner because, clearly, they're not even down the road yet, let alone around the corner, where most Albertans are.

Businesses, farming communities, the Asian community and the relationships that have been forged over the last 15 years are already around the corner, and here we are with a piece of legislation that

says: let's go down the road. Well, even members on that side – I certainly know the Member for Rocky Mountain House is down the road and around the corner. Maybe it's time for some of his colleagues to join him around the corner because, clearly, in my judgment, he is one that has the wisdom to be able to see down the road, unlike what's being proposed here in this Bill 1.

The amendment, Mr. Speaker, that has been brought forward by the hon. Member for Calgary-Glenmore is one that is important. I think it will clearly put some meat to the bones and also help guide the government to a destination that most Albertans and some members are already at. Sometimes it's said that it's the destination; sometimes it's the journey to get there. But on this amendment I don't want one cent spent on the journey of a lame-duck Premier going over to Asia before he retires. I think it's more important that we get good value by going forward.

This amendment will put meat to the bones of something that really has not been clearly thought out. It will provide an opportunity to be able to use an existing infrastructure that's already in place, called the Standing Committee on Resources and Environment. I think that, Mr. Speaker, is a good use of our time under this amendment. It's of good use to peel back the onion. As Ross Perot used to talk about: peel back the onion and get to the core of what's being attempted here. That really, for those who may not understand it, is not only being down the road but around the corner so that we can join the rest of Albertans.

I do know there are some members in here, that I made reference to earlier, who are already around the corner, but it's time for the government to get around the corner with everyone else because, clearly, there are many that are just looking and peeking around the corner. The standing committee will provide some of the necessary infrastructure for being able to see what many of us can already see around the corner.

Mr. Speaker, that's why I believe this amendment is an important one. I'm certain that most of the members here will give the green light to this amendment today to go to, as you know, a committee that's essentially controlled by the governing party, the government. But that's okay. It's a standing committee. Fortunately, maybe, in talking to the wisdom of some of their senior members on that side, with their experience in the many ministries they've been in, they'll be able to understand the importance of going around the corner and realize the importance of this amendment.

Mr. Speaker, I stand today regarding that

Bill 1, Asia Advisory Council Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resources and Environment in accordance with Standing Order 74.2,

because 74.2, I believe, is really an excellent provision for us to go forward, peel back the onion, and look and see what Alberta businesses and universities and colleges and many of the natural partnerships that some of the hon. members have talked about, the respect that we have for the Asian community, the billions of people who are impacted. Clearly, Mr. Speaker, let's put meat to this flagship bill . . .

**The Deputy Speaker:** I hesitate to interrupt, hon. member. We will continue this business at a later date.

It's 4:30. Pursuant to Standing Order 3(6) the House stands adjourned until 1:30 p.m. on Monday, April 11. You have good constituency weeks.

[The Assembly adjourned at 4:30 p.m. to Monday, April 11, at 1:30 p.m.]

## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to March 24, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

### **1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft.), 553-62 (Mar. 24 aft., adjourned, amendment introduced)

### **2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c4]

### **3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c3]

### **4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft., adjourned)

### **5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft., adjourned)

### **6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft., adjourned)

### **7 Corrections Amendment Act, 2011 (Oberle)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft., adjourned)

### **8 Missing Persons Act (VanderBurg)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft., adjourned)

### **9 Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**

First Reading -- 113 (Mar. 1 aft., passed)

Second Reading -- 185-86 (Mar. 3 aft., passed)

Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)

Third Reading -- 305-08 (Mar. 10 aft., passed)

Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]

- 10 Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft., adjourned)
- 11 Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft.), 552-53 (Mar. 24 aft., adjourned)
- 12 Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft., adjourned)
- 13 Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)  
Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force March 18, 2011; SA 2011; c2]
- 14 Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft., adjourned)
- 15 Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft., adjourned)
- 16 Energy Statutes Amendment Act, 2011 (McQueen)**  
First Reading -- 482 (Mar. 22 aft.)  
Second Reading -- 552 (Mar. 24 aft., adjourned)
- 201\* Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)  
Committee of the Whole -- 464-68 (Mar. 21 aft., adjourned, amendments agreed to)
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203 Alberta Get Outdoors Weekend Act (Rodney)**  
First Reading -- 152 (Mar. 2 aft., passed)
- 204 Justice System Monitoring Act (Forsyth)**  
First Reading -- 304 (Mar. 10 aft., passed)
- 205 Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
First Reading -- 362 (Mar. 15 aft., passed)
- Pr1 Alberta Association of Municipal Districts and Counties Amendment Act, 2011 (Rogers)**  
First Reading -- 550 (Mar. 24 aft., passed)
- Pr2 Galt Scholarship Fund Transfer Act (Pastoor)**  
First Reading -- 507 (Mar. 23 aft., passed)
- Pr3 Auburn Bay Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 515 (Mar. 23 aft., passed)
- Pr4 Cranston Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed)
- Pr5 New Brighton Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed)

- Pr6      Tuscanv Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed)
- Pr7      Hull Child and Family Services Amendment Act, 2011 (Rodney)**  
First Reading -- 516 (Mar. 23 aft., passed)









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday, April 11, 2011

Issue 20

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Monday, April 11, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome back.

Let us pray. Life and health are precious. When they are lost, all of us are impacted. Let us remember those who are no longer among us with the most positive of thoughts, and let us reach out with compassion, understanding, and prayer to those who suffer. May blessings be upon them, and may they find eternal salvation in an eternity of peace.

**Micheline Gravel**

December 10, 1974, to April 8, 2011

**The Speaker:** Hon. members, it is with regret and deep sadness that I must advise members of the sudden passing on Friday last of Micheline Gravel, our manager of House proceedings. Micheline has been a valued professional member of the Legislative Assembly staff for over 12 years and a dear friend to many of us. She will be remembered for her cheerful demeanour and her dedication to serving the members of the Assembly. Our condolences go out to her family and friends at this very difficult time.

I would now like to invite Mr. Paul Lorieau to lead us in the singing of our national anthem, and I would invite all present to join in the language of one's choice.

### Hon. Members:

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

**The Speaker:** Please be seated.

Hon. members, Mr. Paul Lorieau has now concluded a 30-year career singing the national anthem for the Edmonton Oilers. Mr. Lorieau had a very powerful, nationally televised send-off on April 8, 2011. I understand that one of the mementos that he received from the Edmonton Oilers Hockey Club is an opportunity to go to New York and sing at the Met, so he's now in training for this next big event. But I would like to advise all members that although Mr. Lorieau has concluded his career at Edmonton Northlands, he will continue to grace our House with his presence every Monday. [applause]

### Introduction of Visitors

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Mr. Speaker, it's my honour and pleasure to introduce to you and through you to all members of our Legislative Assembly a fine guest that I and a few members of our Legislature had the pleasure of having lunch with, and that is Her Excellency the ambassador of Morocco to Canada. Her Excellency Nouzha Chekrouni has been the ambassador of Morocco to Canada for some two years; however, this is her first opportunity to visit the

province of Alberta. We have found that there are many similarities between the province of Alberta and Morocco, one of them being the fact that Morocco right now is getting into the business of oil and gas. I think we can develop many relationships on that front. Also our Faculté Saint-Jean is hosting a number of students from Morocco who are studying in our fine province of Alberta. I would ask Her Excellency to rise and accept the warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Thank you, Mr. Speaker. I wish to introduce to you and through you 34 very special guests. They are here from Ryley school. They are seated in the public gallery, and they are accompanied today by teachers Dan Gillis and Monique Tremblay and parent helper Lonnie Lauber. I would ask all of our students to rise and receive the traditional warm welcome of our Assembly.

**The Speaker:** The hon. Member for Spruce Grove-Sturgeon-St. Albert.

**Mr. Horner:** Thank you, Mr. Speaker. It's indeed an honour for me to rise on behalf of the hon. Member for Whitecourt-St. Anne to introduce 18 energetic visitors from St. Joseph school. They are accompanied by teacher Mrs. Jennifer Jones Shaver and parent helpers Ms Manon Lanthier, Mrs. Zenovia Wiwchar-Crawford, and Mr. Gregory Michael Ian Evasiuk. I believe that they are in the members' gallery. They have travelled quite a distance. I would ask that they would rise and receive the traditional warm welcome of this Legislative Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you two groups of students from St. Clement Catholic elementary school in my constituency of Edmonton-Ellerslie. I had the privilege of meeting them in the rotunda just a few minutes ago. Joining them today are their teachers, Jason Geis and Miss Lyndsy Skilton. At this time I ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to the Assembly 35 parents, parent teachers, and students, home-schoolers, from Airdrie. They are seated in both the public and the members' galleries and are being chauffeured around here by their parents: Mr. Will Allen, Mrs. Rebekah Allen, Mrs. Carol Korsholm, Mrs. Julie Schroeder, Mr. Glenn Heslop, Mrs. Sue Heslop, Mr. Greg Lammiman, Mrs. Shauna Lammiman, and Mrs. Cheryl Roberts. A lot of these families are pillars in our community. They bring so much to our great city. I'd like all members to give them a warm, resounding welcome.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly 27 very bright and talented young people from St. Gerard school. They are accompanied by their teachers and group leaders: Ms Marcelle Labossiere, Mr. Adam Swap, Mrs. Rita Storti, and Mrs.

Edna Encinas. I would ask them now to please rise and receive the warm, traditional welcome of this Assembly.

**The Speaker:** The hon. Minister of Culture and Community Spirit.

**Mr. Blackett:** Thank you, Mr. Speaker. It gives me pleasure to rise and introduce to you and through you three constituents of mine from Calgary: Mrs. Kelli Taylor, Dylan Taylor, and Ryan Barrows. I'm fortunate to know these individuals and to have them as active members of the Calgary-North West Progressive Conservative Association board. In addition to her political work, Kelli is a businesswoman and active member of the community, whose efforts were instrumental in raising awareness for the much-needed schools in the Calgary community of Tuscany. Dylan is a focused young man who joined the board when he was 15. He is now a young adult, graduating this year with a bilingual diploma. Ryan Barrows is a business owner in new media and a design specialist, whose skills are greatly appreciated and utilized by the board. I'd like to ask Kelli, Dylan, and Ryan to please rise and receive the traditional warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you, Mr. Speaker. It is truly an honour today to rise and introduce to you and through you to all members of this Assembly two members of the Alberta Hate Crimes Committee. You'll hear more about the Alberta Hate Crimes Committee shortly in a member's statement by the hon. Member for Edmonton-Ellerslie, but it's my honour now to introduce Mr. Stephen Camp, who is the co-chair of the committee, and Mr. Kris Wells from safe and caring schools and a member of the committee. Both of them do fantastic work on behalf of their communities and their province. I would ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Mackay.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It my honour to rise today and introduce to you and through you a Calgary-Mackay constituent, James Rouse, Miss International Pride Electronica St. Asia B'Alone Dynasty. Miss International Pride was crowned in December 2010, and part of her title responsibility is to raise funds for local charities of her choice. She has chosen the Canadian Cancer Society and Kids Help Phone antibullying campaign. Over the past decade she has raised over \$45,000 for various charities like the Cancer Society, Pride Calgary, AIDS Calgary, and the Matthew Shepard Foundation. I ask Electronica to please rise and accept the traditional welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to the members of the Assembly a constituent of mine, Murray Barker, and his wife, Arlene. Murray Barker served as a detective with the Edmonton Police Service for many years until he was forced to resign because of the onset of multiple sclerosis 15 years ago. Despite his condition Murray is an amazing man on his motorized wheelchair, visiting me often in my constituency office to update me on the current science related to the treatment of MS. I would ask Murray to give us a wave and Arlene to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's great pleasure for me to stand and introduce to you and through you to all members a group of 20 representatives of CCSVI, the liberation therapy group, including their president, Debbie Golden of Grande Prairie. These individuals are among 11,000 Albertans with MS or whose immediate families suffer the debilitating effects of this disease. I'd also like to recognize Dr. Bill Code, who has been working tirelessly for the past 20 years to improve the lives of all who suffer from MS. Dr. Code is the author of several books on the topic of MS, including CCSVI, and recently experienced personal success with CCSVI treatment. I'd ask all our guests to stand in both galleries and accept the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly three students and their host from Rotary International. Each year Rotary International sends over 8,000 high school students to countries around the world for one year to experience and understand another culture and way of life. Clubs send and receive students to encourage international understanding and co-operation. This year Rotary clubs in Alberta are responsible for approximately 40 outbound and 40 inbound students. Today I had the pleasure of hosting three students for lunch, as well their host, and then we attended the Premier's office and exchanged gifts. It's my pleasure to introduce Mathilde Bézy from France, and she's being hosted in Innisfail; Phoebe Ho from Taiwan, and she's being hosted in Red Deer; Praew Soithongpong from Thailand, and she's being hosted in Red Deer, I believe; and Mr. Bryan Walton. He's the host from the Rotary Club of Calgary South. Please join me in giving our guests the traditional warm welcome of this House.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I cannot tell you how delighted I am to introduce to you and through you to all members of the Assembly the newest member of our staff. Joining us in the public gallery we have Karin Kellogg. Karin is trained as a lawyer and came to us from the Health Law Institute. We are very grateful to have her joining our caucus staff, as I'm sure the rest of the staff are as well; we've been quite short-handed. Karin, if I could ask you to please rise and accept the warm welcome of the Assembly.

Thank you.

## Members' Statements

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

## Hate Crime Awareness Day

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I'm honoured to rise today to recognize Monday, April 11, as Hate Crime Awareness Day. I congratulate the Alberta Hate Crimes Committee for organizing this day to mark the start of National Victims of Crime Awareness Week.

Hate crime is an important issue that must be addressed if Albertans are to continue to live in safety and security. By shining a light on what is being done to tackle hate crime, we send out a clear message that Albertans will not tolerate such behaviour. Hate Crime Awareness Day promotes mutual respect among Albertans. It helps them understand their role in ensuring that our communities are free from intolerance and that hate crimes have no place in today's society.

The committee has also chosen this day to launch a new website, [albertahatecrimes.ca](http://albertahatecrimes.ca), that promotes the message that our social and economic well-being is based on the premise that everyone is equal regardless of age, colour, nationality, sexual orientation, or physical abilities.

As Albertans we pride ourselves on our patience, politeness, and tolerance, but we must not be complacent. We must all, through initiatives like Hate Crime Awareness Day, continue to work together to rid our communities of ugly hate and prejudice. This partnership includes individual Albertans and organizations such as educators, law enforcement agencies, media, community groups, and all levels of government. Part of this process involves ensuring victims report hate crimes to the police. Only 1 in 10 hate crimes is ever reported. Clearly, that must be improved.

Alberta is a beautiful place to live, work, and raise your family, not least because of the diversity of people who call this province home. I applaud this initiative to help eradicate crimes of hatred and prejudice.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall.

### Calgary Airport Tunnel

**Mr. Kang:** Thank you, Mr. Speaker. Last week's announcement regarding plans for a new Royal Alberta Museum was very welcome. Assuming the government follows through, these plans will help the ongoing revitalization of downtown Edmonton.

Plans to include a high-speed rail link show the kind of foresight Alberta needs, but while the Premier tries to improve his legacy by making plans to improve long-term transportation links to Edmonton, the more immediate needs of Calgary are still being ignored by this government. Barlow Trail is now closed because of the expansion of Calgary International Airport, but this government continues to drag its feet on the airport tunnel issue. Actually, it's worse than foot-dragging. This Premier and his ministers seem to have stubbornly dug in their heels so that they can wash their hands clean of all responsibility for this very vital transportation issue.

Mr. Speaker, the window of opportunity for this government to step forward and do the right thing is rapidly closing. The provincial government has a duty to the people of Alberta to do its part in making the Calgary airport tunnel a reality. This is critical transportation infrastructure that will serve the needs of the province for decades to come. If this government has the foresight to plan a high-speed rail link between Edmonton and Calgary, a policy Liberals have advocated for many years, by the way, then surely you must also see that the airport and northeast Calgary will form part of the rail line.

Doesn't it make sense for the transportation links in northeast Calgary to integrate harmoniously? Let's craft a better future for our transportation infrastructure and invest in the airport tunnel.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. This Premier continues to hide behind the Health Quality Council by misrepresenting the legal protection it provides. It fails to provide. Today

prominent surgeon Dr. Ciaran McNamee is bravely stating that under a public inquiry, quote: I and other physicians who have left Alberta likely would be willing to help if invited to give our account and opinion, but the protection of law is needed to make the details public. End quote. To the Premier: why does the Premier continue to hide behind the Health Quality Council review when this government knows full well that only an independent judicial inquiry can provide real legal protection?

**Mr. Stelmach:** Mr. Speaker, I'm very comfortable that the Health Quality Council can review allegations around physician intimidation. And if this particular doctor wants to come forward and has ideas on how to improve the system, I'm sure that good ideas won't need any kind of legal protection.

**Dr. Swann:** That's disingenuous, Mr. Speaker. It's very clear that under the law only a public inquiry can subpoena people and force them to testify. Is the Premier that afraid of the skeletons in the closet that would be exposed if doctors like McNamee and Winton had real legal protection to make the damaging details of their dismissal public?

**Mr. Stelmach:** Mr. Speaker, once again the opposition is calling into question the reputation and the integrity of people like former Chief Justice Allan Wachowich and also former Deputy Prime Minister of Canada Anne McLellan, who are there as advisory members to the Health Quality Council. The review will be thorough, and obviously those providing evidence are protected by the Alberta Evidence Act.

**Dr. Swann:** Very misleading, Mr. Speaker.

Does the Premier have the courage to call an independent judicial inquiry that would allow doctors like McNamee to tell their stories of how government intimidated them, labelled them mentally unstable, and then pushed them out of the province?

**Mr. Stelmach:** Mr. Speaker, that's an absurd allegation. The Health Quality Council has established their own terms of reference. The terms of reference are very broad, they're robust, and I have every confidence in the ability of the Health Quality Council to do a thorough review. They will have three reports that will come forward to this Assembly.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Government payouts, payoffs, whisper campaigns calling prominent doctors crazy all nicely packaged in legal agreements to silence critics forever. One would think this is the legacy of a foreign dictatorship, but sadly it's the legacy of this Premier and this government, their attempt to cover up their campaign of fear, intimidation, and corruption in the health system. Now they're trying to cover up the cover-up with the Health Quality Council review. This Premier is so afraid of Dr. McNamee that he's not willing to call an open, public hearing. What are you hiding, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, time and time again under the immunity of this House those that have made the allegations – they're also members of this House – have not brought any information forward. Now, if there is any information there with respect to two books or some other illegal activity, there are the police, and there's also the Auditor General. I don't know why, if people are sitting on such hard evidence, they would be sitting on top of it for months and not bringing it forward to the proper authorities.

**Dr. Swann:** Well, in direct contradiction to what the Premier has just said, the Alberta Medical Association is now advising its members that, quote: physicians subject to nondisclosure agreements will be at risk unless restrictions are lifted. End quote. How can the Premier continue to say with any credibility that doctors like Dr. McNamee can come forward to the Health Quality Council?

**Mr. Stelmach:** Mr. Speaker, the government was never a party to the agreements reached between those physicians and Alberta Health Services, so how can the government direct opening those disclosure documents? Those are agreements between those two parties. They have no relationship to the government of Alberta.

**Dr. Swann:** So why, then, Mr. Premier, will you not call a public inquiry?

**Mr. Stelmach:** Well, because the Health Quality Council has very robust terms of reference that will hear all the evidence coming forward and their ideas on how to improve the system. Why would somebody need some sort of legal protection?

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Buffalo.

### Education Funding

**Mr. Hehr:** Well, Mr. Speaker, the Education budget reads like an insurance agreement in that what the large print giveth, the small print taketh away. A 4.7 per cent increase in the top line looks impressive until cuts to the school board grants are factored in. To the Minister of Education. School boards have indicated the result of cuts. Teachers will have to be let go, and this will lead to higher student-to-teacher ratios in the classroom. Does the minister deny that this is the result of his budget?

**Mr. Hancock:** Well, Mr. Speaker, there's no question that this is a difficult budget. We're in tough fiscal times. There's been a 4.7 per cent increase to the Education budget, and almost all of that money goes directly out to school boards. Yes, school boards are going to have to look at what they're doing to determine what still has value and what can be done next year, how they can draw down operating surpluses. There are going to be challenges, and there is going to be an impact. But it's a fair budget, and it's applied fairly across the province.

**Mr. Hehr:** Given that Alberta's school-age population is expected to continue to rise and that this will no doubt be exacerbated by the high price of oil and the ramping up of our economy, experts indicate a need for more teachers, not fewer. To turn a phrase, are these cuts not the definition of penny-wise but pound-foolish given the future teaching needs of our children?

**Mr. Hancock:** Well, Mr. Speaker, it has to be said again that there haven't been any cuts to education budgets. Not the Calgary board of education, but some jurisdictions across the province will have a lower overall grant when you take out some of the targeted grants, but their per capita per-student grants have all gone up. If they have an increase in student population, we're funding the increase of that student population, so a 1.1 per cent increase that's projected for the Calgary board of education will be totally funded.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thanks, Mr. Speaker. Despite what the minister just said, given the shortfalls in funding to this province's school

boards they're facing \$150 million in deficit. Given that these cuts could be restored with some minor tinkering to a \$45 billion budget, will the minister commit to meeting with the Premier and restoring this needed funding so the government does not balance their books on the backs of school-age children?

**Mr. Hancock:** Mr. Speaker, a couple of things. First of all, yes, there is an expected increase of student population of a hundred thousand students over the next 10 years, and, yes, we will be needing more teachers in this province. Secondly, I have met with the Premier, I've met with the President of the Treasury Board, and I'll meet with every person on this side of the House and on the other side of the House if it will help to get resources for education. That's my job, and I do it incessantly, and the President of the Treasury Board will tell you so. Nonetheless, we still have to put together a government budget, and I have to be part of that government budget, and we need to continue to look at the overall budget in the interest of all Albertans.

**The Speaker:** And it will become apparent to all that if they look at the Order Paper, on April 19 the estimates of the Department of Education will be debated in this Assembly.

The hon. Member for Calgary-Glenmore.

### Lower Athabasca Regional Plan

**Mr. Hinman:** Thank you, Mr. Speaker. Maintaining investor confidence, particularly for entrepreneurial businesses, should be of paramount importance for any government. To keep the economy growing, entrepreneurs must have full confidence that the investment climate is stable, predictable, and favourable to success. We also believe that government should be giving industry incentives to continually improve the technology that they are using. To the Premier: why has this government attacked the heart of our industry for the second time in five years by threatening to break contracts with the energy industry?

**Mr. Stelmach:** Mr. Speaker, I'm not aware of any contracts that have been broken. In fact, if he's referring to the previous accusation that they made a number of months ago with respect to royalties, those contracts were asked to be reopened by oil companies at least a dozen times beforehand. I assume – I assume – that this member is talking about the lower Athabasca regional plan. A number of investment firms out of Calgary have endorsed the plan and have said that it's good to ensure that we're always making sure we have a greener barrel of oil.

**The Speaker:** The hon. member.

**Mr. Hinman:** Yeah. That was just like the new royalty framework. They all agree. That culture of intimidation again.

Thank you, Mr. Speaker. To the Premier: given the ongoing evolution of new extraction technology and given the industry's clear commitment to responsible resource development is the government suddenly slapping a ban on oil sands development to score political points with environmentalists, or is it because they do not believe these resources can be developed responsibly?

**Mr. Liepert:** Mr. Speaker, maybe I'll answer that absurd question. There is no ban on oil sands development. In fact, it's the exact opposite. What we have done under the leadership of the Minister of Sustainable Resource Development is lay out a plan, and within that plan there is a 20 per cent conservation area that we will uphold. I can table in this House, if you like, a number of documents that say exactly opposite to what those folks are say-

ing. Those are inaccurate statements that are being made, clearly, to score political points.

2:00

**Mr. Hinman:** He can put out all the documents he wants, but the economic facts are clear. They destroyed the industry once; they're doing it again.

Thank you, Mr. Speaker. This one is to the Energy minister. Given that he has been very vocal in promoting new technologies, does he agree with the government's decision to restrict oil sands development in the lower Athabasca and rescind leases, or does he believe that companies with existing leases should be allowed to develop their resources responsibly, using new technologies, before the land is frozen? This is unprecedented. It's wrong.

**Mr. Liepert:** Well, Mr. Speaker, I'm not sure where the member is coming from, but I assume it's from a position of not having read the document. Let me read and let me table in this House the research from Barclays Capital. What Barclays Capital is saying is that new leases will not be issued for the land in the protected areas. Then it goes on to state which companies have leases in those areas and what the impact of the assessment is on them. Officially, there is very little impact, according to Barclays, and I'll table it in the House.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

#### NHL Arena Funding

**Mr. Mason:** Thank you very much, Mr. Speaker. The Premier is talking out of both sides of his mouth on the funding of a new arena for Edmonton. On April 2 the Premier said that Alberta will not provide public funding for an arena, but last week the Premier said that he's willing to consider public cash benefiting a billionaire owner. Will the Premier categorically and once and for all rule out any provincial funding for private NHL arenas in Alberta?

**Mr. Stelmach:** Mr. Speaker, I've been very clear on that particular topic, that there will be no direct funding to any private enterprise, especially a hockey team that is privately owned and a privately owned arena. What the member may be referring to is a plan that may be coming forward from the city of Edmonton mayor. I don't know what may be in that proposal. Our door is open, but in terms of direct money to a private enterprise, clearly, no.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I think that sharp lawyers can have a field day with the loopholes the Premier just left them.

Given that every NHL arena built in Canada in the last quarter-century has been entirely privately funded, can the Premier explain why he would even consider giving directly or indirectly taxpayers' dollars, which they pay to support services for themselves and their families, to billionaire hockey team owners?

**Mr. Stelmach:** Mr. Speaker, today, presently, we are contributing through agricultural society grants to the operations of Northlands. Northlands owns the coliseum, and the Edmonton Oilers play hockey in the coliseum. The team is privately owned, but the arena is owned by the public. It's really owned by an agricultural society.

**Mr. Mason:** Mr. Speaker, given that handing tens of millions of dollars to benefit the Katz Group is irresponsible at a time when

schools are facing cuts and layoffs right across this province, why won't the Premier focus on the priorities of Albertans instead of helping billionaires and categorically decline here and now any request for provincial money, directly or indirectly, for NHL arenas in Edmonton and Calgary?

**Mr. Stelmach:** Mr. Speaker, we have legislation passed by this government that is very clear. There is no money going to any private enterprise. Period. That's an issue that they're trying to make hay with, but there's simply no money going to a private enterprise.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

#### Patient Advocacy by Physicians

(continued)

**Dr. Sherman:** Thank you, Mr. Speaker. All government members know that no one presents to caucus pertaining to health issues without approval from the Health CPC chair, the health minister, the whip, and the Premier's office. After Dr. McNamee's presentation to caucus in 1999 and to Capital health, the government blew him off, questioned his competency and sanity, and then paved his way to Harvard. Now they all have collective amnesia. To the Premier: who opened the door for Dr. McNamee to present to caucus, and why did the caucus members, a few of whom subsequently became health ministers, ignore his concerns?

**Mr. Stelmach:** You know, I don't recall this Dr. McNamee making any presentation. I wasn't part of any kind of presentation or even listening to him, so I'm not quite sure where the question is going. In terms of the chair allowing and scheduling people to come forward, I would suspect that he made a presentation to the CPC at that particular time.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. The government replaced Dr. McNamee and Dr. Winton, both highly respected and recruited thoracic surgeons, and then Dr. Winton's career mysteriously ended. To the Minister of Health and Wellness: what happened to Dr. Ciaran McNamee's and Dr. Timothy Winton's hundreds of patients who were waiting for cancer surgery, and how is the Health Quality Council going to get to the bottom of this if they can't testify?

**Mr. Zwozdesky:** Mr. Speaker, I would assume that those patients were looked after by very qualified doctors in the system.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the former Auditor General, Fred Dunn, and the Member for Edmonton-Meadowlark have shown proof of Capital health's accounting irregularities, will the Premier finally allow a full, open, and independent public inquiry to restore trust in the health system and in government and conduct a forensic audit of Capital health?

**Mr. Zwozdesky:** Mr. Premier, Mr. Speaker, if I could, I would like to take this question. In fact, what the hon. member should be doing is reviewing page 127 of the Auditor General's report, in which he says: "Had the financial statements not been corrected" by the health authority of the time, "they would have been presented to the Audit and Finance Committee with a material misstatement." However, they were corrected, and the Auditor General subsequently signed off.

**The Speaker:** The hon. Leader of the Official Opposition.

### CCSVI Observational Study

**Dr. Swann:** Thank you very much, Mr. Speaker. I met this morning with one of our guests, the president of CCSVI Grande Prairie and district. On that group's behalf I have some questions regarding the government's position on CCSVI, or liberation treatment, for MS. To the minister: what is the current status of the three-year CCSVI observational study the government committed itself to last December?

**Mr. Zwozdesky:** Mr. Speaker, I too met with the group. I want to thank Dr. Bill Code and others who attended, and I want to say a special thank you to all of those who are here supporting MS research and/or are suffering from it for their attendance.

The short answer is that we'll be releasing the details of the observational study very shortly, hon. member. There's a comprehensive database that had to be put together first. That's almost completed, and as soon as it is, Mr. Speaker, we will have a full press conference in that respect.

**Dr. Swann:** Mr. Speaker, what assurance can the minister offer that those MS sufferers who are unwilling or unable to wait the three years will not be denied follow-up treatment here after liberation therapy?

**Mr. Zwozdesky:** Mr. Speaker, I'm sure people would probably want to know that some people still use the term "liberation" treatment, and others simply refer to it as the Zamboni treatment. There are medical reasons for that, which I won't get into right now.

However, people may not have to wait two or three years. We'll have to wait and see how quickly this evidence comes together. We are one of seven major international sites chosen by the MS societies of Canada and the U.S.A., the University of Calgary specifically, to further some research in this respect, and we, too, in Alberta are doing everything we can to help fill what the government of Canada called an information gap regarding safety and efficacy for this treatment.

**Dr. Swann:** Well, with respect, Mr. Speaker, the minister didn't answer the question. What reassurances can you give to those receiving that treatment that they will receive follow-up treatment in Alberta when they have any associated problems?

**Mr. Zwozdesky:** Mr. Speaker, the question about waiting two or three years is what I had addressed because 30 seconds doesn't allow me to address everything. However, the short answer to this question here is that we are already committed to the observational study. We're also committed to a clinical trial once the ethics approval has been given. In general we're doing everything we can to help MS sufferers, so we'll address it as we can as quickly as we can.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Centre.

### CCSVI Clinical Trials

**Mr. Allred:** Thank you, Mr. Speaker, some multiple sclerosis patients have found relief from the so-called liberation treatment, which is more correctly termed venous angioplasty. Saskatchewan, Newfoundland, and now Manitoba have all agreed to go ahead with clinical trial research to study the efficacy of the Zamboni treatment. My questions are for the Minister of Health of

Wellness. Will the minister join these other provinces in conducting clinical trials?

**Mr. Zwozdesky:** Mr. Speaker, I want to make it clear that I'm not aware of any province that is proceeding *carte blanche* with a clinical trial regarding the Zamboni treatment. I think they all have certain conditions. Most of them tie in with something to do with ethics, safety, efficacy, and so on. The short answer is that I've indicated already that the government of Alberta through Health and Wellness will be there to help fund clinical trials. Probably \$6 million to \$7 million would be our commitment once these conditions have been met. We are all working very, very aggressively to help fill that information gap that I talked about in the previous question.

2:10

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My second question is to the same minister. What else is being done to advance the health of MS patients in Alberta and the use of the CCSVI interventional procedure?

**Mr. Zwozdesky:** Mr. Speaker, we're working very aggressively with Health Canada through the public health division on filling information in. We're also doing an observational study, which is about a \$1 million commitment. We also have the University of Calgary study by the Hotchkiss Brain Institute, led by Dr. Costello. We're also working with the community to establish an MS connector services group. In fact, we're pretty much done that process now. There are a few more people we'll be adding in very soon.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My last question has been partially answered, but I'd like to give the minister an opportunity to add to his comments on what is being proposed on the observational study.

**Mr. Zwozdesky:** Well, Mr. Speaker, the update is with respect to our database, and that is moving along very expeditiously. However, I want to assure all MS sufferers, including those people who are advocating for them, that we are taking action. We've taken it almost immediately. I was meeting with other ministers of health from across Canada. They, too, are taking action. I want MS sufferers to know that if complications arise from their treatment when they come back to Alberta, we will help them through that.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

### Lower Athabasca Regional Plan

(continued)

**Ms Blakeman:** Thank you very much, Mr. Speaker. The draft lower Athabasca regional plan, the government's response to it, and the initial public reaction seem to leave no one happy, which the government claims as a success. Now, under this version 16 per cent of new area will be added to the existing 7 per cent conserved land. That's 77 per cent of Crown land wide open for development and 23 per cent that will allow slightly less development. To the Minister of SRD: why does the government's version of conservation permit conventional oil and gas exploration infractions?

**Mr. Knight:** Well, Mr. Speaker, the answer is that, in fact, when you take a look at the lower Athabasca regional plan – by the way,

it's out for consultation with Albertans. I don't know about these numbers. Everybody is chasing numbers. I don't know about the numbers, but what I will tell you is that the draft plan indicates that the region that would be set aside in the northeastern part of the province of Alberta is three times the size of Banff national park.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much. Back to the same minister. When even the big players in the oil sands industry say that land should be conserved with no subsurface activity, why has government not instituted a moratorium on land sales or lease of land for that purpose in this region until the plan is finalized?

**Mr. Knight:** Well, Mr. Speaker, we will be taking a look as we go forward, and during this consultation period, in fact, I believe that the ERCB won't post land now that is in these conservation areas.

You know, we do have to address the situation here where the economy of this province needs to continue to move forward. This is a driver of the Alberta and Canadian economy, very important in North America. We're reaching a very fine balance here, and I have to tell you that the majority of Albertans are in agreement.

**Ms Blakeman:** Well, back to the same minister. I think the majority of Albertans would argue that conservation was conservation.

Now, will in situ development be allowed in the new conservation areas, or is it included under the nonpermitted oil sands and mining category under the plan? Is it in or out?

**Mr. Knight:** Well, Mr. Speaker, that depends. Again, please read the plan and look at the matrix. It's all there. There's a matrix in the plan that indicates under which areas of conservation what would be allowed and what would be disallowed. It's there for consultation, for Albertans to look at. I believe they're going to take the opportunity to have a very good look at it, and in the 60 days I believe we'll get a lot more information and develop a proper final plan for Albertans in about 90 days.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-McCall.

#### Safe and Secure Affordable Housing

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Our Home Next Door, a facility for families fleeing domestic violence, is being built in my constituency of Edmonton-Ellerslie. My first question is to the Minister of Housing and Urban Affairs, the minister responsible for housing vulnerable Albertans. Why is there a perception that the city of Edmonton was left on its own to fund this vital project?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker, and I thank the member for this question. I'm not exactly sure why that is the perception because the province has actually spent 76 per cent, or 3 and a quarter million dollars, on this entire project. I'm not so much concerned about money because anybody can talk about money. Rather, I'm concerned about the 29 units that we have for women and children in need. We're helping break the cycle of domestic violence through our housing programs. That's something we all can be proud of.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: given that there's a need for these and many more spaces in Edmonton, what is the minister doing to assist more vulnerable families?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Once again, thank you to the member for that question. Last year we spent \$188 million on our housing programs in this province. That's \$188 million. But it's not so much, again, how much we spend; it's the results. Over the last three years we've constructed 10,800 housing units across this province. We're making a serious dent in our homeless numbers and providing assistance to those who are specifically in need but also doing so on an open and competitive tendering basis in the best interests of the taxpayer.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the Minister of Children and Youth Services: given that funding continues to be identified as a need, can the minister tell all Albertans what is being done to ensure the safety and security of women and children fleeing family violence?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Well, thank you, Mr. Speaker. Family violence does have devastating consequences. What I'd like everyone to know is that if they are in an abusive situation, we do have resources available, as this member has mentioned here. We do provide \$26 million for 619 beds and 29 emergency shelters for the safety and protection of women and children; \$1.1 million of that is for programming and second-stage housing. That includes, hon. member, what you're interested in, the \$500,000 that is going to WINGS of Providence.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Rutherford.

#### Registry Service Fees for Municipalities

**Mr. Kang:** Thank you, Mr. Speaker. The 2011-12 budget dramatically increased registry fees. It also added new fees, including a fee as of April 1 for municipal law enforcement to search a motor vehicle registry for the name and address of the owner of a vehicle issued with a ticket. To the Minister of Service Alberta: what consultation did the minister undertake with the municipalities about the increase from zero to \$15 to get the information the municipalities need to collect fines?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's important to clarify these fees that came into effect on April 1. The police are able to continue to access and do roadside checks and all those timely things they do, and there's no charge for those services. This is strictly to do with municipalities accessing information for such things as delinquent parking tickets, photo radar, and red light cameras.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. That's not answering my question. What consultation did the minister undertake with the

Solicitor General on a way to cover any necessary costs through the budget for law enforcement?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. As this was, indeed, part of the budget process, it was fees that we looked at across the province to see what was best. I think that with the fees we put in place – part of the challenge is that we have a technology system that runs 24/7. It's really critical to make sure the police have access to that information, that it's accurate, and that the system never goes down. So it's part of the technology services as well.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again. It's costing the city of Calgary \$15 million. What consultation did the minister undertake with the Minister of Municipal Affairs about the impact this increase on short notice would have on the ability of municipalities to budget?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. There are approximately 800 searches for licence plates that take place every year. With respect to the budget increases in this area it was \$83 million in total for all the fees. The \$12 million is a portion of that \$83 million. So during this transition phase you want to make sure that municipalities access the information for duplicate plates as well as looking for plates with missing information. So at the end of the day it's making it better for the police to use the service.

**The Speaker:** The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Fort McMurray-Wood Buffalo.

#### Royal Alberta Museum Development

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, after many years of discussions and plans for redeveloping the Royal Alberta Museum, last week my constituents and Edmontonians and, indeed, Albertans were thrilled to hear the Premier's announcement for building a new museum in downtown Edmonton. To the Minister of Infrastructure: what is the rationale for moving the museum out of Old Glenora and into this new location and for redeveloping on a single site?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. It is an ideal location. It's close to LRT and transit. It's close to other galleries and libraries and theatres and concert halls. It's also close to where thousands of people live. The previous land created challenges, and this plan solves them. It really enables us to move forward.

2:20

**The Speaker:** The hon. member.

**Mr. Horne:** Thank you, Mr. Speaker. To the Minister of Culture and Community Spirit: how can Albertans expect the telling of the Alberta story and the portrayal of our history to be improved and expanded as a result of this very important project?

**Mr. Blackett:** Well, Mr. Speaker, the fact that we have 36,000 square metres of exhibition space will allow us to showcase a lot of the artifacts that we were holding in boxes and in storage. Also, because we are going to be more connected using the SuperNet to

connect to our other museums, historic sites, and interpretive centres, Albertans from all across the province, irrespective of geography or socioeconomic incomes, will be able to have access to our museum through distance learning and virtual tours.

**The Speaker:** The hon. member.

**Mr. Horne:** Thank you very much, Mr. Speaker. Finally, to the Minister of Tourism, Parks and Recreation: what impact on the Alberta economy through tourism can Albertans expect this new project to enable?

**Mrs. Ady:** Well, Mr. Speaker, this is exciting news for the tourism industry. Obviously, this museum is going to be able to host even more important exhibits. People that might not have come might now visit and be able to go to the Winspear and other things that are critically being aligned with this. I think it's very, very good news for Edmonton's tourism industry, and I really look forward to the day it opens.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Lethbridge-East.

#### Registry Service Fees for Municipalities (continued)

**Mr. Boutilier:** Thank you, Mr. Speaker. Once again this government has shown its mismanagement of finances. Last week they suddenly started charging municipalities an extra \$15 every time Service Alberta gives cities a name and address. Cities and police forces are now scrambling because their budgets have been passed. To the minister of finance: can you explain why you didn't at the very least warn municipalities in advance, both urban and rural, in terms of what was coming? I've heard there's been no consultation.

**Mr. Snelgrove:** Mr. Speaker, we have not only an obligation; we have a responsibility to make sure that services we provide are provided on a cost-recovery basis. Most people or organizations that access this information were paying a fee of \$11. This was still below cost. The municipalities are a user of this system. They have an opportunity, if they want, of raising the ticket prices to people, so it really will become a user-pay system that balances its cost.

**Mr. Boutilier:** Well, Mr. Speaker, you can send an e-mail for a cent.

Given that the Calgary police force chief, Rick Hanson, spoke out for many saying that he was blindsided and that Calgary aldermen estimated it could cost about 40 police officers, will the Solicitor General please explain how he let this happen and why he wasn't standing up for Alberta's police forces?

**Mr. Oberle:** Mr. Speaker, let me make it perfectly clear. The fine revenue that is generated in municipalities is transferred back to those municipalities, and we're doing so in this instance on a cost-recovery basis. If those municipalities choose to transfer the cost impact onto their police forces, that's their decision, not mine, and I can't interject in that decision.

**Mr. Boutilier:** Mr. Speaker, a follow-up to the Solicitor General. He purports to support police chiefs and police officers across Alberta. Would he please explain to Albertans why he remains silent as his government continues to gouge, hurting police forces across Alberta and the safety of Albertans with this?

**Mr. Oberle:** Mr. Speaker, I have not at all remained silent. I've responded to every interview request as I've just responded to the member's question. The fact of the matter is that the government



is recovering costs of doing a service for the municipalities. Although they have talked about transferring that impact onto their police departments, I'm not aware that any have actually done it. But I stand here every day in defence of our police departments in this province.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Decore.

#### **PDD Administrative Review**

**Ms Pastoor:** Thank you, Mr. Speaker. In June last year the minister of seniors announced an administrative review of the PDD program. The report by the consultants at KPMG was due on September 15, and my understanding is that it was delivered on time. To the minister of seniors. People in the disabled community are very anxious about this report since the department has said that savings may be diverted to other areas. When will the minister provide some clarity on that issue?

**The Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you, Mr. Speaker. We did ask for an administrative review of the PDD program. We have received that review with its recommendations. We're going through the process right now, and when we are ready to make our recommendations from the report, that report will be released to the public.

**Ms Pastoor:** Basically, it's the same question. KPMG wrote it in three months, and it's been almost six and a half months. When will the minister release it?

**Mrs. Jablonski:** Mr. Speaker, I would say that we'll release the report in due course, as soon as it goes through the process. Everyone is aware that we are dealing with a population that is frail and vulnerable, so we have to make sure that when we look at the report and the recommendations, which is strictly an administrative review, not for the program itself, we're doing the right things.

**Ms Pastoor:** This really is a legitimate public interest in a report that will inform decision-making and really affect a lot of people who are worried. Will the minister commit to releasing the full report by June 10, 2011, which is a year from the date that she announced at a press conference this initiative of this review?

**Mrs. Jablonski:** Mr. Speaker, this is a very important report. It is important that we do things right with this report, and we will be releasing it in due course.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the hon. Member for Calgary-Varsity.

#### **Royal Alberta Museum Development** (continued)

**Mrs. Sarich:** Thank you, Mr. Speaker. In follow-up to the earlier questions about the Royal Alberta Museum, Albertans and, specifically, Edmontonians would like to know from the Minister of Culture and Community Spirit: does the announcement of the new museum in downtown Edmonton end the discussions of two museums or any other museums to be considered in the future?

**Mr. Blackett:** Well, Mr. Speaker, I just want to be clear. There will now be one Royal Alberta Museum on one site. It will house

both Alberta's natural and human history. As I mentioned, it is about 36,000 square metres of space. The museum will have the space to better profile more than 10 million pieces of natural history, specimens, and cultural artifacts, most of which are now in storage, as I mentioned before. We will move forward into this new space over the next four years and look forward to the results.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. My first supplemental to the Minister of Infrastructure: what planning considerations will be structured into the building construction to ensure that the new museum will be able to accommodate all of Alberta's history now and into the future, for years to come?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. The new museum is designed and built for today's and tomorrow's history. It is also flexible. It has flexible and adaptable space for new technologies. It also has shelled-in space for growth and, really, the ability to expand into the future of the building if needed. This museum will be a building that works now and also into the future.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. My last question to the Minister of Infrastructure: many Albertans, and Edmontonians in particular, are asking what will happen to the Glenora site and the current museum once the new museum is open?

**Mr. Danyluk:** Well, Mr. Speaker, the Glenora site will continue to be a public site. In fact, the museum on the site will continue to be active until the new one is completed. Government House will continue its functions there. Also, a new Lieutenant Governor's residence will be constructed on the grounds. There's a lot of potential for the existing museum, and the decision will be made in the very near future.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Bonnyville-Cold Lake.

#### **Mental Illness Treatment Services for Children**

**Mr. Chase:** Thank you, Mr. Speaker. The road to hell is paved with good intentions. I met this morning with the father of a 15-year-old girl who has not only seen her share of hell but has made life hellish recently for those around her. Despite the best intentions and cross-ministerial efforts of Alberta Health, Children and Youth, and Justice, she has never remained in a secure treatment facility long enough to receive the psychological assessment and support she needs. To the minister of health: why is it that this girl and many other troubled children she represents do not receive the prompt and thorough assessment and support they need?

2:30

**Mr. Zwozdesky:** Mr. Speaker, I would hope that the children that he has just alluded to are receiving that treatment and support. In the particular case of the young lady that has just been referenced, I know that my staff followed up with that family. I'm hoping that they will not only identify her but that they will be able to help her and her family resolve the issues and that the young lady will receive the treatment and care she requires.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. To the minister. I very much appreciate the efforts of Fern Miller in your department in terms of explaining what can potentially be done, but the girl remains on the run.

Will the minister indicate when this government will produce a comprehensive plan for the improved treatment of mental illness in children?

**Mr. Zwozdesky:** Very soon, Mr. Speaker. As one of the undertakings of our five-year health action plan we've committed to developing a province-wide mental health strategy. It's moving along very briskly. Alberta Health Services has committed to creating an advisory council at that level. We've added about 65 additional staff to deal with the addictions and mental health issues, and we've added an additional 35 of these spaces across the province. Thirty-four new spaces were just added in terms of residential treatment type beds in Medicine Hat and in Fort McMurray. We'll continue to . . .

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Mr. Speaker, this young lady doesn't have a whole lot of time left. She's out there. She's 15 years old. She needs the government's protection. When will the department fulfill the outstanding recommendation it received from the Auditor General in 2008 and provide a complete accountability framework for the provincial mental health plan and mental health services in Alberta?

**Mr. Zwozdesky:** Well, again, Mr. Speaker, we are working on that right now, and we're also working very aggressively with the \$500 million to \$600 million that we spend in this area each year. Nineteen million dollars of that over the next three years is a partnership with Alberta Education, where we're dealing with children or youth in that exact age range. We're adding more counsellors. We're adding more support staff. We're adding more spaces. So there's quite a bit going on. If there are people who need help and if they want it, they can come forward. We'll be glad to do our best to help them out.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Riverview.

#### Water Quality Monitoring in the Oil Sands

**Mrs. Leskiw:** Thank you, Mr. Speaker. The federal government recently released a report on water monitoring in the Alberta oil sands. Meanwhile, the Minister of Environment is waiting for recommendations in June from the provincial monitoring panel on how to build a better monitoring, reporting, and evaluation system for our great province. To the Minister of Environment. The federal report adds to a considerable collection of work related to monitoring. What does this particular report accomplish?

**The Speaker:** Hon. Minister of Environment, this is not a provincial matter. This is a federal matter.

**Mr. Renner:** Mr. Speaker, in fact, it is a provincial matter. The federal government initiated a panel that made recommendations that are of a very technical nature but are limited to data collection. We need to really understand better the impacts and the sources of emissions throughout this region, and that's why we have a provincial panel in place that will incorporate both the collaborative recommendations of the federal report as well as other information into a comprehensive system that will serve the needs here in Alberta.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. My first supplementary is to the same minister. Since the federal report was produced in 90 days, why do Albertans, including my constituents of Bonnyville-Cold Lake, have to wait until June for the provincial monitoring panel to report?

**Mr. Renner:** Mr. Speaker, as I mentioned, the federal report was very narrow in scope and is limited to technical information gathering. We're developing a much more robust province-wide system that takes in all of the various media: air, land, water, and biodiversity. We'll be making recommendations for technical and scientific governance as well as the funding aspects. So it's a much broader responsibility that the provincial panel has.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. My last question is to the same minister. Who has ultimate authority when it comes to environmental monitoring in the oil sands, the province or the federal government?

**Mr. Renner:** Well, Mr. Speaker, that's a very good question. The fact of the matter is that there is joint responsibility. It has always been the case. However, I need to point out that ultimately the resource belongs to the people of Alberta, and it is Alberta that is responsible for developing that resource. Therefore, we believe and have shown by evidence that we have a responsibility for the environmental aspects of the development of that resource. We'll continue to work and co-ordinate with our federal counterparts, but at the end of the day it's likely that most . . .

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Lacombe-Ponoka.

#### Exemption from Municipal Zoning

**Dr. Taft:** Mr. Speaker, in the last question period the minister of advanced education said of the universities of Alberta, Calgary, and Lethbridge: "If there is any commercial activity or any commercial development happening on that campus, it must go through all the processes within the municipality for approval." I must tell this Assembly that that is simply not true. Most commercial developments on campuses never go for municipal approval. To the Minister of Advanced Education and Technology: will he withdraw his statement, or will he correct it?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. It is true that all commercial development in buildings where they're primarily for commercial purposes or separate commercial facilities have to go through the planning processes. Where a commercial thing, such as a Tim Hortons incidental, is inside of another facility, that will not go through the same development processes as those other facilities.

**Dr. Taft:** Mr. Speaker, the minister is mistaken. The minister needs to review his own regulations and consult with them. Will he do that and return tomorrow to answer my first question more correctly?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. We have reviewed that. I'd be happy to answer that question again tomorrow and talk about the potential for development on university sites.

**Dr. Taft:** To the same minister: is this minister aware that universities are now allowing their exemption from municipal zoning to flow through to privately financed, privately owned, and privately operated buildings constructed on university land?

**Mr. Weadick:** No, Mr. Speaker, I'm not aware of that.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Calgary-Mackay.

#### Gull Lake Water Level Stabilization Project

**Mr. Prins:** Thank you, Mr. Speaker. Many of my constituents have expressed concern over the proposed elimination of funding for the continued pumping of water from the Blindman River into Gull Lake in order to stabilize and supplement water levels in the lake. Gull Lake is the home of Aspen Beach provincial park, the oldest and one of the largest provincial parks in the province. My first question to the Minister of Environment: why has the government stopped funding for this project?

**Mr. Renner:** Mr. Speaker, we haven't ended funding for this project. We have committed to continue to fund the capital cost of this project. What we're asking the municipalities to contribute is the ongoing cost of utilities. This is a long-standing agreement that has been in place for some time. I understand that the original intent of the agreement was that the utility costs would be covered by the municipalities. For whatever reason, that has not taken place up until now.

**The Speaker:** The hon. member.

**Mr. Prins:** Well, thank you, Mr. Speaker. My next question is to the same minister. What is the actual next step for these municipalities to ensure that the funding continues for this project?

**Mr. Renner:** Well, Mr. Speaker, as I indicated, the province is committed to continue to provide for the upkeep of the equipment itself. We've asked for a letter of commitment from the municipalities indicating that they are prepared to cover the cost of the utilities. We've asked for a demonstration of good faith that is needed to engage in these negotiations. Once that letter is in place, the pumping on this site will continue.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. My last question to the Minister of Tourism, Parks and Recreation: given that recreation is the primary driver for the pumping, will the minister commit to sharing part of the cost to fund this project?

**Mrs. Ady:** Well, Mr. Speaker, unfortunately, low water levels are true across several of the lakes across the province. I would be really reluctant to make that kind of commitment as it would perhaps destabilize the funding that we have in parks across the province. So I could not make that commitment, hon. member.

**The Speaker:** The hon. Member for Calgary-Mackay.

#### Infrastructure Costs

**Ms Woo-Paw:** Thank you, Mr. Speaker. Ensuring that Alberta has sufficient infrastructure to accommodate future growth is an important goal of this government. The government has stated that building infrastructure now rather than waiting will save money in the long term. My questions are to the Minister of Infrastructure.

Can he tell us why it is prudent to spend money on infrastructure now rather than waiting until, say, we have a budget surplus?

**The Speaker:** Well, okay. We've got the budget for Infrastructure coming up on April 20. That really sounds like an opinion, but if you can put it into policy, go ahead.

2:40

**Mr. Danyluk:** Well, Mr. Speaker, I would suggest to you that it's not an opinion. It's fact that this is a good time to build infrastructure. Prices are lower, skilled workers are available, and investing in projects today ensures that Alberta is ready for the next boom, not to touch on budget at all.

**Ms Woo-Paw:** These questions are from a constituent. Can he put a dollar figure on the amount that would be saved by completing projects now when the construction costs are low?

**The Speaker:** As I already pointed out, hon. member, a few days ago, before the break, questions from constituents are not the purview of question period.

Go ahead.

**Mr. Danyluk:** Well, Mr. Speaker, I can say to you that presently, right now, our tendering process is very open – right? – and transparent. We advertise publicly and are open to bidders from across the province and other provinces, and this ensures a competitive process. Just to speak about the finance end of it, I'm just going to say that Albertans get good value for their investment.

**Ms Woo-Paw:** My last question has been answered. Thank you.

**The Speaker:** Okay. Twenty members were recognized today, 118 questions and responses.

In a few seconds from now we'll continue with Members' Statements.

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

#### Cold Lake Ice Junior B Hockey Team

**Mrs. Leskiw:** Thank you, Mr. Speaker. As spring has finally arrived, it may seem odd that I take this opportunity to talk about hockey, but as we all know, hockey is a 12-month sport around here. It is with great pride that I congratulate the Cold Lake Ice junior B hockey team on a great season.

The Ice came very close to not icing a team at all this year, Mr. Speaker, but the dedication of the team's board, management, coaches, players, and fans persevered. This perseverance resulted in a northeast Alberta junior B championship for the Ice and the team's first-ever appearance at the provincial championship held in Leduc earlier this month. Though they were not victorious, the boys represented our area with dignity, class, and the utmost sportsmanship.

Mr. Speaker, the Cold Lake Ice is a team made up of players from all over my area. In fact, three of the players were former students of mine. The neighbouring communities of Bonnyville, St. Paul, Glendon, Lac La Biche, and even Brandon, Manitoba, were all represented in this year's edition of the Cold Lake Ice. I would like to acknowledge not just the success on the ice but also the contribution to the spirit and pride of the community that the team helps to foster.

In all our communities, large or small, urban or rural, sports teams, clubs, and all organizations make up the life breath of our hometowns. I urge all Albertans to support teams like the Ice, whose season went a long way to bringing the communities around my constituency closer together, and they did so by exemplifying the character, class, and determination that made us all proud to cheer them on.

Again, congratulations on a fabulous year. Wouldn't you know it, the title defence begins again in five short months.

Thank you.

**The Speaker:** I'm sure we'll now hear from a real hockey team.  
The hon. Member for Stony Plain.

#### **Stony Plain Habitat for Humanity Project**

**Mr. Lindsay:** Well, thank you, Mr. Speaker. I recently had the privilege to attend a dedication ceremony for an extraordinary affordable housing project in Stony Plain. It didn't involve hockey, but there was some being played in the background.

This build was a first of its kind partnership between Habitat for Humanity, the Good Samaritan Society, the town of Stony Plain, and Alberta Housing and Urban Affairs. This project provided 12 new homes for deserving and needy families. These homes are a new concept, Mr. Speaker, as they integrate young families and seniors in one complex. Built entirely through volunteerism and donors, Habitat for Humanity projects reflect the compassion and community spirit that is characteristic of Albertans.

For 35 years, Mr. Speaker, Habitat for Humanity has been making dreams come true by providing homes for the needy. I commend all who are involved in this project, especially the new homeowners, who invested a great deal of sweat equity during the build. These 12 homes are more than bricks and mortar. They are evidence of community pride and people helping people. As these grateful families accepted the keys to their new homes, they expressed gratitude to all who made their dreams a reality. They are indeed proud Albertans.

Thank you, Mr. Speaker.

**The Speaker:** Sorry, hon. member. I anticipated that the hon. member was going to talk about the very prolific Spruce Grove Saints.

The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I would talk about the Drayton Valley Thunder, but I'm not going to.

#### **Tomorrow Project for Cancer Research**

**Mrs. McQueen:** I rise today to share about a very important and cutting-edge project called the Tomorrow Project. I had the privilege of participating in the launch of the Tomorrow Project in Drayton Valley in my constituency of Drayton Valley-Calmar on March 28. I was joined by Councillor Dean Schuler of the Drayton Valley town council, town staff, the Legion, and 157 Drayton Valley and area participants for the kickoff of this great project.

Most Albertans have been touched by cancer, be it a close family member, a work colleague, or a close friend. Shockingly, almost 1 in 2 Albertans will develop cancer in their lifetime, and approximately 1 in 4 will die of cancer. That is why researchers got together to try and understand more about why some people develop cancer and why others do not.

The current campaign is called Count Me in 4 Tomorrow, with the goal of enrolling 50,000 participants by 2012. Each participant must be an Alberta resident aged 35 to 69 and have never had

cancer. Once a participant signs on for the project, they will be asked to answer questions about their health and lifestyle, to give simple physical measurements, and to give small amounts of urine and blood samples.

The whole process only takes about two hours, but that time commitment can mean a great deal to future generations of Albertans. The Tomorrow Project has a mobile unit that was used in Drayton Valley and can be brought to any location. This mobile unit ensures that the Tomorrow Project can reach all corners of this province to make it as simple as possible for Albertans to participate. The organizers hope to bring the mobile unit to the Legislature so that all members can see how easy it is to participate and help spread the word to their constituents.

I encourage and challenge all MLAs and indeed all Albertans to get involved with this worthy project because the commitment you make today can save lives tomorrow.

Thank you, Mr. Speaker.

**The Speaker:** Okay. I have to make another interjection as well about that hockey team that basically settles in the constituency of Spruce Grove-Sturgeon-St. Albert. I don't know if they have won so far. They're not finished yet. They're going to Vernon, British Columbia, in the next number of days as well. We'll get them in here yet.

The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very proud to say that the Leduc Recreation Centre hosted the junior B provincial championships exceptionally well and that the Beaumont Chiefs finished second. I congratulate them.

#### **Child Care Awards of Excellence**

**Mr. Rogers:** I did want to talk about an event last Friday evening, the Alberta child care professional awards of excellence. This was cohosted by the Ministry of Children and Youth Services. Mr. Speaker, 12 individuals were recognized for their outstanding service to Alberta children and families.

Mr. Speaker, our government introduced the child care awards in 2006 as a way of recognizing the tremendous talents and dedication of people caring for children while their parents attend school or work. Their care and skill have an essential role in supporting parents to successfully raise the next generation of Albertans. They offer a safe and caring place where children feel welcome and can develop their young minds. This year the child care awards were expanded to include the skilled professionals working in our network of 46 parent link centres, who serve parents in 160 different Alberta communities. These centres are instrumental in supporting Alberta's parents, who are their children's first and most influential teachers.

The recipients of this year's awards, Mr. Speaker, are shining examples of people who are making a positive difference in the lives of children each and every day in every corner of this province. I'm proud to say that child care professionals from my constituency of Leduc-Beaumont-Devon have been recognized with an award every year since 2007. I would like to congratulate Laura Grenning from Beaumont, who received an award this year in the licensed daycare category.

I would ask all members of this Assembly to show their great appreciation for all 12 of these outstanding professionals and their commitment to the children and families of Alberta.

Thank you, Mr. Speaker.

2:50

**The Speaker:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Speaker. Before I begin, I could mention that perhaps our Red Deer Rebels are planning a comeback as we speak.

#### **Apprenticeship and Industry Training Board Awards**

**Mr. Dallas:** Today about 60,000 apprentices are learning and working in Alberta. They are part of Alberta's very successful apprenticeship and industry training system. The growth and success of the system and our apprentices would not be possible without the employers, individuals, and other organizations that work tirelessly to make our trades community the best in the country.

Every year the Alberta Apprenticeship and Industry Training Board presents awards to apprentices, employers, and instructors who have demonstrated excellence in their field. This annual recognition helps foster strong role models and helps enhance best practices in over 50 designated trades and occupations in our province. It's a chance for apprentices, employers, and instructors to honour one another, to highlight their skills and talents, and shine a positive light on careers in the trades. Sixty-eight recipients received the 2010 awards in the top apprentice, top employer, top employer of aboriginal apprentices, top instructor, and chairman's awards of excellence categories.

Mr. Speaker, in addition to paying tribute to all of the recipients, I have the pleasure today of recognizing one of my own constituents. Mr. Tom Olson is the 2010 Alberta Apprenticeship and Industry Training Board's top instructor for southern Alberta. Tom received this award based on his motivational skills and his own best practices of identifying the best teaching methods and bringing out the best in his students. I'm proud of the amazing contributions Tom and his fellow recipients made to ensure the high quality of our apprenticeship and industry training system.

I would request that all members join me, please, in congratulating the 2010 Alberta Apprenticeship and Industry Training Board award recipients.

Thank you, Mr. Speaker.

#### **Tabling Returns and Reports**

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Yes. Thank you, Mr. Speaker. I want to table five copies of the document I referred to in question period today.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's my honour to provide the requisite number of copies of the following reports: the 2009-2010 annual report from the Alberta College of Pharmacists, titled *Healthy Albertans through Excellence in Pharmacy Practice*; secondly, the 2010 annual report from the College and Association of Respiratory Therapists; thirdly, the 2009 annual report from the Health Disciplines Board; and finally, the 2010 annual report from the Alberta Dental Association and College.

Thank you.

**The Speaker:** Hon. minister, earlier today during the question period I was unsure completely if you did a quote from a document concerning the Capital health authority prepared by the Auditor General. If you did use such a quote, would you be kind enough to table that document tomorrow.

**Mr. Zwozdesky:** Mr. Speaker, I can certainly table the excerpt that I quoted. It's actually part of his annual report for the year in question, so it's already filed with the Assembly.

**The Speaker:** All right. That's fine. Then it's not required. The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. I'm pleased to table with the Assembly five copies of the 2010 annual report for the Alberta Boilers Safety Association, or ABSA. ABSA is a delegated administrative organization that reports to Alberta Municipal Affairs, and Alberta's pressure equipment safety programs are administered by ABSA under the Safety Codes Act. I'd like to thank them for their continued dedication to pressure equipment safety in Alberta.

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you, Mr. Speaker. It's my sad duty, I suppose, to rise today and table three documents with respect to the release of the Mayerthorpe inquiry report last week. On March 30 Mr. Lorne Gunter wrote an editorial in the *National Post*, and despite the preponderance of evidence to the contrary Mr. Gunter suggested, against the committee's findings, that this "could have been prevented from turning so deadly if officers and commanders had approached it with a more professional and less cavalier attitude." This is an affront to the police force, to the memory of those officers that died on that tragic day, and to the families of those officers. I table that for the information of members of the House.

Secondly, Mr. Speaker, I table a letter that I myself wrote to the *National Post* in response to that editorial, in which I pointed out how serious I feel about this and insisted that it was a dark day for our province and our country and that we need to move on. "We would like to do so with accurate understandings of what happened, and accurate memories of the honourable service of Constables Peter Schiemann, Leo Johnston, Brock Myrol and Anthony Gordon." I table the appropriate number of copies of that.

Finally, Mr. Speaker, the *National Post* chose to publish my letter in an abridged version, as they always do. I'll table five copies of that as well.

I just want to say a thank you to all those who have been injured or perished in the line of duty in our province and our country. Thanks to all of them.

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

**Mr. Chase:** Thank you, Mr. Speaker. The impending clear-cutting crisis in the Castle-Crown continues to concern Albertans, including Mary Reid, Marion Walls, Mary Louise Campbell, Terry Galvon, David Parbery, Crystal Schatz, Al Coats, Shelley Robinson, Stephen Fairley, Laurie Loro, Kata Jhukoutaiy, Tomas Ersson, Cayley Orton, Deborah Jasinoski, Linda McFarlane, Diane Volkers, Annika Nicholson, Catherine Chevalier, Rick Moses, Margaret Vrielink, Albert Russon, Angeles Mendoza Sammet, Alistair Des Moulins, Angela Stemmer, and Scott Green.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I table on behalf of the Leader of the Official Opposition the reference to the Alberta Medical Association concern that physicians under nondisclosure agreement will be at legal risk under the Health Quality Council review.

My second tabling is five copies of my letter and cheque to the Vulcan food bank, as promised in April 2007, to help AISH payments be indexed the same as MLAs' salaries. It's only fair.

My last tabling is from people concerned about the clear-cutting that is going to go on in the Castle special management area, probably a crime in itself. The names are Vanessa Vallis from Calgary; Teresa Rocheleau, Ron Chambers – if I don't mention outside of it, it's assumed they come from Lethbridge – Brittney Durston from Bradford, Ontario; Mary-Anne McTrowe from Lethbridge; Helen Henderson from Coaldale; Cordula Wenske from Dresden, Germany; Andrew Hurly from Monarch; Linda Stromsmoe from Lethbridge; Kevin Roll from Hays, Alberta; Tom Moffatt and Doug Saunders, both from Lethbridge. These people are very upset. Clearly, it isn't just an Alberta problem. These are people that have come from other places in the world to appreciate our tourism and our wonderful wild scenery and life that we have here in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to table five copies of the members of the Legislature who were present when Dr. McNamee presented to the caucus in 1999 cases about lung cancer surgery wait times.

I'd like to table five copies of an excellent piece of investigative journalism, done by Charles Rusnell in 2007, about the financial irregularities and Auditor General Fred Dunn's critique of Capital health's accounting practices.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mrs. Klimchuk, Minister of Service Alberta, responses to questions raised by Mrs. Forsyth, the hon. Member for Calgary-Fish Creek, and Mr. Mason, the hon. Member for Edmonton-Highlands-Norwood, on March 7, 2011, Department of Service Alberta main estimates debate.

On behalf of the hon. Mr. Renner, Minister of Environment, responses to questions raised by Ms. Blakeman, the hon. Member for Edmonton-Centre, and Mr. Boutilier, the hon. Member for Fort McMurray-Wood Buffalo, on March 22, 2011, Department of Environment main estimates debate.

3:00

### Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Alberta Health Services RN Turnover Rate

- Q3. Dr. Swann:  
What was the average turnover rate for registered nurses within Alberta Health Services for the years 2008, 2009, and 2010?

#### Foreign-trained Physician Recruitment

- Q4. Dr. Swann:  
How many foreign-trained physicians have been recruited to Alberta in the last five years?

#### Foreign-trained RN Recruitment

- Q5. Dr. Swann:  
How many foreign-trained registered nurses have been recruited to Alberta in the last five years?

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

#### Drilling Royalty Credit Program

- Q8. Mr. Hehr asked that the following question be accepted.  
What was the total value of all tax credits expended pursuant to the drilling royalty credit program and the average value of tax credits claimed per company for the period April 1, 2009, to February 20, 2011?

**Mr. Hehr:** At this time I believe this information is pertinent for us, Her Majesty's Loyal Opposition, to have. We are in the midst of what could be considered on the cusp of another boom in Alberta. We have many projects up in the oil sands and in other areas of this province, much drilling activity going on all over the place. Obviously, that is spurred by world demand as well as some other things going on here in Alberta but also the price of oil. I guess the debate is, as always, that we need a stable operating ground for companies who do business while at the same time trying to balance what is a reasonable return to the taxpayer.

I know these are difficult things to balance, but having this information allows us to maybe try to get there and stay on top of that balance. For instance, I know in our budget debates with the hon. minister we were discussing, you know, the ups and downs of pricing of, in fact, the oil and gas industry and how it's very difficult to peg things at \$120 oil or that sort of stuff. We were discussing, I remember, how maybe we could develop a system where if prices were stable for the period of a year, well, then, maybe you could factor some of these things in and out and possibly give companies stability while at the same time allowing for the province to get its fair rate of return.

Nevertheless, I think this information would go some way in providing us with some information we need to do our jobs on behalf of the Alberta people to continue to challenge our government to do the best they can and to provide both stability for the industry as well as value to Joe and Jane Albertan, who are the owners of the resource, which, we all know, is a very delicate balance and a fine balance that we have to adjust here in Alberta.

Those are my submissions, and I wait for the hon. minister's response.

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you, Mr. Speaker. Like the member mentioned, the government is always ready, able, and willing to help this member with his understanding and research, but there are a couple of problems with the way the particular question is worded. I have sent to the hon. member a proposed amendment because in the question it talks about tax credits in Alberta under the drilling royalty credit regulation. There are no tax credits but, rather, royalty credits.

In addition to that, due to corporate structuring of some of the companies – some of them may be subsidiary groups branched from parent organizations – we do not collect the data with respect to the average value of credits per company. That being said, I would propose to amend the question.

What was the total value of all royalty credits expended pursuant to the drilling royalty credit program for the period April 1, 2009, to February 20, 2011?

If the hon. member agrees with that amendment, I'm more than happy to supply that information.

**The Speaker:** All members have received a copy of the amendment. Discussion on the amendment?

**Mr. Hehr:** I think this is a wonderful amendment proposed by the hon. minister. You know, it reminds me of how some people think he gets a reputation as such a cranky man. This is really an example of how he helps sometimes and how he gets us the information we need. I would thank the hon. minister for his assistance in this matter. When I hear someone besmirching his good name, I will be sure to speak up on his behalf.

**The Speaker:** Shall I call the question?

**Hon. Members:** Question.

[Motion on amendment carried]

**The Speaker:** Shall I call the question, then, on the motion as amended?

**Hon. Members:** Question.

[Written Question 8 as amended carried]

**The Speaker:** The hon. Member for Lethbridge-East.

#### **Crown Land Sold for Agricultural Use**

Q13. Ms Pastoor asked that the following question be accepted.  
What are the locations of Crown land sold for agricultural use between 2005 and 2010?

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. My intent, of course, is to see exactly how much Crown land is actually being saved for agricultural land.

**The Speaker:** The hon. Minister of Sustainable Resource Development.

**Mr. Knight:** Thank you very much, Mr. Speaker. Of course, the hon. member has asked a question that's important to many Albertans, most particularly Albertans that are now directly involved or may want to be involved in the agricultural industry.

Mr. Speaker, the issue, of course, is that the question as it's posed is not something that we'd have a ready answer for, so I would like to propose that we amend Question 13 to read:

What are the legal descriptions and acreages of all public land managed by Sustainable Resource Development sold between April 1, 2005, and March 31, 2010?

Mr. Speaker, the amendment is based on the following reasons. Sustainable Resource Development sells public land that's considered surplus to government requirement. Municipalities regulate the use of land within their boundaries. We could sell pieces of surplus public land and not know at the end of the day whether or not they may end up being used for agricultural purposes. The Department of Sustainable Resource Development's records regarding the sale of public land are kept on a fiscal year basis, so that's the reason for the adjustments relative to the dates.

Mr. Speaker, I would like to propose that amendment.

**The Speaker:** Have all members received a copy of this amendment? If you haven't, raise your hand. Okay.

Hon. Member for Lethbridge-East, do you want the floor?

**Ms Pastoor:** Thank you, Mr. Speaker. I would like to thank the minister for having this amendment out on time. Unfortunately, I just saw it this morning because we were away for two weeks, and it was sitting on my desk here. Thank you, at least, for that.

I was going to not accept it because I'm not exactly sure that what I'm trying to get at is what you're going to give me. But after your explanation it's a little bit closer to what I thought I was getting, so I will accept this amendment.

Thank you.

[Motion on amendment carried]

**The Speaker:** Hon. Member for Lethbridge-East, do you want to say anything further to close the debate, or should I just call the question as amended?

**Ms Pastoor:** Question.

[Written Question 13 as amended carried]

**The Speaker:** You did not tell us, Lethbridge-East, where you went for two weeks.

**Ms Pastoor:** I worked my tail off in Lethbridge-East.

**The Speaker:** Aw. It catches my heart. That's so good to hear.

#### **Motions for Returns**

3:10

##### **Bitumen Valuation**

M6. Mr. Chase moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing a copy of all financial forecasts, economic trend reporting, and any recommendations that were prepared by Alberta Finance and Enterprise regarding bitumen valuation for the fiscal years 2011-2012 to 2021-2022.

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Yes, Mr. Speaker. I'd like to move an amendment to Motion for a Return 6. The amendment would strike out "financial forecasts, economic trend reporting, and any recommendations that were prepared by Alberta Finance and Enterprise" and substitute "publicly available, nonproprietary information given by Alberta Energy to Alberta Finance and Enterprise" and, secondly, strike out "2011-2012 to 2021-2022" and substitute "2011-2012." So this motion would read:

A copy of all publicly available, nonproprietary information given by Alberta Energy to Alberta Finance and Enterprise regarding bitumen valuation for the fiscal year 2011-12.

I'm proposing this amendment for a couple of reasons, Mr. Speaker. First, our department can only answer with respect to information prepared by our ministry and provided to Alberta Finance and Enterprise. Secondly, as the member proposing this motion is aware, the information we provide comes from a number of financial forecasts and reports, much of which is confidential due to the copyright terms of our subscriptions or because the information is considered proprietary. Any material we provide to Alberta Finance and Enterprise, which is actually publicly available, we'll be happy to give to the member.

Also, the data from all of the forecasts and reports we receive are amalgamated and made publicly available in the budget, as are many of the identities of the analysts and forecasters that we use. If the member wants to see specific reports from, say, a bank or an investment service, he's certainly free to subscribe to those respective services.

Regarding the later time frames mentioned in the motion, we do not provide long-term projections for use in the budget, but long-term valuation projections are publicly available via the Energy Resources Conservation Board.

Just as a final aside, Mr. Speaker, it should be noted that our forecasting models are reviewed and are endorsed annually by the Auditor General.

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

**Mr. Chase:** Thank you. I understand the minister's cautions or limitations with regard to proprietary information. We understand that. Whether it's ministers' notes or any other private information, we understand the FOIP regulations that cover that information. On the (a) part, obviously we're operating within the information that should be publicly available and asking for that information to be collected and accumulated and passed along to us.

On the second part of the amendment, by striking out "fiscal years 2011-2012 to 2021-2022" and substituting "fiscal year 2011-2012," what Alberta investors, the industry, and regular Alberta taxpayers are looking for is the idea that the government has some kind of a plan or a rough idea of where they would like to go given certain conditions heading into the next decade. Now, by this request we're giving the government credit for forward thinking, and that was why that extended evaluation and the direction the government would like to at least head towards are extremely important to us.

Again, we understand the nature of what's private and what's public, but we would like to get a sense of what the government's plan is as well, Mr. Speaker. Thank you very much.

[Motion on amendment carried]

**The Speaker:** Shall I call the question with respect to the motion as amended?

**Hon. Members:** Question.

[Motion for a Return 6 as amended carried]

#### Conventional Oil Valuation

M7. Mr. Chase moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing a copy of all financial forecasts, economic trend reporting, and any recommendations that were prepared by Alberta Finance and Enterprise regarding conventional oil valuation for the fiscal years 2011-2012 to 2021-2022.

**Mr. Liepert:** Well, again, Mr. Speaker, I would like to move an amendment to this motion very similar to the last one, striking out "financial forecasts, economic trend reporting, and any recommendations that were prepared by Alberta Finance and Enterprise" and substituting "publicly available, nonproprietary information given by Alberta Energy to Alberta Finance and Enterprise," and, secondly, striking out "fiscal years 2011-2012 to 2021-2022" and substituting "fiscal year 2011-2012." This motion would then read: "A copy of all publicly available, nonproprietary information given by Alberta Energy to Alberta Finance and Enterprise regarding conventional oil valuation for the fiscal year 2011-2012."

The reasons for these amendments are identical to the ones mentioned with respect to the previous motion that we just addressed in this House.

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

**Mr. Chase:** Thank you very much. I don't want to take up time from this Assembly. Obviously, we're not asking for private information. What we're asking for are recommendations that were prepared by Alberta Finance and Enterprise regarding convention-

al oil valuation. We're looking for the minister's and Alberta Finance and Enterprise's projections. We're not looking for proprietary information. We're looking for the information that has been shared between the ministries that will give, hopefully – and then I'll argue the second part of the amendment – some idea of where the government is headed not only now but into the next decade.

The conventional oil opportunities are potentially tremendously enhanced if the sequestration works. If we can pump carbon dioxide into old conventional sites and receive the increased value from formerly nonproductive wells all of a sudden being brought to life, then this is important information. I realize, Mr. Speaker, that the hon. Minister of Energy doesn't have a crystal ball, but I would think that between Finance and Enterprise and Energy they would have a desired outcome, and based on that desired outcome, the information and the studies on carbon sequestration, the fact that we're no longer using potable water, that we're using saline, given all that information, which is not proprietary but actually belongs and is well known to Alberta Finance and Enterprise and Energy, it would be very helpful to have not only that information but the forecast for how conventional extraction can potentially be improved over the next decade. That's why we're projecting 10 years ahead. The Alberta Liberals are well known for thinking ahead, and we'd like the government to catch up to us.

Thank you.

[Motion on amendment carried]

**The Speaker:** Shall I call the question?

[Motion for a Return 7 as amended carried]

3:20

#### Natural Gas Valuation

M8. Mr. Chase moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing a copy of all financial forecasts, economic trend reporting, and any recommendations that were prepared by Alberta Finance and Enterprise regarding natural gas valuation for the fiscal years 2011-2012 to 2021-2022.

**Mr. Liepert:** Again, Mr. Speaker, what we're going to propose is that we amend this motion by striking out "financial forecasts, economic trend reporting, and any recommendations that were prepared by Alberta Finance and Enterprise" and substituting "publicly available, nonproprietary information given by Alberta Energy to Alberta Finance and Enterprise" and by striking out "fiscal years 2011-12 to 2021-22" and substituting "fiscal year 2011-2012." This would then read: "A copy of all publicly available, nonproprietary information given by Alberta Energy to Alberta Finance and Enterprise regarding natural gas valuation for the fiscal year 2011-2012."

Again, the reasoning remains consistent with the last two motions, Mr. Speaker.

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

**Mr. Chase:** Thank you. Again, I don't want to sound like an echo, but what we're asking for is not what we're receiving. We've asked for a copy of all financial forecasts, economic trend reporting, and any recommendations that were prepared by Alberta Finance and Enterprise. I don't know whether it would have made it simpler if we'd said all Alberta Finance and Enterprise financial forecasts, economic trend reporting, and recommendations. If we'd possibly put the producer of the information first, maybe it would have caused less confusion.



What we're getting from the minister is publicly available. In other words, he's willing to collect information he's already, I'm assuming, put out, which is not what we're asking for. We're asking him to give us an indication of the advice that he is recommending going forward based on, obviously, nonproprietary information. The government, I am sure, beyond the very hard-working researchers and bureaucrats within the organization also goes out to other individuals seeking advice, especially, I would hope, experts in the field. It's that kind of direction that we're looking for so that everyone understands the direction the government is going.

Now, Mr. Speaker, again with reference to 2021-2022 we know it's a historical fact that conventional gas for years has produced the highest royalties and the best return for Albertans. Well, now with the advent of shale gas and nonconventional gas our gas marketing basically has bottomed out, and we're hoping that the minister, in replying to the hon. Member for Edmonton-Gold Bar, could provide us with a sense of where we're going from here. Is there a hope that with certain planning or direction we'll be able to re-evaluate, regenerate the former conventional gas market? When the minister restricts the information to "publicly available" and for a single year, there is no forward prognosis. We don't know where the ministry is hoping to head or the information that would take them in that particular direction. If we don't know, then the Alberta public doesn't know, and industry is uncertain about the government's support for both conventional and new types of gas exploration involving shale, et cetera.

Thank you, Mr. Speaker.

[Motion on amendment carried]

**The Speaker:** Shall I call the question, then?

**Hon. Members:** Question.

[Motion for a Return 8 as amended carried]

### Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 201 Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very, very much, Mr. Chair. In previous discussions I've brought forward the concerns about the potential punitive action of sort of two classes of individuals: those that have indicated a yes, no, or possibly at some time in the future they would consider organ donations, and then there's the group who, if they don't respond immediately, may get the second mail-out of their Alberta health care cards. I wanted to bring up that concern, which was not addressed in previous amendments.

As I've indicated twice before in speaking to Bill 201, Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, I am very supportive of not only organ donation but tissue donation, blood, et cetera. I indicated that I thought that

a potentially better method for achieving this was an electronic health card complete with a chip, which offered greater privacy protection and was capable of being presented either by a person, for example, giving blood – their record would be part of that card – or in the unfortunate event of someone dying, there would be a go-to place which would clearly indicate an individual's wishes in addition to their health information.

Recently, Mr. Chairman, with regard to having a health card that would facilitate improved service delivery as well as declared donor information, it was pointed out to me by both a psychiatrist and a medical physician who came to my office this past Friday their concern about the government potentially pulling back the approximately \$35,000 that helped their offices maintain their electronic data and record keeping.

Mr. Chair, in order to facilitate the information collection and the appropriate sharing between medical individuals of private, protected information, I believe that something beyond our simple paper card has to be devised so that physicians, regardless of where they are in the province, have appropriate access to the information that in the case of an injured person would facilitate their treatment and in the case of a person who has indicated that upon their death their organs could be harvested, that information would be available in a secure situation.

Mr. Chair, without going into a whole lot of repeat, I also mention the fact that Alberta Health, while improving on the number of Alberta health cards out, has not the tracking necessary to ensure that only Albertans are receiving these Alberta health cards. So the tracking of the card, to whom it goes and for what purpose, I would suggest needs to be improved in order for the wishes of Bill 201 to be taken into account.

3:30

I thank the hon. chair for allowing me to participate again in the debate on Bill 201. Donation I'm very much in favour of. Facilitating and improving the process, I think, requires further work than Bill 201 presents at this time.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Chairman. I'm pleased to rise today in Committee of the Whole to speak to Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, as amended. The intent of this bill is to increase organ and tissue donation in Alberta, and I believe that various sections of this bill achieve that aim. I would like to focus my comments today on one section in particular, section 22.1(1). For the record this section states:

A certificate of registration shall include a declaration form concerning organ and tissue donation that specifies the following 3 options:

- (a) yes;
- (b) no;
- (c) undecided.

Mr. Chairman, the subject of organ and tissue donation can be a sensitive one. Many people find merely thinking about such matters extremely uncomfortable. While Bill 201 does propose to compel Albertans to make a choice as to whether or not they would like to be organ donors, it would not force anyone to become a donor if they do not wish to be one.

Section 22.1(1) stipulates that the options given in the certificate of declaration, which in this case will be the Alberta health care card, will be yes, no, and undecided. As such, should an individual not wish to become an organ donor, he or she has two options from which to choose. This individual can choose no or

undecided, and then those choices will ensure that he or she will not become an organ donor. The undecided option is there to make sure that Albertans who are not yet ready to make a decision regarding organ and tissue donation are not rushed into doing so. Further, should an individual know whether or not they want to become a donor but do not wish to make that decision public, he or she can choose the undecided option to ensure that their privacy remains intact.

Mr. Chairman, it is not the intent of the bill to force Albertans into doing something they do not want to do, whether that is becoming an organ and tissue donor or simply disclosing their decision on the matter. Rather, the intent of this bill is to prompt some thought and discussion on the issue of organ donation.

The fact is that Canada's organ donation rates are some of the lowest in the western world. While there are no statistics available that are specific to Alberta, only 13 Canadians for every million actually become organ donors. This lack of donation means the difference between life and death for many across the country, including right here in the province of Alberta. With the requirement to make a specific declaration regarding organ donation, as outlined in section 22.1(1), we could ensure that, at the very least, Albertans think long and hard about this issue and their feelings towards it.

What's more, Mr. Chairman, it is my hope that Albertans will also have this discussion with their families so that everyone's wishes are known should the worst happen. It is important to ensure that our families are aware of our feelings towards organ and tissue donation because, ultimately, their permission will be required in order for us to actually become donors.

If passed, Bill 201 will help to raise awareness in our province regarding organ and tissue donation. Subsequently this could help to increase the number of donations which could in turn save lives. Mr. Chairman, it is remarkable how many lives can be saved or drastically improved by just one organ donor. According to Alberta Health Services one donor can save the lives of eight people and enhance the lives of as many as 75. For the thousands of people who are currently waiting, an increase in donors could mean the difference between life and death.

I believe that it is incumbent upon us as legislators to try to increase the number of organ and tissue donations in our province, and Bill 201 could be an effective tool to achieve this goal. However, the provisions in section 22.1(1) clearly provide Albertans with options should they not want to become organ donors. Because organ and tissue donation is an extremely personal decision and because, ultimately, Albertans should have the final say over what becomes of their bodies after they pass on, it would be unacceptable to not provide some alternatives. Rather, by requiring that all Albertans make an explicit choice between yes, no, and undecided, we can ensure that health care professionals know who agrees to be a donor while protecting the rights of Albertans to refuse.

Mr. Chairman, I believe that section 22.1(1) has created a win-win situation for organ donation in our province. We have an opportunity to know for certain who among us are potential donors, and there is also a possibility that by asking people to make the choice, they will choose yes. But for those who are uncomfortable with the idea of organ and tissue donation, there are two alternative choices available. Therefore, we have nothing to lose and everything to gain by passing this legislation. We owe it to those Albertans who patiently await a life-altering donation, and we owe it to those who may not be aware that they can help save lives. By being careful to leave the choice formally in the hands of Albertans, those who do not wish to become donors will not have to.

I believe that all sections of this legislation, including section 22.1(1), work together to ensure that the intent of the bill is fully realized, this intent being to hopefully increase the number of organ donations in Alberta and, by extension, to save lives. Section 22.1(1) specifically ensures that Albertans are not forced into becoming organ donors by providing other options to choose from. This section also ensures that Albertans are not forced into making decisions if they're not ready to do so by providing the undecided option. With these provisions, I cannot see a reason why this legislation should not be passed. Albertans could stand to benefit from this once it is implemented.

I would like to thank the Member for Edmonton-Manning for the thorough input into drafting this legislation, particularly the care that went into drafting section 22.1(1).

With that, I would conclude my comments, and I look forward to the rest of the Committee of the Whole debate. Thank you very much, Mr. Chairman.

**The Deputy Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Chair. I'm pleased to stand up and speak to the Alberta Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, and I'm particularly pleased to stand up and speak to the amendments that were tabled in the Legislature I guess a couple of Mondays ago. I have spoken in this House on many occasions in regard to my support for organ donation and have made it very, very clear that I'm a huge supporter of organ donation. I think what we have to do is educate the public as much as we can, as I indicated the last time I spoke, and I ended my speaking notes with a comment that was brought to me when I had brought my original bill forward several years ago.

3:40

I want to state that the original bill stated it would try to increase the pool of organ donors by making it mandatory for people to answer their organ donor card when they register with Alberta Health and Wellness. I indicated just briefly that I do like the amendments to Bill 201 put forward by the member. I was concerned that vital medical care might be delayed or denied because of not answering the organ donor question.

I must make it clear that I have been a strong, strong supporter of organ donation since the 1970s. At that time, Mr. Chair, I underwent testing for blood and tissue type because that's how strongly I believed in it. I still carry the same card. I'm not even sure they even have them anymore. At that particular time when you signed up to be an organ donor, I went through the procedure. So I'm ready to go. If anything happens, they can have any organs they want. Some they might not want, but they certainly are more than welcome to have anything.

In 1998 I put forward the Human Tissue Donation Procedures Statutes Amendment Act. At that time I had collaborated with the kidney and liver foundations and the Red Cross as well as the human organ procurement and exchange program. The reason I put that bill forward then is the same reason we're having this discussion today. When you look at 1998 to 2011, that's 13 years, and here we are back in the Legislature talking about the same bill, talking about the same importance it has.

Quite frankly, the government hasn't done anything. They've had the opportunity since that bill came forward in 1998. I know the hon. Member for Calgary-West brought forward another private member's bill on organ donation, and it passed in the Legislature. Here we are again on April 11, 2011, talking about organ donation and yet again another private member's bill that is

so important to everybody. The government hasn't acted on the bill that I brought forward in 1998, and I don't imagine they did anything on the bill that had been brought forward by the Member for Calgary-West. As far as I'm concerned, the situation is tragic. I can't even imagine how many organs have been lost as we've dicked around. We've talked the talk, but we certainly haven't walked the walk.

In my research I studied many jurisdictions in the world and was amazed at the progress that countries like Spain have made. In three short years their donation rates increased 75 per cent. Their reforms were a model around Europe and the world. While my Bill 206, which is the one I talked about earlier, the Human Tissue Donation Procedures Statutes Amendment Act, didn't make the consent reforms that they did, they have made incredible progress.

While I understand what Bill 201 is trying to accomplish – and it's a worthy goal – I can't help but feel that this is not enough to improve organ donation in Alberta, and I speak from other experiences. As I've said, I had the privilege to chair the Advisory Committee on Organ and Tissue Donation and Transplantation a decade ago, and I find it – I repeat this, and I think it's important to repeat – ironic that we're talking about this again in this Legislature. It just saddens me to no end that we're having this conversation again. Maybe this time the government will decide that they are finally really going to do something about this.

The committee that I chaired way back called for comprehensive legislation to improve organ and tissue donation in Alberta. Sadly, at no fault of the committee and the people that worked so hard on that particular committee – and I have to give them tons and tons of credit – the progress has been slow and uneven. I know that when I had the privilege of working with these people, the dedication that they showed when we were working on this committee was nothing but stellar. I have to even give once again credit to the member who brought this forward to maybe try and get the government to move on it.

The heartbreak for me is that time is critical for those on organ donation lists. I've been advocating for improved organ donation processes for most of my political career, almost 15 years, yet it just seems like we're moving in what I would consider slow motion or, if I can say even more bluntly, no motion.

The challenges of organ donation are similar to those of blood donation. They are necessary for saving lives, but people often have a belief that they won't ever need the service. We need to think ahead because in the middle of a catastrophe the last thing people think about is donation. The pain and tragedy of losing a loved one is overwhelming, especially when you're still in shock. Donations can't rely on grieving, vulnerable family members. It's simply just asking too much of them. The shock of earth-shattering news from a doctor is not the most appropriate time for the family to be asked for a donation. This is something that people should plan ahead for.

Over 400 people in Alberta wait for organ donation. While half of them will receive the needed transplants, many do not receive theirs on time. As the organs shut down, they must endure the pain, along with the family, of watching their lives slip away.

Canada has one of the lowest donation rates in the world. One dying person can have a huge, life-saving impact on others. A single donor can help as many as 80 people. Most people don't realize just how long people wait for donations. Albertans have a shorter wait time for kidney transplants, but the wait is still two and a half years. To get dialysis while they wait, people usually need to come in to the hospital for hours every day or two. Not only is there a human cost, but there is also a financial cost of waiting. Kidney dialysis costs \$60,000 a year. The cost of the

transplant, including the medication, is \$130,000. When patients are on dialysis for years, the best option is obvious. Getting patients the best care they can get saves everyone pain and suffering, and quite frankly it saves them money.

A very simple but overlooked step to improve donation rates is education. Ontario and British Columbia have taken a leadership role by creating donor registration. Government agencies actively promote organ donation, and their results are worth examining. The committee I chaired called for a provincial organ and tissue donation and transplant system. While we have the workings of something great, we're just not quite there yet. The committee also called for a province-wide approach to public and professional education.

Our donation system relies on the goodwill of others. A living donation is a serious decision and needs greater support from the government. Alberta took a small step by allowing compensation for living donors so that their travel expenses and income loss could be covered up to \$5,000. At the federal level caregivers are entitled to compassionate leave benefits for up to 15 weeks.

While sick patients wait for life-saving donations, our government is waiting for someone else to take the lead. Canadian Blood Services was directed to create a national strategy in 2007, and we're still waiting for the bold leadership on a vital issue. National organ and tissue awareness week is next week. I had hoped debate on this bill would inspire this government to be able to report to this House that they have taken concrete actions before another donor awareness week passed us by. I'm disappointed that it doesn't seem to be the case in front of us.

Ultimately, I say that I'm going to be supporting this bill because we all share the goals of increasing organ donation. If this is what this bill will take, once again – and, as I said before, I think this is probably, from what I remember, the third time – this is a good-news story for Albertans.

**The Deputy Chair:** The hon. Member for Lethbridge-East because the hon. Member for Edmonton-McClung isn't in his chair.

**Ms Pastoor:** Okay. Thank you very much, Mr. Chair. I will be brief because I think that most of the salient points have already been pointed out. Certainly, I believe in this bill. I think that we are way behind in Canada, as has already been pointed out, in terms of the acceptance of the idea of being able to help our fellow human beings when, in fact, we can share things that we have absolutely no use for anymore.

However, having said that, I know of a number of families who were fortunate enough to be able to share kidneys between daughters and sons and certainly amongst siblings. It's a very, very important ability to be able to do that. I have never spoken with anyone who has regretted having done that for one second. Both parties have recovered very well and have certainly gone on to productive lives.

3:50

I think another important thing that's slowly catching on and is in the same vein as this is using umbilical cord tissue and blood for research on stem cells. We've certainly seen the effect of stem cell treatment, in fact with a former member of this House, and it's been very successful. He, needless to say, was very pleased to have had that donor from somewhere else.

I think that education has been mentioned, and perhaps we should start doing a little bit more in the schools so that as the kids grow up, it's almost a given and is not something that people have to think about. I can understand that perhaps there may be some religious reasons, which I would have all the respect in the world

for, but often people just haven't thought about it because the discussions aren't there. I believe that we should have those discussions, and I believe they have to start in school.

I think we can talk to children at this point in time in kindergarten, who actually can talk to us about good, nutritional food, where it comes from, and why we should be actually eating the hundred-mile diet. These children are quite knowledgeable about this, and certainly it's children I think that have helped their parents quit smoking because they've come home with the idea and the knowledge that it's not good for you. Again, I believe that the education towards this kind of thinking could happen in the schools.

The other thing is that I would like to see Canada, of course, be the leader in terms of free donation of organs. I so fear that at some time bits and pieces would be sold and that these bits and pieces would become commodities. That is a very, very dangerous precedent that is a possibility. The more we are generous and the more we understand, I think the better off all Canadians will be and certainly humanity as a whole.

With that, Mr. Chair, thank you for allowing me to speak to this very important bill.

**The Deputy Chair:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Mr. Chairman, first of all, thank you very much for giving me the opportunity to speak on Bill 201. I'm really pleased to support Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. The intent of this bill as amended is to increase organ donation in Alberta, and like my colleague from Edmonton-Manning I believe this bill as amended will achieve that aim.

I trust that, in particular, section 22.1(1) will contribute significantly to reaching that goal. Section 22.1(1) focuses on one specific aspect of the human organ and tissue donation process; that is, the declaration form that a potential donor must fill out before the rest of the process unfolds and, more specifically, its wording and design.

In fact, subsection (1) reads as follows:

22.1(1) A certificate of registration shall include a declaration form concerning organ and tissue donation that specifies the following 3 options:

- (a) yes;
- (b) no;
- (c) undecided.

This is a substantive change from the declaration form's current wording. As many Albertans are aware, this form is currently located on the back of the Alberta personal health card. Entitled Alberta's Universal Donor Card, it states, "In the hope that I may help others, I hereby make this anatomical gift, if medically acceptable, to take effect upon my death."

Then two options are displayed: (a) any needed organs and tissues for transplantation and (b) only the following organs and tissues for transplantation. This is followed by an opportunity for the donor to specify his or her anatomical gift. A signature is also required, both from the donor and a witness. This witness is preferably a family member. Potential donors are also encouraged to discuss this topic with their family members or next of kin.

Finally, transplantable organs and tissues are listed. These organs are heart, liver, lungs, kidneys, pancreas, and small bowel. Tissues listed are eyes, skin, bone, heart for valves, and veins.

Mr. Chairman, as you can see, there is a fair amount of information already available on the declaration card. Some would argue that it is too much information while others may see the benefit in adding further details, and others still prefer the status quo. But perhaps the amount of content is not as much a topic for discus-

sion as the wording itself. At the moment nowhere can an Alberta citizen formally state that he or she is not interested in becoming a donor. Instead, this is implied by simply leaving the form blank and perhaps by letting their family members know. Also, the undecided cannot state anywhere that they are indeed undecided. This option is not currently available.

Mr. Chairman, in other words, if one wishes to become an organ or tissue donor, they must fill out the said form, and as an individual who believes in the value of individual initiative and personal responsibility, I am proud that individuals will take on that task of determining their own wishes and what happens to their bodies. By making that personal determination, I believe it makes it easier on family members as well as it may be very timely. We all know that donating organs or tissues needs to be done in a timely manner, and that's important because every minute counts, especially for those who need those organs or that tissue.

Perhaps the biggest problem with the way the current form is worded is that it does not help to further alleviate the organ and tissue demand by those Albertans in need. Indecision is okay, too. In fact, it is a sign that one has put some thought into the matter, but as of now on this issue there's nothing that separates undecided persons from those who have already made the firm decision not to become an organ or tissue donor.

Section 22.1(1) would likely help remedy that situation. It is also entirely possible that an increasing number of individuals will take the time to fill it out. These individuals alone may increase the pool of organ and tissue donors potentially available. That in itself would prove to be a great success for the donor program and, more importantly, for Albertans waiting for a second chance at life.

Mr. Chairman, I'm not opposed to a partial change on the declaration form as proposed in the amended bill. I believe those changes would be improvements, but no matter what the final format might be, it will be designed to inform Albertans of the importance of organ or tissue donations in this province.

To the Member for Edmonton-Manning: congratulations in bringing forward individual initiative and, especially, personal responsibility because I believe that that value should be taken seriously in whatever decisions we make for our lives. I for one appreciate that.

Thank you, Mr. Chairman.

**The Deputy Chair:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Chairman. I'm pleased to rise today and join Committee of the Whole debate on Bill 201 as amended. Before I begin, I would like to thank the hon. Member for Edmonton-Manning for all the hard work and effort he has put into this piece of legislation.

Mr. Chairman, there are a number of sections to this proposed legislation. However, today I would like to focus my remarks on section 1, (c.1) of the bill. This section outlines the meaning of a certificate of registration, and for the sake of clarity under section 1 part (c.1) of the bill as amended reads as follows:

"Certificate of registration" means

- (a) a certificate of registration issued under this Act, or
- (b) any other document prescribed by the regulations as being a certificate of registration for the purposes of this Act or the Alberta Health Care Insurance Act.

Mr. Chairman, part (c.1)(a) makes it clear that a certificate of registration could be issued under this act specifically for the purpose of organ and tissue donation declaration while, on the other hand, part (c.1)(b) would allow pre-existing documents to be used for the same purpose. These subsections leave all options open to be considered for the purposes of this bill.

4:00

Mr. Chairman, I realize that there were some concerns brought up during second reading of this proposed legislation, and some of those concerns focused on what exactly would be used as the certificate of registration in Alberta regarding organ and tissue donation. Initially it was proposed that the Alberta personal health care insurance card be the certificate used for the purposes of this act. However, the question was raised: why not use drivers' licences? This bill as amended has left that option open so long as the individual's driver's licence could be classified as a certificate of registration under the act. To ensure that the most appropriate certificate of registration is chosen, all options must be considered, including drivers' licences.

Mr. Chairman, one of the benefits of using drivers' licences as the certificate of registration regarding organ and tissue donation is the fact that they must be renewed on a regular basis. This would afford Albertans the opportunity to reconsider and change their decisions with regard to organ and tissue donation every time their driver's licence came up for renewal. In fact, there are many jurisdictions in the United States that use drivers' licences as the certificate of registration for organ and tissue donation, and from what I understand, it is a system that works quite well. That is why under section 1 (c.1) does not serve to limit what can be used as a certificate of registration.

However, other legislation would need to be amended in order to utilize drivers' licences as the certificate of registration for organ and tissue donation in Alberta. That, Mr. Chairman, falls outside the scope of this private member's bill. Nevertheless, the way in which the bill as amended has been worded allows for such an option, making sure that all opportunities are left available in case other legislation was to be amended.

Bill 201 as amended is a good first step towards encouraging increased awareness regarding donation of organs and tissue in Alberta. Furthermore, mandatory declaration with regard to donation could result in an increase in donors within our province. After all, that is one of the goals this bill aims to achieve. Under section 1 part (c.1) of this proposed legislation leaves the certificate of registration to be determined without restrictions, and it makes sure to allow for full consideration and flexibility of options.

Yet, Mr. Chairman, I still feel that the best and most practical way to introduce a certificate of registration for organ donation would be through the use of our personal health care cards. One of the most significant reasons for this is because personal health care cards are issued to everyone living in Alberta whereas not all Albertans possess a driver's licence.

Mr. Chairman, I would also like to point out that individuals who are under 18 years of age would not be included under the provisions of this bill. I think this is an important consideration as many young Albertans are unsure about their wishes regarding donation. Because of their uncertainty on the issue, using a personal health care card would afford young Albertans the opportunity to take their time to come to a decision. All they would be required to do once they reach legal age is indicate their wishes regarding donation on the back of their health care card.

This system would keep the entire process quite simple as there would be no need to issue any additional certificate of registration whereas if drivers' licences were to be used, individual choice regarding donation would need to be indicated somewhere on Albertans' licences. Thus, either a new card would have to be issued at an Alberta motor vehicle registry, or some kind of alteration would need to be made available to place on the licences.

Although the use of a driver's licence to declare one's donation intentions would be beneficial due to the frequency of its renewal,

amendments would need to be made to other legislation, which is again beyond the scope of this bill. Further, not every Albertan has a driver's licence. So as you can see, Mr. Chairman, under section 1 part (c.1) of this bill would allow for a number of options to be considered with regard to the certificate of registration for organ and tissue donation. I believe this is important and, therefore, feel that this is a valuable section of Bill 201 as amended.

I would again like to thank the hon. Member for Edmonton-Manning for bringing this bill before the House. It is an important issue that merits careful consideration with regard to organ and tissue donation in Alberta. I hope that my remarks brought some clarity to this debate.

At this time I will conclude my comments on Bill 201 as amended. Thank you, Mr. Chairman.

**The Deputy Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. It is an honour and privilege to rise and discuss this bill at this time. I would like to congratulate the hon. member for bringing forward this bill, which has the intent of not only encouraging but increasing the number of organ and tissue donors here in Alberta. It was mentioned earlier that, really, we have rather low rates of participation here in Alberta, and that's something we should look towards correcting. We should educate the public and, if possible, make it easier for them to take part in this life-giving process.

I did listen intently to much of the debate that was going on, and it did bring me some sort of dismay that the hon. Member for Calgary-Fish Creek reiterated that this bill is now in its third – third – sort of revision before this House. It seems to me that it would behoove the government if that is true – and I assume, because she has been here for much of that time, that it is the third reincarnation of this bill – that, hopefully, we would see it sometime shortly in the future. Maybe you can go back and look at the best benefits of all three of these bills. I'm assuming that many people put a lot of work into it, and since this Legislature has passed it on all three occasions, the government has enough information to go ahead and put together a pretty good bill that would go forward to both educate the public as well as to increase the amount of people contributing to donations.

I can personally attest to some of the education tactics that people sometimes sort of need. As you may or may not be aware, I lived in my father's house for much of my life, in fact until I was 30. My sister and I went to university during much of our 20s, and I remember one day coming home from university – I happened to be 25 and my sister approximately 23 – and my father had beaten us home from work. He was a schoolteacher, and he proclaimed to us when we rolled in through the door that he had filled out our organ donation cards and enthusiastically said to us: by the way, Kent and Kristie, you are donating your organs to the betterment of humankind upon your leaving to your eternal reward.

4:10

I, being somewhat more accepting of my father's good wishes, merely rolled into my bedroom and said: well, dad made a decision. My sister, on the other hand, challenged my father on this point. She said: "How did you in fact do this? Was the letter not sent to me?" Yes, it was. My dad said: "Well, I made a judgment decision. I signed the form on your behalf, and I sent it in." Well, then a row ensued. Needless to say, my sister and my father disagreed on her giving her organs to donation after the fact. I really don't know whether my sister was uninformed or educated about the importance of donating her organs or whether she was just disagreeing about the fact that my father had arbitrarily made a

decision for her at the age she was, but it's something we discuss from time to time, about how my father likes to still try to make decisions in our lives.

Needless to say, that brings up the education factor of this bill, that it could go a long way to informing individuals who may be reluctant to donate their organs that there is a true need out there, that people do value the contributions, that much of this could go to life-saving activities which go a long way to helping individuals and families who are faced with a difficult situation.

As this has been through this House before, I'm hopeful that this time we will pass it and that it will come into law sometime in the future in front of this House. I look forward to seeing that very soon.

I'd like to close by thanking the hon. member for putting forward this bill. I'd like to thank my father for actually doing that very entertaining stunt, filling out those forms for us, because it still brings a lot of joy when we discuss his actions of some 20 years ago regarding the filling in of those forms. It could bring an education process to Alberta's future generations who may wish to donate their organs to people in need.

Thank you very much, Mr. Chair, for the wide latitude you gave me in making a point on this much-needed bill. Thank you very much.

**The Deputy Chair:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Chairman. I'm pleased to rise today in Committee of the Whole to speak to Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. The intent, of course, of this bill is obviously a noble one, to facilitate Albertans in becoming organ donors should they wish to be. As amended, this bill works to accomplish that by explicitly requesting that Albertans upon becoming legal age declare their intent to either become an organ donor, to not become an organ donor, or to state that they are undecided in the matter.

Mr. Chairman, an important part of ensuring that the intent of this bill is fully realized is including provisions for the Lieutenant Governor in Council to make regulations. Bill 201 as amended provides this through section 21(h), which states that the Lieutenant Governor in Council may make regulations "providing for any matter relating to the completion of declaration forms under section 22.1."

Mr. Chairman, in order to discuss the significance of amending section 21 to include subsection (h), it is important to first acknowledge the goal of section 21 as it stands in the Health Insurance Premiums Act. This section currently provides our province's Lieutenant Governor in Council the provisions to make necessary regulations pertaining to the other sections of this act. Essentially, section 21 currently includes subsections (a) through (g), which are tailored to support directives of the bill, including registration of residents under the act and circumstances where individuals are exempt from this registration, for example. However, due to the fact that Bill 201 as amended would establish a change in section 1 of the act so as to include a certificate of registration and a definition of this type of document, the current subsections under section 21 need to be updated accordingly. Further, the bill as amended stipulates that the certificate of registration include in its contents a declaration form regarding organ donation where a person may select "yes," "no," or "undecided."

Mr. Chairman, these provisions are important and perhaps are the crux of this bill as they embody its purpose. However, it is imperative that these provisions are supported by the necessary regulations to ensure there is a protocol in place stipulating how the goal of this bill can ultimately be achieved. Section 21(h) of Bill 201 accomplishes that.

As I said earlier, section 21(h) states that the Lieutenant Governor in Council may make regulations "providing for any matter relating to the completion of declaration forms under section 22.1." Section 22.1(1) of the bill as amended reads:

A certificate of registration shall include a declaration form concerning organ and tissue donation that specifies the following 3 options:

- (a) yes;
- (b) no;
- (c) undecided.

Mr. Chairman, the wording of Bill 201 presently makes it clear that the Lieutenant Governor in Council can make regulations pertaining to the certificate of registration form for organ and tissue donation. This would ensure that a process and the necessary administrative support can be put in place if this bill comes into force. These regulations could include, for example, how the form looks, how it is presented to residents, and how the declarations are filed.

Mr. Chairman, to elaborate on these points, the regulations could stipulate that the declaration form include the individual's signature so as to demonstrate their signed authorization regarding their intentions. Often documents such as this require the signature of a witness. The regulations could stipulate that, of course, as well. These details are not currently part of the amended bill. However, they may be established through regulation.

Mr. Chairman, for clarity, I'm not promoting any of these policies over another. I'm simply attempting to demonstrate that there are other factors to consider when moving forward with a piece of legislation such as Bill 201. Section 21(h) is appropriately worded to ensure that this bill, if passed, could be supplemented by regulation.

On another point, section 21(h) would allow the Lieutenant Governor to make regulations on the way in which the declaration form is presented to individuals. For example, a form could include a preamble about organ donation that serves to educate individuals on the purpose of the form itself. That would ensure that when Albertans go to fill it out, they are provided with some background information that can help them make a decision. Or the declaration form could be presented to an individual in front of an objective health care worker, who can support an individual in their decision-making. Alternatively, it may be desirable to have declaration forms mailed out to Albertans. In any case, these details are important, and it may be appropriate for them to appear in regulations. As such, I believe that section 21(h) is a vital part of Bill 201 as amended.

Lastly, Mr. Chairman, it may be important for an individual's declaration to be filed or recorded. Section 21(h) ensures that should a filing or recording system be needed to support Bill 201 as amended, it can be outlined in the regulations if necessary.

Mr. Chairman, I want to stress that I'm not saying that these particular details should be included in regulations. Instead, I'm exploring the importance of section 21(h), which allows for these details to be addressed through regulations should it be necessary. Ultimately, I believe that this section is an integral part of Bill 201 as amended, and I believe that as it is worded, it ensures that the bill can be fully supported.

With that, Mr. Chairman, I'd like to thank you for the opportunity to speak today. I look forward to hearing the remainder of my colleagues' comments.

Thank you.

4:20

**The Deputy Chair:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you, Mr. Chairman. I am pleased to rise today in Committee of the Whole and share my comments on Bill

201 as amended, but before I begin, I would like to thank the hon. Member for Edmonton-Manning for all the hard work he did in drafting this piece of legislation.

Mr. Chairman, the amendments to this bill provide an excellent opportunity to rethink attitudes and approaches surrounding a very important issue, that of organ and tissue donation. Today I'd like to focus the majority of my comments on section 21(h). For the record section 21 is amended by adding clause (h) following clause (g), and it reads: "providing for any matter relating to the completion of declaration forms under section 22.1." I feel that the proposed amendments to the original Health Insurance Premiums Act will strengthen the overall intent of Bill 201.

More than 4,300 people are currently in need of an organ in Canada. As many as 6 per cent, or some 250 people, will die while on waiting lists. Bill 201 as amended seeks to address this reality and save lives. It takes a very noble and special person to donate an organ. It is a commendable goal. The objective of Bill 201 as amended is to encourage Albertans to make a clear yes, no, or undecided declaration regarding their organ donor status on the back of their Alberta health care card by presenting them with the question. This could see the supply of organs increase and help save the lives of those waiting.

The context of adding clause (h) relates to the regulations. Specifically, it outlines what regulations can be made by the Lieutenant Governor in Council. This will be the eighth such regulation the Lieutenant Governor in Council can make. Such regulations already include prescribing the classes of dependants that a resident is required to register and governing the registration of residents with the minister generally. Others state that the Lieutenant Governor in Council may make decisions with respect to the imposing of penalties on those who have not registered within the times prescribed under the regulations. Another prescribes the classes of persons exempted from registration.

Mr. Chairman, it's important to recognize the exemptions that these sections refer to. After all, virtually nothing is without exemptions. A resident is not required to register with the minister in two instances. The first is if the resident is exempted from registering by the regulations, as has been previously alluded to. Secondly, a resident is also not required to register with the minister if the duty to register is imposed by the regulation of some other person.

In general, exemptions are necessary to observe since there rarely is a one-size-fits-all approach. Seldom can something like an act or a law be universally imposed or applied without recognition of some exceptions. For example, with respect to those wishing to become a living organ donor, one must pass stringent guidelines set by Health Canada, and they must also sufficiently pass the donor suitability process. Donor suitability can be measured on a number of different levels, often including specific exclusionary criteria. Such exclusionary criteria may include persons who have used intravenous, intramuscular, or subcutaneous drugs in recent years or persons with hemophilia. Further exclusionary conditions include anyone who has HIV-, HBV-, or HCV-infected blood.

Additionally, Mr. Chairman, not everyone can become an organ donor even if they have declared the answer to be yes. Those who have declared their yes with regard to being a cadaveric organ donor are not automatically assumed to be an apt donor. This is because they may not have organs suitable for transplant due to the health of the organs or the nature of their death. There are a myriad of other reasons as well. After all, the safety of those who are to receive an organ transplant is of crucial importance. It is the reality of cases like these that makes exemptions necessary in the first place.

Regardless of exemption cases, if the purpose of Bill 201 proves successful, we could see a reasonable increase in organ donation rates throughout Alberta. If section 21(h) were not in place, we could potentially see a scenario whose ambiguity would cause a misinterpretation of the different regulations. Also, if section 21(h) were not in place, we would be missing an important link between exemptions and the regulations specifying different means by which every resident shall register with the minister.

Mr. Chairman, in closing, I would again like to stress the importance of section 21(h). Essentially, the section provides a necessary connection of the regulations subject to the power of the Lieutenant Governor with the exemption criteria. Without this section we could have a scenario where the bill was misinterpreted due to an inappropriate system being in place, and the effectiveness of the legislation could suffer as a result. However, with this amendment Bill 201 seeks to address the issue of organ donation and, ultimately, to save lives. It's important to recognize that certain exemptions may come into play. After all, exemptions are often necessary because there are rarely one-size-fits-all methods.

Once again, thank you to the hon. Member for Edmonton-Manning for the hard work that went into the drafting of this bill, especially the necessary addition of section 21(h).

Thank you, Mr. Chairman.

**The Deputy Chair:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you so much, Mr. Chairman, for the opportunity to join the debate on this bill. I want to thank the Member for Edmonton-Manning for bringing it forward. The Member for Calgary-Fish Creek is correct that we've debated this issue before; here we are again.

Mr. Chairman, I'm going to ask my colleagues to imagine two scenarios, the first of which is a trade show that happens in so many communities across our province. In fact, it's spring, and they're happening now. Peace River's is next weekend, and I'll be very pleased to be home and attend the trade fair. The trade fairs are not just for businesses. Very often community service organizations attend these trade fairs.

Imagine, if you will, that the local organ donation information group has a booth in the trade fair. As happens in all trade fairs, everybody has got a little glass jar on the counter, and you put your business card in there or write your name in there and you'll be entered into a draw at the end of the day for a prize, typically a T-shirt or balloons, those sorts of things, very minor gifts. But the kids flock to it and put their names in, and most parents walk around and put their names in all the jars. At the booth where the organ donation organization is working, the glass jar on the counter is absolutely empty despite the fact they have a prominently displayed prize for a draw. It's empty; not a single person put their name in it.

Now I'm going to ask you to imagine a second scenario, a darker one. Mr. Chairman, imagine a mother in a hospital at 1 o'clock in the morning, and she's been informed by the doctor on call that her daughter has been killed in a car accident, and she is asked to authorize organ donation. Despite the fact that she knows for certain that her daughter had intended to donate her organs, the mother refuses permission for organ donation until she can attend the body, until she can touch the wounds to convince herself that her daughter is dead.

Both of those scenarios are true, Mr. Chairman. Those are not made up. That is the deeply personal and often irrational nature of organ donation. It is not for us to sit in this Legislature and tell people, "You should sign your donation card" or "You shouldn't

sign” or “You should declare” or “You shouldn’t declare.” This does not come from me. This comes from organ donation people that I have talked to every year since I was elected to this Chamber. This is the absolute reality. It’s not rational; it doesn’t need to be. That’s not the point.

The point is that this is deeply personal, and people actually believe that by signing their cards, the doctors will kill them to harvest their organs. Whether it’s rational or not really doesn’t matter. If you believe that, it’s going to shape your behaviour, and it’s going to shape your mistrust of people that tell you to do otherwise. Imagine a mother needing to feel the wounds of her daughter before she can convince herself her daughter is actually dead before she’ll sign the form. I can’t imagine that situation, but thank God I wasn’t in it. Maybe I would be the same way; I don’t know.

What I can tell you is that I am not going to participate in furthering this cause. I’m going to vote against this bill simply because for the people in my constituency that are very active in organ donation – in fact, I believe my corner of the province has the highest donation rate in the province – it’s about education, and it’s not about legislation. They want us to stay away from legislation. I’ve been told that time and time again, and that’s where I’m going to go with my vote on this bill.

Thank you, Mr. Chair.

4:30

**The Deputy Chair:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Chairman. I’m also pleased to rise today in Committee of the Whole and share my comments on Bill 201 as amended. However, before I begin, I’d also like to thank the hon. Member for Edmonton-Manning for all the hard work he’s put into drafting this piece of legislation. I know he’s put a tremendous amount of work into this and talked to many people around the province and to many colleagues.

I know it is a sensitive issue, and I know it does become potentially at times irrational. As a family member who has sat on the end of the bed of a dying 16-year-old boy waiting for an organ, when you’re begging and pleading and praying that someone out there has donated that organ and you’re waiting minute by minute in the middle of the night, which happened to me and my family, I can only say that I’m glad we’re having this discussion.

I think that education is the key, and I don’t think that with this legislation the hon. member is mandating that Albertans do anything but for us to encourage people to make a decision, ask them to make a decision, raise the awareness, have the discussion with your family. I think that’s a good idea.

While there are many sections of this bill that warrant time and consideration, I’d like to focus the majority of my comments today on section 6. This section is very straightforward. It’s found in many bills brought before the House, especially private members’ bills. The section reads, “This Act comes into force on Proclamation.” I believe that the importance of this section lies in the fact that its inclusion gives government the time they need to implement the changes proposed through the legislation.

After all, with a government bill departments have often been working towards the changes long before they see the House, Mr. Chairman, and that’s not necessarily the case with private members’ bills. Therefore, the government is better prepared to implement the bill as soon as the debate concludes and the bill is passed by the Assembly.

However, with a private member’s bill, like the one before us today, the departments affected have not had time to adjust their processes to seamlessly transition in the changes proposed by the

legislation or to potentially tweak it, to work out any kinks that we may become aware of through deeper consultation with Albertans and stakeholders. As such, they need time to get things in order, so to speak.

Mr. Chairman, that’s where section 6 comes into play. With this section government can delay the passage of this bill until a point where they’re equipped to both implement it and enforce it. As I understand it, there really is no enforcement. There really are no consequences if you decide not to tick off a box or if you decide to tick off an undecided. That’s quite acceptable.

In order to understand why we need section 6 in place, we need to first look at the intention and goals of the amended bill. As stressed in second reading, the intent of Bill 201 is to increase the rate of organ donation in Alberta. Of course, this could save lives and reduce the costs in our health care system. However, it is the process that this bill proposes that truly warrants the need for section 6.

Mr. Chairman, Bill 201 proposes to increase organ donation rates by altering the way we are asked about organ donation. Under our current systems Albertans are not asked directly, and I think that would be a good change. I think it would be great to have a direct question asked to Albertans about their intent on organ donation and to encourage them to have that discussion with their families.

Conversely, the changes proposed by Bill 201 would make it so that a person would need to choose either yes, no, or undecided on the back of their Alberta health card. Seeing that there is no system in place to ask people this question today, there needs to be time to implement these changes.

As it stands right now, your health care card can be mailed to you, to your place of residence, when you turn 18, and there is no need to physically make a trip to apply for the card, which is good. But with the changes proposed by Bill 201, it may require that an individual pay a visit to a health-related facility and fill out some paperwork before receiving the health care card, and that maybe wouldn’t be such a great idea.

Mr. Chairman, this procedural change may require the organization of resources and staff, which cannot be done overnight. Therefore, the time allotment present in section 6 is clearly needed. Without this in place, this bill could come into effect before the resources to effectively administer the proposed changes are established.

Alternatively, this section could have been an arbitrary date, but I’m pleased to see the hon. member recognized the challenges that could be brought about by his proposed changes and has wisely opted to have this bill come into force upon proclamation and a little bit more due diligence.

Mr. Chairman, in addition to providing time to get the administration of a new health card in order, section 6 also allows time for our health care system to prepare for a possible increase in organ donation. If the intent of Bill 201 is successful, we could see a reasonable increase in organ donation rates throughout the province. Again, section 6 provides this time.

Finally, Mr. Chairman, I’d like to point out that section 6 additionally is important because from the time a bill is passed to the time it is proclaimed, a great many things can change. Some things can transpire. New technologies, new treatments can come about. In essence, this section ensures sufficient time for implementation of the changes proposed by the hon. member and allows for the necessary system to be established to ensure the efficiency and effectiveness of the legislation.

I’m pleased to see section 6 included as part of the bill, I’m pleased to see the bill on the floor for discussion, and I’m pleased that the bill does not mandate that if you don’t respond, you are assumed to have responded yes. I’m encouraged that the bill is ask-



ing Albertans to make a decision and encouraging them to have that discussion with their family, which I think is a very positive step.

I'd like to thank the hon. Member for Edmonton-Manning for bringing that forward and for the hard work that he went to in drafting this bill.

**The Deputy Chair:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. I will be quite brief. I've spoken twice already relating to the bill, and I won't reiterate what I have said. I am in support of the provisions of this bill because I think it would be a positive step to increasing the number of organs available for donation.

But I would like to clear up one thing. There seems to be a continuing misapprehension by some of the members in the House that in some way the directions given by a person antecedent to their death would be dispositive of the issue of what happens to their body. That is not the case. The next of kin always have control over the body of a deceased person. No organ donation could be made on the basis of one's wishes expressed on a donor card or a licence or an Alberta health card or any other form of indication.

What those are are expressions of one's wishes with respect to what would happen to one's body after the point of death. That's all they are. They are an expression of wishes. One would hope that the person attending to the body, the next of kin, would respect those wishes to some measure. I cannot see the difficulty in having one's wishes conveyed and communicated to those who are in actual legal control of the body after the point of death.

For those reasons, Mr. Chairman, I don't think that the oppositions that have been stated to the bill are well founded. I think that it's a positive measure, and it's one that we should support. I think it's a very, very positive thing for those who are waiting for organ donations.

Thank you, Mr. Chairman.

**The Deputy Chair:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Chairman. It is certainly an honour to rise today and share some of my thoughts about this particular bill, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, brought forward by the hon. Member for Edmonton-Manning. I would like to thank the hon. member for his hard work on this bill and his dedication and passion to a subject that he along with many members of this House are very passionate about.

Of course, having effective policies in place for organ donation can increase donation rates, thereby saving lives, and that is something that I know every member of this House is very interested in. I know that I'll probably be cut off, Mr. Chairman, because of time, but I want to share my comments on this amendment bill, and that's in regard to section 1 of the health insurance premiums act, which states:

- (c.1) "certificate of registration" means
  - (a) a certificate of registration issued under this Act, or
  - (b) any other document prescribed by the regulations as being a certificate of registration for the purposes of this Act or the Alberta Health Care Insurance Act.

4:40

Mr. Chairman, this section is definitely not self-explanatory at first glance, so I'll try to explain this section piece by piece to provide clarity. As you look at what the definition of certificate of registration is, we have to look at the Alberta Health Care Insurance Act. According to section 4(5) of this act

a certificate of registration under the Health Insurance Premiums Act is proof, in the absence of evidence to the contrary, that the person is a resident if the certificate was in effect at the time the service was provided to that person.

This proof of residence is, generally speaking, an Alberta health care insurance plan card.

In other words, what section 1, part (c.1) does is define a certificate of registration to be an Alberta health care card. This makes sense. After all, Mr. Chairman, Albertans are currently able to declare their wishes to donate organs by checking a box on the back of their Alberta health care card, so defining this certificate as an Alberta health care card is an obvious first step.

However, Mr. Chairman, this is not the end of the story. After all, under section 1 (c.1) has a clause which states that other documents can count as certificates of registration if prescribed in the regulations. This is an important provision. It's important because we're not familiar with mandatory declarations right here in Alberta, and as such we might find that there are better ways of implementing such a policy than requiring an individual's wishes to be filled out on the back of their Alberta health care card.

For example, Mr. Chairman, in New Jersey individuals are required to declare their organ donation wishes before applying for a driver's licence. While their policy is different than the one proposed in this Bill 201, as their policy only gives individuals a yes or a no option, it might be worth while to look into the efficacy of declaring organ donation on drivers' licences, which can be done in the regulations as a result of subsection (c.1) of this act.

Looking at even more jurisdictions, Mr. Chairman, one quickly discovers that there are a number of different ways whereby individuals can declare their donation wishes. Our neighbours just to the west of us, in British Columbia, for example, have an online and a by-mail registration system. For some of our provincial cousins to the east, in Prince Edward Island individuals can declare their wishes by placing a sticker on their health care card or having an engraving on their driver's licence. My point is that it's important that we are able to make changes to the definition of certificate of registration in the regulations so that we have flexibility to adopt the different policies to achieve the objectives of what the hon. member has put forward.

I think that with that, Mr. Chairman, in trying to provide some light on this particular section of the legislation, I'm going to conclude and allow the hon. Member for Edmonton-Manning to conclude with some remarks on this bill in Committee of the Whole.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Chairman. I am pleased to rise today and close Committee of the Whole debate on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011.

Before I begin my comments today, I would first like to thank all the members that participated today and during the second reading debate. I would also like to thank all the members for supporting the amendment I introduced earlier.

Mr. Chairman, I believe that the sections of this bill as amended work together effectively to address the intent of this bill. Section 22.1(1) clearly lays out that our health cards are to include three choices for organ donation: yes, no, and undecided. This three-choice approach does not compel people to choose their organ donation status if they are unprepared to do so, but it might encourage them to discuss their options with their loved ones.

In addition, section 21(h) states that the Lieutenant Governor in Council may make regulations “providing for any matter relating to the completion of declaration forms under section 22.1.” In my mind this section would be used to change the way we ask about donor status. So instead of mandating that everyone declare their organ donor status, we could through regulation require that we pose the question to every Albertan. After all, Mr. Chairman, asking the question is often enough to encourage people to choose to be an organ donor.

In closing, I would again like to thank all the members who have participated in this debate so far. I believe that the current wording of this bill accurately reflects my intention and the intention debated in second reading. This is a good bill, and I believe that it has the potential to save the lives of many people.

With that, I will conclude my comments and urge all members to support this bill as amended. Thank you, Mr. Chairman.

**The Deputy Chair:** Are you ready for the question on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011?

[The clauses of Bill 201 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.  
The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I move that the committee now rise and report.

[Motion carried]

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 201.

**The Acting Speaker:** All those members of the Assembly who concur in the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

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

### Bill 203 Alberta Get Outdoors Weekend Act

**Mr. Rodney:** It is a beautiful day outside, and it seems spring has finally sprung. It's finally here. That's perfect timing to begin second reading debate on Bill 203, the Alberta Get Outdoors Weekend Act.

This legislation proposes that the second weekend of April, which has just passed, in every calendar year from this point forward would be known as Alberta get outdoors, or GO, weekend. The intent of the bill is to encourage Albertans to get outside to participate in their favourite outdoor activity or perhaps a new one

that would become a favourite outdoor activity while they are developing healthier lifestyles.

How do Albertans feel about this, Mr. Speaker? I'm very proud to tell you that I've received extremely positive feedback from Albertans all over the province who have given their full support to Bill 203. As a matter of fact, I've received over 100 letters of endorsement from across our fine province and across diverse demographics, including municipalities, recreation and sports clubs, seniors' councils, health organizations, and many other important groups. Obviously, they join me in the appreciation that this is a bill that would have a very positive impact on Albertans.

4:50

As we're all aware, Albertan winters can be brutally cold, and hibernating in our warm homes may seem more attractive than going outside a lot of the time. As a result of this, it can be very easy to slip into a routine of unhealthy lifestyle habits. Every day we hear about how things are getting worse and not better when it comes to excessive time on TVs, computers, video games, and the like, addictions, including workaholism, obesity, chronic disease, and all sorts of other health maladies at all ages. Of course, this results in unhealthy, unhappy Albertans as well as skyrocketing health care costs. We just can't ignore that.

We have a myriad of reasons to be very concerned about the level of inactivity of our friends and neighbours across the province, and that's why Bill 203 would be an effective instrument in getting Albertans outside to be active, especially after being cooped up for far too long over the winter months.

Mr. Speaker, living a balanced lifestyle, which includes being physically active, is in the best interest of all Albertans no matter what age they are. It's also in the best interest of every single one of us to continue to promote the value of increased outdoor and recreational activity. There is no doubt that active living leads to a longer life, reduced stress, and increased overall quality of life. Additionally, there is a direct link between active living and the reduction of a long list of preventable diseases such as type 2 diabetes and heart disease. The list goes on, and it's a long one.

GO weekend would be a great educational tool in providing Albertans with another occasion to enhance their development in many different ways. According to research done at the University of Michigan, interacting with nature can help improve memory and attention by up to 20 per cent, and that's just one of the reasons that I like to walk to work whenever I can. Additionally, innumerable studies have proven that spending time outdoors can increase self-esteem and co-operation and leadership and conflict resolution as well as relationship-building skills. I'm sure we can all easily share personal stories along these lines. These benefits are critical for the physical, emotional, and mental fitness of children and adults.

For the record, Mr. Speaker – and I want to be clear on this to all my hon. colleagues – I know Bill 203 is not the final answer. It's not the only answer to the question as to how we ensure Albertans become more active, but that's not the intention of this bill. It's just one piece of the solution, and it complements other government initiatives that increase active living.

Mr. Speaker, when I was in the process of creating this bill years ago, I didn't see it simply as an opportunity for individuals to go outside and become active but, rather, as an opportunity for entire communities to get involved in the process and have some fun at the same time. It would encourage families and groups to work together to promote the value of increased outdoor and recreational activity, and this can be done easily through organizing neighbourhood events and activities.

These types of initiatives, which bring communities together, are not completely new to Alberta. For instance, Family Day in February and arts weekend in September have achieved great success in reaching their specific objectives. These dates have become an important part of creating community spirit throughout the province, and Bill 203 will do the same thing but in completely different ways.

Bill 203 has an additional advantage. It promotes our internal tourism sector while encouraging Albertans to go out and explore their pristine natural environment. With this weekend designated in April, it's the perfect start to acknowledging the kickoff of spring. It's the perfect time for Albertans to get outside and explore their beautiful province, including farms and forests and waterways, parklands, mountains, and so much more.

In the month of April people can be engaged in innumerable outdoor activities in Alberta. That's part of the reason it's this specific weekend. You can ski or snowboard. You can golf or hike and everything in between. Since Alberta offers these and countless other amazing outdoor opportunities, many who might have been thinking about leaving Alberta for the weekend or longer might just have the incentive to stay a little closer to home.

Mr. Speaker, Bill 203 fully supports government policies and programs already in place, including those currently promoting active living, balanced lifestyles, and our great outdoors. For example, the plan for parks and active Alberta policy frameworks contain elements that are complementary to Bill 203. The plan for parks introduces short- and long-term objectives that are structured to provide Albertans with healthy, sustainable, people-friendly recreational opportunities. Active Alberta, meanwhile, promotes a healthier standard of life for Albertans through recreation, active living, and sport.

In summary, Mr. Speaker, Bill 203 provides an invaluable opportunity for Albertans while positively impacting their lives and the lives of all their friends and neighbours on so many different levels. It's essential that we all continue to address the value that can be gained from living an outdoor and active lifestyle, spending time outside. Thankfully, we live in a province with a vast, beautiful backyard in which we can do exactly that.

Mr. Speaker, I believe that everyone here and everyone across the province must continue to inspire others to discover and value and enjoy our natural heritage as well as seek out the benefits that they provide for all generations. GO weekend is in the best interest of Albertans, and I strongly encourage all members, no matter where they sit in the House, to support Bill 203.

Thank you, Mr. Speaker.

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

**Mr. Chase:** Thank you. I realize time is limited, but I'll get started on the record and look forward to continuing at the next opportunity. Bill 203, Alberta Get Outdoors Weekend Act, resonates with me to the same extent that the mushroom motion, that was passed years ago, had in terms of its relevance and importance. I do appreciate the hon. member emphasizing the importance for physical activity and getting out and going, but this piece of legislation also reminds me of the government mandating daily phys ed without supplying the equipment or the space for this daily phys ed to take place.

As a teacher of 34 years who coached a variety of sports – 25 years I spent coaching wrestling and numerous years coaching gymnastics, soccer, and a wide variety of other sports – I appreciate the getting-out-and-going circumstance. While I was an elementary teacher at Jerry Potts, one of my students' favourite get-out-and-go activities was running. Basically, as soon as the

weather got above the zero mark, I had the good fortune of easy-going Friday afternoons, when I could take any students who wished to run with me, primarily in grades 4, 5, and 6, on significantly long runs. One time we ran from Varsity to the zoo. Another time we ran from Varsity across Nose Hill to where I was living in Huntington Hills. We actually got out, as the bill is suggesting, for a particular weekend and enjoyed the outdoors.

Mr. Speaker, I'm also aware of the limitations of the time period that's being suggested for getting out and enjoying. The majority of Alberta's parks at this time of year are closed, so the getting-out-and-going opportunities are fairly limited. Yes, there is the potential, given this province's geography and climate, that some people may be out golfing. They may be using fluorescent orange balls on a frozen lake, or they could actually be out on a golf course if they're down in Medicine Hat and the floodwaters haven't risen to the point that you can no longer see the greens. These are concerns that I have, that simply saying so does not make it so.

Mr. Speaker, even the timing, in April, when the few parks are open: what I'm seeing is that Alberta's pristine wilderness is being gobbled up to a large extent. One of the parks that I thoroughly enjoyed camping at was Beaver Mines in the Castle-Crown, very close to Pincher Creek. I'm not looking forward to camping in a clear-cut. This lack of protection of our parks and protected areas: the erosion of the opportunity for individuals to get out and enjoy, as the hon. Member for Calgary-Lougheed suggested, very much limits it. I've made the comment about not being able to roller skate in a buffalo herd. Well, you can't hike where there are quads. It's pretty hard to hike and enjoy the wilderness when it's being clear-cut logged or you've got noisy logging trucks at the same time as you've got camper trailers trying to use the same road to access the same wilderness. We can have the best laid plans in terms of getting out and going, but if your places are . . .

5:00

**The Acting Speaker:** I hesitate to interrupt the hon. Member for Calgary-Varsity, but the time limit for consideration of this item of business has concluded.

## Motions Other than Government Motions

### Child Exploitation Task Force

503. Mr. VanderBurg moved:

Be it resolved that the Legislative Assembly urge the government to consider establishing a task force to review legislation and programs related to child exploitation.

**The Acting Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I'm pleased to rise today and open the debate on Motion 503. I am proposing this motion because I believe that the safety of our children and communities is of the utmost importance.

Motion 503 simply urges the government to consider establishing a task force to review legislation and programs related to child exploitation. I believe that by doing this, the task force could identify areas in the legislation that could be strengthened and/or updated to ensure that all programs are as effective as possible. Not only could this task force increase the identification and apprehension of perpetrators, but it could also raise awareness about child exploitation and be educational for both parents and children. In this way this task force would help to ensure that children are protected from sexual exploitation, thereby helping to ensure safe communities.

Mr. Speaker, I know that this government has implemented many initiatives, legislation, and programs necessary to protect Alberta's children from exploitation. For instance, this government has created the Alberta integrated child exploitation units, or ICE, as some refer to it, that investigate child luring on the Internet, child pornography, child voyeurism, and child sex tourism.

In addition, Alberta has the Amber Alert program and the Alberta child and youth initiative. The Alberta child and youth initiative involves various ministries such as Children and Youth Services, Education, Health and Wellness, Justice and Attorney General, and the Solicitor General and Public Security. Together these ministries work to address the prevention of child and youth sexual exploitation, not to mention the Alberta Child, Youth and Family Enhancement Act, which is the legal authority for providing child intervention services in Alberta.

Mr. Speaker, as the list goes on, it's evident that Alberta is a leader when it comes to protecting our children. I would like to commend and thank this government for its continued efforts in ensuring that our children and communities are safe. That being said, Motion 503 would only enhance and build upon the initiatives that this government has already brought forward.

Child exploitation is an ongoing issue that's increasingly becoming of more concern. Sharing child pornography and engaging in child luring and trafficking are social issues that have grown with access to the Internet. For example, a report from the Canadian Centre for Child Protection released in November of 2009 indicates that Canada is amongst the top five countries hosting websites depicting or selling materials involving child sexual abuse, ranking third behind the United States and Russia. This organization received 7,846 reports in 2008, 89.6 per cent of which were child pornography. Statistics Canada reports that in 2008 there were 1,408 child pornography violations under the Criminal Code across Canada.

Mr. Speaker, I'm a parent, and as well I'm a grandparent, and these statistics are both alarming and frightening and sometimes sickening. This task force would continue to consult with stakeholders, families, and community groups in order to do everything possible to protect the innocent. This task force could help bring together new and innovative ideas for tackling this growing problem.

As a new grandparent of two little girls I realize now more than ever the potential risks that are out there, especially when it comes to the Internet. As we all know, our lives have become heavily reliant on Internet use. The Internet is a medium in which we can all view information from anywhere in the world, and this is where the problem lies. Internet usage becomes a way of life and so does the potential risk for child exploitation. Children increasingly have access to the Internet, and the fact is that parents cannot be with their children 24/7 to ensure that they are using the Internet in a safe manner.

Mr. Speaker, this task force could provide an informative perspective for ensuring that government programs and legislation are effectively working the way they were intended. Further, it could help educate parents, children, and communities by providing invaluable information. The task force could also indirectly inform families and children of the programs and initiatives that are currently available to them and for them.

It's been difficult to obtain a complete picture of child abuse in Canada because it often remains hidden. I believe that this proposed task force could help identify the true magnitude of the problem as well as come up with additional solutions.

Thank you, Mr. Speaker. I look forward to other comments on this motion.

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

**Mr. Chase:** Thank you. Obviously – well, I would hope it's obvious – I support any legislation designed to protect children and prevent them from exploitation.

I'd like to just go over a little bit of history and give credit where credit is due. In 2007 the hon. Member for Calgary-Fish Creek sponsored an amendment act that changed the title and scope of an existing act to become the Protection of Sexually Exploited Children Act. The act was previously the Protection of Children Involved in Prostitution Act. The stated purposes of the amendment act were to recognize that children involved in prostitution are victims of sexual abuse and to allow police and caseworkers to remove sexually exploited children from dangerous situations to ensure their safety and well-being.

Children and Youth Services, which administers the act, explains the provision as follows.

Under the legislation, sexually exploited children and youth involved in prostitution can access a variety of voluntary community services including medical assistance, drug and alcohol counseling, psychological services, educational programming, placement resources and life skills support.

A child who does not want to end his or her involvement in prostitution can be apprehended by police or a child protection worker. The police or child protection worker would then take the child to a safe, secured facility, where the child can be confined for up to five days.

It's PCHAD that allows that to happen.

At this safe, secured facility, the child receives emergency care, treatment and an assessment. The development of a long-term plan to assist the child to exit prostitution [occurs.]

Under the act, those who exploit children can be charged with child sexual abuse and fined up to \$25,000, jailed for up to two years, or both.

During the debate on the amendments all parties supported the legislation, and I raised concerns about the need to expand legislation to other forms of sexual exploitation in addition to prostitution.

Mr. Speaker, in my questions today I had spoken not only to a father of a 15-year-old girl this morning face to face, but I had spent quite a bit of time on Thursday and Friday dealing with the fact that this young lady, this young 15-year-old, was being exploited. My concerns were that although the police had seen this young lady in certain drug houses, they had no ability to pick her up and detain her. Even though she previously had PCHAD orders, this young lady was not in a secure facility long enough for any assessment to take place or any supportive programs to occur.

5:10

In this particular case there was sexual abuse in her birth family that went back three generations. The mother was addicted; she suffered from bipolar. The young lady's brother ended up in a mental institution in Britain. This young lady, who, as I say, went through a very difficult family circumstance, was taken into custody when she was just two years old, into the care of a foster family, and there was concern about the nature of the foster care. She was adopted by a loving family that moved from England to the Edmonton region. When she hit age 14, which is the age at which 40 per cent of mental illness shows up for those who succumb to degrees of mental illness, she had a series of problems. Her parents reached out to the Ministry of Children and Youth Services, to the ministry of health, and to the Ministry of Justice, but despite the intentions of previous bills and to the extent that I see in this bill, there was no ability to apprehend this young lady and, once apprehended, keep her in a secured facility long enough for an assessment to take place.

In talking with a member of Alberta Health Services, who was very informative – and I thanked the woman in my responses to the questions to the minister of health – she indicated that probably the best shot a person had at getting a child apprehended who has been exploited or who basically is out there potentially doing drugs, potentially doing tricks is called a form 1. If a psychiatrist has sufficient time to do an assessment, they can create a form 1, which will then allow Children and Youth Services or the police services to apprehend the child.

But there's a catch, Mr. Speaker. Within the 24-hour period that that person is apprehended, another psychiatrist has to do a follow-up assessment to confirm that this individual is suffering from the mental illness or the exploitation that Motion 503 is talking about. If that is the case, then there can be a 30-day treatment period – assessment, treatment, support for families – in a lock-up, in a secured circumstance.

My concern, Mr. Speaker, is that whether it's sexual exploitation, whether it's drugs, regardless of the type of exploitation, our children are extremely vulnerable. I thank the Member for Whitecourt-St. Anne for putting this forward, but we have not exercised the degree of the law allowed to us in the previous legislation, and I am not convinced, despite all of the good intentions being put forward in this motion, that this is going to accomplish what we're trying to achieve.

There are far too many youth, Mr. Speaker, who are out there vulnerable. The idea that a justice can basically sentence a child to the street – that was the case with this 15-year old, where he didn't feel that it was necessary for her to receive secured treatment. In the case of a Canmore judge because there were no treatment facilities available, he had to let a young man in a similar circumstance go free.

Mr. Speaker, in order to avoid the sexual exploitation in a proactive way, I believe this motion will assist, but we have to deal with the fact that there are a number of homeless children wandering our streets, some who have pushed the limits to such an extent that they've exited from their homes, some based on abuse, others on an overwhelming number of circumstances. Addictions, hereditary circumstances such as the bipolar that I mentioned, prevent these young individuals from getting the help they need. Ideally, through education, through protection we would not find these children subject to the rules of the street.

Mr. Speaker, as I say, Children and Youth Services, Alberta Health, and Justice have all been involved in trying to prevent further exploitation of the young 15-year-old girl that I talked about before, and I do not see specific teeth in this motion that are going to change the current situation. While I support it and while I realize that a motion is just a suggestion, an intent, a direction that is being recommended to government, I believe that government legislation has to change.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-Elbow.

**Ms Redford:** Thank you, Mr. Speaker. I'm pleased to rise today to join debate on Motion 503, which urges the government to establish a task force to review all legislation and programs related to child exploitation. This is a forward-thinking idea. It's what Legislatures should be doing, and I'm very pleased to support it today.

We know that child abuse and exploitation are serious problems in our society, problems which have only gotten worse with the advent of the Internet. Mr. Speaker, this government continues to do everything it possibly can to protect Alberta children from these heinous crimes. Over the years we've passed legislation like

the Child, Youth and Family Enhancement Act, which helps us to fight child exploitation. Essentially, this act requires any person who has reasonable and probable grounds to suspect that a child is in need of protection to report the matter to the appropriate authorities. What's more, the act lays out a clear definition of what it considers to be child sexual abuse or exploitation, which is consistent with the Canadian Department of Justice. Therefore, it is indirectly mandated through that act that child pornography or any other form of exploitation be reported at once.

In addition, Alberta has several initiatives, all of which work together with existing legislation to help put an end to these crimes. One example is the Alberta integrated child exploitation unit, or ICE, which is a joint effort by the Alberta RCMP and the police services of Calgary, Edmonton, Lethbridge, and Medicine Hat. The unit consists of a north team and a south team which address concerns with Crown prosecutors that are directly related to child exploitation. The ICE unit has been in place since 2006, and it works regularly with law enforcement agencies from across Canada. What's disappointing is that between January 2007 and December 2009 ICE investigated 917 files and, more importantly, laid 466 charges as a result.

Mr. Speaker, while the government is doing good work to address child exploitation and abuse in our province, this motion will take us further. This motion will help us to establish a task force that will conduct a comprehensive assessment of these initiatives in order to look for ways to further enhance and strengthen the measures that we have already put in place. It will seek to avoid duplication. It will be able to review how we currently are spending money with respect to programming. It will help us as Albertans to decide whether or not we are doing everything as effectively as we should to protect children in this province.

Albertans can rest assured that we have effective and efficient mechanisms in place, but the protection of children and youth here in Alberta is of highest priority to everyone. We can do more, and as Albertans we are asking our Legislature to explore how we can not only do more but how we can do it better. We can strive to do more because the fact remains that despite our best efforts to date children continue to be victimized. I know that each and every one of my hon. colleagues finds this unacceptable.

5:20

Establishing a task force to review current legislation and initiatives aimed at preventing child exploitation and bringing perpetrators to justice will ensure that government is doing everything it can to put an end to such terrible crimes. If nothing else, Mr. Speaker, this task force's findings could reaffirm that we are doing everything we can to protect children, but my expectation is that we will continue to find new ideas. We have to look to other jurisdictions. We have to look to other people that are stakeholders in this process. We have to continue to deal with the sorts of technology that are being used to exploit children today. We always need to be seeking new ideas. It is an ongoing and evolving issue. The task force that is proposed by Motion 503 is yet another tool that will better protect our children and our communities from harm.

I'd like to thank the hon. Member for Whitecourt-St. Anne for bringing forward this important motion, and I'd ask everyone in the House to support it. Thank you.

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

**Mrs. Forsyth:** Well, Mr. Speaker, thank you very much. I rise to give my support to Motion 503, put forward by the hon. Member for Whitecourt-St. Anne. The motion calls for government to

consider establishing a task force to review legislation and programs related to child exploitation. I certainly appreciate the member's concerns for the welfare of children because I probably spent my entire working life working with children and the vulnerable, from being a drug and alcohol counsellor to the private member's bill I brought forward on the Protection of Children Involved in Prostitution Act, which was a first in North America and passed in this Legislature after the former Premier, from Calgary-Elbow, called me one day and told me that he was bringing it from a private member's bill to Bill 1 in this Legislature, which is probably one of the proudest moments I have had as a sitting MLA.

As it was indicated earlier, PCHIP, as it got to be known, recognizes that children in the sex trade are actually victims of sexual abuse and gives them the support that they need, establishing safe houses so that they can receive emergency care, treatment, and assessment for long-term changes in their lives. It's a bill that aggressively pursued the predators. Penalties for pimps and johns included fines up to \$25,000 and jail time.

In my time as the Solicitor General, Mr. Speaker, I was proud to guide two very important initiatives through the Legislature: the high-risk offender website and brought the Amber Alert to Canada, first to Alberta and then worked very diligently to bring it forward to the rest of the provinces in Canada. Now it's Canada-wide. The goal behind that is that knowledge is power to ensure community safety. When you have a high-risk offender leaving a correctional facility for the community, local residents can and will be notified. If a child is abducted, it doesn't necessarily have to be a high-risk offender. It could be a parent. Very, very strict criteria when we issue an Amber Alert – Alberta was proud to be the first province in Canada – when a child goes missing.

From there we went to Children's Services and brought forward another piece of legislation that was a first in the country, the Drug-endangered Children Act. This act made it clear that children exposed to serious drug activities are victims of child abuse and need to be taken out of houses where there are toxic chemicals that are endangering their health.

In 2009, Mr. Speaker, I was pleased to have tabled and guided amendments to the Protection of Children Abusing Drugs Act. These amendments were extending the time that a child could stay in treatment. I was very proud at that particular time as a Progressive Conservative to be able to bring these amendments forward.

What I can't understand, Mr. Speaker, is the lack of progress on child exploitation in the last few years. The former Justice minister, the Member for Calgary-Elbow, stood up and gave a very, very passionate speech about what she believes needs to be done in this province and how she envisions things. What I find ironic, to be very honest with you, is that it's the same minister that when we passed the mandatory reporting of child pornography in this Legislature – and it did pass in this Legislature under her guidance and leadership – did not proclaim the bill. The same minister was aware of the PCHIP legislation and the amendments that were passed in this Legislature. The same Minister of Justice has not guided that amendment or that piece of legislation through.

Quite frankly, Mr. Speaker, I find it quite unacceptable, some of the legislation that has been put in this House that hasn't been passed in recent times. I alluded to the PCHIP legislation. We all know that children who are abusing drugs are probably at highest risk and most vulnerable in regard to sexual exploitation. They need to be clean and they need to be sober so that they can get their life on track. To this day, two years later, it still hasn't been proclaimed. These are laws that are going to help our children who are very, very vulnerable. They need to get the help that we've promised.

I am very proud to be able to stand up and support the motion from the Member for Whitecourt-Ste. Anne because, quite frankly, Mr. Speaker, I know that his heart is in the right place. I know that of anybody in this particular Legislature he is one that will push to get the job done. I'm extremely proud to be able to say that because I've gotten to know him over the last several years, and I know that when he puts his mind to something, he gets it done.

It's important that this motion pass. As he alluded to, he's a dad; he's a granddad to two young girls. I think he realizes how quickly the world is changing and how quickly sexual exploitation is changing. We've got cellphone sex; we've got truck-stop sex. I have trouble even trying to keep up with some of the stuff that is currently going on in this world.

Like the Member for Calgary-Varsity, I can tell you that I get the calls. The police refer people to me; parents call. We're in a similar situation where we're dealing with a young lady that's 15, and we're dealing with a young man that's 12. Finding them is one thing. Getting them help is another, and trying to get them into a secure treatment facility – the wonderful, wonderful, wonderful people within the department of children and family services have tried all they can to get these children help. While they're able to get them some sort of help, like the hon. member mentioned, it's a form 1 in regard to dealing with some of their mental illness, whether it's from a psychiatrist or a psychologist. All of these things can be done to protect our children.

I hope that this motion passes. Quite frankly, I hope the Member for Whitecourt-Ste. Anne is given the task of chairing this particular task force. I know that he's one member in this Legislature that will research what's going on not only in this country but what's new, what's innovative, what the children need to do, what needs to be done to help the children. When I was working the streets – and I always hate to use this terminology because everybody all of a sudden thinks that, you know, you were involved in prostitution – I can tell you, Mr. Speaker, that I spent thousands of hours on the street meeting with kids, establishing relationships with the kids, being able to sit down and have coffee with them, share a smoke, have a pizza with them, and find out exactly what their thoughts were.

A compelling story for me is a young lady that we picked up under PCHIP for the 13th time. She was shooting coke between her toes. I thought that this was one that we were probably going to have to write off. Well, whatever clicked, the 13th time it worked. They tell you not to get involved in these particular situations because your heart gets torn away by these kids so often. Anyhow, I decided to follow this young lady, had her join children's services, because she was doing so well, so that she could bring her stories to other children that were dealing with the same situation.

5:30

Finally, we brought together a task force when we were reviewing the PCHIP legislation – what was right, what was wrong – and invited her to come. Then she asked me if she could speak. We'd never put any of the kids front and centre because our role was not to use them. I said: if that's what you want, you're more than welcome to be able to do that. With 350 people at this conference – and we're talking hard-core cops that have been around forever, people within Justice – she told her stories about how she got involved . . . [Mrs. Forsyth's speaking time expired]

**The Acting Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. It's my pleasure to rise today and make a few remarks on Motion 503. I would like to thank my colleague the hon. Member for Whitecourt-Ste. Anne

for bringing the idea forward. The motion calls upon the House to urge the government to review legislation and programs relating to child exploitation. I would suggest that if such a review were carried out, it might help to identify areas in the legislation that should be strengthened or updated in order to ensure that all of our programs are as effective as they possibly can be. The review might be conducted through a specific task force or a committee.

Mr. Speaker, when it comes to addressing issues such as child exploitation, it behooves us as legislators to remain vigilant at all times about making sure that we're doing everything in our power to keep children safe and that they are protected from those who would exploit them and from sexual predators.

Mr. Speaker, one special area of growing concern, which has been the subject of a lot of attention in recent years, is the exploitation of children through the use of the Internet. We have learned a lot about how that exploitation is being carried out, things like sharing child pornography, luring children into abusive relationships and abuse, and child trafficking. All of these things are problems which may arise on the Internet, and they all are abhorrent, of course, to our society. We must fight them with increased vigilance and using increasingly sophisticated means of detecting them and increasing sophistication on the part of the law enforcement agencies in how they apprehend and pursue people that are doing this exploitation.

I would suggest, Mr. Speaker, that the public also has a huge role in stopping Internet-related child exploitation. According to cybertip.ca, which is a national tip line for reporting sexual predators or suspicious online communications, they receive somewhere over 600 reports per month relating to possible sexual exploitation of children on the Internet. According to one source 21 per cent of children report having met someone in person whom they first encountered online. Those are surprising and disturbing figures, and they demand our full attention and that of all Alberta parents and the public at large.

Mr. Speaker, there is widespread public concern over exploitation of children. One survey reported that over 92 per cent of Canadians are concerned about child pornography being distributed on the Internet and that 72 per cent of Canadians believe that if someone wanted to access child pornography online, it would be very easy to do so.

Child exploitation and abduction also ranks second in the top three concerns facing Canadian children as assessed by Canadian parents. Mr. Speaker, because of the difficulty in monitoring the Internet due to the very nature of the communications, it's difficult if not impossible to catch all of the graphic content that is out there on the web and all of the sites and communications which are attempting to lure children into abusive relationships and so on. That's why it's so important to raise awareness and to educate people and to seek the vigilance of the online community, all of us, so that we can track down the miscreants who are perpetrating these acts and get to them before the criminal acts occur.

Currently most Canadian parents are using outdated, ineffective information to teach their children about personal safety when they're on the Internet. Mr. Speaker, 74 per cent of children have reported that an adult is never present when they go online. In homes without rules about Internet use, it is so important to talk about these issues with children. I would suggest that if Motion 503 is passed, it would encourage us to have a very thorough discussion of what measures might be taken to reduce child exploitation, to look at the various measures that we might take that maybe aren't being pursued today.

For all of those reasons I would urge all of the members in the Assembly to support Motion 503.

**The Acting Speaker:** Hon. Member for Calgary-Buffalo, do you wish to speak?

**Mr. Hehr:** Sure. Thank you, Mr. Speaker. It's an honour and a privilege to speak to this Motion 503, a motion that urges this Assembly to put together a task force to explore ways to reduce child exploitation in this province. How can anyone really disagree with the intent of that motion? We've heard from many people, you know, on the abhorrent nature of the act and, of course, how we want to protect our youth and children from this type of exploitation. We've also heard how the Internet and modern technology make it, in my view, easier than ever for people to exploit children. This is a very difficult thing to stand for, so I again applaud him for bringing this motion forward.

I would hope, you know, whether it's a task force or whether we maybe could put to use our all-party committee on, I believe, crime and safety, this would be one of those things to get that committee to work to review legislation and see some best practices. I believe that that would be probably the place to send it instead of creating a new specific task force to actually do that work. I think that would be a great place to start.

You know, we have a Solicitor General and a Minister of Justice, who are deeply in tune with the police and the experts out there who bring this information to them on a regular basis. One would assume that they're getting a good briefing from the people who are out on the streets as to what's needed, so one might ask whether this is, for all intents and purposes, needed. Nevertheless, I do understand erring on the side of caution, and if this committee or a task force could bring in one good law or one good assessment that saved a child from exploitation, well, why not?

Again, just for the sake of cost savings, I would urge that this work be done by an existing all-party committee, not necessarily by a new task force set up. I believe they are already established, already being paid for their work, and ready and able and willing to do that work. It would be nice to see this motion maybe sent over in their direction.

Those are my comments. May we as a province remain vigilant against child exploitation, and this is a motion that goes to show that we remain on guard against that vile happening within this province.

Thank you very much, Mr. Speaker.

5:40

**The Acting Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. It's an honour to rise to speak to Motion 503, the motion that is being proposed by the hon. Member for Whitecourt-St. Anne. It's also an honour to stand up and speak with the same voice as those of other passionate advocates in this Assembly like the hon. Member for Calgary-Elbow or the hon. Member for Calgary-Fish Creek. My neighbour to the left here – and I mean that literally, not figuratively – is also very passionate about that. The intent behind this motion is to ensure that our legislation is up to date and that it is an effective tool in preventing the crime of child exploitation.

Mr. Speaker, I just want to go off on a little bit of a side note here as to why I think this motion is so important and something that we probably don't do enough of as a Legislature and as a government, and that is constantly reviewing some of the laws and some of the programs that we have put in place to deal with some of the challenges that we face. We've heard a number of speakers today already very eloquently articulate the fact that technology in this area has particularly made us much more aware of the challenges facing the area of child exploitation, and that technology is

always advancing and always moving forward. We need to make sure that our legislation and our programs as a government are keeping up with those changes. So that's something that I think is a very, very important aspect of the motion brought forward by the hon. member.

The motion does not propose to alter or create any legislation, rather to ensure that the legislation that we have currently in place is working the way that it was intended. Again, Mr. Speaker, it goes back to some old work that I used to do, and that's sort of program evaluation type work. Quite often we as a government bring in legislation and bring in programs that were intended to deal with a particular issue. In this case, the hon. member's motion focuses on legislation and programs related to child exploitation. It's very, very important in anything that you do in government to periodically go back and review those to make sure that they're actually doing the job that you had intended them to do. If not, then make the requisite changes. If so, celebrate some of the successes that you've had and maybe look to improve upon those or see if there are any gaps that are missing. Again, this is something that I believe this motion does intend to do and is something that I think is very worthy of supporting.

In my mind, a key to understanding this motion is first to understand the programs and the legislation that we currently have in place. After all, without this information in hand, it would be difficult to determine the need or effectiveness of the task force proposed in Motion 503. Mr. Speaker, upon quick review it's obvious that Alberta is a leader in this particular area when it comes to protecting our children.

We have several acts designed to both find and target child crime, most notable of which is the Child, Youth and Family Enhancement Act. The fundamental idea behind this particular act, Mr. Speaker, is that if a person has reasonable or probable grounds to suspect that a child is in need of protection, they are mandated and must report that to the appropriate authorities. In essence, if you see a child in need, you are required by law to tell somebody.

Mr. Speaker, in addition to this legislation we also have several programs in Alberta designed to address child exploitation. One such example are the Alberta ICE teams, or the Alberta integrated child exploitation teams. These teams are made up of police services from all around the province as well as members of the RCMP. They are broken up into two groups, one covering the north and one covering the south part of this province. These teams' role is to focus on and specifically target the crime of child exploitation. This includes the manufacturing and distribution of child pornography, child luring, and the child sex trade.

In addition to the ICE teams we also have the Prevention of Child and Youth Sexual Exploitation Committee. The committee is designed to co-ordinate the protection of children across ministries. They help ensure that programs and policies designed to prevent child exploitation are integrated and effective. Again I would assume that the task force that the hon. member is proposing will probably work very closely with this particular committee and review some of the work that it has done. To this end, that committee does pay close attention to four basic principles – education, prevention, enforcement, and training – again, stuff that needs to be integrated into the work of this particular task force that the hon. member is proposing.

Mr. Speaker, the final program I'd like to touch on today is the Alberta Amber Alert program. Obviously, members of this House are familiar with that as well. This program is used in cases of

child abduction or suspected child abduction. Under the Amber Alert program law enforcement, the media, and voluntary broadcasters are linked together to enact an emergency public warning system. This is basically a call to all Albertans to look for and report if they have witnessed the missing child in question. While this program is designed to help in all cases of child abduction, not just those related to exploitation, it has been effectively used to stop the particular crime that the hon. member is addressing through his motion.

Mr. Speaker, I've only touched briefly on some of the programs offered by this government to address these horrible crimes that are thrust onto our children, and that's just a sad, sad reality that we as legislators have to deal with. Much more could be done and spent investigating the work of these important groups and likely should for the reasons that I stated in the beginning. We must never rest on our laurels. We must always make sure that the legislation and programs that we deliver on behalf of our citizens, on behalf of our children are reaching the objectives that they were intended to do and that there are no loopholes or cracks for anybody to fall through. We must be diligent in that particular quest.

In my mind, Motion 503 is a continuation of that dedication towards helping our children, those most in need and those likely to be exploited by those with unsavory desires or ambitions when it comes to our children. Again I applaud the hon. member for his dedication to protecting the children of our province.

With that, I'll conclude my remarks and look forward to the remainder of the debate from other members. Thank you, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak?

Seeing none, I'd invite the hon. Member for Whitecourt-St. Anne to close debate.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker, and thank you all. The goal of the motion is to ensure that our children and communities are as safe as possible. I believe this motion could increase the identification and apprehension of perpetrators as well as raise the awareness about child exploitation. A child's innocence is a great virtue to have, and I want to do everything possible to make sure no one steals it away from them.

Mr. Speaker, this government has taken and continues to take a leadership role in ensuring that our communities are safe, which is one of the reasons why Alberta is an excellent place to live and raise a family. I value and respect my colleagues' comments regarding Motion 503, and I thank them all for it.

Thank you, Mr. Speaker.

[Motion Other than Government Motion 503 carried]

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

**Mr. Renner:** Thank you, Mr. Speaker. Given that that concludes the business for this afternoon, I would like to move that the House now stand adjourned until 1:30 p.m. tomorrow.

**The Acting Speaker:** The policy field committee will reconvene tonight at 6:30 for consideration of the main estimates of the Solicitor General and Public Safety. The meeting will be video streamed.

[Motion carried; the Assembly adjourned at 5:50 p.m. to Tuesday at 1:30 p.m.]







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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, April 12, 2011

Issue 21

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 12, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Grant us daily awareness of the precious gift of life which has been given to us. As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and of our country. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Thank you, Mr. Speaker, I'm privileged to have two introductions. First, I'm pleased to introduce to you and through you on your behalf to the Assembly the participants in the 2011 Forum for Young Albertans, who are here today. This is a program for high school students that introduces them to the dynamics of government, and it includes representation from the major political parties and all three levels of government as well as the judiciary, civil service, the media, labour, and business. The group is participating in a week of sessions mostly in and around the Legislature. They are here to watch question period. They're seated in both the members' gallery and the public gallery. I'm sure I speak for all members when I say how wonderful it is to see young people take such an active interest in democracy and public service. There are nearly 30 members in the group, too many for me to name individually. They are led by the Forum for Young Albertans' executive director, Jason Stoltz. They are accompanied by Ms Tanya Hrehirchuk, Mr. Arthur Lee, and Miss Caitlyn Pettifor. I would ask all of them to rise in both galleries and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I have another introduction. I'd like to introduce to you and through you to all members of the Assembly an outstanding Alberta doctor who has returned to his home province. Dr. Jayan Nagendran is a top heart surgeon who trained at the University of Alberta and ranked number one in Canada on his Royal College of Surgeons exam. He received a prestigious offer to join the heart transplant team at well-renowned Stanford University and spent several years there as a key member of their medical team. I'm delighted to say that Dr. Nagendran has recently returned to Edmonton, where he is a key member of the heart and lung transplant team at the Mazankowski Heart Institute. In addition, he is director of research for the cardiac surgery team and assistant professor in the faculty of medicine. We are proud to have him saving lives here in the best publicly funded health care system in Canada. He's joined in the gallery by his wife, Jessica, and his parents, Jay and Shyamala. I would ask Dr. Nagendran and his family to rise and receive the traditional warm welcome of the House.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Mr. Speaker, thank you. To you and through you I'd like to introduce a group of enthusiastic students from St. Lucy Catholic school in Edmonton-Castle Downs. They had a tour of the building, and they were just a lot of pleasure to meet with this morning. They are accompanied by Mr. Eugene Hirniak, Miss Dawn

Miskew, Miss Cassie Galley, and Miss Farah Rizwan. I would like them all to rise and receive the welcome of this Assembly.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is my pleasure to rise today on behalf of the hon. Member for Athabasca-Redwater to introduce to you and through you to members of the Assembly 12 grade 6 students from Radway school. These students are accompanied by their teacher, Mrs. Sandra Moschansky, and parent helpers Mrs. Lillian Cherkawski, Mr. Gerald Yurkiw, Mrs. Tammy Kuefler, Mrs. April Chykerda, and Ms Gerri-Lyn Goodhope. I know their MLA, Jeff Johnson, and I thank them for making a trip down to the Legislature. I would like them all to rise and receive a traditional warm welcome from this Assembly.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. It's a significant privilege for me to introduce to you and through you to all members of the House this afternoon a very significant group of junior high school students from Rosemary school, accompanied by a good group of parents. They are also my friends and neighbours in the closest sense of the word in that we share the same communities. I also have some family in this group, so I'm going to begin by introducing my sister-in-law, Yvonne Doerksen, who is a parent helper with the group, and her daughter Monica. The rest of the group are the principal, Mr. David Blumell, teacher Mrs. Marian Wilson, and the other parents accompanying the group: Mrs. Lorna Retzlaff, Mrs. Angela Morasch, Mrs. Jody McCreadie, Mrs. Brenda Stimson, Mrs. Cindy Engel, Mrs. Cretia Morishita, Mrs. Willie Paetkau, and Mrs. Jennie Johnston. Their group is accompanied by about 20 junior high school students. I'm going to ask you all to rise and enjoy the traditional warm welcome of this Assembly.

Mr. Speaker, I'd also like to introduce my friend and partner in life, my wife, Wanda, who has come to visit with a few of our neighbours who accompanied this group today as well. Wanda, stand up and enjoy the traditional welcome of this Assembly.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's my great pleasure to introduce three very special guests who are here today to participate in a special ceremony that'll occur shortly here concerning another special guest. In the meantime I'd like to introduce to you Dennis and Halyna Elkow, who are lifelong friends of mine, former Shumka dancers years ago, and they are here with their son Toma Elkow, who among other things is my godchild. I'm really proud that he's here today. He's a PDD recipient, and it's just a delight that he's here celebrating his 30th birthday with us. Welcome, and please rise.

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

**Mr. Vandermeer:** Thank you, Mr. Speaker. I have two groups of grade 6 students to introduce to you and through you today to the members of this Assembly. The first group will be showing up at around 2 o'clock. They are from the Abbott elementary school. There are 28 visitors altogether. They are accompanied by Mrs. Nicole Christian, Mrs. Adele Olson, and Ms Audrey Nederlanden. Like I said, they'll be showing up at around 2 o'clock.

We also have with us in both galleries 34 visitors from the Overlanders elementary school. They are accompanied by Ms Cindy MacLeod and Mrs. Jennifer Mulcahy. I'd like to give a special mention to one of the classmates, Avery, who plays hock-

ey with my son Samuel. I'd them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It gives me great pleasure today to rise to introduce to you and through you to all members of this Assembly five friends of mine who span four generations. Here today seated in the members' gallery are my administrative assistant, Shannon Clarke; her husband, Bud; and their new son, Maverick; along with Maverick's grandmother, Bonnie-Lea Clarke-Olive, and great-grandfather James McLean. Shannon just returned from maternity leave, and I'm very pleased to have her back in my office. She worked in the building for nearly four years for Housing and Urban Affairs and has been with my office since the ministerial shift last year. Shannon and Bud have been married for almost six years. Bud earned his business marketing diploma from NAIT and is now currently starting a career with Evolve Surface Strategies as a land agent. Most importantly, little Maverick is eight months old and was born on August 13. Perhaps it's wishful thinking on my part that he'd grow up to be a fan of the Calgary Flames. I would ask all members to join with me in welcoming Shannon, Bud, Maverick, Bonnie-Lea, and James to our Legislature.

1:40

**Mr. Blackett:** Mr. Speaker, it's an honour to introduce to you and through you two amazing Albertans. On December 5, 2010, Stars of Alberta volunteer awards were presented to six extraordinary people, and two of those are with us today. Today as we celebrate National Volunteer Week, we're fortunate to have them. It is our privilege to introduce to you two amazing citizens, Danny Guo and Olivia Butti. Danny Guo works for the Centre for Family Literacy and is founder of CHARIOT, a group aimed at improving access to healthier food choices for University of Alberta students. Former Edmonton alderwoman Olivia Butti serves on numerous boards and committees. As a volunteer she has worked tirelessly for the Canadian Breast Cancer Foundation and has helped to raise more than \$20 million for the Lois Hole hospital for women. Danny and Olivia are seated in the members' gallery. I would ask them now to rise to receive the warm traditional welcome of this House.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you very much, Mr. Speaker. It's certainly a pleasure today to be able to stand up and introduce guests from Lethbridge. It doesn't happen very often. I'd like to introduce Donna Karl, who is president of the Galt School of Nursing Alumnae Society of Alberta; Ian Zadeiks, who is the lawyer; and Kathy MacFarlane, who represents the University of Lethbridge. They have come up here today to make comments on Pr. 2, and they're here to have dollars transferred from what was a scholarship fund that was endowed by the Galt family in 1907. These nurses have nursed these dollars all of these years, and they now have \$147,000 that they are going to transfer to the University of Lethbridge for scholarships in the nursing faculty. I would like to ask all three of them to rise and receive the warm welcome of this House.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Valour Place Military Family Support House

**Mr. Elniski:** Thank you, Mr. Speaker. Since my election in 2008 I have had the opportunity to make 32 members' statements on

topics ranging from autism to the Victoria Cross. Today is especially meaningful for me as I express my support for a group of people whose hearts and minds are truly in the right spot. Valour Place will be the first facility of its kind in Canada, providing hope away from home for injured soldiers, veterans, and their families who are in Edmonton for rehabilitation and medical treatment. The Glenrose and Royal Alexandra hospitals have long provided excellent rehabilitation care for soldiers returning from conflict abroad. On Tuesday, April 19, shovels break ground on the new Valour Place site.

Now, of course, Mr. Speaker, we all know that it's all in Calder, but I must share this one with the hon. Member for Edmonton-Centre as the facility is located on the south side of 111th Avenue in that fabulous constituency. It's a squeaker, really.

Mr. Speaker, in January 2010 Honorary Colonel Dennis Erker of the Loyal Edmonton Regiment brought together a group of dedicated individuals to put this plan into motion. Now, just a year later, they are well under way. The Valour Place Society has been created to raise some \$10 million to build, furnish, and operate the facility, a facility with 12 suites set to accommodate both soldier and family.

It is very important that this facility happens here, Mr. Speaker. I believe that one would be hard-pressed to find a community that holds their military families in higher regard than we do in our province or in our city. Freedom is not free, and those who protect us do so at the ultimate cost. We are blessed with many who willfully put themselves in harm's way to protect our freedoms, our liberties, and our way of life, and it goes without saying that supporting this project is the least we can do. I would urge every one of you here today to show your support and learn more about this facility by visiting [www.valourplace.ca](http://www.valourplace.ca).

Thank you.

**The Speaker:** The hon. Member for Calgary-Currie.

#### Support for Education

**Mr. Taylor:** Thank you, Mr. Speaker. The past two and a half years have seen the worst global economic slowdown since the Great Depression. Many parts of the world are still in bad shape and many Albertans are still un- or underemployed, yet by and large what was a major upset to most of the world has been comparatively a hiccup here in Alberta. Indeed, our jobless rate is two points below the national average, and there's serious talk about another labour shortage brewing here. That's mostly because oil is \$106 a barrel, and we've got more proven reserves than just about anybody.

It is good to be king. Well, Mr. Speaker, the thing about being king is that if you take more than a minute or two to sit back and gloat, somebody is going to come along, capture all your possessions, and leave you there in the dust. It's only good to be king as long as you can stay ahead of the conquering hordes.

Since our fossil fuels or the demand for them will not last forever, and since oil continues to keep us living a lifestyle that would take 10 planet Earths to support if everybody on this planet lived the way we do, and since there seems to be broad consensus that to sustain ourselves, we need to transition from a resource economy to a knowledge economy, and since this government makes much of its five-year commitment to sustainable health funding, my constituents are wondering: why is there no talk of a similar five-year commitment to education, both K to 12 and postsecondary, including a much sharper focus on trades training, and while we're at it, early childhood as well?

Over time, but not over that long a horizon, nothing will reduce the strain on health budgets like a better educated population.

Over time nothing will produce innovation and breakthroughs in science and technology, energy development, and environmental protection and nothing will produce more art and culture, stronger communities, a more diversified and more resilient economy, and a broader tax base like a better educated population. Then, Mr. Speaker, we wouldn't have to rely on the roller coaster of resource revenues, and we could stop balancing our books on the backs of Alberta's children.

Thank you.

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

### **Excellence in Teaching Awards**

**Mrs. Sarich:** Thank you very much, Mr. Speaker. It is my pleasure to rise today to speak about our province's excellence in teaching awards. This province is truly blessed with many exceptional teachers and principals. Heartfelt thanks to all of them for the tremendous work that they're doing at the local level to place children first. The excellence in teaching awards program celebrates its 23 years in existence, and it provides the opportunity to recognize some of the very outstanding educators that we have.

This week 135 awards program semifinalists will be recognized at events in Edmonton and Calgary. Overall 326 teachers and principals, Mr. Speaker, were nominated from across our great province. Nominees must show tremendous leadership, demonstrate creativity and innovation, work collaboratively with colleagues, and create positive learning environments that motivate students to have learning successes.

Semifinalists can also access up to \$1,500 for professional development. The 23 award recipients, to be honoured in Edmonton this year on May 28, will be able to access up to \$4,000 for professional development. Three recipients who receive the Smart Technologies' innovative use of technology awards will receive a comprehensive technology package, which includes a Smart board.

Mr. Speaker, the nominees for the excellence in teaching awards program are to be congratulated for making a positive difference at the local level for all the children for whom they contribute to their learning success as well as to their learning communities, the students that they inspire, as well as their families. The awards program serves to acknowledge some of the best and brightest teachers and principals as well in our system who, through their passion for teaching and leading, create the true joy of learning in all students.

Our sincere congratulations to these teachers and principals. Thank you.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo

### **Keystone XL Pipeline Approval**

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Today I am very pleased to rise to speak about the oil sands capital of the world, my home for 35 years. Fort McMurray has become a symbol of Alberta's robust resource economy, and we're very proud of what our community contributes not only to this province but to our entire country.

Imagine our dismay when we heard the Energy minister. In his typical way he told the U.S. President to, quote, sign the bloody order for the Keystone pipeline. Why would you, anyone, ever say that to your best customer? The minister does a lot of travelling around the world to promote the oil sands. We applaud that. But if he spews these types of things in public, can you imagine what he might be saying in private? He should be reminded that he speaks

not only for Alberta, but he also speaks for my backyard. His remarks are an embarrassment to Albertans who don't share his tendency to throw a tantrum when it looks like things aren't going his way. But we shouldn't be surprised. This is just the latest in a string of embarrassments for Alberta's once proud and stable energy sector.

**1:50**

Last week with the Energy minister's enthusiastic support the government indicated plans to tear up contracts entered into in the lower Athabasca region, striking another blow to investor confidence and creating more instability. So we've got a government that can't keep its nose out of the energy sector and an Energy minister who gets his kicks from lipping off to other countries and attempting to bully the world into getting his way. It gives new meaning to the word "diplomacy."

Mr. Speaker, this government is turning my hometown and, indeed, all of Alberta into a laughing stock. You don't know what you're talking about. To put it in the terms of the Energy minister so that he can understand it, he owes it to Albertans to stand up and, in his words, make a bloody apology.

### **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### **Patient Advocacy by Physicians**

**Dr. Swann:** Thank you very much, Mr. Speaker. I recently asked this Premier to provide details on the dismissal of Dr. Tim Winton. Instead of answering the question honestly, the Premier deliberately misled Albertans by stating that if Dr. Winton was bullied, he should bring the evidence before the Health Quality Council. This Premier is not telling the truth. Both the Alberta Medical Association and independent lawyers have publicly stated that doctors who sign nondisclosure agreements are at legal risk if they appear before the Health Quality Council. Why is the Premier deliberately misleading Albertans by misrepresenting the legal problems . . .

### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Okay. That's enough of that. [interjection] That's enough. [interjection] That's enough of that. [interjection] Would you sit down, please? [interjection] Would you sit down, please? Twice in that series of questions phrases and words that are inappropriate for use in this Assembly were used: "deliberately misleading" is a statement that is not part of the tradition of the nomenclature in this Legislative Assembly. Now, the Government House Leader rose on a point of order. I'm prepared to deal with that point of order at the end, but we're now going on to the second question.

### **Patient Advocacy by Physicians (continued)**

**Dr. Swann:** Will the Premier answer this question truthfully? Did Dr. Tim Winton receive a financial settlement from Capital Health or Alberta Health Services when he was pushed out of chief of thoracic surgery, and was he forced to sign a nondisclosure agreement promising to keep the terms quiet?

**Mr. Stelmach:** Mr. Speaker, the disclosure agreement, if it was signed, was between his employer at that time, Alberta Health

Services, and the doctor. That disclosure agreement was entered into by those two parties.

**The Speaker:** This is now the second supplementary on the first question. Proceed.

**Dr. Swann:** How will we Albertans ever know what happened to Dr. Winton with this government's culture of secrecy and intimidation and cover-ups? How many other government critics were silenced with nondisclosure agreements, Mr. Premier?

**Mr. Stelmach:** I thought, Mr. Speaker, that the member was talking about doctors and not government critics. That's quite different from a medical doctor and referring to government critics. As I said before, the Health Quality Council will listen to any physician, any health care worker that wants to come forward with any kind of evidence. If there is any evidence there with respect to misappropriation of funds, that should be taken directly to the police or to the Auditor General.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Yesterday Dr. McNamee, the lung surgeon who was victimized by this government's culture of fear and intimidation, said that he and other physicians would likely testify but only with sufficient legal protection such as that provided in a public inquiry. While the health minister claimed yesterday that Dr. McNamee was the only doctor who was calling for a public inquiry, in fact six sections of the AMA are calling for a public inquiry, over 2,000 doctors. Why should Albertans trust a Premier who can't even get his facts straight? Not one, not 200, but over 2,000 support a public inquiry, sir.

**Mr. Stelmach:** Mr. Speaker, you know, you've heard the opposition talk about a public inquiry. A public inquiry is that. It puts these doctors in front of a camera, in front of reporters, not behind a screen but in front of reporters, an inquiry that will have the doctor himself making the evidence, and they're calling for some sort of protection. How can there be some protection if it's done in a public inquiry in front of reporters that may go on for months? I don't see where the protection is there.

**Dr. Swann:** What are you hiding, Mr. Premier? You might have to appear also. How many more doctors need to speak out before the Premier stops deceiving Albertans by insisting no one wants a public inquiry?

**Mr. Stelmach:** Mr. Speaker, I'd be glad – glad – to go if asked by the Health Quality Council because it's a very rare opportunity when a member of this government can talk about the good things that are happening in Alberta Health Services in a province that's delivering some of the best health services in the world.

**Dr. Swann:** When will this Premier finally do the right thing and admit the truth? We need a public inquiry. Do you want public confidence?

**Mr. Stelmach:** Mr. Speaker, no. We do not need a public inquiry. The Alberta Health Quality Council has very robust, rigorous terms of reference. They're proceeding. They'll have three reports coming to the Legislature: one in three months, the next one in about six months, and the final report in about nine months.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

### Settlement Agreements with Physicians

**Mr. MacDonald:** An employee who believes they have been wrongfully dismissed has the right to sue the employer, and the parties have the right to reach a financial settlement to avoid a case in court. My first question is to the Premier. How many claims of wrongful dismissal by Alberta's health authorities have been filed in the courts in the last decade? You should know.

**Mr. Stelmach:** Mr. Speaker, that's Alberta Health Services. I'm sure if he inquired with Alberta Health Services, then he'd be able to get the information.

**Mr. MacDonald:** That's not true. The Premier is dodging it, and he knows it.

**The Speaker:** Okay. Okay. There's no preamble. Get on to your question.

**Mr. MacDonald:** I'm sorry?

**The Speaker:** Get on to your question. There's no preambles.

**Mr. MacDonald:** Thank you. How much have our health authorities paid out in financial settlements over the last decade to avoid having grievances aired publicly in the courts?

**Mr. Stelmach:** Mr. Speaker, that'll only be between those that have been dismissed for whatever reason that in some cases there are disclosure agreements that were entered into, and I'm sure there were two parties to that agreement, the individual that was dismissed and the employer.

**Mr. MacDonald:** Mr. Speaker, silence is appropriate in libraries but not in politics.

Again to the Premier: can the Premier please explain why these settlements require such nondisclosure agreements?

**Mr. Stelmach:** Well, it's between the employer and whoever filed the grievance or, in some cases, who was let go by the employer.

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

### Health Quality Council Review

**Mrs. Forsyth:** Thank you, Mr. Speaker. Doctors have indicated that short of a public judicial inquiry the Health Quality Council review may have limited impact in fixing our health care system. Yesterday the health minister indicated he was only aware of one doctor who wanted to see a public inquiry. Currently six sections of the AMA, which comprises over 2,500 doctors, have indicated that they support a public inquiry. My questions are to the Premier. How are you going to protect the physicians who have currently signed nondisclosure agreements?

**Mr. Stelmach:** I don't need to protect them because they have a disclosure agreement with their employer.

**Mrs. Forsyth:** It's not right.

What guarantee can you give physicians that if they testify, they will not be terminated or demoted and can continue to speak out without fear of repercussions from Alberta Health Services or, for that fact, the government?

**Mr. Stelmach:** Mr. Speaker, the AMA, the college, and Alberta Health Services have entered into an agreement. They have put out a document that I think is very fair to all three parties with

respect to allowing and asking physicians and other health care providers to bring evidence forward if there is intimidation. Perhaps there are different ways of delivering services that may improve the services, the quality of services, reduce some of the costs. All of those areas: the Health Quality Council will be ready to hear their evidence.

**Mrs. Forsyth:** Mr. Premier, you should be embarrassed.

Can the Premier confirm that the Health Quality Council has been so overwhelmed with complaints that they now have established two committees, one dealing with the clinical side and the second dealing with how the procurements of contracts have been handled?

**Mr. Stelmach:** Again, the Health Quality Council is going to do a good job. They've set very rigorous terms of reference, and they're going to conduct the business as they see fit.

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

## 2:00 Storage of Nuclear Waste

**Mr. Mason:** Thanks very much, Mr. Speaker. On March 30 the municipal district of Big Lakes voted to consider hosting a nuclear waste storage facility in their area. In addition to storing hazardous nuclear waste in our province, this would also require that dangerous radioactive materials be transported through dozens of Alberta communities from other parts of the country. I want to ask whether the Premier will commit today to protecting the health and safety of Albertans by introducing legislation to categorically prohibit the transportation and storage of nuclear waste in Alberta.

**Mr. Stelmach:** Mr. Speaker, once again the question is purely speculative. There is an authority that deals with this. It's a federal authority. What the authority has said is that they're looking at those provinces that presently have nuclear energy in their province. Alberta doesn't have any, and there's no reason for that to come to the province of Alberta.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, given that the recent crisis in Japan shows that even well-managed nuclear materials can become extremely dangerous, will the Premier commit to protecting the health and environment of Albertans by passing legislation similar to that in the province of Manitoba which would prevent Alberta from becoming a nuclear waste dumping ground for the rest of the country? And don't say it's speculative, Mr. Premier.

**Mr. Stelmach:** Well, it is speculative. You read something in a paper, and then all of a sudden it's going to happen. It is speculative.

We'll watch the situation very carefully. As I said, the national authority will only look at those provinces that have nuclear energy in their province today. We don't have any.

**Mr. Mason:** Once a project like this gets approved, Mr. Speaker, it's too late, and that's the lack of foresight of this government that just comes through over and over and over again. Given the action of the . . .

**The Speaker:** Well, hold on, hon. member. We have no preambles on the third question.

**Mr. Mason:** Sorry, Mr. Speaker.

**The Speaker:** Well, I'm not sorry. I'm just enforcing the rules.

**Mr. Stelmach:** Once again, Mr. Speaker, purely speculative, something just to get attention. If he read all of the article and saw all of what was in the print, he would know that there's no need to come to any province that does not have any nuclear energy. We don't have any, so nobody will be coming here to do any investigation of any storage of nuclear waste.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Lacombe-Ponoka.

## Abandoned Wells

**Ms Blakeman:** Thank you, Mr. Speaker. So far the town of Calmar has found 26 abandoned wells, three of which are leaking. That's 26 wells under or beside homes, schools, and businesses. But in Alberta, that's okay. Abandoned wells are allowed to be removed from land titles, so no one could know about the danger or even the existence until something goes wrong. To the government: who is responsible for this situation? Is it the Department of Energy, which has the ERCB regulation, or Environment, which signs off on abandoned wells, or Municipal Affairs?

**Mr. Liepert:** Mr. Speaker, let's start off with the Minister of Energy, since the member sort of threw it out. First of all, the ERCB does have responsibility for this. [interjections]

**The Speaker:** Hon. Member for Edmonton-Centre, proceed.

**Ms Blakeman:** Thanks, Mr. Speaker. I would have liked to have heard the rest of the answer from the minister. But my question again to the government: if the point is to protect Albertans and make it possible for them to make informed choices, in this case purchasing a home, why do the legislation and the regulations continue to permit the opposite?

**Mr. Liepert:** I'll finish the answer, Mr. Speaker. I wanted to clarify the preamble of the member. Clearly, through the ERCB that information is available. But what is important is that if a municipality decides that it wants to subdivide and develop a parcel of land, it's up to the municipality to check with the ERCB relative to abandoned oil wells on the property. The ERCB has no knowledge of whether or not a municipality is subdividing. So that information actually is there.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Again to members of the government: stop doing this. There are three different ministries involved here, and the result is — people are buying homes. Now, which one of you is responsible?

**Mr. Liepert:** Mr. Speaker, the member says, "Stop doing this." What does the member want us to stop doing?

We actually have the information. The Minister of Municipal Affairs and the Department of Energy are working on an amendment whereby we may make it a requirement for the municipality to check. We're working with the Minister of Municipal Affairs on that.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Lethbridge-East.

## Economic Recovery

**Mr. Prins:** Thank you, Mr. Speaker. In many parts of the world the global economic recession is beginning to end. In fact, several

nations have already returned to economic growth. According to the IMF the overall world output is expected to increase by 4 and a half per cent in 2011. My questions are to the Minister of Finance and Enterprise. What is the estimated yearly growth for Alberta, and how does that compare with the rest of the world?

**Mr. Snelgrove:** Well, Mr. Speaker, it is hard to compare Alberta with the rest of the world. But it's very clear in IMF discussions that the parts of the world that are developing are coming out of the recession very strongly, and Alberta is, too. While they're talking about 4.5 per cent, we're looking at about 3.3 per cent, which is considered a very steady growth. To compare us to Brazil or China is difficult, but compared to the rest of the developed nations, Canada and Alberta are leading the pack.

**The Speaker:** The hon. member.

**Mr. Prins:** Well, thank you, Mr. Speaker. My next question is to the same minister. If average world growth is at 4 and a half per cent and Alberta is only growing at roughly 3 per cent, does this mean that we are losing pace with the rest of the world?

**Mr. Snelgrove:** No. As a matter of fact, Mr. Speaker, we're not losing pace with the rest of the world; we're leading most of the developed world. What it really shows is the fact that we had a plan to take Alberta through the recession. It was to manage our spending. It was to continue to invest in infrastructure so that we can sell goods to the rest of the world which is leading us out of the recession. We stuck to our plan. It's working very well, and Albertans see that.

**The Speaker:** The hon. member.

**Mr. Prins:** Well, thank you, Mr. Speaker. Again my last question is to the same minister. What steps is your ministry taking to ensure that the Alberta economy has access to these dramatically growing economies around the world?

**Mr. Snelgrove:** Mr. Speaker, it's not our department; it's our government. It started with this Premier's initiative in the Asia advisory council. We have markets there of 4 billion people. We all know how important the pipeline is to the west coast, but it's not just oil. We have ag products that are wanted all over the world. We have to work with all of our transportation providers to sell them food. They want forestry products and a multitude of things that Albertans are very good at. So while the Asia advisory council is a very good step, everyone in Alberta I think would agree that we're positioned very well.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Foothills-Rocky View.

#### Transfer of Tax Recovery Land

**Ms Pastoor:** Thank you, Mr. Speaker. Tax recovery land has been handed to municipalities without any environmental assessment, without any public input, and without any requirements on the future use of this land; for instance, the importance of protecting agricultural land in this province. To the Minister of Sustainable Resource Development: why was this most recent transfer of 84,000 acres, which is 130 square miles of land, transferred now?

**Mr. Knight:** Well, Mr. Speaker, there's an ongoing requirement for us as a government to take a look at the land base that we manage on behalf of Albertans. From the point of view of moving public land into areas of either production or perhaps conserva-

tion, it goes on continually. I think that we're doing quite a good job of it.

**Ms Pastoor:** I'm referring to some of the land around Taber, which he's very aware of. Why was this transfer made before the land-use framework regional plan was completed? Wouldn't it have made more sense to wait until the regional priorities were set?

**Mr. Knight:** Mr. Speaker, of course, the member opposite is referring to a situation where the province of Alberta has been managing land that was initially in the hands of municipalities. We transferred the land back where it rightly belongs, in the control of municipalities. Any of that real estate that has an environmental or ecological value for Alberta's future is maintained as public land by the province. The rest of it is going back to the management of municipal entities, where it rightly belongs.

**Ms Pastoor:** I guess the question was: why now and why before the land-use framework has been put into place?

**Mr. Knight:** Well, Mr. Speaker, why now? This thing has been going on since 1960. I'm not exactly sure where the member has been in all that period of time; nevertheless, living quite close to a lot of the area where this real estate exists and has been transferred for the better part of 35 years. Why now? We're just completing a piece of business that we started with municipalities, by the way with their co-operation, many years ago, and I think that they are all going to be quite satisfied when it's concluded.

**The Speaker:** The hon. Member for Foothills-Rocky View, followed by the hon. Member for Calgary-Buffalo.

2:10

#### Lower Athabasca Regional Plan

**Dr. Morton:** Thank you, Mr. Speaker. My question is also to the Minister of Sustainable Resource Development. Following the release of the draft lower Athabasca regional plan last week, some opposition members said that the plan came out of the blue and caught many in the oil industry entirely off guard. That version of events doesn't seem to quite match my recollection of events. Could the minister set the record straight as to exactly when the regional advisory committee's report was released? How many months have been spent on consultation between the release of the RAC report and the release of the draft regional plan?

**Mr. Knight:** Well, one thing I will say, Mr. Speaker, to the member opposite is that the plan, the whole plan, the land-use framework and the rest of it, did come out of the blue, Tory blue. And it's a very, very good plan. In fact, we have had consultation on this plan with more than 10,000 Albertans up to this point in time, and there is now one draft plan available for consultation, again a 60-day consultation period with Albertans. Nobody was caught by surprise with respect to the plan.

**The Speaker:** The hon. member.

**Dr. Morton:** Thank you, Mr. Speaker. My first supplemental is to the same minister. With respect to the lower Athabasca regional plan, is there a risk that if we do not strike the right balance with respect to conservation of boreal forests and wetlands and cumulative effects on air, water, water quality, and endangered species, we risk losing jurisdiction to the federal government? If so, could the minister identify the specific pieces of federal legislation that could be used by Ottawa to take away jurisdiction?

**The Speaker:** The hon. minister.

**Mr. Knight:** Thank you very much, Mr. Speaker. Yes, there is an issue here, and there are a number of areas, of course, where the federal government has jurisdiction. Air would be one of them; water quality is another one. But two important things have happened to Albertans recently. The Species at Risk Act, that is federal legislation, has been brought into the province of Alberta in certain circumstances where the feds believe we are not doing enough to maintain proper protection of habitat or species at risk. Another one would be the Migratory Bird Act, which does a very similar thing, where they look at situations where migratory birds, in the federal opinion, are not being properly managed.

**The Speaker:** The hon. member, please.

**Dr. Morton:** Thank you, Mr. Speaker. My second supplemental is to the Minister of Energy. Last week, yesterday, and even again today there was a lot of hysterical fearmongering by certain opposition members about Alberta being a banana republic and that only absolute morons would invest in Alberta, but I haven't heard any of the industry players or financial analysts saying that. Could the minister possibly set the record straight?

**Mr. Liepert:** Mr. Speaker, the member is absolutely correct because the plan had barely been released, and I know there was one political party that put out a news release that was, frankly, outrageous and over the top, totally ridiculous assertions. It took about five seconds for all of those assertions to be dispelled by reputable organizations like the Canadian petroleum association, like FirstEnergy, like Barclays Capital. As the member says, that draft plan is now out for consultation. I think it's achieved a great balance.

#### **Speaker's Ruling Preambles to Supplementary Questions**

**The Speaker:** Look, the chair should only have to intervene once with respect to this question of the preamble, and then all members should be able to catch on to that intervention at the beginning and not have to go every time. I'd have had to intervene, I think, probably on all nine so far, which would not be anything more than intervention period instead of question period. Let's deal with the preambles, okay? Eliminate them on the second and third question. Let's move forward.

#### **Education Funding**

**Mr. Hehr:** Mr. Speaker, again I rise to ask the Education minister about cuts to our education system. Willow Creek composite high school, Pembina Hills school division continue on the list of organizations cutting because of the minister's budget. The minister knows that the change in per-pupil funding barely covers the salary deal the minister signed with the teachers. Will the minister acknowledge that school is more than just teachers and students and includes aides, support staff, and others who help support learning and who are being cut right now because of his budget?

**Mr. Hancock:** Mr. Speaker, unquestionably a school, an education system, involves more than just teachers and administrators. Particularly when you include all students in the school, you have to ensure that you have the appropriate wraparound services, the appropriate supports to ensure that every child can come ready to learn and be supported in a safe, caring, and respectful place. No question about that.

**Mr. Hehr:** I thank the minister for that honest answer. I'm surprised, then, that he hasn't rectified the cuts to budget. Given that, will you return the funding to . . .

**The Speaker:** Hon. member, what did I just say not three minutes ago? It's not a lifetime ago. It's not a decade ago. It's not a month ago. It's not a week ago. It was like about two or three minutes ago. Okay? Get that question in really quick.

**Mr. Hehr:** I got so excited by the answer that I just lost track.

I'll go to my second supplemental. Given that this government is able to find money for the Premier's legacy projects and we learned yesterday that the Minister of Education has apparently asked for an increase to the Education budget, can the President of the Treasury Board explain why he refused the Minister of Education's request for funding to ensure that no student with special needs will be left to fall behind and that teacher-to-pupil ratios will not worsen because of a lack of necessary funds?

**Mr. Snelgrove:** You know, maybe you should just give him longer preambles and no answer.

Mr. Speaker, no government commits more to education per student than us, not only K to 12 but advanced education. We are very aware of the pressures that have been put on education with the funding they got, but we understand reality. Everyone in Alberta has had to do a little bit more with a little bit less, and that's what we asked of education.

**The Speaker:** Hon. member, last question.

**Mr. Hehr:** I'm fine.

**The Speaker:** Thank you. That really helps because we were extending it there with the exchange back and forth.

**Mr. Hehr:** I know.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Highlands-Norwood.

#### **Municipal Franchise Fees**

**Mr. Fawcett:** Thank you, Mr. Speaker. Last year I sponsored Bill 203, the Municipal Government (Local Access and Franchise Fees) Amendment Act, 2010. While it was defeated in the Legislature as per a recommendation of the Standing Committee on Community Services, the committee made a number of recommendations to the government that acknowledged the importance of the bill's intent. My question is to the Minister of Municipal Affairs. Pursuant to the committee's recommendation that you consult with the AUMA and AAMD and C to explore the development of a formula that provides for consistency and predictability, could you provide an update on this process?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. As the member has indicated, we are exploring the development of a province-wide franchise fee formula, and we're moving along very well in that area. Municipal Affairs is presently conducting consultation to look at how we can best strike that right balance, and the Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties as well as the cities of Edmonton and Calgary are being involved and consulted.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. That's good news. My supplemental is to the same minister. Have you had any conversations with the municipalities that base their fees on the price of the

commodity, a variable the committee specifically recommended not using?

**Mr. Goudreau:** Mr. Speaker, letters were sent to the mayors of Edmonton and Calgary inviting their comments and suggestions in regard to this matter, and both the AUMA and the AAMD and C have also been asked to comment. We've asked that their input be forwarded to us by as early as next Monday, April 18. The important thing in this matter is that we want to provide consistency and predictability to utility consumers across the province.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. My final supplementary is to the Minister of Energy. Have you considered the necessary changes to regulation that would allow the utility companies to clearly disclose on the utility bills the name of the municipality that is the beneficiary of the revenue collected from these fees?

**Mr. Liepert:** Well, first of all, Mr. Speaker, I think it's important to outline the fact that in Alberta we probably have the most transparent retail bill that exists in the country because it includes everything from the cost of the electricity to who the specific billing company is, the names and telephone numbers of the distribution owner and the retailer. However, there is an anomaly relative to municipally owned providers, so that's something that both the Minister of Municipal Affairs and I have been exploring, and we'll continue to do so.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Calgary-Varsity.

#### Support for Child Care

**Mr. Mason:** Thank you very much, Mr. Speaker. Family budgets are being hard hit under this government's watch. This year the government has decided to cut funding for any new child care spaces, yet costs for spaces went up over 12 per cent on average last year. I want to ask the Minister of Children and Youth Services to reverse this cut so that more parents can find affordable care for their children.

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Well, thank you, Mr. Speaker. Just a small correction, hon. member, but the fees that the member is discussing aren't operational; that was capital dollars for child care spaces.

Actually, we have increased subsidies for parents. We did increase those by 78 per cent since 2008, and the number of children and families that that is helping has gone from 11,000 to 20,000.

2:20

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. At a time when families are struggling to afford child care, half of our child care spaces in the province are for profit, adding overhead to already inflated child care rates. Will the minister move to create more not-for-profit spaces at an affordable rate so that every parent who needs care for their kids can still afford it? Regardless of what she said, Mr. Speaker . . .

#### Speaker's Ruling

#### Preambles to Supplementary Questions

**The Speaker:** Boy, if that wasn't the longest preamble I've ever heard in my life. Please have a seat. We'll get to the answer right

away. But, you know, how many times do I have to say this? Is it every time? This is not going to be a question period; it's going to be an intervention period.

The hon. minister.

#### Support for Child Care

(continued)

**Mrs. Fritz:** Thank you, Mr. Speaker. We don't regulate whether the daycare or day home is for profit or not for profit because parents do like to have the freedom to choose whichever daycare or day home they are going to place their child into to be safe and protected. I can tell you this: as with many businesses in the province the same is true for daycares as they hire very professional staff. The cost for staffing has increased, and that is why some of the rates have gone up. You mentioned 12 per cent. Up to 95 per cent of the cost for daycare is staff cost.

**The Speaker:** Thank you. Third question, member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that two-income families are a reality in our modern life and are drivers of our economic prosperity, and given that there are only enough spaces for 16 per cent of children under age 12 in Alberta – here's the question – why is the minister failing to offer more Alberta parents a shot at affordable child care so families can improve their lot?

**The Speaker:** I'm going to recognize the minister, but I want you to go home later today and read the text of what you just said, okay? Just read the text of what you said, and if you don't put a hand over your eyes and put your head down like this, then heaven help me.

**Mrs. Fritz:** Well, Mr. Speaker, it's very important to increase subsidies for parents when we know that there is a need. That's why you would have seen in the budget, hon. member, that the child care program at \$229 million had an operating expense increase of \$17 million for this year, and that is to assist parents overall with the cost.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Ellerslie.

#### Mental Illness Treatment Services for Children

**Mr. Chase:** Thank you, Mr. Speaker. On Monday of last week a 15-year-old girl refused to get back in her temporary caseworker's car after she left her group home to go for a coffee. On Friday her father, having received tips as to the whereabouts of his daughter, contacted the child crisis unit but was told to call back after shift change. Last night I learned that the girl had been assaulted and left unconscious, so I, too, contacted the crisis unit and was told that she was in care but AWOL. To the Minister of Children and Youth Services: please explain how a teenager can be considered in care and AWOL at the same time.

**Mrs. Fritz:** Well, Mr. Speaker, I met with the individual's family that this member has brought forward to the Assembly today, and I can tell you that I had very experienced staff at that meeting, that there's experienced staff from Health and Wellness there as well, and that our staff continue to work very, very closely with this family on a daily basis. But what I am concerned about is that you could pick up the phone and have private information given to you regarding this individual and their whereabouts, so I will look into that.

**The Speaker:** The hon. member.



**Mr. Chase:** Thank you. How is it in this or any other teenager's "best interests" to be abandoned by Children and Youth Services to the streets?

**Mrs. Fritz:** As I indicated to you, Mr. Speaker, our staff are working very, very closely with the individual that this member has brought forward today. They're paying very close attention. A lot of resources have gone into the situation, and we have very experienced staff, not just at the caseworker level but at a very high level, working with this individual, and it will continue as that family does need our assistance.

**Mr. Chase:** Simple question, Mr. Speaker. Where is she now? Is she protected?

**Mrs. Fritz:** That really is none of this member's business at all, Mr. Speaker. Enough said. We are on top of this, and it's none of your business.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-Glenmore.

### Adult Literacy

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. In every community there are those who face barriers in good times or bad due to their lack of literacy skills. Adult education is vital to building successful futures, raising healthy families, creating happy and productive lives. My questions today are to the Minister of Advanced Education and Technology. What is this government doing to address adult literacy levels in Alberta?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. I appreciate that question. Literacy is extremely important to this government, and in working in partnership with Alberta Education and Employment and Immigration, we've created a literacy framework that will help increase literacy opportunities in this province. Right now we fund over 200 community adult learning programs across this province to help with literacy and other adult learning needs.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: given that there are quite a number of Albertans having difficulty attending postsecondary education institutions, what is your ministry doing to make it easier for them to enter and be successful?

**The Speaker:** I think if we came back this evening, we'd probably get those answers as part of the questions for the estimates of the Department of Advanced Education and Technology.

Third question, please.

**Mr. Bhardwaj:** Final question: what concrete policy do you have in place to promote adult literacy programs in Alberta?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. We continue to implement programs in partnership with the other departments of this government. It's not just literacy, Mr. Speaker, but it's financial literacy that's extremely important and also workplace and technical literacy so that our workers can be safe in the work environment. So we continue to create opportunities for our workers to increase literacy.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Calgary-Montrose.

### Lower Athabasca Regional Plan

*(continued)*

**Mr. Hinman:** Thank you, Mr. Speaker. In 2008 this government made the grand economic boondoggle of breaking mineral leases' contracts by jacking up royalties. Investment was driven out of the province. With the regional plan released last week, the current government plans to turn a portion of our oil sands region into a protected park. It sounds nice, except that to do it, they are extinguishing leases from companies who have invested millions. To the Minister of Energy: can you please share with this House what additional debt will be added to our current cash deficit of \$6.6 billion, or was compensation something they never thought of?

**Mr. Liepert:** Well, Mr. Speaker, as I said earlier in the much better-framed question from the Member for Foothills-Rocky View, these particular charges that have been made in that party's release are – I know we can't use certain terms in this Assembly, but I'll try and stick within what is permitted. I would say that they are so far from the truth they are almost . . . I'll leave it at that.

**The Speaker:** Okay. The hon. member.

**Mr. Hinman:** What a joke. You don't even know what compensation is.

### Speaker's Ruling Decorum

**The Speaker:** Okay. Now listen. Please sit down. This is not a debate. This is not a debate; this is name calling. I asked the man to sit down, and I asked you to sit down. If you cannot find civility, either one, I'm going to just forget about recognizing either one of you. Now, have you got a question? No preamble. No preamble. A question.

### Lower Athabasca Regional Plan

*(continued)*

**Mr. Hinman:** Given that the Supreme Court ruled in 1985 that governments must compensate not only for all developmental costs but for the full value of the resources when these leases are expropriated, does the government plan to challenge the Supreme Court ruling, or are they relying on the clause in Bill 36 so that taxpayers aren't on the hook for billions of dollars?

**Mr. Liepert:** Mr. Speaker, I think that the Minister of Sustainable Resource Development has made it very clear that what is out today is a draft plan. It's out for consultation. There is no suggestion that anything is being confiscated by anybody other than by a few fearmongers on the other side of the Legislature.

**The Speaker:** Well, that's not helpful either.  
Short question, to the point.

**Mr. Hinman:** Mr. Speaker, that question was: how much is compensation going to cost? He didn't even do it.

Does the minister realize how totally incompetent it is for our government to be paying companies not to develop and extract our resources? You have no idea how much compensation this is going to cost the taxpayers, do you? No idea.

**Mr. Liepert:** Mr. Speaker, unlike the member who asked the question, I've had a number of discussions with industry over the last week or so, and I believe the overwhelming view by industry is that what the government has come up with . . . [interjections]

**The Speaker:** I don't know how many light bulbs are up there. I keep looking up and keep looking. I know where a few of them are burned out.

The hon. Member for Calgary-Montrose, followed by the hon. Member for Edmonton-Riverview.

## 2:30 Noise Attenuation on Stoney Trail

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I've constantly advocated for my constituents in Abbeydale, Applewood, and Monterey Park and raised their concerns about noise from Stoney Trail. We have been awaiting the results of sound testing for many months now. To the Minister of Transportation: Minister, the sound testing is complete; where is the report?

**Mr. Ouellette:** Well, Mr. Speaker, the report is in. We're currently reviewing that report. When it's completed, the report will be posted on our web page. If we need to take any action, it'll be taken at that time.

**Mr. Bhullar:** Mr. Speaker, I sure hope that – actually, I shouldn't get into preambles.

Mr. Speaker, my next question to the minister is: will there be a sound barrier put up between Stoney Trail and the communities of Abbeydale and Applewood and Monterey Park to mitigate the noise?

**Mr. Ouellette:** Mr. Speaker, noise mitigation is considered if the noise levels adjacent to those communities happen to be over 65 decibels. That means that the province would consider sound attenuation after it reaches 65 decibels over a 24-hour period. Any decision on this would be done once the noise monitoring and the modelling studies are finalized later this month. I want Albertans to know that measuring noise levels is something that we actually do regularly on our ring roads.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. My last question to the same minister: Minister, should the noise level not reach 65 decibels, what other measures can you take to ensure noise reduction within that area?

**Mr. Ouellette:** Well, Mr. Speaker, the bylaw is that if it reaches 65 decibels, then we would try to do something, whether we do it in partnership with the communities or with the municipality. If it does reach 65 decibels, then it meets the requirements.

## Daycare Accreditation

**Dr. Taft:** Mr. Speaker, my questions are for the Minister of Children and Youth Services. Last summer after an unaccredited daycare in Stony Plain was ordered closed because of concerns with force-feeding and mistreating toddlers, the minister said, and I quote: we should have accreditation at 100 per cent. End quote. Now the minister has backtracked on mandatory accreditation, leaving it on a voluntary basis. To the minister: Why? Why did she abandon her commitment to 100 per cent accreditation for Alberta's daycares?

**Mrs. Fritz:** Well, Mr. Speaker, to be clear, I haven't abandoned my commitment to 100 per cent accreditation, and neither has the community. In fact, the community has responded to accreditation where it's already 85 per cent fully accredited for daycares and day homes, 10 per cent are participating in accreditation, and 5 per cent are in transition, including newly opened facilities. I can tell you that with that voluntary commitment by the community this has become a very successful program and has been embraced by the daycare and day home operators.

**Dr. Taft:** Again to the same minister. She's talking about a voluntary program. I'd like her to give us an answer here. What is the firm deadline for 100 per cent accreditation for Alberta's daycares? Give us a deadline.

**Mrs. Fritz:** Well, Mr. Speaker, it might be helpful to this member if I explained about a daycare and day home and how they're licensed and they're approved. When a day home or daycare is licensed or approved, their safety is regulated – we have very high provincial standards – and they're also inspected and monitored on a regular basis.

Now, accreditation is completely different. Accreditation is about enhancing the child care program, creating better learning opportunities for children, Mr. Speaker, and that's why we established the accreditation program. That's why the . . .

**The Speaker:** The hon. member, please.

**Dr. Taft:** Well, thanks, Mr. Speaker. Given that we probably all agree that accreditation is a valuable thing, why is this minister allowing some children in this province, little children, to go to daycares that are not accredited?

**Mrs. Fritz:** Well, Mr. Speaker, I explained in my earlier answer that the community has embraced this program. Eighty-five per cent are accredited – no, don't shake your head; they are – 10 per cent are in the process of being accredited, and 5 per cent, the new facilities, are becoming accredited. That is mostly a hundred per cent compliance.

Mr. Speaker, we did increase the accreditation funding. We increased it by 12 per cent, from \$74 million to \$83 million, the only program of its kind in Canada.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-McCall.

## Pigeon Lake Waste-water Management Project

**Mrs. McQueen:** Well, thank you, Mr. Speaker. The proposed Pigeon Lake waste-water project is very important to the residents of the summer villages of Sundance Beach, Ma-Me-O Beach, Noris Beach, Crystal Springs, Grandview, Poplar Bay, Wetaskiwin county, Pigeon Lake provincial park and, certainly, to myself as MLA. My questions are to the Minister of Transportation. What is the status of the Pigeon Lake waste-water project?

**Mr. Ouellette:** Well, Mr. Speaker, I have to start this one off with: Drayton Valley-Calmar are awfully lucky to have such an MLA. She's continually trying to speed up things for her constituents.

Mr. Speaker, this proposed \$26.7 million waste-water project involves piping waste water to the existing northeast Pigeon Lake regional waste-water commission. Through the provincial water for life program this project could be eligible to receive a grant of up to 90 per cent of the waste-water system. The first stage of the project . . .

**The Speaker:** I thank the hon. minister. Thank you.  
Now we'll hear from that hon. member again.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and thank you to the hon. minister.

My constituents are understandably very interested in seeing progress made on this project. When will funding for the first stage be approved, the line from Ma-Me-O Beach to the existing Mulhurst lagoon? When, Minister?

**Mr. Ouellette:** Mr. Speaker, my officials have informed me that a review has nearly been completed of the proposed line from Ma-Me-O to the Mulhurst lagoon. We know this is an important project. My officials are working with the Pigeon Lake regional waste-water steering committee, and I expect to have a report in the coming weeks. I will certainly review it thoroughly, and that's when we can provide more information and when the funding would be available.

**Mrs. McQueen:** My final question is to the same minister. Considering what I heard, that stage 1 of the Pigeon Lake waste-water project will be approved, when would construction begin?

**Mr. Ouellette:** Well, Mr. Speaker, as I mentioned before, the project could be eligible for a grant of up to 90 per cent. As for when the construction would begin, it would be up to the proponents of the project, the Pigeon Lake regional waste-water steering committee. Alberta Transportation would provide the funding, and the construction process would then be managed by the proponents.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for St. Albert.

#### Flood Hazard Mitigation

**Mr. Kang:** Thank you, Mr. Speaker. Disaster recovery by its very definition is reactionary and implies intervention after a natural disaster has occurred. To the Minister of Municipal Affairs: besides flood hazard mapping and occasional one-time grants aimed at supporting emergency preparedness, is the minister satisfied that the government does absolutely everything it can to prevent or mitigate flooding before it occurs?

**Mr. Goudreau:** Mr. Speaker, the provincial government is doing a lot of work in terms of mitigation and helping municipalities prepare for potential disasters and emergencies that might come their way. On a yearly basis we continue to work with municipalities that are subject to flooding, for instance, to make sure that they are aware of flood plains and how high water levels may rise. So we continue to do that type of work with individual municipalities right across the province.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: what role does the Alberta Emergency Management Agency play in instructing regions on proper placement of sandbags since recent media reports have suggested that this is often being done improperly and may actually make flood damage worse?

**Mr. Goudreau:** Mr. Speaker, I'm not aware that the AEMA, or the Alberta Emergency Management Agency, is actually training people on how to place sandbags. If that's a broader issue that we see happening right across the province, then we could certainly look at that particular aspect. But, generally, we are providing sandbags and are making sure that equipment and facilities are

available for municipalities to use. If there's a need to use sandbags to protect property, those are available to them.

2:40

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister again: are there any permanent, enduring solutions that could be employed to prevent or mitigate flooding in high-risk areas and reduce the impact on taxpayers? I'm thinking of last year's whopping \$191 million supplementary appropriation for disaster recovery.

**Mr. Goudreau:** Mr. Speaker, we keep on working with our individual municipalities, and municipalities are encouraged to purchase mitigation equipment. Through the municipal sustainability initiative funding they can choose to protect their individual communities. As well, we continue to do a lot of training with individual municipalities. If those municipalities actually buy equipment or have access to equipment, we encourage them to share it with their neighbours if there's a need to have that happen. We also make sure that that equipment is well known and documented so that there is the possibility of using it elsewhere across the province.

**The Speaker:** Hon. members, that concludes Oral Question Period for today. Nineteen members were recognized. There were 111 questions and responses, and it's only Tuesday.

We'll come back in a few seconds from now to continue with Members' Statements.

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for Calgary-Mackay.

#### Bethany Care Society Brenda Strafford Centre on Aging

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is my pleasure to rise today to speak about some exciting achievements by two outstanding organizations aimed at improving the lives of seniors in Alberta. First, I want to recognize the Bethany Care Society, one of my constituents and a long-established provider of seniors' care in Alberta. Bethany was named one of Alberta's top 50 employers, one of only three nonprofit organizations among many major corporate entities. Nationally, the Workplace Institute named Bethany as one of three companies named as Canada's top employers for 50-plus employees.

Almost 40 per cent of Bethany's workforce is age 50 or older, with 36 employees over the age of 65 and the oldest being over 80. Bethany Care Society has an impressive record of receiving 10 national or provincial employers of choice awards over the past 11 years. This speaks volumes to the focus of Bethany on attracting and retaining qualified staff and providing safe environments that foster positive relationships among staff, residents, and their families.

Mr. Speaker, on April 4 the Brenda Strafford Centre on Aging at the University of Calgary was launched, thanks to a \$5 million gift from the Brenda Strafford Foundation. The centre on aging will promote the quality of life for seniors through developing programs in support of age-related applied research and public policy, interdisciplinary education in geriatrics and gerontology, community outreach, and public awareness.

The new centre was announced at a special event to celebrate Dr. Barrie Strafford's contributions to the university. To date he

has contributed more than \$8 million to the U of C through his foundation and personal philanthropy. These gifts have supported research in the faculties of kinesiology, medicine, nursing, and social work.

Mr. Speaker, Alberta is blessed by the contributions of these individuals and organizations.

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

### Volunteer Week

**Ms Blakeman:** Thank you, Mr. Speaker. This week, April 10 to 16, we are recognizing Volunteer Week in Alberta. I would hope, given the enormous workload carried by volunteer-driven agencies in Alberta, that there would be the sound of knees hitting the floor as their owners engage in fervent prayers of thanks to volunteers, particularly government knees, as this sector provides so many of the services that government used to provide and makes our cities and towns livable, creative, helping, and caring.

Volunteering has changed so much in the last several decades. More families volunteer together. Seniors put in an enormous amount of volunteer hours. In some cases, students volunteer for class credit. One thing is for sure. People have less time and want their volunteer experience to be both meaningful and also beneficial to the recipient and to themselves.

I remember a well-known businessman who reflected on his volunteer experience. He wanted to do something different, different from what he did every day. He wanted to get his hands dirty, to paint sets or pound nails, but he was immediately put on the board. He duly gave his well-informed input but left the board after only a year because he was never given the opportunity to do what he wanted to do. Recruiting, orienting, training, and retaining today's volunteers is complex and challenging. What the volunteer gets out of the experience is just as important as what they give. So, government, pay attention.

The volunteer centre of Camrose is closing on June 30 of this year. Sector colleagues say that this is a well-run and valued organization. So what's wrong? Well, a couple of things. One is the loss of funding pools. Prior to 2009 volunteer agencies could access several different grant programs to fund different aspects. Now there's only one CIP, and there's a competition for dollars. Two is the emphasis on quantity not quality, and that has a particular impact on rural centres. Organizations are judged by outputs rather than outcomes. Third is the insistence that organizations' eligibility is based on how much money they raise.

So this week and all weeks a shout-out to volunteers and volunteer centres: for all the benefit we receive as Albertans, my profound thanks.

### Presenting Petitions

**The Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. I'd like to present two petitions. The first petition, from approximately 250 residents in the Strathcona area, reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to: Firstly, ensure that the underground option and not the overhead line option for the proposed 500Kv transmission line for the East Transmission Utility Corridor between the Ellerslie Road corner and Baseline Road, an area which is densely populated and with nearby schools in Strathcona County, be implemented. Secondly, as this is a regional line, to ensure that the cost of this underground line is borne by the entire province of Alberta.

And thirdly, to ensure that all future 500Kv transmission lines which may be built near any other densely populated area in the Province of Alberta, be built according to this same or a similar underground option.

The second petition, from approximately 5,000 residents in the Strathcona area, reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to ensure that: (1) the underground, not overhead, line option is used for the proposed 500 kV transmission line for the East Transmission Utility Corridor between the Ellerslie substation and Baseline Road; (2) the cost of the underground line is borne by the entire province of Alberta; and (3) all future 500 kV transmission lines located in densely populated areas be built using the underground line option.

Thank you, Mr. Speaker.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's my pleasure to table the appropriate number of copies of the following two annual reports. First is the 2009-2010 annual report from the College of Hearing Aid Practitioners of Alberta, and the second is the 2010 annual report from the Public Health Appeal Board.

Thank you.

**The Speaker:** The hon. Minister of Culture and Community Spirit.

**Mr. Blackett:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of documents referenced in Culture and Community Spirit's main estimates on March 23, 2011. Included are two reports. The first is entitled A Dialogue with Alberta's Arts Sector. The second is entitled A Dialogue with Alberta's Nonprofit/Voluntary Sector. Both are available online.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. Today I'm tabling Castle-Crown clear-cutting concerns from the following individuals: Marianne Dufour, Mandy Rowe, David Manning, Greg Michaux, Catherine Talbot, Disa Hovatta, Donna Jabillo, Chris Jones, Jonagh Fairbrother, Ruby Rowat, Karel Sanders, Jennifer Smith, Marilyn Hurrell, Margaret Yorke, Chris Dunn, Jeffrey Phillips, Tonya Bourque, Rachel Christensen, Ron Williamson, Cathy Wolfe, Fiona Mansfield, Jenny May, Rebecca McEvoy, John Gaul, and Evelyn Abell.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I'm tabling on behalf of the Leader of the Official Opposition documents in which are the quotes that he spoke about today from lawyers that the Alberta Health Quality Council doesn't have adequate protection for doctors who sign nondisclosure agreements.

2:50

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. Two tablings today. The first is tablings from constituents who've written with their concerns about the future of the physician and family support program, a program which they feel is focused on keeping current physicians in the best possible mental health. These constituents

are Dr. Lisa Burback, Dr. Thea Chibuk, Dr. Nick Etches, Dr. Warren Ma, Dr. Daniel Miller, and Dr. Edwin Zhang.

A further tabling on behalf of my colleague for Calgary-Buffalo is a petition signed by a number of parents and teachers at Silver Springs school in Calgary voicing their opposition to the recently announced budget cuts that will severely impact the Calgary board of education. They underline that their children's education needs to be a priority for the province.

Thank you, Mr. Speaker.

**The Speaker:** I've also had notice that the hon. Member for Edmonton-Gold Bar wanted to table something. Is anybody doing it on his behalf? Okay.

Hon. members, we do have a point of order to deal with. The hon. Government House Leader.

### Point of Order Parliamentary Language

**Mr. Hancock:** Thank you, Mr. Speaker. I'll take your advice on this, but I thought you did more or less deal with the point of order at that point in time in an appropriate way. The point of order was, as you indicated, with respect to parliamentary language. I would refer to the Speaker's memo of February 18, 2011, and specifically to attachment 1 of that memo, page 6, with respect to the use of the term "deliberately misleading" and to pages 14 and 15 with respect to the term "misleading." Of much lesser stature I'd refer to the authorities of our own Standing Order 23(h) and (j) – making allegations against a member, using abusive or insulting language – and 23(i), introducing a matter in debate that "offends the practices and precedents of the Assembly."

*Beauchesne* also supports the point of order that I am making with respect to its sixth edition, 489, pages 145 and 146, where it refers to terms which are unparliamentary, "deliberately misleading" and lying being included in those. At 491 *Beauchesne* indicates that the Speaker "ruled that language used in the House should be temperate and worthy of the place in which it is spoken." That's why I raised a point of order.

As you know, Mr. Speaker, I am very reluctant to raise points of order on this because we could be doing it incessantly, and what it normally does then is just afford another opportunity for people to make speeches on the same topic and refer to the reasons why they were using intemperate language. But there does come a point at which we have to intercede, in my view, and say: "This is a House which is supposed to be the highest form of debate of public policy in our province. It is a forum which should bring respect to the discussion of public policy and to the political affairs of our province and to the leadership in our province." It is for that reason, in my view, that language has been termed unparliamentary, that we do have rules in place which suggest that if a member makes a statement, we are to presume it to be true.

If we are going to attack the veracity of a member's statement, that is a very severe intervention, and we do have processes for that. There are times when you can go to the Ethics Commissioner or to the privileges committee when someone is engaging in inappropriate conduct, but in the normal give-and-take in the House it is not that difficult for us to formally lay our questions to make our purpose and make our point without being disreputable, without being disrespectful of each other. We can hold our opinions in this House very strongly. We can disagree, as is often said, without being disagreeable. In this case the language that was used by the Leader of the Official Opposition was unparliamentary and inappropriate. Now, you addressed that, but I would ask that you do rule it out of order.

**The Speaker:** The hon. Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. The Leader of the Official Opposition has asked me to respond to the point of order on his behalf. I know the citations that the Government House Leader has brought up, and I agree with him when he says that our discourse here should be of the highest form and should bring respect.

I note that in *House of Commons Procedure and Practice* at 427 it talks about: questions should not create disorder. Interestingly, there is also an answer to that because on 431 it talks about: replies to oral questions should be "phrased in language that does not provoke disorder." So there are two sides of the same coin there.

I also find that reflected when I look in *Beauchesne*. If I look at *Beauchesne* 410(5), it's talking about "the seeking of information and calling the Government to account," which, I would argue, the Leader of the Official Opposition was trying to do. At *Beauchesne* 417 it talks about: "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

We have both of those things happening over a long period of exchanges here, Mr. Speaker. I don't have access to the question as written by the Leader of the Official Opposition. I would believe, sitting next to him, that the language that was used was that which came from extreme frustration with the answers and the repeated information that the Premier has brought forward.

Mr. Speaker, we all have access to the same information here. The Premier keeps saying that physicians are protected by the Evidence Act, which is what he said yesterday. Today he said that they're protected by robust . . .

**The Speaker:** Hon. member, please. One of the rules is that we're not continuing debate in a point of order. Let's deal with the point of order.

**Ms Blakeman:** Thank you very much for that guidance, Mr. Speaker. That is what I'm trying to do, deal with the point of order.

We have an accusation from the Government House Leader that the leader used language that he shouldn't have used, and 23(h), (i), and (j) were quoted, which is sort of a catch-all. But what we have here is the Premier insisting on putting information before the House that is not matching the publicly available information, and from that has arisen the leader's insistence on trying to get to the bottom of the question, to literally hold the government to account, as they are urged to do in both *Beauchesne* and the House of Commons book. We have information that is publicly available from the AMA, which is on their website, which talks about physicians not being able to do this.

**The Speaker:** Let's deal with point of order, please.

**Ms Blakeman:** It is to the point of order.

**The Speaker:** No, it isn't. I've interjected twice now. I'll have you sit down if you don't deal with the point of order.

**Ms Blakeman:** Well, yes, indeed the Speaker has the power to do that, and I acknowledge that. But what we are having repeatedly happen in this House is that the Leader of the Official Opposition asks the Premier to deal with something, and the Premier answers with a completely different set of information. Now, there is no requirement that the answer is . . .

**The Speaker:** Okay. Thank you very much.

This was the first question today. This was on the first question. There was no previous background today to anything. These are the

words that were used, and these are the words that the point of order is about. These are the words that would be intervened on by the chair regardless of who they were used against in this House. This is the Leader of the Official Opposition in the first question, in only the third line of today's question period. "Instead of answering the question honestly, the Premier deliberately misled." That's a direct accusation against a member of this House. If it was said against any member of this House, there would be intervention.

Then in the next line: "This Premier is not telling the truth." This is not oblique. This is not indirect. It's not: the government is not telling the truth. It's an accusation against one member. "The Premier is not telling the truth."

Then in the next line: "Why is the Premier deliberately misleading?"

Those are three direct attacks on a member in a couple of lines on the first question in the question period. As I hear the argument, that was okay because, after all, the guy got pushed, anxious. That's ridiculous. These are direct violations of the rules of this Assembly. They are absolutely directly put against another member of this Assembly. They violate the rules of *House of Commons Procedure and Practice* in all the pages I can give – pages 614, 618, 619 – and *Beauchesne* paragraphs 485 to 492. Then throw in our Standing Orders 23(h), (i), and (j), which by the way are the most important of the orders.

3:00

The Leader of the Official Opposition knows full well. He stood up in this Assembly not too many years ago and, basically, gave a great big speech about ethics and all the rest of the stuff, civility and everything else. The language used in crafting these questions for this Assembly violates our rules. They should be tempered. They should be worthy of the place they're spoken in. These comments I suppose were withdrawn because I did intervene. I did interject. I ruled, basically, the question to be out of order. This is inappropriate language, absolutely inappropriate.

It's only Tuesday. It's only April 12. I will intervene repeatedly in this Assembly, and I will call recess of question period unless the decorum improves. I have called recess before the question period in the past, and it had to do with decorum in this House. That means that the question period ends, to return later.

If men and women here cannot have civility, that is really, truly unfortunate. These are three deliberate attacks and should not have been used.

## Orders of the Day Committee of Supply

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the Committee of Supply to order.

## Main Estimates 2011-12

### Executive Council

**The Chair:** Before I call on our hon. Premier, I would like to talk about the process here. The first hour would be reserved for the Official Opposition. The next 20 minutes would go to the third party, which is the Wildrose Party. Then the next 20 minutes would be for the fourth party, the ND. The 20 minutes after that would be for independent members, and thereafter any other members.

Now I would like to call on the hon. Premier to begin the estimates under consideration. Hon. Premier, please.

**Mr. Stelmach:** Well, thank you, Mr. Chairman. Hon. members, I'm pleased to appear before this committee to discuss the 2011-2012 Executive Council budget estimates and 2011-2014 business plan.

I'd like to begin by introducing the staff who are with me today. On the floor we have my chief of staff, Ron Glen; Brian Manning, deputy minister of Executive Council; Dwight Dibben, deputy secretary to cabinet; Roxanna Benoit, deputy chief of policy co-ordination; Lee Funke, managing director of the Public Affairs Bureau; and Elaine Dougan, executive director of corporate services. Some of my staff are also up in the gallery, including George Samoil, deputy chief of staff for operations and legislative affairs; Jason Ennis, my executive assistant; Bob Fessenden, deputy minister to the Premier's Council for Economic Strategy; Cam Hantiuk, director of communications; Ken Faulkner, director of the McDougall Centre, the southern Premier's office; and Karen Lindgren, who's our senior financial officer. I think I've got everybody there.

First of all, since this is my last time here in Committee of Supply, I'd like to take a moment to say what a pleasure it has been to work with such a committed group of people from both sides of the House. It has certainly been a roller-coaster ride going from the boom to the recession. But during that period we've learnt a lot, and I know our government has accomplished a lot as well.

We're investing in infrastructure now to ensure that Albertans have the schools, hospitals, and roads that they need today and as the province continues to grow. We have plans to manage that growth. We were the first province in Canada to develop a 10-year plan to end homelessness. And we have done it all with responsible budgeting that meets Albertans' needs. This is why in this year's budget we took a balanced approach, to enable government to focus efforts on areas that are most important to Albertans: education, health care, and infrastructure.

Executive Council is one of the nine ministries that has a decrease in its 2011-12 operating budget. The budget for Executive Council is \$28.6 million this year, down \$2.3 million from last year. This reduction was mainly achieved by reducing spending for our promoting Alberta program, formerly the branding initiative, by \$1.8 million and by reducing the budget for the Premier's Council for Economic Strategy by \$500,000.

The business plan. Executive Council's program areas and priorities are as outlined. Executive Council includes my offices in the Legislature and in McDougall Centre in Calgary, the deputy minister's office, the cabinet co-ordination office, the policy co-ordination office, the Premier's Council for Economic Strategy, the protocol office, administrative support for the office of the Lieutenant Governor and the Order of Excellence Council, and the Public Affairs Bureau.

The 2011-14 business plan lays out the following priority initiatives for Executive Council: supporting policy development, co-ordinating government strategic planning, supporting the Premier's Council for Economic Strategy, continuing to implement a strategic communications plan, supporting ministries in the effective use of social media and continuing to implement a government-wide social media policy, and co-ordinating with ministries and organizations to promote Alberta's energy, immigration, employment, investment, and tourism potential to the world.

I'm going to cover a few of these initiatives in detail to put them into context, starting with the Premier's Council for Economic Strategy. I established the council to provide advice on strategic decisions and initiatives to put Alberta in the best position possible for the long-term future. The council has consulted with Albertans all over the province, including students, businesses,

and community leaders. They looked at what the expected growth in China and other emerging markets means for Alberta, what policies will best foster sustainable development, how we can create and sustain future wealth, and how we can ensure that Alberta continues to be an innovative and prosperous province where Albertans continue to enjoy a high quality of life built on vibrant communities and a healthy environment.

3:10

Their final report, which is expected in the next month or so, will offer us a road map on how to boost the position of our province for a bright, sustainable future. A key part to securing our future is keeping Alberta top of mind for people around the world, and that is for trade, for tourism, and for immigration. We have now seen how much decisions made in other jurisdictions can affect our livelihood. That is why we must ensure that the legislators and opinion leaders in influential markets have all the facts before they take actions in sectors like energy.

I believe we are getting our story out, and we are seeing some positive results, though we still have more work to do. That's why we made growing our economic presence in Asia the top of our priority list with Bill 1, and that is why we are continuing to focus on promoting Alberta's potential to the world through investment and the promoting Alberta program. Promoting Alberta is the extension of the Alberta brand. The program engages other ministries, Alberta organizations, businesses, and all Albertans to help tell our story.

In 2010-11 we were building off of our success from the Winter Olympics in Vancouver. We supported trade shows, conferences, collected and shared the stories of Albertans and what they can accomplish here, connected with brand ambassadors, and created cultural experiences for visitors in the province through involvement in events like Alberta Arts Days. We are seeing a positive impact for our efforts nationally and internationally, but we still have a further way to go as people and organizations continue their efforts to tarnish the reputation of Alberta and its industries.

We see this program as a long-term effort to protect and promote our province. Next year we will focus on telling Albertans the story about the best place to work and invest, recognizing the burgeoning economic climate in our province. We will also continue to engage Albertans around the world through the use of social media and strategic communications. We are proud of our people and our industries, and we are committed to ensuring that the world knows it.

Mr. Chairman, I'm going to stop here and now prepare to take questions from committee members. Thank you.

**The Chair:** Each member's speaking time is 10 minutes, but you can combine it for 20 minutes. Hon. Leader of the Official Opposition, would you like to combine it for 20 minutes with the Premier?

**Dr. Swann:** I would.

**The Chair:** Okay. Go ahead. Twenty minutes.

**Dr. Swann:** Thank you very much, Mr. Chairman, and thank you to the Premier and his staff for joining me today for discussions around the estimates for Executive Council. The Executive Council's business plan states that a priority initiative is to co-ordinate the government's strategic planning process and support the development of the government of Alberta strategic plan.

This year government ministries, including Executive Council, have reduced the amount of information in their ministry business plans. In September we saw a comparable reduction in the scope

of reporting in many ministry annual reports. This coincides with the usual regular changes in government organization and the scope of programs, but some of the changes require reconciliation between fiscal plans and estimates from last year to this year. In some cases there appears little correlation between the goals and the budget lines.

We find significant differences between the way ministries are reporting on spending for the same functions, such as the ministry support services in some cases covered under just two or three lines and in others there are seven or eight lines with no apparent relation to the amounts involved. In the case of Executive Council core businesses and goals have been reduced from three to two, and some performance measures have been dropped. For example, the branding initiative has become the promoting Alberta program, and the performance measures have disappeared even though \$5 million has been allocated to the program for this coming year.

Can the Premier explain why all of these changes in reporting and budgeting have taken place and the differences in the manner of reporting between last year and this? More importantly, can the Premier explain how this promotes transparency and accountability and in particular the stated goals of performance measures such as understandability and comparability and completeness?

At a time when the government has been grappling with a record deficit and there is intense public interest in the government's actions to reduce the deficit without compromising programs valued by Albertans, why are we seeing less opportunity for public scrutiny rather than more? Why has it become necessary for the Official Opposition to request information about spending through written questions rather than clear, consistent, comprehensive reporting in the first place? Can the Premier explain why now, so late in his mandate, we're seeing changes that make it so much more challenging for Albertans to hold the government accountable on its spending?

Last year in this forum the Premier stated that the government would be "back in the black in three years." That was *Hansard*, March 9, 2010, page 368. How do the changes in the presentation of estimates affect the bottom line; that is, the current deficit and the timeline to be back in the black?

Last year in the government's business plan there was a section entitled The Premier's Vision for the Future, with shared values in support of the vision. That section has been dropped in the 2011-2014 government business plan. Can you explain that? Given that the current Premier has announced that he will step down, to what extent can Albertans assume that the government's priorities for the 2011-12 fiscal year will continue through 2011-12, after he steps down?

One of the better initiatives of the Executive Council in recent years was the development of the public agencies governance framework, one that we applauded, and the passing of the Alberta Public Agencies Governance Act for 2009. I quote the framework documents:

An Agency Governance Secretariat has been established to support ministries and agencies in implementing the Framework by providing further advice, assistance and implementation tools. The Secretariat will be located in Executive Council and led in a way that promotes coordination, fosters a wide range of perspectives, and respects the role of the responsible minister.

The work of the secretariat was reported in the most recent annual report of Executive Council, page 12. Responsibility for the act was subsequently transferred to the Treasury Board together with the secretariat. Given that the public agencies governance framework, almost two years old, was an initiative of Executive Council, which has the role of providing policy support to the

government and policy co-ordination, can the Premier explain why the Alberta Public Agencies Governance Act has not yet been proclaimed? Has the initiative been sent to die in Treasury?

Under the policy goal that government policy and planning are co-ordinated and effective: "Decision-makers need comprehensive and coordinated policy and planning . . . Ministries need analytical and coordination support to ensure that initiatives align with government priorities."

With respect to policy development that aligns with government priorities, I want to raise health care. One of Executive Council's priority initiatives is to provide advice and analysis to support policy development that aligns with government priorities. Goal 2 in the government's 2011-14 business plan is to "increase access to quality health care and improve the efficiency and effectiveness of health care service delivery." In 2010-11 the Premier's vision for the future of Alberta included the goal of having "the best performing public health care system in Canada."

In 2010-11 Albertans saw a profound mismatch between this priority and the actual achievements. We've talked about many of those issues here in the House. Can the Premier explain what advice and analysis Executive Council plans to provide in 2011-12 to ensure that "policy development . . . aligns with government priorities." We saw in this House documentation, clearly reviewed by the cabinet, that indicated a phase 2 in development of our health care system that includes private options, insurance companies, user fees, these kinds of issues. That only came out through a secret document.

It raises questions about: just what is the plan for health care given the wait times, the concerns about quality of care, the lack of long-term care in the province, and cuts to prevention programs? I think Albertans have a reasonable question that we are trying to reflect here with respect to leadership on health care policy and how Executive Council is or is not involved in establishing where we're going in the health care system and how we can expect to see some better, clearer planning for the future that would ensure that Albertans, whether professionals or patients, have a sense of whether we're moving towards a more sustainable, quality, accessible system or if, in fact, we're going in another direction.

Can the Premier, then, tell us the purpose of this policy co-ordination role specifically in relation to our health care system? It's obvious to most Albertans that the buck stops here. We have to assume that the health decisions that have been made, the health impacts that we've experienced, the demoralization of the health workforce, and the frustration of patients have to be addressed. There's a mismatch between what the Alberta Health Services Board is saying, what Alberta Health and Wellness is saying, and what I hear the Premier saying on a number of occasions.

3:20

Another area has to do with home ownership and safe communities. Goal 1 of Executive Council is that government policy and planning will be co-ordinated and effective. The government makes efforts to communicate strategy, to stress that it is one government, yet we constantly see that when it comes to matters that affect Albertans, the approach is simply not working. Policy and planning appear to be not co-ordinated or effective.

For example, the evacuation of residents from condominiums in Fort McMurray raised the anxieties of homeowners, as it has over the last 10 years, with the dream of home ownership. We found that Alberta Municipal Affairs is responsible for building codes, but municipalities are responsible for inspections. Albertans making the biggest purchase of their lives have to rely on home inspectors who fall under the doubtful purview of Service Alberta.

The Condominium Property Act is also the responsibility of Service Alberta, but the promised review of that act has been ongoing for years. A committee was struck to review residential construction issues three years ago, in 2008. Where is the policy co-ordination on standards, inspection, and outcomes? Where are the results?

We've also seen a proliferation of cross-ministry committees and the creation of more advisory bodies as well as an extensive array of grant programs in support of cross-ministry initiatives. The safe communities initiative is just one example. At a time when many areas of government are reducing spending on core programs, we see funding going to things such as community crime reduction projects instead of policing, where Alberta ranks 12 out of 13 among provinces and territories for police per population.

My questions. Given the role of Executive Council in policy co-ordination can the Premier tell us what is being done to evaluate the value for money coming out of these cross-ministry programs? What is being done to evaluate the value for money in these cross-ministry programs? What kind of cost-benefit analysis is being done to ensure that funding is not being taken away from programs that provide greater benefits to Albertans? How are these decisions being made? What are the criteria?

With respect to the public affairs program goal 2 relates to government communications being co-ordinated and effective. Albertans need comprehensive, two-way communication about government programs and services that matter most to them.

**The Chair:** Hon. member, the 10 minutes have been used up, so it's time for our Premier to reply. Then you can continue on the next 10 minutes.

**Dr. Swann:** Very good. Thank you.

**Mr. Stelmach:** I'll try to cover all of the questions. In terms of priorities the budget responds to the priorities of government. If the budget is passed, then the priorities of this government will be met.

We presently have oil estimated at \$89.40. It did go up to as high as \$116, \$117, and today it's down to \$106 and may continue to drop. I believe a very conservative estimate of \$89.40 is reasonable. If there is a considerable amount of hoarding that may happen at higher prices, I'm sure we're going to see a drop in oil prices before we end the fiscal year. It reminds me of when we were at \$147 a barrel and all the opposition was calling for more spending. By the end of that year we were down to \$35. We have a good budget in place. We also have a good way of tracking. It's the best in Canada in terms of quarterly reports.

With respect to where government money is going, I don't know of anyplace else in Canada where you can go on the web and pull up where and to whom government cheques were issued, you know, even government aircraft manifests. You want to know where the ministers are flying? Go on the web. You can find out exactly that same day. They don't have to ask for information; that information is available immediately. All of the changes that were made have been very positive, so Albertans do know where their money is being spent.

With respect to the documents, you know, for planning they're much more concise. They're readable. People can get more information from those documents, and the estimates are tied to the priorities of government. I know that the changes made will allow more Albertans to actually read the document because it is much more concise, and a person can read it in a much shorter period of time and get more information.

There were a number of questions in terms of policy co-ordination and outcomes. We have, for instance, the policy co-



ordination office, the performance measures for 2010. The results will appear in the 2010-11 annual report. The last actual figures that we have currently available go to 2009-10.

Satisfaction of policy co-ordination office clients with products and services. This measure rates the satisfaction of government clients with the products and services they received from the policy co-ordination office. From March 22 to April 12 a survey was conducted of government clients of the PCO. A total of 857 clients were invited to participate in a web-based survey. Two hundred and nine responded. Eighty-one per cent of those who responded were very or somewhat satisfied.

The second goal, that government communications are co-ordinated and effective. The Public Affairs Bureau is in the process of completing its performance measures for '10-11. Again, they will appear in the 2010-11 annual report. For actual figures we've got to go back, again, to '09-10. The bureau has not reached the targets set in its performance measures, but those targets are very aggressive compared to other jurisdictions. We have come very close to achieving them. We look at the feedback received and work hard to make improvements, strive to achieve the targets, and continue to look for ways to increase ratings; for example, by using emerging web technologies and improving two-way communications with Albertans.

Public satisfaction with government communications. This measure rates Albertans' satisfaction with information they receive directly from the government about Alberta government programs and services. For the '09-10 results 1,008 adult Albertans were interviewed from April 22 to May 10. Figures show the average results of a series of questions. The average satisfaction rate was 64 per cent. The target of 71 may seem low, but it is fairly high for public satisfaction with government. Once again, it's measuring how that information is presented, and in this particular case it's difficult to measure because it may be issues with political ideology and not necessarily in terms of the communications.

Public satisfaction with the government of Alberta home page. Of respondents, again, 84 per cent found the home page to be useful, just below the target of 90 per cent.

Government client satisfaction with the communications support and services received. Again, 1,193 clients were contacted via e-mail. Responses were received from 772. The figures reflect the average results of a series of questions on the various services provided by the Public Affairs Bureau. Ninety-four per cent of those responding were satisfied with the services and support they received, and the target we set was 95, which is quite extensive.

There was, I believe, also the role of policy co-ordination in health. Executive Council assisted Health and Wellness to develop the Alberta Health Act, passed in the Legislature just last fall. We provided the co-ordination through the very thorough process of decision-making through cabinet, caucus, and the legislative drafting. It's an act that was passed.

With respect to the secretariat transfer, it was transferred to the Treasury Board April 1, 2010. It fits very well with the central agency role of the Treasury Board. It aligns with the ministry mission to promote effective and efficient government and the office of the Controller's role of communicating on financial issues with agencies. We transferred 622,004 FTEs. What is currently in progress is the development of the regulations supporting the Alberta Public Agencies Governance Act. More time is needed. There are about 190 public agencies in Alberta. Alberta public agencies administer about 50 per cent of the government of Alberta's annual operating budget. The act builds on the public agency's governance framework, which was released by the government in 2008. It received royal assent on June 4, 2009. It has not been proclaimed. About 80 per cent of public agencies have

made their mandate documents and codes of conduct publicly available. We're working to complete that part.

**3:30**

With respect to Alberta Health Services, I mean, a lot has been talked about with respect to Alberta health. We have 102 acute-care hospitals in the province. There are 6,800 acute-care hospital beds, 18,000 long-term care and supportive-living beds and spaces, and seven urgent-care centres. These are '08-09 figures because those are the last figures available: 1.9 million emergency visits, 163,000 urgent-care visits, 354,000 hospital discharges, 247,000 surgeries, over 50,000 births, 60 million laboratory procedures – 60 million – 147,000 MRI exams, 419,000 CT exams, approximately 10 million home-care hours, and 900,000 Health Link calls.

More than 500,000 Albertans saw a physician for mental health concerns. Of those who were surveyed about their satisfaction with mental health services, approximately 90 per cent indicated they were satisfied with the treatment received.

Annually more than 45,000 cancer patients received treatment, care, and support. In total there were 495,000 cancer patient visits. Approximately 16,000 Albertans are newly diagnosed with cancer each year.

There was a question with respect to promoting Alberta and branding. With respect to recognizing the brand, 57 per cent of Albertans recognize the brand, and 78 per cent agreed with the approach being taken. We're looking at a separate performance measure meant for the promoting Alberta program. It's now going to be a key part of our public communications efforts and will be measured as a part of that.

There was a comment made with respect to cross-ministry initiatives. I'm surprised that safe communities was mentioned because this is one of the most successful programs in the country of Canada. We have heard that from people who have tremendous experience in crime prevention dealing with addictions, dealing with those issues that drive people to either homelessness or to crime. We have put 300 more police officers on the street. [A timer sounded] I shall continue after because it's a good-news story.

**The Chair:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thanks, Mr. Chairman. Thank you for those comments, Mr. Premier. I didn't hear a clear answer to why we're delaying proclamation of the act. I wonder if you could comment on that. If you're serious about an act duly passed by the Legislature, I'm not sure why we wouldn't move it forward.

I also didn't hear much of an explanation for why this government is sharing less detail about its spending compared to last year, a government that says it wants to be open and accountable to Albertans.

With respect to the Public Affairs Bureau I recognize that about half of the budget of the office of the Premier is going to activities with the Public Affairs Bureau when the office of the Premier is actually responsible for all of the activities relating to policy development in this government. If we add the promoting Alberta budget, the new term for the rebranding – this is also a communications function – spending is double the spending on policy development and policy co-ordination. This suggests that again style prevails over substance by this government.

When we think of the role of executive management in successful enterprises, we tend to think of strategic planning, financial management, and human resources management. Can the Premier explain, then, why of all the roles of the Executive Council in leading government in Alberta it has chosen to make communications the most significant role?

We see on the Public Affairs Bureau website that its mission is to help government communicate effectively by providing quality, co-ordinated, cost-effective communication services. Now, we know the Public Affairs Bureau has a performance measure on public satisfaction. It's aiming to increase from 64 to a modest 71 per cent. Can the Premier explain what the Public Affairs Bureau is doing to measure how well it's achieving its mission of providing cost-effective services?

The government has embraced centralization in a big way in information technology, human resources, procurement, and communications. We constantly hear about economies of scale. Often these costs rise dramatically. At a time when all ministries are looking to protect their core programs, they're often required to contract for services provided centrally or to comply with standards imposed centrally at costs that are higher than necessary in their particular circumstances. We see this clearly in the public face of government, the ever more standard government of Alberta websites.

The current version of Website Standards May 2010 on the PAB website consists of 70 pages of instructions, and that's on top of a corporate identity manual. Can the Premier explain what cost controls are placed on Public Affairs Bureau standards setting? What cost-benefit analysis for Albertans is done to ensure that there is a reasonable return on investment from standardizing?

With respect to the old branding initiative, now called promoting Alberta – it's taken over the title – previous spending for the branding initiative is given in that line, so we can assume this is a continuation. Spending on the project was \$5 million in 2008-09, \$3.7 million in 2009-10, and \$6.8 million in 2010-11. The current total, including \$5 million for 2011-12, is \$20.5 million. The original three-year estimate for the project was \$25 million. In the estimates debate in 2010 the Premier referred to 2010-11 as the final year for the project. The 2011-14 business plan still projects \$5 million in each of the years 2012-13 and 2013-14.

The promoting Alberta program aligns with priority 2.4: "Co-ordinate with ministries and organizations to promote Alberta's energy, immigration, employment, investment and tourism potential." I guess from our perspective, Mr. Chairman, if we had better environmental and energy policies, we would not have to spend \$25 million in greenwashing to counter bad news and a reputation that has been tarnished internationally. Last year in this forum the Premier said that, again, 2010-11 was the final year of this brand project, so can the Premier explain the significance of this change? Does the change recognize that Albertans don't relate to the idea of their home province as a brand? Does it reflect a change in scope from advertising to something more like damage control? Does it indicate that we can expect to see not just an extension of the original project but a long-term program with continual, annual funding?

The priority initiative relating to this budget line refers to promoting those industries. What has been the approximate spending in promoting each of these areas in 2010-11, and what do we expect in 2011-12?

Given the experience in the past year with international criticism wouldn't it be better to address the issues in policy? Since the ministry business plan indicates continuation of the program into '13-14, what is the long-term plan?

Will the Premier give some examples of how the performance of this program will be measured? Will it be provincial GDP? Will it be oil and gas revenues? Will it be the total amount of investment? Will it be increases in tourism? How will Albertans know they're getting value from this program and that it's not just a gift to advertisers? Isn't this conversion from a project to develop a new slogan to a permanent program an example of a government

problem of function creep or scope creep? We begin with a finite project with a fixed price tag, and it mutates into a small empire and an ongoing liability to taxpayers.

Isn't the purpose of communications to handle public relations? If promoting Alberta is a priority, why can't communications take on the program and manage its other priorities within its budget? Can the Premier tell us whether any aspect of this program will be funded out of the budget for public affairs or any other budget? Is the \$5 million in the budget the full cost going forward? How much of the \$5 million budgeted for this program will go to consultants? Given that this project is to continue through 2013-14, will funding to consultants continue under the existing contact?

3:40

With respect to social media can the Premier explain the main risks to government of using third-party social media sites, the risk avoidance or risk mitigation strategies used in the social media program, the methods used to ensure compliance with a social media policy, and the policy he envisions to address noncompliance? What plans are there to deal with the consequences of changes in policy by the third-party site, such as sale of data, which is a concern to all Albertans?

With that, Mr. Chairman, I'll take my seat and listen to the responses.

**The Chair:** The hon. Premier.

**Mr. Stelmach:** Thank you. I'll try and continue from where I left off in terms of the previous questions that were raised. When we're talking about some of the cross-ministry initiatives, part of that was safe communities. Of course, there were not only more police officers but more probation officers, more Crown prosecutors, and more addiction counsellors that were added so that we could reduce crime.

Just putting more police on the street is not going to reduce crime. You have to get at the root of the problem and ensure that we build on the very successful Alberta mentorship program that we have in our schools, finding the students in our schools that may feel like they're left out or not part of the team and are easy pickings for, certainly, the gang elements to recruit them into various gangs. It is very successful.

Another cross-ministry initiative that took a number of ministries to work together on is homelessness. It's a 10-year plan to end homelessness. I know that there was a lot of, you know, criticism when the program was first announced saying that it wouldn't work, but we have exceeded our established goals of improving the homelessness statistics. In fact, this past winter was very cold, and we had a number of beds that were empty in our shelters. We have now more than 900 of the 3,000 that were homeless actually contributing positively to society because we've broken that chain. We've given them safe housing and allowed just that break to allow counsellors to work with the individuals, whether it was an addiction issue or, perhaps, something with respect to mental illness. That to me is very successful, and we know that there are speakers that are using Alberta data and sharing it with others around Canada.

With respect to the branding initiative and getting the message out, it was quite heartwarming to see the latest statistics from a poll that was done in the United States. If I remember the statistics, about 80 per cent of Americans feel that Alberta is the best place to get their energy because it's a safe, secure supply, and we have good working policies in place, good environmental policies, and our companies treat our workers fairly. That to me tells us that we've done a good job in promoting this province. Are we ever going to

stop some of the criticism that's levelled at this province? No. We do have one of the world's largest proven supplies of oil, and we will continue to attract that attention because anything that can be done to stop the flow of oil to the United States will immediately raise the price dramatically, not to say that other countries wouldn't be interested in seeing the world price of oil rise dramatically.

It's promoting the province not only for energy but also for agriculture and for tourism. We've seen an increase in those areas. Something that we did that, again, hadn't been done in Alberta was introduce a ministry of culture. That in itself has attracted so many people to the province. People, yes, want to come to work here, but they also look at the dimension of whether we have a culture policy. Do we have libraries in place? What is there in Alberta other than a high-paying job? The introduction of the culture policy has definitely positioned us very well on the world stage, and it is a good story.

With respect to the original estimate for branding it was \$25 million over three years: \$5 million in '08-09, \$10 million in each of the two years. In 2010-11 we reduced it to \$7 million. We've only spent about \$14 million for all the three years. All we said: we will spend what is necessary. We supported trade shows. We supported conferences. We collected and promoted the stories of Albertans, what they can accomplish here with our brand and ambassadors. We created cultural experiences for visitors to this province during involvement in events like the Alberta Arts Days. These are all very important things that we have done. The estimates include \$5 million for each of the next three years. We're going to promote the province, and we have to keep reminding ourselves that this isn't a sprint; it is a marathon. It requires a very aggressive and sustained long-term approach, but we have seen positive results.

We were able to reduce funding from \$7 million to \$5 million because core communication materials have been developed, so now it is a matter of execution. Our efforts are being supported and enhanced by communication programs for individual oil sands companies and associations like CAPP and the Oil Sands Developers Group.

In terms of what value we've got for our money, the promoting Alberta program is a continuation of a branding initiative. It's telling Alberta's story. We built a strong suite of communication materials to tell the story. A good example is the Tell It Like It Is campaign, which was developed in response to billboards suggesting American tourists should stay away from Alberta because of our oil sands activities. Of course, those working in tourism were deeply offended. All Albertans were deeply offended and expressed a desire to tell the world what the province is all about. We designed advertisements for use in print and on radio with major online presence.

In international markets we purchased electronic billboard space in the world's media centre, Times Square. Our spots ran a total of 2,450 times over a six-week period with an opportunity for our message to be seen 1.5 million times. That is extraordinary. The original cost of the billboard was \$70,000 U.S., but it was reduced to \$17,000 U.S. We had a similar billboard in Piccadilly Circus in London, England, at a cost of \$30,000. It's a major traffic intersection well known as a busy meeting place and tourist attraction. We also revamped our oil sands website with new online videos and still shots from Fort McMurray and Cold Lake. We compiled folders of information, including DVDs, for distribution when we travel and when others travel here as well as a new Z-card. This is a foldable business card sized fact sheet for easy distribution.

There was a question with respect to the proclamation of bills, a common practice in all Legislatures, where widespread education is required with stakeholders to make sure that they are aware of

the new law and how to comply. I can use the example just recently passed, distracted driving. It will not come into force until an education and awareness program has occurred in the province.

With respect to social media it was established by Service Alberta and the Public Affairs Bureau. The policy has been presented to all deputies and will be monitored by Service Alberta and Public Affairs. Some statistics: on an annual basis the government of Alberta home page has had more than five million views. Now, this includes Albertans, Canadians, and international audiences. We always look for more ways to make information easy to find and accessible. We are increasingly using social media to have a two-way, engaging dialogue with Albertans, and again we continue to look for more ways to do so.

I personally use videos, photos, blogs, and status updates on Twitter to communicate major announcements to Albertans. We've now got 20 government-related Facebook pages from our main Your Alberta page to a page on employment supports and others on museums and historic sites.

3:50

We have seen a very positive response to government engagement on Facebook. We've been using YouTube to share information with Albertans in the form of videos. In November we started using YouTube to provide regular video updates on government news. The short webcast Your Alberta Online allows us to communicate directly with Albertans. We also use YouTube to share educational information with Albertans. Two of our most-watched educational videos are on how to use bear spray properly and another one highlighting motorcycle safety. Interesting.

Across government we also use more than 40 Twitter accounts, eight Flickr photo-sharing accounts, and a blog. Twitter is a great way to provide information quickly.

We also use social media to engage with Albertans on a policy direction with Alberta Education's inspiring education campaign. Education used Twitter, YouTube, and blogs to connect with stakeholders, including teachers and students. It was a very successful two-way discussion on the future direction of education in Alberta. That particular area is a very, very good example of how social media tools can be used. I'm out of time.

**The Chair:** We are getting to the last 20 minutes.

Go ahead, hon. member.

**Dr. Swann:** Thank you very much, Mr. Chairman. The Premier's Council for Economic Strategy was announced with great fanfare in 2009. The most recent information on the Executive Council website about the council's activity is over a year ago, March of 2010. Priority initiative 1.4 in the ministry's business plan is to receive and release the report from the Premier's Council for Economic Strategy providing advice on strategic direction and initiatives to put Alberta in the best position for the long-term future.

Can the Premier tell us what progress has been made since the last update to the website in March 2010? What is expected in the coming year for the \$4.3 million investment to the end of the 2010-11 fiscal year? What amount will be spent on the council in 2011-12, and what is the estimated total cost of this council? What is the Premier hearing from the council, and when can Albertans expect to see their \$5 million report? Looking back, how would the Premier evaluate this investment?

Again, Mr. Chairman, I hesitate to repeat, but it's hard to get answers to questions in this Legislature, and again I would ask: what's the delay in proclaiming the act? Secondly, why are we showing less detail in our financial line items this year compared to other years?

Thank you, Mr. Chair.

**Mr. Stelmach:** We'll continue with the questions from the first 10 minutes. There were questions raised about the communications budgets across government; \$14.3 million was budgeted for the Public Affairs Bureau. That represents less than .04 per cent of the 2011-12 program spending estimates for government. As a comparison the B.C. government's Public Affairs Bureau is about \$26 million. We do need very strong, clear communications to and from Albertans by the provincial government. We make sure that they receive the information they need when they need it in the best way possible.

Advertising generally. We have a duty to tell citizens about the initiatives, decisions, and priorities that will affect them. The province advertises to inform Albertans about their rights, responsibilities, government policies, programs, services, and initiatives and about dangers and risks to public health, safety, or the environment. The final numbers aren't in, but we are estimating that in 2010-11 the government will spend around \$8 million through the agencies of record on advertising campaigns for issues such as traffic safety, farm safety, bullying, family violence prevention, victims of crime, and wildfire prevention. This includes notices of legal tender and recruitment advertising. There are measures in place to ensure that advertising across the government is well coordinated, effectively managed, and responsive to the diverse information needs of the public and that it provides good value for money.

Where we can be more efficient and save money on resources, we contract one agency to provide specific services for the entire government over a period of time. There are four agencies in place with three-year contracts: an agency that buys advertising space, an agency that produces recruitment ads, an agency that produces legal and tendering ads, and an agency that produces basic public information ads. All agencies, Mr. Chairman, are selected through an open, fair, and transparent competition process that complies with the government's established purchasing procedures.

With respect to the Premier's Council for Economic Strategy they will be reporting in May with their final report. It will have some controversial recommendations, I'm sure, but it's going to stimulate good debate among Albertans. The council will be wound down this year.

We have had the distinct pleasure, really, and the honour of having some of the world's most forward-thinking, well-established individuals not only in business but in academia. From the United Kingdom Professor Sir John Bell, professor of medicine at the University of Oxford; Professor Jennifer Welsh, professor in international relations, University of Oxford; Clive Mather, who is the former president and CEO of Shell Canada and now chairman of Iogen Corporation; from the United States Juan Enriquez, who is the managing director of Excel Venture Management in Boston, Massachusetts, a very interesting gentleman; from across Canada Elyse Allan, president and CEO of GE Canada; David Dodge, senior adviser for Bennett Jones in Ottawa and former governor of the Bank of Canada; Courtney Pratt, former president and CEO of Stelco, now chairman of Toronto Region Research Alliance; and from our own Alberta we have Bob Brawn, chair of Alberta Economic Development Authority; Jim Gray, director of Brookfield Asset Management; Anne McLellan, who was a federal cabinet minister, now with Bennett Jones; and Lorne Taylor, who is the chair of the Alberta Water Research Institute and a former minister in this Legislature.

Now, there was a comment made that communications programs are designed to support – well, I guess it's called greenwash or some such comment was made. The communications programs are designed to support government policies. We are focusing on continuing improvement of performance in the oil sands. We are

working towards a world-class monitoring system, which I believe will be the best in the world. We, of course, have our land-use plan in place, which is important, improving tailings pond management, reducing water usage, and reducing greenhouse gas emissions per barrel of oil produced. We continue to communicate that to not only Canadians, you know, especially other provinces; we also communicate it to Americans and many of the investors in Europe. It's something that we're going to continue to do because it is very important.

I believe there was something with respect to consultants. We have had consultants in Washington. Those contracts have now expired. We have one individual that is in waiting, so to speak, if necessary to help us lobby in Washington.

This is quite a task. We know that presently, before the pipelines to the coast are built, the United States is our biggest and most important customer. So we do need very accurate, timely information on U.S. policy initiatives that impact our province. It's a lot of work because there are approximately 8,000 to 10,000 bills introduced every year in Washington compared to the 40 or so here in the Alberta Legislature. In addition to monitoring Capitol Hill, we are also through our DC office responsible for monitoring 50 state Legislatures, each of which has hundreds of bills introduced every year as well.

4:00

So we have no contracts with any firms presently, but we'll continue to monitor the U.S. public policy climate and engage firms as required on the very complex policy issues. We'll continue to be a partner with the western governors. We have a very good working relationship through PNWER. We also have a very good working relationship with the state departments of agriculture, especially in northwest United States, and will continue to build that relationship deep down into the country of Mexico.

That has worked for us extremely well. But, as I said, you can't slow down in this area. I firmly believe that we're getting good value for the dollars that we've invested in promoting our province.

I think there was a question on proclamation. I'm going to answer it again. The regulations are being worked on. Once the regulations are completed, in consultation with all of the agencies and boards and commissions that answer to the government, then the act will be proclaimed and will be proceeded with.

**The Chair:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Chairman. Thank you to the Premier. I'm pleased to hear that he's confident in the Premier's council on economic development and that he has retained significant, very reputable experts in the area of economic development. I guess I'm puzzled about his decision some time ago to create a Health Services Board that didn't have health experts on it. I'm wondering if he might explain how he's very committed to putting financial experts on the economic development council but he was not so interested in getting health experts on the Health Services Board when it was first formed back in '08. There's a real contradiction there.

I'd appreciate also some comment with respect to health again, the question that I think many professionals are raising in the province. We now have a single health employer in the province. That health employer has to be maintained in good relationships with staff, or they have to leave the province. There is no other employer for health professionals, these 90,000 or so people that are employed in Alberta Health Services.

Not only that, but the contracts with the Alberta Health Services Board have a clause indicating that there could be readily termination of employment within 90 days without cause. I'm wondering

if the Premier has any comments about how that builds a sense of confidence and trust and, I guess, a healthy atmosphere for health professionals to work in the Health Services Board when they could be terminated within 90 days without cause as part of their contract. For a Premier that says he wants to build confidence in the system, confidence in the professionals, be open and transparent, there seems to be a contradiction there. I'd appreciate it if he could make some comments about that.

My final question, Mr. Chair, relates to the fact that we've pointed out specific examples of lack of indicators, lack of evaluation standards for the way Executive Council is spending money, particularly on communications, how we evaluate as well the governance council and the lack of co-ordination and evidence of value for money. Why is the Premier not addressing these very concerning questions on value for money for Albertans?

I've put forward three questions. I'd appreciate some responses, Mr. Chair.

**Mr. Stelmach:** With respect to the comments made about only one employer, well, we only have one system in Alberta. It is a publicly funded, publicly administered system, and we're committed to that. So I'm not quite sure what the question is all about. There is one board.

With respect to the members of that board, the comment made earlier I believe is inaccurate in terms of the people on that board lacking in some experience. We needed a mix of health and management. We also needed a mix of accounting expertise and legal expertise. We continue to have a good mix of all, some with nursing backgrounds, some with medical backgrounds. Obviously, there is, I believe, at least one chartered accountant, if not two. Many come with a business background as well. So it does have a good representation of people on the board that are prepared to manage the affairs of delivering health services in the province for Albertans.

**The Chair:** Hon. Leader of the Official Opposition, you still have seven minutes left. You're okay.

Now we start the 20 minutes for the third party, the Wildrose Party. The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you. If we could go back and forth.

**The Chair:** You have 10 minutes to speak, and the Premier has 10 minutes to reply. You can combine it for 20.

**Mr. Anderson:** Yeah. If that's okay, we'll just combine it, Mr. Chair.

**The Chair:** Sure.

**Mr. Anderson:** Today I'd just like to look over your ministry's goals, Mr. Premier, specifically initiative 1.2. It talks about co-ordinating the government's strategic planning process, supporting the development of the government of Alberta strategic plan, and reporting progress of government priorities. I'd like to focus on the government of Alberta strategic plan that your ministry oversees. In particular, I'm looking at your government's five goals. Some of the goals that you mention are: resourceful, responsible, ensure that Alberta's energy resources are developed in an environmentally sustainable way. You talk about health care and strong communities and so forth.

One of the things that, obviously, is on everybody's mind right now is health care, and that goes to the second goal of your strategic plan. I wanted to first maybe pick up a little bit on what was being said before. You talk a lot about – you're committed ob-

viously, as we are, to a publicly funded system, and you say publicly administered as well. I want to understand a little bit more what you mean by publicly administered.

What I mean by that is that we just had, of course, the head of the CMA come to town and say that we needed to start looking at some alternative ways of delivering health care. He referred in his remarks very much to looking more at private delivery options and other delivery options within a publicly funded system. I saw some of your comments after, and I wasn't quite clear on where you were going with it. Could you please clarify for the House what you meant by that? Are you in favour of looking at private delivery options of publicly funded health care services?

**Mr. Stelmach:** I guess we had some comment with respect to the goals. I don't think I have to read all of the performance measures that were given in the goals that are in the document. The first one is responsible, resourceful. That's ensuring that Alberta's energy resources are developed in an environmentally sustainable way. There are a number of measurements.

Something that we're doing in this province that none are doing, that I know of, in Canada is a cumulative airshed emissions study to make sure that as more industry is added in one particular area, we don't overload the airshed. The same with water management. It's very important because we are building towards 5 million people, and we have to make sure that we protect our environment. To me that is extremely important. It's something that we want to leave in good shape for the next generation.

**4:10**

Now, the next goal, I think, was about increased access to quality health care. We've established goals. Obviously, here the performance measures are aggressive. They complement, go tandem with the five-year funding agreement, which once again is something that is unique in Canada, to make a commitment to the Alberta Health Services Board so that they know how much money they'll be receiving over the next five years. So it will help them to plan. I know that they'll be dealing with an ever-aging population, more people moving to the province. I'm sure there will be new drugs that will be insured during that period of time, new technologies supplied to health care delivery.

The last question. My comments simply were that the physicians – you know, the CMA represents physicians right across the country – stand shoulder to shoulder with governments in this country and work together to deal with the many challenges that we're being faced with in the delivery of health care.

**Mr. Anderson:** Okay. So if the CMA president and the CMA in general will stand shoulder to shoulder with the Alberta government in support of private delivery of publicly funded services and allow for that type of competitive delivery model, is that something that you would stand shoulder to shoulder with the CMA on if, in fact, they extend that offer, to stand shoulder to shoulder with you and your government?

**Mr. Stelmach:** Here again, we just passed the Health Act. The Health Act was very explicit that any government that wants to bring forward any changes to the delivery of health care must consult the public and make sure that the principles of the Canada Health Act are adhered to. I have not heard of any ideas coming from the CMA. Part of my comment is that if you're talking about introducing new ideas, be very explicit and direct so that we all know what the CMA is considering. There was no evidence of that at all in any of the discussions that they had in Alberta.

**The Chair:** Hon. member, I wish to draw your attention. We're talking about the estimates of the Executive Council department.

**Mr. Anderson:** Yes. Absolutely, Mr. Chair. They spend a great deal of money on the planning and co-ordination of policy of the Alberta government plan, and the Alberta government plan specifically mentions health care as one of their priorities. It's imperative for the public to know that they're getting value for their dollar on that planning and co-ordination of those ministry goals.

I'd like to move on to this issue of – well, one of the ministry goals is a skilled and educated workforce. It's part of your fourth goal there, creating opportunity. I think we can all agree that we need a skilled and educated workforce. We have in this province right now in several communities, as you know, Mr. Premier – you've talked with the mayors and so forth in those communities – a very severe school shortage in places like Beaumont, Airdrie-Chestermere, Fort McMurray, and others. I was disappointed that the schools that were announced before the last election, 2008, promised among other things seven new schools for Edmonton public, when it decreased in population by roughly a thousand students, while in Airdrie we received zero schools, when we had increased by a thousand students in the years between 2004 and 2008. This is concerning. There's no doubt that every place needs schools.

For a government that says one of its goals is to have a skilled and educated workforce, I think it's important that decisions that are made with regard to schools and where we put them are done in a completely objective way, and I think that should be part of the planning and co-ordinating that you pay for under your ministry. I was in your government at the time when I approached a senior official, not the Education minister but in his department, to explain why Airdrie had been overlooked. He simply rolled his eyes up and said: politics.

I know that the people of Airdrie and the people of Chestermere and Beaumont and others would like to know that in the future when school announcements are made, schools will be allocated according to need rather than politics. I know that right now in the constituency of Airdrie it's so desperate. I mean, we have kindergarten classes over 40 students large. My own little guy's kindergarten has taken their library, shut it down, and partitioned it into two classrooms, so you can't really go and use the library. You can go get the books, but then you have to leave. You can't read there or anything like that. In fact, the municipality is actually talking openly about putting together a municipal charter school because we're that desperate, especially now that we're approaching 42,000, 43,000 people.

I'm not asking you to justify those decisions that were made previously, but I would like a commitment from your government that moving forward, you will be making sure that schools are apportioned based on need and not on politics. I would like to ask you if there are any impending announcements to help out these communities that are right now very, very under the gun.

**Mr. Stelmach:** First of all, there is \$704 million committed to capital in schools in this province. Schools are built in many communities, but there definitely is an even greater need for schools in a number of communities across the province. It reflects the optimism of people moving to the province, and it reflects the optimism of our youth in Alberta, because we do have one of the highest birth rates in the country of Canada. We know that given the birth rate today and if that continues, we're going to have 100,000 extra students from original projections. That's 100,000 more young people to educate in this province.

So there'll be continued investment in the schools. We're going to continue to build that infrastructure today even though there are

some that are saying that we should stop building the infrastructure, not build anything and wait for a few years. Costs will go up, labour will be scarce, and we'll just pay more. I'm one that's not going to listen to that kind of advice, and we're going to continue to build the schools. I've made the commitments, and I live up to my commitments. We're going to look after those communities in the province that need new schools to be built in their communities.

You know, there has been a lot of discussion over this budget. There were discussions by the party across that we should cut \$1.33 billion out of this budget. You can't cut that out without severely reducing the construction of infrastructure. We need schools, yet those cuts were to Health and Education, so I suppose we would have built a new school, but we wouldn't be able to hire any teachers. But I'll just leave that for another day because we can argue over the point. All I know is that we're going to look after those students that do need schools in this province. I made that commitment earlier.

The capital plan is very clear. We are the only jurisdiction that I know that has a 20-year strategic plan. It's a capital plan that rolls out the capital investment. We're continuing to invest at least 50 per cent more than any jurisdiction close to us in spending, but now is the time to build. We have labour available, building materials.

We've just heard the investments that will be necessary to rebuild the country of Japan, which is, I believe, about \$390 billion from some of the estimates that were given the other day. That's not to say that Australia will be sitting idle. They have a huge rebuild after the unbelievable floods, and then, of course, they had a cyclone pass through.

4:20

The other issue that we're going to be facing is that we're going to see an inflated price on building materials. The oil industry is moving very quickly. They're prebuying. They're preparing for a huge investment in building in this province not only in the oil sands but also in conventional oil as well.

That is driven by our investment in carbon capture and storage: \$70 million this year will ramp up to the \$2 billion over a period of time, but that \$2 billion for us, Mr. Chairman, is going to deliver about \$25 billion in new royalty revenue because we're going to go back to the old fields and extract something like 60 per cent of the remaining resource in the old, established oil wells in this province. It is a policy now that has been followed and looked at by so many jurisdictions around the world: a \$1 billion investment now by the United States and, of course, significant investment by the Netherlands. They want to reduce the amount of greenhouse gas emissions in their port operations, and they're looking at capturing CO<sub>2</sub> and sending it, actually, all the way to the United Arab Emirates.

It just shows the progress that we've made. I know it's a decision that was made in the best interests of Albertans because this will position this province and deal with many of the issues that have been raised with respect to the environment and how we continue to green our barrel of oil produced in this province.

So the schools will be built, and we will continue to build the infrastructure in this province because we probably only have this year and maybe part of next year before we see a huge escalation in prices.

**The Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Yeah. It is important to build the schools. I just find that it's very ironic to me that – well, it's difficult for me to understand why this Premier can then justify spending \$250 million on MLA offices, \$300 million on new museums, \$2 billion on carbon capture and storage, boondoggle after boondoggle after boondoggle. He says: oh, we've got to build everything right now.

Well, yeah. We should build what we need right now, our priorities: schools, long-term care facilities. We're building hundreds of millions of dollars, billions of dollars in new hospital infrastructure, and we don't have anybody to staff them. Why don't we start focusing on long-term care, getting people out of hospital acute-care beds that are already staffed instead of building buildings we can't afford to staff? I don't understand this government's prioritization, but that's, I guess, a story for another day.

Because we only have a couple more minutes, I have one more question, regarding the lower Athabasca regional plan. This goes to your ministry goals under competitiveness, creating opportunity, the fourth point in your strategic plan. That was your flagship bill last go-around, last spring session. Since then, ironically, this year your government has decided to increase by over a hundred per cent, over double, the cost of registering a new business. It's not a very good indicator of your commitment to competitiveness.

What has just blown me away has been the absolute incoherence with regard to the way that you treat our most important and lucrative industry from a dollars-and-cents perspective, the oil and gas industry. You know very well, Premier, that at the caucus table and other places we had disagreements when I was in your government about your new royalty framework, one of the major reasons why I left. You have slowly over about six or seven steps essentially undone all the harm that you did there. It will take time for the harm to be economically undone, but you've essentially reversed your entire position. You've never apologized for it, but you've reversed that, and jobs are slowly starting to come back.

What you've done here in this province with this newest initiative here with the LARP is, that, yeah – you know what? – it is only about 24 mineral lease companies that are affected by this out of, whatever, 2,000 oil and gas energy companies that are out there, but to those 24 you're talking about essentially extinguishing their rights to billions and billions of dollars worth of oil underneath Alberta ground if you go through with the draft plan. I'm trying to figure out how you plan to compensate these folks. Are you going to give them the full value for that oil? If you are, you're going to bankrupt our province even further than you already have. Or are you going to give them what they paid originally? In that case that's kind of like taking someone's house and saying: oh, we're going to give you the price that you paid for it in 1980 but not what it's worth today.

I'm not sure how that fits into your overall plan of creating an investment climate that will attract business investment here because every time we turn around, you're either raising taxes on the energy industry or, alternatively now, you're unilaterally taking land and not making it clear what kind of compensation you're going to give. I just find, Mr. Premier, that I do not understand where you see the congruency between – you're saying you're being competitive, but you're doing nothing to become competitive. I don't understand that.

**The Chair:** Hon. member, the 20 minutes for the third party has terminated.

Now I'm going to recognize the hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. I have some questions for the Premier regarding the budget 2011-12. Mr. Premier, I would like to ask some questions regarding the level of budgeting for the present year compared to the budgets of 2010 and 2009. I've noted that there is quite a substantial decrease in the budget for Executive Council, about \$2.3 million I believe it is. I wonder if the Premier could tell us where those savings are coming from and elaborate a little bit on what impacts those savings might have on the way that the programs are run and the efficiency of the department.

**The Chair:** The hon. Premier.

**Mr. Stelmach:** Thank you. We are reducing spending in Executive Council. It is one of the nine departments that we had to look to reducing. It's \$2.3 million, or 7.5 per cent, from the 2010-11 budget. It's an overall reduction composed of \$1.8 million for the program promoting Alberta and also a \$500,000 reduction to the Premier's Council for Economic Strategy.

We are going to continue to promote the province of Alberta. A lot of the work has been done in terms of building the communication tools. That has worked out very well. I know just given the recent poll that was done in the United States that it is very positive for Alberta, and we are getting ahead, except you can never give up because there are some NGOs that will continue to work against Alberta. I've always been of the opinion that there are some that want to raise the price of oil as high as they can because higher priced oil, of course, will allow some of the other green energy sources to be more competitive. That, I believe, is some of the goal.

If we can produce oil responsibly in the province, show that to the world, we will build a very strong economy. We do have the strongest economy in Canada notwithstanding what some people that don't understand economics very well will say. This is a place where we are attracting investment, and that investment will continue to come. It's not only our flat rate personal income tax, but we do have the lowest tax advantage overall, and that will stay.

4:30

As we look around the world, the recent increase in oil prices came as a result of a number of issues that have surfaced, especially in north Africa and in the Middle East. We don't know how long it'll continue or when it'll come to an end, but I suspect that we'll see oil prices in that range of \$100 million or more over the next year unless – unless – speculators purchase so much that we'll maybe see a rapid drop in oil, which again will prove devastating for us in terms of our revenue estimates.

With respect to the actual spending with Executive Council the 2009-10 budget was set at \$35 million. We spent closer to \$27 million, which gave savings of about \$7 million. The '10-11 budget was set at \$31 million. We only spent \$27 million. Of course, the budget decrease in '10-11 was supposed to be \$31 million, and we came in, I believe, with a decrease of \$4.1 million. We'll continue to find as many savings as we can here and put them towards priority programs.

**The Chair:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. Thank you, Premier, for your response. Another thing I would like to follow up on is – I asked a similar question last year, Mr. Premier – relating to your priority initiative 2.1, which is to ensure co-ordinated and effective two-way communication with Albertans by continuing to implement a strategic communications plan.

Last year, you may recall, I asked you a little bit about how the implementation of new media and whatnot was progressing. I'm wondering if you could inform us a little bit about the way that we are continuing to develop the strategic use of new media, the various social media, the various ways of getting the government's message out to Albertans and, conversely, making that a two-way communication and getting information back from Albertans regarding the operation of the programs and how they perceive government operations.

**Mr. Stelmach:** We are increasingly using social media. It provides an excellent opportunity for a two-way dialogue with Albertans and a very quick response, sometimes quicker than we want in some areas because people, when they hear of a govern-

ment announcement or government news, can very quickly respond. Sometimes they may not have all the facts and may put a comment in that we could actually reply to in a hurry.

The other is that the blogs and the tweets have been productive. We're getting a lot of youth involved, and what I heard very positively is that we've attracted a lot of youth to government in terms of interest and support only because we're communicating with them on a one-to-one basis, and they feel honoured by the fact that we are conversing with them. That, to us, is important, and we'll continue to do that.

Thank you.

**The Chair:** No other hon. members wishing to speak?

Then the chair shall call for the committee to rise and report.

[The Deputy Speaker in the chair]

**Dr. Brown:** Mr. Speaker, the Committee of Supply has had under consideration resolutions for the Department of Executive Council relating to the 2011-12 government estimates for the general revenue fund and lottery fund for the fiscal year ending March 31, 2012, reports progress, and requests leave to sit again.

**The Deputy Speaker:** Those in agreement with the report please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. So ordered.

## **Government Bills and Orders Second Reading**

### **Bill 1**

#### **Asia Advisory Council Act**

Mr. Hinman moved that the motion for second reading be amended to read that Bill 1, Asia Advisory Council Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resources and Environment in accordance with Standing Order 74.2.

[Debate adjourned March 24: Mr. Boutilier speaking]

**The Deputy Speaker:** Any hon. member on Bill 1?

**Hon. Members:** Question.

**The Deputy Speaker:** This is on the amendment.

The chair shall now put the question on the amendment.

[Motion on amendment to second reading of Bill 1 lost]

**The Deputy Speaker:** Now we get back to the bill. Any hon. member wish to speak on Bill 1?

Seeing none, the chair shall now call the question on the bill.

[Motion carried; Bill 1 read a second time]

### **Bill 4**

#### **Securities Amendment Act, 2011**

[Debate adjourned March 17: Mr. Hinman speaking]

**The Deputy Speaker:** Any member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 4 read a second time]

### **Bill 5**

#### **Notice to the Attorney General Act**

[Adjourned debate March 1: Mr. Rogers]

**The Deputy Speaker:** Any hon. member wish to speak on Bill 5?

**Mr. Rogers:** I am pleased to move second reading of Bill 5, Mr. Speaker.

[Motion carried; Bill 5 read a second time]

### **Bill 6**

#### **Rules of Court Statutes Amendment Act, 2011**

[Adjourned debate March 1: Mr. Zwozdesky]

**The Deputy Speaker:** On Bill 6?

**Hon. Members:** Question.

[Motion carried; Bill 6 read a second time]

4:40

### **Bill 7**

#### **Corrections Amendment Act, 2011**

[Adjourned debate March 1: Mr. Zwozdesky]

**The Deputy Speaker:** Any hon. member wish to speak on Bill 7?  
Seeing none, the chair shall now call the question.

[Motion carried; Bill 7 read a second time]

### **Bill 8**

#### **Missing Persons Act**

[Adjourned debate March 1: Mr. VanderBurg]

**The Deputy Speaker:** Any hon. member wish to speak on the bill?  
Seeing none, the chair shall now call the question.

[Motion carried; Bill 8 read a second time]

### **Bill 10**

#### **Alberta Land Stewardship Amendment Act, 2011**

[Adjourned debate March 8: Mr. Boutilier]

**The Deputy Speaker:** Any hon. member wish to speak on the bill?  
Seeing none, the chair shall now call the question.

[Motion carried; Bill 10 read a second time]

### **Bill 11**

#### **Livestock Industry Diversification Amendment Act, 2011**

[Debate adjourned March 24]

**The Deputy Speaker:** Any hon. member wish to speak on the bill? Hon. Member for Edmonton-Riverview, you wish to speak on the bill?

**Dr. Taft:** I do, yes. Thank you, Mr. Speaker. I must begin by registering my concern as a parliamentarian about what is clearly an abuse of power.

**Some Hon. Members:** Shame. Shame.



**Dr. Taft:** The shame is on your side because there was an understanding among House leaders, Mr. Speaker, and your Government House Leader knows this.

**Mr. Hancock:** Point of order.

**The Deputy Speaker:** There is a point of order.

#### Point of Order

##### Scheduling Government Business

**Mr. Hancock:** Mr. Speaker, under Standing Order 23, I believe, it is making allegations against another member, a specific allegation against the House leader that something is being done that abrogates an agreement. The understanding of the House was that Committee of Supply would sit in the afternoons, and the Committee of Supply for Executive Council was scheduled for this afternoon, and it could go all afternoon. The Order Paper very clearly indicates that if any business is concluded that's scheduled, it's then as per the Order Paper.

There is absolutely no good reason why this House should adjourn at 4:30 in the afternoon simply because no member of the opposition is available to ask questions and the questions on the government side have been dealt with. It is then prudent and, in fact, in the public interest that the committee rise and report, as it did. In fact, the rules require that the committee rise and report.

The next question is: does the House go home, or does it do business? As House leader I think it's my obligation to ensure that business is done and that it's done in accordance with the Order Paper. As we always say, there's scheduled business, and then it's as per the Order Paper in case business goes quicker than scheduled. It's not my job to make sure that members of the opposition or other members even on the government side are in their places to speak at any particular given time.

**The Deputy Speaker:** The hon. member on the point of order.

**Dr. Taft:** Yes, on the point of order. I would make it clear to the Assembly and to the Speaker that the smooth operation of this Legislature depends upon constant, honest, and open verbal communication and unwritten understandings among all parties. There was an unwritten understanding, which was clear to us, that these afternoons were set aside strictly for budget debates. Now, that was the understanding communicated to us, Mr. Speaker. Clearly – clearly – if that had not been our understanding, we would not have allowed the current situation to develop. So that would be the position I take. That's why I don't believe there is any point of order to be argued here. I think what's happened here is pretty clear. A government majority with a huge hammer to bring down on the parliamentary process saw an opportunity to take full advantage and take advantage of a situation in which there simply was an unfair opportunity. So I don't think there is any point of order whatsoever.

**Mr. Oberle:** Mr. Speaker, with the greatest of respect, I need to join our Government House Leader and argue against the Member for Edmonton-Riverview. I believe there was, in fact, a point of order although all it requires is that he retract the comments. He clearly indicated that the Government House Leader had broken an agreement, which he doesn't have; there is no such agreement. Now, in his rebuttal he says the business of this House depends upon honest communication, alleging thereby that the minister has broken an honest communication or provided dishonest communication. I'd just ask that the member retract his remarks.

I might point out that the business of this House first and foremost depends upon attendance in the House. We're here to do the business of Albertans, and that's what we're doing this afternoon, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Housing and Urban Affairs on the point of order.

**Mr. Denis:** Thank you very much, Mr. Speaker. The hon. Solicitor General has made several points which I wanted to make, so I will just be very brief here. It is not up to the opposition to do the government's job, and it is not up to the government to do the opposition's job. Absent any agreement that we have seen here, the allegations made clearly fall under 23(h), (i), and (j). The member talks about being an honourable parliamentarian. I think he should take his own advice and withdraw these comments.

Thank you.

**Dr. Taft:** Well, Mr. Speaker, clearly there's no point of order on a point of order.

**The Deputy Speaker:** Well, I have listened. I've been here since 3 o'clock, and I must say that there was no violation of democracy. We proceed on the parliamentary business here. I asked if members wanted to speak on those bills, and nobody rose, so I had to call the question. So the process is very, very clear.

With that stated, hon. Member for Edmonton-Riverview, I sense that you have sat pointing to our House leader and said something to that effect, which I think needs some sort of clarification or retraction. It's not his business to run the Assembly; it's the chairman's. We have the process to go on. So just make a statement to the effect that it's not the Government House Leader that ran the session today. It's the business that we have, and I guided that through the process. So please make a clarification that it's not the House leader that runs the business in the House.

**Dr. Taft:** Okay. Thank you, Mr. Speaker. I will affirm what you said, which is to make it clear that it's the Speaker's job to run the business of the House. Is that what I understood you to ask me to do?

**The Deputy Speaker:** Yes.

**Dr. Taft:** Okay. That seems to have made the Government House Leader happy.

**The Deputy Speaker:** So now go on to Bill 11.

#### Debate Continued

**Dr. Taft:** Bill 11, Mr. Speaker, is the Livestock Industry Diversification Amendment Act, and I think we need to consider, first of all, the basics of this legislation, which is the livestock industry itself. We all know that historically the livestock industry, if we want to go back to the beginning, is probably the second industry developed in Alberta after European contact, following the fur trade, and that it's played a crucial role in the development and settlement of Alberta from just post-Confederation right up to the formation of Alberta as a province and throughout the 20th century. But we also all know that this is an industry that has struggled mightily in the last decade, most dramatically a result of the BSE crisis.

4:50

We had arguably by historic standards overdeveloped the cattle herd in this province. It was an industry that had become geared

very, very heavily to export. When those export markets dried up, we ended up with an industry that was in instant crisis and an industry that needed to go through a very painful and expensive correction, particularly on the beef side.

We are now having to reconsider the nature of the livestock industry in Alberta. How do we diversify that? How do we manage that? How do we move into the future in a way that learns lessons from the past? The lessons from the past have been difficult and expensive, and if we are to proceed on a more stable, more prosperous basis, then we need to take some action, Mr. Speaker.

The livestock diversification act may – may – help us to improve the functioning of the livestock industry in Alberta. I think, though, that we have been caught by many surprises. Related to the BSE crisis were growing concerns over chronic wasting disease, which is more or less the cousin, the related disease, the equivalent of BSE among deer and elk and related animals. There are concerns and there have been concerns from the beginning of the domestication of those animals in Alberta that chronic wasting disease was going to be incorporated into the domestic herds and then perhaps spread to the wildlife, to the wild animals, or vice versa, and there were real concerns with the contamination of the land where we were having domestic herds of elk and related animals. So this has been a controversial move to diversify livestock development in Alberta.

There's been somewhat more success and particularly promising in the last couple of years with diversifying into the bison industry. It's been a very long, slow process, Mr. Speaker, but when we talk about diversifying livestock, I think there's probably more hope for success in that when it comes to bison than with elk or other creatures.

I mean, I remember experiments in diversifying livestock where we were encouraging people to get into the raising of ostriches. In fact, one of the remarkable moments when driving around Alberta for me was maybe eight years ago. I might have been actually driving on the highway through the constituency – maybe not Stettler; it might have been east of Stettler. I was driving down the highway in Alberta, looking out the window, and there was a herd of ostriches. I thought for a moment: "What the heck. What's going on? Am I in Africa or what?" But I wasn't. I was here in Alberta, and somebody was experimenting with an ostrich farm. I don't think that's gone very well.

But I do think that there are possibilities for the future of bison farming. I think if we're to encourage diversification of Alberta's livestock industry, that's one of the more promising directions, but it's a direction that, frankly, is going to take decades to fully realize. The markets are slow to develop for bison meat despite its benefits in terms of health and, frankly, the natural advantages that bison have on the Canadian prairie compared even to domestic cattle.

I think that there are a lot of issues that we need to address when we're looking at diversifying the livestock industry and considering the effects of Bill 11. I'm also aware that Bill 11 has been the subject of some significant controversy around the province because of concerns over its effect on designating different kinds of animals as livestock.

Mr. Speaker, I think that with those kinds of concerns being on the record, I look forward to other comments, other debate such as there may be on Bill 1. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions.

Seeing none, now on the bill, the hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you, Mr. Speaker. I believe we have a wonderful piece of legislation here, and I think that it's really important that we as a government make sure that the correct and factual information is out there for people to consider. First of all, when hon. members from the other side make reference to BSE and elk, it's impossible for that to happen because they are different types of species. Cervids are not affected by BSE. It's important that people know that so that they're not frightened.

Further to that, when we talk about disease with respect to domestic livestock, which is what Bill 11 proposes to do, make cervids domestic livestock, nothing can be backed up with respect to a disease concern. I use as example the fact that we have tested 5,000 domestic cervids a year for the last eight years without one occurrence of disease that can be spread from other areas such as chronic wasting disease. In fact, we have a very healthy, very clean herd in the province.

With respect to the development of markets, Mr. Speaker, the industry and the government have worked hard for that. We have already developed markets. We have European markets, and we have a very strong domestic market. We have a good, strong processing industry that's operating in our province right now, and we have some very enthusiastic producers.

Mr. Speaker, this is legislation that Alberta agricultural producers in the cervid industry have been asking the government to move forward with for many, many years. It's long overdue. These are hard-working Albertans. This is a safe industry. This is a product that we produce that the world wants and that our domestic market wants. It's a healthy food source. There is nothing but positive for this.

With that, I'll conclude my remarks and be happy to take questions.

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker, and thank you, hon. minister. You mentioned chronic wasting disease. If I heard you right, do we have a clean herd inside Alberta in the game industry? Is it just in the wild? I understand it's got pockets and problems. At the prion disease research centre it's a major concern. Could you expand a little bit on where we actually are on that and clarify? Your words were a little confusing to my understanding of the problem with chronic wasting disease.

**The Deputy Speaker:** Comments and questions.

**Mr. Hayden:** Thank you, Mr. Speaker. Absolutely, I'm pleased to respond to that because there is a great deal of confusion out there. We as a province through our provincial veterinarian services have required testing on domestic cervids for the last eight years. We have tested up to 5,000 head of cervids a year. All cervids that have been processed within the province and any cervids that have gone down according to natural causes have been tested within the province. As I say, that number is up to 5,000 a year.

In the past eight years not one case of chronic wasting disease has been found in our domestic herd. We have a clean herd. I believe that we've turned a corner in developing an amazing industry here. We absolutely do have, as the member opposite mentioned, cases of chronic wasting disease in the wild herd, but we do not have any in our domestic herd.

5:00

**The Deputy Speaker:** Hon. member, a comment or question?

**Mr. Hinman:** Yeah. Just to follow up on that, it's such a devastating disease. If it was to cross over and get in there, what programs

do we have in place, and what are the incidents? I realize that you're not the Sustainable Resource Development minister, but how many cases have we had in the wild? My understanding is that hunters send in their kill for testing. How many wild cases do we have, and how many pockets are known in the province in the wild for chronic wasting disease?

**The Deputy Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. As the hon. member mentioned, that is not the area of my ministry. The legislation that we're dealing with, of course, is dealing with the domestic cervid industry in the province. I can assure the member that we have not had one case of chronic wasting disease in our domestic herd in testing up to 5,000 per year over the last eight years.

As a hunter myself I know that there is a problem in the wild that at one time was strictly on our eastern border and is now in different pockets of the province. I know it's something that we really need to take care of, but I think that our domestic herd being free and clean and healthy is a real positive thing for us to have in the case of difficulties in our wild herd.

**The Deputy Speaker:** The hon. member.

**Mr. Hinman:** Yeah. Perhaps the minister could also expound on, from page 8 under permits, section 10.1(1). It says that the minister "may issue a permit authorizing a prescribed activity that would or could otherwise constitute a contravention of this Act." That's a pretty broad, scary statement. Could you please explain why you feel you need to have this in here? What's the purpose of that?

**The Deputy Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. Absolutely, and I thank the hon. member for the question. It's possible that we may need to do some clarification as we move forward with this bill just to make sure that it's very apparent what we're referring to.

What the reference is referring to is predators. We will need to allow predator control within the confines of domestic cervid operations. When I talk about predators, I'm talking about cougars, that are throughout the province. I'm talking about wolves. I'm talking about coyotes. I'm talking about those things that would love to make a meal of a domestic cervid. You are allowed to discharge a firearm in the control of predators within a domestic cervid operation, but you are not allowed to use that firearm for the purpose of game hunting or anything like that. That is absolutely forbidden under section 18.

**Mr. Hinman:** To follow up on that a little bit more, my understanding is – and the hon. Member for Calgary-Nose Hill will probably correct me on this as he is astute in law – that whenever we pass legislation, what happens when we don't start to actually name predators or other things is that we leave it wide open. When we start to list actual areas or something else, all of a sudden it becomes inclusive or with only those things being included. But right now this is all exclusive and has total jurisdiction for the minister to go outside of just the guns and discharging of guns. I do hope, as he seems to be indicating, there are going to be some amendments to that and that it would actually list in that amendment . . . [The time limit for questions and comments expired]

**The Deputy Speaker:** On the bill, the hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you. I'd like to follow up on what the hon. Member for Calgary-Glenmore had to say on that. Certainly, I've

been receiving a great deal of correspondence and telephone calls from people who are very concerned about this. However, my understanding is that there is an amendment coming forward – and I think it will probably come forward in committee – that may address what my hon. colleague's concern was. The concern certainly is that there is no game farm hunting allowed in this province. That's one of the main things.

However, I would ask the minister if he could clarify. When I've seen elk farms, the fences are very, very high. I'm not sure that wolves can jump over fences that high. Now, cougars I'm not sure of. Then my other question would be: are cougars an endangered species? What else may be able to get in there that would be an endangered species?

**An Hon. Member:** Gophers.

**Ms Pastoor:** Gophers, yeah. I don't think that bears would be able to go through. I also have a concern that animals can be killed inside that compound, for lack of a better word. Certainly, I would hate to see that anyone would be able to actually pay for the privilege of killing predators on a farm.

I'm not really that familiar with this, but one of the things that they're talking about is elk velvet. Evidently, it used to be a really highly valued commodity in Asian communities, who felt that they were using it as an aphrodisiac. However, I do believe that probably Viagra has been a little more successful, a little easier to use, and a little easier to buy. So I'm not sure that elk velvet really is going to be a legitimate commodity that would help the elk industry.

I'm going to save some of the things that I'm going to talk about because these conversations will come up under the budget in Agriculture, so I'll leave that for the moment. If the minister would like to perhaps comment on some of my comments.

All right. I'll talk about farm hunting, which I am absolutely appalled at. I think that if you're a hunter, you're a hunter, but to know that your game is entrapped takes away, in my mind, the object of being what you could consider a really good hunter and having to actually stay out overnight to stalk your prey, to live in those little huts that they have so that they don't see you, to figure out whether you're downwind or upwind. There are a number of skills that good hunters have, and I don't think you have to have any if you're hunting on a game farm, where you know the animals are trapped.

One of the things that I have heard – and I haven't had a chance to absolutely authenticate it; however, I've had a number of people that probably know tell me that, yes, it is true – is that in Texas they have game farms, and they actually hunt cloned zebras. That was more than I could handle at that point in time. I mean, I just think that's beyond disgusting.

**Dr. Brown:** On page 12 it's prohibited.

**Ms Pastoor:** What's prohibited?

**Dr. Brown:** Hunting a big-game or controlled animal.

**Ms Pastoor:** No. There's another part in that bill that will be amended – that is my understanding – so that we for sure will not have game hunting on farms.

One of the reports that I've received that I haven't had a chance to go through because of its thickness really is quite concerned about the CWD actually getting into the herds because what happens is that they don't know until after the animals are dead. At that point in time there are herds that probably would have to be destroyed. But there still is a concern that it can be transferred to

people. I think that's part of what this report that I'm working my way through is, that it can be transferred to people.

I guess another concern of mine would be: just exactly how much is this government subsidizing the elk industry? I know that there were fairly hefty subsidies when it first got started, and then it sort of went flat because there really wasn't a market for it. According to the advertising out there it is picking up. However, I guess I would be very concerned that if this is supposed to be a free-market industry, the government is actually subsidizing it. I don't think anything that's subsidized could possibly be considered free market, at least from my understanding of free market. There is a level playing field created for an industry, and how people work on that level playing field is actually whether they make money or not, and that's not my concern. My concern is that there's a level playing field with standards that people should meet.

I think that for the moment, Mr. Speaker, I will cede to other commentaries. Thank you.

5:10

**The Deputy Speaker:** Standing Order 29(2)(a) allows for comments or questions. The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you. I'm going to try to be careful with this because it has to be a question, of course. I wanted to know if the member was aware that, in fact, with the testing on chronic wasting that is done on the domestic herds, it gives us an extra area of safeguards. If something was discovered, exactly what the member suggests could happen. It is a control on those animals, which is something, of course, that we don't have the ability to do in the wild herd. From that point of view, it is good.

I wonder if the member was also aware that, no, there weren't any subsidies or subsidization to the industry. In fact, it is now very healthy and has an excellent market in Europe and also a domestic market and a lot of followers because of the lean nature of the product and the health benefits that are seen by it.

I wonder if the member was also aware that a number of things have been attributed to velvet, far more than what the member referenced. We're talking about enhanced immune systems and the ability to fight colds and things like I have in my sinus right now, and I should probably consider that. I wondered if the member was aware of that.

**The Deputy Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. As a matter of fact, I was aware of most of the things that he said, but I wasn't aware of the subsidies.

I guess that one of my concerns would be with the testing. Because our labs are backed up, how long does it actually take for something to be identified and then get back to that farm? That would be one of my concerns for that process.

The other concern. If the elk is being slaughtered at the same place that beef is being slaughtered, those tests should be almost immediate with the results. Once you start putting it in, it could well end up in the beef line, going into the food chain.

**The Deputy Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. I also wonder if the hon. member was aware that the processing of these animals would take place at a place like the processing facility in Lacombe, as an example, where bison are processed and beef are also processed. There is a rotational system, where multiple species are not done in one day. They're all done on an individual basis, and an entire

cleanup is done. Was the member aware that the turnaround time on testing for something like chronic wasting disease would be in the neighbourhood of 24 hours? I wondered if the member was aware of that.

**Ms Pastoor:** No, and I thank you for that information.

I guess I would question the minister again on the 24 hours. We can't even get blood tests back for humans in 24 hours, so if that actually is a fact, then I guess I'm impressed.

**The Deputy Speaker:** Any other comments or questions?

Any other hon. members wish to speak on the bill? The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** On the bill. You bet. Thank you very much, Mr. Speaker.

**Mr. Campbell:** We're talking elk, Hugh, not jackrabbits.

**Mr. MacDonald:** You're talking elk, not jackrabbits. Well, I'm pleased to hear that. Certainly, I was in your constituency, hon. member, three weeks ago, and actually we had a discussion not only on the photo op for the hospital in Edson but also, incredibly, about elk and about this piece of legislation. Nothing to do with jackrabbits. I know the Conservatives are hopping around for obvious reasons these days. [interjection] Well, they're concerned about wild roses. Yes, they certainly are, and they're afraid to pick on them because the thorns may pierce their skin. When they bleed, they're like us. It's red, Mr. Speaker.

However, Bill 11, the Livestock Industry Diversification Amendment Act: in Edson there was quite a discussion about this. Whenever you're driving back, of course, from Edson to the city, you will see where there was an attempt some time ago, with considerable government support or subsidy, to develop this industry. I'm pleased to hear, if I heard correctly from the hon. minister of agriculture, that government support or subsidy is no longer necessary.

This bill will move responsibility for farmed elk and deer from Sustainable Resource Development to the ministry of agriculture. It's quite a comprehensive bill. We're looking at amending the Wildlife Act, the wildlife regulation, the Livestock Industry Diversification Act as well as consequential amendments to eight other pieces of legislation.

Now, there are some concerns about this proposed bill, certainly section 12 and also, I think, Mr. Speaker, section 21. Maybe it could be amended; it's hard to say. But as I understand it, the proposed amendments in this legislation are designed to transfer legislative responsibility for elk and deer farming as identified in the Wildlife Act, the wildlife regulation, as I said earlier, to the Livestock Industry Diversification Act. Basically, what we're doing is moving the responsibility for the farming of elk and deer from Sustainable Resource Development to the department of agriculture.

The sponsor suggested in second reading in a statement in this House that this bill will streamline the regulatory process for elk and deer farmers, that it will create a one-window approach and reduce the regulatory burden on both industry and government. He also stated that the intent of this bill is not to allow for hunt ranches in Alberta.

I'm going to stop there, Mr. Speaker, and share an experience I had in Lethbridge. I always enjoy going to Lethbridge. I had an opportunity to visit a facility there. The organization of this visit was ably done by the staff of the hon. Member for Lethbridge-East. This facility was involved in the practice of cloning animals. I was surprised to learn that in parts of the lower 48 states, where

they have these hunt farms, the hunters are unaware that the animals that they are pursuing are cloned. The characteristic where one has five or seven points on their antlers is a characteristic that's transferred, as I understood it, through the cloning process.

There are many people in this province who have expressed concern about these practices of having these sorts of guest ranches where one can go and pursue an animal in a large tract of privately held land and hunt it down. If that's what hunters want to do and they've got the money and they're willing to spend their money in that way, well, I guess, who am I to stop them? But it's certainly not something that . . .

**Dr. Brown:** It's unethical.

5:20

**Mr. MacDonald:** It's unethical, the hon. member is suggesting, and perhaps he's right. We'll hear his comments on this, I'm sure, in debate as this bill progresses through the Assembly.

Certainly, those activities that are a current practice in America are not, to my knowledge, going on here, and I certainly hope that this bill will not at some point facilitate that. I'm hearing from member's across the way that that will not happen, and I'm pleased to hear that. The sponsor of this bill, the hon. Member for Lacombe-Ponoka, also stated that the intent of this bill – and as I understand it, he was quite plain – is not to allow for hunt ranches in Alberta. Again, I am pleased to hear that.

However, there are two potentially conflicting sections in this act which are the cause of some concern regarding this matter, Mr. Speaker. Section 12, which I spoke of earlier, amends section 10 of the Livestock Industry Diversification Act, and this gives broad powers to the minister that the minister may issue a permit authorizing a prescribed activity that would or could otherwise constitute a contravention of this act. If I could get an explanation of why section 12 is necessary and if there are any examples of what the minister may want to do with that power authorizing a prescribed activity and an example of a prescribed activity, I would be very grateful.

Now, section 21, we spoke about earlier. Section 21 specifically states that:

- A person shall not hunt nor permit a person to hunt
  - (a) a big game or controlled animal within the assigned meanings in the Wildlife Act on any diversified livestock farm, or
  - (b) a diversified livestock animal.

The issue is whether section 12 provides a loophole in the act which would allow the minister to allow hunt farms through special authorization.

We talked earlier about consequential amendments, Mr. Speaker. This bill includes the consequential amendments of changing "domestic cervids" to "diversified livestock animals" in the following acts: the Agricultural Operation Practices Act, the Agriculture Financial Services Act, the Employment Standards Code, the Labour Relations Code, and the Law of Property Act. Minor changes are made to the following: the Agricultural Pests Act, the Fisheries (Alberta) Amendment Act, 2002, and the Line Fence Act.

Now, the intent behind this bill, again according to the hon. Member for Lacombe-Ponoka, is to give the elk and deer farming industry in Alberta an opportunity to grow. There was talk earlier in debate about chronic wasting disease and what happened to the markets as a result of that, and it is quite unfortunate. This was quite a profitable industry. There's a demand for elk, and there's a demand for deer.

You can go to, of all places – and maybe the minister of agriculture would be interested in this – Deer Lodge at Lake Louise, and

one of the best things they have to offer in their restaurant is elk. After a day of skiing, it's quite nice. Now, I don't know if it's wild or whether it's domesticated. I asked the waiter, and I could tell right away that he had no idea. But Deer Lodge, hon. members. If you're at Lake Louise and you're doing some spring skiing, check that out. It's a nice Alberta restaurant. In fact, it's on the guide of places they suggest you should eat. So perhaps the minister of agriculture – and I know he's not going to take the expense account and go there. He's going to take his wife, and he's going to go and have a nice dinner and look out the window, and I appreciate that.

Now, the Canadian Food Inspection Agency requirements for testing prior to human consumption will be unchanged as a result of this bill. All elk and deer slaughtered for human consumption must be tested prior to processing.

So if we could get the issues in section 12 and section 21 addressed, I think it would be interesting to hear why the government feels we need to go in the direction of section 12 and section 21. I would agree with the hon. member here that we do not support nor do we need hunt farms in this province.

Now, it is not new for this government to tell us that we need a more streamlined approach and that they're simply trying to improve the process surrounding the farming of elk and deer in this province. The risk, however, hon. members, with this streamlining – and with it I would expect an increase in elk and deer farming – is the spread of disease, chronic wasting disease being of primary concern. I know we have put a lot of effort – and I think it is working – to improve or restore consumer confidence. I wish the minister all the best in opening up other markets to our agricultural products.

In this session in previous discussions and debates I have suggested that before we allow the contracting out of a lot of our steel fabrication to the Far Eastern markets by oil sands developers, those markets should be open fairly to our agricultural commodities. They are not. Some of the largest trade barriers or the highest trade barriers, I should say, Mr. Speaker, in the world are in some of those Far East markets, where our farmers, in my view, do not have fair access to those markets for their products. That has to change. I know the minister will work at that, but we need to keep this in mind whenever we talk about any diseases that these herds may get or may have been reported to have had. That's important, too. That would be an excuse for people to deny us access to their markets for our agricultural products.

Now, our research indicates to date that there has only been one reported case of chronic wasting disease in a farmed elk, and as long as mandatory testing by the Canadian Food Inspection Agency is maintained, I don't believe this should be a concern to members of this House or to consumers or to any agencies abroad that may be considering increasing the market accessibility of our products. If the regulatory streamlining and potential future growth of the industry is partnered with increased capacity and continued diligence in testing for diseases such as chronic wasting disease and if the confusion over the above-listed sections in the ability to open ranch farms is clarified – and that is, let's be clear here, Mr. Speaker, not allowing hunt farms – then this is a direction I think this House would be comfortable going in.

I think Albertans, whether they're living in urban areas and like to eat elk or those who are contemplating further developing it as a business in rural areas where they have land and they have access to feed and whatnot to see their herd grow – so if the conditions in sections 12 and 21 can be explained, certainly, I would consider supporting this bill.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comment or questions. The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you, Mr. Speaker. I was wondering if the hon. member opposite knew that it was against the law to sell wild game in restaurants in this province, that they have to be domestic.

5:30

I also wondered if the hon. member was aware that there is no cloning of cervids in North America and that, in fact, what some people refer to is selective breeding programs to bring out the proper traits. So one can say that it's genetic modification through a breeding program, which is something that, of course, is what we've done with domestic animals all the way through history. This is why we have the characteristics we do now in our dairy herds and in our beef cattle, where we have a better producing, more tender animal, the same as with chickens or ducks or turkeys or anything else. Through selective breeding we get the best traits out of animals, and of course that's available for domestic animals in all areas.

I wondered if the member was aware of that and also if the member was aware that we have to go through CFIA-approved federal inspection plants in order to export any of our meats overseas to other markets and that they, in fact, have expanded amazingly and, further, if the hon. member and his colleagues were aware that, no, these predators weren't jumping over the tops of the fences. In fact, they were going through the bottom with an empty stomach and leaving through the bottom with a full stomach, which is what's trying to be controlled. That's in reference to section 12, that could be corrected and I expect will be as we all go forward with a clarification that section 12 does not in any way, shape, or form allow for the hunting of these domestic animals but only for the control of predators.

I think those are the questions that I have for the hon. member.

**Mr. MacDonald:** There are lots of questions there. After that display, Mr. Speaker, I can only suggest to the minister of agriculture that he'd make an excellent member of the opposition.

Now, certainly, I was aware that not only with game but with fish as well that there are requirements necessary before that fish or that game is placed on a restaurant menu. I'm sure the minister is aware of the inspections that the government conducts to make sure that fish and game that is in restaurants comes from the appropriate places, but it's surprising how often one reads in the newspapers where this individual or that individual has been unlawfully providing various provisions to some restaurants. That's why I asked that question.

Now, I am unaware that the cloning of cervids in America doesn't happen. The information that I have been provided – and the minister can have his staff check this out. Certainly, in Minnesota and Wisconsin there are game farms, and I have been told that the game farms are stocked with cloned animals. One of the advertising techniques that's used to gather the interests of hunters so they'll lay down their thousands of dollars is that these animals have so many points on their antlers, and that can be a guaranteed thing, so people are anxious to visit these sites and hunt down these animals. That's what I'm told.

If the minister knows for sure that there's no cloning, I'm surprised and pleased to learn that, but certainly from what I can gather from visiting the facility in Lethbridge, this is a common, standard practice in certain parts of America.

Thank you.

**The Deputy Speaker:** We have 25 seconds. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. I'm sorry to hear that. I always appreciate the comments and the thoughts of the Member for Edmonton-Gold Bar, and I was hoping he could expand a little bit more on hunt farms because he started to bring up some interesting discussions that I think certainly could and should be held here in the House on whether they're ethical.

**The Deputy Speaker:** Does any other hon. member wish to speak on the bill? The hon. Minister of Infrastructure.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I'm very pleased to rise today and take part in the debate on Bill 11, the Livestock Industry Diversification Amendment Act, 2011. The primary purpose of this amendment is to enable Alberta Agriculture and Rural Development to exercise full legislative authority for domestic cervids, which will help to reduce the regulatory burden for government and the industry.

Under the current system when an animal escapes, SRD issues a collection licence to allow the owner to collect his animal and, if necessary, to destroy it. Under the new LIDA amendment an escaped animal would be treated as a stray. Due to this change, Mr. Speaker, regulations will be made that are tailored to adapt to the uniqueness of the situations faced by owners of diversified livestock. These include provisions regarding the recapture, the trespass, and the liability issues.

Mr. Speaker, if I can just use an example, an escaped farm cervid will remain the property of the producer so long as they are visually identifiable as a diversified livestock animal. One way in which identification could quickly be made is if strays are wearing ear tags. This is done in the livestock industry. Additional details specific to ownership will be addressed in full in the regulations associated with this act.

In conclusion, this amendment is a very important step forward for both industry and government and speaks to the cultural shift in the way diversified livestock are thought of and treated. I look forward to the debate and to receiving the support of members for proceeding with this bill.

Mr. Speaker, I thank you for the opportunity, and I will be glad to answer any questions.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Spruce Grove-Sturgeon-St. Albert.

**Mr. Horner:** Thank you, Mr. Speaker. I'm wondering if the hon. member might be able to let us know about some of his constituents' feelings in his area. I know that in his area there are a number of cervid ranches and farms, and you may want to let us know what sort of consultation you've done in your riding.

**Mr. Danyluk:** If I can answer the question, as many people know, there is a wide array of feelings about the bill. I do understand that there has been consultation with people and different groups on what could and should take place in the Committee of the Whole. Mr. Speaker, I can say to the hon. member that they are embracing the opportunity for this particular legislation to come forward, moving it from SRD to Agriculture.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. I was wondering if the hon. minister could perhaps answer another question. There's no question in the number of e-mails and letters and phone calls that I've received that Albertans are against hunting on these cervid farms. The hon.

Member for Edmonton-Gold Bar brought up a very interesting aspect of that, you know, the debate on whether or not this is ethical. I guess I find it somewhat challenging, when you look at different people and the way they want to live and make a living, what the government's role is. I think the government has spoken out on this, but I'd love to hear the minister's view on it.

If you were to ask vegetarians whether or not we should be allowed to raise animals and consume them, they would want to say that, no, that shouldn't be allowed, and there would be a huge outcry about it. The hunters have spoken out quite loudly, saying that, you know, it's just unethical and wrong to shoot a caged animal or a fenced-in animal that has no ability to escape or run away.

5:40

I guess I look at these businesspeople and the fact that we have hunt farms in other jurisdictions. It's interesting. My understanding – and perhaps someone over there has already got the answer to this – is that we used to actually export some of these trophy animals over to Saskatchewan so they could be hunted there. I believe that they still hunt in Saskatchewan, but there's a ban, and those who raise trophy elk and deer are not allowed to export into Saskatchewan. Is this an area that we as legislators should be looking at and saying, you know: why do we allow one form of hunting where, again, there's too high a result of animals that are wounded and not properly looked after and that die three days or five days later?

I've had a few phone calls from cervid ranchers that would love to be able to hunt on whether they're going to because of section 10.1 possibly allowing hunting in a larger area, perhaps 640 acres of wooded area. Could you expand on any of those and what your thoughts or, perhaps, discussion in cabinet have been on those areas?

**The Deputy Speaker:** Hon. minister, if you will.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I'm very apt to make some comments on some of the questions that you have asked. I'm not going to make comments on the questions that you've diverted through another member. I will say to you that when we look at the keeping, if I can call it that, of a domestic animal, in actuality this is what's taking place. I do have some sympathy for the fact that if you are hunting an animal in the wild and that animal is wounded, you might not be able to find it.

This legislation does not address or condone hunt farms. But I would say to you that there is that view that if an animal was shot or wounded and not able to be claimed right away, in a confined area that animal is to be found. In that aspect I would say there is some . . . [The time limit for questions and comments expired]

**The Deputy Speaker:** Any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I appreciate the opportunity to stand up and talk to Bill 11, the Livestock Industry Diversification Amendment Act, 2011. It's interesting, the bill number here. It's often a mark of bad luck on the part of the government to have a bill with the number 11. It goes back over a number of sessions of this Legislature.

Back to Bill 11, which is a lucky one for me, Mr. Speaker, because it was the bill that helped me get elected in the by-election in 2000, following the passage of that bill to deal with private hospitals, just one of many subsequent attempts on the part of the government to bring that type of health care to our fair province. This one I think may be a more lucky number now that

it's been amended or will be amended to eliminate any prospect of the minister approving hunt farms.

I don't intend to go into the issue of hunt farms as extensively as some others have done. I accept the intention on the part of the government to make sure that hunt farms do not take place in this province. I think that's only right and proper. Having dealt with this in previous years and raised the issue when, in fact, the government was contemplating that very prospect, the public reaction at that time I think impressed the government so that they're not going to consider that further.

The purpose of the bill is to amend the Livestock Industry Diversification Act to enable Alberta Agriculture and Rural Development to exercise full legislative authority for domestic cervids, which creates a single-window approach in order to reduce legislative burden and help improve economic diversity by stimulating the farm raising of diversified livestock animals.

The bill makes a number of amendments that are reordering words and definitions, keeping up with minor changes for clarity, as well as a few substantial changes to the structure of the act. One section sets out new powers of the minister. That's section 10.1.

The term "domestic cervid" is replaced with "authorized diversified livestock animal" to broaden the prospective livestock animal to potentially more than just cervids.

The bill sets out the power of the minister to issue a permit for authorizing a prescribed activity that would or could otherwise constitute a contravention of the act. This is the piece I think that the government is proposing to amend to preclude hunt farms. The bill adds that the minister may also by regulation provide for permit, licence, or other kind of permission under other legislation of Alberta or other jurisdiction.

The bill would repeal provisions regarding farms, slaughtering, transportation, and importation of animals and replace those provisions with the following proposed sections: hunting regulations forbidding the hunting of controlled animals or big game, with the exception of the hunting of predatory animals for the purpose of prevention or control of depredation authorized by the Wildlife Act.

Permits would be required to possess, transport, import, or export diversified livestock.

The bill would set out clear limitations on prosecution by indicating that a prosecution in respect of an offence against the statute may not be commenced later than two years after the act was committed or when evidence first arose.

The bill would add several additional powers of the minister to create regulations, including regulations regarding the application and provisions in the Livestock Identification and Commerce Act, the Stray Animals Act, or the Wildlife Act.

The Livestock Industry Diversification Act gives authority to farm deer, elk, and moose in Alberta and is administered by Alberta agriculture and food regulatory services division. The Wildlife Act and regulations also apply in some circumstances. They are administered by Alberta Sustainable Resource Development, fish and wildlife division, enforcement field services branch and the wildlife management branch.

Currently legislative responsibility for the regulation of farm cervids is shared by Alberta Agriculture and Rural Development and Alberta Sustainable Resource Development. This change would see the transfer of that legislative responsibility for farm cervids as identified in the Wildlife Act and wildlife regulation in the Livestock Industry Diversification Amendment Act. Once the transfer is complete, ARD will have full administrative authority to administer and enforce all programs related to farm cervids. By doing this, the government claims it will create a one-window approach to dealing with cervids to streamline processes and reduce unnecessary administrative duplication.

The government also has announced that this act would improve the economic diversification of rural Alberta by broadening rural agriculture and livestock-raising alternatives. The cervid livestock industry is often cited as a dying one, but we are led to believe today by the minister of agriculture – and I have no reason to dispute him – that, in fact, the industry is doing very well.

But there is an article I want to bring to members' attention. The Alberta Wilderness Association claims that the game farming industry is both environmentally and economically unsustainable. It has played a role in infecting North American deer and elk with chronic wasting disease, and that has animated the Alberta Wilderness Association's consistent opposition to the licensing and support of the industry. Alberta Wilderness Association claims that chronic wasting disease management has already resulted in substantial economic losses to both ranchers and the provincial government, who are forced to eradicate the cervids and compensate the owners. The chronic wasting disease hunters' surveillance program alone cost half a million dollars in 2009-10.

5:50

Chronic wasting disease was first found in Alberta back in 2002 on a northern elk farm in Federal. Chronic wasting disease eradication measures were introduced immediately. It became a larger problem when it surfaced again in wild deer populations in Alberta in 2005 and has caused concern that this finding would create significant costs related to the farmed elk and deer industry. These potential costs can be used to assess the economic returns from chronic wasting disease containment and eradication programs. Cost estimates of chronic wasting disease to cervid farms range between \$12 million for additional farm fencing and, potentially, up to hundreds of millions of dollars in payments by governments to discontinued cervid farming.

Hunt farms were thankfully banned in Alberta back in 2002. The Alberta Elk Commission has expressed strong support for the bill for several reasons related to elk farming. This includes concerns over ownership of elk: whether or not the elk leaves the property of a ranch, it becomes a possession under the Crown. This is going to be fixed in the act, apparently.

Classifying elk as diversified livestock should also help with the labelling of product meat and encourage performance in the marketplace. Simplifying and streamlining the process in obtaining permits and registration would also be of benefit to elk ranchers.

The concerns raised by the Alberta Wilderness Association are several. First of all, they have said that no consultations with the public have taken place about the contents and amendments to the bill, and they are concerned that the act will reclassify wild game as livestock. Because cattle and other classic livestock have been studied and domesticated for decades, or centuries in many cases, the knowledge base and safety concerns, diseases, and population density are much better understood. However, the knowledge base around population density and the carrying capacities of the close-quarter living of elk and deer species is quite limited. For example, chronic wasting disease has been found in wild deer populations in the province, causing extermination programs to be set in place. The disease could be potentially devastating if there was an outbreak in a localized farming operation.

Finally, the concern that's been expressed to us is that the amendments place all the power in the hands of cabinet by granting the minister, in section 10.1, the power to remove any legal barriers outlined in this act. The Alberta Wilderness Association believes this amendment is to bypass – well, I think that part has been dealt with.

In a letter to the editor March 14, Mr. Randy Collins, past president of the Alberta Fish and Game Association, also expressed

concerns about the legalization of hunt farms. I think that's a concern that the government has dealt with. The minister of agriculture on March 21 indicated that the province will amend Bill 11 to make certain Alberta does not unwittingly sanction controversial hunt farms and has made a strong commitment, which I appreciate.

I think that, Mr. Speaker, the primary concern with respect to this act has been the question mark around hunt farms, which, as I've just indicated and the minister has indicated, is going to be amended. I think that takes away the greatest degree of concern.

I do want to express, though, the importance I see of taking a piece of legislation like this and consulting more broadly than just with the industry. There are others, Mr. Speaker, in this province who have interests that are affected by this industry and by this legislation, including hunters, environmental organizations, and other people involved in agriculture, in regular farming activities. They also ought to be consulted when the government brings forward a piece of legislation like this.

Simply consulting only with the industry and only attempting to reflect the industry's interests is not good enough. You have to balance these things in government – that's my view, at least – and make sure that the impacts of a particular industry do not unduly hurt the interests of others or that, at the very least, they know what's coming and have been given a full chance to consult. I think that it's regretful that that wasn't done in this case, Mr. Speaker.

Regardless, I think that the legislation could be supported with the amendments that the minister has proposed, and I will await the passing of those amendments. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you, Mr. Speaker. I appreciate the very good comments the Member for Edmonton-Highlands-Norwood has made. You made reference to, of course, an amendment on this bill that you're anticipating to come forward. With that, I guess my question to the member would be that if that amendment was not forthcoming, I'd be very interested, with the bill as it presently exists in this House, in the position that he would take relative to it as it stands right now.

**Mr. Mason:** Well, Mr. Speaker, going back a number of years, our position has been very strongly against hunt farms. There was a time when, I think because of mismanagement by the government of this particular sector, people were left with large populations of elk that they couldn't sell, and that was because chronic wasting disease made the markets disappear. The ranchers were desperate for some way to try and realize some return on their investment there, and that's where the hunt farm idea came from.

The NDP led the charge at that time against hunt farms, and the government backed off that position, which was something they were actively considering at the time. It's now become a mainstream position, I think, that's shared on all sides of the House, and I think that that's indeed progress. If, in fact, the door was left open for that kind of activity by this legislation because the amendments were inadequate or didn't come forward as promised, then we would certainly take a very different view of support for this act.

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. I always appreciate, again, the research from the NDP caucus and the extra funding that they have, so perhaps they have some of these answers. There are hunt farms in the



North American jurisdiction. Could you expand on or do you have knowledge of those areas that are currently there and that have access? One of the provisions or comments that we see in here is that they can export Alberta elk and deer and moose to other jurisdictions that have a hunt farm. Do you know where any of those hunt farms currently exist and if there is any export going on with Alberta cervids?

**Mr. Mason:** I'm not familiar with the answers to some of those questions, which really speaks to the need for additional research funding for the caucus. I know that there are hunt farms, for example, in Saskatchewan, I think, and in the United States. I'm not familiar with the situation right across the country. You know, we have been able to over the years learn how to squeeze out every dime that we get, and perhaps we can share some of that with you.

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. The ingenuity of business to jump through loopholes always amazes me. I'm just wondering. Again to the hon. member: from their research what happens if a domesticated deer or elk escapes or breaks through the fence? Is that something that happens? Is it legal then to hunt those animals and to shoot them down? Do you have any knowledge on that direction and on whether we have the possibility of gates being left open and what-

not in order to enhance one's income by then having to hunt down these escaped animals?

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, I'm not quite sure about what exactly the member was getting at, but I can tell him that, in fact, the escape of these animals into the wild is quite common. That's how, for example, chronic wasting disease got out into the native deer population in this province, creating that problem. It came from animals that escaped from farms, and then it began to spread into the general population, which caused a great deal of problems. Again, it goes back to some serious mismanagement of this industry by this provincial government in the early days.

**The Deputy Speaker:** Hon. member, I hesitate to interrupt you, but it's 6 o'clock. The Assembly stands adjourned until tomorrow afternoon at 1:30.

The policy field committee will reconvene tonight in this Chamber for consideration of the main estimates of Advanced Education and Technology. Tonight's meeting will be video streamed. Have a great evening meeting.

[The Assembly adjourned at 6 p.m. to Wednesday at 1:30 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday, April 13, 2011

Issue 22

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 13, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Happy, happy Vaisakhi to all. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly my constituent the mayor of Strathcona county, Linda Osinchuk. Accompanying Mayor Osinchuk is Marion Guillot, a Rotary exchange student from Bordeaux, France, who is currently staying in Mayor Osinchuk's home. Marion's parents, Pascal and Adeline, and siblings Emilien and Perinne, also from Bordeaux, France, are also visiting Alberta, some for the first time. These visitors are seated in your gallery, and I'd like to ask them to rise and receive the warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you and through you to members of the Assembly a wonderful group of 31 grade 6 students from the brand new school of Monsignor Fee Otterson elementary-junior high located in the constituency of Edmonton-Whitemud. I had the honour of attending the opening of this great school last fall. It's one of our P3 schools. I have to say that it's truly a wonderful and caring school. It's already full, and it needs more portables. It's a great place for the students that are attending there. Accompanying the students is their teacher, Mr. Jesse Diachuk, along with student teacher Janine England and teacher assistant Chandrika Maraweera along with parent helper Jin Mi Kim and grandparent Joyce Bell. I'd ask all of them to rise in the gallery and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's a great day in the Legislature today when I have 72 guests from St. Joe's school in Whitecourt. They're here with their teachers, Melissa Uttley, Gail Prince, and Amanda Brown. They're young energetic teachers that are able to tackle this energetic group as well. I had an opportunity to take them down to my office and have a good tour of the Legislature today. I'd ask them now to stand up and be recognized by the Assembly.

**The Speaker:** The hon. Member for Calgary-Montrose.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I've got a series of introductions today, the first of which is my father, Baljinder Bhullar. I'd asked him to rise. My father is accompanied by many

individuals here from Calgary to attend Vaisakhi celebrations for the second time in this proud Assembly. Accompanying my father is Rajinder Bhullar, my uncle, Minder Singh, Nirpal Klair, Surkhdev Khara, in addition Harpreet Dhaliwal, Ramanjit Gill, Mr. Felix Clarin, Joel Veluya, Coralyn Gatchalian, Ranjit Sidhu, Jagpreet Shergill, Suvinder Gill, Kuljeet Dhillow, Gagandeep Sahota, Surat Buttar, Ravinderpal Singh, Jaskaran Klair, Harbans Buttar, Virinderjit Bhatti, Sarup Kalkat, Harbans Sidhu, Mohinder Dhillon, Charan Singh, Prem Singh, Jagtar Kharey, Gordeep Kharey, and Mr. Jagdeep Bachher and his family. At this point I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. Please bear with me. I've got a lot of guests, but I'll only introduce the presidents for the four Sikh gurdwaras. I'll mention their names, and they've got other members with them. I would like to introduce to you and through you to all members of this Assembly four gurdwaras from Edmonton: Gurdwara Millwoods, Gurdwara Siri Guru Singh Sabha, Gurdwara Nanaksar, and Gurdwara Siri Guru Nanak Sikh. I will ask all the members to please rise and receive the traditional warm welcome from this Assembly.

Mr. Speaker, I've got a second introduction: Detective Robinder Gill and his father, Nirmal Gill. He did a wonderful job downstairs explaining the Sikh religion and culture, and I'd ask all the Assembly members to please give them a warm welcome.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It is indeed a pleasure and an honour to rise today and introduce to you and through you to all members of this Assembly a group of staff from my department in the Advanced Education and Technology client services branch. They're visiting us today on a public service orientation tour. These are the hard-working men and women that help our apprentices each and every day to go through apprenticeship to finish their red seal exams and to get out into the workforce and help build a greater Alberta. I'd like to introduce them and have them stand as I announce them: Chris Gordey, Agnes St. Jean, Elsie Gray, Ken Lodwig, Larry Schmidt, Jones Mitchell, Dale Keyes, Ed Giffen, Patricia Guzman, Rebecca Kragnes, Allan O'Brien, Connie Oskoboiny, and Mike Kaziechko.

**Dr. Taft:** I'm not sure if my guests are here, Mr. Speaker, but perhaps I'll take the chance that they are. It's a class from the School for the Deaf, which is not just a special organization in my constituency but for all of Alberta. They do a wonderful job of working with students there. They are on a tour today, but I'm not sure that they're here. If they are, I would urge them to rise, and let's give them a warm welcome on principle.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Manning.

### Vaisakhi Day

**Mr. Sandhu:** Thank you, Mr. Speaker. It's an honour to rise today to make a statement on Vaisakhi Day and mark 543 years of Sikh history. Today is a special day for Sikhs throughout the world, as most of the Sikh population lives outside of India.

I'm honoured to rise today to recognize April 13, 1699, Khalsa day, when the 10th Sikh Guru Gobind Singh Ji formalized Sikh

identity and protected the principles of humanity, equality, and justice.

Vaisakhi is widely celebrated as a traditional harvest festival in northern Punjab, India. Today we celebrate both the religious and, most importantly, the cultural side of Sikhism. Sikhs have lived in Canada since the early 1900s. I know they are all proud to be Canadian. The Sikh community is an important contributor to the economy, and many have served in uniform.

Thank you, Mr. Speaker, for hosting a wonderful Vaisakhi celebration this afternoon for the Sikh community and the Legislative Assembly. I would also like to thank the Premier for his support during this afternoon's celebration and for his warm wishes. Thank you to all the MLAs who attended the ceremony.

I hope that everyone has a very happy Vaisakhi this year. I know that all of the Sikh gurdwaras will be busy celebrating.

Our Sikh gurus' teaching supports saving humanity, and I urge all Sikh Canadians to commit to making a decision about body organ donation.

God bless. Thank you, Mr. Speaker.

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

#### 1:40 Legal Protection for Physicians

**Mrs. Forsyth:** Thank you, Mr. Speaker. Doctors in this province perform a very noble and very difficult job. There's a reason just about every little boy or girl at some time tells their parents that they want to grow up to be a doctor. Doctors help people. They make you feel safe, and they fix you when you're sick. Unfortunately, the intimidation tactics of the government and its continued refusal to call a public inquiry to get to the bottom of our health care crisis are making it more difficult than ever for doctors to do their job.

As the Wildrose health critic not a day goes by now when I don't get a call or an e-mail from a doctor about what has become a very toxic work environment. Writes one doctor: we've seen unprecedented events occurring in health care, leading to the erosion of trust and confidence in decision-makers and those governing our system. The worst part of this, Mr. Speaker, is that these doctors have to remain anonymous. Under this government no doctor will dare attach their name to a criticism of how health care is delivered in Alberta. Dr. McNamee and others can attest to why this is happening. That's why Albertans need this judicial inquiry. The Health Quality Council investigation simply does not offer the level of legal protection doctors need to shed light on what's really going on in our health care system.

Mr. Speaker, the veil of silence must be lifted. Our doctors want to speak out. They want to tell Alberta what is wrong and what needs to be done to get it right. Up until now the government has been far more interested in saving its own political skin than truly improving the health care system. It begins with the truth, and it's about time this government allows the truth to be heard.

If I can quote Einstein: learn from yesterday, live for today, hope for tomorrow; the most important thing is to never stop questioning.

#### Decorum in the Legislative Assembly

**Dr. Brown:** Mr. Speaker, yesterday the Leader of the Official Opposition heatedly and forcefully alleged that a distinguished senior member of this Assembly was not telling the truth and was deliberately misleading Albertans. The remarks are clearly against the rules of this House, as the hon. Speaker has stated. But, even more, those statements are blatantly untrue and are a malicious

attack on the character and integrity of that respected member of this House. Anyone who knows the distinguished gentleman knows that he is a person with the highest standards of ethics and integrity.

In January of 2009 the hon. Leader of the Official Opposition agreed that the decorum of the House needed to be improved and that the behaviour of MLAs needed to change. He promised to tone down the rhetoric in the House. He referred to a cynicism about politicians and how that has to change. He espoused respectful relations. He said that he would stand up for ethics and civility in this Assembly. He said that we should rise above partisan differences and seek the public good. Where have all those high and laudable ideals gone?

As politicians we all expect to be criticized and criticized forcefully as regards our ideas, our opinions, and our policies. It comes with the territory. But what we should not expect, especially from the Leader of Her Majesty's Official Opposition and especially not in this Chamber in which we have the honour to serve, are personal attacks on our character, our honesty, and our integrity.

Mr. Speaker, the Leader of the Official Opposition should demonstrate that he is in fact a person of integrity and honour by retracting those malicious statements made in the House yesterday and should apologize unreservedly to the Premier and to all members of this House.

**The Speaker:** The hon. Member for Calgary-McCall.

#### Vaisakhi Day

**Mr. Kang:** Thank you, Mr. Speaker. [Remarks in Punjabi] Today members of the Indo-Canadian Sikh community recognize a very important day. Today all across the country and around the world we celebrate Vaisakhi. Vaisakhi is the annual recognition of the anniversary of the birth of the Khalsa, the pure.

Guru Gobind Singh established the Khalsa over 300 years ago, and the faith has grown in strength and purity throughout the years. When Guru Gobind Singh created the Khalsa, he met with resistance from the established order, for Guru Gobind Singh in his wisdom noted that the caste system was unjust and that the lowest, in his words, should stand alongside the highest. But the guru's wisdom prevailed, and today virtually all people recognize the truth and the value of equality.

The guru's commitment to social equality and the inherent worth of all human beings is emulated in all Sikhs today, as are the other ideals and values of the faith: respect and dignity for all people, protection of human rights, the duty to carry out good deeds, the importance of a positive attitude, veneration of the family, and devotion to logic, charity, kindness, justice, humility, and hard work. These are the fundamental values of the Sikh faith, and I believe they are the universal human values shared by all Albertans and Canadians.

Today let us share in celebrating those values as one people bound together by our common desire for a better world and our respect and love for our fellow human beings. God bless Canada. God bless Alberta. God bless us all.

Happy Vaisakhi. [Remarks in Punjabi]

**The Speaker:** The hon. Member for Strathcona.

#### Primary Care Net Networks

**Mr. Quest:** Thank you, Mr. Speaker. We all depend on primary health care services like when you go to a doctor or another health care professional to receive a basic health service like an annual

checkup or help to manage a chronic disease or minor illness. Our five-year health action plan identifies primary health care as a priority area in our health system. The plan sets out a number of actions to strengthen primary care services and build better connections between Albertans, family doctors, and other members of the health care team.

Alberta is a national leader in developing new and innovative ways of delivering primary health care. Currently there are 40 PCN networks across the province serving more than 2.5 million Albertans. A PCN is a formal arrangement between groups of family physicians and Alberta Health Services to provide primary care services to patients in a specific geographic area. Under the five-year health action plan the short-term goal is to expand primary health care access to another 100,000 Albertans by next year. This plan also calls for a provincial primary health care plan to prevent and manage chronic diseases to be developed and implemented by 2015.

In my local area the Sherwood Park-Strathcona primary health care network serves the primary care needs of approximately 72,000 residents in Strathcona county. By tracking Albertans with chronic conditions and working to help them develop personalized treatment plans, more can avoid trips to emergency or being admitted to hospital.

Mr. Speaker, our primary care network is showing great success in providing Albertans with the care they need, and the five-year action plan will help us build on this solid foundation by improving primary care access for more Albertans and help us build the best public health care system in Canada.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Little Bow.

#### **Lomond Stars Female Hockey Team Lance Dealy**

**Mr. McFarland:** Thank you, Mr. Speaker. I'm pleased today to recognize the Lomond Stars female hockey team as the Alberta champions for 2011 in the peewee B category. The Stars' first step in their fabulous season was to win the zone 5 championship banner over Lethbridge. They next won the Central Alberta Hockey League championship with a win over the Elk Valley, B.C., team. Finally, the Stars won an exciting provincial playoff with a 3 to 2 win over Olds in Red Deer on March 20 following a gruelling five games in three days.

Enjoying a tremendous season of 35 wins, three losses, and two ties are players McKenzie Koch, Christie Bach, Larissa Booth, Riley Paskowski, Cameron Sande, Ashley Stoperski, Kierra Dietrich, Nadine Bertschy, Ryann Liebrich, Karmen Mix, Chelsea James, Gail Birch, and Sydney Mix along with coaches Brad Koch, Rick Dietrich, and Karson Mix.

I congratulate all the players, the coaches, and the parents who supported the Lomond Stars, the Alberta 2011 peewee girls champion hockey team this year, Mr. Speaker.

At the same time I know that you'll join me in recognizing one of your security officers, Lance Dealy, who is the lead of the Alberta senior men's champion curling team. Mr. Dealy along with second Don McKenzie, third Gary Greening, and skip Brad Hannah won silver in the World Financial Group Canadian seniors' playdowns in Digby, Nova Scotia, the week of March 19 to 26.

Congratulations, Team Alberta.

#### **Notices of Motions**

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

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to give oral notice of a motion.

Be it resolved that pursuant to Standing Order 4(1), commencing on Wednesday, April 20, following the vote on main estimates and the report from the Committee of Supply, the Assembly shall meet for consideration of government business and thereafter shall meet on Monday, Tuesday, and Wednesday evenings for the remainder of the 2011 spring sitting unless, on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

1:50

#### **Oral Question Period**

**The Speaker:** Hon. members, before we proceed, join me in extending a happy, happy birthday anniversary to a young lady in the Assembly, the hon. Member for Lethbridge-East. [applause]

First Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Don't start the clock yet.

**The Speaker:** The clock will start now, hon. leader.

#### **Patient Advocacy by Physicians**

**Dr. Swann:** Thank you very much, Mr. Speaker, for not cutting into our time.

Yet another doctor has come forward to expose this government's culture of fear and intimidation. Dr. Allan Garbutt from Crownsnest Pass was threatened with a lawsuit for statements he made in a local paper and faced direct threats from a board member when he advocated for his patients. Dr. Garbutt says: "I had to contact the Canadian Medical Protective Association for legal assistance. Without their deep pockets behind me I have no doubt that I would have been forced to retract my statements, for fear of financial devastation." To the minister: surely the minister can see the pattern of abuse for doctors like Dr. Garbutt who are being intimidated and threatened with lawsuits while they have a duty to come forward and act on behalf of their patients.

**Mr. Zwozdesky:** Mr. Speaker, I think it's very good that doctors are heeding the advice and encouragement that we've all provided, and that is for them to speak out and speak up if they have an issue they want to bring forward and direct it to the appropriate authority, which in this case is not me; it's the Health Quality Council of Alberta.

**Dr. Swann:** Duck and deny, Mr. Speaker. How can doctors like Dr. Garbutt trust the government's statements when those who do come forward on behalf of their patients are labelled mentally unstable, threatened with lawsuits, bullied, and sometimes dismissed?

**Mr. Zwozdesky:** Mr. Speaker, I'm not sure which article the hon. member's referring to, but I can recall being in the Crownsnest Pass on a few occasions, and I can recall an article back in September when Dr. Garbutt was quoted as saying: they liked my idea, and they are going to be expanding surgical facilities in the south zone; we're one of them, and I floated out of Edmonton after the announcement. Perhaps that should be noted as well, that there are some improvements that were made and that that particular doctor was quite pleased with them.

**Dr. Swann:** So as long as he says something positive, he's rewarded. Is that what you're saying, Mr. Minister?

How many more health professionals . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, these were comments he made after he learned about it, not before.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Legal Protection for Physicians

**Dr. Swann:** Thank you, Mr. Speaker. Dr. Garbutt was only able to fight back against the threat of a government lawsuit because he had legal assistance from the Canadian Medical Protective Association. While this health minister claims to protect doctors under the Health Quality Council, the AMA, the Medical Association, and the Canadian Medical Protective Association in their bulletin of March advised doctors who are requested to appear before the Health Quality Council to contact them for advice first. If doctors are adequately protected, why are they being encouraged to contact their legal aid and assistance, who are dedicated to protecting them?

**Mr. Zwozdesky:** Mr. Speaker, most doctors in the province are privately held corporations, and they'll seek whatever advice they want, I'm sure. I think what they might want to do is also read section 9(5), I believe it is, of the Alberta Evidence Act. The Alberta Evidence Act makes it very clear that there will not be "any liability on the part of the person making the disclosure or submission." So there is protection provided there. In addition to that, the Health Quality Council is looking at additional steps, I hope, to protect them even further. Anonymity and privacy are critical items.

**Dr. Swann:** Of course, the Health Quality Council can't subpoena people or financial records.

Given it's clear that there's insufficient protection under the Health Quality Council, will you finally do the right thing and call a public inquiry and truly improve confidence in this system?

**Mr. Zwozdesky:** Mr. Speaker, I think a lot of confidence is being improved in the system with our five-year health action plan, the first-ever commitment to a five-year funding plan in Canada; the additional number of beds we've opened in hospitals, about 360; the additional community care facilities and beds, which is about 1,300 more beds; now the additional surgeries, additional cataract operations, additional MRIs, additional CAT scans, additional physicians that are being added. I could keep going if time allowed.

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

### Abandoned Wells

**Ms Blakeman:** Thank you so much, Mr. Speaker. This government has been careless in its tracking of wells. Companies have disappeared and along with them any record of wells, the ownership, or the responsibility to clean them up. This situation has left the responsibility to pick up the pieces to the extremely underfunded Orphan Well Association and, ultimately, the Alberta taxpayer. To the Minister of Energy: seeing as this is industry defaulting, why isn't more expected from industry as a whole to minimize the liability for Alberta taxpayers?

**Mr. Liepert:** Well, Mr. Speaker, since the orphan well fund was established, there has been tremendous progress made on reclamation. One of the issues that has to be addressed is that we have a

number of wells from many decades ago where in many cases the company that was responsible for that well is no longer around. There is an attempt to catch up. We recognize that there's a lot of work to be done there, and we're attempting to address that in several ways, which I'd be happy to explain in subsequent answers.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much. Back to the same minister: given that the Orphan Well Association is forced to defer, postpone, or spread environmental cleanup because of their lack of resources, is the minister planning another injection of cash to help them manage the demand?

**Mr. Liepert:** Well, Mr. Speaker, I think it's important to recognize that I think it was about two years ago when the government injected about \$30 million into the orphan well fund. That went a significant way toward attempting to catch up on many of these situations. I mean, one of the challenges we have is that, certainly, there's an argument to be made. Whose responsibility is it to pay for wells that have not been reclaimed from decades ago? I'm not so sure that industry today is necessarily responsible for that.

**The Speaker:** The hon. member, please.

**Ms Blakeman:** Thank you. Back to the same minister. Well, given that that injection of cash allowed the Orphan Well Association to deal with some of that backlog, but the money was gone in less than half a year – that's how desperate they were – and the government requires a level of security that doesn't even come close to the cost of reclamation, how can it argue it has the best interests of Alberta taxpayers at heart? The risk is on the taxpayer.

**Mr. Liepert:** Mr. Speaker, the member is not totally correct there. I think that our issue is not around the current situation and whether or not there are adequate resources around reclamation. Our issue is that many of these wells have been around for decades and decades and it's a matter of catching up. We want to make sure that it's done in an appropriate manner, and we'll continue to do that.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Lower Athabasca Regional Plan

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Earlier this week the Premier engaged in a little bit of political theatrics with an open letter to Albertans warning federal party leaders to stay out of the oil sands, my backyard. But there's a whopping dose of hypocrisy embedded in its words given the proposals in the draft lower Athabasca region. My question is to the minister of finance. With the hypocrisy that is there, the interference that is there, I have to ask the minister of finance: does he support breaking Alberta contracts?

**Mr. Snelgrove:** Mr. Speaker, I think there may be an obligation on a member asking a question to actually put it in a format that makes sense of some kind so we can try and answer his questions. The simple fact: we respect contracts and we respect the law. Probably more, we respect Albertans, and they deserve better

**Mr. Boutilier:** Mr. Speaker, certainly better than the minister of finance.

To the Minister of Energy: given the fact that he broke contracts that were signed with a cowboy shake, an Albertan way of life, I have to ask him. This is destroying and attacking our economy. Why does he also agree with breaking contracts? Why does he agree?

**Mr. Liepert:** Well, Mr. Speaker, I think it's incumbent upon this member, if he's going to ask that type of question, to actually stipulate what contracts have been broken. I'm not exactly sure what he's talking about because I don't know about any contract that anyone has broken.

2:00

**Mr. Boutilier:** Mr. Speaker, I was in touch with Calgary oil business workers yesterday. Given that, he's very aware they don't agree. Consequently, why does the Minister of Energy support breaking contracts that ultimately are helping boost the \$4 billion to \$7 billion of royalties that come into this province?

**Mr. Liepert:** Well, Mr. Speaker, my guess is that I've probably talked to more industry than this particular member has. I can tell you that what industry is telling me is that they believe we've found a very good balance. Industry recognizes that if we don't do something about ensuring that there are conservation areas in that region, the federal government will start stepping in and ensuring that that happens, and I think it's better if we control our destiny than having the federal government do that.

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

### Electricity Prices

**Mr. Mason:** Thanks very much, Mr. Speaker. Power rates for consumers are expected to rise by 66 per cent next month, a direct result of the sudden, permanent shutdown of TransAlta's Sundance 1 and 2 generating units, with no replacement generation in place. Will the Minister of Energy admit that this Tory government's deregulation of electricity generation has allowed the creation of an artificial shortage which is directly responsible for this massive price hike to consumers, and will he tell Albertans what he's going to do about it?

**Mr. Liepert:** Well, Mr. Speaker, I will be very interested to see next month whether the media, which the member is referring to because he didn't do the research – he's reading out of the newspaper that the power rates are projected to go up by 62 per cent next month. I'll be very interested to see whether that same question comes a month later, when power rates go down by 62 per cent when new electrical generation comes on stream.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, given that the average electricity bill for Alberta families is expected to jump from \$43 this March to \$71 in April and given that experts – and this is from the power industry, Mr. Minister – say that these bills will remain at least this high for the foreseeable future, will the Minister of Energy take responsibility for his government's misguided deregulation scheme and tell Albertans what he's going to do to control their power prices?

**Mr. Liepert:** Well, Mr. Speaker, we could do one of two things. We could have in place the system we've got, which has delivered us the lowest power rates in the country since 2003, or we could do what that member would like us to do and inject ourselves into

the market, mess with the market, and create the mess that they've got in socialist Ontario right now.

**Mr. Mason:** Socialist Ontario.

Well, given the flights of fantasies of this minister when he's faced with questions about the power rates, the skyrocketing power rates that ordinary families in this province are going to have to pay, and that he has no answers, will the minister come clean with Albertans and say that they're just going to have to keep paying through the nose because he won't do anything about it?

**Mr. Liepert:** Mr. Speaker, to use his terminology, I think I came clean in the first answer. The first answer was that there is generation coming on stream. It's going to be in the next month or two. It will absolutely replace what has gone off the grid. The expectation by the independent operator is that power prices will probably find a level that's very consistent with what it's been.

**The Speaker:** The hon. Member for Calgary-Currie.

### Minimum Wage Rate

**Mr. Taylor:** Thank you, Mr. Speaker. On March 10, 150 days to the day, the Minister of Employment and Immigration sent the chair of the Standing Committee on the Economy his response to the committee's report on Alberta's minimum wage policy, just as the standing orders require him to do. In essence, the minister's response said: thanks for conducting the review I requested; I'll get back to you soon. Is the minister prepared to announce a new Alberta minimum wage today, and if not, why not?

**Mr. Lukaszuk:** Well, Mr. Speaker, in a letter to the chair of the all-party committee I thanked him for the work that he has done with numerous Alberta stakeholders. They have provided me with sound advice, which I am poring through right now. I'm looking at other provinces as a few other provinces right now are announcing changes to their minimum wage. The member will have to be a little bit more patient. I will be announcing new revisions to the minimum wage shortly.

**Mr. Taylor:** Well, Mr. Speaker, how much longer should Albertans living in poverty have to wait for the minister to read and digest seven recommendations? I mean, really.

**Mr. Lukaszuk:** Mr. Speaker, Albertans living in poverty are well aware of the fact that this ministry happens to also have many programs that help Albertans out of poverty. He will be interested probably in finding out, which is not contained in the report, that the provinces who actually have the highest minimum wage tend to have more individuals reliant on government programs. I will strike a balance. I'm looking at what works and what doesn't work not only in Canada but throughout the world, and you will get a very comprehensive answer soon.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. Again to the minister: is the minister willing to agree today, since wages are – and he pretty much just confirmed that – only one of the issues confounding the poor, to undertake a broad-based consultation that includes the poor with the goal of creating a poverty reduction strategy in this province?

**Mr. Lukaszuk:** Mr. Speaker, I am glad to report to you that we have a very comprehensive package for recovery from poverty, and that's called jobs. This ministry trains individuals towards employment, encourages individuals towards employment, pro-

vides assistance for individuals towards employment, and we will continue to maintain that jobs are the best way out of poverty.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Buffalo.

### Supply of Skilled Tradespeople

**Mrs. McQueen:** Thank you, Mr. Speaker. A recent report from the Petroleum Human Resources Council is painting a rather desperate picture of the future in terms of the available labour pool in Alberta's energy industry. The report suggests that in the next 10 years employers in this sector will have to hire between 33,000 and 102,000 workers. My question is to the Minister of Advanced Education and Technology. Can our province realistically meet this demand for so many tradespeople?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Indeed, this is a challenge. In fact, only today I heard from industry reps saying exactly the same thing, that what stood in the way of drilling more wells last year was the unavailability of trained crews that could do that work. So we do desperately need them.

Mr. Speaker, training workers is a three-pronged stool. We first need to attract people interested in the trades. Secondly, we need to attract employers that can hire those people in the trades and journeymen to help provide on-work training; and thirdly, we need to have those spaces in our postsecondaries to train those young workers.

**The Speaker:** The hon. member, please.

**Mrs. McQueen:** Thank you, Mr. Speaker. To the same minister: will this need for workers translate into more technical training seats becoming available in the future?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. The short answer is that last year we did see a downturn in apprenticeship applications, but what we did is that we maintained the funding at last year's level to bridge over and keep all of our positions, to keep our chairs in place, to keep our instructors in place so that as the economy ramps back up, they will be in place. We will meet the needs of apprentices, and in fact already this year we have 500 more applications for apprentices than last year.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Finally, to the Minister of Employment and Immigration: with so many tradespeople needed and the unlikelihood that all these positions can be filled by Albertans, what is your ministry doing to make it easier for tradespeople from outside Alberta to work here?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. That ties in very well with the previous question from Calgary-Currie. Not only are we focusing on Albertans first and not only are we providing them with the skill sets that they will require to be fully employed in our economy, but we are also focusing now on other Canadians. Through initiatives like TILMA we're actually attracting Canadians from coast to coast to coast, and they're finding jobs right here in the province of Alberta.

### Electricity Prices (continued)

**Mr. Hehr:** Mr. Speaker, Albertans have seen electricity prices spike once again. So-called regulated rates, meant to even out the peaks and valleys of electricity prices, are not working. Albertans are paying more than ever for electricity. What this province needs is a regulated rate that works, where prices are set over a longer term to ensure families aren't facing sticker shock when they receive their electricity bill. Accordingly will the minister follow other jurisdictions on these pricing concerns by making this the default option?

**Mr. Liepert:** Mr. Speaker, if the member would care to do his research, we absolutely have in place the ability that any consumer can sign a contract for a guaranteed price for electricity, so I'm not sure what he's asking for.

**Mr. Hehr:** Well, given that this government let generation facilities degrade to the point where 560 megawatts of power at Sundance sites needed to be shut down in the middle of winter, when electricity prices are subject to being at their peak, with no replacement ready to take over, why should any Albertan trust this government to get electricity prices back under control?

**Mr. Liepert:** Mr. Speaker, to be clear, the government of Alberta has nothing to do with the maintenance of generation facilities as alleged by the hon. member. Secondly, I'd point out to the hon. member that I don't know which part of the country he lives in, but on the 13th of April I don't consider that the middle of winter. Thirdly, as I said in my first point, any consumer at any time can sign a long-term, guaranteed contract for electricity retail prices.

2:10

**Mr. Hehr:** Well, given that there have been considerable delays in bringing on new generation, including an Enmax plant which sat in pieces in the field for more than a year waiting for approval, what assurances can the minister give that the record prices won't shoot even higher because we do not have any adequate production of electricity in this province?

**Mr. Liepert:** Well, let me again correct the preamble. The government had nothing to do with the Enmax facility sitting in the middle of the field as alleged by that particular member. As per legislation there was a review done. This minister signed off on that review several months ago. It's up to Enmax when they want to construct a power plant or any generator. As I said earlier to the Member for Edmonton-Highlands-Norwood, there will be new generation coming on within the next month or so, and I'm sure that that will bring power prices back to the average.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Lethbridge-East.

### Métis History and Culture in Education Curriculum

**Mrs. Leskiw:** Thank you, Mr. Speaker. Alberta has been the first and only province to recognize Métis people with a governance structure and land base. However, it is also important that education curriculum in our province recognizes the accomplishments of the Métis people. My first question is to the Minister of Education. Are the contributions and history of the Métis people covered in Alberta's curriculum?

**Mr. Hancock:** Well, the short answer, Mr. Speaker, is yes. The contributions and history of Métis people in Alberta are covered

extensively throughout the curriculum, particularly in the social studies program and in aboriginal studies 10, 20, 30. At every grade level there are opportunities to incorporate classroom learning experiences that enrich students' understanding of Métis culture. In senior-level courses students can learn how First Nations and Métis land rights are based on differing premises and how the Métis settlements differ from First Nations.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. My first supplementary is to the same minister. What is the minister doing to ensure that nonaboriginal students also learn about the history and culture of the Métis people in a comprehensive manner?

**Mr. Hancock:** Well, Mr. Speaker, as I indicated, it is an essential part of the social studies program. Alberta students at all grades develop an understanding and appreciation of aboriginal peoples in Alberta, including Métis history and culture. For example, in grade 4 all Alberta students are asked to explore how Métis people contribute to Alberta's identity, from the earliest days of the fur trade to media, politics, commerce, and to the modern Métis. In grade 11 Alberta students are asked to explore how Métis people contribute to Alberta's identity, Métis nationalism, an example of how . . .

**The Speaker:** Thank you. Perhaps we'll get it in in the third question.

The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. My final question is to the same minister. While I support aboriginal studies 10, 20, and 30, does the minister have any plans to review the program to include a Métis history component and resources into the curriculum?

**Mr. Hancock:** Mr. Speaker, curriculum is constantly under review to ensure that it's responsive and relevant to students and consistent with the Inspiring Education process. We are beginning an action on curriculum process, which will again look at curriculum in all elements. As we do that, we ensure that the fundamental elements of Alberta society are included in that curriculum, and Métis history and the Métis contribution are part of that fundamental history of Alberta.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for St. Albert.

### Residential Building Inspections

**Ms Pastoor:** Thank you, Mr. Speaker. The government's handling of the residential construction file has been less than co-ordinated and effective. On closer analysis it reveals a deeply fragmented system where responsibilities are scattered among Service Alberta, Municipal Affairs, and individual municipalities. To the Minister of Service Alberta: will she admit that bringing the various elements of the residential construction file under the purview of one ministry would result in a better co-ordinated and more effective system for homeowners?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to the responsibilities Service Alberta has, we are responsible for the home inspections for resale properties, and that's something that is under the Fair Trading Act. With respect to the other issue it is indeed under the Ministry of Municipal Affairs. At the same time

we're doing excellent work. We have great consultation with respect to regulating the home inspection industry. Things are moving in the right direction.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Further to that, are building inspection reports for residential properties available to homeowners, and if so, are they required to use FOIP to obtain that information?

**Mrs. Klimchuk:** Mr. Speaker, with respect to home inspections that are done by home inspectors across Alberta currently, it is between the vendor and the individual who is asking for the home inspection. They have access to that report, and that would be the private information between the home inspector and the purchaser.

**Ms Pastoor:** What action has the minister taken to protect frustrated homeowners faced with this bureaucratic triangle between the ministries? They don't know where to go. Three different ministries.

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Again, with respect to home inspections on resale properties that's the difference with Service Alberta. New homes are with respect to Municipal Affairs. At the end of the day, under the Fair Trading Act there is protection for consumers for this, but we are looking at regulating that industry, and we are working very closely with all the stakeholders.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Glenmore.

### Legislature Reflecting Pool

**Mr. Allred:** Thank you, Mr. Speaker. The Legislature reflecting pool is a great asset treasured by many visitors to the Legislature Grounds, particularly young families during the summer months, which, hopefully, will soon be here. I understand that the reflecting pool is scheduled for removal from the Legislature Grounds. To the Minister of Infrastructure: is this indeed correct?

**Mr. Danyluk:** Mr. Speaker, in fact, I just need to inform the hon. member that there are many changes and improvements for the Legislature Grounds. The reflective pool of which he spoke is loved and used by many people. There are challenges with the maintenance of the pool, but it will remain open. The reflective pool is not going to be changed at all this year.

**The Speaker:** The hon. member.

**Mr. Allred:** Mr. Speaker, thank you very much. That answers my question, and I'm very pleased with the answer. That's not what I'd understood.

**The Speaker:** That's it?

**Mr. Allred:** That's it.

**The Speaker:** But he only said for one year. He didn't say beyond one year. I thought that was your question.

**Mr. Allred:** In that case, may I continue? Sorry. I didn't hear that one year part.

Am I understanding, then, that after one year it may be closed permanently? Is that the case? How can we justify that?

**Mr. Danyluk:** Mr. Speaker, I do want to inform you that there are going to be four additional small pools at the north end of the area that will have an interactive water feature. This is very much a recreation facility that is appreciated by many people. We do have to look at the maintenance of the reflecting pool, so I don't want to say that this is going to be open forever because we need to upgrade what this pool is.

**Mr. Allred:** Then just for clarification, Mr. Speaker. I understand that there is no intention to permanently close the reflecting and wading pool at this particular point in time.

**Mr. Danyluk:** Mr. Speaker, very correct. We have no intentions of closing the pool. I do need to expand a little bit. When the pool started to be used as a wading pool, what happened is that we had to add chlorine. The chlorine is not very conducive to the infrastructure, so we do have to look at upgrading it or maintaining it. But this year it will be in full operation.

**The Speaker:** I need to apologize very humbly and profusely to the Assembly. That's the first time in 14 years that I've actually interjected myself in a question, which is not very good.

The hon. Member for Calgary-Glenmore.

#### **Lower Athabasca Regional Plan** (continued)

**Mr. Hinman:** Apology accepted.

Thank you, Mr. Speaker. The Energy department has been selling leases in northern Alberta without consulting the Environment and SRD ministries or listening to industry or the cumulative effects management agency. Now that they've revealed their lower Athabasca plan, all that incompetence is coming home to roost, and it's Alberta's companies and taxpayers that are going to suffer. To the Minister of Energy. Surely, before this plan came out, you made estimates about how much compensation Albertans would be on the hook for given the development that has occurred on these leases. How much? Or have you simply not looked at this?

**Mr. Liepert:** Well, Mr. Speaker, I think that it needs to be pointed out – I think it has been made fairly clear in this House on several occasions, but let me make it clear again. The draft plan that my colleague released last week is in a consultation period for the next 60 days. At that point that information that is gathered will come back to government, and a final decision will be made. At that time we will know whether there is any impact on existing leases.

2:20

**Mr. Hinman:** So you've had no impact study. Unbelievable.

Given that section 19 of the Alberta Land Stewardship Act states that there is no legal recourse or even compensation necessary for government policy decisions, are you hoping to dodge proper compensation to these companies by using this clause?

**Mr. Liepert:** Well, Mr. Speaker, if you look at the Land Stewardship Act, it'll typically refer to other pieces of legislation, and in this particular case the legislation that needs to be raised is the Mines and Minerals Act. There's a clear definition within the Mines and Minerals Act of what happens in the event of, and we will follow the letter of the law.

**Mr. Hinman:** Well, Mr. Speaker, maybe a simple yes or no, but I doubt it.

Has the minister come up with his own overall estimated number for what he thinks is full compensation for the rescinded leases in this proposed plan? Yes or no? Have you come up with a number?

**Mr. Liepert:** Well, again, I have to remind this member, who can't seem to figure it out, that this is not a final plan. How can you possibly . . . [interjection] Okay. Mr. Speaker, I don't think the member wants to hear an answer.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### **Capital Infrastructure Funding**

**Mr. MacDonald:** Thank you very much, Mr. Speaker. In the budget presented to the House at the start of session we saw a three-year capital plan. In the past week we have seen two capital initiatives approved that outstrip the budget set aside in the capital plan. Can the minister of finance please guarantee this House and taxpayers that these \$807 million worth of promises made to the city of Edmonton are worth more than the press release that they are written on?

**Mr. Snelgrove:** If the hon. member is talking about the relocation of the museum from its present site in Glenora to downtown, that was budgeted and passed through this House several years ago. It has been maintained in a fund until, I think, the appropriate decision was made to move it to a more appropriate site. It was in the budget. The Green TRIP, if he's referring to that, has gone through the total budgeting process. We make commitments to municipalities; we live up to them. I have no idea where he's coming from.

**Mr. MacDonald:** Again to the same minister: given that in the past spending has been announced and then delayed, pushed back, or cancelled altogether, can the minister guarantee that the Royal Alberta Museum – you guarantee this, please – will be funded and completed by 2015, 10 years after it was initially announced?

**Mr. Snelgrove:** Mr. Speaker, I can't guarantee that in 2015 it will be all done. I can tell you that all of the people that are involved in bringing this project forward – in the design, in the construction, in the tendering, in the building – will do their very best to maintain that construction schedule. The money is there, the intent is there, the commitment to the city and the city support are there. The people of Alberta look forward to the opening of the museum in 2015, and I'll give every assurance possible that that will happen.

**Mr. MacDonald:** There's a difference between an assurance and a guarantee.

Now, again to the same minister: what guarantees can the minister give this House and taxpayers in this province that it won't be the case of the departing Premier giving and the new Premier in the middle of October taking it away?

**Mr. Snelgrove:** Mr. Speaker, the issue around the museum is an issue that has been with the people of Alberta and this government for several years. The Premier very rightfully suggested that we needed to look for a more appropriate site. There was not room on the current site. This government is committed to the museum. We have the full support of the city of Edmonton. This is not a Premier's commitment. This is a government commitment to the people of Alberta, and we will keep that commitment.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-Varsity.



### Education Program Unit Funding

**Mr. Elniski:** Thank you, Mr. Speaker. My questions this afternoon are for the Minister of Children and Youth Services and the Minister of Education. As I have talked about previously in this House, I have a number of constituents who have children with severe disabilities who need a great deal of support to help their children stay at home, at school, and in the community. Parents find it extremely frustrating when they have to deal with a lot of red tape to negotiate funding and services from several government agencies and community support groups. To the Minister of Children and Youth Services: what is your ministry doing to improve how services are co-ordinated to meet the needs of children with severe disabilities and their families?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Well, thank you, Mr. Speaker. This is a very serious issue. I understand that. I know as well as the member that in discussions with our families, we've learned that our family support for children with disabilities program as well as the Ministry of Education's program unit funding, known as PUF, need to be aligned in a way that's more helpful to our families with preschool children that have severe disabilities like autism. We started a pilot project with the Ministry of Education in September, where our caseworkers, our educators are working together to identify the unique needs of the child and then to offer the service that will do the most good.

**The Speaker:** The hon. member.

**Mr. Elniski:** Thank you, Mr. Speaker. To the Minister of Education: given that some Albertans are not familiar with program unit funding, what's it about, and how does it work?

**Mr. Hancock:** Mr. Speaker, PUF is provided to school authorities and approved private early childhood services operators. It's in place to support children with severe disabilities or delays who require support beyond that offered in the regular early childhood services programs. It supports individualized programming for children aged two and a half to six. It is available for a maximum of three years. Certificated teachers are involved in the program.

A key part of the pilot with Children and Youth Services is working with families to identify their priorities for assisting their child in the home and in an early childhood setting and to develop one service and program plan for jointly supporting these priorities.

**The Speaker:** The hon. member.

**Mr. Elniski:** Thank you, Mr. Speaker. My final supplemental is to the Minister of Education. When will the results of the pilot project be available province-wide?

**Mr. Hancock:** Well, Mr. Speaker, the pilot project is working in a number of areas, particularly in Fort McMurray, for example, where there's a pilot operating. We're learning from that. There will be a learning event held on May 10, which will bring together a wide range of families that are involved, ministry staff, and others involved in the pilot. We'll have an opportunity to discuss their successes as well as their challenges. If we're seeing better outcomes, and we expect we will, for children and families – they'll tell us their experiences – we'll have a program which we can broaden across the province.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Mackay.

### Children at Risk

**Mr. Chase:** Thank you, Mr. Speaker. PCHAD, PCHIP, forms 1 through 8 all have in common the shortcoming that they are of a limited legislated duration, faring from 24 hours to a maximum of five days to begin to resolve problems, which, first, require assessment followed by appropriate treatment and sustained support. No matter how caring and qualified ministerial representatives are, unless a youth is in secure custodial care, neither assessment nor treatment can occur. To the Minister of Justice: what roles does your ministry play in providing protection for vulnerable street youth?

**Mr. Olson:** Mr. Speaker, I'd like to thank the hon. member for raising this issue. I know he's concerned about at-risk youth, as I am. My ministry is not the lead ministry on issues such as this, but I am proud to say that the safe communities initiative, for which my ministry is the lead ministry, plays a very active role, particularly in prevention. Nine different government ministries work together. The hon. member may wish to speak to some of my other colleagues on this who are more directly involved. For example, in the last two years . . .

**The Speaker:** Thank you, Minister, but we have to move on now.

**Mr. Chase:** Thank you, Mr. Speaker. To the Solicitor General: under what circumstances are law enforcement officers permitted to apprehend a youth between the ages of 12 and 18, who, through documented actions, are a threat to either themselves or others with whom they come into contact?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. Clearly, law enforcement agencies in the apprehension of a youth or anyone else must act under some legislative authority. There are a few acts that provide that authority, including the Protection of Sexually Exploited Children Act, the Mental Health Act, the Protection of Children Abusing Drugs Act. If the case involves a youth 12 to 17 years old who has committed a crime, even the Youth Justice Act can be used. Even that act requires a police officer to first seek some program or community agency to deal with before proceeding with judicial actions against that child.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Again to the Solicitor General: to what extent are front-line officers not only permitted but encouraged to use their professional discretion in dispensing justice that is, quote, in the best interests of street children and youth?

**Mr. Oberle:** Mr. Speaker, I'm not sure what the member is after here. If he wants me to assure him that police exercise discretion, they do. They are community police. That's their job. They do it every day. If he wants me to assure him that police can help, they do, not only children but their families or guardians. They can work with families affected by instances. But if he's seeking the resolution of a particular case – and I sort of feel he is here – I can't help him with that. We can't discuss that case on the floor of the House. I can only advise him to have the guardians or the parents deal directly with authorities in my department or children's services. There are a lot of people who can help and who are eager to.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Calgary-McCall.

2:30

**Public Transit**

**Ms Woo-Paw:** Thank you, Mr. Speaker. Having a well-connected transportation system is important to support economic opportunities and improve quality of life in Alberta communities. An effective transportation system has many components and should include innovative transit transportation. My questions are to the Minister of Transportation. I'd like to know what he has been doing to improve the quality and accessibility of bus and transit transportation in our province.

**Mr. Ouellette:** Well, first of all, Mr. Speaker, I want to make it clear that the Alberta government is in the transportation business, but we're not in the transit business. With that said, a little earlier the Member for Edmonton-Gold Bar brought up our Green TRIP fund. I want to be able to say that just last week the very first announcement out of our \$2 billion Green TRIP fund was \$497 million for Edmonton's NAIT line. Green TRIP is all about supporting municipalities, and it's about providing Albertans . . .

**The Speaker:** The hon. member, please.

**Ms Woo-Paw:** Thank you, Mr. Speaker. To the same minister: do smaller municipalities that are interested in developing public bus transportation have access to funding through Green TRIP or any other provincial grant programs?

**Mr. Ouellette:** Mr. Speaker, the short answer is yes. Out of the \$2 billion Green TRIP, \$400 million has been set aside for communities outside of Edmonton and Calgary, and I would further point out that both municipal and private-sector operators can apply for Green TRIP funding. Municipalities can also fund capital transit purchases through the province's basic municipal transportation grant, the federal . . .

**The Speaker:** The hon. member, please.

**Ms Woo-Paw:** Okay. My last question is to the same minister. Given the importance of high-quality public transportation to many temporary foreign workers and other newcomers, does the minister feel that current initiatives in transportation are sufficient to attract and retain newcomers?

**Mr. Ouellette:** Well, Mr. Speaker, the hon. member brings up an excellent point about the importance of safe and effective transportation systems. I'd like to say that transportation is the backbone of our economy and that many components are needed to support and grow our economy and improve Albertans' quality of life. No doubt having an effective transportation network is an incentive for both businesses and individuals to come to Alberta, and that's why we have made such great investments in our transportation system.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Lacombe-Ponoka.

**Southwest Calgary Ring Road**

**Mr. Kang:** Thank you, Mr. Speaker. Last week we had a chance to sit down with the members of groups and associations dedicated to sustainable, efficient roadway expansion that doesn't destroy existing communities or environmentally sensitive parks in southwest Calgary. To the Minister of Transportation: will the government listen to the message from both the mayor of Calgary and local citizens and agree right here and now to take bulldozing communities and paving over environmentally sensitive park areas

off the list of options for developing new roadways in southwest Calgary?

**Mr. Ouellette:** Well, Mr. Speaker, we absolutely have a process that's going on in exactly what he's talking about. We have a memorandum of understanding with the city of Calgary. We have workers from both sides – we have engineers; we have biologists – everyone working together to say what is going to be the best route to try to connect the ring road in southwest Calgary. Let's let that process happen.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: given that many believe that the simplest solution to this problem is to have the southwest ring road go through the Tsuu T'ina Nation reserve, will the minister do the right thing and ask his department to reopen talks with the nation?

**Mr. Ouellette:** Mr. Speaker, we honoured an agreement, as they say. We had an agreement with the Tsuu T'ina Nation that was voted on. They voted against the agreement, and we're honouring that. I'm not saying that our door isn't open for them to come and talk to us, but we're honouring their feelings.

**Mr. Kang:** Mr. Speaker, they are willing to come back to the table again.

To the minister again: has the minister explored whether another solution may be available to improve traffic in southwest Calgary such as redirecting funds that would have gone to support the ring road to transit or LRT?

**Mr. Ouellette:** Mr. Speaker, we're exploring all options. That's what I'm saying. Let the process work out. We have experts looking at all options.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Strathcona.

**CCSVI Clinical Trials**

**Mr. Prins:** Thank you, Mr. Speaker. My questions are to the minister of health. On April 5, a little more than a week ago, the government of Manitoba made \$5 million available to fund clinical trials for treating chronic cerebrospinal venous insufficiency in patients with multiple sclerosis. This funding will complement and build upon the \$5 million that Saskatchewan committed in 2010. As financial commitment is step 1, will Alberta please consider joining Saskatchewan and Manitoba in a jointly funded, co-ordinated approach to support these multisite trials?

**The Speaker:** How about if we wait a few minutes from now? At 3 o'clock this afternoon the estimates for the Department of Health and Wellness will be here. Our tradition is that we don't ask financial questions on a minister's budget on the day that the minister has got three hours allocated for it.

Is your second supplemental still related to dollars for the Department of Health and Wellness?

**Mr. Prins:** Okay. I'll try that one. Thank you.

Has the minister talked to his appropriate counterparts in Saskatchewan or Manitoba about their co-ordinated plan about MS clinical trials?

**Mr. Zwozdesky:** Mr. Speaker, as ministers we all met and spoke about a variety of matters back in September. MS is certainly top

of my mind at the moment because, of course, we have about 11,000 sufferers of this disease here. However, before proceeding with clinical trials, a lot more information would be needed, and we're in the process of gathering that information right now.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. Given that Manitoba's goals are to have processes in place to proceed with clinical trials in late 2011, will Albertans with MS still have to go out of province to receive this treatment?

**Mr. Zwodzesky:** Mr. Speaker, the short answer is yes because, to my knowledge, no province in Canada has yet given unconditional approval of any kind to proceed with the Zamboni treatment here. It's important to note that if people go outside the country to get this particular procedure and they come back to Alberta – they are Albertans to begin with – and they develop a complication, the medical system will be there to help them with any complications that might arise.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Calgary-Bow.

### Arts Funding

**Mr. Quest:** Thank you, Mr. Speaker. In 2010-11 arts groups throughout the province faced a reduction in their grant funding from the government of Alberta and the Foundation for the Arts in the range of 16 per cent. This cut has severely impaired the ability of arts organizations to meet their basic needs while continuing to provide artistic programming. This year it appears that their funding hasn't been cut any more, but it hasn't risen either. My question to the Minister of Culture and Community Spirit: given the economic realities of the cuts, now rising gas prices, et cetera, what are the minister and the Alberta Foundation for the Arts doing to help ease the burden on individual artists and on arts organizations?

**Mr. Blackett:** Mr. Speaker, during estimates for the 2010-11 budget we had expressed in our ministry that we had to pass along cuts of 16 per cent across the board, but I had promised that if we had efficiencies in our operations, we would return some of that money. I'm proud to say today that we're able to return an amount equivalent to about 5 per cent back to those arts organizations, about \$741,000. Our Alberta Foundation for the Arts board has worked very hard through program efficiencies to be able to realize some savings and has asked that we put that back to those worthwhile organizations.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Well, that sounds like good news.

To the same minister: tell us about the types of groups that did receive this money.

**Mr. Blackett:** Mr. Speaker, there were over 345 different organizations, anywhere from Theatre Calgary to the Edmonton symphony to the Citadel Theatre and Alberta Ballet. There are also hundreds of small organizations like the Cardston Community Theatre, the Innisfail town hall, and the Alberta book society. Our culture and community spirit is not found only in Calgary and Edmonton; it's found in many communities right across the province.

2:40

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. To the same minister: I'm sure those arts groups will probably welcome this money, but when would they expect to receive it?

**Mr. Blackett:** Well, Mr. Speaker, I'm pleased to say that letters went out to many of those arts groups last week. I know that I had the pleasure of being in attendance at the Mayor's Celebration of the Arts on Monday night. I met many different representatives of the arts community, and some of them had received their letters such as PACE, the Alberta arts council, the Citadel Theatre, many different other groups. They expressed their gratitude for listening to them, for realizing that there are concerns. We try to do the best job that we can in this province in supporting arts and culture. I think we do a great job. We support them as the third-largest per capita funding government in the country.

Thank you, Mr. Speaker.

**The Speaker:** Well, that ends the question period for today. Nineteen members were identified for 112 questions and responses.

### Tabling Returns and Reports

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

**Mr. Chase:** Thank you very much, Mr. Speaker. Over a thousand Albertans and many Canadians have contacted my office urging this government not to begin the first stage this June of clear-cutting one-third of the Castle-Crown. Today's tabling concerns were received from Ward Stannard, Lisa Cockburn, Bryan Wyatt, Robert Park, Aija Auzina, Arlene Hamilton, Nick Church, Sean Dineen, Katherine Webster, Susann Easson, Ken Smith, Anne Dmytrishyn, Ted Baird, Marie Janisse, Marie McLean, Lynn OShaughnessy, Kellie Scholz, William Boddy, Garry Revesz, Lynne FitzGerald, Georges Brun, Peter Young, Richard Carrière, Jinny Lee, and Penelope Ryan.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Centre, do you have a tabling on behalf of the hon. Leader of the Official Opposition?

**Ms Blakeman:** No, sir, I don't.

### Calendar of Special Events

**The Speaker:** Hon. members, we've basically come to the end of the Routine, so I'm going to bring you all up to date about what the month of April is all about, seeing as we've got a couple of minutes here today.

April is Daffodil Month for cancer awareness. It's Earth Month. It's National Oral Health Month. It's Parkinson's Awareness Month. It's National Poetry Month. It's Irritable Bowel Syndrome (IBS) Awareness Month. It's Records Management Month.

April 2 was World Autism Awareness Day, as it was International Children's Book Day. April 4 was the International Day for Mine Awareness and Assistance in Mine Action. April 6 was Tartan Day. April 7 was the Day of Remembrance of the Victims of the Rwanda Genocide, as it was World Health Day. April 9 was the National Day of Remembrance of the Battle of Vimy Ridge.

April 10 to 16, this week, is National Volunteer Week, National Dental Hygienists Week, National Victims of Crime Awareness Week, World Homeopathy Awareness Week, Young Poets Week, National Wildlife Week. April 11 was World Parkinson's day. April 12 was the birthday of Lord Rama, Rama Navami, which is a Hindu celebration.

April 14, today, is Vaisakhi, the Sikh New Year festival. It's also

Law Day. April 15 to 17 are Global Youth Service Days. April 16 is World Voice Day, as it also is the Meningitis Research Foundation of Canada hosting World Meningitis Day. April 17 is World Hemophilia Day. It's also Equality Day, which commemorates the Canadian Charter of Rights and Freedoms. April 17 is Palm Sunday. April 17 to 23 is National Soil Conservation Week. April 17 to 24 is National Organ Donor Week. April 18 is Theravada, which is the Buddhist New Year. April 18 is also World Heritage Day. April 18 to May 7 is the Edmonton Kiwanis Music Festival. The week of 19 to 25 is Passover. April 20 is Chinese Language Day at the United Nations. April 21 is Queen Elizabeth's birthday. April 22 is Earth Day, as it is International Mother Earth Day, as it also is Good Friday. April 23 is English Language Day at the United Nations. April 23 is World Book and Copyright Day.

The week of April 23 to 30 is National Immunization Awareness Week. April 24 is Easter Sunday and Orthodox Easter. The week of April 24 to 30 is Administrative Professionals Week, as it is National Medical Laboratory Professionals Week. April 25 is World Malaria Day, as it also is Easter Monday. April 26 is World Intellectual Property Day. April 27 is Administrative Professionals Day, as it also is International Noise Awareness Day.

April 27 to May 12 is March of the Living in remembrance of the Holocaust. April 28 is National Day of Mourning to commemorate workers whose lives have been lost or who have been injured in the workplace. April 28 is World Day for Safety and Health at Work. April 29 is International Dance Day, and it also is World Wish Day, a day for the Make-A-Wish Foundation. April 30 is No Hitting Day.

Could we just revert to Introduction of Guests?

[Unanimous consent granted]

### **Introduction of Guests** (continued)

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to the members of the Assembly a gentleman who is visiting us today from Fishing Lake Métis settlement, located in my constituency. Mr. Rick Chalifoux was recently re-elected to another term as councillor in the community and has worked tirelessly within the community as an advocate of Métis education, child care, and countless other efforts in Fishing Lake. Rick is seated in the members' gallery, and I would ask him to rise and receive the traditional warm welcome of this Assembly.

### **Orders of the Day** **Committee of Supply**

[Mr. Cao in the chair]

**The Chair:** The chair shall now call the Committee of Supply to order.

### **Main Estimates 2011-12**

#### **Health and Wellness**

**The Chair:** Before I call on the minister, I just want to repeat the procedure here. The minister has 10 minutes to speak, maximum, and then an hour following that would be a member of the Official Opposition, and the 20 minutes after that would be for the third party. Then the next 20 minutes would be for the fourth party, and the next 20 minutes would be to an independent and any other

members after that. The minister and the speaker can join in for the 20 minutes.

The chair shall wait for a few moments for the staff to settle in.

**Mr. Zwozdesky:** Thank you very much, Mr. Chairman, and good afternoon, everyone. I want to just quickly introduce some of my staff who are here: my deputy minister, Jay Ramotar; Assistant Deputy Minister David Breakwell; Assistant Deputy Minister Susan Williams; Assistant Deputy Minister Martin Chamberlain; Assistant Deputy Minister Margaret King; and the executive director of financial planning, Charlene Wong.

Mr. Chair, time is limited. I'll cut straight to the chase by starting off with our Ministry of Health and Wellness business plan goals. There are four goals, as people probably know, in this particular order: effective health system accountability, strengthened public health and healthy living, appropriate health workforce utilization, and excellence in health care.

2:50

There are several priority initiatives under each of these four goals, and I will highlight only nine of them at this time as follows: to lead the health capital planning process; to implement service delivery enhancements and activities in Alberta's five-year health action plan; to implement the next steps of the Putting People First report, including the advancement of the Alberta Health Act, a public engagement framework, a health charter for Alberta, and a health advocate; to implement a wellness framework for Albertans; to strengthen the primary health care system; to improve access to clinical care and treatment through strategies such as managing wait times, achieved through efficient and effective use of an available workforce, clinical facilities, and new and existing technologies; to provide appropriate access to services across the continuum of care by increasing the co-ordination of health and social support systems; to reduce continuing care wait times by implementing the continuing care strategy and expanding home-care options and community capacity for supportive living; and to develop and implement Alberta's provincial plan for cancer care.

There are, of course, numerous other initiatives and strategies that round out our plan. Nonetheless, each goal is also accompanied by associated performance measures. In total we have 50 of those performance measures that were released last year.

Moving on to Budget 2011, clearly, Mr. Chairman, stability is probably one of the most important messages delivered by Alberta Health and Wellness through our new budget. There are no cuts to programs in this budget. In fact, it's a budget that reaffirms our commitment to predictable, long-term funding for Alberta Health Services. Budget 2011 also marks the second year of a five-year funding commitment that provides Alberta Health Services with 6 per cent base operating increases in each of the first three years and 4.5 per cent increases in each of years 4 and 5, an unprecedented commitment by any provincial government in Canada to date. It's the first of its kind, and we're very proud of it.

The stable 6 per cent funding increase, which amounts to \$545 million for Alberta Health Services, provides necessary monies to continue implementing our five-year health action plan to improve Albertans' access to the health system and to provide shorter wait times and safe quality care.

In terms of operating expenses for Alberta Health Services it's important to note that the 2011-12 Health and Wellness budget is \$14.9 billion, an increase of \$646 million to our overall operating budget. That Health and Wellness budget, as you know, is split amongst the department and, of course, Alberta Health Services. Alberta Health Services itself is getting a 6 per cent increase, but when you combine the two with the department, the net increase

for the two combined is 4.6 per cent to our overall operating budget.

It's important to note, Mr. Chairman, that that does not include funding that was provided on a one-time basis in 2010-11 for Alberta Health Services' deficit elimination plan.

Our budget is made up of \$14.8 billion in operating expenses and \$134 million for vaccine utilization, amortization, and capital grants such as equipment. These capital grants are primarily for diagnostic and related medical equipment that's necessary as well as health information systems.

Operating expenses are made up of four major components: \$9.6 billion for Alberta Health Services for base operating costs, \$3.3 billion for physician compensation and development costs, \$1 billion for drugs and other health benefits for Albertans, and \$800 million for other health services.

So let's take a quick look at Alberta Health Services' budget. As I mentioned, this budget reflects a 6 per cent increase in the second year of the five-year health action plan. AHS will be receiving an additional \$545 million as promised, for a total of \$9.6 billion in their base operating funding. While Alberta Health Services is responsible for allocating funding to specific areas, I would like to give you a sense of how that funding is anticipated to be used.

For example, \$3.7 billion of the base operating grant is expected to be spent by Alberta Health Services on acute-care services in hospitals across the province; \$2.3 billion is expected to be spent by Alberta Health Services on support services for things like building operations, maintenance, administration, security, communications, housekeeping, food services, and information technology; \$1.7 billion is expected to be spent by Alberta Health Services on diagnostic and therapeutic services; and \$1.1 billion is expected to be spent by Alberta Health Services on facility-based and home-based continuing care services. Finally, \$912 million is expected to be spent by Alberta Health Services on community and population health services for programs to improve and maintain Albertans' health and for disease and injury prevention.

The funding for Alberta Health Services this year does not include a provision for accumulated deficit elimination as it did last year, and I must stress that yet again. In fact, Mr. Chair, Alberta Health Services will be announcing its detailed budget in the coming weeks, presumably after we've hopefully endorsed the budget here today and then the global Alberta government budget in a few weeks.

A couple of comments about operating expenses related to physicians. The second-largest part of our expenses is \$3.3 billion. In fact, that is allocated toward physician compensation and development. That represents about 22.4 per cent of our department budget, not Alberta Health Services but our department, which is where this compensation comes from. It's 22.4 per cent. No funding increase for physician compensation was allocated in this year's budget because of ongoing negotiations with physicians. I'm pleased that the agreement in principle reflects the reality of that circumstance and of our financial situation at the moment. I know that the agreement in principle is in place now, Mr. Chair, and that Alberta Health and Wellness along with Alberta Health Services and, of course, the Alberta Medical Association are working very diligently towards finalizing the agreement in principle and having that all tidied away by June 30 if not sooner. We will review funding needs when a final agreement is reached because there are a number of related issues there that pertain to programs and benefits.

Within the \$3.3 billion for physician compensation and development are several increases that are outside of the trilateral master agreement between government, Alberta Health Services,

and the AMA. For example, there are increases of about \$5 million for the academic alternate relationship plans that provide compensation for physicians who are in a teaching role. There is also an increase of \$11 million for medical resident allowances to provide compensation for medical students who are doing their residencies, and a \$4 million increase for clinical training and assessment support specifically for postgraduate medical education offices. Those offices co-ordinate over 20 departments of medicine, Mr. Chair, over 50 residency programs at the U of A and at the U of C, and a total of about 1,620 medical residents in Alberta. The increase will go toward the expansion needs of residency programs to accommodate an increasing number of Alberta medical graduates.

The third-largest area of our expense is \$1 billion allocated toward drugs and supplemental health benefits for Albertans. There is an increase here of about \$84 million, or 8.8 per cent, for drugs and supplemental health benefits for Albertans this year alone. The increase is primarily due to volume growth in prescription drugs for seniors. That's about \$46 million. Higher prices and patient utilization of nongroup drug benefits is about \$16 million for Albertans who are not part of a group drug plan. Volume growth and price for outpatient cancer therapy drugs administered on an outpatient basis is about \$9 million. Volume growth and price for outpatient specialized high-cost drugs is an increase of about \$7 million.

With respect to other health services there is about \$800 million allocated for other health services. I'll just break down some of that in the couple of minutes I have left. Fifty-eight million dollars is budgeted for my ministry support services. This goes toward the operations of my office.

**The Chair:** Hon. minister, I hesitate to interrupt. Your 10 minutes are up.

Now we have an hour for the Official Opposition and the minister, so do you want to combine for 20 minutes in conversation back and forth?

**Dr. Swann:** That would be good. Thank you, Chair.

**The Chair:** All right. Hon. Leader of the Official Opposition, 20 minutes.

3:00

**Dr. Swann:** Thank you very much, Mr. Chairman. A pleasure and a privilege to rise and speak with the minister on issues related to budget estimates for Health, and welcome to his staff. I look forward to further interactions today.

The financials are as stated by the minister, and I don't think anybody would question the fact that the government is able to spend money on health care. The question, I guess, that all Albertans are asking is: what are we getting for the spending on health care? What are we getting in terms of a healthier population? What are we getting in terms of improved access? What are we getting in terms of quality of care? These are the fundamental evaluation tools for health care, and I think that both the public and the professionals are legitimately asking what has happened to their cherished health care system. The goals of health care surely are to keep people healthy as long as possible, to ensure their access to the right professional for the right testing if they need it and for correct treatment that gets them back into fully healthy mental, physical, and social functioning.

There's been a serious loss of confidence in the government's management of the system in these past few years and in their ability to deliver on what they have promised to Albertans, which is to establish the best health care system in the country. There's

no question that health care has enough dollars. The question is: how is it being spent? What kind of leadership, management of both money and people, what kind of measurements are we getting to ensure that we're getting value for money? How are we listening to those who actually work in the system, who know how the system could and should work and have been trying to make suggestions for many years on how to improve the system's efficiency, efficacy, and long-term sustainability?

The lack of respect for professionals in our health care system today has seriously eroded the ability of the health care system to function. I think that's become patent in the last year particularly, but I certainly was one who felt the wrath of a board that decided I was speaking out of turn in 2002. Other physicians have also felt the wrath. Nurses are contacting our offices about how difficult it is to make a contribution to health care today because of their fear of recrimination, their fear of intimidation, their experiences personally, or the failure of management to actually address concerns about patient care, about patient safety, about staff well-being, about simply a respectful climate for work.

This has to be a most costly failure in our system today, which is very difficult to measure in terms of lost time, lost productivity, and certainly lost satisfaction. I would argue that if we don't get back to a sense of what it means to be healthy – healthy in the workplace, healthy as individual citizens, healthy in our professional relations, healthy in terms of a healthy community where people care and communicate about the issues that affect their lives, whether it be the environment or the social climate or the ability to have a job and earn a respectable wage. These discussions have been lost in the system because of the culture that has divided and in many ways intimidated the very people that can make a difference and improve our health care system.

Health has to be the starting point. What is our investment, Mr. Minister, in prevention, in health promotion? You yourself were the minister back when the wellness side of Health and Wellness was first created. Many good ideas were expressed, many good planning documents released, not least the Rainbow Report, that moved us towards a regional system. Then due to incompetence and lack of understanding and lack of evidence, the most recent minister blew up the system without a plan. We're left with chaos, without any plan going forward, and people reeling under the confusion, the conflicting mandates, the lack of clarity in the organizational structure, the huge complexity that needed years of planning and had none.

That's part of what we're dealing with, and we have to address some of the background if we're going to move forward and spend money effectively and efficiently: thoughtful planning based on demographics, understanding of our human systems, and the interconnections to the community.

This government has spent money, and it has managed real problems. I'll acknowledge that. Cancer care is being addressed; addictions, new mental health projects, and cataract waiting lists have been addressed in the short term. But what about primary health care, where 750,000 Albertans wait to find continuity of care in a family physician's office? How does the minister account for the release of four medical officers from the department just months prior to the H1N1 pandemic and at a time when syphilis rates were over the top in this country and remain the highest in the country? It's a shame for our system that we're dealing with such preventable long-term issues that have gone on for far too many years in the province.

The most fundamental question: why was the minister allowed to blow up the system, the regional system, that was carefully crafted and developed over a number of years and was starting to deliver good-quality care, that had the confidence of professionals,

the participation of professionals, throwing the systems, the programs, the teams, and the decision-making all into chaos which we're still reeling from? Why are we in Calgary forcing nurses to take part-time roles to save money in the short term instead of encouraging nurses to be full-time, have full benefits, have a commitment to the system, have some consistency and respect in the system as under the previous McCaig leadership?

Those are the kinds of decisions that are, again, penny wise and pound foolish. This government knows how to spend. They don't know how to spend wisely because they've had such change, such inexperience, and such lack of planning and use of evidence to make the decisions that we need to make for long-term sustainability. This Tory government has demonstrated again and again that it lacks the competence in a complex system, and it has never, contrary to the Premier's and the minister's assertion, given up on the desire to privatize more and more of the services.

Unfortunately, their desire has outstripped their knowledge and their management ability, as evidenced by the Health Resource Centre's fiasco at the old Grace hospital. Eliminating hospitals, demoralizing professionals, and changing the organization three times in 15 years all have contributed to a frustration, a fatigue, and a burnout, leading to early retirement, dismissals, increased sick leave, and transfers to other provinces and countries. This profound lack of insight and leadership has most damaged our primary care sector, where we need to reinvest in family doctors, home-care services, long-term care, and prevention programs in favour of the high-tech medicine that has so dominated our system in the last decade.

As Dr. Duckett well expressed, this government has an edifice complex: buildings over basic services, buildings over people and responsible relationships, respectful relationships with the very people who know how to and can make very useful changes to the system.

We have made very constructive suggestions over the past six months, Mr. Chairman, first in the Pulling Through document to relieve the ER crisis, a crisis, incidentally, that was identified 10 years ago and this government simply ignored and simply continued on its merry way to reorganize structure instead of looking at the root cause of ER wait times, ER problems. In that document we recommended bringing in all available professionals to reduce the backlog in the emergency departments, in their family practice offices, in their home-care services, mobilizing professionals to get us back on track with the kind of testing that is needed and to deal with the backlog in long-term care, which is fundamental to reducing that problem.

We'll also be rolling out more details of our recommendations for improving the health care system through returning more decision-making to the local regions. Without more autonomy, without more responsiveness we will continue to frustrate health professionals, we will continue to confuse them, and they will simply increase their withdrawal from any active engagement in the system. The words from those professionals who come out to our forums, who call our 1-800 line, who write to me personally are: we don't know where this health care system is going, we do not feel safe in making challenges to the system, and we are giving up hope that this province will get a health care system that we can be proud of again.

### 3:10

To go specifically to questions for the minister, Mr. Speaker, of Alberta Health and Wellness's total budget of almost \$15 billion, Alberta Health Services controls almost \$10 billion of the dollars in operational spending. One has to ask the question. With the creation of Alberta Health Services the government has in effect

created a separate ministry, one of the largest ministries of all ministries in the government. With the total government expenses projected at roughly \$34 billion for 2011-12, according to page 18 of the fiscal plan, Alberta Health Services controls 28 per cent of all government expenses. That's more spending through a separate, arm's-length organization than throughout any other government ministry. This is an organization larger than any other government ministry, with no direct accountability to Albertans. How does that work? How does that show a respect for Albertans, for the democratic process, for openness and accountability when we see such a lack of accountability?

Alberta Health Services employs more Albertans than any other government organization and has the ability to affect the life of every single Albertan. It accounts for and controls 25 per cent of all government expenses, yet Albertans have no way to hold it accountable. We need more discussion around this.

I've highlighted some of the organizational disarray that Alberta Health Services is currently in. This is because of three years of centralizing without a plan and confusion about who's making decisions about what. Even at the grassroots level people are still struggling with whom to contact. They're wasting inordinate amounts of time communicating with the wrong people, getting the wrong decisions, and having to go back up the chain. This has to stop.

There's clearly a need for an overview that recognizes the importance of regional delivery of our health care system. This cannot go on with such dominant central bottlenecks in decision-making and in many cases inappropriate decisions that may fit in some parts of the system, like an institutional system in the city, but may not fit at all in some parts of the system in other parts of the province.

This is an aspect that has been missing under Alberta Health Services. Delivery on a provincial level cannot be accountable to the cities and communities that use the system; therefore, it has become disengaged with the real meaningful issues that patients and professionals bring to their daily work. It is a constant source of frustration, and it needs to be addressed.

Again, with the CEO of Alberta Health Services having so much power and influence on provincial delivery policies, there is a huge democratic deficit and a trust issue fundamental to that. How can the public hold these people accountable on decisions that are affecting their work life and the quality of care they're able to provide?

Of Alberta Health and Wellness's budget, Alberta Health and Wellness controls \$5.3 billion in spending. Where is the direction and where is the clarity in roles and responsibilities between Alberta Health Services and Alberta Health and Wellness? We believe that this is causing an impossible relationship that cannot be resolved without more deferral and deployment of decision-making back to the local level with a return of health policies and financial management to Alberta Health and Wellness. It is simply untenable to have these two major bodies continue to rival each other over specific decisions, especially politically sensitive decisions, and create the kind of confusion and uncertainty and loss of confidence that pervades the system today.

I'm waiting for Alberta Health and Wellness to do another survey of employees to find out what the morale level is, the confidence in the system. It was at an all-time low when it was done under Dr. Duckett: some 25 per cent of physicians confident in the system, some 30 per cent of nurses confident in the management of the system. I'm afraid, Mr. Chairman, that the level of confidence has actually gone down since that survey. I don't doubt that the minister is reluctant to do another survey and follow up on those specific questions again. I challenge the minister to do that

because I think it would be very helpful to see what the changes have meant for front-line staff: to their morale, to their ability to function, to their sense of satisfaction, to their sense also of moral conflict, which has been increasingly talked about when professionals are caught between advocating for their patients and being silent or being compliant with policies. They are stuck in this moral dilemma. I think it would be very important for us to get a handle on how much moral dilemma the front-line health workers are experiencing.

With the health delivery areas relegated to strictly delivering health care, creating province-wide policy would then be left to the ministry, where it's appropriate. But more of the delivery decisions must be made in the zones of this province. Province-wide policies would ensure that there would be a lack of disparity between those areas in the province.

Central buying power and procurement: eminently sensible. Financial management: eminently sensible at the central area. Standard setting, enforcement, monitoring: sensible to manage from the centre. But not delivery: I think we've seen that in spades. There is too far a distance between those who deliver and those who decide how to deliver. There needs to be accountability at the local level. We've not seen accountability anywhere in the system, as the buck is passed between Alberta Health Services and the ministry. Nobody actually steps up and becomes accountable for decisions that in some cases are compromising further the access, the quality, and the cost-efficient management of the system.

There is still no indication of what areas of the province and why funding decisions are made. It's far too sensitive to political influence, lobbying, specific specialties. It's very clear that some specialties dominate the decisions around where money goes and where the priorities are. This government must take the leadership and recognize that primary health care has to be observed. Primary health care has to be the priority. If people can't see a family doctor, if they can't get a home-care nurse, if they can't get appropriate testing, we are going to continue to plug emergency departments. We are going to continue to have long-term care people stuck in hospitals, where they are dying, languishing in depression, and at increased risk of other conditions. Let's get on the stick and spend the money wisely.

The superboard itself is an organization that appears to be out of control, provides no answers, and it's questionable as to whether there's even the capability of reining in Alberta Health Services. They are a power unto themselves, and it seems unclear how to bring that into a sensible balance.

Can the minister confirm whether he agrees that the lines of accountability, roles, and responsibility are clear and that there was any consideration of the impacts of the centralization before this was implemented? Three years into the government's experiment with our health care system there is a huge problem. When does the minister expect to actually have these basics of management, accountabilities, relationships, measurement, indicators, both within the human resources relationships and in the health outcomes, in place?

Can the minister tell the committee how many of the 795 full-time equivalent employees with Health and Wellness are responsible for the health capital planning process? Can the minister also tell the committee how many employees within Alberta Health Services are responsible for other aspects, including the prevention programs, which we see cut year after year after year? What is the rationale behind reducing prevention when we have a growing population of overweight, mentally at-risk people, many children in poverty, that are increasingly demanding services from the system, that are eminently preventable?

The Alberta Health Services '09-10 annual report states that they provided Health and Wellness with their capital submissions by June 30 while they didn't receive final plans until December 10. Which organization has the final say on capital projects, Mr. Minister? Is it Alberta Health and Wellness, or is it the superboard? How do we decide in Alberta who is influencing these decisions and why? What are the criteria? How about making those public? If this government is truly interested in transparency and accountability for the public dollars that are spent, why not make public the criteria under which these decisions are made?

3:20

**The Chair:** Hon. member, I understand that the first 20 minutes are for combined question and answer, but you have used up the 20 minutes for questions. So the next 20 minutes are for the hon. minister.

**Mr. Zwozdesky:** Well, it's going to take me 20 minutes or more to answer the questions. How would you like us to proceed? I thought we were sharing that last 20 minutes.

**The Chair:** Right. That's my understanding.

**Mr. Zwozdesky:** Well, you'll just let me know when the bell rings. Okay? Thank you.

I want to begin, Mr. Chairman, by also thanking my parliamentary assistant, who is the MLA for Edmonton-Rutherford, who is here. Thank you very much for the valuable input that he has provided not only since being appointed but even earlier.

Mr. Chairman, the first question that the hon. Leader of the Opposition asked was something to the effect of: what are Albertans getting for the monies that are being spent and, in this particular case, contemplated to be spent as part of the budget under debate? I want to say in a general sense that what Albertans will be getting is a very aggressive, a very robust five-year health action plan with specific performance measures, specific targets that we're all aspiring to achieve. No one is working harder to achieve those than the people involved in Alberta Health Services. There are 90,000 people working in Alberta Health Services, doing an outstanding job and dealing with some difficult circumstances to improve health outcomes for Albertans.

Some of the specifics in relation to the hon. member's question about what people will be getting for the monies that we are hopefully going to get approval for today would include within the health action plan the following: the addition of 360 new in-hospital beds this outgoing year alone. We're almost at that target already. That's the largest increase in the last five years, Mr. Chair. Also, we'll be adding at least 5,300 more net new continuing care spaces. That's about a thousand more each year over the next few years. In fact, we're almost at 1,300 already for the outgoing year. We'll be adding two new radiation therapy centres, in Red Deer and in Grande Prairie, and that's in addition to the new centre that's already opened in Lethbridge.

We'll be reducing wait times for hip surgery by 60 per cent, coming down to 14 weeks. We will also be reducing wait times for knee replacement surgery by 71 per cent, bringing that down to 14 weeks. We will be reducing wait times for coronary artery bypass graft surgery, based on urgency of course, by between 50 per cent to 81 per cent. That'll come down to anywhere from one to about six weeks.

We are also reducing wait times for cataract surgery. In fact, we'll be reducing that area by 66 per cent. The wait times are going to come down sharply, down to 14 weeks. We'll be reducing wait times for cancer patients to see an oncologist by 70 per cent; down to two weeks, in other words. That's phenomenal. We'll

also be reducing wait times for cancer patients to begin radiation therapy by 29 per cent, bringing it down to four weeks. We're very close to that right now, Mr. Chairman, but more work has to be done.

We'll also be providing faster treatment at emergency departments. Ninety per cent of patients who need admission – in other words, an overnight bed for one or more nights – will be in and out of emergency departments within a total of eight hours to get the treatment they need upstairs or elsewhere in that hospital, and 90 per cent of less serious patients, those that they refer to as discharged patients, will be able to go home within the four-hour benchmark.

We're also freeing up more hospital beds by reducing the number of people in hospitals that are waiting for continuing care placement. We'll be reducing that number by 68 per cent. In fact, from September until just a few weeks ago the number of people in hospitals that are waiting for a continuing care space in the community has come down from roughly about 760 people to roughly about 550 people. So it's a tremendous improvement.

Finally, we're going to be increasing rates of immunization of children by about 32 per cent.

Those are just some of the highlights, Mr. Chair. There are a number of other things that we are doing to improve access and to reduce wait times.

Let me move on to another area here. He talked about and questioned us about having a healthier population. Mr. Chair, a healthier population involves many things, and that's one reason why I hosted the first-ever Alberta wellness forum just last December. For three days we brought together people from across the province with expertise in health care, in education, in food manufacturing, in food processing, in counselling, and so on, all focused around improving people's habits and in other cases stopping bad habits and in general helping them toward a healthier lifestyle.

In the budget that's before us today, let me just draw your attention to one specific area called community programs and healthy living. Here, if you look at this budget, it will be about \$178 million. One hundred and seventy-eight million dollars. That's an increase of about 29 per cent from the past year. That will help provide more immunization support, community agency grants, and it will help further our commitment to the SafeCom initiative, which, among many other things, deals with mental health and addictions problems, helping people, such as the \$19 million we pledged over three years to help put more counsellors into our schools, to help put more individuals into active roles to help advise young people in particular.

There are a number of other issues pertaining to a healthier community. That would include our commitment to community-based services that are in relation to things like children's health, diabetes, identification of chemical toxins in blood, and chemical analysis of air and water. Funding, I should point out, is being provided as well for sexually transmitted infections, STI, and for blood-borne pathogen strategies and injury control strategy implementations. In fact, for that area of community-based health service the \$15 million represents a \$37.8 million increase. With reference to the safe communities that I mentioned, that's a \$13 million commitment, or a 43 per cent increase.

I'd point out to the hon. Leader of the Opposition that there are a number of things happening on the wellness front. I don't have time to go through the entire list, but that gives him a snapshot, I hope, to give him some idea.

Now, that translates into people living longer in our province. We know that there are some interesting statistics in that respect. Let me give you a couple just so that people will get some facts



behind all of this without any of the rhetoric that the opposition frequently spews.

In 2007, Mr. Chair, the average life expectancy for a male in Alberta was 78.2 years. As of last year, that's gone up by over one full year. It may not sound like a lot, but to that person who is able to live one more full year, it means a lot. It means that the average male as of 2010 in our province is living to 79.3 years. A similar statistic is applicable for females. The average lifespan for a female in Alberta in 2007 was 82.9 years, and today it's almost 84 years. So tremendous improvement. When you combine those figures, you'll see that Albertans are living happier, they're living healthier, and they're living longer.

I'd like to say that a large part of that, of course, is their own habits and lifestyles, but a large part of that is also what we're doing in the health system to promote more on the wellness agenda. I want to thank him for recognizing the fact that I was involved in 2000-2001 in that respect. There's also a lot happening with electronic health records and so on, hon. member, which I was also championing at the time, but let me move on.

The hon. Leader of the Opposition was asking: what kind of leadership are we providing? I can tell you, Mr. Chair, as the Department of Health and Wellness, as the strategic arm of the government, if you will, we're responsible for policy, for strategic direction, for global budgets, for the physicians' compensation, and a number of other things. Integral to that is the leadership that we provide for the entire government with respect to health and wellness, and that trickles down to our delivery arm, which is Alberta Health Services. They are the delivery arm. So we have a strategic arm, a policy arm – that looks after legislation, regulation, and so on – and we have a delivery arm, that then puts it all into effect.

The key thing here with respect to leadership is that we do this together. None of us operates in isolation, so when I talk about the Department of Health and Wellness, when I talk about Alberta Health Services, I'm also talking about relationships that we have with nurses and doctors and numerous other health care providers. We work in that circle of collegiality to move forward. That's, in fact, how we developed the five-year health action plan, working together with the community and with the health care providers to ensure that we got it as right as it could be made.

3:30

The next question he asked was: what kind of measurement are you doing? Well, Mr. Chair, as part of our five-year health action plan we also have this suite, which I've held up before, and I'm going to hold it up again, this suite of 50 performance measures. These 50 performance measures will show you on a year-by-year basis what we're doing with respect to issues like wait times for cardiac surgery, wait times for hip replacements, wait times for knee replacements, wait times for cataract surgeries, and a host of other things. That measurement is right there in print. Equally important, it will be reported on very publicly every quarter by Alberta Health Services.

That will also address some of the accountability questions, I hope, that the hon. member was driving at.

The Leader of the Opposition also asked a question about: how are you listening? Well, Mr. Chair, we're listening very carefully because we do a lot of consultation, a huge amount. The Member for Edmonton-Rutherford, for example, was part of the Minister's Advisory Committee on Health. About two years ago I think it started. The MACH report came out a year ago. That was a huge consultation process. There will be another one of a similar nature as we go forward with the health advocate office and some of the other exciting things planned and put into legislation through the Alberta Health Act. So we are listening a lot.

We also receive a lot of feedback through the meetings that we go to. We also receive a lot of help from the listening that 12 advisory councils, that are under the umbrella of Alberta Health Services, do on a regular basis in their communities. In fact, today and tomorrow, I believe, the Health Services Board is meeting in Grande Prairie, and they'll be doing a lot of listening there because they have a public part of their meetings as well, where the public is invited to come and listen and participate however is appropriate.

I think, hon. member, there are a lot of things that we're doing to show and prove that we're listening. I'll just end by saying that I myself have had well over a thousand and some meetings where I listened, mostly listened. When I was asked to comment, obviously, I also commented. The majority of those meetings were involving doctors, nurses, graduating nurses, graduating doctors, and a number of other people who are providing health services. But we're also listening to the community because we're doing all of this for, with, and by the community. That's an important part of our listening.

The member also mentioned something about relationships, and I believe he used the word "corroded." I don't think the relationships are corroded. Do they need some strengthening? Yes. In fact, that was the strong subject of the issues raised on Friday of last week by the president of the Alberta Medical Association, who came in for a meeting with the Premier and myself. We talked a lot about relationship building. In fact, we've committed to regular meetings now between myself as minister and the president of the AMA to help strengthen that relationship. If there were some rocky moments over the past several years, I'd like to think that they are being improved upon. The central part of that will be evidenced as we work together on this task force concept that is part of the agreement in principle.

I think the agreement in principle is a good one, and I sincerely hope that the doctors who are members of the Alberta Medical Association will look at it through that spirit of an opportunity to forge a new relationship going forward, an opportunity to protect the programs that are so valuable to them, an opportunity to protect the benefits but in the end to come out with a deal that recognizes the financial climate that we've been in. The financial climate we've been in, Mr. Chair, has been very difficult, obviously, and a lot of careful compromises had to be made by a lot of ministries.

The hon. member mentioned something about patient care and safety and having a respectful climate that must be cultivated. I think this speaks to the issue of the AMA discussion that we had last Friday. What I can tell you, hon. member, is that that meeting, that went for about two and a half hours, did result in some very positive outcomes. There will be more news on that very shortly. In fact, they'll be reporting on it tomorrow when the AMA meets. I think they're meeting here in Edmonton, but I'm not sure. So you'll see some action in that regard.

He asked: what is our investment in wellness? I've already alluded to the forum, and I think I covered a lot of those points earlier, so I won't repeat them. I do want to thank the hon. Leader of the Opposition for having cited some good improvements that have been made with respect to cancer care, addictions, mental health, and cataract wait lists. I thank him for that because I know as a doctor he understands and he gets it. He knows how hard we've worked in this area of cancer care.

Let me start there. I think everybody would know that we're also now putting some additional touches, before it's released, to the provincial cancer strategy. This is a very important aspect for us. We've added in our capital plan a commitment to two more vaults in Calgary, a new bone marrow transplant unit, and an addi-

tional radiation vault here in Edmonton as well. I think I've already covered the one coming in Grande Prairie as part of the new hospital and the one coming in Red Deer and the one that has already been opened in Lethbridge, so there's a lot going on there.

I think one of the challenges, hon. member, is still with respect to recruitment of oncologists. I think I've said this before. Across Canada in terms of gastrointestinal cancer doctors, the oncologists in that area, there are only 15 who graduate in Canada in a given year, and they are competed for not only by provinces in Canada but internationally because of their expertise. So it's very difficult to recruit some of these areas in cancer care, but I think we've done quite well. We recruited one or two last fall, and we're on the recruitment trail for more.

Similarly with addictions and mental health issues. Mr. Chair, I think the committee here would know that we spend between \$500 million and \$600 million per year in this very vital and important area, and we're going to continue as aggressively as we can to ensure that those dollars are spent in the most effective way because we recognize that this revolving door of mental health has to come to a better conclusion. We can't have people coming home from a treatment, going back on the street, hurting themselves or someone else or not knowing what they're doing, going into the police system, going into the correctional system, possibly going into the hospital, getting some treatment, going back home, and then going back through that whole revolving-door syndrome again. That has to stop, and we're very committed to doing something about that; hence, the additional monies that I talked about in that area.

The hon. member asked: what about primary health care? I agree with him that primary health care is absolutely critically important. I agree with it so much that we've put an increased emphasis on increasing primary care initiatives in this province, and that is one of the central planks of the new relationship building that is going on between my ministry and the Alberta Medical Association.

In fact, Mr. Chair, I'll reiterate that having a primary care task force is an integral component of the agreement in principle between Alberta Health Services, Alberta Health and Wellness, and the AMA. So there will be a lot more coming in this respect very, very soon. That task force, in fact, is already starting to be created as we speak. That will help enormously with respect to primary health care.

I can also tell you that the primary care networks have been quite a large success for us provincially. This is a new concept, just a few years old, but we've got about 38 or 39 of these PCNs already. Just for the benefit of some people who may not yet be familiar with them, PCNs are really team-based units within the delivery of health care where people come in initially as patients, they see a doctor, and then that doctor gives them a treatment or a diagnosis or a referral to another specialist-type person – that doesn't necessarily mean a specialist doctor; what it means is somebody who is a dietitian or a nutritionist or an occupational therapist or a mental health counsellor or someone who can help them on a weekly or monthly basis with whatever their problem is – and then come back to the doctor later on. It takes a lot of pressure off the doctor and puts some very skilled people to work to help that patient with that particular problem.

The hon. member mentioned something to do with H1N1. I think, hon. member, I'll follow that one up in writing, if you don't mind, because there's quite a bit to it, and I wasn't central to it at the time; it was before my appointment.

I will comment on the second part he mentioned, and that was with respect to syphilis rates. Syphilis rates in this province, Mr. Chairman, are at a very abysmal rate today. Now, I say that be-

cause we're going to be launching a campaign of even stronger targeting very, very soon to make sure people are more aware of the dangers of sexually transmitted infections and/or blood-borne pathogens, which I talked about a little bit earlier in my opening comments. Why? Because we do a lot here to track it, to report it, and so on. But if we don't get it fixed and attended to early enough, then it leads to things like congenital syphilis.

I'm not proud of the fact that we have a problem in that area, and I've had several meetings with our chief medical officer of health. I'll comment more later.

3:40

**The Chair:** Now we are on the last 20 minutes. Hon. Leader of the Opposition, you can have a dialogue, give the minister some answer time.

**Dr. Swann:** A little more back and forth, sure. Thank you very much, Mr. Chairman.

One of the contentious issues in the way decisions are made in this province is really developing new institutions, new space, new beds, and not having the staff to accommodate them; for example, the Peter Lougheed opening 40 new beds and closing another 40 beds. There's a strong sense of cynicism across the health professional community where they see announcements being made and trumpeted and new things opening up and new staff going in and then others being closed with no net change in the amount of service they're able to provide. So there's a strong sense that it's a shell game, that there is kind of a crisis mentality to the way we're managing the system.

Again, the urgent always trumps the long-term important prevention and primary care side. The cancer surgery, the major orthopedic surgery, the major interventions, transplants, and cardiovascular work continue apace, and we have seen a progressive erosion of primary care and the commitment there.

How do you address the question of the shell game of opening beds without staff? Maybe focus specifically on the issues of the South Calgary campus and the Edmonton clinic and how you have in some way developed these centres with no apparent budget and, certainly, with a very great challenge in terms of getting the staff in place.

**The Chair:** The hon. minister.

**Mr. Zwozdesky:** Thank you, Mr. Chair. I'll get the information on the south Calgary health campus to the hon. member in just a few moments. I've got it in my notes here. I just can't spot it.

In the meantime let me go on to the first few questions that he asked. It's not a question of opening facilities without staff; it's a question of not budgeting those dollars until the year in which the dollars are actually needed. For example, I'll just refer to one part of the south Calgary health campus here. In the budget we're talking about today, there is \$50 million or thereabouts budgeted for virtual off-site training of staff that will eventually come into the south Calgary health campus when we start to phase it in for opening next year. We will in fact have as part of that the ability to do annual budgeting thereafter once the people move in. But within the Health Services budget of \$545 million that we're talking about today, there is approximately \$50 million for this virtual off-site training that will be utilized by the folks at Alberta Health Services.

When we open new facilities, we clearly already know approximately how much will be needed for the staffing, but the actual year that it opens is when the real rubber hits the real road in terms of the actual dollars. In round numbers you could use a rule of thumb. About a third of whatever it cost to build a facility will be required for ongoing annual operating costs.

Now, with regard to the Peter Lougheed Centre. I was there, and I actually asked a similar question to what the hon. member asked here just now. I asked that question about a year ago because there was one wing that they were opening on the east side, as I recall, of the Peter Lougheed Centre. It was going to be 140 brand new beds, and I got very excited by that. In fact, so did the local MLAs, and you might have been there yourself, Mr. Chair. I know the Member for Calgary-East was certainly helping to promote that cause, and he was there. I got very excited by that until I learned that they were closing 140 beds in the existing wing. So I said, "Well, at least can you keep the ones that you're closing warm in case we need them?" So they have done that. They've kept an eye on those. I don't know what the current status is, but maybe we can provide a more recent update for you.

The point you mentioned about cancer and major ortho procedures trumping – I think he used that word – other procedures. I know that sometimes it looks like that's what's happening because those issues get reported on more frequently. They're really uppermost and foremost, first of mind, in people's thoughts, I think. Major ortho and cancer services are just so critical for us, but that doesn't mean that the other less serious services, if I could put it that way – in some cases, at least, less serious – are being neglected, because they certainly aren't.

There's a litany of increases in our pie charts that would tell you, in fact, what we're doing to help improve our services in areas of – well, I talked about specialized drug costs and so on, but there are a number of other areas in acute care and in long-term care and in continuing care and mental health care, transplant surgery, cardiac surgery, renal dialysis, and so on that are getting increases as needed, Mr. Chair. They're very difficult to predict, however. It's very difficult to predict exactly how much you're going to need in one area versus another because, of course, we're dealing with human beings here.

I think I'll probably stop there and allow for more questions to come unless there was something I missed that I can come back to later, hon. member.

**Dr. Swann:** Thank you to the minister. Further to the question, if there are funds allocated in the 2011-12 budget for the east Edmonton health centre, will it be fully opened and fully operational in the coming year? If not, why are we continuing to see it partially functioning?

Can the minister also comment on the Sheldon Chumir centre, whether it will be fully opened this year and, most importantly, providing the primary care services that are so needed in the area?

**The Chair:** The hon. minister.

**Mr. Zwozdesky:** Thank you very much. With respect to the east Edmonton health centre, Mr. Chairman, we've allocated through Alberta Health Services about \$2.6 million for operating costs as of last December to establish this family medicine clinic. I don't know if the hon. member has had a chance to visit it or not. I can tell you that the capital budget for that clinic was about \$44 million in terms of construction upgrades, and when it's fully operational, that clinic will see about 7,500 new patients and about 30,000 scheduled annual visits. Last December, when I was last there, I think there were about 17 physicians practising out of there, catching a population of about 60,000 people. There's a new clinic there for five physicians to work out of in their interdisciplinary, integrated fashion. There will be a number of other improvements coming, hon. member.

What's still planned for at this site is urgent care, which is one strategy to ease pressures on the health system in the emergency

department. The exact opening date for it is sometime later in 2011. Hopefully, we'll have a more exact date for you very soon. The Health Services folks, when I last talked to them about this, which was I think in December or January, did not yet have a specific date in mind, and I don't know if we have one today. If we have a specific date today for the opening of the east Edmonton health centre, we'll give it to you before the day is out, and if not, we'll respond more fully in writing.

Regarding Sheldon Chumir that information I do not have with me, hon. member, but I will undertake to provide you an answer in written form.

**The Chair:** The hon. member.

**Dr. Swann:** Thank you, Mr. Chairman. The Ministry of Health and Wellness has a continuing care strategy, which was released by the government in 2008. In the document the government stated that they were capping the number of long-term care beds and going to encourage other levels of care. Now that the full extent of the ER crisis has been made public, a large part of the cause for the crisis stemming from a shortage of long-term care beds, I'm wondering if the minister has had a change in position. Does the minister now support more long-term care beds, staffed beds, that are actually needed for most of the patients that are in hospital and cannot be appropriately managed in an assisted living context?

**3:50**

It's our understanding that there are about 1,900 waiting for this level of care in the province, and it's simply not going to be adequate to continue building assisted living and depend on the very limited home-care services that are still available in this province. I would say that the frustration has reached a very high level among the home-care workers themselves, who find that their staff loads per person have doubled in the last five years, and they're not getting the supports or the opportunities they need to maintain the quality of care and the level of comfort with their relationships with patients that they once had.

I'll allow you to respond to that if you wish.

**The Chair:** The hon. minister.

**Mr. Zwozdesky:** Thank you very much. You know, hon. member, with respect to the general discussion about long-term care beds, I don't recall there ever being a cap, which I think is the term you used. What I do recall is there being a commitment to never having fewer than 14,000 and something. I think that would be a more accurate way of portraying it. However, the issue with respect to numbers of long-term care beds is that we have over 14,600 as of the end of last year. I believe that number went up by approximately 100 by the end of this year that is just outgoing and will stay right around that neighbourhood. It just depends on how many people require the service.

It's really important, Mr. Chair, to understand that as these new continuing care spaces are being built in the community – and by that I mean primarily designated assisted living facilities, or supported living facilities in other words – they have the capability, going forward, to be converted to an upgraded level of care. This is part of what we've tried to explain on several occasions with respect to aging in place. Aging in place would mean that you don't have to necessarily move from your space to receive an upgraded level of service. Typically we refer to level 4 and level 5, especially level 5, as a long-term care type of residence. In the DALs, the SL living units, levels 1 and 2 require very little care, if any, and then periodic care, perhaps, at the 3 level. Then as you get up toward 4 and 5, they need more and more.

In the old system, Mr. Chair, each time your level of care changed, you had to be relocated to a different institution or a different facility or a different care lodge or nursing home or whatever. What we're saying is what Albertans have been telling us, and that is: "Why move families? Why separate couples from their loved ones, their families, their communities by forcing them to move all the time? Can't we have these new facilities, going forward, being more easily adaptable to increasing the level of service so that people can stay comfortably in their settings?" That's what we're trying more to do. That I can summarize by saying that a lot of the DAL and SL facilities may have some of these long-term care beds already provided for, but all of them are looking at strategies similar to what I've just enunciated.

The last comment here is on home care. You know, I'm really proud of the fact that we're able to provide services in the out-going budget for about 107,000 to 110,000 home-care recipients, and the fact that we are also going to be increasing it gives me increased pride because in the '11-12 budget that's before us, we'll be increasing the number of home-care services to be able to accommodate about 113,000-plus – 113,000-plus – home-care recipients. All of them would be receiving this in their home, but a lot of them are in apartments, in condos, some in government-owned facilities, and so on. So there's an increase there, and in the last budget this was the single largest line item increase for us. It was about 7 per cent. We're providing several millions of dollars in that area, and we'll continue to try the best we can to keep up with the increasing demands.

I'll end by just saying that the majority of the people in Alberta today require some form of supportive living, not necessarily long-term care. Yes, they'll need that as well, but the majority by far are asking for the SL and DAL type of facilities. I don't want to downplay the importance of long-term care, Mr. Chair, but I just wanted to get a few of those facts out.

**The Chair:** The hon. member.

**Dr. Swann:** Thank you for that, Mr. Chair. Well, I've heard from home-care services that they're dealing with people up to the level of intensive care in their own homes at the present time, some people on respirators in their own homes. Because they have a wonderful, supportive family, they're willing to spend their own money on private services.

We have a pretty desperate situation out there for many individuals who in ordinary circumstances would be in long-term care, but because there is no space and they would not want their loved one in hospital, they are managing by the skin of their teeth in their homes under great duress, with great suffering in the family, more breakdowns in the family members. We're ending up, again, not spending where we could see long-term savings, which is in home care, but ending up it costing us in the long term.

Will the minister tell the committee how many of the thousand continuing care spaces, which was the goal for the 2011 fiscal plan, will be long-term care beds and publicly delivered? Will the minister release a full list showing the level of care of these beds and how they're being delivered and where they're located in the province? Can we know the total number of staff that will be hired under the current budgetary plan?

The other big concern I've heard increasingly is that many of these privately contracted care aides are poorly qualified and do not give the level of care that most people need and expect, that they have been in some cases brought in off the street and given a six-week training program and really don't meet standards and don't therefore provide the level of care that seniors need in this very critical time of their lives. We are substituting increasingly in

the private services the cheapest labour, not the most appropriate labour, to take care of those who created this province and deserve better care and dignity.

Before going on to another section, I'll ask the minister to respond to those concerns.

**The Chair:** The hon. minister.

**Mr. Zwodzesky:** Thank you, Mr. Chair. I don't have that level of detail just at my fingertips in terms of the total number of staff and the locations province-wide. I'll undertake to find out some information about that. But if there are people that you know or people who are listening who are in these dire circumstances, they certainly should come forward with them. At the end of the day, of course, it is their choice, but what I'm hearing the hon. member saying is that perhaps some people feel they have no choice. If that's the case, they should get in touch with the Health Services folks and ensure that they're being addressed or that they're on an appropriate wait-list if that's what the case might be, and we'll see what we can do from our end as well.

With respect to privately contracted caregivers I've visited a number of these facilities myself, Mr. Chair. In fact, I've been at a number of the openings. St. Albert, Edmonton, Red Deer, and a few other locations just recently are a few that come to mind. I would suggest that the care I see being provided in these locations has been very good, if not excellent. That doesn't mean that there might not be some problems on occasion that arise, but I don't think it would be fair to characterize all of these facilities as giving inadequate services all of the time. Yes, there might be some pressures, and at times it may not be at peak output in terms of outstanding performance, perhaps, but for the majority of the time I'm sure that by far the services provided are adequate and even better.

I don't know what some of them are paying their employees because they might be privately held facilities. Some of them might be not-for-profits – the Good Sams, the Bethany Cares, and so on – so there's quite a mixture of different alternatives out there. But I can assure you that whether they're privately owned or not-for-profit organizations own them, they all have to adhere to a certain level of standards. If they don't have those standards, if they don't have a capable operator, a capable partner, perhaps, then they don't get the contract. It's as simple as that. So our standards are very high. The Health Services folks ensure that the credentials that these people present with are verified and that there's competency amongst the staff, amongst the administrators and that there's an appropriate number of staff in place to help out.

4:00

**The Chair:** The first hour for the Official Opposition has terminated. The next 20 minutes will be reserved for the Wildrose, the third party.

Hon. Member for Calgary-Fish Creek, you have 20 minutes back and forth or 10 minutes.

**Mrs. Forsyth:** Thank you, Mr. Chair. I appreciate your giving us the opportunity to debate the budget. I'd like to actually, if I can, take the first 10 minutes to ask questions, and then the minister can answer some of the questions and possibly provide us with written answers if he can.

I want to start where the hon. opposition member left off in regard to long-term care. One of the jobs that I have as a member of the opposition is to be the health critic and, actually, the seniors critic. So I've spent a lot of my time travelling this wonderful province and talking to hundreds and hundreds of people in regard to what's happening to our seniors in, as the minister refers to, the

designated assisted living or the continuing care model. Last reported by Alberta Health Services there were about 1,109 people waiting at home for continuing care and about 800 or so in the hospitals. I noticed the minister mentioned that there are only 550 now, the figure that he gave to the opposition, and that Alberta Health Services has promised opening 5,300 new continuing care beds by 2015 and 13 of them, as the minister indicated, by March 31, 2011.

Again, you know, I have to ask the government why it stopped replacing and funding new long-term care beds. Now, the minister has indicated that in 2011 they opened approximately 100 long-term care beds. I go to their report that was brought out on December 15, 2008, on the new continuing care strategy, and I go back to the background of the press release, and they talk about building infrastructure that meets the aging in the right place vision and replacing 7,000 long-term care beds by 2015. I'd like to know where they are on that.

I'd also like to ask him about, under that same press release, improving the investment model for the operation and development of new long-term care facilities. I'd like to ask him about that. I'd like to ask him about that as someone who has a mother that's gone from an independent living situation to an assisted living facility and is watching what's happening in the assisted living facilities with many of the patients as they carry on getting dementia and Alzheimer's, and there's nowhere for them to go, absolutely nowhere to go. So you've got a facility that, as the minister alluded to, is this continuing care model, where he's got the assisted living facilities that will be able to move these people from point A to point B. Minister, it's just not happening.

I'm sorry, but I've talked to hundreds of families. You know, the member from the loyal opposition talked about the calls he's receiving – I'm receiving the same calls – that if we knew of these cases, to certainly have those families call you. It's a vicious circle, Minister. By the end of their time they're at their wit's end. Yes, we get some action when we start talking to Alberta Health Services. Still, you look at our aging population, and your numbers just don't jibe with the huge aging population. You certainly bragged about the fact that we've got women living to 84 and men living to 79. With that comes health problems. It's just a terrible, terrible situation.

I'd like to talk to you about the Alberta Health Act, that you touted was the government's next big step in health care. I'd like to ask you, first of all: why has this legislation not been proclaimed? When can Albertans expect a health charter and a patient advocate? You go to your budget, and you've got \$700,000 that's allocated for the health advocate's office budget this year. I'd like to ask you where we are on that. If you've got it budgeted for your year, what is the status of the office, the applicants that you're receiving for the advocate's office, and what is that money going to be spent on?

I'd like to talk to you for a minute about your activity-based funding. Is it a successful way of making sure funding follows patients so that they can get the timely care that they need? I know that you've had this activity-based funding that's been tried in nursing homes in Alberta. This is April 1, 2010. Maybe you can tell us, just about a year later, what progress has been made on the activity-based funding.

I want to talk to you for a minute in regard to what's happening on facilities. I'm just going to use one as an example, and that's the McCaig Tower. When you were talking to the member of the loyal opposition, he had questioned you, actually, in regard to the budgeting. He talked to you about the south Calgary facility, and you alluded in your answers that the budgeting dollars are there once it's opened. So I would like to ask you about the McCaig

Tower now that it's opened, even though I think you've only got 2 of 23 operating rooms staffed. What is the actual budget now that you've got the McCaig Tower open? How many operating rooms do you have going? The last time we asked you that, you said two. You also said that it will take two years to fully open the McCaig Tower. I'd like to get the status of that, and I'd like to find out exactly where you are on that staffing, if I may, please.

On February 17, 2010, you had promised a cost-benefit analysis of hip and knee surgeries in this province. I'd like to ask you about the status of that analysis. It's a year and a couple of months later. When will you table that in the Legislature and make sure that it has become public?

The Premier had promised a review of the health bonuses on July 23 of last year. He said at that time that it's a time when we have to look at a different model to reimburse CEOs, especially those of public authorities, and he also said that a different model is necessary. I'd like to ask you what the status of that review is and what changes you have made in that particular structure.

I'd like to talk to you for a moment in regard to family doctors. Currently we have over a million Albertans that don't have a family doctor. I certainly appreciate the clinics that we have open and how they're starting to move people through the system with the primary care networks, but where are you on the status of bringing more family doctors into this province?

There was a huge threat a couple of months ago in your negotiations in regard to the primary care networks and the \$35,000 that you were going to take away from doctors that are within the system. I know there's been some finalization on that. When you're trying to establish – and I think you've got probably 42 primary care networks at this time – what your goal is for that, how you're going to develop the primary care networks, obviously, you have to provide more family physicians. They have to enter into the system and have more primary care networks available.

**4:10**

You've also in this House on many occasions talked about your five-year funding plan and that it's the first of its kind in this country. The first three years of the five-year funding plan is a 6 per cent increase, and the last two years are 4.5. While I applaud what you're trying to do, I guess my concern is that from 2007 to 2010 in your budgets the health budget went up 7.5 as an average increase. Now you're talking about your first three years at 6 per cent, which is actually a 1 and a half per cent decrease. In 2009-2010 you had a 16 per cent increase. I'd like to ask you why you think that is important.

I'm going to start talking to you just for a minute on your priorities, if I can. On 1.1 your number one priority is to ensure the effective governance and accountability of the health system by clarifying the roles, the relationship, and the responsibilities of the ministry and Alberta Health Services. You talked for a minute about: this arm does policy, and this arm does something else. I'd like to ask you: what exactly have you done to achieve your number one goal?

**The Chair:** Hon. member, your 10 minutes is up.

Hon. minister, you have 10 minutes.

**Mr. Zwozdesky:** Thank you very much, Mr. Chair, and thank you, hon. member, for the questions. With respect to the first issue, which was to do with long-term care, kind of picking up from where the previous questioner had left off, I can tell you that our commitment is certainly there. The numbers that I gave out are the most recently available numbers. I think you cited something going back to December, so we might have an adjustment in the

numbers that have been given out since then. Nonetheless, the numbers that I have show that we have as of right now over 14,500 and some beds. In fact, it's more like 14,600. But there's an ebb and a flow there, obviously, so those numbers can fluctuate by a couple hundred in any given year.

Nonetheless, we are helping to fund all of those spaces. It's not that we stopped funding. I think you asked the question, "Why did the government of Alberta stop funding these spaces?" or something to that effect. Well, we've never stopped funding them, hon. member. Perhaps there was a little different question that you might have had in mind there, but that's what I think I heard you say.

The reference that you made to your mother's particular case. I've dealt with several of these types of cases. I wish your mother well, by the way. Dealing with dementia is not an easy thing. We've read a lot about the current difficulties of our former Premier, in fact, in that regard, with whom I spoke before Christmas, and I'm sure you did as well, or I hope you did.

Nonetheless, when it comes to the spaces that we talked about, what has to be remembered here is that the new-construction folks that are building these places and the people funding them are trying their best to ensure that when the time comes, there is some flexibility in the design that would allow for them to be converted to the next level. That doesn't necessarily mean that they would go from a level 2 facility to a level 5 facility, for example, overnight. Nor does it mean that the entire facility would change that way.

What it does mean is that they're trying to design some spaces within those units – some – and it'll be different from facility to facility. Some may not have any, and some may have a certain per cent set aside so that the increased level of care can be provided right there without them having to move. That's what we're trying to do, and that's how we're encouraging builders to build their facilities. But at the end of the day, of course, it's up to the private facility, if it's privately owned, to determine their own destiny that way. If we're working with a not-for-profit society, they, too, have a lot of leeway, but we're encouraging them to do what I've tried to explain.

You mentioned something about looking at an aging population. I can assure you, hon. member, that we look at that factor every day. That's why within the 6 per cent annual increase that we talk about, I often explain to individuals that the 6 per cent increase applies only to the Health Services portion of the budget. A 6 per cent increase for Health Services, Alberta Health Services specifically. When we're looking at the aging population, within that 6 per cent we provide a 2.5 per cent increase for an aging population factor and for a growing population, both of which are good. We provide 2 per cent in that 6 per cent for inflation, and we provide 1.5 per cent of an increase for innovation: new procedures, new techniques, new drugs, new equipment, and so on. So that's 2 and a half, 2, and 1.5 per cent.

The reason we're doing more and more in the area of addressing aging population concerns is because we have something in the order of 3,000 or so Albertans that will be turning 65 every month now that the first baby boomer generation is about to hit that threshold. I believe it's about 3,000 per month. In any case, what that means, of course, is that in years to come more and more of the baby boomers and others who will follow will need new and expanded facilities. That's one reason why we've committed to adding 1,000 more continuing care spaces per year, at least 1,000 more per year.

So you can do the math going forward. You have about 3,000 more being added to the rolls. That's about 36,000 per year. They're not going to all be looking for long-term care or supportive living care or designated assisted living care. That's not the

point. The point is to plan now to address some of the backlog but at the same time try and get ahead of the large number of people that will require this type of housing in the future.

Your comments about the Alberta Health Act. We have not yet proclaimed this, but we will be. What's important to note though in that regard is that in this budget there is approximately \$700,000 budgeted for the health advocate's office, and that will come to fruition sometime during this year. There will be some additional work done in that respect. In fact, the hon. Member for Edmonton-Rutherford will be helping in that regard, taking the lead on it, as it were, to ensure that it is done fastidiously. He did an enormous amount of work in 2009 and early 2010 in this respect, and he has a very good handle on it.

Your comment about the McCaig Tower. I'll have to read, hon. member, just to make sure that I understood most of it there. I couldn't write fast enough. But for the purposes of today this is about a \$550 million state-of-the-art facility, which I think most people in Calgary would know. It was decided even from the get-go that it would be built in phases, and that's beginning with a new 31-bed orthopaedic surgical unit, two new operating rooms that are equipped with absolutely state-of-the-art technology – I was there, and I've seen it – four new day surgery beds, four new postanaesthesia recovery beds, one new x-ray room, and a new expanded central sterile reprocessing unit for surgical equipment.

In its first year the facility will create about a 10 per cent increase in total surgical capacity at that bigger Foothills medical centre site, which will add to the already 17,000 surgeries being performed at the Foothills medical centre itself. When it's fully operational, the eight-storey McCaig Tower will be home to about 23 operating rooms, 93 acute-care beds, and a 36-bed intensive care unit, a new lab and diagnostic imaging area – in fact, there could be a couple of areas there – as well as a musculoskeletal clinic, and other outpatient services. It will also be equipped with the latest medical technology and specialized infection prevention and control features.

There's a considerable amount of good news in that respect, and I was so pleased to be there with Ann McCaig and numerous other family members for that opening and ribbon cutting not long ago.

The issue of the cost-benefit analysis. I will find out the status of that. I asked for it, as you know. I haven't seen it yet, but I'm sure someone is working on it.

#### 4:20

You made a point about Albertans needing more access to doctors. On an encouraging note, hon. member, I would tell you that we have more doctors coming to our province quite regularly now. Our physician recruitment is up. I believe it went up by about 559 doctors between 2007 and 2009, to well over 7,000. Similar stats are reported, obviously, with respect to registered nurses. We had about 1,944 more registered nurses added into the system between '07-09, and we're just calculating the 2010 numbers now. The same thing with regard to LPNs and so on.

The bottom line with respect to physicians themselves is that we have a very active recruitment process that is going on. We have a number of programs, such as our rural remote program, that encourage more doctors to settle in some of the areas of the province that may not be quite as accessible as we would like them to be or they're perhaps in remote areas. We have a number of programs like the physician on-call program that are helping doctors as well as locum programs and business programs to help them with their offices, to help them with upgrading of their equipment. There's just a lot that's going on there.

We compare very favourably to the rest of the country. In fact, our physician workforce has grown faster than any other province.

It's the youngest group, and it's the most highly paid in the country as well.

**The Chair:** Thank you, Minister. The 20 minutes for the third party, Wildrose, has terminated.

Now I would like to recognize the hon. Member for Edmonton-Highlands-Norwood for the next 20 minutes. Do you want to combine or 10 and 10?

**Mr. Mason:** I think we can go back and forth, give the minister a chance to show he can give me a short answer. We can go back and forth.

**The Chair:** Okay. Twenty minutes, then.

**Mr. Mason:** I want to just address the structure of the budget for Health, first of all, Mr. Chairman and to the minister. The \$9.6 billion budget for Alberta Health Services makes up 24 per cent of the total government expenses in the entire budget, yet there are only six lines dealing with AHS in the budget. That's better than last year when there were just two. I don't think that we're anywhere near sufficient in terms of, you know, the legislative function of oversight on government spending. I don't think we're anywhere near getting the level of detail that we need for a massive budget item under our legislative oversight responsibilities when Alberta Health Services is essentially not anything more than a couple of lines in the budget.

I know that the minister is committed to maintaining the two-bureaucracy solution to health care that seems to exist now between the department and AHS, but is there not some way that we could structure the budget so that there would be detailed oversight of the budget of Alberta Health Services as opposed to the present circumstances? I'll start with that.

**Mr. Zwozdesky:** Thank you. It's a good question. I don't know, hon. member, if you heard my opening comments, but I did mention in there that the Alberta Health Services' budget in great detail will be provided a few weeks after we've passed our budget here today, I hope, and the global government budget has been passed in a few weeks. That having been said, you're quite right that there are only a few lines there. That's because we allow Alberta Health Services to develop their own detailed budget right after we give them approval to go ahead and do that, and they have been doing that, hon. member. In fact, it's probably ready now, and they'll be releasing it as soon as we get this budget passed.

Their budget will specifically show the 6 per cent increase that I alluded to. They are the delivery arm, which I mentioned, and they'll be accountable for \$9.6 billion. They will spend it on acute care, long-term care, continuing care, on public and community health, on providing mental health services, cancer treatment, home care, transplants, cardiac surgery, and renal dialysis just to mention a few specific areas. So that's a good thing.

I think you talked about restructuring their budget going forward. You're right. We did make one improvement. Last year it was a single line, and this year we're up to six, and maybe next year it'll be more than that. The point is that they're dealing with a whole new scenario with the five-year funding commitment, which was just given to them a year ago, and they're dealing with a huge number of issues, as you know. So we can look for greater accountability, greater transparency, greater reporting, and more of it being done in a very public way, such as reporting on the performance measures, for example – that's one important area – such as what's already going on in respect to emergency department wait times, which is being reported on. The information is

available in aggregate, and it's also available on a per hospital basis in our major centres for sure because I saw that last night when I met with some of those doctors here at the Legislature.

**Mr. Mason:** Thank you very much for that answer, Mr. Minister. I don't propose to get into a debate here. I know that this is the way it is for this budget. You know, we're basically in a situation where \$9.6 billion divided among six lines is \$1.6 billion a line, and the fact that it's coming forward after the budget is approved is not satisfactory. It should be part of this discussion. I think that the minister should find a way to structure the budgeting process of Alberta Health Services so that their budget is open to scrutiny by this Legislative Assembly. Ten billion dollars is just way too much to leave to a board in my view, and I think that the process fundamentally thwarts the role of the Legislature in overseeing government expenditures.

I want to move on to the continuing care strategy. The minister addressed some of these questions. He talked about aging in place. He talked about designated assisted living beds potentially being converted in the future to long-term care beds. But there is still a tremendous lack of any sort of clarity or certainty about what the government is actually doing with respect to long-term care. That was reinforced for me this morning when some of the officials from Seniors and Community Supports essentially refused to answer a question that I posed relative to the strategy regarding the proportion of long-term care beds to other forms of continuing care beds. But I don't think the committee is finished with that nor is the Auditor General, I hope.

The question really is: where is the evidence that, in fact, these beds will be converted to long-term care? I want to make this point very clearly. I've tried to do it in question period. Long-term care patients are medically assessed as requiring ongoing care, including nursing care. They have their drugs paid for. Aside from the basic housing and food charges their medical care is provided to them because a nursing home or an auxiliary hospital is technically part of the health system, so those costs are covered by medicare. If the minister is saying that they're going to convert these in the future, the question is: how many beds does the government plan to have that are long-term care beds versus other forms of continuing care beds?

I would like the minister to bring forward very specific proposals in terms of the number of long-term care beds and the demand for those beds. The indication that we have – and this is again from government documentation – is that right now there are 777 people who are in acute-care beds waiting for some sort of continuing care beds. Instead of building more acute-care beds, which are very expensive, it would make more sense to build more long-term care beds, which are less expensive, and free up the acute-care beds we now have. This has been something I've been trying to get through to the government for a long time.

4:30

The approach the government is taking in the new five-year plan is probably more expensive than it needs to be. If they would just back off this mysterious strategy where they lump everything into continuing care and they don't distinguish between individual types and the needs of specific seniors, we actually could, I think, improve the functioning of the health care system considerably.

Health and Wellness used to include a performance measure for the waiting lists for long-term care. It was discontinued after the 2007-08 annual report showed that 566 were waiting in acute care, which is almost double the target of that year. Now we have a broader measure of continuing care wait-lists, but the problem remains. There will continue to be a large number of people re-

quiring long-term care in this province, a growing number, and the government's plans do not apparently take that into account.

The biggest problem, Mr. Minister, is that the government has, obviously, some sort of strategy relative to the proportion of long-term care beds and other continuing care beds, which it is refusing to disclose. It is refusing to make it public. Not all of the question periods or Public Accounts Committee meetings that I have been to over the last couple of years have convinced them yet to be crystal clear about what their intentions are. We're forced to depend on documents that come to us in brown-paper wrappers to get some sort of glimmer of what the government is really doing.

This morning I tabled in Public Accounts Committee a document from May of 2009 showing an interdepartmental task force that was working on a strategy that explicitly said that they would reduce the proportion of long-term care beds to other continuing care beds by 50 per cent. The government has refused to this point to acknowledge that document or to tell the public what they're actually doing with respect to that. I would give the minister just one more appeal to actually be very specific about what the government's plans are.

**The Chair:** The hon. minister.

**Mr. Zwozdesky:** Thank you, Mr. Chair, and thank you, hon. member, for the questions. You started by just commenting on the AHS budget, and time didn't permit me to complete my answer. I just want to augment the answer I gave you by telling you that in the budget that you see there for Alberta Health Services, let's just take a look at page 195, element 8.1, which shows an estimate for 2011-12 of \$3.6 billion, almost \$3.7 billion for acute care, for acute-care services.

Now, acute-care services, as we would know, are primarily those that are provided in acute-care facilities, in the hospitals themselves. You can appreciate that with several of these facilities, a few dozen of them, we couldn't provide you with every level of detail for every hospital, similarly as you move down the list to other places where services are delivered. We have 400 facilities across the province. We'll get to a better balance – I agree with you there – but it would be a budget of hundreds if not thousands of pages if we got to too much of a level of detail. We'll try better again next year to get more information out sooner.

Really, please remember that it's Alberta Health Services who does this, and they are going to come out with their comprehensive budget in a few weeks. That will show you exactly how \$1 billion in our budget is being transferred to them for facility and home-based continuing care services and what they're spending it on. It would also show you how \$912 million is being spent by Alberta Health Services on community and population health services and how \$1.6 billion is being spent on diagnostic and therapeutic services and how \$2.29 billion is being spent on support services, for a total of \$9.6 billion. That will all be there in due course.

The other part about the continuing care discussion: please know that we are working on the continuing care strategy. In fact, we'll have that out by, I hope, the fall. It will provide some additional insights for you and perhaps even some of the clarity that you seek.

You asked in particular: where is the evidence that designated assisted living beds or supportive living beds or whatever will be converted to long-term care? I don't want anybody to misunderstand what I'm trying to say here. It's important to note that what we're doing is encouraging these builders to build facilities that will be easily adaptable to a higher or a different level of service,

but it doesn't just happen overnight. That's why there is this long-term plan.

You asked about what our commitment is in that regard, or words to that effect. It's to ensure that we have not less than about 14,500 going forward – I believe that is the number that comes to mind – and that number will increase in some years. It won't go lower than that, but I'm saying that it will increase maybe by a hundred, and it might come down by 50, but it should never go below the 14,500 threshold as these new beds come on stream in particular.

As these new beds come on stream, please remember that what you're doing is that you're then able to move more residents out of acute-care facilities into continuing care, and that frees up some space for more long-term care in those hospitals themselves. We have probably as many as 70 per cent – I'd have to verify that number, but I think it's approximately 70 per cent – of the people in hospitals today that could be in some care setting other than an acute-care hospital, and that's one reason why we're so aggressive about adding more of these other spaces straightaway.

If you wanted to track us a little bit further on that, hon. member, I would refer you to page 6 of 20 pages in the key performance measures, Alberta's health system performance measures, where we talk about priorities for action on that page. Specifically, we talk about continuing care being one of our priorities for action and providing Albertans with options to age in the right place, and it goes on. I won't read it all for you, but I would tell you that here there are some very good targets that we're striving to achieve over the next year and in years 2, 3, 4, 5, including access to continuing care under 1.12, where it states: "Number of people waiting in an acute care/subacute hospital bed for continuing care." As of March 31, 2010, about a year ago, there were 777 people in that category, and by the end of this year we're hoping to have that down to 400 people and then diminishing further to about 250 people only on that wait-list.

Similarly, for the number of people waiting in the community for continuing care, I have indicated what those numbers are. That will be coming down sharply as well. It talks about average length of stay and a few other things. I'd encourage people to have a look at that.

My final comment is that we talked about people going into long-term care. What's important to note here is that people who are going into long-term care are assessed by specialists, and they're assessed on the basis of their need, obviously, not on some arbitrary formula. Some of your question is a little bit difficult to answer, but I'll give it a more careful read when *Hansard* comes out, and I'll respond accordingly.

**Mr. Mason:** Thank you very much.

Mr. Chairman, how much time do I have left?

**The Chair:** You have three minutes.

**Mr. Mason:** Three minutes. Well, then, I'm going to take the three minutes, and if the minister can respond, otherwise in writing, I'd appreciate it very much.

I want to talk about drug costs for seniors in particular. Now, the government has had a couple of swings at coming up with a new seniors' drug plan, and it's missed both times. I'm curious to know from the minister what the plans are for a third swing at a seniors' drug plan.

I want to ask about generic drugs. I know that the government has stepped in and reduced the amount for generic drugs but not nearly as much as other jurisdictions. Ontario reduced, for example, generic drug prices to 25 per cent of the brand price, and I



think there are similar reductions in Quebec, B.C., and expected in Nova Scotia. I'd like to know if the ministry is going to be considering matching the reduction to 25 per cent, that's considered or done in other provinces.

4:40

I was very concerned to learn of negotiations going on federally for a European equivalent of the free trade agreement, the Canada-Europe free trade agreement, and further demands by the Europeans that we extend patent protection for brand name drugs, which would certainly drive up costs. I would really like the health department to have some input into the government of Alberta's position relative to the federal government's negotiations.

It's been some time since we were able to show that by bulk buying drugs for the health system, we could save over \$100 million and put that into a seniors' drug program that would cap the drug costs for seniors at \$25 a month regardless of the number of prescriptions they have. We've provided that to your predecessor. It didn't get very far, but I think it would be a way to provide far better coverage to seniors for drugs without costing the taxpayers a nickel. I think there are savings to be found in the health system. I think you have to be able to tackle the big drug companies if you want to be able to realize those savings.

I'm very curious about emergency medical services and how that's going and why we've seen such dramatic increases in wait times for ambulances since the AHS took over some of those. I don't know if the government has a comprehensive review of the impact so far community by community, but I would be very interested in knowing something about that.

I am also very concerned about the health facilities without staff and whether or not all of the costs are taken into account.

Thanks very much, Mr. Chairman.

**The Chair:** Now we have the next 20 minutes for the Alberta Party. Hon. Member for Calgary-Currie, do you want an exchange for 20 minutes?

**Mr. Taylor:** Thank you very much, Mr. Chair. Back and forth for 20 minutes if that's okay with the minister, and we'll try and keep the questions short and the answers shorter but full of content.

**The Chair:** All right. Twenty minutes.

**Mr. Taylor:** Thank you.

As a starting point, we spend well more per capita than the national average on health care in the province of Alberta, and our results do not yet reflect that. So with that as a sort of overarching theme here, I'd like to start out and talk about cancer care if we could. Goal 4.2 is to develop and implement Alberta's provincial plan for cancer care. Is this a new plan? Is it an improvement on the old plan? What areas does this province excel in when providing cancer care? In what areas do we lag behind the national average?

I know, for instance, that there was a report out in late 2010 which certainly highlighted that Canada does very well relative to the rest of the world in terms of cancer care in a few key cancer survival rates: lung, colorectal, breast, and ovarian, I believe. Our numbers are not bad, but the problem is that of the four jurisdictions in Canada compared, our numbers tended to be the lowest in those four very serious, sometimes very deadly cancers. What is the government doing to ensure that those areas in which Alberta is achieving success in cancer treatment are being translated and applied to areas which need improvement?

One very specific number in regard to this is on page 195 of the budget estimates, line 11.2. In 2010-2011 the ministry budgeted

\$10 million for cancer corridor projects. None of that money was spent in 2010-2011. This money has been budgeted again, \$10 million for 2011-2012. Do you actually intend to spend the money this year, and why didn't you spend it last year?

**The Chair:** The hon. minister.

**Mr. Zwozdesky:** Thank you very much, Mr. Chair. It's true that we spend the most per capita on health care. I think the Canadian average is something like \$3,600 per capita, and Alberta is at \$4,712 per capita, and that's adjusted for all of the variable factors. I share some of the frustration that was eloquently put by the member. I don't know, and I've asked that question myself. How is it that we spend the most per capita, but we're not getting the best results in all the areas? I would expect us to have not necessarily the best by a long shot but something that is better than what we're seeing right now. That's why it's so important every now and then to challenge the system and to put out performance measures that are a bit higher than your fingernails can reach, so that we would have some good statistics, some good results coming that better reflect the size of investment. We're working on that very aggressively, and that's why the public reporting is so critical.

With respect to the cancer care plan, yes, there is a very new element to this. It's called the provincial cancer care strategy, which I talked about in my opening comments. We are working very, very fastidiously on that. We've had a number of meetings with cancer doctors, our oncologists, as it were, and we know that we're making some good headway. For example, when I announced the \$208 million funding project for the Tom Baker cancer centre in Calgary, that was great news. That will give them a new bone marrow transplant unit, as I recall, two new radiation vaults, and number of other expanded services there.

Similarly, we're adding \$67 million in Edmonton for the Cross Cancer Institute. I think, actually, it's \$208 million for the two cities combined – sorry – and it's something like \$119 million or thereabouts for Calgary and \$67 million for Edmonton. Sorry; I've just got the math mixed up a little bit. I think it's \$208 million total, just to correct myself.

In Calgary what that will mean, hon. member, is 64 additional in-patient beds for cancer care and much more space for cancer services in general. In Edmonton, in addition to what I've said, it will mean an additional PET/CT scanner, the positron, and the new vault I mentioned plus a lot of additional space. Let's not lose sight of the cancer services that are being expanded in Grande Prairie, with the addition of a radiation therapy corridor there and in Red Deer. So there's quite a bit that's going on in that respect.

I'm sorry; I missed your last question. Just refresh my memory.

**Mr. Taylor:** Yeah. It was actually a budget estimate question, expenses by program, page 195, line 11.2, the \$10 million for cancer corridor projects. You budgeted that in fiscal '10-11. You didn't spend it. You budgeted it again. I want to know why you didn't spend it last year and whether you're actually going to spend it this year. Go into a bit of detail if you could, please.

**Mr. Zwozdesky:** Thank you, hon. member. I was searching for other information, so I missed that question the first time around. The building, basically, wasn't ready just yet for that to be spent. The decrease that you see there is due to moving the cancer corridor equipment funding for the Red Deer site from 2010-11 to 2011-12 to reflect the change in the progress of the project.

**Mr. Taylor:** Thank you very much for that.

You mentioned a while ago that you have a suite of something in the neighbourhood of 50 performance measures that you're going to use over the course of the next five years to grade the system on how it's going. I'm going to congratulate you on that because, obviously, you're dealing with the biggest ministry by expense in the entire provincial budget by a long shot. You're dealing with a very complex suite of issues and services under the health care budget, and there's an awful lot to keep track of and an awful lot of places in which to keep track of it. So it's good that you have that.

But I want to do Health Care for Dummies here for a second if I can. We both know that you can get into a situation where you have so many things to do on your to-do list that you look at the list and you're kind of overwhelmed by it, and you can't tell what the priorities are anymore. I'm not criticizing you or suggesting that you can't tell what the priorities are right now, but what I'm trying to get at in this sort of Health Care for Dummies approach is that of that suite of 50 performance measures, one year out, three years out, five years out, as the plan progresses, what are the top three performance measures? What are the top three things you and your staff at Alberta Health and Wellness are going to look at to be able to say, "We're on the right track" or "The five-year plan needs modest, serious adjustment"?

4:50

**Mr. Zwozdesky:** I'll come to the top-three question in just a moment. On the suite of 50 performance measures – and I want to thank you for your kind words – I'll tell you that they are aggressive. I've never been a person who strives for, you know, 50 per cent plus one. I shoot for much higher than that. So when these performance measures were being designed, they were input into by, obviously, doctors, by the Alberta Medical Association folks, by the College of Physicians & Surgeons, by the Health Quality Council of Alberta, by nurses and others in the field to make sure that we were not only setting realistic performance measures and targets but also challenging ones, not unachievable but challenging, to push the system, to drive it. So thank you for your words. There is a lot to keep track of just in these performance measures alone.

I'm quite optimistic with the stable funding that's been provided. I'm quite optimistic with the new CEO and president who is there now, Dr. Chris Eagle, and the leadership he's shown in this respect. There were commitments by others previously, obviously, but I think we're working even more aggressively now than ever before toward meeting these targets. When you look at them, as you said, one year, two years, three years, four years out, there are a number of opportunities there for improving our performance but also for re-evaluating. Are these the right performance measures? We've never had this kind of a comprehensive listing before. It is unique, but the fact that we have a five-year commitment means they are very deliverable, and we're not going to be ashamed if we miss a target or we didn't make it by a certain specified date, which is the case in a couple of cases that I'm sure you've read about. We're showing improvements, and we're going in the right direction.

Your point about the top three. Hon. member, that's a very, very difficult question to try and answer, but I would say that among the top many would certainly be cancer care. That is an extremely important area.

I'd say emergency room wait times in the eight-hour category, which is the admitted patients. I should tell you, hon. member, that we're making incredible progress there with respect to EIPs. These are emergency in-patients. That means people who have come into emergency with a very serious difficulty caused by who

knows what. Nonetheless, they're there. They're in emergency, and they have to be hospitalized or kept in the emergency area for at least one night, maybe more. They're called admitted patients at that point, but they might still be in emergency. One of the things that the doctors mentioned to me last October and again last night when I met with them is to put more emphasis even than we are already. We've seen reductions of about 50 to 60 per cent in the number of EIPs that are being reduced. In other words, we're moving people out of the emergency department to elsewhere in the hospital, and that frees up more space here. That would be a second area that I'd say is very, very important.

Of course, cardiac surgery is another one, and anything to do with major ortho procedures would be a fourth one. I'm not giving these necessarily in any particular order. Just off the top of my head, based on the discussions I've had and what people are telling me on the street, those would be probably four of the top areas. Ambulance is another one. The list just doesn't end, and it's hard to prioritize them, but they all have our attention pretty much on an equal basis right now.

**Mr. Taylor:** Okay. Then just quickly, kind of as a supplemental for that, when you said "cancer care," how are you measuring that? Are you measuring that in terms of survivability rates or what?

**Mr. Zwozdesky:** There are a number of things. Officially, in the Alberta health system performance measures we talk about access to cancer care. For example, on page 3 of 20, priority for action titled Cancer Services, the overall objective is obviously to reduce the wait time for cancer treatment. Let me just give you one as an example. Element 1.6 would tell you "the maximum time that 9 out of 10 people will wait . . . from referral to the time of their first appointment with a radiation oncologist, by facility." At the Cross Cancer last year we were at 7.7 weeks of wait time, today we're around four weeks of wait time, and by the end of our five-year thing we'll be at two weeks or better. That's just one example, hon. member, of how we're measuring that. We're measuring survival rates, too.

**Mr. Taylor:** Okay. Thank you.

I'm going to try this out. It's highly speculative, and if it's too speculative for you to answer, it's my fault. It would be your problem, but it's my fault. You talk about sustainable funding, predictable funding over the next five years, and that's good. It's far better than the alternative. But, of course, we keep looking at a budget that goes up substantially every year. I wonder if we ever get to the point or whether there's an effort being made over the course of this five-year plan where we can say: we've actually been able to reduce the health care budget or hold the line on the health care budget while our performance measures continue to improve because we've now taken enough of a proactive approach. Obviously, we haven't yet, but we get to that point some years down the road where we've taken enough of a proactive approach that we now no longer have to spend as much per capita on health. Want to take a stab at that?

**Mr. Zwozdesky:** Yeah. It's not quite as wild a question as you might think because I think a little bit along the same lines there, hon. member. I have to tell you that there's no single silver bullet to this question, but if there was one that impacts the area more than perhaps some others, it's on the wellness side. I haven't found the right way to explain this, but if we can keep people out of the system because they are healthier, if we can keep people from needing emergency room services, if we can keep people from needing everything from obesity clinics to addictions treat-

ment and so on and so on – prevention is the key. That's why, to come back to the point about cancer services, early detection is the key. If we can detect it earlier, clearly the oncologists have a chance to deal with it either surgically or through radiation or through chemo or whatever the case might be.

In fact, this was a very major point that was addressed yesterday, when we had the blue-tie breakfast for prostate cancer down at the Macdonald Hotel. As you probably know, we've made a significant commitment to a northern Alberta urology centre, which will also have a prostate cancer clinic here in Edmonton. The doctors that were there supporting this and others as well as some of the people offering testimonials as survivors would tell you that the earlier you can detect these problems, not only the happier you're going to be, but think of all the costs and headaches you're going to save yourself and the system and others because of earlier detection.

The wellness thing is comprised of all the usual common-sense things that we know about. You can't control everything – some of it's hereditary – but you can sure do a lot to enhance your position with better eating habits, more physical activity, proper rest, abstinence from certain bad things, or cessation of bad habits if you have those. Hon. member, if I were to try and give you one snapshot answer, it would be summed up with wellness.

I mean, we're expecting fully that the cost increases will at some point start to trend downward if we get that part of it right. That's why the last two years of the five-year funding plan, for example, are showing a decrease down to 4.5 per cent. You've got three years of 6 per cent, which should build the system and put it on a pretty good keel, and then years 4 and 5 come down to 4.5 per cent, so the trend is in the right direction.

**Mr. Taylor:** I must be getting close to time.

**The Chair:** Three minutes.

**Mr. Taylor:** Three minutes.

I'll try this out on you very quickly because I think you're missing a couple of important aspects on the wellness and health promotion and disease prevention side of the thing. The first major aspect of public health and healthy living has to be found in education. Would you be willing to commit to working with the Ministry of Education on a comprehensive school health strategy? Can I go even further? Would you be willing to work with the Minister of Education and perhaps the Minister of Advanced Education as well on extending the five-year rolling budget and the five-year commitment that you have in your department to the departments of Education and Advanced Education, perhaps some others as well? If you can work at cross-ministerial purposes here, you know, you may accomplish more in a shorter time. That would seem to be the logic.

5:00

In order to pursue healthy living, there needs to be easily accessible information for children and adults alike focusing on social aspects as an important feature of health care. I'm not sure that I see that in your priority initiatives.

Another important preventative measure is workplace safety. Again, due to the nature of health care this ministry has to work with other government departments, Employment and Immigration and probably others, to achieve a holistic approach to healthy living.

Other ministries mention in their priority initiatives the need to work with other departments. Why is this strategy not included in the Health and Wellness business plan, and what are you doing or

planning to do to address this requirement this year or in the future?

**Mr. Zwozdesky:** I won't get to all of it probably in a minute and a half, but let me just say this with respect to the wellness: point taken and point acted on. We are co-operating a great deal. For example, with the Ministry of Education we have a program that we're working on together called Healthy U. The Alberta healthy school community wellness fund is another program. We have Ever Active Schools; we're a part of that. There are health promotion co-ordinators for healthy weights and Communities Choose-Well and other programs. We also have the mental health strategy, that I talked about earlier, where we've committed \$19 million. There are a lot more counsellors going into schools compliments of our budget. We have a syphilis strategy that will be announced here very shortly. There's one already, but this is an updated version. That would involve probably 10 different ministries. I can't get into all of the cross-ministry stuff.

It's important to note that we are doing everything we can to provide additional access and additional opportunities for people who need this kind of help. We're increasing our co-ordination of health and social support systems. That, hon. member, is on the second page under goal 3 of our Health and Wellness business plan. My signature is on the first page, and if you flip the page, at the very bottom under element 3.4 you will see that that is one of our focuses. I thank you for bringing it to our attention. The quote is, "by increasing coordination of health and social support systems."

**The Chair:** The next 20 minutes is for the independent.

Hon. Member for Edmonton-Meadowlark, you have 20 minutes. How do you want to . . .

**Dr. Sherman:** We'll go 10, 10.

**The Chair:** All right; 10, 10. Go ahead, hon. member.

**Dr. Sherman:** Thank you, Mr. Chair. It's an honour for me to be here, and I'd like to thank the minister and all the ministry staff for joining us today. It's probably the most important budget in the government.

As you know, we recently had a crisis in health care, according to Dr. Paul Parks a near potential catastrophic crisis, from which we've just come back from the edge, to a financial crisis that led to the finance minister of the province refusing to sign the budget. Now we have a leadership race and a crisis in leadership.

Now, I'd like to talk about effective system accountability. When we all ran for government, the goals were access, quality, and sustainability. The questions I'm going to raise produce evidence and fact and questions of: have we actually achieved the goals of access, quality, and sustainability since we took government? I'd like to start off by reading a letter by Dr. Stephen Duckett, a most recent CEO, from the *Alberta Doctors' Digest*, March 2011. Excerpts from this go as follows:

Alberta spends more per capita . . . than other Canadian provinces, and gets less. Male and female Albertans have a shorter health-adjusted life expectancy than the Canadian average. Albertans who get cancer don't live as long as people from Ontario. All this using data from before AHS was formed.

Investment decisions have over-emphasized acute provision [for acute care] at the expense of seniors' care. In contrast to other provinces, Alberta reduced per-capita spending on non-acute [care] facilities over the last decade.

Is it any wonder that our acute facilities had to become de facto seniors housing, contributing to the systemic problems that have created the problems in emergency care?

And emergency department performance in both Edmonton and Calgary has been getting steadily worse over the last decade, achieving the eight-hour standard for admitted patients about 60% of the time in the first few years of the decade to around 25% now. Neither level acceptable, of course.

And there was significant variation in practice between different parts of the province. . . .

The effects are still with us: it takes a day longer to treat a person with a stroke in Edmonton than it does in Calgary, same for hip replacements. This consumes excess bed days and effectively reduces access in Edmonton.

You know only too well what it was like when I started. No functioning formal structure. No financial reporting system. No strategic direction.

Here's an example on cervical cancer.

Capital Health didn't put the same value on this as the Calgary Health Region, with the result that screening rates are appreciably lower in Edmonton (69.6%) compared to Calgary (74.3%) [on the prevention side] . . .

There are currently huge variations in what we pay for care . . . and the incentive on facilities until now has been to take the least-dependent rather than the most-dependent resident, contributing in part, I think, to our problem of long-stay Alternative Level of Care patients in our acute [care] hospitals.

Tighter and better contracting for services is yet another example. At least having contracts is a start, in contrast to the Villa Caritas contractual mess we inherited from Capital Health or the handshake deals of another region . . .

If I have to weigh up the interests of a handful of business people who misjudged the tender process against the interests of hundreds of patients who would now get treated quicker, I know what side I'd always come down on.

He did say very good things about the five-year funding agreement, and I agree with having stable, sustainable funding to have programs. I think that was a very good decision made by the minister.

He goes on to say:

The government has committed to funding universities and colleges to graduate 2,000 RNs per annum, a commitment not kept incidentally.

What we need is an additional commitment to train 1,000 health care aides annually. Then we'd see some workplace transformation.

Mr. Chair, these are the words of the CEO that was hired and fired by our government.

I would like to hold up graphs. There is evidence of health care spending going logarithmically through the roof while there are cutbacks in basic education. They've gone up like no tomorrow.

Here's a performance measure of the health system.

**The Chair:** Hon. member, may I interrupt you? The document you quoted from, please table it tomorrow.

**Dr. Sherman:** Absolutely.

**The Chair:** Okay.

**Dr. Sherman:** This is a graph from Alberta Health Services, the number of alternate level of care days spent in acute care by seniors in the Calgary health region. It's gone up at about 55 per cent, a straight line up. This is the reason I've said that we have failed the seniors.

**The Chair:** Hon. member, also, when you quote from a document, don't use it as an exhibit and so on.

**Dr. Sherman:** Mr. Chair, I was just doing what the minister usually does if that's okay.

**The Chair:** Well, other hon. members can't see what it is, so table it. Okay?

**Dr. Sherman:** Mr. Chair, we'll move on.

**The Chair:** Thank you.

**Dr. Sherman:** So these are the issues in health care that Dr. Duckett raised.

Secondly, I'd like to talk about fiscal management or, shall I say, maybe at times fiscal mismanagement. The Auditor General Fred Dunn said that Capital health was playing cat and mouse with the Auditor General's office and did not take its recommendations seriously, from the Chuck Rusnell article.

For the year ended March 31, 2009, each authority continued to exist and produce its own financial statements.

There were severances that were paid: \$23 million in severance costs incurred for the AHS transition. AHS used external legal counsel to assist with the negotiation and determination of severance amounts for the terminated CEOs and executives. There was a lack of oversight by AHS management and its board in the entire severance process. AHS did not have a clearly defined process, including roles and responsibilities for negotiating, reviewing, approving, and paying the severances.

We only found documentation evidencing approval from AHS for four of the 19 severance payments we examined. The AHS Board was provided information on the CEO severance payments . . . but they did not approve the payments [we examined].

On the budget and the deficits the Auditor General goes on to say that combined, the AHS board was responsible for the oversight of \$9.9 billion in health care expenditures for fiscal 2008 and 2009. The authority's budgeted operating deficit was \$392 million.

5:10

**Mr. Lukaszuk:** Mr. Chair, I'm just wondering if we can focus on the 2011-12 budget for a change?

**The Chair:** Hon. member, keep the attention on the budget and the business plan. Thank you.

**Dr. Sherman:** Thank you.

Basically, Mr. Chair, it goes on to say that the fiscal management was not complete. The majority of the work that's under way will be completed by 2013. These are recommendations accepted by the ministry; 2013 on a \$14 billion, \$15 billion budget that has brought the leadership of the government down. This is unacceptable.

The Auditor General has repeatedly warned AHS about their unacceptable financial practices. There was a lack of oversight and approval, and the books were in the red. There is no commitment to investigate the financial management or reporting. When I was in government, I asked for a forensic audit. The timeline for the majority of the work is 2013. There's no explanation for the capital project deficits, a reduction of budget commitments and deficits by one year, by \$213.5 million. There has been no satisfactory explanation of the \$1.3 billion transition allowance.

Now, in running the health system, the primary care networks – I was in charge of the primary care network review task force – \$149 million a year is spent, I'm told. We only had 425 FTE front-line staff. That works out to \$350,000 plus or minus a few thousand dollars per allied health staff or GP. The problem is that there are no performance and accountability measures for rostering the people that need to be rostered in the PCNs. They've rostered all the young healthy people. The accountability measures are 50

bucks a pop to roster someone. When you spend a dollar in prevention, you should save 5 bucks in acute care. The primary care health networks are screaming for more resources and funding when AHS got all the funding in acute care. That's exactly what Dr. Duckett says. We are spending so much in acute care when we actually should be spending it in prevention and primary care.

Let's move on to prevention. We are spending minuscule sums on prevention. If you want to prevent people from spending time in acute care, let's spend on home care, quality home care. Home care was given 7.3 per cent; 7.3 per cent of a little is a little. We need a massive investment in home care, not in acute care.

**The Chair:** Hon. member, your 10 minutes has terminated.

Hon. minister, your 10 minutes.

**Mr. Zwozdesky:** Thank you. Thank you, hon. member, for your comments and insights, some of which I could agree with and many of which, perhaps, I couldn't. Nonetheless, you started out by asking about access, quality, and sustainability. I just want to say that that's in fact — well, you would know this — what this five-year health action plan is all about, and it's been tabled, so we don't have to worry about that.

I just wanted to comment here with respect to your question in that regard that talked about: how do we hope to achieve these three goals? If you were to take a look at *Becoming the Best: Alberta's 5-Year Health Action Plan*, this actually shows you, Mr. Chair, how our budget would be spent. It doesn't have specific dollars attached to it, but if you look at this and you look at goal 1, for example, it talks about: "Improved quality, safety and access for patients to acute care services will be demonstrated by lower wait times across the province." And then it talks about how we're going to do that.

We're establishing province-wide targets for wait times. That's been done. We're redesigning protocols for care and treatment, called clinical pathways, to help patients move towards better possible outcomes. That's well under way. We're increasing access to cancer treatment across Alberta. That, too, is well under way. We are optimizing and expanding the scope of practice of key health professionals so they can make full use of their education and skills, and we're making changes to care processes to increase efficiency and ensure more integrated transitions between health care teams.

Now, I don't want to go on and read the whole document for you although I'm sure some people would be interested, but as you go through these strategies and then you look at the different goals that talk about the improvements that the hon. member asked about, that would be the first part of the answer on how we're going to achieve this.

We can talk about the benefits to Albertans in that respect. We can talk about attention to Alberta's children in that respect. We can talk about all of the reductions in wait times, and we can talk about goal 2, which is that all Albertans requiring continuing care will have access to an appropriate option for care within one month, within 30 days. That's part of the primary care initiative that we're working on as well. In fact, that's part of the agreement in principle that we have with the Alberta Medical Association, so that's an important thing to sort of keep in mind as you're looking at some of these strategies.

Let me move on to goal 3 because it addresses how we're answering the hon. member's questions. Under goal 3 Albertans will have access to primary health care when they need it, where they need it, from the appropriate provider. Then we talk about who the individuals are that are playing a role in that respect. We can talk

about how we're increasing the numbers. We're increasing nurses. We're increasing doctors. We're increasing nurse practitioners.

In the case of RNs in particular, we know that the number that are graduating now will allow us to hire 70 per cent of them right here in Alberta to augment the front lines. We know that we're seeing increases of about 33 per cent from the number who graduated a few years ago in that respect and, similarly, an 11 per cent increase in LPNs, who are rounding out our numbers, and I could go on. The point is that we're strengthening primary care as a result of these and other initiatives.

Just a couple of other quick goals here. Goal 4, which talks about this, is one of the outcomes, that Albertans will live longer and enjoy a high quality of life. Earlier I cited some recent statistics, and I know the hon. member cited some as well. I'm not sure what period of time they covered. If he mentioned them, I didn't catch the year. But I can tell you that today men in this province are living longer than a few years back, and so are women. The trend is in the right direction. We're getting some of it very, very right.

Perhaps more importantly, Albertans are getting more and more of it right. They're realizing the value of cessation programs, for example. Our Alberta tobacco reduction strategy is showing tremendous gains in certain age groups more than others, and it's one very important area that will help people live a lot longer.

The fifth and final goal here, Mr. Chair, is this one, that Alberta will have a patient-focused system, one in which Albertans are satisfied with the quality of the health care services that they receive. That's a good launching pad for this document, that has also been tabled, and that is the 50 performance measures. Toward the end is where we're measuring patient satisfaction, staff satisfaction, physician engagement, percentage of favourable comments, and so on.

That all ties together very nicely in terms of how we're helping to build one health system that is fully engaged, that is functioning to the maximum degree possible, where research and evidence-based decision-making is all part of the formula, where improvements to care and new technologies are playing a leading role, and legislation and policy and strategic direction and budgets support that. That's why we're here today, to debate the budget going forward.

I'm sorry, hon. member, that I can't comment on some of the issues you raised from 2005-06, 2008-09 because we're here debating our budget going forward. I would tell you, though, that one comment that you made, with respect to the Auditor General, I need to just comment on. The one piece that I brought in with me the other day to the House does go back to the Auditor General's report of 2005-2006, in which he commented on annual financial statements, which I believe was one of your questions. While I don't want to dwell in the past, I do want to say that the Auditor General on page 127 had this to say. He said:

As a result of the corrections, the 2006 annual surplus increased from \$24 million to \$46 million. The Authority . . .

In this case one of the health authorities.

. . . had budgeted for a \$17 million deficit.

Had the financial statements not been corrected, they would have been presented to the Audit and Finance Committee with a material misstatement.

The fact is, Mr. Chair, that once the Auditor General had flagged this and had the discussion and so on with the health authority, they made immediate amends, and as a result of that, the Auditor General was able to sign off on that particular document.

**5:20**

So there is a lot of accountability that way. I'm sure that there's some of that going on even as we speak with respect to the year that's just going out because we're in a new era now.

I don't know about any cat-and-mouse games, that the hon. member referred to, back in 2008-09. All I can tell you is that today, going forward, we have every confidence in the management of the system and every confidence that the accountability is being improved as well.

Some of the comments that were made about severance amounts: I wasn't privy to any of those. I haven't seen any of them, but I know that when two doctors disagree, which is not an infrequent occasion in any part of the world – there are second opinions; there are different ways of doing things – when those folks disagree, it's quite common for them to sit down and find some method of severing the relationship, perhaps severing a contract, and moving on to other locations. That's perhaps what the hon. member was referring to. I know that the Auditor General does a very, very thorough job reviewing those financial statements and will continue to do that, as do we. We're very concerned about these kinds of items.

A couple of final points. I know that he mentioned something about insufficient staff. I just forgot the exact gist of it, but I think it was something to do with: a ratio of \$1 spent on wellness perhaps should save you \$5 in acute care. That may be true. I don't know if there's a formula like that. What I do know that is definitely true is that we have ramped up our overall spending and our attention, our action, our strategies on the wellness side of the equation. As I mentioned in answer to Calgary-Currie's question, looking at the health system is not a single, linear-type exercise in one direction. You have to look at it as a continuum, as a circular-type thing.

Let me give it to you this way, Mr. Chair. In Canada we see and we have and we experience an outstanding health system for the most part, but it has grown up much more as a reactionary-type system. In other words, you have a problem, a complication, a hurt, a bump, a bruise, an owie, a disease, an accident, whatever it is, and you do the same thing that I do. You go to the system to react to your condition. I've talked with and I've had discussions with the member who has asked these questions, and he knows very well where I'm coming from, but let me say it. We have to work a lot more on the proactionary side of the equation, I should say, to coin a phrase. That will help us in the long run.

**The Chair:** We've just completed the amount of time allocated for the opposition.

Now we start with the other members who wish to speak on the budget. I shall now recognize the hon. Member for West Yellowhead. You have 20 minutes, sir. Back and forth?

**Mr. Campbell:** Yeah. Thank you, Mr. Chair. I don't know if I'll take the full 20 minutes, but I have a number of questions that I'd like the minister to answer and get some on the record.

I'd like to talk about reduced waiting times. Mr. Chair, when people come to emergency rooms, they expect to be seen on a timely basis. I'd like to know from the minister if we are meeting our performance targets. Two months after introducing measures to shorten emergency room overcrowding, are these measures working?

**Mr. Zwozdesky:** Well, Mr. Chairman, I'm happy to tell you that they are, but that doesn't mean they don't need more attention and more improvement. We have provided very clear directions – I've alluded to them a lot this afternoon – with respect to things that Alberta Health Services is doing to improve, for example, emergency room performance, as alluded to and specified, in fact, in the Alberta five-year health action plan: looking at new discharge protocols, protocols that would, say, have a discharge plan in mind

when the patient arrives and try and discharge them at 11 in the morning on whatever day of the discharge plan to free up the bed for the rest of the day; having more patient navigators in the emergency departments or equivalents thereto; having home-care attendants in the emergency rooms so that there's a home-care plan in place so that the doctors feel more comfortable discharging that person to their home location because they know that a home-care plan is already in place.

We talked about overcapacity protocols and what a dramatic difference they are making. We've talked about adding more in-hospital beds, the 360 brand new, net new beds in Edmonton and Calgary for example, which are almost all completed now for opening, and the impact that they are having. We talked about adding more continuing care spaces in the community, as it were. We talked about a lot of these things that are helping to address the member's question with respect to how we're meeting our performance measures.

Are there results, hon. member? Absolutely. I could tell you that the average length of stay for persons in our emergency departments has come down very dramatically. For example, the daily average number of emergency patients, what we call EIPs, in Calgary was 25.7, which is a reduction from 67.8 over the last several months. In Edmonton it was reduced from 80.3 EIPs down to 41.9 and in Red Deer from 9.9 down to 6.1. That tells you that we're moving in the right direction in terms of emergency in-patients being moved out of the emergency department to somewhere else in the hospital.

I could tell you the percentage of discharged emergency department patients within target for 2010-11. Calgary is at 61 per cent; Edmonton is at 54 per cent. I can tell you the percentage of admitted ED patients within target 2010-11. Calgary was 41 per cent; Edmonton was 31 per cent. These aren't huge gains, hon. member, but they are trending in very much the right direction.

When you look at average length of stay coming down by as much as 60 per cent in some cases, 50 per cent on average, when you look at EIPs coming down by anywhere from 50 to 60 per cent on average, and when you look at improvements, that are moving ahead a little slower than I'd like – nonetheless, they are moving ahead and trending in the right direction – for the four-hour protocol and the eight-hour protocol, I can tell you that improvements are being made, and the system is beginning to show that.

**Mr. Campbell:** Thank you, Minister, for those comments.

I'd like to talk a little bit about primary care networks right now. While primary care networks, or PCNs, are an innovative, made-in-Alberta approach to improve the delivery of primary care, I'd like to know how many PCNs are currently in Alberta, how much funding has been allocated this year for PCNs, and what line item this would fall under. Then maybe the minister could go on to talk about how PCNs are working to improve health care delivery in rural communities.

**Mr. Zwozdesky:** Hon. member, you've hit the topic du jour, of the day, because anything connected to primary care is really central to all of the chats that we've been having lately with the Alberta Medical Association. In fact, I'll just repeat that as part of the agreement in principle with the Alberta Medical Association there is a section there dedicated to primary care, and it deals with the creation of a primary care task force.

To answer your first question, there are 39 PCNs. I thought it was 38, but it's actually 39, and very soon we'll be opening the 40th PCN. I should say that I'll be visiting it fairly soon, I hope, because it just opened here a day or two back. That would take us

up to about 40. The reason that we're aggressively opening more of these is because we recognize how effective they have been and how effective they will be going forward.

In 2010-11 \$149 million was allocated for PCNs, and in 2011-12 it will be a similar amount, but it'll depend on how the physician negotiations conclude and how the task force's work unfolds. Nonetheless, PCN funding, as you can see, is allocated from element 2.2 under physician compensation and support. There's a lot that we're doing there already, hon. member, there's more to be done, but team-based health care is definitely an outstanding way to approach delivering more health care and providing quicker access for Albertans.

5:30

**The Chair:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Chair. If you would, Minister, I'd like to talk about Alberta Health Services' accountability. This is the second year of the five-year funding agreement that will see Alberta Health Services receive 6 per cent base operating increases in each of the first three years and 4.5 per cent increases in each of the remaining two years.

This year the Health and Wellness budget includes \$9.6 billion in base operating funding for Alberta Health Services. To me, anyway, it's a lot of money. Could you please explain to us how Alberta Health Services will save taxpayers money in the long term? Then, Minister, if you could talk about what measures are in place to ensure accountability in the health care system, specifically to ensure Alberta Health Services is being held accountable, and what measures are in place to ensure Alberta Health Services is spending taxpayers' dollars efficiently.

**The Chair:** The hon. minister.

**Mr. Zwozdesky:** Very good questions, hon. member. Thank you, Chair. I'll try and be brief here. The short answer to the first question is that there are a number of streamlined processes that are now in place as a result of the amalgamation of nine health authorities down to one. For example, instead of having nine CEOs and presidents out there, today we have one. Instead of having over 160, or whatever the number was, senior executive vice-president types, today we're probably down to 40, which combines the seven major ones and several that are in important positions but not at the same level.

We can talk about economies of scale that happen from that, economies of scale particularly with respect to, for example, what I like to call bulk buying. When each authority in the old regime was ordering its own drugs or its own bandages or its own needles or vaccines or whatever it was, they were basically a one-person type show. But when you're now able to order in bulk for the entire province, you can cut a better deal, and that's an extremely important efficiency for us.

Coming back to administration, I can tell you that instead of having nine, or if you want to say 12 and include the Cancer Board and the AADAC board and the Mental Health Board, 12 payroll systems, today we have one. I could go on. The point is that there are a number of these targeted efficiencies that are saving taxpayer dollars. In fact, the last estimate I had, hon. member, which came from Alberta Health Services, was that in this year going forward, they were anticipating a saving of about \$500 million to \$600 million, which they are using back into health care to provide more services, faster access, and reduced wait times for Albertans. So there are some very good things.

Your last point, I think, was about what measures are in place to ensure that accountability. I can tell you that the health action plan

has a not all that well publicized set of performance measures that go with it, and the accountability is there because this suite of 50 performance measures will be reported on quarterly by Alberta Health Services. In the meantime they're already putting a lot of their information online with respect to emergency rooms and so on. We know that we have some very clearly defined targets, and those targets are being met or will be met to the best ability of the people providing them.

The measures and the targets, by the way, if someone is interested, are available on the government website at [health.alberta.ca](http://health.alberta.ca), and then just follow the links. Hon. member, there's a lot more information in that respect that can be found there.

**Mr. Campbell:** Mr. Chair, I was just wondering: how much time do I have?

**The Chair:** You have nine minutes.

**Mr. Campbell:** Nine minutes. Okay. We're good.

I'd like to talk about budget cuts and increases, Mr. Minister, if I can. In this budget the immunization support allocation has been reduced by \$5 million, from \$11 million to \$6 million. Why is this, and how will Albertans be affected by this?

After looking over your department's main estimates, it's clear that spending has increased for most programs. How can your ministry achieve its goal of ensuring a sustainable health system if you continue to increase spending during these recessionary times?

Looking at line 7.2, which is on page 195 of your main estimates, it indicates that funding for out-of-province health care services has substantially increased since last year's budget. I'm just wondering why this is the case. Are more people having or choosing to receive health care services outside of Alberta?

**The Chair:** The hon. minister.

**Mr. Zwozdesky:** Thank you very much, Mr. Chair. What looks like a reduction in immunization support allocation is actually an efficiency in that particular line item. The efficiency is actually a savings in the system of about \$5 million because there are supporting pharmacists who are now able to provide influenza vaccination. As a result of that, they will help us reduce overall costs. So that change from \$11 million to \$6 million is actually a saving of \$5 million, which is going back into other parts of the budget. Albertans won't see any changes or be adversely affected by that funding change whatsoever. In fact, they'll see some improvements in other areas because the funding is going over there.

Regarding the issue of our increases for most of the programs I think I've covered a lot of that in some of my earlier comments. But just to risk repeating myself, I would say that our spending increases reflect a continued if not a renewed commitment in several areas that Albertans have told us are their priorities. That includes health facilities, health equipment, redeveloping old facilities or developing new facilities, and creating more continuing care spaces, which we've talked about quite a lot.

I recognize that \$14.9 billion is a significant amount of money because it comprises approximately 40 per cent of our budget. It's about \$41 million a day that we provide to Albertans by way of services. That's something we're not bragging about or complaining about. It's just a fact if we're going to deliver on the Premier's vision for having the best performing publicly funded health system in Canada. I'm grateful that the Premier and our caucus are solidly behind that plan. The funds that you see there are allocated for demand-driven programs and for high-priority areas. They've been carefully arrived at, and I think I mentioned earlier, Mr.

Chair, that Alberta Health Services will soon roll out their detailed budget. We have to get through our budget first so that they know they've actually got that amount to work with.

The last point was with respect to out-of-province health care services. You know, Mr. Chairman, we spend quite a bit of money and time in this area. Alberta Health and Wellness specifically provides funding for insured out-of-province and out-of-country hospital and medical services to Albertans who are insured under the Alberta health care insurance plan. As program claims are activity based, there is a tendency for expenditures to vary somewhat from year to year. Suffice it to say that the volume of residents obtaining services provided in other locations, other provinces and territories specifically, has remained relatively consistent, but there are inflationary cost factors that do impact that area, so we're quite vigilant about that.

Finally, we do have interprovincial agreements that allow for cost recoveries, not necessarily 100 per cent per se because you can't build in there things like infrastructure costs and amortization costs and so on, but the point is that we do have those agreements, and the rates are reached on a consensus basis in discussion with other provinces.

**Mr. Campbell:** Thank you, Minister, for those comments.

I'd like to talk about workforce strategy. Goal 3 of the Ministry of Health and Wellness business plan, page 70, aims to ensure appropriate health workforce utilization. First of all, how do you plan to achieve this? Secondly, what percentage of the ministry's budget goes towards health care workers' salaries, including all nurses and physicians? How does physician compensation and nurses' salaries in Alberta compare with the rest of Canada? Finally, in your opinion, what's the biggest challenge and risk that your ministry is facing, and how do we plan on addressing it?

**Mr. Zwozdesky:** It's difficult to narrow down what the most challenging part of the health budget or the health strategy is, but I think that among the top challenges, as the member has indicated, would certainly be the supply of health care providers, the supply of home care aides. That would be one of the larger challenges.

5:40

The larger picture there probably would be also impacted by the retention of doctors, particularly in some rural settings. It's very difficult to recruit to some areas, even more difficult to retain doctors in those areas once recruited. I'll put in a plug, as I like to do, for nurse practitioners because I think nurse practitioners are one of the most valuable keys, going forward, as we start implementing our health action plan. There are some good statistics coming out in that respect, where we're constantly seeing more and more of them hired.

Regarding your first point, about appropriate health workforce utilization, we work in great partnership with Alberta Health Services with respect to a number of workforce strategies. For example, I had the privilege of hearing a lot about a recruitment and retention workforce-related strategy in southern Alberta just a short while ago. They're spending about \$250,000 as we speak to advertise, promote, and recruit health care providers to that area. They provide a certain amount of dollars for them to fly in, to visit, to stay, and to get a taste of the community. That's just one example. There are several of those kinds of partnerships that are under way right now to try and recruit more.

On your question about the percentage of the ministry's budget going toward health care workers' salaries, I think you said, the short answer is that about 70 to 75 per cent of our ministry's budget goes toward health care workers' salaries. That includes

staff employed by Alberta Health Services, salaries related to contracts with health providers through Alberta Health Services, and, of course, funding physicians.

Finally, regarding physician compensation and nurses' salaries I think I can safely say to you that Alberta is significantly ahead of every other province in this respect, perhaps with the exception of Prince Edward Island. I'd have to just check to be sure. Again, I'm not bragging about it, and I'm certainly not complaining, but the fact is that we pay our health care providers a handsome sum to practise their trade here in our province. I think that's going to start showing itself with improved health outcomes as well because you want a happy, comfortable workforce socially, spiritually, and economically.

**The Chair:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Chair.

Minister, I want to maybe talk a little bit about the health advocate office. New funding has been allocated for the health advocate office. I think it's line item 1.8 on page 194 of the main estimates. I'm curious as to how many staff will be working in this office, and I'd be curious about what expectations you have for this office during its first year of existence. I guess a couple of the questions I have also are: how are you going to ensure that this office doesn't just become a money pit? The supplemental is: are there performance measures in place to ensure that the health advocate office is providing value for taxpayer dollars?

**The Chair:** Hon. member, the 20 minutes is up.

The next hon. member that I will recognize is the hon. Member for Lethbridge-East. You have about six minutes in total.

**Ms Pastoor:** Thank you very much, Mr. Chair. I thank the minister for being here, but I am going to take the six minutes for me.

I really just, obviously, am going to probably spend most of my time on long-term care because that's what I totally, truly understand. One of the things that you spoke about was that you actually visit these places and see that the care is good. You know what? It's always good when you're there.

I would suggest that you take me ahead of time, and I'll tell you the questions to ask. I want you to do a chart check. I want you to find out if there's an oximeter. I want you to find out if they've got an otoscope. I want you to find out if, in fact, the hearing aids are cleaned every night. I want you to find out what the staffing levels are not the day you're there but the week ahead of time. I want you to find out the number of days that they actually work short: days, evenings, or nights. Those are the kinds of questions that you can pick up off a chart check.

The other thing that you're talking about. You're setting up a lot of task forces and committees and all that kind of stuff. It's great to have people that have worked their way up and now have got all these titles after their names. But you know what? You and I both know that people forget what it was like to be on the front line after you've worked up to where you make the rules. Get a couple of guys that have actually wiped bums within the last week, and put them on a committee. They'll tell you what it looks like. It looks great on paper, but is it really going to work?

One of my complaints – and I know that I'll probably be reprimanded for this. What I'm noticing is that a lot of our long-term care facilities – and I'm using the term “long-term care” meaning long-term care – are run by LPNs. What's happening is that now that they've moved the RN program to a four-year program, the two-year program that used to be the RN program is now the LPN program. In the old days the people that would work in long-term care were more often than not RNs that had experience. What's



happening now is that these LPNs are coming out of the two-year program, but they do not have any hospital experience before they go to long-term care. That's one of the things, in my opinion, that they really have to have because one of the most important things you need in long-term care is assessment skills. You have to have had some kind of hospital experience before you go in. If you've got good assessment skills, learned how to use those otoscopes and the other scopes that I mentioned, you actually can keep people out of the hospital.

You talked about long-term care being part of that continuum, where you walk in this door and you go out that one foot first. The idea is great. There is nothing really wrong with it, but what happens is – and I think you said that you wouldn't go from a level 5 to a level 1 or vice versa. Yes, of course you would. You could be walking down the hall and end up with a stroke and be hemiplegic. Yeah, you are going to go from there to there, and you're going to need good, solid RN care, not somebody that's in off the street with a six-week course.

Now, the idea is great. When you have a room in these buildings – and I think that, clearly, the money is on the housing side. I know that you're not the housing side. You are the care side, and the care side is expensive, but the money is on the housing side. If I'm going to build a building, the last thing I want in there is somebody that has heavy care without the dollars to follow them. So now you've got a room in this building, and someone becomes long-term care. The minute that room is designated long-term care, you have to put the money into it because (a) you need staff, (b) you're going to need all of the equipment. I mean, they could well be on respirators. Who knows? The staff is also going to have to have the training for palliative care. So all of a sudden this room that was just an ordinary room now becomes a long-term care room. That money had better be there on the care side because, clearly, the housing side is paid for. Most of these people are paying huge bucks to stay in these places. So the theory is good, but it isn't working out that way out there.

What else was I going to rant about? One of the other things that's happened is that I think people that make these decisions don't look at big pictures and don't look far enough ahead. We had designated assisted living, assisted living. You know the drill. But what's happened is that there is also an assessment document called the interRAI. Now, I know for sure that that interRAI is not meant to be for housing. It's a care document. What happens is that they do the assessment more often than not without families, which really annoys the families, and then they say: this is the care you need; therefore, this is where you're going to live. It was never meant as a housing . . .

**The Chair:** Hon. member.

**Ms Pastoor:** Oh, I was just getting started.  
Thank you.

**The Chair:** The three hours allocated for the Committee of Supply has terminated. Pursuant to Government Motion 5, agreed to on February 23, 2011, the Committee of Supply shall now rise and report progress.

We'll take a few minutes for the staff to leave the Chamber.

5:50

[The Deputy Speaker in the chair]

**Mr. Vandermeer:** Mr. Speaker, the Committee of Supply has had under consideration resolutions for the Department of Health and Wellness relating to the 2011-2012 government estimates for the

general revenue fund and lottery fund for the fiscal year ending March 31, 2012, reports progress, and requests leave to sit again.

**The Deputy Speaker:** Having heard the report, those in concurrence with the report please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. The report is accepted.

## Government Bills and Orders Second Reading

### Bill 11 Livestock Industry Diversification Amendment Act, 2011

[Debate adjourned April 12: Mr. Mason speaking]

**The Deputy Speaker:** The hon. Member for Edmonton-Calder on the bill.

**Mr. Elniski:** Thank you, Mr. Speaker. I'm pleased to rise today to make some brief comments with respect to the debate on Bill 11, the Livestock Industry Diversification Amendment Act, 2011. The primary purpose of this amendment, as we have discussed, is to enable Alberta Agriculture and Rural Development to exercise full legislative authority for domestic cervids. Under this amendment in section 18 the general prohibition on hunting diversified livestock, big game, and controlled animals on diversified livestock farms will continue.

Mr. Speaker, in 2002 the Alberta government decided that cervid harvest preserves, otherwise known as hunt farms, would not be allowed in Alberta. This decision was based on a cross-government review with direct input from the public and stakeholder groups and consideration of factors such as disease, economics, and public support. Domestic cervids, as we know, are no more wild than any other typical domesticated animals, and it is important to note that there are no plans to make any legislative changes to the Livestock Industry Diversification Act as it relates to hunt farms in Alberta.

There are some statutory exemptions to this ban, Mr. Speaker, including where hunting is specifically authorized by the Agricultural Pests Act or by way of a licence under the Wildlife Act such as predator control within a boundary. Any illegal activities on farms, including reports of activity contrary to the LIDA, will be investigated by the inspection and investigation branch of the regulatory services division. Sustainable Resource Development will continue to regulate and enforce all matters pertaining to wildlife, including the hunting, possession, transportation, importation, export, and sale of wildlife.

This amendment is an important step forward for both industry and government. I look forward to the remainder of the debate and to receiving the support from the members for proceeding with this bill.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or question.

**Mr. Hinman:** I want to talk on the bill.

**The Deputy Speaker:** All right.

Then the hon. Minister of Housing and Urban Affairs in the five minutes.

**Mr. Denis:** Thank you very much, Mr. Speaker. I was listening to the member's comments with interest, and I wonder if he just wanted to elaborate, given that this is second reading, on the fact that this bill does not in fact do anything to change the current legislation dealing with hunt farms.

**The Deputy Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you very much, Mr. Speaker. Yes, that is, in fact, hunt farms. I agree. The very well established precedent for most people is that it makes no more sense to shoot a domestic cervid in an enclosed space than it would to shoot a cow in an enclosed space. The legislation itself is very, very explicit that these are not game animals, Mr. Speaker. This is not sport. This is not recreation. This is, in fact, agriculture, and this is, in fact, an agricultural activity, a livelihood where people who are invested in this take a great deal of time and effort and attention to stay involved in it.

The hon. Member for Lacombe-Ponoka, for example, raises a number of domestic cervids at his place or used to, I understand. Actually, it was reflected in licence plates and a number of other things, the pride for that particular activity.

Thank you.

**The Deputy Speaker:** Any hon. member for 29(2)(a)?

**Mr. Doerksen:** Is 29(2)(a) still available?

**The Deputy Speaker:** Yes. It's still available. The hon. Member for Strathmore-Brooks.

**Mr. Doerksen:** Thank you, Mr. Speaker. I have a question. I know that this bill has created some uncertainty, and there's been some, maybe, misrepresentation on the intent, but I do also understand that because of what happens in some other jurisdictions, there is concern with regard to what the implications may be. I know that the Member for Edmonton-Calder has some experience in other jurisdictions with regard to some land that he may own there and what happens there with regard to hunt farms. Does he have any comment with regard to what happens in other jurisdictions in regard to the potential for reimbursement for activity on private property?

**The Deputy Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Well, thank you very much, Mr. Speaker. It is indeed true that our family does have a reasonably small and productive farm in southern Saskatchewan, which is in a community that I love to describe to everyone. We're in a place called – it's actually physically known as the flat. The district that we farm in is, in fact, called the flat, which will give you some idea of the topography of the place.

In the jurisdiction in Saskatchewan the rules are very, very similar to what they are here. We do not allow the harvesting for sport of any domestic cervid. In fact, it is very much like it is here although I would have to say that the Alberta regulation, particularly in terms of how we're going to deal with escaped cervids, is somewhat more robust than it is in Saskatchewan.

**The Deputy Speaker:** Standing Order 29(2)(a)? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you. The member brought up a very good question. He says that there would be no more likelihood of shooting a cervid in a pen than to shoot a bovine. I guess my question,

because my understanding is that there's a fair number of people that actually will shoot a bovine in the corral and then butcher it, is that for the domestic raising of cervid animals, if someone wants to come and eat that, is this regulation going to be in place, then? How would you actually kill a cervid animal if you do not want to take it to a slaughterhouse? Currently under bovines we can do that. Could you please expand on that, someone who wants to come and buy a deer off a deer farmer and how one would process it from that point forward, then?

**The Deputy Speaker:** The hon. member.

**Mr. Elniski:** Thank you very much, Mr. Speaker. Hon. member, there's nothing in the legislation that would prohibit the use of that particular means of preparing an animal for slaughter. I would think that it's a fairly obvious statement. In fact, the preparation of an animal for slaughter is something typically done in a corral in close quarters. It's not something that's done on an open range. I think that it would be a tremendous stretch to think that a hunt farm or, in fact, any version of any sort of slaughter of an animal in a field or in a pasture at any range with a high-powered rifle is in any way connected to the actual harvesting of an animal in a corral. I mean, you yourself, hon. member, are very, very familiar and have undoubtedly done that many times.

**Mr. Hinman:** I am familiar with bovine, but I'm not sure on the legislation. Like I say, I need some clarification. If you're raising deer and someone wants to buy some venison, is it legal, then, under this legislation to run the deer into a corral and shoot them and harvest them at that point?

**The Deputy Speaker:** Standing Order 29(2)(a) has terminated.

Any hon. member wishing to speak on the bill? The hon. Member for Edmonton-Centre. We have a minute and a half.

**Ms Blakeman:** Well, thank you very much. I'll try and make the best use I can out of that minute and a half.

I think the issue that's just been raised is part of the confusion that we're seeing around this whole bill. I know that it was intended to do the right thing, but I think if you look back, not very far because I can remember it, we were warned not to allow that kind of game farming and not to separate them. We were warned at the time, and a lot of it had to do with the disease whose initials I can't remember . . .

**Ms Pastoor:** CWD.

**Ms Blakeman:** . . . CWD, chronic wasting disease. We were warned at the time that that would be a likely outcome of the decision to allow this.

So now we're doing the right thing and moving them into the same sort of legislative corral, if I may be allowed a small pun, as other farmed animals like cattle. But there is a great concern about penned hunting. The government has said, "No, they're not going to allow it," but when you actually go through the bill . . .

**The Deputy Speaker:** Hon. member, I hesitate to interrupt you, but it's 6 o'clock. The House stands adjourned until 1:30 p.m. tomorrow.

We have a policy field committee which will reconvene tonight at 6:30 to consider the main estimates of Sustainable Resource Development.

Have a good evening.

[The Assembly adjourned at 6 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, April 14, 2011

Issue 23

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Thursday, April 14, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome.

Let us pray. Guide us all in our deliberations and debate that we may determine courses of action which will be to the enduring benefit of our province of Alberta. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Speaker. On behalf of the Premier it's a great privilege to introduce to you and through you to all members of the Assembly some visitors today from Our Lady of the Angels school. There are 60 of them here. They are accompanied by their teachers, their group leaders: Mrs. Erin Croft, Miss Nikki Doege, and Mr. Garry Kumpf. I want to say that they're probably here today with a bus driver. As we are all aware of the conditions out on our roads and highways today, I think we also want to acknowledge the very important job these bus drivers do every day across Alberta. They haul the most important cargo that moves every day. With that, I would like the students and teachers to rise and accept the traditional warm welcome of the House.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. It is indeed my pleasure to welcome a wonderful group of students from Calmar school in my constituency of Drayton Valley-Calmar. These 31 bright grade 6 students along with seven parent helpers and two teachers, Mrs. Jeanette Wilson and Ms Kelsey Podgurny, are here and have toured the Legislature. I would ask them all now to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It's truly an honour to rise today to introduce Dan Bartholomew Poyser and the Glenmore Christian Academy grade 9 band. They will be performing classical, jazz, pops, and traditional music right across Alberta and especially Edmonton in the next few days. GCA is a Christian alternative school under the Palliser regional school division and is consistently recognized by the Fraser Institute as one of the top 4 per cent of elementary schools in Alberta. Next month they'll be celebrating their 30th anniversary, and last month GCA students and staff shaved their heads to support young adult cancer survivors in their second annual Shave for the Brave event. A total of 52 shavers raised over \$32,000, which was the most of any school in this country.

Mr. Speaker, our guests will be joining us in the middle of question period after their tour of the Legislature, and they will include Mrs. Brenda Rousseau and Mrs. Brenda Cameron. I ask and encourage all members of this fine Assembly to offer GCA their very warm welcome at this time.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you very much, Mr. Speaker. It's a pleasure for me today to introduce to you and through you to all members of the Assembly a group of students from Kneehill Christian school, which is just outside of the thriving village of Linden, Alberta, which many of you know is very close to where I live. Accompanying them today are Miss Terri Miller, teacher, and parents Mr. and Mrs. Dalin Reimer, Mr. and Mrs. Darren Toews, Mr. and Mrs. Gerald Barkman, and Mr. and Mrs. Galen Penner. They're here today to tour this wonderful building and to learn much about the history of the province of Alberta. I'd ask you all to give them the traditional warm welcome of the Assembly as they stand in the members' gallery.

**The Speaker:** The hon. Minister of Children and Youth Services.

**Mrs. Fritz:** Thank you, Mr. Speaker. It is an honour and a privilege to introduce to you and through you to members of the Assembly two outstanding pediatricians from the medical community here in Edmonton who are leading the development of an innovative program called pediatrics for kids in care. Children and youth who are in child intervention will be quickly assessed and looked after by a team of pediatricians. We have Dr. Tami Master-son, who championed PKIC here in Edmonton and recently opened a clinic at the Grey Nuns hospital, where her patients will only be our children in care. We also have Dr. Bob Moriarty, clinical professor and director in the department of pediatrics at the University of Alberta. He is the lead pediatrician for the program. I want you both to know how much we deeply appreciate what you have done for our children in care, and I ask that all members give them the warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It is an honour and a privilege today to introduce to you and through you to the members of this Assembly members of the Alberta Research and Innovation Authority, or ARIA. ARIA members have come to Edmonton this week from around the world to discuss where research and innovation in Alberta should go next. Yesterday morning they met with cabinet ministers to get their input and ideas on the subject, and I am pleased to introduce these qualified members of the ARIA board, leaders in their fields from around the world. I'll ask them to rise as I introduce them, and then we can give them the warm welcome of this Assembly. Seated in the members' gallery this afternoon are Mr. Marvin Fritzl, chair of ARIA from Calgary; Oryssia Lennie, vice-chair of ARIA from Edmonton; Florence Gauzy-Krieger from Bavaria; Riikka Heikinheimo from Finland; Chris Henshall from England; Laura Kilcrease from Austin, Texas; Peter Nicholson from Ottawa and Austin, Texas; Peter Riddles from Australia; and Dr. Howard Tennant, all the way from Lethbridge.

Thank you.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Mackay.

### National Volunteer Week

**Ms Woo-Paw:** Mr. Speaker, throughout the province in every community thousands of Albertans are volunteering their time to many worthwhile and necessary causes. The contributions of Alberta's volunteers are all around us. It's there in the rinks and the

arenas and on the playing fields. It's there in the schools and in the hospitals and seniors' clubs. It's in the excited laughter of a child who has learned a new skill and the applause of the audience at the musical performance. And it's there in the selfless work of those in the nonprofit, voluntary sector as they deliver community-based programs valued at an estimated \$9 billion, many to Alberta's most vulnerable citizens.

Volunteering is a wonderful opportunity that is open to all and something that almost anyone can do. Volunteers are part of a family of individuals coming from diverse backgrounds and experiences but united by a common purpose, to build better communities and a better Alberta.

I know that no one who volunteers does so for recognition or praise, but it's important that their contribution not be taken for granted. This week is National Volunteer Week, a time to recognize the innumerable contributions of volunteers and volunteering, a time to honour the men, women, and young people who make it all happen in our communities, a time to make visible the often underrecognized yet indispensable role that volunteers play day in and day out.

I would like to ask this Assembly for its unanimous support in recognizing April 10-16 as National Volunteer Week in Alberta. I encourage all Albertans to thank the people who make a difference in their communities and to use today as an opportunity to reflect on where we can make our contribution, where we can be the ones to make a difference and build a better Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall.

### Sikh Community Generosity

**Mr. Kang:** Thank you, Mr. Speaker. Millions of people around the world were horrified by last month's earthquake and tsunami in Japan. We watched in horror and sympathy as nature's fury devastated entire towns, washing thousands of people out to sea and creating a nuclear crisis that continues to threaten countless lives.

As the people of Japan bravely cope with the disaster, I'm proud to say that Albertans have stepped forward to help. The Sikh community has been particularly generous. On March 27 I attended a special event organized by the Punjabi Media Club with the co-operation of the Dashmesh Culture Center committee. It was the brainchild of Raj Brar. At the temple they set up two tables with volunteers to collect funds for disaster relief in Japan. In less than five hours, Mr. Speaker, the congregation raised over \$20,000 for the Red Cross.

**1:40**

Generosity is, of course, one of the foundations of the Sikh faith. Over the years Sikhs have given from the heart to many good causes all across Alberta, including women's shelters, food banks, Tom Campbell's park, the Mazankowski Alberta Heart Institute, the Children's hospital in Calgary, and fundraising drives for people devastated by the disasters in Haiti and Kashmir.

Mr. Speaker, I offer my thanks to members of the Alberta Sikh community and, indeed, to Albertans from all communities who have donated so generously to so many worthy causes over the years. When disaster strikes, when people go hungry or lack health care, we all have an obligation to step up and do what we can to help our less-fortunate neighbours, whether they live close to home or on the other side of the world. We are all brothers and sisters, part of one big family, and I'm very proud of my fellow

Albertans for opening their hearts and their wallets for the benefit of humanity.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Red Deer-South

### Inclusive Education

**Mr. Dallas:** Thank you, Mr. Speaker. The goal of an inclusive education system is to provide students with the most appropriate learning environments and opportunities for them to achieve their potential. In Alberta inclusion is about ensuring that each student belongs no matter their ability or disability, language, cultural background, gender, or age. It's about valuing all students the same way.

Part of this shift requires us to rethink how teachers plan for student success. A new digital resource, the inclusive education planning tool, focuses on helping teachers change their instructional practice to better meet the diverse learning needs of all students. The new digital tool is currently being piloted in grade 1 to 9 classrooms in 16 schools across the province, including one in my constituency, Joseph Welsh elementary school.

Joseph Welsh elementary is using this resource to support a planning process that incorporates most of the elements traditionally found in the individual program plan. Teachers and parents have been encouraged by the new tool. Individual student goals are replaced with supports and strategies that are matched to the student's individualized strengths and needs.

As implementation of action on inclusion moves forward, requirements around special education will be revised. Feedback gathered from the pilot project will provide information that Alberta Education will use to revise policies and requirements to better support an inclusive education system. In addition to broadening the current pilot to all school authorities during the 2011-12 year, there will be further development of content for the IEPT.

I look forward to hearing more and learning how the tool will further enhance the supports teachers will be able to provide, particularly in the Red Deer area.

Thank you.

**The Speaker:** The hon. Member for West Yellowhead.

### Land Reclamation

**Mr. Campbell:** Thank you, Mr. Speaker. I'd like to rise today and discuss the success of various reclamation projects that are going on throughout our province. Our government has ensured that there are strict requirements in place for reclamation, and the Environmental Protection and Enhancement Act states that reclamation must return the specified land to equivalent land capability. This has been the case with coal mines, where 75 per cent of land disturbed by coal mining has been reclaimed.

The examples of reclamation of our coal mines are numerous. For example, in the constituency of Drayton Valley-Calmar at the Genesee mine 600 hectares of agricultural land have been developed, earning Capital Power and Sherritt Coal the 2009 Alberta Chamber of Resources major reclamation award. In my own riding of West Yellowhead at the Coal Valley mine sport-fishing lakes have been developed, making the area a valued recreational destination.

I could go on on numerous examples, Mr. Speaker, but I'd also like to discuss some of the success stories of the oil sands reclamation. At the Kearl oil sands Imperial Oil has started an extensive reclamation project which will replenish the fish stock among other things, and Syncrude has begun reclamation of pond

1, which was established in the 1960s. This pond will eventually be turned into a mixed-wood forest and wetland area.

These are just some of the many examples of reclamation projects that are under way in our province. These projects show that industry and this government are partnered and committed to ensuring that the footprint left by natural resource extraction is limited so that we are leaving sustainable landscapes for future generations of Albertans.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Bow.

### DNA Day

**Ms DeLong:** Thank you very much, Mr. Speaker. In April 1953 James Watson and Francis Crick published what we know today as the double helix structure of DNA. This understanding of DNA resulted in further research and eventually to the human genome project in April 2003.

Being such an influential month for the field of genomics, it's only fitting that Albertans celebrate DNA Day through Genome Alberta activities on April 15. Thanks to the efforts of Genome Alberta, DNA Day will be a special day where students, teachers, and the public can join a variety of experts to learn more about genetics and genomics through an online forum hosted by Genome Alberta.

The government of Alberta is a strong supporter of genomics research. Through our investments in Alberta Innovates: Bio Solutions we are exploring the applications of genomics in the agriculture, forestry, food, and health sectors. We're working with organizations like Genome Alberta and the Alberta Prion Research Institute to use genomics to develop stronger, more abundant crops such as flaxseed, to combat major issues such as BSE, and to find cures for crippling diseases like Alzheimer's and Parkinson's.

Genomics is an important platform that will play a critical role in the continued prosperity of the province in the same way that nanotechnology and information technology do today. These critical technologies set the stage for tomorrow's competitive industries and products.

As Albertans recognize DNA Day, I'd like to recognize the hard work that scientists and researchers commit to the pursuit of excellence in the field of genomics. I'd also like to congratulate Genome Alberta on bringing DNA Day to Alberta.

Thank you very much, Mr. Speaker.

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

### Education Funding

**Ms Notley:** Thank you, Mr. Speaker. The government presented its Education budget this spring so that many people were led to believe it involved increases, but with time to look at the actual numbers, a much more troubling story is clear. The real story is about cuts, cuts that will impact the education of children in Alberta, and our children deserve better.

Teachers are a part of the school system we know well, caring professionals who often pour lots of their own time and their resources into their work above and beyond job requirements, yet we're beginning to hear the first decisions from some school districts about the number of teachers that will have to be let go at the end of this year.

We can anticipate a stream of announcements over the next weeks that cut not only teachers but many other important staff, including aides, librarians, custodians, and more. It will be more difficult for individual children to have the attention they need to

learn to their full potential. With crowded schools and fewer specialized staff the gap between what children with special needs need and what they realistically will receive will grow even wider, and we will build on the record of fundamentally failing to provide for their education.

There are other consequences, too. We have heard from the Peace Wapiti school division that long hours for children on buses will increase even further, hours that affect learning success, health, and quality of life overall. We have seen schools close and programs close and the damages that this causes to whole communities. Reports of more closures are already beginning. School districts are pushed to consider troubling options such as the proposal by Edmonton public schools to rent space in schools to a large for-profit child care corporation.

We do not need to see such deterioration of our public schools. We could easily ensure that Alberta had the revenue to provide our children with the best schooling anywhere in the world. That would be a proud legacy and a legacy that would be a strong foundation for the growth and prosperity and well-being of Albertans.

The value of education is immense for individuals and societies. It is worse than careless of this government to try to create a myth of providing improved support for children and their schooling when actually shortchanging it. It is wrong. It is sacrificing smart, long-term building of a well-educated society that will make us competitive with . . .

**The Speaker:** The hon. Member for Little Bow.

### Campaign for Prostate Health

**Mr. McFarland:** Thank you, Mr. Speaker. I rise to speak about a generous donation given to an Edmonton group in the continuing battle against prostate cancer. Approximately half of all Albertans will develop cancer in their lifetime. For men prostate cancer is the most frequent form of cancer and the third leading cause of death from cancer. Even though prostate cancer is a large risk, awareness of it is extremely low, and it's talked about in whispers and sometimes even embarrassment.

Alberta needs a wake-up call, and at an event on Tuesday Prostate Cancer Canada gave us just that. As part of their Wake Up Call national tour Prostate Cancer Canada donated \$1 million to the campaign for prostate health, monies that were actually raised in Alberta. The campaign for prostate health is made up of the University Hospital Foundation, the Royal Alexandra Hospital Foundation, and the Alberta Cancer Foundation. It's helping to develop a prostate cancer clinic here in Edmonton. Prostate Cancer Canada is a national foundation dedicated to the elimination of prostate cancer through research, education, support, and awareness.

**1:50**

The prostate cancer clinic being developed as part of the Edmonton clinic will improve access for patients to health professionals focused on diagnosing, managing, and treating prostate cancer. It will act as a one-stop centre offering support for patients and families to guide them through their individual treatment plans. The clinic, expected to open in 2013, will reduce wait times from diagnosis to treatment, which will increase survivability.

As someone who has experienced this cancer, I encourage all men over 50 to get a regular PSA test. Thank you to Prostate Cancer Canada for your generous donation to the campaign for prostate health in Alberta.

Thank you.

## Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Physicians

**Dr. Swann:** Thank you, Mr. Speaker. Yesterday Dr. Allan Garbutt added his name to the growing list of people who have asked for a public inquiry into the culture of fear and intimidation this government perpetuates. Like others, Dr. Garbutt was told to stop advocating or he and his patients would, quote, suffer the consequences, end quote. Interestingly, Dr. Garbutt chose to go public through the Official Opposition and the media, not the Health Quality Council. To the minister: given that doctors are raising their concerns publicly about the Tories' bully tactics, will the minister admit that the Health Quality Council cannot guarantee legal protection to doctors who have been intimidated?

**Mr. Zwozdesky:** Mr. Speaker, I've answered this question numerous times. Perhaps the hon. member did not hear the answer, so I'll give it again. The Health Quality Council has embarked on an independent review with very capable, very qualified people involved in the review plus equally capable people, well-renowned and respected people, overseeing it in an advisory capacity. As part of that, they also have assured anyone who wants to come forward the full protection as given under the Alberta Evidence Act.

**Dr. Swann:** Well, given that Dr. Garbutt said that only a judicial inquiry will restore his confidence and that of thousands of other professionals in the accountability of the health care system, how many more times does the minister need to hear this before he calls a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, everyone is entitled to their opinion, and I hope the hon. member will afford me mine. We've made it very clear here that the process that we're following is with the Health Quality Council. They're doing an assurance quality review of the very items that were asked in this House regarding the impact of wait times in emergency rooms, regarding access to cancer care, and regarding the issue of relationships with physicians. Nobody is championing that cause more than they are, but I want to add my championship to that as well because we're encouraging doctors to speak out, and I'm glad that's happening.

**Dr. Swann:** Well, encouraging isn't working because they know the truth, Mr. Minister.

Why is the minister more concerned about letting the scandal die than doing what is right and calling a public inquiry? What are you afraid of?

**Mr. Zwozdesky:** Mr. Speaker, I think the process is working very well, and nobody is asking for it to slow down. We're simply saying that this review is just starting up, and let's give it a chance to complete itself. There will be a report in three months, another one in six months, and in nine months we'll have a report, I'm told, and we'll have some recommendations on how to address and fix whatever problems are found.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Mr. Speaker, Alberta has the world's finest front-line health care staff, yet under this government they suffer in a culture of fear and intimidation. Dr. Paul Parks again today with the AMA

emergency medical section supports the Health Quality Council on ER wait times and outcomes, not on issues of threat and intimidation. The only solution, as Parks said, is for a public inquiry, quote, to ensure a similar culture of intimidation and punishment of patient advocates never occurs again. End quote. When will the minister listen to the thousands of doctors and others? Find your backbone, and call a public inquiry.

**Mr. Zwozdesky:** Mr. Speaker, I met with Dr. Paul Parks and Dr. Sobeilman just a couple of nights ago. We had a very thorough – let's call it robust – discussion on emergency wait times, and even they acknowledged that significant improvements have been made. I'll tell you where the improvements have been made. We've reduced the overall length of stay in emergency departments by as much as 50 per cent. That's tremendously good news. We've also seen reductions of up to 60 per cent in the number of EIPs; to explain again, emergency in-patients. Those are two very significant improvements. I've acknowledged that we need to do a little bit more on the four-hour and on the eight-hour, and we're working on that as well.

**Dr. Swann:** Divert. Deny.

Given that it's the front-line staff who demand a public inquiry, which friends and senior officials is this minister trying to protect? Who are you protecting, Mr. Minister?

**Mr. Zwozdesky:** Mr. Speaker, sometimes you have to protect people in this House from accusations just like that, and I'll stand here and defend people who are after better health outcomes, which is what doctors are all pledged to do. That's why today Alberta Health Services invested an additional \$190 million specifically for emergency departments, who will get \$19 million of that, \$15 million will go to the radiation therapy speed-ups that are needed, \$46 million will go to reduce surgical wait times in areas like cardiac and cancer surgery, and \$110 million will go to reduce the number of patients who are in acute-care hospitals waiting for continuing care spaces. Tremendous use.

**Dr. Swann:** Throwing money at the problem – I'm sorry, Mr. Minister – will not restore confidence in the system.

Given that the president of the ER docs says that the culture of intimidation has not changed in six years, when are you going to stop covering up this scandal?

**Mr. Zwozdesky:** Mr. Speaker, nobody is covering up anything. In fact, quite the opposite would be true. What we're saying is that if you have an issue that you want to raise, please come forward. You'll be given confidentiality protection, you'll be given immunity protection, and you'll be given full protection against any creation of any liability under the Alberta Evidence Act. In fact, we're doing exactly the opposite of what he's accusing us of doing.

**The Speaker:** Third Official Opposition main question. The hon. Leader of the Official Opposition.

### Surgical Wait Times

**Dr. Swann:** Thank you, Mr. Speaker. Last month the Canadian Institute for Health Information released its annual province-by-province comparison of wait times for the procedures first ministers agreed on in 2004 were highest priority. In a race to the bottom Alberta failed to achieve benchmark wait times for hip replacements, knee replacements, hip fracture repairs, cataract removals, and others. To the minister: given that Health and Well-

ness's most recent annual report shows wait times for knee replacement surgeries actually increased last year to nearly double the benchmark, how does the minister intend to ensure Alberta's national ranking won't be equally abysmal next year?

**Mr. Zwozdesky:** Mr. Speaker, there are areas where we're seeing the need for more attention, and that's one reason why the announcement that was just released by Alberta Health Services, the 190 million new dollars, cites \$46 million more to reduce surgical wait times in key areas, including cardiac and cancer surgeries, hip and knee replacement surgeries, and cataracts. Progress is being made, more money is being put in there, more staff are being hired and recruited to help, and more spaces are being made available for those important surgeries.

**Dr. Swann:** Well, Mr. Speaker, can the minister explain why we've had a 10 per cent decrease in the last two years in the proportion of Alberta patients who receive cataract surgery within the recommended time frame?

**Mr. Zwozdesky:** Well, Mr. Speaker, you know, it would be just wonderful if the hon. member would take a little bit of time to do a little bit more research because if he did look at cataract wait times in particular, for example, he would know that in addition to the over 30,000, 32,000 cataract surgeries we're doing, we've just added another capacity to do 3,200 more. That's important because I can tell you that in Edmonton as a result of these kinds of initiatives wait-list times have come down by 2,900 patients. In Calgary the wait-lists have come down by 2,200 patients. Tremendous improvement. Really good news.

**Dr. Swann:** Again to the minister: when will Alberta Health Services update its website and provide a current hospital-by-hospital breakdown of wait times for surgical procedures?

**Mr. Zwozdesky:** Mr. Speaker, that information is available. I believe they were talking about it yesterday and today, and that will come out in greater detail. It's part of what we talked about with Dr. Paul Parks and Dr. Sobeilman a couple of days ago. It will be reported not only in aggregate but also by hospital, at least the major ones in Edmonton and Calgary as a start. That's already under way.

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

#### **Patient Advocacy by Physicians** (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. Earlier this week the health minister said that he only knew of one doctor who wanted a public inquiry. It's disturbing that someone on Treasury Board just can't seem to count. In fact, six AMA sections, representing 2,500 doctors, have called for this inquiry, 2,499 more than the health minister's estimate. Emergency medicine, addiction, anaesthesia, internal medicine, pediatrics, and rural family medicine have all called for this inquiry. To the minister: with such a growing number of doctors asking for this inquiry, how many more will you ignore . . .

2:00

**Mr. Zwozdesky:** Mr. Speaker, I'm glad she asked the first part of this question because I don't recall saying that he's the only one I've heard of. I recall saying that Dr. Garbutt's letter was the first one I was familiar with in writing. Now, chances are there are others who are out there.

I think I've already answered this many times. I could repeat it again. I could risk being called to order for repetition. People are quite, quite comfortable, I'm sure, with the Health Quality Council's approach. Let's give them a chance. They have to be given an equal chance to do what they've set out to do.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Mr. Speaker, there are two worlds: his world and reality.

Thank you, Mr. Speaker. Given that the Health Quality Council simply can't provide the level of legal protection our doctors want, something that has been pointed out to this government over and over, how much longer will the minister continue to use this excuse to not call a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, no one is using any excuses whatsoever. If you'll indulge me, I'm going to read the Alberta Evidence Act. It's about 13 pages long. I'll read the whole thing, if you'll allow me. In particular, let me just quote section 9(5):

Neither

- (a) the disclosure of any information or of any document or anything contained in a document, or the submission of any report, statement, memorandum or recommendation, to a quality assurance committee for the purpose of its quality assurance activities,

nor

- (b) the disclosure of any information, or of any document or anything contained in a document, that arises out of the quality assurance activities of a quality assurance committee,

creates any liability on the part of the person . . .

**The Speaker:** Minister, thank you very much. [interjections]

The hon. Member for Calgary-Fish Creek. I hope you'll be heard.

**Mrs. Forsyth:** Well, what's amazing to me, Mr. Speaker, is that he thinks this is funny.

Will the minister at least admit that the only reason he's not calling a public inquiry is because it will confirm what we all know, that the government has used fear and intimidation to hide the truth about our health care system?

**Mr. Zwozdesky:** Mr. Speaker, I don't know what the allegations were back in '05, '06, '07, whenever that was. What I can tell you is what is going on today. Today there's a much healthier relationship. As a result of the meeting with the Premier and myself on Friday, we're going to strengthen that relationship with the AMA. That's why a news release was put out on Monday, and that's why the president of the AMA put out a letter yesterday talking about strengthening the relationship between government and the AMA and, in turn, between AHS and the doctors serving in the system, and that will happen.

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

#### **Electricity Prices**

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday the Minister of Energy claimed that after a massive 62 per cent jump in April, power prices will go back to March's level by next month. This claim is not supported by industry experts or by common sense. Will the Minister of Energy admit that his predictions of a price decrease are based more on his fantasies than actual marketplace reality? Or does he just not understand the

unstable deregulated electricity market that he and his government have created?

**Mr. Liepert:** Well, Mr. Speaker, I think it's important to put this into context. In the month of February the annual retail price in the city of Edmonton was about 9 cents a kilowatt hour. That dropped to some 7 cents a kilowatt hour in March. It's projected that it will be about 11 cents a kilowatt hour in the month of April. If you take it from the lowest number in March, yes, it may be a 60 per cent increase. The Electric System Operator is projecting that for the month of May the average price per kilowatt hour will be back to the 6 or 7 cents.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, given that independent analysts have forecasted a hike in the electricity rates by as much as 50 per cent over the next few years and given that this makes a joke out of this minister's claim that prices will drop by 62 per cent next month, will this minister put his cabinet job on the line if at the end of this session power prices remain as high as they are?

**Mr. Liepert:** Mr. Speaker, I can only repeat what the history is and what the independent operator is projecting is going to be the price in the month of May. I guess if the price in the month of May is somewhere in the range of 6 or 7 cents, I'll ask the member if he'll be prepared to put his job on the line.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, if he will put his job on the line, I will certainly put my position as critic on the line as well.

**The Speaker:** I take it that was the question. [interjections] I take it that was the question.

**Mr. Mason:** That was the . . .

**The Speaker:** No. There are no preambles. I don't know how you can do that.

**Mr. Liepert:** Mr. Speaker, I think I heard the member say that if the price of electricity in the city of Edmonton averages 6 or 7 cents a kilowatt hour in the month of May, he'd be prepared to put his job on the line.

**The Speaker:** The hon. Member for Calgary-McCall.

#### Protection of Personal Information

**Mr. Kang:** Thank you, Mr. Speaker. The sensitive private information of 7,000 Edmonton public school board employees has gone missing. The data was stored with no security protection on a memory stick. The Information and Privacy Commissioner has said that the information should not even have been kept in the first place. To the Minister of Service Alberta: can the minister, who is responsible for privacy legislation in Alberta, tell us what action she has taken to actively promote the protection of personal information by school boards in the last year?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It should be noted that the Edmonton public school board is following the right procedure with respect to the loss of information by notifying the Privacy

Commissioner and co-operating with the investigation. That's the first step in this. They've let the affected employees know what's missing and are providing them with other details on protecting themselves. The school board does have strong policies to protect private information, but sometimes errors do happen.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. It should have been done before the information went missing.

Given that the minister disbanded the government's access and privacy division, which was responsible for province-wide compliance with privacy laws, for supporting the local public sector, can the minister explain who is supposed to do this now?

**Mrs. Klimchuk:** Mr. Speaker, there are privacy commissioners in every government department. As well, Service Alberta offers all the school boards information on understanding their obligations with working with FOIP. Also, we have resources available online. It's incumbent upon the school boards to do the right thing, and they are doing that right now.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Will the minister commit to collecting and reporting the cost to taxpayers of privacy breaches given that the Information and Privacy Commissioner has said that the privacy breaches are a big-ticket item for public bodies and that he will ask for an accounting of the costs of dealing with the breach?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I believe that at the end of the day all of us need to be cautious when handling Albertans' private information, especially with laptops and portable iPads and all of those things. It's just absolutely critical that Albertans protect themselves. The Edmonton public school board is checking into it, and we'll continue to support them through Service Alberta.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Edmonton-Centre.

#### Disaster Recovery Program for Flood Damage

**Mr. Mitzel:** Thank you, Mr. Speaker. My question is for the Minister of Municipal Affairs. In my lifetime I don't recall anything like this, at least not in this way. Medicine Hat, Cypress county, and Forty Mile county are experiencing damages not only along the creeks but in all areas. They're thankful for the disaster recovery program of 2010. That really helped. Can people still get assistance under the existing disaster recovery program?

**Mr. Goudreau:** Mr. Speaker, yesterday I travelled to Medicine Hat along with the Premier and the ministers of Environment and Agriculture to see the situation first-hand and assess what sort of assistance will be needed.

Earlier this month, Mr. Speaker, we authorized a \$3 million disaster recovery program to help residents and small businesses who experienced uninsurable losses from flooding between March 1 and 31. Now we recognize that new flood damage is occurring, and we'll be working with the municipalities to assess that damage.

**The Speaker:** The hon. member, please.

**Mr. Mitzel:** Thank you very much, Mr. Speaker. Given that there's new damage to residences and small businesses in the areas I mentioned and there's potential for more, Mr. Minister, will you create a disaster recovery program for them for 2011?

**Mr. Goudreau:** Mr. Speaker, as this event is still under way, we're working with the municipalities on a response presently and mitigation efforts. Our efforts are focused on helping municipalities assist their residents and make sure that they're safe, but once the threat is lowered, we'll work with them again and consider any application for disaster assistance at that particular time.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. My second supplemental is to the Minister of Agriculture and Rural Development. Given that rural flooding is causing issues and with water standing on cropland and pastureland, a lot of water, how will you be able to direct your programs to address this excess water? For sure there is going to be a lot of land that will not be planted.

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. In fact, we did deploy the pumps that were requested by the municipalities for the water pumping in the area. We have also deployed all extra pumps that we have now to that area with the snow conditions that we're seeing today. Fortunately, the agricultural communities in southern Alberta are very strong supporters of the insurance programs we have in Alberta; about 90 per cent of them insure. We're watching it very closely and hope to be able to help this year.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Decore.

2:10

#### Abandoned Wells

**Ms Blakeman:** Thank you, Mr. Speaker. The Minister of Energy complained yesterday that these orphaned wells are decades old. Well, given that this government is also decades old, much of this that happened was under your watch. It is the height of hypocrisy for this government to say that polluters pay when we're talking about orphan wells. Almost nothing is required from industry to ensure that these wells are cleaned up, and the government has taken no steps to protect Albertans from the cost of future orphan wells. Back to the Minister of Energy: why hasn't the government done anything to fix the backlog and stop it happening in the future?

**Mr. Liepert:** Well, I think I answered yesterday, Mr. Speaker. The government has done a significant amount in the last few years to try and catch up on the backlog, and I did say that more needed to be done. But for this member to infer that somehow industry isn't being assessed a fee, that's incorrect. In every application there is a portion of the fee that goes towards reclamation. As I said yesterday, we will continue to try and ensure that we get caught up on these wells.

**Ms Blakeman:** Back to the same minister. It's not just about getting caught up. It's also about going forward. I mean, when wells continue to be drilled at such a rapid pace across this province, why does the government continue to ignore the need for a level of financial security, cash on the barrelhead, that is in line with the cost of reclamation?

**Mr. Liepert:** Well, as I said yesterday, Mr. Speaker, I think that

that's exactly where we are today. What we are faced with is attempting to ensure that a whole series of wells from decades ago that clearly fell behind in terms of reclamation – that's where the catch-up is happening. I think that the current model that's in process for those wells that are drilled today and tomorrow is under control.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks. Back to the same minister. Given that when this question was asked of the Minister of Environment in 2009, the minister stated that the government recognized the industry was not contributing enough to reclaim in any reasonable timeline and that the response was to inject 30 million taxpayer dollars to speed it up, just what the minister has been referencing, why has nothing been done to collect enough even today? The timelines are still years long.

**Mr. Liepert:** Well, I come back to the fact, Mr. Speaker, that the issue is around catching up on old wells, and I believe that the model that's in place today is going to address this issue as we go forward.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the hon. Member for Lethbridge-East.

#### Pediatric Services for Children and Youth in Care

**Mrs. Sarich:** Thank you, Mr. Speaker. There are many Albertans who don't have access to a family doctor. The impact of this reality must be particularly great for children and youth coming into this government's care, many of whom have experienced the trauma of physical and emotional neglect and abuse. My questions this afternoon are to the Minister of Children and Youth Services. How does your ministry ensure that children in your care receive the health care supports that they need?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Well, thank you, Mr. Speaker. The member is correct. Children coming into our care do have very complex needs, and we do need to have highly qualified health professionals to look after them. As I mentioned earlier, we have a new program here in Edmonton, pediatrics for kids in care, and that's to help ensure that our vulnerable young people have a medical assessment and that they have supports, which is critical because those health supports will then assist with the care development plan for that child or youth and assist with their optimal health and well-being.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. To the same minister: can you explain how this is different from the regular health care that is provided to children and youth when they come into care?

**Mrs. Fritz:** Well, Mr. Speaker, all children coming into care, as you know, must have a medical appointment within the first 12 days, but this is a very new program that is unique. It's unique in that it benefits from the wisdom and the experience of very highly qualified pediatricians that are led by Dr. Masterson and Dr. Moriarty, whom I introduced to you earlier. Their expertise is needed to care for our children and youth who have been abused or neglected, and I can also tell you that with that focus that they will have with that service, health issues are going to be diagnosed earlier, and treatment can begin much sooner.

Thank you.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. To the same minister: given that there is collaboration, when can we anticipate this kind of collaboration being available province-wide?

**Mrs. Fritz:** Well, Mr. Speaker, this initiative is delivered in partnership with Alberta Health Services and with community pediatrics. It does continue to gain momentum. I mentioned earlier Dr. Masterson's clinic, that opened in April, and that is dedicated solely to the children in our care. There are plans to have a pediatrician available at the Edmonton Youth Emergency Shelter as well as new partnerships that are also in the works with dentists and pharmacists to help ensure that our children and youth in care have a full range of health services.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Ellerslie.

### Residential Building Inspections

**Ms Pastoor:** Thank you, Mr. Speaker. I'm going to try this again today. The residential construction file shows a fragmented system scattered among Municipal Affairs, Service Alberta, and individual municipalities. There are mandatory inspections that take place at each critical stage of construction and, in addition, an independent home inspection that buyers can have done. To the Minister of Municipal Affairs: will you admit that bringing the various elements of the residential construction file under the purview of one minister would result in a better co-ordinated and more effective system for homeowners?

**Mr. Goudreau:** Mr. Speaker, I think the system is reasonably clear. For those who are purchasing an existing home or an older home, they depend on the home inspectors, and that falls under the Ministry of Service Alberta. For those who are looking at building new homes and need the services of building inspectors, or what we call our safety codes officers, then those individuals are under our responsibility. So on the new home side for the inspections that's our responsibility.

**Ms Pastoor:** Why are municipal building inspection reports for residential properties not available to the homebuyers, or are they required to use FOIP to get that information?

**Mr. Goudreau:** Mr. Speaker, the safety codes officers are usually mandated and operate through accredited municipalities, and those particular reports are there. They're certainly subject to FOIP legislation to make sure that personal information is protected, but you could certainly make those requests to the municipalities. For those municipalities that are not accredited, then those reports are available through our ministry, through Municipal Affairs.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Given the failure of municipal building inspectors to identify structural problems in the Penhorwood condominium complex in Fort McMurray, how does this affect the accreditation of that department? Will it be necessary to check other projects built by that company or the same inspectors?

**Mr. Goudreau:** Mr. Speaker, it's very difficult for me to speculate on what actually happened in Fort McMurray. Those buildings are being assessed by professional engineers, as is appropriate, and because it's subject to ongoing civil litigation, it's difficult for me to provide further comments.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Strathcona.

### Alberta Research and Innovation Authority

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Alberta Innovates is often touted as being a streamlined system, neatly divided into four focused but co-operative corporations, each with its own board, its own expertise, and its own plan for the future. It sounds very efficient. But then there is another layer: Alberta Research and Innovation Authority, ARIA, a group of international experts that advise government on research and innovation. My questions are to the Minister of Advanced Education and Technology. With four corporations and the ministry already at the job, why do we need advice from ARIA?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. As you're aware, the government of Alberta is committed to making Alberta a leader in research and innovation, and to do that, we need to know what the world needs and what opportunities are out there. ARIA provides a very needed service in that experts from around the world come and provide opportunity to give feedback on where the next areas of importance are and how we may connect into the important research and innovation areas around the world so that we can continue to enhance and develop our research capacity.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: how are the members of ARIA selected given that there's all kinds of talent out there?

2:20

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Through a rigorous process the members were selected as experts and leaders from around the world in their various fields. We have people like Laura Kilcrease here from Austin, Texas, who is well known as a venture capitalist, has worked in that area for many, many years, and is the managing director of Triton Ventures. Dr. Peter Riddles has made broad contributions in life sciences in Australia, and Dr. Chris Henshall has worked at the University of York in England for many, many years and brings a wealth of experience.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker, and thank you very much, Minister, for that answer. What has ARIA contributed to Alberta Innovates so far?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. The areas where they've brought significant assistance are in areas of advice around how we can continue to connect into the research and innovation portfolios around the world. Bringing technology to market is also going to be a critical piece if we are going to grow our knowledge economy, and members of this board have experience at bringing technology to market and are going to help us in that very needed and important part of growing Alberta's future economy.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Varsity.



### Land-use Framework

**Ms Notley:** Thank you, Mr. Speaker. Three years ago this government committed to “greening our growth” by addressing competing land-use demands through a land-use framework by 2011. Instead, the deadline is here, the budget has been cut in half, and the minister is saying that the framework won’t be done until at least 2017. Will the minister admit that this delay is a failure to prepare Alberta for healthy economic growth?

**The Speaker:** The hon. minister.

**Mr. Knight:** Thank you very much, Mr. Speaker. I think that these things will fit together extremely well. In fact, the original concept of the land-use framework in the first place was not to stop development but to develop responsibly in the province of Alberta. That’ll be the focus of the land-use frameworks as we move them forward. What we have in place now is one draft plan that’s on the ground. We have the advice of another regional advisory council that we’re dealing with and, actually, very positive results from Albertans. This is about balancing the economy, the environment, and the social aspect . . .

**The Speaker:** The hon. member. Hon. member, you’ve been called.

**Ms Notley:** Given that completion of the framework by 2017 would require the government to double the pace of its current progress with half the resources and that, therefore, it’s very unlikely, will the minister admit that the delay has nothing to do with more consultation and everything to do with the political decision to put land-use planning and environmental protection onto the back burner once again?

**The Speaker:** The hon. minister.

**Mr. Knight:** Thank you very much. My stove only has a front burner, Mr. Speaker. I have no back burner. So what I’m doing is exactly – exactly – what the people of Alberta would expect me to do, and we’re doing this in a very responsible manner. At the moment Albertans understand that governments as well as people and industry in the province have a bit of a constrained budget. We’re operating inside of that budget and will deliver these programs and plans, that are going to be very constructive for Albertans in the long run.

**Ms Notley:** Given that they’re going to be delivered at least five years late, probably much more so, and given that the Tories lost control of an overheated economy before the last recession and given that this hurt Albertans in their communities last time, why is this government resorting to the same Wild West gold rush approach to development that everyone knows doesn’t work?

**Mr. Knight:** Mr. Speaker, again, one more time about this thing. What we’re dealing with right now is a situation where we have under the land-use framework seven regional plans in the province of Alberta based on watersheds. With the resources that we have prudently applied to this program, we have in front of us now a draft of the lower Athabasca regional plan, we have the advice from the South Saskatchewan Regional Advisory Council, and we’re working towards the North Saskatchewan terms of reference. They’ll all fall into place as we move through the program, and they will be in place by 2017.

### Workers’ Compensation

**Mr. Chase:** Mr. Speaker, Alberta’s prosperity depends on its workforce, and Alberta workers depend on their government to ensure workplace safety and, in the case of injury, fair compensation. To the Minister of Employment and Immigration. The Workers’ Compensation Act is clear on providing benefits when the injury involves a total loss of sight, complete paralysis, and other similar kinds of disability. Can the minister explain the policy on compensation for a disability that is less clear cut such as a work-related lung condition?

**Mr. Lukaszuk:** Most definitely, Mr. Speaker. If a worker is diagnosed with a lung condition and it is determined that this condition is a result of employment activity, long-term impact of asbestosis, or another medical condition, the worker’s lung capacity is assessed, and using bell tables or Alberta Medical Association guides, the percentage of disability is assessed, and the worker is paid out accordingly.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Can the minister explain the policy on compensation for a disability that does not result from an immediate injury but emerges over time; for example, through long-term exposure to radiation or chemicals?

**Mr. Lukaszuk:** Certainly, Mr. Speaker. A worker who presents herself in front of the WCB usually presents herself as a result of a report being filed by a medical doctor. If there is consensus in the medical community that the medical condition that the worker exhibits is as a result of any type of employment-related activity, a claim is accepted, and the worker is compensated accordingly for the loss or percentage of loss of health.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Given that a comprehensive workers’ compensation program is fundamental to a strong workforce and a competitive economy, will the minister commit to reviewing the Workers’ Compensation Act and the WCB’s policies on adjudication of claims so as to ensure fairness in compensating workers for work-related permanent disability?

**Mr. Lukaszuk:** Mr. Speaker, the member asked me two questions on how claims are adjudicated. I told him so. He hasn’t identified an area where the unfairness may exist. If he finds an area within the act, policies, and/or regulations where there is unfairness, please bring it forward to me, and I’ll gladly take a look at it.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Glenmore.

### Compensation for Mineral Rights in Parks

**Mrs. McQueen:** Thank you, Mr. Speaker. The Supreme Court of Canada back in 1985 decided that when the B.C. government cancelled mineral rights in Wells Gray provincial park, the holders of those rights were entitled to compensation but not for loss of opportunity or loss of profits. My question is to the Minister of Sustainable Resource Development. What does the Supreme Court of Canada’s decision in B.C. versus Tener mean for the creation of conservation areas in the lower Athabasca region?

**Mr. Knight:** Well, Mr. Speaker, this information, of course, was kind of originally brought to us by the opposition. They weren’t

quite sure what this was all about, so I thought I should perhaps inform the House. The information that we have is that in the B.C. versus Tener case, from 1985, the Supreme Court found that mineral interests had been expropriated in the course of the creation of a new provincial park. The case involved freehold mineral rights, and it is not completely clear how it would apply to other types of interests. We only have a draft regional plan at this point. There will be discussion around what tenure, if any, might be repatriated.

**The Speaker:** Let's be careful about legal interpretation. This is about the fourth question today that wanted legal interpretation.

The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. My final question to the same minister: what kind of consents will be affected by the conservation areas?

**Mr. Knight:** Mr. Speaker, again, we usually kind of think of the situation in the oil sands as the energy region and the oil sands only in Athabasca, but in fact the region has a very diverse economy, and the proposed conservation areas could potentially affect leases for forestry and metallic and industrial minerals. Compensation provisions laid out in the relative legislation – for example, the Mines and Minerals Act or the Forests Act – support that the regional planning being done will make sure that there is clear and concise compensation.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Calgary-East.

#### Lower Athabasca Regional Plan

**Mr. Hinman:** Well, thank you, Mr. Speaker. Last night the Minister of SRD stated that \$1.9 million was spent on the lower Athabasca regional plan, but whenever we've asked, the government refuses to say what the economic costs to the government or the leaseholders will be if the government rescinds the leases of these companies affected by the draft plan. To the minister of finance. So that Albertans can give informed feedback, what is the actual land-sales revenue that the province received from the sale of these leases that are now proposed to be rescinded?

**Mr. Snelgrove:** Mr. Speaker, there is a document in front of the Alberta public right now that is a proposed land-use framework for the area, and no decisions have been made as to the exact location or size or substance of the conservation areas. We are working very closely with all the parties, be it lumber, be it oil, be it municipality, to work together to collectively develop the right balance.

2:30

**Mr. Hinman:** Nice dodge.

To the Energy minister: given that you've expressed faith that technological advances in reclamation efforts will enable oil sands extraction in the future with a minimal footprint, do you really support breaking contracts and declaring billions of barrels of Alberta oil off limits forever?

**Mr. Liepert:** Well, the facts are that we have some 170 billion barrels of proven reserves in northeastern Alberta. The draft plan, that lays out conservation areas, allows us to develop 170 billion barrels of proven reserves, Mr. Speaker, so I'm not sure what the member is referring to relative to contracts.

**Mr. Hinman:** Given that the Energy minister claims that this is an inconsequential government draft, that is ridiculous when the fact

is that in a short time this will be the government plan. It's clear that the only draft is between this . . .

**The Speaker:** The hon. minister.

**Mr. Liepert:** Mr. Speaker, I'm very happy to answer the question. As has been pointed out many times in this House, we have a draft plan, that's out for consultation. In discussions with industry that I've had since the draft plan was released, it has been very well received. There's a recognition that we have to have a balance between conservation and industrial development, and I think we've achieved that balance, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-East, followed by the hon. Member for Edmonton-Gold Bar.

#### Forest Grove Care Centre Roof Collapse

**Mr. Amery:** Thank you, Mr. Speaker. Yesterday just before 1 p.m., while residents of the Forest Grove nursing home gathered to have lunch, the facility's roof caved in on dozens of them. Luckily no one was hurt thanks to the heroic, fast-thinking, well-trained staff, who were able to evacuate the dining area and get the residents back safely to their rooms. Could the Minister of Health and Wellness update the House, the residents, and their loved ones on the situation at the Forest Grove nursing home?

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Thank you very much. I want to thank this member for immediately bringing this to my attention yesterday so that immediate action could be taken. As he has said, the important thing right now is that no one was injured. There are 245 residents there, a number of staff. Immediate action was taken. The building is not ours, Mr. Speaker. Nonetheless, an inspection has been done, and it is deemed safe to occupy again. Only one area was affected, fortunately. That was the dining room area, where some repairs were occurring. But everybody is okay.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. To the same minister: are there any contingency plans in place in the event that residents find themselves in a similar situation and are required to be evacuated?

**Mr. Zwozdesky:** Mr. Speaker, the short answer is yes. There are contingency plans of all sorts, including plans for emergency preparedness, including plans for emergency evacuation should that become necessary. Those plans are there. They are in place because safety is a number one concern. Should the action have to be taken, I can assure the hon. member and the residents there that it will be.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. My third question is to the hon. Minister of Municipal Affairs. Since many of these seniors' homes are aging and in need of repair and ongoing maintenance, does your department have any monitoring mechanism in place to make sure that these places are safe for residents?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. I, too, am very grateful that nobody was seriously injured in yesterday's incident. I need to remind all members that Alberta has strong building and safety

codes in place to protect all Albertans. In this particular case the city of Calgary is an accredited municipality, and they will do a follow-up on the actual event. Our building codes apply to new buildings, and our codes are still very, very strong and very applicable and okay in this particular situation.

### Compensation for Soft-tissue Injuries

**Mr. MacDonald:** The government has quietly extended the insurance regulations setting the soft-tissue injury cap until 2016, with little consultation or evaluation on the outcomes for victims of traffic accidents. The cap now sits at over \$4,500 and is a blunt instrument that doesn't take into account, unfortunately, individual circumstances. To the minister of finance: will the government conduct a true review in public of the soft-tissue injury cap to ensure justice for victims is occurring?

**Mr. Snelgrove:** Mr. Speaker, that statement is not only not true; it doesn't represent what Albertans have been telling us. We have done extensive review. We have been all the way to the Supreme Court, which said that it is not only legal, but it is in the public interest. It has saved Alberta motorists \$1.2 billion in premiums. It has hurried up, has actually accelerated the opportunity for people in automobile accidents to receive treatment. It is working very well for them medically, and it's working very well financially, and it has been consulted on widely across Alberta. It's not very well liked by the criminal trial defence lawyers.

**Mr. MacDonald:** Mr. Speaker, given that the citizens and the innocent victims of traffic accidents know that this government looks after the insurance industry, not their interests, will the minister now gather statistics on the adequacy of the soft-tissue injury cap in allowing victims, innocent victims of traffic accidents, full and complete recovery from their injuries? When he gathers these statistics, will he present them to the public through the House?

**Mr. Snelgrove:** Mr. Speaker, the insurance industry is governed by the insurance board and the insurance superintendent. I had the privilege of meeting with him a few weeks ago. The data that surrounds the entire issue regarding soft-tissue injury – the recovery times, the back-to-work times – have very, very definitely supported the policy that the government made around the legislation. That information will be made available if the hon. member even wanted to go into the report, and certainly he could ask our office for it.

**Mr. MacDonald:** I will certainly ask your office for it, and I appreciate that, hon. minister.

Now, given that the injuries from soft-tissue damage can be life altering, does the minister guarantee that the insurance cap as it exists today ensures justice for traffic accident victims?

**Mr. Snelgrove:** Mr. Speaker, there has always been a difficult balance between paying for pain and suffering and soft-tissue injury and injuries that may stay with people for a lifetime. I'm not suggesting for a minute that there aren't whiplash and others that can, but on balance we have to take medical advice overtop of legal fees. The medical advice is that people who receive timely treatment get better faster, and that's what we're trying to achieve with this regulation, and it has done that.

**The Speaker:** The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Riverview.

### Highway 529

**Mr. McFarland:** Thank you, Mr. Speaker. My constituency office has received literally hundreds of concerns over a number of years about highway 529, a highway that services Little Bow provincial park, the Southern Alberta Bible Camp, and the Little Bow Resort. The west half is paved, and the east half is still gravel. To the Minister of Transportation: what improvements are being planned for secondary highway 529?

**Mr. Ouellette:** Mr. Speaker, I'm very aware of this member's concerns with this highway. The oil industry is very busy in that area and has heavy use of that highway. But I have some great news for the hon. member and his constituents for all of the hard work he's been doing for his constituents. We are doing an overlay this year on the paved portion of this highway from Champion to Little Bow provincial park access.

**Mr. McFarland:** Well, thanks for the good news, Mr. Speaker.

While the east half is still under gravel, are there any plans to do anything other than put down a little bit of dust control?

**Mr. Ouellette:** Mr. Speaker, I've got more great news for this hon. member. We're going to convert that gravel part that he's talked about to pavement this year. That means that by this fall you'll be able to drive on a fully paved highway on 529 from Champion junction to highway 845. That's 20 kilometres worth of brand new pavement. I would say that that's far beyond dust control. That's going to be a great highway.

**Mr. McFarland:** I know you're jealous, Mr. Speaker, but what will happen to the department's priorities if this continued adverse weather goes on throughout the summer?

**Mr. Ouellette:** Well, Mr. Speaker, every year my department sets a construction schedule, partly based on what we actually can get done in a year. Our contracts are structured to accommodate a certain amount of bad weather days, and very few projects fail to get done due to weather. I know things look pretty bleak out there today, but I'm very confident that things will turn nice and that we will get a construction season.

**The Speaker:** The hon. Member for Edmonton-Riverview.

2:40

### High-speed Rail Station

**Dr. Taft:** Thanks, Mr. Speaker. To that same minister. The government's announcement of a new location for a high-speed rail terminal in Edmonton caught just about everybody by surprise. Given that the government had already bought and paid for a different downtown site for the station, has the government done any technical or financial or engineering studies on the suitability of the new site?

**Mr. Ouellette:** Not at this time, Mr. Speaker, although on that new site we're on a right-of-way that is owned by rail today. CP rail or CN, one of the two, goes into that site. I believe that having two options within the city is great for all Albertans, and I do think that as soon as time permits, we will be doing some work on the viability, as he says.

**Dr. Taft:** Given that it's better to study first and buy second, I would have thought you'd have done it differently.

Given that the new site announced last week requires a 20-kilometre detour to the east before trains can turn south to Calgary and given that high-speed rail can cost tens of millions of dollars

per kilometre, how much more will the line cost to this station compared to the line that would have come over the High Level Bridge?

**Mr. Ouellette:** Well, Mr. Speaker, this hon. member seems to always have a little trouble deciphering things, I find, in this House. I do believe that that site is already there for something else, and it's great that we have the opportunity to possibly put high-speed rail into it when we feel the time is right to move ahead with that.

**Dr. Taft:** Well, then, perhaps the minister can help me decipher. Is it actually the case, Mr. Minister, that you don't have a clue whether this new location is going to cost tens of millions of dollars more in high-speed rail construction than the site you already own?

**Mr. Ouellette:** Absolutely not, Mr. Speaker. He's absolutely wrong. I'm today not at the point to know the exact price of one or the other. I just know that it's a great option for Albertans that we will be able to move there at some point in time.

**The Speaker:** Hon. members, that concludes the Oral Question Period for today and this week. Nineteen members were recognized today. There were 112 questions and responses.

We'll continue the Routine in 15 seconds from now.

### Notices of Motions

**Mr. Renner:** Mr. Speaker, I rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, April 18, 2011, Motion for a Return 11 will be dealt with.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwodzesky:** Thank you very much, Mr. Speaker. It's my pleasure to provide and table the requisite number of copies of the 2010 annual report from the Alberta College of Medical Diagnostic and Therapeutic Technologists. It's all about being committed to improving patient care, according to its title.

Secondly, I'd also like to table copies of the *Crowsnest Pass Herald* from which I quoted yesterday, where Dr. Garbutt had said how pleased he was with some of the actions being taken recently, last fall by Alberta Health Services. That's October 5, 2010.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. A pleasure to table the requisite number of copies of a report of the International Labour Conference in Geneva, Switzerland, to which now Alberta and Canada are signatories, dealing with occupational health and safety.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Mitzel:** Thank you, Mr. Speaker. I'm pleased to rise today and present the appropriate number of copies of a petition with 95 names. It urges the government of Alberta to "conduct a full feasibility study of the Meridian Dam."

Mr. Speaker, my second tabling is as chair of the Standing Committee of Leg. Offices and in accordance with section 19(5) of the Auditor General Act. I would like to table five copies of a

report by the Auditor General entitled Report of the Auditor General of Alberta, April 2011.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I rise today to table on behalf of the Leader of the Opposition documents which quote Dr. Paul Parks calling for a public judicial inquiry in order to protect doctors who have the backbone to speak out.

My second tabling is the requisite five copies of letters from citizens in Lethbridge who are concerned for youth who may not receive the help they need to turn their lives around because of the devastating 40 per cent funding cut to 5th on 5th Youth Services programs. They are Geoff Doeve, Robin Ray, Brenda Bryant, Theresa Lowe, Alix Kampen, Jeff Meadows, Jennifer Rogan, Bruce McKillop, Brittany Sumbalisky, Jeffrey Coffman, Margaret McKillop, A. Oishi, and Laura Nugent.

Thank you, Mr. Speaker.

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

**Mr. Chase:** Thank you, Mr. Speaker. My first tabling is an e-mail from Deborah Clarke to the Minister of Employment and Immigration in which she adamantly affirms the Alberta Liberal position that before importing temporary American workers, this government should make every effort to employ, first, qualified Albertans and, secondly, qualified Canadians.

My second set of tablings, Mr. Speaker, concerning the clear-cutting that is about to soon begin in the Castle-Crown, comes from Juell DeSpain, Terri Miller, Rose Ogorzaly, Russell Blalack, Rosemary Cyr, Marjorie Olsen, Ed Baxter, Krista Murphy, Graham Smith, Ian McGrath, Allan Stein, Patti Kemp, Gail Jordan, Marleen Paulus, Anne Streeter, Jason Uttley, Pamela Wilkey, Bob Hearn, Tony Little, Linda French, Cathi Basler, Mary Alice Madden, Lynette Dumont, Matthew Herman, and Robert Cerello.

Thank you, Mr. Speaker.

**Dr. Taft:** Mr. Speaker, I rise today to table the appropriate number of copies of a program from a very special event held in Edmonton last evening. Last night the Rotary clubs of the capital region hosted the 14th annual integrity awards. Twelve non-Rotarians were recognized for their commitment and contributions to their communities in our province. There are some recipients of particular note to this Assembly, including Muriel Abdurahman, a former member of this Assembly, who was recognized by the Sherwood Park Centennial club, and Jason Stoltz, recognized by the Rotary Club of Edmonton Gateway. We probably all know Mr. Stoltz in our role as MLAs because he's the executive director of the Forum for Young Albertans, which is under way here at the Legislature this week.

Thank you.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of an e-mail I received from Paul Gibson, who says he has been diagnosed with severe chronic depression, severe chronic panic disorder, and posttraumatic stress disorder. Mr. Gibson writes to express significant concerns about the treatment that he received recently in an emergency department. He went there for help and was unable to find support or treatment for his particular illnesses.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. It's my pleasure to table the requisite number of copies of a letter from the regional municipality of Wood Buffalo council expressing their concern with the almost half a million dollars that are going to be lost to the extra \$15 that Service Alberta is intending to charge municipalities without any notice.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of Dr. Sherman, hon. Member for Edmonton-Meadowlark, an *Alberta Doctors' Digest* article dated March-April 2011 entitled Stephen Duckett, Reflections on 20 or So Eventful Months; a *Calgary Herald* article reprint dated October 22, 2010, entitled MDs Warn of ER Failure, Clear Out Beds or Emergency Will "Collapse," Province Told; an *Edmonton Journal* article reprint dated January 8, 2007, entitled Capital Health Vows to Clean up Accounting, Auditor General's Tongue-lashing over Padded Costs Sparks Change.

### 2:50 Projected Government Business

**The Speaker:** The Official Opposition House Leader, please.

**Ms Blakeman:** Thank you very much. At this point I would ask, given our Standing Order 7(6), if the Government House Leader would share with the Assembly the projected government business for the week commencing the 18th of April.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Of course, on Monday the 18th it's private members' business.

On Tuesday the 19th in the afternoon in Committee of Supply all members will want to be present for the estimates of the Department of Education, I'm sure, and then as per the Order Paper.

On Wednesday the 20th in the afternoon in Committee of Supply the estimates of the Department of Infrastructure and as per the Order Paper. In the evening, as was filed with the estimates schedule, the Committee of Supply will meet to vote the main estimates. That meeting, for the reference of members, is at 7:30 rather than the start time of the policy field committees that members have been used to. Presuming the passage of Government Motion 13 this afternoon and for clarification for members, once the Committee of Supply rises and reports, we would anticipate debate of Government Motion 12 and Bill 11, the Livestock Industry Diversification Amendment Act, 2011, for second reading.

On Thursday the 21st for second reading in the afternoon Bill 16, the Energy Statutes Amendment Act, 2011; in Committee of the Whole Bill 5, Notice to the Attorney General Act; Bill 6, Rules of Court Statutes Amendment Act, 2011; Bill 12, Alberta Investment Management Corporation Amendment Act, 2011; Bill 14, Wills and Succession Amendment Act, 2011; and as per the Order Paper.

### Orders of the Day Government Motions

#### Evening Sitzings

13. Mr. Hancock moved:  
Be it resolved that pursuant to Standing Order 4(1) commencing Wednesday April 20, 2011, following the vote on

main estimates and the report from Committee of Supply, the Assembly shall meet for consideration of government business and thereafter shall meet on Monday, Tuesday, and Wednesday evenings for the remainder of the 2011 spring sitting unless on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

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

**Mr. Hancock:** Thank you, Mr. Speaker. The first purpose of the motion is to clarify so that there's no misunderstanding that on Wednesday the 20th, once the Committee of Supply rises, it is in the House, and the House would be available to sit that evening. I just wanted to ensure that there was no misunderstanding about that. Then, of course, it's to deal with government business in the following weeks now that we approach the end of the estimates process.

[Government Motion 13 carried]

### Government Bills and Orders Second Reading

#### Bill 12

#### Alberta Investment Management Corporation Amendment Act, 2011

[Adjourned debate March 15: Mr. Dallas]

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. It's a privilege once again to rise to debate Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011. I think it's worth putting this piece of legislation in some context. I assume all members of this Assembly are aware of the role of AIMCo, but I'm not sure that all people listening to this debate from homes and offices and so on will be familiar with it. AIMCo was established under legislation to manage a vast amount of public money on behalf of the various stakeholders, actually, some of it being managed on behalf of the government of Alberta and the citizens of Alberta and some of it being managed on behalf of various pension funds and others.

[The Deputy Speaker in the chair]

That organization, AIMCo, has been in place now for perhaps three years, two years maybe, and I think is still in some ways becoming entrenched or established in their role and still working on how to best manage funds in relation, for example, to pension groups and others. It's still a bit of a growing process. Part of that growing process is the need to tune up the founding legislation. I think that's what this amounts to, Mr. Speaker.

My understanding of the bill is that it basically clarifies some of the structure of the corporation. It's an attempt to remove a little bit of ambiguity that might have been in the original legislation. When I look at the bill, which, I might note, is really quite brief, it seems to particularly focus on the roles and responsibilities of the directors and officers of AIMCo.

I won't stretch this out at great length because I know the Member for Edmonton-Gold Bar has comments he wants to bring forward on this piece of legislation, so there's no need to overdo the repetition on this.

I do think that it's vitally important in this day and age, particularly with developments in the financial sector since AIMCo was established, that we ensure that the legislation guiding and con-

trolling AIMCo is to the highest standards. We have witnessed enormous scandal in the financial sector around the world in the last two or three years, and we need to make sure that the legislation of this House is at or very near the leading edge of legislation anywhere. If there's one anything that we've learned in Canada from the financial meltdown in the last two or three years, it is the importance of good regulation and the value of good government.

Now, we have some members of this Assembly and one of the opposition parties in particular that often take a role or view that, basically, government is a last resort. In fact, that's a phrase I've read written by a member of the Wildrose Alliance. Government should be a last resort. Well, our view in the Alberta Liberal caucus, Mr. Speaker, is that governments should be the first resort in some situations. Those situations might range from building roads or schools or hospitals. They also include managing the financial sector.

It may be that the biggest reason Canada didn't fall deeply into financial crisis and into problems of mass unemployment and bankruptcy and all kinds of issues in the last three years is that we have had a relatively well-regulated financial sector. If you compare the performance of the financial sector in Canada with that in the United States or that in Britain or much of Europe or much of the rest of the world, we can see how important it is for us to be vigilant and to be good regulators and to be arm's length and to avoid things like conflicts of interest and to ensure appropriate disclosure.

That brings me directly back to Bill 12, Mr. Speaker, which takes some brief but, I hope, important steps in that direction. It increases or clarifies the responsibility of the directors and officers of AIMCo. I think that's crucial because, frankly, it seems to me that within the first year or less of AIMCo being founded, there was some controversy in the financial and energy sectors over an investment that AIMCo made in a very prominent drilling company. I don't need to name the company here in the Assembly, but there was a lot of controversy around that.

3:00

Now, the debate at the time was over the fairness of the investment and whether or not the investment was made properly and following due process. The point that I think we need to dwell on is that it may very well have been made following due process, but what we have to make sure is that it is not only made following due process but that it is seen to be made following due process. That's the kind of difference that makes sure that the public can have real confidence in an organization like AIMCo, and I think Bill 12 might help clarify some of the confusion that led to controversies such as the one I just referred to.

Mr. Speaker, with those comments I will take my seat and listen with rapt interest to the comments of any of my colleagues in this Assembly. Thank you.

**The Deputy Speaker:** Any other hon. member wishing to speak on the bill? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes, if you don't mind, Mr. Speaker. Certainly, Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011, warrants a lot of interest and scrutiny by members of this Assembly. Hopefully, it will have the scrutiny and the interest of members. Bill 12, as we have been told and our research indicates, adds the requirement that the directors and officers act honestly and in good faith. One can only hope that that's being done now.

When you look at AIMCo, the fact is that we have over \$71 billion worth of assets in one investment pool, everything from

pensions to the Alberta heritage savings trust fund through to other funds that the government holds, including one or two endowment funds. You look at the board of directors – I have the annual report here, Mr. Speaker – and we have the former chief executive officer and chairman of the board of the Toronto-Dominion Bank; we have the president and CEO of G. Capital Inc., Mr. George Gosbee; we have some fine corporate leaders from across this country; we have Daryl Katz from Edmonton here. We have 10 members on the board.

I was surprised when I asked in the House here earlier in the session, Mr. Speaker, if perhaps we should have as a representative, or maybe more than one, on the board of directors of AIMCo some individuals who at some point in time, if not already, are drawing pensions from the pools that are being collectively invested by this board. [interjection] That's true, but I think to have them directly on the board would be prudent.

For some reason whenever this board was set up, individuals such as those that may be or are collecting a LAPP pension, the local authorities pension plan, are not on there. I think, certainly, they should be, but they're not. I got sort of a brusque or a brazen answer from the minister of finance, and life went on. But when you look at AIMCo – and I would encourage all members to look at the 2009-10 annual report and see for themselves – I can't understand why we would be reluctant to put representatives from the pensions that are invested in this pool on the board.

Now, we're talking about the directors and officers acting in good faith, and we're hoping that this bill will clarify the government's ownership structure of the corporation to remove any ambiguous language around directors' conflicts of interest. We're also looking at other amendments to make sure that AIMCo must act in the best interests of its clients when delivering their investment management services.

Speaking of investment management services, this is an issue that the government goes to all the time whenever we compare internal and external costs for assets under management. It's quite interesting to compare those costs. We had a discussion on this at the Heritage Savings Trust Fund Committee quarterly meeting the other day. I asked questions on this matter in the fall session, and I came to the conclusion that the minister of finance at the time wasn't up to speed on the file because it was the most confusing of answers.

Whenever we look at the costs externally for assets under management, they're totally out of control. Totally out of control. The assets that were managed externally, Mr. Speaker, lost \$542 million in value, but of course we see performance fees for these losses of \$25 million, other investment costs for this pool of cash, which was in value over \$12 billion, that were \$126 million. It was interesting to hear that: oh, well, we're going to get these costs under control, and isn't this wonderful? My question, which went unanswered, was: who was responsible for this? Who was responsible for setting up these deals where, regardless of whether any value was created, these costs were incurred? That's why Bill 12 as we know it would be an excellent bill if we will be able to get to the bottom of this.

Now, a constituent came into the office last Friday, as a matter of fact, Mr. Speaker, and talked about AIMCo. This gentleman was an accountant by profession but retired. He asked me if AIMCo, of all organizations, was going to be investing in the new arena in Edmonton. I was quite taken aback by that question from the constituent. He's got every right to direct that question my way, as far as I can see. He had read in our householder that I had sat on the Heritage Savings Trust Fund Committee, and it was a valid question. I said: no, I don't think so, but Mr. Katz, of course, is on the board, and I don't think that is anything that's been dis-

cussed. Certainly, it hasn't been discussed, to my knowledge, in this House, Mr. Speaker. So that would be an example of an investment that AIMCo possibly, potentially could make.

They invested recently in a 3P freeway – I believe you could describe it as that – in Chile. Chile is a rapidly developing country with a lot of resources that the rest of the world wants and is willing to pay a good price for, so maybe that road is a good investment. We will see through the course of time.

The governance of AIMCo is very, very important, and that's why we need to have a close look at what is going on with this bill. The motivation behind turning AIMCo into a Crown corporation was supposedly to remove the politics from investment decisions. If investing in an oil company, for example, makes sense from an investment management perspective, it should not be impacted by politics. AIMCo's mandate is to maximize returns for pension plans and endowment funds and not to worry about the political leanings of the day.

3:10

Now, there should be some caution in fully supporting this bill. I haven't had a chance to go through the Auditor General's report, that was tabled here this afternoon, for April 2011, but certainly the office of the Auditor General has highlighted several concerns with AIMCo in the past. While it is desirable to have AIMCo as an arm's-length organization, again I would urge this House to consider putting some individuals that have an interest through their future pension income on the board. I see absolutely nothing the matter with that. It's not unusual. It's not an unreasonable request. But until the concerns raised by the office of the Auditor General have been sufficiently addressed, the government should not entirely set AIMCo free, so to speak. The minister of finance is ultimately responsible for the pension and endowment funds under management; thus, the minister of finance should ensure that AIMCo is functioning properly. AIMCo now has, certainly, a number of issues. We all know that we don't have effective whistle-blower legislation in this province, Mr. Speaker.

Now, if members want to refer to the annual report for 2009-10 of the AIMCo board, or the AIMCo corporation, whatever you want to call it, whatever you're familiar with, you can easily see or follow what I am saying here. When AIMCo was set up, of course, we had a lot of trouble in the world financial market. In fact, there was a meltdown of historic proportions, or of historic record, in the fall of 2008. At that time there were significant writedowns of \$2 billion to \$3 billion in paper losses in public and private investments within AIMCo. AIMCo has always operated at arm's length from the government following the creation of it by a former minister. I believe I can name him because he's no longer a member: Dr. Oberg. I think he was responsible for bringing this forward. We heard the arguments of what was going on in British Columbia and that it would certainly work as well in Alberta.

Since its creation, AIMCo has delivered minimum value-added to the investment pool. While this is going on, AIMCo has introduced what some people would call a Wall Street style investments compensation structure. This structure rewards underperformance with multimillion-dollar bonuses presided over huge budget increases at the expense of taxpayers and pension members in this province. I don't have the confidence. Perhaps I will over time. I realize that the corporation was set up at a very difficult time in our international financial history, but we have to be careful here.

Now, AIMCo introduced this Wall Street style, as they call it, compensation structure at the same time that such compensations were coming under intense worldwide scrutiny by everyone, from

the governments that bailed out some of these enterprises to the taxpayers that were footing the bill and, in some cases, homeowners and pensioners. While it is true, in my view, that compensation levels are comparable to those of the largest Canadian pension plans, AIMCo's incentive structure differs in that it is set up so as to grant these million-dollar payments even in the absence of real value-added, Mr. Speaker. Specifically, whenever we look at the 2008 writedowns with the \$2 billion to \$3 billion in mark-to-market paper losses incurred in the calendar year 2008, it's important that we remember that it's calendar years, not fiscal years here.

Now, in 2008 it was implied that there would be \$2 billion to \$3 billion of mark-to-market paper gains in subsequent years irrespective of any value-added activity by management. Indeed, over \$1 billion in gains were recognized in calendar year 2009 and, my research indicates, over \$500 million in calendar year 2010.

Now, there was a stretched value-added target of \$500 million given for calendar year 2009 and for calendar year 2010 in full expectation of exceeding the target due to the forthcoming mark-to-market recoveries on the legacy assets.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Thank you very much, Mr. Speaker. A couple of reference points in the discussion this afternoon, which I have followed with considerable interest. I hope that the Member for Edmonton-Riverview hasn't been too disappointed by some of the observations of his colleague from Edmonton-Gold Bar relative to this bill. Quite frankly, the content in Bill 12, that we're examining today, and the improvements really do not in any way impinge upon some future amendments that could be contemplated. But the Minister of Finance and Enterprise, now the minister of Treasury and Finance and Enterprise, has been quite right not to add an additional opportunity, if you will, for people who are members of the public service, both serving on AIMCo as well as our government appointing those members to pension boards. I think that the duality of that role might be wrong.

Let's not lose sight of what AIMCo was constructed for. It was a construct made to be at arm's length from government to earn as much revenue as possible in the best interests of the taxpayers of Alberta. The shareholders of Alberta want more money out of it. There are other avenues for people who are recipients of pension funds to be a part of that, but the primary purpose for AIMCo is to divest it of some of the bureaucratic impositions that might have been in place in the past to manage the funds, with the hope that we could gain even more. By the member's own acknowledgment there has been a stellar performance of AIMCo in 2010, and I want to just make that point.

The Member for Edmonton-Riverview made the point that the directors not only have to do what's right and prudent but appear to do so. I remember clearly the investment in the company that was contemplated and was done, in fact, without consultation with the political process, and by the acknowledgment of Edmonton-Gold Bar that's exactly what should be done.

The uniqueness of that investment in that particular company was that it was done at a time when AIMCo in the past had not been investing many of its dollars in Alberta-based companies. But this particular investment, which has proven to be extremely satisfactory and extremely wise because it has benefited the people of Alberta – it's gained very strong financial returns – was an opportunity not only to invest in the very best province and in a company in the very best province but to in fact illustrate where this could be something that could be contemplated.

We've gone all the way from a situation where Norwegian funds, the sovereign wealth fund, has chosen not to invest within its country, but in Alberta the delineation of AIMCo gave an opportunity to look at that through the eyes of the directors. What is our responsibility here for the directors? To appoint the very best and to make sure that they act in a prudent fashion. The wording in this assures that and talks about the responsibility of the individual and the compliance of that individual in the conduct that they're imported to have and follows through with that.

3:20

One small, additional comment I should make is that I, too, have not had a long and extensive review of the newly tabled Auditor General's report. Much to my belief, from page 101 in the April 2011 report of the Auditor General, tabled today, the outstanding things that have been contemplated are primarily centred in AIMCo around the technology and the importance of getting that technology right. That has been worked on not only by AIMCo but by Finance and Enterprise so that the management controls are in place.

It was always understood that that would take a period of time because there are many shared swap agreements. Managing those and managing the financial reporting requirements are, I think, being prudently done. The quote in the report is, "The following [management] recommendations are outstanding and are not yet ready for follow-up audits." So the AG has mentioned that.

If I might just say, I think we've heard a lot on this bill, but I'm assured, at least, that the Member for Edmonton-Riverview states that he would support it. I would hope that the rest of the Assembly would similarly support this bill and get on with it.

**The Deputy Speaker:** We have 27 seconds for Standing Order 29(2)(a).

**Mr. MacDonald:** For a question, please.

**The Deputy Speaker:** Go ahead.

**Mr. MacDonald:** I have a question, and certainly I have more than 27 seconds. Correct?

**The Deputy Speaker:** Sixteen seconds now.

**Mr. MacDonald:** Was that a speech or a question?

**Ms Blakeman:** That was a question to you.

**Mr. MacDonald:** That was a question to me? How would I know that, Mr. Speaker?

**The Deputy Speaker:** Now we get back to the bill. Any hon. member wish to speak on the bill? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It is also a pleasure to rise and speak to Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011. My comments will be quite brief. I've just been scanning the piece of legislation right now, attempting to get a sense of the purpose of this legislation. I think, just as sort of an overarching statement, my understanding is that when AIMCo was first established, in 2007, it was the position of the NDP caucus at that time that we were not necessarily in support of imposing this governance model upon the management function of these important public dollars. We were concerned at the time that there were certain key elements of the work of AIMCo over which the government must have continued accountability.

One of the areas, for example, was the issue of executive compensation. For instance, in 2008-09 I believe the five top executive positions received a total of \$5.3 million in compensation. I believe that was at a time when AIMCo had actually suffered some very significant losses, but I stand to be corrected on the timing of that. Again, in 2010 we see that these positions received \$2.7 million in compensation.

The concern at the time was that in certain areas around accountability we were losing control. Certainly, that was one area, and we see that this bill does not address that area in any way. I remain concerned about the application of different sets of rules to these staff at AIMCo. Having said that, this particular bill seems most focused on redefining a little bit the goals and the purpose of AIMCo, in particular focusing on the objectives of the board to act in the best interests of the designated entities.

Of course, there is sound reason for establishing that objective. Absolutely. These are important funds, and we want to ensure that these funds grow in the way that is best for Albertans, so I'm not unaware of the arguments around establishing that particular priority. However, in doing that, we also see the deletion of the current section which requires the board to consider whether in the exercise of a power in the best interests of the corporation the Crown or the director or an agent of the corporation has to have due regard to the interests of the Crown in doing that. It seems to me what we're doing is that we are making it very clear or we are limiting the degree to which AIMCo has to have due regard to the interests of the Crown. Again, I'm just flipping through this bill right now trying to get a sense of this, and if I'm wrong, I look forward to being corrected in subsequent bill debate on this.

I'm concerned, then, for those obvious cases where you can see the interests of the designated entities coming into conflict with the interests of the Crown and how that might be resolved. Of course, the quintessential example of that, which I think there has been discussion on with respect to AIMCo in the past, is the practice of investing in the tobacco industry. It's very clear that it's not in the interests of the Crown to promote the tobacco industry because, of course, of the cost to the public purse in health care costs that have been clearly associated with the tobacco industry. That actually has a negative impact on the interests of the Crown as it relates to expenditure on health care costs, et cetera.

[The Speaker in the chair]

On the flip side it may well be something that is in the best interests of an investor because we know that tobacco companies are awfully good at making money. That's kind of an example of the conflict. I'm curious about the impact of these changes in terms of redefining the primary objectives of the AIMCo board and the corporation. What is the outcome of those changes on that kind of scenario? I think that we need to ensure that there is some political responsibility. These are public funds, and I think the public wants to know that we're not going to be investing in, you know, companies that, say, engage in activities in developing countries which would be subject to international criminal investigation, for instance. I mean, there's a whole long list of activities that one would be concerned about. Essentially, we're talking about different levels of ethical investment.

I suppose that at the end of the day, when you look even specifically at the interests of the Crown, you have to consider how these things impact back on the government as a whole. I would be looking to see what kind of explanation would come from the sponsor of this bill with respect to what the implications are for this change on these kinds of concerns and discussions, which have taken place in this House in the past.



With those brief comments I will take my seat, and I look forward to receiving more information as the bill debate progresses. Thank you.

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

Are there additional speakers? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you, Mr. Speaker. I would like to just follow up. The hon. member made reference to executive compensation relative to the amendment on Bill 12. She did reference the fact that, I believe, there were five executives on the AIMCo board that, I think, received executive compensation of something like \$5 million. I just wanted to clarify if, in fact, that was the case based on what she understood.

**The Speaker:** The hon. member if you wish.

**Ms Notley:** Thank you. Again, I certainly stand to be corrected, but my understanding is that in '08-09 the senior executives of AIMCo did receive bonuses in the amount of roughly \$5 million. That's the kind of thing where, as you decrease government accountability, as you revise the structure to ensure greater independence, you're more likely to get those kinds of compensation packages coming into play. I would suggest that that is not necessarily something that taxpayers as a whole would be in support of, that we need to keep these kinds of things in line with reasonable expectations, and that in that particular case those did not fit that description.

3:30

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. As a follow-up, of course, in terms of what was taking place both on Bay Street and on Wall Street with these executive bonuses, I'd be very interested to see if the member believes that, you know, the executive bonuses – I understood that in terms of this Legislature there are no bonuses, and I'm proud to say that as we're members of the House. The fact is that AIMCo is an extension of the government, so I guess I would be wondering on the amendment if the member supports these executive bonuses at a time when the economy is literally going into the sewer.

**Ms Notley:** Well, in general, of course, we don't, and I think most Albertans don't. I think that's why executive bonuses have been limited in the public service overall. That, of course, is why when AIMCo first came into play, we were concerned about the structure, that didn't give the government accountability over that.

Now, the reason I raised this concern was simply that here we are amending the act, and it would have struck me as an opportunity to address this issue. It's not addressed in this particular piece of legislation, and it's a disappointment that we're not in fact focusing on creating more accountability rather than ignoring what seems to be a fairly major lapse in accountability.

**The Speaker:** Hon. Member for Edmonton-Gold Bar, are you on the Q and A?

**Mr. MacDonald:** Yes, I am.

**The Speaker:** Through the chair.

**Mr. MacDonald:** Yes, certainly, and I apologize, Mr. Speaker.

The hon. Member for Edmonton-Strathcona indicated that in 2009 there were long-term incentive plan bonuses, whatever you want to call them, paid of \$4.4 million. I'm looking at page 47 of the annual report of AIMCo.

It also indicates that there was an annual incentive plan – I'm referring to page 41 – in 2009 that paid out or set aside \$2.3 million, and in 2010 it set aside \$9.8 million. That's a significant increase of well over \$7 million from 2009 to 2010. How does the hon. member feel about that? In particular, it wasn't sort of an exceptional year for the investments.

**Ms Notley:** Well, I must say that I really appreciate the Member for Edmonton-Gold Bar pointing that out because my information just talked about this \$2.7 million, and I had missed the \$9 million figure. I must be one year behind in that. Certainly an increase to \$9 million suggests that, indeed, the concerns of our caucus, at least initially, about this train sort of going off the tracks as you continue to distance this organization from any form or mechanism of true government accountability seems to be coming to fruition.

Certainly, the Member for Edmonton-Gold Bar is correct that those kinds of bonuses and compensation packages are not the kind of thing that most Albertans would ever believe are reasonable. Indeed, in the face of the economic performance of the province at the time that those types of wage packages were developed, it seems that we have two different sets of rules.

**The Speaker:** The time for the question-and-answer section has now left us.

Additional speakers on this bill?

Shall I call the question?

**Hon. Members:** Question.

[Motion carried; Bill 12 read a second time]

#### Bill 14

#### Wills and Succession Amendment Act, 2011

[Adjourned debate March 15: Mr. Drysdale]

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. We had a look at Bill 14, the Wills and Succession Amendment Act. It is a legislative initiative that will clarify the power of the courts under the recently passed Wills and Succession Act, and it applies only to a will of a person who dies after the act comes into force. I understand this act is expected to come into force in January of next year.

This is an example of drafting legislation quite quickly. I can appreciate the discussions that have gone on between the House leaders regarding this matter. This is a technical amendment, we could say, but this amendment affects legal rights, and I'm not surprised, Mr. Speaker, because there have been many exceptions in the last couple of years of legislation or statutes that quickly need to be amended. Well, what's the best way to quickly get something amended? Miscellaneous statutes.

**Ms Blakeman:** No, it isn't.

**Mr. MacDonald:** Well, I agree with the hon. Member for Edmonton-Centre that, no, it isn't.

**The Speaker:** It would really be helpful if you spoke through the chair, who listens very attentively.

**Mr. MacDonald:** Yes. And I appreciate that. I really do, Mr. Speaker.

Now, Mr. Speaker, miscellaneous statutes, as you know from your long and storied career as a parliamentarian in this Assembly, are just used on occasion for housekeeping matters and making sure that i's are dotted and t's are crossed, so to speak, from a legislative drafting perspective.

Alberta Justice requested this amendment in miscellaneous statutes. The amendment, as I pointed out before, is to correct the transitional provision in the Wills and Succession Act. The analysis provided by the Justice ministry indicates that while the amendment may be a small fix, it is also very important since parties have taken legal steps on the basis of the existing wording.

Any amendment to the act which affects significant rights should be brought back to the Legislative Assembly, where the bill sponsor has an opportunity to explain the intent of the amendment and the Assembly has the opportunity to debate the bill without limits placed on the consideration of a miscellaneous statutes amendment act.

Now, I know that the hon. Member for Edmonton-Beverly-Clareview has very strong and passionate feelings about miscellaneous statutes amendment acts, how they should be used and what they should be used for, and I agree with the hon. member. But this amendment from our perspective is surely not housekeeping. It is important to persons whose rights have been affected.

Certainly, some of the key changes, quickly, as I understand them in Bill 14, Mr. Speaker, that relate to the wills in the Wills and Succession Act focus on meeting the testamentary intent of the deceased. Some of these changes, I think there are more than five where the courts will be able to validate a will where the intentions can be ascertained even if the will does not perfectly meet legal formalities. When interpreting wills, the courts will now be able to rely on outside evidence for any intentions that may have been given by written direction. Rules on the interpretation of commonly used words and phrases are updated; for example, the definition of "child" now includes all the children of a testator regardless of parentage. Where a marriage or partnership ends, Mr. Speaker, a gift in the will to the spouse or the partner is deemed to have been revoked. The previous interpretation that a will is immediately revoked upon marriage or the establishment of an adult interdependent partnership is repealed, and rules addressing situations that affect a will but are unlikely to be covered by the will are modernized.

3:40

Certainly, there are different sections that we will have an opportunity to go through in committee, but that, I think, sums up this legislative initiative. The amendments may be a small fix, but they are very important, in conclusion, Mr. Speaker, since parties may have taken legal steps on the basis of the existing wording.

With that, Mr. Speaker, I will cede the floor on Bill 14 to another hon. member of this Assembly. Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm glad that this act was brought forward. I think that for any of us that are of an age where our parents are in that sort of red zone, where they're closer to the end of their life than the beginning, we want as much clarity as possible around wills and estates. I've been doing a lot of work on my mother's estate recently, just trying to make sure that everything is lined up as well as it could be. Man, what a tough thing to get through, especially when you're upset or emotional about things. There is all kinds of stuff to be filed and

done, and everybody wants you to do it yesterday, and then they want you to wait for it. Egads.

I can see, looking at this act, what the problem was. The way the current text is under section 8(1), it says:

Unless otherwise expressly provided in this Part or another . . .

(a) this Part applies to wills made on or after the day this section comes into force,

(b) the former Act continues in force, as if unrepealed, in respect of wills made under that Act;

in other words, before this comes in.

(c) The Wills Act, RSA 1955 c369, continues in force, as if unrepealed, in respect of wills made before July 1, 1960.

Basically, the act applies to when the will was actually made. I think that's sort of what it's saying.

Then section 2, which is the section that's being repealed here, is:

Despite subsection (1),

which I just read,

sections 26 and 37 to 40 apply to wills or alterations of wills regardless of when the will or alteration was made.

I think that's what caused the problem. Now it's a bit clearer.

Despite subsection (1),

which I already read through, these sections apply to

a will or other writing, a marking or an obliteration regardless of when the will, writing, marking or obliteration was made, if the testator died after the coming into force of this section.

That's the clarification that we needed.

I appreciate the minister carrying through and bringing this before the House. It was not appropriate to do through miscellaneous statutes. I'm very happy to have it come through the House so we get a chance to review it more fully and see it in context and ask questions and have them answered. Having had an opportunity to go through this now and to look at all of those things, I have no problem with what's being proposed here. I think it's going to clarify things, for which, as I said, I'm grateful. Anything that can make this process easier and less stressful, given that it's already a stressful time, is much appreciated.

So thank you to the minister for carrying through. I'm more than happy to support this in second reading.

**The Speaker:** Standing Order 29(2)(a) begins to apply on the third and subsequent speakers, so it is available now.

Are there additional speakers?

Shall I call the question?

**Hon. Members:** Question.

[Motion carried; Bill 14 read a second time]

## Bill 15

### Victims of Crime Amendment Act, 2011

[Adjourned debate March 15: Mr. Oberle]

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

Additional speakers? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. We had quite a discussion on the victims of crime fund and the governance around that here the other evening. It's a pleasure to get an opportunity to say a few words about Bill 15, the Victims of Crime Amendment Act, 2011. This clarifies the processes for applying for financial benefits for injury and for death benefits. It sets out detailed procedures for reviews of decisions on applica-

tions. These are consistent with procedures in other administrative tribunals. It removes some existing powers of review boards; for example, to call expert witnesses and to require a medical examination by an approved physician.

Certainly, I think we can support this bill. The amendments, as I see them, in Bill 15 are mostly proposals that provide helpful clarifications as well as establish procedures for reviewing decisions on applications for financial benefits and death benefits that are consistent with the procedures of other administrative tribunals.

The amendments with respect to benefits for injury or a death as a result of a crime add clarity for users of the act. The procedural changes not only promote clarity and fairness for applicants; they are likely to promote good practices in the review process that result in fewer requests for judicial review. There have been seven cases of judicial review since 2005, a relatively high number for a rather new program.

It is particularly welcome that the act's current provision empowering the Criminal Injuries Review Board to require a medical examination by a physician of its choosing is being removed.

We have concerns about the fact that the amendment act provides provisions as to who may apply for benefits, and these concerns, again, are about the regulations. These provisions affect rights under the act, and they should be in the act rather than in regulation, which should be for procedural matters and details. We've had over the years many, many discussions and presentations on how this government loves to rule by regulation, and we're not going to get into that in the discussion of Bill 15 this afternoon, Mr. Speaker.

Certainly, we also continue to have concerns about a previous amendment empowering the director of the act to collect health information from health service providers without notice or consent by the individual. That's in section 13. The fact that health information can be collected without an individual's knowledge or consent and that this sensitive information can go into government files with the possibility of secondary disclosure, as is permitted under the FOIP Act, for some unrelated purpose in the future could be a major disincentive to a legitimate claim.

Finally, I note on behalf of the Official Opposition caucus that the net assets of the victims of crime fund amount to over \$48 million while victims received just under \$14 million last year. While we applaud the fine work of the many nonprofit organizations that receive grants to support victims' services, we do not wish to see the fund created for the benefit of victims being hoarded or diverted into government programs that do not directly benefit victims.

3:50

Now, I heard the other night from the hon. Solicitor General and Minister of Public Security about the consultation on the Victims of Crime Act from December of 2010 through to the end of January of this year. This was an online consultation. The amendment act was introduced in the Legislative Assembly on March 14. One may well ask, Mr. Speaker, how there was time to consider the responses to the consultation, develop recommendations and have them approved, and go through the legislative drafting process in just seven weeks. No report that I'm aware of on the consultation or review process was published. That's a record. The last bill we discussed here in the last half an hour was a bill to correct some of the deficiencies that occurred during the drafting of it. Hopefully, we won't be back in the near future with this bill.

Certainly, I would hope that other hon. members will talk about the history of the Victims of Crime Act, the victims of crime fund, and put some more details regarding this fund on the record. With that, Mr. Speaker, I would like to thank you for giving me the time

to speak on Bill 15, and I look forward to the comments of others on this very important piece of legislation.

Thank you.

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. You know, I've always kept an eye on the victims of crime acts and the fund in particular. It was a very exciting day for me, when I was working for the Advisory Council on Women's Issues. We all came over – the chairwoman of the council, a number of the appointed council members, and myself as executive director – to listen to I'm pretty sure it was the hon. Elaine McCoy, now a senator, who was then the Minister of Justice, perhaps, announce this victims' fund. At that time it would have been the victims' programs assistance fund. We were very excited because it was going to allow that women who were victims of what we now call family violence – it was called domestic abuse then, I think – would be able to access some of the funds in here.

Actually, since then this fund has paid for various programs that were offered by sexual assault centres, a court assistance program, and some counselling services. It's done some good work. I have been critical of it because the program stockpiled an enormous amount of money, in my belief. It had quite a surplus. It may still have quite a surplus – I haven't recently checked, actually – but I felt that that money should not be sitting there.

I think the first time I looked at it was when I was the Solicitor General and Justice critic somewhere between '01 and '04, I think, and it had – I don't know – \$3 million or \$4 million in it. At that time that was still a chunk of change that could have been going out to victims of violence. I think the last time I looked, it was in the \$35 million or \$40 million range, so a significant amount of money that was not going out to victims of crime or victims of violence.

The excuse was always: well, you know, the money for this fund comes from the levy on provincial and federal fines, and it gets collected and gets sent off, and then it finally comes back to the province. The reasoning always given to me was: well, we don't want to spend the money because we don't know how much is actually going to come back to us once everybody takes their cut. I felt that they really did have an ongoing surplus that should have been addressed.

To see this come up again, this Victims of Crime Amendment Act, 2011, of course, piqued my interest. This is no longer the fund that I sat in the audience with such excitement awaiting the launching of. It was replaced by the Victims of Crime Act in November of 1997. I was actually elected by the time that came into being.

It has always been administered by the Solicitor General. What this amendment is looking to do, we're told, is to clarify processes for applying for financial benefits, set out the details of the reviews of decisions or applications, so a sort of appeal process there, make sure that they're consistent with the procedures that are used in other administrative tribunals, and remove some of the powers of the review boards, particularly calling witnesses. Now, my colleague has already talked about that, so I'm not going to go over it again.

What I am concerned about here. God bless them. They have finally done what I have complained about for years. Section 2 of the act is repealing section 1(b) in the original act, in which child includes an illegitimate child, which I was always really offended by. I don't see how any child could be illegitimate. I know there was a legal definition that was very commonly in use. I'm just offended by it. I think every child is legitimate. How could you

possibly put a stamp on some kid's forehead? [interjection] Thank you. My colleague is trying to keep me from getting on a rant here.

Times have changed, and we no longer separate and categorize children based on the marital status of their parents. That to me is very appropriate, but I do note that that is now being changed in April of 2011. It took us a while to get there. I'm shocked sometimes by how long it takes us to get to doing some things that seem pretty self-evident, so a pat on the back to the Solicitor General for finally removing that. Thank you very much. It has been duly administered on my behalf by the minister for seniors. Thanks for getting to that. I just wish it hadn't taken us until 2011 to do it, but a pat on the back for taking that out so we no longer distinguish between children and illegitimate children. Thank you for that.

Now, the second piece that's in here that is causing me, as always, some frustration is a section that my colleague also talked about, which was to share some information. Again, boy, I think we've got to be careful about that. I know that we're trying to track people in the system for reasonable reporting. Fine. We want to make sure people don't rip off the system. But you know what? Every time they do a scientific study on people ripping off government benefits, it comes back with the same numbers. There is 3 per cent of the population which is incorrigible. They are going to try and rip off whatever system they are involved with, and they will probably . . .

**Dr. Taft:** Like Mr. Carson in Ottawa.

**Ms Blakeman:** Yes. Actually, that's not a bad example, Mr. Carson.

But they are going to do it in whatever system that they're involved with, and they are usually successful because they're pretty persistent in trying to do it. All of these other imagined rip-offs of government benefit programs just aren't there. I can't believe the number of people that buy into this. It's like an urban myth. The people that phone my office and say: well, I know that person was ripping off welfare because I saw them smoking a cigarette. Well, smoking is still legal if you're over 18, and nothing says that when you get a welfare benefit, you can't go out and buy cigarettes with it, but: oh, it's ripping off welfare.

Anyway, collecting information, trying to track the reporting of it is fine, but I think when we get into Committee of the Whole, I'm going to make more of a point of coming back about potential challenges or what I would think could be breaches of individual privacy around what's contemplated in this act. I can sense that the patience of the Assembly to follow me through this convoluted story today is not quite there, so I will return to it when we're in Committee of the Whole because I think this is important, and I have no wish to see people victimized twice, which is what happens.

4:00

I cannot begin to describe to you guys how important privacy of personal information is but also how easy it is to breach that, whether it's just one little child's finger on a send button or an enter button and your information or someone's information has gone across the world forever. You cannot get it back. You can't stop it once it's gone into cyberspace.

Government is the last bastion of protection of people's personal information, and, yes, we are the people that are responsible. We as government are also responsible for collecting information and making sure that we're tabulating and keeping statistics. But you don't need to use people's defining information to do that.

You need enough information, but – you know what? – sometimes we keep all this information that we don't need to.

We have an example of that that was before us in the news today. Information was to be used when people were applying for a job and starting a job with the school board in Edmonton. It wasn't to be kept in a file forever, but indeed it was. Then it was on somebody's electronic thingamajig.

**Dr. Taft:** Memory stick.

**Ms Blakeman:** Memory stick. Thank you for the technical term, but everybody knew what I meant.

It was on the memory stick, and somehow it's gone missing. Therefore, we now have for 7,000 people that were involved in some way with the Edmonton public school board: their personal information, including banking information, and, you know, their resumé details, so that's going to include a home address, a phone number, a date of birth, a social insurance number – whoosh. This is what makes my hair catch on fire. Why do we keep repeating the same mistake over and over and over? And we do.

I'll be honest with you. The Minister of Service Alberta has not helped by disbanding the group that was in her department that actually gave advice because, Mr. Speaker, when I took this seriously and went out and tried to encrypt my laptop so that I couldn't be accused if I left it somewhere of letting information out, it was not easy.

Frankly, the Information and Privacy Commissioner could not help me with how I was supposed to do this. They said: well, just do it. I said: "But how? Do I buy a program? Is there a thingummy that I plug into it? What do I do?" And they said: just do it. Great. Thanks.

IT couldn't help me. I ended having to phone around to a bunch of other people to get information on how the heck I was to encrypt this computer. I ended up buying a computer program for 150 and some-odd dollars and loading it onto my computer. So now it encrypts everything I do, and if it got lost or walked away or whatever, what they would get out of it would be gobbledygook. Without the encryption password they can't get anything from it.

I had to do the same for the thingamajig that I back up everything with every Friday. That was another 100 and some-odd dollars. [interjection] Well, you know exactly what I mean as long as I've described it well.

So it's not easy, but, boy, you've got to do this stuff. I'll just put the fire in my hair out and sit down now that I've given everyone a lecture on that. Sorry. I do get carried away, don't I?

Generally I'm in agreement with the principle and the direction of where this is going in second reading. I just have some very particular problems with certain sections of it. I will come back and address those in Committee of the Whole, which is the appropriate place to go word by word, sentence by sentence, clause by clause.

Thank you for the opportunity to speak to the principle of the bill in second reading, Mr. Speaker.

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

Then I will recognize the hon. Member for Fort McMurray-Wood Buffalo to participate in the debate.

**Mr. Boutillier:** Thank you very much, Mr. Speaker. I just wish to stand and compliment the Solicitor General and Minister of Public Security on Bill 15, the Victims of Crime Amendment Act, 2011. I do believe that this is a noble bill, and it's intended to help the victims of crime. I think this is positive. We'll have more comments to add when it arrives at committee, but I stand to

compliment the Solicitor General on what I believe is to be in spirit potentially a good bill.

Thank you, Mr. Speaker.

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

Additional speakers? The hon. member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It's a privilege to be able to rise and speak to this bill in second reading. There's a lot of stuff going on in this bill, and I have information that both supports the bill but also raises some concerns about what's going on in the bill. I'm going to just flag some of those concerns in the hope that, again, as debate goes forward, perhaps we can hear some answers to the concerns that are raised.

My understanding is that the bill appears to do, essentially, two things. One, it talks about making some changes to the processes around the Criminal Injuries Review Board, and then the second part deals with the issue of benefits and to whom those benefits would be payable.

Also, it talks about targeting grant funding for programs and organizations.

I guess the area about which I actually have some concern initially is the changes that are being proposed with respect to the processes that would be relied upon under the Criminal Injuries Review Board. Although they are characterized in the briefing notes that we've received from government as adding flexibility and speeding up the process, I have to say that as I review them – and I reach to my own experience of acting as an advocate on behalf of people within administrative tribunal processes – in fact, what we may well be doing is setting up a process of extreme frustration for the appellant, who in most cases is the victim of crime.

In short, the first thing we're doing is saying that when the person goes to have a review or a hearing, should they be allowed to have one – they go to the hearing and prepare their submissions, prepare their argument, prepare what they're going to say in order to convince the person that's reviewing their decision to change the decision, you know, and they'll put together all the information they can find – the minute they bring in information that's new information, that wasn't before the director or a delegate of the director in the initial decision, the hearing stops, and all that information has to go back to a delegate of the director to make another decision.

So here you finally got sort of your day in court. You've had your chance to have your hearing, and you're hoping that you will get it all out at once and deal with it, and hopefully the decision will go your way and you're done. No. Instead, you have to stop the whole process, shift the evidence back to the director, and then the director or their delegate will re-adjudicate the issue. Then if you don't like it, well, you can try going back to the review board again. Well, in the review board's mind I suspect that makes things easier for them, but I'm not convinced that it actually makes things easier for the victim. I'm really not.

The other thing I see and hear is that the ability of the review board to actually change the decision is also limited. Instead, if they review everything and decide that the initial decision they're reviewing was not made appropriately, they send it back to the director to re-adjudicate. I have to tell you, Mr. Speaker, that in my previous job I had the really unfortunate experience of being in a situation where I would have the person I was representing caught in this no-man's-land between an appeal board that would say: "You know what? This was a really poorly rendered decision." They would then send the decision back to the decision-making body, who would then make the same decision again.

Then it would go back to the appeal board, and the appeal board would go: "Yeah. No, we still think this is a really bad decision. You should change it." And it would just go around and around and around.

I remember that right before I got elected, I had one particular decision that had done that two or three times, and the poor person in question had been subjected to this idiocy for about a year and a half. It was finally resolved about a couple of months after I was elected.

The last thing you want to do in administrative law is hamstringing a review body from being able to get to the heart of the matter and fix the problem and instead force them to create these bureaucratic turnstiles. So I'm a little concerned when I see in this bill that that appears to be the system that we're setting up. As I say, while it may make things easier for the Criminal Injuries Review Board, it is not going to make things easier for the victims that come before them. Now, if I've misinterpreted that, I look forward to having somebody lay that out very clearly in bill debate going forward, but that's certainly what I see in what I've read thus far. I'm quite concerned about that.

**4:10**

The other thing that I am also a little bit concerned about is the introduction of a 10-year limit on applications. I understand certainly that you would have a two-year limit applied after the time you became aware of the injury or became aware of the criminal act. That there would be a two-year limitation makes some sense. But I am concerned about the piece that says that in any event nothing will be done after 10 years.

As we know, there's a fair amount of literature out there that would suggest that particularly where people are victims of crime in their youth, it may take a very long time for them to come to terms with that fact and to develop the capacity to respond to or address the fact that they were victims. Indeed, the very damage that the victim compensation review board is designed to address may well interfere with that person's ability to pursue their rights under the Criminal Injuries Review Board. By putting a blanket 10-year limitation in place, I'm worried that what we actually are standing to do is exclude and disqualify people from gaining access to this fund, and I'm a little concerned that the profile of the group that we would be most likely to disqualify are, in fact, children who suffered criminal abuse and injury, perhaps at the hands of their caretakers. That's a concern that I see potentially becoming a problem as a result of this bill.

The third piece of it, I understand, is that what we are looking to do is expand the scope of the organizations that would be eligible for funding through that part of the fund that works with groups that assist victims, and I do think that that piece of the legislation is a good development. I think it allows groups that are not necessarily working directly within the court system but are in fact working within the community with populations who are primarily victims of crime – with this, of course, I'm thinking often about women's shelters – the opportunity to gain access to these funds. I think that from that perspective that is an improvement. If I'm interpreting the implications of this amendment correctly, I do see that that is a definite improvement with the bill.

I remain concerned about the first two pieces that I've just mentioned, so I do genuinely hope that I'll receive some advice on those issues from the sponsor of the bill as we move forward with further debate and further progress of the bill in the House.

Thank you.

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

**Dr. Taft:** Yes. Thank you, Mr. Speaker.

**The Speaker:** Under 29(2)(a)?

**Dr. Taft:** Under 29(2)(a), yes.

**The Speaker:** Proceed.

**Dr. Taft:** Thank you. I was interested in the comments from the Member for Edmonton-Strathcona. I really appreciated her brief account of a client she had who got caught in this sort of a catch-22, I guess.

I've noticed that the victims of crime fund now is expected to have net assets of \$47 million, and I am wondering if the Member for Edmonton-Strathcona has seen anything in Bill 15 that might enable more of these assets to be distributed to victims of crime. They do hand out several million dollars a year, but this fund has grown and grown and grown. I'm wondering if the member has any sense of victims of crime who may have legitimate concerns or claims that are not being met or if there's anything in this legislation that does expand the scope of the fund or if the member believes that if it's not in here, it should be here to make sure that this fund just doesn't keep growing immensely when we have victims of crime who are perhaps not getting adequately compensated. If she has thoughts on that, I'd be interested to hear them, Mr. Speaker.

Thank you.

**The Speaker:** The hon. member if you wish.

**Ms Notley:** Well, thank you, Mr. Speaker. Again, I'm just sort of doing a provisional review of the bill as it's going forward, but, you know, I think that the Member for Edmonton-Riverview raises two very good points. I think that from the perspective of the direct awards of payments to victims I'm concerned that what this may well result in doing is actually limiting the amount that is paid out through that particular mechanism, as I said, through what I was describing before, by imposing this limitation period and also potentially creating a bureaucratic pathway that will just leave people with so much frustration, they just walk away from it.

My understanding – again, I certainly do stand to be corrected – is that this in theory opens the door for more organizations to become eligible to receive funding out of this growing fund, and in that sense I think that would be a good thing. Obviously, it makes no sense to have this fund simply accrue value and not be paid out

to those very important organizations throughout our community, all of which are struggling horrendously to provide the services that are so important to Albertans.

I'm not sure what the current statistics are, but I certainly know that within the last five years we've been at one point or another identified as having the highest rate of domestic violence in the country. I know that we also, at times anyway, have been identified as having the lowest per capita funding for support to victims of domestic violence, and we know that that is a primary area that remains unaddressed. As a result, it would certainly be much appreciated, I think, by all Albertans if we can find a mechanism to improve distribution of these kinds of funds, particularly to those areas and to those service providers who work so hard.

Then, of course, as I said before, we had I think the Member for Calgary-Varsity talking about a young child in care. I can't remember the particulars of it, so actually I probably shouldn't refer to that because that's probably not the indications of what happened to that child.

I do know that we have a lot of kids in care who are themselves victims of crime. That's why they're in care. The services that we are able to provide to those victims, particularly when they are in the range of 12 to 18, are sorely, sorely lacking in this province. We have way too many kids who are not able to find any kind of secure home or any sort of consistent level of support. They're on the street, and they're bouncing from place to place to place. What we need is more support for services that provide the kind of assistance to those kids because so often they are themselves the victims of crime.

**The Speaker:** Alas, hon. member, the time has elapsed.

Additional speakers?

Shall I call on the hon. Solicitor General and Minister of Public Security to close the debate?

**Mr. Oberle:** I'll call the question, Mr. Speaker.

[Motion carried; Bill 15 read a second time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. Given the hour and the weather I would move that we call it 4:30 and adjourn until 1:30 p.m. on Monday the 18th.

[Motion carried; the Assembly adjourned at 4:20 p.m. to Monday at 1:30 p.m.]

## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to April 14, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

### **1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft.), 553-62 (Mar. 24 aft.), 618 (Apr. 12 aft., passed)

### **2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c4]

### **3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c3]

### **4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft.), 618 (Apr. 12 aft., passed)

### **5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

### **6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

### **7 Corrections Amendment Act, 2011 (Oberle)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

### **8 Missing Persons Act (VanderBurg)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

### **9 Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**

First Reading -- 113 (Mar. 1 aft., passed)

Second Reading -- 185-86 (Mar. 3 aft., passed)

Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)

Third Reading -- 305-08 (Mar. 10 aft., passed)

Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]

- 10 Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft.), 618 (Apr. 12 aft., passed)
- 11 Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft.), 552-53 (Mar. 24 aft.), 618-27 (Apr. 12 aft.), 661-62 (Apr. 13 aft., adjourned)
- 12 Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft.), 675-79 (Apr. 14 aft., passed)
- 13 Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)  
Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force March 18, 2011; SA 2011; c2]
- 14 Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft.), 679-680 (Apr. 14 aft., passed)
- 15 Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft.), 680-684 (Apr. 14 aft., passed)
- 16 Energy Statutes Amendment Act, 2011 (McQueen)**  
First Reading -- 482 (Mar. 22 aft.)  
Second Reading -- 552 (Mar. 24 aft., adjourned)
- 201\* Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)  
Committee of the Whole -- 464-68 (Mar. 21 aft.), 579-88 (Apr. 11 aft., passed with amendments)
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203 Alberta Get Outdoors Weekend Act (Rodney)**  
First Reading -- 152 (Mar. 2 aft., passed)  
Second Reading -- 588-89 (Apr. 11 aft., adjourned)
- 204 Justice System Monitoring Act (Forsyth)**  
First Reading -- 304 (Mar. 10 aft., passed)
- 205 Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
First Reading -- 362 (Mar. 15 aft., passed)
- Pr1 Alberta Association of Municipal Districts and Counties Amendment Act, 2011 (Rogers)**  
First Reading -- 550 (Mar. 24 aft., passed)
- Pr2 Galt Scholarship Fund Transfer Act (Pastoor)**  
First Reading -- 507 (Mar. 23 aft., passed)
- Pr3 Auburn Bay Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 515 (Mar. 23 aft., passed)
- Pr4 Cranston Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed)
- Pr5 New Brighton Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed)



- Pr6      TuscanY Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed)
- Pr7      Hull Child and Family Services Amendment Act, 2011 (Rodney)**  
First Reading -- 516 (Mar. 23 aft., passed)



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday, April 18, 2011

Issue 24

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Monday, April 18, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. As we all gather to begin a new week in our Assembly, we are reminded of the blessings which have been bestowed upon Alberta, and we give thanks for this bounty. May we conduct ourselves in our deliberations in ways that honour our province and all of its people. Amen.

Hon. members, I would now like to invite Ms Colleen Vogel, who is in the Speaker's gallery, to lead us in the singing of our national anthem. I would invite all to participate in the language of one's choice.

### Hon. Members:

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

**The Speaker:** Thank you, Ms Vogel.  
Please be seated.

### Introduction of Visitors

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

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to the members of this Assembly the former governor of South Carolina, David Beasley, and the director of Stewardship Foundation, Wes Anderson. Governor Beasley and Wes were involved with co-ordinating the national prayer breakfast for over 4,000 people.

We also have the former MP for Peace River here with us today, Albert Cooper. Albert served his constituents for three Parliaments and leads the organizing committee for the Alberta Premier's prayer breakfast. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lindsay:** Well, thank you, Mr. Speaker. It is indeed my pleasure to rise and introduce to you and through you to all members of this Assembly Mr. Bill Purdy, a friend and former member of this Assembly who served the constituency of Stony Plain from 1971 to 1986. Mr. Purdy has served his community for many years in various capacities. He is a charter member of the Wabamun Fire Department and a former chief. He is the current mayor of the village of Wabamun and the current executive director of the Alberta Fire Chiefs Association. As well, Mr. Purdy is the president of the former MLA alumni association. Bill is seated in the Speaker's gallery, and I would ask that he stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Speaker. The Royal Canadian Geographical Society, or RCGS, recently celebrated its 80th anniversary. Its founder, Dr. Charles Camsell, and its first honorary vice-president, J.B. Tyrrell, of dinosaur bone fame, are very familiar to Albertans. The society's worthy objective is: making Canada better known to Canadians and to the world.

Mr. Speaker, seated in your gallery today is a man who has done exactly that. Mr. John Dunn is a noted arctic explorer. Financed in part by the RCGS, he completed a very notable feat last year, traversing Ellesmere Island in the High Arctic on a 55-day unsupported expedition on foot. Pulling a sled over 250 kilometres of ice, Dunn's small but intrepid group then put wheels on the sled for a further 250 kilometres, and if that wasn't enough, there was a final trek of an additional 250 kilometres on top of all that. Now, the *Canadian Geographic Magazine*, published by the RCGS, has featured five of his arctic adventures.

Mr. Speaker, my current private member's bill, the Alberta Get Outdoors Weekend Act, will be debated in second reading this afternoon, and I dare say that John is a staunch supporter of it. I was honoured to share adventures with Mr. Dunn and our illustrious Sergeant-at-Arms over lunch today, and they both have incredible stories to tell. John has spoken to many school groups about Canada's uninhabited, largely unexplored far northern reaches and his explorations there. Fortunately, he'll do so again at our very own School at the Legislature class. Mr. John Dunn is in your gallery today. I'd ask everyone to give him a warm applause.

Thank you.

### Introduction of Guests

**The Speaker:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It is indeed my pleasure to introduce to you and through you some bright young students from the School of Hope in Vermilion. The School of Hope is an online school that has very quickly developed as a centre of very good instruction and delivers very good students all over Alberta. They are here today with their parents – Mrs. Amanda Ulan, Mrs. Beverly Lunghamer, Mrs. Kelley Thompson, Mrs. Maria Sinding, Mr. and Mrs. Oudshoorn, and Mrs. Mary Jane Heck – and their teacher, Mrs. Elaine Johnston MacMillan. I would ask them all to please rise and accept the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you a group of very bright and special young students and their parents and helpers from Boyle, Alberta, within my constituency. We've got 31 students accompanied by their teacher, Mrs. Jahala Chrnyk, and parent helpers Karen Mandel, Sheldon Weatherby, Candy Nikipelo, Mel Brewer, Sheri Bencharsky, Susan Murphy, Margaret Gallinger, and Gleason Gallinger. They're going to be here all week for the School at the Leg., and I am very pleased to say that I'm going to be able to spend some time with them. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Chase:** Merci, M. le Président. Je voudrais présenter à vous et, avec votre autorité, à tous les membres de l'Assemblée un groupe d'étudiants du neuvième niveau de l'école Branton qui nous visitent de Calgary-Varsity avec leurs professeurs, M. Boulanger, Mlle Laura Crosby, Mme Adriana Bobbitt, et Mme Shanna

Corning. If these students and their teachers could please stand so the members of the Assembly could please welcome them in our traditional fashion.

**The Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. Today I have two introductions. If you'd allow me to proceed with the first, it's an honour and a privilege to introduce to you and through you to all members of the Legislature four very special guests. Mr. Jack Clements, a long-time constituent of mine and a good friend, is a member of the Edmonton downtown Rotary Club and serves on the student exchange services committee. You may also recognize that he has served on the board with the School at the Legislature.

Accompanying Mr. Clements today are three exceptional international Rotary exchange students. Carlos Antonio Roman lives in Portoviejo, Ecuador. He's 17 years of age and currently attends Ross Sheppard high school. It's been his desire to participate in the exchange program as a result of the wonderful experience that his brother received when he was in the program, and he tells me that he has, perhaps, a future in architecture.

Arthur Meert, from Liège, Belgium, is 18 years of age, currently attends Ross Sheppard high school, and has one brother 16 years of age and two sisters, 14 years and 10 years. Canada was his first choice in the program. We're very fortunate to have him come to Alberta to learn and experience what Alberta has to offer, including the cold weather and snow. He loves sports, particularly soccer, and he intends to go to university next year and take political science although he informs me that his life is not that of a politician but, rather, of a journalist because he thinks it might be less in the public eye. I think he's right on that.

1:40

Tobias Brander Hejslesen lives in a small town named Birkelse in Denmark. He's 17 years of age, living in Leduc, and he attends Leduc composite high school. He's hosted by the Nisku-Leduc Rotary Club. Tobias also loves sports. In Denmark he always played soccer; while here he's learned to play football. He played on the high school team in the fall and is now playing community football for the Leduc Cats as a starting receiver and kicker. We expect that he will be back with us shortly to play for the Edmonton Eskimos. He's looking forward to a career in mechanical engineering.

Mr. Speaker, these are truly amazing students with many special talents. They arrived in Edmonton and Leduc last August, sponsored by the Rotary clubs of Edmonton and area, and will be here until the end of the school year and into July. We hope that they continue to have a rich and rewarding experience in Canada and will take many great memories home with them. I would ask them now to rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I'm also pleased to introduce to you and through you to members of the Assembly on behalf of the Minister of Advanced Education and Technology a group of seven interns who are currently learning on the job within that ministry. These interns come to us with diverse educational and professional experience, so they are well equipped with the knowledge and skills to succeed. In fact, they've already made many important contributions to the division where they work. With us today are Stephanie Ridge, Ben Hartt, Rahul Deol, Susana Giron, and Matt Buffet, and they're accompanied by their department colleagues, Barry Tonge, Theresa Vladicka, Brent Wellsch, Janelle Derko, Jill Westergard, and Colleen Grawbarger. They're seated in both the public gallery

and the members' gallery. I'd ask them to rise and receive the traditional warm welcome of our Assembly.

**The Speaker:** The hon. Minister of Environment.

**Mr. Renner:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to members of the Assembly the 2011 provincial winners of the Caring for Our Watersheds contest. I had the pleasure of meeting with these outstanding young people earlier today, and in describing their projects that brought them the honour of winners, I can assure you that these young people are more than deserving of the honour that they have received.

The winners have come from Milk River, Calgary, Whitefish Lake, and Ponoka, and I'm very pleased to introduce them to you. The students are Cam Reed, Sierra Harty, Luke Hemingson, Austyn Nagribianko, Jenna Brake, Breanne Emes, and Rachel Selke. They are accompanied by proud parents Ms. Reed, Mrs. Harty, and Russell Hemingson along with their teacher, Daniella Perillat; also, Lindsey Metheral, the global Caring for our Watersheds project co-ordinator from program sponsor Agrium; and Nathalie Stanley, central Alberta Caring for our Watersheds program co-ordinator from the Battle River Watershed Alliance. I believe they're in the members' gallery. I'd ask that they stand and receive the traditional warm welcome of all members.

**The Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly five guests representing the Alberta Rehabilitation Integration and Care Services and Sabrang Radio: Mr. Pierre Hournou, Mr. Rajesh Angral, Miss Ellen Adahnom, Jean-Claude Jassak, and Dr. Félicien Mufuta. They are seated in the members' gallery. I'd like to ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you a group joining us from the Academy of Learning and Digital School in Edmonton, all seated in the members' gallery today. Elmer and Audrey Brattberg are the owners of the two schools. With them today are Coryne Yacocha, administrative co-ordinator; Michelle Chez, the west Edmonton Academy of Learning valedictorian; Colin Spallin, the Digital School valedictorian; and Dagmar Sánchez, a student at the Academy of Learning, legal administrative assistant diploma program. At this time I ask all of my guests to please rise and receive the traditional warm welcome of the Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It is truly an honour and a privilege for me to rise today to introduce to you and through you to all members of the Assembly two guests that are seated in the members' gallery from the constituency of Edmonton-Decore. Levent and Mine Cetin are two very hard-working individuals, wonderful people who immigrated to Canada from the country of Turkey to make a better life for themselves and their two-year-old daughter, Mavi. Levent is a chemical engineer by profession working on the APEGGA certification while working with the company WorleyParsons. Mine, a true-spirited individual, a new Canadian citizen this year, is currently attending the international nursing program at NorQuest College. It is truly an

honour and a privilege, and I am proud to receive them today at the Alberta Legislature, their very first visit here. I bid them all the best and success in their chosen professions, and I would like to ask them to please rise now and accept the warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you very much, Mr. Speaker. It's a real pleasure for me to rise and introduce to you and through you a number of constituents seated front and centre in the members' gallery today. We have Jeff Suderman and his wife, Kasie, and with them are their sons, Justus and Kaden, as well as their daughter, Zoë. The purpose of their trip today is an educational one as they home-school their children. They're here to witness question period, and I trust that it will be a positive experience for them; I can only hope. I would ask them to now rise and accept the warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Rutherford.

#### Alberta Academic Health Sciences Network

**Mr. Horne:** Thank you, Mr. Speaker. Alberta is known internationally for its leadership and success in the field of academic medicine. What many Albertans may not realize is that the key to this success is not only the result of this province's record of funding medical research; it is due largely to our commitment over many years to a fully integrated academic health sciences model that incorporates research, clinical care, and education of health professionals in one organizational structure.

Here in Edmonton a unique partnership between the former Capital health region and the University of Alberta positioned this city as one of the top academic health sciences centres in North America. This model was the driving force for projects such as the Mazankowski Alberta Heart Institute, the Alberta Diabetes Institute, and many other Alberta success stories.

Until recently, Mr. Speaker, the creation of a single provincial health services authority raised some serious concerns about our ability to maintain Alberta's proud record of success. That is why I was pleased to learn of the creation of the Alberta academic health sciences network, a partnership between Alberta Health Services, the University of Alberta, and the University of Calgary. This provincial approach to ensuring excellence in academic health sciences is not limited but, in fact, made possible by the creation of Alberta Health Services and its partnership with not one but two universities of international distinction.

It will improve care, increase the translation of research into action, and enhance Alberta's competitive advantage nationally and internationally. It will help us deliver on Alberta's health research and innovation strategy and Campus Alberta initiatives, and it will ensure that we are positioned to recruit, train, and maintain the very best clinicians, researchers, and educators the world has to offer.

Mr. Speaker, for those sincerely interested in improving health and health care for future generations, growing and diversifying our economic base, and positioning this province as the global leader we know it to be, I encourage all members to actively support and promote the work of the Alberta academic health sciences network.

Thank you.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. The Alberta Medical Association, representing over 6,500 physicians, has joined the now deafening chorus calling for an independent judicial inquiry. What did the Premier do? He immediately dismissed the AMA's call. The AMA president is quoted as saying: "A public inquiry should be held 'into issues of physician intimidation in Alberta's health care system' . . . it is time to clear the air, and a public inquiry . . . is the best forum in which to accomplish this." Mr. Premier, will you finally listen to the AMA and the 6,500 doctors it represents, do the right thing, and call a public inquiry?

1:50

**Mr. Stelmach:** Mr. Speaker, the AMA president also said that if the government will go ahead with the Health Quality Council, they will participate, they will co-operate, and they will do whatever they can to get all the information to the Health Quality Council.

**Dr. Swann:** Duck and dive, Mr. Speaker.

Given that we don't know how many millions of dollars this government has paid to silence doctors it pushed out of the province, how can the Premier honestly say that a public inquiry would cost too much? What's the truth worth, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, once again – and the health minister can add to the answer – just because there's a public inquiry does not mean that the disclosure documents will be opened. Those disclosure documents can only be opened by the co-operation between the two parties that entered into the disclosure document, which would be the employer and the employee.

**Dr. Swann:** Well, given that the AMA members believe that "a public inquiry offers the best opportunity to change the culture within Alberta's health care system," when will the Premier admit that the experts are right and that your attempts to hide the problems are fatally flawed?

**Mr. Zwozdesky:** Mr. Speaker, I need to jump in here because there are a number of things that the AMA has also said that are important. They've talked about the AIP, which puts in process a very good vehicle by which they can address issues that are on the minds of physicians. They talked about creating opportunities to innovate. They talked about creating opportunities to develop more clinical networks that would enhance the delivery of care and the involvement of specialists. That's exactly what we're doing. The process that is there allows them to come forward with yet more suggestions for advocacy or, if they wish, to air some differences from the past.

**The Speaker:** Second Official Opposition main question. The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. Those who forget history are destined to repeat it. This government was warned by internal and external sources about the crisis in our health care system over the past decade and then some and chose not to fix the problem but, instead, to intimidate and silence those who spoke up, the health

care workers, using well-rewarded, loyal lapdogs to do it. To the Premier: given that this affidavit of records right here and on your desk and the e-mails I've tabled and will continue to table are proof that you, your caucus, your health CEOs and the college were aware of these concerns, why did you not act and still refuse to act?

**Mr. Stelmach:** Mr. Speaker, there's nothing stopping any doctor who has a nondisclosure agreement from speaking with the Health Quality Council. In fact, that hon. member has one himself, and I see he's advocating for physicians right in the most public assembly in the province of Alberta, right here.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Again to the Premier: how can any health care worker in Alberta have any confidence in this sham review that you spoke so highly of, the Health Quality Council's terms of reference, which turned out to be wrong initially and then had to be changed after I talked to Dr. John Cowell, given that Dr. Cowell's cheque is paid by the minister?

**Mr. Stelmach:** Well, I don't know what discussion the hon. member had with one of the members of the Health Quality Council, but the Health Quality Council has an excellent record. They did their own terms of reference. They have some of the best legal advisers in the province of Alberta to make sure that the process is fair, is transparent. They're going to give us an initial report in three months. They're going to follow up with an interim report in six and the complete report in nine months.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Again to the Premier: how can you say that there is any independence given that the new president of the College of Physicians and Surgeons is a paid AHS senior executive employee? A classmate of the chief of staff was brought in by the former Minister of Health and Wellness and his EA, the Member for Edmonton-Rutherford. How can you say that there's any independence given that she's an employee of AHS?

**Mr. Stelmach:** Mr. Speaker, just a few seconds ago – in fact, it must be hot off the press because it's pretty warm from going through the copier. I have some documents here that were entered in the Court of Queen's Bench some time ago. Again, a statement of claim is not a statement of fact. That is the big, big difference. A statement of claim is a claim that some individual is making towards the employer. What happened in terms of the statement of fact is a lot different.

**The Speaker:** Third Official Opposition main question, the hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. Dr. Ciaran McNamee's list of records outlines potentially relevant correspondence between him and several individuals over a 10-year period, that he could produce if a public inquiry were to be held. Within this list are government officials and doctors such as Sheila Weatherill, Dr. Ken Gardener, Dr. Trevor Theman, and Dr. Tim Winton. Because the Premier refuses to call a public inquiry, we might never know what's inside these documents. Wouldn't the Premier agree that accessing these documents would help get to the bottom of the issue of physician intimidation?

**Mr. Stelmach:** Mr. Speaker, it's a very simple matter. The doctor can approach the Health Quality Council and say: look; I'm will-

ing to open up the disclosure document if my former employer agrees. Why doesn't he ask Alberta Health Services? What if Alberta Health Services says, "Yeah, let's open up the document and then have all Albertans see what's inside"?

**Dr. Swann:** Mr. Speaker, given that the Health Quality Council has neither the power to subpoena nor the ability to compel testimony of persons subject to nondisclosure agreements, like Dr. McNamee, how does the Premier plan on finding out what's inside these documents? No legal protection.

**Mr. Stelmach:** It's very simple. The doctor can approach the Health Quality Council and make a statement. "I am willing to open up the disclosure document." Then he can call Alberta Health Services. "Are you willing to open up the document and bring the whole document over to the Health Quality Council and get this over with once and for all?" There is no guarantee that going to a public health inquiry, the disclosure document will be opened. It can't. It's legally not possible.

**Dr. Swann:** Mr. Premier, will you guarantee that Alberta Health Services will participate in such an inquiry?

**Mr. Stelmach:** Alberta Health Services are the employer. They are the employer. They have to reach an agreement with the doctor. They are the ones that signed the disclosure document, not the government of Alberta.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. We all know that the health minister is actually quite the dancer, but last week he tried his luck at being a stand-up comedian. In explaining why the government continues to refuse a public inquiry, he recited the Alberta Evidence Act word for word. Apparently, this was very funny as all his colleagues behind him were hooting and hollering with laughter. To the Premier: do you still think that ignoring the need for this public inquiry into physicians' intimidation is funny now that the Alberta Medical Association has called for it?

**Mr. Stelmach:** Mr. Speaker, as I said before, the Health Quality Council is in the process of opening up the review. This review will be very intense. Following their own terms of reference, they will bring people forward that they feel should be making and delivering evidence before the Health Quality Council. They are going to do a good job. They have good legal advice. According to what I've heard from physicians, they just want to get this on so that this matter can be settled once and for all.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Again to the Premier: given that Friday's letter from the AMA was an unprecedented show of courage from Alberta doctors, whose only concern is the well-being of their patients, does he not realize that by refusing this public inquiry, he is trivializing the concerns of Alberta doctors and their patients?

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Thank you, Mr. Speaker, in fact what the letter of last Friday also indicated was that the AMA is willing to participate and willing to co-operate in part B, which deals with physician advocacy and allegations of intimidation. They also stated in that letter that they have already submitted very good suggestions on how to improve the review process. Clearly, the AMA understands

both sides of this coin, and I think they're working hard to show that with good faith and good leadership in that regard.

2:00

**Mrs. Forsyth:** Mr. Minister, they want both. They want the Health Quality Council, and they want a public inquiry.

Given that under this Premier's watch public confidence in the health care system has eroded, will he finally call this public inquiry so we can start to reduce so much of the damage that his government is responsible for in this current health care system?

**Mr. Zwozdesky:** Mr. Speaker, let me just read you the clip here because, clearly, they're not getting it over there. It's dated April 15, 2011. It's The President's Letter from the AMA, which I will table shortly. Here's what they say on page 2:

If, however, the HQCA review remains the only formal venue where physician intimidation is examined then the AMA will cooperate. We have offered suggestions to improve the effectiveness of the review, e.g., remove barriers posed by non-disclosure clauses; release physicians from any contractual obligations or provisions under agreements that could silence or deter them . . .

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

**Mr. Mason:** Thank you very much. When Alberta's doctors say that it's time to clear the air with a full public inquiry into doctor intimidation, the Tories accuse them of playing politics. Mr. Speaker, it's more intimidation. This government is more interested in covering its posterior than improving our health care system. Why won't the Premier recognize that there is a serious lack of confidence by health professionals in the health system today that can only be corrected by a full public inquiry?

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Thank you. You know, Mr. Speaker, let me make this very clear. If there are some doctors out there – five, 10, 20 years ago – who felt angry, who felt some anxieties, who may have even felt alienated, I'm truly sorry about that. But I can assure you that under the current policy no such allegations are being made at the moment that I'm aware of because there's a new spirit of co-operation. There's a new agreement. We issued a joint news release with the Alberta Medical Association just a few days ago. And, yes, I have heard a few grumblings, but I have yet to see any formal complaints in that regard.

**Mr. Mason:** Given that this minister's assurances are worth almost nothing, Mr. Speaker, and given that doctors are saying that a full public inquiry is the only way to change the culture of intimidation within Alberta Health Services and given that the accusations of intimidation continue to pile up, will the Premier finally take these charges seriously, call a judicial inquiry, and restore doctors' confidence in the system?

**Mr. Zwozdesky:** Mr. Speaker, I would wager to say that the vast, vast majority of doctors have great confidence in this system. I would venture to say that the doctors appreciate that we are the first government in all of Canada to give them a five-year guaranteed funding plan, a five-year health action plan, and the performance measures to back it up. I would wager to say, however, there may have been a few, years ago, that had some trouble, perhaps, going from a clinical role to a management role, and that is an area for discussion.

**Mr. Mason:** Mr. Speaker, given that this minister can just say black is white and expect people to believe it and given that the

AMA has said, as we've told this government for months, that the Health Quality Council does not have the proper powers to look into this, why won't the Premier admit that he's misleading Albertans by pretending the council's investigation will actually get to the bottom of anything?

**Mr. Stelmach:** Mr. Speaker, the Health Quality Council membership is one that has an excellent record, tremendous integrity. These are physicians that have not only worked in the system, but they have years and years of experience. Again, coupled with the fact that they have two of the best legal minds that'll be supporting them in an advisory fashion, this is the way to go. They're starting the process. The first report will be, like I said, in three months, the second one in six months, and they want to bring closure to this in nine months.

**The Speaker:** Hon. members, I would like to provide just a little caution with the last comment, something along the lines of: why won't he admit that he is misleading? That is really on the edge, hon. member.

The hon. Member for Calgary-Mountain View.

### Public Confidence in the Health Care System

**Dr. Swann:** Thank you, Mr. Speaker. Last week the Auditor General released what the *Calgary Herald* has called "the latest scary snapshot of Alberta's health-care system." In his report the Auditor General said that in 280 past recommendations the government has ignored, 53 were directed to Alberta Health and Wellness. To the minister: when does the minister intend to implement recommendations first made seven years ago to improve accountability of Alberta Health Services to the minister by ensuring performance expectations are set, reviewed, and followed up?

**Mr. Zwozdesky:** Mr. Speaker, I'm grateful for this question because it'll allow me to set the record straight. There were about 27 or 28 recommendations for Alberta Health and Wellness, almost an equal number or thereabouts for Alberta Health Services. In fact, the vast majority of those recommendations have been implemented. We're just waiting for the Auditor General now to review the implementations. So they were acted on, they were accepted, and they are in place today. Now we just need that final audit by the Auditor General himself.

**Dr. Swann:** Fifty-three recommendations, Mr. Speaker, ignored for seven years, and he's hoping we'll buy that.

When will the minister implement the recommendation made five years ago and start explaining and quantifying key factors affecting health care costs in the ministry?

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Thank you. Mr. Speaker, the other part of this is that a lot of the recommendations simply cannot be implemented in a day or a week or a month. They take some time. When you're looking at recommendations to compare health costs with health outputs, for example, that is an enormous task. It takes a few years to see if there is a difference being made. I can assure this member, based on what I've heard and seen and read so far, it is improving, and it's working well.

**The Speaker:** Hon. Member for Fort McMurray-Wood Buffalo, I was having difficulty hearing the response given just a minute ago. I'd ask you to please be attentive.

The hon. leader.

**Dr. Swann:** Thank you, Mr. Speaker. Given such blatant and long-standing disregard for the recommendations of the Auditor General, how does the minister intend to restore confidence in the public health system?

**Mr. Zwozdesky:** Mr. Speaker, there are a number of things that we're doing, and I want to clarify that I have the highest of regard and respect for the Auditor General. As I've said, to my knowledge the recommendations were accepted. Many have already been implemented. There are a few that are taking longer to implement, but the confidence question is all about the five-year health action plan. It's all about the new agreement in principle we have with the Alberta Medical Association. It's about involving them and us in a review of primary care. It's about reaching out to Albertans for issues that are important to them such as improving cancer care access, such as reducing wait times for emergency rooms. I could go on.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Beverly-Clareview.

### Education Funding

**Mr. Hehr:** Thank you, Mr. Speaker. This weekend I had the pleasure of attending an open exchange with the education stakeholders at the School Councils Connection 2011. Actually, the Minister of Education did as well. At this event we both heard concerns about teachers and essential sports staff being laid off because of this year's Education budget. I've also heard from the minister himself at recent public events that this may be a time we should actually be hiring teachers and not laying them off given that we will be having . . .

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. It was a wonderful weekend for education. We had approximately 120 students from around the province of Alberta at a Speak Out Alberta conference with a hundred chaperones, which were teachers and parents and others. Student engagement: students talking about what kind of learning creates the environment which makes them want to get up and go to school. On the other side of the city we had parents from parent councils across the province at the association of parents' councils annual general meeting, talking about what makes good engagement for parents and how parents can be involved in the education system. It was a wonderful weekend for education, talking about how we go forward, how we look at the future with a positive manner.

**The Speaker:** Well, I'm very happy that everybody is happy, but let's deal with questions on policy, not how we feel.

The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. Given that the current Education budget appears to be the definition of penny-wise and pound-foolish because school boards will have to lay off teachers at a time they should be hiring them, can the minister rectify this current shortfall?

**Mr. Hancock:** Well, Mr. Speaker, school boards have to deal with the budgets, obviously, and it is in a time of fiscal restraint, so what they should be doing, in my view, is looking at everything they do to determine what they're doing that adds value, what things could be cut out. It will be very difficult, and in fact there will be some difficulty. If the number of retirements is not as high

as otherwise predicted, indeed there may be a tough time in terms of new teachers. Over the longer period of time we will need more teachers. Over the next 10 years we expect a hundred thousand more students in the education system.

**The Speaker:** The hon. member, please.

**Mr. Hehr:** Given that admission don't you think that it's just unwise for us to be creating a budget that forces school boards to be letting teachers go when you have essentially said that we're going to need them next year and the year after that?

**Mr. Hancock:** Mr. Speaker, I'd be delighted to get into the details with respect to that in the estimates tomorrow in Committee of Supply. Let me just say this. Creating budgets and the allocation of scarce resources is always the most difficult job in government. Whether you're in a school board or whether you're at the provincial level, there are always choices to be made. Would I prefer to have more resources in education? Always. There's always something more that you can do. There's always something better that can be done. There are always more projects that can be engaged in. The fact of the matter is that governments have to be fiscally responsible.

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

### 2:10 Response to Auditor General's Report

**Mr. Vandermeer:** Thank you, Mr. Speaker. Last Thursday the Auditor General released his April 2011 report. While this is a smaller report than the October report, it still contains important recommendations and items that need to be addressed. In fact, Mr. Speaker, this recent report added 11 new recommendations to a growing list of recommendations for government to respond to. To the hon. President of the Treasury Board: how and when is the government responding to the Auditor General's office report released last week?

**The Speaker:** The hon. minister.

**Mr. Snelgrove:** Thank you, Mr. Speaker. To the hon. member: we respond to the Auditor General's report on an annual basis. More importantly, though, we work with his recommendations on an ongoing basis. We take all of the recommendations of the Auditor General very seriously as presented in his report. He also has ways to categorize some that are more important as key recommendations, key numbered recommendations, and also recommendations that are of importance but certainly won't have the consequences if they're not implemented as soon.

**Mr. Vandermeer:** In that regard, how does the government ensure that the recommendations are taken seriously and that efforts are made to act on these recommendations sooner rather than later?

**Mr. Snelgrove:** Mr. Speaker, because the actions of our government prove it. We have very, very consistently responded to critical, or numbered, recommendations from the Auditor General. If we have been slack, it's in going back into many of the unnumbered recommendations and actually having the time or the resources to audit to show that they have been completed and need to be moved off the books. Quite honestly, we're more interested in continuing to go forward rather than just clearing the shelves of old recommendations.

**Mr. Vandermeer:** Again to the President of the Treasury Board: why are there 280 outstanding recommendations from previous years' reports?

**Mr. Snelgrove:** Mr. Speaker, the recommendations from previous years cover a very broad spectrum. They include the universities and the colleges, and they include Crown corporations that are at arm's length, and it is sometimes difficult to encourage them to work as hard as they can. We're all facing a limited number of resources. We have agreed at the Audit Committee with the Auditor General that we would collectively work – with him, the government, and the other agencies – to try and remove the backlog of old recommendations.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Rocky Mountain House.

#### Royal Alberta Museum Construction

**Ms Blakeman:** Thank you very much, Mr. Speaker. In reporting its fourth-quarter finances to shareholders, Bird Construction of Toronto announced on Friday that the Alberta government has terminated its contract to build the earlier version of the Royal Alberta Museum. As usual, the contract is not public nor readily available through freedom of information as it involves a third party, so taxpayers have no idea what the deal was. To the Minister of Culture and Community Spirit: will the government have to pay out any kind of penalty for terminating this contract?

**Mr. Blackett:** Well, Mr. Speaker, that contract was handled by the Minister of Infrastructure under his department. I'm not at this particular time aware of any penalties or any dollars that have to be paid out as a result of that decision.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Then back to the same minister: is the government going to guarantee preferential treatment in the bidding process as compensation to Bird Construction for cancelling the earlier contract?

**Mr. Blackett:** Well, Mr. Speaker, I can categorically say no. There won't be any preferential treatment. As the minister indicated before, we're going to open up this contract to those Alberta companies and those companies world-wide because we want the very best possible new museum at its new location, and we're not going to tie our hands otherwise.

**The Speaker:** The hon. member.

**Ms Blakeman:** Well, thank you. Could I get clarification as to whether the government is cancelling this previous contract with Bird Construction or not? I don't know what a verbal termination is. Can the minister or perhaps the Treasury Board clarify that for me?

**Mr. Snelgrove:** Mr. Speaker, virtually all the contracts, when you're dealing with items as specific as the museum or things that may be out of the ordinary, have clauses in them that are specific to that. We did anticipate that we may move the museum, so we did have in the contract opportunities to stop. There will be some costs for design work that was done and some progress that was made on the museum. There's no question that that will be paid out. It has not been a total loss as some of it has resulted in improvements to the building of the current museum.

**The Speaker:** The hon. Member for Rocky Mountain House, followed by the hon. Member for Calgary-Varsity.

#### Mountain Pine Beetle Control

**Mr. Lund:** Thank you, Mr. Speaker. For many years we've been battling the pine beetle, with great success, I might add. We've known for a long time that the primary host species of pine was the lodgepole pine, but now through good research done by the University of Alberta, we've learned that, in fact, when push comes to shove, the beetle will move into Jack pine, another major species of pine in the province. My question is to the Sustainable Resource Development minister. What impact will this have on the health of the forest industry?

**Mr. Knight:** Well, Mr. Speaker, what we know now, something that we had suspected, actually, for quite some time, is that the mountain pine beetle can actually find a very good host in Jack pine trees, and as we go forward, there could be others as well. What this does is that it opens up a whole new set of host trees for mountain pine beetles and most certainly in the province of Alberta. But more seriously than that, I think that this opportunity now has to be looked at by some of our partners in other provinces – Saskatchewan, Manitoba – and perhaps the federal government because this is the last . . .

**The Speaker:** The hon. member, please.

**Mr. Lund:** Well, thank you, Mr. Speaker. I was interested in knowing what, if any, changes will be made in our attack on the beetle.

**Mr. Knight:** Mr. Speaker, I would suggest that what we've done right now has been quite successful, and I believe that we'll continue the program that we have, with some single and small-stand tree removal and burning and then harvest management to get rid of infected trees and looking at harvest management in the next host trees as we move forward. We've moved our plan into effect in the central-northern part of the province, where the last wave of beetles moved in. We'll continue to work on . . .

**The Speaker:** The hon. member, please.

**Mr. Lund:** Thank you. My final supplementary to the same minister: has there been any discussion with the other provinces – Saskatchewan, Manitoba – and, in fact, east of that and with the federal government as to what the plan might be?

**Mr. Knight:** Well, Mr. Speaker, there have been ongoing discussions, and in fact as some of the folks in the House would know, the federal government actually came in and partnered with us for a couple of years on some of the programs that we did. Considering the seriousness of the situation that we have now, where the Jack pine forests across northern Canada could very well be in peril, we believe that the federal government will come forward and assist.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Drayton Valley-Calmar.

#### Nondisclosure Agreements with Physicians

**Dr. Taft:** Thanks, Mr. Speaker. My question is to the Minister of Health and Wellness. Will the minister follow the path cleared just a few minutes ago today in question period by the Premier and

allow Alberta Health Services to open its nondisclosure agreements with doctors McNamee, Fanning, Winton, and others?

**Mr. Zwozdesky:** Mr. Speaker, my understanding is that any non-disclosure agreement that's signed is between two parties, and if they both agree, then so be it. I can't comment on exactly what they may or may not want to do. The Premier made a clear statement as to what they might want to do, and that'll be up to them to decide.

**Dr. Taft:** Well, Mr. Speaker, given that this particular Minister of Health and Wellness constantly intervenes in the detailed operations of Alberta Health Services and given that he actually boasts about being able to pick up his cellphone and talk to anybody in the whole organization there, why won't he intervene to enact the Premier's invitation?

**Mr. Zwozdesky:** Mr. Speaker, the allegations that I'm aware of, that were tabled in this House, pertain to a former health authority or authorities. I don't recall exactly what. If those people wish to come forward – we're dealing with individuals against individuals, potentially. It could be individuals against an employer. I'm not sure exactly what they are because no evidence has yet been provided.

**Dr. Taft:** Well, Mr. Speaker, given that we're dealing with individuals against this government, is the minister of health confirming, then, that he does not support the Premier's invitation that Alberta Health Services open up its nondisclosure agreement with doctors who feel shut up and kicked out by AHS and its predecessors? Is he actually disagreeing with his own Premier?

2:20

**Mr. Zwozdesky:** Not at all, Mr. Speaker. What I'm trying to do is provide clarity for this member, who appears to be off on some wild goose chase again. For those people who wish to come forward or if they don't, it's up to them to come forward, but it's not up to us to direct them because we weren't the employer. The previous health authorities were, or the current Alberta Health Services might have been. If they want to come forward, then they should come forward.

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Airdrie-Chestermere.

#### Abandoned Wells

**Mrs. McQueen:** Thank you, Mr. Speaker. The issues surrounding an abandoned well in the town of Calmar have highlighted the need for changes to regulations to ensure the development accommodates abandoned wells, and there seems to be some confusion on the timelines of this. Can the Minister of Municipal Affairs indicate when government will formally require through regulation municipalities to check for these wells before issuing development permits?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Mr. Speaker, thank you. I want to stress to the member that the province is acting to ensure that similar situations do not happen again. We intend to amend the subdivision and development regulation, and we will require developers and municipalities to identify abandoned wells before a subdivision is approved to ensure that any new developments near such wells occur outside the setbacks that are to be established by the ERCB.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Again I ask the minister about the timeline. When will this timeline happen, and will it be different than the setback timeline?

**Mr. Goudreau:** Mr. Speaker, cabinet will be considering the proposed regulatory amendments later on this spring. I want this House to know that my department issued advisories to municipalities as far back as 1996 to do their due diligence in these situations. Municipalities presently don't need to wait until the proposed changes are formally in place to require developers to check for abandoned wells.

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Finally, to the same minister. Thank you for clarifying that that will happen this spring. Can the minister commit also to sending out a reminder to all municipalities to check with the ERCB before this development happens so that we don't have the same issues happening until your regulations are in place?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. As I've already noted, the guidelines were provided to all municipalities in '96 and then again in 2001 and again just recently, in 2010, for identifying and incorporating abandoned wells into developments. That information on abandoned wells is currently available through the ERCB, and at the same time Municipal Affairs, Energy, and the ERCB are working to ensure that that information on abandoned wells is more easily accessible to municipalities, to developers, and to the public through the website.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Calgary-Varsity.

#### Lower Athabasca Regional Plan

**Mr. Anderson:** Thank you, Mr. Speaker. A couple of weeks ago this government released its draft lower Athabasca regional plan for stakeholder feedback. This plan included the proposed extinguishment of roughly two dozen oil and gas leases, which represent a great deal of value to the companies involved as well as lost economic value to the region and royalties to the province, yet I did not see in this report any estimates from the government regarding these costs. To the SRD minister: has his ministry done an analysis of what it will cost Alberta taxpayers to compensate these leaseholders for the extinguishment of their leases?

**Mr. Knight:** You know, Mr. Speaker, again, I've answered this question, I think, three times now, and I'll do it again, as many times, I suppose, as is necessary so that the individual opposite could understand. What we have here is a situation where we've had a tremendous amount of consultation with the energy industry, by the way, with all of the companies that are involved that these folks speak about, and in fact what we have now is a draft plan for consultation. There is no way that anybody on God's green Earth could tell you what that might cost at the end of the day, when the plan is finalized.

**Mr. Anderson:** Okay. Minister, given that you have put out a regional planning document for feedback that may cost stakeholder companies millions or even billions, may cost taxpayers millions or even billions, and you haven't provided any estimate



of what the costs are to these businesses or to the taxpayer, not even an estimate, how can you expect relevant feedback without these cost estimates? Or is it that you already know that it's bad news for taxpayers and the affected businesses and you just don't want to let them know about it?

**Mr. Knight:** Well, Mr. Speaker, the situation here gets really, really simple. Does the member opposite have any idea what it might cost Alberta taxpayers if one – one – of the petitions now in the federal courts was successful and stopped all of the development in northern Alberta until we have a caribou recovery plan? Does he understand what that might cost?

**Mr. Anderson:** That's a stellar, stellar argument.

A final question to the same minister: will you undertake to make these estimates available to all Albertans so that we can all understand how much the taxpayer is going to pay industry for not developing these particular oil sands properties and also so that these companies' investors have an idea, just an idea, of how this plan will affect their investment decisions moving forward?

**Mr. Knight:** Mr. Speaker, I'll tell you this, clear to all Albertans. This would not be the first time that there's been repatriation of subsurface disposition in the province of Alberta. Some of the very same companies that are involved in conversations with us today around the lower Athabasca plan have in fact negotiated – negotiated – repatriation of subsurface disposition previously. I think that we will be able to get through this in a way that all Albertans understand, well, except for a few folks. Most certainly, the industry understands.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Lougheed.

#### **Patient Advocacy by Physicians** (continued)

**Mr. Chase:** Thank you, Mr. Speaker. The Alberta Medical Association has joined the call for an independent public inquiry into the issue of doctor intimidation in Alberta's health care system. The minister's response as reported by the CBC was to suggest that this is a self-interested ploy to advance its current contract negotiations with the province. To the minister: was the minister suggesting that the Alberta Medical Association, which represents virtually all of Alberta's physicians and medical students, is not genuinely interested in the issues that have prompted the call for a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, what an absurd question. Of course they're genuinely interested. Why do you think we had the meeting and have had several meetings prior and are committed to doing even more meetings going forward? To improve the relationship. If there were some strains there, let's fix that and work together for better health outcomes for Albertans. That's what they've said verbally, and that's what they've said in their letters and in the joint news release that we put out not long ago.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. Given that only a public inquiry will restore trust and given that one of the issues for the inquiry is the harm done to the reputation of individuals who dared to raise concerns about the health system, isn't this latest slur on the profession just more of the same?

**Mr. Zwozdesky:** Mr. Speaker, I don't think that there were any slurs or other misappropriations, frankly, on either side. People have opinions. Some of those are medical opinions. Sometimes you have to get two medical opinions. You know what? There are occasions when those two medical opinions may not coincide. There may be occasions when medical administrators may not agree. There are occasions when we disagree amongst ourselves. That's what open processes are all about.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. Given that the minister is also quoted by the CBC as saying that a public inquiry would be too expensive, can the minister explain why it's okay to spend on secret settlements but not on getting the truth out in the open?

**Mr. Zwozdesky:** Mr. Speaker, I said no such thing. He should perhaps check his sources. What I did say was that I don't see how I could possibly advocate spending \$20 million or \$30 million or \$40 million to wait two to four years for a review and for answers when for a million dollars we're going to have some action right now. We're going to have reports after three months, six months, and a final report with recommendations and actions that we'll actually be able to implement because the people leading the review are credible, knowledgeable medical individuals combined with others.

**The Speaker:** The hon. Member for Calgary-Lougheed, followed by the hon. Member for Lethbridge-East.

#### **Canada-European Union Trade Negotiations**

**Mr. Rodney:** Thank you, Mr. Speaker. Canada and the European Union are currently negotiating a comprehensive economic trade agreement. Therefore, my questions are to the Minister of International and Intergovernmental Relations. How is Alberta ensuring that its interests are represented, and how do we know that we won't be stuck with an Ottawa-European first place free trade deal, with Alberta taking second place?

**The Speaker:** The hon. minister.

**Ms Evans:** Thank you, Mr. Speaker. This is the first time in one of these types of negotiations that Alberta has been involved. It has very much been a leader in the process of gaining that seat at the table and working with other provinces so that we can carve out and focus on special areas where we are more competent than others. There have been seven rounds of negotiations thus far, and we hope to have these Canada-EU negotiations concluded by the end of the year.

2:30

**The Speaker:** The hon. member.

**Mr. Rodney:** Thank you, Mr. Speaker. My first supplemental is to the same minister. It appears that the EU wants greater access to Alberta government procurement opportunities. On first glance it might look like good news, but on second glance won't this take jobs away from Albertans?

**Ms Evans:** Mr. Speaker, our negotiators have the commitment and will abide by the commitment not to see any jobs or sovereignty lost through this process. Our attempt is to assist in growing the pie, making markets more accessible, making it opportune for more agricultural markets, and so on. So it would

grow the pie of more jobs rather than control or limit the existing jobs that Albertans would have.

**The Speaker:** The hon. member.

**Mr. Rodney:** Thank you, Mr. Speaker. My second supplemental question is to the same minister. Could she please elaborate on the EU's fuel quality directive, whether or not it's part of CETA and whether or not this actually negatively affects Albertans?

**Ms Evans:** Mr. Speaker, that's a very good question. The fuel quality directive in its initial form was to carve out the opportunity for any oil from oil sands development to be a part of fuels that would be used in transportation by the EU. We believe it is a carbon fuel policy, a tax on carbon fuels, the FQD, which we believe could mitigate if we weren't careful, so we have been providing strong opposition to any such FQD to be in place.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Strathcona.

#### Effectiveness of Seniors' Lodge Program

**Ms Pastoor:** Thank you, Mr. Speaker. Released last week, the Auditor General's report lists four past recommendations long ignored by the Minister of Seniors and Community Supports. Two of these relate to a program intended to preserve what Alberta seniors value most, their independence. To the Minister of Seniors and Community Supports: when does the minister intend to implement the recommendation made six years ago and improve the measures that Seniors and Community Supports uses to access the effectiveness of the seniors' lodge program?

**The Speaker:** The hon. minister.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I would like to note that we were in front of Public Accounts last week, and this question was raised. I'd like to let the House know that we have been acting on the recommendations of the Auditor General and that in 2005-2006 we conducted the annual surveys. For five years in a row we had an 89 per cent satisfaction rate. At this time we are consulting with stakeholders so that we're able to find the measures that we need to implement to ensure that we can measure the satisfaction at this time.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. To the same minister: when will the minister implement another recommendation, again made six years ago, and improve the processes for identifying the increasing care needs of the seniors in lodges?

**Mrs. Jablonski:** Mr. Speaker, we are implementing those recommendations right now. The Auditor General hasn't had time to catch up with us.

**Ms Pastoor:** Has your ministry ever used the Alberta Health Quality Council to check on the standards in housing, and are all the reports public; in other words, the information and the deliberations and how they actually came to why these recommendations would be made?

**Mrs. Jablonski:** Mr. Speaker, in 2010 we implemented new legislation called the Supportive Living Accommodation Licensing Act, and since that time our supportive living facilities have been complying with those standards. I think that the hon. member will

find that the Auditor General will recognize that we have implemented his recommendations.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Edmonton-Riverview.

#### Unpaid Wages for Temporary Foreign Workers

**Mr. Quest:** Thank you, Mr. Speaker. In the summer of 2007 an employment standards investigation concluded that 132 Chinese workers who worked at the CNRL Horizon's oil sands project had not been paid. My question is for the Minister of Employment and Immigration. Now that three and a half years have passed, have these workers been compensated for their work in our province?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It has been determined that CNRL has indeed paid the contractor; however, it hasn't been determined that the subcontractors have paid the workers. We have been assured by Chinese authorities that the workers have been paid upon their arrival in China. I have paid a personal visit, a protocol visit, to the Chinese consulate to discuss this matter. I requested that the payments to the workers be documented. To date I have not received any such documents substantiating the payment to the workers.

**The Speaker:** The hon. member.

**Mr. Quest:** Well, thank you, Mr. Speaker. I'm just wondering how long this government intends on waiting for this documentation to prove that these Chinese workers were actually paid?

**Mr. Lukaszuk:** Well, that's a good question, Mr. Speaker. I have to tell you that I'm personally frustrated with this matter, and I have to be frank in saying that I don't anticipate that these documents will be arriving. However, I'm hoping to be proven wrong. CNRL has made available \$3.17 million, held in trust by this government. We have now returned the dollars. However, we will have access to those dollars until the year 2017. Once we receive documentation that either the workers have or haven't been paid, we will do what we can within our limited jurisdiction to make sure that these monies are delivered.

**Mr. Quest:** Again to the Minister of Employment and Immigration: what mechanisms do you have in place now that were not in place when this happened in 2007?

**Mr. Lukaszuk:** Well, Mr. Speaker, it was a learning experience, to say the least. Since then we have opened up temporary foreign worker offices in Edmonton and in Calgary. We're now publishing information relevant to workers' rights in a number of languages, including Cantonese and Mandarin. We have put in place processes through which we now control, in a sense audit, employers who hire temporary foreign workers. This was an isolated incident where a large number of workers came in at once and left at once. That has not happened since. But we are paying closer attention to employers who hire TFWs in large numbers.

#### Nondisclosure Agreements with Physicians

*(continued)*

**Dr. Taft:** Mr. Speaker, my questions again are to the Minister of Health and Wellness. Given that Alberta Health Services operates under the same act that its predecessors, the regional health authorities, operated under and given that this act names the Minister

of Health and Wellness as its responsible minister, will this minister quit dodging responsibility and have AHS open all the nondisclosure agreements, as his own Premier suggested?

**Mr. Zwozdesky:** Mr. Speaker, once again, nondisclosure agreements are legally binding agreements made between two parties. If those two parties agree to open up and disclose what is otherwise sealed forever, then they're certainly most welcome to do that. I would hope that if they're asked to, they would do exactly as the Premier suggested.

**Dr. Taft:** Well, Mr. Speaker, section 8 of the act that this minister is responsible for says that the minister may give directions to a health authority for the purpose of providing priorities and guidelines for it to follow in the exercise of its powers and coordinating the work of the health authority with the programs, policies, and work of the government. Will the minister use his legislative authority to have AHS open its nondisclosure agreements with intimidated doctors?

**Mr. Zwozdesky:** Mr. Speaker, there are a lot of things that I can do, direct, and ask to be done. But something that I cannot do and direct to be done is something that is a contractual, legal undertaking between two parties. That is between those two parties; they have to agree. I'm not going to step in and tell people how to interpret the law or to break the law. Heaven forbid.

**Dr. Taft:** Well, Mr. Speaker, given that this minister is the minister responsible, supposedly, for one of the parties involved in this, why is this minister breaking rank with his own Premier and continuing and reinforcing this shameful cover-up?

**Mr. Zwozdesky:** Mr. Speaker, there is no such cover-up going on whatsoever. There is a full, independent process going on. Let's just be reminded of who's leading that review. The chair of the Health Quality Council, Dr. Lorne Tyrrell. Now, here is a credible individual. He's a former dean of medicine at the University of Alberta, a world-respected leader who discovered an oral therapy for hepatitis B, a highly revered medical man. Dr. John Cowell is an equally highly respected man, a former physician in emergency rooms, and a former family practitioner.

**The Speaker:** The hon. Member for Calgary-Fort.

#### **XL Foods Meat Processing Plant Closure**

**Mr. Cao:** Well, thank you, Mr. Speaker. One of Canada's largest beef processors, Alberta-based XL Foods, is ceasing its production in a Calgary plant. This closure will leave hundreds of Albertans without work, and many of them are my constituents. To the Minister of Employment and Immigration: what can the government do for the hundreds of workers and their families that are now left in a vulnerable, worrisome position?

2:40

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Obviously, it's a devastating situation for some 500 families where individuals have lost employment. I have to tell you that my department has been in contact with both the employer and the union in this regard. We have held three what we call workplace adjustment sessions with the workers. Six more are scheduled. We will be working with all the affected workers in assisting them with employment search skills and with contacting potential employers through our offices throughout the province.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister. Some of the employees at the closing plant came from the temporary foreign workers program. What do you have in place to help these guest workers?

**Mr. Lukaszuk:** Mr. Speaker, the hon. member is correct. Some 94, I believe, of the 500 workers affected were temporary foreign workers. They are now being put in contact with our temporary foreign worker advisory offices, primarily in Calgary. Those offices will be providing them with similar assistance as we would to other workers relative to potentially working further with other employers in Alberta. I have to highlight that now our offices are able to provide services to temporary foreign workers in more than 170 languages, so we have the competency to work with those workers.

**The Speaker:** The hon. member.

**Mr. Cao:** Well, thank you, Mr. Speaker. My second supplemental question is to the hon. Minister of Agriculture and Rural Development. XL Foods explained that the closure is due to an insufficient number of mature cattle in Alberta. My question is: why is this number so low? Is our beef industry in danger?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. In fact, a number of factors came together to cause problems, BSE being the most obvious of them, which caused us to have reduced access to a number of markets. These factors, of course, resulted in the western Canadian beef herd shrinking. There is good news, though. Prices have rebounded dramatically, and the industry is strengthening. It takes a number of years for it to recover, unfortunately. It's a business decision. We have the capacity in the province to manage the number of head that we have right now, and until such time as there are more animals, there won't be a necessity for that extra processing.

**The Speaker:** Hon. members, that concludes Oral Question Period for today. Nineteen members were recognized, 114 questions and responses.

In a few seconds from now we will continue with Members' Statements.

#### **Members' Statements**

*(continued)*

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### **Patient Advocacy by Physicians**

**Mr. MacDonald:** Thank you. Last Friday the Alberta Medical Association joined the Official Opposition's call for a full independent judicial public inquiry into allegations of bullying and intimidation of health care professionals by this government. The health minister's pathetic response was to suggest that the sincere concerns of doctors are merely a negotiation ploy for the next master agreement. This minister who is supposed to defend public health care has instead insulted the integrity of our front-line health care professionals. On top of that, the minister had the gall to suggest that we can't afford a public inquiry.

From what hat did the minister pull his estimates? Why is the minister complaining about the cost when the government was only too happy to spend over \$22 million on extra pensions for top

health officials, including a lifetime pension of over \$22,000 a month for the former head of the Calgary region? Another \$22 million in severance cheques was cut to other officials without any public discussion. But there's not enough money for a public inquiry for truth and justice. Maybe we could reduce Alberta Health Services' \$66 million annual travel budget and use the savings to fund a public inquiry for truth and justice.

Since this Premier took power, our health budget has climbed from over \$9 billion to \$15 billion. Where has the money gone? It certainly hasn't gone to improve service.

We have extra millions for private consultants, increased IT, and legal fees, but there is no public money to fund a public inquiry for truth and justice. Shame. Taxpayers and health care professionals deserve to know the truth about allegations of physician intimidation. Lives are at stake. If the health minister wants to balk at the cost, perhaps he should stop spending millions of dollars on hand-picked elites and invest in a public inquiry for truth and justice.

Thank you.

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

#### Scotiabank Pro-Am Hockey Tournament

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's a pleasure to stand here today to congratulate the hockey players who helped raise \$1.2 million this year for the fight against Alzheimer's during the Scotiabank Pro-Am hockey tournament that took place on April 8, 9, and 10, 2011, in Leduc, Alberta. This second annual event provided needed funding for caretaking and research in the battle against Alzheimer's. Specifically, proceeds from the event go towards Help Stick It to Alzheimer's in support of the Gordie and Colleen Howe fund.

Mr. Speaker, the Edmonton tournament included 25 teams, which is up from last year's 18. The hockey teams included NHL alumni, allowing hockey fans of all skill levels to team up with their heroes such as Paul Coffey, Marty McSorley, Dave Lumley, and Bryan Trottier, just to name a few.

It's important to mention that our own health minister was a referee at the all-star event. We also had an MLA all-star team sponsored by Greg Christenson, chair of the Alberta committee to end Alzheimer's. Our coach was Nick Lees from the *Edmonton Journal*, and MLA players were the Minister of Aboriginal Relations, the Member for Calgary-Hays, and myself. Mark Napier was our team draft pick.

I would like to thank Scotiabank for being the title sponsor of Canada's largest annual fundraiser for Alzheimer's, and many thanks to the volunteers and the players who helped raise money and donated their time.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Athabasca-Redwater.

#### Speak Out Student Conference

**Mr. Johnson:** Thank you, Mr. Speaker. I'm pleased to stand before you today and recognize a collaboration of government and Alberta students to enhance our province's education system through Speak Out, Alberta's student engagement initiative. The inspiration for the Speak Out initiative came from the February 2008 throne speech, when the government announced it would engage Alberta students to provide a fresh and youthful perspective on learning.

Asking for students' input and taking action on their ideas is moving us toward creating more actively engaged citizens and a

stronger education system in our province, Mr. Speaker. As testament to that, this past weekend 200 students and 100 parents and chaperones from across Alberta participated in Speak Out's annual student conference here in Edmonton. For the first time ever students and Alberta Education experts worked together in a series of workshops covering a variety of topics such as teaching quality, healthy schools, and designing school facilities for the future. At the same time parents and chaperones benefited from a series of information sessions about current education initiatives.

I'd like to thank the Minister of Education for his public engagement and all of his special work in involving Albertans. Setting the Direction, Inspiring Education, and Speak Out are tremendous engagement initiatives that he should be proud of.

Mr. Speaker, Alberta's youth have a keen understanding of what's important in their learning, and they have a desire to be involved in the improvement of their education experience. They're telling us how education programs can be offered in a way that is supportive, flexible, and consistent with their needs, and as a result Alberta is leading the nation in best practices of student engagement.

I commend Alberta students, ministry staff, parents, chaperones, our minister, and the Speak Out team for their commitment to the collaboration to strengthen the delivery of education in our province.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Hays.

#### Land Stewardship Legislation

**Mr. Johnston:** Thank you, Mr. Speaker. I'd like to rise today and speak about some of the positive support for Bill 10 that I have heard from a number of Albertans. Many Albertans recognize the need for long-term planning, and Bill 10 will ensure that the process for regional planning is transparent. Albertans understand that we need to carefully manage our natural resources in order to provide for future generations and in order to enhance our reputation as an environmentally responsible jurisdiction.

Importantly, legal experts at both the University of Alberta and the University of Calgary have stated that Bill 10 is generous when it comes to protecting property rights. Indeed, some of these experts have said that the legislation goes further than Canadian common law does in protecting and compensating landowners and that Alberta needs this kind of legislation. Ranchers and lawyers in southern Alberta have also emphasized the fact that the intent of Bill 10 is clear and that it protects property rights.

Mr. Speaker, it's good to know that renowned, nonpartisan legal experts support Bill 10. I look forward to more support for it from those who know the issues best.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for West Yellowhead.

2:50

#### Lower Athabasca Regional Plan

**Mr. Campbell:** Thank you, Mr. Speaker. I'd like to rise today and speak about some of the reaction to the lower Athabasca regional plan from the experts at investment firms and equity research departments. Of course, investment firms and banks have large holdings in many oil companies with a significant presence in our province, so they closely monitor regulatory developments and the impact of such developments on stock prices.

Some individuals have expressed concern about the effect that the lower Athabasca regional plan will have on companies with a presence in the oil sands. However, firms such as Edward Jones, Canaccord Genuity, and the Royal Bank of Canada have said that

the impact on oil sands companies will be very modest. Stock prices of many companies that operate in northern Alberta increased after investors had a chance to react to the impact LARP will have on the oil sands leases. Additionally, Mr. Speaker, the LARP, that was released earlier this month, was only a draft plan. Our government will consider changes that are suggested by stakeholders in the affected region.

The lower Athabasca regional plan is important to balance conservation and economic development goals, and it is good to see that the unbiased experts at prestigious investment houses agree on the merits of our plan.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lesser Slave Lake.

### Use of Handguns on the Trapline

**Ms Calahasen:** Thank you, Mr. Speaker. I am a trapper's daughter and proud of it. When my father went on his trapping trips, every now and then I was allowed to go and learn about that lifestyle. It was glorious, and, yes, I was even able to trap a few animals, learn to skin, scrape, and hang the furs for eventual sale. My father carried his gun as life can get scary on that old trapline and sometimes we needed it to accomplish the final deed on the animal.

In those long ago years no one cared when and where you took your rifle or your .22 with you. However, the use of handguns or pistols involved in trapping has always been illegal. A co-constituent of mine and of the Minister of Municipal Affairs, Mr. Gene Walters, was an individual who was incessant in his lobby efforts to be able to use handguns while trapping. Gene Walters was a trapper for more than 70 years of his life and in those times wished and worked with me and the minister and whoever would listen for the ability for trappers to use handguns or pistols. He made impassioned pleas to every minister responsible for trapping and never quit.

To the Minister of SRD: thank you for your vision. To Mr. Walters and all my trappers: your work and your wishes have finally been realized because there has been a recent change to the schedule of the Alberta Wildlife Act, allowing the use of handguns or pistols involved in trapping. With this change in the Alberta Wildlife Act, professional trappers can now utilize legally-owned handguns to dispatch wildlife caught on traplines. Of course, Mr. Speaker, any trapper wishing to carry handguns must meet federal government requirements applicable to handguns.

The benefits of this change, however, extend to both the trapper and the animal because now trappers can dispatch their catch in a more efficient and humane manner while increasing the safety and productivity of trappers. This is the argument my trappers, especially Mr. Walters, have always made. It is indeed unfortunate that such a change in the act did not come into fruition during Mr. Walters' trapping career.

Gene, thank you.

### Notices of Motions

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

**Mr. Mason:** Thank you very much, Mr. Speaker. At the appropriate time I will move that pursuant to Standing Order 30 the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, that the Alberta Medical Association on April 15, 2011, added its voice to the demands for a public inquiry into the health care system, mak-

ing an inquiry under the Public Inquiries Act necessary to maintain public confidence.

### Tabling Returns and Reports

**Mr. Snelgrove:** Mr. Speaker, I'm tabling a response to the hon. Member for Edmonton-Gold Bar on a question raised in Committee of Supply with regard to Treasury Board.

**The Speaker:** The hon. Member for Calgary-Fort.

**Mr. Cao:** Well, thank you, Mr. Speaker. I would like to table a report by the United Way of Calgary entitled Towards Resiliency for Vulnerable Youth. This report documents research into the experiences of vulnerable youth in the transition into adulthood, including the challenges and opportunities they face. Here are the number of copies of the report required by the Assembly.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. On behalf of my colleague the Leader of the Official Opposition I have three tablings. The first is a copy of the letter from the president of the AMA to its members, that has been referred to a number of times already today.

The second is a copy of a letter from the Rocky Mountain Civil Liberties Association, which supports a public inquiry.

The third, again on behalf of the Leader of the Official Opposition, is the CIHI, the Canadian Institute for Health Information, document from March 2011, entitled Wait Times in Canada: A Comparison by Province, 2011. Again, that has been referenced a number of times in question period.

Thank you.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I'm tabling the requisite five copies of letters from citizens in Lethbridge. They are concerned for the youth who may not receive the help that they need to be able to turn their lives around because of the devastating 40 per cent funding cut to 5th on 5th youth programs. They are Jodie Black, Bryce Nugent, Terry Hanna, Keira Irwin, Elisabeth Fujima, Wayne Brown, Paddy Cashen, S. Cashen, Brenda Ikuta, M. Nakashima, A. Bjarnason, Dave Lillemo, B. Brunsdon, and Daryl Herbers.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. Within the next month and a half Sustainable Resource Development has given permission to Spray Lake logging to begin the clear-cutting of one-third, cumulatively, of the Castle-Crown, and the following individuals are very concerned: Isobel Mailloux, Maja Nuyt, Terry Rauscher, Peter Dettling, Linda Barbeau, Mark Barker, Andrew Stiles, Jared McAdam, Randy Tomiuk, Joseph Vipond, Laura Peters, Joy Halvorson, Mike Taylor, Monica and Karoly Ban Matei, Ken and Joan Newman, Gabriel McCay, Nancy Issenman, Joanna Barnes, Tiffany Moore, Connie Smith, Lorraine Campbell, Dave Smith, Bronwyn Elko, Chandra Kraus, and Judy Goodman.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to table five copies of the affidavit of records for Dr. Ciaran McNamee. It's a

50-page document with about 500 and some-odd meetings and letters with many who understood about the cancer issue that I raised.

The second is a series of e-mails between 2007 and 2008, just prior to the election, some of these e-mails to Capital health authority leaders and the hon. Member for Edmonton-Rutherford, warning of the impending poor patient outcomes in the emergency departments prior to the 322 cases that were collected during the election.

Then I have another tabling from Network Health, Inc., listing the key executives in this private surgical facility, one of which is the CEO of the Health Quality Council of Alberta.

I have a tabling from the *Edmonton Journal*, November 14, 1997, an article by Rick Pedersen, saying: WCB letting injured workers opt to be treated in private facilities in the HRC group.

I have a tabling of an *Edmonton Journal* article dated May 8, 1998: Barrett wants cooling off period for public health officials.

I have another tabling from the *Edmonton Journal*, July 22, 1998. "Retirement deal for ex-WCB chief criticized; An 'obscene' package, critics say: but Cowell also praised for improving WCB finances, performance."

I have another article from the *Edmonton Journal*, dated July 23, 1998, by Charles Rusnell: "Minister defends retirement deal for ex-WCB boss."

Thank you.

**The Speaker:** Well, hon. members, I must advise that under Daily Routine, Standing Order 7(7): "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." So, Clerk, I guess we'll have to deal with you tomorrow.

### 3:00 Request for Emergency Debate

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, you have an application under Standing Order 30. Proceed, please, briefly.

#### Patient Advocacy by Physicians

**Mr. Mason:** Thank you very much, Mr. Speaker. Pursuant to Standing Order 30 I move:

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, that the Alberta Medical Association on April 15, 2011, added its voice to demands for a public inquiry into the health care system making an inquiry under the Public Inquiries Act necessary to maintain public confidence.

Mr. Speaker, late on Friday afternoon Albertans were surprised, I think, in some cases to hear that the Alberta Medical Association, representing 10,000 doctors, took the position that the only way to recover confidence in the health care system in Alberta would be a public inquiry. The AMA has changed its position from its previous stand, where an inquiry by the Health Quality Council would be adequate, and that is the position this government has used to shore up its efforts to avoid a proper public inquiry.

It is a concern that the first response of the health minister to this news was to suggest that it was nothing more than a labour union negotiating tactic, a comment, I think, that clearly shows that the continuing agenda of intimidation is alive and is more reason to get on urgently with a public inquiry.

Mr. Speaker, each time another story of problems with the health care system emerges, the government has claimed it is not representative and that there is not an emergency. But the urgency

is created by the volume of concern as much as by any particular incident, a volume that is overwhelming now given the Alberta Medical Association position.

The AMA call on Friday now represents the body speaking on behalf of the province's doctors telling the rest of us that, in their view, this is the only satisfactory way to address these concerns. Mr. Speaker, what can be more urgent than the organization which represents physicians and surgeons who provide health care to all of us speaking out and saying that this is needed in order to restore confidence in our health care system? If those with reason to know can only trust such an action, then it is urgent to deal with this issue immediately.

The AMA letter is a very dramatic action by a normally very cautious body, and it should be of deep concern to all Albertans. It creates an entirely new context for the issues many of us have been raising for some time, and it is a call for this House to stop its ordinary business and have proper debate on this issue immediately.

Mr. Speaker, the health minister's comments that a public inquiry takes too long or costs too much money are absurd. The only way to get the correct answer is to do things the correct way, and everyone except this government that doesn't want its dirty laundry hung out for all to see believes a public inquiry is needed. There is an urgent need for us to set aside our normal day's work to debate this today.

*Beauchesne's* 390 states that "urgency"

does not apply to the matter itself, but means 'urgency of debate', when the ordinary opportunities provided by the rules of the House do not permit the subject to be brought on early enough.

Hence, given that there is no other opportunity to debate the need for a public inquiry resulting from the current crisis in health care, it is important that we address it today.

In *House of Commons Procedure and Practice* on page 695 it says that an emergency debate was approved on

the sudden and unexpected revelation of events which [had] taken place in the past, in that they might precipitate a course of conduct which, if allowed to continue unchecked, would certainly classify itself as an emergency and a matter of urgent consideration.

Mr. Speaker, for decades the government has been interfering in the health system politically and has created chaos in the health care system, and now health care professionals feel that it needs to be investigated. For example, Calgary health board region member Mairi Matheson has said that an inquiry would reveal, quote, some shocking numbers. There have been untimely deaths in large numbers, end quote, as an outcome of the closure of acute-care hospital beds. This is very serious.

The Health Quality Council review is insufficient. It reports to the minister of health. Given the potential for further cover-up and the appearance of systematic interference the Health Quality Council is clearly an inappropriate forum for investigating these potential cover-ups and intimidation. That's why we need an independent judicial and public inquiry as authorized by the Public Inquiries Act with the power to issue subpoenas. The government and its delegates should not be given the power to investigate themselves.

Mr. Speaker, I submit that sufficient proof does exist. For example, Dr. McNamee's court case: in the wake of his lawsuit additional doctors are coming forward to say that they, too, were intimidated. Not only does proof exist that the government did silence its critics, but there's now sufficient evidence to indicate that this is not an isolated incident but part of a broader pattern of intimidation.

Mr. Speaker, it's important that we clear the air. Dr. Paul Parks, head of the emergency section of the AMA, has said that the

health care system is becoming, quote, toxic and that a public inquiry may be the only way to allay public fears. An inquiry held under the Public Inquiries Act is the only way to restore public faith in the health system. Clearly, this legislation exists for this reason. Albertans deserve to know the truth. They deserve clarity, and this debate will create the opportunity for such to occur.

Thank you.

**The Speaker:** Hon. members, the rules of the House indicate that the Speaker may invite the member to briefly state his argument, and they also allow such debate as he considers relevant to the question of urgency. As this is private members' day today and the importance of private members is paramount, in my view, I will recognize two additional speakers briefly. You must speak to the urgency of the matter, the urgency of the question.

The hon. Government House Leader or the hon. Official Opposition House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I do want to speak to the urgency, but I also want to speak to whether, in fact, the motion is in order. On March 14, I believe, this House did adjourn to debate a standing order, and the root of it was that the government silenced critics of the health care system, thereby undermining confidence in the public health and contributing to the crisis in Alberta's health care system.

If we look at Standing Order 30(7),

a motion under this Standing Order is subject to the following conditions:

- (d) the motion must not revive discussion on a matter that has been discussed in the same session pursuant to this Standing Order.

Clearly, the root of what the hon. member is bringing forward today is exactly the same as what was discussed in the standing order on March 14 and that this House adjourned to discuss. I mean, the fact that the Medical Association or any other union comes forward with a letter supporting a particular position that somebody has been taking does not detract from the fact that what they're talking about is, in essence, public confidence in the health care system as a result of purported issues that have been raised by various people in the medical profession. The root of this is exactly the same as what we debated on March 14. Nothing has changed with respect to that particular matter.

You will recall, Mr. Speaker, that, in fact, on March 22 you recognized that particular fact when the Member for Airdrie-Chestermere brought forward a Standing Order 30 which, although it was in different words, was a motion which dealt with exactly the same subject. This motion is not in order. It's ultra vires of the standing orders under Standing Order 30(7)(d).

Also, Mr. Speaker, it is not a genuine emergency. If you followed the discussion in the House, as I know you have, through question period over a number of days and even the tablings from Edmonton-Meadowlark today, you're talking about things that were purported to happen back in a previous decade and in some cases over two decades ago. Nothing that has been raised talks about a crisis in health care today. This is not a flu epidemic, and "Are we ready for the flu epidemic?" or "Are the ambulances running around the city with no place to stop?" Those were previous emergency debates in the House. Those were genuine emergencies that Albertans wanted to know their leaders were taking the time to talk about.

The subject matter that is important to Albertans has been referred to the Health Quality Council. The issues that they're talking about that supposedly need a public inquiry are matters that relate to purported historical situations in the health system

and the historical impugning of the integrity or the bullying of doctors. It has nothing to do with what's urgent today for Albertans, nothing to do with the actions which we care about in this government in terms of health care for Albertans: how Albertans can access their health care system with confidence, which we have moved very strongly with to have the Health Quality Council, with an independent board of directors, being able to set its own terms of reference and who have gone out to support their position with two pre-eminent solicitors in this province to support them, handling exactly what Albertans are concerned about, which is their access to health care today.

Mr. Speaker, the motion is ultra vires of standing orders. It's not in order. Secondly, if it was in order, it's not urgent. No urgency has been demonstrated.

3:10

**The Speaker:** Okay. Thank you very much. Under that brief definition, that was approximately three minutes.

The hon. Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I would argue that there has been an escalation of this situation in such that it... [interjection] The Minister of Energy may petition the Speaker to speak if he so wishes.

In my three minutes what I wish to say to the Speaker is that there has been an escalation in the issue around the need for a public inquiry around what this government has done to a series of health care professionals. They, in turn, have claimed that they have been silenced. The government maintains they did not silence them. That's what the issue has been here. It has escalated in that the government has changed its position.

What makes this urgent, Mr. Speaker? What makes it urgent is that we now have seven days, and we're in the seventh day before we take a constituency break, or if I'm to believe the rumours, which, of course, I never do, that might be the end of the spring session completely, and that would be the end of our opportunity to get to the bottom of this issue. That puts a great deal of urgency on this issue. I'm not in charge of that; government is. But they can put an end to this whenever they choose.

We have had the Premier talk about the Evidence Act protecting members, but if you talk to labour lawyers, they are very clear that the Evidence Act does not protect anyone that tries to come forward with information, particularly from nondisclosure agreements. The AMA itself published a series of documents that indicate that physicians subject to nondisclosure agreements will be at risk unless restrictions are lifted. Therefore we have a situation increasingly where health care professionals, specifically doctors, specifically doctors working out of the AMA, have made it very clear that they are increasingly uncomfortable with the position that this government puts them in.

What do we face from that? I don't have the resources to do the business risk analysis, but I would say that the chances of doctors withdrawing services increase by the day, particularly when you have the AMA itself – which, by the way, is not a union, and the Government House Leader is being deliberately mischievous when he says it is. I think we reach the point where the AMA, in fact, could be withdrawing services because their members are so unhappy with the lack of movement and clarity that they are able to get.

How does this affect the public? How is this urgent for the public? Well, if you don't have a doctor, Mr. Speaker, you're not going to be able to get much health care out of it. People are increasingly questioning this government's veracity around the provision of health care, whether they have in fact muzzled doctors. We've seen a number of examples that are not subject to

nondisclosure agreements which have come before the House with documented material that indicates that it is actually a pattern of this government that they first question the individual's mental health, then they circulate that to their family, friends, and co-workers, and they go on from there to challenge their licence with the AMA.

It is urgent to the public in Alberta and to our health care professionals in Alberta. That is why we bring it forward, especially when we look at this being private members' day. There's no other opportunity for that, so I don't do this lightly, Mr. Speaker.

Thank you for the opportunity to speak.

**The Speaker:** Hon. members, thank you very much. I have been looking at this matter since I received this notification from the hon. Member for Edmonton-Highlands-Norwood this morning in my office at 11:20. The requirement for providing the two hours' notice has certainly been met. I am prepared to deal with this matter, having heard the three submissions we've had in here and consulting the authorities with respect to this as well.

As all members are aware, the relevant parliamentary authorities on this subject are pages 689 to 696 of the *House of Commons Procedure and Practice* and second edition of *Beauchesne's*, paragraphs 387 to 390. The motion reads as follows:

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, that the Alberta Medical Association on April 15, 2011, added its voice to demands for a public inquiry into the health care system, making an inquiry under the Public Inquiries Act necessary to maintain public confidence.

Hon. members, this is not the first time we've had a Standing Order 30 application on this subject. In fact, this is the third time the Assembly has considered a motion of this nature. A debate went ahead on Monday, March 14, 2011, based on the motion moved by the Member for Edmonton-Centre. On Tuesday, March 22, 2011, the Member for Airdrie-Chestermere also made the Standing Order 30 application, and the subject did not proceed on the basis that the matter had already been discussed. Standing Order 30(7)(d) is clear. "The motion must not revive discussion on a matter that has been discussed in the same session" under Standing Order 30.

Simply because a different member or a new party has provided input into a matter that has already been debated does not make the matter new, nor does it make it urgent. Accordingly, the chair does not find the request for leave in order under the Assembly's rules, and the question will not be put.

## Orders of the Day

### Motions for Returns

#### Patients Awaiting Thoracic Surgery

M11. Mr. Mason moved that an order of the Assembly do issue for a return showing copies of all documents, including but not limited to communications, reports, briefings, and memos, related to thoracic surgery wait lists and the number of patients who died while awaiting surgery for the fiscal years 2000-01 through 2009-10.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker, and thank you, hon. Member for Edmonton-Highlands-Norwood, for bringing this motion for a return forward. Of course, it's no longer

necessary, so I will be rejecting it on behalf of the government of Alberta.

I just want to briefly explain why. I think the member already knows and all members here would know that this motion was put on the Order Paper or submitted or whatever on day 9, which would have made it March 8 of 2011, which is actually before the Health Quality Council of Alberta review, the independent review, was announced, which, by the way, was on March 12. These topics, Mr. Speaker, will be covered by that thorough review, so I'm not going to stand here and advocate for duplicating the effort. In fact, I think members would be reminded that the Health Quality Council of Alberta's review into the quality of care and safety of patients requiring access to emergency department care and cancer surgery and the role and process of physician advocacy is already well on the record.

There are several parts to that review that they're undertaking, Mr. Speaker, and it will cover exactly this. For example, under the first part the Health Quality Council of Alberta's independent review will determine whether the quality of care provided to and the safety of a group of 321 patients that accessed emergency department services at the University of Alberta hospital during 2008 and a group of nine patients that accessed emergency department services at the University of Alberta hospital in 2010 were significantly compromised due to extended lengths of stays, awaiting diagnosis and treatment in the emergency department. These cases were identified publicly on October 22, 2010. The cases had been collected by the emergency department physicians serving in the role of triage physicians at the UAH.

Secondly, the review will also determine whether the quality of care and the safety of a group of 250 cancer patients who were on a surgical wait-list of 1,200 were seriously compromised due to delayed access to surgery as alleged in the question raised in the Alberta Legislature on February 28, 2011.

Finally, item 3, Mr. Speaker. Based on the findings and analysis of the investigation and the analysis of current practices, the review will make recommendations for system level improvements in access and wait times for emergency department care and cancer treatments, which is, I suspect, what the member is driving at, and I thank him for that.

3:20

I'll just wrap up quickly, Mr. Speaker, by saying that I'm quite sure that the thoracic surgery issue, everything from, basically, the throat down to the abdomen, involves something that would come under that review. Let's await that review and see if, in fact, there is some additional information there that needs to come forward. I'm quite sure there will be. The review is under way. It's going to be very thorough. It will involve, I'm sure, numerous people. Anyone can participate that can come forward. We'll ensure that they get a copy of this motion, hon. member, just so that they can perhaps look at it as well.

Finally, once that final report comes out, Mr. Speaker, it will be made public, so everyone will see it. The public actually will see it first, and then it will come to me, and it will come into this Assembly for tabling for the official records of the House. I know that the member is on record supporting at least parts of the Health Quality Council of Alberta review, and I would hope that we would understand the parallels between the motion as put forward by Edmonton-Highlands-Norwood today and the commensurate process, the independent health quality review, which covers exactly the same subjects as I've just outlined.

Thank you.



**The Speaker:** Hon. member, if I recognize the hon. Member for Edmonton-Highlands-Norwood, that precludes any other member from participating. Are there additional speakers? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Speaker, for allowing me to participate in the debate over Motion for a Return 11. The hon. minister of health has asked us to place a tremendous amount of faith in the Health Quality Council, and I actually have quite a bit of faith in the limited evidence that the Health Quality Council can look at. Where I don't have faith is the fact that the Health Quality Council will not report directly to the Assembly but will report directly to the health minister, and the distance between that report being tabled in this Assembly, the time factor, and the filtration factor is of great concern to me.

Very similar is the government's proposed idea under Bill 10 of a patient ombudsman. Again, that individual reports to the minister and not to the Assembly. So what was requested in Motion for a Return 11 was the direct presentation of the information to the Assembly.

The minister has suggested that it is going to take between six and nine months for the Health Quality Council to meet on a very limited agenda dealing with the case of the 322 individuals who were seen over a period of one month in one hospital, so this is a very small sampling of a larger case. Without that information coming to this Assembly in a reasonable time frame as requested in Motion for a Return 11, we have no guarantee that we're ever going to see that information because of the potential interference by the minister of health in the presentation of the information he receives from the Health Quality Council, which has a very limited mandate and a fairly lengthy period in terms of investigating that mandate.

Mr. Speaker, by that time I'm sure we'll have had an election. We'll probably have a new health minister. The situation right now demands that this information be provided in a timely manner. Albertans are counting on it. It's not just history; it's happening every single day in our emergency departments, in our long-term care facilities, and people looking for thoracic surgery are wondering what type of service they're going to be receiving based on what has happened in previous times.

Thank you, Mr. Speaker.

**The Speaker:** Additional speakers? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I have to agree completely with my fellow colleagues in the opposition that this is a very reasonable request. You're dealing with people's lives here, and obviously we haven't had the opportunity to – well, the emergency debate was held out of order today, which is unfortunate, so we can't discuss it there.

I have a real, personal problem with this health minister refusing this information to the Assembly. I think that it's irresponsible. I think that if he had nothing to hide, or if his government had nothing to hide, more appropriately, they would have no problem whatsoever giving this information out and disclosing it to the people of Alberta through this Legislative Assembly. I feel that it is impossible right now for the public to have confidence in this system or in this government because of the secretive nature within which they work.

You know, we have a situation there with Dr. McNamee. Yeah, those are very serious allegations in the statement of claim. A statement of claim is, indeed, not in itself a statement of fact, as the Premier said today, but those are definitely some

very serious allegations. Unless we can see all the documents, particularly the ones that the hon. Member for Edmonton-Meadowlark brought forward today, all those documents that were included in that – that's just one example – if we can't see those things, if the people of Alberta can't see those documents, how can we make a judgment as to whether there was, in fact, something relevant and something true that was being alleged by Dr. McNamee and others?

There is no doubt that having the Health Quality Council look into the patient care issues regarding people waiting on the wait-list, et cetera, is a good thing. It's a good start. It's something that with regard to the quality of care issue should be looked at. But that does not mean that just because they are looking at it, we should not as members of this Assembly have access to those documents that they may be looking at as well. Frankly, it just defies logic that we would, you know, as members of this Assembly be denied access to those very important documents so that we can undertake to do our own analysis of whether, in fact, there are problems in the system and whether, in fact, there are things that need to be looked at.

I don't understand the need for secrecy. What on earth could be the reason for that? If there's nothing this government has to hide, then put the documents on the table. Let us see them. Let's see these documents related to thoracic surgery wait-lists and so forth. If there's nothing there to worry about, then by all means we can all move on with things, but if there is something, it is our duty as opposition members to point those things out and let the public decide, after hearing the government's arguments and our arguments and the Liberals' arguments and the ND's arguments, whether or not there's something wrong that needs to be fixed. That's the whole essence of democracy.

Yet we sit in here, and we ask very clearly – it's so reasonable – for copies of all documents, including but not limited to communications, reports, briefings, and memos related to thoracic surgery wait times and the number of patients who died while awaiting surgery for the fiscal years '01 through '09-10. How is it justified in your eyes, Minister, to deny us that information? You might deny our conclusions that we derive from that information, and that's your right. It's the government's job to justify their actions and so forth. But as opposition members we need access to this information. This is just the latest in a long line of examples where you think that if you just deny the information continually, it won't come out, and you'll never have to be accountable for it.

You know, this Premier, Mr. Speaker, has clearly said over and over again that one of the things that he wants to be known for is accountability and transparency. Well, how is this accountable and transparent when we're being refused documents, very reasonable documents, so that we as opposition can do our job and find out for ourselves whether or not there's something that we need to bring up as opposition members in this House?

With that, Mr. Speaker, I'll say that I completely agree with the member's motion. I hope that the government will see it in themselves to do the right thing here and produce these documents because they are needed for the opposition to be able to do its job on what has become a very, very serious public health issue. Just simply sweeping them under the rug and not providing them because they don't feel like it, because it could make them feel uncomfortable, or whatever the reason is is just not appropriate and should be beneath every member of the government.

Thank you.

3:30

**The Speaker:** The hon. Member for Calgary-Glenmore on this point.

**Mr. Hinman:** Thank you, Mr. Speaker. I would like to stand and speak in favour of this motion also. I think that any Albertan that is listening and listening to the minister say that this isn't necessary would be offended. This is the House. This is critical information. There's no better place for a question like this or a more appropriate place for this type of question. I'm astounded that the government would say: well, we'll wait for the Health Quality Council to do this. The government is accountable to the people. The opposition's job is to ask these questions. This is very pertinent and important information.

Once again, I cannot believe the stonewalling that goes on. I was at a function this weekend, and one of the comments was that this is the most secretive government in all of Canada. This is exactly the type of reason that they're talking about, when the minister gets up and says: "Well, we're not even going to answer and reply to this motion. It's out of order, not necessary. We've got a Health Quality Council, that's going to look into these things."

Nobody debates the Health Quality Council's important role in looking at these things, but there's still an accountability factor. These numbers, the reports, the e-mails that have gone back and forth should be made public. It's just the right thing to do. This is the right place to do it. Very disappointed if this motion doesn't pass.

Thank you, Mr. Speaker.

**The Speaker:** Are there additional speakers? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker, for the opportunity to speak for the motion that the hon. member has brought forward in regard to

copies of all documents, including but not limited to communications, reports, briefings, and memos, related to thoracic surgery wait-lists and the number of patients who died while awaiting surgery for the fiscal years 2000-01 through 2009-10.

What I find quite amazing is the fact that the government talks about – and they're mocking – that we want to get stats from some time ago and that they thought it, in my mind, quite funny. It's been interesting to me that they've stood in front of this Legislature and talked in this question period for weeks on end about all of the good things that the Health Quality Council is going to do and what they're going to look at. Thus, the motion is on some of the things that the Health Quality Council is going to look into.

They've stood up and talked about all of the wonderful people on the Health Quality Council, and I don't think anybody can take that away from them. The people that will be on the Health Quality Council will be the same people that will probably want to look at this same documentation. It's hard for me to understand why the minister would not be prepared to table all of the documentation in the Legislature when he will be providing the same documentation, I would expect or I would hope or I would think, that the Health Quality Council will have brought before them.

You know, you sometimes wonder when we see what transpired on Friday, with the AMA doing what I consider, as long as I can remember, since I've been in this Legislature – and that's been since 1993 – an unprecedented move by coming forward in support of a public inquiry. For these particular individuals – and I've had the opportunity to meet on several occasions with the AMA over my time in this Legislature – their number one concern has always been representing the doctors and their concerns. For them to come out on Friday, late on a Friday afternoon, after meeting with the minister the previous Thursday to discuss all of the goodwill and all the good things that they're doing, is to me something that has to shake this province to its roots, quite frankly.

The 6,500 doctors that they represent obviously want to make sure that their concerns are represented. The member has brought forward a motion, quite frankly, that I think is very simple: provide the documentation that is pertinent to get to the root and get to the bottom of the matter. The government should nowhere at any time hesitate about providing this particular information because, as my colleague from Airdrie-Chestermere has said, the Premier has talked about how he is open, accountable, transparent. Well, if you are open and if you are accountable and if you are transparent, it would seem to me it would be in the best interests for him to table this documentation, have this discussion that has been in the Legislature for months, with two emergency debates that I believe we've already had. A third one was brought forward, again by the Member for Edmonton-Highlands-Norwood, to see this information that the member has asked for. We want it on the record that as the health critic for the Wildrose I and my caucus all support the motion that he's bringing forward.

**The Speaker:** Additional speakers, or shall I call on the hon. Member for Edmonton-Highlands-Norwood to close the debate? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, if there was one action of this Legislature, one action of this government that would sum up exactly what we're dealing with on this whole question of doctor intimidation and problems with the health care system, including what happened with patients who were on waiting lists for lung cancer surgery, that was dealt with in this request, it would be this. This is exactly what it is that is at stake that the public is talking about. A simple request – a simple request – has been brought forward that the government provide us with information relating to some serious allegations that have been out there percolating for nearly six weeks now. That is to say that there was a serious problem with waiting lists for thoracic surgery that caused the unnecessary deaths of a number of patients.

The government has in its possession the documents that would bring this matter to light, and the government brazenly is refusing to turn those over to the members of this Assembly. That's all that's being asked for; that is to say, documents in the government's possession that would shed light on whether or not there was a very serious problem with waiting times that caused unnecessary deaths. The government is refusing to share it with the public or even with members of this Assembly.

Now, the minister has said that that is because the Health Quality Council is doing a review of this matter. Well, that much is true. The minister is implying that all of this information will be given to the Health Quality Council, but he hasn't said so. I don't believe that this information necessarily will be turned over because I don't trust the minister. I don't trust the government. I don't think that they want this information to become public, and that's why they're denying it to us today.

Not only that, but the Health Quality Council doesn't have the authority to require the government to provide it with this information. If the government chooses not to, the Health Quality Council is powerless to get its hands on this information, which highlights the other problem with the Health Quality Council and its role in this, that it can't get the information from the government. I don't think the government wants to give it to them, I don't think they will give it to them, and the Health Quality Council, if it asks for it, doesn't have the power to guarantee it.

Now, the minister has said that the Health Quality Council will get the information, and if they're going to give it to the Health Quality Council, then there's no reason they can't give it to us, but they're refusing to give it to members of the Assembly. This is

critical information that would back up the claims that were made originally by the hon. Member for Edmonton-Meadowlark. The refusal of the government to provide this information to the Assembly and to the public is exactly the problem. They cry: "Well, where's the proof? Prove it." Well, the fact is that they have the proof, and they won't let the proof out. They won't let us have a look at what actually happened, and I think that that's because there are some things there that they really, really don't want the public to know.

3:40

Mr. Speaker, in an *Edmonton Journal* article published March 16, Dr. Tony Fields, Alberta Health Services' vice-president for cancer care, stated that there are about 170 patients in Edmonton who are waiting for thoracic surgeries for lung cancer, transplants, or other conditions. Moreover, Calgary has 24 patients waiting but offers fewer types of thoracic surgery. Those who had their operations in February waited an average of 27 days from the time their surgeon decided surgery was needed to the actual operation. That does not include the wait for a referral to the specialist or the scheduling of X-rays, CT scans, or other tests.

Alberta Health Services wants the entire wait-list to be four weeks for 90 per cent of patients. In Edmonton 30 to 40 per cent of surgical lung cases are done after regular working hours or on weekends because there is not enough operating-room time for surgeons. According to a study published in the January 2011 edition of the British medical journal *The Lancet*, Albertans with lung cancer have a five-year survival rate of 15 per cent after diagnosis, the lowest of all provinces in the country and well under the Canadian average of 18.4 per cent. Those are estimates based on patients who were diagnosed from 2005 through 2007. In response to the study a prominent thoracic surgeon from Harvard said that this is irrefutable evidence by an impartial third party that Albertans suffer with cancer care.

Over the last years, culminating last month, Albertans have grown tired of this government's mismanagement of the health care system. After the Member for Edmonton-Meadowlark claimed 250 people died, many from lung cancer, while on a 1,200-person waiting list for thoracic surgery between 2003 and 2006, the opposition united in calling for a full public inquiry into allegations of physician intimidation and other interference in the delivery of excellent health care.

The government has consistently failed to disclose this basic health information, even regarding basic wait-lists and times. Every year our caucus staff must file expensive freedom of information requests in order to obtain the wait-list registry, which indicates the status of wait-lists and our health care backlog. The government should be publishing this information regularly in the first place.

As recently as 2009 Conservative cuts to health care forced surgeons at the Royal Alexandra hospital to postpone cancer surgeries and endanger the health of cancer patients. Even in the face of doctors publicly condemning the cuts as stressful and dangerous, the minister of health flatly denied that patient care would be impacted. Currently at the Royal Alexandra hospital there are 16 designated in-patient beds for thoracic surgery and eight observation beds for patients who are more seriously ill and require more intensive monitoring.

Dr. Ciaran McNamee, a leading Edmonton thoracic surgeon, claims he was forced out of a position in 2000 after talking to the government about wait times. The surgeon said that he also had to counteract allegations that he needed psychiatric care. He sued the health region and two managers for \$450,000, settled out of court, and now teaches at Harvard University. In 2000 the Capital health region recruited top thoracic surgeon Dr. Tim Winton from the

University of Toronto. Dr. Winton took over as director of thoracic surgery after Dr. McNamee was pushed out of his job for speaking out for more patient resources. In turn, Dr. Winton is no longer the director of thoracic surgery and is now listed as a university course co-ordinator.

As of April 11, 2011, Dr. McNamee promised that he and other doctors would speak out if their testimony were legally protected by a formal inquiry. In a letter he said that the ongoing Health Quality Council review is flawed because it cannot shield witnesses who breach the terms of their severance agreement. Mr. Speaker, that sentiment was backed up just this last Friday by the Alberta Medical Association.

Let me be clear. The government's intention to vote against this motion is part of a cover-up. They are hiding the facts from Albertans about deaths in cancer surgery wait times. It is blatant, and it is absolutely unacceptable, Mr. Speaker. When this government votes down this motion, as they surely will, it is the final evidence, if any were needed, of this government's intention to cover up what has actually happened in our health care system and to prevent the truth from coming out.

The Health Quality Council is just another way to make sure the truth doesn't come out, but by voting down this motion, they're absolutely and clearly committing themselves to a course of secrecy and cover-up of something that is of the highest public interest and the highest public importance; that is to say, whether or not people are safe in our health care system, something this government has not been able to show is actually the case and, in fact, is working overtime to prevent a real discussion based on the facts of this question.

Mr. Speaker, I urge all hon. members to vote for the motion so that we can have the documents – the communications, reports, briefings, and memos – relating to thoracic surgery wait-lists and the number of patients who died while awaiting surgery for the fiscal years 2000-2001 and 2009-10. That's what the motion asks for. This is not information that the government should be withholding from this Assembly or from the public, not even for a second.

Thank you, Mr. Speaker.

[The voice vote indicated that Motion for a Return 11 lost]

[Several members rose calling for a division. The division bell was rung at 3:46 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Anderson	Kang	Sherman
Chase	MacDonald	Swann
Forsyth	Mason	Taft
Hinman	Pastoor	Taylor

Against the motion:

Allred	Evans	Mitzel
Benito	Goudreau	Morton
Bhullar	Hayden	Olson
Brown	Horne	Ouellette
Calahasen	Jacobs	Quest
Campbell	Johnston	Renner
DeLong	Liepert	Rodney
Denis	Marz	Sarich
Doerksen	McFarland	VanderBurg
Drysdale	McQueen	Zwozdesky
Elniski		

Totals:	For – 12	Against – 31
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[Motion for a Return 11 lost]

**Public Bills and Orders Other than  
Government Bills and Orders  
Third Reading**

**Bill 201  
Health Insurance Premiums  
(Health Card Donor Declaration)  
Amendment Act, 2011**

**The Speaker:** Hon. members, we now have 60 minutes available for third reading, so that will take us right through to approximately 5 o'clock.

The hon. Member for Strathmore-Brooks on behalf of the hon. Member for Edmonton-Manning.

**Mr. Doerksen:** Thank you, Mr. Speaker. I'm pleased to rise today and open third reading debate on Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011.

Mr. Speaker, before I begin my comments today, I would like to first of all on behalf of the hon. Member for Edmonton-Manning thank all members from both sides of the House who have supported this bill in second reading and in Committee of the Whole debate. It is encouraging to hear such broad support. I believe that organ donation can transcend political debate and remind us all of what we work for as MLAs on a daily basis; that is, the improvement of our constituents' lives.

Implementation of Bill 201 has the potential to save the lives of numerous Albertans and improve the lives of many more. In second reading debate it was stressed that one donor can save the lives of eight people and that tissue from that donor can be used to improve the lives of 80 more.

4:00

Mr. Speaker, the problem we have is not that we don't know how to use the organs but that we simply don't have enough of them. In fact, Alberta and, for that matter, Canada as a whole have one of the lowest organ donor rates in the world. It is estimated that each year there are only 13 donors per million people. This number is simply too low. I believe that the cause of this low figure comes from how easy it is to avoid what is often considered an uncomfortable question of becoming an organ donor.

[Mr. Mitzel in the chair]

We currently have an opt-in system where someone must go out of their way to become an organ donor. If they do nothing, their organs will not likely be donated. To be clear, this bill is not proposing that we make all Albertans organ donors. This would be wrong because it would dramatically infringe on personal choice. It is also not proposing that individuals must choose yes or no. They still have an opportunity to remain undecided. Moreover, individuals have the option also of not explicitly making a decision at all should they feel uncomfortable declaring intentions of any kind. After all, organ donation is a very personal decision. Rather, what Bill 201 aims to do is encourage people to have that discussion with their family and to make their wishes known.

Mr. Speaker, I believe that Bill 201 will increase organ donation rates not by forcing people to become donors but by prompting a discussion regarding the matter. Now, to be fair, this is an uncomfortable discussion, but while this conversation may not be easy, the results can be remarkably beneficial. I would say that many members here know at least one person who has been given a new lease on life after receiving an organ or a tissue transplant. These are our friends and neighbors and our family members, people

dear to us, people who, because of a donated organ, can continue to lead healthy lives.

In addition, Mr. Speaker, Bill 201 also makes sense from an economic viewpoint. After all, it is much more affordable to transplant an organ than it is to provide lengthy conventional treatment. For example, a kidney transplant over a five-year span can save our health care system over \$250,000 in conventional treatment costs. And this is just for one patient. Currently in Alberta we have anywhere from 400 to 600 people waiting to receive organs. It stands to reason that if we could provide them with organs rather than conventional treatment, we could save our health system millions of dollars. We would also be dramatically improving the quality of life for many Albertans.

Mr. Speaker, the final point I would like to touch on deals with the amendment supported by this House in Committee of the Whole. I believe that the amendment provided the change needed to truly reflect the intent of this bill. The member's intent was never to deny people health care treatment or Alberta health care cards, and my intent is not to put an unworkable burden on our health care system. Rather, Bill 201 is all about awareness. It is about raising the issue of organ donation and letting people know that we can improve our donor rates, and it is about getting people to take the time to look at the back of their Alberta health cards.

Mr. Speaker, I would like to thank the hon. Member for Whitecourt-Ste. Anne for demonstrating this during second reading. In fact, I would encourage all members in this House and all of our guests in the galleries to take a look in their wallets right now, pull out their health cards, and look at the back. Checking a box is all that this bill asks you to do. Now, I'm not asking you to become a donor, but I am asking you to think about what your wishes are.

Mr. Speaker, I think that the amended bill we have before us is a good bill. I believe that it has the ability to save lives, the lives of many people. Most importantly, I believe that passing this bill will promote the discussion we need to truly increase organ donation rates. I would again like to thank all those who have participated in this debate so far and look forward to comments from my colleagues during third reading.

Thank you, Mr. Speaker.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to stand up in third reading in support of Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. I don't think I have to say what a huge supporter I am of organ donation. I've spoken in second reading, I've spoken in committee, and I'm speaking in third reading about this bill.

What I have been critical about is the fact that I believe this is the third private member's bill that has been brought before this Legislature in regard to organ donation. I know that I brought forward a bill a decade ago. I know that the hon. Member for Calgary-West brought a private member's bill forward. Again, we're now on our third private member's bill. I guess what bothers me more than anything is that the government talks about how important it is and how much they support organ donation, yet we've seen three private members on three different occasions bring a private member's bill forward without any government support or government help. It's going around and around and around.

It's very sad when you consider, since I brought my private member's bill forward approximately 10 years ago, how many organ donations have been lost, how many people could have probably been saved if we'd had some government legislation and

had been able to educate the public. I know that my bill and I know that the Member for Calgary-West both believe that education is vital in making people aware of the situation to the point of getting them to consider signing their health card. As the member indicated previously, they should be talking to their family about the importance of them abiding by their wishes should something tragic happen to them along the line so that the family is well aware of how that particular individual feels and will proceed with the wishes of the person that had determined that they wanted to be an organ donor.

I'm not going to take a lot of time here, Mr. Speaker. We're very close to the end, I would expect, and getting this bill passed. I am going to also encourage all members to support Bill 201. As I indicated, when I spoke on my first private member's bill on organ donation – and I know I've brought this up before – one of the things I continually said when we were debating my own private member's bill was: don't take your organs to heaven; heaven knows we need them down here.

Mr. Speaker, I encourage all members to support Bill 201.

**The Acting Speaker:** Any other members wish to speak?  
Does the hon. member wish to close?

**Mr. Doerksen:** Thank you, Mr. Speaker. I'm pleased to rise today and close third reading debate on Bill 201 on behalf of the Member for Edmonton-Manning. I would first like to begin by thanking all members from both sides of this House for participating in today's debate. I would also like to thank all those who participated in second reading and Committee of the Whole discussions.

The Member for Edmonton-Manning introduced this bill because he wanted to raise the issue of organ donation. Ultimately, he believes that this bill can help increase organ donor rates. First of all, it was introduced, I believe, because it can save people's lives. We have already discussed the low donation rates in Canada as well as how many lives and how much money can be saved by one donor, so I'll not go into that again. What I will say is that I believe that this bill is already a success. I'm confident that our debate over the last few weeks has raised this issue amongst Albertans and that it has already encouraged someone to sign the back of their card. In fact, it might have already saved a life. Mr. Speaker, passing Bill 201 would continue this discussion, and ultimately I believe that it would save several lives.

In closing, I would again like to thank all the members who participated in the debate throughout the course of the discussion on this bill, and I would like to thank all those Albertans who choose to donate organs. Further, I would like to acknowledge the effort of the Member for Edmonton-Manning in bringing this forward.

Thank you, Mr. Speaker.

[Motion carried; Bill 201 read a third time]

**4:10      Public Bills and Orders Other than  
Government Bills and Orders  
Second Reading**

**Bill 203  
Alberta Get Outdoors Weekend Act**

[Debate adjourned April 11: Mr. Chase speaking]

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

**Mr. Chase:** Thank you very much, Mr. Speaker. We just had a very brief opportunity to have the bill introduced and for me to

share some comments. One of the concerns I have is that just simply putting out ideas without providing support for them either financially or in recognition does very little. This government is famous for mandating. A very good example was the mandating of daily phys ed in the public schools, but the government neglected to provide training for individuals to carry out the daily exercise regime. There certainly was not gym space for the daily exercise to be carried out. There was no funding for the equipment to be carried out, no recognition of weather conditions. So teachers, being creative individuals, tried their best to ensure that the children somehow managed to get 20 minutes of daily phys ed, but it was hardly a situation that was given the support it needed.

Simply saying on a day in April, "Let's get out and get healthy," as if that's going to motivate large groups of people to say, "Oh, yes, it's April whatever; let's get out and get healthy," is rather ludicrous, to say the least. What this government needs to be doing is providing opportunities. The government to its credit has provided opportunities for elite athletes. I give the government tremendous credit for helping with the Olympic centre at the University of Calgary, the rink, and for providing funding for ski jumping and the luge, et cetera, at Canada Olympic Park. But in terms of the government providing much in the way of funding to support local soccer, for example, in Calgary when the dome collapsed at the soccer centre, I don't recall the government through either Tourism, Parks and Recreation or through the ministry of the hon. Member for Calgary-North West providing funding from lottery grants to immediately pay for that roof.

So while the government is suggesting through the hon. member, who is a good example of following a physical regimen in his own personal life and encouraging his students to do so, without the actual practical means of supporting facilities such as amateur sport facilities – I mentioned the soccer dome's roof collapse. It took an awful lot of arm-twisting and begging for the government to have assisted with creating more hockey rinks. For example, I think Calgary even with the new rinks at the Olympic centre is judged to be about eight rinks short of the necessary situation.

Mr. Speaker, you're looking like you're having trouble seeing the relevance. The relevance is getting-out-and-going and being active. The relevance that I'm putting forward is that if you want people to be active, just simply setting aside a particular weekend and saying, "Go out and get active" is not going to be effective.

What would be more effective would be the government saying that sports and recreation are a priority. We realize that instead of spending millions and millions of dollars on juvenile diabetes and dealing with overweight individuals subject to heart and stroke, sort of a Participation action would be much more appropriate than just saying that at some point in April let's go out and frolic, whether it's snowing or whether it's raining or we've got dry golf courses or not.

If we're going to make an impact on the lives of Albertans, whether they're young or old, then let's do something practical. Let's make sports and recreation a pursuit that the government believes is important and then finance them through the school system. Let's support the community centres in terms of making sure that they have the appropriate rinks and fields. Let's support the minor sports associations in making sure that the coaches receive the training. In other words, Mr. Speaker, let's provide practical opportunities for individuals to be able to get out and enjoy.

Mr. Speaker, something that I've brought up on numerous occasions is the need to protect our wilderness, to set aside and protect parks areas and make sure that we have management plans. We have over 450 bits and pieces of protected areas, ecological re-

serves and parks, but of those 450-plus areas taking up almost 4 per cent of Alberta's land mass, no plan.

**The Acting Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Well, thank you, Mr. Speaker. I'm pleased today to rise and speak in support of Bill 203, as presented by the hon. Member for Calgary-Lougheed, who has provided it for our opportunity for discussion and debate in this House. I think there's perhaps nobody that I've ever met in the Legislature that was more of a valid sponsor of this particular type of bill than the Member for Calgary-Lougheed, who himself has exemplified the importance of healthy living and has challenged himself to do things that some only dream about.

The reason I'm particularly pleased to support this is that for many years now I have contemplated the lack of enthusiasm that many people seem to have for taking the advantage that we have for a weekend or a day to go outdoors and celebrate the opportunities we're provided. Contrary to the previous speaker from Calgary-Varsity, I would observe that there's probably no place else on the planet that is better equipped to deal with schools, school facilities, recreation facilities, sports facilities, community participation than our Alberta. We have provided many facilities, have exemplary standards in our facilities, have built facilities and, in fact, an infrastructure here that is virtually second to none.

Why would we support a bill like this? It's very simple. To improve the health and welfare and well-being of Albertans. Structurally Albertans, when provided with this opportunity or reminded of our government's belief and importance of this type of activity, may well be prompted to go out and to take advantage of the great outdoors. Communities themselves can say that these are some of the things you might want to do, this is a facility or an activity that we're providing outdoors, and co-ordinate the sponsorship of such facilities to act, in fact, as a catalyst for the health of the local communities.

4:20

We have a beautiful province, Alberta has. Yes, we have a Family Day weekend, which has been a very successful type of co-ordinating effort to get people to think about family types of activities. You can see families themselves looking at making time for the parents, the extended family, and the children to get out and make good choices for family-styled activities. Years ago, as an example of that, even churches recognized the benefit of families that pray together, stay together. So there are examples of things that people have chosen in society to dedicate themselves to to foster an activity.

The get outdoors weekend concept would enable people celebrating our Rocky Mountains to the many diverse landscapes that we have in Alberta to really take a look at how these can be implemented or used for suitable outdoor types of weekends. The Birkebeiner in our own municipality in Strathcona county has become just a tremendous weekend of celebrating the great outdoors with cross-country skiing. Weekends dedicated to exploring the beauty and excitement would give people an opportunity to celebrate their healthy lifestyles together.

Several other jurisdictions have actually enacted similar legislation, Mr. Speaker. The public participation, for example, in British Columbia on the BC Rivers Day in 1980 gave the public there an opportunity to celebrate river heritage and raise awareness of many benefits of their waterways. BC Rivers Day also provides opportunities to profile threats to rivers and offers ways in which the public can get involved in creating solutions. Each year more

than 75,000 people participate in over a hundred BC Rivers Day events and activities across the province, making it annually a very successful venture.

Our federal government has enacted similar legislation creating Canada's Parks Day in 1990 and as a national event showcases Canada's many parks and historic sites from coast to coast, encouraging Canadians to get out every third Saturday in July and enjoy all the fun and excitement of our natural landscapes. This event draws more than 50,000 people to more than 300 events, with numbers growing every year, Canadians discovering something new about our country and its heritage. It has the potential to introduce Canadians of all ages to activities which have become lifelong passions, and this excitement for life in the great outdoors is something that Albertans have also valued.

The United States of America has embarked on a similar initiative called National Get Outdoors Day, or GO Day. This annual event, which began in 2008, takes place in June and encourages all Americans to take part in healthy outdoor fun. Teams of federal agencies often team up with nonprofit organizations to inspire people to enjoy time outdoors, to embrace the parks and forests and other public lands available in the United States. Last year GO Day focused on fighting the obesity epidemic, particularly in children, and on helping American families make healthy lifestyle choices. GO Day activities took place in 91 official sites across the country.

Similar initiatives in other places have been very successful in helping people get off the couch and go out for fresh air. We believe that although these individual choices are important things for individuals to make, government can play a role promoting enjoyment in activity. Marketed correctly, our hope is that Alberta families and individuals here would celebrate the opportunity to get outdoors, and it would help people who have struggled to get outdoors to have that option.

Mr. Speaker, the beauty of this bill is that it wouldn't acknowledge or institute any extra expense to government. Costs associated with Bill 203 lie in marketing and promotion, which could come from existing budgets of relevant ministries or agencies.

Active living can lead to longer lives, reduced stress, and improved health and, as such, Mr. Speaker, may in fact lead to decreased risk of obesity and other associated diseases such as those that have been referenced by other speakers. We believe that this can have a positive impact on the sustainability of our health system, as it stands to reason that the healthier our population becomes, the less they will need to access health services. Increased physical activity and associated health benefits will serve to improve quality of life for all who participate. By making ours a province that actively promotes outdoor physical activity, we create yet another reason for Alberta to remain the best place in Canada to live, work, and raise a family.

We believe that the benefits of this proposed legislation are far reaching, impacting us physically and economically as well as emotionally. It will encourage Albertans to lead healthier, more active lifestyles. Health improvements could ease the burden that other diseases and obesity place on our system, and we'll teach our children by example how making healthier choices now will lead to a better lifestyle for the future.

Mr. Speaker, we are blessed with one of the most beautiful backyards in the world. It's a shame that Albertans don't always take the time to get out and enjoy it. In this last six or seven months while so many people have been concerned about their well-being in a climate that offers many challenges because of the cold weather, celebrating an outdoors weekend with taking advantage of the fact that we're in a free and democratic society enables us to reflect that there are many things we can celebrate, even our

capacity to deal with adversity. It would be my hope that people do support this bill. It has many benefits for Albertans, both now and in the future.

Thank you very much, Mr. Speaker, for the opportunity to speak on this bill.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. It gives me a great deal of pleasure to rise to speak to Bill 203, the Alberta Get Outdoors Weekend Act. I have to say that at this point in the debate in second reading I'm not sure exactly how I feel about this particular bill, so I'm going to be listening to the government and to what they have to say about this bill.

I want to get on the record that I like what the member has explained in his preamble about the significant health and lifestyle benefits associated with active living and outdoor activity. I don't know how anyone can possibly argue about that. He talks about the recognition of the importance of outdoor recreation, that it will have a lasting effect on the health and well-being of the people of Alberta. Well, that's another statement that no one can argue with and I'm sure everyone can agree with. He goes on to the government's commitment to the mental – I have a bit of a problem with that as I think the government has not done a very good job when we talk about individuals dealing with mental health, so that's a little questionable – physical, and environmental benefits of outdoor recreation and would like to encourage Albertans to get outdoors through the designation of a special weekend each year.

You know, I've gotten to know the hon. Member for Calgary-Lougheed over the years, and no one can question his enthusiasm, if I can use that word, to make sure that everybody is healthy. We've had many discussions in the past in regard to exercise and the many hours that we commit to this job. I even find at times, as someone who I think is pretty physically fit, that exercise to me sometimes doesn't come very easy, especially when you're sitting in the Legislature for hours on end.

The last thing I want to do when I get home is to start lifting weights because, you know, quite frankly, Mr. Speaker, I'm too tired to even think about lifting the weights let alone putting them into action. We have a gym in the Legislature, and I honestly, honestly can't remember the last time I was in the gym. But I do walk to work every day because that is physical exercise, and it's about the only exercise that I've managed to squeeze in in a very busy day other than walking from the Annex to the Legislature, back and forth on several occasions.

I am going to listen intently, and I'm sure I'll have some more discussions with the Member for Calgary-Lougheed, but I guess the problem that I have with this is putting this into legislation and then passing it into law. I have checked recently the number of bills that have passed through this Assembly, where either it's a government bill or for that matter a private member's bill that has been passed, but they haven't been proclaimed. I know the member had a bill in the session last year on tax credits, if I remember, and the last I checked, that bill had not been proclaimed, along with numerous bills in regard to many, many issues. Personally, my own, the Mandatory Reporting of Child Pornography Act, is one of them.

4:30

Now we have a piece of legislation that wants to proclaim a weekend, the second weekend in April, which has just passed, each year, and it's going to be known as the Alberta get outdoors weekend. Admirable, obviously. What is the cost going to be? I know the member has said that there'll be no cost. Well, I know

that in the past when we've proclaimed a certain day in the Legislature or we've proclaimed a certain weekend, there's always a cost benefit because the government feels that they have to spend some time promoting that and getting people active.

I'm struggling, and I must say that. I think it's incumbent upon Albertans to take exercise upon themselves, without government having to proclaim that on the second weekend in April we're all going to go out and do jumping jacks or walk miles on end. The member for Calgary-Acadia is doing jumping jacks in his seat. I'm sure he feels that that's about as much exercise as he can get because of the hours that he puts in, obviously, as well as you do, Mr. Speaker, sitting in your chair. I'm struggling with whether we need a weekend for this.

How do we encourage Albertans to become more healthy? The Health budget is huge. They talk about one of their priorities – unfortunately, I don't have my budget in front of me – of making Albertans more physically fit, more mentally fit, getting them more active and more responsible for their own health.

I'm just struggling that we need to have a piece of legislation, and I'm struggling even more with the costs that will be affiliated with having the second weekend in April become law. I have this visualization that all of a sudden we're spending millions of dollars and we're going to have all sorts of things happening across the province, where we're all going to be starting to maybe do jumping jacks all at the same time, doing all sorts of different things.

Mr. Speaker, I'm going to be brief. I'm going to listen to debate. I think private members' bills, quite frankly, are a wonderful resource for private members in this Assembly to be able to bring forward what they think is important. I can tell you that from the constituents of Calgary-Fish Creek I haven't had one call, e-mail, or letter on this. Now, I'm sure I will after stating that. I know the Member for Calgary-Lougheed has come out and said that he has support.

My role is to represent the people that have elected me, and I will continue to do that. It has served me well, as they have served me in providing me with the information and the priorities that they think are important to them. I can tell you that over the last several months their priorities have been health and education. Number 3 bounces around a bit. Can I encompass this under health? I'm not so sure.

But I will listen, and I'm pleased to be able to speak on this particular piece of legislation.

**The Acting Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. It also gives me great pleasure to rise today and continue the debate on Bill 203, the Alberta Get Outdoors Weekend Act, brought forward by the hon. Member for Calgary-Lougheed. Before I begin, I would just like to say that I was impressed to see over a hundred endorsement letters from Albertans of all different demographics who support Bill 203. This tells me that the objectives of Bill 203 are important to Albertans.

The purpose of this bill is about the promotion of the great outdoors. It's also about greater participation in leisure activities, specifically those that require physical exercise. But mostly, Mr. Speaker, the overarching goal of this bill is the encouragement of a healthier lifestyle for Albertans.

Our lifestyles are evolving over history. These changes have brought us many great benefits like increasing our capacity to produce the food that we need or by facilitating the creation of all kinds of technologies that ease the necessity to do physical work for a living. Due to this long economic and technological progress we now live in a world where material wealth abounds, and that is

certainly true here in Alberta. Mr. Speaker, we produce and consume more food than ever before. We now have access to a wide range of sophisticated services catering to virtually all our needs, and many of those services are available from the comfort of our homes.

Technology has also been a driving force for change, bringing us closer together in ways unthinkable even a generation ago. Nowadays we chat with people who live halfway around the world with little more than having to lift a few fingers. Even the workplace has gone through rapid transformations over the years. For a growing number of workers labour is synonymous with office, computer, or chair and increasingly less with physical work. For some workers even continuing to work is becoming obsolete as many tasks now can be accomplished online.

When we do leave our homes, getting from A to B usually involves a car or public transit. We walk very little, even to cover short distances. Mr. Speaker, we don't even let our kids walk to school anymore. For a rising number of families gone are the days when playing with the kids involved more than looking at a computer or TV screen. In other words, if our sedentary lifestyle has long been a force for good, it is now becoming a problem. The issue is that our sedentary way of life increasingly leads to an unhealthy lifestyle. After all, why walk to work when we can drive? Why practise a sport when it can be played on a computer? Why spend time outside when so much can be accomplished without having to leave our homes?

Mr. Speaker, this is the logic that the hon. Member for Calgary-Lougheed intends to overturn with this bill. It is a step in the right direction. It is a step we need to take because the current situation regarding certain things – chronic diseases like type 2 diabetes, heart disease, various types of cancer, osteoporosis, and stroke – is worsening in Alberta as well as in the rest of Canada. These chronic diseases and injuries, often associated with unhealthy lifestyles, are the leading causes of death, illness, and disability in Alberta, not to mention the problems that stem from rising obesity rates in all age groups.

Mr. Speaker, the current picture in Alberta and Canada regarding unhealthy lifestyles is, I'm sorry to say, not very pretty. Canada now ranks third highest globally for obesity and third lowest in walking, bicycling, or public transit use. Sport participation among Canadian teenagers aged 15 to 18 declined from 77 per cent to 59 per cent between 1992 and 2005. The number of Canadians who are overweight or obese has steadily increased over the last 25 years. In fact, today nearly 25 per cent of adult Canadians, a total of 5.5 million people aged 18 or older, are obese. In addition, 36.1 per cent, or 8.6 million, are overweight, bringing the total number of adult Canadians who are overweight or obese to over 59 per cent. Of even greater concern, 18 per cent of Canadian children and adolescents aged two to 17 are overweight, and 8 per cent are obese.

These diseases and conditions are responsible for a large cost burden that is placed on our health care system. The estimated total cost in Canada of illness, disability, and death attributable to chronic diseases amounts to over \$80 billion annually. Physical inactivity alone costs the Canadian health care system at least \$2.1 billion annually in direct health care costs and an estimated annual economic burden of \$5.3 billion. Mr. Speaker, despite having some of the best parks and recreational facilities in the country, Alberta does not fare better than any other province or Canada as a whole. The 2009 Alberta survey on physical activity shows that only 58.5 per cent of adult Albertans are physically active enough to experience health benefits. In other words, fewer than 6 in 10 Albertans are physically active enough to sustain a healthy life-

style. This is clearly insufficient. Not surprisingly, these statistics vary considerably between age, education, and income groups.

According to the same survey the lower the education and income levels are, the lower the intention to take part in regular physical activity. Yet, interestingly, Mr. Speaker, Albertans who have heard of health campaigns and resources like Participaction were more likely to be sufficiently physically active as compared to Albertans who had not heard of them. There is reason to believe that a concerted effort in promoting physical activity, perhaps one sponsored by the Alberta government, may reverse the situation.

4:40

Mr. Speaker, after a hard day's work one can be tempted to lie back and relax. These bad habits over time will likely have unwanted repercussions. Something should change, and maybe change will occur upon the implementation of a catalyst like the hon. member's Bill 203. Now, there are those who will argue that choosing a healthy lifestyle is a private matter and nothing else. There is definitely some truth to this, but that's not enough. As government we are responsible for the whole of society, and we must always look at the big picture. Therefore, we must find ways to encourage people to be physically active, perhaps by experiencing the great outdoors, as proposed in this bill.

This is nothing new. Our forebears did so on a regular basis. However, this time around Albertans will not be doing it in search of prosperity. They would do it to rediscover the joys and benefits of a healthy lifestyle, and that, Mr. Speaker, is the whole purpose behind the Alberta Get Outdoors Weekend Act. This is why I am in full support of this bill, and I encourage all my colleagues to do the same.

Thank you, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. This is a brief bill, but it deserves proper debate. I'm sure the sponsoring member, the hon. Member for Calgary-Lougheed, would agree.

I kind of find this an interesting bill. I'm intrigued. I certainly like the spirit behind it. I had a question, which maybe the member can answer, and it may have come up in earlier debate, Mr. Speaker. I'm not sure. The question concerns clause 1 of the bill, which proposes that the second weekend in April each year be known as Alberta get outdoors weekend. This may have come up, as I say, in earlier debate, but I'm wondering why the member chose the second weekend in April. I'm sure there was a good reason for it.

I'm not sure I'd have chosen that weekend because, well, this last weekend in April wasn't such a great weekend to be outdoors. It seems to me it's a little bit of a roll of the dice. In fact, I'd have to say that as virtually a lifelong Albertan and a lifelong Canadian April is one of my least favourite months of the year to be outside because it's kind of in between.

I like the winter. I ski, and I skate and, you know, do that kind of thing. I like the summer. I even like the later spring, brief as it usually is in Alberta. But in those transition periods – March, April, November – you can't really do summer activities or winter activities. That's my personal view, but I'm wondering why the bill proposes that the second weekend of April be known as Alberta get outdoors weekend. You know, I can imagine taking my kids out camping on the second weekend of April and having not a very nice time as the snow piles up on the tent and the car gets stuck and all that. Maybe I'm just being a wuss there; I don't know.



I like the preamble, and I don't see how very many people could take issue with it. I suppose that with the third paragraph of the preamble some people might want to question the government of Alberta's commitment to the things that are claimed in there, but, you know, in the spirit of this piece of legislation I think we should give the government the benefit of the doubt.

I did listen to some of the other comments in debate from this side of the House, and the bill does lack any real meat to it. There's no way of implementing it. There's no money although, I guess, private members' bills aren't supposed to have money attached to them. But there's no organization connected to it. It feels like it's missing any way to get implemented, Mr. Speaker.

It has nice intentions, but it doesn't go any farther than that. As I've heard some people say, we all have nice intentions when it comes to getting fit and getting a little more exercise and watching our diet and all of that kind of thing, but nice intentions haven't gotten us very far on that account. I would be interested to hear the member's comments on how he imagines or foresees this Alberta get outdoors weekend being implemented. Does he imagine an Alberta get outdoors weekend organization or something like that that would stir the pot? Maybe sponsorships could come in or I don't know what.

I guess my comments boil down to a handful, Mr. Speaker. I couldn't disagree with the intentions of this bill at all. In fact, I like the intentions wholeheartedly. I had, you know, the question about: why the second weekend of April? I wish the bill had more substance to it, more of the mechanics required to actually implement the bill. I could go on at length and talk about my personal experience in the great outdoors, some happy ones and some less than happy ones, but I will spare the members that punishment.

I look forward to other debate. Thanks very much.

**The Acting Speaker:** Do any other members wish to speak? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you very much, Mr. Speaker. Well, I was just reading over this bill over the weekend, and I thought it was interesting. I really do enjoy hearing about some of the physical exploits of the Member for Calgary-Lougheed in a former life, when he was climbing Mount Everest. Twice. At the same time. No, I'm just joking. [interjection] To the bill. That's right. Obviously, it is an extremely impressive accomplishment that he was able to do that once let alone twice.

**Mrs. Forsyth:** With the Sherpas.

**Mr. Anderson:** With the Sherpas. That's right.

I actually saw a video on that new Netflix thing. It was a documentary on Everest. It was just wild. I mean, they went and followed this team up, and some people lost their life. Some people were losing hands and feet. It was one heck of a dangerous thing to do. So I do respect this member for what he's done in that regard. He's represented our province very well in that regard. He's always been very committed to physical activity and to making sure that our kids and all of us are very aware of the need for physical exercise and so forth.

I think Albertans, frankly, are known for that and are known for getting out into the outdoors. I saw a stat that I think the minister of tourism was sharing a little while ago, during the Olympics, when she mentioned that Alberta athletes accounted for a huge percentage of the amount of athletes in Vancouver. I think it was close to half if I remember right.

**An Hon. Member:** Over half.

4:50

**Mr. Anderson:** Over half. That's right. I mean, that's really quite something. If you think that we only have about 10 per cent of the population or thereabouts, to have 50 per cent of the athletes is remarkable.

Also, we have a great facility going up by Canada Olympic Park. That's only going to strengthen those numbers. So we have a lot to be proud of in Alberta. We have some fantastic facilities. We have the most beautiful mountain parks, frankly, in the world, certainly the most accessible of beautiful national parks in the world. People come from all over the world, and it's right in our backyard. Just to think that we can go out our door, and in 15, 20 minutes – well, with the new ring road half an hour and you're from Airdrie into the Kananaskis. It's a good deal. We sometimes forget how lucky we are.

I really do like the intent of this bill. I do have to say that I question somewhat the reason we would want to enshrine something like this in a piece of legislation. I don't quite see the need for that. I think that there are other ways to do that. I've got to say that I guess I'm slightly ambivalent with regard to this. I don't mind it because I like the idea, but at the same time we have so many – I think we're just making the Speaker's life far more complicated because he has to get up and recite all of those: every week, every month, all of those different days that we have to recognize. To add one more to that every April . . .

**An Hon. Member:** Naked gardening day.

**Mr. Anderson:** Exactly. Who knows?

I just think there are so many of them now that it's getting lost in the shuffle. Really, it's almost inherently meaningless because we have so many of these days that we recognize stuff. It almost becomes meaningless, which is unfortunate because it is important to get outdoors, and we don't want to undercut that.

Again, I think I'm kind of ambivalent to it. I would say, though, that I would like to on behalf of the constituency of Airdrie-Chestermere urge my constituents, I guess you could say, to certainly get outdoors and enjoy these incredible landscapes and viewpoints and recreational facilities that we have in our backyard. I know that Anita and myself and the boys got an RV the year before last. We get to the mountains six or seven times a year now. It's just kind of a thing we do almost every weekend during July and August. We'll even just sneak out there for a day on a Wednesday or a Thursday if we have an open evening sometime, just go have a campfire. It's just an amazing place to grow up and to live and to raise kids because it teaches them.

People have this conception of Albertans as not being good environmental stewards or, you know, not interested in their environment. Nothing could be further from the truth. We are very much people that respect the outdoors. We have more national parks and provincial parks together than any province or place in the country, and we really do value our environment and the great outdoors that we have.

I know I only have about another minute, I believe, before the hon. member can wrap up, so I'll sit down in about 30 seconds, once that comes, and give the floor to him. I just wanted to say that I think that although the idea behind the bill is good and it's good to even have this discussion, maybe this bill, if anything, just gives us an opportunity to explain and to speak to the thousands and thousands of people watching this Assembly right now, riveted by this discussion.

**Mr. Mason:** Absolutely.

**Mr. Anderson:** People like the hon. Member for Edmonton-Highlands-Norwood and people like myself and the Member for Calgary-Fish Creek are completely committed to getting outdoors and making sure that Albertans know that.

With that, there's about five minutes to go. That's it, Mr. Speaker. Thank you.

**The Acting Speaker:** Any other members wish to speak?

If none, the hon. Member for Calgary-Lougheed to close debate.

**Mr. Rodney:** Thank you very much, Mr. Speaker. I would like to sincerely thank every single member from every corner of the House who has joined in the debate today.

To answer directly, to the hon. Member for Calgary-Fish Creek: I appreciate your efforts in the past, present, and future on this and other lines. Rest assured that this is proclaimed upon Royal Assent. It wouldn't wait for a minister's signature. So that should answer that question. The cost of promotion. I would hope it would be as close to free as possible, that we would promote it once, and then it would be in the hands of, as the good minister suggested, the municipalities, recreation and sports clubs, seniors' councils, health organizations, and other important groups who wrote in to me already and said: we're going to promote it in this way. Honestly, this is just a kick-start.

The hon. Member for Edmonton-Riverview asked: why the second weekend of April? It's a very specific answer to that. It's kind of like the Banff people. They said: "What are we going to do? It's not summer. It's not winter. It's not high season. It's not ski season. What could we possibly do in the first weekend of November?" Now they have the finest film and book festival in the world, and that place is just flowing. It's one of those shoulder seasons. Sir, it is indeed a weekend, not a weekday, because as you know in this province a Friday night, a Saturday, a Saturday night, and a Sunday can have very different weather. I noticed a couple of weekends ago, when this was proposed for, that we had snow on Friday and that it was glorious and 13 on Sunday. A person could choose: am I going to do winter events because ski resorts are open, or is the golf course open? By the way, normal highs for this time of year are actually in the teens. Hopefully, that answers that question as well.

We know this is about improving the lives of Albertans and spending time outside. It doesn't necessarily have to be exercising; it can just be appreciating the beauty of our environment.

You know, I've got a big long speech, but I just want to address the hon. Member for Airdrie-Chestermere. You were asking about the legislation. This is not the final answer – I know that – in terms of helping people to be more active. It's a part of the solution; it's not the end answer. Hopefully, this is just the beginning, and family groups and communities take it from here, and we enjoy our pristine natural environment with internal tourism.

Additionally to that, we'll be at the front in Canada. We'll be at the front of the pack with this. We have Arts Days weekend. We have Family Day. They're very successful. But we don't have anything like this and, certainly, not at this time of the year.

With the time remaining, sir, I trust that we might be able to move this into Committee of the Whole if we call the question. I move to end debate until next time, so I'll just call for the question on second reading of 203 at this point in time, please.

Thank you.

[Motion carried; Bill 203 read a second time]

**Mr. Renner:** Mr. Speaker, given the hour I would like to seek unanimous consent for the Assembly to call it 5 o'clock and allow us to move into consideration of private members' motions.

[Unanimous consent granted]

## Motions Other than Government Motions

**The Acting Speaker:** The hon. Member for Airdrie-Chestermere.

### Electric Statutes Amendment Act, 2009

504. Mr. Anderson moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to repeal the amendments made to legislation by the Electric Statutes Amendment Act, 2009, to ensure that proposed transmission line projects are subject to an objective needs assessment hearing by the Alberta Utilities Commission, are openly and transparently tendered, and that affected landowners are compensated fairly, with recourse to the courts.

**Mr. Anderson:** Thank you, Mr. Speaker. Today I rise to speak to Motion 504, which urges the government to repeal the amendments made to legislation by the Electric Statutes Amendment Act, 2009, commonly known as Bill 50.

Mr. Speaker, the reliable generation and transmission of electricity across our province is obviously critical to our future growth and prosperity. However, supporting growth does not necessitate trampling on the property rights of landowners, gouging ratepayers on their electricity bills, and building unnecessary, ugly skyscraper-sized power lines across our pristine Alberta landscape when there are much better and less intrusive alternatives.

Let us be very clear about what Bill 50 did in 2009. Bill 50 authorized the building of roughly \$16 billion of new transmission line projects across our province. It deemed these projects critical transmission infrastructure, thereby removing the need for an objective, open, and transparent needs assessment hearing before the Alberta Utilities Commission. Why is this relevant? Simply put, in virtually every industrialized nation where ratepayers are required to pay directly for transmission on their electricity bills, there is, first, the requirement of an objective arm's-length needs assessment review to determine if the new transmission is needed, and if so, how much? This is or, more appropriately, was the case in Alberta up until the passage of Bill 50.

5:00

I have heard the current and former Energy ministers as well as the Premier repeatedly justify this bypassing of an independent needs assessment process by saying that the needs assessment process had already taken place and was therefore no longer needed. Mr. Speaker, this is not true. Why on earth would you pass a bill to avoid having to go through the needs assessment process if you had already legitimately gone through the needs assessment process? This argument insults the intelligence of Albertans. It is a falsehood, plain and simple.

I've also heard the current Energy minister and the Premier talk about the need for this new transmission so that the lights can be kept on in Calgary. Again, this is utter nonsense. Here's the math. Peak power usage for the city of Calgary is 1,600 megawatts. Obviously, Calgary needs to access more than 1,600 megawatts in order to safely keep the lights on at all times. So how much power does Calgary have access to? Well, current transmission capacity between coal-fired plants in central Alberta and Calgary is roughly 2,000 megawatts. That in itself is enough to power Calgary, with room for growth, but that's not all the power Calgary has access to.

Enmax has already built the Calgary Energy Centre by Balzac as well as the newly built plant in Crossfield. They will also be bringing an additional 1,000 megawatts of natural gas fired electricity online, onto the grid by, at the very latest, 2015, including a new 800-megawatt generator in my constituency by Shepard.

Added up, Calgary, with a peak demand of 1,600 megawatts, has access to over 2,400 megawatts of power today and will have access to roughly 3,400 megawatts by 2015, more than double what is currently required to keep the lights on. I'm sure Calgary intends to grow a lot by 2015, but does it intend to double in size by then? Obviously not.

Now, the Energy minister during the budget debate claimed that the Shepard project was on hold, as far as he knew. He said that he didn't know if it had the go-ahead or the necessary approvals. Well, that's interesting. I have in my hand right here the approval for the go-ahead on this project by the AUC and this one from the government. Guess whose signature is on it? Oh, my; it's the current Energy minister's signature. Perhaps he should have known about this given the import to this entire Bill 50 debate. The fact is that the equipment and materials for the project have been brought in next door to the site, awaiting only some final paperwork from the city of Calgary to go ahead; again, 800 additional megawatts of electricity being built right now.

The lights will stay on in Calgary without the new megasize transmission lines, period. The arguments put forward by the Energy minister and the Premier are false and are meant to generate fear amongst the public that these new, expensive megalines are needed or else. It's a shameful display by this minister to continue this line of spin on Calgarians, including those of his very own constituents in Calgary-West.

This is where things get really murky. After the passage of Bill 50 these multibillion-dollar transmission contracts were handed to AltaLink and ATCO, two consistently large donors and sponsors of the PC Party as per the Elections Alberta website, without any kind of open bidding process and a guaranteed 9 per cent rate of return on lines that we the ratepayers of Alberta will be paying for on our bills. What a sweetheart deal for AltaLink and ATCO.

It gets worse. In fact, one of AltaLink's senior VPs, literally within weeks of Bill 50 passing, was appointed to be VP of the PC Party. Now, to be clear, I'm not alleging any wrongdoing on the part of either AltaLink or ATCO or the VP I just referred to. I simply don't know. This government's secrecy, as we've seen today, is legendary. However, given these indisputable relationships I think my questions and concerns in this regard are legitimate ones. If this government was concerned about the well-being of Alberta ratepayers, why would they simply hand these massive contracts to these companies without competitive bidding? How can we all be sure we aren't getting gouged as ratepayers?

This brings me to another major problem with this bill. As is now general knowledge, the price of natural gas electricity generation plants has dropped dramatically over the past several years due to new technologies and natural gas plays that will almost certainly result in low natural gas prices for the foreseeable future. As has been pointed out by several electricity producers, it is now entirely possible that locally generated electricity from natural gas power plants could reduce or eliminate the need for a large amount of these new and grossly expensive transmission lines carrying coal-generated electricity from central Alberta.

Now, I'm not an expert on whether the need for redundancy and other factors still make the proposed transmission lines necessary. However, neither is the brain trust around the former and current cabinet table. This is precisely why provincial politicians shouldn't be making such decisions and why an impartial needs assessment hearing should be completed before potentially spending billions of dollars on needless transmission lines that Albertans are going to pay for as ratepayers.

Furthermore, it begs the question: could it be that the needs assessment process was intentionally skipped precisely because this government knew that the new transmission lines might not

pass muster under current market conditions? Were they worried that there would be no juicy transmission contracts to pass out at the end of the day? You really have to wonder. If not, why not allow the independent process to take its course?

That leads to yet another uncomfortable question. Why would a government that is willing to burn \$2 billion on the altar of carbon capture and storage for the purpose of decreasing Alberta's emissions of CO<sub>2</sub> so willingly forge ahead with a transmission line built between Edmonton and Calgary that will essentially enshrine CO<sub>2</sub> intensive coal-generated electricity producers for a generation instead of promoting the local generation of electricity from natural gas, which is significantly less CO<sub>2</sub> intensive than coal? Is the government favouring coal-generated electricity producers over others? If so, why? It doesn't make sense. If the stated goal of this government is to decrease its so-called carbon footprint, what are, then, the motives of this government, and who is lobbying them? Who is sponsoring their events? Who is donating to their campaigns? I would ask our enterprising media to take a deeper look, especially at the Alberta elections donor page. It just doesn't otherwise add up.

Before Bill 50 was passed, several experts and stakeholders came out with reports and letters pleading with the government to not pass Bill 50. One of these was from IPCCAA, which represents industrial users consuming roughly 35 per cent of electricity in the province. They have by far the most to lose if the lights, in fact, do go out. What did they say? They said that Bill 50 will triple their energy costs and force many of their businesses to move.

The University of Calgary School of Public Policy also came out with a report, as did the government's very own Utilities Consumer Advocate. Each of these reports and many others clearly identified the many problems with Bill 50. They said that the size of the bill was overly excessive. They pointed out the lack of transparency and the lack of competitive bidding. They decried the government's unprecedented decision to skip the needs assessment process. Yet the government ignored it all. It was simply too inconvenient a truth. Too many promises had been made to those with deep political connections.

Mr. Speaker, Bill 50 is a reckless, job-killing piece of legislation with the odour of corruption that Albertans do not deserve. I implore every free-thinking member of this House, particularly those MLAs in the government, to take off the partisan blinders they are now wearing, re-examine this bill, do your research, and find the courage to stand up and help pass this motion to repeal Bill 50. Albertans across this province are demanding that we as their representatives do this. It is time to repeal this bill, to do the right thing, to represent those who voted for us at that ballot box and not some corporate or special interests or friends of PC Party.

Thank you.

**The Acting Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you very much, Mr. Speaker. I'll get up and make a few comments today. I won't try to even come close to rebutting all of the falsehoods that are commonplace in this particular member's constant criticism of Bill 50. What I will do is try to set the record straight on Bill 50 and strongly encourage this House to defeat this ill-thought-out motion.

Mr. Speaker, Bill 50 is really quite simple. It ensures the timely approval of critical transmission projects that we need to support our economy and keep the lights on. We said that we needed to get going and start the process to build four projects, subject to extensive consultation and full public hearings, to determine the siting of the lines, cost allocations, and other issues that may come before the Alberta Utilities Commission.

## 5:10

The Alberta Utilities Commission, or the AUC, is an independent, quasi-judicial body that will have the final say after a fair, open, and transparent process to consider transmission routes. In fact, a public hearing on the application for the heartland project is currently under way, and applications to the commission have been made for the two north-south lines.

Nothing about this process has changed or circumvents Albertans' property rights. Bill 50 also in no way changed access to compensation for landowners that will have this infrastructure located on their land. In fact, it has significantly improved the landowner compensation rights, and I was surprised to hear that the member didn't recognize that in his opening remarks. Compensation in this province is very fair and typically includes easement acquisition, payments for the transmission line right-of-way, annual structure payments, and supplementary compensation.

Protection of landowner rights and fair compensation are not the only issues that have been misinterpreted in the debate on Bill 50. The suggestion that the four projects covered by Bill 50 will cost \$16 billion is incorrect and, frankly, just part of the fearmongering that has gone on. The total cost of the four projects covered by Bill 50 is in the range of \$5 billion. The \$16 billion is the total long-term projection of what the system needs in upgrades over the next 20 years, Mr. Speaker. No one's bill is going to double or triple as a result of the transmission build.

It's also false that private companies are proposing new transmission lines. They don't and by law cannot. As a fully regulated service transmission companies are directed to build lines by the Independent System Operator, based on their geographic service area. All costs are subject to scrutiny and approval by the Utilities Commission.

Mr. Speaker, smearing corporate and personal reputations for personal gain is wrong. I would say that smearing reputations of corporations that are also contributors to this member's party is also wrong. But that's what's happening here.

I also want to clarify this idea that the need for these four projects has not been assessed objectively. All of the planning to identify the need for these four projects was completed by the Alberta Electric System Operator, or AESO. AESO is an independent agency with the mandate, resources, technical expertise, and the skills to identify projects that are required, none of which, I believe, the Member for Airdrie-Chestermere can claim. AESO is required to operate in the public interest and in accordance with international reliability criteria. Aging transmission infrastructure is a challenge across North America, leading to a declining system reliability. Alberta has been one of the fastest-growing jurisdictions in North America, and our transmission system has been working at or near its limits for extended periods of time, increasing the risk of widespread power outages and unreliable service. The level of congestion on Alberta's electric grid is expected to increase until additional transmission is built.

Looking ahead, we're going to need to connect 11,500 megawatts of new generation to the grid over the next 20 years because of our growing economy. These forecasts are done by AESO, drawing on the expertise of the Energy Resources Conservation Board, the Canadian Association of Petroleum Producers, the Conference Board of Canada, and the National Energy Board. In planning for the four Bill 50 projects, AESO carried out hundreds of consultations and meetings to obtain input from Albertans. We heard from organizations such as the Alberta Chamber of Commerce, representing some 22,000 businesses, recommending action to ensure timely regulatory approvals and reinforcement of the power grid. We heard from companies that want to develop wind resources

in southern Alberta and have investment plans stalled as a result of a lack of transmission infrastructure. Companies with projects throughout rural southern Alberta are ready to invest.

Power generation from all sources across the province – gas, coal, wind, biomass, and cogeneration – require the support of a robust transmission system. Ultimately, the decision to invest in any type of generation lies in the hands of independent investors. They need to be confident that sufficient transmission is in place to deliver their product before investing the billions of dollars that are required. Generation sources will not be developed without a robust, efficient, and uncongested transmission system. Transmission, critical to encouraging new generation, must be able to move the most competitively priced electricity to market. Just last week we were reminded of this by an analyst with FirstEnergy, who said that market participants and regulators must get new generation and transmission capacity added to the grid sooner than later to avoid future shortages and price spikes. That's exactly what we're doing with Bill 50.

Bill 50 was brought before this House and underwent the debate process just like every other piece of legislation that's introduced. It's interesting to note that the hon. Member for Airdrie-Chestermere is proposing this motion now to reverse Bill 50. All members of the House had the opportunity to express their opinions during debate on Bill 50, but this member didn't speak on the bill, the amendments, or register a position during any of the four votes.

Today, when we have projects before the Alberta Utilities Commission, he wants to go back to the drawing board. So let's be clear what this means. This member wants to rip up contracts, Mr. Speaker, with companies that have spent tens of millions of dollars on these projects. Ironical that it's coming from this member, ripping up contracts. He wants to create uncertainty for the hundreds of companies involved and the approximately \$5 billion of annual transactions in the electricity business. This would be bad news for an Alberta economy that is just emerging from a long economic winter caused by a global recession.

The good news in Alberta today, Mr. Speaker, is that our economy is growing again, and it would be incredibly short sighted to delay the most urgently needed transmission projects in this province, dismissing the need for transmission. Passing this motion would be irresponsible. It would have negative consequences for Alberta. Strengthening the power grid is necessary to prepare Alberta for sustained growth in all sectors of our economy. The government of Alberta has the responsibility to ensure that Alberta has a safe, reliable, and efficient electricity system.

In summary, I want to emphasize that Bill 50 is a responsible piece of legislation that will help provide a reliable supply of electricity for Albertans for decades. Investment in transmission today will have long-term benefits for all Albertans. Now is not the time to turn our back on economic growth. As a result, Mr. Speaker, I would encourage all members to defeat this short-sighted motion.

Thank you, Mr. Speaker.

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

**Mr. Chase:** Thank you very much. Unlike the accusations tossed across at my hon. colleague from Airdrie-Chestermere, the Liberal position has been clear from the very beginning, that this piece of legislation is a major giveaway to power companies. We've made that point, but I'll re-emphasize that point.

Historically it goes back to Murray Smith. He's the one who first suggested that Alberta taxpayers alone, as opposed to the 50-50 split between transmission owners and the public, through the

deregulation of electricity should be unilaterally on the hook for billions of dollars. Thanks to Mr. Put On a Sweater, Murray Smith, Albertans lost approximately \$8 billion worth of utilities that, up until Mr. Smith went down to Washington, we owned.

Mr. Smith's vision caused a number of utility companies to not participate in the bid because for years preceding deregulation they had no sense of what type of profit they could expect from the transmission lines. We had two bids, and nobody was particularly interested until the prices were so ridiculously low that groups like AltaLink and ATCO, to their stockholders' wellbeing, saw an opportunity to get into the game in a much larger case.

Whether the hon. Energy minister is talking about the \$5 billion that will be forced to be spent by taxpayers for a questionable project at this time or whether he's talking about the \$16 billion that cumulatively will be spent again by taxpayers while industry and shareholders of industry record the profits remains to be seen.

Since Bill 50 was first brought forward in 2009, our reality in terms of our mineral resources has changed tremendously. Prior to 2009 we were concerned about the possibility of natural gas being depleted, and we weren't aware of all the shale gas that has been discovered since. What has happened, basically, going back in history, is that coal-fired generators and the companies owning those coal-fired generators have been holding Alberta hostage, and the government has been part of that hostage-taking.

5:20

The idea that when natural gas is a cleaner fuel, provides a more consistent energy, we should go up north and have lines all the way down south to Calgary to carry the most atmospheric problem causing, CO<sub>2</sub> emission producing type of electricity brought down and energy lost along the way makes no sense economically. The government has failed to effectively argue the case that these transmission lines to transmit polluting energy from the north are actually necessary.

[The Speaker in the chair]

At the first set of hearings they had, they enlisted spies to interrupt the process. Now instead of spies they have intimidation tactics in terms of a whole series of briefcase-carrying lawyers with billable hours charging rather large fees to both the government and industry, backed by armed sheriffs. If you're not intimidated by the suits, you're certainly potentially intimidated by the sheriffs. Why are the sheriffs there? Because an 80-year-old grandmother started poking her finger into the chest of one of the individuals who was involved in the spy circumstance and the hiding of the information.

Now we have our sheriffs, who we need to be patrolling the highways or serving in the court system, where their protection is required, babysitting government officials. What's interesting, Mr. Speaker, is that in this babysitting process people have either given up because they don't believe the government is going to listen to what they have to say, or they're intimidated. All kinds of chairs have been set up at these hearings, and very few people have been attending. They know it's a waste of time. They don't believe that their voices will be heard.

Now, the government has changed the names of the various organizations providing the approvals. We had the Energy and Utilities Board, and now we have the Alberta Utilities Commission. We have the AESO, which the Minister of Energy is suggesting is a totally independent body operating strictly in terms of the public interest. Well, how it's in the public interest to initially have lost the \$8 billion that deregulation caused or the \$5 billion that the government is gifting to transmission companies – it's not the transmission companies that are at fault for seeing a

business opportunity; it's the government's fault for subsidizing these organizations on the backs of the taxpayers.

The Energy minister talked about the need to get wind power online. Well, for 10 years this government put caps on wind power and basically killed investment in wind power or alternative sources of energy for a lengthy time period. You don't need to have transmission lines running from Wabamun to bring energy from southern Alberta online. If you're talking about effective transmission lines, get it right. Bring the wind power from the south to provide extra energy when at some coal-fired generator's whim they decide to up the price of electricity by pulling one of their power units off. In the case recently they pulled two coal-fired generators off, and now we're taking expensive energy from B.C.

The answer is simple. Given the low price and the large availability of natural gas and shale gas, when those two commodities start to dwindle, the ability to gasify coal as opposed to pumping it up the chimney would make tremendous sense both from an environmental standpoint and an economic standpoint. There is absolutely no sense in terms of bringing coal-fired, emission-spouting electricity from up north all the way down south. It does not make sense.

Mr. Speaker, I am not necessarily in favour of taking Bill 50 and just tearing it up completely. There is the possibility that had the government allowed a number of amendments that were put forward at the time to be considered, then we could work with it.

Another problem, Mr. Speaker, is the historic problem. We have an individual here who I give tremendous credit to, the MLA for Foothills-Rocky View, who came up with the importance of the land-use framework. My sincere wish is that the individual had the opportunity to be the sustainable resources minister long enough to actually have the land-use framework come into effect. If the land-use framework had set the rules for where transmission lines would be placed in line with all the other considerations of the land-use framework instead of shoving Bill 50 through and eventually getting to the land-use framework, a lot of this argument would not be occurring as it is today.

I thank the Member for Airdrie-Chestermere for trying to erase some earlier mistakes. Whether that member saw the light now . . . [Mr. Chase's speaking time expired]

**The Speaker:** Thank you, hon. member.

We have a list of six speakers in this order: the hon. Member for St. Albert, followed by the hon. Member for Edmonton-Highlands-Norwood, then the Minister of Municipal Affairs.

St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. I'm pleased to rise today and join debate on Motion 504, which urges the government to repeal the Electric Statutes Amendment Act, 2009. I would like to begin by thanking the hon. Member for Airdrie-Chestermere for giving us this opportunity to set the record straight about Bill 50 and what it means for Alberta property owners.

The truth is that this legislation reflects the long-term vision of our hon. Premier by ensuring that future generations of Albertans have access to reliable electricity transmission infrastructure. The Alberta Electric System Operator, or AESO, has determined through extensive study and planning that if we do not upgrade our existing transmission infrastructure, we will not be able to meet our province's electricity demands in the future.

Just a comment about AESO, Mr. Speaker. AESO is composed of a battery of world-class experts in the field of electricity transmission. They have the expertise to evaluate our present capacity and to project the needs of Albertans into the future based on sound economic data.

To be clear, this is not an issue of generation but, rather, our ability to ensure that the power that is generated is delivered to Albertans' homes and businesses when it is needed. In fact, due to inefficiencies in our aging transmission system \$220 million worth of electricity was lost in the form of heat from transmission lines in 2008 alone. This is enough electricity to power more than 350,000 homes for a year. As a result of these inefficiencies, more electricity must be generated, resulting in additional cost to consumers and an additional environmental impact.

In order to mitigate line losses and ensure reliable access to power in the future, the Alberta Electric Statutes Amendment Act, 2009, was passed to allow the government of Alberta to authorize the transmission system upgrades that have been identified as critical by AESO.

As the government we are responsible for keeping the lights on in Alberta, just as we are responsible for making sure that other critical public infrastructure is put in place such as roads, hospitals, and schools. This responsibility does not nor has it ever given government the ability to violate the property rights of Albertans.

5:30

Mr. Speaker, Bill 50 does not change this province's commitment to fair and open public hearings when it comes to determining the location of transmission infrastructure and does not circumvent Alberta property owners' rights to fair compensation for having this infrastructure located on their land. In fact, the Alberta Utilities Commission, an independent and impartial agency, will continue to determine where transmission infrastructure is located and will continue to listen to landowners' concerns.

In terms of compensation the Electric Statutes Amendment Act, 2009, made no changes to the ways in which landowners are compensated for the use of their properties. Should landowners not be able to come to mutually agreeable terms with the utility company, the Surface Rights Board will set the price as has always been the case. Compensation typically includes the acquisition of an easement, payments for the transmission line right-of-way, annual structure payments, and supplementary compensation. As you can see, Mr. Speaker, all of the protection mechanisms that were in place before this legislation was passed remain in place today.

The purpose of the Electric Statutes Amendment Act, 2009, is simply to ensure that critical electricity transmission infrastructure, that is necessary to keep the lights on in Alberta, is built in a timely manner. It provides for an addition in our transmission capacity that will accommodate long-term growth in our province while minimizing the land-use impacts.

I've heard many on the other side of this House argue that lower capacity transmission lines would be a better option as they also may have the ability to accommodate forecasted electricity demands. However, Mr. Speaker, should the forecasts change over time, this would force us into a situation where we have to continually build additional transmission infrastructure in order to meet the demand. This would result in even greater land impacts than the high-capacity 500-kV lines proposed now and potentially greater costs as well. The Electric Statutes Amendment Act, 2009, ensures that we will only need to build these new transmission lines once and that they will accommodate growth in Alberta for the next 40 years. In other words, while we don't need the majority of this new transmission capacity right now, we will certainly grow into it in the near future.

Some critics would have us believe that Bill 50 is nothing more than a way for government to circumvent landowner rights in Alberta in order to hand out large contracts to friends and supporters. A closer look at the legislation reveals that this couldn't be further from the truth. After all, Bill 50 does not impact property

rights; it simply speeds up the process for building critical transmission infrastructure. Alberta landowners retain the rights they have always had.

Mr. Speaker, this government has shown remarkable vision in its long-term electricity transmission plan and, as a result, will ensure that our children and grandchildren are well prepared to handle future growth in Alberta. Therefore, I do not believe that a repeal of the Electric Statutes Amendment Act, 2009, is in the best interests of Albertans. As such, I cannot support this motion, and I urge all of my hon. colleagues to do the same.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Minister of Housing and Urban Affairs and the hon. Member for Calgary-Glenmore.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I'm going to rise to support Motion 504. When I heard the hon. Minister of Energy speak, I didn't hear him addressing the key points in the motion, and I want to do that for a moment. The first change that this motion anticipates or suggests is to ensure that the transmission line projects are subject to an objective needs assessment hearing by the Alberta Utilities Commission.

Now, this is one of the things that Bill 50 removed. It removed some important aspects that existed relative to the approval of new power projects, including transmission infrastructure. First of all, it removed the requirement that these projects be in the public interest. That's very important.

Secondly, it removed the requirement that there be a public hearing for this designated infrastructure, which allows other people – it might be a competing company; it might be a consumers group or a ratepayers association or just an interested citizen – to intervene and challenge the need for the project and challenge the cost estimates that are being used in order to justify it.

Of course, Mr. Speaker, the way the infrastructure is built is that the money is borrowed, and then the repayment of that borrowed money is added to all of our power bills. So we have a direct interest in these projects. All citizens do. Whether it's large industry or just a homeowner, whether it's a municipality or a private-sector company, all of us will have to pay for this infrastructure, so we have an interest in ensuring that it's, first of all, necessary, in the public interest, and that it is built in the most cost-effective way possible.

Bill 50 removed all of those checks and balances and said that the cabinet itself, the government itself, could designate projects, which were exempt from this regulatory process altogether. It begs the question, Mr. Speaker: why did they feel that it was necessary to do that? If, as the minister is trying to tell the Assembly, these projects are in the public interest and they're absolutely necessary for growth, to get our economy back on track and so on, then why have they exempted the project from scrutiny? I would submit to you that it is because these projects are not in the public interest; they're not being built at the lowest necessary cost. I believe that these projects are designed to allow private power companies to build large-scale generating projects almost anywhere in the province, whether it be coal-fired or nuclear-powered generation, in order to sell their electricity for a profit, whether in the province or outside the province.

Now, the government is taking great pains to deny that these lines are designed for the export of power on a profit basis outside the province and, particularly, denied that American markets are involved. I don't believe them, and I don't think most Albertans believe them.

I used to get a charge out of former – and that's not intended as a pun. Sorry. But I used to sometimes enjoy former Premier Ralph

Klein because, you know, at the oddest moments he would just blurt out the truth. One day we were in the House debating a billion-dollar power line to the United States that was proposed at that time, and he talked about how we could build lots of coal-fired plants and sell the power to the United States, that the United States needed the electricity, there was a big market for it, and that's what they were going to do. Well, the reaction, I think, surprised him because people didn't want to have a bunch of coal-fired power plants feeding the American market.

But here's the thing, Mr. Speaker. This entire infrastructure that's proposed is not just to simply upgrade existing capacity and to ensure that we have reliable electricity transmission; it is designed so that the electrical power industry can build surplus generation and sell it for a profit. Nothing wrong with that except that they should be paying for the lines. If they are using these transmission lines to get their power to some other market so that they can make money, then it is not in the interests of the consumers of Alberta, and if that's the case, then we shouldn't have to pay for it.

5:40

Now, the minister has said: well, it's not really \$16 billion; it's really \$5 billion. When I met with AESO, they said that the total package that's now being proposed is \$8 billion and another \$8 billion to come down the line. Even using \$5 billion, the total value of all of the transmission infrastructure in this province today is only \$2 billion. So if the minister says that we're going to add another \$5 billion, then that has a very large impact on the electricity bills of Albertans. That's why industrial associations, that are very sensitive about electricity prices, have expressed so much concern.

Mr. Speaker, I think that this is rooted in the whole misguided electricity deregulation direction of this province. They have deregulated transmission. That means that you don't have to justify the transmission as being required for the public good. If you think you can make money by building a big generating system, you can, but then the transmission is not deregulated, and it's paid for by electricity consumers because of a policy change brought in originally by Murray Smith when he was the Energy minister.

This is what's fundamentally wrong with this entire approach. They are going to spend billions of dollars – and we can quibble about how many – to massively overbuild a transmission system in this province so that it can serve the interests of power companies who want to build generation to sell the power for a profit, yet we are being asked to pay for it. That's wrong, Mr. Speaker.

It's fine if you want to build these transmission towers and all of that and if you can justify that to the people who live near them and justify the environmental concerns. That's fine. Let the power companies pay for them. But don't ask us to pay for this and to have significant increases in our power bills in order to do so. That's just wrong. That's not a government that is acting in the interests of the citizens of the province. That is a government that is complicit with the power industry in gouging the people of this province to pay for for-profit transmission lines. That's the logic, in my view, of electricity deregulation.

We are the only party in this Legislature that has consistently opposed deregulation as a misguided attempt. I'm getting a look, I know, from the hon. Member for Calgary-Varsity. But when we were in Vegreville for the big meeting, that the Premier didn't come to, we had Danielle Smith, the leader of Wildrose Alliance, and we had the hon. Leader of the Official Opposition, from Calgary-Mountain View, and myself on the stage, and we had a little discussion about power deregulation. The other two leaders supported deregulation publicly – and that's on the public record – and we were consistent that deregulation is the source of the prob-

lem and is a serious error on the part of government, that has already cost Albertans billions and billions of dollars.

You just have to go back to the old balancing pool and the selling off of the different generating assets that took place in the beginning and the spikes in power rates that we all saw. It's a disastrous experiment, and it is now being compounded by a government that is willing to force us ratepayers to fund their friends in private industry. That is what's unacceptable about it.

I think that this motion is very, very appropriate because it would ensure, if the government followed the direction, that the transmission lines are subject to an objective . . . [Mr. Mason's speaking time expired]

**The Speaker:** Unfortunately, I can advise that we're now going to be moving on to the hon. Minister of Housing and Urban Affairs, followed by the hon. Member for Calgary-Glenmore.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's been a rather civil debate this afternoon, and I appreciate that while some of the members opposite may passionately speak in favour of this motion, obviously, many of us are opposed to this motion, and I ask that we continue this civility.

While I want to thank the hon. Member for Airdrie-Chestermere for putting forth this motion, I have to disagree with a lot of things that he has to say. I likely will not use my full time here, but I just want to address a few points. His claim that the Electric Statutes Amendment Act, 2009, otherwise known as Bill 50 from a couple of years ago, needs to be repealed: I would have to disagree with that. I actually think that the construction of critical transmission infrastructure, or CTI, is important for a province's economic growth. When I was a parliamentary assistant for Energy, I learned very quickly that it isn't good enough that we have an electric system that is only up 99 per cent of the time. It has to be very, very razor close to 100 per cent of the time. I hear stories from people in developing countries of when the power actually goes off and the deleterious effects that that has on the particular economy.

Mr. Speaker, in my opinion, there's been a lot of misinformation about Bill 50. I want to take this time to just speak about two topics here. I want to clarify the scope of Bill 50, and secondly, I want to explain why the construction of lines is important for our province's economic future.

With respect to the scope of Bill 50 it's important to note that Bill 50 applies to only a limited number of projects, four in particular. The total cost of these projects is estimated to be \$3.3 billion. While there are other power line projects that are going to have to be completed in the near future, these projects are not designated as CTIs and, therefore, are not affected in any way or means whatsoever by the scope of Bill 50.

Furthermore, it is important to understand why large-scale construction of transmission infrastructure is necessary. Now, of course, transmission lines are often located on private property, so the creation of large-scale transmission infrastructure at one point in time is important to ensure that a patchwork of infrastructure is not being created.

Of course, a patchwork of transmission lines has a couple of disadvantages over a well-planned large-scale project. From an efficiency standpoint large projects cost less because of the economies of scale, meaning that large projects are more efficient than small ones due to the high fixed costs associated with the construction of electrical transmission infrastructure. From a property rights perspective, Mr. Speaker, a patchwork of transmission infrastructure projects means that a haphazard collection would make up our electrical transmission system, hardly something that

we look to as ideal. Ultimately, this would take up more property space than a small number of large-scale projects.

Mr. Speaker, I think that these considerations are important ones to consider before we dismiss Bill 50 simply because of the cost associated with it or because of ideological or political lines.

In addition to discussing the scope of Bill 50, I also want to briefly explain the importance of ensuring that the critical transmission infrastructure is, in fact, built. Of course, AESO, the independent body that determines transmission need, makes careful projections about future demand for electricity in Alberta, also known as load forecasting. I also want to mention that we're not just planning for the electricity needs of today. We're also not necessarily planning for the population needs of tomorrow, Mr. Speaker, because, as we know, electricity use can increase beyond population growth over time.

Before Bill 50 was passed, this body completed an extensive report which included without limitation a detailed and robust load forecast for this province. The projected increase in demand for power in Alberta as determined by the experts at AESO in their report is close to 3.1 per cent over the next two decades, which requires a rather staggering 11,500 megawatts of additional generation. Of course, a modern transmission system is needed to get power from the generating stations to homes, to businesses, to industry across this province without extensive line loss. Although some opponents of Bill 50 have argued that transmission lines are not needed because the demand for electricity can be satisfied with natural gas power plants, with respect I find this view rather short sighted, and I'll address this briefly as well.

One, although the price of natural gas is low now – and the last time I checked, it was just a little below \$4 – there's no guarantee that natural gas prices will continue to be low in the future. In fact, any first-year statistics class will tell you that the further you go into the future, the higher your margin of error. I imagine that if you go back to five, 10 years ago, when you had much higher natural gas prices, if you had told them that the shale gas plays would have such an impact and you'd be below four bucks today, they may have laughed at you. Well, we may laugh at projections today five, 10 years in the future, so we need to make that appropriate preparation. While local natural gas generation plants are popular now due to low prices, we have to be cognizant of the fact that increases in natural gas prices would significantly alter the feasibility of natural gas generation, especially since some natural gas plants are only used during times of high demand.

I also want to address that the feasibility of local natural gas plants, to me, is put in doubt. Who's one of their biggest proponents? Mr. Speaker, it's Enmax. Who would benefit most from them? The Crown-operated utility owned by the city of Calgary, that has the highest local access fees in the province. Of course, now, that's another debate, that the Member for Calgary-North Hill has been involved with.

Another reason we must be concerned about our transmission infrastructure now is because it takes longer to build transmission infrastructure than it does to improve the generating stations. This is because of the fact that power lines are located, again, on private property, and it takes time to ensure that landowners are properly compensated for any impact that power lines have on their property.

Now, of course, Bill 50 still ensures that the Alberta Utilities Commission has the final say with respect to where transmission lines are located. Indeed, starting in the future, the Alberta Utilities Commission will visit municipalities such as Spruce Grove, Morinville, Fort Saskatchewan, and other places to meet with landowners who have expressed concern about heartland transmission facility applications. These meetings emphasize the

AUC's commitment to ensuring that landowners have an opportunity to bring forward any and all concerns that they may have about the project.

5:50

Mr. Speaker, in summary, I want to emphasize that Bill 50, the Electric Statutes Amendment Act, 2009, is indeed a necessary piece of legislation that will help provide a reliable supply of electricity for Albertans over the next several decades. While debates about policies are often focused on the short term, the debate about Bill 50 should not be focused on the next two to five or even 10 years. Rather, the debate about this bill should be on the long-term importance of transmission infrastructure, which is necessary for the well-being of future generations of Albertans.

I do want to address two final issues. The Member for Airdrie-Chestermere has brought up the issue that AltaLink donated to the Progressive Conservative Party of Alberta. Well, anybody who goes to [elections.ab.ca](http://elections.ab.ca) can also find that AltaLink also donated to the Wildrose Alliance Party.

Secondly, the Member for Calgary-Varsity has made some rather maligning statements about the legal profession. I will not take those to heart, but at the same time I will restrain myself from making comments about his profession like he has about mine.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore.

I must advise all members that at 5:54 I shall rise and call on the hon. Member for Airdrie-Chestermere to conclude the debate.

**Mr. Hinman:** Thank you, Mr. Speaker. I see that my time is going to be very short, so I'll try and jump over the highlights. I guess I'd like to start off by saying how disappointing it is that the debate isn't about the motion, which talks about an objective needs assessment hearing, which is critical. It's about open and transparently tendered power lines and whether there's going to really be true and fair compensation for the landowners.

I guess I'll have to summarize at this point. The department of economics at the University of Calgary, the department of electrical engineers, put out a very interesting paper back in October 2009. At the end of it it says that they question the urgency after being brought forth so long ago. Now it's two years later, and still the Minister of Energy says that this is urgent. I'd like to know the government's definition of urgent, whether that's two months, three months or three years or five years. Urgency has long passed on this.

The school of economics just says, you know, that we need to have a regulatory hearing that has a greater ability to draw on expertise. The process also requires a regulator through written decision – this is through a written decision – to provide and document the rationale for each decision. There is no rationale for this decision. It raises doubts. It says that if we need to improve our regulatory reform, do that, but don't abandon the regulatory process.

We have to ask – and it was brought into question again in the report – about the DC lines. It's not economically viable to be putting in DC lines for a short, 300-kilometre run. It should be 600 kilometres minimum in order to kick in and truly be effective in that area.

The real question, Mr. Speaker, and the real problem of all this is the parameters which the government has put around this to say: "This is why we need it. These are the parameters that justify this." Those parameters are wrong. They don't take into account the competitiveness of where generation is put in, and they've taken on the parameter of zero congestion. They continue to bring up this line loss, which everybody knows and understands, but you need to look at it in that the percentage of actual electricity



transmitted and paid for is nowhere near the numbers that they are perpetuating and saying, that we're losing, you know, millions and millions of dollars through line loss. It just isn't so.

Again, the member mentioned that, you know, it's this government's responsibility to keep the lights on.

**The Speaker:** I hate to interrupt the hon. member, but standing orders suggest that we should now call on the hon. Member for Airdrie-Chestermere to conclude the debate.

**Mr. Anderson:** Thank you, Mr. Speaker. There's not a lot of time here in the last five minutes, but I would just like to clarify a few things. I don't think anyone in this House – I don't know; I'm just going to speak for the Wildrose. We're certainly not opposed to building new transmission in Alberta that's needed to keep the lights on. We're not opposed to that. What we're opposed to is the overbuild of unnecessary transmission and then having ratepayers in Alberta have to foot the bill for unnecessary lines and expenses. That's what we're against.

We had a process in place. We had the Alberta Utilities Commission, an independent arbiter, hear all sides and all stakeholders in the situation, and they put out a needs assessment finding of whether the new transmission proposals are needed. That is so critical. When you take out that independent needs assessment process, you make this a political issue, and it is a political issue that will absolutely lose dozens of PC Party MLAs their seats, especially in rural Alberta, in the next election just on this issue. It will happen. You can take it to the bank if you do not repeal this bill. It's a bad bill. It's a bill that allows you to spend billions of dollars on the backs of Alberta ratepayers without going through the objective needs assessment process.

There's no need for it. If you're so sure that it's needed and of all the facts that were being thrown around on all sides today, fine. Okay. Even if you believe that, should you not, then, be very comfortable or confident that if there's an independent needs assessment process before the AUC, they will find that what you are saying is true or that they would find that a certain amount of it's true, that we need a certain amount built, et cetera? Then we build the lines. Absolutely. Albertans will get behind that. We all want electricity. We need electricity. But when you take the AUC, the independent, objective arbiter, out of the equation here, you make it a completely political decision – completely political – and people see it.

There's no reason why we should be sitting here. I mean, aside from the tender – yes, they should have been tendered openly, and there are a whole bunch of things wrong with Bill 50 – just take home one thing, that if you're so confident in what you feel is needed for our electrical grid here, then let's go before the experts. Let's have people from industry and landowners and all stakeholders – government officials, the AESO, everybody – come before the AUC and make their case. If it so happens that we do need more electricity, let's build it. Then it'll be on people's power bills, and that's okay because it's needed. But right now how can we honestly in this House say that we need the degree of electricity build that is being proposed in Bill 50? It's just nonsensical. If it isn't nonsensical, if I'm totally wrong, great. Let's go to the AUC. Let's have a needs assessment process that's open and accountable.

I'll end quickly with one thing that was said here by IPCCAA, which represents industrial, 35 per cent of the power users in Alberta. They say that this plan will make Alberta less competitive. It will push companies to leave. These lines will cost billions. We're going to spend billions of dollars, and there's no return on this investment. We're going to be pushing jobs out of this province. I know you think this is going to help promote growth. It won't. It will drive up power prices unnecessarily. We'll be un-

competitive. Jobs will leave, companies will leave, and all because we didn't allow an independent needs assessment process to take place, as was clearly called for by the U of C School of Public Policy and IPCCAA and the consumers for competitive transmission – and there are literally dozens more – all calling for an independent needs assessment process.

Mr. Speaker, I just hope that people in this Assembly will do the right thing, that they'll repeal this bill. Let's go back to the drawing board. Let's put it before the AUC and, on behalf of the people we represent, make sure that we're giving our consumers, our voters the best possible electricity rates that we possibly can, and the only way to do that, in my view, is to bring it before the AUC.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, we have before the Assembly a vote with respect to the support or lack of support for . . .

**Dr. Taft:** A procedural point for just a second, Mr. Speaker. My hunch is there might be a standing vote.

**The Speaker:** We don't know that.

**Dr. Taft:** I don't know that, but in case there is, would it be possible to get unanimous consent to shorten the bells? I'd just put that to you, Mr. Speaker.

6:00

**The Speaker:** Hon. member, I think that would be a very dangerous request. There are many, many members that are located in buildings other than this one. One minute would not give them time to come here, and they would have had no notice of that whatsoever. That would make this group the one who would make decisions on behalf of other members who aren't here. It would seem to me that – no, I don't want to bring that question to the attention of the Assembly simply because of the democratic principle.

[The voice vote indicated that Motion Other than Government Motion 504 lost]

[Several members rose calling for a division. The division bell was rung at 6:01 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Anderson	Hinman	Pastoor
Chase	Mason	Taft

Against the motion:

Allred	Doerksen	McFarland
Amery	Drysdale	McQueen
Benito	Goudreau	Mitzel
Berger	Hayden	Olson
Bhullar	Jacobs	Renner
Calahasen	Johnston	Sarich
DeLong	Liepert	VanderBurg
Denis	Marz	

Totals:	For – 6	Against – 23
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[Motion Other than Government Motion 504 lost]

**The Speaker:** Hon. members, the House will now stand adjourned until tomorrow afternoon at 1:30 p.m. However, the policy field committee will meet for consideration of the main estimates of Municipal Affairs at 6:30 p.m., and the meeting will be video streamed.

[The Assembly adjourned at 6:13 p.m. to Tuesday at 1:30 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, April 19, 2011

Issue 25

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 19, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. We give thanks for Your abundant blessings to our province and to ourselves. We ask for Your guidance in our deliberations and the will to follow it. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Sustainable Resource Development.

**Mr. Knight:** Well, thank you very much, Mr. Speaker. It is indeed a pleasure and an honour for me to stand this afternoon and introduce to you and through you to all members of the Assembly a couple of gentlemen that are in your gallery. You would very certainly recall Mr. David Wilkins. Mr. Wilkins served as the United States' ambassador to Canada under the previous administration. Tom Sullivan is a colleague of Ambassador Wilkins, and they're here visiting Alberta. They've been, you know, very familiarized with the province of Alberta over the years. Ambassador Wilkins has been a great, great supporter and advocate of Alberta across Canada and most certainly in his native United States. I would ask them to please rise, and I would ask all of our members to give them the traditional warm welcome of the Assembly.

**The Speaker:** Mr. Minister, I hope you don't mind if I supplement your introduction of Ambassador Wilkins. He has been a friend of mine for a long period of time. All hon. members should know that Ambassador Wilkins was an elected representative in the state Legislature of South Carolina for 25 years, he served as Speaker in the House in South Carolina for 11 years, and in fact he was the first Republican elected to Speaker in what is known as the American south since the 1880s. So, Ambassador and Speaker, welcome again.

### Introduction of Guests

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Mrs. Ady:** Thank you, Mr. Speaker. I'm pleased to be able to stand today to introduce through you to members of the Assembly a group of elementary students from Trinity Christian school. They've come every year. They're the only school that comes out of Calgary-Shaw to visit us in the Legislature. They have with them today their teacher, Mrs. Cheryl Barnard. They have 20 parents with them and 27 students. After they leave the Assembly today, they're going to be going to West Edmonton Mall to the water park and spending the night in Edmonton. I'd ask that they rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise to introduce to you and through you to members of this Assembly a group of 19 grade 6 students from Rochester school, a small community within my constituency about an hour and a half north of here. They travelled in to Edmonton to visit the museum and

the Legislature today. I'm very happy that they've come in to visit us. They're led by their teacher, Mr. Howard Ruttan, and teacher assistants Beryl Cumbleton and Val Breitreutz. Unfortunately, they're not in the House until 2 o'clock, but just the same I'd ask the Assembly to offer its traditional warm welcome.

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

**Mr. Prins:** Well, thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to all members two groups of students with us today. The first group I'll introduce is from the Rimbey Christian school. There are 28 students and eight adults, and the adults with us today are Mrs. Kathy Nieuwenhuis and Mr. Paul Payson – he is a teacher in the school as well as a town councillor in the town of Rimbey – and Mrs. Tonya Dempsey. The other adult helpers are Mrs. Diane Weening; Mrs. Melodie Schwieger; Mrs. Jill Murphy; Mr. John Holtkamp, the bus driver and a good friend of mine; and Mr. Jeremy Maser. They're seated in the members' gallery. I would ask them to stand and receive the warm welcome.

Mr. Speaker, the second one is 19 students and three adults from Father Lacombe Catholic school. The adults here include Mrs. Stephanie Dallas, teacher. She is also the daughter-in-law of the hon. Member for Red Deer-South. Mr. Curt Baron and Mrs. Colette Lunn are accompanying these 19 students. Also, one of the students, I would like to add, is Miss Kasandra Calkins. She is the daughter of the federal candidate, Mr. Blaine Calkins, who is our Member of Parliament. She is with them as well. I don't know if they're here now or if they're coming at 2 o'clock, but I would ask all members to give them the warm welcome as well.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Well, thanks, Mr. Speaker. Edmonton-Riverview has many wonderful schools in it, and one of the most wonderful of all is Lansdowne elementary school. For those of us who know Edmonton, Lansdowne not only serves a small community, but it also serves one of the big international residences for the University of Alberta, Michener Park. There are 29 members of the grade 6 class of that school visiting us today, and they're accompanied by their teacher, Mr. Woolley. I believe they're in the public gallery, and I would ask them to rise and receive the warm welcome from all of us.

Thank you.

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. Starting April 30, the top junior A hockey teams in Canada will commence the Royal Bank Cup in Camrose, and it'll be hosted by the Camrose Kodiaks. There may be another Alberta team in the tournament, depending upon the outcome of the Doyle Cup. This represents years of hard work by a lot of community volunteers.

I rise today to introduce to you and through you to all members of the Assembly some of the members of the organizing committee, who have made this event possible. They are Barry Fossen, president of the Camrose Sport Development Society; Kevin Gurr, chair of the 2011 RBC Cup committee and secretary of the Camrose Sport Development Society; Kevin Pratt, treasurer of the Camrose Sport Development Society; and Gary Gibeault, business operations director for the 2011 RBC Cup committee. I'd like to thank this committee for their very hard work, and I'd also like to encourage all members to make a trip out to Camrose and check out some great junior hockey. They're behind me in the public gallery, and I'd ask that they receive the traditional warm welcome of the Assembly.

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

**Mr. Chase:** Thank you very much. In my introduction to you and through you today I'm going to be introducing a number of individuals from the Alberta Golf Association who share my father's passion for the sport. Mr. Speaker, you or members of this Assembly may not be aware that three years ago my father represented this province in the Canada Senior Games in golf. Three months after triple-bypass surgery he was in Dieppe, New Brunswick, and he brought back the gold medal in golf for over 85.

Mr. Speaker, while you'll find me frequently in the rough both in the Legislature and outside, my father is always on the fairway, and so are these gentlemen and ladies. I have Brent Ellenton, Jim Hope, Dean Ingalls, Brent Hutcheon, Duane Sharpe, Craig Rusnak, Slade King, Karen Rackel, Wayne Ganshirt, Gary Ward, Steven Young, Jim Ross, Glenn Genereux, Al Scoffield, Debbie Amirault, and Duncan Mills. These individuals met with the representatives from Calgary-Buffalo and Lethbridge-East and talked about all that golf does for this province and would like to have a greater say, shall we say, in the determination of the golf process.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.  
1:40

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Indeed, it's my pleasure to introduce an Edmontonian who's a very good friend of my leg. assistant. They both met at MacEwan University, where Rose Marie Matwie – she actually is an Edmontonian who has never been in the Legislature – received the outstanding service award for her work with new Canadians in teaching English as a second language. This is her first visit. I'd like to ask her to rise and receive the traditional warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Air Spray Ltd.

**Mr. Elniski:** Thank you, Mr. Speaker. I'm particularly pleased today to talk about people among us who are consciously putting themselves in harm's way to protect us. While there's no doubt that protecting citizens in urban areas is indeed a challenge, imagine for a moment the challenge of being the first responder at a fire engulfing an area the size of a thousand football fields.

I am proud to report that when an event of this magnitude occurs, my constituents respond. The three key agencies that coordinate, plan, and fight wildfire are all located in Edmonton-Calder because, of course, Mr. Speaker, it's all in Calder. They are Sustainable Resource Development's fire ops, Emergency Management Alberta, and the organization I want to talk about today, Air Spray Ltd.

The company chair, Don Hamilton, got his pilot's licence in 1943. Starting with an 80-horsepower Cessna 120, Don proceeded to build a state-of-the-art fire suppression and control business using the most modern and robust fleet of aircraft of their kind in Canada. Under Don's leadership staff at Air Spray Ltd. go wherever they are needed and have saved the forest industry in Canada and the United States literally billions of dollars in lost revenue by supporting ground firefighters and playing an integral role in saving lives and saving property. Don has enjoyed an exemplary career, and his achievements have changed aviation and forest landscape management in North America.

Mr. Speaker, there are many outstanding aviators and entrepreneurs from Edmonton, but only one, our friend Don Hamilton, will take his place in the Canadian Aviation Hall of Fame on May 26 of this year. Don is being inducted into this prestigious hall for being a pioneer and an innovator, but to those whose livelihoods depend upon the wilderness, he is so much more. Don Hamilton is one of those who protects us and who protects what we love.

You should never curse a farmer while you're having dinner, Mr. Speaker, just as you should never complain about someone doing their best to help you because you might need it the most.

Thank you.

#### Patient Advocacy by Physicians

**Mr. Anderson:** Mr. Speaker, our doctors, nurses, and other health professionals have devoted their lives to caring for the sick and afflicted. Because they care so much, these great Albertans feel duty bound to treat and protect their patients as best they can. It is this very relationship of trust that our doctors and nurses uphold that makes this PC government's treatment of them absolutely reprehensible. The past six months have seen a continuous string of evidence showing physician intimidation and punishment undertaken by this PC government.

What were these doctors' crimes? They voiced dissent against government decisions they felt would hurt the care of their patients. Despite all the evidence of wrongdoing the PC government continues to refuse opposition calls for a full judicial public inquiry to get to the bottom of these allegations and ensure the wrongdoers are dealt with appropriately.

They have continuously stated that there will be an internal review done by the Health Quality Council, which reports directly to the minister of health, and the PCs argue that this should suffice. This is, of course, nonsense. The Health Quality Council is comprised of doctors specializing in issues of patient care. They are not equipped with the subpoena powers or legal training necessary to undertake an investigation into potential ethical or criminal wrongdoing.

Last week Alberta doctors did something unprecedented. Through the AMA they called for an independent public inquiry into the issue of physician intimidation. Doctors are simply fed up with what's been happening, and they want to get to the bottom of it so they can advocate freely for their patients' health.

If elected, a Wildrose government will immediately call for a full public inquiry into the issue of physician intimidation, paid AHS confidentiality agreements, and other questionable practices of this PC government as it pertains to the relationship with Alberta's health professionals. Our health care system is the most important social service we have as a province. We can no longer trust it to a PC government that is clearly far more focused on controlling political damage than it is on repairing the damage they've done to our public health care system.

Thank you, Mr. Speaker.

#### Alberta School Councils' Association

**Ms Woo-Paw:** Mr. Speaker, the Alberta School Councils' Association's annual conference took place last weekend. This is an opportunity for delegates from school councils across the province to come together to share their experiences from the past year and to prepare for the next one. School councils are made up of a diverse group of parents, teachers, principals, students, staff, and community representatives who work together in support of student success in their communities.

The ASCA is a wonderful example of the positive impact that volunteers can play in our school system. By bringing together various stakeholders, school councils can offer multiple perspectives, unique skills, and fresh ideas to support our students and schools. School councils play an important role in promoting positive relationships between the school and the community and are a valuable resource in helping schools and students deal with the challenges of today. By providing valuable insight on issues like bullying in and outside of the school, members of school councils can have a direct impact in helping every student in the community to succeed. The parental perspective is invaluable in helping educators understand the unique pressures and challenges that our students are facing today. Students councils provide a forum for discussion and collaboration between all those who have a stake in student success.

As we have been saying for years, transforming education in Alberta requires more than just the involvement of teachers, principals, superintendents, and trustees. One of the key components in our vision for the future of education in Alberta is an increased engagement of the community in their schools. School councils are the embodiment of this engagement.

On behalf of the Legislative Assembly I want to take this opportunity to thank everyone who took the time to participate in a school council this year. Your contributions provide an important voice in the education community, and we value your commitment to our schools, our children, and our communities. I wish all of you the best in the coming year.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Red Deer-South.

#### Energy Efficiency Rebate Program

**Mr. Dallas:** Thank you, Mr. Speaker. Improving energy efficiency and increasing conservation are key components of Alberta's climate change strategy. As part of our approach, two years ago this government announced a \$36 million investment in energy efficiency rebates for consumers. The program is on track to reduce emissions by 1 million tonnes, which is the equivalent of taking 200,000 cars off the road for a year.

We are very pleased with the positive decisions Albertans are making to improve energy efficiency in their homes. Since the program's inception in April 2009 Albertans have responded with phenomenal enthusiasm, receiving more than 110,000 rebates worth more than \$26 million. While some of the rebates available to Albertans have changed over time, the overall goal has not: to help people be better environmental stewards and create a culture of conservation in the province. Albertans still have about one year left to participate in this program, with rebates continuing to be available on items such as high-efficiency heating systems, insulation, hot water heaters, and new homes.

Mr. Speaker, I would like to thank Climate Change Central, our partners in this successful program. It has helped Albertans become more energy efficient, save money, and reduce greenhouse gas emissions. I am pleased that Albertans are sharing environmental leadership and doing their part to create a more sustainable future.

Thank you.

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. Dr. Michel Sauvé from Fort McMurray is the latest victim of this government's culture of fear and intimidation. Dr. Sauvé was forced to take legal action against the former health region and Alberta Health Services. He stated that, quote, his work environment is intolerably stressful and, as a consequence, he's suffering emotionally. Dr. Sauvé has reason to believe that the health region and others, quote, have undertaken to drive him out of the community. End quote. To the Premier. Dr. Sauvé's lawsuit was filed in 2010. How can the Premier continue to deny that a culture of fear and intimidation continues under this government's leadership?

**Mr. Stelmach:** Mr. Speaker, the fact that he's filed a lawsuit: obviously, there's a process to deal with his complaints with his employer.

**Dr. Swann:** Well, given that a judicial inquiry is the only way to get to the bottom of this government's culture of fear and intimidation, will the Premier finally find his backbone and recognize that the Health Quality Council review will not help doctors like Dr. Sauvé?

**Mr. Stelmach:** In fact, the Health Quality Council is the best way of reviewing all of these allegations that are made by some doctors, some dating back as many as 10 to 15 years ago. The process is under way. If this physician wants to come forward with his allegations, he's free to phone the Health Quality Council immediately and come forward with the evidence, if he has any.

1:50

**Dr. Swann:** Disingenuous, Mr. Speaker. He knows that the Health Quality Council cannot relieve people of their nondisclosure agreements.

How many more hundreds or thousands of health professionals like Dr. Sauvé does the Premier have to hear from before he concedes that a judicial inquiry is the only way to address a culture of fear and intimidation?

**Mr. Stelmach:** Mr. Speaker, if this matter is currently before the court, how can there be a nondisclosure agreement? It just doesn't make any sense.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Yesterday the Premier said that doctors subject to nondisclosure agreements could go to Alberta Health Services, request that the terms of the nondisclosure agreements be changed and, if Alberta Health Services agreed, discuss the details within. Moments later the health minister contradicted the Premier and said that Alberta Health Services would not change the terms nor would he direct them to do so. They can't both be right.

**Mr. Zwodzesky:** Point of order, Mr. Speaker.

**Dr. Swann:** To the Premier: will the Premier set the record straight? Is Alberta Health Services in a position to change the terms of these nondisclosure agreements to permit doctors to disclose without fear of retribution and, if it is, will the Premier direct it to do so?

**Mr. Stelmach:** Mr. Speaker, the government does not have the power to open up nondisclosure agreements because we're not a

party to the original agreement. Can you imagine if the government had the power to open all kinds of agreements that were entered into by two parties and tear up contracts and say, "Well, this is the way we want it"? There would be tremendous howls from the opposition if we ever did that as the government of Alberta. Pure nonsense.

**Dr. Swann:** Why does the Premier ignore the Alberta Medical Association and the over 6,500 doctors it represents when they say that a public inquiry is the only course or option to address the issue of physician intimidation? Why do you ignore them, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, if you read further down in the letter, the AMA said that if the government does proceed with the Health Quality Council and endorses the Health Quality Council – and the Health Quality Council wrote their own very robust terms of reference to conduct this review. The AMA said: we will co-operate.

**Dr. Swann:** Well, given that the Premier will neither allow a public inquiry nor the opening up of these nondisclosure agreements, is he tacitly admitting that a public inquiry would find more smoking guns than this government has shovels to bury them?

**Mr. Stelmach:** Talk about – well, no, I'll stay away from that. I'll just focus on the Health Quality Council. Mr. Speaker, this is the best way to proceed. In fact, the process has begun. The terms of reference have been agreed on by the Health Quality Council. They have some excellent legal advice to advise them as they proceed, and any physician, any nurse, any health care provider can come forward under the protection of the Alberta Evidence Act and deliver their evidence.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Centre.

### Mental Health Services

**Ms Blakeman:** Thank you, Mr. Speaker. According to the Canadian Mental Health Association 1 in 5 Albertans will suffer from a mental disorder in his or her lifetime, yet for three years this government has ignored recommendations by the Auditor General that would advance implementation of an integrated provincial mental health plan. To the minister of health: how much longer are Albertans to suffer without the standards, targets, and initiatives of a provincial plan for addiction and mental illness?

**Mr. Zwozdesky:** Mr. Speaker, as I've indicated on previous occasions – and I'm happy to reiterate it – we spend between \$500 million and \$600 million on such initiatives. We've just committed another \$19 million for a school initiative to hire more counsellors and provide more assistance. Finally, we do have a mental health provincial strategy that is being worked on. It will be available very soon, and it will result in vast improvements to mental health delivery in this province.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much. Back to the same minister: given that Alberta's suicide rate is the second highest in Canada, why hasn't the minister acted on another 2008 recommendation from the Auditor General and increased the priority of suicide in the provincial mental health plan?

**Mr. Zwozdesky:** Mr. Speaker, I believe we have. I should also comment that of the 53 recommendations that were made by the

office of the Auditor General, the vast majority of those recommendations were acted on. They've already been implemented. Again, we are waiting for the office of the Auditor General to complete their audit of what we did in response to the audit he did earlier. So it's a two-way street here. It's being worked on.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much. Back to the same minister. Well, there's been no improvement on monitoring or reporting, so what is the reason that this government has made it so difficult to track their process on implementing the provincial mental health plan? Why?

**Mr. Zwozdesky:** Mr. Speaker, I don't think there is a delay. I think there is very robust and very aggressive action being taken, partly because of the five-year health action plan, mostly because of the five-year commitment to funding, unprecedented anywhere in Canada. I've indicated it before and I'll indicate it again: as far as I'm concerned, mental health is one of those top priority issues, and that's why we've put so much more emphasis on it. More resources, more people. We've just opened more residential treatment beds in Medicine Hat and in Fort McMurray, and there's more good news coming.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Patient Advocacy by Physicians (continued)

**Mr. Boutilier:** Thank you very much, Mr. Speaker. It's been often said that where there's smoke, there's fire. This Premier and the minister of health continue to say that they just want the issue to die. One by one they have told doctors and Albertans no to a public inquiry. Now he has just lined up 6,500 Alberta doctors and told them no to a public inquiry. To the health minister: what are you so afraid of, considering you were the junior minister during the time in question?

**Mr. Zwozdesky:** Mr. Speaker, we're not afraid of anything over here. If there is evidence, if there is proof, there's a process by which they can bring that forward. If they feel they have some real smoking guns, they have the police they can go to, they have the office of the Auditor General they can go to. If it's a malpractice issue, they can go to the College of Physicians & Surgeons.

Let's keep this in perspective, Mr. Speaker. Over the last five years the College of Physicians & Surgeons found it necessary to suspend an average of maybe two or three per year. That's it. It's not a very large number. I don't take away from the gravity of it. I'm just saying: let's keep this in perspective.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given that the minister is clearly afraid of something, based on that answer, and given that he was the junior minister and is potentially in a conflict of interest, will you, sir, call for a public inquiry or step down as the minister responsible for Alberta Health and Wellness because of the cloud that is over your head?

**Mr. Zwozdesky:** Mr. Speaker, I'm very proud of what I did as the associate minister for health in 1999, 2000, and 2001. That's where we started the programs more aggressively to do with electronic health records. That's where we talked about multicultural health brokers in the hospitals so that people could have . . . [interjections] Did you want to recognize the yappers, Mr. Speaker?

**The Speaker:** I've recognized the hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Okay. Thanks. I'm sorry. It's just that they're chattering so much, you can't hear very well. At least I couldn't.

I was just saying that I was very proud of what I did in that respect, and I'm even more proud of the fact that I'm able to continue it with the first-ever Alberta wellness forum last December and an international symposium that we're planning for October of this year. Wellness is very important, and I stand by my record of helping to advocate for it.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Given that some of the new superboard appointees were in senior positions at the time in question and were made by this minister when he was the junior minister, will this minister rescind those appointments to the superboard because of the potential conflict of interest until a public inquiry is called?

**Mr. Zwozdesky:** Mr. Speaker, I can remember being in cabinet with that member when he was supporting these people. These are very credible, very knowledgeable people: Orders of Canada, people who ran the most successful health system in Canada for three, four, or five years, people who are doctors. Why are you attacking these innocent people? It's just no sense.

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

#### Cancer Surgery Wait Times

**Mr. Mason:** Thank you very much, Mr. Speaker. Documents released yesterday show that the PC caucus was told as early as 1999 by Dr. McNamee and others that they were not putting enough resources into lung cancer surgery. They did nothing. Yesterday the whole Tory caucus shamefully voted to keep information about the impact of their negligence secret. My question is to the Premier. Will the Premier explain why his government refuses to release information about cancer surgery wait times between 2000 and 2007?

**Mr. Stelmach:** Mr. Speaker, that's what is going before the Health Quality Council. They'll review all of the documents. In fact, they're open to looking at all of the unsubstantiated allegations that have been made in this House for the last six months. You know, in this House of immunity, right here, the best immunity in the province of Alberta, not one single fact came forward, only allegations.

2:00

**Mr. Mason:** Mr. Speaker, given that it is the government that has the facts and is withholding them and given that it is increasingly clear that the Health Quality Council review is actually just the rug which the government is using to sweep its dirt under, will the Premier finally admit that he has no intention of letting the public learn the truth about cancer wait times and patient deaths because he and his entire caucus are implicated?

**Mr. Stelmach:** Mr. Speaker, not only did this coalition over here a few months ago – and this word “coalition” is gaining more prominence across the country of Canada. Not only did they stand up together and blame the University of Alberta, blame the University of Calgary, blame the Alberta Medical Association, blame the College of Physicians & Surgeons, but now today they are including

even other health care professionals in this alleged cover-up. When will this ever stop?

**Mr. Mason:** Given, Mr. Speaker, that the only people that we are blaming are this Premier and his Tory caucus and given that the Tory caucus was told that there was a problem with wait times for cancer surgery years ago and given that the same caucus refuses to release information that could convict them of political negligence, why won't the Premier just put the interests of Albertans ahead of saving the skins of his Tory caucus and do the right thing?

**Mr. Stelmach:** Mr. Speaker, we are putting the needs of Albertans first and foremost. That's why we're proceeding with the Health Quality Council review. Most importantly, we are the only jurisdiction in Canada that has come forward with a five-year commitment for funding and very, very aggressive performance measures, much more aggressive than most other jurisdictions in Canada. We also are looking at how to grow the economy so that we can afford good-quality health care well into the future so that our children and grandchildren will enjoy a very good publicly funded system.

#### Oil Sands Royalties

**Mr. Hehr:** Mr. Speaker, Alberta's Auditor General has said that this government has failed to develop performance targets and measures for the oil sands royalty regime. My question is for the Minister of Energy. When will the government set measurable performance targets for oil sands royalties so we know where we are going?

**Mr. Liepert:** Well, I think, Mr. Speaker, it should be put in context because my guess is that this member did his research again in the local newspapers. What the Auditor General actually said is that of all the recommendations that were made, the Department of Energy has fully implemented those recommendations, and in the one relative to oil sands, he says there is satisfactory progress. Now, I would suggest that if that were a high school report card, it would be passing with flying grades.

**Mr. Hehr:** Given that I didn't read it in the paper but read it in the Auditor General's report, there's something amiss in the minister's answer. Nevertheless, can you explain why the royalty percentage received by this government for oil sands is capped when oil prices reach above \$120 a barrel?

**Mr. Liepert:** Mr. Speaker, one of the reasons why this particular recommendation hasn't yet been implemented – I can tell you it will be; the performance measures will be part of the 2012-2013 business plan – is that we have to recognize that when it comes to the oil sands, there is no other comparative, so we're trying to devise a mechanism whereby we have a performance measure that is actually meaningful. We want to make sure that it's meaningful and not done quickly and has little or no meaning.

**Mr. Hehr:** Given that the minister just tried to answer question 1 instead of question 2, I'll try question 2 again. Can the minister explain why the royalty percentage received by this government for oil sands is capped when oil prices reach above \$120?

**Mr. Liepert:** Mr. Speaker, there are parties in this House – and I'm not sure if that member sits in one of those parties – that believe that we should be getting more royalties to the extent that we make ourselves uncompetitive. One of the things we want to ensure is that our royalty structure is competitive. We now know it's

competitive on the conventional side of the system, and we need to devise a performance measure around the oil sands.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Lethbridge-East.

### Community Spirit Program

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Our non-profits and charitable organizations are struggling with the lingering effects of the economic downturn and with ever-rising costs to deliver programs and services. The Minister of Culture and Community Spirit announced the recipients of the 2010 community spirit program donation grants last week. Eighteen hundred organizations received funding compared to 20,000 non-profits in the province, a relative drop in the bucket. My questions are to the Minister of Culture and Community Spirit. Is the community spirit program having any impact, Mr. Minister?

**Mr. Blackett:** Well, Mr. Speaker, it definitely is having an impact. Hearing from the recipients themselves, they tell us that it is. These dollars help for additional programming operations.

We have given as a Progressive Conservative government \$52.9 million over the last three years. Those are new dollars. Those are dollars they didn't have before. It's part of the commitment we have made in addition to the enhanced tax credit. It's something this government believes in. Unlike the far right Alliance over there, we will continue to fund the . . .

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: who got to pick and choose which applicants would receive the funding?

**Mr. Blackett:** Well, Mr. Speaker, it's as it should be. Albertans got to decide. Albertans decided to donate to those individual organizations. We matched proportionately up to \$25,000 per organization, and we're glad to say that 1,792 organizations were able to be recipients of that funding.

**The Speaker:** The hon. member

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: does the community spirit program replace the support that was available to voluntary organizations, the former Wild Rose Foundation?

**Mr. Blackett:** No, Mr. Speaker, it doesn't. This is new money, as I said, that was announced by the Premier back in 2008, and we continue our commitment through this particular year. The Wild Rose Foundation money was rolled into the community initiatives program. We still continue to fund the level of programming that we do on an unmatched basis. We still continue international development. We still continue to support Vitalize. We still continue the support for development. This is new money. [interjections]

**The Speaker:** It's okay. You can go and have a coffee if you wish. You don't have to stay.

The hon. Member for Lethbridge East, followed by the hon. Member for Grande Prairie-Wapiti.

### Abandoned Wells

**Ms Pastoor:** Thank you, Mr. Speaker. The Minister of Municipal Affairs has failed to introduce promised legislation this spring

session. First, it was the legislation to protect homeowners from shoddy construction practices that never materialized, and now it's abandoned wells legislation. To the Minister of Municipal Affairs. The minister has suggested that regulatory amendments, usually made behind closed doors, may now be forthcoming instead of legislation. Why is that, when legislation was promised?

**Mr. Goudreau:** Mr. Speaker, I'm not really sure which piece she's talking about, whether it's the Calmar one or the building one. On both, nonetheless, we do work with stakeholders. We work with our counterparts. If it's concerning buildings, we'll work with the building industry, we'll work with our inspectors, and we'll bring the necessary changes forward. The same thing when working with our various municipalities when it comes to dealing with abandoned wells.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Given that the minister's response to questioning is that he's working closely with municipalities, why is it that his message to check for abandoned wells before issuing development permits has sometimes fallen on deaf ears?

**Mr. Goudreau:** Mr. Speaker, I think that over the last number of years we've issued three different directives to municipalities to make sure that they work with their developers to assure themselves that development is not occurring on or close to abandoned wells. Those directives are already in place. We certainly encourage municipalities to follow that to be able to minimize the effects or the results that happened in another municipality here in the province.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. I think that's a partial answer to my third question.

Can the minister tell the House if a survey of municipalities has been done to determine how many currently have the real, proper information that they need to check for those orphan wells?

**Mr. Goudreau:** Mr. Speaker, the municipalities have fairly easy access to those particular records. They know who to get in touch with. When it comes to development permits, we're involved with that, but the ERCB is the one that has the locations. Those locations are all identified. They're all there. It's a matter of the municipalities contacting the proper agencies to make sure that they know if there are wells there.

### Postsecondary Enrolments

**Mr. Drysdale:** Mr. Speaker, over the past year postsecondary institutions in Alberta have seen significant increases in applications. At the same time, Alberta's postsecondary institutions have been told not to expect any increases in their base operating this year or next. My questions are to the Minister of Advanced Education and Technology. Can the minister tell us how postsecondary institutions are supposed to balance the increase in students with less funding?

2:10

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Indeed, it is true that we have had an increase in the number of Albertans wanting to attend postsecondaries in the province, and that's the good news. However, the challenges are that last year we had a zero

budget increase. This year we have a zero-based budget increase again. In travelling and talking to our institutions – yesterday I travelled to Red Deer and Medicine Hat and met with the college boards – it is a challenge. They are struggling to meet the requirements of increasing enrolments, the requirements for programming, and frozen budgets.

**The Speaker:** The hon. member.

**Mr. Drysdale:** Thank you, Mr. Speaker. My second question to the same minister: can the minister explain why so many students were turned away from postsecondary studies this past fall?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. The reality is that we had over 3,500 more applications this year than last, so there is demand for our postsecondaries. The good news is that over 90 per cent of those that applied did receive letters of support for their positions, so we are meeting many of the needs.

There are some challenges around trying to make sure that we can create the spaces and make sure that they're available when we need them in the locations that we need them. What we found last year was that 70 per cent of the turnaways were people that applied in one location or for one program. It shows me that those are fairly specific turnaways.

**The Speaker:** The hon. member.

**Mr. Drysdale:** Thank you, Mr. Speaker. My third question to the same minister: does the increase in student applications mean that the government of Alberta will commit even more funding to capital infrastructure spending for postsecondary institutions?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. As we travel, we do see that there is some need for capital, but we have invested \$3 billion over the last 10 years in capital. Over the last few years we've created 14,000 new spaces.

Mr. Speaker, capital isn't the only answer. With online access through eCampus Alberta 20,000 people were able to register for programs. So we're looking at all sorts of alternatives to ensure that Albertans can access the training and skills that they need.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Bow.

#### Financial Security for Land Disturbances

**Ms Blakeman:** Thank you, Mr. Speaker. In 1999 the Auditor General found the Ministry of Environment's approach to obtaining financial security for land disturbances was both inconsistent and inadequate. In 2001, '05, '09, and 2011 it was again recommended by the AG that the department deal with the risk of inadequate security being collected to cover the cost of reclamation. To the Minister of Environment: what justification does the minister have for ignoring the Auditor General's recommendation since 1999, especially since the risk is passed on to the taxpayer?

**Mr. Renner:** Well, Mr. Speaker, far be it for me to question the observation skills of this hon. member, but it seems to me that we just had a discussion about a month ago about the new mine security program that the government has announced and implemented, that does exactly what this member refers to: address the issues raised by the Auditor General.

**Ms Blakeman:** Back to the same minister: how can the minister suggest that this government is doing everything possible to protect Albertans from a massive liability as a result of development when the Auditor General has said the opposite for 12 years?

**Mr. Renner:** Mr. Speaker, the mine financial security program, that we announced some time ago, was discussed in conjunction with the Auditor General. It was discussed in conjunction with industry. Frankly, I think that it does address the issue of protection for taxpayers. That's what it's all about.

**Ms Blakeman:** Back to the same minister. Given that two things are important here, that reclamation takes place and that the taxpayers don't have to foot the bill, when will this recommendation be fulfilled by the ministry in order to make those two things a reality: protect the environment and Albertans from lengthy and expensive reclamation costs?

**Mr. Renner:** Well, Mr. Speaker, I think that my response to the first two questions very clearly indicates what my response is to the third question. We have addressed the issue, and I look forward to next year's Auditor General's report, where I anticipate that he will recognize it as well.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Strathcona.

#### Provincial Labour Supply

**Ms DeLong:** Thank you very much, Mr. Speaker. We've been hearing about labour shortages and calls from employers asking for help. To the Minister of Employment and Immigration: do you have a plan to address this expected shortage?

**Mr. Lukaszuk:** Well, Mr. Speaker, we've had our eye on the ball for a few years already. Not only are we adopting our provincial strategies, but we're actually sounding alarm bells on a national scale. Indeed, we will be facing severe labour shortages in this country and this province. We're obviously focusing on Albertans and Canadians first, making sure that they have first dibs on jobs available, but at the end of the day we are also encouraging immigration policies that are conducive to this problem. I'm glad to report that last year we attracted 32,000 newcomers to this province.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. Can the minister please explain how new immigrants coming here have the skills that we need? Are they trained and ready to work?

**Mr. Lukaszuk:** Well, Mr. Speaker, again, it is imperative that our immigration policies reflect the needs of our country and of our province and that the streams open up for immigrants who do have the skills, but we're also working very hard on a provincial level with foreign credential recognition. We have allocated budgets to it. We're working with self-governing colleges and employers to make sure that credentials from foreign countries are recognized and with our minister of advanced education to make sure that programs are available for immigrants to upgrade their skills to our Canadian and provincial standards.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. With the United States suffering from high unemployment, can our labour shortages provide opportunities for our southern neighbors?

**Mr. Lukaszuk:** Well, Mr. Speaker, often when we think about foreign workers, we tend to drift away across oceans. I strongly suggest to Alberta employers to give our neighbors to the south first opportunity at any jobs in Alberta. These workers from the United States are not only our partners, our friends, and our allies, but they also have similar occupational health and safety employment standards. There are no language barriers. At the end of the day that's what neighbours do for neighbours. If we have a surplus of jobs – and they obviously have an economy that will take a long time to recover – we should welcome them with open arms.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-McCall.

#### **Abandoned Wells** (continued)

**Ms Notley:** Thank you, Mr. Speaker. There are currently 100,000 inactive wells in Alberta, and Environment certifies a mere 1,400 a year as reclaimed. Worse yet, though, 85 per cent of those certificates are issued by data entry clerks, who merely rubber-stamp a one-page form filled out by industry. Will the Minister of Environment admit that at this rate even this pathetic rubber stamp process will take a hundred years and that he is completely failing to protect Albertans by simply taking industry's word that their wells pose no public health and safety risk?

**Mr. Renner:** First of all, Mr. Speaker, the rate at which wells are reclaimed is directly associated with the productivity of those wells. I should point out to this member that with the advent of new technologies such as enhanced oil recovery and the abundance of CO<sub>2</sub> through carbon capture and storage it would be ill advised to abandon many of these wells because we fully anticipate that they will be re-energized one more time.

**Ms Notley:** Well, given that Environment audits only 5 per cent of the rubber-stamped reclamation certificates for actual contamination and given that of the sites that were audited, only 74 per cent of those certificates are being upheld, meaning that 26 per cent are inconclusive at best and, at worst, failing, why won't the minister admit that his rubber-stamp reclamation process is a sham intended to protect interests of industry rather than the health and land rights of Albertans?

**Mr. Renner:** Mr. Speaker, the process for dealing with the appropriate abandonment of a well relies upon the expertise of recognized professionals in the field. It's very similar to tax auditors recognizing that financial statements filed on behalf of a client by a chartered accountant are done so by an appropriate professional. We then conduct audits at various times, and we hold those professionals accountable for the work that they present to us.

**Ms Notley:** Well, Mr. Speaker, given that the minister doesn't quite seem to understand what I'm talking about but, moreover, given that the results of even these measly audits conducted between 2003 and 2009 sat on a desk unexamined for over six years, why won't the minister admit that this inconclusive, unfinished, and eight-years-late process is further evidence that his government simply doesn't care about the health, environment, and land rights of Albertans?

**Mr. Renner:** Because it's not true, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Strathcona.

#### **2:20 Natural Gas Vehicles for the Government Fleet**

**Mr. Kang:** Thank you, Mr. Speaker. In 1989 the Alberta government partnered with the federal government to encourage the use of natural gas cars, trucks, and buses in Alberta. By 2005 only .2 per cent of vehicles in Alberta were powered by natural gas. To the Minister of Service Alberta: with numerous environmental benefits does the minister agree that it is time for the government of Alberta to show leadership and commit to converting half of the government fleet to run on natural gas within five years?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We know that in Alberta some individuals choose to power their vehicles by natural gas, and that's certainly up to each individual. There are also many other choices out there, whether it's the hybrid vehicle or whether it's the fuel-efficient vehicles. I think it's up to Albertans to choose those vehicles, make the best choice for their circumstances.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. We are talking about the government fleet.

Given that the government documents say that utilizing natural gas as a vehicle fuel can generate significant operating cost savings on a per-vehicle basis and at an aggregate level, can the minister tell us why in times of fiscal restraint the government is not exploring this money-saving option?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Again with respect to the price of natural gas, we know the price of natural gas is at an all-time low right now. We know that in the future it's probably going to start to go up again. At the same time, with the other options that are available in the fleet with respect to the hybrids and the fuel-efficient vehicles, that's a direction the government is moving into as well as no longer having leased vehicles but all purchased vehicles.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Given the leadership in adopting natural gas vehicles in the state of Utah and by corporate leaders such as EnCana, will the minister commit to lowering the province's impact on the environment and our deficit by implementing a natural gas vehicle fleet?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Again, with respect to the natural gas we know that there's quite a cost with respect to converting the vehicles to natural gas. That's something we'd have to take into account if we ever go in that direction. At the end of the day I think the hybrid vehicles, the fuel-efficient vehicles, and all those areas that we have are the best direction at this time.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Airdrie-Chestermere.

#### **Highway 21 Noise Levels**

**Mr. Quest:** Thank you, Mr. Speaker. Highway 21 has recently been twinned, and my constituents are very pleased with this newly completed project. But noise coming from vehicles on the stretch from Wye Road to highway 16 is a concern to many



Strathcona constituents. My first question to the Minister of Transportation: are noise measurements currently being taken to ensure that the level of noise from highway 21 is satisfactory for those living nearby?

**Mr. Ouellette:** Well, Mr. Speaker, I'd like to start out by saying to this hon. member that we invested \$115 million to twin this highway, and it's of great benefit to all motorists, including those in this hon. member's riding. We regularly do sound testing on urban highways, on our ring roads, and we're going to be doing it on that section. We did it once when it was opened. My department will undertake a noise monitoring study later this summer. If the noise levels are above the provincial guidelines of an average of 65 decibels over a 24-hour . . .

**The Speaker:** Okay. The hon. member will be recognized.

**Mr. Quest:** Thank you, Mr. Speaker. To the same minister: given that there is also a concern that the speed limit on highway 21 from highway 628 to Wye Road, the south stretch, is too low, does the minister feel that the speed limit for this busy stretch of highway is appropriate?

**Mr. Ouellette:** Well, Mr. Speaker, the speed limit on this highway is set at 80 kilometres per hour right now. That is for safety reasons. It's a very appropriate speed given the number of signals along this highway. Traffic needs to be able to stop safely at these lights, and we know that high speeds and lights don't mix.

**Mr. Quest:** My second supplemental is to the Solicitor General and Minister of Public Security. You can hear the Harleys taking off from the lights there all summer. What measures are in place to limit the use of aftermarket pipes that are common on motorcycles, which cause plenty of noise along this stretch of highway?

**Mr. Oberle:** Well, Mr. Speaker, the hon. member will know either through municipal bylaw or in large part through the Traffic Safety Act that infractions on our highways are defined, and it's up to my department, through police or peace officers, to enforce those infractions. We do that whether it's speeding or improper use of seat belts or loud mufflers or whatever the offence may be. We do that with respect to safety first. But we're always open to consultations with concerned citizens or municipalities to set priorities.

#### Lower Athabasca Regional Plan

**Mr. Anderson:** Mr. Speaker, the minister of sustainable resources is an expert on unintended consequences. This is the man who oversaw the original new royalty framework, which cost Albertans thousands of jobs and shattered investor confidence. Yesterday this same minister, when asked how much his proposed lower Athabasca regional plan will cost taxpayers and industry, said, "There is no way that anybody on God's green Earth could tell you what [the plan] might cost." To the minister: do you really not have any clue what your proposed plan will cost taxpayers or industry?

**Mr. Knight:** Mr. Speaker, yes, I do. But I can tell you that there are some members in this House that don't have any clue. Nevertheless, with respect to what we're doing with land-use planning, I will inform the member opposite that there are probably somewhere around 2,000 companies that operate in the energy industry, just the energy industry, in Alberta. We've had conversations with about 20 of them relative to this particular issue. As a matter of

fact, yesterday stakeholders, I think 24 of them, came to talk about it. We're doing a pretty good job of that.

**Mr. Anderson:** Minister, given that your proposed plan extinguishes a portion of leases belonging to Sunshine Oilsands equating to conservatively 76 billion dollars' worth of recoverable bitumen and given that would equate conservatively to roughly \$7.6 billion in lost profits for this company, who is going to pay for these broken leases, the taxpayer or the company? Or, if both, how will it be split up? Any idea at all? Just a ballpark.

**Mr. Knight:** What we have here, Mr. Speaker, is an individual who absolutely does not understand what the heck he is talking about. What we've got here are seven wells – you can count them anyway you like – that somebody has gone and drilled in the ground in a piece of real estate about five times the size of the city of Calgary and extrapolated some numbers about what might be under the ground. There is no way that you're going to tell how much bitumen could or not be in that area without a lot more work being done.

**Mr. Anderson:** I thought he was the guy who said that he had no clue.

Given that in 1985 the Supreme Court of Canada ruled that the B.C. government had to compensate mineral leaseholders for the full value of their resources when it expropriated their land to create a provincial park, is the minister planning to respect the court's decision on this matter that's burdening taxpayers for billions, or will it override that decision, simply steal these companies' licences, pay them a fraction of their worth, and hang a big fat banana republic of Alberta sign out in front of the international investment community?

**Mr. Liepert:** I would like to put some perspective around these kinds of questions, Mr. Speaker. I'm going to table a document. It's actually a document that was issued by the Wildrose Party right after the draft plan was released. They did some calculations, and they came up with something that said that 3.4 trillion dollars' worth of recoverable oil resources are locked in the ground. Now, we haven't heard about those numbers since that very first release, so I'm going to make sure we table this to show you how absurd these guys are in their calculations.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Varsity.

#### Relief for Emergency Wait Times

**Mr. Benito:** Thank you very much, Mr. Speaker. The Grey Nuns community hospital is a wonderful health facility in my constituency of Edmonton-Mill Woods. It provides a full range of services, including a 24-hour emergency department. It is world renowned for its delivery of care and teaching practices and is home base for a regional palliative program. My questions are for the Minister of Health and Wellness. What does your ministry have in place to ensure that wait times for those seeking emergency room care improves?

**Mr. Zwodzesky:** Well, Mr. Speaker, there are a number of things that are happening specific to the Grey Nuns. I can tell you that whereas last October people waiting for discharge might have been waiting up to 20 hours, that number was reduced down to about six or seven hours. That's a huge improvement there. Similarly, with respect to the admitted patients, those people who were waiting for an overnight bed, that number was also cut in half.

They went from about 15 hours of wait time down to about seven. So there are some immediate good news issues there for Grey Nuns. Thank you for raising a real health care question.

2:30

**Mr. Benito:** To the same minister. Mr. Speaker, I want the minister to answer this coming from his heart. Are these emergency department improvements just a quick fix, or are they real and sustainable moving forward?

**Mr. Zwozdesky:** Mr. Speaker, they are definitely real, and they are very sustainable because we've taken great effort to put in place the proper physical infrastructure, the proper human and staff infrastructure as well as the equipment and all other kinds of other things to help improve the emergency room flow through: patient navigators, home-care co-ordinators. We've added more money for continuing care beds. In fact, we've opened well over 1,200 beds now, and several of them are impacting the residents and patients that the hon. member is asking about.

**Mr. Benito:** To the same minister: are all these new continuing care beds really having a positive impact, or are they just statistics?

**Mr. Zwozdesky:** Well, Mr. Speaker, they're a lot more than statistics because I can tell you that the improvements are significant. As soon as you take people out of acute-care beds and have them live in continuing care beds in the community, you are freeing up valuable hospital beds for those people who truly need acute-care services. In fact, for the people in that category the numbers were reduced from about 760 down to about 560 in the last six months alone. Tremendous improvements.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for St. Albert.

### High School Completion

**Mr. Chase:** Thank you, Mr. Speaker. The high school completion rate for youth in Alberta is 72 per cent, among the worst in the country. About 9,000 students drop out of high school in Alberta each year. To the Minister of Education. Calgary United Way's new study on vulnerable youth recommends raising the age cap for publicly funded high school from 19 to 24. Can the minister explain why the opportunity for a high school education has been cut off at 19?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. That's one of the topics that's been under discussion as we go through the Inspiring Education process. There's been a considerable amount of discussion about what the appropriate age would be. As we bring forward a new education act, I think people will see – and we'll bring it forward for discussion – that we're talking about moving the age limit up because we do want to give young Albertans every opportunity and every inspiration to finish their high school education.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. By the time that act is enacted, we'll have had about 18,000 more dropouts.

**The Speaker:** Just get to the question, please.

**Mr. Chase:** The study recommends raising the minimum age for dropping out of school from 16 to 17. Can the minister tell us

what employment opportunities there are for 16- or 17-year-old dropouts?

**Mr. Hancock:** Mr. Speaker, no, I can't tell the hon. member what employment opportunities there are for high school dropouts. What I can tell you is that I got into a bit of trouble in the media a year or two ago when I was in Calgary speaking to the Chamber of Commerce and I suggested that employers probably shouldn't hire high school dropouts. Now, what I really was saying to them is that we need to work co-operatively to find ways to encourage our high school students to complete high school and to move on to postsecondary of some form. That's a role that everybody in society has an interest in, including our employers. In our high school system and our education system we need to have a system which encourages every child to complete school.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. Increasing class sizes surely isn't the way to go.

**The Speaker:** Let's get to the question.

**Mr. Chase:** Given that many of our dropouts will move into a cycle of poverty and that the situation of these disadvantaged youth in our big cities is particularly troubling, will the minister review the United Way report and respond publicly to its recommendations?

**Mr. Hancock:** Mr. Speaker, we take input from all sorts of places. I've been very happy to receive the United Way report and to look at the things that they've been talking about. This is exactly the type of thing we need to have: community organizations, people in the community, business, everybody working together to understand that education is foundational to the future of this province. All of us have a stake in ensuring that each and every one of our children has the opportunity to maximize their potential, to be the best that they can be so that they can participate in the economy and they can contribute as full citizens to our community.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Riverview.

### Financial Literacy

**Mr. Allred:** Thank you, Mr. Speaker. A few months ago the national Task Force on Financial Literacy released its final report. While our provincial financial situation is in good shape as a result of sound financial planning, household debt in Alberta is a growing concern. Does the minister of finance have any plans on how his department might assist in stemming this growing crisis of household debt?

**Mr. Snelgrove:** Well, Mr. Speaker, it's interesting because it's not simply a black-and-white answer. Household debt is probably best handled if you have a job, and Alberta has done a very good job of having jobs for people. We have to talk about whether it's planned or unplanned debt. We also have to know: are people using equity in their homes to start up a small business, or are they buying a vehicle they need for work? If it's a credit card debt and others like that, then we need to have people actually learn the financial literacy that we've talked about. We are working with the federal government on some of the programs. There's no question that people need to be aware of the cost to them of debt.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you. My second question is to the Minister of Education. Given that the learning of financial literacy must begin at a very young age, what is the minister doing to make the teaching of financial education a priority in the elementary school system?

**Mr. Hancock:** Well, actually, Mr. Speaker, Alberta is one of the few jurisdictions where we actually do address financial outcomes within our programs of study. Financial outcomes and financial management are part of the social studies curriculum, they're part of the math curriculum, they're part of the CTS courses, and, of course, they're a major portion of career and life management studies, which is precisely a course that every student needs to have to graduate from high school. It's about career and life management, which includes financial literacy issues.

Now, is there more that can be done? Absolutely. As we review our curriculums, as we do more work in that area, financial literacy will be one of the areas that we want to address.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My final question is to the Minister of Service Alberta. Is there any way your department can limit the alluring marketing of credit cards and other debt instruments to young people?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's so important for young people to understand the costs of borrowing money and how to manage their finances. To this end Service Alberta provides tips to young people through social media and on our website. As well, the not-for-profit group Money Mentors also teaches Albertans how to make smart financial decisions. Recently they had an excellent session at NorQuest College just on this topic.

### High-speed Rail Station

**Dr. Taft:** Well, Mr. Speaker, ad hoc spending, secret lists of projects, buying two different sites for the same purpose, not doing financial or engineering or technical studies before announcing projects: sadly, that's what we've come to expect from this government. To the President of the Treasury Board. Last Thursday the Minister of Transportation informed this House that having now bought a second downtown site for a high-speed rail station in Edmonton, they would study whether or not it is viable. Is it standard procedure for this government to buy things first and then see if they're viable after the fact?

**Mr. Snelgrove:** You know, I guess that maybe growing up in business, you take for granted sometimes that common sense would work. You've got to have choices, and you need options. We are working with all the stakeholders for the cities, with people who may be interested in high-speed rail: how it can connect to a vibrant new downtown development, how it can get through the city, in and out of the city. It's about putting options on the table, Mr. Speaker, so that you can make good choices.

**The Speaker:** The hon. member.

**Dr. Taft:** Well, thanks, Mr. Speaker. Given that common sense would say that a capital plan can only reasonably be called a capital plan if one is to follow it, let me ask: was Treasury Board advised of the project and the required amendments to the capital plan to relocate and secure land for the Edmonton high-speed rail terminal before it was announced?

**Mr. Snelgrove:** Yes.

**Dr. Taft:** Then the President of the Treasury Board should be able to answer this question. How much money has Treasury Board approved to acquire land for high-speed rail in Edmonton and throughout other parts of Alberta?

**Mr. Snelgrove:** He would want to direct that to the Minister of Transportation. He asked if we were apprised of the intent to join the high-speed rail with the museum downtown, and the answer was yes.

**The Speaker:** Hon. members, that concludes the Oral Question Period for today. Nineteen members were recognized. There were 114 questions and responses.

In two seconds from now we will continue with the Routine. In the interim might we revert to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Well, thank you so much, Mr. Speaker. It's an honour today to recognize that we've been joined in the gallery by some constituents from Peace River. Charlie Bouchard, his wife, Andrea, son Joel, and daughter Jillian have joined us to I suspect come and see the estimates of the Department of Education. Charlie is an educator. In fact, he was involved with my own children in Peace River. I welcome them. I hope they had safe travels and enjoy their visit to the Legislature. I would ask them to rise and receive the traditional welcome of the House.

2:40

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

### Alberta Land Stewardship Legislation

**Mrs. McQueen:** Thank you, Mr. Speaker. Bill 10, the Alberta Land Stewardship Amendment Act, 2011, includes changes to respond to concerns Albertans have raised with us to ensure that landowner rights are protected. First, the definition of a statutory consent specifically excludes land titles or freehold mineral rights. New provisions in Bill 10 strengthen respect for the rights of a statutory consent holder. If a consent is amended as the result of a regional plan, we must notify and advise of any rights to compensation and how compensation is determined.

Bill 10 also specifically states that nothing in the act should be interpreted as limiting existing rights to compensation under any other Alberta law, and that also applies to landowners. Landowners would of course still have the right to access the Land Compensation Board or bring their case to court if the amount of compensation was in dispute.

Here's what two prominent southern Alberta lawyers, Mr. Stan Church and Mr. Dan Smith, had to say, and I quote: the Alberta Land Stewardship Act plus the Bill 10 amendments put Alberta ahead of any other province or U.S. state when it comes to protecting landowners' property rights. Unquote.

The amended act makes public consultation a requirement in drafting a regional plan. A draft regional plan must be laid before

the Legislative Assembly before going to cabinet for approval. Also, any title holder who feels unduly affected by a regional plan may apply to the minister for a variance. A regional plan cannot amend or rescind municipal development permits and approvals if work is finished or under way, and we will give municipalities ample time to align their development plans with a regional plan.

Regional planning is about balancing economic growth with environmental sustainability and responsibility. Mr. Speaker, I believe that the amendments in Bill 10 will protect landowners and will enable our province to continue to plan in a responsible and co-ordinated way.

Thank you, Mr. Speaker.

### Provincial Fiscal Policies

**Mr. Hehr:** Mr. Speaker, back in the 1990s this government panicked when it was faced with an economic downturn. Instead of investing in the future, they slashed the public service, eliminated thousands of jobs, took away opportunities for postsecondary learning, and drove nurses and teachers out of the province, many of whom have never returned. Alberta is still suffering from this Tory short-sightedness, particularly in our hospitals and clinics, where health professionals remain in short supply. But why learn from the mistakes of the past when you can repeat them?

Funding shortfalls in education have left Alberta school boards scrambling to make ends meet. The Calgary board of education alone may be forced to cut 500 teachers and support staff, leaving our kids in the lurch. To make matters worse, it looks like there might be another oil and gas boom right around the corner, meaning that government is going to have to hire teachers back at a premium, just like they're trying to do now with the nurses. Meanwhile, Alberta students will pay the price, particularly those with special needs, possibly for years to come as school boards struggle to work around the chaos created by a provincial government. But, then, most Tories have never been keen on helping the most vulnerable Albertans, have they?

Mr. Speaker, had this government followed the advice of the Official Opposition – we'd cut wasteful spending in order to support core people programs – this whole fiasco could have been avoided. Once again this government has proven that it values slick ad campaigns, horse racing, private golf courses, and generous handouts to Tory elites more than the vital job of making sure that our kids get a good education. It's sad, it's wrong, and it just doesn't make any sense at all.

To that end, Mr. Speaker, I would ask the Minister of Education to sit down with the minister of Treasury, end this insanity, and properly fund our education system. It's the right decision for today. It's the right decision for tomorrow. Let's invest in our greatest resource, our children.

**The Speaker:** Okay?

**Mr. Hehr:** That's it.

**The Speaker:** Okay.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Culture and Community Spirit.

**Mr. Blackett:** Thank you, Mr. Speaker. I would rise today to table the appropriate number of copies of my responses to questions raised by the Member for Edmonton-Centre during Culture and Community Spirit's main estimates on March 23, 2011.

Thank you very much.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Mitzel:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a petition and a letter received in my office regarding multiple sclerosis. The petition states:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the government of Alberta to expedite the approval of the Liberation Treatment (angioplasty) developed by Dr. Paolo Zamboni so that all patients including those with MS, suffering from chronic cerebro-spinal venous insufficiency (CCSVI) can receive the treatment.

The letter also reflects this opinion.

Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. As I pointed out, I have four tablings today. The first comes from the following individuals who are concerned about the clear-cutting of the Castle-Crown: Johannes Klein, Adrienne Hodges, Monica Jackson, Suann Hosie, Paul Davis, Jordan Lewans, Bill Sorochan, Cathleen Hjalmarsen, Morna Halparin, Kendall White, Ellen Glover, Colin Bray, Ian Bellinger, Avalon Crossby, Lois Banks, Karen King, Peter Barker, Cara Reeve-Newson, John Gibson, Antonia Chianis, Michael Varichak, Christine Pylypowycz, Melodie Paulsen, Carl Veaux, and Gloria Morotti.

Mr. Speaker, on behalf of the Leader of the Official Opposition I'm also tabling legal action documents from Dr. Michel Sauvé and the Northern Lights health region due to intimidation.

Mr. Speaker, my second tabling on behalf of the hon. Leader of the Opposition is correspondence received from Dr. I. Chohan with Capital health region regarding intimidation.

My next set of information comes from an article written this past Friday by Don Braid in the *Calgary Herald* entitled Alberta Health Has Growing Track Record of Ignoring Auditor General.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you, Mr. Speaker. I'd like to table five copies of the Wildrose news release which stated that the lower Athabasca regional plan would cost upwards of 3 and a half trillion dollars.

I'd also like to table a copy of a blog by a *Calgary Herald* business columnist, Dan Healing, which calculated how they came up with the \$3.4 trillion. It's by taking 170 billion barrels of oil, dividing it by 20 per cent, and multiplying it by a hundred dollars a barrel. That's how they got \$3.4 trillion. I think it should be put on the record.

**The Speaker:** Hon. members, the chair is tabling five copies of a March 24, 2011, letter from Mr. Ken Hughes, chair of the Alberta Health Services Board, to the Speaker expressing concern about comments made by the hon. Member for Airdrie-Chestermere and the hon. Leader of the Official Opposition in the Assembly about Alberta Health Services' staff members. Mr. Hughes subsequently asked that his letter be tabled.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the Clerk. On behalf of Dr. Sherman, the hon. Member for Edmonton-Meadowlark, an Association of American Physicians and Surgeons website article dated March 24, 2011, entitled Sham Peer Review: A National Epidemic.

On behalf of the hon. Mrs. Klimchuk, Minister of Service Alberta, a letter dated March 30, 2011, from the hon. Mrs. Klimchuk,

Minister of Service Alberta, to Mr. McFarland, chair, Standing Committee on Health, replying to the review of the Freedom of Information and Protection of Privacy Act, dated November 2010.

On behalf of the hon. Mr. Knight, Minister of Sustainable Resource Development, response to Written Question 11, requested by Ms Blakeman on March 21, 2011.

**The Speaker:** The hon. Minister of Health and Wellness on a point of order application.

#### Point of Order Factual Accuracy

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. I'll be brief. I rise under 23(h) and (i). I believe the Leader of the Opposition during a question earlier this afternoon imputed some false motives. Some false allegations were uttered by him as well. The substance of it was that I believe he said – and, I'm sorry, I don't have the Blues in front of me – that I as minister of health had contradicted the Premier yesterday. That, in fact, is not the case. I would hope you would find a point of order in that respect. I'll leave that up to your judgment.

2:50

However, what I would like to do is comment on some of the exchanges that did occur yesterday wherein the Member for Edmonton-Riverview, in particular, tried to make it sound as if I was somehow disagreeing with the Premier, which I was not. For example, in one of his questions the Member for Edmonton-Riverview asked me, "Is the minister of health confirming, then, that he does not support the Premier's invitation," and it goes on. Of course, I never indicated anything to that effect at all. What I did say in response to his final question in that series – "Is he actually disagreeing with his own Premier?" – was, "Not at all, Mr. Speaker." Then I explained what it was that I was trying to do to clear up some of his own misunderstandings.

Earlier in question period with respect to a question from the Leader of the Opposition about disclosure agreements here's what the Premier said:

Those disclosure documents can only be opened by the co-operation between the two parties that entered into the disclosure document, which would be the employer and the employee.

In fact, later in the same question period I said:

Mr. Speaker, my understanding is that any nondisclosure agreement that's signed is between two parties, and if they both agree, then so be it. I can't comment on exactly what they may or may not want to do. The Premier made a clear statement as to what they might want to do, and that'll be up to them to decide.

Then the Premier went on to answer another question, and he answered it with some questions, in fact. If you read *Hansard* carefully, you'll probably see that. This was in response to a question from the Leader of the Opposition, in which case the Premier stated:

Mr. Speaker, it's a very simple matter. The doctor can approach the Health Quality Council and say: look; I'm willing to open up the disclosure document if my former employer agrees. Why doesn't he ask Alberta Health Services? What if . . .

And the key words here are "what if."

. . . Alberta Health Services says, "Yeah, let's open up the document and then have all Albertans see what's inside?"

The key thing there is "what if."

Now, there are other issues here where I was perfectly aligned with the Premier, so I would hope that the Speaker would please ask the hon. Leader of the Opposition to note that I did not disagree with the Premier in spite of the allegations in the questions

posed by the Member for Edmonton-Riverview, which the Leader of the Opposition was quick to try and pick up on today.

Thank you.

**The Speaker:** Hon. Member for Edmonton-Centre, just a second. The hon. Minister of Health and Wellness rose on a point of order. I've read the text. I've seen enough to already suggest that this is not a point of order. If you want to argue that, you go ahead and argue it, but that's the conclusion I will reach.

**Ms Blakeman:** No. Thank you. I will take your wise decision on this one. It's getting near the end. We're almost at a constituency break, and, boy, can you tell. Thank you.

**The Speaker:** Hon. member, I've read the text in here. The Leader of the Official Opposition did begin a question with, "Yesterday the Premier said," and then he went on to basically say that moments later the health minister contradicted the Premier. We've heard the health minister provide clarification with respect to this. I view this not as a point of order; it's a point of clarification. We also have *Beauchesne's* 494. The House will have to sometimes accept two versions as the same thing.

We've now dealt with this matter.

### Orders of the Day Committee of Supply

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the Committee of Supply to order.

### Main Estimates 2011-12

#### Education

**The Chair:** Before I recognize the hon. Minister of Education, I would like to run through the process here. The minister will have 10 minutes maximum, and then an hour following that would be for the Official Opposition and the minister. Then the next 20 minutes is for the third party, the next 20 minutes after that is for the fourth party, and then we have 20 minutes after that for members of other parties or independent members. From there on it will be for any other member. The speaking time is 10 minutes for each, for a total of 20 minutes. You can combine it with the minister as you like.

Hon. minister, you have the floor for 10 minutes.

**Mr. Hancock:** Thank you, Mr. Chairman. It is a privilege to be in front of the Committee of Supply to defend the estimates for the Department of Education for the 2011-12 year. I'd like to start by introducing and acknowledging the staff that are with me: first of all, Deputy Minister Keray Henke; our assistant deputy minister of strategic services, Michael Walter; director of finance, Gene Williams; and director of budget and fiscal analysis, George Lee. I want to start by saying thank you to these staff members and, through them, to all of the people who work in the Department of Education.

Over the course of the three years now that I've had the opportunity and privilege to work, I can tell you that we have dedicated professionals who are committed to the children of this province and who are committed to making sure, particularly with respect to the people who are with me today, that the financial resources that are allocated to the Department of Education are used efficiently, effectively, and in the interests of ensuring that each and

every child in this province has the opportunity to get the best education possible to maximize their personal potential and to be able to grow up to be good citizens and to contribute back to their community. These people are very definitely contributing back to their community in a most substantial way, so I wanted to start by saying thank you.

The financial side is never easy. It wasn't easy this year. It's not been an easy time, and I have with me people who have worked very, very long and hard to put together this budget but also to work with our stakeholders and people in the system, right throughout the system, to make sure that with the resources we have, we can make the most effective use so that every child can get a good education.

Mr. Chairman, our business is driven by our three-year business plan, focused on the goals, priority initiatives, and measures of the ministry. Goal 1 is success for every student, goal 2 is transformed education through collaboration, and goal 3 is success for First Nation, Métis, and Inuit students. Anyone interested in more information on the business plan I would encourage to go to the department's website, where you can see the business plan, which is very streamlined this year in accordance with the process that has been used across government, but also our Action On agenda, which is a companion action document that works with the business plan to show where we're going as a department and where we see the system going as part of our Inspiring Education process and as part of the results that we've achieved in terms of the consultations and the direction that we're setting.

We're here today to debate the estimates for Education and the commitments made to sustainable funding for education programs and services that our children and students need and which we need to maintain our quality of life. Our decisions were all made within the context of addressing fiscal challenges and responsible decisions for the future that in the long term contribute to the rich quality of life that we enjoy in Alberta. We've never shied away from the fact that this budget does pose challenges for education. Our number one priority is to remain focused on our efforts at ensuring that we're truly enhancing student success through supports in the classroom, curriculum development, special programs, and capital planning. We will continue to rely on local school board leadership to make the best decisions for students and communities.

3:00

Decisions need to be based not on our old ways, not on continuing what we've always done but on what our research tells us is best for our children. Education is an investment, but like with all investments we only have finite dollars. I'm determined to put those dollars where research says it will have the greatest return for our students.

For the fiscal year 2011-12 Education's total support for the ECS to 12 education system reaches nearly \$6.4 billion under Budget 2011, an increase of \$258 million in operational support to boards, or 4.4 per cent. The \$258 million increase will fulfill the government's commitment by funding teachers' salary increases and associated pension increases, finish off the commitments made in the 2010-11 school year, and address expected student enrolment increases and other changes to student demographics.

There are six programs that will be referenced in this year's budget. Our voted estimates begin on page 102 of the estimates book. We had two primary funding streams that are important to note: the voted government and lottery fund estimates, totalling about \$4.2 billion, or about 68 per cent of the ministry budget, which we'll be voting on later in the session, and education property taxes, which total about \$1.8 billion. About \$1.6 billion of

this amount resides in the Alberta school foundation fund, which is governed by statute, and the remaining \$202 million goes to local separate school boards that choose to collect their education property taxes directly from their municipalities. In addition, \$44.6 million is allocated to statutory expense for the work in progress with the Alberta schools alternative procurement, or ASAP schools, and \$299 million is the statutory expense for government contributions made to the teachers' pension plan.

The breakdown of the ministry's six programs begins on page 102. The first program in our budget, ministry support services, represents the corporate functions of the department.

The second program is the operating support for public and separate schools. The voted portion of this program increases to \$3.59 billion. When the nonvoted amount from education property tax and the statutory obligation for teachers' pensions are included, operating support to public and separate schools increases by \$258 million to \$5.7 billion. This increase will provide support to school boards to complete the 2010-11 school year, provide the necessary supports for the '11-12 school year to address expected student enrolment increases and other changes to student demographics and programming.

On budget day we announced that the student-based instruction grant will increase by 4.4 per cent, as would the rate for a revised class size grant for the 2011-12 year. This increase reflected the preliminary average weekly earnings index, as it was known at that time, and the index's basis for teachers' salary increases to be effective September 1, 2011. Since then, Statistics Canada has confirmed that the official Alberta average weekly earnings index is 4.54 per cent.

In the process of making that confirmation, they've actually again changed the way they calculate the numbers slightly. In any event, I believe that the 4.54 per cent is the agreed-upon number. We have informed school boards that the rate on these two grants will be adjusted accordingly. This government is honouring its commitment to the teachers as per the five-year agreement between the government of Alberta and the Alberta Teachers' Association.

The government has not only sustained but grown its investment on the class size initiative over the past three years. To date the government has invested nearly \$1.4 billion since this initiative began in 2004. In Budget 2011 funding for the class size initiative continues with an investment of \$228 million. While funding for the class size initiative continues to grow in this budget, effective September 1, 2011, class size funding for grades 4 to 6 will be eliminated. We are addressing student needs by adjusting the class size initiative funding to a per-pupil grant for kindergarten to grade 3, recognizing that small class sizes are most beneficial to students in their early years.

Mr. Chairman, we're not reducing the class size initiative funding at all. In fact, it's increasing slightly, but we are reprofiling it because the research would show that class size, while it's important in many areas, does not affect student outcome in the higher grades, but it could have an impact on K to 3, and that's the area where we're not meeting the class size guidelines yet in the province. We've reprofiled the class size initiative funding albeit school boards can still use their funding however they want when they get it. We've profiled it to fund class size and class size growth at the K to 3 level as well as tiering the grants as we did last year to CTS funding in high schools, where smaller class sizes are necessary, particularly if there's a safety issue. This was particularly important as we expect the number of kindergarten to grade 3 students to increase significantly over the next five years.

While considering class size average guidelines, we need to recognize that there is no one-size-fits-all solution. Class composi-

tion, grade level, and teacher experience should be considered by school administrators in setting class size. The revised class size formula continues to allocate enhanced funding levels for specific career and technology studies, as I mentioned.

The budget also provides funding to school boards for the first seven months of the 2011-12 year, a projected provincial student enrolment growth of approximately 6,100 students, or 1.1 per cent, and supports any changes to student demographics in areas such as English as a second language, FNMI, and mild and moderate student populations.

Transportation funding increases by \$1 million, totalling \$260 million for the 2011-12 year, which will be targeted to address the challenges of transporting students in sparsely populated rural areas.

We're increasing funding to support students with severe disabilities by \$12 million, or 4.4 per cent, in this fiscal year. School jurisdictions will receive the same level of funding to support the severe disability profiles this year as they did last. The additional allocation will be used to build an inclusive education system to help ensure success for all students. At a later date we will provide additional detail about the leadership and guidance that will be available to support school authorities in their work on building an inclusive education system and an allocation of the \$12 million.

I stated earlier that this is not an easy budget and that hard decisions had to be made. Two grants, the relative cost of purchasing goods and services adjustment and the stabilization grant, are being phased out. Both grants will be reduced by 50 per cent starting September 1 and then eliminated beginning September 1, 2012.

For our CPA . . . [A timer sounded] Is that . . .

**The Chair:** Yes, that's the beep for 10 minutes, hon. minister.

**Mr. Hancock:** I was just getting into the bad news part.

**The Chair:** Okay. For the next hour, three 20-minute chunks, I would like to ask if the hon. member wants to combine the 20 minutes.

**Mr. Hehr:** I think it'd be best, if it's okay with the hon. minister, if we combine our time and try to answer my questions sort of as they come up and help me with my understanding of the Education budget. I think that would be best. Does that sound reasonable?

**The Chair:** All right. I see agreement on the 20-minute combination of questions and answers.

The hon. Member for Calgary-Buffalo for the Official Opposition, please.

**Mr. Hehr:** Thank you very much, Mr. Chair, and thank you very much, hon. minister and your staff, for coming here to present the budget. In my brief time on the job as Education critic, I can see that you guys are very busy and very active, and I've been extremely impressed with the operations of the minister as he goes out and faces the public with some bad news. It's nice to see that the minister goes and actually takes the questions from the public, doesn't run from it. It is somewhat refreshing to see that happening.

I will also say that I had the pleasure of being at a workshop this weekend where the minister's staff, Mr. Williams, presented in an open and transparent fashion as to what is happening in the Education budget this year. Again I can say that I was nothing but impressed with the way the information was presented and the way that it was not sugar-coated. It was in plain English, and people were given the good, the bad, and the ugly of this year's budget.

With that being the case, we can now get into some of the merits of what is happening. As the minister said, this is a difficult budget. I think he has admitted as much. We see today in the paper that the Calgary school board could be laying off approximately 500 teachers and staff. I don't know what the ratio is. Needless to say, there are reports in other communities that other cuts and layoffs will happen, no doubt because of what looks like a bit of a budget shortfall.

If I look at the numbers, there is a top line increase of, I think you said, 4.7 per cent to the overall operating budget but decreased funding to various grant programs. You're covering, obviously, the teachers' salary increases, but in order to do that, in order to keep the system whole, which I think is the term that Mr. Williams used on the weekend, I guess my question is: how much more money would it have been to this budget to keep the system whole? I believe that was the term that we used on the weekend.

3:10

**Mr. Hancock:** The number, Mr. Chairman, is approximately \$107 million. With respect to the grants that were sacrificed in terms of stabilization, the relative cost of purchasing the extra growth or decline, the enhanced ESL, and then 50 per cent of AISI, that adds up to approximately \$107 million.

**Mr. Hehr:** So \$107 million. If this \$107 million had been provided, do you think you would have seen the wailing and the gnashing of the teeth you see out there? Would the CBE still be running a deficit, in your view? Would other jurisdictions be cutting? Or is it because of this \$107 million shortfall, ceiling, to use a term, that we're seeing some of this out there, in your view, Mr. Minister?

**Mr. Hancock:** Well, to put it into context, seeing as the hon. member has raised the Calgary board of education, in rough numbers or earlier numbers in the Calgary board of education's budget last year operational funding was in the tune of \$882 million. They would receive a base instructional increase of about \$26.3 million, based on 4.4 per cent. Now that it's up to 4.54 per cent, it will be slightly higher than that. The 4.4 per cent increase on class size would be \$1.6 million, so they'd get a total grant increase under that of \$27.9 million. So if you rounded it up a little bit, what it would be, now, is about \$28 million, \$29 million. That's what they would have achieved without any of the other reductions.

**Mr. Hehr:** Okay. So it would have been an extra . . .

**Mr. Hancock:** Twenty-eight million.

**Mr. Hehr:** Okay.

**Mr. Hancock:** They're saying that their deficit is \$61.7 million, so you can do the math as to how much more they would have needed even if none of those budget reductions had happened.

**Mr. Hehr:** Yeah, it had to be if it was as best we could, as planned, as it looked like from their perspective what things were going to be. Okay. That's fair enough. That's fine.

You know, we look sort of at the way budgets have been presented. When I first saw the budget, I saw the increase of 4.7 per cent. It's just a matter of perspective, I guess, on how you present these budgets. When you guys announce the budget, why can't the minister's department provide financial information of the budget document that represents the impact of the provincial funding decision on actual school boards and school districts? Do you know what I'm saying? When it came out that first day, it appeared to me that it was just a 4.7 increase. Then you had to sort

of go through it more and ferret through. Is there an easier or better way of reporting that information right on day 1 of the budget? Or was I just not looking in the correct places?

**Mr. Hancock:** No. It's actually quite difficult because we budget on an April 1 to March 31 year, and the school boards budget on a September 1 to August 31 year. So in the budget there are always a number of explanations which deal with how much of the budget was needed to complete last year; in other words, to sustain the grants at the level that they were raised to last year for the first seven months and then how much we need to budget for the increase to next year's funding in order to fund the five months of next year. So that's one piece of it.

The next piece of it is: how much money do we need to put into the budget to sustain the commitment to teachers' pensions? I'm not talking about the pre-1992 pension – that's taken care of in the Finance budget – but in terms of our commitment to paying the pension liability going forward. Then you have to look at the increase in teachers' salaries for this year. We've done a global. In the budget it was 4.4 per cent. We've moved it to 4.54 per cent. We do that on the operating grants. If 70 per cent of the budget goes to teachers' salaries, that's a little bit more than you'd need. All of that goes into the funding profile.

What we do on budget day – and I was very clear on budget day, when asked, that this was a difficult budget. That 4.7 per cent increase is great, and it looks wonderful, but it's a difficult budget. We briefed all the boards on budget day with respect to what was happening, what was going in and what was coming out, and then, that afternoon, provided each board individually with our projection of their numbers.

While I have a roll-up of all the board's numbers, we don't share each board's numbers with the other boards, but we do share with each board what their numbers are. Those numbers: subject to their doing some analysis and a little bit of juggling, they have an idea of the impact on their budget on day 1.

**Mr. Hehr:** Maybe I could come to that briefing next year before the budget. That would help me out. Anyway, I leave it at that.

If we could just talk about the Auditor General's 2006 report, it contained a recommendation that Alberta Education improve its budgeting process by providing school boards with critical information such as operating grants, increases in grant funding in a more timely fashion. In your view, have you guys been following this sensible recommendation to us? It doesn't look like it has been followed in the five years after it was issued.

**Mr. Hancock:** That's a difficult one in terms of being able to know exactly where you're at until the final numbers are done in the overall government budgeting process. It's no secret that this was a difficult budget to put together. There was a lot of advocacy that happened right up to the last minute because, you know, there are different priorities across government, and there's a balance to be achieved. We wouldn't have had the numbers until the final decisions were made in late January because even in January we were working on a tripartite process which could have had a considerable shift in how we used the numbers.

Last year and again this year we provided an opportunity for school boards to take a little bit more time with their budgets. Their budgets are normally due May 30. We've extended that time to June 30. There's no question that if we could find an appropriate process to peg a number earlier, it would be useful to school boards to be able to budget on that basis.

Even in the call for long-term, predictable, stable funding one of the downside risks there is that you peg yourself at a number

that's too low. Over the last 10 years the Education budget has increased 63 per cent. The number of students has increased 3 per cent. I don't think anybody would suggest that if you pegged long-term, predictable, stable funding, it would be pegged at 6.3 per cent per year. It would likely be less than that.

There's balance on both sides, and there's certainly a value to having the early numbers so you can do planning. There's also a value to being able to advocate long and strong so you get the numbers that you need.

**Mr. Hehr:** Yeah. I think that's fair enough. You know, I applaud, actually, the way we're going through a lot of issues here in health care, and that's fair enough. This government has done a wise thing, I think, in funding a five-year cycle on the health care front. Do you find that you'll be able to do that in Education? Are you moving towards that direction? Are you guys looking at that as a department, or can we do that in a system set up like we have in Alberta?

**Mr. Hancock:** I'm certainly not adverse to looking at it, but it's a different situation. With health you have one board. I don't think anybody would advocate that we go to one board in Education because the local involvement and the local connection are so important.

The other piece, I think, is that in health you can take a demographic analysis of your population. The five-year funding agreement with health can take a clear look at growth, at inflation, the projected numbers for both, so it could be off, and then a small amount for system improvement and that sort of thing. You can actually pile that number, and that's where they got to the 6 per cent number for the first three years of that agreement and then, with the efficiencies that they expected to get from the single health authority, were able to project that you could ramp that back to 4 per cent in the last two years.

In Education we're dealing with 63 public boards, 13 charter boards, a number of separate school boards, and a different variety of input pieces, so it's a little bit more difficult to come to that stable funding formula. You could do it arbitrarily, but you'd likely miss the mark.

3:20

**Mr. Hehr:** There are two sources generally for Education revenue. One is obviously from the general revenue stream you guys bring into the coffers from income tax and the like, and the other is the property education portion of the property tax, correct? Those two sources. Now, if you looked at the Calgary situation, the \$42 million that was collected from the property tax portion of the budget essentially went back to the cities this year.

**Mr. Hancock:** Not totally accurate.

**Mr. Hehr:** No? Okay. Well, then, if I can finish, whether it went back to the cities or whatever, it looked to me like it came from that education portion of the property tax, or some of it did, whereas that could have gone to funding of education. Essentially, for better or for worse, the CBE would be in a much better position if that had gone back. If you would explain to me how that decision was made and where I'm missing the mark and how I'm confusing things because I've had that question asked to me from time to time in Calgary.

**Mr. Hancock:** Property tax at a provincial level is a funny-looking beast, but what essentially we do on a provincial level is look to capture the real growth in assessment. In other words, there are more houses being built, there are more businesses being



opened, and that expands the assessment roll. When we figure out the number and apply it to that assessment roll to drive out a mill rate on a provincial basis, that is where we get to that number.

We try not to increase the education property tax to catch inflation. The value that your property went up is not something we want to add additional education property tax to, but the fact that somebody built a house on your neighbouring property and added to the assessment roll: we do want to capture the tax on that. So we do that on a provincial level, apply a number on the provincial level, and then apply that to last year's assessment value for each municipality. That drives out a number that we send to the municipality, saying: this is how much you need to collect.

We've set a mill rate, and we've actually reduced our mill rate each year over the last 10 years at a provincial level because there has been inflationary growth in the property values, generally speaking, over that period of time, and we haven't wanted to capture that whole inflationary growth; we've just wanted to capture the real growth. We've reduced the mill rate to a number which captures the real growth. So there's an increase in the education property assessment, the amount we collect across the province, but a lowering of the nominal mill rate at the provincial level.

When it gets to the municipality, they take our number. They apply our number, which was derived from last year's assessment roll, to this year's assessment roll, and that drives out a different mill rate that's applied to your property tax level.

Now, in doing that over the years, in some years people in Calgary have complained that they're paying more tax, and they're paying more than their share because the real growth has derived that. This year they ended up with a \$42 million, I think it was, reduction from the amount that we told them we needed to collect over last year. That's simply because growth has happened in different parts of the province. The assessment has changed. But that's not giving them \$42 million back. We didn't collect \$42 million more, or we didn't assess based on the inflationary growth of the process. So the city of Calgary has turned around and said, "Oh, gee, you're collecting that much less. There's room for us to move into." That's been one of the things that's happened.

Over the years there's been the suggestion that we should get out of the education property tax business. For constitutional reasons we can't. But you may recall that a number of years ago we moved into a municipal sustainability initiative provincially, and the number, I think, was pegged at \$1.4 billion, which was the amount of the education property assessment in that year. So we're actually returning virtually all of the education property assessment to municipalities through the MSI fund.

It's a complex area, but it's not fair to say that we didn't collect \$42 million that we should have and gave that to the city of Calgary.

**Mr. Hehr:** Thanks for that explanation. I'm going to have to go through that again and clarify for myself, but thanks for working with me on that.

If you looked in here – let's look – in 1993, I believe, it was switched from local municipalities having the ability to tax for new school initiatives. Okay? That effectively had gone to the province, rightly or wrongly.

Everyone knows, whether your government or any government around that it's difficult to raise revenue at the best of times. It just is difficult. However, the local schools or local communities may in fact have an easier time to do it. Your electorate, your voter, your taxpayer can actually see: "Jeepers, we need a neighbourhood school. Yes, you can see it. It's being built in our backyard. Yes, I don't mind paying for that." Has that rationale ever crossed this ministry's mind? Would it be easier for them to return the

taxation power to them to possibly do some of this stuff to make it easier for citizens to actually see they're getting money for what they spend it on?

**Mr. Hancock:** A number of years ago in the early '90s there was a move from local-based taxation to provincial pooling. The rationale for that was that industry, which pays a good chunk of this, is not evenly distributed across the province, so there were some school boards that were excessively well-to-do without a huge residential property tax base and others that didn't have much of an industrial base, so the residential property tax base had to bear it. In some cases school boards had a lot more money to do things with, so there wasn't equity across the province. So the idea originally started as corporate pooling and moved into a total pooling of the residential property assessment but for the opted-out boards, which are essentially the separate school boards, which maintained that they had a constitutional right to taxing authority and moved that into a corporate pooling basis.

Now, there's all sorts of discussion that happens on an ongoing basis in the education system as to whether or not it could have been just limited to corporate pooling and left the residential property tax base with the school boards. There's also a question as to whether property tax is an anachronism, and there should be some other form of funding. One thing that is left with the school boards is the ability to raise up to 3 per cent of their operating budget by a local assessment, but they have to go to a referendum first.

Those are all things that will be carried forward in the new education act, and as we go through the discussion, I think we could welcome a discussion about what level of connection to the community could be recreated. But I can assure you that the AUMA and the AAMD and C on behalf of municipalities across the province are very adamant in their perspective that we should be getting out of the education property tax basis because that's the only base form of taxation that they have to operate the municipalities.

So it's not an easy issue. Yes, there could be a connection, but it's a broader discussion.

**Mr. Hehr:** I hear you.

**The Chair:** It's the second 20 minutes now. Continue on.

**Mr. Hehr:** I thank the minister for that answer. You probably agree, and I think I've heard you state publicly that this may be one of those times when it's penny-wise and pound-foolish for us to be making these cuts right now to some of the teaching positions that are out there.

In my view, it looks like we're headed for another round of a boom or just more robust economic activity coming here. Predictions are that the population will continue to grow as we have 25 per cent of the world's petroleum resources here. Here's where the jobs are, here's where the people with kids are, and all that sort of stuff. At this point in time, given that we're going to cut not your ministry in particular but as a result of, say, this \$107 million shortfall – let's just call it that. School boards are going to have to drastically reduce the teaching staff and programs when, just essentially, in a year and a half, two years from now we're going to be caught in that cycle of catching up.

**Mr. Hancock:** I would certainly agree that our workforce planning process suggests that we will need more teachers over the course of the next 10 years. The school-age population is predicted to grow by 100,000 students over that period of time. Unless we can deal with issues like retirement age and bringing more people in through the system, we will end up with a shortage. The question, I suppose, that comes up is: should you actually

retain the people you have now into that process and just over a period of time grow into it, if you will? That's a fair question. Left to my own devices with no shortage of resources, would I lay off staff? Well, no, I wouldn't.

3:30

However, in a tight fiscal period you sometimes have to readjust your bases. I think it's always appropriate to go back to school boards and say: "Analyze your spending. Work with us on this." You know, we did this at a departmental level. We cut I think it was \$17 million out of an \$80 million budget, something like that, over the last year. We have to look at what we're doing and say: you know, we can't sustain it at this level. The reality is that we're using a lot of our nonrenewable resource revenue to fund operating programs. Over the course of the next few years we can't just continue to grow that spending. We have to look at resetting the base or increasing the taxes or both.

Given that piece, today we look at the budget and say: do we just pour money into what we're doing now, or is this the time when we ask the school boards to take a look at readjusting their base? Does that mean that we have to lose some staff? Well, 70 per cent of the money goes to paying for staff at some level. You can't say that we should be fiscally prudent on our spending side and not recognize that that means jobs.

**Mr. Hehr:** I'm perfectly hearing you, Minister, and I'm glad that we actually have the recognition of this. If the last 40 years have proved nothing, we can spend all of our fossil fuel resources and lower taxes to their minimum. It's just in times when we have shortages here, where the oil wells don't pump in, when we're caught in a shortfall. I think that's where we find ourselves.

Nevertheless, I would leave you with a suggestion. You've got – what? – \$6 billion or \$7 billion left in your sustainability fund. It would be wise for you to dig into the coffers and fund this at this time. Heaven forbid that you pass that booze tax that you were going to put through a couple of years ago. That's \$180 million. If we're really being honest here, we've got to look at other revenue streams or whether we're going to do this. In my view, I just think that there are other options to this than letting teachers go at this time. Even our capital. Let's switch gears a little bit. What do you think about that idea? Why wouldn't now be the time to go to the sustainability fund to find \$170 million to not let teachers go at this time?

**Mr. Hancock:** Well, overall on our budget I think the number is \$4.7 billion that's going to be tapped into the sustainability fund. What we tried to do on an overall government basis is to keep the increase in spending to an amount that is just slightly less than 2 per cent. You know, you sort of look at prudent budget planning and say that growth plus inflation is sort of a guideline. If you're going to limit your spending and grow your economy past your spending to get yourself out of a deficit piece, you have to look at every budget on a prudent basis. You can't just say: let's do it in your budget, but don't do it in mine.

We strongly advocated for the resources we needed in Education, but on an overall basis the Premier has said – and I certainly support him on this – that you don't tax your way out of a recession. It's not the time to go back to the public and ask for more money. There's a certain line that you have to work with.

At the same time you can see over the course of the last number of years that the annual operating surpluses of our school boards have actually been fairly substantial. We have accumulated about \$330 million, I think it is, across the province in annual operating surpluses. I appreciate that school boards have been saving for a

purpose. That's just the operating surplus; that's not the capital reserves. I think it gets up to about \$577 million if we include the capital reserves. So this is a well-financed system. If we're in a fiscal period of time when we need to dip into our sustainability fund, I don't think it's inappropriate to ask school boards to dip into their sustainability funds.

**Mr. Hehr:** I'm not suggesting that you're wrong to make them do that if those reserves and resources are there. But, you know, there are other things. There are depreciating assets. There's a backlog on deferred maintenance, all this sort of stuff that is coming home to roost in the system as well on some of that stuff that these reserves were meant to pay for. It's a little bit of both ways.

I'm going to come back to some of these more detailed questions, but we're in sort of a general discussion on where we're going, and essentially I'd like to sort of keep going on it. Is there a discussion happening right now in your government? Obviously, we're coming out of a recession. The Premier says that you don't tax your way out of a recession. Given what we've gone through in the last 40 years, is your government looking at, I guess, more sustainable ways of running a province in the long run?

**Mr. Hancock:** Well, that's a broader budget consideration than the Education budget.

**Mr. Hehr:** I know.

**Mr. Hancock:** I can say quite candidly that I'm not running for the leadership, so it wouldn't be appropriate for me to talk in broad, general terms. That's a perfect question to ask the President of the Treasury Board.

I can say that we have very clearly focused on how we can improve our savings, to take the nonrenewable resource revenue and build that into a long-term either savings account or a building of capital assets. When we talk about the deficit that we have this year and had last year, if you look at the resources that are going in to build the infrastructure, including school infrastructure, you can actually say that we're using the nonrenewable resources to build that capital infrastructure, which is multigenerational, and we are paying the operating costs out of current dollars. We still have to understand that at some point in time the sustainability fund will be depleted, and then the question is: do we continue to use our capital dollars in that way?

So, yes, we need to be saving but not saving just for saving purposes but saving and investing capital dollars coming from nonrenewable resource revenue into sustainable, long-term investments, whether that's in human capital or in the infrastructure that we need for roads, schools, and hospitals.

**Mr. Hehr:** Or a savings fund or a long-term heritage savings fund, whatever you might want to call it.

If we can talk about: there's no money in this year's budget, at least from what I've seen, for additional school building. Is that correct?

**Mr. Hancock:** That's right because if we announced a new school building project, you wouldn't spend the money this year anyway. What we have in this year's capital budget is the amount that we're committed to spending with respect to the ASAP projects and the continuation of the completion of the projects that are already under way. We are working on a 10-year capital plan. I'm working with Treasury Board and Infrastructure on how we might announce and finance the capital that we need over the longer term, but that wouldn't impact this year's spending unless we

needed to ask for a million or two in dollars for the department or for Infrastructure to manage the projects.

**Mr. Hehr:** In your department's view, how many new schools are needed in this province for the numbers of kids that are coming and with the communities that are growing?

**Mr. Hancock:** You'd have to give me a time frame.

**Mr. Hehr:** How about the next five years? An example is that I go to Airdrie. They tell me they could use three or four more schools there. There are new communities in Calgary that need schools. In the old days, hon. minister, a new community would go up, and a school would go up. Okay?

**Mr. Hancock:** That must be in the old, old days. It hasn't happened in my 40 years.

**Mr. Hehr:** It would happen. When I went to school, you know, it seemed to be more like that than it is today. Maybe it's because of growth pressures, the zeitgeist of what it is, that different contributions by levels of government and the taxpayer in general are not quite the same as they were 40 years ago, but that's sort of how it was. It seems to me that it isn't happening. Maybe I'm remembering the good old days, and maybe the good old days weren't that good after all, but I don't know.

I'm suffering from that, that we have many new communities that deserve and need a school. In my view, it's the neighbourhood hub and how an egalitarian society should be run and directed. It should have a public school. Okay?

**Mr. Hancock:** We do agree on that. The ASAP 1 and ASAP 2 projects that were brought forward were to try and get schools where kids are. I think that was the phrase that the previous Education minister used when he announced that first ASAP 1 project. So we built 18 schools in Edmonton and Calgary, nine in each, and then with ASAP 2 another 14 schools, most of which were in Edmonton and Calgary. That was intended to deal with some of that urban growth. Now we're working on dealing with the growth in other communities like Airdrie and Medicine Hat and Grande Prairie that deal with those growth pieces.

3:40

Your initial question was: how many schools do we need? Probably over the 10 years it wouldn't be untoward to say that we'd need 160 schools, most of them new, in order to deal with growth. Probably a third of them would be replacements for schools. Fifty per cent of our current schools are over 40 years of age, so there's a renewal that's definitely needed and definitely under way. We've done an awful lot of work both in the demographic modelling and the financial planning to see how that could be accomplished over that 10-year time frame.

**Mr. Hehr:** Okay.

Can I ask about transportation budgets for this year that you were sending out? Were they frozen for various school jurisdictions?

**Mr. Hancock:** Sorry?

**Mr. Hehr:** Do you supply transportation funding for a line item to different boards?

**Mr. Hancock:** Yes.

**Mr. Hehr:** Was that frozen this year?

**Mr. Hancock:** There's a \$1 million increase to the transportation budget this year. To be fair, last year or the year before we eliminated a transportation grant, which was a top-up of diesel fuel over 60 cents a litre. It did go down if you added that supplemental grant in, but this year over last year it's a \$1 million increase.

**Mr. Hehr:** Okay.

**Mr. Hancock:** I should say that there's also – and, Gene, you can correct me if I'm wrong – a reprofiling because when we open 18 new schools in urban areas, there's a certain amount of transportation funding that can then be shifted to other areas.

**Mr. Hehr:** My understanding is that 98 per cent of the funding you give to local school boards can be spent in any way and fashion they would like. Despite whether you call it an operating, an AISI grant, or an ESL grant, they just get money for whatever they qualify for.

**Mr. Hancock:** If you leave the capital funding out and you leave the AISI funding out, essentially the rest is a formula in which we pile up the dollars in one way or another to a school board. And, yes, we don't audit, for example, to see if, say, you used your \$1,155 ESL grant per ESL student, and it all went to ESL students, or that all of the money you were funded for severe special-needs students went into that. It's basically a formula to get resources to school boards, and the school boards allocate those resources the way they need to.

AISI is slightly different in that they have to justify what they do with their AISI funding, and for the class size initiative funding they have to show that they actually put that towards hiring more teachers. There's another area, the student health initiative, which is a particular area. But for the most part you're right. The student grants and all the other grants are sort of funded out into a pot, and then the school board takes the bottom line and allocates it.

**Mr. Hehr:** Obviously – and maybe this is just a redundant question – you're doing those line items like ESL students, special-needs students to sort of recognize there are differences in the way school boards operate and differences primarily in city jurisdictions and probably more rural jurisdictions. The city jurisdictions attract more students – tell me if I'm wrong here – with disabilities and ESL troubles. They're going to cities. They're tending to look for jobs and opportunities in cities. As well, the services are there. Has funding from your department kept track, going to city boards in that type of fashion that recognizes what, in my view, I would say would be the heightened costs of doing business in the city, or am I wrong?

**Mr. Hancock:** Well, you're right from the perspective that piling the grants together recognizes the demographic differences between boards. So you have your base per-student grant, you have the class size initiative grant, which is separate and apart from that, but then you have a self-identified First Nations or Métis student aboriginal grant, you have an ESL grant, and you have severe special needs. You take all of those together, and by piling those together, you're recognizing the complexity difference in the makeup of the student population for a board.

For example, the Calgary board of education has – what is it? – approximately 25 per cent of the ESL students. That would be 63 boards, and one board has a significant population of ESL students. That ESL grant, the \$1,155 that they get per student, is actually increasing by about 15 per cent this year to recognize the growth in the number of those students. So the amount, the \$1,155, stays the same, but we're funding the increased number of

those students, and that is recognizing the fact that Calgary has that type of a population. Most of that ESL population would be captured in Edmonton and Calgary, but there are some rural boards that have those populations as well. Yes, that differential funding is to recognize the different complexity of the student demographic.

**Mr. Hehr:** You were just getting to it at the start of the introduction of your speech when you indicated that the class size initiative is going to be sacrificed in grades 4 through 6 this year, but you're keeping that funding in K through 3 because research indicates that's where it does the most good. I agree with that research. I think, you know, that in a perfect world we'd keep that grades 4 to 6 class size initiative going. When the economic picture gets better, are you planning at this time on restoring the class size initiative in grades 4 through 6?

**Mr. Hancock:** Well, let's be really clear on the class size initiative. We haven't actually reduced the class size initiative funding. In fact, I think it's fair to say that we're about a million dollars up. What we've done is reprofiled it. Okay? In the past the class size initiative grants were, essentially, one-time grants. There was a class size grant put in place. It originally was set up based on the differential between where school boards were compared to the class size guidelines. Essentially, you were funding the school boards that hadn't made a good initiative to put the resources into the class.

That happened also the second time that there was a tranche put in to increase class size funding. There was no long-term, sustainable piece to that. You know, one lump was put in one year, and then a couple of years later another lump was put in. It was targeted to those school boards that hadn't met the guidelines, in essence targeting those school boards that had put less of a priority on their other resources to the classroom.

We changed that last year and said, "We want to understand that the data says that student outcomes are not really affected by class size," which is not to say that class size isn't important for other reasons, but if you're talking about student outcomes, where it makes a difference is in the K to 3. So let's reprofile the grants. Even though school boards can decide what they do with the money, we're saying that we want to reprofile the grants. It's the same amount of money, but now it's putting more money based not on how far away you were from the class size guidelines but based on how many K to 3 students you actually have and need to service.

The method in the madness is that if that's on a per capita grant basis for K to 3 students, it should grow as the student population grows. We know there's been a baby boom in the province, and we're going to have a growing student population in that area. Instead of it being withered down over the years because it was just a one-time tranche and then a second-time tranche, it's actually now pegged to the class size at the K to 3 level and will grow with the K to 3 growth.

We haven't reduced it at all. We've reprofiled it. We've sent a message to school boards that we think they ought to be trying to do a better job of meeting the class size initiative where it matters, in K to 3. We did the same thing at the high school level with respect to CTS courses, where class size made a difference for safety reasons like with welding, for example, or those areas or where there were higher costs.

That's what we did with it. We haven't decreased the amount that went into it. In fact, the way it's positioned now, it should grow with the student population.

**The Chair:** Hon. member, I'd just inform you that we've started the third 20 minutes.

**Mr. Hehr:** Perfect. Thank you.

Just on that note, it's clear. I agree with the minister 100 per cent. The more help you can give a kid at the beginning of life the better. The money is better spent at the front end than at the back end.

On that note, where are we going in junior kindergarten for three-year-olds? Are we moving into that? If we're really looking at using scarce resources, why aren't we getting rid of grade 12 and putting in junior kindergarten? I realize that that's a simple solution.

**Mr. Hancock:** I guess the short answer to that is that we are doing a lot of focus work on early childhood. We're working with Children's Services and with Health on how we can work more on early childhood initiatives, catch issues earlier, support children who need it earlier. Not every child is built the same and needs the same kinds of support. Junior kindergarten is a very good program for some children. It's not necessary for all children.

3:50

The question that it really comes down to is that school boards have the ability to use their resources in the way that they think is best for their children. There's no reason why they cannot – and some, in fact, do – fund, for example, full-day kindergarten because they think that that will get the children a better start and will improve their utilization of resources later on. So that is there.

Now, the short answer to your question is that we don't have additional resources to start a new program this year, so even if I wanted to fund junior kindergarten, I couldn't do it in light of the fact that we're asking school boards to meet the fiscal challenges we're asking them to meet. That's not to say that we don't put a priority on early childhood and the work that we're doing on mapping, on wraparound services, on working with communities and with other players in this area to actually focus on it.

One of the things that's valuable is that it gives us some time to look beyond the easy answer, and quite frankly kindergarten and junior kindergarten are easy answers. They're what people come out for. There's lots to suggest that if you have resources to apply, parenting programs would be perhaps a better investment to assist parents to understand that what they do between zero and 18 months is going to have a much bigger impact on their children learning over time.

**Mr. Hehr:** Let's talk about that. You indicate that school boards make the decision themselves whether they're going to have a kindergarten program or not. Are there school boards right now in Alberta who are not running a kindergarten program?

**Mr. Hancock:** Yes. There are some school boards that are running full-day kindergarten, there are some school boards that are running junior kindergarten, and we actually fund some of those students. If they're ECS students who are at risk, some of them are funded. For example, if you go into my constituency of Edmonton-Whitemud, at St. Monica School there's a junior kindergarten, and some of the students are funded. For other students their parents want them to take junior kindergarten, so they're prepared to pay the cost of their children going to that junior kindergarten. By piling the two together, they get a robust program.

**Mr. Hehr:** Who are the kids that are funded? At-risk children?

**Mr. Hancock:** Yes.

**Mr. Hehr:** See, this is where it breaks down for me. In my view, we should be doing some more of that, and you're the boss. I would almost mandate school boards that they are going to be running junior kindergartens. Can you do it? Would it be wise to do it? Would this government look at ways to fund that if we believe that that's where the initiative is? If what I've heard is correct, that Education's current thinking is that that's where the money is best spent, why aren't you as the minister saying: "Thou shalt have junior kindergarten in your programs. That's where you're going to spend your money, and we're going to prioritize that"?"

**Mr. Hancock:** Because one size doesn't fit all. When you hire school boards, as we do as locally elected boards, to determine what's in the best interest of their community relative to the educational programming, one of the things that they get to do is decide what's in the best interests of their students with respect to the local programming. We could encourage them to do it by funding it, but what we do fund is students with severe special needs from age two and a half, mild and moderate special needs from three and a half, and regular students from four and a half. We provide resources for those students that we can absolutely be certain are going to benefit strongly if they have that early intervention.

Again, if we had another few million dollars and weren't dealing with the stresses we have right now, I still would want to take a look to say: what's the best investment you can make at the provincial level? What's the best investment we can make? Quite frankly, we're working very closely with Children's Services and Health on that issue relative to the early development mapping program to find out what resources are available in the community because there is good research to suggest that.

If you read a book – and this isn't the research – called *Disrupting Class*, there's a chapter in there that's really quite interesting. It talks about the fact that perhaps we're wasting money investing in kindergarten and junior kindergarten, that we would have more bang for the buck if we invested it in early childhood. A child who's talked to not in gibberish but just regular talking between age zero and 18 months develops synapses which improve their communication ability. There's research to show that there are a lot of things you could do in the early childhood area with students, so we need to do more work on how we assist parents to understand that they make a huge difference. You know, fetal alcohol spectrum disorder is another area. If we're talking about how we make sure that every child can get a good start, it might be too late to wait for junior kindergarten.

**Mr. Hehr:** Too late. I hear you.

If we're looking at, specifically, the cuts to AISI grants – we're just talking here – how was the 50 per cent figure arrived at? Why was that number chosen? Did you guys need a certain amount of money to balance the books, and that was just the easiest place to take it from?

**Mr. Hancock:** With your indulgence, I would like to take a moment before I answer that to just indicate that we've been joined in the gallery by Kathy Telfer, who's the head of our communications department in Education, by Monica Futerski, who's with budget and fiscal analysis, and by Leona Badke with strategic services. I don't think they were here when I made the comments about the great work that is done by the staff in Education, how professional they are. I just wanted to say that while they could hear it and acknowledge their presence. I thank them for the work that they do and that the staff that work with them do.

On your question – I'm sorry – would you just remind me? It was about AISI.

**Mr. Hehr:** On AISI funding, is that going to be returned? Is that program going to be eliminated eventually?

**Mr. Hancock:** Not if I can help it. That is a very good program, and we've just had it reviewed internationally. We know that other jurisdictions are looking at Alberta. Alberta is unique. In fact, a school principal was just telling me about a conference they were at in New Orleans, and the speakers there were talking not about Finland but about Alberta and specifically about the AISI program we have here. As applied research on an overall basis it's an excellent program, and it does fantastic work. It was very, very painful to have to deal with cutting that budget.

That being said, what we did was we kept it whole until September 1 and cut it by 50 per cent after that, and yes, that's a balancing number. We also can use this as an opportunity to look at AISI to say: where are we doing it most effectively, what goes into that, and where is it not being so effective? I can tell you that I had people call me – teachers and other people, colleagues – and say: if you need to save money in the Education budget, why don't you cut AISI? The reason they're saying that, obviously, is because in their particular part of the world they're not being included in the planning process. They don't see the value of the project.

Now, across the province I think you'd find that virtually every school board and teachers are saying that this is a very valuable project and that it's one of the best things that we've done. We can take a look at it, figure out where the corners are that aren't working so well, make sure we're using the resources as well as we can, but we've got to certainly invest even more in research and applied research in this province to know that we're leading edge for our students.

**Mr. Hehr:** Mr. Chair, can I ask how much time is left?

**The Chair:** You have about nine minutes.

Before you continue, it's my mistake that I didn't ask the minister to stand up to speak to his Committee of Supply estimates. The camera cannot see you well.

Hon. member, continue.

**Mr. Hehr:** Okay. Well, thank you very much.

I'll try and tie this into the budget here. Where are we going on charter schools? You know, when they were originally brought in, they were brought in for a mandate of five years, and some charters now have been going for 12 years. Some people are reasonably happy with their work. Some other people are suggesting that they may be redundant and that this stuff can be done in the public school system, all those things. I was of the understanding that this was going to be dealt with in the new education act. Does your new education act deal with it? Are there any things like that that you can touch on from this budget that I can tie into a discussion on charter schools?

**Mr. Hancock:** Mr. Chairman, thank you for letting me know that I don't look as good sitting down as I do standing up, so I will stand up for everyone to have that presence.

Charter schools have been in the province now for – what? – about 12 years, 15 years. In any event, they came in originally so that there could be both choice and innovation in the education system, innovation, obviously, in the perspective of the innovator. Some people said, "Well, that's not innovation; that's regression," whatever. It doesn't matter. Parents and educators said, "We believe in this methodology of education or this style of education or that having all girls together will improve education," and the province said: "Yes. We want to give them an opportunity to try

that.” They first have to go to the school board, and if the school board won’t do that kind of a program, then they can apply to be a charter school.

4:00

That has been successful. We have 13, I think, charter schools across the province. Most of them have had some degree of success from the perspective that the parents and the children that are going seem to like them and seem to think that they’re doing a good job. The results would suggest that they’re fine.

Some have said: well, now that the public school boards have embraced those programs, the charter schools should be closed. Well, no. We’re not going to do that. We’re going to continue those charter schools because they will continue to ensure that there’s choice in education. When we bring the new education act forward, perhaps even before that, we will work on how we can move from a five-year renewable charter to a permanent charter, but based on a way that we can ensure that they continue to fulfill their mandate. A charter school by definition is something different than the local public school, so that difference has to be maintained or else they shouldn’t maintain their charter. Subject to that, permanence is in order. That helps them plan longer term, helps them look at their facilities, and those sorts of things.

We’re moving in that direction. We’re facilitating that piece. As part of that discussion we will have to then talk about the caps, you know, what size of enrolment? Do you allow a charter school to grow to an unlimited level? There are some challenges with that. Some charter schools are getting to be just as large as some school boards. Then what’s the governance structure that makes sure that there’s public accountability given that they’re not elected boards?

How do we make sure that they fulfill – one of the mandates that was always there for charter schools but that has never really been followed up on, and not at the fault of the charter schools but at the fault of the system, is to say that if you’re doing a particular style of pedagogy or you’re operating in a particular way because you believe that that works well for a certain type of student, we want to learn from that. How do we do the innovation piece? How do we do the applied research piece around that? How do we test it to say: can we learn something for the broader education system? That, after all, is what charter schools are supposed to do, to challenge the system to be better.

**Mr. Hehr:** Given that these charter schools are drawing students from all over the city, are there differences in transportation budgets allotted to those institutions or anything of that nature?

**Mr. Hancock:** We set up a per-student rate for them to fund their transportation. I will look, and I’ll get back to you in terms of how that’s calculated.

Normally in the public system for schools we fund transportation to your neighbourhood school. If you go past your neighbourhood school to a school of choice, that’s not funded. With respect to how the transportation funding for charter schools is, I’ll get back to you.

**Mr. Hehr:** It’s probably similar to that, but if you find it, that would be great, too.

I’m going to get back on the list so that I can ask you some questions after my colleagues here, but I’d like to thank the minister of the department for a fairly candid discussion. In my view if there’s an opportunity, if money comes into the Treasury Board, if Alberta’s prospects for the future look a little bit better, if we find \$107 million on a \$45 billion budget to go into education to fund some of these initiatives, I would say that that would be money

well spent. I think that given the economic times we’re about to head into, the growth in our student base and the needs of our system would suggest that I’m right on that.

I’ll leave it there. I’ll get back on the list, and I’ll listen intently to some of my colleagues asking questions. Thank you very much, Mr. Chair.

**The Chair:** Thank you.

The next 20 minutes is for the third party. Hon. Member for Airdrie-Chestermere, you have 20 minutes, 10 minutes and 10 minutes which you can combine with the minister.

**Mr. Anderson:** Back and forth.

**The Chair:** Back-and-forth dialogue with the minister.

The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair, and thank you to the Minister of Education for being here today. I really enjoy our discussions in these types of forums. I don’t want to be guilty of heaping too much praise, of course, but he really is doing a very good job in education. There are several things that I think need to be fixed or changed or adapted and so forth, but I do believe that this minister is moving in the right direction on several different fronts. I do appreciate his efforts in this regard.

One of the first things – and you’ll never guess what the first thing is that I’m going to talk about – is schools for high-growth areas, and of course one of those high-growth areas is my home constituency of Airdrie-Chestermere. There are also, I know, several other high-growth areas. I know Beaumont is having an issue as well with a lack of schools for their growing community. I just want to kind of get an update, frankly, from the minister on where we’re at with that process. It really is starting to get quite serious for the communities involved, specifically in Airdrie. I know that you’re well aware of the situation, Minister, but if you could give me an update on where we’re at with schools in those areas, that would be very appreciated.

**Mr. Hancock:** Sure. Mr. Chairman, I think the Premier has made it very clear that we understand the need in the Airdrie area. There are other parts of the province that also have need. As I indicated earlier on today, I think perhaps in my opening remarks, we’re working on a 10-year capital plan, but we also know that there’s an urgency to get started on that and that we need to do something within the next couple of months.

Once we get through budget, I’ll be talking with the President of the Treasury Board and the Minister of Infrastructure. In fact, we have been talking about how we might finance the necessary capital build to satisfy not only the dire need in Airdrie – I mean, we’ve got a francophone school in Airdrie that’s a starter school, and it’s got growth issues. Rocky View, of course, has some significant pressures. The recently opened Catholic school, I think, has dealt with some of the pressures for the separate school board in that area. In Airdrie and Chestermere there’s certainly high growth, also in Beaumont, also in Grande Prairie, also in Medicine Hat, and to no one’s surprise, in Fort McMurray. It’s not as simple as saying that, you know, we need to build three or four schools in Airdrie right now; it’s a question of how we can do this in those growth areas in the province where there aren’t places for students to sit.

Having said that, I think that we should also challenge ourselves to say: are we using our infrastructure to its capacity? We should be looking at areas where we can actually change our school days to a longer day, not that every child should go for a longer day. When a school essentially shuts down at 3 o’clock in the afternoon and you’ve got two hours till 5 o’clock that you could actually use – it’s fairly expensive capital – we should be looking at that. We

should be looking at year-round schooling because our kids are already voting with their feet and signing up for summer school. The old idea that kids needed a summer break because they were needed on the farm doesn't really fit in most of our growth areas. There are other things that we should look at.

The short answer is that good news will be coming soon, I think, to parents in Airdrie and other growth areas across the province.

**Mr. Anderson:** Thank you very much, Mr. Minister, for that.

Now, obviously, we've grown very quickly in these high-growth areas and across the province, and schools are obviously desperately needed when we have high-growth areas. I think one of the things that has caused the problem we currently have is that I do not feel that there is yet in place an objective capital formula with regard to schools. I understand that, you know, each individual school board sets its priorities, says that these are our number one through 10 priorities, or whatever it is. I understand that they're the ones that set the priorities within their school board. Then the provincial government says that you will get funding for your top three priorities and then this school board's top four or this school board's top one, et cetera.

4:10

It seems to me that in the past, if you just look at some of the numbers with how the last tranche of schools was handed out, particularly in Edmonton and Calgary, not that they didn't need schools, it just seemed to me that it was very arbitrary. It was 10 for Edmonton. It was 10 for Calgary. It was seven for Edmonton public, seven for Calgary public, three or four for Calgary Catholic, three or four for Edmonton Catholic. That seems arbitrary to me. If you look at the numbers, you know, the Edmonton public system was going down, Edmonton Catholic was going up, Calgary public was going up, Calgary Catholic was going down. There are all these different factors involved, and it just didn't make sense that it would just be so equal. It seemed brazenly political.

Is there a formula in place that is being used by you at the Department of Education now going forward here so that when we put money aside for five schools or 10 schools, we're making sure that those are the absolute priority 10 schools for the whole province for the coming period of time?

**Mr. Hancock:** I guess my first answer is that formulas are fraught with danger. You can't actually replace good judgment with a formula. What we do is we have a very strong, good capacity in our capital side. They're going into areas, for example Medicine Hat or Red Deer, doing value review discussions so that the question is: what capital do we have on the ground in that area? How is it best used? What are the needs? How do we do the sector utilization, if you will? They do an analysis of it. We do get the capital plans from school boards, but you don't just take that capital plan and say: "Okay. Well, everybody gets their top choice." You have to actually look at where the growth pieces are.

We have a very dynamic and much-improved forecasting tool that forecasts where the population growth is, not quite as specific as to get down into the quadrants of a city. But in terms of growth, as I've said, we've had the regional discussions, and we build that plan. In the traditional capital process in government we take our plan, decide what the top priorities are having done that analysis, and then send that off to a deputy minister's capital committee, which looks at them in the context of all the other capital and does a points analysis based on health and safety, available space, condition of facilities, those sorts of things, assigns a points system and comes up with what's the highest priority capital need in the

province. Then you start allocating the money to it. So it's not a political process at all.

Now, overlaid on that was the recognition that we were behind in school capital funding, and we needed to do a big tranche. A previous minister was able to go ahead with the Alberta schools alternative process with ASAP 1, which was nine schools in Calgary and nine schools in Edmonton. That skewed the formula a little bit because in designing that – it hadn't been done before – the thinking of the time was that there needed to be relative proximity of the buildings in order to build and test the case.

All of those schools were needed. All of those schools were high on the capital list. In fact, I can tell you that in my constituency because I have the highest growth area in Edmonton we've opened two Catholic and two public schools in that ASAP 1 program, and all of them are crying for modulars now. So it's not that any of those schools were not needed, but it did take them out of the overall formula because they were all in Edmonton and Calgary in ASAP 1. It was top priority, it was urban growth areas, it was need, but it was skewed because of the desire to design an ASAP program to see if that would work to give us better value for the build.

Having done that, the second ASAP project for 14 schools – 10 under grade 9 and four high schools – went beyond those urban boundaries into the other areas. In fact, in your area I think there was one school in Langdon, and that was their top priority. The determination was that you could get out of that circle and do some of that. We took the high schools out of the ASAP bundle and did a design build on them because they were more complex builds.

So we were learning through those processes. I think as we go forward, if we were able to, say, put together a package of 25 or 30 or 35 schools and say: "Can you do that with one build? Can you do that with four or five builds?" That's what we're exploring now. What's the optimum way of doing that, recognizing that it can't be just an Edmonton and Calgary thing, that it's got to be right across the province? And it can't be just a new build. There are also major modernizations that are needed on some of our existing capital that has a need and a long-term life and needs to be refurbished. We're working very hard on that, our 10-year plan. We've put a lot of time and effort into it, but there's no political choice in it at all.

**Mr. Anderson:** Well, I'm glad to hear that's your view, and I'll take it at face value with regard to yourself and as you've been Education minister that you're not being political about it. I haven't seen anything to suggest the contrary, frankly, but I do still think that previously there were some decisions made that seemed pretty highly political, you know.

I'm glad to hear, too, that there is some sort of points analysis there, that you have some sort of formula base, because judgment is important, but if you don't have those kind of cold, hard facts, those cold, hard statistics, I don't know how you could possibly come up with the best decisions with regard to where the schools are most needed. I obviously encourage your ministry to continue to keep the politics out of it in that regard.

Mr. Chair, how much time do I have left?

**The Chair:** You have nine minutes.

**Mr. Anderson:** Nine minutes. I want to move on quickly to assessing students. We talked a little bit about that, but specifically regarding parental achievement testing. Sorry. Provincial, not parental. I'm pretty sure we could maybe use some parental

achievement testing as well, for sure in my case. I might have to go back for some more schooling.

The provincial achievement testing that we do in grades 3, 6, and 9 as well as the diploma exams. I've always felt that I'm not in favour of the provincial achievement tests, and I'll tell you why. It's not because I don't like objective criteria. It's not because I don't like parents to have some ability to see how their schools are doing. The reason I have a problem with it is just because it really does not, in my view, evaluate whether a child is really learning the material. I just know that point of fact from my own experience, that some of us are very good at regurgitating information really quickly on a multiple-choice test, and others, who know the material better than, say – I was quite good at the multiple-choice tests. I was very good at them, but I had friends that, frankly, understood some of the material far better than I did, and they did a lot poorer than me on their testing because they didn't do that type of testing very well. They just didn't respond to that type of pressure and so forth. So I don't see how it really helps evaluate our kids.

You talked about *Disrupting Class* earlier, a great book. One of the things that it talks about is competency-based learning. I really think that I would like to see some pilot projects, and the Wildrose would like to see some pilot projects, and I know parents would definitely like to see that, where we switch to more of a modular or a competency-based learning process, where children, rather than being, you know, in the same exact grade level with regard to their age, are essentially put into a grade with, say, three or four different levels in it. Then within that level they work competency by competency. So they work through their addition up to a hundred or something like that, and then once they've mastered that, they move on to the next core competency in math and the next. Then students who are really excelling in certain areas are going to be given the ability to do that and excel and maybe even get college credit eventually down the road. Then those that need extra help: we can identify them immediately and give them that extra support that they need to get them back to where they should be for their age.

Is there anything in your department? Are you looking at any of that, a potential pilot project? I know that as I talk with teachers, they are very interested in the idea, too, but it obviously would be quite an undertaking. Is your department looking at that at all?

**Mr. Hancock:** Well, the whole area of assessment is very interesting, and there are, really, a number of different levels we have to look at. One of the levels that you're looking at, of course, is assessment for learning. How do we use assessment as a tool to help students understand where they are and where they can be and all those sort of pieces? That should be happening on a daily basis in our classrooms across the province, our schools across the province. That is the purview of the teacher by and large.

The assessment as learning, where students learn how to assess themselves and learn from that, is perhaps a newer concept but is something that good teachers have done as well over time so that you constantly are able to evaluate your own learning potential.

4:20

There also needs to be assessment of learning. We need to know whether the system as a whole is working and whether our boards as a whole are meeting certain standards. That's where the provincial achievement tests come in. They're not really about the individual achievement of the student although they can be used in that way. They're not, certainly, about testing the efficacy of a teacher or of a school. The Fraser Institute's report is actually a bastardized use of those results. But if you take the longitudinal

analysis of provincial achievement tests for a school, for example, there's a lot of learning that can be done. If you look at one school, as I have, and it shows that consistently year over year on a particular portion of the provincial achievement test there's a low result, well, that says something about what's not being done or is being done. So a school and teachers can learn from that in terms of their teaching methodology and what they do with their particular students.

We also know that the grade 3 PATs are entirely predictive. They're valid, reliable exams. They're not just a regurgitation of memorization. They're well-designed, well-crafted exams which test at a multitude of levels, and we know that they're valid and reliable. If you take a look at the analysis, students who do poorly on the grade 3 PATs are the students who drop out of high school. It tells us two things: one, that they're reliable tests; and two, that we're not making as good a use of the information as we could because we should be intervening and making a change to that particular portion.

Yes, we should be encouraging better assessment practices. If you go to the diploma exam, for example, which is essentially an exit test – it's a standards test, and it is, again, valid and reliable – you could replace it with standards of assessment equitably applied across the province if you were comfortable that you had that kind of capacity in the system. But, again, the data show that we don't. The data show that there's a wide variety of assessment practices across the system. So there's a lot of work to be done.

To be frank, we should not be engaged heavily in that work right now – what we've got is actually pretty good in terms of the information and data it gives us – until we've redesigned our curriculum through our Action on Curriculum program because we're looking at 21st century skills, and that's a whole new question of how you assess efficacy in 21st century skills. Numeracy and literacy will always be important, and we should always be looking to say: are we achieving both as a system and for the individual student in numeracy and literacy skills? But as we move forward with new curriculum, we're going to have to look at how you test 21st century skills. That will be a whole new discussion on assessment, and that's when we really should invest the time and effort in doing it.

**Mr. Anderson:** Okay. Well, I guess I would argue, though – and I'll use the grade 3 example – that it's a good predictor. I don't know. You know, correlation is not causation, right? It seems to me that we're not measuring the improvement of the students; we're measuring where they are at one point in time. What we should be doing – and if you had competency-based unit-by-unit learning, you'd be able to assess where the student is at the start of the year and where they ended up, and that is far better.

I mean, if you have some heroic teacher that starts with a kid who's just, you know, a grade level, essentially, behind, and he gets him caught up or almost caught up, that's the teacher we should be celebrating as opposed to some teacher that gets somebody who is way ahead, and they start way ahead, and they end ahead by the same amount, or maybe they even slow down a little bit. It just seems to me that if we're going to adequately assess both where a child is and, of course, how effective their teachers or the learning environment is – it's not always the teachers; it's often the learning environment – it should be done in a way that measures where they are at the beginning and where they are at the end.

I don't think that just because a grade 3 student – if a specific school is always performing well on these PATs in grade 3, that could be for many reasons. It could be the education of the parents. It could be where they live. Do they all have full stomachs



when they're learning? I mean, there are all these different factors, and I just don't think there's a proper evaluation process because you're not evaluating where people start and then where people end. You're not evaluating whether they really, really comprehend the material fully, especially when you get outside of things like math. Math is one of those things that's easy to do on a multiple-choice exam. You know, there are four answers, and they're all right or wrong whereas things like English, science, et cetera, are things where sometimes multiple-choice exams are not very effective in addressing or seeing whether a student understands the material or not.

Again, is there any way you could look at a pilot project as you're going forward with the curriculum changes? I know they do this at several schools in Calgary. I know Eastside academy does this, where they have this modular learning. I know they have the Rocketship schools in the States. There are several in Texas that do it. Anyway, some ideas to think about.

**The Chair:** Hon. member, sorry. I have to interrupt you because your time, 20 minutes, with the hon. minister is completed.

The next 20 minutes will be for the fourth party. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It's a pleasure to be able to participate.

**The Chair:** So it's 20 minutes, a dialogue?

**Ms Notley:** We'll go back and forth, I think, assuming that we're able to do that with some brevity as we go back and forth.

There has been a lot of good conversation already, and there are a lot of issues to discuss. I'm going to perhaps start by focusing on something that I haven't heard a lot of discussion about yet and then maybe broaden the conversation a bit if I get the opportunity.

I wanted to ask a couple of questions just as a beginning about the performance measures the minister mentioned at the very beginning. You know, you referred us to the business plan and the performance measures that are in there, so I took a quick look at it. I think they were described as having been streamlined, but I suppose my more immediate sense of those performance measures was that they were remarkably ineffective and not terribly well connected to the priorities that were identified in the actual priorities of the ministry.

We have the priorities themselves referring to things like implementing, you know, some fairly weighty initiatives that the minister and the ministry have embarked upon in terms of developing the education act and implementing setting the direction and enriching teacher competency and implementing the school leadership framework and, I guess, more improving the educational infrastructure, a number of fairly significant goals. But then after that what we're looking at are these very vague performance measures about, well, that parents feel listened to and students, parents, and teachers think that their input is valued and they think that their education leadership effectively supports learning. I think you know where I'm going with this.

I did actually look at the document that the minister referenced when he talked about the business plan, the action something or other that you mentioned. I can't remember the name, but I did look it up on the web. Although that provided more information, it certainly didn't include any sort of detailed performance measures. So I'm wondering if the minister is a little concerned, perhaps, about this issue of maybe trying to find a better way to measure the actual success of his ministry in relation to the these specific priorities that you're asking us to approve a budget for in order for you to implement. So I'd like you maybe to talk about that generally.

Then because I'm going to focus in really quickly on special needs, I note that one of your identified priorities was implementing setting the direction, but there was just nothing in the performance measures that connected to that particular priority at all. I'm wondering if maybe you could provide a bit of a comment on that as well.

**Mr. Hancock:** Performance measures are always problematic, Mr. Chairman. What we need to be clear on is that what we want to have in our performance measures are measures of outcome, whether we've succeeded, whereas the strategies that are outlined are how we're going to get there or what we're going to do. I for one don't want to have performance measures which just count activity. I want performance measures which measure a result. Sometimes that's difficult to get to, and I've been a champion of trying to find ways of doing performance measures that do both quantitative as well as qualitative analysis, which is also a difficult thing to get to. I think it's very important that we do that.

Now, in doing that, we always have to of course be consistent with past practice because the Auditor General and others want to see a longitudinal analysis process, so that sometimes results in counting what we've always counted instead of looking at what's important.

4:30

I'm always open to ideas and suggestions about how we can better measure performance. I think that's something that we need to do, but I don't want to fall into the trap of counting the things that are easy to count. What we're looking at in goal 2, which are the ones that you were referencing: those are really satisfaction measures. Yes, that's a soft measure. You're basically saying: how well have we achieved our goal of including parents and students in the education process and making them feel valued? That's important because one of the outcomes of success pieces, which I borrowed from Finland, is that I would be happy as a measure of success if students said: I'm doing well in school, and I'm very happy to be there. Those are the two important measures because we know that a student will be more successful if they are engaged when they go, and they're going to be engaged if they're happy, if they're in a safe, caring, and respectful environment, those sorts of pieces.

I'm always interested in looking at better ways to measure, so any suggestions you might have in that area I'd be happy to engage in a discussion on. I would say that while the business plan has slimmed down, the broader selection of performance measures is still available, I believe, on our website. We're always interested in putting out that information and being tested against it ourselves. There's no shortage of information, I don't think, but if there are other things that people want reports on, we're happy to look at that as long as it is a value-add, as long as the cost of getting the information is outweighed by the value of the information. I think that in the general sense I would stop there on that.

What I want to say in answer to the previous question, because it's part and parcel of what you're talking about to a certain extent, is that there are different methods of assessment in the school. While we use in our performance measures the PAT results, that's because PATs are really intended more to measure the system than the individual student. That progress of student learning, which the Member for Airdrie-Chestermere was asking about, is really a classroom assessment, a very important piece but a classroom assessment piece. It's very difficult to do a system-wide assessment that measures a student's progress from where they are to where they can be or where they can get to. That is very important, and it's necessary for the classroom, but I would jump from

that to say that that's why you cannot use the PAT results to measure a school or rank schools or measure the effectiveness of a teacher because it doesn't measure that.

**Ms Notley:** No. I definitely agree. I think we've had conversations in the past that the PAT is not terribly helpful. Of course, we have an outstanding motion, I believe, in this House where the majority of this House recommended that the grade 3 PAT be eliminated. We haven't gotten there yet. Notwithstanding the so-called predictive value of it with respect to the individual child, since we've just talked about how it's not really about the individual child, it seems to be a little bit conflicting.

I wanted to ask in terms of performance measures and, in particular, about setting the direction. I did flip through your annual report and through some of the stuff on the website, and I do understand that you have other ways of measuring performance, but one of the things I was quite concerned about – we've talked in the past about dropout rates, high school completion rates. We know that, generally speaking, that's an issue and that the ministry has dedicated some resources to try and bring up those numbers. That's great, but I was quite concerned to see, of course, that those numbers exclude students who are coded with severe disabilities. They're not part of those numbers.

Then I flipped through to see: well, what are we doing? What is your annual report saying about children with severe disabilities? I see that there's been a recent introduction of some form of completion certificate that has been given to a few students, but I have to tell you that I don't see that as a performance measure. I see that as something that you may be able to give to a few students, but quite frankly I think the expectation should be that many children with severe disabilities should still be graduating from the typical program.

The issue around accommodating special needs is to get them to the same outcomes that everyone else is getting to and to do that successfully. It's not about coming up, moving the goalposts for them, or, you know, taking them out of the game altogether and not including their stats when we look at how the game and the teams are doing. I am concerned, then, that you don't have completion rates for children with severe disabilities or moderate to mild disabilities in there as a performance measure, and I wonder if you can speak to that.

The other thing that I will just get to, then, is that you mentioned the reprofiling for moderately and mildly disabled children, but of course with the severely disabled children, while we're waiting around for setting the directions, where we don't really have any clear performance measures for getting anywhere with that, we do not have their increased numbers recognized, nor do we have the amount of money per child having changed since 2008 for those kids with severe disabilities.

So we have the scenario, say, for instance, where in Edmonton we've had the number of children with severe disabilities increase roughly 10 per cent, but there's been no funding provided to accommodate that, and at the same time the amount per child has not gone up either to keep up with inflation. So in a place like Edmonton we're looking at a real cut to children with severe disabilities over the last three years of roughly 20 per cent. That's just going to grow every year that we have everything on hold while we're waiting for this amorphous setting the direction process to work its way through. I'll get into my concerns about setting the direction, generally, in the future.

I'm wondering if you could talk about the performance measures for successfully assisting children with severe disabilities effectively through the system, where they graduate with the same kind of capacity as typical kids, and then also whether you can

talk about how much longer we can expect to see this freeze in place for these kids while we're dealing with this amorphous and moving deadline around setting the direction.

**Mr. Hancock:** Well, thank you. Mr. Chairman, some very important discussion points in all of that. There are a lot of things to be responded to. First of all, we have increased our budget in that area by \$12 million, and the working group will work on how we allocate that to both implement the process but also to recognize those areas where there's a special need. We've always said to school boards that if they have a growth in their severely disabled student population, they can apply for an adjustment in their grants. We had one last year that applied for that adjustment. Now, of course, the problem with that is that they would have to show that this is an increase over what they were appropriately funded for. That was what got the whole process started. The audit that was done showed that we were funding more students than actually fit the policy profile, which obviously didn't work. That's not to say that there aren't students with special needs. That's why we got into this whole redesign process.

Setting the direction. One of the outstanding issues that they're working on is exactly the accountability framework. How do you do an appropriate assessment and performance measure relative to that? Of course, by the very definition of severe special needs, if it's a physical disability, you can expect that a child might be able to complete a normal program and graduate normally, at normal standards. If it's some other capacity issue, you're not going to achieve that in some circumstances. All students are included in the statistics. We just don't do a subset to pull out and specifically identify special needs because how would you categorize them? Would you categorize them just as severe special needs, or do you start making differences for varieties of special needs? That's one of the realities.

We need to personalize the education program to each child to make sure that every child can maximize their potential. Absolutely. But what we should recognize is that not every child is going to jump over the same bar. It doesn't matter where they are, whether they have special needs or not. It's moving from where they are to where they can be.

There's no question that we need to have some way of having performance measures which suggest what success rates we're having, how we're performing, and what we're doing. That is part of the work in progress.

**Ms Notley:** Do you see that coming this year?

**Mr. Hancock:** I see the new funding formula coming this year. I see our wraparound services piece. How do we equitably make sure that there's access to the support resources that are needed? Coming this year we have programs being developed now and some being piloted with respect to learning coaches to build capacity in the systems. We've built some support resources. A lot of this is coming together. I see this year as the year where we actually hit the ground in a more comprehensive way. Whether we'll have the performance measure this year? That one might be another year or so in the making.

**Ms Notley:** Well, now, those are interesting comments. I mean, I understand, of course, the perspective of the ministry that there were severe special-needs kids who were receiving funding who weren't entitled. But as we discussed way back when that happened, my view is that it wasn't that those kids weren't entitled; it was that the resources that were required in order for the staff in your school system to do the paperwork weren't being adequately provided.

4:40

You weren't not seeing kids; you just weren't seeing enough resources to have those forms filled out. The fact of the matter is that those kids are there – they were there; they still are there – but the resources in the system are simply not adequate to ensure adequate levels if IPPs and all the various forms that have to be on the file in order to meet your standards to say that that child is special needs. I'm all fine with those standards. That's great. That actually results in perhaps more professionalism, more accountability, more research-based mechanisms for supporting those kids with special needs, but the fact of the matter is that we came up with these grand ideas of what we wanted the school system to provide to the ministry to justify the funding, but we never gave them enough training or support to do it.

I can tell you that I have personally observed as an MLA and through various relationships enough scenarios where it's just not possible for that stuff to be done in the classroom by the people that you were expecting to do it. That's why that problem arose, not because those kids weren't there. Just to be very clear, those kids are there, and most of them are not getting the support they need right now. It's just that you never had the resources for that information to be provided.

The other thing that I'm saying – you're talking about including them in this test, but the problem is whether you need to change the bar, as you say, for some kids with special needs or not. Right now what's happening is that severe kids are not part of your stats. They're not part of your stats in terms of your dropout rate. They're not part of your stats in terms of your completion rate. The fact of the matter is that whether a child with, say, not a physical disability but a mental or emotional disability may well need 14 years and extra support, it doesn't mean that that child will not necessarily graduate with, you know, an 85 per cent and a complete ability to transition to university. It just means that they need to do it in a different way. But you're never going to get at that if you don't start measuring it. I suggest that you can't go any further until you start doing that.

You talked about the \$12 million. My understanding is that the \$12 million is not designed to go to any of the actual front-line provision of supports to special-needs kids but that, rather, it's the beginning money to try and transition the setting the directions process. You mentioned in your opening comments that the sort of particulars around how that \$12 million would be spent are just still being rolled out, that we don't have the details around that. So I'm thinking, obviously, because here we are talking about the budget, that we need to have more information about exactly what you think your plans will be with respect to how that \$12 million would be spent.

You talked about capacity building, for example. Now, I think that's a fundamental feature of setting the direction. I think that's where the program is probably going to fail again. I looked at what you're talking about thus far for capacity building. I read the stuff about the learning coaches and the new learning tools and stuff. All that stuff gets you about 20 per cent of the way, and it still leaves you with this big vacuum in terms of the inability of most professionals within the system right now to bring the level of expertise required in order to provide the support that is needed. The minister is shaking his head. You just haven't been in the classrooms that I've been in. Trust me. I have seen it, and I have seen the inability, the genuine attempts but the professional lack of knowledge to address these issues.

So my concern is: how is that \$12 million going to be spent? How are you going to deal with the fact that most teachers right now get about one class on special needs. They don't get any

classes on how to differentiate and how to structure a different learning curriculum or lesson plan or regime for particular special needs at this point, and you don't have that capacity in there right now. I'm wondering if you can answer that.

I can tell that I'm going to run out of time, so I'll ask one more question. A constituent of mine brought me a document that had been prepared by the regional psychologist and a speech path, I think, about the learning plan for their child, and they'd made a number of recommendations. They said that it was quite amusing because it was not possible to actually meet many of those recommendations because the resources weren't available. But I found it very interesting because – and she showed it to me – one of them said that for this child to succeed in inclusion, which they could, the class size needed to be smaller, and that child is going into grade 7.

I want to know what you think is the systemic outcome of your deciding that there's no difference in learning outcomes for kids older than grade 3 based on class size when, in fact, there clearly is a difference in learning outcome for special-needs kids who are included. Class size does matter to them. Are you not on the verge of making sort of a systemically inadvertent, adversely impacting discriminatory statement there by saying that there is no impact? Did you test what the impact was on special-needs kids who were being included? The professionals in the system say that it does matter.

**The Chair:** That 20 minutes has terminated.

The next 20 minutes is for the hon. Member for Calgary-Currie. Do you want to combine the 20 minutes?

**Mr. Taylor:** Thank you very much, Mr. Chair. We'll combine the 20 minutes, and I'm actually going to give the minister an opportunity to get a word in edgewise.

**The Chair:** Okay. Let's combine the 20 minutes, then.

**Mr. Taylor:** Do you prefer to do the 10 and 10?

**Mr. Hancock:** That's fine. Back and forth is great, just as long as you stop every now and then.

**Mr. Taylor:** Yeah. I will.

I'm going to pick up with goal 1, success for every student, and I'm going to look at goal 2, transformed education through collaboration. Goal 2.1 is to develop the education act, regulations and policies. I'm going to start out by asking the minister: is there a timeline for the release of the education act? Are we going to see it this session? Does this budget reflect the priorities of the education act? Will the education act shift any budget priorities? I'll start there. Brief answers, please, because I'd like to cover a lot of ground with you if we could.

**Mr. Hancock:** I'm anticipating that the education act will be introduced in the House before the end of April, that it will be introduced as a continuing part of our generative dialogue – in other words, introduced for discussion – and that we won't be passing it this session. The budget reflects the collaborative approach that we've engaged in with school boards and the approach that we've had with Inspiring Education, so the budget reflects, in my view, the approaches that we're taking in the education act.

**Mr. Taylor:** Thank you very much for that.

Action on Inclusion. Now, I'm trying to get a handle on how much of a reality that is. We've been told that, you know, the first changes will begin to be put in place this September in a limited

number of school communities and will focus on helping people and particularly educators understand what they can do to support student success in inclusive environments. This is often referred to as building capacity. We're told that these changes will be well communicated and will ensure that we have time to learn from these first communities before we move to a province-wide implementation.

I've also been told by others, by constituents, by other sources, that some school boards are implementing this this September on a system-wide basis. I'm given to understand that whether this is part of the new design with Action on Inclusion or whether it's a result of the tight budget this year, it's going to result in a number of cases where three or four different educational specialists may be rolled into one, and the end result will be fewer of those specialists in each school. I'd like the minister's comments on that, please.

**Mr. Hancock:** Well, first of all, Action on Inclusion is not a one-size-fits-all piece. It's an approach to life. Every child is valued. Every child should be included. Every child should have the opportunity to maximize their potential. When you start with that, some school boards and some schools have been doing an excellent job already on inclusion; others not so much.

Then you build some realities around that. There has to be capacity. We have an agreement with the deans of education, for example, with respect to working on what skills every teacher needs to have when they graduate from university. One of the areas that we need to do more work on is not making every teacher an expert on every aspect of every disability, but every teacher needs to have a fundamental understanding of inclusive education and how to recognize what they need with respect to a particular student. So there's work to happen there.

4:50

We need, then, the backup resources in terms of how you assist a teacher who's faced with a student with a particular ability or disability and how you provide support so that they have a professional community, a professional network that they can share with, that they have resources that they can draw upon. Some of that is also being piloted on the ground with respect to how you work in a school with respect to a learning coach perhaps or a professional who's focused on how a particular group of students can be included in various classrooms in various ways. So there's a lot of work that's done in terms of support. There's no magic button where you just flip a switch, and now we're moving to Action on Inclusion. Action on Inclusion is a philosophy, a direction that values every student, and then you have to support it with the appropriate resources.

When you talk about trying to roll resources together, we do not have enough speech pathologists and psychologists and other people to assist, so it's not about eliminating some of them or combining some of them. What it's really about is taking the fact that we have various pots of money or sources of money, whether it's ESHIP or some other place, and saying that we really need to focus all of this on a regional level to be able to maximize the availability and the utilization of the resources we have and then increase those resources, try and get more of the types of people that we need to have to support students and their teachers in their learning environments. So we're building a longer term approach.

Now, you say that some school boards have moved to inclusion. I hope that all school boards have engaged in an inclusive education process which says that every student that's entrusted to their care is treated fairly and reasonably in a reasonable learning environment. It's not about placement because you need the teachers

and the schools and the learning professionals and the health professionals working with the parents to determine what kind of programming is appropriate for a particular student. The fact that they all need to be included and need to have an opportunity to maximize their potential is the overarching piece to it.

**Mr. Taylor:** Okay. So, you know, if I'm the parent of a learning challenged, disabled kid, whatever the level or scope or type of disability is – put that in plain English for me – what does this mean to my kid? What does this mean to my kid starting this September?

**Mr. Hancock:** Well, you should show up at the school that you want your child to go to. You should be looking at the various options in terms of your understanding of your child's needs. Speak with the principal and the administration and the teachers at the school and say: how do my child's needs fit into what you're doing, and how are you going to be able to adapt what you're doing to support my child's needs? You need to be talking to them about what the educational programming for your child is and what supports they need to have and how we can amass those supports.

I can take you into schools – and the hon. Member for Edmonton-Strathcona was just depressing me something fierce; you live in a very depressing world. I've been in some really great schools with really great leadership and really great teachers who are actually doing this on a day-to-day basis, and they're doing it with exactly the same resources that every other school gets, so it can be done. It can be done well if you have the right approach and attitude to it.

If I was a parent of a special-needs student, I'd be looking to say: where is my child going to do their best? And if I want my child to go to my local school, depending on what their ability is and what their needs are, I'm going to be looking to say: how are you going to make sure that my child can be included in this school environment and make it possible for them to participate in physical education or in French or in social studies or in those programs? How are we going to do it together?

**Mr. Taylor:** Okay. You just said that there are some phenomenal schools in this province in terms of getting it around Action on Inclusion and implementing it and putting it into practice on the ground, and then you've told me as the hypothetical parent of a disabled kid that I need to go talk to my local school, my neighbourhood school, my community school and ask the principal, ask the teachers: how are you going to accommodate my kid starting this September? I think that it's a fair assumption, based on what the Member for Edmonton-Strathcona said, that while there may be some very excellent schools in the system – and I don't argue that for a moment – there are going to be some schools, perhaps the majority of schools, where the answer to my questions as the hypothetical parent are: we don't know yet.

So then what am I supposed to do? Am I supposed to schlep all around the region trying to find a school that does? And then I'm supposed to figure out how to get my kid from home to that school on the other side of town because that's the one that best meets his or her needs? I mean, to my way of thinking, that's a pretty big stretch in terms of meeting the principles and the intentions of Action on Inclusion where every student is successful and every student is included. So I'd like you to comment on that, please.

I'd also like you to comment on whether this notion that we have one inclusive education system where each student is successful, where each student is included, whether that also extends to the 25 students out of the 33 in the classroom who are just ordi-

nary, just average, nothing special, quote, unquote – and don't try and riff off my use of the word special – about them. They're neither gifted nor learning challenged nor physically or developmentally disabled. They're the type of student whose brain is precisely wired for a traditional academic education, so it really wouldn't matter what you did to them in school or did for them in school, they'd be jazzed by it.

That describes my daughter. She loved everything about public education from the moment she hit kindergarten until the moment she graduated grade 12. My son, on the other hand, didn't like a thing about education until he got out of the system and went to university. I mean, every kid is different, and you're trying to meet the needs of every child. Are the so-called ordinary, unexceptional, if I can use that word, children included in that mandate, and how are you going to meet that?

**Mr. Hancock:** Well, of course, if every child is included, those children are included. One of the things we can expect from teachers as professionals is that they will be able to differentiate their instruction based on the students that come to their classroom. In order to do that successfully, first of all, they have to be passionate about what they're doing. Secondly, they have to have a good preservice education program which equips them with the skills to be able to do that. Thirdly, they have to be inducted into the teaching process appropriately, and we don't always do that well. Fourthly, they have to have access to ongoing professional development, the support of fellow professionals, the support of the system to be able to enable them to continue to remain current, passionate, and capable of dealing with whatever children come before them. But we can expect them to differentiate their instruction because they are entrusted with a number of children, and that will be more or less difficult depending on where they are and what the makeup of their class is.

My son got started teaching in a small community in northern Alberta, which happens to be the one that I graduated from, and he had, I suppose, the good fortune to have what I would call a homogeneous classroom. All of the children in that classroom came from the same background and the same community, you know, had the same sort of cultural basis. However, they didn't all have the same abilities, and you still had to be able to adjust your curriculum and adjust your teaching based on the individual needs of the child.

That's what a professional teacher can be expected to do. What we have to try and do is create a climate where they can do that and be successful in doing that and are supported in doing that with time, with resources, and with supports for those exceptional children, whether they are exceptionally bright or whether they have an exceptional problem or whether we have difficulty finding what it is that gets them excited about coming to school every day. That's the trick, and that's the process that we need to go through. All of that has to be done in an atmosphere where you have to allocate scarce resources.

**Mr. Taylor:** So how far along towards the ultimate goal in Action on Inclusion would you say we are system-wide today? Not in the great schools that already get it and are already doing it, not in the schools that have been tasked with piloting it, but system-wide are we 10 per cent, 20 per cent, 30 per cent along the road to the goal of Action on Inclusion? Give me some sense of that, and give me some sense, please, of how long, how many years you see it taking until Action on Inclusion is real and practical and on the ground for every student in every school, public and Catholic, charter, private, francophone, designated special education private school, home education program in the province. How many years?

**Mr. Hancock:** That would be almost impossible to even speculate on, but I can say this: we are a long way from perfect. I know from my own experience in terms of being an MLA advocating for parents that you can walk into a school and have a discussion, and you can define schools where they're doing an excellent job. You can find other schools where you basically say that if you were that parent that you were talking about before, you know, you probably should drive a few more blocks.

5:00

What we need to try and do as a system is create both the philosophy and the atmosphere that value every student and say that it's our job as a system to make sure that every student has a place where they can be included and where they can move from where they are to where they can be and then support that with learning resources, with health resources, with family resources to be able to make that happen, whether it's wraparound services, whether it's mental health capacity building, whether it's support for addictions and mental health, whether it's, you know, instructional equipment. There are a number of different ways to do it. How far are we along on that continuum? I would suggest we've got a long way to go, but I would hesitate to hazard a guess at the level.

Now, having said that, I think I would say that every public school board across the province has engaged, has embraced the concept. We have a great commitment within government between departments, we've spent a lot of time aligning departments to make sure that we're all working to the same direction, we have a great alignment with the professionals across the system, and we're working on models that can be adapted to local situations to provide support resources. There's a lot of really good work, there's a lot of capacity in there, but we're a long way from perfect.

**Mr. Taylor:** In the meantime you've already said that we're short of speech pathologists, that we're short of psychologists, et cetera, et cetera, et cetera. We're in tight budget times, and depending on the school district, they may be able to more or less hold the line on where they're at with those specialists, or they may be laying some off. I'd like you to comment if you could, please, on this notion.

No matter how many or how few of these specialists we have, unless we have enough that we can designate them to every school in every system – and we're a long, long way from that – you're going to have a system where, if you have to share a psychologist or any kind of educational specialist like that among a number of schools within the region, some schools by virtue of their demographic makeup, by virtue of their socioeconomic makeup, by virtue of just the way the dice fell are going to consume more of that specialist's time than others.

If spread around a dozen schools, let's say, specialists are going to spend the bulk of their time in three or four of those schools and hardly ever darken the door of the schools with the least demand for their services. It's a given, I think, that there's going to be some need for their services in every school in the region, every school in the system.

With scarce resources how are we going to make sure that in a school in an upper-middle-class neighbourhood in Calgary or Edmonton, where the school council is active and the PTA is massively successful at fundraising and there are a lot of extras, financially at least, and where most of the kids are doing at least fair to middling if not very well, the few kids in those schools who have needs of whatever sort aren't falling through the cracks because the resource officers, the specialists, the professionals that they need are tied up on the other side of town in another school,

where socioeconomic conditions are not nearly as good and where there's a higher school population of students with obvious needs? How are the ones with the less obvious needs going to be captured by the system and properly served?

**Mr. Hancock:** Very difficult concepts, obviously. First of all, these specialists are not normally school based. They're normally region or district based. The key is how you do an appropriate allocation of resources. The critical piece, from my perspective, from a layperson's perspective – and I've seen it in action – is where you get the right special-needs co-ordinator, teacher, whatever you want to call them, in a school. I've seen some exceptional ones, who do a great job of understanding their students, of understanding and working with parents – and sometimes parents can be quite difficult because they've had to advocate so strongly over a period of time – in terms of what the child needs and then being able to work within the district resources in terms of how to access the resources that are necessary.

That's always problematic – there's no question about that – and we need to be able to build a stronger capacity to provide those support resources. But the critical piece is at the core of the learning team at a school with the principal, the special-needs co-ordinator, whoever is designated to that post, and the teachers involved in terms of how they're going to provide appropriate programming, bring in the support resources, whether it's a need for a particular type of computer or a piece of equipment or whether it's a speech pathologist or whether it's some other professional supports. Quite frankly, that is a comprehensive thing, and in the places that I've seen it most effectively used, it revolves around the teacher and the administration and the school being open and willing to work with parents and being willing to put that together and make that work.

What do we need to do? We need to make sure that there are more teachers equipped to do that. One of the teachers that won an Edwin Parr award last year from the Alberta School Boards Association taught in Calgary 26 students with IPP, and she did a phenomenal job. Why? Because she was equipped with her training, with her passion, and with her direction to be there and do that. If we can do that across the province, we will serve those students extremely well.

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

Hon. Member for Calgary-Montrose, you have 20 minutes with the minister. Do you want to combine or have 10 minutes each?

**Mr. Bhullar:** I think we can combine. I trust the minister will be factual with his responses but understand that I need to be generous with my time.

**The Chair:** All right, so the combined 20 minutes back and forth. Go ahead, hon. member.

**Mr. Bhullar:** Thank you, Mr. Chair.

Minister, thank you very much. Thank you for everything you do in this province for education. Although we at the present time may face challenges with respect to budgets, let us not forget that we are still a province that, quite frankly, leads the world in public education. Alberta ranks amongst the best in the world in public education, and I think, quite frankly, not enough Albertans know this point.

Minister, I'm going to ask a couple of questions just relating to budgetary issues, specifically around Calgary. From there I would like to diverge into some bigger-picture items around education as a whole.

The first question I have. I believe that there is a nearly 50 per cent decline in funding in something that is, I guess, a cost of purchasing adjustment. I believe that that funding was at some point or another provided to deal with inflationary problems in some school jurisdictions. Nearly \$6 million is reduced in this area. My question is: being that we don't currently live in those inflationary times, what's the need for a cost purchasing adjustment anyway?

**Mr. Hancock:** That's a good question. When we looked at the fact that we needed to find some ways to be more fiscally prudent with respect to our budget, we looked at the various grants and said: "Are the targeted grants performing? Are they doing what they were intended to do?" Relative cost of purchasing was brought in a number of years ago in an attempt to recognize that there were differential costs around the province. Some places were higher cost places to operate than others.

When we looked at this, it became apparent to me that our relative cost of purchase analysis was focusing on what might be called market-basket measures with respect to living. Most school boards spend most of their money on salaries. If there's a differential cost between school boards, most of that is in their salary grid. It's not what's measured by the relative cost of purchasing. So to adjust the budgets based on the relative cost of purchasing adjustment, which measures a market-basket measure of, you know, the price of coffee and other things like that, the price of housing, isn't really an accurate reflection of the differential costs, if there are any, among the school districts.

Now, having said that, there's a northern allowance, which reflects that northern constituencies above I forget which parallel have some extra costs due to their distance, and there's a Fort McMurray living allowance adjustment. With the relative cost of purchase, which actually for Calgary was a \$6 million adjustment, you have to say: well, why would the Calgary board of education get an extra \$6 million on that when the bulk of their costs are really grid related?

**5:10**

In fact, one of their other cost pressures is the \$10 million in grid movement this year, which means that their cost of teachers has actually gone down because their older teachers have retired, and they've got a lot of new teachers on the front end of the grid. In that theory, their cost of professionals, one might argue – and I don't know the facts on this – that they actually have a lower cost because one of the cost pressures they have is grid movement. If they had higher end teachers, older teachers, they wouldn't have a grid movement cost, but they'd have the higher cost teachers.

So the relative cost of purchasing, to my mind, didn't accomplish what was intended, set out, and actually did differential funding for school boards on an unfair basis.

**Mr. Bhullar:** Well, in that case, Minister, you reduced it by 50 per cent. Why not eliminate that completely and reinstate the class size initiative for grades 4 to 6? I think the class size initiative is something that we as Albertans shall be very proud of. It's something that shows our commitment to public education and excellence in public education, not just satisfactory public education but absolute excellence in public education. So instead of a cost-purchasing adjustment, put that money into the class size. Let's bump that up.

**Mr. Hancock:** Well, yes, we're taking that, but because it's such a significant adjustment, we didn't want to get rid of it all in one year, so we're taking it out in two years. That money will disappear next year unless some change happens. My anticipation is that that money will disappear next year.

What we've done on class sizes is maintained the amount of money, just changed the way we distribute the money. Actually, the overall class size initiative budget has gone up because we've put an increased amount in for growth. Then we just realigned the funds to deal with the areas where we anticipate there'll be year-over-year growth pressures at the K to 3 levels for now and where the data shows it does the most good.

One could argue: well, put more money into the class size initiative. One could argue: put more money into the per-student per capita grant. The relative cost of purchasing grant: when we looked at the targeted grants, the six that we dealt with, other than AISI there's a strong rationale for saying that they're not accomplishing what they were set out to do.

If we're saying to school boards, "As you analyze your budget, look for value gains; are you doing something that makes sense?" in each of those cases I can say that those grants aren't accomplishing what they were set out to do. It doesn't mean that we might not have to look at some other way of doing that, and on that I would look at the enhanced ESL, for example, to say that we still have some issues relative to certain sectors of immigrant populations coming into the system. But what we know is that the enhanced ESL grant wasn't really attacking that problem, which is what it was set up to do.

**Mr. Bhullar:** Minister, what levers do you have as minister to minimize the effects of Budget 2011 on students in the classroom? What levers do you have to target reductions in specific areas that do not affect students in the classroom?

**Mr. Hancock:** Virtually none. There's no magic wand. Most of our budget goes out to school boards; most of their budget goes to salaries. If there's a net reduction or a small increase in their budget and it's not sufficient to meet the increase that's required under the contract, it will impact in certain ways. We have to prevail upon school boards to be open and accountable to their publics and then be able to justify every area of their spending and ask them to focus on making sure that the highest priority is supporting student learning.

Now, you can justify supporting student learning in a number of different ways, and I think that it should be open to a school board to say: we need to have this particular group of consultants, for example, to do this because that's going to enhance student learning. That's the contract between them and the parents in their area and their community. Once we provide them with the money, it's inappropriate for me to tell them how to allocate those dollars.

There's very little funding in the budget that goes to a school board which they have to use precisely for the reason for which it was given. Whether it's an ESL grant or an aboriginal student grant or any other grant, it's a way of allocating resources to recognize the demographics, but they get to make the judgment call in terms of how to allocate those budgets in the best interests of their students.

**Mr. Bhullar:** I get from that that we provide funding to school boards in defined categories; however, the way they spend those dollars is completely up to them. The categories that we allocate money in are not necessarily the way that those dollars are spent at a local level. I see a nod.

**Mr. Hancock:** That's correct, other than the class size initiative, which they have to demonstrate is going to class size, and the AISI funding, which they have to justify in terms of what they're doing in AISI. But even in that, there is a lot of capacity to do various things. We don't tell them what to do, but they have to show how it's going to their applied research, their AISI pro-

gramming. Other than that and capital dollars, IMR dollars and those sorts of things, it's a funding model which tries to recognize the complexities of the demographics, not one which we audit against to say: are you using all the dollars in any specific area?

**Mr. Bhullar:** Do we in fact have an administration cap or a head-quarters spending cap? Do we have a limit on what any particular school jurisdiction is allowed to spend on administration costs or headquarter costs?

**Mr. Hancock:** Not specifically headquarter costs, but the guidelines for urban boards is 4 per cent on administration and for rural boards up to 6 per cent on administration, recognizing that there may be exceptional costs that they incur due to distance or travel or those sorts of pieces.

There are two essential areas within that. One is administrative building purposes and those sorts of things. Another is the types of support resources that can be charged to administration.

**Mr. Bhullar:** Thank you, Minister.

I've met with many, many constituents and, quite frankly, just folks all over Calgary on this issue, and I just hope that the Calgary board of education is able to find ways to deal with their budget issues without affecting the classrooms. I sincerely hope that they're able to make the case for any specific actions that are taken that affect the classroom. I hope they're able to make the case to the public that all other avenues were pursued and exhausted before any action that affects the classroom has to be taken.

I'm going to shift gears here quite a bit. Sir, I think our students use textbooks from a very early age. When can our students, every student in Alberta, do away with physical textbooks and, instead of having a physical textbook, have an iPad, with all of that material on that electronic device?

**Mr. Hancock:** Just to finish off the last one, the two categories that I was thinking of were system administration and board governance. Those are the two areas that fit into that 4 per cent cap.

Interesting question. We had sort of nominally, I think, in the department been aiming at a 2015 time frame to say that we could have our resources on an electronic basis. That wasn't necessarily to equip every student with an iPad but that textbooks would become digital, essentially, as an option if not as a reality for students by 2015. We're probably going to be a little bit behind that kind of a curve because that takes resources, and we've had to cut back our budget to play a leadership role in the process.

The other thing that's important on that, though, is that we just finished what was called the eMerge one-to-one project, where 26 schools across the province had one or more classes with a one-to-one laptop program. The results, particularly in the elementary-junior high area, were phenomenal. Actually, at one point in time we were talking about how we could ramp that program up consistent with what you're talking about. Again, that requires resources, so the time frames will probably be extended a little bit.

5:20

One of the other things we need to look at is: how, then, do we enable people to bring their own digital devices into the learning process and use them that way, and then how do you compensate or create some equity for those people who perhaps don't have or don't have access to and that sort of thing? I think schools are doing, actually, a pretty favourable job of making sure that there are laptops available and that there are digital devices available. Many schools are very progressive about finding ways to fund laptops, and most schools are finding ways to have a learning

contract with students to allow them to bring their own digital devices if they use them responsibly.

**Mr. Bhullar:** I think, Minister, the issue of resources is an issue we'll always face. I think it's quite conclusive that sustained budget increases are not sustainable. Year-after-year budget increases are not sustainable, and quite frankly I think we need to have a very serious conversation with the textbook lobby to say: "We're going to pull away from this. Give us the digital licences for this material so that we can start using electronic devices as opposed to, you know, physical textbooks." I think the money is within the system to move forth on this much sooner.

I don't think every single initiative we want to pursue is reliant on new money. Quite frankly, I'm sure you probably don't have the answers to this today, but I would ask: how much does the school board spend on textbooks per student from, let's say, K to 6 or from 7 to 9 and 10 to 12? I think that we can find some innovative ways to move forth on these projects much, much sooner without burdening the public purse. I think it just requires innovation, creativity, and being a little firm with the textbook lobby, Minister. I think we can most definitely pursue this if we have the ability to be firm with that textbook lobby. That's one piece.

The next piece, Minister, is: are provincial tests a productive instrument for the system overall? Our provincial tests must become a productive instrument for the individual student's learning. If we're going to have provincial testing in grade 3, when are we going to have a student-by-student analysis of that testing and then a student-by-student process to increase student outcomes based on that testing? I mean, it's wonderful that we identify a whole bunch of students that are likely to drop out in grade 12, but what are we going to do with that information? Every single child that drops out of grade 12 in Alberta is not just letting themselves and their families down. Quite frankly, it affects all of us as a society. Minister, that's the second piece.

I know we're running short on time, so I'd like to just get some of these questions out there.

Provincial testing and the link to competency. As you know, Minister, I passed Motion 508 in this House last year, actually, and that talked about innovative and competency-based learning, learning that has connections to the real world. That means a high school student having the capacity to take postsecondary courses while in high school. That means high school students having the capacity to connect with the real world and real-world learning opportunities while in high school.

We have to get education – that's K to 12 education and postsecondary education as well as all this trades training and the skills training areas – to stop working in silos. They must look at themselves as a continuum. If we are to achieve greater rates of postsecondary participation, then they must see kindergarten to postsecondary as a continuum. The strength of our province and our nation, quite frankly, relies on that, so I'd like to get your thoughts on that, Minister.

Then one more piece I'll throw out before I turn the floor over to you: teacher incentive. I know there are a lot out there that don't want to hear about teacher incentive, but, Minister, there are some teachers like somebody I know very well, who's working with a group of children that have a whole series of difficulties. She's able to bring them up sometimes two grade levels. These are the sorts of teachers that need to be rewarded, Minister, and I think our system needs to better reward teachers that produce results.

With that, I'll turn it over to you.

**The Chair:** Hon. minister, you have one minute and a half.

**Mr. Hancock:** One minute and a half.

Well, the learning resources centre: we buy down the price of the books by 25 per cent, so we fund about \$5.5 million a year. That means school boards spend about \$30 million a year, so \$35 million a year on texts and resources. Now, the problem with that is, of course, that you can't just say: stop doing these ones; start doing these ones. There's a phase-in period that you have to work on. But I think that the point that you're making is a good one. We need to start doing a very comprehensive and intentional approach towards digital resources, and we could utilize some of the resources that are in the system to do that.

With respect to the connection between high school and community I think there's some very good work being done, at least in some schools, in some jurisdictions, in doing that, not just work experience programs but wraparound programs and connections. One of the things we've been encouraging is bringing the community in and bringing business in. Junior achievement, for example, does a wonderful job across the province in schools where they're encouraged to come in, and those are the types of connections and partnerships we need to create even more of. The idea that students are engaged is foundational to the learning profile.

With respect to teacher incentives that's always a difficult issue. The reality is that teachers, like every other professional, get most of their reward intrinsically because of what they do. They're not looking, necessarily, for extra pay, and they don't want to be singled out, but they do want to have the opportunity to do their best job and to have the time to do their best job. That's the way that in a normal system you can actually recognize some of that work more comprehensively, if we build the structure that allows that to happen.

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

I have three hon. members on the list here: the hon. members for Calgary-Varsity, St. Albert, and Edmonton-Strathcona.

Hon. member, you have 20 minutes with the minister.

**Mr. Chase:** Thank you very much. A slightly different approach, Mr. Chair. I do want to have my 10 minutes, but I would prefer to get a number of statements on the record, and then the minister can refute or reply.

**The Chair:** You have your 10 minutes. All right. Go ahead.

**Mr. Chase:** Thank you. The premise that I'm operating under is that budgets are not bubbles. They're not just something that's created in a single year, that has no relationship to what happened prior or to what will happen as a result going forward. My concern with this year is the fact that we have seen AISI cut in half. Special programs, special initiatives, different types of innovative teaching have been severely handicapped by only half of the former funding going forward.

Likewise, I am very concerned that the extra funding for ESL has been cut, and I am very concerned – and this is an historical situation that the government can't seem to get beyond – with the ongoing freezing of funding to special education, which has been brought up by previous individuals. What is happening this year reminds me very much of what happened back in 1993, where teachers' jobs were very much on the line because the school boards were not receiving the funding. In fact, in 1993, Mr. Chair, that was the beginning of the 5 per cent cutbacks, and we haven't recovered as a system since those cutbacks were initiated.

I have a particularly interesting perspective in that I began teaching in the same year that Peter Lougheed formed the government that is now in its 40th year of operation, and over that time I have seen a number of changes in terms of local autonomy



given to school boards and the decision-making process being diminished. This year in particular a number of school boards have been told that they are to use up, basically, what remains of their surpluses in order to protect the class size initiative, that began with the Learning Commission in 2003 but has never actually been realized in primary grades 1 to 3. Now because of a lack of funding – and I would question the legitimacy of the lack of funding with at least \$7 billion still remaining in the stability fund or sustainability fund – I am suggesting, Mr. Chair, that these cuts are unnecessary and, as such, deliberate.

5:30

When we go back to the year before, which affects the budget we're looking at today, a decision was made to eventually uphold the weekly average earnings index but, in so doing, part of the five-year contractual obligations, the government has provided barely enough funding to cover the wage agreement. What has happened is that school boards are being faced with very tough choices in terms of allocating their funds. School boards because of the close proximity tend to try and protect the most vulnerable, and that's to their credit. When special education funding isn't provided to the extent that is required, they try and protect those students. They try and protect the ESL students. They try and protect, as I say, the most vulnerable students.

Now, last year because the Minister of Education at first refused to implement the new weekly index increase, he caused a tremendous amount of confusion for school boards. Eventually in July the money that had previously been promised came through, but having been a teacher for 34 years I know what happens in June. I have seen repeatedly the young, first-year, temporary contract teachers being let go. Mr. Chair, that's going to happen again this year. The first ones out the door are going to be the young, the new blood.

They're going to be going out the door and also the experienced teachers, who have said: "You know, I've got my 85 formula. I cannot take this any longer. Education is not valued to the extent that it should be, so I'm going, too." So you're losing the youth and the vitality, and you're also losing the age and experience. The two go together: the mentorship of the older teachers with the young teachers. It happens year after year after year that the temporary contract teachers, that should be moving on to first year or to second year and receiving tenure, are lost. A number of young people don't even make it past five years in teaching, so all the effort of the investment in their master's of teaching program is lost.

Now, we go back previously in terms of various agreements, and we get back to the Learning Commission. The Learning Commission, Mr. Chair, came as a result of a very bitter dispute between the Alberta Teachers' Association and the government of Alberta. It was a province-wide strike, but what happened with the Learning Commission provided some promise, the idea that there would be class sizes considered. Again, go back to 2003, and we still haven't hit those class size targets. This year they're in greater danger than they were prior to the Learning Commission.

The Learning Commission suggested that we have half-day junior kindergarten and that the government would fund full-day kindergarten. We know that all the research shows that the earlier we intervene in children's lives to provide them with educational supports, the sooner they develop literacy and numeracy skills, and the more likely they are to graduate. As I have mentioned as recently as today's question period, we continue to face a significant dropout rate in this province, or a failure to complete. In terms of that situation First Nations children are the largest group that's affected by the dropping out from school. Their dropout rate is very similar to English as a second language students who fail

to realize the opportunities that an extended ESL and support program would provide.

Mr. Chair, go back to the considerations of the Learning Commission. During a period of strike when teachers were ordered back and an arbitrator was selected, part of the bullying techniques that we've talked so much about with regard to health care and the intimidation of doctors was applied to teachers. Teachers were prevented from, even in assembling, using the word "strike." They were not allowed to use the word "strike." This is the type of intimidation that teachers experienced.

When you intimidate teachers, that intimidation, that lack of support for education goes all the way down to the classroom. Teachers try and shield children from the experiences they've received, but the result is that if you don't have teachers who are feeling valued, then their ability to teach, no matter how well they can compartmentalize, is lost. So teachers are feeling a tremendous amount of strain.

Now, with regard to the Learning Commission and in terms of absolute intimidation and a change of attitude towards teaching, there was a dramatic shift in terms of intimidation in 1999. The minister of the time was Gary Mar.

**The Chair:** Hon. minister, you have 10 minutes to respond.

**Mr. Hancock:** Thank you, Mr. Chairman. I want to start on that end point about intimidation. What absurdity. What world are you living in? Have you been in a school lately? Teachers are at the happiest point that teachers have been in a long time because they've been included in talking about what the future of education looks like, they've been included in discussions about how we support teachers in terms of induction, and they've been included in processes talking about how we do professional development better. We've never had a better relationship with either the ATA or the Alberta School Boards Association. I don't know what you're talking about in terms of intimidation. That's about the most absurd thing I've heard in a long, long, long, long time.

In fact, I've been out talking to people and talking with teachers. I was at a parent council meeting last night, Mr. Chairman, and half of the people there were teachers from that school. We were talking about the future of education. Nobody was raising issues about intimidation or issues about a lack of funding. We were talking excitedly about the future of education in the province.

This is the most absurd piece I've ever heard. I think the Liberals have done a good service to Albertans by changing critics, quite frankly. I mean, that's absurd.

You know, in terms of teacher value we've been working on and doing a lot on the question of teacher value. The hon. member raised the question of class sizes. He went back to the Learning Commission and said that we're not dealing with class sizes. Well, the facts would say otherwise. If you take a look across the board, the class size initiative has been met across the province in grades 4 to 6, grades 7 to 9, and grades 10 to 12. The one place that it hasn't been met is the place where it matters the most: K to 3. So we reprofiled the funding. We didn't take any money away; we added money to it. We reprofiled the funding to emphasize the fact that K to 3 is where it's most important.

Now, are there going to be challenges in class size this year? Absolutely there are, Mr. Chairman. As school boards deal with the fiscal realities that we're in and the funding that we've given them, which nets out some of the grants which, as I said, were targeted to achieve specific purposes – and from my perspective other than AISI we're not achieving those purposes – the bottom line is that it's all bottom line to a school board, so it's going to affect them. In my viewpoint, if they look at the resources judi-

ciously, they should be able to still maintain the class size guidelines because there's room in those class size guidelines. Some of the classes are going to go up in size, no question about that. But they should be able to maintain the guidelines.

5:40

The class size initiative has not gone away. The class size guidelines have not gone away. The focus of making sure that we allocate resources to the right area to make sure we get the best value is what we've done. I would stand by that, and I would do it again. I think it's very, very important. Getting a good early start is most fundamental.

Still money in the sustainability fund. Well, yes, there's still money in the sustainability fund. If you look at the three-year plan, though, I mean, we're working our way out of the deficit over a time frame. The time frame was originally 2012. Now it might be 2013. Depending on what's happening these days, it can move back and forth. The point of it is that you can't just say: well, there's still money in the bank today; let's spend it all today. We have to look at this as a sustainable process, so you do have to look. As much as I don't particularly like it, it has to be part of a broad government agenda that balances the budget over time and makes sure that we've got the budget balanced by the time we run out of sustainability funds. That means we all have to be prudent, and we all have to be part of it.

Would I like to have an extra hundred million dollars in the budget so we didn't have to cut some of those other grants or so we could cut those grants but backstop them in other ways? Absolutely. But that's not the reality we live in today. That's not the reality. When the Wildrose came forward and said, "Well, we would have limited the Education budget to a 2.2 per cent increase," that's not the reality. I mean, can you imagine what you'd be hearing on the streets of Calgary today with that kind of a budget?

**Mr. Anderson:** You shouldn't have signed the contract.

**Mr. Hancock:** The hon. member says that we shouldn't have signed the contract. We signed a contract with teachers, and that has been a very good contract. It's allowed the opportunity to really look at the future of education and to move forward very aggressively with what kind of an education system we need in the future.

Yes, it was impacted by the change in the economy. Yes, we tried to work with teachers, and they were at the table working with us with respect to that last year of the contract. We could have achieved a very good result there and moved it out a couple of years, but that didn't result, so we'll live up to the contract. Over the next few years that will all work itself out. In the meantime we've got a situation where we've got some tough but not unmanageable fiscal realities. So for the hon. member to say that we should just dip into the sustainability fund for an extra, you know, hundred million dollars or \$200 million belies the fact that this is a sustainable long-term plan, not jerking from day to day.

The hon. member indicated that last year I caused a whole bunch of problems for school boards because we didn't budget for the increase. It was very clear last year what was happening. In January of last year we were in arbitration because Statistics Canada changed the way that they were calculating average weekly earnings. We said: that change changes the contract. The arbitrator didn't agree with us because there was enough language in the contract for them to say: no, you specifically meant this table. Fine. We got that result, and we lived with that result.

In the meantime we brought a budget down, and we didn't budget for the increase because we were very much of the viewpoint that the contract had been frustrated by the change in calculation. However, the commitment we made to school boards

was that they should budget on the 2.92 basis. I couldn't have been clearer in communicating that to school boards. The fact that they chose not to do that and then acted surprised when the 2.92 per cent came through in July really is not my fault, to be honest. I was very, very clear with them: "Budget on the basis that you will get the 2.92 per cent. I don't know whether you'll get it this year or next year, but you'll get it. That's our commitment." We made that commitment, and we'll live up to the commitment. And we did it. We did it faster than they thought.

Then there was all this shock and surprise and that we caused all sorts of discombobulation in the system. Well, your own *Calgary Herald*, which I don't necessarily always agree with, had an editorial that said exactly that. In about May or June of last year it said: the Minister of Education could not be clearer in what he's saying. So to suggest that we caused all sorts of problems last year is just living in a whole different world.

Haven't recovered from the cuts of the '90s. Mr. Chairman, from 2002-2003 to 2011-2012 there's been a 59 per cent increase in operating funding, a 63 per cent increase in overall funding. At the same time there's been a 3 per cent increase in the student population. I don't know what the cut was in '93-94. It might have been 10 per cent. It might have been 15 per cent. At the same time there was a salary rollback, that everybody agreed to, of 5 per cent. This has more than made up for the cuts that happened back then. In fact, don't take my word for it. The Learning Commission looked into it. They hired a former Deputy Provincial Treasurer, Al O'Brien, to do the analysis, and he came back with an analysis which said that the funding has more than been restored. So go back and do the research. I mean, I love a debate about education where we're going forward, but frankly you're better than that. In the past we've had a very good working relationship, and you've been able to raise issues of real import. This is not.

Now, in terms of your comments with respect to AISI I couldn't agree with you more. There's nothing that hurt me more than having to take 50 per cent out of the AISI fund. That AISI project is a world-leading project. We've had an analysis done of it. People from around the world are looking at it. It's the best targeted – in fact, it's the only target funding which really focuses on continuous improvement, so to cut back on it was a very, very difficult thing to do. If I could find any other way to do it, I would have found the other way to do it because I really value that program. Quite frankly, most teachers and most school boards value that project and use it well. In some parts of the province a number of schools boards have come together to use that very well. That is an excellent project.

However, the fiscal realities are fiscal realities. We were able to save the project, which is wonderful. We were able to say that this continues to have value, and we were able to look at the opportunity side of it. With every program there's a time when you should take a look and say that while the overall thing is great, while the overall analysis is great, let's look at the specifics and say: why is it that in some parts of our province it's not valued as much as others? Why is it that I've had teachers and colleagues and others in the community call and say that if you need to save money in Education, cut the AISI project? That means, to me, that it's not universally valued, and that means there's not universal engagement. So there is an opportunity to look at that and see how we can do it better. Sometimes tight fiscal times are when ingenuity comes in, and you really have to look at things.

Enhanced ESL. Every student, including ESL students, is funded with the basic per capita grant, and then ESL students are funded with an additional \$1,155 grant. Every ESL student. A number of years ago there was an additional \$405 put in as an enhanced ESL, and it was put in for a specific purpose, which I'd love to get into a little bit later.

**The Chair:** The next hon. member is the hon. Member for St. Albert. You have about eight minutes with the minister.

**Mr. Allred:** Okay. Thank you, Mr. Chair. I would like to go back and forth with the minister if I could.

Mr. Minister, an earlier question asked by my colleague from Calgary-Montrose was with regard to innovation and the fact that education is unsustainable. I think that was the comment he made. I would certainly repeat that concern. Health care and education are taking up a larger and larger part of our budget year after year after year, and it's unsustainable. I guess my question with regard to that is that with all of the new technology that's coming into place, what kind of innovations are being made in education to reduce the cost?

**Mr. Hancock:** Well, Mr. Chairman, I guess I'd start out by saying that I don't think we should be apologizing too much for the fact that health and education use up the largest portion of the budget. There are no two more important things that a government can do for a society than engage in ensuring that people have an opportunity to be healthy, and more important than that, although I admit I am biased, is education. The trend line shows that health tracks with education and that education helps us build our economy. Education helps in so many ways to ensure that our children and our grandchildren can live and work in Alberta and trade out into the world. I don't apologize at all for the vast majority of public resources going into health and education.

Now, it does have to be sustainable, and we do have to make sure that we're tracking that and that we're not looking for unsustainable increases year over year over year. That means, quite frankly, that in a system where most of the money goes to people, increases in salaries for people have to track with inflation and not be leading. We now have our teaching professionals, I think, at a place where we can say that they're well paid and appropriately so, but now we have to take a look over the longer term at how we develop a process that makes sure that we track on that.

Ingenuity, innovation, doing things a new way are obviously important, but let's face it. Technology comes at a cost, and it's not an insignificant cost. You know that technology has to be evergreened faster and faster. There are always new ways of doing things. There's always more than can be done.

5:50

We have to be very cognizant that we're planning appropriately, that we're implementing appropriately, and we're very conscious of doing it on a value-driven basis. That means doing research, learning from the research, and understanding what has effect and what doesn't have effect. That's why if we get into, for example, a class size initiative discussion, we really have to look closely at that and say: we understand the overall impact of class size and how it's important because engagement with students is one of the most important things that can happen, and that can't happen if you've got a hundred students in front of you. It might not be able to happen if you've got 50 students in front of you. You've got a better chance at it if there are 40 or 30 and so on. But you also have to recognize that there's a value equation in there someplace. If we have to look at how we're employing our resources, we ought to look at the data and employ our resources in ways that we know will give us value.

**Mr. Allred:** I guess this isn't the place to get into a debate with you, but I must say that I disagree with a lot that you said. Surely, in every profession other than health care and education, technology is a way to reduce costs. Surely, there's some way with all of the innovation in new technology to reduce the class size ratio or

reduce the cost somewhere in the system. I recognize that something like 80 per cent of your budget is taken up by salaries. No question about that.

I wish I had my notes from the meeting I had when the gentleman from Finland was here. They have certainly shown that a lot of our traditional principles are not applicable. They get more value for, I believe, shorter class times and things of that nature. I know that you have adopted and that you recognize a lot of the Finnish principles, but there's got to be a way to reduce the costs of education. As important as it is – and I don't disagree with you on that point – it cannot continue to take up more and more of our budget, or we won't have any money for anything else. We'll be the healthiest, best-educated people, and we'll have to stay home with nothing.

**Mr. Hancock:** Mr. Chairman, if you're the healthiest, best-educated people, you can probably entertain yourself and build a good quality of life. But the reality is that you're right. I mean, we can't have unsustainable increases in costs in any department, whether it's health or education or anyplace else. We've got to look on a long-term basis at how we deal with the increasing pressures of complexity, the increasing pressures in terms of what people need to know, the increasing pressures of sparsity and distance, and how we provide technology to provide an equitable access to rural students, for example, all of those challenges, how we do that and still maintain a budget line that is sustainable, no more than increased in inflation and growth. That's a challenge. No question about that. But it's something that we have to aspire to.

As a government that is recognized as the most fiscally prudent government in the country if not in North America, you know, that's the goal that we have to maintain. Obviously, I would agree with you that technology has a value. Technology will help us in terms of improving both capacity and ability. It changes the pedagogy, and in some ways it will help us to save costs. For example, we can invest in Microsoft licensing or other types of licensing, cloud computing, that sort of thing, so that individual schools don't have to buy. We can license, as was talked about earlier, textbooks so individual schools don't have to buy. We can do some things using technology to really help us save on costs. We're investing in a provincial information system, which costs money to get up and running, but once we've got it up and running, it should save some costs longer term in terms of the amount of time and effort that goes into information sharing.

I agree with your premise that technology will help us, but technology is not going to replace our teachers. Technology will help our teachers do a broader, better job of touching each student, of expanding the learning opportunity for each and every student, and for moving from group think to individual learning processes.

**The Chair:** You have about one minute, hon. member.

**Mr. Allred:** One minute. Oh. A quick question. Maybe I should continue with this, but I won't. I'll leave it alone.

As you're aware, Mr. Minister, one of my pet peeves is financial literacy, or perhaps the lack of financial literacy, in the education system. I heard you today say that it was being taught in several different subjects: mathematics, social studies, and also the careers program in high school. I think that's different than your previous answers, where you've only concentrated on the careers course in high school, which I would say in a lot of schools is totally inadequate. It depends so much on the teacher. If the teacher doesn't know much about financial planning, et cetera, they just don't teach it. It gets a very little bit. I guess I would like to ask you: how much of your resources are concentrated on financial

literacy? As you know, I feel that is very, very important to the development of every child, particularly at the very elementary levels and all the way through.

**Mr. Hancock:** We can't really identify for you a specific amount that's focused on it, but I can say that it's become an issue that's of importance to people, and we have focused on it more . . .

**The Chair:** Hon. minister, I hesitate to interrupt. The three hours for this business has been concluded. The Committee of Supply shall now rise and report progress. We'll leave some minutes for the staff to leave the Chamber.

[The Deputy Speaker in the chair]

**Mr. VanderBurg:** Mr. Speaker, the Committee of Supply has under consideration resolutions for the Department of Education relating to the 2011-12 government estimates for the general revenue fund and lottery fund for the fiscal year ending March 31, 2012, reports progress, and requests leave to sit again.

**The Deputy Speaker:** Those in concurrence with the report, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. The report is concurred with.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would seek unanimous consent of the House to continue with the estimates of Education for another three hours because we're having so much fun.

Failing that, I would move that we adjourn until 1:30 p.m. tomorrow.

**The Deputy Speaker:** Tonight we have the field policy committee on Agriculture and Rural Development, and that committee will be video streamed.

[Motion carried, the Assembly adjourned at 5:58 p.m. to Wednesday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, April 20, 2011

Issue 26

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 20, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

Let us pray. Author of all wisdom, knowledge, and understanding, we ask for guidance in order that truth and justice may prevail in all of our judgments. Amen.

Please be seated.

### Introduction of Guests

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

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of this Assembly 66 energetic young students from the Delwood elementary school. They are accompanied by their teachers, Mme Dorota Maslowski, Mme Andrea Sloat, and Mr. Don Henderson. Their parent helpers are Mrs. Katrina Huhtala, Mr. Jeff Melnyk, and Mrs. Cheryl Teo. I'd ask them all to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lindsay:** Well, thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly 58 bright and energetic students from Muir Lake school, which is situated in my constituency of Stony Plain. These students today are accompanied by teachers Mrs. Dodi McCann and Ms Debra Wayken and parent helpers Ms Joan Park, Ms Tammy Repchuk, Ms Tina Kostuik, Ms Edwina Baker, and Ms Pat Harrish. I would like to ask my guests to rise and receive the traditional welcome of the Assembly.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It's my pleasure to rise today and welcome four outstanding students from Evergreen school in Drayton Valley. They are accompanied by teachers Mrs. Shelly Cloke, Mr. Jeff Crawford, and Mrs. Karen Haskell and parent helpers Mr. Pat English, Mrs. Chrystal Strocher, Mrs. Heather Nickle, and Mr. Steve Goodman. I would also like to congratulate Mrs. Cloke, their teacher, on having been recently recognized as a semifinalist for the excellence in teaching awards, a very deserving recognition for such an outstanding teacher. They'll be arriving at 2 p.m. I'll ask us to give them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Mackay.

**Ms Woo-Paw:** Thank you, Mr. Speaker. I have two introductions to make this afternoon. It is my honour to rise today and introduce to you and through you to all members of this House three highly capable, fabulous people. They are the reason that I can focus on my work, whether I'm away from my constituency or when I'm not in the capital. First, Mr. Matt Pechey. He joined my office in Calgary last year. His past work experience includes working for the federal government and Mount Royal University. His experience and skill sets have greatly benefited my constituents, myself, and my office.

Then I have Mr. Ben Li, who has provided just excellent communications and research support to my office since 2008. He's about to embark on a new journey to Finland next week, where he will start his PhD in informatics. I'm also very pleased to have my legislative assistant here, Ms Shannon Greenfield-Emms, whom I share with my colleague here from Edmonton-Ellerslie. Shannon has been with the government of Alberta for almost 28 years, and she brings with her tremendous experience and support to our offices. I really, really appreciate the support I receive from these three individuals. I would like to ask them all to rise and receive the traditional warm welcome of this House.

It is my honour to rise today and introduce to you and through you to all members of the House some of the postsecondary student leaders that I had the privilege to meet with this morning to discuss my private member's motion on postsecondary student funding. I have Mr. Chris Skappak, MD, PhD student from the University of Alberta; Ms Carol Neuman, executive director of Alberta Students' Executive Council; Steven Kwasny, president, Students' Association of Red Deer College and chair of Alberta Students' Executive Council; and Mrs. Tamara Korassa, VP labour, Graduate Students' Association of Alberta. They have already risen. Please give them the traditional welcome of the House.

**The Speaker:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Speaker. Today it's my honour and pleasure to introduce to you and through you to all members of the Legislature my legislative assistant, Renee Reitsma, and a special guest visiting her this week, her mother, Teresa Reitsma. Mrs. Reitsma joins us today from Smithers, B.C. She is visiting our beautiful city with the Bulkley Valley Christian high school band and choir tour. The students attended the Edmonton Cantando Festival at the Winspear Centre and were privileged to participate in outstanding performances alongside professional musicians. Mrs. Reitsma has a keen interest in politics and is delighted to join us at the Legislature to learn more about the daily routine of the House and to visit our magnificent building. Renee and Teresa are seated in the members' gallery. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you, Mr. Speaker. It is my honour today to introduce to you and through you to all members of the Assembly officers and the board of directors of the Asian Christian Cultural Association of Alberta, or ACCAA centre: Reverend Dr. V. Singh; Mr. Sanjeev Singh, president; Mrs. Grace Burke, past president; Ms Roseline Richardson, treasurer; Mrs. Dorcas Singh, director. They are seated in the public gallery. I would ask that they rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you, Mr. Speaker. It's my privilege today to introduce to you and through you to the Assembly three people from Prairie Land school division that were here for meetings today. These dedicated individuals work on behalf of our wonderful children out there day in and day out. Today we have with us Duane Roy, the chair of the board; Wes Neumeier, the superintendent of schools; and Sharon Orum. I wish that they would rise, please, and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I'm honoured to introduce to you and through you to all members of the Assembly two special guests who join us in the public gallery. Wendy Proch and her nine-year-old daughter Ashton are here today to lend their support for the mandatory use of helmets when riding ATVs. Ashton was seriously injured in September of last year, when the ATV she was riding on flipped and pinned her and her older sister beneath it. Ashton suffered serious head injuries and spent eight days in PICU at the Stollery after being airlifted by STARS. Ashton's injuries could have been prevented had she been wearing a helmet. Ashton and her family are here today to watch this government legislate mandatory helmet laws to prevent injuries and save lives. Now I'll ask Wendy and Ashton to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thanks, Mr. Speaker. It's a real honour for me to introduce to you and to all members of the Assembly a class from yet another remarkable school in Edmonton-Riverview, which is blessed with many of them. This school is Meadowlark, and there are 25 students here. They finished a tour this morning. They spent the morning over at McKay Avenue school, the original, one of the early places of this Legislature. They're joined by five adults: two parents, Tanya Jiang and Heather-Jane Au; two student teachers, Kayla Oslanski and Tobi Ma; and their teacher, Armelle Mayert. I believe they're in the members' gallery. I would ask them, please, to rise and receive the warm welcome.

Thank you.

1:40

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Manning.

### Organ Donor Week

**Mr. Sandhu:** Thank you very much, Mr. Speaker. I'm honoured to rise today to recognize Organ Donor Week, which is April 17 to 24 this year.

Organ donation has always been an important issue for me. That's why I brought forward Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011. This legislation, which I'm happy to say passed in the House two days ago, is now awaiting royal assent. It gives Albertans the opportunity and encourages them to select yes, no, or undecided when obtaining their health care card. I'm proud to say that this Assembly is one of the first to support legislation on organ donation. I would like to thank all of you for your support on Bill 201.

Last night I was on Radio Punjab, 101.7 FM, speaking with host Jarnail Singh Basota about organ donation. Within minutes, Mr. Speaker, we had 10 callers wanting to donate and many more on hold. They were all excited about Bill 201. Albertans truly care about saving lives.

There was an article in the *Calgary Herald* today about organ and tissue donation. The article noted that there are approximately 440 people in Alberta waiting for transplants while there were only 34 eligible donors from Alberta last year. Such numbers highlight the need for and importance of organ donation. Too many Albertans, both young and old, have passed away because of too few donations.

Once we are no longer living, organ donation is the one last chance to help people. You can give continued life to someone in need. That's a very special gift.

I hope all members of the Assembly and all Albertans continue thinking and talking about organ donation all year long.

### Mental Health Treatment Services for Children

**Mr. Chase:** Losing children. Last night at the invitation of the father of a 15-year-old girl who escaped the custody of her Children and Youth Services caseworker over two weeks ago and has yet to be apprehended, I attended a parent support group which meets in different locations throughout the region each Tuesday night. The PEP group, Parents Empowering Parents, facilitated by a probation officer, included an RCMP officer, who is also volunteering his time and expertise, as well as a diverse group of over 40 individuals consisting of parents, grandparents, recovering youth addicts, some attending by choice, others by court order, and their supporters.

For some it was their first meeting. Others were regular attendees. During the break I was approached by a number of parents anxious to share their children's tragic stories. Common themes of concern emerged such as the inability to report their child as a missing person because they were over 12; the revolving-door effect of short-term PCHADs, which frequently didn't result in secure apprehension, never mind assessment or necessary treatment; the long waiting list for a secure treatment facility; the failure to include or pass along previous family history, psychological assessments, and court intervention orders not only across ministries but internally within a ministry; and the overriding of parental rights by a child regardless of mental illness or addiction, which led one parent to worry that his young daughter was being abandoned to pedophiles, pimps, and pushers.

Another parent stated: "Our system does not work. I know because we started looking for help when our daughter was 12. She is now 18 and has finally agreed to go for treatment." With regard to PCHADs a third parent noted: "The legislation has been changed to provide 10 days from the former five days rehab. However, the powers that be are not providing 10 days of support." A fourth parent recounted the downward spiral of his painkiller-addicted son following a car accident. Numerous uncoordinated health interventions failed to prevent his suicide.

Alberta's most vulnerable children and their parents are far too frequently losing the battle.

**The Speaker:** The hon. Member for Calgary-Mackay.

### Services for Chinese-Canadian Children

**Ms Woo-Paw:** Thank you, Mr. Speaker. The improving connections between the Chinese community and the Calgary and area child and family services authority steering committee was established by the Minister of Children and Youth Services to help address concerns raised by our Chinese parents whose children have disabilities.

The steering committee works hard to build relationships with the Chinese community and increase their capacity to work with family support for children with disabilities; to develop recommendations on policy, programs, and practices to improve service outcomes; and to remove barriers that limit the best possible support for children and their families. The overall outcome is increased cultural competency for staff and the Calgary child and family service authority. These successful approaches will be used in partnership with other cultural communities in the future.

The good news is that after months of foundational work a pilot project has begun with the hiring of a liaison worker from the Chinese community to work closely with FSCD staff and families in the community. Caseworkers are finding the community liaison worker helpful in helping them to increase their understanding of Chinese families and in assisting families with limited English as

they now have a clearer understanding of the services and resources that they would need to meet the needs of the children with disabilities. Outreach efforts resulted in recruiting volunteer interpreters and aides for families. As you know, Mr. Speaker, the necessary forms can be difficult, and that process has now been made much easier.

Mr. Speaker, it has been a privilege for me to be a member of this important committee. On behalf of the community I thank the Minister of Children and Youth Services, area management and staff, the support and dedication of the Chinese parents, the Chinese Christian Mission of Canada, the Calgary Chinese Community Services Association, the Calgary Chinese Elderly Citizens' Association, and the staff from the Ministry of Culture and Community Spirit.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Lougheed.

### Climb and Run for Wilderness

**Mr. Rodney:** Thank you, Mr. Speaker. Over 1,500 participants participated in the 20th annual AWA Climb and Run for Wilderness, which was held this past Saturday at the Calgary Tower. I was honoured to award the participants with the most climbs. Jane Ebbert recorded an impressive 23 ascents while Jonathan Heinz turned in a whopping 31 trips to the top.

The most experienced climbers were Nessie Hollicky, who will be a youthful 80 years of age on her next birthday, and Richard Guy, who is an energetic 94 years young, who won the Ward Neale memorial prize for the top fundraiser and has an award named after him. The prize for the most climbs by a senior 75 and over went to Bob McPherson, who's 81 years old and had three climbs, while the Phyllis Hart prize for a senior 75 and over, female, went to Val Scholefield, who celebrated seven summits.

Nuno Fragoso received the outstanding volunteer award, the best Wild Alberta Expo display went to the Ranchlands elementary school, and there were many winners in the mural painting competition. The Overends were named the top fundraising family. Sophia L'Heureux was the youngest climber, and Abigail Hadden was the Babe in a Backpack who raised the most funds.

Mr. Speaker, my wife, Jen, made the climb look easy, and our first-born son, Dawson, who just turned three, took every step of the 802 stairs by himself, and at the top he exclaimed: let's do it again, dad. Our youngest son, Evan, who's just 11 months old, hitched a ride with me this year, but I expect next year he'll be wanting to do the climb all by himself.

Mr. Speaker, I trust all members of the Assembly will join me in applauding all of the participants and organizers of the event.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

### Alberta Land Stewardship Legislation

**Mr. Drysdale:** Thank you, Mr. Speaker. In the past decade our province has experienced extraordinary growth and prosperity. Between 2001 and 2006 we welcomed more than 315,000 new Albertans, and our population continues to increase by 60,000 each year. At this rate it is expected that within the next 15 to 20 years Alberta's population will reach 5 million. That is why it is important to establish a responsible plan to manage the future growth of our province.

Mr. Speaker, through regional plans we will be able to ensure that a balance is struck between economic growth, environmental responsibility, and community objectives. In drafting these plans,

government representatives will continue to conduct extensive consultations with both stakeholders and the public, giving Albertans an opportunity to provide valuable input throughout the process.

Over the course of these consultations we heard concerns regarding the legislation and how it affects private property rights. We also heard a number of requests for clarification, and in response a review of the Alberta Land Stewardship Act was conducted. Bill 10, the Alberta Land Stewardship Amendment Act, 2011, is the result of this review and aims to clarify the original intent of the legislation, which is to plan for the future needs of Albertans while managing growth, protecting the environment, and respecting property rights.

Mr. Speaker, Albertans have told us that they want to see us provide leadership in land-use planning, and the Alberta Land Stewardship Act achieves this goal. The proposed amendments take this legislation further by reaffirming this government's commitment to property rights, fair compensation, and public consultation. I am proud to see the government of Alberta taking these necessary steps to ensure that responsible land-use planning is done in a fair and transparent way.

Thank you.

1:50

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you very much, Mr. Speaker. Dr. Mohammed Al-Ghamdi, an orthopaedic surgeon from Grande Prairie, is unfortunately the latest victim of this government's culture of fear and intimidation. Dr. Al-Ghamdi had his privileges limited, which put his patients at risk. In his legal statement against the former health region and Alberta Health Services he states, quote: the health authorities' failure to provide operating time was accompanied by harassment, intimidation, and discrimination. End quote. To the minister. Dr. Al-Ghamdi's lawsuit was filed February 2010. How can the minister deny a culture of fear and intimidation continues to exist under this government?

**Mr. Zwozdesky:** Mr. Speaker, a statement of claim to state the obvious is not a statement of fact. The hon. member should know that. However, I don't find it unusual that disagreements occur in the medical profession, just like they do in other professions. I don't find it somewhat surprising at all that occasionally there would be claims one way or the other, but I can assure the House that when someone has his or her privileges limited, there must be another side to that story.

**Dr. Swann:** Well, Mr. Speaker, does this minister see any connection between the thousands of physicians and other health professionals now calling for a public inquiry and speaking out against the government's culture of fear and intimidation? Any connection?

**Mr. Zwozdesky:** Mr. Speaker, let's keep this under some sort of a perspective balance here. There are approximately 1.9 million visits to emergency departments per year. There are approximately 37.3 million medical services provided by outstanding doctors in this province every year. Three million Albertans access those services. Of course there will be times when there are misunderstandings. There will be times when people get upset and it even leads to a statement of claim being filed, and that's what's being

talked about. That's not surprising at all. It's unfortunate, but it's not surprising given the volume.

**Dr. Swann:** Mr. Speaker, given that a public inquiry is the only way to demand accountability and open up the questions of a culture of fear and intimidation, how many health professionals is it going to take, Mr. Minister, to move you to a public inquiry? How many?

**Mr. Zwozdesky:** Mr. Speaker, it's not the only way, as the member is alleging. We have a very good and thorough way here with the Health Quality Council. In fact, the Alberta Medical Association fully agreed with the Health Quality Council review of emergency department wait times and of cancer services. They said that they will fully co-operate if this is the only venue available, and it is the only venue available, so let's let this venue complete itself. It will be good, it will be thorough, and it will be made fully public.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

#### Nondisclosure Agreements with Physicians

**Dr. Swann:** Dr. Tim Winton, the former head of thoracic surgery and a key piece in the puzzle to finding out why Albertans suffer from the lowest survival rates of lung cancer in the country, has quietly come forward to say that legal protections offered by the Health Quality Council are inadequate. I quote: despite assurances advanced by the Health Quality Council, the Premier, and the health minister, I remain constrained. To the minister: why is the government intent on ignoring Dr. Winton, Dr. McNamee, the AMA, and now the Health Sciences Association, who have all said that they're bound by nondisclosure agreements? They cannot speak to the Health Quality Council.

**Mr. Zwozdesky:** Mr. Speaker, I think the hon. member should be reminded that piercing or opening up a nondisclosure agreement is not something that a court or a judge can order either unless, if I understand it correctly, both parties who are subjects of that nondisclosure agreement agree. So it doesn't matter which process you might have in place. I would welcome the Minister of Justice to augment if he wishes.

**Dr. Swann:** It's very true, Mr. Speaker, and you represent one of the parties that can give permission for that.

Dr. Winton said that he cannot discuss his unexpected departure from clinical practice due to confidentiality obligations. End quote. When will the government stop hiding and admit that a public inquiry is the only way for people like Dr. Winton to give their story?

**Mr. Zwozdesky:** Mr. Speaker, quite the opposite. We're encouraging people to come forward with their stories. We're encouraging them to go to the Health Quality Council, where they will be quizzed and interviewed by people who actually know and understand the medical system extremely well and have credibility and reputations, world-renowned reputations. These are the people that are running the Health Quality Council review. Let's give them a chance to do that and to open it up at the end with their public report.

**Dr. Swann:** Well, this is a world-renowned surgeon we're talking about.

I quote: he would welcome the opportunity to provide evidence in an appropriate forum where the root causes of issues can be

evaluated. End quote. Will the government finally concede that a public inquiry is the only way to get at the truth?

**Mr. Zwozdesky:** Mr. Speaker, they have protection of the Alberta Evidence Act, and if they wish further confidentiality, if they want further nondisclosure, they can certainly request that through the process that's there. That's my understanding. The Health Quality Council is there to get to the bottom of some answers and at the same time put forward some recommendations, which we can work on, to improve health outcomes for Albertans today.

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Buffalo.

#### Education Funding

**Mr. Hehr:** Mr. Speaker, I opened the *Calgary Herald* today, and I nearly fell out of my wheelchair as I read that – get this – the Premier is urging the Calgary board of education trustees not to lay off people despite the fact that their budgets have been significantly cut. Really, if this isn't the height of hypocrisy, I don't know what is. To the Minister of Education: given that the CBE is facing a \$61.7 million shortfall because of this government's cuts to grants, where does the minister suggest the CBE find the additional money to fund the staff and teachers?

**Mr. Hancock:** Well, Mr. Speaker, it's not a given that they're facing a \$61.7 million deficit because of this government's budget. In fact, if we had provided simply a 4.54 per cent increase to operating grants to meet the increase in salary, if that's all we had done and not had to actually go and deal with some of the other grant reductions, the targeted grant reductions – I have explained to the House before that when we looked at those, we looked to see whether they were actually doing the job for which they were intended – the Calgary board of education would have been expected to receive about \$28 million. The rest is part of their operation, and they need to look in their operation to see where efficiencies can be made.

**Mr. Hehr:** Oh, efficiencies.

Given that the CBE stated that it will use its reserves and they will still have to lay off hundreds of teachers and support staff, will the minister commit to restoring funding to appropriate levels?

**Mr. Hancock:** Mr. Speaker, "appropriate" is a word that begs a lot of interpretation. What we see, though – and I don't want to get into the budgeting of any particular board – is that on an overarching basis we actually fund the education system in this province quite well. Could we use more resources? Always. But we do very well in Alberta in terms of funding education. What you find if you take a look historically at the Calgary board of education's budget is that each year they have projected that they were going to have a deficit, and each year their operating surplus has grown. This year they're projecting a deficit . . .

**The Speaker:** The hon. member, please.

**Mr. Hehr:** Well, Mr. Speaker, given that yesterday in estimates the minister admitted that we have a \$107 million shortfall in funding in this year's budget, money that we could essentially find in the hon. President of the Treasury Board's couch in his office, can we find that money and restore it to the board so that future generations of students will not be affected?

**Mr. Hancock:** Mr. Speaker, I would be the first to suggest that this is a very difficult fiscal exercise for school boards to go through, but



what they're going through is a process of, first of all, receiving the grant increases that they got for per-student operating grants and for class size initiative but then looking at some areas where, quite frankly, some of those targeted grants provided inequities across the system. There is no good reason, for example, that Calgary should get a \$6 million increase on a relative cost of purchasing grant on a basis that doesn't actually measure the relative costs that each board has. So there has been inequity in the process, and we could use this opportunity to try and fix that inequity.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

#### Physician Services in Fort McMurray

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Dr. Michel Sauvé is a true champion for Fort McMurray. He's driven by one thing and one thing only, the well-being of patients. He is one of many Alberta doctors bullied by this government's intimidation. He showed great courage by standing up for me when the Premier Boutiliered me for fighting for seniors, and he does the same for his patients every day. How is his work rewarded? With threats and intimidation and obstruction. To the minister of health: will you apologize to my constituents, who depend on Dr. Sauvé's work, for your government's deliberate attempts to silence him?

2:00

**Mr. Zwozdesky:** Mr. Speaker, I'm not aware of any deliberate attempts. What I am aware of is that according to the last patient satisfaction survey that we have, from December, 83 per cent – 83 per cent – of the people who have been in our hospitals reported excellent service by excellent doctors. I will defend them to the best of my ability.

**Mr. Boutilier:** Given, Mr. Speaker, the health minister's refusal to apologize to my constituents for attempting to deprive them of Dr. Sauvé's exemplary care and given that Fort McMurray is still waiting for a long-term care facility, what does the health minister have to say for his government's continued failure to act to improve the community I represent?

**Mr. Zwozdesky:** Mr. Speaker, what I have to say is that we have a very aggressive five-year health action plan that is going to look after issues such as he's talking about regarding continuing care facilities. That's why we've accelerated our plan in that regard. We've built over 1,200 of those spaces in the last year, and we'll be building another 1,000, including some right there in Fort McMurray.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given Dr. Sauvé's disturbing but typical experience with this government and given that 6,500 Alberta doctors have prescribed a public inquiry to get to the bottom of this government's intimidation, why does the health minister keep refusing to fill their prescription?

**Mr. Zwozdesky:** Mr. Speaker, we fill a lot of prescriptions in this province, to the tune of \$1.2 billion every year, so don't talk to me about filling prescriptions. We have very capable people who do that, and they will continue doing that.

What we should be talking about here is public confidence and teamwork and primary care networking and collaborative decision-making to help build this system into the greatest, best performing health system in Canada. They may not be prepared to do that with those allegations, but we are.

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

#### Cancer Surgery Wait Times

**Mr. Mason:** Thank you very much, Mr. Speaker. This PC government is leading a cover-up. They're withholding important evidence of their failure to listen to health professionals about dangerous wait times for lung cancer surgery. They may also be withholding evidence that patients died unnecessarily as a result. Will the health minister tell Albertans why he and his PC caucus are suppressing key evidence relating to cancer deaths in this province?

**Mr. Zwozdesky:** Mr. Speaker, no one is suppressing any evidence whatsoever. The member who brought this question forward under Motions for Returns did so on or about March 8. Guess what? Four days later we announced that there would be a Health Quality Council review, and it covers exactly what the member is talking about. However, what's not clear yet because no evidence has been provided is if such a list even exists, as is being referred to here, about people dying. We don't see any evidence of that yet. I'm still waiting for that member or some other colleague to provide it if, in fact, it exists at all.

**Mr. Mason:** Mr. Speaker, given that that's breathtaking, that he's got the evidence and won't release it, and given that the PC caucus has voted to deny Albertans access to key evidence and given that the Health Quality Council has no authority to require the government to release it, will the minister admit that the reason he has rejected a full public inquiry is to make sure this evidence never sees the light of day?

**Mr. Zwozdesky:** Mr. Speaker, I don't believe there is such evidence, but I'll leave the benefit of the doubt in the hon. member's hands to produce or to have the people who alleged that it could be produced to produce it.

What I can tell you is that with respect to thoracic surgery, a lot of which, obviously, is related to cancer, I suspect, we've just added three additional dedicated days of thoracic surgery per month in Calgary, and in Edmonton we've just started doing one extra day. That will result in over 1,000 additional thoracic surgeries. That's great news. Let's talk about that.

**Mr. Mason:** Well, given that the minister would love to change the subject and given that this government is suppressing key evidence relating to cancer surgery wait times and deaths of cancer patients and given that the entire Tory caucus was briefed about the situation as early as 1999, will the minister admit that he is covering up evidence to protect his own job and those of the Premier and the entire PC caucus?

**Mr. Zwozdesky:** Mr. Speaker, there's no attempt to cover up anything whatsoever. In fact, the opposite is true. We're trying to ensure that there's a process in place, which there is through the Health Quality Council, to uncover some additional information and to provide even this member with some of it. For example, he may not know that a brand new operating room was just opened in Calgary at Foothills solely for cancer surgery. It will do an extra 500 cancer procedures. Should I repeat that? Five hundred more cancer surgeries at that hospital alone. Fantastic news. Fantastic.

**The Speaker:** The hon. Member for Calgary-Currie.

#### Health Quality Council Review

**Mr. Taylor:** Thank you, Mr. Speaker. The minister of health's claims that the Health Quality Council can even pretend to properly investigate allegations that health care professionals have been

threatened and intimidated into not advocating for their patients over the last 10-plus years no longer hold water. Everyone from Dr. McNamee to Dr. Winton to the AMA to the Civil Liberties Association to the government's own refusal to release information on thoracic surgery wait-lists and deaths has made it clear that only a public inquiry will get to the bottom of this mess. Does the minister of health actually think that refusal is going to make this thing go away?

**Mr. Zwozdesky:** Mr. Speaker, we have a very thorough, a very independent review, self-designed by the Health Quality Council, under way right now. We don't know where that's going to lead. It may lead into all kinds of nooks and crannies. What we do know is that it deserves a chance to see its way through because it is led by some of the most credible people this province has to offer, including some from outside who are internationally respected for their skills and their abilities. Let's give them a chance to respond.

**Mr. Taylor:** Well, to the same minister: if we can even assume for a moment that his government already looks real bad in the eyes of the public even though none of these allegations are substantiated, why wouldn't he want the opportunity that only a public inquiry will now give for his government to clear its own name?

**Mr. Zwozdesky:** Mr. Speaker, this isn't about clearing anyone's name. This is about getting to the bottom of some allegations that were made in this very House, which the Health Quality Council will explore to the fullest. They're going to get to the bottom, I'm sure, of issues pertaining to cancer wait-lists and if there was an impact of any negative nature on people's health. They're going to get to the bottom of emergency room wait-lists, if any led to unfortunate consequences. Even the AMA has supported both of those. Let's give that a chance to conclude.

**Mr. Taylor:** Mr. Speaker, given this mounting body of circumstantial evidence how bad – how bad – does this have to smell before the minister admits it's fishy enough to call a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, I can assure you that there's no odour over here. What I can assure you, however, is that excellent care is being given, excellent outcomes are being received.

In response to the issue about lung cancer can I just remind people that Albertans today have the lowest risk of dying from lung cancer anywhere in Canada? Why? Because of outstanding care here, and more of it is on the way. More oncologists are coming, over 800 new doctors in the last three years alone. Fantastic.

**The Speaker:** The hon. Member for Calgary-Hays, followed by the hon. Member for Calgary-McCall.

#### Registry Service Fees for Municipalities

**Mr. Johnston:** Thank you, Mr. Speaker. My questions are all for the Minister of Service Alberta. Minister, I know that there have been some concerns from police chiefs across the province regarding the new search fee that will have to be paid by municipalities effective the 1st of April for parking tickets, photoradar, and red-light camera data. You met with the Calgary police chief today. Can you tell us the outcome of that meeting?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We had a very productive meeting today with Chief Hanson and members of the RCMP, as well, from across Alberta. We talked about some of the challenges that they are facing as police working with the

municipalities and also the challenges that we're facing in government and explained the reasons for the fee.

**Mr. Johnston:** To the same minister. There seems to be some misconception about this fee to municipalities. Can you explain how this fee will work and why municipalities now have to pay \$15 for these searches?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's really important to note that this is a municipal fee search, not a police fee search. It applies to parking, photoradar, and red-light tickets. At the end of the day we have a system that operates 24 hours a day, seven days a week, called the MOVES system. Police have access to that 24 hours a day. It's very important for us to keep that alive.

**Mr. Johnston:** My final question once again to the minister. You met with Calgary's police chief this morning and commented that it was a productive meeting. What do you see are the next steps for municipalities regarding this issue?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We talked about some of the ways that other municipalities are looking at absorbing some of the costs related to this search fee for the parking and photoradar and red-light cameras. As well, we're working with the Minister of Transportation and looking at ways that we can look at the other fees that are charged for the speeding tickets.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Whitecourt-St. Anne.

2:10

#### All-terrain Vehicle Safety

**Mr. Kang:** Thank you, Mr. Speaker. As spring approaches, many Albertans head out to the foothills and other wilderness playgrounds to indulge in their passion, riding all-terrain vehicles. Every year too many Albertans are injured and face lifelong consequences of not wearing a helmet while driving their ATV. To the Minister of Transportation: when will this government do the right thing and require operators and passengers riding all-terrain vehicles to wear protective headgear?

**Mr. Ouellette:** Well, Mr. Speaker, I have to say that this hon. member is on the right track. He's worried about the protection of everyone that rides ATVs, and of course this ministry is the same. But I've got to tell you that before you pass provincial legislation, you have to make sure of all the unintended consequences that could come from the legislation, and that's what we're doing. Good legislation must be effective and enforceable, and we have to make sure we're there before we pass legislation.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think I have been on the right track for the last three years, and I've been trying to bring the Minister of Transportation onto the right track.

Given that the Minister of Transportation promised in July 2008 to introduce legislation on this subject by the fall of that year or in spring of 2009, how much longer do Albertans have to wait to see the legislation, Mr. Minister?

**Mr. Ouellette:** Mr. Speaker, I have to say that we have no plans to introduce legislation this spring, but as I said before, we're working very hard on being able to get everything done.

I want to also say that all of the different groups, the clubs that belong to off-highway vehicles and stuff, are all working very hard on the education factor, on educating people. Helmets are only one part of safety. There's a full gamut of safety clothing that people can wear.

Let me say one more thing. You must be 14 years of age to ride one of these vehicles by yourself. You need adult supervision, and adults should know . . .

**The Speaker:** The hon. member. [interjection] The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I don't think that education is doing much to save lives and injuries. Given that of Albertans who died while riding ATVs, 68 per cent were not wearing helmets according to the statistics from the Alberta Centre for Injury Control & Research, why won't the minister do the right thing and introduce his much-promised legislation?

**Mr. Ouellette:** Mr. Speaker, when the time is right, when we have all of the proper stuff in place to be able to enforce it and be effective with it – remember, we can only enforce on public lands, so we also have to look at how we protect people on private lands. I think he's absolutely wrong when he says education doesn't work. Education works very well, and we're going to keep working at that.

**The Speaker:** The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Edmonton-Riverview.

### Highway 22

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. Within Whitecourt-St. Anne is highway 22, located south of Mayerthorpe. It's a narrow stretch of highway. There has been lots of pavement damage over the years, and there have been a lot of accidents. My questions today are to the Minister of Transportation. When are you going to do something about this stretch? We've waited too long in our constituency for repairs and maintenance on that highway.

**Mr. Ouellette:** Mr. Speaker, this hon. member is going to be very, very happy to hear that my department plans to widen 9.5 kilometres of highway 22 just south of Mayerthorpe, from north of township road 563A to highway 43. In addition to this widening work, we're also going to repave the section of the roadway north of highway 43. We're going to add some illumination at the junction of highway 43 and complete intersection improvements at highway 647. The highway 22 widening and related upgrades . . .

**The Speaker:** Thank you, hon. minister. I know that I'm excited, too.

**Mr. VanderBurg:** Well, Mr. Speaker, if I had known that answer, I would have asked the question much earlier. Would the minister please tell me some more details? When can we expect all of this to happen?

**Mr. Ouellette:** Well, Mr. Speaker, I'd like to tell the hon. member that I'm pleased to say that work on highway 22 will begin this year. In fact, this project was advertised to construction contractors earlier this month. That means that we'll know the exact start and completion dates as well as construction costs as soon as the contact is finalized.

**Mr. VanderBurg:** Well, I think with that answer I'm going to leave my question and let the minister catch his breath.

### Municipal Zoning Exemption for Universities

**Dr. Taft:** Mr. Speaker, my questions are to the Minister of Advanced Education and Technology. In recent years there's been a boom of construction on the University of Alberta's south campus for non-university facilities, and some of these facilities, built with public funds on public lands, will become home venues for professional basketball and already are home venues for professional curling and professional soccer. None of these facilities were covered by municipal zoning. Will the minister agree that legislation should be amended to require facilities built on university campuses that house professional sports franchises to be covered by municipal zoning?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. The facility that the member is speaking of is a community facility. It'll be used to house a number of activities for the community and for the postsecondary institution, and ancillary to that, there may be some other agencies that will use that facility as part of what they do. The primary use, from my understanding, is for public uses.

**Dr. Taft:** Again to the same minister, Mr. Speaker: will this minister do the right thing and bring the universities of Alberta, Calgary, and Lethbridge into line with every other postsecondary institution in Alberta and into the 21st century by requiring them to meet municipal zoning standards?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I had the privilege this week of meeting with the University of Alberta and their planning people, and they work very, very closely with the municipalities and, in fact, are working through their planning documents as we speak, working with the municipality to try to make sure that what they do meets with the needs of the municipality and the neighbourhoods. We're very confident that under the legislation they have, they're allowed the flexibility to do all of the things that they need to do to provide a good education and as well have the limitations, when doing commercial-type projects, to have to work with the municipality.

**Dr. Taft:** Well, Mr. Speaker, given that there's a double standard here, a real double standard – and I've asked this to the minister repeatedly – will this minister justify why three universities in Alberta are exempt from municipal zoning when every other postsecondary institution, every business, and every citizen in the province are not exempt? Why the double standard?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. They are not exempt from all planning documents. They are exempt from a number of municipal requirements, but where they have commercial activities or commercial operations as part of their campuses, those fall under municipal planning. As I said, those schools do work very closely with their municipalities. They're a great benefit, but it also allows the maintenance of academic freedoms on their campuses.

### Renewable Diesel Fuel

**Mr. McFarland:** Mr. Speaker, on March 28 Alberta announced the implementation of a renewable fuel standard that requires an annual average of 2 per cent renewable diesel in diesel fuel and 5 per cent renewable alcohol in all gasoline sold in Alberta. The new standard

has caused some concern with many constituents who are farmers and truckers about the impact on vehicles and engines. To the Minister of Energy: has your department done any research into the potential impact of the use of these renewable fuels in the engines and equipment of our farm vehicles and trucks?

**Mr. Liepert:** Well, the use of biodiesel in Alberta, Mr. Speaker, is not new. As the member mentioned, our new standard requires an annual average of 2 per cent renewable diesel. The city of Calgary has been using in its fleet since about 2003 a 20 per cent biodiesel blend, and that includes operations in the winter. To my knowledge they haven't caused any issues. Other jurisdictions like Saskatchewan and Manitoba have required renewable fuels for a number of years, so I think that as long as the proper blending and storage practices are followed, there should be no damage to equipment.

**Mr. McFarland:** Mr. Speaker, a supplementary to the same minister: what other studies, if any, have been undertaken relative to the consumers that'll be impacted here?

2:20

**Mr. Liepert:** Well, we have some research from the federal government, Mr. Speaker, that indicates the average consumer price will be about an additional \$30 to \$35 per year for gasoline for smaller vehicles. We know from the experience in our neighbouring jurisdictions, in Saskatchewan and Manitoba, that the increased costs have been rather negligible. I think that that has to be balanced off with the fact that a successful bioenergy industry can lead to rural development, economic development opportunities, and provide opportunities in the forestry and the agricultural sectors in the province.

**Mr. McFarland:** The final supplemental. Many of these same farmers, truckers, forestry people have large bulk storage, and they're wanting to know what the long-term effect is of having this bulk storage held for a relatively long period of time.

**Mr. Liepert:** Well, Mr. Speaker, I'm told that the long-term storage of any fuel creates the potential for deterioration. Other jurisdictions have experienced that as long as, as I mentioned earlier, the proper storage and blending practices are followed, very few problems seem to be encountered. Those include, as an example, minimizing water contamination and keeping storage tanks clean. Overall, I think implementation of the renewable fuel standard will proceed smoothly.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Edmonton-Centre.

#### Seniors' Pharmaceutical Plan

**Mrs. Forsyth:** Thank you very much, Mr. Speaker. Last year the government proposed a seniors' drug plan that would have increased premiums for tens of thousands of Alberta seniors. Like a lot of this government's policy it wasn't thought through beforehand, and it was quickly pulled. While the Minister of Health and Wellness postponed the program indefinitely, seniors want to know if changes are coming soon. To the Minister of Health and Wellness: what is the current status of the seniors' drug plan?

**Mr. Zwozdesky:** It is under review, Mr. Speaker, as promised. It's pending the outcome of some additional work with the ministry of seniors and other ministries that are involved in providing care for seniors.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that seniors are on fixed incomes and are extremely vulnerable to changes in their expenses, does the minister understand the hardship that increased premiums will have on seniors if he moves forward on his proposed new seniors' drug plan?

**Mr. Zwozdesky:** Mr. Speaker, I understand quite well. I've been briefed by the seniors themselves on a few occasions, and I meet with a lot of them in my own constituency, so I understand the sensitivity to this point. That's why it's so important to take a very comprehensive and thorough look at it, and that's what we're doing.

**Mrs. Forsyth:** Well, given that the minister has met with seniors and given that the minister has talked to seniors in his riding, I'm sure as an MLA he'll listen to what they have said.

Given that Alberta seniors are dependent on the prescription drug plan and they need to plan years in advance for their retirement, will the minister end their limbo and maintain the current plan, where seniors pay 30 per cent of each prescription up to a maximum of \$25?

**Mr. Zwozdesky:** Mr. Speaker, we've actually reduced the costs of many drugs – some of the new generic drugs, some of the existing generic drugs – and that has reperculated very well in the community. I think the community has responded very well to that. There may be other things that we could still do to take a look at some of the burdens that seniors and elders might face. That's why we're doing the comprehensive study and review I indicated.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Grande Prairie-Wapiti.

#### Artists and Education Program

**Ms Blakeman:** Thank you very much, Mr. Speaker. The well-received, greatly valued artists and education program is once again or maybe still being reviewed. In this department the word has come to mean the same thing as being fitted for concrete shoes, not absolutely the end but looking pretty dire. To the minister of culture. First it was said that the program would be cut this April. Then it was April 2012. What exactly is the minister looking for when reviewing this program?

**Mr. Blackett:** Mr. Speaker, we look for the same thing we look for in any program within our department. Is it efficient? Is it meeting the needs of Albertans? Is it fulfilling the four key points of our cultural policy: creating access, building capacity, fostering excellence, or preserving our cultural industries?

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Back to the same minister: well, given that the minister said that he intended other ministers to fund initiatives of this kind out of their own budgets, can the minister tell us what evidence he has that in this case Alberta Education or perhaps school boards will fund any of the artists and education program?

**Mr. Blackett:** Well, Mr. Speaker, I haven't made a decision. We haven't announced any decision to cut this program last year or this year. The hon. member is making that assumption and creating confusion where there need not be because no decision has

been made. None has been proposed by me before, now, or in the near future.

**The Speaker:** The hon. member.

**Ms Blakeman:** Well, thanks. Actually, the department is creating the confusion. Let me give you an example. Given that inclusion on the artist roster seems to be a necessary part of the eligibility for this program, why has the roster completely disappeared from the website, and why have all references to it in the programming documents been deleted?

**Mr. Blackett:** Mr. Speaker, I can't answer that technical question. I'd have to ask somebody in my department. But what I can tell you is that just last week cheques went out to all the operating arts groups across this province with a 5 per cent increase over what they were expecting to get last year because we made a commitment. Even though there is a reduction of 16 per cent, we said that if we had money at the end of the year, we would rebate it back to them. So the effect is that, actually, cuts were only 11 per cent instead of 16 per cent. I think that's good news.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Lethbridge-East.

#### L'École Parkside

**Mr. Drysdale:** Thank you, Mr. Speaker. I recently met with the parent advisory council for l'école Parkside school in Grande Prairie. This excellent school is attracting large numbers of students to their high-quality education. At this time the school is already overcrowded, and there are concerns as new enrolment for next fall is significantly higher. To the Minister of Education: what is the plan to provide necessary classroom space for l'école Parkside school?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. I have appreciated the advocacy of this member with respect to the schools in Grande Prairie and this particular school, and I see he's continuing that. I can tell him that there was a value review process done in Grande Prairie in December. That's a process that we engage in in our department: going into an area, looking at all of the assets in the region, working with the school boards in the community to get a comprehensive view of what is needed in that community now and over the 10-year future horizon. That value review has been done, and we have a good understanding of not only the needs of that school but . . .

**The Speaker:** The hon. member, please.

**Mr. Drysdale:** Thank you, Mr. Speaker. To the same minister: what is the plan for the short-term overcrowding of this school facility?

**Mr. Hancock:** Well, Mr. Speaker, as the Minister of Infrastructure constantly reminds me, we have relocatable modular classrooms, high-performance classrooms, that we have contracted for. We try to ensure that as there are high-pressure areas, we acquire these relocatable, high-performance modular classrooms. We don't have a specific budget for them this year, but we are working with jurisdictions that have space issues. We didn't have a request from Grande Prairie last year for classrooms. We anticipate that we will for this particular school receive that very shortly from them in this year's submission.

**Mr. Drysdale:** Mr. Speaker, what is the minister doing in the long term to address the needs of communities like Grande Prairie and others that are facing space crunches in schools?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. An important question. We recognize that across the province 50 per cent of our schools are over 40 years of age. We expect a hundred thousand new students coming into the system over the next 10 years. Clearly, there has to be a logical, straightforward process both for new schools as well as modernizations of those schools that we're going to need into the future and an ongoing process to maintain the school buildings that we have. That's part of our 10-year plan, and we're working now with the Treasury Board and Infrastructure with respect to alternate financing processes, direct financing processes, and other methodologies to put that plan into effect.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-Montrose.

#### Residential Building Inspection Reports

**Ms Pastoor:** Thank you, Mr. Speaker. The biggest single problem for Albertan homeowners is finding their way through the bureaucratic maze to get reliable information about the home that will be the biggest purchase that they will make in their lives. To the Minister of Municipal Affairs: why has this government made it so convoluted?

**Mr. Goudreau:** Mr. Speaker, I think it's fairly straightforward. There are a series of inspectors that go about to make sure that new homes are constructed according to Alberta safety codes, so if you're buying a new home, it should have received all of the inspection certificates that went along with that. When it comes to buying a used home, then the inspection process falls under Service Alberta.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Why can't the homeowner get access to records created at taxpayers' expense by safety codes and building codes inspectors? Wouldn't this give the buyer concrete information on which to base their decision?

**Mr. Goudreau:** Mr. Speaker, local municipalities, for the most part, across Alberta are the ones that are accredited to hire inspectors to go about making sure that new properties, new homes are built according to codes. Those reports are available through the municipalities, so individual homebuyers can access those particular reports through their local institutions.

2:30

**Ms Pastoor:** The other thing that happens is that homeowners have to pay for their own inspection reports from businesses that may be licensed but don't even have to be accredited and don't have access to the safety and building code inspection reports either. Buyer beware is really not a fair answer to this problem.

**Mr. Goudreau:** Mr. Speaker, the businesses themselves might not be accredited or the municipalities might not be, but the inspectors have to be accredited. We do give permission to individual municipalities to hire individual accredited inspectors, and they follow the rules accordingly.

**The Speaker:** The hon. Member for Calgary-Montrose, followed by the hon. Member for Edmonton-Gold Bar.

### Education Relative Cost of Purchasing Adjustment

**Mr. Bhullar:** Thank you very much, Mr. Speaker. One of the areas facing a reduction in funding to the Calgary board of education is the relative cost of purchasing adjustment, which is being reduced by almost \$6 million. This funding appears to be meant for the purchasing of goods and services in inflationary times. That \$6 million reduction should not have any impact on the classroom. What can the minister do to ensure that this reduction is limited to purchasing goods and services and not to the classroom?

**Mr. Hancock:** Well, Mr. Speaker, in actual fact most of our funding to school boards is an allocation formula. We don't audit against that allocation formula. So once it gets into the school board's hands, what they do with it is entirely in their purview, and that's as it should be. They should have the flexibility to utilize the funds that they get in the way that is most effective for their schools.

But the hon. member is right. The relative cost of purchasing is an adjustment based on the cost of goods and services and market-basket measures across the province, differentiating from one community to the other based on I think last year it was Red Deer as one. In theory that \$6 million ought to have been given to the board so that they could pay for . . .

**The Speaker:** The hon. member, please.

**Mr. Bhullar:** Thank you, Mr. Speaker. Given that the ministry does provide caps or guidelines on how much money can be spent on administration or headquarter costs, would the minister consider moving forward and reducing that from 4 per cent to 3 per cent so that more money can be spent on the classroom?

**Mr. Hancock:** Well, again, Mr. Speaker, we can put guidelines in place. We do have a guideline of between 4 to 6 per cent, the 4 per cent for urban boards and up to 6 per cent for rural boards in the event there are higher costs involved. Those are guidelines. We try to work with school boards to ensure that they are within the guidelines. I can tell the House that all school boards complied with that guideline last year. Again, to the greatest extent possible we want to leave in the hands of school boards the decisions about the appropriate allocation of resources and the accountability and transparency to their publics with respect to how . . .

**The Speaker:** The hon. member, please

**Mr. Bhullar:** Thank you, Mr. Speaker. My last question to the same minister: Minister, why is it possible for some school jurisdictions like Red Deer to meet the province's class size ratios while others such as Calgary have not?

**Mr. Hancock:** Mr. Speaker, that's an excellent question. It has to do with the differences between the boards in terms of the complexities of the student populations. In some cases it has to do with the configurations of the schools, in some cases it's a matter of how you design a school program within the school, and in some cases it's a question of how many support staff you have, how many people you employ to support teachers in the classrooms as opposed to being directly in the classrooms.

Again, programming decisions have to be made at the local level by the local board. They all get equivalent resources, particularly now that we are doing away with the relative cost of purchasing adjustment, so they should be able to achieve similar guidelines.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Bow.

### Provincial Budget Projections

**Mr. MacDonald:** Thank you, Mr. Speaker. Since the provincial budget for this year was finalized, we've seen increases in the price of oil, we've seen a dramatic change in the value of the Canadian dollar in relation to the American dollar, and we also are now experiencing the threat of inflation. I would like to ask the minister in charge, the President of the Treasury Board, for an update on how the provincial budget would be changed if the \$18 increase in the price of oil that we are now experiencing remains for the entire year. How will that change the provincial budget?

**Mr. Snelgrove:** It's a good question, Mr. Speaker, but it's a little too early to start to project what might be if the price of oil stays on a year-long basis. You know, in July of 2008 oil was at \$147 a barrel, by December that had dropped to \$34, and now it's back up to \$110. So it's a constantly moving price. Based on a year, a dollar a barrel would be \$141 million, so if it were up \$10 a barrel for the whole year, it would be \$1.4 billion with regard to the oil.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: how will the change in the value of the Canadian dollar – if we are to remain at 6 cents over what the government had estimated, what will the financial implications for the budget be for the entire year?

**Mr. Snelgrove:** Once again, that's one of the risks we have when our currency fluctuates. In March of 2009, Mr. Speaker, the dollar was at about 78 cents. It has climbed steadily now. I think today it is around \$1.05. For every 1 cent it's \$154 million, so if that were to continue through the entire year at 6 cents, it would be very close to a billion-dollar effect on our budget.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the same minister: given that the fiscal plan for the budget indicates that the government anticipates consumer inflation to remain subdued, is the government taking any efforts now? That prediction, I think, is obviously not accurate. What steps is the government taking to protect against the rise in inflation?

**Mr. Snelgrove:** Mr. Speaker, we're a part of the economy; we're certainly not the whole economy. We do see areas in North America and Canada that are showing signs of increased activity. Unfortunately, it will be difficult for the federal government to monitor inflation when we have areas in central Canada lagging and Alberta's very heated economy. You know, we work with our federal ministers to try and make sure that we can handle it. One of the tools they have used is interest rate increases, and I think that would be very dangerous for our economy, too.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Ellerslie.

### Homelessness Initiative

**Ms DeLong:** Thank you very much, Mr. Speaker. Today the Salvation Army in Calgary announced that the Booth Centre shelter will be closing permanently. My questions are for the Minister of Housing and Urban Affairs. How could the minister allow the

closure of a shelter in Calgary when Calgary still struggles with a large homeless population?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm very happy actually to get this question today because this is a very good news story, not just for homeless Albertans but for all Albertans. Over the last two years the homeless population in Calgary has gone down by about 16 per cent, and as demand goes down, we will look at closing these facilities in favour of more Housing First or permanent housing operations, which is the difference between managing the problem and ending it.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. My next question to the same minister: with a large homeless population and hundreds of vulnerable Albertans needing a home, how does this minister rationalize the reduction of shelter beds as a good deal for the homeless and homeless providers?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. As I mentioned, the reduction in shelter spaces simply reflects a reduced need for them. The funding can be redirected to what we refer to as outreach supports. Outreach supports don't go to a bureaucrat or a paper pusher; they go to an actual local facility who helps an individual homeless person with the issues that he or she may be encountering. These issues are as diverse as the people themselves.

Our ultimate goal is for emergency shelters to be used just for short-term assistance only. In fact, our goal is that within 21 days of someone presenting themselves to a shelter, we can transition them into permanent housing. This is part of the 10-year plan to end homelessness, Mr. Speaker.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. With fewer shelter beds what plans are in place should the homeless numbers spike, as they did a few years ago?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's my belief – and it's the belief of the entire department – that there should always be a place for someone in need of shelter. I've actually met with some people who have been through Alberta who have experienced homeless programs, the pluses and minuses. The best simply is the Housing First approach, providing permanent housing for those who are in need as opposed to Band-Aid solutions and constructing more shelters.

I remember that years ago the city of Calgary, very well intentioned, constructed a temporary homeless shelter on 16th and Centre Street. That was temporary, Mr. Speaker. This is a permanent solution.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

## 2:40 Online Access to Historical Resources

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. School children need to learn the lessons of our past, of our history. Unfortunately, not all of them live in a big city where there are museums for them to go to. Can the Minister of Culture and

Community Spirit please tell us how school children across the province can access information on our history and the world's history even when they are in small communities?

**The Speaker:** The hon. minister.

**Mr. Blackett:** Thank you, Mr. Speaker. Thankfully, because Alberta has the SuperNet with 20 gigabit connectivity, our museums and historic sites can provide online learning resources for children of all ages all across the province. For example, the Royal Alberta Museum, Head-Smashed-In Buffalo Jump, Royal Tyrrell Museum, and Frank Slide Interpretive Centre use that technology to make themselves available.

Since 2006 the Royal Tyrrell Museum has provided more than 24,000 students that participate in over 850 programs. This is not only for students in Alberta, Mr. Speaker, but for Canada and across the world.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: how does your ministry support the use of technology to reach Albertans?

**Mr. Blackett:** Well, other than using the SuperNet, that I mentioned, Mr. Speaker, we also use social media such as Facebook and Twitter. We use that in our museums and historic sites to reach out to Albertans and provide educational and informational resources. We also have designated a co-ordinator with the priority of expanding content on historic sites and museum websites, working to enhance our presence and our content. We have Culture in High Gear, which is at [www.culture.alberta.ca/highgear](http://www.culture.alberta.ca/highgear).

**The Speaker:** Hon. members, 19 members were recognized today. There were 111 questions and responses.

In two seconds from now we'll continue with the Routine.

## Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Calgary-Glenmore.

## Integrity in Government

**Mr. Hinman:** Thank you, Mr. Speaker. Throughout this health care crisis and the government's continued refusal to call a public inquiry, it has become clear that after 40 years this PC Party has developed a sense of entitlement, an attitude that permeates almost every aspect of public life in Alberta. Whether you're in business, the nonprofit sector, health care, or municipal government, you know that this government demands support or uses intimidation if necessary. Small businesses hope that there's not another royalty review, regulatory barrier, fee increase, or land-use framework around the corner that may threaten everything they have worked for. When these things do happen, businesses and people who were not affected fail to speak up partly because they know that this government is vindictive.

Health care professionals have been facing the same culture of intimidation. Our party and others have been bringing forward shocking evidence of intimidation in our health care system. The government continues to discount stories of world-class practitioners being silenced or run out of the province and refuses to allow a public inquiry despite everyone else, including the AMA, demanding it. When a minister of this government says, "There is

no proof,” they sound like gangsters, confident that they’ll get off because no one is willing to testify.

If you’re a municipal politician or a nonprofit association, you know that this government does not give out grants solely on the basis of merit but that you need to honour the PC monarchs with gifts and praise in order to be in their good graces. So when a minister’s tour comes to visit your council, bow and smile, and don’t tell them what you really think. When the Premier or local MLA invites you to a fundraiser, it’s really more of a summons than an invitation.

Well, Albertans are realizing that this is out of control. Fortunately, unlike monarchies and dictatorships, Albertans will have their chance soon to vote for a party that respects them and truly understands that people aren’t supposed to honour the government but that the government must honour and respect the people and the law.

### Tabling Returns and Reports

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

**Mrs. Sarich:** Thank you, Mr. Speaker. This afternoon I have two tablings. I would like to table in my first one the requisite number of copies of the program for the 2011 excellence in teaching awards for April 12 held in Edmonton.

Mr. Speaker, my second tabling is the 2011 excellence in teaching awards program for April 14, 2011, held in Calgary.

Mr. Speaker, a heartfelt special thank you to all of the semifinalist recipients this year for the hard work that they’re doing to make a difference in the lives of children and youth and their learning.

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

**Mr. Hehr:** Thank you, Mr. Speaker. I am tabling e-mails from the following individuals who are concerned with funding cuts to education and the negative impact it will have on teachers and students: Susan Ridley, Colleen Brooks, Brenda England, Jim Clay, and Beth Riley.

Thank you very much.

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

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling three sets today.

The first comes from individuals opposed to the devastation about to be brought upon the Castle-Crown wilderness area through clear-cutting. These individuals consist of Kathleen Cordeiro, Randall Anderson, Jaclyn Williams, Stuart Neal, Rosemary Fuller, Foster Mah, Victoria Lee, Tim Bloomfield, Isaiah Archer, Rita Wong, Mary Day, Peggy Wendzina, Robert Eagleson, Alison Luco, Georgina Pina, Ruth Gentry, Jennifer Froese, Evelyn Arnett, Barb Walker, Kata Jhukoutaiy, Chris Sandstra, Deb Lake, Carl Anderson, Magda Kok, and Maira Mayen.

The next tabling is on behalf of the hon. Leader of the Opposition and is an article in today’s *Edmonton Journal* by Sheila Pratt indicating that Dr. Tim Winton will not appear before the Health Quality Council because of concerns about repercussions.

My second set of tablings on behalf of the leader is a statement of claim from Dr. Al-Ghamdi related to the threats of intimidation.

Thank you, Mr. Speaker.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of Clerk. On behalf of the

hon. Mr. Snelgrove, Minister of Finance and Enterprise, the Credit Union Deposit Guarantee Corporation 2010 annual report.

On behalf of the hon. Mr. Ouellette, Minister of Transportation, responses to questions raised by Mr. Kang, hon. Member for Calgary-McCall; Mr. Lund, hon. Member for Rocky Mountain House; and Mr. Anderson, hon. Member for Airdrie-Chestermere, on March 23, 2011, Department of Transportation main estimates debate.

On behalf of Mr. VanderBurg, hon. Member for Whitecourt-St. Anne, a letter dated April 15, 2011, from Bernard Lord, president and CEO, Canadian Wireless Telecommunications Association, to Mr. VanderBurg, hon. Member for Whitecourt-St. Anne, regarding Bill 8, the Missing Persons Act.

On behalf of Dr. Sherman, the hon. Member for Edmonton-Meadowlark, e-mail correspondence sent and received by Dr. Sherman, hon. Member for Edmonton-Meadowlark, between February 22 and 23, 2010, regarding agendas for health care related meetings on February 24, 2010; e-mail correspondence sent and received by Dr. Sherman, hon. Member for Edmonton-Meadowlark, between October 8 and 12, 2010, regarding the state of emergency medical services; e-mail correspondence sent and received by Dr. Sherman, hon. Member for Edmonton-Meadowlark, between October 16 and 17, 2010, regarding the need to address the state of emergency medical services; e-mail correspondence sent and received by Dr. Sherman, hon. Member for Edmonton-Meadowlark, between October 17 and 18, 2010, regarding the issue of patients blocking acute-care beds; an e-mail message dated October 25, 2010, from Dr. John Cowell to hon. Mr. Zwodzesky, Minister of Health and Wellness, and Dr. Sherman, hon. Member for Edmonton-Meadowlark, regarding patients blocking acute-care beds with attached related charts prepared by the Health Quality Council of Alberta; a document dated October 12, 2010, entitled TIP2 ED Wait Time Drivers, prepared by Alberta Health Services; an undated document entitled Improving Quality and Outcomes, the Next Steps with an attached presentation dated September 22, 2010, entitled Proposal for Emergency Care Quality & Outcomes, both prepared by the Department of Health, England.

**The Speaker:** Well, hon. members, it’s now April 20, and we’ve arrived at the last department estimate to be reviewed, the department you’ve all waited for, Infrastructure. You should be out of here by 10 to 6 this afternoon. You’ll reconvene at 7:30, not 6:30.

2:50

### Orders of the Day

#### Committee of Supply

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the Committee of Supply to order.

### Main Estimates 2011-12

#### Infrastructure

**The Chair:** Before I call on the hon. minister, I would like just to remind us about the procedure here. The minister will have 10 minutes for introductions and statements, and then one hour for the Official Opposition with the minister. The next 20 minutes would be for the third party and the minister, and the next 20 minutes would be for the fourth party and the minister. Then the following 20 minutes would be for any other party in the Assembly, including independent members. From there, we have 20 minutes each for any other member with the minister.

Now I would like to call on the minister for 10 minutes. The hon. Minister of Infrastructure.



**Mr. Danyluk:** Well, thank you very much, Mr. Chairman. I'm indeed pleased to be here this afternoon to discuss the 2011-2012 estimates for the Ministry of Infrastructure. With me here today are my deputy minister, Barry Day, who is seated on my left, and Diane Dalgleish, the assistant deputy minister of capital programs. I also have John Enns, the assistant deputy minister of properties. I have Alan Humphries, who is the assistant deputy minister of policy and corporate support, as well as Rod Skura, the executive director of the finance branch, and also Ethan Bayne, my executive assistant.

Mr. Chairman, I'd also like to acknowledge members that we have in the gallery: first of all, Christine Henry, who is the deputy minister's job shadower today – and what a perfect opportunity to see the ministry at work – and also Arthur Arruda, Nicole Larner, Irene Lui, Cheryl Mackenzie, Donan Carrier, and Mary-Anne Young. I'd just like to acknowledge all of you in the gallery.

Mr. Chairman, our government will invest \$17.6 billion in capital projects across Alberta over the next three years, including \$6.6 billion this year. This investment is vital to address Alberta's needs today and to prepare our province for continuing growth and prosperity in the future. This is the right time to invest in infrastructure. It is not the time to delay or defer. It enables us to keep our skilled workforce employed here in Alberta. It enables us to take advantage of lower costs and avoid competing with the private sector for scarce resources. Most importantly, it ensures that we have facilities in place to provide services for our growing population. We have a responsibility to Albertans to have the necessary public infrastructure in place and to be prepared for the next economic boom.

We also have an opportunity, Mr. Chairman. We all know that infrastructure is an economic enabler. It promotes investment and attracts skilled labour to our province. It is also an enabler for innovation and research, the foundation of our future prosperity. Infrastructure is crucial for our quality of life and for the sustainability of our communities. Can I say that again? Infrastructure is crucial for our quality of life and for the sustainability of our communities. That is why our Premier's vision for Alberta to have the most advanced infrastructure in North America. Having the most advanced infrastructure means infrastructure that is innovative and cost-effective, designs that are adaptable and flexible to incorporate changing technology and changing needs, buildings that are sustainable because they are well maintained and energy efficient, facilities that are multipurpose and designed to meet the needs of the whole community.

3:00

Mr. Chairman, advanced infrastructure is all about designing, constructing, and maintaining buildings that work for health professionals, for teachers, for students, for those who work in them and the Albertans who depend on them every day. In support of this vision Budget 2011 allocates \$1.4 billion to the Ministry of Infrastructure for program expense and over \$390 million for capital investment. The ministry is responsible for managing, operating, and maintaining the inventory of government facilities across the province. This includes over 1,500 owned buildings and more than 6 million square feet of leased space. The ministry also manages land acquisition for major projects and the Calgary-Edmonton transportation utility corridor. Infrastructure is responsible for delivering major health capital projects as well as government-owned facilities such as courthouses, remand centres, and museums. We also work closely with our partners to help build schools, post-secondary facilities, and seniors' accommodations.

Mr. Chairman, I would like to highlight some of the major capital projects currently under way in the ministry. The total

budget for health facilities infrastructure and maintenance is over \$870 million. This includes major facilities currently under construction such as the south Calgary health centre and the Edmonton clinic. It also includes new and expanded facilities under way across the province such as the Red Deer cancer centre and the Strathcona community hospital. We are moving forward with design and site preparation for recently announced new hospitals in Grande Prairie, High Prairie, and Edson as well as major redevelopments and expansions in Medicine Hat and Lethbridge. We have also begun planning and design work for major expansions to the cancer treatment facilities in Calgary and Edmonton. I want to emphasize that all of these health projects are on track and moving forward.

We also have major projects under way to help promote safe communities in Alberta. The new Edmonton Remand Centre will be the largest correctional facility in Canada. It has state-of-the-art safety and security features as well as environmentally friendly design. The Solicitor General's staff will begin training at a facility late this year, and it will be fully operational by 2012. We are moving ahead with construction of the public safety and law enforcement training centre in Fort Macleod. It will include a driving track, indoor and outdoor shooting ranges, scenario training rooms as well as classroom and residential space. The facility will provide training to law enforcement, corrections, and public security personnel from across the province and beyond. An important part of building strong communities in Alberta is having public facilities and public spaces that all Albertans can be proud of.

September 3, 2012, will mark the 100th anniversary of the Alberta Legislature Building. Over the next 18 months many enhancements will be made to the interior and exterior of the Legislature Building and grounds in preparation for the centennial.

The redevelopment of the historic federal building will be completed, including a new public plaza with fountains, green space, a skating rink, and a public art area. The public parkade and plaza will be completed by the fall of 2012.

Recently Premier Stelmach announced that a new comprehensive Royal Alberta Museum will be constructed in downtown Edmonton. By taking advantage of this opportunity, we will be able to deliver a larger, more accessible museum on a single site. This resolves the challenges of building on an existing constrained site or constructing two separate and costly museums. The new Royal Alberta Museum will feature expanded art gallery space to house both the natural and human history collections. [A timer sounded]

**The Chair:** Hon. minister . . .

**Mr. Danyluk:** Would you like me to finish? Okay. I can finish? Okay.

**The Chair:** Hon. minister, you have 10 minutes according to the rules, and then you can have 20 minutes with the hon. member.

**Mr. Danyluk:** The hon. member said that I could continue.

**The Chair:** Hon. member, now we have the opposition.

**Mr. Kang:** Well, not to continue for the next two hours. I know you like to talk.

**The Chair:** Hon. member, there's a process here.

**Mr. Kang:** Okay. Sure. Thank you, Mr. Chair.

**The Chair:** The next hour is for the Official Opposition, and it's in chunks of 20 minutes each. My question to you is: do you wish

to combine the 20 minutes back and forth with the minister or have 10 minutes?

**Mr. Kang:** We will go back and forth.

**The Chair:** Back and forth?

**Mr. Kang:** Yeah.

**The Chair:** All right. Then go ahead. The first 20 minutes.

**Mr. Kang:** Thank you, Mr. Chair. I'd like to thank the minister. As always, he tries to be very informative, trying to paint rosy pictures about all of those things. As we know, we are going through a recession. The Canadian economy is supposed to grow by about 2.9 per cent, and our economy this year probably will grow by 3.6 per cent, I think. Let's pray to God that, you know, the next boom is on the horizon and we are going to see population growth. Today a gentleman said that, you know, we will be growing by 60,000 a year. That's going to be big growth for the coming years.

The 1993 cutbacks: we keep going back to those because we haven't recovered from them yet. We are already way, way behind, and we have lots of catching up to do. The next boom with the population growth is going to put lots of strain on our infrastructure. We're going to need more bridges, we're going to need more roads, and we're going to need more schools and more hospitals as our population ages. You know, the question we should be asking ourselves is: how are we going to keep up? With all the money we are putting into infrastructure, I think we are just staying flat here. When I look at the detailed capital plan, sure, expense and equipment is up 80 per cent, \$630 million higher than last year's forecast. It shows an increase in health facilities support and capital expenses of 5 per cent, or \$18 million, higher than last year's forecast amount.

When I look at the capital plan detail by category, it is not bad for municipal infrastructure support. It's pretty level, you know, going up a little bit in the provincial highways network. It's going down and going up. Health facilities and equipment funding is going down. Schools: going down. When I look at all the details about postsecondary facilities, community facilities, it's pretty level. Waste-water management: the funding is going down. Housing is going down, and government facilities and other capital is going down.

When we look at that – and the minister was talking about, you know, having the best infrastructure in the province – when the funding is going down, I don't know how we're going to keep up with the demand, with the population growth and all that. The issue here is that it doesn't look like we will be able to catch up, you know, before the next time we have another downturn. You were saying, sir, that the contracts are coming in 40 per cent cheaper. This is the time that we should have everything in place. We shouldn't have this funding on a sliding scale; we should have the funding on a rising scale so that we could catch up.

**3:10**

I will start with the significant challenges: economic climate, aging infrastructure, demographic shifts. That's in the business plan, pages 173, 174. Those are last year's challenges, sir. My question is: why were the significant challenges not listed in this year's budget? Is aging infrastructure still considered a significant challenge? What would this year's significant challenges be? These are last year's challenges.

**The Chair:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. I'm just going to try to answer the questions or the comments as presented. I very much acknowledge the hon. member's comments that I paint a rosy picture of things. I want to say to you that we are very fortunate to be Albertans. We are very fortunate to live in Alberta. Living in Alberta, you know, being part of this government and being part of this House I would say to you, has afforded Albertans many opportunities.

You talk about this province growing by 3.6 per cent, of course, the population growth. The comments made were "catch up" and "build now" and "we are building". Well, Mr. Chairman, that's exactly what's happening. That's why we have the sustainability fund, so that we can take out some of the valleys and cut off some of the hills so that we have some sustainability over an extended period of time. We are building for the future. We are investing \$17.6 billion over three years. The time to build is now because the costs are less and we need to ensure that the people that are here are employed.

In fact, when we talk about building today, we are building to be prepared for the future, if we go to the discussion of the Edmonton clinic, so that we have some shelf space. That shelf space is not just building a space with nothing to be put in it. It is about space that will be necessary in the future. It's all about planning, hon. member. That's important because we need to plan not only for today; we need to plan for the future.

Mr. Chairman, there were comments also about the economic climate and the aging infrastructure. That's why we are building today. That's why we are investing. These are buildings that Albertans use every day. They represent an investment of Albertans' tax dollars. They need to be maintained to protect our investment. Deferred maintenance for '10-11 was \$340 million, and we will continue to increase that with current funding levels.

Mr. Chairman, we have already put additional maintenance into schools, into health care facilities, and into colleges. The current funding levels, the comment about them not being enough. Well, this is the time to increase some of the funding to maintain buildings and our investment into the future. You talked about and I think the question very much pertained to the aging facilities that we have, that it is not enough funding and is a significant challenge. Well, you know, I want to say to you, hon. member, that it is a challenge. As you heard me say earlier, we have over 1,500 buildings in this province, and this government has been very responsible for future needs. In building today and investing in infrastructure today, the construction costs are less, the skilled labour is still available, and it keeps Albertans working.

Mr. Chairman, it is very imperative that we're building for tomorrow with buildings that adapt to community needs and spaces that can adapt easily to changing technology. Let me give you a little bit of an example. In Grande Prairie we are building a hospital. That hospital has 200 acute-care beds, but we also have a cancer institute that is placed in that hospital to serve all of the northern Alberta region. This is critical to addressing the needs of that community.

Also, it is very important that we have a postsecondary institution attached to that hospital so that not only do we have an opportunity for youth to be able to go to the college, which is just across the road, and take advantage of being able to get an education in a medical field; across the road is the practicum side. That is about planning. That is about opportunity for that area, and it is a building, a facility, that is not for today but is for today and into the future. We don't build a hospital in rural Alberta every second year. This facility needs to meet the needs of the future.

Mr. Chairman, I can also say to you that for the buildings we are building, the cancer institute in Calgary, we need to look at

meeting today's needs, but when we had discussions with the oncologists, it was critical to meet today's needs but to look into the future and try to adapt to the changing technology and be able to be flexible into the future. That is critical as well. That is using some of the facilities that need to be, if I can call it, upgraded or modernized. That's exactly what's taking place at the Foothills and the Tom Baker facilities.

Also, it is about building new facilities. The south Calgary campus is a facility that is going to address the needs of a very strong, growing population. Sometimes when you talk about maintenance, the maintenance of older buildings is one thing, but sometimes building new very much addresses some of the needs that we have in the old.

My ministry is very cognizant of the needs, the demands of the increasing population that we have in this province and is trying to address the growth that you're experiencing in your area, in your city as well as some of the increasingly populated areas like Airdrie, Chestermere, Fort McMurray, Beaumont. Mr. Chairman, we need to provide the services that are necessary for communities, and that's what we're trying to do.

I think I sort of answered the questions that you had, but if you wanted me to go on, I could. Or maybe you have another question that you would like to ask.

3:20

**The Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chair. How did you know that I live in Chestermere? That was just a good guess on your part.

You talked about the south Calgary hospital. You know, if we hadn't waited that long, when we imploded the General, we could have built another brand new hospital there for \$118 million at that time, but we waited that long, and that's why it's costing us \$1.4 billion. I don't call that very good planning, sir.

Okay. Coming back to the 2009-12 business plan, page 182, to increase capacity for evaluation and analysis of public-private partnership opportunities. It goes on to say:

Albertans look to government for direction and innovative ways to provide the best possible and most cost effective public infrastructure. The government has a high level of interest in developing infrastructure through partnerships to provide Albertans with much needed facilities. Where feasible and cost effective, the Ministry will continue to pursue alternative procurement options for new facilities in partnership with Treasury Board and other ministries.

My question. There is still no action on strategic priority 2 regarding P3s and action to increase capacity for evaluation and analysis of public-private partnerships. How are we to know that they are saving money?

**Mr. Danyluk:** First of all, if I can, Mr. Chairman, the hon. member has suggested that we have waited too long, that we have not done things in a hurry or in a method that would be conducive to getting things done right away for the populations that we have. Well, I want to say to you that this province spends more money per capita on investment in infrastructure than any other province.

Also, what happens is that there's criticism coming from individuals that sit very close to you that would suggest we're spending too much money, that would suggest we should lengthen things out, that we should hold back a substantive amount of money.

I want to say to you that we have to look at things in Infrastructure and as government so that we are prepared not only for the immediate future but for projects in the distant future. I also want to say that, I mean, sometimes to take a global ball or a futuristic approach is much easier from your side of the House because you know what happens? The same substantiation doesn't have to happen.

We have to look at what's taking place in Fort McMurray, the growth that's happening in Fort McMurray, the growth that's happening in subdivisions, and we have to be ready, and we have to try to do the best that we can. But I will also tell you that we cannot have buildings built all over without the support for operation. I don't think it would be prudent as government and opposition to support an increase in taxation. This government does not believe in that. This government is a representation of the people, and we build infrastructure for the people.

The other question came about P3s and innovative ways to build infrastructure. Well, first of all, Mr. Chairman, I think it's very important to bring to the member's attention that we just don't wake up in the morning and say: "You know what? I think what we should do is build a P3." It doesn't work that way. Every project that we have we analyze, and we analyze it to the degree that we look at: what is the best way to build a project? What is the most cost-efficient way to build that project? Would it fit into a P3 program? Would it fit into a design-build? Would it fit into a traditional form of building? We need to provide schools, hospitals in the best deliverable that we possibly can. That is why we very much take an intricate look at what we need to do.

Mr. Chairman, when we look at P3s, as was mentioned, it's very important that we also look at, if we have decided to go into a partnership program, what it will offer to the people of Alberta or the people of the area.

**The Chair:** The first 20 minutes have been checked. You can continue in the second 20 minutes, please.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. The question was asked: why would you consider a partnership? Well, we'd consider a partnership for a number of reasons, but one of the reasons is, of course, that there is a fixed cost. There's a schedule. We have a 30-year warranty on the facility itself. It is a value for money that was confirmed, in fact, by the Auditor General. It was clearly stated that a P3, whether it be in Transportation – and the Minister of Transportation is here today. When we look at partnerships and transportation, there is value for money. That's exactly how we look at it for buildings.

I want to say also, if I can, Mr. Chairman, that this province has received awards for the way we deliver partnership programs. In fact, we received the gold award for procurement in 2010 from the Canadian Council for Public-Private Partnerships for successful implementation of a project, and that is: ahead of time and on budget. The Institute of Public Administration of Canada: innovation management. I could go on and on because as I look down, we've received many awards for our accomplishments.

I will let you continue.

**The Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chair. Okay. I'm coming back to the same question again. Increase capacity for evaluation and analysis of public-private partnership, P3, opportunities is no longer one of the minister's priorities. Why not? I'm coming back to that strategic priority 2, business plan 2009-12, page 182. This year's strategic plan, page 78, says:

Integrate design excellence principles, including value management, standard facility designs, procurement best practices, such as public-private partnerships where appropriate, to ensure that Albertans receive cost effective, innovative, sustainable and well designed infrastructure.

Are any of those projects planned for this year? What exactly makes a P3 appropriate? You talk about P3s quite a lot, you know.

I've got more questions on P3s.

**Mr. Danyluk:** Could you just repeat the last one, please?

**Mr. Kang:** What exactly makes P3s appropriate? You know, if you've got a P3 project, what makes it so favourable instead of doing it outright by the government?

3:30

**Mr. Danyluk:** Mr. Chairman, I'm going to answer the question again for the hon. member. I want to say to you – and I think it has to be extremely clear – as I said before, that we just don't come to work one day and say: "You know what? We don't have a P3 project. We don't have any." We analyze them on a regular basis. Okay? Any time that we're doing a project, we'll analyze them.

I'm going to say to you again that when we look at projects, we choose the method that makes the most sense for each project. Partnerships are well suited for certain types of large capital projects. I want to say to you that we have individuals and companies that come to us and say: you know, I just wanted you to know that if you did this just a little bit different, I think we can make P3s better. You know what? We listen to people because we work very closely with industry. Presently, if I can tell you, hon. member, we are exploring ways of using them on smaller projects.

How can we implement a partnership on a smaller project? One of the points that was brought forward to us on winning the last gold award was that we were so innovative and flexible in order to have the delivery that accommodates not only the people or the individuals that use the facility at the end but makes sure that we, again, have the economics of scale. So we're doing that. The benefits are being on time – that's your question – on budget, and the private sector carries the financial risk. There's also, as I said to you before, the 30-year warranty, the private-sector guarantees that are put in place for maintenance and capital renewal for 30 years.

Mr. Chairman, the private partners are rigorously evaluated to ensure value for money. I need to stress at the end that partnerships are still a priority in our business plan, and our goal is to use them when necessary or when it's favourable. But at the end of the day, hon. member, we need to build buildings that work. We need to build buildings that work for the clients, whether they be the students or whether they be the patients or whether they be the doctors and the nurses or whether they be the teachers and, most importantly, for the communities. We need to build buildings that work, that are able to adapt to the community's needs.

With that, if I can, hon. member, that is why we have to look at different ways of building them as well.

**The Chair:** The hon. member.

**Mr. Kang:** Thank you, sir. You talked a bit about the criteria, but you didn't really say much about what criteria you used to evaluate these projects. You know, is one of the criteria just to save money? A 30-year grant: what kinds of protections do we have if the company was to walk away from the project? Can we expect to see P3 debt for schools, hospitals? What is the minister anticipating that P3 debt to be? You keep on talking about it. What ongoing measures are used to evaluate the cost-effectiveness and feasibility of P3 financing compared with public financing?

I think I'll stop there.

**The Chair:** The hon. minister.

**Mr. Danyluk:** Well, I can say to the hon. member that the value-for-money reports are available online on the Education website. That demonstrates the value for money in, let's say, the ASAP 1 and 2 projects. You can look those up and do the comparisons.

Your question about ensuring that they don't walk away from the project, I think, is one of them. You have to remember that they

have paid for the project. They have built the project. They have invested in the project. They have signed the criteria for the project. We pay them back on a yearly basis. So we sort of have the upper hand because if those conditions aren't met, we don't pay.

The last question, if I can bother you again? Sorry.

**Mr. Kang:** What ongoing measures are used to evaluate cost-effectiveness and feasibility of P3 financing compared with public financing?

**Mr. Danyluk:** The ongoing measures are the value-for-money reports, that are available online. That's the project. What do we do on an ongoing basis? We have the criteria in place. We have the contract in place. We have all of the specifications in place that are necessary. Is there some flexibility? We had a little bit of a challenge in interpretation, and the groups got together and said: you know, I think we need to have more flexibility in this particular area. There was no problem with that. We did it. We assigned it. The question, of course, was: is this going to cost more money for the person who built it? Is it going to be economically of need? Really, it wasn't, and we just needed to get that formulated. We do that consultation on a regular basis.

I want to say that the office of the Attorney General has examined all the agreements of the partnerships. We've also done a value-for-money. That not only gives you an indication for the immediate, but it also gives you an indication into the future that we are getting the best value for Albertans for the money.

**Mr. Kang:** What proposals, if any, have been submitted by Transportation for this method of financing for the future? That was one question.

As the recession has effectively lowered construction costs – you brag about that, too, that we are building now 40 per cent cheaper – and labour demand has relatively subsided, what implications do these changes have on current P3 contracts that have been signed or contracts that are still being negotiated?

One more?

**Mr. Danyluk:** Sure.

**Mr. Kang:** Will the ministry still pursue P3 contracts in this low-interest environment? What is the interest rate you are currently paying for the P3 projects? Can you give a few examples, please?

**Mr. Danyluk:** First of all, Mr. Chairman, we choose the method that makes the most sense. I want to also tell you that that is one of the criteria. That is one of the marks, if I can say that, in regard to making the right choice. But I also want to say to you that we do a comparison, a legitimate comparison that is held with Justice. We do a comparison, a conventional build that is held in Justice, to make sure that what we're doing does make sense and has value. Do you understand what I'm saying?

You just don't say: "Okay. You know what? A partnership is the way we're going to go. We're saying that it's the best way to build it, and we're saying that it has value for money." Well, you know, we can say it, and it really doesn't mean anything. This is the partnership over here, and on this side we have the conventional build. In a conventional build we have to work alongside the partnership. It's given to Justice. It's opened up at the same time so that there's a comparison to make sure that there is value.

That's how we arrived at the value, if I can say, when we looked at ASAP 2, where we had over \$90 million in savings because we looked at one aspect and then looked at the other aspect, which we turned in. Justice opened up the conventional build, and we basically said: "You know what? We've saved \$90 million on this."

3:40

**The Chair:** Hon. minister, continue.

**Mr. Danyluk:** Sorry. I didn't answer when you asked about the interest rate. I need to say to you that the partnership proponent carries, really, its own interest rate because what it is is the value of the project. It is the cost of the project. It is the value of the project to the end of its life, and we do the same thing as well for the conventional build. Right? So it's the cost. You know, whoever the investor is says: "Well, you know what? I need so much percentage or so many dollars in investment." That could be one. That could be two. That could be three. But at the same time what does take place is that at the end of the day it works out to: who's got the best bid? So whatever their calculations are inside, it's really their business. It's to deliver.

I need to say as well that partnerships are also reviewed by an independent committee outside of government, and that's the advisory committee on alternate financing, that reviews and advises. I guess the best way to describe it is that if you go to a store to buy a product and if you buy a grapefruit, for instance, does it matter what the cost of the interest is for building that store? What you want to make sure is that you're getting the most value from the cost of that grapefruit and what it's going to give you. No differently than if you go and compare it to different stores, it's the value of the product.

**Mr. Kang:** I'm just asking you to give me some examples of what interest rate we are paying on any P3 projects, but you're not coming clear on that. You know, you can say: "Okay. On Stoney Trail this is what it is, and we are paying 3 or 4 per cent interest over 30 years or 40 years or 50 years." That's what I was getting at. I was not looking at the end product.

**Mr. Danyluk:** Well, I'm sure the hon. Minister of Transportation had his estimates a little while ago. I'm not sure exactly how to message it, and you're saying: come clean. I tried to come clean with the grapefruit. It didn't work, right? So let me try to come clean with a service that might be provided for you. I'm going a different way. It's a service to provide your children with an education. Just take that as a kind of a global comment.

Really, what you want to make sure is that your child is provided education, provided the best possible education that you can have. There are all kinds of details in all of the contracts that take place, whether it's the teachers' contracts, whether it's the interest on the building, on what it cost, whether it's the pavement coming up, whether it's the books. At the end of the day you care about the education of your child. Well, we want to make sure that we have value for the money for the project, whether it be a building or whether it be a school.

I want to say that partners submit bids that have a life expectancy or a lifespan or a life of 30 years. That includes interest. What happens is that they may go to the bank of Hong Kong, or they may go to the Toronto-Dominion Bank, or wherever they get the money. At the end of the day interest is only one component. We know that the Auditor General agrees that we get value for money, and that's what it's all about. It's making sure that you get the product.

**Mr. Kang:** Sure, we need value for the money, but I'm saying: how much is it going to cost us? We are passing this debt on to future generations.

There are always costs. You know, if I send my kid for education, there's a cost involved, and I know how much it's going to cost me. Here we are not knowing the cost, you know, what inter-

est we are paying on those P3 projects, and how much the bill will be at the end of the day. That's where I'm coming from. So far we haven't heard anywhere and we haven't read what interest we are paying and how much the end cost will be.

**Mr. Danyluk:** Well, thank you very much, hon. member, but I will say to you that we know exactly what it's going to cost. We know exactly. That's one of the beauties of the partnership. We know what the cost is going to be. In fact, the 30-year warranty of the building gives us a more secure cost than if we had an independent build, if I can call it that, because we build, and we can estimate. We know we have a guarantee.

I don't want to say it in this way, but when we build a building, it sort of comes without a guarantee. Building a building in a partnership comes with a guarantee that they'll maintain it for 30 years. So you know the cost. You know what the warranty is going to be. You know what that building is going to cost you for 30 years. You know the shape that that building is going to be in in 30 years.

**Mr. Kang:** You haven't said how much that costs. You are saying: "We know the cost. We know the cost." I want to know the cost, okay?

Anyway, I'll move on.

**Mr. Danyluk:** Which building? I can tell you the cost.

**Mr. Kang:** Give me the cost on Stoney Trail.

**Mr. Danyluk:** We don't do highways. Which building? ASAP 1 with 18 schools . . .

**Mr. Kang:** Okay. We will get back to that. What interest are we paying?

**Mr. Danyluk:** ASAP 1 with 18 schools: I can tell you exactly what that costs, what it costs per year and what it costs to build.

**The Chair:** Hon. member, we are on the last 20 minutes now.

**Mr. Kang:** Okay. We want to have fun.

You touched on the Auditor General's April 2010 recommendation on page 24, recommendation 2, that the Department of Infrastructure follow their own guidance to publish a value-for-money report upon entering into public-private partnership agreements. Will this ministry make public the value-for-money reports for the previous P3s that this government has committed to, and if not, why not? Will this minister commit to conducting value-for-money reports for all future P3s and publicly disclose the reports, increasing transparency? You touched on that a little bit.

**Mr. Danyluk:** I just want to say to you that we have. In fact, it is on the Education website. It is online. We have shown what that is. If I can, hon. member, I want to say to you that we saved between \$90 million and \$100 million. I want to stress to you that when we did the comparison that we had to hand in, it showed that we saved \$100 million on ASAP 1, which was 18 schools.

I'm just trying to find the exact number of what we saved on ASAP 2. Forty million dollars in savings on ASAP 2, which really was four high schools and 10 regular schools.

**The Chair:** The hon. member.

**Mr. Kang:** Thank you. Infrastructure quality: when we are comparing the performance measures here . . .

**Mr. Sandhu:** This is the right guy to ask for a tunnel.

3:50

**Mr. Kang:** I'll get to that. By the end of the day he will be having the cheque for the airport tunnel.

Okay. So here, performance measures, when we compare them, the performance measure for goal 1 of the business plan, page 78, related to the quality of public infrastructure in Alberta hospitals, schools, and postsecondary institutions, there has only been a small improvement in the number of hospitals and schools that are in poor condition. The definitions of good, fair, and poor haven't been included in the 2010-13 business plan. In previous years that information has been included, and taken from the last year's business plan is the following definition of poor condition infrastructure: poor condition "means upgrading is required to comply with minimum codes or standards and deterioration has reached the point where major repairs or replacement are necessary." That was a footnote on page 184 of the 2009-12 business plan. And . . .

**Mr. Danyluk:** While you're looking, I can just tell you that the health facilities' physical condition, yes, we have included them. The ministry is targeting an increase in the health facilities in good condition as many new health projects are nearing completion and the investments in maintenance will have an impact. Also, in school facilities the percentage of school facilities in good condition is targeted to increase with the completion of the 32 ASAP 1 and ASAP 2 schools and other school projects. Lastly, Mr. Chairman, the percentage of facilities space in poor condition is targeted to continue to decrease due to the government's continued investment in maintenance in postsecondary education.

**Mr. Kang:** Okay. So getting back to that, infrastructure that doesn't meet minimum codes poses potential risks to people's health and safety. What specific risks has the minister identified for infrastructure that is in poor condition? By letting infrastructure deteriorate to a poor condition, how much more money does it cost to bring the buildings up to good condition?

**Mr. Danyluk:** Well, first of all, Mr. Chairman, I'm not exactly sure of the question: how much more it costs to bring them into condition? I guess I can say that when we talk about the overall averages, there are less in poor condition and more in the higher end condition because we've built new schools. I think I said that at the beginning, you know, that when we look at buildings, when we have an increase of new buildings, that changes some of the values. But buildings needing maintenance aren't necessarily unsafe. It basically is a discussion – the lower rating could simply mean a boiler or a roof that is due for replacement.

We have a maintenance schedule. If the life expectancy of a roof is 25 years and we haven't had to change that roof and it's not leaking and maybe we don't change it because it looks in good shape, it does bring it into a different category because that roof has been there a longer time. It doesn't necessarily mean it's leaking. It doesn't necessarily mean it's unsafe. It means that the average life expectancy is probably now shorter because it's had a longer period.

I want to stress to you also, hon. member, that we haven't changed anything in regard to how we assess the buildings themselves. I can tell you that what we have done, if I can call it a change in the process, is we are now on a more regulated schedule, you know, as to when we're looking. So that might be part of what you're asking.

**Mr. Kang:** So when we are not maintaining buildings and, you know, they become in poor condition in the first place – right? – it would be more cost-effective to keep them maintained properly so

that they don't become poor. Health care facilities in poor condition: that is expected to go from 6 to 5 per cent. It's going to go down 1 per cent, health facilities, from 6 to 5, in poor condition. How much would it cost to replace this 1 per cent loss? The target reflects the anticipated condition of facilities assuming current funding levels. How much more would it cost to start improving facilities? What would it take in terms of time and money to get to only 4 per cent of poor quality infrastructure across the board?

**Mr. Danyluk:** Let me just maybe answer in this way. I believe that we should spend approximately 1 per cent of our inventory on maintenance. Just a hypothetical figure. That's how we think we should do it. The challenge is that we can't necessarily do that every year. I'm going to say two things to you as well. Sometimes we have buildings that are in good condition, but they may not have the value.

Let me use this building as an example – okay? – if I can. I think this building is in good condition.

**An Hon. Member:** Minus the two light bulbs.

**Mr. Danyluk:** Minus the two light bulbs.

But I want to say to you that the roof, the terracotta, is ending its lifespan, so we're going to have to change that terracotta. All of a sudden when we do an analysis, what happens is that the roof on this facility can make this building be in a less advantaged position. It still is very functional. I think the maintenance staff do a terrific job. We're sitting here. It's a good building – two light bulbs burnt, but we did replace them – but the roof may bring that down, right?

At the same time what happens is that we do have buildings that have exceeded their lifespans, buildings that when we look at them and we look at the condition of the buildings, even though they're safe, they do not enter into the criteria of spending money to ensure that they stay on our inventory. That happens, and it should happen because if we have a building that's going to cost more than 75 per cent, if I can use the general rule of thumb, to fix it, then sometimes it might be more beneficial to build a new building because we can address some of the LEED issues. We can do the efficiencies of the power and the efficiencies of the heating system and the air exchange and what it provides.

So at the end of the day we don't have buildings that I would consider unsafe. We have buildings that may need a scheduled – and let me repeat that – a scheduled maintenance.

**Mr. Kang:** So in your opinion there are no more leaky roofs in schools and other buildings. That's what you're getting at?

Okay. My second question – we have those leaky roofs – given the extraordinary amount of money we've spent on capital in recent years, isn't it concerning that we are only just staying flat on these measures? Shouldn't there be dramatic improvements on these measures? Why hasn't it happened? Why isn't the ministry being more ambitious on this?

**Mr. Danyluk:** Well, I would suggest to you that if you look at the number of buildings that the province owns – and I earlier stated that we own over 1,500 buildings, and we try to continue to maintain them on what I would consider a needs basis. When you do that, yes, in the particular situation of schools, when you have new schools coming into play, coming into the inventory, if you have 18 schools or 34 schools that come into that spectrum, you know, it does make a difference. But it's not going to make a dramatic difference.

4:00

We don't replace 10 buildings in our inventory in one year. We're doing work on the federal building, which is, basically, one major building in our inventory of buildings. I mean, it doesn't have a dramatic effect. It does have a dramatic effect when you're comparing building number one, which is the federal building, against a building where the staff may be. That is a major impact. But if you look at all of the buildings we have, it's not so many.

I hope I've made myself clear. I think that the more buildings that we do have, if you do replace and modernize and fix up those individual buildings, it doesn't dramatically increase the numbers, but it does increase them.

**Mr. Kang:** I think you answered the question somewhat.

Seeing as it isn't projected to happen over the next three years, when can Albertans expect to see these dollars paying off in a shrinking proportion of poor infrastructure?

**Mr. Danyluk:** Well, when we do a projection into the coming future, if I can call it that, there is the condition – and let me use roofs because we've been using roofs – that if we have a number of roofs that have gone from the 24- to the 25- and the 26-year state, then what ends up happening is that we know that's going to be an increase. We also know some of the buildings that we're replacing or we're modernizing will lift that percentage up. At the end of the day where we are is: that's how our projections are made, and that's how we also look at budgets for the future.

**The Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Chair. The \$1.56 billion budgeted for health facilities, schools, and postsecondary education for 2011-12, capital plan 2011 to '14, page 91. In last year's business plan, strategy line 1.10, page 176, there would be a new delivery model for major health facilities. What exactly was the change in the delivery model? What led to the change? What benefits will there be with this change in how these facilities are designed, procured, constructed, and commissioned? Will this new delivery model be expanded to include other types of facilities such as schools, post-secondary education?

Is that too many? Should I stop?

**Mr. Danyluk:** Well, no. It's not that it's too many. I think the question is a good question because exactly what did happen is that Alberta Health Services maintained the responsibility of the infrastructure part of health delivery. What did take place is that we in Infrastructure got the major health facilities. That's what is expressed as a different delivery model. Infrastructure is now delivering those projects.

What is the delivery model difference? I can go on with that if you want. I would just lightly say that previously when the government gave money for new hospitals, hospitals were delivered using a construction management approach, and the contractor and the designer were hired at the same time. When they figured out what that cost was going to be, that's really what the government delivered. Now under Infrastructure we basically look at the design, and because it's within our own department, not in Alberta Health Services, which is arm's length away, we kind of pay as we build, to the contractors.

In simplistic terms previously we used to pay for the project. They managed it. They built it. They took care of it. Now we build it, and we allocate so much funding every year for the building of that building, and we pay according to how it's built.

**The Chair:** Hon. member, you have two minutes.

**Mr. Kang:** Oh, okay.

Will this new delivery model be expanded to include everything?

**Mr. Danyluk:** Well, I mean, it's not my decision whether I will take over the responsibility of schools and postsecondary education, but it will be by cabinet and caucus and Treasury Board. That decision will be made, and that decision will be made in the future. I can't comment on what's going to happen. I can just tell you right now that we are in charge of the major facility builds in health care.

I'm very disappointed that you only have a couple minutes left because I sure wanted to address that tunnel.

**Mr. Kang:** Thank you. Okay. Well, I'll come back. Thank you.

**The Chair:** You still have a minute.

**Mr. Kang:** Okay. What new facilities will this health facilities support provide?

**Mr. Danyluk:** Well, I think I mentioned some of the new facilities that are being built and are going to be built. There's, of course, the \$520 million facility in Grande Prairie, the \$108 million facility in Edson, the some \$90 million facility in High Prairie. We also have the upgrades to facilities. We're spending, I think, some \$300 million on the south Calgary campus. We're also doing the cancer treatment at the Foothills and the Tom Baker. We're building the cancer treatment in Lethbridge, the cancer treatment in Red Deer, and adding cancer treatment in Grande Prairie.

**The Chair:** Thank you, hon. minister. The first hour has been completed.

Now we are going to the third-party opposition, with 20 minutes. Hon. Member for Calgary-Glenmore, do you wish to combine or have 10 minutes?

**Mr. Hinman:** Yes. We'll go back and forth.

**The Chair:** Back and forth.

**Mr. Hinman:** Well, thank you, Mr. Chair. Yeah, this is a fast three-hour marathon, and it goes by like that, but we need a triathlon that goes all day.

**Mr. Danyluk:** I'm ready.

**Mr. Hinman:** Anyway, it's disappointing that the government gets so much time and the opposition so little. That's my big complaint. I appreciate the time here. [interjections] Yes, it's so critical that you need it.

I listened to the minister speak so eloquently at the start, talking about the importance of infrastructure buildings. I totally agree with him. What has made this province so great is the infrastructure that we have: buildings, transportation, pipelines. We all know and understand that it's critical, but I have to take exception when the minister goes on to say that someone sitting close to this colleague says that we need to slow it down. I want to talk a little bit about that and get the minister's reaction. Seventeen point six billion dollars in three years is more than anywhere else in the country, which the minister stated. We need infrastructure.

There are lots of arguments on what our infrastructure deficit is, but the question is: how are we going to go forward to do this? To just look at three years and spend all of our sustainability savings, spend everything, and then all of a sudden hit the wall again is a real problem for us in the Wildrose. We think that it needs to be measured. We need to realize that we've got 10 years and 20 years

down the road, not just three. Then where are we going to get the funding to carry on?

There's no question that this is like the tortoise and the hare. This government has been behaving like the hare, and the tortoise is going to win, or might I say that the taxpayers are going to lose because of the incredible amount of money that is being spent and not being spent wisely. We can look at some of the situations in the south Calgary hospital and those areas. Billions-plus are being spent, and again there's no plan or capability to manage or staff those hospitals to come on stream.

**An Hon. Member:** How do you know?

**Mr. Hinman:** I've asked them, and they said that. I've met with them. [interjection] Well, that's the problem with this government. They deny, duck, dodge, but the truth is still out there. I kind of get a kick out of the comments that they make, that there's no proof. There's no proof when there's lots. There's the truth. It isn't necessary if you can prove it or not. It can take great minds like Einstein years and years to have proof to demonstrate the truth. This government is running into a brick wall. The definition of insanity is to do the same things over and over again and expect a different outcome, and this is what they're guilty of, Mr. Chair.

**4:10**

To sum up, the problem that's going on with the bidding is that this government continues – and I'd like to ask the question: how many construction management fees are in place for all of the billions that you're spending versus lump-sum bids or full bids? You put the bids out, but they're always management fee bids, and we don't know what the costs are. The south Calgary hospital is a classic example, where we've gone from \$700 million to, I've been told, \$1.3 billion.

P3s. You talk about those, and you say how much you save, and that's great, but I want to point out to the minister that you were actually told by the Auditor General that you misstated and overstated the amount being saved by \$20 million on some schools, and he said that you needed to correct that. I could pull the article because you look a little bit dazed about that one.

I want to go back to the analogy and your answer. Most people I know that lease a car, whether it's three years or five years, lease it with the intent of turning it back and walking away from it and entering a new lease. The only people I know who end up buying those leases out buy them because they broke the contract and there's going to be a high penalty. I appreciate what you're doing with those P3s, but the parameters that you put out in the bids are looking for a 30-year. It's ours after we've leased it, but we take it back. It's in our ownership, is my understanding, after 30 years. Then what's the cost? We want 50- or 60- or 100-year buildings, not 30 years, and then it's gone. It's much like a vehicle, in my mind, that after three years isn't worthless. We're paying a premium price when you look at it over the full life cycle, which perhaps is 60 years on these buildings.

A few other questions that you can look up as you go. Major concerns on the amount of announcements on what goes forward. You've reannounced the Fort Macleod police college. We're very concerned on whether or not you're really going to go ahead and whether you have the money. And a specific question, because you've referred to these, on the number of schools that you're building, again, where the Auditor General has said that you've overstated the savings. Could you please explain how areas like Airdrie, Fort McMurray, and Beaumont got bumped out of the priority infrastructure list? They're at the top now, but you've built over 20 schools in areas when, by all estimates that we look

at, they were far more necessary in those areas, and they weren't built. Again, the south Calgary hospital is a classic example of delay, delay, delay coming in there.

I also have a question on the Fort McMurray truck stop. I mean, in the oil and gas industry they put requests for proposals to the government on where they want to buy leases and whatnot. That request went in. Why was the land 10 miles away put up for bid when the developer, again looking at where it's most economically based, was picked? Maybe this is under Transportation, but I thought it might be Infrastructure. Why was that land not released for that truck stop that was needed up there and asked for?

Again, I have to comment, you know, on the Grande Prairie hospital. That was announced so many times. I mean, it's like the boy who cries wolf, but finally it's coming to fruition. Why do you make so many announcements and not follow through and then break these promises?

I'm just going to ask about the spending sprees. Why do you really think that spending this huge amount of money – in three years from now we're going to be out of money. Are we going to stop building infrastructure because we have it all done? It's not even comprehensible to think that this \$18 billion over three years is going to build our infrastructure. What's the plan then?

In 2003 when Infrastructure and Transportation were cut back, it was devastating to the industry. You cut the spending in half, we built up the capacity, it was reduced, and then when you started spending a lot again, all of a sudden the bids came in at an exorbitant amount because there wasn't the capacity in the industry to match the bids that were going out. I would like to see a 10-year projection that states which ones are first, prioritized, and if there's more money each year because the bids are good, this just slides in and the bids go on.

Why do you not have a public list of the infrastructure, whether it's schools, hospitals, courthouses, remand centres? Why aren't they prioritized for Albertans to see and say, "Yeah, that is a good point"? When there's no list, we kind of forget. When it's in front of us, we're focused and say: "Oh, oh. We've got to do this. We've got to do that." But when the list is there to say: "Well, no. Airdrie school, we need to do it. The remand centre in Edmonton, we need to do it" – why do you continue to refuse to put out that prioritized list and show industry that we're going to have this sustainable funding of \$4 billion or \$5 billion for 10 years that they can count on?

[Mr. Mitzel in the chair]

Prior to 2003 industry people looked at it, and they had a life cycle of five years for lots of their equipment. After 2006 a lot of the industry people I talked to put the life cycle of one year into the bids because they don't know whether this government is going to continue on next year. If they're going to buy equipment, they've got to pay for it this year. That hasn't been in taxpayers' best interests.

I'll let you answer a few of those, and then we'll go on.

**The Deputy Chair:** The hon. minister.

**Mr. Danyluk:** Thank you very much. Let me just say to you that I truly cannot even believe what I'm hearing. You know, I've got to work backwards on you a little bit. I'm not sure what developers or contractors or construction companies you're talking to that said that they don't have security. Well, let me say to you, hon. member, that they do have security. That's what the sustainability fund is used for, and that's what adds stability to the projects that we have.



You just talked about one year, and now you're talking about three years. Hon. member, let's just be realistic about this. What happens is that we have committed to put \$17.6 billion into infrastructure over three years. What happened last year? Did we just about have the same amount of money that was put into the three years upcoming? Yes, we did. That is stability.

You say that there's no plan. There's a 20-year plan. There's a 20-year plan that looks into the future at what's necessary. Also, I need to say to you that I'm going to ask you just to – you know, you have an assistant with you. Get her to look under Education. She'll see the projects that have been approved. Also, go onto the medical side. She'll also find the projects that have been approved.

Mr. Chairman, at the beginning there was discussion about so much time for us and so little time for them. [interjections] Well, I think that the questions that were asked I'm trying to answer as quickly as I can if they don't interject.

Seventeen point six billion dollars committed to infrastructure over the next 10 years: I have to ask the hon. member again where he wants me to cut. I mean, you know where the projects are. You have said in question period – I'm not sure if it was you, but your party has said very clearly that they want to cut \$2.4 billion.

**An Hon. Member:** How much?

**Mr. Danyluk:** Two point four billion dollars. Is that adding to stability of construction? I would suggest to you: no, it isn't.

You talked about deny and dodge, and I don't know what the hell that is. Also, when you talk about proof and looking at projects that we have – and the projects, of course, are the partnership projects – for every project we do a comparison to a conventional build. We look at that comparison to see if that funding is there.

I don't think we want a different outcome. I'm not sure where this comes through as far as the different outcome, but I'm going to go to the management fee cost that you talked about. Management fees: you know, these projects are publicly tendered to get the best value, and we choose the best delivery method based on value. That money is out there.

4:20

You know what? I will acknowledge what you had stated about the Auditor General saying that we overstated \$20 million as he looked. We looked through the books, our comparison and how it was done, and we agree. But he also said that at the end of the day it still had excellent value. It was just the way that we had done things. So that's true.

One point. We don't own them. The private sector does not own the schools; they're owned by the school boards. They will be turned over to the school boards. If I can say it, they're owned by the boards. The method of building is for the boards. They are not leases. The partnerships are not leases. Write that down in bold letters. After 30 years the facility is returned in good condition.

You made mention of announcing a project and not doing a project. Well, we announced Grande Prairie. Grande Prairie is being built. The testing has been done. We have the design. They are looking at building the facility. They're already having consultations with the physicians, with the town, and also the college. That consultation is already happening. Edson: same thing. We own the land in Grande Prairie and Edson. High Prairie is signed.

The other day, not yesterday but the day before, I was at Fort Macleod having discussions about the water line and where the water line was going to come onto the property. We're building that project.

The cancer institute in Lethbridge: being built. Red Deer: being built. Grande Prairie: adding on to the Grande Prairie hospital.

The education facilities to accommodate education in Grande Prairie: being built.

I know that you said a project that was announced and not built. I sort of recall you having a question about the federal building and stopping its building. Is that security for contractors and construction? No. You were going to stop the federal building halfway through its delivery. That's not planning. That's just reaction, immediate reaction.

Tell me about a project that was announced and is not being built. I'm sorry; I don't know of any. Was there a change in focus and direction with the Royal Alberta Museum? Yes, there was because we needed a facility that was going to accommodate all the needs that were necessary, and that gave us opportunity.

Schools that we have said we're going to build. Guess what? We're building them. Now, you also say: well, Airdrie isn't getting this, and Airdrie didn't get that. You know, I want to say to you: Beaumont. There are needs for those communities: Fort McMurray, Beaumont, Airdrie, Chestermere, Red Deer, Calgary, Edmonton. Yes, there are. Are we looking at it, and are we going to build those schools? Yes, we will. I don't know how you can stand up one day and say that we're going to cut and we're going to take away and then: yes, we've got to build schools. You have to have a philosophical direction that has some commonality. You cannot go in opposite directions.

What else do I have here? Fort McMurray, the land that you talked about in Fort McMurray: 980 acres in the south land that have been released. The municipality and the business community are very pleased. Also, it's an open and competitive process, not based on one proposal. It was a bid system. What was one of the criteria? To get it done as quickly as possible. It's there, trying to accommodate the commercial needs.

Okay. I still don't know about the hospital delays. I'm not sure where they are, and I don't know where you mean, right? But I know that what we are building, of course, are continuing builds. Right before Christmas we met with the oncologists. That process maybe took a little longer. We met with the oncologists from Edmonton, and we met with the oncologists from Calgary. The discussion around the table was that we deal not only with the issues of the day but look to the future of what's necessary, how we accommodate the technology that may be coming into the future to try to address the needs of individuals. That's exactly what the . . .

**The Deputy Chair:** Hon. minister, Standing Order 59.02(1) states that 10 minutes are allowed. I'll give the hon. Member for Calgary-Glenmore an opportunity now.

**Mr. Hinman:** Thanks, Mr. Chair. Always entertaining to watch the minister go on like that, but it's quite obvious that the point that this government fails to understand – and I don't see it; I don't think they ever will, but they will get replaced if they don't – is the priority list. Even such things as the federal building we wouldn't have started because we had other things that were more important. A 20-year plan is only a wish unless it's written down. This is a wish of this government to go forward.

What we want is a prioritized list. What are the top five priorities for schools? What are the top priorities for a hospital? They don't understand. How many ministers – and this is why I think they rotate through them, so they can reannounce. Whether it's the Fort Macleod police station, the Grande Prairie hospital, Mr. Chair, these have been announced, like, three different times. They go back and make a big announcement that it's coming forward. It's a joke.

The management fee. They're putting the bid out. There's a management fee for building these buildings when what they need is a lump-sum bid. All of the subcontractors, Mr. Chair, have to give solid bids on what they're going to do, whether it's for the steel, the concrete, the windows. They're all locked in. But we have a management fee that balloons and is out of control and isn't in the taxpayers' best interests. Yes, three firms put in a management fee bid. But how about a lump-sum, solid bid just like the subcontractors, where they're forced to actually answer that they're going to put \$5,000 worth of steel in and \$5,000 worth of windows and \$5,000 of electrical. All of the subcontractors are forced to do that, yet this government continually goes – and he didn't answer. How many of them are management fee versus the full fee?

**The Deputy Chair:** We're now into the next set of 20 minutes, and I'd like to call the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Danyluk:** Can I answer his?

**The Deputy Chair:** The 20 minutes is up between you two.

Member for Edmonton-Highlands-Norwood, you will be sharing the 20 minutes between you and the minister?

**Mr. Mason:** We'll see.

**The Deputy Chair:** Okay. All right.

**Mr. Mason:** This guy could talk the leg off a chair, Mr. Chairman. Wow, was that ever productive, the last 20 minutes.

I want to just ask basically the same question, and that is: why is there not a priority list for capital projects? When I was with the city of Edmonton, we considered a capital plan. It was a three-year plan. We considered it on an annual basis, and it had a list of projects ranked by priority. Those projects were available for everyone to see, so I know it's possible to do this and actually have the individual projects ranked.

It was then possible for us on council to say: you know, in our opinion this hockey arena is more important than this expansion to the water treatment plant. We could move, by motion, to move one project above the line, and then another one would drop below the line, or we could of course find more money. So I'd really ask the minister why we can't do that here in this province. I know it's very possible.

**Mr. Danyluk:** Okay. You know, I'm not exactly sure where to start, but let me just start that the government has a 20-year plan – okay? – and the purpose of the 20-year plan is to be able to try to predict some of the development, what is going to happen, some of the revenues, some of the expenses that are going to be necessary to accommodate a population that may be growing and may not.

4:30

We're very much a commodity-based province. Whether it be agriculture or oil and gas, it's commodity-based, right? Let us talk about your theory for just a second, okay? Your theory is a priority list. So we have a priority list that says: "You know what? Edmonton should get this many schools, and Calgary should get this many schools." That's traditionally what has happened. We've had traditionally an agriculture, manufacture base with a little bit of oil and gas.

Oh. All of a sudden Calgary increases to the point of 35,000 people a year. Airdrie has increased in population over five years to the tune of, I think, 80 per cent. Chestermere has increased 50 per cent. Beaumont. So what happens? We say that we had a

priority list, and we've got to change it because right now we can't use that because we have areas that we have to accommodate. Grande Prairie has grown exponentially, if I can say the word, and that is why we needed the health facility that's there, and that's why we're building it.

Why are we building the cancer institutes in Lethbridge and in Red Deer and in Grande Prairie? Because the populations have grown there, and it gives a service to the people that are there. To say to you that there is a plan, well, we can't exactly predict where people are going to live. Did you know that Airdrie was going to grow to the extent that it did?

**Mr. Mason:** I did, Mr. Minister.

**Mr. Danyluk:** You did know that?

**Mr. Mason:** Yes. I had a pretty good idea that it was.

The point the minister is completely missing in his rather unnecessarily lengthy response is the fact that priority plans change on a regular basis. There are always changes made to priority plans on an annual basis. It's part of the budgeting process. The question still remains: why is this Legislature not dealing with the 20-year plan that the minister is talking about? [Mr. Danyluk rose] I'm not done. I'm not letting you back up again.

You know, it is a legitimate question. Why does this Legislature not deal with the 20-year plan that this minister keeps referring to?

Now, I want to express a concern here, and it has to do with the willingness of your office to provide our staff with background information. When it comes to other ministers' offices, we're able to get background information so that we don't have to waste time in this Assembly asking just for basic background information. We've been unable to get the co-operation from your office, and I think it's unfortunate, Mr. Minister. It's clear from the answers that this isn't about having a back and forth about actual information that's relevant to the budget. It's about the minister standing up and making bombastic speeches about whatever he wants to talk about and wasting our time, frankly.

I want to talk a little bit about P3 schools. The Auditor General said that there was room to improve transparency to the public by publishing a value-for-money report. He raised concern about the process by which the ministry estimated maintenance costs, which was clear and not made available. He found that estimates for risk evaluations were not validated against actual experience from other school projects. Risk evaluations were based on opinions of staff and anecdotal evidence. I'd like to ask about that.

The question is that the ministry has created its own guideline, saying that they must publish a value-for-money report upon signing a P3 agreement. I'd like to know why that's not done. The AG report found that no report was published with respect to this, and the department did not demonstrate in a transparent manner how value for money was obtained. Finally, it was published in June 2010. The question is: why, really, did it take so long?

Another 10 schools have been scheduled to open in 2012 using the P3 model. In April 2010 the government signed an agreement with the B2L partnership to design, build, finance, and maintain 10 new schools for a 30-year term in Edmonton and the Calgary region as B2L partnership had the lowest bid price. The government claims the costs of doing the same work through traditional delivery methods would be \$358 million, so they're claiming a savings of \$105 million. Yet, again, no value-for-money report has been published despite the contract already being signed.

With an agreement in place the minister is required to release the reasoning and justification for using a P3 model, but the minister hasn't released it. Why not? I'd like to know whether the

public cost comparators have been released for the ASAP 2 school projects, and I'd like to know about key information about P3 contracts having been withheld from the public for proprietary reasons. The government claims that it is saving money by pursuing P3 projects, but when the public is not allowed to see the information, it backs it up. So there's a lack of transparency. I'd like to know if there are any steps that you're prepared to take to improve the transparency of P3 costs so that we can see that they're actually cheaper than building it through traditional public finance.

The other thing about schools is that they've been built in order to find economies that don't rise out of the P3 model but rise out of economies of scale, so they've designed a single, one-size-fits-all approach. These schools do not match with the government's promises or do not take provincial standards into consideration. Nine new schools planned for Calgary are being designed with classrooms larger than necessary for the recommended class sizes, and the head of a parents' group fears the schools will subsequently become jam-packed.

Each new school built under a P3 has a permanent core facility surrounded by modular classrooms. According to the plans schools expected to hold 400 students will now have 16 classrooms, and the schools holding 450 students will have 18 classrooms. That works out to 25 children per room even though the province recommends class sizes of 17 for kindergarten to grade 3 schools.

Why won't the minister acknowledge that this cost-saving technique and the P3 model are not adequate for meeting the needs and demands of each of the schools individually?

The question of P3s shows that the public sector enjoys two fundamental advantages over the private sector in financing public infrastructure. The public sector can borrow at a substantially more favourable rate than a private-sector operator of a stand-alone project. It is because of being able to pool risk over a larger number of projects. The public sector can manage risks associated with project costs more cost-effectively than a private operator of a stand-alone project. In other words, the very factors that are touted as P3 advantages are in reality the core factors that lead inevitably to the conclusion that, if properly compared, P3s cannot compete with direct public-sector provision.

A decision to bear the higher costs and proceed with P3 financing will inevitably result in one or both of the higher costs for taxpayers. Mr. Chairman, I'd like the minister to respond if he can to precisely and specifically why P3 projects are more cost-effective in the government's opinion. I'd really like it if he could provide some very concrete evidence that they are.

I want to ask about the Lieutenant Governor's mansion. Now, that is a real boondoggle. The temporary home that the Lieutenant Governor currently stays in is a \$2.1 million home near the old residence. They're now proposing to build a new Lieutenant Governor's. This was just kind of slipped into the announcement of the new museum. Two years before the government spent \$380,000 in design and consultants and then cancellation fees. The cost to taxpayers will be around \$550,000, but it could be over \$600,000.

The cost of renovating the old residence was estimated at around \$400,000. The government described the old building as a money pit, so the building was demolished.

We have more homeless people on the streets now than we've had for a long time.

4:40

**Some Hon. Members:** Not true. Not true.

**Mr. Mason:** Well, we still have a considerable number, hon. members. We still have a considerable number, not to trivialize it, please, and I know that that minister won't, but that minister will. I want to know how we can justify spending \$10 million on a mansion for a Lieutenant Governor and call that a good use of taxpayers' money given the fact that we have serious housing needs remaining in our province. I think that's something that's really important to me.

I want to ask how it is that we make decisions between building new facilities and being able to staff and operate them? What does the government do to make sure that when we build a hospital, for example, we are also planning so that the budget is available and the staffing is available to operate that facility as soon as it's open?

There are many examples in this provincial government of expensive capital facilities being constructed and remaining partly or completely vacant. I have one in my own constituency, which is the east Edmonton health centre, that was supposed to include a number of services for people in the northeast part of the city, which is significantly underserved by medical professionals. When it was opened, they simply moved in the old public health clinic and starting operating that. They've added a couple more things, but major improvements to the health of the community that were planned there and particularly the capacity to take a load off of the emergency rooms at the Royal Alexandra hospital have not been opened. We see this in the Mazankowski Heart Institute and in the Calgary hospital. Throughout the province we see the government building expensive capital facilities and then not staffing them and not opening them fully.

This is a serious problem. It really indicates that there's a lack of co-ordination on the part of the government. I'd like to know about that.

**The Deputy Chair:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Chairman. I want to make sure that this is very clear for the hon. member. The shelled-in space that was discussed by him right at the end is shelled-in space for future growth and expansion. When we talk about the Don Mazankowski centre, I just want to say that that's done very deliberately. The cost that it would take to expand – and we know that the hospital is going to expand. We know that the facility is going to expand. I would suggest to you that that is very good planning to be able to have space when it's needed, to be able to accommodate the needs of the community. I have no apologies at all for planning. You made mention of other facilities, and I would say that that holds true for them as well.

The other point that was discussed was a \$10 million Lieutenant Governor's residence. Mr. Chairman, let me make it clear to you that, yes, that was the anticipated cost a number of years ago, and that is why we didn't build it. It wasn't the right time to build. There is not going to be a cost to the taxpayers of Alberta because the residence that is there right now and the land that is there will pay for the residence. You say: "Well, why? It was just kind of conveniently slipped in." It wasn't conveniently slipped in. What happens is that there's Government House that's right there on that facility. That facility is not going to accommodate condos or anything else, and it is the perfect site for a Lieutenant Governor's residence, a Lieutenant Governor's residence that's able to be viewed, especially on the outside, by people when they go to the site.

Mr. Chairman, I very much want to talk about the 20-year plan. I guess I have a little bit of trouble because, you know, some want less, and some want more. I think, being right in the middle with a 20-year plan and having a focus and a direction, I'm kind of feeling right now that we're in the right place.

You also made a comment about getting information. This is the purpose of these estimates. It's to get information from ministries. Now, that was done days before. My feeling on this is: "Hey. You're here. Great. If you have any questions, I will answer them."

I also want to talk about the transparency. You know, the transparency is there. It's posted on the website. The transparency on the value of money – it's very clear. When we talk about the value for money, the value for money takes what the cost is, the cost of a partnership as opposed to a conventional build, which, by the way, goes through the system of comparisons. ASAP 1 was somewhere between \$90 million and \$100 million in savings. That is posted, the value. ASAP 2 has a savings of \$40 million. That is posted. That is there. So I say to you: just check out the websites, and you will find your information. The numbers are posted.

You talked about releasing information. We release all information except the proprietary information of contractors. There's information there that should not be released and is not released because it's information confidential from the public.

As far as looking at partnerships, I want to say to you that when a project comes forward, we do that comparison. We look at the aspects, and we look at the benefits. We do a cost benefit, making sure that we're looking at it from the budget side, also ensuring that the timing of the project is there, ensuring the 30-year warranty, and also, when we talk about the 30-year warranty, making sure that those buildings come back to us in a very positive state. [A timer sounded] There's your buzzer. I know the hon. member from the fourth party . . .

**The Deputy Chair:** Thank you. The fourth party has been recognized.

Now I'll recognize the hon. Member for Red Deer-South.

**Mr. Dallas:** Well, thanks very much, Mr. Chair. I'm pleased to attend today and have an opportunity to interact with the minister and have a discussion in a number of areas. I want to start out, first of all, with an observation. Over \$428 million of the minister's budget is devoted to operating and maintaining existing government buildings.

I've got some specific questions, but I think that before we get to that, I want to ask the minister to spend a little bit of time talking about what the ministry is doing to ensure that we're making effective use of existing space – I know that from time to time I have constituents and others making observations about facilities that we have that are either in transition, renovation, or that might be vacant for a period of time – and how we optimize the use of the facilities that we have, making sure that we don't have more capacity than we require at any given time and, certainly, the effectiveness strategies that we employ in terms of how efficiently those facilities operate. It's more than just utilization. It is around the costs of operating those facilities once they are fully utilized.

To the minister, then, a quick discussion about that, and then I can drill down to some questions that I have.

4:50

**Mr. Danyluk:** Thank you very much. Mr. Chairman, I want to say that last year we completed an accommodation review. The accommodation review was basically a review that looked at the spaces that we have, looked at the leases that we have, looked at how we can re-engineer some of the spaces that are necessary. Technology has changed tremendously in the last 10 years. The way that we provide services has changed. So looking at how we provide space for staff has also changed.

I'm just going to give you just a couple of comments. I want to say that the implementation process is now under way. Also, just

as an example, you know, to answer your question a little bit, we changed the process of furniture delivery to different ministries. Previously different ministries had their own budgets. As far as furniture delivery we now have a co-ordinated management of government furniture. We also have a co-ordinated management of IT. That has led to efficiency. Over time this will lead to more efficiency of space. It will provide more flexibility when change is necessary. For some of the areas that we're looking at, it's going to reduce lease space and going to be more flexible in a lease space. We've gone to a different system where staff, if I can say, have maybe smaller spaces but spaces that they seem to be very much more comfortable with.

The new federal building, in fact, will have that accommodated space in it. I did mention before the more appropriate workspace for the modern realities of what we're doing, areas for greater collaboration, flex space, accommodating telecommunications, more natural light, and better noise control. Really, more space that's accommodating as well. Of course, one of the major examples – and I would sure encourage anybody to go and take a look at it – is the Access Building that we have on the south side. We're also continually reviewing inventory to ensure that the space is used efficiently and effectively.

The surplus properties will be offered first to municipalities for community use, but we're always looking for the best way for infrastructure to retrofit and adapt and looking at new ways of building.

**Mr. Dallas:** Okay. Well, that's helpful.

I think, you know, I want to explore a little bit some of this funding, what it's used for. There are some changes in these estimates over prior years. If you'd just take a moment and have a look at page 216 of the '11-12 estimates, specifically down to line 2.1, the first thing I'm looking at there is that property operations are expected to cost \$24 million more than last year. Obviously, we're talking about how we're going to use space more efficiently, how perhaps we can contract the total amount of space per employee, that type of thing, but we're proposing to spend \$24 million more. I want you to comment on that.

Likewise, not very far away there, the next line item, 2.2, accounts for a \$29 million increase in estimated expenses on leases. So some rationale as to why we need to spend \$29 million more there.

Conversely, I guess, you mentioned the accommodation program review. You're proposing to spend \$1.5 million; less there. Are we not going to do the same work as we have been? Work is done once, good for three years. I'm not sure there.

So I wonder if you could comment on those items.

**Mr. Danyluk:** Well, you know, that is a great question. What happens is that we look at the lease space that we do have and the cost of lease space – and we have lease space that comes up for renewal. Some of this lease space has been in place for maybe for 10 years – right? – some of it a little longer. When it comes up for renewal, the costs definitely are higher. That is why it is so important to have the re-engineering. That's why it's so important to be able to fix up spaces that we're going to be able to use. At the end of the day it is going to cost a lot more money. There is no significant expansion at all for lease space.

I mean, there are times that we need leased space. The previous Justice minister just walked in, and I'm just going to acknowledge, you know, that when we talk about southern Alberta, they needed some courtroom space. I mean, we have to accommodate those. We have to try to do the best that we can, and we are going to. That is what I would consider new lease space, but we don't do

much of that. The costs are usually in the space that we have already. Also, the contractual costs have gone up, and that is the utilities.

When we talk about property operations, it's necessary to maintain facilities and prevent them from deteriorating. That's critical. The hon. Member for Calgary-McCall I believe went extensively into those questions. He's right. I mean, we have over 1,500 buildings, and we need to maintain them, and we need to make sure that those buildings don't deteriorate because if we let them deteriorate, they get to a point where they'll cost us a lot more money. Our rule of thumb is: if it costs 75 per cent or more to renovate a building, maybe we should look at building a new building or looking at different space.

I also want to say, if it is a last comment, that the priority is for safety and accessibility for the public. You know, that has also been a cost that we're trying to accommodate to ensure that the accessibility is always there.

I hope that I answered most of your questions. Really, the accommodation program is to support property operations.

**The Chair:** The hon. member.

**Mr. Dallas:** Yeah. Thanks for that, and thanks for those comments on safety and accessibility because those are certainly issues that are brought to me on a regular basis.

Just to switch gears for a moment and talk about something that's a little bit closer to home for me, that's the Red Deer cancer centre project that's being proposed. There are some small beginnings happening around the Red Deer regional hospital. I'm wondering if you can talk about the investment, the construction schedule, and perhaps even some of the features of that particular project.

**Mr. Danyluk:** Okay. I'm not exactly sure how much time I have, but I definitely want to say that the budget for that project is \$46 million, the construction complete in 2012, and the move in should be right at the beginning of 2013. The excavation work is already completed. The bid package has been approved, and we included four subtrades, over \$100,000. The bid package 3 includes the building envelope and the mechanical and electrical and interior finishes, and that's 95 per cent complete. The concrete placing and finishing is being retendered to allow other contractors to bid on the package.

I am very excited about the cancer institute focus that this government has for Alberta. You know, I'll use the example of Lethbridge. Over 600 people are going to not have to travel because of the cancer institute in Lethbridge. This is about accessibility. This is about opportunity for people that are sick and if we can make anything a little bit easier and take the pressure off the major centres. You have a cancer institute that is going to be built in Grande Prairie, so people don't have to travel eight hours, and you have a cancer institute in Red Deer, that allows those people from central Alberta to use that facility, and one in Lethbridge.

5:00

Then you look at how much pressure that's going to take off the two major institutions in Edmonton and in Calgary, yet you bring those up to date with the technology that we have today. When I met with oncologists in Calgary and in Edmonton to discuss those future opportunities, they very much talked about making sure that whatever we build allows the opportunity for the change of technology into the future because that change in technology is so rapid. That's what you're getting in your community. You're not only getting a facility that is going to address the needs of today,

but you're getting a facility that is going to address the needs of the future. More important than anything else, it is going to address the opportunity for technology changes.

You know, the same thing happens at the colleges. I was very fortunate in that I got an opportunity to tour the college in Red Deer. What a building. One of the things that just resonated with me was the discussion about the ability to be able to change the focus of a room or an opportunity for a class. They said, "Today this could be a mechanical shop, and in three days we can make it into a life-values room." I'm going, "What are you talking about?" They said: "We are building buildings today that have accommodation. We are building buildings today that are adaptable."

So when I look at my staff, I think about what they are doing, the ingenious work that they're doing to look not only 50 years into the future but to look at how we can build buildings that work not only for today, not only for 50 years, but for maybe a hundred years into the future. That is necessary. You know, maybe we will get to a situation in the future where, as the hon. members of the fourth party talk about, we need the reduction of support for infrastructure. We need to look at buildings that provide fresh air, that provide the opportunity for students to learn, for patients in hospitals, for people that we have working. This is what it's about. It's about communities. It's about building for the future for communities, that they have that opportunity.

You know, I went with the hon. Solicitor General to Fort Macleod and had the discussions about the police college and how they saw the future, not the future of today, not the future of only tomorrow, but what this college could provide into the future for their community and how this would be beneficial. So when we look at building a building, don't build the building for the needs of today; build the building for the needs into the future, for what could happen, because we really don't know what services we will provide.

I think it's so, so necessary and so good when we go into a community like Grande Prairie, where we have the hospital that has 200 acute-care beds and, as I said, the cancer treatment, and then we just add on and say: "You know what? It's important to have an education component. It's important that we look into the future to ensure that we're educating or helping to educate people that have the opportunity to stay in their community."

This is looking, this is planning, and this is what is so important with this ministry. This ministry and the people that work in it don't look and don't watch television in the same way that maybe I do because they're futurists, because we pound and we pound every day on how they can look into the future to make sure the buildings that we're building accommodate the needs of people.

It's no different than when we talk about a BlackBerry and somebody 20 years ago said: well, I just want you to design the case for a BlackBerry. And they said: well, what is a BlackBerry? Well, we don't know. That's no different than infrastructure when we talk about trying to design for the future. We have to design for building today, and we have to design for the future.

You know, I can go on and talk about the services that are provided in education, that are provided in our schools, that we have the best education system in the world. And what does that mean? That means that we have the best teachers. That means that we have the best technology. That means that we have the best infrastructure. That means that we have opportunity for our children to learn.

I know that we look around and we see people coming and companies coming to Alberta to have a job fair. Why are they coming to this province? Why are they coming to Edmonton and Calgary? Because they know that the children we have are educated so well that they want to have them in their businesses and

they want to have them in their companies and they want to have them to help support.

We are very fortunate. Look at our universities. Look at the opportunities at the colleges that we have. You know, we look at the college in my area, which is Lac La Biche-St. Paul. What is the most important thing about that college? Accessibility for people to not have to leave the community because if they had to leave the community, if we didn't have that infrastructure, they would not be able to go to college or to university. That is what's important for that delivery. So we look at the universities, look at what the universities have to offer: the range, the flexibility, the opportunity. Hon. member from Calgary, look at the chance that your children have to be able to be leaders because of the opportunity for education. That is important as well.

Now we can go to seniors' housing for a few minutes. That's one of the major challenges that we have. As you know, you can look around and see that there is more maturity in the ranks, and we need to have those facilities that accommodate the needs of the people of Alberta, have the right seniors' care, have the right opportunity so that when you have – one of the hardest things for seniors is to have to move from one location to another location. You know, what this government is trying to do is to have the individual stay in a space and have the movement of the services, and that is very beneficial. We don't want to separate the husband and the wife, or spouse. It's important that they have the opportunity to live together. It's very easy . . .

**The Deputy Chair:** Thank you.

Hon. Member for Calgary-Glenmore, are you going to be sharing the 20 minutes?

**Mr. Hinman:** Back and forth. Back and forth.

**The Deputy Chair:** Okay.

**Mr. Hinman:** Thank you Mr. Chair. Well, no one can accuse this minister of not being passionate. But it's a good thing the bell finally went off; he was being pummeled.

Anyway, what is it all about? He was eloquent and going on, but what is it all about? What it really is all about is sustainability, and it's about balancing the budget. You know, there's another individual who's very passionate. I would almost say he's world famous, from Calgary, a chocolate connoisseur. He overbuilt. He openly admits: "I overbuilt. I got caught up in 2008, built beautiful infrastructure. I thought now was the time to build." He overbuilt. That's what we're trying to explain, Mr. Chair, to this minister. Are we at the right pace? Is it sustainable? Have we balanced our budget? The question is obvious. The answer is no, if we take the two steps back and look at it.

5:10

The minister is failing to answer the questions, and I will attempt again. What we need is not a 20-year plan that sits up there in the clouds somewhere but a 20-year plan that is actually written down and made public and that we know. What we have been asking for, and what I have been asking for since 2004, is a prioritized list. When I'm in business, I know what the infrastructure is, what we need to buy, what equipment is wearing out. We have a list, and we say: "You know, this is going to be needed. It's a \$250,000 expenditure." It's all prioritized.

Sometimes things do shift. Demographics can change, economics can change, and all of a sudden the pressure is released. Then you can shift and say: "Well, no. We're going to prioritize this school now in Chestermere because this kept growing; these other areas haven't." Like I say, if you don't have the list, it's very

difficult to prioritize when it's just waiting or it seems like it's a political list.

What we're asking for – will you do it? – is that you don't give a 20-year plan without a prioritized list for all Albertans to see. This hospital is ahead of these five schools; these five schools are ahead of this remand centre: put out the list so that we can see it. That will make good sense.

The sustainability, you know. He talks that, yes, we're going to spend \$17.6 billion, but he doesn't seem to understand, Mr. Chair, what our question is. After that \$17.6 billion has been spent and we have no sustainability fund and we're still running a deficit, what are we going to do? At some point are we going to hit the wall and stop building, like we did in 2003, and then traitor an industry? We want a sustainable one that the industry knows. That's what we're talking about. Is the minister going to stand up and say, "Yes, we have another \$18.6 billion that's going to be added"?

I mean, this government, Mr. Chair, just lauds its five-year sustainability plan for health care and acts like that solves it: we've solved it; it's five years. They know the money is coming in, but if you go back the previous five years, they've actually spent more money than ever. If that plan is so wonderful, which, again, having five years sustainable funding is, why don't we have it in Education? Why don't we have it in Infrastructure? We've only got it for two or three years more, and industry is asking the question, whether the minister is listening or not: then what happens? They see the writing on the wall: that we've run out of money, that it can't be continued. That's the question we're asking the minister. Is he committing another \$17.6 billion for the next three years? That is not sustainable. We need to do it.

Predictability. They got up and said: well, what aren't we building? How many times and how many ministers announced the Grande Prairie hospital? You know, the promises prior to 2008 for seniors' facilities in Strathmore, up in Fort McMurray. Yes, they're finally doing them now because they're spending so much, but those have been rehashed and given out many times and need to be looked at.

I want to refer to for a minute and ask questions about the Auditor General. I don't think he ever used the word "excellent" whereas the minister does seem to use it: oh, this is an excellent process. What the Auditor General has actually asked for several times is that he wants a value-for-money report and not just any value-for-money report. What he says for these P3s is that we need to improve the processes, including sensitivity analysis, to challenge and support maintenance costs and risk valuations. Yes, if you look at the actual box of oranges that they're doing with their P3s, the Auditor General is saying, "Well, they're getting fairly good value." But the question is: "Are oranges expensive right now? Should we be getting them from, instead of California, maybe Florida or somewhere else?" They're not really comparing all of the options out there. With what we've got, yes, it is. But if we were to actually look at full cost, full bid prices that are locked in for these schools, I question whether we're doing it.

That's the most important question I have. In all of the projects that you are building, Mr. Minister, how many of them have been put out there in lump-sum contracts versus – what's the wording? – the management fee contracts that, you know, you could just add the management fee, and it's not locked down? What I'm trying to say is that all of the subcontractors actually give a solid bid to the management fee contractors, and these management fee contractors can bring in a lot of extra costs to projects because they're not locked in. You want to lock in everything in these projects, lump-sum contracts, not management fee contracts, because that leaves the taxpayers wide open on what's coming through. So have there

been any lump-sum contracts? Here are the blueprints. Here is what we want. Let's do it.

I'll ask another question for the taxpayers. When you see some of the superstructures going up in Calgary, they're made of steel. There's no question that steel is usually more cost-effective than concrete. Now, there are always some special conditions; for example, with the courthouse. You might want it to be antiblast. Again, it's interesting that even with the steel structures, they're built such that if they blow out one-half of the building, it will still stand. I mean, that's just the new technology. Don't ask me how they do it, but they do.

Are we opening up the bids and not necessarily saying: "You know what? We just want concrete"? I don't know if that's the best thing. Are we getting the best value for our taxpayers' money? I question it. I want you to do more homework on that and check and see what we're getting for that. [interjection There's lots of debate. I had to get some water, there, you know. I'm as bad as you, just going on and on. We'll go back and forth. I want you to write it up so you can be efficient with your time, Mr. Minister.

When we look at some of the P3s, again, we're not looking at the full scope. The parameters, we feel, that you're putting out there are questionable. Having a wide-open, competitive field is, like I say, questionable.

It's also interesting that the luck of the draw – and I'm specifically going to talk about Notre Dame high school in Calgary. It was built. You just talked about BlackBerrys and new technologies and all of the future in our schools, you know, what opportunity we have, yet the last school that you built before you went to the P3s does not compare to the quality that you are building with the P3s now. It seemed like Notre Dame was put in there for cost-effectiveness and not necessarily effective educating. Like I say, with the Smart boards a lot of the new technology was left out, yet it was a new one. Are you going to go buy an old Apple computer or a new MacBook Air? Where are you going to go? What kind of battery life?

A year ago a report came out saying that hospital repairs were going to triple in money. Could you tell us: is there a problem with the hospital repairs, that we have a lot of hospitals in poor or bad condition? I remember Beaverlodge, but I think you've worked on that. Are there some unseen or unaccounted-for repair bills and maintenance bills coming up in our hospitals that are kind of hidden or kept off the balance sheet because they're not really there? Are you aware as the Infrastructure minister of a balloon that's coming down that is going to hit us again next year or two years from now because you know that the maintenance isn't there? There have been some reports out on that, so it's very concerning in that area on whether you're going to do it.

I guess the biggest question is that when you talked about predictability, you talked about going into the future. Will you put out a prioritized list of infrastructure? Will you commit today to five-year solid funding at \$6 billion or whatever the transportation/infrastructure spending is? Are you going to be so bold as to say that you got your five-year funding guaranteed, like you do in health care? I don't think so. Are you going to do a better process analysis of these P3s so that we really do know that Albertans are getting full advantage from the tax dollars and not just saying: well, in the little parameters that we've got, we're not too sure, you know, about the risk analysis, the maintenance cost, but we've been told this. The Auditor General says that your process for assessing P3s is not as good as it should be. Are you doing anything about that? That is definitely a question that we need to answer.

I guess that to sum up, you know, the Fort Macleod . . .

**The Deputy Chair:** Hon. member, the 10 minutes have elapsed. I'd ask the hon. minister to respond.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. I'm going to try to answer some of the questions that were brought forward. I need to express to you that the Calgary Courts Centre was a fixed price. I'm going to start maybe with some of the comments that you had made, so I can answer them in order if you want the answers. Okay?

5:20

**Mr. Hinman:** I want them.

**Mr. Danyluk:** Okay. Good. I want to say to you that you had made some accusations or, at least, comments on overbuilds as far as schools are concerned.

**Mr. Hinman:** I ran out of time.

**Mr. Danyluk:** I understand. I understand the question because you talk about the overbuilds in schools. I need to tell you that what has happened is that the schools that we have built right now are usually full when the students go into them, but we have built schools differently now than we used to before. We build schools that have a very core area. They have the gymnasium and the offices and some of the work areas, some of the basics that are needed in schools.

We are able to use flex spaces that are high-performance classrooms, and that really gives the opportunity for schools to expand or become smaller, depending on the needs of the students that are there. These high-performance classrooms, I want to say to you, are not portables. You know, they're not modules. They are high-performance classrooms. In fact, we went to a school in Grande Prairie that had the high-performance classrooms, and the teachers would rather be in the high-performance classrooms because of their adaptability, if I can say, into technology, and that's so important.

You asked a question about a priority list, and I'm going to read you some of the comments, but I'll do that in a little bit. You talked about predictability. You say: "I want a list, and then the list changes." Well, you know what? You come from a smaller community. You come from a community that's stable. I'm not saying your representation in Calgary. I'm saying where you come from.

**Mr. Hinman:** I grew up in Calgary.

**Mr. Danyluk:** Okay. Well, where you served before.

I want to say to you that there may be a school that's necessary in that area. When you have that school in that area and if you were representing that area and you put that school on a priority list, they say: "You know what? I just want to tell you that you are now on the priority list. Oh, sorry. We've got a little bit of a growth spurt in Fort McMurray. You're now not on the priority list. You're off."

**Mr. Hinman:** They would understand.

**Mr. Danyluk:** Yes. They would understand the first year. Then next year it's Airdrie that may need three schools or Chestermere that may need two and then Beaumont that may need two. What ends up happening is that the community that is expecting a school and trying to accommodate that direction maybe doesn't hit the priority list.

We have a 20-year plan where we talk about education and talk about the needs of education, but we know that in this province we

are commodity based, that the fluctuation of people is so dramatic that we have to be able to accommodate, number one, safety, number two, of course, capacity. You know, if your school in that area is safe, it's going to get built, and it's going to get built right away. Also, if you have the capacity, you know you're going to get schools in that area. I don't see the priority list, but I'm going to give you a priority list, a little bit, right away.

The other question was: how do we build? Well, you know, with every project that we do, we look at what the best way to deliver that project would be. Should it be a conventional build? Should it be a design build? Should it be a construction management build?

**Mr. Hinman:** That's the one.

**Mr. Danyluk:** Well, you know, construction management builds fit in places.

Should it be what I would consider a partnership build? We assess what's best for the community, what's best for the people that are going to use it. We also assess what the most economic way to do it is, and then we post the value for money, so it's there.

You know, even when we use construction management, we use this to fast-track design, and sometimes that's necessary. I also need to say to you about all subcontracts are always open.

**Mr. Hinman:** The subcontracts are. I'm talking about the management build contracts.

**Mr. Danyluk:** Well, you know that the management build contracts still have the openness of what the building costs.

I want to go on. There was a comment made about Notre Dame having poor technology, and it was built before the P3 schools were built. They don't have Smart boards, and they didn't pay for Smart boards. You know, we don't pay for Smart boards. We don't pay for a Smart board in a new school. That is the responsibility of the school board. That's who pays for Smart boards. I just wanted to be clear.

On the other point that you made, that there was about a balloon that was floating and that it was going to hit us and that we won't spend the money, I'm not expecting this from your party, right? There are other parties that one day spend and the next day cut. Your party has been traditionally: cut. Now it's going to be a balloon that's going to hit us because we're not spending more money. I'm not quite understanding where you're coming from, but I want to say to you that there is a balance, and that balance is important. I see the hon. Member for Airdrie-Chestermere has something wrong with his hand or something, where he's waving on a continual basis. I just need to say to you that if you were listening to the discussion we had on the necessity to have maintenance and the necessity to have new builds, you would have understood or had that question answered ahead of time.

The other part that I want to say to you is that you talked about the process for partnerships, if I can use the word. Well, I've got to go back and answer that question for you again. It doesn't make a difference what project we have. We look at the ability to deliver and the best way to deliver.

Now, I want to say, just to answer it again, that we have completed value-for-money reports for both the partnerships, the P3 project, ASAP schools, ASAP 1 and ASAP 2, and they are posted on the website, all of the Auditor's recommendations, and they're accepted. Also, I talked to you a little bit about the construction management and the fixed fee for management, and it's all open. It's all open.

You have been asking for, numerous times, a list, so I will tell you about a list. This is our capital list: IMP maintenance and

renewal; south Calgary health campus, new facility; Grande Prairie; the Queen E II hospital redevelopment; the capital transition innovative phase 1; the capital clinic south, new facility; the Calgary and Edmonton cancer strategy, phase 1; Medicine Hat regional hospital upgrade and expansion; the Foothills medical centre; the care centre renovation.

**The Deputy Chair:** Hon. minister, the time has elapsed, and I will now recognize the hon. Member . . .

**Mr. Mason:** Point of order.

#### Point of Order

#### Tabling Cited Documents

**The Deputy Chair:** What is your point of order?

**Mr. Mason:** My point of order is that under the rules of the Assembly, since the minister has referred to a document, he must table it.

**Mr. Danyluk:** If I can, it's the capital plan. You just have to open up the book, and what I was reading from is in the capital plan, pages 106 and 107 in the capital plan.

**The Deputy Chair:** Thank you. Okay. We've cleared that up.

#### Debate Continued

**The Deputy Chair:** I now recognize the hon. Member for Calgary-Nose Hill.

5:30

**Dr. Brown:** Thank you, Mr. Chairman. I will be very brief. I know there are some members of the opposition who wish to ask further questions. I have two basic points that I would like the minister to address, and I would thank him for his introductory remarks and outlining some of the projects.

In particular, he mentioned the Royal Alberta Museum, which is planned to be a some \$340 million project, as I understand it. It certainly must be one of the biggest arts and culture projects in the history of the province if not the biggest, and I certainly applaud that project. I was present when the minister spoke most eloquently at the announcement about the scope of the project and the importance to the cultural history of the province. I certainly applaud the project. I think it's going to be a fine opportunity not only to redevelop the downtown of Edmonton, but it'll be a real cornerstone and an exciting point of education and enjoyment for all Albertans and a tourist attraction as well.

I would like to make a couple of comments as a member representing the city of Calgary, and I hope the minister will appreciate that my comments are not meant as a slam against our sister city of Edmonton in any regard. Of course, we have the Glenbow Museum in Calgary, which has been around for a long time, and we also had the Provincial Museum here in Edmonton, of course, for a long time.

I would also like to make the remark, Mr. Minister, that I think there was great wisdom in the actions of the government in the past in spreading some of these cultural institutions around the province in various parts, things like the Royal Tyrrell Museum in Drumheller, the Reynolds-Alberta Museum in Wetaskiwin, the Remington Carriage Museum in Cardston, the Head-Smashed-In Buffalo Jump Interpretive Centre, west of Fort Macleod. Dinosaur provincial park and Writing-on-Stone provincial park both have very interesting interpretive centres.



By spreading these things out, I think that some things are accomplished. First of all, by putting these institutions around the province, we give the opportunities to enjoy those cultural institutions to a larger audience. I know that almost every day here in the Legislature we have visiting classrooms from Edmonton and environs, and sometimes we have them from further afield in the province of Alberta. But I can say that in six and a half years we have never, to my knowledge, had anybody, other than a private school, attend from the city of Calgary from the public school board, which is one of the two largest school boards in North America, or the Catholic school board. I think it illustrates the fact that proximity is a very important thing in terms of accessing the cultural institutions in the province.

I want to continue in that vein by talking a little bit about the Glenbow Museum, which has a large collection of very important objects. Over a million objects are present in the Glenbow Museum. It has a cultural history collection of over a hundred thousand objects. It has an ethnology collection of 48,000 items of North American indigenous peoples and, particularly, probably one of the finest collections of the North American Plains Indians in the entire world. It has an art collection of 28,000 works. Just for comparison, Mr. Minister, those 28,000 works compare to a collection of 6,000 in the Art Gallery of Alberta, which has a dedicated space of 85,000 square feet. The artworks at the Glenbow Museum are crammed onto one floor of the Glenbow Museum, and it is far, far too small to adequately display even a small percentage of the collection that they have. They also have a military collection of some 26,000 items, a very significant collection of military history from not only Europe but from Asia and around the world.

All of these collections that I've mentioned, Mr. Minister, are certainly worthy of a museum in their own right. We have great need in the city of Calgary for an expansion, and I would ask you to respond to that need by doing something similar to what you've done for the Royal Alberta Museum, looking into the future and expanding those cultural facilities and giving us an opportunity to enjoy some of those collections that I have mentioned but which right now we don't have any space at all to display.

The second point I want to make – and then I'll sit down – is with respect to what I understand are some contingent plans to redevelop the Royal Alberta Museum site and perhaps to put a residence for the Lieutenant Governor there. I think that would be a fine project to be undertaken. It would not just be a residence for the Lieutenant Governor; it would be something to be appreciated and enjoyed by all Albertans. It should be a location that Albertans can go to on special occasions. It should be a place that they can visit, that they can feel pride of ownership in.

I would go even beyond that, Mr. Minister. I think that this province is long overdue to have an official residence for the Premier of the province of Alberta. I've looked on the websites of many of the governors of the United States of America, and I can tell you that every state in the union of the United States of America takes great pride in the governor's mansion. I think, similarly, that this province should have an official residence. I know that the Premier of our province has a very nice apartment in the city of Edmonton. It's not a public place, however. It's not capable of having any formal entertaining facilities, and it's not something that the people of Alberta have particular pride in.

With those comments, Mr. Minister and Mr. Chairman, I will sit down.

**Mr. Danyluk:** Well, thank you very much, hon. member. It indeed gives me a lot of pleasure to address some of your comments. I do want to make a comment about the Glenbow

Museum. It is a fabulous facility. It is a fabulous facility that probably has more artifacts and art in a small area than one could possibly imagine. I'd say to you that I believe that at times you could go to the Glenbow Museum, come back the next day, and you would have the opportunity to see a completely different tour of all of the things that you missed the first time.

I want to say to you that I very much agree. I think it is important to look at the exhibits, look at our history, to give an opportunity for our history. It is an opportunity because it is history in motion. Our history in Alberta is so, so short. I will tell you that when we look at, if I can say, the opportunity for youth, they can come to look at a museum as children, and a small decade later they are now seeing the history of our passing time. Our history moves so quickly even now as compared to, you know, 50 or 100 years ago.

I took note of, you know, what you had written down – the hundred thousand objects and the finest collections and the 28,000 works – and I say to you that we're always striving to try to accomplish what we can as far as getting some placement.

**5:40**

The Royal Alberta Museum, of course, came forward. It's been a work that has taken, I want to say, at least 10 years to get to the position that we're at. I need to take a little bit of opportunity to talk about, as you mentioned, the Royal Alberta Museum. It is a museum that we are very excited about. It is a museum that has more interactive and flexible displays, and the kids that came to look at what was going to happen were so excited by the opportunity for the future and that opportunity to interact.

It also has the ability to host many international exhibits. It provides an opportunity for expansion. It also has improved access through the LRT and, potentially, the high-speed rail into the future and the connection that it does have with the local cultural facility and arts district.

I understand your question very clearly. Your question, I believe, says that we have a museum in Calgary that needs acknowledgement as well because we are running out of space. I think that with the minister of culture we need to look, you know, at that possibility into the future.

I need to also say that when you made comment about all of the opportunities throughout this province, I think that the children of this province very much – very much – have such an opportunity. When we talk about Head-Smashed-In Buffalo Jump in Fort Macleod, the Frank Slide Interpretive Centre, Dinosaur provincial park, which has some of the highest participation in this province, the Slave Lake interpretive centre, Milk River, Fish Creek, the Reynolds collection in Wetaskiwin – you know, I mean, we have interpretive centres. We have an interpretive centre in Fort McMurray that talks about the oil development. I want to say that when we talk about opportunity, this is a province of opportunity.

I will take those notes about the Glenbow, and I definitely will bring them forward.

I also want to acknowledge your comments in regard to the residence for the Lieutenant Governor on the present site in Glenora. I need to say to you that it's probably going to take four years to build the new museum. We are so fortunate to be able to use, instead of having to shut down, the museum that we have in place right now and to keep that land for the public. What an opportunity to keep it for the public and to have Government House and to have a Lieutenant Governor's residence to be part of this province.

We have so much as Albertans to be proud of. We have so much opportunity for our children to have an education. I think

that to have the Lieutenant Governor's house, residence, on that site is the right choice.

The residence of the Premier in this province: I'm just going to say to you that we as residents, we as people need to take more pride in who we are. I really believe that we need to be more patriotic because if we had other places that had half as much as we have in this great province, they would be incredibly enthusiastic and optimistic about who they are, about how they can express themselves.

Mr. Chairman, if I can ask, just for a moment, because it was asked before: did you know that next year, 2012, is going to be the hundredth anniversary of this building? The hundredth anniversary. Ladies and gentlemen, we need to be proud of that. We need to be proud of the building. We need to be proud of who we are. We need to be proud of who we represent.

I will say that it started off, the send-off if I can call it that, with acquiring a new carillon, giving a new experience. I always make a point. In fact, it wasn't very long ago that I had the opportunity to have a conversation, as they were in a hall, with individuals that came from Airdrie-Chestermere. They were so excited about the music from the carillon. I didn't bring anything forward, but music came on. It just happened to be at noon time. It was a group of individuals that home-schooled, and they just felt that this was such an opportunity to see this building.

So I say to you, you know, some of the things that we're doing – it was made very clear by individuals that we need to respect this building and the people that use it. We're having some upgrades. We have the reflection pool. The other day it was very clear what was necessary to make sure that that continues to be part of the accessibility for children. We have the area that's going to be just to the west of the federal building that's also going to provide accessibility for children and adults and is going to be part of showing what Alberta's history is.

We were looking at the opportunity to . . . [a timer sounded]

**The Chair:** Thank you.

Hon. Member for Calgary-Nose Hill, do you have any more questions?

Okay. I will now recognize the next speaker. The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. My questions are coming back to infrastructure deficit, Mr. Minister. Infrastructure deficit refers to the exchange that we need to update buildings which have a limited lifespan. Infrastructure deficit. Since most of the buildings are 30-plus years old, replacing them will cost a considerable amount of money.

In the 2009 estimates debate the minister said that Alberta is spending as much funding on infrastructure as anywhere else. The funding for the government-owned facilities preservation fund and capital projects is zero, down from \$12 million last year, estimates page 217. What is the current provincial infrastructure deficit, that is, the total infrastructure deficit? What will the future liability be of not repairing this infrastructure deficit? Is this government just offloading these costs onto future generations? The third one is: when will this total infrastructure deficit be paid off given the current funding levels?

**Mr. Danyluk:** Well, I'm not exactly sure. Let me just go backwards a little bit in the comments about the infrastructure deficit and when it will be paid off. Is that what you're saying? Well, I want to say to you that this province, you know, has an average, probably, of a hundred thousand people moving into it. This province is a very active province in the way of needing infrastructure,

whether it be roads, whether it be schools, or whether it be hospitals. We continue to try to address those services and those needs. When we look at roads and hospitals and schools and those services, I don't know if we will ever get to the point where there will be no infrastructure deficit. The only way that that may happen is if everybody moves out of Alberta. That question, I would say, is not going to happen.

5:50

We do recognize, of course, that we do need to catch up. We need to be able to maintain our buildings. Our buildings were built 25, 30 years ago, as was a lot of Alberta when it was building, and we got into the heavy activity of what I would consider development. There were a lot of buildings built. There were a lot of hospitals built, and there were a lot of schools built. We need to ensure that we maintain those. We're doing that through modernization of education facilities, and of course we do have increased spending on schools and health and postsecondary.

I would also like to make the comment that the maintenance funding has increased, you know, for the schools and postsecondary and roads and health. Minor maintenance funding has increased by \$24 million, and priority maintenance is addressed first. Hon. member, I would suggest to you that it's not what I would consider an easy task, to try to address the priorities, but at the same time we very much look at the needs and what is used and what has high address areas.

**The Deputy Chair:** The hon. member.

**Mr. Kang:** Thank you, Mr. Minister. Okay. Now I'm coming to deferred maintenance, business plan page 78. Percentage in good condition in 2009-10 was actually 62 per cent; then in 2011-12, 59 per cent; in 2012-13, 57 per cent; and then it's down to 55 per cent. You know, is there any figure? How much is the deferred maintenance for government-owned buildings this year? The percentage of buildings in good condition is significantly dropping each year. What would the cost be to reverse this trend? What is the definition of fair condition and poor condition with regard to government buildings? I think I've got a couple more here. What would be the cost to move the 3 per cent in poor condition into the fair category? I think that should do it.

**Mr. Danyluk:** Well, what I can say to you, as I said at the beginning, is that our deferred maintenance is about \$340 million. All of the measures in goal 1 are calculated using the facility condition index to report the physical conditions of the facilities. The ratio of the cost is correct: current and future five-year physical condition deficits relative to current facility replacement value.

I need to say to you that the percentages are calculated by taking the square metres of facilities in good and in fair and in poor condition, but I also had a discussion about, when we look at facilities – a lot of this is calculated into age. I can tell you that the \$340 million would put us in a great situation, but at the same time, you know, we have to have our priorities. We move those priorities around because it's not always that, you know, we do the maintenance until it is needed, if I can say. I mean, it's a situation that sometimes, you know, the facilities we have last longer. The new facilities that rate good are facilities that have been constructed or completely refurbished within the last 10 years and have not been audited or rated as being in good condition. You know, what happens is that we can say that a facility in the ranking is good because it's been done in the last 10 years, right? This measure does not include unsupported facilities such as outreach centres or residences or parkades.

**The Deputy Chair:** I hesitate to interrupt the hon. minister, but pursuant to Government Motion 5, agreed to on February 23, 2011, consideration for the main estimates for Infrastructure have concluded, and the Committee of Supply shall now rise and report progress.

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration resolutions for the Department of Infrastructure relating to the 2011-12 government estimates for the general revenue fund and the lottery fund for the fiscal year

ending March 31, 2012, reports progress, and requests leave to sit again.

**The Acting Speaker:** All those members of the Assembly that concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed? Please say no. So ordered.  
The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I would move that the House stand adjourned until 7:30 this evening.

[Motion carried; the Assembly adjourned at 5:57 p.m.]







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The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday evening, April 20, 2011

Issue 27e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees  
Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

Ady, Hon. Cindy, Calgary-Shaw (PC)	Klimchuk, Hon. Heather, Edmonton-Glenora (PC)
Allred, Ken, St. Albert (PC)	Knight, Hon. Mel, Grande Prairie-Smoky (PC)
Amery, Moe, Calgary-East (PC)	Leskiw, Genia, Bonnyville-Cold Lake (PC)
Anderson, Rob, Airdrie-Chestermere (WA), WA Opposition House Leader	Liepert, Hon. Ron, Calgary-West (PC)
Benito, Carl, Edmonton-Mill Woods (PC)	Lindsay, Fred, Stony Plain (PC)
Berger, Evan, Livingstone-Macleod (PC)	Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)	Lund, Ty, Rocky Mountain House (PC)
Bhullar, Manmeet Singh, Calgary-Montrose (PC)	MacDonald, Hugh, Edmonton-Gold Bar (AL)
Blackett, Hon. Lindsay, Calgary-North West (PC)	Marz, Richard, Olds-Didsbury-Three Hills (PC)
Blakeman, Laurie, Edmonton-Centre (AL), Official Opposition House Leader	Mason, Brian, Edmonton-Highlands-Norwood (ND), Leader of the ND Opposition
Boutilier, Guy C., Fort McMurray-Wood Buffalo (WA)	McFarland, Barry, Little Bow (PC)
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McQueen, Diana, Drayton Valley-Calmar (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	Morton, F.L., Foothills-Rocky View (PC)
Campbell, Robin, West Yellowhead (PC), Government Whip	Notley, Rachel, Edmonton-Strathcona (ND), ND Opposition House Leader
Chase, Harry B., Calgary-Varsity (AL), Official Opposition Whip	Oberle, Hon. Frank, Peace River (PC)
Dallas, Cal, Red Deer-South (PC)	Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC), Deputy Government House Leader
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)	Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)
DeLong, Alana, Calgary-Bow (PC)	Pastoor, Bridget Brennan, Lethbridge-East (AL), Official Opposition Deputy Whip, Official Opposition Deputy Leader
Denis, Hon. Jonathan, QC, Calgary-Egmont (PC), Deputy Government House Leader	Prins, Ray, Lacombe-Ponoka (PC)
Doerksen, Arno, Strathmore-Brooks (PC), Deputy Government Whip	Quest, Dave, Strathcona (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)	Redford, Alison M., QC, Calgary-Elbow (PC)
Elniski, Doug, Edmonton-Calder (PC)	Renner, Hon. Rob, Medicine Hat (PC), Deputy Government House Leader
Evans, Hon. Iris, Sherwood Park (PC)	Rodney, Dave, Calgary-Lougheed (PC)
Fawcett, Kyle, Calgary-North Hill (PC)	Rogers, George, Leduc-Beaumont-Devon (PC)
Forsyth, Heather, Calgary-Fish Creek (WA), WA Opposition Whip	Sandhu, Peter, Edmonton-Manning (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC)	Sarich, Janice, Edmonton-Decore (PC)
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)	Sherman, Dr. Raj, Edmonton-Meadowlark (Ind)
Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-Ste. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

## Officers and Officials of the Legislative Assembly

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Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, April 20, 2011

### Committee of Supply

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd now like to call the committee to order. Prior to beginning, the chair will outline the process for this evening. The Committee of Supply will first call on the chairs of the policy field committees to report on their meetings with the various departments under their mandate, Government Motion 5, agreed to on February 23, 2011. Members are reminded that no vote is required when these reports are presented. The chair also notes that no amendments were introduced during the policy field committee meetings; therefore, no votes are required.

The votes on the estimates of the Legislative Assembly as approved by the Special Standing Committee on Members' Services and the estimates of the officers of the Legislature will then take place.

The estimates of three departments will then be voted on separately pursuant to Government Motion 5, agreed to on February 23, 2011, and in accordance with the notice provided by the Official Opposition House Leader to the Clerk on April 19, 2011.

The final vote on the main estimates will consist of the estimates of any departments not yet voted upon.

Finally, the chair would like to remind all hon. members of Standing Order 32(3.1), which provides that after the first division is called in Committee of Supply during the vote on the main estimates, the interval between the division bell shall be reduced to one minute for any subsequent division.

### Committee Reports

**The Deputy Chair:** I now invite the chair of the Standing Committee on Community Services to present his committee report.

**Mr. Doerksen:** Thank you, Mr. Chairman. As chair of the Standing Committee on Community Services and pursuant to Government Motion 5, passed on February 23, 2011, I am pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Housing and Urban Affairs, Tourism, Parks and Recreation, and Municipal Affairs. As was earlier indicated, no amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

I'd now like to call on the chair of the Standing Committee on the Economy to present his committee's report.

**Mr. Bhardwaj:** Thank you very much, Mr. Chair. As chair of the Standing Committee on the Economy and pursuant to Government Motion 5, passed on February 23, 2011, I'm pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Employment and Immigration, Transportation, and Advanced Education and Technology. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you very much, Mr. Chairman.

**The Deputy Chair:** Thank you.

Now the chair of the Standing Committee on Health.

**Mr. McFarland:** Thank you, Mr. Chairman. As chair of the Standing Committee on Health and pursuant to Government Motion 5, passed on February 23, 2011, I too am pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Seniors and Community Supports and Children and Youth Services. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you, Mr. Chairman.

**The Deputy Chair:** Thank you.

I'd now like to call on the chair of the Standing Committee on Public Safety and Services.

**Mr. Drysdale:** Thank you, Mr. Chairman. As chair of the Standing Committee on Public Safety and Services and pursuant to Government Motion 5, passed on February 23, 2011, I am pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: Aboriginal Relations, Service Alberta, Treasury Board, Justice and Attorney General, and Solicitor General and Public Security. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you.

**The Deputy Chair:** Thank you.

Last but not least, the chair of the Standing Committee on Resources and Environment.

**Mr. Prins:** Thank you, Mr. Chairman. As chair of the Standing Committee on Resources and Environment and pursuant to Government Motion 5, passed on February 23, 2011, I'm also pleased to report that your committee has reviewed the 2011-2012 proposed estimates and business plans for the following departments: International and Intergovernmental Relations, Sustainable Resource Development, and Agriculture and Rural Development. No amendments to the estimates were introduced during our meetings for the committee's consideration.

Thank you very much, Mr. Chairman.

**The Deputy Chair:** Thank you.

### Vote on Main Estimates 2011-12

**The Deputy Chair:** We shall now proceed to the vote on the estimates of the Legislative Assembly as approved by the Special Standing Committee on Members' Services. Hon. members, pursuant to Government Motion 5, agreed to on February 23, 2011, which requires that the estimates of the offices of the Legislative Assembly be decided without debate or amendment prior to the vote on the main estimates, I must now put the following question on all matters relating to the 2011-2012 offices of the Legislative Assembly estimates for the fiscal year ending March 31, 2012.

Agreed to:

Offices of the Legislative Assembly

Expense and Capital Investment

\$115,919,000

**The Deputy Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

We shall now proceed to the vote on the estimates of three departments which will be voted on separately pursuant to Government Motion 5, agreed to on February 23, 2011, and in

accordance with the notice provided by the Official Opposition House Leader to the Clerk on April 19, 2011.

After considering the 2011-2012 government estimates for the general revenue fund and lottery fund for the Department of Education for the fiscal year ending March 31, 2012, expense, \$4,212,260,000, are you agreed?

[The voice vote did not indicate agreement]

[Several members rose calling for a division. The division bell was rung at 7:37 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Ady	Hancock	Ouellette
Bhardwaj	Horner	Prins
Brown	Johnson	Redford
Calahasen	Klimchuk	Rodney
Campbell	Lukaszuk	Rogers
Danyluk	Lund	Sandhu
Denis	Marz	Snelgrove
Doerksen	McFarland	Weadick
Drysdale	Oberle	Webber
Fawcett	Olson	Woo-Paw
Goudreau		

Against the motion:

Blakeman	Hehr	Swann
Boutilier	Kang	Taft
Chase	Notley	Taylor
Forsyth	Pastoor	

Totals: For – 31 Against – 11

[The Department of Education expense was carried]

7:50

Agreed to:

Education	
Capital Investment	\$1,125,000
Nonbudgetary Disbursements	\$8,076,000

**The Deputy Chair:** Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

After considering the 2011-2012 government estimates for the general revenue fund and lottery fund for the Department of Environment for the fiscal year ending March 31, 2012, expense, \$195,936,000, are you agreed?

[The voice vote did not indicate agreement]

[Several members rose calling for a division. The division bell was rung at 7:51 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Ady	Hancock	Ouellette
Bhardwaj	Horner	Prins
Brown	Johnson	Redford
Calahasen	Klimchuk	Rodney

Campbell	Lukaszuk	Rogers
Danyluk	Lund	Sandhu
Denis	Marz	Snelgrove
Doerksen	McFarland	Weadick
Drysdale	Oberle	Webber
Fawcett	Olson	Woo-Paw
Goudreau		

Against the motion:

Blakeman	Hehr	Swann
Boutilier	Kang	Taft
Chase	Notley	Taylor
Forsyth	Pastoor	

Totals: For – 31 Against – 11

[The Department of Environment expense was carried]

Agreed to:

Environment	
Capital Investment	\$1,344,000
Nonbudgetary Disbursements	\$100,000

**The Deputy Chair:** Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

After considering the 2011-2012 government estimates for the general revenue fund and lottery fund for the Department of Health and Wellness for the fiscal year ending March 31, 2012, expense, \$14,845,300,000, are you agreed?

[The voice vote did not indicate agreement]

[Several members rose calling for a division. The division bell was rung at 7:58 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Ady	Hancock	Ouellette
Bhardwaj	Horner	Prins
Brown	Johnson	Redford
Calahasen	Klimchuk	Rodney
Campbell	Lukaszuk	Rogers
Danyluk	Lund	Sandhu
Denis	Marz	Snelgrove
Doerksen	McFarland	Weadick
Drysdale	Oberle	Webber
Fawcett	Olson	Woo-Paw
Goudreau		

8:00

Against the motion:

Blakeman	Hehr	Swann
Boutilier	Kang	Taft
Chase	Notley	Taylor
Forsyth	Pastoor	

Totals: For – 31 Against – 11

[The Department of Health and Wellness expense was carried]

Agreed to:

Health and Wellness	
Capital Investment	\$85,340,000

**The Deputy Chair:** Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

Pursuant to Government Motion 5, agreed to on February 23, 2011, which provides for one vote in Committee of Supply on the main estimates, those members in favour of each of the remaining resolutions for the 2011-2012 government estimates for the general revenue fund and lottery fund for the fiscal year ending March 31, 2012, please say aye.

**Hon. Members:** Aye.

**The Deputy Chair:** Opposed, please say no. The motion is carried.

Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

I'll now invite the hon. Government House Leader to move that the committee rise and report the 2011-2012 offices of the Legislative Assembly estimates and the 2011-2012 government estimates for the general revenue fund and lottery fund.

**Mr. Hancock:** So moved.

[Motion carried]

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Elbow.

**Ms Redford:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions relating to the 2011-12 offices of the Legislative Assembly estimates and the 2011-12 government estimates for the general revenue fund and lottery fund, reports as follows, and requests leave to sit again.

The following resolutions for the fiscal year ending March 31, 2012, have been approved.

Offices of the Legislative Assembly estimates for the fiscal year ending March 31, 2012: support to the Legislative Assembly, expense and capital investment, \$58,450,000; office of the Auditor General, expense and capital investment, \$22,870,000; office of the Ombudsman, expense and capital investment, \$2,885,000; office of the Chief Electoral Officer, expense and capital investment, \$25,120,000; office of the Ethics Commissioner, expense and capital investment, \$885,000; office of the Information and Privacy Commissioner, expense and capital investment, \$5,709,000.

Main estimates for the fiscal year ending March 31, 2012.

Aboriginal Relations: expense, \$145,866,000; capital investment, \$25,000.

Advanced Education and Technology: expense, \$2,857,151,000; capital investment, \$4,647,000; nonbudgetary disbursements, \$267,200,000.

Agriculture and Rural Development: expense, \$621,670,000; capital investment, \$2,196,000.

Children and Youth Services: expense, \$1,196,457,000; capital investment, \$5,600,000.

Culture and Community Spirit: expense, \$204,850,000; capital investment, \$2,500,000; nonbudgetary disbursements, \$3,837,000.

Education: expense, \$4,212,260,000; capital investment, \$1,125,000; nonbudgetary disbursements, \$8,076,000.

Employment and Immigration: expense, \$1,098,755,000; capital investment, \$3,598,000.

Energy: expense, \$200,876,000; capital investment, \$6,315,000.

Environment: expense, \$195,936,000; capital investment, \$1,344,000; nonbudgetary disbursements, \$100,000.

Executive Council: expense, \$28,566,000.

Finance and Enterprise: expense, \$103,913,000; capital investment, \$2,812,000; nonbudgetary disbursements, \$31,890,000.

Health and Wellness: expense, \$14,845,300,000; capital investment, \$85,340,000.

Housing and Urban Affairs: expense, \$378,198,000.

Infrastructure: expense, \$1,423,865,000; capital investment, \$390,600,000; nonbudgetary disbursements, \$63,525,000.

International and Intergovernmental Relations: expense, \$23,843,000; capital investment, \$25,000.

Justice: expense, \$452,036,000; capital investment, \$2,537,000.

Municipal Affairs: expense, \$1,041,382,000; capital investment, \$1,190,000.

**8:10**

Seniors and Community Supports: expense, \$2,117,466,000; capital investment, \$160,000.

Service Alberta: expense, \$299,156,000; capital investment, \$50,411,000.

Solicitor General and Public Security: expense, \$645,259,000; capital investment, \$184,104,000; lottery fund transfer, \$1,390,468,000.

Sustainable Resource Development: expense, \$272,888,000; capital investment, \$15,777,000.

Tourism, Parks and Recreation: expense, \$144,955,000; capital investment, \$13,582,000; nonbudgetary disbursements, \$550,000.

Transportation: expense, \$1,597,475,000; capital investment, \$1,509,144,000; nonbudgetary disbursements, \$13,519,000.

Treasury Board: expense, \$62,603,000; capital investment, \$137,491,000.

Thank you, Mr. Speaker.

**The Acting Speaker:** All those members of the Assembly who concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

Hon. members, before we begin, may we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

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

**Mr. Hehr:** Thank you, Mr. Speaker. It is a great honour to introduce to you and through you two women who are very important in my life. One is Ms Judy Hehr. She's been a long-time educator in Calgary and, in fact, has been principal at many schools in Calgary. She was born and raised in Nobleford, Alberta, being a farm girl who helped on the farms not only with the pigs, the chickens, everything but drove the tractor and all that stuff. She also has two children, who she drove around all over the place from hockey to swimming to baseball to figure skating, and as a sideline she completed a master's degree and doctoral degree from Brigham Young University. She's also, coincidentally, my mother, Ms Judy Hehr.

The young lady with her is Ms Floriane Gayacao. Floriane was born and raised in Manila in the Philippines. She has been in our country for roughly four or five years. She came over on our tem-

porary foreign worker program and has actually tolerated me for the last three years, putting humpty dumpty together again in the morning and the evening and most days tolerates my behaviour. If we could welcome Floriane.

### Government Motions

**The Acting Speaker:** The hon. Minister of Justice and Attorney General.

#### Lobbyists Act Review

14. Mr. Olson moved:  
Be it resolved that
- (1) The Standing Committee on Legislative Offices be deemed to be the special committee of the Assembly for the purpose of conducting a comprehensive review of the Lobbyists Act as provided for in section 21 of that act.
  - (2) The committee must commence its review of the Lobbyists Act no later than September 28, 2011, and must submit its report to the Assembly within one year of commencing its review, including any amendments recommended by the committee.
  - (3) No additional remuneration shall be provided to the members of the committee for the purpose of conducting this review.

**Mr. Olson:** Thank you, Mr. Speaker. The Lobbyists Act was proclaimed in force on September 28, 2009, and there's a statutory requirement that a special committee of the Legislative Assembly begin a comprehensive review of the act within two years of the act coming into force and that the committee report its findings, including recommended amendments, within one year of beginning the review. Generally the Assembly does not sit in September, so compliance with the statute would require that a special committee of the Legislative Assembly be established during the 2011 spring session, and the special committee of the Legislative Assembly would be an all-party MLA committee.

Thank you.

**The Acting Speaker:** Hon. members, this motion is debatable. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am willing to support Government Motion 14, which refers the Lobbyists Act Review to the Standing Committee on Legislative Offices.

Having experienced legislative reviews being done both in the standing policy committee format and also in a select special committee format, which I believe would be the same process through the Standing Committee on Legislative Offices, I think it's important that the bills are reviewed through the process where we can call upon the experts in the department. It's incredibly detailed work, and we can really use and appreciate the support and the detailed analysis that's available by working with department staff. We have good people that work in the government departments, and I have found in my experience that they have given unbiased information and analysis. I've been very appreciative of it, and I am therefore supportive of Government Motion 14 and happy to support it.

Thank you very much to the Justice minister for reconsidering and bringing forward Motion 14. Thank you.

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

**Mr. Chase:** Thank you. I, too, am looking forward to the review through Motion 14 of the lobbyists' registry. I have great faith, as the hon. Member for Edmonton-Centre pointed out, in the individuals involved in the committee.

I do have concerns, Mr. Speaker, about the nature of the lobbyists' registry in that it deals with only half of the concerns. When members approach an organization in sort of a reverse lobbying format, the expression I've used is: when the government comes courting, there's no reporting. Therefore, the details of the individuals involved in the lobby are not forthcoming. I'm also concerned with the lobbyists' registry that very little detail is provided other than the individual or the company who is doing the lobbying. The details of what it is they're lobbying for are not provided in a sufficient situation to be able to make those judgments.

I look forward to the review, and I hope it is done in a very thorough manner as opposed to simply a rubber-stamping process. Thank you.

**The Acting Speaker:** Any other members wish to speak?  
I'll call the question.

[Government Motion 14 carried]

### Government Bills and Orders Second Reading

#### Bill 11 Livestock Industry Diversification Amendment Act, 2011

[Debate adjourned April 13: Ms Blakeman speaking]

**The Acting Speaker:** Hon. Member for Edmonton-Centre, do you wish to speak?

**Ms Blakeman:** Thank you. I was happy to conclude my remarks before we adjourned this particular bill the last time, but I know the Leader of the Official Opposition did want to make some remarks.

**The Acting Speaker:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Speaking in second reading on Bill 11, I wanted to highlight a few reasons why we will be opposing this bill. Let me go back a bit to some of the information that's come out in the last couple of years around game ranching and the problems associated with the commercialization of wildlife, the domestication of wildlife, the privatization of wildlife, and some of the problems that have occurred around that, not only economic problems, including devastation for some game ranchers who got into it after the heavy promotion of this government in the early days without adequate analysis, but also the propagation of severe new diseases.

8:20

Having said that, there is the tuberculosis problem that game ranching propagated in Alberta and undermined our international reputation for being a tuberculosis-free country after many, many years of being TB-free. Game ranching also has propagated chronic wasting disease, which, as many will know, is a fatal disease for the animals. Similar to bovine spongiform encephalopathy in cattle it holds the potential for jumping species, indeed jumping to human infectious disease. Some of the leading experts on chronic wasting disease in the country have warned federal and provincial



governments to urgently address the questions around these two issues, both the flawed policy in promoting game ranching and the serious implications of this prion disease, for which we have no treatment. Only lately have we been able to diagnose it. It has now spread into all manner of cervids in our population and resulted in extensions of bad policy that has meant devastation of herds by culling and destruction because there has been no comprehensive view and no comprehensive approach to game ranching and its impacts on, as I say, the environment, the economy, and potentially on human health.

The basic principles I'm raising with this transfer of authority from Sustainable Resource Development to Agriculture is the recognition that for over a hundred years animal conservation has been based on a recognition that wild animals in general are healthiest in the wild. They do not propagate infectious disease. They do not incubate new disease and cause the mutations of some of the diseases that now potentially can threaten the health and well-being not only of all cervids, wild and penned, but human health as well.

Indeed, as predicted by leading scientists, who admonished this government back in the '80s to not implement this very aggressive game-ranching initiative, the government went ahead and promoted it. We now have game ranchers who are bankrupt or close to bankrupt managing huge herds that they can barely feed and are now causing tremendous problems and conflicts within their own environment and within their own families, and they have meat that they cannot necessarily sell. They have unfortunately contradicted the science of the day and continue to sell elk velvet, which contains the elements that could be propagating infectious disease. Before we were able to do the appropriate diagnostic testing, tons of meat from infected elk, deer, and now moose have been eaten either by pets or by humans.

I guess the question for us in dealing with this transfer of authority from SRD to Agriculture is: to what extent can we expect better monitoring, better testing, better control of disease by transferring the responsibility for this activity from a branch that is dedicated to preserving wildlife, conserving wildlife, and maintaining it in the wild to a department that's dedicated to commercializing and privatizing and profiting from this new idea of commercializing and penning cervids? It's clear to us on this side that SRD had inspectors; they had monitoring of some of this disease. They have policy in place that would at least help us keep a handle on what's happening with this disease, what's happening in terms of sales and transfers and testing.

We will have none of that under Alberta Agriculture. When Alberta Agriculture assumes responsibility for these, the focus will be commercialization and so-called diversification in agriculture. There's never been an economic case made, and now there are serious environmental and health implications with it.

The very idea of transferring this huge liability, that has had some experience at least in its management in SRD, to a body that is primarily focused on income, sales, and commercialization flies in the face of basic science, basic principles of management, and basic principles of public health and raises serious questions about why this government continues to show such disdain for science, such unwillingness to accept the facts that game ranching brought CWD into this country.

We have not had a systematic review of it, and we haven't had a serious commitment to its prevention and control, and we now have illegal activity where some animals surreptitiously somehow are lost from a herd, somehow escape into the wild and are continuing to contribute to an ongoing, endemic, and increasing rate of CWD in our environment that, again, presents threats. It's a highly infectious disease, unlike bovine spongiform encephalopa-

thy, highly infectious, is in the environment for years, cannot be sterilized, cannot be destroyed. We're playing with a serious, serious issue here that many of the experts in the country are saying is simply irresponsible and needs immediate, urgent attention.

The continued fatal flaws and gaps that allow avenues for the potential movement of CWD call into question the legitimacy of the cull programs currently destroying entire herds of mostly healthy animals. It reflects the fact that transfer is the greatest threat, especially those allowing transfer of carcasses. Even dead carcasses are contaminating environments and potentially spreading this disease. The national CWD containment and eradication strategy has suggested suspending such activities pending a complete, comprehensive review in the country and development of a fully funded new strategy for containment as soon as possible.

We have to deal with realities, and the present issues are deeply concerning. It begs the question in a bill like this whether this government is at all willing to look at the facts. They obviously ignored the facts back in the '80s when they held very selective consultations, ignored evidence from the Northwest Territories and Yukon, ignored evidence from south of the border on commercializing wildlife, and now they're ignoring the further buildup of evidence that this is extremely dangerous. Transferring authority to the agriculture department is only going to add more confusion, less focused attention, and no commitments to a long-term strategy that will actually address this serious environmental and health concern.

Just today the Fish and Game Association announced that they would be putting out a specific call to their members and to all hunters and concerned citizens in the country, including conscientious agriculture people, to demand on an urgent basis a federal-provincial task force to comprehensively review how we're approaching game ranching in this country and to stop the progressive spread and loss of wildlife and the potential for new infectious diseases to emerge within these populations and the serious threat to all cervids. It's now been found in moose and has been shown to pass the species barrier into lower animals.

The threat is real, Mr. Speaker, and I think it's incumbent upon this government to stop playing around with fire and retain game ranching under SRD, where there at least is the potential for good science, a comprehensive review of what we've been doing, why it's not working, and why the wasting disease continues to spread. Alberta and Saskatchewan are the main incubators of chronic wasting disease and need to very much be part of the solution in consultation with scientists, with farmers, and with the federal government's zoological branches and animal health division.

**8:30**

Mr. Speaker, it is a very important issue that can easily slip by the radar unless we consider the notion that science has to be much more central in our planning. We have to be willing to take a look at what's happened over the past two decades, recognize the tremendous negative impact on many farmers, the tremendous negative impact on the environment, the potential for human health consequences, and think again about the initial animal conservation initiatives of a hundred years ago, that preserved animals into the future, that have provided a sustained and a sustainable healthy population of wild animals in our jurisdictions. That is now seriously threatened by the mismanagement of our cervids and this inappropriate move to game ranching and even consideration of penned shoots, which has been raised repeatedly in the House with respect to this transfer to Agriculture.

With that, Mr. Speaker, I will take my seat, and I can assure you that we'll be voting against this bill. Thank you.

**The Acting Speaker:** Hon. members, Standing Order 29(2)(a) is available. Anyone wish to comment or question? The hon. Member for Rocky Mountain House.

**Mr. Lund:** Well, thank you, Mr. Speaker. I thought I heard the hon. member make a comment that disease would be much contained if they were left under SRD as opposed to under Agriculture. I would ask the hon. member: how many veterinarians does SRD have on staff?

**Dr. Swann:** I don't know the answer to that question, Mr. Speaker, but I do know that in terms of field agents, monitors, and enforcement capacity SRD is far superior to Agriculture.

**Mr. Lund:** Mr. Speaker, the answer to that question is zero. If, in fact, SRD and the wildlife people under the federal jurisdiction do such a great job, I would be very interested to know why it is that the buffalo up north are a real threat to agriculture with tuberculosis and other transferable diseases. How come they aren't able to control them, yet we don't have that problem with all the control under Agriculture?

**Dr. Swann:** I'm sorry, Mr. Speaker. I didn't catch any question there.

**The Acting Speaker:** Any other questions?

**Mr. Lund:** Well, if necessary, I can sure repeat it. Of course, he doesn't want to admit the answer.

**The Acting Speaker:** Are there any other members wishing to rise under 29(2)(a)?

Seeing none, the hon. Member for Calgary-Fish Creek on the bill.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to rise on Bill 11, the Livestock Industry Diversification Amendment Act, 2011. You know, this is second reading, and I just want to get some clarification if I may. We've had the agriculture minister talk about the fact that he's going to amend Bill 11 to make certain Albertans clearer in regard to the game hunts. I want to make it very clear, if I can, as I rise to debate this.

I was raised with hunting and fishing, had my first gun when I was six. I came from a family where we literally lived off the land. I don't even remember getting my first store-bought meat till I was 18. My dad, when he was alive, taught me how to hunt. He taught me how to fish. I still have my first gun.

**Ms Calahasen:** I bet you don't know how to skin a rat.

**Mrs. Forsyth:** I've got my wonderful friend from Lesser Slave Lake speaking to me from across the floor.

Mr. Speaker, I guess one of the things that I think is important is that from a constituency point of view I'm hearing from my constituents of Calgary-Fish Creek that they have one concern about the bill, and that's the broad ministerial power to permit anything that's not permitted in this act and the fact that this totally undermines the prohibition of the hunt farms in section 18.

Now, the agriculture minister spoke on the 21st of March in regard to making an amendment in Committee of the Whole in regard to clarifying what can and cannot be done in regard to hunt farms, and I want to put it on the record that I as the Member for Calgary-Fish Creek look forward to seeing this amendment in committee. In bringing forward this amendment, I think his clarification in regard to what they're trying to achieve in this act will

probably appease some of the Albertans who have been calling us. I just wanted that on the record.

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

Seeing none, any other members wish to speak? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I didn't have quite the frontier experience growing up as the hon. Member for Calgary-Fish Creek, but my father is an avid hunter, and I accompanied him on several hunting occasions. He taught me to shoot and handle firearms responsibly before I actually entered school. For those of you who thought I didn't enter school till 12, it was actually when I was five and a half in case you were wondering.

My father has been the president of Sarcee Fish and Game over a number of years. He's received numerous awards from the government, including the Order of the Bighorn, for his conservation activities, and he continues to be very concerned about the possibility of the penned hunts. As the hon. Leader of the Opposition pointed out, there is a concern that taking it out of SRD and putting it into Agriculture increases that possibility although an amendment is coming forward, as the hon. Member for Calgary-Fish Creek mentioned, to clarify that at least at this time – it doesn't state how far into the future – the notion of penned hunts will not take place.

Mr. Speaker, part of my background as a teacher included teaching grade 9 literature, and in that exercise I frequently used the novel study by Glendon Swarthout called *Bless the Beasts & Children*. It was about a group of adolescent misfits who happen to turn down the wrong way on a road near Flagstaff and found themselves witnessing the penned hunt of buffalo that were considered extra. It went into graphic details as to how the beasts suffered when they were shot in the leg and in the lungs, et cetera, and how excruciating the circumstance was.

Now, being the son of a hunting father, I am very aware of the type of load, the type of gun, the appropriateness of the ammunition for big-game hunting. Mr. Speaker, I can say that I never had the desire to hunt big game, but I did accompany my father on numerous occasions. Unfortunately, because I accompanied him, we didn't bring any game home because I was the noisiest creature in the forest, and whether it was the elk or deer or mountain sheep or mountain goats, they were alerted.

Mr. Speaker, approximately three years ago the hon. Leader of the Opposition and myself coauthored an article in *Sportsman* magazine with regard to CWD and its concerns. [interjections] I guess various individuals aren't aware that . . .

8:40

**The Acting Speaker:** Hon. member, you have the floor.

**Mr. Chase:** I appreciate that. Thanks. Maybe we should bring penned hunts or accusations into this House.

With regard to CWD, that the hon. Leader of the Opposition mentioned, and the lack of scientific research to the same extent with CWD as the Prion research that's been done on BSE, the two are tied together. It's important to note that when a former Premier, Ralph Klein, was talking about shoot, shovel, and shut up, the reason the BSE cases weren't diagnosed in a timely fashion was because there was a single individual doing the studies. He was so far behind because of chronic wasting disease cases that he did not have the opportunity to detect the BSE, and we all know what followed. As the hon. Member for Calgary-Mountain View, the Leader of the Opposition, pointed out, farmers were very much sold a bill of goods by this government, and many government MLAs and current MLAs basically got caught up with the idea.

Now, the first CWD came up from Wyoming in a domestic herd bought from the Americans, and this government, in terms of dealing with CWD instead of dealing with the domesticated elk and deer, has gone to great extents to cull deer along the Saskatchewan border and examine the heads, but there is not a whole lot of examination of the heads of the domesticated deer and elk when they're slaughtered.

I hope that this move from SRD to Agriculture isn't part of the slippery slope of extending the types of practices that have no place in a domestic circumstance. We don't have farmers deciding to bring in American or international hunters to shoot their old dairy cows, and in the same sense I hope that we won't be seeing American hunters leaning their guns or any other nation's hunters leaning their guns over the barbed-wire fence at the domestic elk that are approximately two feet away grazing. There's no glory in that, Mr. Speaker.

As the hon. Leader of the Opposition pointed out, members of Alberta Fish and Game have spoken out very strenuously about the possibility of domesticated hunts or penned shoots, and hopefully this government has got that message. For the most part Alberta Fish and Game has been very supportive of the Conservative government, but when it comes to encroaching on the sports aspect and allowing the potential of CWD to be transferred from domestic animals into the wild, there are large and legitimate concerns.

Thank you, Mr. Speaker. I look forward to debating the amendment.

**The Acting Speaker:** Hon. members, five minutes for Standing Order 29(2)(a) are available. The hon. Minister of Infrastructure.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. If I could, the hon. member opposite talked about one individual who was doing testing who was busy doing work with chronic wasting for the whole time that BSE was allegedly on. I have a question. If you have that expertise, can you please tell me: in May of 2003 and onward into the summer how many cases of chronic wasting were there? My second question is: how many cases of chronic wasting have there been in the last five years?

Thirdly, a comment in regard to hunting. I am presuming you're saying: hunting on an alleged hunt farm. That must be in Saskatchewan because there are no hunt farms here right now, and there are not going to be. Your discussion was on the suffering that took place when there was hunting on a hunt farm. Are you suggesting to me that there would be less suffering in the wild than there would be in a situation in Saskatchewan on a hunt farm?

**The Acting Speaker:** The hon. member.

**Mr. Chase:** Thank you. I'm pleased to clarify, and I'll be very specific. The BSE testing: when the first BSE animal was discovered in Alberta, it was discovered three months later because the carcass was not available for testing because CWD cases were being tested at that time. As for how many CWD cases . . .

**Mr. Danyluk:** You said that there were a lot of cases, so I just need to know how many.

**Mr. Chase:** I did not say that there were a lot of cases. I said that there were cases. We can check *Hansard* tomorrow and so on.

In terms of the game farm what I was referring to was a novel entitled *Bless the Beasts & Children* and the graphic details of a penned shoot in this novel, which was the basis of the conflict in the story. I didn't refer to a specific shoot in Alberta, but in referencing that literary example, I pointed out the concerns.

With regard to hunting in the wild, if you have a person that has sufficient training and knowledge, they stalk the animal. They get close enough to make sure that they have a killing shot. Now, I suppose you could suggest that in a penned hunt, when you put the gun up to the forehead and pull the trigger and call that sportsman-like, the chances of dispatching the animal are potentially that much easier. But I am suggesting that if hunting is done appropriately in the wilderness by individuals who have received the training and have a sense of the sport, and they value of the animal much in the way the First Nations, you know, value the spirit of the animal, then this is not a concern.

I'll turn the question around. I hope you are not suggesting that a penned hunt is a better way of dispatching an animal than hunting in the wilderness circumstance.

**The Acting Speaker:** Any other members? The hon. Member for Calgary-Nose Hill on 29(2)(a).

**Dr. Brown:** Thank you. Mr. Speaker, for the life of me I don't know why we're talking about penned hunts and shooting domesticated cervids. The act clearly says that it is precluded. It's an offence. In fact, under this act . . . [interjections] It's a comment, and I'm allowed to make comments as well as ask a question.

**The Acting Speaker:** Hon. Member for Calgary-Nose Hill, through the chair. You're allowed to comment or question.

**Dr. Brown:** Yes. This is a comment, and the comment is: why are we talking about shooting domestic cervids and penned hunts? It is specifically precluded. In fact, the verbiage in this legislation is stronger than it was under the Wildlife Act. Take a look at it. It says clearly:

A person shall not hunt nor permit a person to hunt

Or permit a person to hunt.

- (a) a big game or controlled animal within the . . . meanings in the Wildlife Act on any diversified livestock farm, or
- (b) a diversified livestock animal.

**The Acting Speaker:** Hon. members, the time has elapsed for 29(2)(a).

Any other members wish to speak to the bill? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's a privilege to rise and speak to Bill 11. I'll start by responding to the hon. Member for Calgary-Nose Hill. When he says that there is nothing in here, I've got more letters on Bill 11 on penned hunting and the concern about it. The reason they're bringing that up, hon. member, is because of section 10(1), Permits, that says: "The Minister may issue a permit authorizing a prescribed activity that would or could otherwise constitute a contravention of this Act."

**8:50**

That, hon. member, is the problem and what stirred up all the controversy over this. We have e-mails, letters, phone calls coming in from Albertans concerned about that. I think it's a fair thing and that the right thing for us to do here on the second reading of Bill 11 is to bring these things forward and discuss them. I think it's our job to do it.

Mr. Speaker, it's interesting, you know. As legislators what is our job? Do we just get up and speak on what we feel as independent people, or do we represent a group of people? If you're a critic, do you represent all those people that have phoned in with concerns, whether it be the people that raise cervid animals or those that are opposed? I have people that call in and send letters that are opposed to even having them confined. Like I say, the

number one letters and e-mails that I've been receiving are from people that are concerned about penned hunting.

I think the hon. Member for Calgary-Varsity has brought up some important issues, and I think we should have them on the record and discuss them a little bit more. I find it quite interesting that if you are to go out and talk to many people in society, they're against the raising of meat. They're against that. PETA is one. We often fight more on the fur side, but they're against that. I would hate to ask them or have them making laws for the ag industry and say: "Well, no. We shouldn't be allowing raising of domestic raising bovine animals let alone hogs or perhaps chickens."

It's interesting that the government – again, it would be nice if they brought forward the amendments and made them public, saying, "This is what we're bringing," but they're not, so it's hypothetical as to whether or not section 10(1) is going to be amended. We need to speak to it now, and perhaps the government will listen and have those amendments so the concerns of those people who want to speak out know what it is. [interjections]

Well, it's everything in secrecy. [interjections] Mr. Speaker, it's like the Infrastructure minister's secret list. They'll talk about what's already been made public, but they'll never make public what they're going to do next, which is kind of an interesting dilemma for opposition and Albertans.

**The Acting Speaker:** Hon. members, the hon. Member for Calgary-Glenmore has the floor.

**Mr. Hinman:** Thank you, Mr. Speaker. The question that I've had many people ask to go through the thought process and to actually address is whether there should be penned hunting. There are many, many Albertans that are opposed to hunting. I've hunted a lot of years, but it has been a lot of years since I did any hunting. It's shameful when you're out there in the wilderness hunting, and you see a wounded animal go by. In the short few years that I went hunting, I remember three specific times when I actually shot and took an animal that was wounded because I didn't want to see it go off and suffer and die though it wasn't one that I would have shot myself. Because I could see it was wounded, I said: well, this is the one I need to take down. It's a problem.

So when people want to stand up, those who hunt, and condemn those who may want to shoot an animal in a penned area, I don't know that they have a lot of ground to stand on any more than those who are opposed to hunting in the first place and say that this isn't a proper activity that we should be participating in here in the province.

I think that it's important, Mr. Speaker, that we look at the whole purpose of these legislations and what we're trying to accomplish. The dilemma is interesting. If you're a cervid rancher, you are pretty much limited on where you can sell your venison and where it's going to be processed unless someone actually comes in and wants to buy an animal.

In previous businesses that I've been involved in, I've raised beef, and I've had people that have come to buy beef. They want to buy it right off the farm. What you would do is actually bring it into the pen. You would shoot it there with a rifle, bring it down, and then they could harvest that animal. I think that there's a lot to be asked about in the cervid industry. To be able to shoot an animal in the pen so it doesn't get all worked up and have an adrenaline rush by trying to ship it or move it anywhere else: it's a good way to harvest. So I have to question if we as legislators should be limiting the cervid industry by saying how they can or cannot harvest their animals and how they can sell them.

It's going to be interesting, Mr. Speaker, as the legislation goes forward and we see amendments in the Committee of the Whole on what comes forward and whether we discuss it more. I think we always need to go back and look at bills and ask the questions: what is the purpose of government, what's the role of the Legislature, what laws do we want to pass, and is that limiting the freedom and the opportunity of different industries?

As I said, Mr. Speaker, I think it'll be interesting to see what amendments the government brings forward. The hon. Member for Calgary-Nose Hill seems adamant that we shouldn't be speaking on these things, that it's not relevant to the bill. I would say that there's nothing that I received more letters, phone calls, and e-mails on than penned hunting . . .

**Mrs. Forsyth:** Except for the Parks Act.

**Mr. Hinman:** Well, no. On this bill.

. . . although it's not described inside the bill.

With that, I'll see if I have some questions because I get a feeling there are few people that want to ask some questions, so I'll be happy to sit down and see if there are any questions.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I think the questions that were raised by the Member for Calgary-Nose Hill – and my question to the Member for Calgary-Glenmore is quite simply this. Bill 11: the original intent of the bill, in my understanding, was to transfer jurisdiction of diversified livestock farms, formerly cervid farms, from Sustainable Resource Development to Agriculture. That was the original intent. What happened was that the bill became very contentious because there was a provision that was put in by this minister and this government that basically said that depending upon how the minister feels, he could circumvent and contravene the act. So that really answers the question and the comment that was made by the Member for Calgary-Nose Hill. And to the Member for Lac La Biche-St. Paul, depending how the minister felt, he could go ahead and quite simply circumvent the act. That is not acceptable to the people of Alberta or to the opposition, nor should it be acceptable to the government. You will be waving bye-bye in about a year from now.

In the meantime let me just simply say this. It is clear to me that what the intent of Bill 11 was and what the government allowed to get through in allowing a minister to circumvent an act was clearly not acceptable. In fairness to the minister of agriculture, we understand that he intends to table and make the legislation more clear. Basically, the opposition caught the government on what they were intending to do. That's why they now have to go forward, potentially, in Committee of the Whole with amendments.

So that's good, and I'm glad to see that they're paying attention to the opposition because that, clearly, is what is happening. Despite what the government member may say, it's obvious to me that the government got caught. Therefore, we will look for that.

I am asking the question to the Member for Calgary-Glenmore. I'd like to ask you: isn't it good that the opposition caught this government, in fact, because of what they were intending, based on what the power would have been to contravene the act?

**Mr. Hinman:** Yes. The hon. Minister of Education thinks that this is fiction, and we should be writing a book. I think that he can do that whether he gets to the judges' table or not.

Mr. Speaker, it is critical that the opposition go through these and look at them from a different point of view. Often the gov-

ernment seems to be blinded. They're so: this is the intent of a bill. Then they don't ever see any loopholes or any possibilities where things could be skewed or looked at in a different way. It's always interesting, when you have five sets of eyes look at something and describe it, how the description always varies a little bit.

I would say to the hon. Member for Fort McMurray-Wood Buffalo that, yes, it's the opposition's job to go through, scrutinize these things, and look and see where the possible loopholes are that may or may not be intentionally in there. I get the feeling that they think this is not, but this is very much the behaviour of this government. When you look at bills 19, 36, 24, and 50 from previous years, the minister has great power and authority to decide arbitrarily on what they may or may not want to do.

This is a general catch-all clause for a centralized government that wants to be able to intervene or allow different activities, different leases, to go ahead or to put freezes on. Definitely, we need clarity on this bill. I look forward to the amendments that the government as well as the opposition members bring forward on this bill.

9:00

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Solicitor General and Minister of Public Safety.

**Mr. Oberle:** Thank you, Mr. Speaker. I want to sincerely thank the Member for Fort McMurray-Wood Buffalo for clarifying what the Member for Calgary-Glenmore was talking about because I sure didn't get it. He started out talking about how awful hunt farming is. Then he was talking about how many, many, perhaps most Albertans don't like the raising of meat of any kind, including bovine, he even said. I guess he hasn't been in a grocery store for a while.

**Mr. Hinman:** You should read *Hansard* and get it straight. Putting out words like that: it's pure gibberish. It's embarrassing.

**Mr. Oberle:** I think I have the floor.

**The Acting Speaker:** Hon. member, the Solicitor General has the floor.

**Mr. Hinman:** Point of order.

**The Acting Speaker:** What is your point of order?

#### Point of Order Allegations against a Member

**Mr. Hinman:** Standing Order 23(h), (i), (j). He's obviously saying slanderous words. I said that people have sent letters to me, pointing out this way, and he's saying that they're my words. If he'd pay attention to the conversation – you know, he's personally being slanderous, saying that I said things that I didn't and putting it in that frame. It's ridiculous: his behaviour and the comments he's making.

**The Acting Speaker:** Hon. member, I listened very carefully to what you said and to what the minister said. It was not slanderous. Carry on.

#### Debate Continued

**Mr. Oberle:** Thank you. Then he ends his argument by saying, Mr. Speaker, that we don't actually have a right as a Legislature to infringe upon the lawful and free practice of business, which one

would have to assume would include game farming. It made no sense whatsoever.

I have a question for the member. How does he feel about the practice of hunt farming when clones are used? Both the Member for Lethbridge-East and the Member for Edmonton-Highlands-Norwood talked about cloning. I've no idea what they're talking about, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Edmonton-Strathcona on the bill.

**Ms Notley:** Thank you. It's a pleasure to be able to join this exceptionally animated debate. I'm probably going to bring it down a little bit, though. I just have a couple of quick comments to make on this.

**Mr. Boutilier:** Rise up. Rise up.

**Ms Notley:** That would be the wrong person saying that.

I understand that the Member for Edmonton-Highlands-Norwood has already identified the primary concern, that other members here have also spoken about, with respect to the degree to which the proposed section 10, I believe it is, in the bill might open the door for the government down the road to remove current impediments to penned hunting. My understanding is that the minister of agriculture has indicated that he will be coming forward with an amendment to the bill to make it very clear that that's not a likely outcome. Assuming that that happens, then that particular concern will be addressed. We'll look to the language when that amendment comes to see if, in fact, it is as clear as the minister of agriculture suggested that it would be.

Sort of flowing, to some extent, from the point made by the Member for Calgary-Glenmore, we have also received some concerns that were sent to us by members of the Alberta Wilderness Association about the environmental integrity of the consequences of this change and the implications for wildlife of the continued farming of diversified livestock and, in particular, the concern they raise with respect to the spread of chronic wasting disease. They make the point, which I'm sure members of the government are fully aware of because I believe they advocated to everybody, that they don't believe there was adequate consultation with respect to this bill. Also, they are concerned that there is an inadequate amount of scientific information out there to assure people that we have an adequate level of understanding about sort of the population density and carrying capacities in close quarters of elk and deer species when it comes to disease.

In the manner in which the minister responded to the first concern that was raised, or intends to respond, I understand, about the potential for penned hunting, I would certainly be very open to hearing the minister or somebody else from the government respond to these concerns that were identified by the Alberta Wilderness Association because I think they are legitimate concerns. I don't profess to be an expert in this area, but certainly I have not yet heard what efforts will be put in place to ensure that the lack of clear understanding around the spread of chronic wasting disease will be addressed comprehensively to ensure that we don't result in spreading a disease that, obviously, is bad economically for a number of different sectors.

Those are my two points. I look forward to seeing the draft in committee, and I also look forward to hearing anybody from the other side address the concerns that have been raised by the Alberta Wilderness Association.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity under 29(2)(a).

**Mr. Chase:** Thank you, Mr. Speaker. Under 29(2)(a) I just want to thank my Edmonton representative, the MLA for Edmonton-Strathcona, for bringing forward a concern and echoing the concerns raised by the Member for Calgary-Fish Creek and the Member for Calgary-Glenmore about a growing trend, which is a shortcoming, a concern in a series of bills that have been brought forward. That is the idea of moving from legislation to regulation, where what you see is not what you get. What you get comes from behind a closed cabinet door in the form of regulation as opposed to debatable legislation.

The hon. Member for Calgary-Glenmore referenced a number of land bills and the land-use framework. There is a concern about the erosion of democracy, and I thank all three members for pointing out that erosion. It applies to Bill 11, as it does to Bill 50, Bill 36, et cetera.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is still available for anyone else.

Seeing none, the hon. Member for Calgary-Buffer on the bill.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's indeed an honour and a privilege to speak to this bill and echo some of the comments that have already been given in this Chamber but to also, then, come to the defence of my hon. friend from Calgary-Nose Hill, who I understand is in charge of the legislative bills committee from his caucus. No? But he has some role in that. He works many hours on studying those bills. He's a lawyer. He gets caught up. He studies every line of those bills, like I'm sure he did this one. It's where it said in the definitions that we'll have no hunt farms, and we'll not do this and not do that. I know how it is when you can get caught up in, you know, reading through these night after night, studying them line by line. He couldn't possibly miss the loophole that was in Bill 12 that may have one of those things that possibly – I know, however, that it seems unlikely – would allow a minister to, if it was in his purview, bring in a hunt farm. That can often happen. It's happened to me before when I've been up studying legislation, possibly missing one of those loopholes.

That's our job as the opposition, to try and find ways to help the government, to find ways to better bills, to possibly look for things that may have inadvertently fallen through the cracks. I understand that that's what we're here for, and I'm glad the members here have pointed out that possibility. The research indicates that hunt farms, if they are around, can lead to problems, serious problems, for wildlife in terms of CWD and other bovine-related diseases. That is the last thing we'd want here in Alberta as research indicates that we shouldn't be doing these things. I'm sure it was just an oversight, and that's what I'm hoping. We caught it, and I'm hoping that amendment will be coming forward in the next round, where we can have that closed. I'm sure that amendment will be coming though.

But if I look at this, I have more of the concerns as the hon. members have. I'm concerned about cervid farming in Alberta and perhaps the spread of CWD through this method. I think it's something we as a province need to keep a handle on and make sure that we're doing our due diligence to ensure that it's not being spread.

9:10

I realize that we are doing that. We are looking like we are going to be doing significant testing and the like. I hope we continue to do that and to protect Albertans and our wildlife wherever

we can. I do appreciate that things often get contentious in here, but we are doing the best we can on the opposition side to bring out all possibilities of things, not probabilities but possibilities. I think working together in that fashion sometimes helps.

I'm relieved to hear that an amendment will be coming. It's not the intent of this bill to spread game farms, but at the same time it would have been irresponsible of us not to have brought that up if we saw a possibility for that amendment to come up.

I thank the hon. Speaker for allowing me time to speak to this bill and to echo my concerns.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** I'd like to ask the hon. Member for Calgary-Buffer: it always kind of amazes me that government or those people that are signing a contract will read the clause that says, "See, this says here that it's prohibited" or "You can't do it," but how often in a contract is it critical to read the whole contract because there are clauses later on that take away from those that have been given earlier, that circumvent it?

This government seems to act like: "Oh, it's in this clause. It's in this bill. It's stated here that this isn't going to happen." Yet, like I say, in this one you read five or six sections later, and here is this clause that says that, well, the minister could circumvent, otherwise, any contravention of this act and move it forward. Is this not a common thing in contracts? I always hear the saying that the large letter giveth and the small print taketh away on the back of a contract. Do you have any comment on that?

**Mr. Hehr:** Well, I appreciate that. I'm glad he's also been paying attention to question period. It's nice to hear that he's picked up some of the language. I've used that, for instance, where the large print giveth in the Education budget what on the top line looks like a 4.7 per cent increase to the budget. Actually, when you factor in everything on the grants and the take-aways, it really doesn't amount to that much at all. In fact, it has left us with many of our school boards and other areas that are struggling.

Relating that to this bill and this question on how it is that we're going to go forward, I think it just behooves us as parliamentarians, who aren't privy to a lot of the background discussion on bills and the hours of time that the minister and, actually, many government members get to spend with people – one of the neat things about being in government is the fact that you can bring in a lot of people to explain things and do some of the legislative assistance and all that sort of stuff. So there is a possibility that there may be a deeper understanding of some lines and things that come up from time to time in the legislation.

Nevertheless, it would be very unwise of us as opposition members not to take every opportunity we have to ask the government questions. We do that the only way we can, through honourable debate in this House, where we can go forward, we can bring forward ideas, we can share and discuss ideas about what is in a bill, what is not in a bill, and get that clarity that we so need. I think that we see some of that here in the large print that was contained in this bill that said, "Here's what we're going to do" in the definition section and in the interpretation section and other sections of the bill that outlined things in the preamble, where it said: this is what the bill is about. It's about our cervid animals and how we're going to go forward and how we're going to do things in Alberta related to that activity.

You go further on in the bill, you know, and it says some more things. You get to section 12, where again we saw where it al-

lowed for ministerial discretion on how things were going to go forward on this bill that we're talking about.

When we see things, I think that is the small print that the hon. member for Calgary-Glenmore was bringing up, the small print that was contained in section 12. We see a continued pattern of this emerging, where this ministerial discretion pops up more and more. There's much of this occurring right now. I see it, actually, on billboards around town here – and the hon. Member for Calgary-Nose Hill may have seen some of those billboards – suggesting that there's a lot of power going on in backrooms, where decisions are being made on bills like the one we have before us.

We have in section 12 what looks like it could be an opening for back channels or decisions to be made there that ought to be made in public view. By "in public view" I mean happening in this Legislature, where we can honestly have exposure to what's in a bill, to what is right and wrong, what the people of Alberta want, what is in the best interest of science and the best interest of our wildlife and meat industry. [Mr. Hehr's speaking time expired] I was just getting started.

**The Acting Speaker:** Any other members wish to speak on the bill?

Does the hon. Member for Lacombe-Ponoka wish to close debate?

**Mr. Prins:** Yes, I would. Thank you very much, Mr. Speaker, for allowing me to speak for a few minutes on Bill 11 as well. I've actually been quite interested in the discussion that's been going on because a lot of the discussion is about hunting, and this bill is not about hunting at all. That actually is gratifying to me, that a lot of the concern is not about the bill at all. It's kind of a vacuous discussion among people that are not really understanding what the issues are.

The bill is really to move cervid farming from SRD to ARD. This will enable farmers with elk and deer, or ungulates and cervids, to actually prosper as farmers. These are good farmers that are producing a good product with many end uses. They're providing meat for a market. They're providing antler for a market, breeding stock for a market, and even hunt bulls for markets in other jurisdictions. I think we have markets for these hunt bulls in Saskatchewan or in the States, and that's actually working quite well, so we don't need those hunt farms here. That's not what this is about at all, and that's what we'll make very clear in the amendments. We just want to make it possible for these farmers to prosper in Alberta, where they are proud farmers that produce a good product.

There's a great deal of misunderstanding about CWD in these game ranches, a lot of talk about CWD moving into the wild. In fact, there's more danger of wild animals spreading CWD into game farms. There was only one elk ever found in Alberta with CWD. That was about 2002, about nine years ago, and it was north of Edmonton, quite a ways north of Edmonton. There were two deer on a farm north of Edmonton as well in the early 2000s, I think maybe 2004-05, and they were also north of Edmonton. Since then every single head of every animal slaughtered or that has died on a farm has been tested for CWD, and there have been none.

All this talk about CWD being spread off farms is absolute nonsense because it hasn't happened. Any CWD that was found in the wild in Alberta has been found in southeast Alberta, nowhere near where these other animals are. Animals don't move very far in a year, so I think that any of the animals that have CWD in the southeastern part of Alberta are mostly in the Red Deer River valley, moving up the valley from Saskatchewan or some other

place, in another jurisdiction where they might not have as good disease control as we do.

SRD does not test for any diseases, no diseases; Agriculture does. Any CWD that's caught in cervids or any BSE in cattle is found by Agriculture, not SRD. SRD does no testing of any animals ever. SRD has not been able to control the brucellosis and TB in the northern parks in buffalo. This is a huge problem, and they're just being allowed to run around up there. They actually present a danger to our livestock industry, cattle industry, and domestic bison industry in the north of Alberta. This should be managed by SRD in the federal or the national wildlife organizations. This should be managed, and it's not being managed. People from the northern parts of Alberta are asking us to manage this. They're asking the feds to manage it. I've spoken with the Premier of the Northwest Territories, and he says: "Why don't you guys look after this? This is a huge problem." SRD is not doing it, the feds are not doing it, and I think we should be doing it. This is a separate discussion from Bill 11, but – you know what? – it needs to be dealt with someday.

**9:20**

Bill 11 is actually a good bill that'll move cervid farming from SRD into ARD, where it belongs. Cervid farmers have been around for about 40 years. The first 20 years or so they worked under a permit from the Wildlife Act. In the early 1990s we had LIDA, the Livestock Industry Diversification Act. The cervid farmers then worked under both Wildlife and LIDA, so it has been around for about 20 years as an act. We are not now just moving wildlife onto farms. This has been going on for 40 years under two acts: 40 years under the first act, about 20 years under the two acts. Now it's time to move it into one act, where it belongs. This is nothing new. This is just a maturing industry doing a great job of providing products and services to Albertans. The people want this stuff, and this is just moving it ahead to where it belongs.

Anyway, Mr. Speaker, there's a great deal more that I could talk about. I've actually raised these animals for many years. I know what I'm talking about. I've been around these farmers. I've seen the farms. I've built the farms and worked with the animals. I look forward to the amendments coming in committee, and I would like to be able to answer any questions that people have at that point in time.

At this point I would just call for the question.

[Motion carried; Bill 11 read a second time]

## Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** Hon. members, I'd like to call the committee to order.

## Bill 5 Notice to the Attorney General Act

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. With regard to the bill, the Auditor General's review, which I am looking at, Notice to the Attorney General Act, I have not a tremendous number of concerns. The act will establish a clear duty to provide notice to the

Attorney General if an issue arises about consultation with aboriginal peoples. The regulation-making power allows cabinet to add to the circumstances in which notice is required by regulation.

In general, we are supportive as a Liberal caucus of Bill 5, the Notice to the Attorney General Act. We have a little bit of concern, and that's that the process of consultation is a very complex matter. It's reasonable that the government of Alberta through a single representative, the Alberta Attorney General, should be able to explain what it has done to consult. However unsatisfactory the process may be, it is in the public interest that the government have an opportunity to be heard.

One concern would be whether disparities in the legal resources of the parties may negatively affect the rights of aboriginal peoples. Caucus has generally objected to the inclusion of broad-ranging regulation-making powers and should do so in this case. We will, I'm assuming, be potentially proposing amendments.

Without spending an awful lot of time, First Nations with Treaty 7 and Treaty 8 historically have not been served well. There are a number of First Nations groups such as the Lubicon who were not a party to Treaty 8, and therefore taking into account the considerations of First Nations and making sure that they have a voice in a number of areas in terms of their education, for example, in terms of economic opportunities, in terms of, very specifically, land rights and access onto First Nation territory is extremely important. It's hoped that Bill 5, the Notice to the Attorney General Act, will improve that communication between First Nations and the government via the Attorney General.

**The Deputy Chair:** Do any other members wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. It is indeed a privilege, as it always is, to speak to a bill, Bill 5, Notice to the Attorney General. I'd echo some of the statements of my colleague from Calgary-Varsity. Generally, we're in favour of this bill as it adds to the process and the ability of our courts to do the work they need to do. What we are concerned about is the ongoing consultative process with our First Nations people. Obviously, that has been a bone of contention not only for this government but for many governments, and it continues to rear its ugly head from time to time. We must continue to always work towards getting a handle on what the duty to consult is, ensure that we're fulfilling that duty, and continue to strive to incorporate First Nations into our daily practices here at a government level.

I realize that, you know, just a short time ago the Supreme Court of Canada did outline what the duty to consult entailed. Although this is a new-found responsibility for government, I believe that if we start the hard work of doing that now, getting a handle on extending that discussion power with the governments, with our First Nation people, I think it will go a long way to giving that community a hand up and for our Legislature to get a better understanding of what they're looking for in responsible government.

As always, another concern of this bill is the fact that the regulation-making powers, future amendments to this bill, are often not going to come to this Assembly and that the decisions in regard to this bill can be made now in cabinet. That will no longer necessitate the need for us to come to this honourable Legislature and discuss what, in fact, the changes will be. That has always been a concern to us. It has been a theme of this government since I arrived here three years ago. Needless to say, it lessens the openness and transparency that governments are supposed to be moving towards, not moving away from.

I would like to thank the hon. chair for allowing me to speak on this. I'd like to hear what other people have to say on this. We'll go forward.

Thank you very much.

**The Deputy Chair:** Any other members? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much. It's a pleasure to be able to rise to join this debate. I rise, I guess, primarily to make three points and raise three concerns about this bill as it exists. Let me start by saying, of course, that it's responsible for government to ensure that as important legal issues progress through the courts, the government has full notice of it and can be there to represent the interests of the population in the best way possible. From that point of view, it makes some sense.

9:30

My understanding of the bill is that there needs to be notice given to the Attorney General not only when you raise that issue in the courts but also when you raise issues of a constitutional nature in any other forum like so many sort of quasi-judicial administrative tribunal forums. My concern is that in a lot of those forums you have lay people that are functioning as representatives. If they're not aware that they need to give notice, what does that do to the efficiency and the effectiveness of that administrative tribunal process? The background for having administrative tribunals deal with specific issues is that they, you know, (a) are supposed to have a certain expertise in that issue, and (b) are typically in that role to be able to make that issue more accessible to adjudication, to make it faster and more efficient and to ensure that people can have their issues addressed in a more meaningful way more quickly.

If what has to happen now in every arbitration is that one of the many lay people that practise arbitration has to give notice to the Attorney General before they raise, say, a Charter issue, which I believe would happen likely with any, for instance, arbitrations relating to government employees, then what we're going to do is bung up the system in quite a serious way. I assume what would happen is that the hearing, for which typically someone will have waited months and months and years and years to even get, will then have to be delayed if the lay person that's acting as counsel is unaware of the obligation to give notice to the Attorney General.

I'm just wondering if there's been any concern about the implications. Perhaps I'm misinterpreting what will happen in practice, but what I see here is that that will be what happens. There are so many contexts in which it would be appropriate for an advocate to raise issues of a constitutional nature. In particular, I refer to the Charter. That comes up in many, many different adjudicative forums. My concern is whether there has been any consideration given to the implications of this requirement to the efficient and effective operations of the multitude of administrative tribunals that currently exist in the province.

The second concern that I have, of course, is one that was raised by the previous speaker in terms of the now common practice of this government to bring in legislation that gives to cabinet the ability to essentially write more legislation. For all intents and purposes the regulatory-making authority that this bill gives to cabinet under section 10 is far more wide-ranging than simply sort of administrative regulatory provisions for the implementation of this act. No. It actually expands the scope of the act quite significantly through section 10, so it continues this really horrific practice of this government of giving the cabinet all authority.



Of course, here we are in a situation where, you know, this House started sitting at the end of February, a month and a half after the House of Commons started sitting. We're likely on the verge of rising within a very short time period, and we will once again, I'm sure, win a national award for having the fewest number of days of debate. That's because every time this government passes a piece of legislation, they give themselves regulatory-making authority that ensures that they never have to bring that bloody piece of legislation back before the Legislature again. That's another reason why I have significant concerns about this bill.

The third concern that I have relates in particular to the aboriginal groups this bill will impact in terms of their obligation to have their representatives give notice to the Attorney General should they raise concerns around whether or not they've been appropriately consulted. I appreciate that, again, government needs to have that notice, but I'm also worried about what the implications will be for the processes that currently exist for aboriginal communities and advocates to assert their rights. My briefing notes here take note that the government has asserted: oh, well, we're in the process of revising and amending and upgrading our aboriginal consultation policy. Well, quite frankly, Mr. Chairman, the government has been in the process of revising and amending and updating the aboriginal consultation policy since I got elected in 2008, and they actually haven't moved anywhere on it.

The most significant failing of the government's support and oversight for systems for consulting with aboriginal Albertans is their failure to give adequate resources to those communities so that they can engage sufficiently qualified resources to be consulted in a meaningful way.

So here we are three years later. We haven't updated the aboriginal consultation policy effectively. We haven't funded the aboriginal communities or the ministry in order to ensure that there can be meaningful participation by the numerous aboriginal groups across the province, but we have managed to find time to impose greater obligations and legal obligations for those very same groups to whom we are not providing a policy or adequate resources for them to participate. It just, you know, strikes me as a continuation of the misplaced priorities of this government and the failure to understand that if you're really going to be genuine in your desire to bring about successful consultation as required under the constitution with aboriginal groups, you can't just pass laws. You've got to provide some resources and substantive support. That hasn't been done, yet the law is coming. It's a bit like putting the cart before the horse, to the unfortunate result of the aboriginal communities that the act is intended to apply to.

For that reason, I have some significant concerns, and I look forward to hearing from the Attorney General. I'm not sure if he'll be able to respond, but I certainly look forward to having him respond to the concerns that I've raised about this because I think that there are some inherent mistakes in this bill that have not been fully thought out or fully discussed with members of this Assembly.

Thank you.

**The Deputy Chair:** Hon. members, before we continue, may we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Deputy Chair:** Hon. members, it's a pleasure to introduce to you the three people that are in the members' gallery: Milvia

Bauman, who is the president of the Medicine Hat chamber of commerce, and Lisa Kowalchuk, who is the executive director. I'm sorry; I've forgotten the other person's name, but they are all part of the Medicine Hat chamber of commerce. Please rise and receive the greetings of the House.

### Bill 5 Notice to the Attorney General Act (continued)

**The Deputy Chair:** Okay. Any other members wish to speak to the bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. The hon. Member for Edmonton-Strathcona triggered a concern of mine with regard to fair dealings with First Nations. You don't have to go back in history as far as the treaties and broken agreements. You don't have to go as far back as residential schools. You only have to go back two years to what this government arbitrarily did without consultation in terms of the firing of the Northlands school division. All of the trustees were either First Nation or Métis individuals. Without consultation this government fired the entire board, blamed the First Nations individuals for their lack of governance and the low attendance at the schools.

9:40

This morning in Public Accounts we had a chance to talk with individuals from the Ministry of Aboriginal Affairs and raised a number of concerns about the accountability and transparency with which this government not only consulted but collaborated with First Nations groups. As the hon. Member for Edmonton-Strathcona pointed out, what we see in this particular bill in terms of the opportunity to improve communication puts a tremendous amount of power into cabinet, which is not known for its consultative processes, never mind collaborative. So a concern that I wish to raise.

Thank you, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak? Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 5 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Should the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** That is carried.

### Bill 6 Rules of Court Statutes Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to the bill? The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Chair. It's my pleasure to rise today to move Committee of the Whole debate for Bill 6, Rules of Court Statutes Amendment Act, 2011. The *Rules of Court* govern our practice and procedure in the Court of Queen's Bench and keep the court running smoothly and efficiently, and with the co-operation of the Alberta Law Reform Institute, the judiciary representatives from the legal profession, other stakeholders, and

Alberta Justice, these rules underwent a substantial change after a multiyear review.

The goal of the review was to simplify rules and procedures and update many of the procedures. The updated rules came into effect November 1, 2010. Now that the rules have been put into practice, Bill 6 will ensure that the relevant legislation is updated. Bill 6 amends language and procedures relating to court proceedings and a number of acts and makes them consistent with the new *Rules of Court*. Outdated terms like “guardian ad litem” and “next friend” will be replaced by the single modern term “litigation representative” under Bill 6.

Bill 6 will also facilitate and streamline processes in the new *Rules of Court*, including, for example, simplifying the procedure for the recovery of possession of land or premises. Mr. Chairman, Bill 6 will help Albertans better understand and navigate the court system, allowing them greater access to the justice system.

Thank you.

**The Deputy Chair:** Before we continue, hon. members, may we revert once more to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(reversion)

**The Deputy Chair:** The hon. Minister of Transportation.

**Mr. Ouellette:** Well, thank you very much, Mr. Chairman. I notice that there are three ladies up there, and you only introduced two. One of them is a constituent of mine from Penhold, Alberta. She's also the manager of policy development with the chamber in Red Deer, absolutely not having any problems, and very involved in politics. She is a councillor in the town of Penhold and does a very good job there. I'd like to introduce Danielle Klooster if she'd stand.

### Bill 6

#### Rules of Court Statutes Amendment Act, 2011

(continued)

**The Deputy Chair:** To the bill, the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. It is indeed, as it always is, a privilege to rise and discuss Bill 6, the Rules of Court Statutes Amendment Act, 2011. This is the latest in a series of bills brought forward by this government that has been attempting to change some of the language that has been in our *Rules of Court*. I will note for the record that our *Rules of Court* had existed for quite some time before this recent slew of new bills and amendments, I think for approximately 40 years, so it's due for some changes.

I know that all these changes have been recommended by the Alberta Law Reform Institute, a great group of people who do excellent work on behalf of the legal community.

**An Hon. Member:** Five years.

**Mr. Hehr:** For five years they've been hard at work on this, and they do good stuff. I think these changes are going to do not only the person not only practising law but the average person trying to manage the court system a world of good. Getting rid of archaic language is one of those things that we should always strive to do, bring it up to date, to modern standards.

I'd like to commend the minister on this bill. It, again, keeps bringing our legal system up to the highest standards around the world. Let's keep on moving through this stuff to make it easier for both legal professionals and laypeople to utilize our system.

Thank you very much, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. As the father-in-law of a partner with Bennett Jones and as the brother of a partner with Miles Davison, I just want to thank the hon. Minister of Justice for bringing forward Bill 6, which is basically, as the minister so eloquently stated, about clarification and modernization. As such, the Liberal caucus supports it.

Thank you.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Edmonton-Strathcona.

**Ms. Notley:** Yes. I just rise to mostly make a couple of points about this bill. Of course, it's a good thing that the *Rules of Court* have been amended as they were when the first piece of legislation came through. It's also a good thing that it does appear to update the language ever so slightly and also to provide ever so slightly some additional protection to tenants when it comes to being advised of whether a stay on an order of possession has been lifted. That's all good.

The one point that I just simply did want to make, though, is that I am still somewhat disappointed by observations previously made by the Attorney General that these new *Rules of Court* somehow serve to improve access or to in any way ameliorate the crisis that exists in our legal system from the profound lack of access to legal representation by the majority of Albertans. While this is a nice update – and for those people who regularly practice within the courts, it will certainly make for greater clarity and greater understanding and for some efficiencies of process – in no way, shape, or form does it have any impact on the ability of the average citizen to walk into a court and represent themselves in a way that comes anywhere close to providing for equal justice.

I just really felt the need to reinforce that fact, and the minister is aware of my strong feelings on this issue. Nonetheless, I do believe that it was widely consulted on before the first set of changes was made and, probably, I suspect, also when this set of changes was made. For those people within the legal community who are still practising and representing a portion of Albertans, I think it will be a positive improvement.

Thank you.

**Mr. Hehr:** I think I would be remiss if I didn't follow up with some comments very similar to those given by the hon. member just now. I would agree with her very strongly that these are superficial changes. While there are changes I agree with, there is a lot of need right now to sort of look at our whole legal system in general and look if it's serving the average person or if it's still doing those things we always thought a legal system would.

9:50

While all of these changes may add to some of the day-to-day ease of lawyers generally practising the law, it's not going to make it any easier for people to obtain justice in our courts, to be able to find themselves justice in our court system, as that is becoming increasingly a place where only people of great wealth or corporations can get a day in our courts, simply because – it's not the way it's structured – it's the way it is priced. It has priced itself

out of reach for, dare I say, even the average Albertan. It's very difficult to find an ability to get to court. Not only our jurisdiction but other jurisdictions are having that difficulty as well. Hopefully, we can get to finding ways to better support Legal Aid and some other organizations like that in this province as well as continue to do some of the sideline stuff that keeps our courts moving, like this bill will no doubt do.

I thank you, and I thank the hon. Member for Edmonton-Strathcona for reminding me of that very important issue. Thank you very much.

**The Deputy Chair:** Any other members wish to speak?

[The clauses of Bill 6 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

### Bill 7 Corrections Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Solicitor General.

**Mr. Oberle:** Thank you, Mr. Chair. I'd just like to very quickly recap that this bill, Bill 7, the Corrections Amendment Act, 2011, comes about as a result of a few things that have happened here. First and foremost, there was a transfer of health employees from my department of correctional services to Alberta Health and Wellness. We did that because we believe that will provide better health care for prisoners. Clearly, Alberta Health Services has the wherewithal, the capacity, to do that. Because of the transfer, those new employees are subject to the Health Information Act, which is fine, but they have to disclose certain information about the health or the treatment of inmates in order for us to provide for the protection and safety of the inmate or of the staff or of the facility itself. For example, there are prescription drugs that can cause false positives on drug tests. Clearly, the manager of the facility would need to know that in order to treat that prisoner appropriately from that point onward.

Secondly, Mr. Chair, some time ago there was a decision by Justice Marceau relating to a test case in the Edmonton remand facility. There are a number of recommendations that came out of that, many of which we're working on or have implemented already, but there are a couple embedded in this bill that actually require legislative change. The act currently refers to a classification process for prisoners. The reality of that practice is that every facility is slightly different in how many classifications it can accommodate and how classifications are done. So we're changing that, really, to make it consistent with current practice.

There are also a couple of housekeeping issues in the bill. For example, the transfer of inmates: the somewhat convoluted process identified in the current bill is not actually how it is done. Only one order is issued, for example, and the one order also defines how the prisoners are going to come back to the facility. So we're just catching up to describe what current practice is there. Also, section 32 describes a board versus a committee simply because we're going to do investigations, and a board is what does investigations, not a committee. So a couple of housekeeping items.

I'll leave it there, Mr. Chair. I look forward to the debate. Thank you.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. Again, as always, it's a privilege to rise and discuss this matter in the House. I appreciate the Solicitor General adding some more clarification to the bill. I know that when the Health Information Act was originally brought into this House, we on this side of the House had some concerns with that bill. Some of these have now been dealt with in that we've found some exclusions, some other things that are making it a more workable piece of legislation. Nevertheless, with the explanations that we've received and now confirmed by the Solicitor General, this looks like it is generally a reasonable bill for having health information provided to health workers working in a correctional institution.

You know, there are some comments to be made, I guess, when it comes to our jails in Alberta and the fact that they appear to be full to the rafters. Many actual legal cases have commented on that, that here in Alberta we may actually be doing things that aren't in best practices for those inmates or their future direction or even toward basic, decent provisions of those facilities.

That being said, returning to this act specifically, it appears that some of this stuff is necessary. We always want our prisoners to have decent and adequate medical care. At the end of the day they are citizens. They are people who have been in violation of the law but are still entitled to some of the basics and necessities. We as a basically caring and understanding society realize that human beings are flawed and that while sometimes they're separated from society, they should not be denied the basic essentials. I think that sets Canada apart from other jurisdictions around the world who do not believe in that principle. I think that this goes towards that principle, and hopefully our people who are temporarily removed from society continue to get the health care, continue to get the rehabilitation they need so that eventually they can come out and be contributing citizens to our society.

Thank you very much, Mr. Chair.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. Very quickly. I'm supportive of Bill 7. Both the inmates and their custodians need to have information with regard to the potential of communicable diseases. We know that despite the best efforts of the Solicitor General there are various types of drug use, needle sharing, et cetera, and this can cause considerable concern both for the health of the inmate population – and, you know, the business of the homemade tattooing, again, with rather blunt instruments and the potential for hepatitis C from blood poisoning.

One thing I would like to bring up, Mr. Chair, and I'll bring it up very shortly, is the fact that correctional officers have more information than a parent has when their child reaches 16. When a child reaches 16, their medical circumstances, the potential medications they're on, the potential drugs that they have consumed are not privy to the parents. This is a concern as the Liberal critic for Children and Youth Services, that correctional institutions have more rights than parents do with regard to the safeguarding of their children.

Bill 7 has our support. Thank you.

**The Deputy Chair:** Hon. members, the Solicitor General to close debate.

**Mr. Oberle:** Thank you, Mr. Chair. I'll rise to briefly close and call the question. I would just like to point out to the hon. Member for Calgary-Buffalo, who said that our jails are full to the rafters, that I think you need to draw a distinction between jails and remand centres. Our jails actually have capacity; our remand centres are full. We're opening up the Edmonton Remand Centre, start training staff this year, which will more than double our capacity in Edmonton.

10:00

Anyway, I wanted to add one additional thing on the issue of the disclosure of health information. A draft of this bill was actually run by the office of the Information and Privacy Commissioner, and we believe that we're doing what's right there. I recognize the Member for Calgary-Varsity's issue with health information about youth and drugs. Surely, he would know that a doctor wouldn't disclose personal health information to a parent without the patient authorizing it, and certainly we can't do that either. We use that only for the safety of the inmate himself, the corrections staff, and the facility. Our hands are tied beyond that by what I think is some pretty good legislation.

I'm going to leave it there, and I'll call the question. Thank you, Mr. Chair.

[The clauses of Bill 7 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

## Bill 12 Alberta Investment Management Corporation Amendment Act, 2011

**The Deputy Chair:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Chairman. I was pleased to see the support that Bill 12 received at second reading. It's a solid bill and one that will help make sure Alberta's investments are being managed as effectively as they can be. This is especially important in the face of the roller-coaster ride that the markets have been enduring over the past few years.

For the benefit of all I'd like to go over the specifics of the changes we're dealing with in the act. There are a couple of changes within section 2, the first dealing with the corporate structure of our investment manager, the Alberta Investment Management Corporation, or AIMCo. The current act states that AIMCo exists as a corporation with a board of directors, but it also reads that it exists as a corporation made up of shares. This may seem confusing. To clarify, even though AIMCo operates at arm's length from the government, it is still considered a Crown corporation. The change to this section will see AIMCo defined as a corporation consisting of one share, with that share owned by the Crown. This will clear up any confusion around AIMCo's corporate structure.

The second change in this section deals with the mandate of AIMCo. The act already contains a requirement for directors and officers to act in the best interests of the corporation. This change will see a subsection added that makes it clear that what is in the best interests of the corporation is to act in the best interests of its clients. Adding the subsection means that we can take some lan-

guage out of the current act that is less specific than the new subsection. What this change means, Mr. Chairman, is that the legislation confirms that AIMCo must act in the best interests of their clients while providing investment management services. Seeing as how AIMCo manages nearly \$70 billion in investments for their clients, including the Alberta heritage savings trust fund, the sustainability fund, and public-sector pension funds, this is a reasonable amendment to the act.

Moving on, there are a couple of changes to section 11, dealing with director responsibility and conflicts of interest. When it comes to director responsibility, the way the act reads now, it could be interpreted that directors of AIMCo owe their legal duties to three distinct parties: the Crown, the corporation, and their clients. This could give rise to a situation in which directors face a decision where the interests of one of the three parties may conflict with another. In that case, regardless of the decision made, they could then be viewed as breaching their duty to one of the parties. The change involves removing the language that could lead to this ambiguity. I should add that AIMCo is and will continue to be an agent of the Crown under the act.

Changes in section 11 also deal with conflicts of interest. In this case it's simply adding a subsection that incorporates the same conflict-of-interest provisions that apply to corporations and their directors under the Business Corporations Act. This will further protect AIMCo and its directors as they carry out the business of managing our investments.

With section 12 there's only one change, and it deals with indemnification. Currently AIMCo is able to provide indemnity or legal protection to a person who acts or acted as a director or officer of a directly owned corporation. This protection is needed because with some investments that AIMCo makes, they appoint individuals to act as directors to these corporations. The change to section 12 gives a broader scope to the legal protection AIMCo can provide. In this case, it would mean that they could extend this protection to those people they appoint to act as directors in companies in which they made an indirect investment. Mr. Chairman, this change will strengthen AIMCo's investment operations as they broaden the ways they invest to seek the greatest return for Albertans' money.

The final change within the bill falls under section 19. This change will see language added to explicitly clarify that compliance with any directive issued by the government is deemed to be in the best interests of the corporation. This all may seem fairly obvious, but it ensures that the directors and officers of AIMCo would not be in breach of their duty to the corporation if government were ever to issue a directive. It would also explicitly state that the board and AIMCo must execute directives promptly and efficiently.

With that, Mr. Chairman, I've covered off the changes contained within Bill 12. They may not be major, but they are needed to make sure that AIMCo is able to manage our investments efficiently and effectively. Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. In general we're supportive and understand the motivation behind turning AIMCo into a Crown corporation. It was to remove the politics from investment decisions and make it a more accurate arm's-length circumstance.

A concern I have is that I would hope that AIMCo's investments are of the ethical nature. It concerns me, for example, that the Alberta government is considering going after tobacco companies, yet we still hold AIMCo investment shares in tobacco

companies. So I would encourage the government to dispense of those shares so that they are not being accused of attempting to profit off of individuals' misfortunes.

There should, however, be some caution in supporting this bill as the Auditor General has highlighted several concerns with AIMCo. While it is desirable to have AIMCo at arm's length, until the concerns raised by the Auditor General have been sufficiently addressed, the government should not entirely set AIMCo free, so to speak. The minister of finance is ultimately responsible for the pension and endowment funds under management and, thus, should ensure that AIMCo is functioning properly.

Now, I have questions for the hon. mover, the representative from Red Deer. What I'll do, if you like, is that I can read a series of questions or if you would like to respond to them one at a time. They're fairly brief, and I believe you can deal with them. Let me try one, for example. Why has it taken so long to include these amendments? What instigated this amendment? If you could just give a very brief summary, if that suits you.

**Mr. Snelgrove:** Mr. Chairman, it was considerable work with AIMCo as it evolved into the organization it is now and their internal legal counsel in conjunction with the Department of Justice to develop these guidelines.

**Mr. Chase:** Thank you for that answer.

The second question . . .

**The Deputy Chair:** Hon. member, go through them all if you have something.

**Mr. Chase:** Oh, okay. By all means. I just wasn't sure who was going to be responding, and I didn't want to pile up the questions and not give them a chance to respond. Here are all of the questions. If any get missed accidentally, I'll reissue them.

The remaining questions I have on the motivation for the amendment are: have there been any conflict-of-interest issues by directors previously that have motivated this change? Why was this section omitted from the act in the first place? Why would AIMCo not have been working in the interests of clients already? You can see where I'm coming from. It's a justification of the amendment.

Given that the Auditor General has raised concerns with AIMCo's lack of an internal audit group and the need to improve financial recording, how will this bill impact the ability of the finance department to ensure that the problems raised by the Auditor General are addressed? Obviously, as a member of Public Accounts along with the chair of Public Accounts, from Edmonton-Gold Bar, and my colleague from Calgary-McCall this accountability is extremely important. I look forward to hearing the minister of finance explain the answers to the concerns that I've raised with regard to fulfilling the Auditor General's requirements.

**Mr. Dallas:** Thanks, hon. member. I'll take a stab at your queries. Your first question with regard to conflict of interest. To my knowledge, no, there hasn't been an issue that's been identified by the board with respect to that, but the board has clearly had some discussion around their fiduciary responsibility. In the discussion about where that responsibility is aligned, there was a request to bring some clarity in this bill, and it was determined that the board would be best served to serve the interests of the clients, thereby reducing any potential for conflict.

10:10

Of course, there is a clause in the bill that in the event a directive is issued by government, the liability with respect to the directors would be absolved in the sense that the directors would then be deemed to be acting in the best interests of the corporation if they followed a government directive. To my knowledge, absolutely, there has been no instance of a directive ever being issued to the corporation. Again these are, in some cases, theoretical developments, I guess, to anticipate the possibility that such an event could occur.

Why was that omitted? I think that goes in the first answer. Why are they not working for the clients? They always have been working for the clients, but there's always been a sense of trying to define who the primary responsibility is to. In this act we're defining that that is to the client.

Secondly, with respect to any observations that the Auditor General would bring forward, obviously, as with any ministry, finance takes those recommendations very seriously and I have no doubt is working as we speak on implementation of the Auditor's recommendations.

**Mr. Snelgrove:** Mr. Chairman, just to supplement the Member for Red Deer-South. One of the issues was the fact that when you are investing on behalf of other pension groups, they may have other interests specific to them, whether it be ethical funds or focus. So it's important to clear up for the directors that when they're acting on their behalf, that would become the primary interest of that investment, not necessarily AIMCo overall but that particular pension fund.

He talked about the ethical investments. We are very soon to be publishing on the Internet the guidelines around the investment things for both the heritage savings trust fund and AIMCo, and I think that you will see what the Auditor has reflected very seriously: AIMCo, ATB, and Ag Financial Services following up his guidelines with regard to the accounting.

**The Deputy Chair:** Hon. members, before we go on, just to remind everybody that we're not in Committee of Supply anymore, where there is a 20-minute back-and-forth Q and A or anything like that. We're in Committee of the Whole.

Therefore, the hon. Member for Calgary-*Buffalo* is the next speaker.

**Mr. Hehr:** Well, thank you, Mr. Chair. It is a privilege to rise and discuss Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011. As indicated earlier, you can see the real motivation behind turning AIMCo into a Crown corporation, which is to try and remove the politics of the day from investment decisions. For instance, if investing in oil makes sense, why wouldn't we as a province do so? I agree that AIMCo's goal is to maximize returns for pension plans and endowment funds and not to worry about politics or the leanings of the day.

I appreciated the hon. President of the Treasury Board indicating that there may be some rules and guidelines around investments that this government is in control of, the heritage trust fund, et cetera, that I'm looking forward to seeing. As he is well aware, we've had concerns on this side of the House on some of those investments, tobacco companies in particular, that have from time to time come up in our questioning. Nevertheless, if we have a distinct policy on that, then it'll clear up those conflicts or, where those conflicts are there, just enforce the rules as to what we're going to do going forward. So I'm looking forward to those amendments.

At the same time, as AIMCo is in charge of our heritage trust fund and investing it for our future, I would take the opportunity to say that, clearly, we have to do a better job of giving that fund some money to operate. If we look at the last 40 years, what it has told us is that we can bring in approximately \$180 billion in royalty revenue and snow through it pretty quickly. There are decisions made for reasons of politics, why that has been done. Nevertheless, the intergenerational transfer of wealth: we've gone in this generation from one that I see as having one of those lasting legacies that should be built on for not only use today but for tomorrow, jurisdictions like Alaska and Norway. I know and appreciate there are differences somewhat in tax structures and the like, but I think we would be well served for the long run if this House took more seriously the role of us saving sometime for the long-term future of this province.

Other than that, I really appreciate that this bill has made this a Crown corporation. We can go forward on that, and hopefully AIMCo can go make us some money.

Thank you very much.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. Very quickly, I appreciated the answers from the President of the Treasury Board. I appreciated the answers from the representative from Red Deer. One last question that I would appreciate clarified. The Auditor General pointed out a need to improve financial reporting. Part of that could be answered with an internal audit group. We understand that the Auditor General does things externally. Could you please comment as to whether this bill will create that internal auditing and an improved accounting?

**The Deputy Chair:** Any other members wish to speak? Are you ready for the question on Bill 12, the Alberta Investment Management Corporation Amendment Act, 2011?

**Hon. Members:** Question.

[The clauses of Bill 12 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

#### Bill 14 Wills and Succession Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you. It's my pleasure to rise today and move Committee of the Whole debate for Bill 14, the Wills and Succession Amendment Act, 2011. I thank my hon. colleagues for their support of this legislation. I'll just briefly touch on the highlights of this bill before we resume debate. The Wills and Succession Act governs how and to whom property is transferred when a person dies. Bill 14 contains a small but important amendment to the Wills and Succession Act, which was passed last fall, 2010, and will likely come into force January 2012.

This amendment will allow courts to correct certain deficiencies in invalid wills to make them valid. This correction power applies to wills or, more accurately, invalid wills made before or after the

act comes into force. The current Wills and Succession Act allows correction powers to be used to re-evaluate wills of persons who are already dead. This creates an immediate potential for disputes, delay, and expense. The intent of the Wills and Succession Act was that the new act operate on a go-forward basis. The amendment in Bill 14 will make it clear that the new wills' correction powers will not apply to the estates of people who are already deceased.

As this is already affecting the administration of a few estates, it is important that we act quickly to correct this error. I urge all hon. members to support this important change.

Thank you.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. It's a privilege to rise and speak to Bill 14, the Wills and Succession Amendment Act, 2011. I appreciate the hon. member bringing forward at this time this bill, that will keep on clearing up some of those misunderstandings which have led parties to hold up the legal process relating to wills of persons already deceased in order to take advantage of the new powers of the court to interpret wills.

**10:20**

Of course, any time there has been a death is not a fun time for families. When faced with additional litigation and additional trickery, chicanery, hijinks, or even a simple misreading of a clause in a bill like we had earlier with section 12 on the hunt farming, that has no relation to that bill – we can see how this has gone a way to clear that up. I appreciate that being brought forward. We've always got to continue to strive and make the court process better. The ability for people to make it through their daily lives in a more tangible and practical way should be one of the goals of government, making people's lives easier and often better if they can. Clarifying rules and regulations is one of those things that will be able to help.

I'm supportive of this bill. I'm glad we brought in this amendment, and I'm glad to see we're keeping our work going on this front. For instance, with wills the courts will now be able to rely on outside evidence for the intentions of the testator. That's some decent stuff. I applaud the member again for this bill. I learned a great deal about it in a very short period of time here this evening, so I thank him for bringing that forward. I'm looking forward to hearing other members' comments on it.

Thank you, Mr. Chairman.

**The Deputy Chair:** Do any other members wish to speak? Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 14 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed.

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I move that the committee rise and report bills 5, 6, 7, 12, and 14.

[Motion carried]

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 5, Bill 6, Bill 7, Bill 12, and Bill 14.

**The Acting Speaker:** All those members of the Assembly who concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:23 p.m. to Thursday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, April 21, 2011

Issue 27a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, April 21, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. This weekend people from all walks of life and cultures will gather to celebrate Easter. My hope for all this Easter is that you enjoy time with your friends, family, and loved ones, focus on renewal, and look forward to new beginnings. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Mr. Speaker, I rise with great enthusiasm, pleasure, and honour today to introduce the gentleman from Heilongjiang province who provided me with this beautiful silk scarf today and who, along with his delegation, is in your gallery. Mr. Du Jiahao is the executive vice-governor for Heilongjiang province in China, and he is here celebrating 30 years of our relationship with China, 25 years, incidentally, for this capital city. He's joined by Mme Liu from China, who serves as consul general and is seated in Calgary. She is with the delegation today along with the most senior officials from Harbin, Heilongjiang. We had a wonderful opportunity at lunch to exchange information.

One of the wonderful things that this Assembly would be interested in is that thanks to the instruction in curling the Chinese curlers have done very well, and this summer as part of our 30th anniversary celebration we're sending hockey coaches to Harbin, Heilongjiang province, so that they can also learn to play hockey in fine Canadian tradition.

We are honoured to have them here in celebration of the many business, economic, agricultural, and cultural pursuits that we have shared together. Celebrating 30 years, Vice-governor Du is rising, as is Mme Liu and all of the members of the delegation.

### Introduction of Guests

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

**Mr. Rogers:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly a group of students from East elementary school, which is located in the city of Leduc in my constituency. They are seated in the members' gallery, and they are accompanied by teacher Mrs. Sonja Hansen and parent helper Ms Juanita Oulton. I'd ask that they rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It's certainly my honour on behalf of the Premier to introduce 35 guests from the Fort Saskatchewan Christian school. Their teachers are Josh Gutknecht and Elaine Baillie. Their parent helpers are Kerri Wiens, Tanner Maschmeyer, René Goodbrand, Wendy Hagstrum, Darren MacLennan, Kelly Fermaniuk, and Niki Blanchard. I would ask them to all rise and accept the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Thank you very much, Mr. Speaker. I'm honoured to introduce a group of 28 visitors from Madonna Catholic school. Along with teacher Ray Rudanec we have parent helpers Tracy Szymanski, Shannon Rudanec, Amanda Rudanec, Lorraine Lydom – I'm hoping that I haven't mispronounced those too badly – and the brightest kids you can imagine from Madonna Catholic school. Would they please rise, and could we salute their attendance here today?

Thank you very much.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's an honour and pleasure today to rise and introduce to you and through you to all members of this Assembly a great Albertan. After working in the private sector and 23 years of exceptional service with the government of Alberta, most recently as my assistant deputy minister, Robin Wigston is retiring effective this July 31. In his work with colleagues across government departments and with his calm demeanour and his we-can attitude Robin has done what we all strive to do, make a difference. I can tell you that he has not just made a difference in the housing department; he has also made a difference, I understand, on the rodeo circuit in his past. A great deal of his dedicated service with the government of Alberta focused on housing and assisting the most vulnerable Albertans as well as giving the best value for the taxpayer. Mr. Speaker, these sentiments have been echoed to me by the Minister of Infrastructure and the minister of children's services, who I've spoken with over the last little while. Robin, I've learned a lot from you, and I'm going to miss you. Please join me, all members, in congratulating Robin for his 23 years of exemplary service to this province.

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. Well, it's always a special day when one has constituents come for a visit. I'm wanting to introduce to you and through you to all members of the Assembly today four of my constituents who live in Wetaskiwin. They are Marcia Schultz and her children: Lois, age 10; Eric, age 12; and Wilson, age 14. Marcia home-schools her children, and obviously she's doing a good job today. They're on a field trip here to see how the Legislature works. They're seated in the members' gallery, and I'd ask that they rise and that my colleagues here give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Transportation.

**Mr. Ouellette:** Well, thank you, Mr. Speaker. It gives me great pleasure to rise today and introduce to you and through you to all members of the Assembly a constituent of mine who's visiting the Legislature today. We have with us Danielle Klooster, who is seated in the visitors' gallery. Danielle's experience in community development, board governance, and business drew her to a position with the Red Deer Chamber of Commerce as manager of policy, advocacy, and communication. She also serves as a councillor in the town of Penhold in my riding, sits on the board of the Central Alberta Women's Outreach Society, and is an organizer in the women in politics initiative. Danielle is very passionate about everything she does, and I would ask her to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Webber:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly four individuals up in the members' gallery. One of them is my staff member, Mrs. Camille Hauck. Please stand, Camille. She is an assistant in my office, a wonderful lady who does some very good work for me, and I thank her every day for the work that she does do. She's here today with her son, actually, Curtis Hauck and two of his grade 7 classmates from the Madonna Catholic school, Mr. Ben Schmidt and David Hollik, if they could rise, too. These three young men missed out on the trip last year as a grade 6 class, so they're in grade 7, and they're here today. I would just ask that they stand—they are—and accept the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I have two separate introductions. First of all, the Minister of Justice had the opportunity to introduce the Schultzes. I have the introduction of their grandparents here, Cliff and Shirley Breikreuz, who are no strangers to you. Cliff and Shirley are great community members in the Onoway area. Shirley is a very active member of the Onoway public library system. Cliff, as you know, is my previous MP, and he's one of the two Senators-in-waiting here in Alberta. I'd ask them both to stand and be recognized by this Assembly.

Mr. Speaker, it gives me great pleasure to introduce you to a young lady that I've known for over 50 years. She brings a smile to my face every day and she has for 50 years. It's my little baby sister Pat, and she's also here with the Alberta Chambers of Commerce. She's a chamber manager in Whitecourt. I'd ask her to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Athabasca-Redwater.

1:40

**Mr. Johnson:** Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you to members of this Assembly six trustees from the Sturgeon school division who are here today. It's been a pleasure to work with these folks over the last three years and even the decade before that as their Xerox sales rep for many years. I know they work very hard to do an excellent job for the students in our area in making sure they have one of the best educations in the world. I'd ask them to please rise one-by-one as I call their names. They are trustees Liz Kohle, Shelley Porter, Brent Gray, Daryl Krieger, Wendy Miller, and Vice-chair Tracy Nowak. I would invite the Assembly to give them the traditional warm welcome.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Project Adult Literacy Society

**Mr. Elniski:** Thank you, Mr. Speaker. Today our world thinks big. We live in an age when every bit of information is valuable and is a basis for the decisions that we make. We do all this because we can read. Imagine how you would feel if this information, literacy or numeracy, was foreign to you or if you didn't know how many nickels were in a dollar or what a law was.

Mr. Speaker, I attended the graduation of Project Adult Literacy Society of Edmonton on Tuesday. These brave people are not concerned with deficits or infrastructure or some obscure ideological argument. They are doing something much more important. They are learning to read. Marty Chan, writer-in-residence of the

Edmonton public library, summed it up best by saying: learning to read opened the doors to the things that were a lot more interesting than my own life. It opened the door to knowledge, and knowledge is power.

PALS gets some public support, and I would guess that they turn every dollar into value 10-fold. Mr. Speaker, PALS has 76 tutors and 36 volunteers who logged 8,876 hours last year helping adults learn to read, write, and count.

Consider the proclamation of Tom Joad in John Ford's movie, *The Grapes of Wrath*: there was a time when a man didn't need book learnin'; all he needed was some cipherin' to get a fair deal in the market, but I guess those times, like a lot of other things, is gone.

Mr. Speaker, PAL students are typically between the age of 35 and 55. These people should be in the peak earning years of their lives, but for most of them these years equate to menial jobs and minimum wages if they work at all. It's a wonderful thing to listen to someone give a speech they've written by themselves for the very first time. I had this chance the other night, Mr. Speaker, and it might have been the most beautiful oratory I have ever heard.

At PALS progress means being a little smarter tomorrow than you were today. We know that there are 20 nickels in a dollar, 26 letters in the alphabet, and 13 doughnuts in a baker's dozen, and thanks to everyone at PALS the students will all know the same.

Thank you.

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

#### Quality, Affordable Child Care

**Ms. Notley:** Thank you, Mr. Speaker. More than half a million Albertans are children who are 12 and under. Approximately 60 per cent of our children in Alberta have a mother in the paid labour force, and more than 10 per cent come from lone-parent families. Affordable, accessible, quality daycare can really pull a community together and offer great supports for children and their families. Parents make connections, staff support early childhood education opportunities, and children develop interpersonal skills.

These opportunities have a special value for new immigrants when children develop language and literacy skills, making the transition to school easier. We've seen study after study that show that quality child care has high economic and social returns to society and to taxpayers. These studies demonstrate how a \$1 investment in universal child care offers returns of \$2 to \$17 in the long term.

Eleven per cent of our children are living below the low-income cutoff. We know that quality, affordable child care can result in greater health and educational outcomes, and it can help break the cycle of child poverty. But even with subsidies many low-income families can't afford child care. There are also families where both parents want to work, but the high fees for two or more children make it economically impossible for both parents to work outside the home.

Alberta, our richest province, only funds child care at one-third the national average. This low level of funding drives costs up for parents. Even if we aren't willing to fund child care at the gold star level of Quebec, where daycare is only \$6 per day, by spending to the national average Manitoba is able to cap their fees at \$26 per day.

Approximately half of the child care spaces we have in this province are profit driven. It's very difficult for nonprofit societies to open child care centres. We need to find ways to provide stable funding for community-centred, nonprofit providers.

People who work with our children are doing important, life-changing work; however, they are often paid low wages, resulting



in high staff turnover. It is time for our province to step up and put the public good first. We need to invest in a quality child care system instead of placing the burden on families.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

### Earth Day

**Mrs. McQueen:** Thank you, Mr. Speaker. I am pleased to rise today in recognition of Earth Day, which is celebrated each year on April 22. The first Earth Day was a modest teaching forum held in the United States in 1970. A year later Alberta created the first provincial Environment ministry in Canada. In fact, Alberta Environment celebrates its 40th anniversary this month. A great deal has changed over those four decades. When the first Earth Day was held, most people had never considered recycling paper, glass, or metal. Cars still used leaded gas, and the idea of measuring an individual's carbon footprint would have sounded like something from a science fiction story.

Just as Earth Day has grown into an international event, this government has expanded its scope to protect our air, water, land, and biodiversity in ways we couldn't have imagined in 1971. Over the past four decades Alberta has developed comprehensive strategies to reduce its environmental footprint and energy consumption, implemented innovative waste management strategies, worked with industry to reduce greenhouse gases, and invested in clean energy technology. These are just a few examples of what our government is doing to maintain a healthy balance between the environment, the economy, and responsible resource development.

Just as importantly, individuals are recycling, composting, making their homes more energy efficient, and making greener choices in their daily lives. All Albertans can take pride in what we have achieved together. Earth Day is a time to reaffirm our commitment to doing the right thing for our environment.

I ask each member of this House to join me in recognizing April 22 as Earth Day and to keep working to protect our air, water, and land for this and future generations.

Thank you, Mr. Speaker.

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

### Land Stewardship Legislation

**Mr. Prins:** Thank you, Mr. Speaker. In spite of what critics may claim, this is an exciting and good time for landowners in Alberta as the main guiding principle of the land-use framework is and always will be respect for private property. This is important because I am a landowner just like my children, friends, neighbours, and colleagues.

Bill 10 continues to protect landowners' existing rights to compensation. If the landowner and the government cannot agree on a compensation amount, either side can appeal the matter to either the compensation board or the courts. In other words, if a landowner is not happy about the proposed compensation, he or she can appeal it.

The amendments in Bill 10 do not create new compensations. This needs to be clear. However, they do create a new process to apply for compensation if after the planning process a landowner believes they are entitled to compensation as a result of a regional plan. The new process would follow existing law regarding whether compensation should be awarded and how much.

Mr. Speaker, obviously, I want to protect the land rights that belong to my family, friends, and all Albertans. This is why I

support Bill 10 as it ensures that landowners' existing rights to compensation remain in place.

Thank you, Mr. Speaker.

### Armenian Genocide

**Mrs. Leskiw:** Mr. Speaker, each of us in this room has a story told by our families and by our histories. These histories shape who we are, and that is why we remember. Each year on the last Saturday of November I along with my family and many Albertans of Ukrainian heritage remember the millions of victims of Ukrainian famine on Holodomor Memorial Day.

Mr. Speaker, every year on April 24 Armenians around the world pause to remember another cruel massacre, the Armenian genocide, on a day known as Armenian martyrs' day. They pause to remember their families, their histories. Many Armenians live in Alberta today, some of them children or grandchildren of survivors of this genocide, including our friend the hon. Member for Red Deer-North.

On this day people remember 1 and a half million Armenians who marched to their deaths in the final days of the Ottoman Empire 96 years ago. It is a day on which to pause, to remember, and to learn from the atrocities of the past, just as we do with Holodomor, to ensure that the memories of those departed remind us to never again repeat the grave mistakes of the past. We are inspired by the spirit, the strength, and the determination of the Armenian people, who have risen up to help build the world we live in today, showing courage that is an everlasting triumph over those who sought to destroy them.

On Sunday as we celebrate Easter with our families, I urge all of us to remember the tragedy of 1915 and in each day forward to promote the acceptance of all peoples and all cultures, opposing crimes against humanity regardless of where they occur and against whom they are carried out. With our thoughts and with our actions we show that we will remember.

1:50

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you very much, Mr. Speaker. Dr. David Candler, a family doctor from Edmonton, is the latest victim of this government's culture of fear and intimidation. Although Dr. Candler was commended by many patients as the best doctor they ever had, he was summarily fired by Capital health region after reporting a disability and illness to the health region. Dr. Candler says that he was, quote, terminated by Capital health without just cause, end quote. His case is also set to be heard by the Alberta Human Rights Commission April 26. To the minister: how can the minister say with any credibility that doctors are free to come forward to tell their stories? As Dr. Candler has said, he came forward to advise . . .

**The Speaker:** The hon. minister. [interjection] The hon. minister, please.

**Mr. Zwozdesky:** Mr. Speaker, all doctors are welcome to approach the Health Quality Council, where other doctors, colleagues of theirs, will hear their concerns. They'll be able to talk in their own language.

My understanding of the situation that has just been raised is that this goes back to 2005 and that that particular doctor did raise

something with the Human Rights Commission and probably would like it to be heard in that venue. It's one of many different vehicles available to people, including . . .

**The Speaker:** The hon. leader.

**Dr. Swann:** Mr. Speaker, given that a public inquiry is the only way to get to the bottom of this government's culture of fear and intimidation, will this government finally concede that the Health Quality Council review will not help doctors such as Dr. Candler?

**Mr. Zwozdesky:** Mr. Speaker, I would contend that the Health Quality Council review will help doctors, and it will help others who wish to come forward. I think it might even help this hon. member because there is a misunderstanding here of the depths to which the Health Quality Council may wish to probe.

Finally, I just wonder if this hon. member has the permission of Dr. Candler to be raising these issues. I'd like him to tell me that.

**Dr. Swann:** How many more hundreds or thousands of health professionals like Dr. Candler does the minister have to hear from before he concedes that a public inquiry is the only way to address this government's culture of fear and intimidation among health professionals and patients?

**Mr. Zwozdesky:** Mr. Speaker, it's not the government who is creating any fear among the population. It's not the government who is intimidating anyone. What it is is false allegations that are being raised. It's accusations against innocent people who can't defend themselves. That's what is attacking the public confidence in the system. Why don't we just allow the Health Quality Council to proceed with its review? We'll see where it's going in three months' time, in six months, and a final report will be made public in nine months.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. When a patient ignores the advice of their doctor, the condition often goes from bad to worse. Since this government is ignoring 6,500 doctors who are calling for a full public inquiry, the government's position has now deteriorated as 21,000 health services professionals with the Health Sciences Association of Alberta have joined the call for a public inquiry. To the minister. The HSAA has said, "Heavy-handed tactics continue to put a chill on patient advocacy." When will the minister do the right thing for patients and call for a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, I don't agree with where the hon. member is coming from, but I do understand that the Health Sciences Association contract just expired at the end of March. I think they're stepping into the next phase to renew that contract, and I wish them well with that. I can't comment.

What I can tell you is that people who are members of health sciences are increasing in our province, so clearly there must be a lot of good things happening here to keep attracting more members into that group.

**Dr. Swann:** Well, Mr. Speaker, if the minister isn't listening to the 27,000 health care workers who want to see a public inquiry, who is he listening to?

**Mr. Zwozdesky:** Mr. Speaker, I'm trying to listen to everyone, actually. It's part of my job to listen. It's also part of my job to

take action, and that action has resulted in some very good things. We have more international medical graduates, in fact, 400 more today than we had three years ago. We have – I think I mentioned this yesterday – 14 more oncologists than a few years ago. We have 23 more cardiologists than a few years ago, and we have over 3,000 more registered nurses. We have over 100 more nurse practitioners. Fabulous news for the health system in this province, and that's the kind of news Albertans also want to hear.

**Dr. Swann:** Given that technicians, occupational therapists, pharmacists, psychologists, and social workers, the backbone of our health care system, are calling for a public inquiry, when is this minister going to find his and call a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, I don't know how many times this member has to hear it to understand that we have a full, independent review going on in this province, led by the most credible people available under the circumstances. They are going to get to the bottom of a lot of these kinds of accusations, these kinds of allegations, and they will get the truth out, never mind false allegations without any evidence or any proof. Let them come forward. They're talking doctor to doctor where necessary and lawyer to lawyer where also necessary.

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Varsity.

#### Standards for Underage Workers

**Mr. Chase:** Thank you, Mr. Speaker. New research offers some startling figures. Nineteen per cent of 12- to 14-year-olds are employed, 21 per cent of whom are in prohibited occupations. Six per cent of nine- to 11-year-olds are employed, 78 per cent of them in prohibited occupations. No, this is not Dickensian England but Alberta today. To the minister of employment. I would like to ask on behalf of the Albertans who will be shocked by this report. Does the minister believe that Alberta's Employment Standards Code has kept pace with community values?

**Mr. Lukaszuk:** Albertans will be shocked because what this report, that has been commissioned by the AFL, is suggesting is that there are 126,000 parents who allow their kids to be exploited, that there are 126,000 businesses in Alberta that exploit children, and that all of us, including you, Mr. Speaker, purchase products from businesses that exploit little children in Alberta. Humbug. They should be ashamed of themselves.

**The Speaker:** The hon. minister should not bring the chair into the debate. The chair would never ever do what the minister said he would do.

The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. A sad case of transference.

Enforcement of Alberta's Employment Standards Code is complaint driven: no complaint, no problem. Isn't it time for the minister to commit to proactive inspections of premises where children are employed in prohibited occupations?

**The Speaker:** With care, Minister.

**Mr. Lukaszuk:** Mr. Speaker, let's not skirt the issue. What the report is suggesting and what AFL has publicized on their website is that they're telling us that there are 126,000 children in this province working illegally, being exploited as labourers. Alberta has just cosigned an international agreement from Geneva, where

we are eradicating forced child labour throughout the world. To suggest that we're doing that in Alberta is reprehensible.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. Given that the minister has sat for over seven months on Alberta's two-bit minimum wage increase, when can we expect the minister of child labour to act on this Alberta child exploitation information?

**Mr. Lukaszuk:** Mr. Speaker, this question doesn't warrant a response. This member should stand up and apologize to all parents in Alberta.

Thank you.

**The Speaker:** Before we go on, the minister will stand up and withdraw his accusation made at the chair.

**Mr. Lukaszuk:** I withdraw.

**The Speaker:** With conviction, I hope.

The hon. Member for Airdrie-Chestermere.

#### **Patient Advocacy by Health Professionals** (continued)

**Mr. Anderson:** All right. Mr. Speaker, the Health Sciences Association of Alberta, representing 21,000 health care support workers, has now joined the AMA and virtually every Albertan in what is now a deafening call for a public inquiry into the intimidation and punishment of front-line health care workers by this government. All are demanding the inquiry have the power to subpoena witnesses and compel evidence in order to determine who was involved, who has been victimized, and how we stop it. To the health minister: why won't he agree to call a public inquiry on what may be the biggest ethical scandal in our province's history? What are you hiding from?

**Mr. Zwozdesky:** Mr. Speaker, I don't think there's any scandal whatsoever. I think what there is is some great stability in the system now, with the best potential for future predictability that we've seen in the history of this province and anywhere else in Canada. We've made a firm commitment to our five-year health action plan. That's the contemporary position. If there were issues of the past, there are mechanisms for those to be dealt with, and my understanding is that they are.

**Mr. Anderson:** Given that that answer is completely separate and apart from reality, why do you continue to ignore and dismiss Alberta's doctors, nurses, and other health professionals who want a full public inquiry by belittling doctors who do speak out as liars and while hiding behind a Health Quality Council that reports to you, is paid by your ministry, and that, clearly, does not have the power or capability to subpoena witnesses or compel evidence? What are you hiding from, sir? Why won't you just call the inquiry?

2:00

**Mr. Zwozdesky:** Clearly, the fact that more doctors are coming forward and airing their concerns that go back five, 10, 15, maybe even 20 years ago, is evidence that the process that's been put in place is working. I'll tell you that if the hon. members of the opposition would just allow that process to conclude, at least to get more firmly started, which it has already, they might be surprised by what the findings are. Who knows where it will go?

**Mr. Anderson:** Well, to the health minister, then. Given the fact that you were during this time, during this scandal, the junior

health minister in question and given that this constitutes an obvious conflict of interest as you may well have been involved in or had knowledge of this scandal and given that the Health Quality Council reports to you and given that your ministry pays the salaries of that Health Quality Council, which is another conflict of interest, will you please, Minister, step down until the air can be cleared around this matter? Right now the people of Alberta don't have . . .

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Mr. Speaker, given that this member doesn't know what he's talking about and given that this member is wrong on all counts and given that he is proceeding on some wrong and false information, I would ask him to probably withdraw that question because it does not dignify an answer.

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

#### **Critical Electricity Transmission Infrastructure**

**Mr. Mason:** Thank you very much, Mr. Speaker. Albertans face a massive hike in electricity rates according to research done by the Alberta Direct Connect Consumer Association, representing a majority of industrial users of power in this province. These large increases are caused by this PC government's insistence on building billions of dollars of unnecessary transmission infrastructure. My question is to the Minister of Energy. Why is this minister working so diligently to make Alberta business uncompetitive?

**Mr. Liepert:** Well, Mr. Speaker, I think I'd like to start out by saying that this is just another example of this member's attempts to put fear and intimidation into Albertans. I happened to see his news release, and if there was ever a news release that was issued with so many inaccuracies in it, I have never seen it.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given the Alberta competitiveness impact from transmission costs contained in this report by some of the biggest users of electricity in this province, that spend billions of dollars on power, how can this minister stand there and say that it's inaccurate or incomplete when he himself will never answer a question straight in the first place?

**Mr. Liepert:** Mr. Speaker, just to be clear, if this member would look at *Hansard*, I didn't say that what was in that particular presentation was inaccurate because, in fact, I have sat down with the same group. This is nothing new, what the member is allegedly releasing today. I've had those meetings on several occasions. I don't happen to agree with the numbers that are in that presentation. What I did say was inaccurate were the member's accusations in his news release.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the minister should actually be responding to the question, which was about competitiveness impact that was given to the Whitecourt & District Chamber of Commerce by the Alberta Direct Connect Consumer Association, and they say that they are going to be made uncompetitive by this government's misguided attempts to build massive infrastructure that is not needed, why won't the minister come clean with Albertans and admit that he's just going to drive Alberta business into the ground?

**Mr. Liepert:** Mr. Speaker, I can guarantee you one way to make Alberta business uncompetitive, and that's to have those guys try to run a government in this province.

What we are doing is ensuring that we have the transmission in place that will guarantee that Alberta business will be competitive in the long term.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Strathcona.

### Education Funding

**Mr. Hehr:** Thank you, Mr. Speaker. A budget nightmare, said one Calgary paper. Layoffs in Lethbridge. Tough times ahead, says the *Vauxhall Advance*. It's déjà vu all over again, and what advice does the minister give boards in response to his grand cutting? He says: use reserves to pay teachers and support staff. Then next year when the reserve funds are depleted across the province, what does the minister expect school boards to do to make up for their long-term shortfalls?

**The Speaker:** Well, that's quite speculative, but go forward.

**Mr. Hancock:** It is, indeed, Mr. Speaker, quite speculative.

In fact, because of the impact of the fiscal strategies and the planning of this government this province is going to be leading this North American continent out of the recession. The prospects are already good. We're hearing about shortages of workers already. So next year is going to be a much better year. But it's always prudent for school boards and anyone else who is managing public money to be looking at what they're doing to determine whether we're getting value for it, and there's no better time to do it than when fiscal times are tight.

**Mr. Hehr:** Well, given that the minister just basically admitted that we're heading into better economic times and our population will continue to grow, why are you cutting school boards' budgets and letting teachers go when we should actually be hiring them in this time?

**Mr. Hancock:** Well, Mr. Speaker, apart from one or two, well, maybe 10 boards in the province most school boards' budgets actually didn't get cut. They went up. As the hon. member will know because he was here to vote on it yesterday and to speak on it in Committee of Supply on Tuesday, the budget for Education actually went up 4.7 per cent. Now, costs have also gone up. Times are tight. Fiscal restraint is necessary, and tough decisions are there. That's why we get elected. It's not to make the easy choices. It's to be there with intelligence, making prudent decisions over the long term when times are tough.

**Mr. Hehr:** Given that the minister is playing with numbers and he knows full well he's shortchanging school boards, will the minister do the right thing, restore his cuts, so that teachers can be hired, staff can be hired, and kids can get educated properly in this province?

**Mr. Hancock:** Mr. Speaker, one thing I know is that the children of this province get one of the best opportunities in the world to get a good education. Is it perfect? No. Are there things we need to do to make sure that we can continue to say that five years, 10 years, and 15 years from now? Absolutely. We have excellent teachers, we have an excellent system, and most children most of the time get a very good opportunity. We're working on the rest to make sure that everybody has a good opportunity all the time.

The fact that we're in a tough fiscal period and some tough choices have to be made and people have to look at what they're spending money on to make sure that we're getting value for money is not a bad thing, Mr. Speaker. It's what governments need to do all the time if they want to be fiscally prudent.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Edmonton-Centre.

### GreenTRIP Incentives Program

**Mr. Quest:** Thank you, Mr. Speaker. GreenTRIP is a \$2 billion commitment to improve and expand local, regional, and intermunicipal public transit in our province. My question to the Minister of Transportation: what projects have been announced under GreenTRIP so far?

**Mr. Ouellette:** Mr. Speaker, it's good to have a good positive question and a good positive answer for a good MLA for a change. I want to say that the first two GreenTRIP projects were announced this month. One is the Edmonton LRT NAIT extension, and it will receive nearly half a billion dollars. This will allow the city to extend the existing LRT line from downtown to MacEwan University and then on to the NAIT campus. Yesterday we had a \$13.6 million announcement for the new Strathcona park-and-ride terminal to be built in Sherwood Park.

**Mr. Quest:** Thank you, Mr. Speaker. My first supplemental question is to the same minister. The Strathcona park-and-ride terminal will be in my colleague's constituency of Sherwood Park, but I know that many of my constituents will also use this new facility. What can the minister tell us about the project? Why does he think this is a good investment of GreenTRIP dollars?

**Mr. Ouellette:** Mr. Speaker, the project is being done by the county of Strathcona. The project involves a new integrated bus terminal and a park-and-ride lot. It will have a large passenger waiting area, more than 1,200 parking stalls, and a passenger pick-up and drop-off. This project will benefit the county and all the surrounding communities. It'll be easier for many more residents to use public transit, get their cars off the road, and it will help promote these communities as a vibrant place to live. That's exactly what GreenTRIP is all about.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. I'm glad to hear about these projects, but it does seem like we've been waiting a long time for this funding to actually get out the door. So my question to the Minister of Transportation: when are we going to start seeing more applications being approved?

**Mr. Ouellette:** Mr. Speaker, GreenTRIP is a significant investment in public transit and a key part of building a world-class transportation system in Alberta. My officials are currently reviewing the applications that have been submitted by various municipalities. They set local priorities and make the decisions on how they want to apply for GreenTRIP funding. These can be very complex, and we must exercise due diligence.

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

2:10

### Water Research

**Ms Blakeman:** Thank you very much, Mr. Speaker. The Alberta government has now given power over water research to the ener-

gy sector, ever-increasing the politicization of research. Alberta will now have water monitoring and water research funneled through the lens of the energy industry. Now, we don't allow Olympic athletes to control their own drug-testing process to protect them and the process. The same due diligence and protection should function here. To the Minister of Environment: how is it not a conflict of interest to have a significant consumer of water be given control over what research and how the research is done?

**Mr. Renner:** Well, Mr. Speaker, were it to be true, it would be problematic, but it is not true. What we're doing throughout government is co-ordinating various and sundry research that was occurring in numerous departments, be they environment or agriculture or any of the other research facilities throughout the province, and co-ordinating them all under one ministry, Advanced Education and Technology. It is Advanced Education and Technology, not industry, that will be responsible.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much. Back to the same minister: can the minister explain how the decision was reached to move water research, the most urgent environmental issue in Alberta, to a board with some of the biggest names in the energy industry? Former Syncrude and Nexen CEOs; former senior VP for PetroCan; senior director for Agrium; senior VP, Capital Power: the list goes on and on and on.

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. I'll be happy to respond to this. Water research is critically important in the province of Alberta, and it is not being handled by the energy industry. That board of directors is truly a remarkable group of people. It is responsible for research in energy and the environment, but water for life and water is through all of our ministry, through all of Alberta Innovates. In fact, the University of Alberta has up to 200 people involved in water research. The University of Lethbridge has a whole water research and environmental centre that works on water research. We cover water research throughout the ministry.

**The Speaker:** The hon. member, please.

**Ms Blakeman:** Thank you again. Back to the Minister of Energy: when having the energy industry monitoring the environment in Alberta was such a colossal failure, what makes the minister think that having the energy industry controlling environmental research will be such a success?

**Mr. Liepert:** I have no idea what the member is alluding to because I think what the Minister of Environment just finished telling her is that her facts are all incorrect, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Montrose, followed by the hon. Member for Edmonton-Centre.

### Workers' Compensation

**Mr. Bhullar:** Thank you very much, Mr. Speaker. My constituents are incredibly concerned about the culture of the WCB. They feel that WCB workers approach injured workers with a preconceived notion of mistrust. My questions are for the Minister of Employment and Immigration. Minister, what are you doing to change this culture of the front-line workers in WCB?

**Mr. Lukaszuk:** Well, Mr. Speaker, first of all, we have to give credit where credit is due. WCB actually does a fine job with the

majority of claims that are processed through the Workers' Compensation Board, not to say that there isn't a percentage of claims that leave workers dissatisfied, whether legitimately or not. I can tell you that there is a process for appeal, on which I'm working right now to make sure that it's shortened and more accessible to workers, and that will assist them in resolving some of those problems.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. To the same minister: is it true that injured workers are told that if they use WCB doctors, they're able to get scans, MRIs, or other tests done sooner than if using one's own family doctor? Why are people encouraged not to use their own family doctors?

**Mr. Lukaszuk:** Mr. Speaker, that is simply not the case. There are no such things as WCB or non-WCB doctors. Injured workers utilize regular Alberta doctors. However, when a claim is approved and it's a work-related accident, these doctors bill WCB for their services as opposed to our public health care system.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. To the same minister: are doctors or other health care professionals compensated by WCB for working on WCB files beyond the usual compensation that health care professionals receive under the fee-for-service payment model?

**Mr. Lukaszuk:** Mr. Speaker, WCB has payment arrangements with doctors. Let's face it. All doctors in Alberta are private corporations, and they bill either Alberta Health Services or WCB. They have an agreed schedule of payments with WCB. I'm not sure whether it exceeds Alberta Health Services' on some procedures or not, but it's a payment schedule that's agreed to between the doctors and WCB.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

### Land Stewardship Legislation

**Ms Blakeman:** Thank you very much, Mr. Speaker. Many people, including those who believe strongly in vigorous environmental protection, are concerned that proposals in Bill 10 are modelled after the American-style property rights legislation, and they've asked me to put questions to the Minister of SRD. To the minister: will the Land Stewardship Act combined with the proposals in Bill 10 have the effect of freezing planning for environmental protection?

**Mr. Knight:** Well, Mr. Speaker, I would suggest that the Alberta Land Stewardship Act and the regional plans that will be spawned from that legislation and supported by that legislation will do anything but. What will happen is that there will be a very solid and robust opportunity for conservation and environmental protection in that legislation and through the plans that it supports.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. To the same minister: what actions has the government taken to ensure that land-use planners can do their work without fear of lawsuits?

**Mr. Knight:** Well, again, Mr. Speaker, the business about land-use planning is a municipal issue. In the legislation and, most

importantly I think, in some of the subsequent amendments that may come forward with respect to that legislation, we've made it very clear that municipal governments have that authority and will continue to exercise that authority for Albertans.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. My final question to the same minister: what reassurance can the minister offer those who fear that these changes will elevate property rights over environmental protection?

**Mr. Knight:** Well, Mr. Speaker, the situation that we have here I think is a very good balance. In fact, the entrenchment of property rights in the province of Alberta has been here since Alberta was a province, and this continues, I think, that very good, solid tradition. However, there are opportunities here where we can work with individual private property owners and, of course, people that lease public land from the province of Alberta for better environmental stewardship and better outcomes from the point of view of our ecological heritage in the province.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Strathcona.

### Continuing Care Strategy

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. This year the first wave of baby boomers are becoming seniors, and our seniors' population is expected to grow significantly over the decade. The aging of our population is providing a new set of opportunities and challenges for all stakeholders specific to affordable accommodations. My questions are to the Minister of Seniors and Community Supports. What is the government doing to meet the need for more affordable supportive living accommodations?

**Mrs. Jablonski:** Mr. Speaker, we're working very closely with our partners to significantly increase the supply of affordable supportive living accommodations in the province. The continuing care strategy, aging in the right place, is one way we are assisting in the development of projects as a community of care concept. That involves independent living, supportive living, and long-term care spaces. Ninety per cent of all seniors stay in their own homes, so one of the parts of the continuing care strategy that is very important is home care, which is delivered by Alberta Health Services.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: given that the seniors' population is expected to exceed 500,000 by 2016, what is the government doing to meet that increased need for affordable supportive living accommodations?

**Mrs. Jablonski:** Well, Mr. Speaker, this year alone we're spending \$75 million to help build new affordable supportive living spaces. The request for proposals for that \$75 million for ASLI spaces will come out in the next few months. This government has a long-term commitment to our seniors. We've spent over half a billion dollars to provide 10,000 spaces. We've built 6,000 of those, and 4,000 are on the way.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: what impact is the continuing care strategy having on seniors and persons with disabilities?

2:20

**Mrs. Jablonski:** Mr. Speaker, the continuing care strategy is about increasing the quality of life for seniors today and tomorrow. It's about providing options for our seniors to keep couples together, to keep them close to family and friends in the communities that they helped to build. A key component of the strategy assists developers in providing affordable supportive living spaces for persons with disabilities like the innovative Balwin Villa project in Edmonton. Balwin Villa provides quality accommodations for over 100 brain-injured and dementia clients.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Lethbridge-East.

### Standards for Underage Workers (continued)

**Ms Notley:** Thank you, Mr. Speaker. A recently released study shows that 8,200 Alberta children ages 9 to 11 are working in our province and that an unacceptable 78 per cent of them are working illegally in fields such as janitorial services. Meanwhile prosecution of this practice is virtually nonexistent. Based on previous exchanges, it appears as though the minister is content to blame parents. Will the Minister of Employment and Immigration acknowledge that it is his government's neglect and disinterest in regulating child employment that has facilitated this practice of child labour and admit that the Tory government is simply not interested in protecting Alberta's children from exploitation?

**Mr. Lukaszuk:** Mr. Speaker, what the member is telling us and what the report says is that in Alberta right now there are 126,000 children exploited, working in our businesses. Their parents obviously consent to it, this government obviously consents to it – not you, Mr. Speaker – and all of us are somehow patronizing these businesses. How can that be possible? What I would like to know is that if they have any examples of child labour exploitation, give us the examples.

**Ms Notley:** Well, Mr. Speaker, given that the study shows that half the children working in restaurants interviewed in the study reported multiple violations of their rights and given that the NDP warned this government that this would happen when the government decided to allow 12-year-olds to work in restaurants, will the minister admit that these numbers show that the Tories were wrong, that we were right, and that this government's lax laws have exposed school-age children to exploitation and unsafe work environments?

**Mr. Lukaszuk:** Mr. Speaker, if this particular member is aware of any instance where in this province a child is being exploited, it is not only her legal duty but her moral duty to report it to this minister. Every single complaint is investigated. Somehow I don't hear complaints from parents, from Albertans, or from children that there is exploitation of children.

**Ms Notley:** Well, Mr. Speaker, given that this minister appears interested in having me do his job for him, will he do the following? If this minister finds that this report is approved by peer review, will he agree to resign given this kind of exploitation on his watch?

**Mr. Lukaszuk:** Mr. Speaker, I suspect they're going to call for a public inquiry.

Mr. Speaker, this minister is committed to making sure that employment standards are being adhered to. As a matter of fact,

we have an educational program right now known as Tell Your Boss Where To Go for employment standards information. Every single complaint is investigated. If this member has a complaint, please let me know because I will be the first one to make sure that no child is exploited in Alberta.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Leduc-Beaumont-Devon.

### Residential Building Inspections

**Ms Pastoor:** Thank you, Mr. Speaker. It has been reported that the province's chief building inspection administrator has undertaken a review of all the engineering reports about the Penhorwood condominium catastrophe in Fort McMurray. The minister has indicated that the results of the review will not be made public. To the Minister of Municipal Affairs: if he is confident that Alberta's building inspection system is working properly, why won't he publicly release the findings of the review or at least to the people who were directly affected by this catastrophic incident?

**Mr. Goudreau:** Mr. Speaker, I want to thank the Member for Lethbridge-East for asking the question. There's no doubt that we do this to make sure that the safety codes are still working, that our buildings are built according to standards. There's no doubt that he's accumulating all of those particular reports and will do an analysis and then report to me to see if there are necessary changes to the codes that are required. If he does identify changes that are required, then we will deal with the broader public on the basis of those recommendations.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Given that the condominium development appears to have passed inspections under the Alberta building code and all other applicable laws and turns out to have major structural problems, as in Fort McMurray, doesn't this suggest that Alberta's minimum building and safety codes may be inadequate?

**Mr. Goudreau:** Mr. Speaker, I won't speculate in terms of what reasons, why we're having problems with the apartments in Fort McMurray, and there's no doubt there are quite a number of individuals that have been named in a lawsuit. A lot of that information will follow. I'm not in a position to decide who may be responsible for this or not responsible.

**Ms Pastoor:** As you've mentioned, given that the Penhorwood condominium board has launched a class-action lawsuit, how quickly could the minister act on any recommendations issued by the judge if problems are identified within Alberta's building development system?

**Mr. Goudreau:** Mr. Speaker, I want to start off by indicating that Alberta has one of the strongest safety codes in all of Canada, and we're very, very proud of our safety codes and the inspection process. But if there are recommendations that come out of the inquiry, then we'll certainly look at them very, very quickly. We constantly review the codes, or the act, to make sure that they respond to the needs of Albertans. If there's a need to change them, we will.

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Fort McMurray-Wood Buffalo.

### ILO Agreement on Forced Labour

**Mr. Rogers:** Thank you, Mr. Speaker. Most nations have ratified the International Labour Organization's convention 29, regarding forced labour. Canada, however, is one of the few that has not. My question is for the Minister of Employment and Immigration. What is Alberta doing to support the movement to eliminate forced labour?

**Mr. Lukaszuk:** Mr. Speaker, in Canada in our federal system in order for a federal government to enter into an international convention: all provinces must first endorse the convention. Alberta has proudly endorsed the convention, and I imagine that very shortly, before the end of this year, our federal government will be signing off ratifying convention 29 on forced labour.

**The Speaker:** The hon. member.

**Mr. Rogers:** Well, thank you, Mr. Speaker. My question, again to the same minister: given that the ILO convention 29 deals with compulsory labour, does Alberta's prisoner worker program or our emergency measures legislation contravene this international agreement?

**Mr. Lukaszuk:** Mr. Speaker, no, it will not. That was a matter that was looked into very carefully. Prisoners in Canada and Alberta are not being outsourced for the benefit of private businesses. As such, their employment within the capacity of programs or within the facility is not in any violation of this ILO convention.

**The Speaker:** The hon. member.

**Mr. Rogers:** Well, thank you, Mr. Speaker. Finally, again to the same minister: are there any long-term implications or benefits of Alberta's endorsement of this ILO convention?

**Mr. Lukaszuk:** Well, a couple of things, Mr. Speaker. Number one, it shows that we are proud to showcase our employment standards and that they live up to international standards. What we will have to do as a result of this is file amendments to our employment standards with this international body just to maintain our commitment to maintain and exceed international standards and employment standards.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Calgary-North Hill.

### Patient Advocacy by Health Professionals (continued)

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Last weekend I was in a coffee shop talking with citizens, and they asked me to ask a question to the Minister of Health and Wellness. The question was simply this. Why does the Minister of Health and Wellness refuse to answer questions in a straightforward way? In fact, they said that he can simply talk the leg off a chair without answering a question. Will he please agree to answer the question that I'm going to ask him in my second question this afternoon?

**Mr. Zwozdesky:** Mr. Speaker, one thing I've always appreciated about this member is his sense of humour, so bring it on.

**Mr. Boutilier:** Given that he, I think, said yes to the question, my question. The folks in my coffee shop have said that he was the junior minister. He was potentially in a conflict of interest. Why is

he refusing or why doesn't he have the guts to do the right thing and call a public inquiry? The question is: why?

**Mr. Zwozdesky:** Mr. Speaker, I've already indicated on numerous occasions why, and I won't take up the House repeating all of that unless you give me unanimous consent to speak all afternoon, in which case I'd be happy to read out all the reasons why.

However, what I'd like to clarify is that while I was the associate minister of health, I was responsible for the wellness side. In addition to that, Mr. Speaker, I dedicated most of my effort to persons with developmental disabilities, and that crystallized in the form of a report called Building Better Bridges. I can tell you that during my time and for the time after the lives of those individuals improved quite enormously, and I have a letter to prove it.

2:30

**Mr. Boutilier:** Given that non-answer, Mr. Speaker, will the hon. minister do the right thing and have the guts to step down and allow someone else with the guts to call a public inquiry to get to the bottom of this cloud, lost confidence in this minister?

**Mr. Zwozdesky:** Mr. Speaker, I don't think there's any confidence lost whatsoever. I think that what you see is a lot of new approaches being taken as a result of the five-year health action plan. I think you see a lot of co-operation. We have more meetings going on now with all the health professionals, and we're about to embark on a very, very important primary care initiative, as set out in the agreement in principle with the Alberta Medical Association and their doctors, to ensure that the services continue to improve for those seeking them in this province.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Gold Bar.

### Curbside Recycling

**Mr. Fawcett:** Thank you, Mr. Speaker. Many government policies and programs are aimed at addressing important societal issues. However, there are some unintended consequences arising from these well-intentioned programs. Calgary's curbside recycling program is one of these well-intentioned programs that has had some unintended consequences. My questions are to the Minister of Housing and Urban Affairs. Considering the minister's commitment last fall to crack down on panhandling, typically concentrated in the downtown core, is the minister committed to doing the same for bottle-pickers who have migrated into inner-city residential communities as a result of the curbside recycling program?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. The member asks an important question. I do agree with him that panhandling can be an issue throughout urban Alberta. In fact, I don't recommend that people give money to panhandlers. I ask that they support their local service organizations such as the Mustard Seed or the Calgary drop-in centre because you know where your money is going.

To his specific question dealing with bottle-picking, what that does have in common with panhandling is that it is a local issue, and what works in one area of the province may not work in another area. I would suggest that this member may want to talk to his local alderman or to the mayor, as I have in the past.

**Mr. Fawcett:** Sure. Well, I'll take another approach and ask my first supplemental to the Attorney General and Minister of Justice. While bottle-pickers may not pose a direct threat to public safety, their presence in a neighbourhood does invite unsavoury activity.

As the minister responsible for safe communities is there anything that can be done to address this issue?

**Mr. Olson:** Mr. Speaker, the safe communities initiative is a holistic approach to crime reduction, and it's intended to look at the root causes of crime. I'm not sure about the specific circumstances that the hon. member mentions, but I would think that we're not talking about recycling as a root cause. We're talking about homelessness, probably, as a root cause. Certainly, this initiative looks at those types of things. It's a multidepartment approach, and the department of housing works on providing help for people who are homeless such as the Pathways to Housing program in Calgary.

**The Speaker:** Thank you. We'll go on, please.

The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. My final supplemental is to the Minister of Municipal Affairs. Does the collection and sale of recyclable material by municipalities as part of the curbside recycling programs generate any net revenue to municipalities, and have municipalities indicated any loss of such revenues as a result of bottle-pickers?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. In most municipalities recycling is not – and I repeat: it's not – a full-cost recovery program, but it has tended to be recognized as a green municipal service that some municipalities provide which may be partly offset by some deposit returns. I expect that the refund revenue is small as many people still use bottle depots or donate their bottles to fundraising organizations. Each municipality has their own policy on recycling, and it really varies from one community to the other.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Mackay.

### Residential Building Inspections (continued)

**Mr. MacDonald:** Thank you very much, Mr. Speaker. My first question is to the Minister of Municipal Affairs, the minister in charge of the safety codes system. How can the minister state earlier in question period that the safety codes system works and that he's proud of it when a condominium built in Fort McMurray recently under this government's administration of the safety codes system is uninhabitable?

**Mr. Goudreau:** Mr. Speaker, I fail to understand the latter part of his question. I want to reiterate to Albertans that I really believe that for the most part our inspection process is doing well. As a result, the Safety Codes Council has competent people working for them across the province, and municipalities, that are accredited, have been hiring excellent people. For the most part, with the majority of our buildings we're doing well.

**Mr. MacDonald:** Tell that to the condominium owners in Fort McMurray.

To the Minister of Municipal Affairs, please: why is there no authority under the Safety Codes Act for safety codes officers to issue orders to assign fault and liability as a result of the breach of the act?

**Mr. Goudreau:** Mr. Speaker, that would become part of the review of the Safety Codes Council. There's no doubt, as we're



looking at that, that those are some of the things we are looking at. The inspectors have a right to actually put a sticker on the building itself as they're moving through the process, thereby stopping a particular building project until issues are rectified and corrected.

**Mr. MacDonald:** Again to the same minister: speaking of inspectors' rights, does the Safety Codes Act give authority to a safety codes officer to ask workers employed on a site under inspection for their trade certification? Yes or no?

**Mr. Goudreau:** Mr. Speaker, the municipalities are the ones that are accredited, and they in turn hire their individual inspectors. The inspectors are there to do a job, and that's to inspect under the Safety Codes Act. Their responsibility is to make sure of and authorize the continuation of a particular project. They have that authority to start or stop projects accordingly.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Edmonton-Riverview.

### Vitalize Volunteer-sector Conference

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. I'm hearing from some of the voluntary groups in Calgary that there have been some changes to their annual Vitalize conference, put on by Alberta Culture and Community Spirit. My question is to the minister of that ministry. Could you please explain and inform this House what some of these changes are to this very important conference for the voluntary sector?

**Mr. Blackett:** The Vitalize voluntary-sector conference takes place in Edmonton on June 14 and 15 at the Shaw Conference Centre with the theme Shifting Gears and Changing Lanes. Yes, Mr. Speaker, we have condensed the conference from three days into two days while we continue to provide support for the not-for-profit and voluntary sectors, an opportunity to hear top-quality keynote speakers, to participate in diverse information sessions such as conflict resolution, fraud prevention, and building your volunteer base, and excellent networking opportunities.

We also added this year, Mr. Speaker, the youth mentor program through a partnership with Alberta's YouthVOLUNTEER! Society. Through this we provide complimentary registrations to one adult mentor and an eligible youth volunteer. It's a great way to recognize youth volunteers and introduce them to potential careers in the voluntary sector.

**The Speaker:** The hon. member.

**Ms Woo-Paw:** Thank you. My first supplemental is to the same minister. As this is one of those very few opportunities for the sector to come together, can the minister explain why these changes were made?

**Mr. Blackett:** Mr. Speaker, there are a number of reasons we made the changes. One is economic. We want to make sure it's still financially feasible for people to be able to attend the conference. We want to reduce our cost. Our goal is, like I said, cost-effectiveness, a more focused learning environment for the participants as the government of Alberta continues to cover most of the conference costs. All the information on the conference is available on the Culture and Community Spirit web page by clicking on the voluntary sectors tab. We will be seeking feedback from the conference participants and attendees to help . . .

**The Speaker:** Thank you.  
The hon. member, please.

**Ms Woo-Paw:** Thank you, Mr. Speaker. My final question is to the same minister. Alberta is a big province, and we have nonprofits from all over the province, so why is the Vitalize conference being held in Edmonton for two years in a row?

**Mr. Blackett:** Well, Mr. Speaker, we used to alternate, as was mentioned, and it was a significant amount of savings to have the venue in Edmonton versus Calgary, as last year. We're looking at available dates and costs of various venues outside of both Edmonton and Calgary. Like all Albertans we are continually evaluating our budgets and opportunities to deliver quality programming to the sector while being fiscally responsible as well.

I've heard from the sector through our dialogue sessions that they would like us to look at being able to take those dialogue sessions to the different regions of the province and make them available online so that we can get more participation from all the people around the province.

**The Speaker:** The hon. Member for Edmonton-Riverview.

2:40

### Fort Chipewyan Health Study

**Dr. Taft:** Thank you, Mr. Speaker. Almost a decade ago Dr. John O'Connor was forced out of the province for raising alarm about health concerns with cancer rates in Fort Chipewyan. Since then Fort Chip has not received the community health study that was promised to them by this government, a baseline study that should have started decades ago, before development began in the region. My question is to the Minister of Aboriginal Relations. Why does this minister continue to fail the people he's responsible for by refusing to press ahead and complete this health study?

**Mr. Webber:** Well, hallelujah, Mr. Speaker. Hallelujah. This is my first question this session, and I thank you, hon. member, for asking it. I do encourage more opposition members to become more engaged in the aboriginal issues.

Mr. Speaker, regarding the situation up in Fort Chip we do acknowledge the concerns of the people with regard to the health issues up there, and we continue to work with the community. As a matter of fact, myself and the hon. Minister of Health and Wellness will be going up to Fort Chip very soon.

**Dr. Taft:** Well, we need better answers than that, Mr. Speaker.

Given that when I asked this question last fall in this Assembly to this minister, the minister said, "It takes time for us to develop some type of a baseline study," how much longer do the people of Fort Chip have to wait?

**Mr. Webber:** Well, Mr. Speaker, these are complex issues. Of course, we have a letter of intent that we have tried to put together with the three leaders in the aboriginal community up there. We're meeting with Chief Allan Adam, as a matter of fact, to talk to him about what we want to do up in Fort Chip with regard to the health study, and we are hoping that we can gain some progress there in this coming meeting.

**The Speaker:** The hon. member.

**Dr. Taft:** Well, thanks, Mr. Speaker. I hope this has a good outcome.

Given this government's track record of silencing dissent and covering up the truth, why in the world does this minister expect the people of Fort Chip to sign a letter of intent for a study into their own health when those same people haven't seen either the study's terms of reference or its funding plan?

**Mr. Webber:** Well, Mr. Speaker, just to let the hon. member know, the hon. Minister of Health and Wellness has the lead file on this particular issue. Along with the hon. minister I will be going up, as I said, and we hope to get some good progress. I know that there are other health studies that may be required up in that particular area as well that we are working forward on. Again, hon. member, I'm encouraged about the meeting that we are going to have coming up in a couple of weeks, and I would say: stay tuned.

**The Speaker:** Hon. members, that concludes the Oral Question Period for today. Nineteen members were recognized for 114 questions and responses.

In a very few short seconds from now we'll continue with the Routine, and that is Members' Statements.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Lethbridge-East.

#### Chronic Wasting Disease in Cervids

**Ms Pastoor:** Thank you, Mr. Speaker. Alberta's wild deer, elk, and other cervids are at increased risk of chronic wasting disease, which is currently spreading west across the province. The threat of the disease is significant enough that the Canadian Food Inspection Agency requires mandatory testing of cervid meat in Alberta, Saskatchewan, Manitoba, and Yukon whereas such testing is voluntary in all other provinces and territories.

This should tell this government that chronic wasting disease is a serious matter, yet this government has signalled its desire to support game farming, where CWD took hold in the first place. If the government is bound and determined to support an industry that the market hasn't embraced much beyond the breeding herds, then at the very least we must insist that you provide sufficient resources for the testing of all animals on game farms that may reach human or animal food chains, including the velvet, that this government has suggested could be used in pharmaceutical products.

The world was caught completely off guard when another prion disease, BSE, jumped from cattle to humans with tragic consequences for human health and, certainly, the economy. As of yet we know of no cases of chronic wasting disease mutating and jumping to humans, but we have a duty to take every reasonable precaution to ensure that outcome never comes to pass. The consequences are far too grave to even contemplate.

**The Speaker:** The hon. Member for Calgary-East.

#### Clifton Manor Nursing Home

**Mr. Amery:** Thank you, Mr. Speaker. I rise today to recognize an outstanding facility and its dedicated staff. Located in the Forest Lawn area within my constituency of Calgary-East, the Clifton Manor nursing home has served the community for almost 50 years.

Unfortunately, Mr. Speaker, last week the roof of Clifton Manor, which was under repair, collapsed into the lunchroom. Quick action was taken by the staff, who heard the roof creaking, and all residents were escorted out of the room just prior to the collapse. Most importantly, no one was injured, and no residents were displaced from their home. I would like to praise all members of the Clifton Manor staff for their quick thinking and the prompt action taken to ensure that no one was injured.

Mr. Speaker, I was able to meet with the CEO, Mario Siciliano, and the administrator, Brenda Hannah, and many of the staff and

members as well as residents on Friday morning when I visited Clifton Manor. They really are a wonderful group of people.

While the lunchroom is no longer open due to this unfortunate mishap, all residents are able to have their meals in an alternate location. I'm confident, Mr. Speaker, that the roof will be fixed, and all residents of this 254-bed facility will have a new lunchroom soon.

I would again like to commend the staff and the management of the Clifton Manor for their response during this unfortunate event.

Thank you, Mr. Speaker.

### Introduction of Bills

**The Speaker:** The hon. President of the Treasury Board and Minister of Finance and Enterprise.

#### Bill 17

#### Appropriation Act, 2011

**Mr. Snelgrove:** Thank you, Mr. Speaker. I request leave to introduce Bill 17, the Appropriation Act, 2011. This being a money bill, Her Honour the Administrator, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 17 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. I'm pleased to table with the Assembly today five copies of the Capital Region Board's 2010 annual report. I'd like to commend the board for its continued dedication to the development of the growth plan for the capital region.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Today I would like to table five copies of the Alberta Association of Architects' 2010 annual report; also, five copies of the Association of Professional Engineers, Geologists and Geophysicists of Alberta's, APEGGA as we know them, annual report for 2010.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. On behalf of my colleague the Leader of the Official Opposition I have two tablings today. The first tabling is documents related to the legal action of Dr. David Candler regarding his dismissal. That was mentioned during one of the leader's questions.

The second set of tablings, with the appropriate number of copies, is related to the Health Sciences Association's support for a public inquiry.

Thank you very much, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. I have two tablings today.

The first is the appropriate number of copies of a study published in the *Canadian Journal of Work and Society*, titled Effectiveness of Complaint-Driven Regulation of Child Labour in Alberta. I cited this study in my questions earlier today.

My second tabling, on behalf of the Member for Edmonton-Highlands-Norwood, is the appropriate number of copies of a document from the Alberta Direct Connect Consumer Associa-

tion, titled Alberta Competitiveness: Impact from Transmission Costs. The Member for Edmonton-Highlands-Norwood referred to information from this document in his questions earlier today.

Thank you.

2:50

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

**Mr. Chase:** Thank you very much, Mr. Speaker. My first tabling may not be necessary if it's the same study on underage workers in Alberta, but I'll pass it along in case it's a different document.

My second tabling is the business plan for the Alberta Off-Highway Vehicle Association, which represents 2,100 motorized recreational trail users in Alberta.

My third tabling is a newspaper article which highlights the concerns Crowsnest residents have over the logging of the Castle management area. That's from Kelly Cryderman of the *Herald*.

I'm tabling the Forest Reserves Act, which states as its purpose: "All forest reserves are set aside and constituted for the conservation of forests and other vegetation."

I'm tabling a report which evaluated the threat to southeastern slopes, Crown lands, from inappropriate and unmanaged public use.

I'm tabling a Lethbridge public opinion study which showed that a very substantial majority of Lethbridge and Coaldale residents are opposed to the logging project in the Castle special management area.

I'm tabling a public opinion survey which shows the overwhelming concern that citizens from the municipal district of Pincher Creek, the village of Cowley, and other municipalities have for the Castle special management area.

Finally, Mr. Speaker, I am tabling two reports from Global Forest Watch Canada, which found that the Castle area forest land-use zone is not being managed according to its mandate.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I have five copies of seven different tablings. One is a newspaper article by Frank Landry from the Leg. bureau. It's about the Premier saying: nothing moves on closure . . .

**The Speaker:** Hold on. Just table the document. Newspaper articles we don't need to read in the House.

**Dr. Sherman:** Okay.

The second is from September 7, a CBC newspaper article pertaining to the airport debate.

The third is a government of Alberta Health and Wellness document pertaining to the City Centre Airport, that shows that the key points are the number of patients being transferred that are critically ill.

The fourth tabling is another Health and Wellness document pertaining to the City Centre Airport, where the department recognizes that the city underestimated the number of patients that are flown in, from 8 per cent down to 3 per cent, on flights into the City Centre Airport.

I have five copies of a tabling of a consultant's report from Fitch & Associates titled Alberta Health and Wellness Emergency Health Service Branch Edmonton, Alberta: Edmonton City Centre Airport Closure Impact Study, dated March 25, 2009.

I also have a tabling from Donna L. Towers Consulting Inc., a report to the city of Edmonton regarding medevac transport.

My final tabling is a very important report pertaining to the emergency medical services of this province. After numerous bad

outcomes the Calgary health region commissioned a report from the Health Quality Council in September 2007. This report has all the recommendations made to fix the emergency departments across the province in the health system that weren't followed up on.

Thank you.

**The Speaker:** Hon. members, the chair received two letters referencing a document tabled by the Member for Edmonton-Meadowlark on Monday, April 19, 2011. The chair has been requested to table the letters, dated April 20, 2011, from Bernie Simpson of Network Health Inc., and Dr. John Cowell of the Health Quality Council of Alberta, both outlining concerns with the document that is Sessional Paper 261/2011.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Snelgrove, President of Treasury Board, return to order of the Assembly MR 2, asked for by Mr. Kang on March 21, 2011.

On behalf of Dr. Sherman, hon. Member for Edmonton-Meadowlark, *Globe and Mail* article reprint dated April 20, 2011, entitled Alberta Doctors Call for Inquiry into Intimidation; Alberta Human Rights Commission website article, undated, entitled Schedule of Upcoming Tribunal Hearings.

Court of Queen's Bench statement of claim dated February 16, 2007, between Dr. David C. Candler and David C. Candler and Kitty Y. Chan Professional Corporation and Capital health, Capital health operating as Northeast community health centre, and Northeast community health centre; Court of Queen's Bench statement of defence dated April 30, 2007, between Dr. David C. Candler and David C. Candler and Kitty Y. Chan Professional Corporation and Capital health, Capital health operating as Northeast community health centre, and Northeast community health centre.

Canada.com reprint of an *Edmonton Journal* article dated August 4, 2007, entitled Disorders Plague Court Psychiatrists, Judge Concludes.

A letter dated October 23, 2007, from Inderjit Singh Chohan of Edmonton to Mr. Elsalhy, hon. Member for Edmonton-McClung, advising Mr. Elsalhy of a civil lawsuit regarding racism and abuse of mental illness labelling; a billsundhu.ca website article dated January 8, 2009, entitled Introductory Remarks by B.W. Sundhu, Alberta Court of Appeal, Racist Defamation; Court of Queen's Bench statement of claim dated September 24, 2004, between Inderjit Singh Chohan and Otakar Cadsky, Larry Ohlhauser, Capital health authority, Kenneth Gardener, Glen Baker, the University of Alberta, and Kelay Ohlhauser; Court of Queen's Bench reasons for judgment of the hon. Mr. Justice E.S. Lefsrud, unsigned, dated July 27, 2007, between Inderjit Singh Chohan and Otakar Cadsky, Larry Ohlhauser, Capital health authority, Kenneth Gardener, Glen Baker, the University of Alberta, and Kelay Ohlhauser; Court of Appeal of Alberta civil notice of appeal dated October 24, 2007, between Inderjit Singh Chohan and Otakar Cadsky, Larry Ohlhauser, Capital health authority, Kenneth Gardener, Glen Baker, the University of Alberta, and Kelay Ohlhauser.

On behalf of the hon. Mr. Webber, Minister of Aboriginal Relations, responses to questions raised by Dr. Taft, hon. Member for Edmonton-Riverview; Ms. Notley, hon. Member for Edmonton-Strathcona; Ms. Calahasen, hon. Member for Lesser Slave Lake; Dr. Brown, hon. Member for Calgary-Nose Hill, on March 2, 2011, Department of Aboriginal Relations main estimates debate.

## Projected Government Business

**The Speaker:** The Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. At this point I would ask that the Deputy Government House Leader share with those assembled the projected government House business for the week commencing Tuesday, the 26th of April.

Thank you.

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

**Mr. Renner:** Well, thank you, Mr. Speaker. As the member has already pointed out, the House will not be sitting on Monday as it's Easter Monday, so we'll resume session sittings on Tuesday.

Tuesday afternoon we anticipate second reading of Bill 17, the Appropriation Act, 2011, and then Committee of the Whole on bills 1, 4, 11, and 16. Tuesday evening we will continue with Committee of the Whole on bills 1, 4, 10, 11, and 16 and third reading, if time, on bills 4 and 5 and also as per the Order Paper.

On Wednesday afternoon we will continue in Committee of the Whole, dealing with bills 8, 10, 11, and 17 and as per the Order Paper as necessary. On Wednesday evening we will again be in Committee of the Whole dealing with bills 8 and 10 and, time permitting, third reading of bills 6 and 7 and as per the Order Paper.

Thursday afternoon, Committee of the Whole again on Bill 8 and third reading, hopefully, of bills 8, 12, 14, 15, 17 and as per the Order Paper.

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 16

#### Energy Statutes Amendment Act, 2011

[Adjourned debate March 24: Mrs. McQueen]

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm pleased to rise to speak to Bill 16, the Energy Statutes Amendment Act, 2011. This bill proposes amendments to legislation such as the Electric Utilities Act, the Alberta Utilities Commission Act, the Coal Conservation Act, the Oil and Gas Conservation Act, and others to ensure that both government and industry continue to operate efficiently and effectively. This governance bill is needed to support the mandates of the Alberta Utilities Commission, the AUC; and the Energy Resources Conservation Board, the ERCB.

We all know how important energy is to our economy and communities throughout our province. The AUC regulates the utilities sector, natural gas, and electricity markets to protect social, economic, and environmental interests of Alberta. The ERCB is an independent agency that regulates the safe, responsible, and efficient development of Alberta's energy resources.

[The Deputy Speaker in the chair]

3:00

It is very important that the energy regulator is equipped to maintain Alberta's high standards and strong commitment to environmental stewardship. A large number of amendments are required to authorize the ERCB to regulate in situ coal gasification and liquefaction technologies. Currently legislation only refers to mining as a means to extract coal from the ground. The develop-

ment of coal through in situ gasification has been used elsewhere, and there is significant interest in Alberta as a location for this type of technology.

The technology has a potential to develop otherwise unminable coal and can produce a synthetic fuel that burns with even fewer greenhouse gas emissions than natural gas. Instead of removing the coal from the ground and transporting it to a power plant to be combusted or turned into electricity, the gas is collected and typically used at the source for power generation or modified by further processing to make it equal to pipeline-quality natural gas.

Two experimental projects have been approved in Alberta under existing legislation, but the rules need to be updated so that they can support the promising commercial development of coal using this method. More applications for approval of in situ coal gasification projects are expected, so it is important that we pass this bill and update the rules.

Provisions in the bill deal with issues such as approvals, inspections, and consequential changes to ensure a complete regulatory framework for extraction and development of coal through in situ gasification or liquefaction. Without amendments interest in this type of energy development may be taken elsewhere. Also, under the ERCB amendments in the bill will repeal an outdated requirement for industrial development permits. Currently the ERCB approves but does not regulate the use of large amounts of energy for industrial and manufacturing operations. This ERCB approval process takes up time for an activity that Alberta Environment already approves and regulates. Given that the ERCB approvals do not require follow-up in any way, these issues are best regulated by Alberta Environment.

Finally, amendments related to the ERCB will enable the regulator to make regulations and to approve amendments to coal permits directly rather than the Lieutenant Governor in Council. The current process requiring an order in council is lengthier and less efficient than it needs to be. This change will bring the process for amending coal regulations and coal permits in line with other industries that the ERCB regulates.

Mr. Speaker, as I mentioned at the beginning, this bill also amends legislation administered by the AUC to do with the utilities markets. One of the changes will be to strengthen an existing role of the Market Surveillance Administrator, or MSA, to monitor the functioning of the electricity market. In cases where the MSA is aware of a negative impact on market competition from a rule of the independent system operator in Alberta – this is AESO – they should have the clear authority to challenge the rule. Clarifying the point will better equip the MSA to carry out its mandate of a market watchdog.

The second amendment related to the AUC is to allow the commission to harmonize quality-of-service standards and terms of service between electric utilities and gas utilities. This will ensure that customers benefit from quality service across utilities. An example of where we have differences today is with a rate application from electricity and gas utilities. At present the AUC has a different set of topics they consider for electricity and gas when reviewing the terms and conditions of service submitted as part of that application. For electricity utilities the Electric Utilities Act lists numerous topics on which the commission can make rules. The Gas Utilities Act only lists two topics, limiting the commission in the quality-of-service standards they can issue, to the detriment of gas customers. Due to the differences in the rule-making powers, the commission has issued different standards for owners of electric utilities and for gas utilities. Standardization of these terms and conditions will benefit both consumers and utilities.

In closing, Bill 16 is a responsible bill that updates a broad range of rules related to energy development and the operation of

our utilities sectors. I look forward to members' comments and encourage all members to support Bill 16.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Any other hon. members wish to speak on the bill? The hon. Member for Edmonton-Gold Bar, on second reading of the bill.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I must say that I listened with interest to the hon. Member for Drayton Valley-Calmar in her introduction of Bill 16. It certainly covers a regulatory framework that is very broad. I'm surprised I didn't see this whenever I first had a look at this. The hon. member is quite correct. This is a significant change if one looks at this quite closely. I was thinking of in situ coal gasification developments, but certainly it is with interest that we see these amendments being made to the Alberta Utilities Commission and also the rules around, as I understand it, the abandonment of some coal operations. I'm pleased to hear this, but I'm not convinced that this bill will do it.

I'm pleased to hear that the government is now looking at strengthening the office of the Market Surveillance Administrator for electricity. That's something that needs to be done in the interests of consumers. For a number of years we on this side of the House have come up with some suggestions or solutions as to how that office could work more efficiently and, in our view, diligently on behalf of consumers.

I'm tired of the office just being sort of a promoter or a cheerleader or a defender of electricity deregulation. In fact, three years ago I was reading one of the reports from the Market Surveillance Administrator. Certainly, I took exception to some of the things that were said there, Mr. Speaker, and I specifically took exception to a public presentation that was made by the Market Surveillance Administrator – and I believe it was in Toronto – on how electricity deregulation is working in Alberta and how wonderful it is. I thought that the Market Surveillance Administrator was to be an independent and impartial observer of the supposed market, what the market was or was not doing. But that didn't appear to be the case, and I'm going to have to watch this legislation as it proceeds because I'm not convinced that we're doing enough here.

I understand that we're talking about increasing the oversight provided to the MSA, or the Market Surveillance Administrator, under the Electric Utilities Act and the Alberta Utilities Commission under the Gas Utilities Act. I can understand why we need to do that, but I'm not so certain that this is all we need to do, Mr. Speaker. Now, if you look at your own power bill and you talk to your neighbours, no one shares the enthusiasm for electricity deregulation that the current Minister of Energy has whenever they go to the bank or to the credit union to pay their monthly bill. They see this for what it is, a system that has unfortunately changed our electricity prices from some of the lowest in North America to some of the highest with a very unstable market. Now, will Bill 16 and the changes that are proposed help that market? I'm not convinced yet, but maybe through the course of debate here this afternoon and next week I will be.

3:10

As I said, the act touches many different areas in the energy statutes, and for that reason I would say that it has several objectives, Mr. Speaker. We are creating a framework for the Energy Resources Conservation Board to regulate in situ coal seams in a fashion similar to conventional petroleum deposits. That's a good idea. I see that at a point in the future – and it will probably be occurring in the hon. member's own constituency – we will be

producing gas from our coal seams to generate electricity. Whether or not it will happen in the next five years, that's the question, and only the Minister of Energy could answer that. He has all the secrets of this government.

I'm confident to say that in the next generation or so we will see electricity generated in this province from a fuel source that's generated in place in the coal-bed seam. We all know of the vast resources of coal we have in this province, some of it at deeper locations than others, and that will have, I think, an influence on what is developed, but I'm told that there's research happening all the time. The Minister of Energy would perhaps share that research with this House and through this House to the taxpayers because, certainly, some of that research I believe is going on at the old Alberta Research Council.

For that reason and that reason alone I would like to express gratitude to the hon. member for bringing this forward because I think that part of the bright future for Alberta's electricity generation is through the gas off the coal. We may be on to something with this part of the bill.

We are also looking here at streamlining the regulatory process for conventional coal deposit development. There was a suggestion that we're going to eliminate duplication in the regulatory process for industrial development, which consumes large quantities of energy resources. Those sort of industrial developments, I believe – and I'm looking for examples here – would be Syncrude, Suncor. Am I correct? Pipelines would be another example, where the fuel gas is used to compress the entire system. Would that be another example of what we're doing here?

There's a lot of energy consumed in this industrial development category, and certainly the old regulatory body in its annual report used to note how much, particularly natural gas, was consumed in the industrial process. As we see bitumen production increase in Fort McMurray, we also see the corresponding increase in the use of natural gas to fuel those industrial processes.

If I could through the course of debate get an answer and some more details on that, I would appreciate it. We may not notice it now, when the price of natural gas is low, but that's one of the benefits and one of the drivers of the competitiveness right now with the Fort McMurray region. Of course, it's not that natural gas is inexpensive, but when you compare it to what it was before, it's a bargain. Natural gas is one of the cost drivers in the production of bitumen and synthetic crude oil, and as we produce more, we're burning more gas.

In fact, places like the Syncrude joint venture are trying to secure future supplies of natural gas in the Mackenzie delta. The minister knows this. They got at a fire-sale price a really good gas field up there. There's only one problem. There's not a pipeline built yet. Eventually there will be, and that gas will be used for domestic, commercial, and industrial purposes, I suppose.

Also, with this bill, Mr. Speaker, Bill 16, we are expanding oversight of gas distributors and default gas providers to ensure both system safety and additional consumer protection. Now, we're going to harmonize regulations. "Standardize", I believe, is the word the hon. member used in describing this attempt to work between gas and electricity services to improve things for consumers. I certainly have this question now, and perhaps in committee we can get it answered. How will consumers benefit from this legislative attempt? I would be very curious to receive information on that.

We talked earlier, Mr. Speaker, about expanding oversight of the independent Alberta Electric System Operator by the MSA to ensure efficient operation of the Alberta electricity market. Speaking of the market surveillance administrator, perhaps the hon. Minister of Energy has tabled that annual report and I haven't

caught up to him. I'm anxious to see the latest market surveillance administrator's annual report before I vote on this bill. For some reason I haven't been able to track it down. [interjection] Okay. I appreciate that.

Now, with this bill we're also going to reclassify downstream facilities that process oil sands products as oil sands facilities to encourage investment in downstream activities beyond upgrading. I would like some more details on this if that is possible, Mr. Speaker. How many downstream facilities are we talking about reclassifying here? Where are they? Who owns them? What value do they have?

We talked about the in situ coal schemes and the amendments to the Coal Conservation Act under Bill 16 and this regulatory framework that is proposed. As I understand it, it will close a loophole that currently allows the operation of these in situ coal schemes outside of the majority of conventional petroleum regulatory frameworks. Am I correct in assuming that this is not anything to do whatsoever with coal-bed methane development? If I could get some clarification on that, I would really appreciate it. I would like to know how this is different, if it is, from coal-bed methane development.

The creation of the regulatory framework for in situ coal schemes may encourage research, experimentation, and development that may evolve into a more environmentally friendly alternative to conventional coal use over time and, as I said earlier in my remarks, for the generation of electricity. I, hopefully, will see this happen. I'm very encouraged, and I'm confident that the Minister of Energy is working on this right now to ensure that we can take gas off deep coal seams and use it to generate unlimited amounts of electricity at affordable prices. I'm confident that this is what the honourable gentleman, Mr. Speaker, has in mind.

Now, when we change the definition of coal in defining coal seams, this may turn some marginal coal deposits, Mr. Speaker, from mineral resources to pore spaces, potentially changing the ownership of mineral rights that are owned by a private interest and allowing use of very low-quality coal formations as carbon capture and storage reservoirs. I would, again, like clarification on this. Am I right or am I wrong with that assumption regarding the use of low-quality coal formations? There is lots of high-grade coal in Alberta. There are also many formations that for one reason or another are considered low quality.

3:20

Now, in this bill we're also suggesting there be an elimination of industrial development permits. This elimination would allow for – I don't know whether you can call it rational self-interest. I don't whether you can say that it's rational self-interest that will override collective interest. I don't know. For example, preventing the burning of ethane as a fuel versus reserving it for use as a petrochemical feedstock may be more difficult under environmental regulations.

One of the things that occurred under this Minister of Energy's watch recently – I was surprised at how little public interest there was – is that the minister made some changes to the ethane policy in this province. It certainly benefits some outfits more than others or one outfit in particular, the one that operates in Redwater, in the hon. Member for Athabasca-Redwater's constituency. I think this is a good step. I heard from some individuals yesterday; they also were encouraged by this.

But it went one step beyond the North West Upgrading and BRIK announcement. This was sort of the other announcement, that did not get as much attention, and perhaps it should have because the ethane industry developed in this province because of direct intervention from previous generations of Progressive Con-

servatives, direct intervention in the market, of all things, to ensure that if people invested in the petrochemical industry in this province, there would be a feedstock that was available and economical for a generation or two. They could recoup their investment and make a few dollars for themselves and employ a lot of Albertans, which happened. It was a good deal.

But lately for whatever reason this government seems to have lost focus. It has come back a little bit with the North West Upgrader announcement and the minister's announcement on this. Now, I haven't looked at the fine print in the details of the minister's ethane policy, but I've been told it was the right step. I think we'll see how this works out. Certainly, people in that industry appreciate the support they are getting at this time.

I was at a function yesterday where there was a real estate agent and an engineer sitting beside me, and we were talking about this specific policy. I said to the real estate agent: "You won't be able to sell a house to this engineer unless this man and his company have work. The more work he has, the more disposable income he has, the bigger and more expensive a house you're going to be able to sell him." He goes: "Absolutely right. Absolutely." This is an example of creating wealth within our own province. [interjection] Mr. Speaker, I know that the Minister of Energy over there is trying to distract me, but I'm going to be determined not to get caught up in it.

This act, as I read it, is a mixed measure, as one would expect any amendment package to be. I think it's very wide in scope. Some of the things that the hon. member is attempting to do certainly I would support, and I would encourage her. Some of the other amendments I'm not so sure of at this time, and I have put some questions on the record. Hopefully, we can address those, and I can get an opportunity to read the hon. member's answers or her response in *Hansard*. But the question remains at this point in the discussion at second reading: does the good outweigh the bad in this bill? Does this bill go far enough to protect consumers or benefit consumers of electricity and natural gas?

Thank you.

**The Deputy Speaker:** Any hon. member wish to speak on the bill? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thanks very much, Mr. Speaker. I've appreciated the comments from the Member for Edmonton-Gold Bar, as I always do. While I was listening to him, I was also looking through this legislation. I guess the first question I have for the hon. Member for Drayton Valley-Calmar, if she can bring it back to us next week, is: is this a bill that's going to be held over the summer? The more I look at this bill, the bigger I understand its implications to be.

**Ms Blakeman:** It's dense.

**Dr. Taft:** I thought the Member for Edmonton-Centre was saying that I was dense, but she was actually saying that the legislation is dense, meaning that it's packed – it's packed – with meaning. [interjections] I'm getting distracted, Mr. Speaker, by my own caucus members even.

In all seriousness, this looks like a bill that has massive implications, probably huge financial implications for corporations and for the government. There is a lot in here – coal, electricity, oil sands, a lot of technical implications – and I would really urge the government to allow this to sit over the summer in second reading so that it can get a wholesome and fulsome review by all kinds of people so that we can come back in the fall and make sure we have the best possible legislation and that some of the implications of this on royalties, on electricity management, on consumer protection, on the

environment, on the long-term prosperity of Alberta are all assessed fully. That would be, right off the bat, what I would hope the member or the minister will bring back to us next week.

Now, in second reading I'm always looking to discuss: what is the intent of this piece of legislation? In this case it is a bit complicated to answer that question. I'm not quite sure what the full intent is here because it's a bit of an omnibus, a bit of a piecemeal bill that addresses a lot of different issues. I would expect that part of the intent here is to streamline process, to maybe clarify responsibility or to shift responsibility, at least in some cases, from Lieutenant Governor in Council, the cabinet, to arm's-length organizations or at least quasi arm's-length organizations.

I'm concerned that there are other issues here. Alberta is a province that embraces business, which is fine. I want to be very clear that profits are a good thing, that we want our businesses in this province to flourish, to make money so that they can reinvest, so that they can hire, so that they can pay their taxes and support public services and so on.

I am, however, alert to the fact that profit rates in Alberta are exceptionally high when compared to other jurisdictions. For years and years now – and this has been pointed out by banks and by others, and I can certainly provide the member with information along these lines – profits in Alberta have been running at well over 20 per cent of GDP. That's not corporate investment or payroll or anything. That's actually corporate profit. In comparison, in the United States in a good year corporate profits run at about 10 per cent of GDP, as they do in other provinces.

I put that out there as part of the context here. Is this bill about increasing further corporate profits, or is it about some other priorities such as protecting the environment? In particular, I think we need to consider the intent of this bill and its impact on taxes in light of some growing information that's available that the lower our taxes are here in Alberta, the more we simply transfer our wealth to the United States.

3:30

It's a fact that the United States government will tax the foreign earnings of any United States based corporation or citizen at the full American rate. Right now in Alberta our corporate tax rates are running at half or less of the rates in the U.S. If we don't collect that money as citizens of Alberta, it just gets collected by the White House or by the Congress in the States if it happens to be an American-owned corporation. So we're transferring significant wealth from here to fund what they're doing in the States, and as a citizen of Alberta and a citizen of Canada I'm not comfortable with that.

I am concerned that some aspects of this bill such as those redefining oil sands implications are going to have a tax impact here. What will that tax impact be? Are we further increasing profits when they're already at record levels and when those are just going to get creamed off by the Americans? It's a complicated issue. I'm not claiming any position on it right now, but these are the kinds of things that we need to consider when we look at Bill 16.

I'm also interested in what the impact of this legislation will be on the boom-bust cycle. There are lots of early indicators that Alberta is maybe about to enter another boom. Lots of people are forecasting labour shortages. Certainly, when we make our inquiries of our various contacts in the economy, whether it be builders or oil sands operators or people in the energy industry or labour unions, they're all saying: "Yup. This is starting to heat up." Just today or this week, certainly, Mr. Speaker, there has been growing evidence of inflation. So we're in a boom-bust cycle.

Now, we're used to that in Alberta, but it doesn't mean that we can't manage it better. The reason I raise this, that I'd like the mem-

ber to think about in her comments, is: is this going to further fuel the booms and, therefore, further fuel the busts by reducing regulation or speeding approvals or simplifying approvals? All of those in principle are good things, but let me rephrase this in a positive way. How is this piece of legislation going to help us as a province manage our booms and busts and smooth them out rather than fuel them? How is this piece of legislation, through addressing the fundamentals like our electricity system like oil sands – you know, I don't want anybody in here to miss this. This bill changes the definition of what an oil sands product is. Is that something that's going to contribute to the long-term stable sustainability of Alberta's economy, or is it something that's going to open the floodgates of investment into the oil sands even further, exacerbating a boom, which will then inevitably lead to a bigger bust?

I don't know the answer to these questions. I've only started looking at the bill today, but this has to be debated. Along those lines, in this same process, are there environmental implications to the considerations in this bill? Will we be further burdening our water and our land and our air by some of the actions in this bill? These are some questions. I don't want people to think that I'm opposing this bill; I just want to be informed when I vote on it.

I don't think the Member for Edmonton-Gold Bar had time to get to some of the later sections of this piece of legislation, which, I think is worth pointing out, is quite hefty, actually. I think it's important that we seriously debate in this Legislature the amendments considered for the oil sands industry and our oil sands resource. For example, I'm looking at amendments to the Oil Sands Conservation Act. It seems to me on first reading that we are substantially increasing the definition of oil sands products. I'm going to quote here from the legislation. I'm on page 28 of the bill. What it proposes to do is repeal clause (m) and substitute the following: "oil sands products" means any products obtained by processing oil sands, crude bitumen or derivatives of crude bitumen."

Now, I want to understand the implications of this. You know, the kinds of questions I have in mind are: will this affect what counts as royalties? Will this accelerate or slow the payment of royalties? Does this have any impact on where the ring fences are or whether upgraders or subsequent refining is all captured under the same legislation and on regulations that oil sands mines or extraction processes are captured under? What are the implications of that if it does shift that? Does this, for example, mean that an oil sands company investing in a large refining process or refining facility can count that as capital investment under accelerated capital schemes under the Income Tax Act or under the royalty scheme?

I don't know these. I'm not an expert on the issue, but I hope that the minister or the member will help me with this. I'm asking for your help here. Maybe the industry, who will undoubtedly read these comments, will help us understand that. A briefing would be terrific.

So those are the kinds of issues that I think we should expect and debate when it comes down to Committee of the Whole. It also looks to me like this piece of legislation will change and perhaps streamline the approval process for oil sands plants. Hey, I don't like red tape. If it's good process, let's do it quickly, but let's make sure it's good process.

This bill looks at repealing the entire section of one of the current acts. I think it's the Oil Sands Conservation Act. It looks like it repeals the entire section on approvals and permits. Again, if this is just unnecessary red tape, that's okay. But my concern is that we might be losing some value in this. My concern, also, is that I may be misreading this bill because we haven't had, to my knowledge, much of a briefing on it. Again, this goes back to my very first point, that this legislation ought to sit over the summer so that it can be given full consideration.

You know, I've made a handful of remarks on a quick scan of this legislation on the oil sands, but I want to also address the issue of electricity. I'm very concerned, and I have been since deregulation was brought in, that consumer protection for electricity consumers in Alberta is weak. We all know that there was a lot of gaming of the electrical system in the United States when deregulation was brought in. We strongly suspect – and there was significant evidence brought to the courts in the U.S. – that the same gaming occurred in Alberta under an infamous project called Project Stanley, which was named for the Stanley Cup, which is appropriate given that we're back in Stanley Cup season. It was given that name by the Americans, who couldn't think of anything to associate with Alberta except the Stanley Cup, so they called it Project Stanley. It was run, I believe, under – oh, what was the Houston-based company?

**Mr. MacDonald:** Enron.

**Dr. Taft:** Enron, yes. Thank you. I wanted to make sure I got the right company.

Well, we all know what happened to Enron. A bunch of them went to jail. The company went bankrupt. Their pension schemes failed. It is worth noting that Enron did have the ear of this government during the deregulation process. Ever since then I have been deeply concerned that our protection for consumers on electricity in Alberta has been woefully inadequate.

So those are some of my comments. My time is up, Mr. Speaker.

3:40

**The Deputy Speaker:** There is Standing Order 29(2)(a), which allows for five minutes of questions or comments. Any hon. member? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. I was actually here when part of that electrical deregulation went on, and I'm interested in hearing any additional points that the Member for Edmonton-Riverview might have to illuminate the rest of us in the Assembly.

**Dr. Taft:** Yes. Thank you so much to the Member for Edmonton-Centre. Well, now that she asks, I want to drive home the point that protection for consumers when it comes to electricity is woefully inadequate in Alberta. We're told over and over by a select group of people in the industry that it's all working terrifically well, but an awful lot of us are very skeptical of that. I think the skepticism is going to rise in ensuing months and years as the price of electricity begins to climb dramatically.

When it comes to this piece of legislation, which addresses some issues concerning the Market Surveillance Administrator, where is the protection in here for the ordinary consumer? The people in my constituency who get bombarded with marketing from Direct Energy, who are confused by the various appeals, who don't know who to trust: is there any safeguard in this bill, the Energy Statutes Amendment Act, 2011, for them? Are we looking after the little guy?

I want to remind members of this Assembly, Mr. Speaker, that at one time there was a whole department and a minister of consumer affairs.

**Mr. MacDonald:** There was a minister of utilities, too.

**Dr. Taft:** And there was a minister of utilities, and between those two departments Alberta had a terrific electrical system. People had confidence in it. Our prices were low, and our reliability was high. We've not only lost the minister of utilities; we've also lost the position of minister of consumer affairs and protection.

I'd love it if there was in this bill some genuine protection for the small residential consumer who doesn't have the time or the expertise or the capacity to do things like track the hourly price of power and doesn't know how to sort out the Direct Energy marketing campaign from the Enmax marketing campaign from the regulated rate option from anybody else. It's just not fair. So I hope this piece of legislation brings some fairness back to the market from the perspective of the consumer.

Now, the Member for Edmonton-Centre asked for some other comments as well on coal, and the Member for Edmonton-Gold Bar raised some issues about coal. Alberta is blessed with a staggering amount of coal. There are times when the Member for Edmonton-Gold Bar and I have wondered if the people of Alberta are actually getting full value for that coal. In a world where coal may be in a decade or two – well, in fact, even as we speak, coal is increasingly getting portrayed as a dirty fuel. What, if any, implications does this bill have on the development and production of coal, on issues around greenhouse gas emissions, and so on?

There is lots and lots and lots in this piece of legislation. I hope the Member for Drayton Valley-Calmar or the Minister of Energy will take the time over the next days and months and maybe even longer to address those.

Thank you, Mr. Speaker.

**The Deputy Speaker:** On 29(2)(a)?

**Mr. Hinman:** Yes.

**The Deputy Speaker:** You have 48 seconds.

**Mr. Hinman:** Oh, my goodness. The consumer market – what is that guy called?

**Dr. Taft:** The Market Surveillance Administrator.

**Mr. Hinman:** Yes. Could you talk about that? That was something that was new to me, that I haven't come across. You have a lot of knowledge and experience from over the years. I've never heard of anything like that before, and I made a few phone calls today. The market surveillance administrator: who does he report to, and what's the role? Is that a whole new area that we've got to be aware of?

**Dr. Taft:** Well, Mr. Speaker, we are only going to have a few seconds here. I mean, the market surveillance administrator was brought in years ago along with deregulation to try to make sure that the market is functioning and to watch for schemes for gaming the market.

**The Deputy Speaker:** Hon. members, before I recognize another member, may I have unanimous consent to revert briefly to introductions?

[Unanimous consent granted]

### Introduction of Guests

(reversion)

**The Deputy Speaker:** The hon. Member for Rocky Mountain House.

**Mr. Lund:** Thank you, Mr. Speaker. It is with a great deal of pleasure that I rise this afternoon to introduce three people from Rocky Mountain House. We have with us this afternoon Anthony Cerkowniak; his dad, Mark Cerkowniak; and Mark's dad, Mike Cerkowniak. I've got to tell you that Mike was the staff sergeant with the RCMP in charge of the Rocky detachment at the time



when he retired. He told me today, as we were coming in here, that he spent a lot of time in this building as a security officer when he was with the police force. I'd ask them to rise and the Assembly to give them the traditional warm welcome.

## Government Bills and Orders Second Reading

### Bill 16 Energy Statutes Amendment Act, 2011 (continued)

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona on the bill.

**Ms Notley:** Thank you, Mr. Speaker. It's a pleasure to be able to rise and join in the debate on Bill 16, the Energy Statutes Amendment Act, 2011. This is, as I think has already been described or stated, a dense piece of legislation. It is that way because, of course, it's in fact amending, I believe, seven different acts, each of which have, you know, very, very significant implications for both the economic and environmental and community interests of Albertans. It's not exactly a small piece of legislation. While I'll grant you that it was certainly introduced I believe a couple of weeks ago, maybe three weeks ago now – I'm not sure exactly how long ago – what with our scrambling to keep up with budget estimates, with two sets of those per day, we haven't really had a chance to give it as much review as we would have liked.

I will start by echoing the statements of the Member for Edmonton-Riverview. This actually strikes me as the kind of piece of legislation that ought to be either tabled or referred to a committee so that there can be greater levels of consultation in front of the doors that were previously closed, behind which, I'm sure, there was some conversation with certain players, so that we can have a full evaluation of what the consequences are of these changes to all Albertans by a varied group of experts.

Now, it does appear to me, according to the briefing, certainly, that we've received from the government, that this act appears to be focused on achieving roughly four outcomes: first of all, to make some relatively minor amendments to the Alberta Utilities Commission Act, to add new definitions of coal, the in situ coal scheme, and, in essence, to facilitate the growing development of in situ coal gasification processes. So that's that.

I find it interesting that we are moving forward on that so quickly and so efficiently, in contrast to so many of the other things that this government does or doesn't do, as the case may be. Given that my understanding is that we have roughly two pilot projects, I believe, for this process in the province and that the results of those pilot projects, where we've got ISCG going on, have not yet been disclosed, it's interesting that we are moving forward to establish a regulatory and a legislative regime to enable this type of development while we've got two uncompleted pilot projects. Of course, the purpose of a pilot project is to assess the success of the project which is being piloted, yet the outcomes and the success of that certainly haven't been made publicly available, so one wonders why it is we're going full steam ahead on this particular initiative.

3:50

Of course, although it holds out great potential to reduce the greenhouse gas emissions associated with coal burning – for that reason it's something that we should definitely pursue – at the same time it does seem that there are also some fairly significant concerns around the migration of the contaminants underground as well as what would happen to the adjacent land following a coal-

gasification process. These are issues that do need to be addressed, I think, before we go moving ahead. The results of those pilot projects are not yet public, but apparently the government sees fit to move forward with the changes to the legislative regime.

The second thing that I believe that this act is geared towards achieving is moving forward on one or two of the proposals or the recommendations that came from the government's regulatory enhancement task force, the report having been produced in December 2010. Of course, a number of those recommendations were focused on the notion that industry in Alberta is apparently grinding to a halt – I would have sworn that that wasn't really the case – as a result of the onerous regulatory and environmental obligations imposed upon it. I do find that somewhat amusing given what we've seen come out from sort of more objective third-party sources over the course of the last six to 12 months in terms of how little regulatory oversight we actually engage in with respect to many industrial players in this province.

Nonetheless, we appear to believe we need to actually enhance our failure to keep track of what we're doing in the province and streamline the process. Although I believe there are a plethora of recommendations that are coming forward to achieve this objective, it seems that at least one of them is reflected in this piece of legislation, and that is where this legislation would repeal the requirements for IDPs, or industrial development permits, and also cancel existing permits upon the coming into force of the act. I guess the idea here is to move that permitting process away from the oversight of the ERCB and away from the criteria that are set out in the ERCB's directive 025 around the permitting process and, instead, just move all that over to the Ministry of Environment.

Now, this is why I say that this is quite a complex and dense piece of legislation. In order to assess the consequences and implications of such a change, we need to be able to look at: what is exactly the process that's followed by the Ministry of Environment right now, and what is exactly the process that's followed by the ERCB? How does that compare in terms of a whole number of different measures, both in terms of the objectives and the mandate of each body but also in terms of the opportunities for transparency, the opportunities for accountability, the opportunities for support for the parties who are engaging in the permit process? What opportunities are there for members of the public to engage? What opportunities are there for communities to engage? What sort of notice is there in terms of each of the processes?

To really understand the implications of this change, we need to have a very comprehensive evaluation of the two competing processes, the one that exists now and the one that is going to apparently replace that process because apparently one duplicates the other. But I am quite sure that it isn't a complete and entirely identical duplication, that in fact there are significant and substantial differences between the two. Of course, with those differences, you know, the devil is always in the details. That's invariably where we find out things like, oh, that apparently members of the public don't get to have a role in talking about whether a \$14 billion investment that will end up on their power bills is in the public interest or not in the public interest. That's just one of those little devils that is in the details. Of course, with this kind of change, where we're moving from an ERCB process to an Alberta Environment process, I suspect there are copious little devils in those details that we've not yet had an opportunity to evaluate.

As I was saying recently to the Minister of Environment, I also have additional concerns because, in my view, the record of the Ministry of Environment in terms of general oversight is not stellar. The resources at the disposal of the Ministry of Environment are

certainly not stellar. Since the current Premier was elected, in 2008, we have seen the budget of the Ministry of Environment reduced by 30 per cent. Just yesterday members of the opposition made a point of pulling out the budget estimates of the Ministry of Environment so that we could specifically have a recorded vote about how we do not support that budget because, of course, we have so fundamentally and profoundly compromised the ability of that ministry and the dedicated staff within that ministry to their job.

I mean, this is a ministry, for instance, with just basic processes that anybody using common sense would expect would be in place, where we have 400,000 wells drilled across our land, and we have about a hundred thousand of those wells currently abandoned. We can debate that, well, they're not really abandoned because some day, if unicorns fly, it's possible that long after the current operators have gone out of business, 25 years from now, they might someday decide to use that well. As long as they can come up with their unicorn scenario, we're not going to compel them to clean up any one of those or very few of those hundred thousand wells. In any event, common sense would dictate that where we are, every now and then ever so rarely cleaning up wells, we'd actually have somebody with the public interest in mind double-checking to make sure that those wells are cleaned up before the operator is let off the hook in terms of paying their fees to the landowner and that kind of thing.

But, no, we don't. We don't. We just simply ask the operator to fill out a form and then fill out another form and then fill out another form. Then we have one form, and we have an administrative support person check whether the four forms have been filled out and have been attached to the fifth form. If they have, then a great big rubber stamp goes on it, and we're done. That's how we determine whether or not operators with abandoned oil and gas wells in this province have actually remediated the site, whether, in fact, they've actually ensured – oh, it's true. I am very confident in my sources – very confident in my sources – so I know that that's how it works. We end up in this situation where we are relying on a fundamentally flawed process to determine what levels of contamination may or may not still exist. That's something that is such basic assurance. That is basic, basic environmental assurance, and we're not doing it, and we're not doing it well.

We're cutting the ministry. We're cutting the budget of this ministry so that not only do they not do it well; they do it not well even more – or less. I'm not quite sure. Then we do it at the same time that we anticipate the level of oil and gas development to increase dramatically, so it's completely counterintuitive. In the midst of all that, we're actually going to take a responsibility under this bill and pile that on to the Ministry of Environment and take it away from the ERCB, that somehow manages to have secured to itself a certain amount of resources. We're going to take it away from the ERCB, and we're going to give it to Environment, and we have no idea what that process is going to look like. Why it's better, how it's better, if it's better we don't know because this information hasn't been provided.

In the interests of protecting the long-term best interests of all Albertans, it's really important that we have that information at our disposal, but we don't right now, and I've received none of that from the sponsor of the bill, so I certainly look forward to hearing from the sponsor of the bill on, in particular, what the rights are of people to participate in that industrial permitting process under the ERCB and how that will change when it's moved over to the Ministry of Environment, what the resources are that will be dedicated to that process through the ERCB and how that will be dealt with under the Ministry of Environment, what the criteria are under the ERCB and what the criteria are now that it's under the Ministry of Environment, and what the mandate

is with one and how that will be reflected under the Ministry of Environment. These are all important questions, and until such time as we get answers, we can't even begin to suggest that this is an appropriate piece of legislation.

4:00

The next thing that this piece of legislation purports to achieve is to enable the ERCB to make its own regulations and improve amendments to coal permits directly rather than having to bother the Lieutenant Governor/cabinet with these changes. That is the kind of process that is also worrisome to us because, of course, it removes accountability from government for these kinds of decisions. If one of those decisions is made and the permit is amended in a way that . . . [Ms Notley's speaking time expired] Sorry. I guess I'll have to wait for another time to talk about it more.

Instead, I would move to adjourn debate.

[Motion to adjourn debate carried]

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the Committee of the Whole to order.

#### Bill 11 Livestock Industry Diversification Amendment Act, 2011

**The Chair:** Are there any comments or questions or amendments to be offered with respect to this bill? The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Thank you, Mr. Chairman. I rise today to request leave to introduce amendments to Bill 11, the Livestock Industry Diversification Amendment Act, 2011. I believe that the pages have copies of the amendment, and I will allow them to pass them out before I begin talking.

**The Chair:** We shall pause a moment for the amendment to be distributed.

**Mr. Prins:** While the amendment is being passed out, I would like to introduce to you, Mr. Chairman, and through you to all members my beautiful wife, Pauline, who is sitting in the members' gallery. She's been watching us and learning how we did this very interesting legislative stuff here this afternoon.

I believe most members have the amendments. Do you want me to go ahead, please?

**The Chair:** Hon. member, please proceed on the amendment.

**Mr. Prins:** Okay. The amendment will read as follows. This is the amendment to Bill 11. In part A section 12 is amended in the proposed section 10.1 by adding the following after subsection (1): "(1.1) For the avoidance of any doubt, the Minister may not prescribe for the purposes of subsection (1) any activity to which section 18.01 relates." Then in part B section 30(b) is amended in the proposed section 34(1)(a.3) by adding "by or on behalf of the operators on condition that no consideration is receivable in respect of that activity by an operator or by any person associated with an operator" after "of strays."

Mr. Chairman, the primary purpose of these amendments is to provide clarification around the definition of hunting as it relates to strays and concerns over hunt farms, which are not allowed in

Alberta. Changes to section 10.1(1) clearly outline that the regulatory power to issue ministerial permits cannot be used to authorize hunting, which is banned in section 18.01. Permits referred to in this section would relate to transport permits from CFIA, which will be recognized by Alberta Agriculture.

This amendment is being made in order to avoid any doubt about whether or not the minister can prescribe any activity which would override the hunting ban. Activities referred to under section 10 may be statutory exceptions that are authorized under the Agricultural Pests Act or by way of licence under the Wildlife Act. Those are the only activities permitted under section 10.

In addition, the changes under section 30(b) make it clear that the regulatory powers to define the terms “hunting” and “capturing” and “killing” cannot be used so that an operator of a domestic livestock farm can receive money if someone shoots their strays. In some cases it is an industry practice to destroy an animal that has strayed rather than to reintroduce it back into the herd. This is done for several reasons, including preventing the possibility of any spread of disease and protecting the operator’s herd health status. As a result there may be a need for the operator to contract out the destruction of an animal, and in order to be consistent with the hunting ban, neither the operator nor someone associated with an operator can receive money or any other forms of consideration from a person who destroys an animal for an operator.

These two amendments to the Livestock Industry Diversification Amendment Act address a number of concerns brought forward by the industry and help to clarify misconceptions that are circulating. Hunt farms will not be allowed in Alberta.

Mr. Chairman, as these amendments have just now been introduced and to allow all members to study these amendments, I would move to now adjourn debate. Thank you.

[Motion to adjourn debate carried]

### **Bill 15 Victims of Crime Amendment Act, 2011**

**The Chair:** Are there any comments, questions, or amendments on this bill? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chairman. It’s a pleasure to rise and speak to Bill 15, the Victims of Crime Amendment Act, 2011. When I spoke to this bill in second reading, as much as sort of on my preliminary review it appeared to have some good pieces to it, I have to say that I’ve now had an opportunity to look at it in a little bit more detail and to determine that there are, in fact, some concerns around the changes that are being proposed through this bill.

**4:10**

First of all, as I said before, I remain very concerned that the changes that are being proposed as far as the Criminal Injuries Review Board and the process attached to the Criminal Injuries Review Board are in fact not going to result in ensuring that applicants receive fair reviews but, rather, are going to be focused solely on increasing the efficiency of the Criminal Injuries Review Board, particularly as it applies to members of the Criminal Injuries Review Board. I’m a little concerned that, in effect, we’re setting up a process that is going to trap applicants and appellants in a bureaucratic circle from which they will be unable to exit and through which they will be unable to get any actual resolution.

By limiting the authority of the review board to actually make a decision and by suggesting that all they can do is refer the matter back to the original decision-maker, I know from personal experience with administrative tribunals that what will happen is that in many cases that person will be caught between a recalcitrant ini-

tial decision-maker and a review board, which will try with increasing sensitivity to articulate what needs to be done to fix the original decision. But since they don’t actually have decision-making authority, it won’t be done by the original decision-maker, and that person will go back and forth and back and forth and back and forth.

Sort of the foundations of administrative law and one of the key principles behind the establishment of administrative tribunals is, in fact, to increase efficiency and to give tribunals the opportunity to apply their expertise to evaluate an issue and to ensure relatively quick resolution. By injecting this bureaucratic obligation to send the matter back to the original decision-maker, what we are in fact going to do is simply extend the process and in many cases revictimize, I think, the victims who appear before the Criminal Injuries Review Board as applicants. I simply don’t support the amendments to the process that are being put forward through this bill.

The second area that the bill will deal with targets grant funding for programs and organizations. The idea is, theoretically, to ensure that money collected through the youth criminal justice act can be maximized to fund what is characterized by government briefing notes as innovative and new programs. While that’s a good thing – that’s absolutely a good thing – and we need to expand the scope of programs which would be eligible for this funding in some cases, my reading of the amendments here is that simply what it does is it takes this grant funding process away from a victims of crime committee and gives the discretion entirely to the minister as to where that money will go. It increases the opportunity for flexibility, absolutely, but it certainly doesn’t in my view increase the opportunity for an efficacious connection with the stakeholders within the community, so I’m not sure that that’s necessarily a positive outcome.

The area within the act, though, that I am most concerned about relates to the amendments that have been made with respect to the financial benefit program under this act. What, in essence, is happening here is that the minister is changing the rules in some respects about who can apply for benefits through this program. My concern is that, in essence, in contrast to the recommendations that the minister received from a number of groups, including the Alberta Council of Women’s Shelters, what they are actually doing is limiting, very much limiting, the people who can apply for benefits through the Criminal Injuries Review Board, I believe it is, by changing the limitations and changing the definitions within the limitation period.

Effectively, what this new act will do is that it will say that a person can claim for benefits for up to two years after they become aware of the offence, as opposed to the injury, and that, in any event, they cannot claim any more than 10 years after the offence occurred. In my view, the 10-year absolute cap is an arbitrary limitation, and I think it denies the nature of many of these incidents. In the other respect, what the language used to say was: where they became aware of the injury.

In so many cases what we’re actually dealing with here are victims of domestic violence and domestic abuse. Quite honestly, it’s the case that it takes people much longer than you might expect to become aware of the implications of those injuries. It’s not like getting hit by a car and concluding that you may have whiplash, which, you know, usually shows itself within a week or so of the accident. The types of injuries suffered by victims of crime, particularly where the crime is a form of domestic abuse, are much more subtle and much more difficult to identify. Often they don’t appear right away.

The difficulty with having these kinds of limitations in place, then, is that there’s a particular profile of a victim that we are

going to be very clear to exclude. For instance, when someone is a victim of abuse, whether it's sexual abuse and/or violent abuse or psychological abuse in their childhood, it's not uncommon for those people, for instance, to seek comfort, shall we say, in the wrong place. You know, alcoholism can become, for instance, just as an example, one of the outcomes of being a victim. When someone is suffering from the illness of alcoholism, one is not necessarily in the best place to identify that an offence has occurred and that they are eligible and that this thing is somehow related to that offence and that they are therefore eligible for funding through the Victims of Crime Act. They just aren't.

So the imposition of this language, this change, goes in direct contradiction to what was asked for by the Alberta Council of Women's Shelters. It is directly geared to limiting the number of people who can access this funding, and it has a disproportionate effect on women and children, who are the most likely victims of domestic violence. That is why it is bad. Based on that, I am going to propose an amendment to this piece of legislation. I'll just take a break while the amendment is distributed.

**The Chair:** We have an amendment to be distributed by our pages.

Hon. Member for Edmonton-Strathcona, please continue now.

4:20

**Ms Notley:** Thank you. The amendment that I'm proposing is that Bill 15, Victims of Crime Amendment Act, 2011, be amended in section 12 as follows: in the proposed section 12.2(2) by striking out everything after "made" and substituting the following:

within 2 years from the date of the injury or within 2 years from the date when the victim becomes aware of or knows or ought to know the nature of the injuries and recognizes the effects of the injuries

and by striking out the proposed section 12.3.

The amendment would accomplish three things. It would keep the language currently in the act around the two-year time limit within which victims are eligible to apply for financial support. It would strike out the bill's proposed 10-year limit from the date of the offence within which victims are eligible to apply for financial support. And the third thing is that where the victim was a minor, this amendment would strike out the 10-year time limit from the date the victim reaches the age of majority regarding eligibility for applying for financial support.

In the current act the two-year time limit applies from the date of the injury or the date of the victim's realization of the nature and effects of the injury. Bill 15 would apply a two-year time limit from the date of the victim's realization of the offence. Now, this amendment would maintain the language currently in the act about the victim's realization of the injury in the place of the bill's proposed language concerning the realization of the offence.

It's important that the act maintain its current language on this issue because women who are victims of domestic violence do not often recognize that they are victims of a criminal offence. The Alberta Council of Women's Shelters position paper, published in February of this year following the Solicitor General's consultation on this bill, states:

Women in situations of domestic violence commonly do not identify themselves as victims of crime. Even in situations where repeated and extreme abuse and injury occurs, women often do not perceive their experience this way.

It is, therefore, extremely important that the act maintain its current language stating that individuals become eligible for financial support upon realizing the effect of the injury rather than realizing that they are victims of a criminal offence. This amendment is

needed for women who are victims of violent crime to have equal access to the victim of crimes fund and not be disadvantaged by the effects of patterns of abuse by intimate partners.

This amendment would also strike out the bill's 10-year limit from the date of the offence for eligibility to apply for financial support. The minister has said that the limit is needed to reduce the number of applications being made to the fund, but it is an arbitrary and unfair limit which will prevent some victims from receiving the help and support that the fund was set up to provide.

Similarly, for victims that are minors, the bill imposes a 10-year limit from the date the individual reaches the age of majority. Again, the limit is arbitrary and unfair and will prevent some victims from receiving the help that they need. There is no reason, that I can see, to pick the age of 28 out of a hat and assume that every person who is a victim of sexual or violent or psychological abuse as a child will be aware of the results and the outcomes of that crime at the magical age of 28. There's no reason. It's completely arbitrary, and it's simply focused on limiting benefits for a specific group, a specific population. In that way it is really quite offensive, I think, to people who are concerned about actually enhancing the rights and opportunities of that group.

In the same way, the notion that the 10-year limitation would apply from the time that we're looking at just simply the offence again fails to address the needs and the concerns of people who don't identify the injuries that they have as having arisen from an offence. That goes in direct contradiction to the recommendations and the requests made to this government by the Alberta council on the status of women.

I'm really very, very concerned that this government has taken a position clearly designed to limit access to this fund by a particular group of people, given our record otherwise with respect to our success in eliminating or reducing domestic violence in this province. I can't imagine that people actually intended to do that, and I hope that you will vote in support of this amendment to show to the rest of Albertans that this government truly did not intend to specifically exclude from compensation the children and women who are victims of domestic violence.

Thank you.

**The Chair:** Hon. members, it's 4:25. Pursuant to Standing Order 4(3) the committee shall now rise and report progress.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bills: Bill 11 and Bill 15. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Those in concurrence with the report, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. So ordered.  
The Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I would move that the Assembly now adjourn until 1:30 Tuesday afternoon.

[Motion carried; the Assembly adjourned at 4:26 p.m. to Tuesday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday afternoon, April 26, 2011

Issue 28

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 26, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Welcome back. Good afternoon.

Let us pray. From our forests and parkland to our prairies and mountains comes the call of our land. From our farmsteads, towns, and cities comes the call of our people that as legislators of this province we act with responsibility and sensitivity. Grant us the wisdom to meet such challenges. Amen.

Hon. members, this being Tuesday, the first day of this week, it's my pleasure to invite Mr. Paul Lorieau to lead us in the singing of our national anthem, and I would invite all to participate in the language of one's choice.

**Hon. Members:**

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

**The Speaker:** Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister for Sustainable Resource Development.

**Mr. Knight:** Thank you, Mr. Speaker. I have the honour this afternoon to introduce to you and through you to all members of the Assembly some students from the Rosedale Christian school, 18 visitors. We have a teacher, Mr. Ross Wiebe, with them and parent helpers Mrs. Pam Wiebe, Mr. Luke Friesen, Mrs. André Friesen, Mr. Trevor Penner, Mrs. Katherine Penner, Mrs. Lola Reimer, and Mr. Marvin Reimer. I would ask them all, please, to rise and receive the warm welcome of the Assembly.

**Mr. Liepert:** Mr. Speaker, between 1975 and 1989 Dr. Neil Webber was a member of this House. I remember a discussion I had with him when he left office. I asked him what he was going to do, and he said that it was his dream to establish a university prep school. My immediate thoughts were: well, it's nice to have big dreams. I also thought that a little while later, a couple of years later, when I visited his small school in northeast Calgary that had about 50 students. Well, about 10 years passed and in 2001 Dr. Webber opened the Webber Academy in the Calgary-West constituency. It was expanded to full K to 12 students in 2005 with the first graduating class, and today there are some 870 students who attend Webber Academy. Every year the grade 5 class makes the trip to Edmonton, and the grade 6 class actually gets to travel to Ottawa. Today the Member for Calgary-Foothills and I had the pleasure of having our pictures taken with some 60 bright students from Webber Academy in Calgary. They are accompanied by teachers Jason Ash, Daniel Mondaca, and Heather Gallagher. I would ask them all to stand and be recognized by this Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to all hon. Members of this Legislative Assembly a visiting group from one of the finest elementary schools in the Edmonton public school system. This school is, of course, in Forest Heights. The group that is visiting today is actually here for the week. They are led by Frau Fritz. This is a German bilingual program. I would now ask them to please rise – I believe they're in the public gallery – and receive the warm traditional welcome of this Assembly. We all wish you the very best as you visit us for the next three days.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly 35 very bright students from St. Alphonsus elementary and junior high school. They are accompanied by their teachers: Kirsten Kimak, Natalie Altimas, Laura Croome, Melanie Greshuk, and Lori McDonough. I would ask that they please rise and receive the warm traditional greeting of this Assembly.

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all members of this Assembly Jon and Doug Tupper, here with us today. Jon is an active and dedicated member of the Fort McMurray-Wood Buffalo community. He's the president of the Fort McMurray Chamber of Commerce, he's also the board chair for the library board up there, and in January he received from the municipality the volunteer achievement award. He's also very involved in the local PC association. Jon is here today with his dad, Doug. Doug Tupper served nine years on the Edmonton public school board, two years as chair, and he's also former executive director of the Edmonton Police Commission and a former ADM for Alberta Environment. I ask them both to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you Dr. Walter P. Maksymowych, seated in the members' gallery. Dr. Maksymowych is a professor in the department of medicine, division of rheumatology, at the University of Alberta. He is also a scientist for the Alberta Heritage Foundation for Medical Research, a member of the Canadian Arthritis Network centre of excellence, executive member of the Assessment of spondyloarthritis International Society, scientific chair of the Alberta Rheumatoid Arthritis and Pharmacovigilance Program and Outcomes Research in Therapeutics Committee, and a principal investigator and executive board member of the Spondyloarthritis Research Consortium of Canada. His primary research interests are the genetics of arthritis and advanced therapeutics. He's a leader in medical research. I'll be talking more about his research in my member's statement. At this time I ask my guest to please rise and receive the traditional warm welcome of the Assembly.

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

**Ms. Notley:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the House the management team and staff from Southgate centre. Southgate centre consists of

165 stores and services visited by 11 million people each year and has been a shopping centre for Edmontonians, including this Edmontonian, for over 40 years. The management team every couple of months takes on a team-building activity, including volleyball or bowling, but this time they've decided to observe a different sport, and we're fortunate to have them with us here today. My guests are seated in the public gallery, and I would ask them to stand as I say their names. Paul Fairbridge is the general manager, and he's accompanied by Paul Gaudet, Sean Kirk, Brett Baker, Jenny Adams, Dalia Nasr, Roxanne Reich, Jillian Creech, Barb Fortier, Margot Lange, Emmy Diamond, Gary Bovencamp, Floyd Maschke, Ismet Korcaj, Jay Heard, Milena Malinovic. I think that's most of them. If there's anyone else, the rest of the staff, please rise. Thank you very much. Please join me in giving them the traditional warm welcome.

1:40

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly three very important women in my life. One gave me life, one helped raise me, and one shares my life: my mother, Santosh Sherman; my aunt, Krishna Sharma; and my partner, Sharon MacLean. All are seated in the members' gallery. I would ask them to now rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you very much, Mr. Speaker. It's my honour today to introduce to you and through you to all members of this Assembly Jonnee Cenaiko, who is seated in the public gallery. She is the Edmonton-Mill Woods summer temporary employment program student. She likes writing very much, and she plans to write a book. She is highly computer literate. Jonnee just completed her bachelor of philosophy at Grant MacEwan University and will be studying for her master's in Ontario this September. I would ask that she rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It's a real privilege for me today to introduce through you and to you some members in the gallery. They say that pool is like life, that it's not what you take; it's what you leave behind. While this Premier will certainly be leaving behind a wonderful province, he's also been raising a wonderful family. In the gallery today we have his son, Les, and his wife, Dr. Liza Stelmach; and Liza's mother, Audrey Dalzell. I would ask them to rise and please accept the traditional warm welcome of the Assembly.

I forgot to say that it's his birthday tomorrow, too. I'm so embarrassed.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

#### Dr. Walter P. Maksymowych

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and recognize an outstanding individual sitting in the members' gallery. Dr. Walter P. Maksymowych is a rheumatologist and professor of medicine at the University of Alberta. Dr. Maksymowych is also a senior scholar of the Alberta Heritage Foundation for Medical Research and a principal investi-

gator of the Spondyloarthritis Research Consortium of Canada.

Through his primary research interest in spondyloarthritis, rheumatoid arthritis, and the genetics of arthritis Dr. Maksymowych has spearheaded great advances in genetic research. Further accomplishments of Dr. Maksymowych have had him at the international forefront of the development of a standardized methodology for the interpretation of imaging data. This is a crucial requirement for studies in the medical research field.

Mr. Speaker, Dr. Maksymowych is also a product of our advanced education system, having completed postgraduate training at the University of Alberta and receiving an AHFMR fellowship in 1991. He is now one of the leading professors at the U of A faculty of medicine. I was able to meet Dr. Maksymowych recently, and I can tell you that he is really passionate about his work and the field of medicine.

I once again wish to recognize the outstanding efforts of Dr. Maksymowych, and of course the University of Alberta is honoured to have him there.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Long-term Care for Seniors

**Mr. Boutilier:** Thank you very much, Mr. Speaker. This Monday in an acute-care bed at the Fort McMurray hospital, on election day, Mrs. Charlotte Mitchell will turn 103 years old. She has spent at least the last three years of her life in this bed, waiting for the government to finally make good on its promise to build a long-term care facility.

Mr. Speaker, despite the bullying and intimidation of this government, I stood up for Mrs. Mitchell and all Alberta seniors who have built this great province, which it is, but our seniors expect more than a government that bullies and intimidates doctors and health care professionals. I'm pleased by the doctors, 6,500 from the Alberta Medical Association, who said: call a public inquiry.

I have a sacred trust with my constituents, a trust they placed in me to represent their voice in the Legislature and not to simply have MLAs carry their voices back to the constituency. I want to say that I've done my job as their MLA to fight for them.

We are beginning to see 40 years of government bullying and intimidation unravel in front of our eyes. They may try to silence MLAs such as myself. They may try to silence doctors such as the MLA from Edmonton-Meadowlark, but they will fail because I believe that Albertans have a higher value, a value that should be applauded, the very value that seniors have fought for to make this province a great province.

Mr. Speaker, I applaud all those who keep to that value. I know that many on the other side of the House, in fact, agree with that value, but they fear that intimidation and bullying. I say that the ultimate test of a person is not during times of comfort and convenience but during times of challenge and controversy. I will continue to fight for my constituents because that is my job as an MLA.

**The Speaker:** As I call on the hon. Member for Edmonton-Decore, will you all join with me in wishing her a happy, happy birthday anniversary.

### Education Week

**Mrs. Sarich:** Well, thank you especially, Mr. Speaker. It is indeed an honour and privilege to rise today to give recognition to Education Week, which will be from May 2 to May 6 in this great

province of Alberta. Education Week gives us the opportunity to thank teachers, support staff, school councils, volunteers, parents, students, administrators, and school boards for their contributions to Alberta's world-class learning system.

This year's theme, Education: The Heart of our Communities, expresses the important role that education has in all the lives of children and youth, and it reminds us that education is, indeed, a collaborative process involving strong partnerships at the community level. Strengthening our education system is a shared responsibility of us all here in this Legislative Assembly and amongst all Albertans.

Education, Mr. Speaker, goes beyond the traditional classroom. It is part of our communities, and it is only fitting that we take the time to celebrate the wonders of learning with an integral focus on community. Through our engagement initiatives – Inspiring Education, Setting the Direction, and Speak Out – we have had meaningful conversations with thousands of Albertans in their communities about the importance and value of education today and in the future.

Education Week is also celebrating three subthemes this year: Engaged, Ethical, and Entrepreneurial. These characteristics make for a successful student graduate and, especially, a valuable member of the community.

On behalf of the Minister of Education and all Members of the Legislative Assembly a special thank you to the Alberta Teachers' Association and the Alberta School Boards Association for their hard work to make this year's Education Week a tremendous success.

I encourage all Albertans to take part in events in their communities and to celebrate the teachers and all of the community stakeholders who every day are making a difference for children.

Thank you.

#### University of Alberta Campus Development

**Dr. Taft:** In October 2009 this government in conjunction with the University of Alberta and the Urban Land Institute invited a panel of North America's top experts to review the university's south campus plans. Last week that panel posted its final report, and the opportunities are tremendously exciting. They also pose a huge challenge to the university and to this government to take new approaches.

The south campus includes over 600 acres of mostly undeveloped lands near central Edmonton served by the LRT and surrounded by mature communities. The ULI panel described the south campus as a remarkable chance for the U of A and for Alberta as a province to show global leadership. The panel believes that with the south campus Alberta can establish an international reputation for sustainability, but it makes it clear that bold measures will be needed. The ULI panelists, mostly from the private sector, urged the university to embrace a long-range mission of deep green sustainability based on this inspired principle: "If everyone on Earth lived like the community at the University of Alberta's South Campus, we'd arrest climate change and live [sustainably] within the limited resources of our one planet."

The ULI report is filled with ideas that could help the university on its quest to be among the best 20 public universities in the world, but the university cannot do this alone. The provincial government needs to be a full partner in developing and following a plan that is visionary and detailed in ensuring that implementation is done with discipline and that every step of the way the people who live near the university must be given full voice.

The ULI report is well worth a read for anyone interested in the University of Alberta's future and the betterment of this province.

There's a green and golden opportunity here, Mr. Speaker, one that we should seize with both hands. Thank you.

1:50

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you, Mr. Speaker. This government's culture of fear and intimidation knows no bounds and has now taken root in the Faculty of Medicine & Dentistry at the University of Alberta. Over the past six months the Canadian Association of University Teachers has become aware of concerns of intimidation and threats and is now investigating allegations at the U of A that include, quote, creating a climate of uncertainty, mistrust, and fear. To the Premier. Sixty-five hundred doctors, 21,000 health professionals calling for a public inquiry, now intimidation at the University of Alberta. What excuse does the Premier have today not to call a public inquiry?

**Mr. Stelmach:** Mr. Speaker, I haven't had time to fully review the document that the Liberals put out a news release on, but there is nowhere in this document that the government of Alberta is mentioned. This is simply a grievance matter between the university and some professors. It has nothing to do with the government of Alberta.

**Dr. Swann:** Well, to the contrary, Mr. Speaker. Given that the senior vice-president of the U of A has, quote, instructed the university staff not to co-operate with the investigation, end quote, how can this Premier continue to ignore that a culture of fear and intimidation exists? It starts at the top. Do you really think that by ignoring the problem, it's going to disappear?

**Mr. Stelmach:** Mr. Speaker, once again, this is a grievance matter, and there are processes in place at the university to deal with it. There's a list of grievances that a few professors have put forward, but the provost has replied. The Canadian Association of University Teachers has replied. Nowhere in this document has the government of Alberta been mentioned, nor is there any request for any kind of a public inquiry.

**Dr. Swann:** Of course, most of these are joint appointments with Alberta Health Services Board, which the Premier knows. Given that over 30,000 doctors and health professionals have said that a Health Quality Council review is not good enough and given that the government's culture of fear and intimidation has now spread to the University of Alberta, what else does the government need in order to call a public inquiry?

**Mr. Stelmach:** Mr. Speaker, I do believe in academia independence. That is for the University of Alberta to resolve. They have their own body that serves as the mediation body between the university and its professors. It's best left to the processes that are in place, and those processes have been in place for many, many years.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Well, evidence of the culture of fear and intimidation that this Tory government perpetuates continues to grow daily. Just this weekend former cabinet minister Ernie Isley said that the Tories have used intimidation tactics to

keep people, lobby groups, and community agencies in line. It's no wonder that the Alberta Medical Association, the Health Sciences Association of Alberta, and many other Albertans have endorsed a public inquiry. Why does the Premier continue to insist that there's nothing wrong when even former Tories are saying that your government uses intimidation?

**Mr. Stelmach:** Mr. Speaker, that's exactly it. The member is talking about a former Tory, someone that has decided to join a party to the far right. He is free to make any kind of comments in the province of Alberta without intimidation.

**Dr. Swann:** Well, again, Mr. Speaker, if the Premier has nothing to hide and is so sure things have changed, why won't he commit to a public inquiry, where senior bureaucrats and ministers can be subpoenaed to give evidence under oath? What are you afraid of, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, once again, the Health Quality Council has begun its review. They're proceeding very quickly, and all those physicians that may want to bring forward any issues or maybe talk about improvements to the system that may improve patient care or access to emergency cancer treatment – the council is now opening its hearings and is willing to listen to all of the evidence.

**Dr. Swann:** How can the Premier ignore the basic fact that the Health Quality Council review is in a conflict of interest when its members are appointed by the very minister ultimately responsible for the alleged acts of intimidation? There's a disconnect here, Mr. Premier.

**Mr. Stelmach:** I guess the hon. member doesn't understand the two different authorities. If we were to do the same with the public inquiry, the minister would be setting the terms of reference and also appointing the members to the public inquiry. This is a separate authority. The membership is well known, plus it has some of the best legal minds giving them advice.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Meadowlark.

#### Health Services Decision-making

**Dr. Sherman:** Thank you, Mr. Speaker. Here in Alberta a person's word counts for something. When you make a promise, you keep it. The Premier promised on this PC letterhead during the election to build 800 long-term care beds for our seniors. He promised that nothing moves at the City Centre Airport until the Health Quality Council does a review of medevac services, and he promised that the third way in privatization of health care was DOA. To the Premier: which one of these promises have you kept?

**Mr. Stelmach:** Mr. Speaker, all of them. In fact, I thought we would have built about 800 continuing care beds. We're now past 1,100, and we probably will be at about 1,300 when this first phase of construction is finished.

With respect to the airport I said that the medevac services will not cease until such time as we hear from the Health Quality Council. That report is imminent; that's coming forward.

Of course, the third. We've met all that was said in that letter, and that hon. member knows that.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. To the Premier: given that your successors are circling the province and your ministers refuse to keep the promises you made while you were in office, how can Albertans be sure that any of your promises will be kept, including the minister's five-year action plan, now that your term as leader is up?

**Mr. Stelmach:** Well, at least he's showing confidence that under my watch it will be delivered, I suppose.

In all honesty the member brings forward important issues with respect to health. That's why I'd like to see the first report from the Health Quality Council made public. It'll be made public within three months and then the second report in six months and the concluding report in nine months. We fast-forwarded the report to be delivered, and we'll be able to carry on once all the evidence comes in.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. To the Minister of Health and Wellness. Given that as an MLA you had input into the Mazankowski report, Bill 11, and phase 1 and phase 2 of the Alberta Health Act, but you denied authoring it, who is directing the government's plan to Americanize our cherished public health system? Is it the members for Calgary-West, Edmonton-Whitemud, Edmonton-Rutherford, Sherwood Park?

**Mr. Zwozdesky:** Mr. Speaker, I don't know anything about Americanizing the health system. He was there. Perhaps he could elucidate others on that.

What I can tell you is that we have the first-ever Canadian commitment by a province to five years of stable funding, unprecedented anywhere, and we have a Premier with the courage to have delivered it, and we have the courage to make sure it happens.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### Patient Advocacy by Health Professionals (continued)

**Mr. Hinman:** Thank you, Mr. Speaker. I know that I am safe to say that all hon. members of this House desire to do the right thing and that the Premier is at the top of the list. The right thing is to be open and accountable. It is only a matter of time until the Premier does the right thing and calls a public inquiry. We know that the top advisers to the Premier are telling him that the Health Quality Council can do the job, but it is his legacy and not theirs that is at stake. So does the Premier want to be remembered as the king of cover-up or as the Premier who cleaned up with a full public inquiry?

**Mr. Stelmach:** Mr. Speaker, as I said before, the Health Quality Council has begun its hearings. They'll ask for input. Once again, the Health Quality Council has put together, I believe, a legal advisory committee with some of the best legal minds and a tremendous reputation that will give the Health Quality Council advice during this period, and that is, of course, former Chief Justice Al Wachowich and former Deputy Prime Minister of Canada Anne McLellan.

**Mr. Hinman:** Don't let them pin you as the king of cover-up. Given that both parties must agree to waive a nondisclosure agreement, will the Premier do the right thing and direct Health Services to take the first step and declare that they would like to

have full disclosure of the controversial nondisclosure agreements? Take the first step.

2:00

**Mr. Stelmach:** Mr. Speaker, once again, the disclosure agreements have been entered into by the physician and the employer, and a third party cannot just tear up the agreement or direct any one of the parties to open that agreement. An agreement is an agreement, and that agreement is between those two parties.

**Mr. Hinman:** You're not anybody; you're the Premier. You could ask them: let's open it up.

Mr. Speaker, given that the truth can set anyone free and given that the Premier and many others of this government say, despite all the evidence, that there is no proof, will he please do the right thing? Call the public inquiry so Albertans will have the truth out in the open. Be accountable. Do the right thing.

**Mr. Stelmach:** Mr. Speaker, so far, even in this House, there have been various allegations made with the protection of immunity of the House, yet – what? – six months later there has been no evidence tabled in the House, even circumstantial evidence, I may add, as was brought forward the other day. So why would a person conduct a public inquiry? There isn't even any circumstantial evidence, just allegations and, once again, no proof at all here in this Assembly.

#### Speaker's Ruling Parliamentary Language

**The Speaker:** Hon. members, at least on nine occasions in recent years the word "cover-up" was ruled unparliamentary. On one occasion it was allowed in the context of what it was. So one should be very careful of the context that one uses a word like "cover-up."

The hon. Member for Edmonton-Highlands-Norwood.

#### Critical Electricity Transmission Infrastructure

**Mr. Mason:** Thank you very much, Mr. Speaker. Representatives of Alberta industry say that this government's massively overbuilt transmission proposal will make them uncompetitive, no surprise since this PC government is ramming through \$13 billion in unnecessary costs that will be added to the power bills of Alberta consumers. Given this disaster in the making, will the Premier agree to repeal Bill 50 and require all transmission projects to be subject to a full regulatory hearing to ensure that they are needed, affordable, and actually in the public interest?

**Mr. Stelmach:** Mr. Speaker, there were at least 300 public hearings. Many Albertans, businesses brought forward information and evidence with regard to the need for new transmission. I just want to correct the member. He's talking about \$13 billion. The CTI is around \$3.3 billion. For every billion dollars of new construction it adds about a dollar to the monthly bill, so that would be about \$3.30 added to the monthly bill once all of the construction is done, and that will be about five, six years from now.

**Mr. Mason:** Mr. Speaker, this Premier can spin straw into lead.

Given that the same power consumers are warning that increased costs may trigger a death spiral, where those who can afford to build their own generation will do so, leaving fewer and fewer customers to pay the multibillion dollar costs of these unneeded lines, and given that most homeowners and small businesses would be stuck with huge power bills as a result, will

the Premier direct his Energy minister to stop the death spiral of our electricity grid and require full regulatory hearings for all the transmission lines now under construction for consideration?

**Mr. Stelmach:** Mr. Speaker, power consumption increases 3 per cent annually, and even in our worst recessionary year we saw an increase in power consumption. Our population has more than doubled since the last addition to any infrastructure was added in this province. Essentially, what we're doing is that we're burning more coal and getting less energy to the consumer because we're overloading the lines, and we're losing a lot of power along the transmission lines.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that this government has eliminated public regulatory examination of proposals for new transmission infrastructure and substituted closed-door cabinet meetings that rubber-stamp these proposals, why should we take your word for it that these transmission lines are actually needed?

**Mr. Stelmach:** Mr. Speaker, I believe 2001 is when the hearings started, and they were conducted over a number of years, talking about the need for additional transmission.

I would be a little more worried about what I heard this weekend in terms of increasing our costs of energy in the province of Alberta, and that was the hon. member's cousin – I believe he was from Quebec – talking about imposing a cap and trade system and a carbon tax on energy in this province. I can tell you that will more than double our electricity in the next five years.

**The Speaker:** The hon. Member for Calgary-Mountain View.

#### Health Quality Council Review

**Dr. Swann:** Thank you, Mr. Speaker. I have some more questions for the Premier. The Premier and the minister of health continue to say that the Health Quality Council review is fully independent from government. It's a fact that the government appointed the Health Quality Council board, funds its operations, and the board chair, Dr. Lorne Tyrrell, reports directly to the minister of health. Again to the Premier: how can the government ignore the basic fact that the Health Quality Council review is in a conflict of interest when its members are appointed by the very minister ultimately responsible for the alleged acts of intimidation being investigated?

**Mr. Stelmach:** Mr. Speaker, once again, the Health Quality Council has a tremendous reputation, a good, solid reputation, in terms of examining a number of issues. They are independent, and they have in many cases been critical of government, telling us where we can improve the quality of health delivery in the province. I have tremendous faith in them to do the job, and they will. They'll deliver that report much sooner than any kind of a public inquiry will do.

**Dr. Swann:** Again to the Premier: will the Premier direct Dr. Tyrrell, dean at the time, to appear before the Health Quality Council and share relevant information relating to Dr. McNamee's dismissal?

**Mr. Stelmach:** Mr. Speaker, it's amazing how just a few months ago the hon. member talked about how he was praising the Health Quality Council, and that this was the best avenue to do an inquiry and hear evidence in terms of how to improve the health care sys-

tem. Today they've changed their minds once again and said that the Health Quality Council cannot do the job. Well, I disagree, and our government disagrees and so do the public of Alberta. This inquiry is on its way, the review is being done, and we'll hear soon with respect to how to improve our health care system.

**Dr. Swann:** Mr. Speaker, how can the Premier continue to argue against the need for a public inquiry when the Health Quality Council is clearly in a conflict of interest and may hear testimony from its own board chair? How do you reconcile that?

**Mr. Zwozdesky:** Mr. Speaker, enough of this nonsense and false accusation because the Health Quality Council itself is . . . [interjection]

**The Speaker:** Hon. member, the Minister of Health and Wellness has been recognized.

**Mr. Zwozdesky:** Thank you so much. In fact, the Health Quality Council themselves would tell you that none of the reports that they have ever done have been altered in any way, shape, or form. Not a word has been changed. They've got very broad terms to work with. They have discretion as a council. They have a commitment to make their report fully public. I would ask this hon. member to please comply with the process and deliver on the good words he had about them before.

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

### Education Funding

**Mr. Hehr:** Well, thank you, Mr. Speaker. Public and Catholic school boards across the province are all saying the same thing. Because of this provincial budget teachers and support staff will need to be let go. Furthermore, they're all saying that the minister's suggestion of dipping into reserve funds is simply, in a word, ridiculous. Accordingly, will the minister come clean and tell this House approximately how many front-line teachers and other staff Alberta school boards will be forced to lay off because of this year's upcoming budget?

**Mr. Hancock:** Mr. Speaker, no, I can't tell this House how many teachers might be laid off or how many teachers might not be hired. It would be depending on how many retirements there might be in particular jurisdictions, how many people choose to leave for maternity leave, and various other things that go into the makeup of the teacher force every given year. Yes, it's a tight budget. Yes, school boards are having to look very closely at their expenditures, and yes, in some cases, perhaps in many cases, that might impact the number of actual certificated employees that they have next year over this.

**Mr. Hehr:** Well, given that parents across this province don't believe the minister's pronouncement that school boards can keep teachers in the classroom by dipping into reserve funds, will this minister do the right thing and stop the last day of school for students this June from becoming the last day of teaching ever for hundreds of teachers?

**Mr. Hancock:** Mr. Speaker, the hundreds of teachers who have put in their 35 and 40 years of service to this province and are looking forward to retirement should not be stopped from having that last day if that was their choice. So, no, I'm not going to say that nobody is going to have a last day this year. Of course, people are going to have last days. Some are going to choose to have it and some may not, depending on what a school board has to do.

But the hon. member should know that there's \$350 million in operating reserves across the province so that any school board looking at a very tight budget is well advised to look, as we have with our sustainability fund, and say: what reserves, what other options do we have first before we affect the classroom?

2:10

**Mr. Hehr:** Given that this minister has admitted publicly that letting teachers go at this time is the opposite of planning for the future, will this minister commit to ending the current silliness and ask the Treasury Board not to balance this year's budget on children's and our province's future prosperity?

**Mr. Hancock:** Well, Mr. Speaker, we've just spent the last couple of months in Committee of Supply and policy field committee examining the various aspects and their various opportunities and the challenges that face a government when it tries to meet a number of value equations. How much can we put into investing in people's health? How much can we invest in people's education to ensure the future of the province? How much are people prepared to pay for in their taxes in a given year? Can you tax your way out of a recession? All of those various items go into pulling together a budget, which we've just had the privilege of spending the last two months debating and will have the privilege this week of passing in our appropriation bill.

**The Speaker:** The hon. Member for West Yellowhead, followed by the hon. Member for Lethbridge-East.

### Logging in the Castle Special Management Area

**Mr. Campbell:** Thank you, Mr. Speaker. Groups of individuals in southwest Alberta recently called for a boycott of timber products from the Castle area to protest timber harvesting there, potentially putting 200 people's livelihoods at the Spray Lakes mills at stake. My question is to the Minister of Sustainable Resource Development. What impact does timber harvesting have on the landscape, and is it affecting tourism in the area?

**The Speaker:** The hon. minister.

**Mr. Knight:** Thank you, Mr. Speaker. Most certainly, if you look at the record over the years with respect to Castle, I think it's an exemplary record of what can be done with proper management. That area is under a forest land-use zone designation. That is a legislated designation, and it meets the goals of preservation, heritage appreciation, recreation, and tourism and economic development. I think that it has been managed very well. In fact, the opportunities for tourism still abound.

**The Speaker:** The hon. member, please.

**Mr. Campbell:** Thank you, Mr. Speaker. My first supplemental question is to the same minister. Opponents of timber harvesting in the region say that it should not take place because the Castle is a special area. If so, why has there been harvesting in this area for all these years?

**Mr. Knight:** Well, again, Mr. Speaker, the Castle area was one of about 82 areas that were looked at and proposed as special areas in a project in Alberta in 1998, '99, and 2000, I believe, but Castle was never one of the areas that was actually accepted. Local communities in the area actually told the government that they wanted to see the area managed as a multi-use zone.

**The Speaker:** The hon. member.



**Mr. Campbell:** Thank you, Mr. Speaker. My second supplemental is to the same minister. What kind of protection is in place to ensure that harvesting does not affect the important watershed that flows out of the mountains in that area?

**Mr. Knight:** Well, Mr. Speaker, we've had a lot of work done there. As a matter of fact, the Bow Valley watershed area has been studied extensively, and it has received a good quality recommendation, which is the highest recommendation in that watershed area. Since 2007 Sustainable Resource Development has employed hydrologists to make sure that forest management planning respects that watershed and the integrity of the watershed.

### **Education Funding** (continued)

**Ms Pastoor:** Mr. Speaker, in the latest in a string of announcements from across the province the Lethbridge public school board has now had to announce as well that it will lay off 60 teachers and staff because of budgetary constraints. The school board's hands are tied because of this government's short-term planning and cuts to education. To the Minister of Education: is the minister's only response to the latest announcement of teacher cuts in Lethbridge that they, too, should dip into their reserve funds as you have suggested be done in Calgary? When the boiler blows, who's going to pay for that? That's what reserve money is for.

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. School boards across the province have saved monies out of their operating surpluses in any given year to build operating reserves for a variety of reasons. Many of those same school boards also have capital reserves. A few school boards have taken the position that they should spend today's dollars on today's students and not build up reserves. Everybody's situation across the province is different. Across the province there is approximately \$340 million in operating reserves and an additional \$200 million more or less in capital reserves, so there is \$500 million in the education system in reserve. Now would be a good year to look at that and say that we have challenges.

**Ms Pastoor:** When Lethbridge not only needs a new school, but three of its existing schools need upgrades badly, projects that are now under threat along with teaching positions, how can the minister justify cuts to this Education budget?

**Mr. Hancock:** Mr. Speaker, the Education budget went up 4.7 per cent this year. It went up \$258 million this year. It went up by a substantial sum of money, but it is going to be a tough budget for school boards, absolutely. We all have the same issue to address on a year-over-year basis. If we want to be fiscally prudent, if we want to live within our means, we have to look at everything we do to determine: does it have value? How do we do it better? This year school boards are having a very difficult but necessary time looking at their budgets, looking at their operating reserves, and saying . . .

**The Speaker:** The hon. member, please.

**Ms Pastoor:** Well, a prudent budget, but it certainly doesn't make our students competitive with China.

Given that very successful programs like the career transitions program, which are designed to encourage high school completion

and help students in the challenging transition from high school to the workforce or secondary education, are under threat because of the cuts, how can the minister claim that this government has students' best interests at heart?

**Mr. Hancock:** Mr. Speaker, there are in any given school board programs that have great efficacy and that are very valuable for students. The AISI project right across the province, in many jurisdictions, has been very good. But we're in a tight fiscal time frame, and as a government we've determined that we need to get back into a balanced position over a period of time while there is still money in the sustainability fund. You cannot use the money in the sustainability fund over and over and over again, so we have to be prudent in budgeting.

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Edmonton-Gold Bar.

### **Pipeline Leak**

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. This past Friday afternoon a pipeline break within Whitecourt-Ste. Anne was reported to the government of Alberta's co-ordination and information centre. The county, local residents, and I want to ensure that all has been and will be done to ensure minimal environmental impact. My first question is to the Minister of Environment. Can you please provide an update on this break and the current status?

**The Speaker:** The hon. minister.

**Mr. Renner:** Well, thank you, Mr. Speaker. As is standard protocol, after notification we immediately dispatched an Alberta Environment officer to the area. He found that the pipeline break was releasing an oil and water mixture. At that point there was only a slight sheen visible on vegetation at the break point and no impact on water bodies. The company immediately established an emergency operation centre; set up a hydrovac, booms in creek, and monitoring program; cleaned up anything with a sheen; and began repairs to the pipeline.

**The Speaker:** The hon. member, please.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. Again to the same minister. While you talked about notification of the incident – and it was provided to provincial and federal agencies and to the county – I'm not sure it was provided to the neighbouring residents. Can you explain the notification protocol for these occurrences, please?

**Mr. Renner:** Mr. Speaker, the standard protocol for notification is different in the case of whether or not there is a public health risk involved. In this case, as it was a very isolated situation, there was not a public health risk. The municipality would have then been contacted by the company. Had there been a public health risk involved, then Alberta Emergency Management would have been activated. The municipality would have been involved, and they would have been notified by the provincial government.

**The Speaker:** The hon. member.

**Mr. VanderBurg:** Thank you, Mr. Speaker. My next question is to the Minister of Energy. Given that pipelines are a critical transportation method of supplying energy to our marketplaces, is there any indication that this will impact future projects?

**Mr. Liepert:** Well, Mr. Speaker, the short answer is that it shouldn't. However, we live in a day and age when those who want to rid the world of resource development will use just about any kind of an incident to play up a situation. I think what we have to put into context is that we have literally millions of barrels of oil leaving this province every day by pipeline, and the incidents are very few and far between, as this one was. So I don't see an impact in the future.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Strathmore-Brooks.

### Corporate Tax Advantage for American Companies

**Mr. MacDonald:** Thank you. American companies operating in Alberta not only pay Alberta and federal income tax but American corporate tax as well. This is because of a tax treaty which subjects Canadian earnings of American companies to U.S. taxes if the tax rate in Canada is lower than the rate in the U.S.A. The difference in tax rates is then pocketed by the U.S. Treasury. My first question is to the minister of finance, please. How much corporate income tax is paid to the U.S. Treasury by companies operating in Alberta due to this treaty arrangement?

**Mr. Snelgrove:** I'm sorry, Mr. Speaker. I don't have that number at my hand.

**Mr. MacDonald:** That's unfortunate given the billion-dollar deficits that this government has racked up.

Now, if this is such a significant transfer, as is reported in the media, how much, again, in Canadian dollars is being collected by the U.S. Treasury that should remain in this country and in this province?

2:20

**Mr. Snelgrove:** Mr. Speaker, we'll be happy to get correspondence from the hon. Member for Edmonton-Gold Bar. Besides looking at other loopholes that corporations use, we are engaged with the federal government in trying to recover money that's wrongly run through offshore companies. It's an ongoing process. I'm happy to get information from the hon. member and follow it up.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. For the record that was in the *Globe and Mail* last week. [interjections] Of course it's true.

Again to the minister of finance: will the minister order the finance department to look into ways to close this giveaway to Uncle Sam and put an end to this voluntary equalization that Al-bertan taxpayers are providing to the U.S. Treasury?

**Mr. Snelgrove:** Mr. Speaker, I checked recently. We're still a part of Canada. We'll remain a part of Canada for quite some time, I hope. We will work with our counterparts across the provinces and with the federal minister to address any of the said loopholes that he's identified.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by the hon. Member for Airdrie-Chestermere.

### Agricultural Trade with China

**Mr. Doerksen:** Thank you, Mr. Speaker. Last week a delegation of government officials representing Heilongjiang province in

China visited our province and were introduced here in the House to commemorate the 30th anniversary of Alberta's twinning with Heilongjiang. My question is to the minister of agriculture. Certainly, that relationship is important to agriculture producers inasmuch as it expands trade. Market access is primarily a federal responsibility in terms of the negotiations, but is there anything that the province of Alberta and the minister of agriculture can do to expand trade and market access with China?

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Well, thank you, Mr. Speaker. Yes, I was honoured, actually, to be involved in the meeting with the hon. Minister of International and Intergovernmental Relations and the Heilongjiang delegation: a 30-year relationship with our province, a 60-year relationship with China with respect to our wheat exports. These face-to-face meetings are absolutely necessary with government officials in order to open up those opportunities in those countries.

**The Speaker:** The hon. member.

**Mr. Doerksen:** Thank you, Mr. Speaker. I understand that the minister of agriculture visited China last year. I'd be interested to know on behalf of cattle and agriculture producers: were there tangible results that came as a result of that visit?

**Mr. Hayden:** Yes, Mr. Speaker. Absolutely. In June 2010 we secured a breakthrough with the Chinese government officials into their market for beef and tallow for animals under the age of 30 months. Our trade mission to China gave us an opportunity to talk about what type of trade irritants there were and to gain important insights into what the government of China wanted from us. Of course, it's huge for us. In 2009 our export market was somewhere in the neighbourhood of \$8 billion.

**The Speaker:** The hon. member.

**Mr. Doerksen:** Thank you, Mr. Speaker. My third question will be directed toward the Minister of International and Intergovernmental Relations. What is the overall potential of the Chinese market? We know it's significant, but what is the future look of the Chinese market for Alberta?

**Ms Evans:** Mr. Speaker, we've had such a tremendous amount of opportunity, as cited, in agriculture. Certainly, culturally we have been building a market that is both tourism linked and also with the building of a stronger Alberta, and economically PetroChina visited and has become a very robust partner in our sustainable resource development. Through education, built by the hon. Member for Spruce Grove-Sturgeon-St. Albert, is a tremendous amount of buoyancy on advanced education, innovation, and technologies. So on several fronts we're doing things that build the Chinese market.

### Patient Advocacy by Health Professionals (continued)

**Mr. Anderson:** Mr. Speaker, in a letter to the *Calgary Herald* Dr. Tim Winton, former head of lung surgery in Edmonton, said that legal assurances offered by the Health Quality Council review are not adequate to allow him to speak about allegations of intimidation of doctors or about those who may have died unnecessarily on cancer wait-lists. Dr. Winton, who was named in the Dr. McNamee statement of claim, would likely have key insights into this

matter. To the health minister: how can you continue to claim that the Health Quality Council can get to the bottom of this scandal if those like Dr. Winton, who know what happened, cannot be protected nor subpoenaed to testify?

**Mr. Zwozdesky:** Mr. Speaker, I can assure this member and all Albertans that the Health Quality Council review is at the highest level of integrity. In the words of the Health Quality Council president and CEO himself, he said that their review will be equal in gravity to a public inquiry. He says that with confidence, knowing that no one has ever refused to participate when asked by the Health Quality Council for their input.

**Mr. Anderson:** Well, he just refused the Health Quality Council, so that's not true, Mr. Speaker.

Given the following quote from Dr. Winton, who says, quote, despite assurances advanced by the Health Quality Council, the Premier, and the health minister, I remain constrained by contractual arrangements, but I recognize the interest in securing my participation and would welcome the opportunity to provide evidence, unquote, will the minister please reconsider his position and call a judicial public inquiry with the powers to compel evidence and both subpoena and protect witnesses so that we can get to the bottom of this scandal for all Albertans? Do the right thing, sir.

**Mr. Zwozdesky:** Mr. Speaker, the Health Quality Council may not have what he describes as legal authority to subpoena anyone to attend, but they do have extremely high credibility, the highest in this province I would submit, for relating with medical people. Whenever medical people have been asked or, for that matter, any members of the public or anyone else has been asked to participate, the Health Quality Council has never been refused that particular . . .

**The Speaker:** The hon. member.

**Mr. Anderson:** Given that this minister has clearly lost any shred of credibility with the public that he's acting in the best interests of Albertans on this matter and given that he is obviously more concerned about the health of his own political career and that of the PC Party and given that Dr. Winton states that the re-establishment of public trust in health care demands that he and others be free and protected to speak out about the truth, will this minister call a public inquiry, or if not, will he resign and pass the baton to someone in that caucus over there, if there will be any left, that is still committed to transparency and putting the health of Albertans first?

**Mr. Zwozdesky:** Mr. Speaker, the Health Quality Council is a very respected, very reputed, nongovernment, directly involved type of organization. They are very independent. They will listen to whomever wants to come forward. If the doctor referenced just now by this hon. member wishes to come forward and bring information, he's welcome to do that. If he chooses, on the other hand, not to for whatever personal or professional or private reasons he has, that is up to that particular member because we respect their privacy as well.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Strathcona.

### Residential Building Inspections

**Mr. MacDonald:** Thank you. The Minister of Municipal Affairs said in this Assembly that municipalities are responsible for build-

ing inspections. However, the public safety division of the minister's department is the third-largest provider of safety code services in the province. To the Minister of Municipal Affairs: will the minister kindly acknowledge that the province plays a major role in building inspections and must accept its share of responsibility for the failure of the system that we have seen in the Penhorwood incident in Fort McMurray?

**Mr. Goudreau:** Mr. Speaker, as I indicated in past comments here in the House, the responsibility for home inspections falls under our purview with Municipal Affairs, but we accredit municipalities, and the municipalities hire their inspectors, and they are responsible for the actions of their inspectors. The larger centres, the cities, basically, across Alberta, do hire inspectors to do that work.

Now, in those municipalities that are unaccredited, we will do the inspections on their behalf.

**The Speaker:** The hon. member, please.

**Mr. MacDonald:** Thank you. It's not right to put all the blame on municipalities, sir.

Can the minister please explain what kind of inspections are conducted during the construction of a home or a condominium project?

**Mr. Goudreau:** Mr. Speaker, there is no doubt that the Safety Codes Council is the one responsible for accrediting municipalities. We accredit municipalities, and we accredit agencies that do the inspections, that hire the particular inspectors. There is no doubt that the inspectors have a mandate to follow, and we expect that. We continue to keep on working with our municipalities to make sure that the inspection services or those individuals that they hire are doing an appropriate job.

**The Speaker:** The hon. member.

2:30

**Mr. MacDonald:** Thank you. It's this government that's not doing an appropriate job.

Given that there's a particular concern about the current value of inspections, what value could a homeowner expect from just one inspection?

**Mr. Goudreau:** Mr. Speaker, there's no doubt that there are building codes that need to be enforced, and, you know, we want to make sure that those codes are being met. The inspectors will go through a particular process. Again, as I've indicated, if there's a need to change that particular process to meet the changing needs of Albertans, I'm prepared to look at that. If there's a need to do more inspections, for instance, they're in the envelope portion or construction portion . . .

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Calgary-Varsity.

### Strathcona Community Hospital

**Mr. Quest:** Thank you, Mr. Speaker. It seems like a day doesn't go by when my constituents don't ask me about the Strathcona community hospital project. I know the Member for Sherwood Park gets as least as many. Can the Minister of Infrastructure provide an update on the Strathcona community hospital project? Specifically, can the minister explain what work has been completed so far and what work remains?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I'd like to inform you and the House that the project is moving ahead full speed. Phase 1 of the construction is under way and scheduled for completion in the latter part of 2012. The site services are completed, including the sewer and the waterlines, and also the paving and the landscaping. The foundations are completed. The steel structure is near completion. The building envelope is well under way. The move-in schedule is for 2013, and we're currently planning ahead to ensure a seamless transition from phase 1 to phase 2.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. First supplemental to the Minister of Health and Wellness: knowing how important this project is in meeting the health needs of constituents, can the minister confirm what services will be provided at the Strathcona community hospital?

**Mr. Zwozdesky:** Mr. Speaker, the services will include a 24-hour, seven-day-a-week emergency department, diagnostic imaging, community laboratory, ambulatory clinics, including IV therapy for teens' and for seniors' health, allied health services, chronic disease management services. It will also have medical consultant specialists. They'll be there along with all the support services necessary. That's all part of phase 1, which is full steam ahead right now.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Supplemental to the same minister: what will phase 2 of the project offer area residents?

**Mr. Zwozdesky:** Mr. Speaker, phase 2, which will be proceeded on immediately after phase 1 is completed – and some planning is already under way – will see approximately 72 in-patient beds as well as surgical suites, and those surgical suites will have all the supports and services necessary for that hospital to function as an in-patient facility. The precise details and components will be still input into by the community and by other health professionals.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for St. Albert.

#### Protection of Children in Care

**Mr. Chase:** Thank you, Mr. Speaker. Over the Easter weekend an adoptive father reported that his child had once again been apprehended. However, due to the revolving door children and youth catch-and-release system, if the child again submissively played the system for 72 hours, their previous escapes, their previous assessments, their birth family's history of illness and abuse would not be taken into account. Instead of a secure treatment facility, they'd be back to another easily escapable group home. To the minister: why is a 72-hour-only assessment the equivalent of a get-out-of-child-custody-free card?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. I had an opportunity to discuss this with the member, I think about a week or so ago, and I know from that discussion that this member has become very involved in the situation. I can assure you that the child that you have brought forward is being well cared for, hon. member, and I'm hoping that that helps.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Three escapes so far. At what point, if ever, in the current catch-and-release Children and Youth Services system does a child's cumulative assessment file get opened and acted upon?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. Our workers do provide supports and resources and services to the child, to the youth, to the family, and files regarding children's services and supports are kept open when necessary by workers. I can assure you once again, hon. member – I know that you explained to me that this has become very personal for you – that this child is being well cared for.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. I very much hope so.

How is it in the best interests of a child or their parents to revolve through the system and land back onto the street without receiving sustained treatment or support?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. As I indicated previously in the Assembly about this young person, hon. member, our very senior staff are working closely with that person, with the family, and they are receiving support that's exemplary through our services. I would be pleased to discuss this further with you once again if you'd like to. As I said, I know how important this is to you.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-McCall.

#### Distracted Driving Legislation

**Mr. Allred:** Thank you very much, Mr. Speaker. In the last session Bill 16, the Traffic Safety (Distracted Driving) Amendment Act, was passed but still has not been proclaimed. To the Minister of Transportation: given that this is now the spring of 2011, when is the proposed legislation on distracted driving going to be proclaimed?

**The Speaker:** The hon. minister.

**Mr. Ouellette:** Well, thank you, Mr. Speaker. Our province's new distracted driving law is the most comprehensive in Canada and will be proclaimed in the coming months. There are several steps that must be completed before this law will take effect and the police can start enforcing it. These tasks include updating related regulations, developing and installing highway signage, and, very importantly, educating Albertans. It is coming soon, so stay tuned.

**Mr. Allred:** Mr. Speaker, to the same minister: given that there's been widespread public support for this present legislation for several years now, what is the delay in proclaiming the legislation?

**Mr. Ouellette:** Mr. Speaker, there is no delay. We always said that it was going to be mid-2011, and that's still the plan. The new law is about safety, and Alberta is leading the way. We look forward to implementing this new legislation soon. I know that this new law is supported by our traffic safety partners and many Albertans, and together we will make the roads safer.

**Mr. Allred:** Again to the same minister, Mr. Speaker: given that when the legislation was introduced, you spoke about a public education program on distracted driving, what has been done to educate the public on the implementation of the penalties for distracted driving?

**Mr. Ouellette:** We have excellent information on the Alberta Transportation website, and many Albertans are visiting the site, Mr. Speaker. Also, we have had many e-mails and letters looking for information. As he said, that's great. In the coming weeks the province will have an education awareness campaign to help everyone understand the details of that new legislation and what is permitted and how to comply with it. The awareness campaign will . . .

**The Speaker:** The hon. Member for Calgary-McCall.

#### Auditor General Recommendations on IT Services

**Mr. Kang:** Thank you, Mr. Speaker. The Auditor General's most recent report has a list of 19 outstanding recommendations for Service Alberta, most of them to do with IT services. Some of them are identified as key recommendations, and some are six years old. To the Minister of Service Alberta: why is the minister taking so long to respond to key recommendations, particularly a key recommendation on improving IT services to the rest of the government?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Service Alberta has been working very closely with the Auditor General to ensure that some of the areas that have been raised with respect to IT have been put in place. One of the things we have completed is the chief information officers across all the departments and the chief information officer residing in Service Alberta. We continue to follow through and work with the Auditor General on some of the other recommendations as well.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister of the Treasury Board. In 2010-11 Service Alberta's budget to mine for gold through shared IT services was \$15 million. The forecast was nearly double at \$29 million. How does the Treasury Board justify this kind of speculative budgeting?

**Mr. Snelgrove:** Mr. Speaker, we have been working over the last years internally with all of the departments and under the great leadership of the Minister of Service Alberta to make sure that the government of Alberta is operating on a common domain. With regard to any of the specific expenditures I'd be happy to get back to the hon. member if he can identify them.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: given that Service Alberta is ignoring the Auditor General, is unable to control the cost of services to the government, and overspent on its technology services by 30 per cent last year, does the Treasury Board need to offer more discipline to this ministry?

2:40

**Mr. Snelgrove:** Mr. Speaker, I will have to go reread that section of the Auditor General's report. The Auditor General gave us a lot of help in moving forward to make sure we had secure sites, that

we were providing the right amount of protection, balancing our operational costs, and we've done a very good job of that. We simply have spent more time making it better than we have clearing up the old recommendations so they could be reaudited and removed from the Auditor's report. We have committed to work with the Auditor this year to review as much as possible all of the existing recommendations and clear them off the books.

**The Speaker:** Hon. members, 18 members were recognized today. There were 108 questions and responses.

We'll continue with the Routine momentarily, but at the moment might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

#### Introduction of Guests

(continued)

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly 54 grade 6 students from Norwood elementary school in Wetaskiwin as well as their teachers and parents. The teachers are Ms Melissa Jones, Mrs. Marcie Hofbauer, and teaching assistant Mrs. Marlene Richards. The parents are Mrs. Louiza De Wet, Mrs. Glenda Coutney, and Mrs. Shauna Satre as well as Mr. Gordon Watt. These bright, young future leaders have come up today to watch the Legislature in action. I'm really pleased they could be here, and I want to congratulate their teachers and parents for making this happen. I'd ask that they all stand now and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Speaker. I will be chastised today. First, I forgot Les's birthday, and then I forgot to recognize another of their friends with them. Ms Gail Homeniuk is sitting beside the Stelmachs, and I would ask if she would please rise and accept the warm welcome of the Assembly.

**The Speaker:** We'll continue now with Members' Statements.

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for Calgary-Currie.

#### Right and Responsibility to Vote

**Mr. Taylor:** Thank you very much, Mr. Speaker. There's an old curse that says: may you live in interesting times. I think we do. The federal election is six days away. Certainly nobody in the chattering classes expected when the campaign started that the polls would show what they are now showing. Whether it delights you or terrifies you or anything in between, it appears that change is in the air, at least in terms who the polls show might end up as the Official Opposition federally or not.

While the polls are showing a clear shift in voter intentions, which may or may not hold up on election day, what they aren't showing us yet is whether that's just a shift in the intentions of the people who voted the last time out. There's no clear indication yet that those who didn't vote in the last federal election are any more likely to vote in this one. Maybe they will. It happened in the last municipal election in Calgary, and it happened there because mayoralty candidate Naheed Nenshi was able to make a sizable

chunk of disengaged voters care about politics, enough of them, in fact, that he is now the mayor.

There's talk, Mr. Speaker, of making it mandatory to vote in Canada or of lowering the voting age to 16 so that we can coerce the kids into democratic participation while still in school. Interestingly, the kids, college-age voters in this case, were on MuchMusic last night in a sort of televised town hall meeting, and some of them were making the point that in this campaign, even when the politicians make promises that are relevant to their lives like around the cost of postsecondary education, they do so in a way that speaks not to them but to their parents, many of whom don't vote either.

I stand today in this Assembly to urge all members to encourage their constituents to vote next Monday, but I know that people who don't vote aren't going to vote until and unless someone allows them to see that their votes do count by making politics relevant to them. It may be the democratic duty of our citizens to vote, but it's our responsibility to give them a reason to care to vote, and on that count we can all try harder.

Thank you.

**The Speaker:** The hon. Member for Spruce Grove-Sturgeon-St. Albert.

#### **Spruce Grove Saints Hockey Team**

**Mr. Horner:** Thank you, Mr. Speaker. I'm very pleased to stand today and speak to the Assembly about a focal component of the Spruce Grove sports community, the Spruce Grove Saints junior A hockey team. In a province where hockey is a topic of year-round discussion, the Saints have been a coveted institution and subject of sports conversations for decades.

The Saints are the only surviving franchise still playing from the Alberta Junior Hockey League's inception in 1963. They've played in a number of locations, but collectively these teams have taken home seven AJHL championships, a Centennial Cup, and a western Canadian championship. Now that the Saints have settled back in Spruce Grove, they are doing what they do best, winning hockey games. As season ticket holders my wife and I have watched through this last season and the season before the Saints fight hard and take home two consecutive AJHL championships, the Enerflex Cup, a tremendous accomplishment, Mr. Speaker.

While many were relaxing over this long Easter weekend, the Saints were locked in a repeat battle of last year's Doyle Cup championship with the Vernon Vipers. However, both of these series ended with a Vipers victory in game 7 despite the tireless efforts of the Saints. Mayor Houston of Spruce Grove and I watched a great game on Sunday evening played by both teams.

This fantastic season has not come without the hard work and skills of great athletes over the years. More than 50 players have come out of the Saints' program to play in the NHL, including Stu Barnes, Mike Comrie, Fernando Pisani, and NHL hall of famer Mark Messier.

In addition to their efforts on the ice, the Saints are very active in the community. Speaking to local school classrooms and assemblies about the importance of education is just one of the ways the Saints are positively impacting my constituents. From annual city games with local youth to supporting special-needs citizens, the Saints' participation never goes unnoticed nor unappreciated.

Mr. Speaker, I would ask that the members of the Assembly join me in recognizing the Saints' outstanding dedication to the game of hockey as well as their dedication to our community.

#### **Presenting Reports by Standing and Special Committees**

**Dr. Brown:** Mr. Speaker, the Standing Committee on Private Bills has had certain bills under consideration and wishes to report as follows. The committee recommends that the following bills proceed in the Assembly: Bill Pr. 1, Alberta Association of Municipal Districts and Counties Amendment Act, 2011; Bill Pr. 2, Galt Scholarship Fund Transfer Act; Bill Pr. 7, Hull Child and Family Services Amendment Act, 2011.

The committee recommends that the following bills not proceed: Bill Pr. 3, Auburn Bay Residents Association Tax Exemption Act; Bill Pr. 4, Cranston Residents Association Tax Exemption Act; Bill Pr. 5, New Brighton Residents Association Tax Exemption Act; and Bill Pr. 6, Tuscany Residents Association Tax Exemption Act.

Mr. Speaker, I request the concurrence of the Assembly in these recommendations.

**The Speaker:** Hon. members, this is a debatable motion. Shall I call the question?

**Hon. Members:** Question.

**The Speaker:** Would all members in the Assembly who choose to concur please say aye?

**Hon. Members:** Aye.

**The Speaker:** Those opposed, please say no. The motion is carried.

#### **Presenting Petitions**

**The Speaker:** Hon. Member for Edmonton-Gold Bar, you have a petition?

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I appreciate that. I have a petition signed by 259 individuals from Sherwood Park, Beaumont, Edmonton, Devon, Fort Saskatchewan, and Ardrossan, to name a few of the communities. This petition reads:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to initiate an independent, judge-led inquiry under the Public Inquiries Act to investigate the issue of intimidation of health care professionals in Alberta.

Thank you very much.

#### **Notices of Motions**

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

**Mr. Hancock:** Thank you, Mr. Speaker. Today I'd like to give oral notice of a motion.

Be it resolved that when further consideration of Bill 10, Alberta Land Stewardship Amendment Act, 2011, is resumed, not more than five hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

#### **Tabling Returns and Reports**

**The Speaker:** I have the hon. Minister of Health and Wellness down. Go ahead, please.

**Mr. Hancock:** Thank you, Mr. Speaker. Yes, on his behalf I am pleased to table the requisite number of copies of the following annual report, the 2010 Alberta College of Social Workers annual report.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. The people whose names I am about to read do not share the minister of sustainable resources' enthusiasm for either water or habitat protection in the Castle-Crown. They are as follows: Joe Ward, Rosamund Downing, Janet Jamerson, Sofie van Veen, Jane Lewis, Gina Capra, Wes Bailey, Martha Milne, Carol Jurczewski, Ana Rudolph, Kate Kenner, Jessie Rosenthal, Bruce Donnell, Ronda O'Bryant, Paul Goris, Phyl Morello, Lisa Banik, Jared Cornelia, Sarah Stewart, Karen Linarez, Mark Giese, Jdoy Newman, Robert Handelsman, William Lee Kohler, and Carol Collins.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lethbridge-East.

2:50

**Ms Pastoor:** Thank you, Mr. Speaker. On behalf of the Leader of the Official Opposition I have two tablings. One of them is a tabling from the Canadian Association of University Teachers re the culture of mistrust and fear at the University of Alberta's medical school.

The second one is a quote from former Conservative minister Ernie Isley on the culture of fear and intimidation within the Tories.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first is a letter I received from the President of the Treasury Board. I appreciate the information. It's a letter that I received on April 11, and it's a response to questions I had regarding the supplementary retirement plan for public service managers.

The second tabling I have is a letter that our constituency office wrote on April 19, 2011. It is seeking information regarding the closure of the Grey Nuns community hospital's therapeutic warm-water pool. We're still awaiting an answer.

Thank you.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of 14 reports from long-term care workers collected by the Alberta union of public employees indicating specific problems on shifts that were short-staffed. These reports indicate that residents were left in bed, were not returned to bed on time, and didn't receive their baths.

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

**Mr. Hehr:** Thank you, Mr. Speaker. I'm tabling two letters today. The first is from a constituent of mine, Mr. Ryan Robertson, who is in my office every couple of weeks advocating for an increase in AISH. In this letter he goes through his difficulties living on the \$1,188 he gets a month and what he pays for rent accordingly.

I also have another letter I'd like to table, from Mr. Roger Gagne to the Minister of Energy in regard to his concerns about transmission plans for Alberta. He is also part of a group called Citizens Advocating the Use of Sustainable Energy.

Thank you very much.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I have nine tablings. The first is Alberta Health Legislation: Moving Forward, phase 1, which is about building public confidence. Phase 2 is about private insurance and doctors working in and outside of the public health system, which is really the Americanization of the health system.

The second document is Alberta Health Act: Timing and Process Map. This is a document not viewed by anybody in government caucus, but it's the minister's document outlining the timelines for phase 1 and phase 2 implementation of the privatization document.

The third document. I had asked the minister a question last session, and his answer was that he didn't know which meeting I was talking about. It's an e-mail showing the timelines for that particular meeting on, I believe, July 2.

The fourth tabling is a tabling of the Premier's Advisory Council on Health's progress in implementation of recommendations, the 44 recommendations from the Mazankowski report, the recommendations that have been acted on and those that haven't.

The next five tablings are pertaining to performance of our health care system in expenditures. The first one is on historical expenditure, the two big expenditures, which are health care and education. Health care spending has gone up almost at a 55-degree angle, with education spending being cut.

The second tabling is the number of ALC bed days, alternate level of care days, that seniors are spending in acute-care facilities in Calgary. That number has gone up about a 55-degree angle as well since 2006.

This one, the third tabling, is about the health care system measures from triage to discharge at the 95th percentile for patients admitted to acute-care facilities in the Capital health region from 2006 to 2010. The international standard is four hours, our goal is eight hours, yet we're accomplishing this from 55 to 70 hours over the last three, four years in Alberta.

The fourth document is from the Organization for Economic Co-operation and Development, OECD, health data, 2010. It's figure 44, private-sector health expenditure per capita in U.S. dollars in 26 selected countries. The U.S. is number 1, Switzerland is number 2, Canada is already number 3, yet we are not amongst the best health care systems on the planet. The better systems spend less in private health care spending.

The last tabling is from the Canadian Institute for Health Information, a national health expenditure database. It's about private health insurance expenditure per capita, which has grown more rapidly than other sources of finance from household insurance to private insurance and nonconsumption as well.

Thank you, Mr. Speaker.

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 17

#### Appropriation Act, 2011

**The Speaker:** The hon. President of the Treasury Board and minister of finance.

**Mr. Snelgrove:** Thank you, Mr. Speaker. It's my pleasure to rise today and move second reading of Bill 17, the Appropriation Act, 2011.

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

**Mr. Chase:** Thank you very much. Briefly speaking to the appropriation, Bill 17, as a former teacher I have grave concerns about what is happening with the Education budget this year. The Minister of Education has basically met contractual obligations with regard to increases that were negotiated, weekly income being the determinant factor for teachers, support staff, and also custodial staff. Beyond that, the budget is very weak. The minister has explained that he felt bad with regard, for example, to cutting AISI, the initiatives program, in half, but sorrow is not sufficient. What these programs need is funding. The Education minister also expressed concern over the ongoing freezing of special-needs funding. Also, to his credit, he expressed regret over the enhanced funding for English as a second language students.

Now, Mr. Speaker, I appreciate the fact that the minister had regrets, but what I would like is a stronger commitment from not only this minister but other ministers to protect at all costs the service ministries such as Education, such as health care, such as Children and Youth Services. That, clearly, has not been done in the case of Education, where the minister has got out his calculator and looked at the bank accounts for school boards across the province and has come up with the figure of approximately \$500 million in surplus and reserve funds. He has encouraged the boards to follow the government's example; that is, if necessary, run deficits. Though Premier Klein suggested that that would never happen under his watch, the idea of running deficits has occurred.

Now, a concern I have is with the minister and other ministers claiming that this was a tough year and that we're experiencing a recession, conveniently ignoring the fact that the price of conventional oil as well as the price of bitumen have increased dramatically. Yes, I understand, Mr. Speaker, that there are other considerations such as our Canadian dollar, when we sell our goods to foreign countries, being higher than our main trading partner's, the States. But surely the point of the stability fund or the sustainability fund is to make sure that programs aren't subject to the ups and downs, the whims of externally set prices for non-renewable commodities such as oil and gas.

Mr. Speaker, the idea of being penny-wise and pound-foolish, of continuing to use the price of a barrel of oil to determine the funding for Education, Children and Youth Services, or for health care, is a very flawed system. Other provinces, that don't have the nonrenewable resource wealth that we have, still manage to provide top-notch social programs for their citizens. We need to re-evaluate our progressive tax system, which basically allows \$5 billion to go uncollected each year. This is at the expense of the social programs. So I have that concern.

3:00

Another concern I have is with regard to the amount of money that we're spending on health care. It's not the money, Mr. Speaker, but it's the management that's the problem. When we're keeping approximately 800 seniors in acute-care beds at a cost of \$2,000 a day, that does not make sense in dollars or sense in terms of doing the best for those seniors, many of whom should be placed in long-term care. So in the case of health care it's the manner in which the five years of supposedly sustainable funding is allocated.

It is frequently said that health care increases are going out of control and taking up approximately 40 per cent of our budget, Mr. Speaker, but as a portion of GDP they have yet to exceed 7 per cent. But it's not just the amount that's spent; it's how it's spent. As I say, keeping seniors in their homes as long as they possibly can be, making sure they're in the appropriate care facili-

ties, long-term care as opposed to being nickelled and dimed in assisted care facilities, is extremely important.

The need to invest in our advanced education system is an equally important follow-up to that of our public education system. The fact that the previous minister of advanced education indicated that costs would be kept at inflation but then allowed the University of Calgary and the University of Alberta to significantly raise their tuition costs because the government didn't provide the funding is a concern of mine. Another concern I have, Mr. Speaker, is the government allowing institutions to create institutional fees that have no direct bearing on their educational outcomes. These are the facility fees, approximately \$500 for both the University of Calgary and the University of Alberta.

Mr. Speaker, we're fortunate in this province to be able to have our nonrenewable resource wealth. But the extra givebacks that we have for industry: we earn the money and improve land lease sales, we create a very entrepreneurial, competitive circumstance, and then we return large portions of the money we've received back to the companies. It's time for the companies to have long-term investments in the quality of life of Alberta citizens, whether that's endowment funds to a larger extent to innovation funding at the postsecondary institutions, whether it's paying for chairs at the various institutions for undertaking studies that will benefit the industry directly and Albertans as a result. It's extremely important.

Mr. Speaker, as I have said, somewhere between \$7 billion and \$11 billion remain in our sustainability fund. Far be it from me to suggest that we burn through that money, but I would say that strategic investments in our social services – education, health care, seniors, children and youth services – would be a good, ongoing, sustainable recommendation.

Thank you, Mr. Speaker, for this opportunity to debate the appropriation, Bill 17.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm not sure if I'm pleased or not to speak on Bill 17, the Appropriation Act, 2011, but I would like to actually make some comments if I can, please. I'm one of those MLAs that have been around the Legislature for some time. I got elected in 1993 and chose to run because I liked what Premier Klein had to offer when he spoke about the deficit and paying down our debt, the deficit elimination, and the thought of providing a future for our grandchildren at that particular time.

I am somewhat like he is. He's been quoted previously in the paper that during that time period there wasn't a day that went by that at some point in time we didn't have a process. Not an easy time, actually, for a first-time MLA, who came into this Legislature thinking that life was good and that it was going to be a fairly easy transition from the business world into becoming a politician. I soon learned otherwise, what it was like to be receiving hundreds and hundreds of phone calls from angry people right across this province when we started to attack the deficit.

I remember one time walking into Government House and being surrounded by people that were protesting outside the Legislature. In my mind, it was quite frightening, for that matter, because they were very, very angry and didn't like what the government had done. But we had a goal, and we had a plan. I know, Mr. Speaker, you were there with us at that particular time, as were some of the other people still in this Legislature. We had a plan, and we wanted to provide Albertans with the opportunity down the road to be able to say that they had been part and parcel of this huge plan and wanted to get our debt under control.



I also remember standing in Calgary with Premier Klein at that particular time when we unveiled that we had paid this off. We had this huge announcement, and I was very, very proud to be part of that.

We fast-forward to 2011, and here we are with five years of spending that, in my mind, has not been planned very well. I happened to be a member of government at that time, so I'll take the responsibility of that. I actually was a minister in that period of time for a little bit, before the new Premier came onside, and it just kind of went from bad to worse. We had some good times in that particular time, where, in my mind, when oil and gas was good and everybody was working in this province, quite frankly, we spent like drunken sailors.

Mr. Speaker, I came from a family where my dad taught me that you don't spend what you don't have. I came from a family that didn't have a lot of means. We were the last people on the block to get a TV, and there was great excitement in our house when we happened to have that. So you come from that era. We have based our whole married life on not spending what we don't have, and again we were the last people on the block when we got a VCR. We probably wouldn't have been buying that VCR except that my son was a Cub and ended up winning that, so it was a bonus for us.

I look at a clear act that we had in place under the leadership of Premier Klein, and that was the Deficit Elimination Act. That act is gone now, never to be found. I was very proud that we had that act in place. It was very clearly articulated what we could spend, what we couldn't spend. We had a law in this province in regard to the Deficit Elimination Act.

3:10

I look at the budget now and go through some of the expenses and capital investments and nonbudgetary disbursements that we're putting out. As a member of the Wildrose I have five critic positions that keep me busy, health being one of them. When we voted on this, I voted against this, probably one of the main reasons being that – one of the things that we do when we're discussing the budgetary items is have the privilege of asking the minister questions in regard to the budget. Through the five critic positions that I have – we only have 10 minutes, so we try and get the questions out that we think are a priority to Albertans and which Albertans have told us are a priority.

In those questions and sometimes answers that we get from the government, we've also articulated that we'd like to have our questions answered by written response. It's towards the end of April, and from not one of the ministries that I'm responsible for, which are Health, Seniors, Solicitor General, Service Alberta, and Employment and Immigration, have we received any responses in regard to some of the expenditures that we've questioned them about.

We know as members of the opposition that this budget is going to pass. I, like the member that just briefly spoke, have some real problems. I think one of the ones that I have is the continuing questions that we ask the government in regard to providing us with the information that we need in regard to long-term care. They continually stand up and they brag about their 1,300 continuing care spaces, and there's nothing wrong with that. I think it's a good goal, and it's a goal for a transition that the government keeps talking about, that when you're in independent living, you move to assisted living, and then your next step is into long-term care. To this date we still haven't had an answer in regard to long-term care.

As the critic I've had the opportunity to talk to many, many seniors and their families, those seniors that are struggling in as-

sisted living when they should be in a long-term care space. They move from the assisted living space back into the hospital, and they sit there, or lay there, I guess, in an acute-care setting until somewhere along the line, unfortunately, a senior will pass away and they fill that one little space available in a long-term care facility. You know, the government can brag all they want in regard to what they're doing for the seniors in this province and what they're doing when they talk about their continuing care plan, but we still haven't got answers in regard to those seniors that are in limbo between assisted living and where they move forward. So it disheartens me that we have such an attitude in regard to how we're treating people, our seniors, in this province.

I'm dealing with that with my mom at this particular time, who was in independent living and now is in assisted living. I look at some of the seniors that she has become friends with in assisted living, watching them as they deteriorate and trying to help them navigate the system. There are those seniors that just need to move from that assisted living. The wonderful people that take care of our seniors in assisted living can't handle these seniors if it's a senior that has dementia and is starting to lash out not only at the staff but their own spouse, you know. The Premier talks about keeping seniors together. Well, you can only do that for so long until you have a senior that becomes violent to their own spouse. I'm dealing with one of those at this particular time, where he doesn't even recognize his wife. He's just violent.

I guess, Mr. Speaker, we would have no problem supporting the budget if we could get the answers that we require. We think there's a lot of spending in this budget that needs to be explained. We think there's waste in this budget that could be utilized by some of the other departments. Children and Youth Services probably could use some extra money, the seniors, so many.

Anyhow, Mr. Speaker, I wanted to have on the record that we're realists, and we know that this budget is going to pass. I think it's important that we look at how we're spending, what we're spending on. Is it a want? Is it a need? Or is it something where the government truly has to look at what they're spending on, how they're spending?

I look at the number of ministers across the front bench. I think there are 23. In reality we don't need 23 ministers. We could certainly look at some of the ministries and combine them like we did previously in government under Premier Klein. It's gotten bigger and bigger and bigger. Unfortunately, all we can do as members of the opposition is to continue to hold the government accountable, and we will continue to do that.

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

Is this under 29(2)(a)?

**Mr. Boutilier:** It is.

**The Speaker:** Proceed.

**Mr. Boutilier:** Thank you. My questions are to the Member for Calgary-Fish Creek. I know you made reference to the allocation for infrastructure for seniors, and I know that all members of the Assembly certainly recognize the importance that seniors had in actually building this province. My question – and I know that she like many Albertans is caring for her mom right now – is relative to the fact that commitments were made to help seniors. As you know, one of them was in the riding of Fort McMurray-Wood Buffalo as others. The announcement of funding was for new projects, but the projects that had been previously announced by the government have still not been fulfilled. So my question to the Member for Calgary-Fish Creek: do you think that is correct and

right relative to commitments that were made that have still not been honoured?

**Mrs. Forsyth:** Well, Mr. Speaker, it doesn't take a rocket scientist to figure out that if you've got, as the member has indicated – I think he talked about a 103-year-old senior that's been in an acute-care setting for the last three years versus what the cost would be to have that particular individual in a long-term care. You can recoup those costs very easily. I don't have the numbers in front of me, but I can tell you the numbers we've crunched, and when you look at it, if you want to talk about a senior in an acute-care bed versus what it would cost for long-term care, you can't compare the numbers.

If the government has made a commitment and said that they're going to provide long-term care facilities, whether it's in Fort McMurray or Carstairs or Calgary, I think that they owe Albertans that commitment because Albertans look to us as a government to honour our commitments. We're held in a manner of trust. They've obviously failed on that commitment.

**The Speaker:** The hon. Member for Calgary-Varsity under 29(2a).

**Mr. Chase:** Thank you. I'm very aware, Mr. Speaker, that the hon. Member for Calgary-Fish Creek has great concerns for our most vulnerable Albertans, whether they be seniors or children. I'm wondering if the hon. member has concerns about the growing caseloads of Children and Youth Services workers and their ability to provide the important services that they provide for children.

**Mrs. Forsyth:** Well, Mr. Speaker, as a former Minister of Children and Youth Services I have a great deal of respect and admiration for the staff, that deal with some very, very difficult situations and in very difficult times when they're dealing with children that are coming into the system.

I can tell you, though, in reference to your question earlier in question period, that one of the biggest disappointments I have with this government is that in 2007 I stood in the Legislature as a member of the Conservatives and carried an amendment forward on the Protection of Children Abusing Drugs Act, an extension for children being held, and to this date it still hasn't been honoured. We have children – I'm well aware of the case that he's dealing with. We deal with many, many families that are dealing with children that need to be in secure treatment. I think that's probably another one of the biggest failures of this government: not protecting our children.

**The Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. The hon. member in her remarks indicated that one of the things that could be done in order to spend less money is to streamline the size of cabinet. I'm wondering if the hon. member would agree or disagree that back in 2001 cabinet grew in size. At one particular instance the Ministry of Justice and Attorney General was split so that a new portfolio of Solicitor General could be created out of that in order to allow the political leadership for things to happen; for example, the creation of the sexual offenders registry and other things like that. Was that a bad move to have a political leadership be able to focus on high-priority areas rather than combining it and creating a stronger bureaucratic leadership and less ability to really focus on some of those important agenda items?

3:20

**Mrs. Forsyth:** Mr. Speaker, this is a good question from the for-

mer Minister of Justice. When he was Minister of Justice, I was the Solicitor General, and we happened to work very well together. His big thing was moving the age of consent from 14 to 16. You didn't have to have a separate ministry at that particular time because, you know, if you have a good minister and he's able to listen to the people . . .

**An Hon. Member:** Or she.

**Mrs. Forsyth:** Or she.

. . . that are around him – that's his caucus colleagues – I'm sure this minister would have had no problem bringing forward the high-risk offender registry.

**The Speaker:** Unfortunately, the time for this section has now left us.

Additional participants in the debate? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutillier:** Thank you, Mr. Speaker. I certainly appreciate all members' comments up to this point relative to Bill 17, the Appropriation Act, 2011, that has been put forward by the President of the Treasury Board. I would like to speak relative to the bill and some of its detail within. Of course, it lists all of the 23 ministries and the dollar amounts that have been allocated. Again I remind all members that the dollars that have been allocated for this proposed budget are dollars that are obtained from hard-working Albertans, Albertans who pay taxes and who work hard.

[Mr. Mitzel in the chair]

Consequently, I am somewhat troubled by some of the details, and I'd like to take a moment, Mr. Speaker, to express my displeasure in terms of the important issues we need to deal with. As was mentioned earlier, first and foremost, I believe that it is fundamentally wrong to be freezing – freezing – special-needs funding for our children. That is fundamentally wrong. I know there are members in all corners of all political parties that do not accept that. Unfortunately, the government seems to accept that. That is very unfortunate.

The responsibility, as the Member for Calgary-Varsity had mentioned earlier, in terms of protecting at all costs our children that are directly impacted is fundamental. It's a value that all Albertans share. Therefore, witnessing how dollars are being allocated in one ministry and other ministries – the fact that there are 23 ministries, I think, is not something that Albertans can accept today. Albertans have had to tighten their belts when it comes to how the economy is today even though this government continues to be addicted to revenues. The revenues that this government is accepting today in terms of WTI, west Texas intermediate, are over \$100 a barrel and the royalties, yet at the same time they are freezing the funding for special needs for vulnerable young people. That is simply not acceptable. I believe it's not acceptable as a value within Albertans, and I think Albertans will render their verdict on that in the next provincial election.

I also will say that I'm troubled by a government that has announced new expenditures in expense and capital investment but at the same time has failed to honour previous announcements that were made, based on the dollars I see in here for Infrastructure. The point that I would like to arrive at, as I mentioned earlier today, Mr. Speaker, is regarding not only our children but our seniors. Our senior citizens have built this province, and we must treat them with respect. When I speak of respect, I want for a moment to touch base on the dollar allocation that is for Infrastructure. I'm troubled by the government, by the fact that

you made previous commitments, you failed to honour them, you let down your seniors. In the meantime you go out and announce provincial funding – for instance, an example is the provincial museum – of \$365 million for capital investment. At the same time, as a businessperson, no business would ever go and do something else for another customer until they honoured their commitment to the previous customer.

For my voters in Fort McMurray and in other constituencies across Alberta commitments such as those that were made in Olds-Didsbury-Three Hills to senior citizens have not yet been reached. The commitments that were made have not been fulfilled, yet at the same time the Premier and the government are running out and announcing \$365 million for new infrastructure. They seem to have lost their focus. They have lost their focus and lost their way when it comes to how the dollars are being spent.

Rule 1 in any economy, in any business is that you first honour the commitments you made to your customers. Well, commitments were made, but those commitments have not been fulfilled, yet at the same time the government is rushing out and now making new commitments to others. [interjection] In fact, the Government House Leader, the Member for Edmonton-Whitemud, is interjecting and heckling. I witnessed on Thursday night his heckling in front of an Albertan talking about the land-use framework. I thought he would have learned that lesson on Thursday night, but I will remind him of that lesson if he needs to be reminded.

Having said that, Mr. Speaker, I'm troubled by a government that has announced investment expenditures going into the future but has not honoured the commitments of the past. Our seniors have very proudly built this province. They have built this province, and they deserve better when it comes to infrastructure allocation.

In actual fact, I believe that by taking the Minister of Justice – actually, I was making reference to the Ministry of Justice and the Solicitor General. I like the idea of merging those ministries together.

For instance, the Ministry of Education and, I can say, the ministry of advanced education and the dollars allotted in the Appropriation Act: clearly, in today's economy both those ministries should be merged in a savings to Albertans. Albertans have tightened their belts when it comes to expenditures, and Albertans, with their Albertan values, expect no less from the government pertaining to the Appropriation Act. That is quite simply merging, dating back to 2001. The Government House Leader mentioned that earlier to my colleague from Calgary-Fish Creek. I think it's very important.

That was then, and this is now, and Albertans are tightening their belts. We believe that the Appropriation Act, that has been put forward by the President of the Treasury Board, is failing to honour the commitments that have been made by this government in previous years. In fact, we have almost 60 seniors sitting in acute-care beds in Fort McMurray, with a population of 104,000 people. No other city in Alberta that has 104,000 – that's the size of Red Deer, a little bit larger than Lethbridge – presently has no long-term care facility, yet the government and Treasury Board made a commitment over three years ago.

My trouble with this Appropriation Act, Bill 17, that has been put forward by the President of the Treasury Board, is that it is failing to honour the commitments that were made previously. Nowhere is it reflected in terms of taking care of previous commitments, yet I learn and I read about new money for a provincial museum. I understand that even members of the very government party were surprised by it because some didn't share with them where the dollars were being allocated.

I think, clearly, there is trouble in River City when it comes to the allocation of dollars because of the fact that commitments have been made by this government that have not been honoured in the past. In any smart business or public institution you first honour the value of keeping your word rather than rushing out and politically making announcements of new infrastructure projects. As I look at the allocation for Infrastructure, Mr. Speaker, clearly, the fact that they're rushing out to spend more money on infrastructure without first honouring the commitments of the past, I believe, is an indictment on this government.

Clearly, in my observation, the Appropriation Act is violating, in my judgment, an important Alberta value. That Alberta value is living within your means and honouring commitments that were made to the very Albertans that built this province with a great degree of integrity and respect.

3:30

Now, in my community, just like in many other constituencies, in a city of 104,000 I have almost 60 senior citizens sitting in acute-care beds in a hospital called the Northern Lights regional hospital in Fort McMurray, where I had the proud honour of being its mayor as well as an alderman and city councillor. As the youngest mayor the commitments were being made even then. I continue to do my job as an MLA to ensure that the appropriations that are associated with honouring our seniors and honouring commitments that were made will be lived up to.

What I observe in here is, again, a loss of focus, a loss of focus because commitments that seem to have been made in the past appear to have been forgotten. Our responsibility as MLAs in this House, Mr. Speaker, is to never, never allow our citizens, our bosses, to be forgotten by government commitments that have been made to the people of Fort McMurray-Wood Buffalo and to our seniors.

With those 60 seniors that are in acute-care beds, that is on average costing about \$60,000 a day. On a weekly basis that works out to just under half a million dollars. That's just under \$2 million a month, Mr. Speaker. Ultimately, at the end of the year it nears almost \$14 million a year. The government made its commitment to my seniors in Fort McMurray over three years ago. In fact, for the cost a long-term care centre could have been built as opposed to these seniors now, presently, living in acute-care beds at the Fort McMurray regional hospital. Mr. Speaker, that is unacceptable.

The Appropriation Act, 2011, Bill 17, clearly, in my mind, has demonstrated to me that the Appropriation Act has lost focus in terms of its allocation of honouring commitments of the past rather than running out as politicians and making announcements for the future.

As the MLA for Fort McMurray-Wood Buffalo, when I visit Mrs. Mitchell next Monday on her birthday, when she will be celebrating her 103rd birthday, I will proudly be able to look her in the eye and say that I have used every fibre of energy in my body to support her voice for a long-term care centre. That commitment, that was made by this Premier and this government, must be maintained.

Mr. Speaker, it saddens me that the government is running out with the allocations of this Appropriation Act and spending in new areas, literally like drunken sailors, yet we still haven't honoured the commitments that were made almost three years ago.

I want to say that the Member for Olds-Didsbury-Three Hills also had a commitment that was made by one of the contenders in the leadership that's coming up. Mr. Speaker, with the Appropriation Act once again I know how frustrated he is with the fact that

commitments were made but still have not been fulfilled, yet he is still with the government on that side of the caucus.

Mr. Speaker, when I go and visit some of those 60 senior citizens in acute-care beds at the hospital, I want to proudly be able to look them in the eye and say that what the government has done is not acceptable. The actions speak for themselves. No matter how much heckling or bullying or intimidation I receive or what punitive approaches the government may take, I refuse to sit down. It will be my last breath to continue to fight and honour these very senior citizens that built this province and built this province with respect and integrity. That's something that I think, that because of the nonactions of this government, with not so much as a shovel in the ground in the Fort McMurray-Wood Buffalo riding, not so much as a piece of land even bought in terms of honouring a commitment that was made three years ago, in my community of 104,000 people our seniors, over 60 of them, sit without any long-term care facility, which costs the government and the minister of health \$60,000 a day.

We can clearly – clearly – be more fiscally prudent in the dollar allocation by having better use of our dollars as opposed to how this government has displayed and lost its way in terms of its focus on previous commitments. Mr. Speaker, I say to this government and under the Appropriation Act: honour your commitments from three years ago; do the right thing so that you can look at yourself in the mirror. I can look at myself in the mirror.

When I talk to Mrs. Mitchell when she celebrates her 103rd birthday on election day, May 2, and when I speak to Olive Woodward, who, in fact, on June 4 will turn 100 years old, as they continue to be in acute-care beds, I'm going to be able to say that I've done my level best to get what had been committed to and promised by this government over three years ago.

With that, Mr. Speaker, I don't think there's much more needing to be said about this government revisiting its Appropriation Act. Looking at the infrastructure of new announcements yet failing to honour commitments of the past is simply not acceptable.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Well, thank you very much, Mr. Speaker. I would just like to say that I think that it is entirely appropriate for each member of this Assembly to honour our seniors, especially for what they've given to us here in Alberta, the opportunities and, of course, the challenges that come with our expanding economy.

I would like to ask the Member for Fort McMurray-Wood Buffalo if he is aware that Alberta has one of the most comprehensive packages of seniors' benefits in the country, that the thresholds for direct financial assistance are the highest in the country, and so are the maximum monthly payments. I wonder if he knows that my ministry remains committed to assisting those seniors most in need, that there are 405,000 seniors in Alberta and that 148,000 receive Alberta seniors' benefit, and that in the Appropriation Act this year the government will provide almost \$426 million to seniors through income supplements and assistance with expenses like dental work, eyeglasses, and education proper-taxes.

Mr. Speaker, I would also like to talk about continuing care because it's a commitment of this government to improve the choice and availability of continuing care accommodations. It's a top priority for me and for this government. Before I go any further, I'd like to say that we have provided for the area of the Member for Olds-Didsbury-Three Hills. In fact, we had a request for a proposal, and we've approved 88 beds to go into the Dids-

bury area. We're close to having that ground being broken by the organization that was chosen in the bid, and that was the Bethany Care association. They will be having their continuing care facility built very shortly.

Now, I would also like to comment that I wonder if the member is aware that in the 2011-12 Appropriation Act \$75 million has been approved for capital funding for the affordable supportive living initiatives to assist in the development and upgrading of close to 600 more new affordable supportive living spaces and that since 1999 the province has invested over half a billion dollars in capital grant funding to help build and modernize over 10,000 affordable supportive living spaces, that we have 6,000 of those 10,000 built and 4,000 in progress at this time, as I speak. I wonder if the Member for Fort McMurray-Wood Buffalo knows that we have 723 licensed supportive living facilities, that we have 29,000 clients in supportive living, that there are 14,800 who receive long-term care services in 174 facilities, and that 107,000 Albertans receive home care.

Mr. Speaker, I think that there is quite a bit of funding for continuing care and for our seniors in the Appropriation Act. I just wonder if the Member for Fort McMurray-Wood Buffalo is aware of the funding that we are providing for our seniors, once again among the very highest in the entire country.

**The Acting Speaker:** The hon. member.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. God love the minister of seniors, the Member for Red Deer-North, for the work she tries to do. It's unfortunate, though, that sometimes she loses her votes at the cabinet table in fighting for seniors. I think this Appropriation Act, clearly, is an example of her loss fighting at the cabinet table for that, based on what it is I am witnessing.

It is clear to me that the hon. member poses a question in terms of expenditure. It's not a question of how much money you spend. It's about: are we getting value? In answer to her question, Mr. Speaker, what I'm troubled by specifically is: does the member think it's okay for the Premier to rush out and make an announcement of \$365 million, when it wasn't discussed at cabinet or caucus, to be a legacy for him, yet he has failed, failed miserably, to honour commitments to our seniors, who built this very province, from three years ago? Commitments were made, yet we have over 60 seniors sitting in acute-care beds. Does the minister of seniors think that it is acceptable for seniors such as Mrs. Mitchell, who is turning 103, and Olive Woodward, who is turning a hundred years old, that commitments her government made over three years ago have not been honoured?

3:40

I'm glad to that see they're potentially going to break the ground in Olds-Didsbury-Three Hills. Well, guess what? They haven't even come close to breaking ground in Fort McMurray because they don't have any land. This minister has said to me in the past that we have to find land, so I find her comments very ironic, Mr. Speaker.

**The Acting Speaker:** Any other members wish to join the debate on the bill? The hon. Member for Edmonton-Strathcona.

**Ms. Notley:** Thank you. It's a pleasure to be able to rise and join in this occasionally animated debate around the Appropriation Act, 2011, Bill 17.

I'd like to start simply, I guess, by reiterating my agreement with some of the comments that have been made by previous speakers. Just generally speaking, I know it's a comment that's made every year, but it does warrant repetition – it is really quite

significant – in that the amount of time that members of this Assembly are given to engage in debate on this roughly \$34 billion budget is paltry. I would suggest that it really amounts to an insult to the taxpayers of Alberta because it truly is just a process of going through the motions by this government and that they truly aren't concerned about providing for a quality of debate that allows for true accountability.

I think I've mentioned before, in the past, my experience working in other jurisdictions, where estimates debates go until the opposition stops having questions. One of the neat things about that process is that it compels the government to actually answer the questions that they are asked by the opposition when engaged in debate. Instead, we have this ridiculous process here, where we get, you know, three hours for a budget that's worth a few million and three hours for budget that's worth \$15 billion, which is absolutely contradictory to any kind of rational approach to this process, any kind of approach that's actually vested in a desire to provide accountability and transparency and good governance for the people of the province. We don't do that here.

On top of that, we have such limited time within which we can ask a minister for information. Some ministers are quite good at being fairly rational and brief and responsive in the questions that they get from opposition members during that very, very brief time where they're asked to talk about their budget to the opposition and answer questions. But many ministers have taken to using that brief period of time and saying, you know, that not only is it enough that we only have to answer to the public for our multibillion-dollar budget for three hours but that when we do do that, we're going to ensure that we engage in long, superfluous, vague discussions about things that have nothing to do with what they're being asked by opposition members in order to simply take up time and delay that brief amount of time that members of this Assembly actually get in order to address these issues.

We then have taken to asking specific questions of ministers, saying: "You know what? If you don't get to this by the end of your long, superfluous, self-congratulatory statements, could you please specifically write to us with answers to these questions?" As has already been stated, we haven't had any of those answers provided to us yet.

Now we're being asked to vote on a \$34 billion budget, where the majority of ministers haven't bothered to respond to the specific questions that were made by members of this Assembly. I would suggest, Mr. Speaker, that it amounts to I won't say a breach of privilege but certainly a thumbing of the nose at the privilege of each and every member of this Assembly in terms of our ability to actually do our job when ministers simply don't bother to answer the questions that they have been asked when we are having budget debate and when members of the opposition, in particular, are asking this government why it is that they believe we should vote in favour of a particular budget, that could be up to billions and billions of dollars.

It's profoundly disrespectful, again, not only to members of the opposition but to all people in this province. I really have to, as I said, reinforce that point, that has been made by previous members, because it really is a dysfunctional process, and it's one that's born out of 40 years of the same government and a level of arrogance which is unmatched anywhere else in this country.

Having said that, I'll start by saying that previous members have talked about, "Oh, you don't spend what you don't have" and all that kind of stuff, so we should therefore be very careful about what we spend and probably spend less. As you probably are aware, Mr. Speaker, our party and our caucus is the only caucus, really, in the Legislature right now that believes that this government is actually in the process – it's probably about 20 years into a

process that will go on for maybe another 20 years – of selling down the river generations' and generations' worth of resources for this province to primarily multinational oil companies for a song and failing to collect the fair share of Albertans' wealth that is owed to them because we are owners of the resources in this province.

By failing to do that, we then create this false sense of: oh, we don't have enough money, so we've got to lay off teachers here, and we've got to make social workers manage 30 foster families instead of 20 foster families. We've got to do all these things which are bad for Albertans and bad for their future because we don't apparently have enough money even though in this particular jurisdiction of Alberta we are sitting on an amount of wealth which is unprecedented in any other developed world jurisdiction.

Frankly, a goat could walk in and manage this government's finances with those kinds of resources at their disposal, but I'm not sure that a goat could actually manage to kick it out the door as fast as this government without getting any kind of resources returned for the people of this province, not only for the people now but for the people in the future because, of course, this resource is not going to be here forever, and we all know that. We need to develop it responsibly in a way that we can create a province and a framework and a foundation that will serve not only this generation but generations to come.

But that's not the vision of this government. This government's vision is to kick it out the door as fast as you can and get whatever little crumbs from the table that you're offered and ask or demand nothing on behalf of the people of Alberta. As a result, we're in a situation where we have ministers saying: well, you know, it's a financial crunch, and people are going to have to pay the price.

Where are people paying the price in this province? Well, we're paying the price in terms of the postsecondary education of young Albertans. We're asking our young Albertans to take on more debt. We're asking them to go further through university and come out of university with more debt than we ever have before. We're asking them to pay more to go to university, and we're basically saying that only those young Albertans from middle- and upper-class, wealthy families will be allowed to enjoy the benefits of our postsecondary education system. We're decreasing access as we go.

What else are we doing? Well, we've talked about children's services, the fact that caseloads for social workers are continuing to go through the roof, that social workers are no longer social workers; they're actually case managers. They don't actually meet with the families and the kids that they're trying to be providing support to. Instead we download it onto contractors, who then have somebody else with half the training do it for half the money. The social workers are trying to manage this debacle, and as that happens, we have more and more instances of our collective failure in what is probably the wealthiest jurisdiction in the world to ameliorate child poverty. We fail every day in this province. If we can't deal with it with the amount of wealth at our disposal, who can? I, frankly, am not prepared to accept that it's a problem that can't be fixed. I think it can be, but this government has given up on it. They've just fundamentally given up on it.

What else have we done? Well, we've talked already about education. We're looking at a situation where we're going to be laying off teachers, where class sizes are going to be bigger, where we're going to be closing schools. I had an animated debate with the Minister of Education, during my very brief little 10-minute window of being able to talk to him about his budget, about the plans for special-needs education in this province. We have frozen funding to account for special-needs kids in our education system for four years now – four years – in this province. With the

amount of wealth produced and taken out of this province every single, solitary day, we've spent four years not increasing funding for special-needs kids in our education system. Really, is this something to be proud of? I don't think so.

3:50

What else have we done? Well, Employment and Immigration: every day we hear the Minister of Employment and Immigration in photo ops go out to whatever media scrum he can find and talk about his new ministry, and one of the things he likes to talk about is that we don't have enough workers in this province. Well, what do we need to do? We need to increase immigration, and we need to bring more people to this province permanently, not temporarily but permanently. But at the same time that we're talking through our hat, shall we say, on that particular issue, we're cutting funding to immigrant services. We're cutting funding to the very services that would ensure that new Canadians are able to integrate productively and effectively into our communities. Is this future-forward thinking? No, it's not. It's the kind of thinking that comes from a government that's been in power far too long and has lost all sense of how to plan for next week let alone years down the road.

We have an Employment and Immigration budget as well that once again significantly underestimates the resources that are going to be necessary to deal with those living in the most and the greatest of poverty. They do that every year. Of course, I think that in the process of that they develop a systemic process to kick people off this kind of income support.

One of the things that happens in a Conservative-led economy is that when the economy does recover, typically those at the very bottom of the economy, those who are most in need, who are most suffering from poverty, don't typically recover with the economy. Certainly, that happens if you don't take steps to avoid that outcome. Nobody is doing that here, so there's no reason to believe that our obligations with respect to income support are going to go down. Yet, once again, the government is planning for it, and once again, I'm sure, we'll be asked in supplementary estimates to approve more money. I don't know why it is that we plan that way.

The environment: this ministry is probably the single biggest fundamental failure that I have observed in this government since I have been elected, nothing but vague platitudes while we essentially hand the keys over to industry and ask them to monitor themselves. Initially my sense was, you know, that we had a minister with sort of good intentions, who really thought some of this stuff was happening. But then I looked back. He made assurances to Albertans that we were doing tests, that we had the science, that we had every reason to believe, in our expert opinion, that we weren't contaminating the Athabasca River, that we weren't contaminating soil in and around oil wells, that we weren't jeopardizing air quality in and around Fort McMurray. He said, you know: "Don't you trust us? We're doing the work."

Well, then, finally, thanks to third-party people who just knew enough to know that this wasn't true, we find out that, in fact, it wasn't true. It's not just a difference in opinion, Mr. Speaker. It's not. When the story finally came out, it became clear that the minister had no evidence upon which to suggest that we knew the answer to these questions that people were raising to him.

He effectively misled Albertans time and time again, saying: "We've got the testing. It's safe. Trust us. It's all right. Don't worry." Well, no, we didn't have the testing. We weren't doing the testing. We weren't doing the right testing. We weren't doing enough testing. We don't have the equipment to do the testing. We don't even have the scientists who know what needs to be tested. Yet all the time, knowing that to be the case, the Minister of Envi-

ronment said: "Oh, you guys are all just a bunch of silly alarmists. Trust me. We know it's safe. It's okay." Well, frankly, he should have had to lose his job for misleading Albertans like that for so long.

In the meantime he comes in here with a budget that we're being asked to vote on today, which is yet another cut to his ministry. So we will off-load even more monitoring, compliance, protection of our health, and protection of our environmental safety to industry to tell us, when and if they decide to, that they're keeping us safe. We won't check it, we won't monitor it, and we won't audit it because we're cutting back in that ministry at the very same time that we're budgeting to increase economic and industrial activity in this province.

Essentially this government has said, "We don't care about the environment. It's all about what PR we can create and ship out of the province whenever the going gets a little tough and people turn a little bit too much attention to us, but we aren't actually doing the job." This budget is a clear indication that we're not doing the job, that we haven't done the job, that we don't care about doing the job, and that we have every intention of going forward without doing the job.

It's all guns blazing. Bring industry in. Grow, grow, grow. But do not ask us to test whether we're doing it safely. Do not ask us to make sure the water is clean. Do not ask us to make sure that the air quality is clean. Do not ask us to find out whether the wells are being cleaned up or whether we have enough security for the clear environmental degradation that's under way right now. Don't ask us to do this because we don't have the resources to give you an answer, and we don't care. That's what's in this budget. That's what this government has decided to do.

Seniors: we've spent a lot of time talking about seniors already, but I will say this. In essence there are two fundamental failures when it comes to our planning for seniors. First of all, this government continues to intentionally mislead people by talking about continuing care when we talk about long-term care.

**The Acting Speaker:** Standing Order 29(2)(a) is for comments or questions. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. I appreciate the comments of the hon. Member for Edmonton-Strathcona and wondered if she would like to expound on the following topics. You might want to tell us a little bit more about the amount of time allotted for budget debates. I'm frustrated as a member of the Official Opposition with 30 minutes to discuss multibillion dollar budgets. You have to try and hit the heights within a 10-minute time frame, so I'd be interested in your concerns there and also in the timing and the scheduling of the debate, after a full day's scheduling in the Legislature then having to come back for three hours in the evening, the humanity of the process.

Also, with regard to labour issues you briefly touched on the need to have more individuals in the provincial nominee program as compared to the temporary foreign worker programs that provide no rights. You referenced the concerns over cutting of English language support, and you touched on a concern that we both share, and that's the Minister of Employment and Immigration sitting on a two-bit minimum wage increase. Those are topics. Feel free to expand.

**Ms Notley:** Well, thank you. I appreciate the opportunity to do that. I think I'll focus first just in terms of the amount of time that we have for debate. For instance, I was just talking about seniors, and there are concerns that I have around the seniors' ministry and the fact that we didn't get an opportunity to fully talk about that

because we have a government that intentionally talks about continuing care when doctors and experts and people that wrote your election promises talked about long-term care. Then they turn around and talk about continuing care, and we all know that it's a different thing. We have the government saying: oh, we're not going to meet our election promise, but we're going to build continuing care instead. Yet continuing care means so many different things, and it's intentionally misleading and confusing to Albertans. That's the first problem.

The second problem is that even if you assume for the moment that continuing care is actually what Albertans need and that all those experts who say that we actually have a tremendous backlog of people who are sitting in hospitals for year after year after year because they can't get access to proper long-term care – even if you say that that's not the case and that continuing care and privately funded assisted living is what we need, even if that's the case, this government is still planning to be 9,000 or 10,000 spaces short based on their own demographic planning 10 years from now. So they're planning for a crisis.

In the meantime we're not putting any kind of significant investment in building the sort of home care that would be required to keep people from getting increasingly ill and having horrible experiences while stuck in their homes because they're unable to get the care they need or, alternatively, end up in our hospitals and further enhance that crisis. That's the kind of thing that we need to discuss in much more detail, and we don't get that time in terms of the budget time that we have.

The member talks about the Minister of Employment and Immigration, and he raises a very good point. If there was adequate funding, presumably in that minister's budget, he would be able to hire what is apparently the 20 people required to read a four-page report in order to come to a decision on whether to stop freezing the minimum wage in Alberta. Of course, we're on target right now to once again return to having the lowest minimum wage in the country. I believe we are right now the second lowest in the country, based on increases that other provinces are making.

4:00

Of course, an all-party committee recommended to the minister several months ago, back in September or October, that the freeze be lifted and that we start having regular increases. Here we are six months later. Every time we ask the minister, he says: oh, I'm reviewing the report. I swear to God that I don't what they need – if they need interpreters, if they need software that will blow up the report so that the minister can read it – how it can possibly take him six months to read a four-page report. It's really quite mind boggling. Yet at the same time we have tens of thousands of Albertans who are being asked to live on a sum which is clearly designed to ensure that they continue to live in poverty and that their kids continue to live in poverty. We are the most wealthy province in the country, yet we insist on ensuring that we have no protection for our lowest income earners.

One of the other recommendations in that report was that we put together an antipoverty task force or an antipoverty plan. Again, we've heard nothing about this from this government. Very unfortunate.

**The Acting Speaker:** Any other hon. members wish to speak to the bill? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I would like to make a few comments. One of the things that I've been hearing is: are we getting value for money? I think I would like a definition because clearly my definition of value for money is probably different than other people that are sitting in this Legislature.

What I hear about is all of the millions and millions of dollars that are being thrown at this and thrown at that, but what I don't really hear about is what the real outcomes are. We speak about, particularly on the seniors side, beds and homes and rooms and all kinds of accommodations, and that's the bricks and the mortar. Bricks and mortar make money. What doesn't make money is the care. That's the part that isn't being addressed.

You can have all of the continuing care beds in the world, and you can say that you're spending millions and millions of dollars and that you've got X number of beds, but the question still is: are you really getting value for your money? And is the outcome people, seniors – and not just seniors. These are people who can be brain injured. These are people who can have MS and who are young and don't necessarily want to be in a group home or, in fact, perhaps a long-term care facility where they don't really fit.

So where is the value? What is the outcome? Do we really have people that are truly being cared for where they should be being cared for? The answer, of course, is no. The different classifications that we have, long-term care and continuing care – and under continuing care, of course, there are other classifications, but long-term care truly is a skill level on its own. Because of the fact that I'm the critic in this area, I really do hear from people from all over the province who have heart-breaking tales of parents who were not looked after, or uncles and aunts, or in fact from husbands and parents of people who need full-time, long-term care at a very early age.

Home care is great for people with MS, but home care is limited in the fact that people must get out and people must have socialization. Because someone comes into someone's house – and I could use my hon. colleague from Calgary-Buffalo. Because someone comes in and helps him in the morning and helps him in the evening, he gets out during the day, and he has a full life. There are many people who could have full lives if they got the care that they needed at the time that they needed it.

We can jump back to seniors. Many, many seniors go from one level to another. In fact, most will before they pass on. The idea of a continuum of care within one building is very, very laudable. However, a lot of the buildings that are being built are for profit. Even if they are not for profit, the rent that people are paying pays for the bricks and the mortar. The care is very expensive.

**The Acting Speaker:** Hon. member, are you going to pull this into the appropriation bill?

**Ms Pastoor:** I was talking about the fact that we don't have enough money and that instead of always talking about dollars, dollars, dollars, we should be able to put a value on those dollars. How I interpreted value was the outcome for those dollars. We can throw money at everything, but if we don't get good outcomes, then the appropriation bill is not doing what it should be doing. It isn't using money wisely.

One of the other things that I'm certainly concerned about is funding for schools. We have an organization in Lethbridge called 5th on 5th, which has been doing superb work, working with out of school students and helping them. Some go on to get jobs, and some go on to further education. In fact, many have to finish up high school. We have any number of immigrant adults, basically anywhere from 18 to 30, who actually go through 5th on 5th and become taxpaying, responsible citizens for Alberta. Then we have Career Transitions, that look after the children in school and help them transition from school into appropriate jobs that they would like, that they're going to enjoy but really don't understand how they can get there. Sometimes they look at that tunnel, and there's just no light at the end of it.

I think it's very, very short-sighted to have cuts on these particular programs. I think it's very short-sighted because we will pay in the long run. We'll pay in society, in health costs, and certainly in justice. In fact, even worse is that there's a possibility of many, many young people wasting what is their personal potential in, certainly, becoming citizens who are trained and have the confidence to be able to hold jobs that will allow them to raise families and enjoy a lifestyle that Alberta can provide.

One of the other things that I haven't noticed in this appropriation bill is – I know that AISH has received some increases over the last couple of years, but as always I really believe that AISH has to be indexed as our MLAs' salaries. Yes, they have had some raises, but they may not see anything of consequence over the next little while, and they're always in a catch-up position. People who are in a catch-up position aren't – it's difficult for them to be positive. It's difficult for them to see hope. It's difficult for them to be able to really go further.

We always hear the Minister of Health and Wellness saying that there's a five-year sustainability plan, there's five years' worth of dollars for health care. Okay. That's great. But where is the five-year sustainability, the five-year funding plan for people on AISH? I believe that there should be no difference there. People on AISH should know and not have to wait until year's end to find out if, in fact, they will be able to receive any money that would help them even just meet inflation costs.

With those comments, Mr. Speaker, I will take my place. But I do believe that talking about dollars being thrown at something is not talking about the outcome that those dollars should be providing.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you. I'm pleased to ask the hon. Member for Lethbridge-East some questions. I know her passion in regard to seniors, and of course her previous nursing experience has been extremely helpful when we've had some conversations, sharing their frustration in regard to what's happening on the continuing care model that the government keeps bragging about.

4:10

I'd like to, firstly, ask the member her thoughts on the continuing care model, and if she feels that our seniors are being treated fairly when they're stuck in that model of an assisted living facility when they should be in a long-term care facility. I know one of her frustrations is the fact that it would be nice if we could get any one of the government members to come with us while we visit the facilities so that they can see what kind of seniors are stuck in an assisted living facility or, for that matter, in a hospital, as the member from Fort McMurray has talked about, in an acute-care setting.

I'm starting to get calls from seniors and their families across this province, and the other thing I'd like to ask her about is their frustration with not being able to access home care or, if they are getting home care, not adequate home care.

The last thing, I guess, that I'm getting calls about. The minister from Red Deer-North has talked about the seniors' benefits that they're getting. I don't think anybody is arguing about that. I asked the minister of health a question last week in regard to the seniors' drug plan that they all of a sudden dropped and then they've put back, and he indicated in question period that they were looking at it, or there was going to be a report soon. It's always soon. It reminds me of the KPMG report that was, I think, scheduled to be brought out in October. It's now April, and our

poor people in the disabled community, dealing with disabilities under PDD, are anxiously waiting to hear that report. You know, quite frankly, soon is something in the dictionary that we should try and explain and figure out, what exactly soon is.

If the member could talk to the Assembly in regard to the independent living versus the assisted living versus where the heck they go from there.

**The Acting Speaker:** The hon. member.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker, and thank you to the Member for Calgary-Fish Creek for those questions. I think that I'd like to go back to 2005 and the MLA task force. One of the things that came out of that was staffing, staffing, staffing, staffing. Yet within the last 20 minutes I have heard that there was a petition from staff saying how many shifts they've had to work short. Part of that is the problem not only in continuing care and long-term care and all the rest of it, but staffing is absolutely imperative, and each level needs a different kind of staffing. You can't bring someone in, give them a six-week course, and let them loose on a geriatric population. There truly is a different set of skills that have to work with that. Particularly – I could go back to the Fort McMurray-Wood Buffalo example – our seniors that are sitting in acute settings are being looked after by nurses who are highly capable, but they're acute-care nurses. Many of them don't have that extra geriatric training that you need to be able to look after seniors.

We're hearing about seniors hitting out. We're hearing about seniors who are misbehaving. Well, when I see somebody go into someone's room – they are short-staffed, and they don't have enough money – and they walk into the room, and they take over. They just yank them out of bed and do whatever it is that they have to do. Yes, no wonder we have seniors who are acting out. Wouldn't we all in the same circumstances? And who gets blamed? It's the senior that gets blamed. No, it's untrained staff that is the problem. Anybody that has worked with seniors knows that you have to have time to be able to give them the dignity and to be able to approach them and say: this is what we're going to do. You don't just go in and do it.

**The Acting Speaker:** Any other members wish to join the debate? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. It's my pleasure to speak on Bill 17, the Appropriation Act, 2011. The Member for Calgary-Fish Creek started talking about 1993, and that brought back old memories of cutbacks. With those cutbacks we lost hospitals, and there were layoffs. To pay down I believe it was a \$22 billion debt, everybody made big sacrifices. The idea behind paying down the debt was that once the debt was gone, we could live happily ever after.

Then we came out with the Ralph bucks: \$1.4 billion gone just like that, spending like drunken sailors. That was not managing the money properly. Those Ralph bucks: I mean, Alaska does it, but they do it from the income of the trust fund. Here we were using the trust fund money. Had we had income from the fund, we could have given the money away. You know, that could have probably been acceptable but, still, not at that cost. We had I believe 13,000 hospital beds that we dropped down to 7,900, and our population was going up. We still haven't caught up.

We've got a big, big infrastructure deficit, and we haven't caught up from the 1993 cutbacks. We haven't been saving enough. Our heritage trust fund. You know, Mr. Lougheed had the vision to save the money, and he set it up in 1976. The Alaska permanent fund, I believe, and the Norway fund were set up a



long time after we did it. And here our heritage trust fund savings are just still hovering around \$12 billion to \$13 billion. That's what we had back in 1986. I mean, we had about \$150 billion, I believe, that came from royalties. All that money is gone, and we've got nothing to show for it.

Then we had this sustainability fund set up. That was the idea of Mr. Ken Nicol of the Liberal Party. That \$17 billion we keep bragging about, that now we've got the money: I don't know; I think that money is gone, too.

Here we are laying off teachers again. We're laying off social workers. We are doing cutbacks to immigrant services. You know, there's a freeze for funding for special-needs kids. The whole idea to pay down the debt, that \$22 billion debt, was that, you know, we were going to save on the service costs, and then we would be able to manage our economy better.

Had the government been taking into consideration inflation and population growth and had our budgets been going up accordingly, we probably could have been in better shape today than we are now. With a boom coming, everybody keeps talking about the next boom. Is it going to put pressure on our infrastructure? Is it going to put pressure on schools? Is it going to put pressure on hospitals, pressure on roads and bridges everywhere? We are running a deficit, and once we start to get more money into the treasury, then, you know, we're going to fall further behind.

I don't think this is a very prudent way to spend taxpayers' hard-earned money. You know, with all the money we are spending like drunken sailors, we are not saving for future generations. What will happen when our nonrenewable resources are gone? What are we going to do then? We have been depending too much on the nonrenewable sources of money, and we haven't been saving for future generations. Future generations own those resources and have a right to those resources as much as we have now. We should be thinking about future generations as well. If you want them to have a good quality of life and the same standard of living, if not better, as we have today, then we should be managing our money properly.

Again, with \$150 billion gone, you know, we're in a deficit situation, and the government should have their priorities straight. We talk about Environment, and there are cuts there. Our environment is probably going to go down the tubes the way we are going at it. All those abandoned wells: we have billions and billions of dollars in liability in that. I don't see anything in the budget for taking care of all those abandoned wells.

4:20

So with the cutbacks we are laying off teachers. I see here the Education expense, but it is not an expense; it is an investment. When we spend on education, we are educating Albertans, and they have to compete globally now. We are not isolated anymore. We have to have state-of-the-art schools in our education system. We have to have state-of-the-art technical schools if we are to compete globally. You know, with these cutbacks who knows? Education is the best investment. If you educate Albertans, they will have good jobs, and they will be contributing to the economy.

You know, the federal government is talking about building jails and buying jets. I think there should be more money for health care and for education. Instead of spending money on jails, we should be educating people. If people are educated, then maybe young people will stay away from crime. Here we give them an out. Instead of building jails and remand centres and all that, we should be spending money where it's going to be productive in the economy.

What their priorities are. I keep on talking about the airport tunnel, and here when I was advocating for the airport tunnel,

there was no money for the airport tunnel. I believe that had we been keeping our priorities straight and managing the money properly, we could have had money for all the programs that we run. With those comments, Mr. Speaker, I thank you for giving me the opportunity to speak.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. I have two questions, actually. A growing chorus of individuals and groups are calling for a public inquiry over a variety of health care delivery concerns, including workplace intimidation due in part to a significant lack of whistle-blower protection. However, when the AMA, the Alberta Medical Association, the United Nurses of Alberta, and the health sciences group, the front lines of defence, added their concerns, they were chided by members of this government as only being concerned about their own contract-bargaining welfare. The government has suggested that a public inquiry would take too long and would be too expensive. Do you believe that the inquiry is needed and worth the investment in terms of creating an improved climate for health care delivery, including patient advocacy?

Also, Bill 1 will be debated a little later. Can you draw a direct connection between Bill 1, the Asia Advisory Council Act, and the connection with the airport tunnel and the need for funding from both the federal and provincial governments, funding that, as you've noted, has yet to arrive?

**The Acting Speaker:** I hope we can draw the connection to Bill 17.

**Mr. Chase:** Funding.

**Mr. Kang:** Well, in talking about the public inquiry, I think the minister has said that he doesn't want to spend \$30 million or \$40 million. If we have the public inquiry on health care, that \$30 million or \$40 million that we're going to spend on the public inquiry, who knows? When the front-line workers and everybody come out to openly talk about what's needed to fix the health care system, it will probably save us millions. You know, we will not know until we have the public inquiry and we hear from all of the related parties about this. I strongly believe that if we have the public inquiry, we can probably fix the health care system. We are spending almost 40 per cent of our budget on health care, \$14 billion or \$15 billion. I think that if we spend \$30 million and can save maybe \$200 million or \$300 million, it will be well worth the money.

Coming to Bill 1, you know, that money will be well spent, too, because we should not be depending on our friends to the south; we should be diversifying our economy. I will be talking later on about Bill 1. In India, China, and even Southeast Asia the economies are growing by 8 per cent a year. I believe that India's GDP is about \$1.4 trillion and that by the year 2025 or 2030 their economy is going to surpass Germany's and Japan's. By the year 2050 they will maybe be number two or three. So we need to diversify our economy.

We need all of our infrastructure in place, too. That's why I keep on talking about bridges. That's why I keep on talking about the Airport Trail tunnel. Even the Premier has been saying, you know, that we should let the airlines from the Middle East, U.A.E., come into Calgary. We need more international connections coming to Alberta so that we can benefit from diversifying our economy. We need that infrastructure. We should be spending money on infrastructure now, and we should get our priorities

straight. The airport tunnel will not only save money in the long run through businesses and all those people working there – you could even take the C-Train to the airport and that – but all Albertans would benefit. That would even be good for southern Alberta. It will contribute big time to our economy, too.

I strongly believe that we should have our priorities straight; we should have infrastructure for the future. Now it's going to cost us maybe \$300 million to build the airport tunnel, but if you were to do it in the future, it's going to cost billions of dollars. It will be much wiser and more prudent to do it now than to do it five or 10 – I'm sure we're going to do it five or 10 years down the road, but we should be doing it now. You know, in the budget we should consider all that much-needed, vital infrastructure for Alberta.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is still available.

Seeing none, do any other members wish to debate Bill 17?

Seeing none, I will call the question.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 4:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Ady	Groeneveld	Prins
Amery	Hancock	Quest
Bhardwaj	Horne	Renner
Brown	Jablonski	Rogers
Campbell	Klimchuk	Sandhu
DeLong	Mitzel	Tarchuk
Doerksen	Morton	Vandermeer
Elniski	Oberle	Webber
Fritz	Ouellette	Zwozdesky
Griffiths		

Against the motion:

Anderson	Forsyth	Notley
Boutillier	Hinman	Pastoor
Chase	Kang	

Totals: For – 28 Against – 8

[Motion carried; Bill 17 read a second time]

### Bill 16

#### Energy Statutes Amendment Act, 2011

[Debate adjourned April 21]

**The Speaker:** Hon. Member for Edmonton-Strathcona, you adjourned the debate. Do you wish to continue, or are you finished?

**Ms Notley:** I'm finished.

**The Speaker:** Okay. Then the hon. Member for Calgary-Varsity.

4:40

**Mr. Chase:** Thank you very much, Mr. Speaker. I'm going to be rather brief because I am in favour of Bill 16, the Energy Statutes Amendment Act, 2011. It creates a regulatory framework for a new class of petroleum production called in situ coal schemes, that produce synthetic coal, gas, and liquids through in situ coal gasification and liquefaction; eliminates the current regulatory regime of indus-

trial development permits, which exist to prevent resource waste, as the regulations currently applied have been superseded over time by environmental regulation; expands the breadth of the oversight provided by the Market Surveillance Administrator under the Electric Utilities Act and the Alberta Utilities Commission under the Gas Utilities Act; and changes the definition of oil sands facilities.

[Mr. Mitzel in the chair]

Now, I am very aware, Mr. Speaker, that what we're talking about is an extraction from an underground source through heating up the source. The gas is produced underground and then collected. However, as we move forward into the future, it's been estimated that we have somewhere between the potential of 200 to 500 years of coal reserves. Unlike what a former Premier suggested, that this is clean coal, it may be to a degree cleaner than some other forms of coal, but its best use, as opposed to turning it into coke going up chimneys, causing a whole variety of chemical and CO<sub>2</sub> emissions, is the gasification process.

When we run out of our conventional oil and gas and when we run out of the less than conventional bitumen resources and we run out of the natural gas and the shale gas, then we can at least look forward to a slightly more expensive extraction process, turning that coal into a gasification process. Alberta is fortunate, depending on how we develop this resource environmentally and sustainably, to have this rich, nonrenewable resource on top of the gas, on top of the conventional oil resources that we have.

Obviously, Mr. Speaker, how we extract that gas into the future needs to be carefully considered. We have had concerns about, for example, the fracking process for shale gas. While the same type of fracking isn't required to heat the underground seams to produce the synthetic coal gas, obviously we're going to have to do it with the most up-to-date scientific methodology going forward. We also have to be aware of capturing the majority of that gas, and for anything that we fail to capture, obviously we have to have some kind of a sequestering approach so that for what somehow escapes capture, if that case happens, we have an ability to sequester it so it doesn't simply become one more atmospheric pollutant.

Mr. Speaker, I think Bill 16, the Energy Statutes Amendment Act, 2011, is a step in the right direction. As long as we balance it with environmental, sustainable methodology, then it serves as an economic resource that, hopefully, we can use into the future to help to sustain our programs. It adds length to the possibility of our nonrenewable resource revenue, but in itself it isn't a replacement for clean or green energy sources. Of course, I am not including nuclear under that category.

Thank you, Mr. Speaker, for the opportunity to debate Bill 16.

**The Acting Speaker:** Standing Order 29(2)(a) is available for comments or questions.

Anyone else wish to speak?

**Mrs. Forsyth:** I'd like to speak to the bill, not ask him questions.

**The Acting Speaker:** Yes.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to stand up and speak in support of Bill 16, the Energy Statutes Amendment Act, 2011. I want to get on the record that we support the intent of the bill to provide the regulations for in situ coal gasification, eliminate duplicative regulations of energy use already administered by Alberta Environment, and actually strengthen the powers of the Market Surveillance Administrator, known as the MSA. It's good to see that this bill reduces one of the thousands of cases of overregulation in the province; namely, the duplication of

regulations governing energy use for the industry and manufacturing. I know that the mover of the bill has done a lot of work on this particular bill, and we appreciate all of the work that she has done in regard to bringing Bill 16 into the Legislature.

The other part of the bill clarifies and strengthens the power of the Market Surveillance Administrator. That person's role is to be an independent policeman for our power market. We did some research on the Market Surveillance Administrator, however, and we had trouble sort of finding any activity on this particular position, the MSA. We're concerned about exactly what this Market Surveillance Administrator will be doing, his independence, after all, because of the fact that he is appointed by the minister. We've got some concerns there, but second reading is just to get an idea of what people are thinking, and we look forward to discussing in committee what the role is of this particular administrator, some discussion in regard to his independence. While the minister appoints him, it's important for us to understand independence, reporting mechanism, et cetera.

With those short notes, I look forward to more discussion in second and probably more discussion after that in committee. Thank you.

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

Seeing none, any other members wish to speak on the bill? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. It's my pleasure to speak to Bill 16, the Energy Statutes Amendment Act, 2011. The act touches many different areas in our energy statutes and, therefore, has many separate objectives. It's going to create a framework for the Energy Resources Conservation Board to regulate in situ coal schemes in a similar fashion to conventional petroleum deposits.

The intent of the bill seems to be that it's going to streamline the regulatory process for conventional coal deposits to speed up, probably, the licensing for the companies to do business, and it will eliminate the duplication, like cutting the bureaucratic red tape. It will eliminate the duplication of the regulatory process for industrial developments that consume large quantities of energy resources, expand the oversight of gas distributors and default gas providers to ensure system safety and additional consumer protections by harmonizing regulations with electric utilities.

The bill's intent is also to expand oversight of the Alberta Independent System Operator by the Market Surveillance Administrator to ensure efficient operation of the Alberta electricity market and to reclassify downstream facilities that process oil sands products to encourage investment in downstream activities.

4:50

The amendments to the Coal Conservation Act will create a regulatory framework, and by changing the definition of coal and defining coal seams, it may turn some marginal coal deposits from mineral resources to pore space, potentially changing the ownership if mineral rights are owned by private interests, and allow the use of very low-quality coal formations as carbon capture and storage reservoirs. It will be very important to raise this in the House to seek clarification on this, Mr. Speaker. The creation of a regulatory framework for in situ coal schemes may encourage investment, research, experimentation, and development, and that may evolve into more environmentally friendly alternatives to conventional coal used over time, most likely for the generation of electricity.

This new in situ coal scheme I think will be good for the environment, too. It will bring more investment into the province. My concern is the boom-and-bust situations we've been in before. If

this is going to create a boom, you know, how are we going to manage this? Are we going to have some kind of a management regulatory body in place? We don't want to get caught in the same situation we were in before with the oil sands: too much development coming in, and we couldn't find skilled labour, and the economy was heating up.

Also, eliminating industrial development permits may allow for rational self-interest to overrule collective interest at times. For example, preventing the burning of ethanol as fuel but reserving it for use as petrochemical feedstock may be more difficult than an environmental regulation. Reclassifying downstream oil sands processing facilities may change oil sands projects payoffs for a period and create tax and royalty regime advantages, which may encourage more value-added industry to be placed in Alberta rather than in other jurisdictions.

Mr. Speaker, this act is a mixed bag, as one would expect any amendment package of such breadth. In its totality the good elements outweigh the bad ones. The loss of industrial development permits removes an avenue for the rejection of large industrial facilities that consume Alberta's energy resources. This would be most significant if permits were ever rejected. While the Alberta Liberal government might wish to implement similar provisions that are being removed by this act, it is not a significant loss to the public good under the current government.

In situ schemes generating synthetic gas and oil is a developmental technology that may in the future become economical, which may present massive opportunities given Alberta's large coal reserves, and this regulatory framework is a rare example of the government showing a degree of foresight. The creation of a new regime to regulate in situ schemes also moves Alberta closer to being able to use coal for electricity generation in a manner that produces emissions much closer to the level of natural gas fired generation than current coal plants. A power plant fired by synthetic coal gas or liquid also shows much greater promise of being integrated into a successful carbon capture and storage system than a conventional coal-powered station.

The expansion of oversight by the Alberta independent electric system operator of gas distributors, gas default supply providers, and gas utilities will help to improve the function of the utility system as designed while increasing consumer protection. While we might object to the fundamental design of the system, most notably permitted profit margins and distribution of capital costs among market participants, there is no reason to object to the real marginal improvements of the existing system. So a vote for marginal improvements is not a vote for endorsing the current system, Mr. Speaker.

With that, Mr. Speaker, I will adjourn the debate on Bill 16. Thank you very much.

[Motion to adjourn debate carried]

## Government Bills and Orders Committee of the Whole

**The Deputy Chair:** I'd like to call the committee to order.

### Bill 15

#### Victims of Crime Amendment Act, 2011

[Mr. Mitel in the chair]

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. Yes. Speaking in favour of Bill 15 . . .

**The Deputy Chair:** Hon. member, we're on Amendment A1, which was moved by the hon. Member for Edmonton-Strathcona. Does everyone know what the amendment was?

**Mrs. Forsyth:** I do. I have it.

**The Deputy Chair:** The hon. Member for Calgary-Fish Creek, then.

**Mrs. Forsyth:** Thank you, Mr. Chairman. I'm rising to speak in support of Amendment A1 under the Victims of Crime Amendment Act, 2011. I want to put on the record, first of all, that I support Bill 15, and I think that there's no question that the Victims of Crime Amendment Act is designed to increase benefits paid to victims and improve their support programs.

What I like about the amendment that the hon. member is bringing forward is the statute of limitations timeline. I had the opportunity to talk to her about that, and she brought up what I considered some very significant information in regard to why we should support that. One of the things is that if as a child you've been sexually abused and finally decide to come forward – and I think someone that would be a very good person to look at is Theo Fleury, who was sexually abused, I think, starting when he was 14, by one of his coaches. I don't know how old he is now, but I would imagine he's in his late 30s, early 40s. Theo, forgive me if I'm aging you. I just want to tell you just how much I admire your courage to come forward.

There are incidents like that. If you have a child – and they could be someone like Theo Fleury, for example – a child that has been sexually abused when they were young, and they decide to seek some financial compensation maybe when they're 25 or 30 years old, it could be 10, 15, 20 years later. I think it's important that as a government we talk about one of our priorities being the protection of children in this province. The bill clearly indicates that it's for victims of crime and compensation provided to victims of crime.

I wanted to just get on the record that we support the amendment from the member and also support the bill, but we want to see the amendment supported.

**The Deputy Chair:** The hon. Solicitor General.

**Mr. Oberle:** Thank you, Mr. Chairman, for the opportunity to speak to the amendment, and I'll do so very briefly. The object of this limitation period is certainty. The member tries through the amendment to take it back to the injury rather than the commission of an offence. The commission of an offence is clear. It provides certainty in the subsequent period before the expiry. By taking it to the injury or the impact of an injury on an individual, it becomes again unclear as to when that appeal period or the filing, the notification period, actually expires. What we're attempting here is to provide certainty, which this doesn't do.

The hon. Member for Calgary-Fish Creek brought up the incidence of a hockey player that was abused as a child. The amendment actually removes the 10-year extension from when that child reaches the age of majority. I don't know if that was intended or not, but I would strongly oppose that. It also removes a 10-year extension in the event that the person was unsure of the commission of an offence. I'm not real clear on why the 10-year exemption is completely gone now. But, again, the purpose of this moving from injury to the commission of an offence and such offence needing to be reported is that it provides absolute certainty as to when those timelines expire.

Thank you, Mr. Chair.

5:00

**The Deputy Chair:** The hon. Member for Edmonton-Strathcona.

**Ms. Notley:** Thank you. Well, I find it interesting that the minister suggests that somehow the amendment takes out what you refer to as an extension. My reading of this is that your proposed amendment to the legislation will impose a 10-year limitation period, a flat 10-year limitation period no matter what.

Your amendment is proposing to do three things. It's proposing to redefine the two-year limitation period from awareness, and it redefines it from awareness of an injury to awareness of an offence, which limits the scope. Then the next thing that it does is it proposes to add an absolute 10-year limitation period where there was none before. Your current act does not have a 10-year limitation period. Then it proposes to also add a 10-year limitation period from the age of 18, but your current act has no limitation period for 10 years. You simply have the two years from awareness.

What you're doing is that even if the person is unaware 10 years after the offence or the injury has occurred that they are a victim and have sustained an injury from that offence, they lose the ability to pursue any kind of compensation. Your act is very much limiting the scope of eligibility. The classic situation, as the Member for Calgary-Fish Creek already identified, is one where people who are victims of violence or crimes as children suffer psychological injury which they're not aware of until more than 10 years after they turn 18 or more than 10 years after the offence. Those people would no longer be eligible for compensation under your proposed amendment. My proposed amendment to change your act is to eliminate that so that you do not impose a 10-year limitation period on children who are victims of crime, who may not be aware of the psychological injury they suffer until after 10 years subsequent to the crime.

**The Deputy Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. Speaking in favour of amendment A1, I very much appreciate the fact that the hon. Member for Edmonton-Strathcona has a legal background and therefore uses that legal understanding and knowledge for the betterment of the amendment to Bill 15, Victims of Crime Amendment Act, 2011.

I agree with the hon. member's explanation as to why the 10 years, basically a statute of limitation for compensation, should not be part of the act, particularly if an offence occurs when a child is extremely young. For example, the onset of mental illness: if it's going to strike, it strikes 40 per cent of individuals by age 14. If you do the math, if a person is assaulted at age two, they're expected to somehow bring forward a claim or a victimization concern at age 12. That's a very large expectation. The continuing trauma, the result of an act of crime, should not have a time limitation on it in terms of the compensation.

The other part of the bill basically prompts the courts to act in a responsive manner. Within two years from the date of the injury or within two years from the date when the victim becomes aware or knows or ought to know the nature of the injury and recognizes the effect of the injuries: for those who are not minors and have an understanding of the type of assault or whatever the victimization was, they should expect that the wheels of justice and the compensation should roll out within a timely period. The hon. Member for Edmonton-Strathcona is recognizing the government's original wisdom in the creation of that amendment.

Mr. Chair, I look forward to voting on the amendment and then moving ahead to debate Bill 15, the Victims of Crime Amendment

Act, 2011, as amended because I'm supportive of the intent of both the bill and the amendment.

**The Deputy Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair. I hope that the government members are listening to this debate because this is really important. I know we go through a lot of kind of painstaking, technical things that we deal with in the Legislature. They're still important, but obviously some things are more important than others. This is an important amendment for many reasons. It is critical that you, please, do give it the time of day.

The issue I have with the amendments the government is bringing into their bill is that they put on a 10-year absolute limitation. That means that if somebody is abused as a child and they, say, were abused at age six or whatever and then it comes forward, you know, that when they're 28 or something, they realize that they've been abused in this way and they just start dealing with it, then they wouldn't be entitled to compensation under this act because it wouldn't come within the 10-year absolute limitation period.

This is a serious omission, and I personally don't think there's anyone over on that side who – well, I don't know. Maybe there needs to be some education in this regard. There are people out there that endure horrible things, and they bottle up those issues and those memories when they're children. They can be abused at ages two, three, four, five, six, seven, et cetera, even eight or even after that, and it is such a traumatic experience for them that they suppress those memories. It's actually a physical thing that happens. Physically, mentally they suppress those feelings. It's a bit of a survival mechanism, a coping mechanism, but it is a complete block off, where literally they forget or they just block it off in their mind.

I know it's hard for us who haven't gone through such abuse to understand it, but that is absolutely the case. That is what happens. There are many, many cases where an adult will all of a sudden have these memories start coming to them and will realize some of the awful things that have happened to them in the past and in explicit detail. They can go to counselling and actually work through these things and separate fact from fiction and make sure that they know and are able to bring these memories up in their mind and start coping with them and start healing from them. A lot of times this doesn't happen until age 25, 30, 35. It can go longer, but that's usually where it occurs, kind of in that early adulthood age.

5:10

It's a very serious and painful ordeal for those involved to have to go through, so I don't think that there's an understanding here. Maybe it was just an oversight, but I don't think that having a 10-year absolute limitation is right. I understand the need for certainty or the desire for certainty, but, you know, someone who was molested as a two- or three-year-old is just as much a victim as someone who is molested as a 16- or 17-year-old and who can remember the whole thing all the way through. We need to in our society make it very clear that we value these individuals as much and abhor the crimes committed against them as much as we do those who were abused later in life, which is also just as serious.

I feel that this amendment sends a message that for these folks, these victims who were abused early in their childhood and who are just coming to grips with that today or later on in their life, their victimization is somehow less serious or even, I would say, less believable. That's what a lot of these folks struggle with, that a lot of people don't understand how a child could forget such awful things happening to them. They don't understand that. So

one of the things they have to cope with is trying to get people to believe them, that these things actually did happen in their young life even though they had forgotten it for a period of time through their early teens and on towards even sometimes into their 20s.

By passing this, again, it shows kind of, I think, a lack of sensitivity to these victims, who need to be believed. They need to feel that their victimization is every bit as serious as that that's happened later on in a person's life and has been remembered all the way through. That's critical.

There's no doubt in my mind that the Solicitor General of this province is someone that has zero tolerance for any kind of sexual abuse towards children and is very sincere in his desire to protect children and victims of abuse. There's just no doubt in my mind about that, but I do think that for whatever reason this amendment to institute a 10-year absolute limitation – obviously, I don't think this was thought out properly. That's fine. You know, there are a lot of things happening, and that can happen.

I would ask the Solicitor General to seriously consider leaving that absolute limitation out, to not put that in, to make sure that for our kids or our adults that have been abused as children and who have suppressed those memories or who weren't aware of the crime, et cetera, until later on in life, their rights be respected and guarded just the same as you would somebody who knew of the abuse right away.

Again, I know that it's very tempting to put limitations or – what's the word? You want certainty in the legislation. I understand that. I mean, we do want certainty in legislation as much as possible. But some things in life you just can't be certain about. Some things are so awful and evil that they don't conform. You can't deal with them in a conventional way like you can with things like fraud and other things like that. It's just too difficult to deal with these things. Even though it might mean some extra cases and some extra monies or extra uncertainty in this regard, I just think that we need to bite the bullet and realize that for these types of cases it's very critical for us to be as flexible as possible to make sure that we give the victims all possible flexibility, all possible ability to somehow find justice and somehow get compensated for the horrors that they had to endure as children. I just think that this is very critical.

Obviously, we have disagreements in this House about many different issues. One thing that I don't feel we have any disagreement about is the importance of protecting our children and the sanctity of their innocence. When that's violated, we have to make sure that even when it's a little messy and even when things are a little uncertain, we do the right thing anyway, and we give them all the time in the world to be able to get back on track. If this victims of crime statute helps them to feel like they're being restored a little bit – this, of course, will never take away the pain, will never fully compensate them for what's been stolen from them – it's a start.

The most important thing is the message from the Solicitor General, the Justice minister, the government of whoever they are on that day. It's an affirmation to them that their victimization was every bit as egregious and awful as anyone else's sexual victimization or any other victimization and that they will be able to be compensated and be treated in the exact same way as anyone else. I hope the government will consider this over the next little while as we debate it.

I thank the hon. Member for Edmonton-Strathcona for bringing such a timely amendment forward.

**The Deputy Chair:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Chair. I listened with intent and interest to the hon. Member for Airdrie-Chestermere and also the hon. Member for Peace River and, of course, the author of the amendment, the hon. Member for Edmonton-Strathcona. I think it's important, as we listen here, that this is an example of where we can reach agreement. Of course, I'm going to be watching closely for the support of the Solicitor General, the Member for Peace River, for the amendment that's being put forward by the Member for Edmonton-Strathcona because, clearly, she is on the right side with this amendment.

I heard with interest the Solicitor General talk about the issue of certainty, and I think we understand that certainty, but I think it's important that amendment A1 is providing even greater certainty of flexibility when it comes to victims and children who have endured something so horrible in the past. I would hope that the Solicitor General and Member for Peace River would be supporting the amendment that's being put forward, amendment A1, by the Member for Edmonton-Strathcona. No matter what political party, I think we can all have something in common when it comes to protecting our children.

It's also interesting to note that the current act does not have a 10-year limitation period in it. What's really important is limiting the scope of eligibility, which is, without question, a concern. It's an important concern of mine, and I would hope it is – and I automatically assume it is – a concern of every member in this House. That's why I would be looking for the Solicitor General and Member for Peace River to be supporting amendment A1. It is clearly on the right track in terms of providing that flexibility, and it therefore does not limit the scope of eligibility.

5:20

As was mentioned earlier, the prime example was that there should not be a time allocation, and the proposed amendment allows that to take place. The example that was used by the Member for Calgary-Fish Creek of the former National Hockey League player is a prime example that if, in fact, what is being proposed goes through, the current act in its old, existing form, again, did not have a 10-year limitation period. This amendment, that has been put forward by the Member for Edmonton-Strathcona, wants to ensure that examples such as what was mentioned earlier, the former NHLer who, you know, should not be penalized in any way, shape, or form because of a time allocation – A1 is providing, I believe, greater certainty, which was mentioned by the Solicitor General, but greater certainty of flexibility as opposed to what is being suggested. That's why I would anticipate and expect the government's Solicitor General to support the amendment that is being put forth by the Member for Edmonton-Strathcona because, clearly, she is on the right side of right, and I'm convinced that the Solicitor General and government members want to be on the right side of right as well, to ensure that we do not restrict, do not limit in terms of a 10-year limitation period.

I don't know if it was intended, but the result of amendment A1 as it stands today, I believe, is an important amendment to ensure that that restriction is lifted, the 10-year limitation period. The current act does not have one, and it should not have one in any amendments that are being put forward by the government. This amendment is, clearly, an important one to ensure that limiting the scope of eligibility is simply not a noble principle in the issue of protecting our children.

The proposed amendment A1, Mr. Chairman, is a very good amendment. I would anticipate that every single member of this House will support this amendment that is being put forward so as to ensure that there is no 10-year limitation period and that we show certainty, we show compassion, and we show the flexibility

to clearly indicate that in voting for this amendment, we'll be voting on the right side. We'll be voting for children who have experienced horrible things in the past, and it will not restrict – will not restrict – them from coming forward in years to come. The former NHLer Theoren Fleury was the example. He would not be able to come forward, in fact, given what is being proposed by the government.

I think that on this amendment, that is being proposed by the Member for Edmonton-Strathcona, the excellent comments by the Member for Airdrie-Chestermere, the comments by the Member for Calgary-Fish Creek clearly – I welcome further comments by the Solicitor General to ensure that the principles of what is being proposed in this amendment will be followed through in protecting our children.

Thank you very much, Mr. Chairman.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Chair. I, too, am supporting this bill.

**The Deputy Chair:** The amendment.

**Ms Pastoor:** I'm sorry; the amendment. I just don't think that time frames can be put on these types of incidents. I think of some of the cases, the cold cases, that are now being looked at and actually solved. There is different technology, certainly, in terms of DNA.

We talk about this as compensation. Not everything is about money. I will use the example of the two hockey players. In fact, Sheldon Kennedy was one of the first ones to come out. His abuse was at the hands of the same coach that Theoren Fleury was coached by. These men had gone through hell, absolute hell, before they could come out and talk about these sorts of things in public. Both men have to be thanked profusely because maybe they have saved some other young men from this sort of abuse.

Sometimes it isn't about money. It's about being recognized that you, in fact, were a victim and that you, in fact, were right.

I read something in the paper just, actually, last week. It was about a 92-year-old black woman in the southern States, where 70 years later it was recognized that, yes, in fact, she was a rape victim by a gang of people. They had the names, but no one ever paid attention in those days. So 70 years later this woman has received the compensation for the dignity that she deserved and that it should have been recognized 70 years previous to that.

We have to recognize that if a crime has been committed, there is always a victim. That victim has to be validated, and there are so many different ways. It isn't just the sexual abuse of children, who forget about it, because both Sheldon Kennedy and Theoren Fleury did not forget about it. But what they had to do was realize that they were incapable of long-term relationships. They turned to drugs and drinking. They, basically, almost ruined their lives until there was that point where, in fact, they had help.

So, yes, there is always a victim that has to be validated. It isn't always about money. Sometimes an apology is necessary. Sometimes to be able to face that perpetrator years and years and years later helps the person who was the victim to go forward. Many people stop in their lives.

It isn't just young people. There are many women and, actually, there are men as well that are raped, and they know full well what has happened. They can't prove it, but they know it. They go forward trying to live a normal life when, in fact, life has not been normal, nor will it ever be again.

I think it's very important not to put a time frame on what happens in life. All we have to do is look at history and see how things can come out even within families, the family secrets, so to

speak. It often comes out, sometimes in a second generation, 50 years later, 60 years later. Emotions and people and life: life is certainly not a certainty. Trying to put a time frame or a certainty on life I think is impossible, and I think it shouldn't be legislated.

Thank you, Mr. Chair.

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I do appreciate the opportunity to speak to this particular amendment. I want to start out by saying that I appreciate very much the hon. member bringing this amendment forward and highlighting the concern with respect to a particular area that I think all of us are very much hearing about and concerned about, and that's children who are affected by people who may or may not be people who are their parents or their caregivers or someone else who has a position of authority over them in their life, a hockey coach or whomever. The issue here is really one of: when can people apply for benefits, and what sorts of limitations are there on the application? I think the hon. Solicitor General has very clearly, through a consultation process with the public, talked about how we can improve the Victims of Crime Act, how we can create greater certainty around the victims of crime fund and its operation, and I think that's all very laudable.

5:30

We do have limitations in life in terms of how long something can go before you bring it forward, and in this particular act and this particular section 12, 12.2 in particular, it's really talking about the distance between the reporting of a crime and the ability to come forward as a victim of that crime and apply for benefits under the act. In the normal course one would assume that there should be some time limitation. You should know that you are the victim of a crime. You would know fairly quickly in most circumstances that you are the victim of a crime, and then you would be able to come forward and under the Victims of Crime Act look for the benefits that are there.

The particular circumstance that the hon. member has raised relative to children is more problematic because there may or may not be an appropriate opportunity for a child. Whoever was responsible for that child up until their age of majority may not have taken steps on their behalf, and they should not be precluded from that just because somebody else has not acted appropriately on their behalf. In fact, as has been said, there may be a circumstance where it doesn't actually come to light, come to their recognition or understanding for some considerable period of time. I don't think it's the intention of the Solicitor General, in bringing this forward, to automatically preclude all those circumstances. It's really the intention here to put some appropriate parameters around who can apply and when they can apply so there's some certainty to the fund and the operation of the fund.

As I said at the beginning, I appreciate the hon. member bringing this forward. My view would be that without a thorough analysis of this and how it impacts the rest of the operation of the act, it would be imprudent to pass this amendment at the moment. But I think it would be very prudent for us to say to the Solicitor General that he should have his staff have a look at the comments that have been brought forward and do an analysis on that particular circumstance of something which comes to light much later in a person's life about something that happened to them during childhood and see whether that fits within the Victims of Crime Act.

This is not a compensation act in the sense that it's intended to right all the wrongs. This is a victims' fund, and it's intended to assist victims through a process. So we're talking here about

something which is a little bit disassociated from that but still very relevant, and it might be something which could be properly compensable. I would have thought it might have come up during the review that was done, but certainly statutes should be living documents. I think just because we pass this act today doesn't mean this particular concern shouldn't be dealt with over the longer term, and if there is a real concern there, that could be brought forward in an amendment at a future time.

I'd also indicate that I think this type of amendment – we get to look at acts on our side of the House, obviously. We develop them. Our committees look at them. We go through a very thorough analysis of what's happening and why we're doing it. I've always encouraged people bringing forward substantive amendments to bring them to my attention as House leader or to the sponsoring minister's attention early so that that type of analysis can be done to see whether it has an impact on other aspects of the act.

For today I would recommend to the House that we not pass this amendment but that the Solicitor General, having heard this debate, might take this back, take a look at it, and determine whether or not there's something which might be done at a future date if rights are being affected in the manner that the hon. member has raised.

**The Deputy Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. This little conversation has been fascinating, quite frankly. I listened very intently to the Government House Leader and how he spoke about how the government has the opportunity to have legislation before them for a longer period of time than the opposition. It's amazing to me that if the government has this legislation before them for a longer period of time, they just can't get it right.

You know, he spoke about the Solicitor General having the opportunity to do some consulting. Well, I happened to be the Solicitor General from 2001 to 2004, and I'm struggling with the difficulty of both the Solicitor General and the Minister of Justice missing this. If you go to the legislation – it's page 6 – it talks about an application for benefits, and it clearly says under 12.2(1): "An application under section 12 or 12.1 may be made only if the offence was reported to a police service within a reasonable period of time after the offence occurred." If you want to talk about applications for benefits, it's talking about a reasonable period of time after the offence occurred.

If you're a six-year-old and you've been sexually abused, a horrific thought, but say that the dad – as the former minister of children's services I hate to wake Albertans up, but there are lots of dads who have sexually abused their children with the whole family intact. If you go under application where the victim was a minor, which is 12.3,

If the victim was a minor at the time the offence occurred, an application under section 12 must, . . .

There are always those words within government. It's called must versus may. Must is a very strong legal term. I've learned that in my time in government.

. . . subject to the regulations, be made within 10 years from the date the victim reaches the age of majority.

You can fully understand why the member is bringing forward an amendment asking for that statute of limitation to be removed. The bill clearly states under application for benefits, 12.2(1), and then goes into (2).

- (a) within 2 years after the date on which the victim or applicant, as the case may be, first knew, or in the circumstances ought to have known, that the offence occurred, or
- (b) within 10 years after the offence occurred.

Under subsection (a) it talks about the victim or applicant, which could mean the child or the parent of the child. There again it goes to my point where I spoke about the fact that you've had sexual abuse in a family – and, unfortunately, in this province there are many, many cases where dad could have been the sexual abuser or mom, for that matter – and mom or dad on the other side are too embarrassed to report it or too afraid to report it.

One just needs to look at all of the work that the organization Little Warriors is doing at this particular time in regard to bringing the issue of child sexual abuse to the front. It's one of those subjects that people don't want to talk about. From many instances, when I was minister of children's services, in regard to sexual abuse, some so horrific that they're still etched in my mind, and from what I've read – I thought I was pretty knowledgeable after being the Solicitor General for four years till I hit that particular ministry. I've got to tell you that that one really wakes you up when you see all of the horrific things that are happening in this province.

Let's step away from sexual abuse. If we want to step away from that, let's talk about child pornography. You have a child that is subject to child pornography, and they have been filmed in some pretty horrific incidents by a family member, whether it's an uncle or a dad or an aunt or a grandma or a grandfather. When you're looking at the mind of a two- or three-year-old, you're not understanding. I mean, I remember, when I was the minister, dealing with a 17-year-old who thought at that particular time, after we apprehended her and brought her into care, that it was perfectly normal to have sex with her dad. She knew nothing different, knew nothing was abnormal in that fact till she reported it, coincidentally, to a janitor in the school.

These are the kind of things that I think the government has to realize. They have to understand that I think what frustrates Albertans more than anything, in my time involved in child prostitution, in any of that kind of stuff – child pornography, sexual abuse, drugs and alcohol – is that we're all talking about victims. They're all victims, and the government needs to stick up for these particular individuals.

I mean, I don't think people can appreciate, as we sit here in our suits and our ties and our dress clothes, how this paralyzes victims and the suffering that they go through. I go back again to Theo Fleury, watching him. I think he was 14 when it happened. It came out 20 years later, and he was still feeling extreme pain. I don't recall anyone at that particular time advocating for him. You certainly see all sorts of people now becoming advocates. I know the minister of children's services, for that matter, becomes an advocate for the children that are under their care when they realize that these children have been sexually abused.

5:40

In my time I have met children that had been sexually abused when they were five or six, and you're talking to them at a youth forum or something when they're 22 or 23. I think it's important for us to understand that of many of the children that are involved in child prostitution or, for that matter, that we've apprehended off the street, we've found that a very high proportion have been sexually abused when they were young.

It's interesting to hear the Minister of Education and House leader talk about and mention in his speaking that: let's pass this bill, and then we'll bring an amendment later. Well, it's always later, or it's always sooner. We're on the floor of the Legislature right now. It's what I consider a significant and good amendment, and we have the opportunity at this time in committee to accept the amendment from the member. She is hearing from people, advocacy groups, and I'm sure that in the Twitter world this will

be followed now. I know we're going to start getting e-mails about it. So I'm again asking the Solicitor General to accept this amendment from one of the opposition members.

We look forward to continuing to debate this legislation. I know the Member for Calgary-Varsity as a former educator is very, very passionate about children. He has taken on a case himself in regard to the 15-year-old that we both know and are involved with, whom he has been advocating for in the Legislature. As the minister indicated, we've now got her in some secure treatment for a few days. It's like the revolving door he referred to earlier.

I think it's a time right now when we can do something on behalf of those who were abused when they were younger and provide them not only the protection that I think they deserve but the protection they need with the Victims of Crime Act. This way it'll provide them some compensation so that they can seek some counselling that they probably, without question, deserve.

Once again, we're in committee, and that allows us to speak as many times as we want, quite frankly, and we will continue to listen to what the government has to say. As I indicated earlier, I was somewhat disturbed, actually, to hear what the House leader, the Minister of Education, had to say. I know he advocates on behalf of children because as the former Justice minister we spent four years advocating at FPTs, the federal-provincial-territorial meetings, about raising the age of consent. At every FPT meeting he made darned sure that was on the agenda, so I guess what we're doing is asking the government to accept the amendment from one of our opposition colleagues and, quite frankly, do the right thing.

**The Deputy Chair:** Do any members wish to speak? The hon. Solicitor General.

**Mr. Oberle:** Thank you, Mr. Chair. I think we're going to reach just a very brief stalemate here in that I wasn't made aware of the content of this amendment before we hit committee stage in this, and I in good conscience can't accept an amendment without an ability to review its full impact on the bill.

I understand very clearly the sentiment, and I think I hear that the opposition parties, all who have spoken, understand the issue of certainty. I also understand that maybe certainty is a difficult thing to achieve. Nonetheless, I want an opportunity to take the sentiment that I'm hearing over there and review this. Whether that is going to make me arrive at some comfort with the amendment or propose an additional amendment, I can't say right now, but I would like a very brief time with this.

So at this point I'd like to move that we adjourn debate, Mr. Chairman.

[Motion to adjourn debate carried]

#### **Bill 4 Securities Amendment Act, 2011**

**The Deputy Chair:** Are there any comments or questions or amendments to be offered with respect to this bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. Again, I'm quite supportive of Bill 4, the Securities Amendment Act, 2011. What Bill 4 does is that it makes further amendments to harmonize the passport system that originated from the 2004 memorandum of understanding between the federal and provincial governments, excepting Ontario. It brings forward amendments to support Canada's conversion to international financial reporting standards, creates a framework for regulating credit-rating organizations, and allows the Alberta



Securities Commission to impose sanctions for late filing of disclosure that are more similar to the B.C. model. There are also further amendments to ensure that Alberta's registration regime is harmonized with other provinces'.

Now, there has been a degree of controversy, Mr. Chair, with regard to the idea of a single regulator. The Alberta Liberals have joined the government in expressing concerns about Alberta's financial interests not necessarily being well advocated for under a single securities regulator potentially operating out of Toronto. It doesn't matter so much where it operates out of; it's the singular aspect that causes concern. What we are seeing is a move to involve all the provinces in terms of having a say in the well-being of their own investments and their own securities. That's what Bill 4 attempts to do.

We have a trade agreement with British Columbia. We're moving to extend that agreement to Saskatchewan, so Bill 4 keeps in account our sort of economic provincial well-being but also, rather than simply building a wall or isolating ourselves, takes into account best practices in other provinces across this nation. For those reasons, Mr. Chair, I am supportive of Bill 4, the Securities Amendment Act, 2011.

I realize in saying that, Mr. Chair, that there may be other members within this caucus who have other concerns that they may wish to bring forward or even the possibility of amendments. But in general we are supportive of the direction the government is heading with Bill 4, Securities Amendment Act, 2011.

Thank you, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yeah. Thank you very much, Mr. Chairman. I think it's important that under Bill 4, the Securities Amendment Act, 2011, clearly, the passport system is an excellent system. It has served Canada and especially Alberta very well. The passport system is flexible to local needs and to the local economy like the energy sector. Of course, Toronto is a world leader in mining and metals, and they play to their strengths, but we also play to ours here in Alberta, and we're very proud of that.

5:50

In my constituency we belong, of course, to the – very seldom can you use the word “world”, but I'm very proud to say that I am the MLA for the oil sands capital of the world. We have something that the rest of the world wants. As I look around and look at the different strengths of different provinces and different cities, I'm very proud to say that the strength of Fort McMurray, Alberta, is that it's the oil sands capital of the world. Not only that, but to add balance to that is my son, who will be turning four in May, and that we care deeply about the environment.

We believe that we can work in harmony in developing our oil sands but also in sustaining and protecting our environment. I can say that unlike any other member of this Assembly because it is my home, no one else's in this Assembly but mine. It's my home, where my three-and-a-half-year-old breathes the air each and every day. So first as a father, not as an MLA, I say that I don't think anyone will question our motivation as parents, especially on the topic that we were talking about earlier regarding what the Solicitor General, I appreciate, is going to review.

Now, the passport system can also be improved and updated when warranted. No one asserts that it's perfect, but the passport system is effective at its goal and is internationally recognized by the OECD, the World Bank, and also by the Milken Institute. Clearly, we have to look at it in the manner that Canada and Al-

berta navigated very well the recent recession, better than most jurisdictions in the world. I applaud, certainly, the federal government because of its regulatory system, not in spite of it. The economies with the greatest recession and financial catastrophe were those with national regulators like Europe and America. So I think we need to reflect on that important point.

I think, also, that securities regulation has always been a provincial jurisdiction and that it should remain a provincial jurisdiction. So there is much common ground between our provincial systems, that have been harmonized to be efficient, but at the same time there is already a very extensive collaboration to ensure a strong regulatory system. There are not 10 completely unique regulatory bodies out there; they work in harmony as a single access point for our nation, and I think this is important. Therefore, ceding regulatory authority could be a precedent that Albertans, I believe, would not like to see at this point.

As much as financial matters are important at the national level – and I applaud the Prime Minister and his government for the good work that they have done in, certainly, the OECD countries – I would like to say that when it comes to the issue of provincial regulatory authority, Alberta has done very well in managing and harmonizing with other provinces in a system that is not broken. We always take the approach of “and then some.” And then some is really the attitude of Albertans. Not only can we do something; we can do it and then some. And then some really reflects the values of Albertans – Alberta seniors, Alberta financiers, Alberta farmers, Alberta oil and gas workers, Alberta teachers, Alberta nurses, Alberta doctors – that they will do the very best in what they do and then some. I think that's a value that all members of this Assembly can agree to: and then some.

Consequently, I would like to say about the local management of Bill 4, the Securities Amendment Act, 2011, that if securities regulations were centrally managed, it would likely be in Toronto. Its heart would be on Bay Street even if the suboffices were dispersed and scattered across the country.

I think it's really quite important that we can be very proud in Alberta in many areas, every province, of our leaders and the different attributes and what they do at their provincial governments, but Alberta is very, very good at asserting its responsibility with the provincial jurisdiction that it has pertaining to the Securities Amendment Act.

I would like to say, Mr. Chairman, that I don't believe a national regulator would necessarily decrease the cost of raising capital through public offerings and other mechanisms as asserted. I would also like to say that for a graduate school in another state or province, the financial means of a Bay Street or a Wall Street down in the United States plays an important role.

It's also equally interesting to note that across this world today our world continues to grow smaller. In growing smaller, it means ensuring that we never lose what I refer to as provincial capital. Provincial capital is based on provincial decision-making that is the sum of our many municipalities and our financial leaders, and I'm very proud that we have that in the province of Alberta and also proud that they share that with the rest of Canada.

Clearly, Mr. Chair, I will say that I do believe that the Securities Amendment Act is something that we in the Wildrose are watching very closely and, as we go forward, will be watching with interest.

In this act, as well, there are important points that I think need to be referenced pertaining to the issues of the act. I just want to take a moment to talk about the fact that, of course, our provincial regulation, that we have utilized with great scrutiny and certainly with due diligence, is I think a model for others to follow.

With that, Mr. Chair, I would say that at this point these are some of the comments that I make, proudly representing the oil sands capital of the world, Fort McMurray-Wood Buffalo.

Thank you, Mr. Chairman.

**The Deputy Chair:** Any other members wishing to speak? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. I'm pleased to stand up and talk about Bill 4, the Securities Amendment Act, 2011, and offer some comments, if I may, on the bill. I think the bill's intent is meant to clarify and tighten up the passport system in Alberta and that it's looking at clearing the legal loopholes.

While mending our security legislation in this way is not controversial and is something that we can support as the Wildrose, obviously the issue of security regulations is highly controversial because of what we can see happening right now with the federal

government creating a national security regulator, one kind of a system that I've been struggling with. I know the government is struggling with this for the fact that they've pushed this as far as they can. I believe, if I'm not mistaken, that they've taken it to the Alberta Court of Appeal. I'm not a lawyer, so maybe one of the legal beagles over on the other side can clarify that.

I think my colleague has spoken in the past about security regulations, that they have always been provincial jurisdiction, and I hope they'll continue to do so.

**The Deputy Chair:** I hesitate to interrupt the hon. Member for Calgary-Fish Creek, but pursuant to Standing Order 4(4) it now being 6 o'clock, the House is recessed until 7:30 p.m., at which time we'll reconvene in Committee of the Whole.

[The committee adjourned at 6 p.m.]





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The 27th Legislature  
Fourth Session

# Alberta Hansard

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The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1



### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
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Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
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Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

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Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Deputy Chair: Mr. Hancock

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Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
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Leskiw	

### Standing Committee on Public Accounts

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Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

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Cao  
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### Standing Committee on Resources and Environment

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Marz  
Mason  
McQueen  
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### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, April 26, 2011

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair shall now call the Committee of the Whole to order. We'll resume on Bill 4, where we left off at 6 o'clock.

### Bill 4 Securities Amendment Act, 2011

**The Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. It's a pleasure to get an opportunity to say a few words on Bill 4, Securities Amendment Act, 2011. As has already been discussed, these amendments are made to harmonize the passport system that originated six years ago in a memorandum of understanding between the federal and the provincial governments. I think I'm correct in pointing out that the province of Ontario was excluded from that memorandum of understanding. Certainly, it is our view on this side of the House that these amendments support Canada's conversion to the international financial reporting standards. There's also, as I understand it, in Bill 4 a framework for regulating credit rating organizations. We are also allowing the Alberta Securities Commission to impose or place sanctions for late filing of disclosure, and we are adopting more of the British Columbia model on this. The last amendments ensure that Alberta's registration regime is harmonized with the other provinces.

Certainly, there has been a lot of talk about how we need to have a single regulator in this country. There has been a lot of debate on that. But there are many things that are different in this province than in other provinces. One thing, Mr. Chairman, I would like to point out is our electricity markets and our natural gas exchange in Calgary. The electricity exchange and the natural gas exchange in Calgary are certainly unique. I don't necessarily agree with their creation, but that's the reality. Some people are puzzled why we wouldn't want a single national regulator. My response is: well, we have set this system up; would you like to have our electricity market as it is regulated or our natural gas exchange somewhere other than Alberta? People stop, and they pause, and they think about that. That's one point in this that I think we need to consider whenever we have further discussions on this idea of having a single regulator.

Now, certainly, as I understand it, these amendments will allow for the harmonization or mutual recognition of securities regulators in Canada through the passport system. These ideas go back, I think, six years. In this province securities are regulated through legislation, which is administered by the Alberta Securities Commission. I'm sure all members have had a look at the details and the financial statements of the Alberta Securities Commission in the minister of finance's annual report. There's some interesting information for members of this House in this report.

The Securities Commission regulates individuals and entities in Alberta that advise in securities, trade in securities, or raise money through issuing securities. The basic element of a securities regulator is, of course, to protect investors. Investors have to have confidence in what they are purchasing or buying or supporting.

Now, the Securities Commission's power is with the registrants, the individuals or firms, of course, who deal with the securities.

The Securities Commission will look at the policies of the dealers, their training, will put firms on notice that they need to self-police if the Securities Commission finds any infringements, will call the firms to stand in front of the Securities Commission if they continue to infringe on policies or established best practices, and will periodically audit dealers, spot checks that are announced or in some cases unannounced to the dealer.

According to the Department of Finance officials Canada's securities regulation officers are very good at credential regulation, and Canada has a good record on this front. Each province and territory has a similar commission, each with their own securities regulator.

They seem to be getting along very well down in that corner, Mr. Chairman, a lot better than they got along last Thursday at the hall in Eckville. Could you get them to take a seat, please?

**The Chair:** Hon. member, please take your seat or have the conversation outside the Chamber. Thank you.

Hon. Member for Edmonton-Gold Bar, please continue on.

**Mr. MacDonald:** Okay. Thank you, Mr. Chairman. I appreciate that.

Now, when you look at Canada's Department of Finance website, the two main products traded in the securities industry in this country are fixed income securities and equities. Fixed income products, which include bonds, asset-backed securities, and money market instruments, are traded, of course, in dealer markets. Equity products, which include common and preferred shares, are mostly traded on stock exchanges.

There are two ways of approaching securities regulation. One is a principles-based regulation, which is traditionally favoured in Canada and in the United Kingdom, and the other is based on prescriptive rules.

In 2004, as I said earlier, a memorandum of understanding was signed between the federal government and all of the provinces except Ontario to establish a passport system to provide market participants with a single window of access to Canada's capital markets. It was understood through this memorandum of understanding that securities regulation is provincial jurisdiction while also addressing the need to harmonize the individual systems in order to stay competitive and evolve with global capital markets.

In 2004 the first amendments were made to the Securities Act to begin implementing the passport system. There would be two phases to implement this system. In 2005, when the Securities Act was amended as Bill 19 – and I'm sure the Minister of Sustainable Resource Development remembers this well – more amendments were needed, and they were relating to prospectus and continuance disclosure. Again in 2006 and 2007 amendments were made to the Securities Act to enable a second phase of implementation for Alberta, which is being brought forward through this act. These amendments dealt again with prospectuses, takeover bids, and registration requirements.

The second phase for national implementation of the passport system was planned to be fully implemented almost two years ago. The Canadian securities commission has been working on this, as have officials here, and we need to proceed. Bill 4 certainly allows the process to continue.

In conclusion, Mr. Chairman, I would like to say that this bill, the Securities Amendment Act, 2011, does not address the idea of a national securities regulator. I think we need to put that on the record. That will come at another time, the debate and discussion on that.

Certainly, with those comments, Mr. Chairman, I would like to cede the floor to another hon. colleague. I would like to thank the

hon. Member for Calgary-Nose Hill for his work on this bill and other matters relating to this subject.

Thank you very much.

7:40

**The Chair:** Any other hon. member wishing to speak on this bill?

Seeing none, the chair shall now call the question on the bill.

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

### Bill 1 Asia Advisory Council Act

**The Chair:** Any comments or amendments on this bill? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Chairman. I thought one of the other members was going to speak on it, but he was just standing to tuck in his shirt, so I'll leap into the fray here to debate Bill 1, Asia Advisory Council Act. A lot has been already said on this relatively brief piece of legislation, and while it's got some things to commend it, the comment has been made often that it seems a bit pale, a bit sparse for the flagship bill of this government. But, you know, I guess that's a matter of opinion.

The comments I'd like to make, I think, reflect, shall I say, the yin and the yang of this particular issue. Clearly, Asia is the rising superpower at the moment economically. I think we need to watch in the middle- and long-term other forces, culturally and militarily. I think we need as Canadians and as Albertans to recognize that and to understand that this is a huge opportunity and position ourselves to take full advantage of that opportunity, which this bill does or at least will contribute to.

But I do also want to speak a little bit about some cautions I have, Mr. Chairman, and I'm going to start on the potential rise of Asian military might. I don't know if that has come up yet in the debate, but it's something that we, I think, need to think about in the context of an Asia advisory council, which this act will establish.

A little bit of history here. We're all watching the news these days about the battle in Libya and how NATO has intervened and how Canada, the U.K., France, Italy, and the United States, among others, are engaged in military action in Libya. Of particular note is the role of the Americans, I think, for the comment I'm about to make. America is stretched very tight globally when it comes to military force, but it is the one real global military superpower. I will come back to Libya in a moment because that's the key to my point.

I was interested watching when the tsunami and nuclear incident and earthquake happened in Japan. Within a day the American Pacific fleet was there dropping off supplies and helicoptering people in and out and so on. They're doing that at the same time they're engaged in a very active war in Afghanistan, they still have a massive commitment in Iraq, and then the world, at least parts of the world, are asking them to be involved in Libya. There's no question that at the moment and for the past decade and probably for the next decade the United States is the only nation, the only society on the planet capable of that sort of military muscle: simultaneously supporting Japan, engaged in an

active war in Afghanistan, engaged in a massive way in Iraq, and still capable of sending Predator drone aircraft and launching cruise missiles and submarines and everything else into Libya.

Why I started with Libya, Mr. Chairman, is to give this some historical context. For those of us who might know a few lines of the hymn of the American marines – I won't try to sing it here because I'd probably get chased out of the Assembly – the lines go, "From the Halls of Montezuma to the shores of Tripoli." Now, that Tripoli is the same Tripoli that's in the news today, but it's referring not to anything in the last year or two. It's referring to what was quite possibly the first American international military excursion, which was to . . .

**Mr. MacDonald:** After Niagara.

**Dr. Taft:** I think it was before Niagara. I need some clarification. If anybody can check the dates for me, I'd appreciate that.

The history lesson here that I want to reflect on, Mr. Chairman, is that very early in the 1800s – and I think it was before the war of 1812 – an American trading vessel in the Mediterranean or perhaps two of them were seized by pirates along the Barbary coast, which today we call Libya. While those pirates had an understanding with the British Royal Navy and the French that they wouldn't hassle each other, there was no understanding with the Americans. America at the time was a tiny little colony, but what did they do under President Thomas Jefferson? They sent off a military force, the marines, to the north coast of Africa, to Tripoli. They invaded Tripoli. They defeated the pirates. They freed their hostages and their ships and embarked on what became a two-century-long rise to where they are today, where they are the one global superpower.

Why do I say this, Mr. Chairman, in this context? Because I think a lot less than two centuries from now the global military superpowers will be from Asia, and I thought it was telling that the first real global expedition of the Chinese navy, at least in many, many, many centuries, was to where? The coast of Africa, not Libya but Somalia. There are Chinese naval vessels patrolling the Somali coast today. Now, that's the first modern excursion of the Chinese navy into being a global player. It's so tiny that most of us don't notice it, but I think it should be seen in the same context of that American excursion.

I have received the dates with the wonderful assistance of the members for Calgary-Nose Hill and Edmonton-Gold Bar. The Americans were involved in Libya initially from 1801 to 1805. If we look at how the Americans have risen from one little expedition to Libya 200 years ago to global dominance today, I think we will see the Chinese do the same thing from their one expedition to the coast of Somalia today to global dominance militarily, but it's not going to take two centuries. I suspect India won't be far behind.

In fact, just a few weeks ago I was in Lethbridge, Mr. Chairman. Every time I go to Lethbridge, I am absolutely astonished at what a sophisticated city that is. I went on a tour of a startlingly sophisticated satellite earth-monitoring program run out of Lethbridge. We got a very good tour, wonderfully extensive computing capacity. They sell their images all over North America, particularly into the oil patch in Calgary. The fellow giving me the tour there said: watch out for the Indian space program. He said: the Indians have multiplied their spending on space exploration, space launches, and space satellites way beyond anything we're doing in Canada and quickly way beyond what most other countries in the world are doing. So it's a different example of a rising power. We all know that that kind of technology is easily applied to military matters.

7:50

Mr. Chairman, I wanted to raise that in the context of Bill 1, the Asia Advisory Council Act, because this is not just about trade. This is about the potential of global domination.

I've mentioned military force. I would like briefly to mention cultural force. I think it's fair to say that the United States, along with its economic and military rise, has spent a better part of a century as a cultural powerhouse to the globe as well, whether it's arts or cinema or music or all kinds of other forms of culture. I shouldn't just say arts but, in fact, culture in the broader sense of the things that we value, the way we organize ourselves, the things that we want.

America has been predominant, and many of us don't realize that the modern Christmas, you know, where we have the Christmas tree with all the gifts and Santa Claus coming down with a sack of presents, is essentially an American tradition or at least an American invention patched together from many other cultures. You can go to Japan now, and in December they're celebrating Christmas. You can go to a Hindu country like India, and in parts of India they celebrate Christmas. That's the kind of cultural muscle that the west in general and the United States in particular has flexed, and we're so awash in it that we hardly even notice it.

Again, I'm going to raise the consideration here, Mr. Chairman, that the time will come when that tide is reversed, and we are celebrating holidays that originated in China or India, and we will be wearing clothes styled in Shanghai or Mumbai or goodness knows where else. When you turn on the news and you watch a meeting of politicians from anywhere in the world, they don't dress locally. They dress like they're from Fleet Street or something. They all wear a shirt and a tie and a suit. It doesn't matter if you're a Karzai in Afghanistan or whoever the current president is of China. They all dress like westerners. Well, it's quite possible that a century from now we'll all be dressing like Asians just because they will have flexed their global cultural muscle and reversed the tide. I would like this debate to occur in that kind of context.

There's one other concern I want to raise here for consideration. It might be more than one. We as Canadians are often like Boy Scouts when we go out and do business globally. We trust that everybody is going to be honourable and obey the law and have the greater good in mind and so on. We think everybody on this planet is a Canadian, and we're so darned innocent that we are easily taken advantage of. The fact of the matter is that Asian business and Asian governments and Asian military, which all work extremely closely together within their own countries, are far more strategic and are working on a different ethical basis, a different understanding of corruption and law.

There was an incident, I believe last year, when there was widespread concern, based on pretty solid evidence, that the Chinese government and Chinese businesses were secretly stealing technology, trade secrets and so on, from Canadian companies, and there was a minor scandal. I think we need to be alert to that kind of thing. We cannot go into these countries assuming that it's like, you know, going to Saskatchewan or Nova Scotia or something. It's a different set of rules. What's said to your face and what's done behind your back can be quite different. I may get flak for making that kind of statement, but I will say that, and I will stick to it, Mr. Chairman.

I hope this advisory council is giving us advice on that sort of deal as well. This is not new for me to put on the record, but I am concerned about the investment in our oil sands resource by Chinese and other national oil companies whose agendas are not the same as ours and who do not play by the same rules or the same time frames or the same laws as, say, Canadian-based oil compa-

nies. We are turning over a massive amount of a resource to companies who simply do not have our national interests in mind. It doesn't mean we don't deal with those companies and their governments and their militaries, but it means that we have to be shrewd. As Canadians, by and large, we're not terribly shrewd. We like to give people the benefit of the doubt, and I think that makes us vulnerable.

Mr. Chairman, those are some of my cautionary comments about Asia. I wanted this enthusiasm for partnerships with Asia to be in that context. I've travelled repeatedly to China. I've been repeatedly to Japan. Just a couple of years ago I was in Indonesia and Malaysia. I've been to Turkey. Someday I'd love to go to India. These are wonderful places to be, but we need to have our eyes open when we're doing business with these countries.

I think, Mr. Chairman, that with those comments my time will be soon coming to an end, so I'll see if I stirred up any debate. Thank you.

**The Chair:** The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Thank you, Mr. Chair. This is an honour and a privilege again to rise and speak, as it is every time in this honourable House, to add my comments to Bill 1, the Asia Advisory Council Act, at this time. I will admit that since the time when this act came out – it seems to be a long time ago – my thoughts on this act have changed. I've gone to thinking a little more angrily, having those thoughts of saying: "Is this all that this government can come up with? Bill 1? Really, is this all you can do? A 40-year government has brought us back to discuss an Asia Advisory Council Act? That's what's really on the minds of the people of Calgary-*Buffalo* and the people in Fort Saskatchewan or even the people of Fort McMurray? An Asia Advisory Council Act?" I think not.

It's the sense of timing of that act. Other things have come on the plate that, I guess, have engaged my interest. I hear that the Education minister is going to put on the table the Education Act. I am very happy about that. I'm sad that it's probably going to die on the Order Paper and that he may be a judge by the time any of that hard work and effort he has done comes actually into force, but I am still pleased it hit the Order Paper.

I guess what I'm saying is that if I had talked about this Asia Advisory Council Act sooner, I would have had a little more animosity. I would have talked with a little more vim and vigour. I would have talked a little more about the lack of direction coming from this 40-year government. Like all things that feeling passes, and I've moved on to more important, or what seem to be more important, issues. I'll leave that on the record.

When this Asia Advisory Council Act did come out, I for one was rather disappointed. I was hoping for a little bit more coming back into this session. Now that I'm here, let's talk about this. I was quite interested in the speech made by the hon. former Leader of the Opposition, from Edmonton-*Riverview*. It was with interest as he brought up, I guess, a song done by the American military on their travels through the world. In 1801 they endeavoured for some time on the shores of Tripoli, their first venture off the coast. Now, I know that. If the hon. member was hearing that story I was bringing up, I was giving him full credit for it. I was working that into my synopsis of the Asia bill because your thoughts and ideas were very good and were something for me to build upon.

I do note that two songwriters of my generation, a gentleman named Tom Cochrane, who was the lead singer before that of a band called Red Rider, had explicitly on the shores of Tripoli in one of their songs. It came out in 1980. I assume it was a reference to the song identified by the Member for Edmonton-*Centre*.

Again, it goes back to how this member, this Canadian lead singer of a rock band, was now touring the world, going to various places, including Tripoli, and that was Tom Cochrane and Red Rider.

8:00

I think, building upon the comments by the Member for Edmonton-Centre, that shows that Canadians have been embarking on this world-wide journey as well as the Americans. Our travels to other places are becoming more immediate, more every day. The average person in Calgary and the average person in Edmonton and the average person in the constituency of Little Bow are touched by the activities that are happening over in Asia, whereas in 1980, when Tom Cochrane was going over to Tripoli with Red Rider, well, that wasn't happening for people like me. But it's happening now on a more global basis by more and more people here in Alberta.

I guess on that note I think that it's wise – maybe not wise. Let's face it; there was more important government business to do. At the same time, setting up an Asia Advisory Council Act maybe wasn't the stupidest thing I've ever heard of, okay? It probably has some merit that actually goes to us becoming better purveyors of trade. Hopefully, when a pipeline is built over there, when we have our resources going over there, we can have negotiations in a manner that would be respectful to environmental regulations of both countries and look out for the best interests not only of Alberta but Canada and also the citizens of China as well as the rest of the world.

We're going to have a role to play in that given that we have 25 per cent of the world's petroleum resources, and given the rise of China and given the rise of India, more and more people, despite what we hear about wind energy and solar energy and the like, are going to continue to utilize a large amount of petroleum resources going into the future, in fact, even more than we do now despite our best efforts. Having a relationship with Asia is going to be very important to this province, very important to us going forward.

That said, the hon. Member for Edmonton-Riverview is correct. We are entering into negotiations with a government that is non-democratic, that can do things very quickly and very much one sided, that can move vast amounts of people, vast amounts of policies in a blink of an eye without democratic discussion or debate. Having that knowledge as we go into these negotiations is important.

I think it's important that we have, possibly, an advisory council over there, but it's also wise to take care of our own backyard. We see that right here. I, too, share the worry of the Member for Edmonton-Riverview in our oil sands development. Right now we have the Chinese government wishing to take large stakes in our oil sands, and the Norwegian government has taken large stakes in our oil sands. For some reason they find it economically viable and an opportunity for them to do so and make money on behalf of their citizens and secure oil.

I was having the discussion with the hon. Minister of Energy on how at one time we had the Alberta Energy Company here in this country, and we sold it for a song. Remember when oil and gas was at \$12 a barrel? We decided to sell off the world's greatest collection of global assets under mankind for a song, at \$12 oil, to get rid of a mythical debt that was really bothering no one, that could have been paid off in a slow and steady timeframe. That said, we sold it all off, and I wonder, looking back, whether that was the wisest of decisions. But that decision was made.

We're also building a pipeline over to Asia. I guess our Asia advisory council is going to take part in the negotiations. But before that pipeline is sent over, I'd like us to develop as many

industries here as we can, do as much of that bitumen upgrading here in Alberta as we can. That may take this government incentivizing the market, doing things with some force and resolve to get things going on that front so that we're not just shipping raw bitumen to Asia. Those are some of the issues that we have to grapple with while at the same time looking at our markets over in Asia. We have to make sure that we're doing the best we can here in Alberta for our citizens not only for the short term but for the long term.

I appreciated that trip down the past. I will remember that now, going forward into my history, that the Americans' first foray, I guess, into world conquest was in 1801 on the shores of Tripoli, and I will go back and find out what song Tom Cochrane and Red Rider were singing when they were playing on the shores of Tripoli. Or at least I think it was that.

Nevertheless, I close. It was nice to come back to this topic, and let's hope that this advisory council holds us in good stead and leads to greater prosperity for the Alberta people.

Thank you very much, Mr. Chair.

**The Chair:** The hon. Member for Calgary Fish-Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. I'm pleased to stand up on Bill 1, the Asia Advisory Council Act. Actually, I've been listening to the debate from the Member for Calgary-Buffalo, and I guess I was feeling about the same way as he was on this particular piece of legislation, that when it was tabled, the government probably had a hundred and one other things that they could make as Bill 1 before they brought forward the Asia Advisory Council Act.

I want to put on the record that I support the intent of the bill. There's no question that when you read the preamble, it's important to talk about the competitiveness. It's talking about the international strategies.

We've been trying to do some research in regard to how many councils are out there within the government, and we found quite a few, actually. Then we started doing a little bit more research to find out how many of those councils needed legislation to establish the council. When you start looking at that, the numbers coming back are very, very interesting. You know, you honestly scratch your head about why we need to have legislation to establish an advisory council when the things that are in the preamble of the legislation, quite frankly, the government should be doing right now. You wonder if they have to put in legislation something that they should already be doing, quite frankly. That's bothersome and troublesome, to my mind, because we've got, I think – what? – 10 international offices out there already. I'm not exactly sure. I don't recall in my tenure here having legislation to establish any of those councils or any of those international offices, to be quite frank.

When you look at the table of contents, it's a very small bill. It's all of four pages. The first page and a half contain the table of contents and then the preamble. When you start looking at the preamble, all of the things that they're whereasing as far as the government's plans are all things that they should be doing not only in Asia but, quite frankly, all over the world if we want to establish, you know, our mark across this world.

8:10

They talk about competitiveness: "competitiveness is core to the Government of Alberta's plan to position Alberta for long-term prosperity." Well, if you go back a year, I think Bill 1 was the Alberta Competitiveness Act, if I remember, another piece of legislation that I think: why in heck are we bringing forward legis-

lation that in government we should be doing on behalf of Albertans already? Yet now we're having to set this in legislation that's saying: "Okay. This is the law. This is what you should be doing. You have to make Alberta competitive. We have to have some long-term prosperity."

We talk about: "Alberta's international strategy sets the overall course for the Government's engagement internationally with the goal of making Alberta more globally competitive." Well, what the heck have we been doing for the last 40 years that this government has been in power? All of a sudden the light goes on, and we're bright, and we're articulate, and we're bringing all these whereas forward in regard to legislation. I think: gosh, I've been here since '93, and I thought we were doing all of this. Yet under the Premier's mandate he's decided that this is going to be one of his legacies. I'm thinking: well, geez, I thought Premier Lougheed did a pretty good job of establishing Alberta in the oil and gas market, and now we have a Premier that thinks he's going to establish us internationally, in the global market, when it's something that we probably, I'm sure and I'm hoping, have been doing all along.

It talks about key markets such as China, Japan, Korea, and India, that they're the second-largest export market, following North America. Well, I sit on the Alberta heritage act committee. I remember talking to AIMCo in regard to where they were investing money. I will have to go back to read *Hansard*. When I was talking to Dr. de Bever, he was quite hesitant about investing in some of these markets because of the political instability and investing in stable markets. You know, sometimes to me the right hand isn't sure what the left hand is doing.

It talks about: "The Government of Alberta is committed to pursuing global advocacy, advancing Alberta's international relations." For goodness sake, Mr. Chairman, we have a Minister of International and Intergovernmental Relations. I guess that means that that ministry is all of a sudden redundant or that that particular ministry really hasn't been doing a very good job on what they're doing, or this bill is sending a clear message to the ministry that they haven't been doing a very, very good job.

It goes on to talk about our strong financial position, educated workforce. All of that, you know, is stuff that should be and has been and should have been done previously.

I notice the Member for Highwood listening very intently. It's interesting because he is the former minister of agriculture, and I know about all the time he spent on building the Asian market. I can tell you that that Member for Highwood didn't need a piece of legislation to realize that it was important for him to go to Asia, talk about our agriculture, encourage the Asian market to become involved in what Alberta produces. He did that all on his own. He didn't need to be directed by a bill. He had the brains and the smarts to realize that there was some Asian market in regard to the cattle industry that needed some expansion. I guess, member, now you have some clear direction on what you should or shouldn't have been doing when you were over in Asia expanding the global market in regard to the wonderful farmers and the horrific hit they took in our cattle industry.

It goes on to specifically talk about the 10 members appointed by the Lieutenant Governor in Council for a term not to exceed three years and that you have to designate a chair and a vice-chair. Honest to goodness, Mr. Chairman, does government honestly think that Albertans are stupid and that they need to have legislation to establish a council, saying that there are only 10 members and you have to have a chair and a vice-chair, establish even their terms? No remuneration. They've put that in the legislation. We know that these council members are not going to get paid except for their expenses. They're going to make bylaws for the conduct

of its business and affairs. Well, anyone knows that we follow *Robert's Rules of Order* when you're establishing.

It talks about: "the Chair of the Council shall submit to the Minister an annual report consisting of a general summary of its activities during the previous fiscal year." Well, it'll be interesting to see if that Asian council starts following some of the ministers as they travel abroad. I know our Premier and some of his colleagues have been to India. They've been, you know, all over the world, and at no time before they started their travelling did they need a piece of legislation to be able to tell them that this is what they were going to do when they were looking at the global markets and where they could travel, where they couldn't travel, what they had to do, what they didn't have to do.

Mr. Chair, my comments are brief. I just want to say on behalf of the constituents of Calgary-Fish Creek that I can guarantee you that they would tell you that this is not a bill that should be the number one bill for the government for the spring Legislature. I have just done a survey in the constituency – it's the first time I've ever done that – because I wanted to make sure that I was on track with the constituents of Calgary-Fish Creek. Guess what? Health care was number one, and education was number two. Hon. Member for Calgary-Buffalo, we have an important piece of legislation that I understand is hitting this Legislature tomorrow, the Education Act. I think that's pretty darn important.

I'm certain that we as members of the opposition could probably come up with five, 10 pieces of legislation that I think would probably be a number one priority for Albertans, what they saw as a bill that they would want to see. I know that many of the people in the rural areas are upset with the land-use framework. We're going to be debating that a little later on I understand from the House leader, and I know that's going to be a bill that's going to cause a lot of debate in this Legislature.

I can tell you that as an urban MLA there are only probably three times that I can remember where we've taken a lot of calls from the rural areas on some of their priorities. Of course, one is the BSE. The second was the check-off, that was brought forward, I believe, by the Member for Highwood, and the minister from Drumheller-Stettler has changed that check-off procedure. Lastly, of course, on the land-use framework we're getting a lot of calls and e-mails in regard to that particular piece of legislation and, obviously, Bill 50, which is affecting a lot of rural Albertans, the residents in Sherwood Park, with the power lines, et cetera.

With those remarks, it's important that Asia understands that we as the Wildrose support anything in regard to improving international trade with not only Asia but India and any other country where we can establish ourselves globally in a market, where we can help them and they can help us. But, certainly, Mr. Chair, not as the number one bill in this Legislature.

Thank you.

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo on the bill.

**Mr. Boutilier:** Yes. Thank you very much, Mr. Chairman. Indeed, it's a pleasure to rise this evening to speak relative to Bill 1, the Asia Advisory Council Act. My colleague and esteemed representative from Calgary-Fish Creek I can say touched on some very important points relative to this bill. I certainly respect her view and opinion relative to this bill since she served in this Legislature dating back to 1993 and, in fact, her indicating that she had never witnessed such a Bill 1 as the Asia Advisory Council Act.

Perhaps I can start by indicating that I first want to apologize. I am sending the Minister of Education a globe. I made a commitment in this House relative to that.

8:20

**Mr. Hancock:** Don't worry about it. I've got lots of globes. You're off the hook.

**Mr. Boutilier:** I appreciate that the Member for Edmonton-Whitemud has indicated he does not want a globe.

The reason I mention the globe is specifically because of the fact that I begin to wonder if the government knows where Asia is. I am somewhat surprised that we have universities from all over Alberta, Alberta businesses who are literally 15 years ahead of the government. They have been taking action. They have been taking a very strategic approach to Asia. We have a very powerful relationship with Asia on a variety of matters, and I really want to compliment Alberta businesses, businessmen and women, also Alberta universities because of the fact that they discovered Asia 15 to 20 years ago.

Here today we have Bill 1, the Asia Advisory Council Act, introduced by this Premier and this government as bill number one. It is almost bordering on, I can only say, ludicrous. I can only say ludicrous because, as was mentioned previously by many hon. members, here we are, a government with the number one bill ready to say that we're going to form a committee to study Asia. Well, Mr. Chairman, that is bordering on ridiculous. I can say that's why I intended to send the Member for Edmonton-Whitemud a globe, because it appears to me that the government really needs a globe. I'm not sure if there are globes in the Premier's office.

Bill 1, to call this an advisory council, to form a committee. Yet I look and examine the number of committees that have been formed by this government. Actually, when I see a committee that is formed, sometimes I begin to wonder if that's not code to say: let's just allow the committee to take the heat off the government and maybe allow it to do something. Basically, form another committee, and ultimately nothing will be done.

Consequently, Mr. Chairman, the Asia Advisory Council Act is beyond their comprehension of the importance of Asia. Putting it as bill number one to form a committee really speaks of the lackadaisical approach that this government takes towards Asia. I think it is very unfortunate because we have the utmost respect for Asians and for their contribution in this global marketplace that we have and operate. To form a committee, to have a bill that talks about a mandate, a mandate of the council – let me say this: “the mandate of the Council is to advise and make recommendations to the Minister on measures to expand existing economic, research, educational and cultural opportunities between Alberta and Asia.” Well, let's catch up with the times. You guys don't get out enough. I mean, it's 15 or 20 years later. Albertans all over are out there doing that.

The hon. Member for Edmonton-Riverview, when he was a tenured professor at the University of Alberta, I know he had taken many missions to Asia. That was many years ago. Clearly, the hon. member and the university did not need a committee. They did not need a committee, nor do we now. Bill 1, really, defies logic.

We have the utmost respect for the Asian community and the important partnerships. A partnership is: what can we do for you that you can't do, and what can you do for us that we can't do? That's really what a partnership is all about.

“Without limitation . . . pursuing new market opportunities.” I would hope the minister is doing that as we speak. A bill that says, “Let's form another committee and make recommendations to the minister,” is at best weak.

“Promoting Alberta as an attractive destination for international investment.” Well, Mr. Chairman, we promote Alberta every day. We are all ambassadors. Albertans that are working in universities, that are working in research labs, that are working all over the globe clearly recognize that we do not need a committee. Again, I view the word “committee” as code for: let's just simply not do anything.

I believe that Bill 1, the Asia Advisory Council Act, really misses the mark. I should share with the government that it is the 21st century. In fact, we have just completed the first decade of the 21st century. Asia and the partnerships that have been formed by universities, by Alberta businessmen and -women, by research institutions are strong, and that will continue to grow stronger despite this Bill 1 to form a committee.

One has to ask the question: what is the minister doing now if he is waiting for a committee to make recommendations to him? One has to ask the question, go back and take a look at and revisit his mandate letter relative to what the responsibility is.

You know, I support global competition for access to existing and emerging markets and for investment capital. People and skills are ever increasing, and I support strong financial positions, an educated workforce, entrepreneurial spirit, and abundant natural resources. Certainly, in my home in the oil sands capital of the world, in Fort McMurray, we have an abundance of natural resources. Clearly, the investments that we have demonstrated that are taking place in my community, which is part of Alberta – I know sometimes the government forgets that the oil sands are part of Alberta, but Fort McMurray and the oil sands are part of Alberta. As much as we never get our fair contribution for the resources that are extracted from my community – and that's why I still wait for a long-term care centre – I can say clearly that I support strengthening collaborations among Albertans, businesses, industry, government, and research institutions.

Mr. Chairman, this has truly not only lacked imagination, but it's really lacked everything. In all my years in this Assembly I've never seen such a weak bill as this Bill 1 because it represents: go and form another committee. I have mentioned in the past that, you know, this is really a symbol of the fact that not only are the inmates running the asylum; you've turned over the keys and lost your address, and that's unfortunate.

It's unfortunate because we are very proud of Alberta. We're proud of the resources we have. I'm very proud, and I want to thank everyone who has taken the time to go to Asia, who knows where Asia is, to strengthen the relationships that have been built over the last two decades.

Here we are two decades later seeing Bill 1, an advisory committee to a minister, to advise the minister about Asia. Well, Mr. Chairman, at best this is laughable. I will only say that I'm lost for words. I'll take my seat.

**The Chair:** The hon. Member for Airdrie-Chestermere on the bill.

**Mr. Anderson:** On the bill, yes. Thank you, Mr. Chair. That was a riveting speech by the hon. Member for Fort McMurray-Wood Buffalo. Indeed, we are in a situation where the inmates are running the asylum and they've lost the keys and they've forgotten their address. It is a serious problem here.

I'd like to stand on Bill 1 and say that again – and I've said this before – this really is a sham of a bill. There's no reason. If you go under all the different legislation, the cabinet is clearly empowered, the Premier is clearly empowered to set up basically any committee that they want to set up. So to waste this Assembly's time and, frankly, to insult the intelligence of the people in this Assembly as well as Albertans to say that we're going to use this



Assembly as a way to pass some meaningless bill that allows us to form a committee, you know, it's just beyond all reason.

Now, I've spent some time in Asia. I spent two years in Asia, actually, in the little island called Taiwan, and it is an incredible area of the world. Obviously, the population of Asia is massive, most of the world's population lives there, particularly in the two countries of India and China. In Taiwan there are about 35 million people in an area the size of, basically, the Edmonton-Calgary corridor, and most of that land is mountainous and uninhabitable, so it was an even smaller amount. It's very built up.

8:30

Asia is a very productive place. The Asian peoples – it doesn't matter if they're Chinese, Japanese, Vietnamese, Cambodian, Malaysian, East Indian – are very hard-working peoples. They're very competitive, and they're very driven to succeed. Indeed, we do need to be competitive, and that's a good thing. By their people being that way and their countries and nations being that way, I think that it makes us stronger because we have to compete, and we have to become better ourselves. I think that it's a positive thing. Certainly, we don't want to get left behind.

There are some things that we can do right now. We don't need to wait for a committee to be formed by this law in order to become more competitive. Clearly, we need to be more competitive with regard to our regulatory framework. Our regulatory framework right now surrounding how we regulate business, industry, oil and gas, everything, frankly, has become very cumbersome. There's far too much red tape. These are things that we can do immediately to start increasing our competitiveness with Asia. That's one thing we can do.

With regard to establishing trade, we already know how important it is to diversify our economy, specifically our oil and gas exports, away from just the United States, which will always be an important customer that we need to develop and maintain a relationship with. We need to obviously have more customers, and Asia is a prime example of what's needed. But what have we done on that front? We're losing the debate on that front. I think this government is partially responsible for us losing ground in the debate on whether we should be able to export our resources to the west coast through oil tankers to China and India, et cetera, and to those hungry markets.

I think of, you know, our good friend Mr. Jack Layton of the federal New Democrats. I think of Mr. Ignatieff of the federal Liberals. You know, they have two very, I would say, anti Alberta energy sector strategies that would see a moratorium on oil tanker traffic going from the west coast, British Columbia, to overseas, and that's very troubling. Now, notice that I said: the federal parties. I'm not saying that that's the policy of the provincial counterparts here in Alberta. I'll let them speak to that. I don't think it is. But the point is that we're losing that debate on a national scale.

Even our own Prime Minister, Stephen Harper, has mused about a moratorium on oil tanker traffic. He's backed away from that, and that's good to hear. But if we can't even convince our friends in Ottawa and the federal Conservatives to understand our point of view on that matter, how are we ever going to protect ourselves from potentially – God help us all – a Jack Layton led coalition government, an NDP coalition government, which is actually not something to laugh at anymore because it's a possibility. I sure hope it doesn't come to pass, but it is a possibility.

We need to do much better on this file, and we have been asleep at the switch. In my head I'm wondering what the heck Gary Mar, one of the leadership candidates for the PC Party, has been doing in Washington for the last several years. I don't really know be-

cause we have gotten exactly nowhere with regard to our relationship with the Obama administration, with the United States, on the importance of our oil sands. In fact, the most recent comments from Mr. Obama, frankly, have shown a real lack of understanding of just how important the oil sands are to the future energy security of this country and indeed North America and indeed, by extension, because we are talking about the United States, the world.

We have not made progress on that file, so I would like to know what Mr. Mar has been doing to earn that large paycheque over in Washington. I, frankly, would like to see an accounting of what he has done for this province in that regard because I sure don't see many fruits of his labours in that regard. We've lost ground on that front, and I think that's ridiculous.

Now, bringing that back to the Asia experience, it's very important that we make sure that our oil and gas markets are open over there, but we do not need a committee. We certainly don't need legislation forming a committee to do that. We do that by developing relationships with the folks over in these Asian economies, which Alberta businesses have done. We continue to go over there. You'll never see me ever questioning folks like the former minister of agriculture going over to China, and there have been others that have gone over to China and India to promote Alberta. You will never hear me speak against that. The reason is because it is that important to build those relationships. There is no doubt about it.

You do not need a committee to build those relationships. You just go over, and you do it. You make sure that you have some tangible goals that you want to accomplish when you go over there. Paying a committee to come up with some kind of – I don't know – strategy: you just don't need that. Get together. The Premier can appoint his own advisory group on Asia, that would be very knowledgeable, and you go forward. Again, you know, there has been dilly-dallying in that regard.

We should clearly right now be putting a full-court press on opening up our multiple pipelines to the west coast and doing everything that we can to promote that, to get that oil tanker traffic moving to Asia, get it moving to India, not just energy exports but all sorts of exports, including agriculture. It's just critical that we get our agriculture exports to Asian markets in any way that we can.

We need to open up more partnerships between our universities, our postsecondary institutions. You know, it drives me crazy to watch skilled people coming over here from, in particular, India, frankly, with all kinds of degrees and learning, and then they have to sit and drive taxi for years instead of going straight into the professions they've been trained for, like being a doctor or being, you know, an engineer, just doing whatever it is. I understand there need to be standards and so forth, but we need to do a much better job of making sure that we're working with these universities over in Asia.

For example, why can't we set up a program that students in India and students in China can opt into and make sure that when they're done with that program, they can come over here immediately and their credentials are up to speed. They can be trained over there, and then when they come over here, they're ready to go. There's no five-year, 10-year wait while they, you know, drive taxi, lose their skills. Their skills kind of get a little dull if they're not working in their profession. We don't have to lose all that time, nor do we have to spend a ton of money training them over here or expecting them to be trained over here. They can be trained over there. They can make sure that everything transfers, that they have all the credentials they need, and then for the people that have that degree and that accreditation, we could expedite

their immigration to Canada because they'd be ready immediately to contribute to society and to contribute to our economy.

These are things that we could do if we were willing to put the time in. It's important that this government start taking some practical approaches, taking some practical steps to open up trade and open up investment back and forth with Asia. But passing a bill in the Legislature saying that we're going to form a committee on this is a joke. It's as much of a joke, frankly, as the committee on competitiveness, that was set up last time. One of the first things they've done since then is raise by 150 per cent the cost of registering a new business. Whoa, what a great step in the right direction that is for small-business owners.

There's such a disconnect between what this government says that it's going to do and then what it actually does, and this is an example of it. When this passes – and I'm sure it will – this will mark one of many bills, certainly the second in as many years, where the Premier's flagship bill has been, frankly, a very useless piece of legislation that does nothing.

**8:40**

It's a shame because I think, you know, that when you have the opportunity, as this Premier has, with the massive majority that he has had, he would have the ability to put forward really meaningful legislation in the area of health care, making sure that we have proper health care reform and that we're getting away from this 1960s-style health care system that we've created, where innovation is punished or slowed down, frankly, and where doctors are intimidated and nurses are intimidated and so forth. He could be the guy that's leading the charge on this with Bill 1, a health care act, whistle-blower legislation, or something that would protect the rights of front-line health care workers. But that takes leadership, and that's something this Premier has failed on so many occasions to provide.

He could have been in here talking about democratic reform: Bill 1, a fixed election date act, or Bill 1, a free-vote act, empowering MLAs to vote their conscience on every single bill, free from intimidation or penalty or the caucus whip.

**Mrs. Forsyth:** A whistle-blower act: that would be a good one.

**Mr. Anderson:** Yeah, whistle-blower protection. We were talking about that.

Or a property rights preservation act. He's had so many opportunities to do the right thing, to show leadership with his Bill 1, and each time it seems it's some kind of piece of feel-good, do-nothing legislation. It's been a huge disappointment to watch this Premier.

He has passed some tough legislation, but he's done it through cabinet ministers – some are sacrificial lambs, and they don't know it, and some know full well what they're doing – passing some of the most ridiculous legislation that this province has seen and certainly the most harmful with regard to the royalty framework legislation, property rights legislation, Bill 50, the way that health care has been handled, et cetera. You can go down the line. It's been very disappointing.

I hope that whoever follows suit – if it's Mr. Mar, hopefully he can explain what the heck he's been doing for the last three years or however long he's been in Washington so-called defending our interests.

**Mrs. Forsyth:** We didn't need a Washington act to put him in there.

**Mr. Anderson:** Maybe we should have put a Washington act in place, the United States trade committee act. That's right. We

should strike a council to figure out how to be, you know, better friends with the United States. Clearly, that's ridiculous. You just go down, and you do the job. You make sure that the people who are in place actually know what they're doing, unlike Mr. Mar, who has done very, very little to take the Alberta story to Washington, DC. It has fallen on deaf ears, and we are way back from where we were even just a few short years ago in that regard, which is just very demoralizing. It affects our economy, and it affects our oil and gas and our energy workers, and it affects a great deal of things.

With that and on behalf of the Wildrose, I'd like to make sure that we push the government to actually accelerate and to push even harder to make sure that folks like Jack Layton and folks like Michael Ignatieff know that a moratorium on oil tanker traffic is completely unacceptable, that we will oppose that in every way possible, through the courts, politically, in any way we can, because it's wrong, and it's an attack on our province. It's a unilateral attack on our province. We should be out there making sure that that's heard and making sure that if the rest of Canada, particularly the folks down east, wants to continue to have the fruits and the benefits of Alberta money in their coffers through the equalization program and other programs that we give them, then they need to respect our rights to export our products to markets like Asia.

I don't think that case has been made enough by this government. It's been made. I will give them credit. They have attempted to make the case, but it has fallen on deaf ears, and they have not pushed it hard enough. They need to start pushing harder and being louder, and that's just the way it is.

We need to start with our own friends in the Conservative Party and make sure that they continue to say what they've now come around to saying, which is that they will not support a permanent oil tanker traffic ban. What they will support is making sure that oil tanker traffic is properly regulated, that there are double-hulled ships, that there are two-pilot boats or multiple-pilot boats, however many are needed. No cost is too high to make sure that it's safe and we don't have a disaster. There are ways that people have learned throughout the years, after the *Exxon Valdez* oil spill, et cetera, of how to make sure those things do not happen.

We can make sure that we have the safest export market of oil and gas to Asia that can be possibly imagined, but we need to make sure that that is the case. I haven't heard anything about that, any plan, any suggestions from this government on how we make that oil tanker traffic ironclad and make it completely safe going forward. I'd like to hear that. I'd like to hear them make that case to the federal Conservatives and, obviously, to Jack Layton and Ignatieff, who haven't seemed to have gotten the memo about who is paying for so much in Confederation.

**Mr. Boutillier:** We're not going to Windsor to shut down the auto industry plants.

**Mr. Anderson:** That's right. It would be much like Mr. Layton going to Ontario and saying, "We're going to shut down the auto industry," or: "We're going to put a moratorium on automobile traffic because they produce emissions of CO<sub>2</sub> and that's going to kill the earth. That's just as dangerous as an oil spill, so we're going to ban the sale of cars to the United States for that reason." Of course, that's lunacy. So why is it any less lunacy to say that we're going to ban the main export of the province of Alberta, that pays for so many of the programs and the care and benefits that Albertans and Canadians coast-to-coast enjoy and use?

With that, I will not be supporting this useless bill, but I will be supporting the government in any action that it takes to open up

our borders to the Asian market, to make sure we get our exports diversified over there, and to make sure the hon. Minister of SRD has an opportunity to go over to China and understand a little bit better what property rights do and do not mean.

With that, I will sit down, and we will hopefully have a vote on this soon.

**The Chair:** Any other hon. member wishing to speak on the bill? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I would like to also join in some discussion on Bill 1, the Asia Council Advisory Act. Now, of course, Bill 1 is historically a flagship piece of legislation introduced by the government to signal its broad leadership within the province, and there have been many pieces of legislation introduced in Alberta as Bill 1 over the years.

Of course, the first bill introduced by the Lougheed government when this political dynasty first began was Bill 1, the Alberta Bill of Rights. It was a flagship piece of legislation, Mr. Chairman. It was a key piece of legislation that set very clearly the government's agenda, which at that time was a progressive agenda compared to what had existed under the previous Social Credit regime. The election of the PC government at that time under Peter Lougheed was a step forward for our province. It was a modernizing government, and it believed in human rights. It believed in the rights of the individual, and it put forward a piece of legislation that set that out very clearly for everyone to see that this was a government that believed in the rights of people, that believed in protecting people, and which was a progressive and modern government for its day.

We've seen other excellent pieces of legislation in the past, but one of the things that I've noticed, Mr. Chairman, is a steady decline in the vision that is evident in the bills that are introduced by this government as Bill 1. There's been a steady drop in the inspiration, I guess, evident in the selection of subjects for Bill 1.

I'm getting a really funny look from the Parliamentary Counsel, Mr. Chairman. Have I violated some legal norm? No? Okay. Well, then, I'll carry on.

8:50

It really seems to me that in this particular bill we've hit a new low in terms of vision from this government. If this is the best that they can come up with for a flagship piece of legislation, then this government and the province as a whole is in more serious trouble than I thought. The lack of inspiration, the lack of vision contained in a bill to set up a committee to improve our relationships, our trading relationships particularly, with Asia is not timely, Mr. Chairman. That's the main thing that I would say about this bill. If this bill was introduced 20 years ago, it would have been timely. It would have shown vision. It would have shown that the government actually got what was going on in the world.

If you look at the history of the development of Asia economically, you'll realize that, in fact, the opportunities to build these relationships properly took place a long time ago. Fortunately, there are a good deal of economic and cultural and other relationships between Alberta and Asian countries, but to now set up a committee to promote this strikes me as absolutely unnecessary and long past its due date.

Mr. Chairman, back in the period between 1405 and 1433 Admiral Zheng He of China set out on seven separate expeditions into the Indian Ocean. China, of course, had traded with Southeast Asia for a long time. They actually travelled on these large-scale expeditions by ship all the way to Africa. They sailed right through the Indian Ocean. They had contact with Arab countries,

with Persia, and visited the African continent and, indeed, brought back specimens of African wildlife like giraffes and so on. At that time China was very much looking outwards. That didn't last because the next emperor then banned those kinds of expeditions, and China became much more insular.

Similarly, Japan throughout the early 1800s was very closed to outside societies and didn't want to trade with anyone. Commodore Perry of the United States visited Japan in 1853 with a number of ships, and he essentially forced Japan to open its borders and to sign an agreement, a trade agreement with the United States. That's really when trade with Asia and North America had its start, Mr. Chairman, and it's gone up and down since then.

I wanted to just point out that the great growth in the Japanese economy began in the 1960s, and it boomed all through the '70s. I still can remember the Expo in Japan. I think it was the world's fair in Osaka which really marked the emergence of Japan as a leading industrial and trading partner. So from 1970 until 2011 is about 41 years since Japan began to emerge as a major international trading country and a major industrial power in the world and a financial power. That's 41 years.

Now, you turn to some of the other countries in Asia; for example, the original Asian tigers, which are Hong Kong, Singapore, South Korea, and Taiwan. They developed very high growth rates and rapid industrialization in the early 1960s. Again, they continued as major growth areas in terms of economic development right through the '90s.

Mr. Chairman, a committee to improve relationships with Asia, and trading relationships in particular, back in the '60s or '70s would have been a progressive, forward-looking step, but that was decades ago. It was decades ago.

If you take a look at the development of China, which came a bit later under Deng Xiaoping, who was the leader in China in bringing in economic reform, it began in 1978. The rapid development under a market economy, or market socialism as they called it in China, began in the late '70s and built up steam all through the '80s and '90s. Mr. Chairman, again, this is 30 years ago – 30 years ago – that China began to emerge as a major industrial power and opened its doors to the west. If this government had brought forward Bill 1 to establish this committee 30 years ago, it would have been a forward-looking step. It would have indicated that the government really got it and was open and had lots of thought about advancing Alberta's interests.

Mr. Chairman, I could go into others. I could talk about Malaysia or Vietnam or the rapidly emerging economy in India, that's been building up steam for over 10 years, and the Philippines, but in many cases these economies have been modernized and became major sources of trade in the world decades ago. So for the government now to come forward with Bill 1 to strike this committee to look at diversifying Alberta's trading partners is really trying to close the barn door, you know, after all of the horses have long since gone. It really speaks to the bankruptcy of ideas of this government, Mr. Chairman. They are out of ideas. They are tired. They have no more imagination. They don't have any ideas left for the future of this province. They're a government that has exhausted itself.

It's not a government that has not made a contribution to this province. It has. This government in its day was a modernizing, progressive force. When this government was elected, Mr. Chairman, I was in grade 11, and that's a long time ago now. The hon. Member for Calgary-Buffalo was two years old when this government was first elected. Some of the people from the Wildrose Alliance were not even born. So this government has been around for a long time, and one of the things that is apparent to me is that every government has a shelf life and that this government's shelf

life was exceeded many years ago. Somehow it's managed to convince people that these old cans on the shelf in the supermarket are the only products that they should buy.

I think that's changing as people realize that they really should look at the best-before date of this government before they purchase what it has to sell again. I think that we're going to see some significant changes at the next election in this province because a government for which the best it can do, the best it can come up with in terms of new, fresh ideas is a committee to improve diversifying trade with Asia is a government that is a spent force. You know, I think it's really an indictment of a government that has completely run out of ideas, has run out of its ability. Its capacity to make a positive contribution to our province has expired. Its ideas are deceased. They are no more, Mr. Chairman. They have ceased to be. Like the proverbial Monty Python parrot, you can bang this government against the counter, but it will not wake up and move. It will not squawk because it has expired in terms of its imagination. It has ceased to be. I think the skit with John Cleese and Monty Python is apt in describing this government's lack of imagination and lack of ability to move our province forward to the next level.

9:00

Mr. Chairman, I do think that there are some places in the world that are emerging – for example, Brazil, Latin America, and other parts of the world – where there is some future, and I think the government should look at this more broadly. It shouldn't pretend that some advisory committee is going to do the trick. It needs a comprehensive approach on a world-wide basis.

Asia continues to be a major area of investment and trade and finance, but there are other parts of the world as well that are now emerging. I think a more comprehensive approach would be appropriate. Simply appointing an advisory committee is no substitute for an economic development strategy that includes international trade as a key component. We need to get beyond this idea of setting up some committee which is symbolic in the government's mind, I think. I don't see how it is any sort of a solution for developing a sophisticated, modern, broadly based international trade strategy for this province. That's something that the government should be working on. This is not encapsulated in this piece of legislation.

This is just setting up a committee to look at trade with a certain part of the world, and it is completely inadequate to the tasks, I think, that face us. If we want to remain a competitive province in the world economy, we need to be finding trading partners and opportunities around the world, and we need a sophisticated and comprehensive strategy, not an advisory committee. It seems to me that not only is the government lacking vision, but it is also lacking any sense of how to accomplish a strategy. Setting up an advisory committee could be a tiny piece of the development of a more comprehensive foreign trade strategy with future orientation, but it is completely inadequate as a means to get there, Mr. Chairman.

I just want to close by suggesting that what the government is trying to sell Albertans in Bill 1, being a dead parrot, is not what is needed. We need, frankly, Mr. Chairman, a new government. That's what we need in this province, a new government, and I think that there's a good chance that we're going to have a very interesting Legislature after the next election in this province. I want to indicate that the Alberta New Democrats are going to be coming forward with strong, progressive proposals. We're prepared to work with other political parties in order to accomplish the goals of creating a new direction for this province to get away

from the stale, dead parrot that is now lying on the counter of the pet shop of Alberta.

Thank you.

**The Chair:** Any other hon. members wish to join in? Hon. Member for Calgary-Buffalo, you want to be back on?

**Mr. Hehr:** Yeah. Well, I was listening intently to the Member for Edmonton-Highlands-Norwood, and I couldn't help but overhear his comments on the Monty Python skit with the dead parrot and his relating it to this bill and the fact that it seems to be more representative of something that has passed on than something that is alive because, obviously, one of the neat things about being alive is that, hopefully, you're reacting to change or you have ideas about how to better the place you're living in and the things you're going to do.

I, like him, commented in my first address, but I'll comment that I, too, was rather disappointed with this being the lead bill from this government. In fact, when the first bill came down – and I think it was from the throne speech that we knew that this was going to be part of the thing – I just said, "Oh, my goodness, can we not do anything better?"

But the movie it reminded me of was not so much the John Cleese Monty Python skit although I'm well aware of that. In high school there was a movie called *Weekend at Bernie's*. Okay? When I was in high school Bernie had died, yet they took him to parties and said: "Oh, no, no. He has not died. He's partying. He's still having a good time." They put sunglasses on him, and they dressed him up and carted him around for a while and said: "Oh, no, no. Bernie's having a great time." He'd fall down. Bernie went water skiing when he was dead. Bernie did these things when he was dead and all that sort of stuff. So I really appreciated the analogy that the member from the third party used, but I liken it more to the *Weekend at Bernie's* metaphor as more of a symbol of a government who is dead, who has not recognized that it has stopped really being relevant to people's lives.

I will point to the time when the Hon. Peter Lougheed took over this province. He was really a visionary, moved the province forward in vast ways, started its own oil company, the Alberta Energy Company, started its own airline. He actually banked 30 per cent of our royalties and said: goodness, this is something we're going to need for future generations; this is something that sets us apart as a country. He recognized long before other jurisdictions, like Alaska and Norway, that this was our one-way ticket to prosperity and that once it was gone, it was gone for good.

What we've seen since that time is that somehow we've lost our way. We've spent now \$180 billion of nonrenewable fossil fuel wealth that has come into the coffers of this government, and we have virtually nothing to show for it except for, I guess, an Asia advisory committee, that is going to take us forward. Well, I hope that this next round of elections actually inspires some people to look into something and say: let's hope for something more than an Asia advisory committee when governments come in, something to move us into the 21st century, something that maybe we'll look at, as the hon. member said, like a broad-based trade strategy.

Thank you very much for the opportunity to speak. Don't worry about renting *Weekend at Bernie's*. It wasn't really a good movie, but it served its purpose here for these debates. From there I'd encourage any and all members to speak if they wish on the Asia Advisory Council Act. The Member for Fort McMurray-Wood Buffalo might have some more thoughts.

Anyway, thank you, Mr. Chair.

**The Chair:** Are there any other members wishing to speak in Committee of the Whole on the bill?

I just want to remind hon. members that in Committee of the Whole we're talking about the clauses of the bill and the title of the bill, and at the end of it the chair will ask the question on approval.

The hon. Member for Calgary-Glenmore. Committee of the Whole.

9:10

**Mr. Hinman:** Yes. Thank you, Mr. Chair. It's a privilege to stand in Committee of the Whole to talk about the title of the bill, Asia Advisory Council Act. I guess I'll start there, with the title. This bill isn't deserving of a title like this. It has been said by so many that it is nothing more than a council that could be put together. We have lots already that has gone on, that is continuing to go on in Asia.

To think that this is the vision of this government, that this is the important bill for this session is quite concerning for most Albertans that are faced with other problems, whether that's the huge deficit that we're running, whether it's the lack of the rule of law and respect for property rights, whether it's a shortage of teachers to help those in need in their schools. There's just such a long list. When you go out door-knocking and talking to constituents, this isn't the number one bill that they think: "Oh, the government is putting together an Asia advisory council. All of our woes, all of our problems will now be swept away, and life is going to be great."

There are so many areas, Mr. Chair, that could and should be addressed by this government, that should be the number one priority. Again, maybe I'll just throw out a few ideas if we were to switch over. The environment has been a big issue. Water has been a big issue. Perhaps Bill 1 should have been the water storage amendment act, about what we are going to do in order to capture and store the immense amount of water that we continue to lose every year through our waterways because we haven't looked forward enough.

There are a couple of good things about Bill 1, and I need to point that out. The most important one is the fact that this one does have a sunset clause for 2014. I have to appreciate that the government is aware of sunset clauses.

**Mr. Anderson:** They won't even have to repeal that one, Paul. They'll just let it expire.

**Mr. Hinman:** That is right. This one will just die on its own and go forward.

The other one is that there is no salary for those on the council. But, again, you have to ask the question: what are the costs to the Alberta taxpayer of these junkets? They are paid junkets that allow the council to travel and to visit and go forward. If we look at previous trade missions to Asia, we had the mission to Korea and Japan, November 4 to November 15, 2010, at a cost of \$16,000. We had the India junket from November 1 to November 7, 2010, with a tab of \$87,000. Then we had the mission to China and Japan, that totalled \$137,000. We had another one to India on January 2, 2009, for \$27,000 and a mission to Asia, June 13, 2008, for \$20,000.

One of the points, Mr. Chair, about bringing that up is that we already have government acting and working and developing these areas, so why do we need to have this, their flagship bill, to bring forward an advisory council? For me, the reason they've done this, Mr. Chair, is because they don't know what else to do, and this just seems to be the first idea that came up. "Oh, we've

got all this work going on in Asia. The tiger is awakening. We need to get more government over there. How are we going to respond to that? Oh, let's put together an advisory council that will do that."

You just have to ask yourself: wow, is this what this government has come down to, putting committees together to run around and try and promote Alberta business? In fact, if we were to be more competitive and continue to lower taxes, Alberta businesses would venture over there and find new trading counterparts, whether it's selling our beef – you know, BSE hit, and what did the government do? It's interesting. My understanding is that the Japanese contingent that came over here was sent home. We need to involve them more. There's no question about it. We've got sister cities and provinces over there. Work has been going on.

The bottom line is: what is this government doing, having the Asia Advisory Council Act as the number one bill when we have so many concerns here at home, whether they're environmental, whether they're educational, whether they're the deficit? I mean, just today we had the vote on the Appropriation Act, and the opposition were the only ones, and naturally so, to say that this government's budget isn't good enough, that it's not prioritized right. Again, this bill emphasizes their failure to prioritize properly and to address the concerns here at home in a proper and efficient way with the Alberta taxpayers. I just have to say that this act, this bill, is a no go for many of us. I'm one of those who thinks that where we are going to go is disappointing, that there's a lack of vision.

I just have to say that this is almost as astounding to me as to listen to the health minister get up day after day, with all of our problems and everything else, and say: "Well, the solution is simple. We have five years of sustainable funding now, and therefore it's going to be fixed." Again, is this the simple solution, that we now have an Asia advisory council, and therefore all of our economic woes and challenges will be effectively managed, and we can go forward? I would say that, no, it will not help. It's going to be more taxpayer money thrown into the wind with no way of measuring to know what the accomplishments are.

It's always interesting. They always talk about using other people's money. Government is notorious for using other people's money to go on these junkets to do these, you know, trade missions and say, "We're going to do wonderful things," when I think that it can all be done without Bill 1. This should go the way of the wind, and we should go back to worrying more about what's happening here in our own country. What are we going to do to ensure that we have a sustainable environment, that we have sustainable education, that we have a budget that – what would I say? – the taxpayers would be able to support and not have a burden of a mortgage?

I still vividly remember back in 1992, when the debate was all about the deficit. How are we going to get control of our \$25 billion deficit? I don't believe that Bill 1 is going to address that in a meaningful way. There's no question that the current spending this government has is not sustainable. It's going to consume our sustainability fund, and then what are we going to do? That's what we need to be addressing, Mr. Chair, not the Asia advisory committee but how we are actually going to ensure that Alberta will continue to be the place where we want to live, raise our children, start a business, and enjoy a great quality of life, knowing that we have a health care system that's second to none, that we can get into when we need it and not 18 months later if you survive till then. No, let's have a province and a health care system that people can actually use when they need it and not be told: "You know, you're going to be on a long wait list. Yes, we have the

infrastructure built, but, gosh, we don't have any operating money. We don't have any doctors, nurses, to run these facilities, but look at our wonderful infrastructure that we've built."

The planning was wrong, and Bill 1 is wrong in the same way. We haven't addressed the real needs of Albertans. This is just a band-aid or perhaps some smoke and mirrors to say: look at this wonderful work we're going to do, all in a pipe dream to Asia when, in fact, I think businesses can do that with the current legislation that we have. We can also look at, you know, the federal government when it comes to international trade agreements in those areas.

I have to speak against this bill, Mr. Chair, and I hope that others will continue to speak out, that we'll come to some common sense in realizing that this isn't the answer. It's not going to accomplish what this government seems to think it will, and there is a better way in order to promote the province and to ensure that we have a great business and trade relationship with those in Asia.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Calgary-Currie on the bill.

**Mr. Taylor:** Yes. Thank you, Mr. Chair, for the opportunity to get up and talk about Bill 1, the Asia Advisory Council Act, or the Hey, We Really Ought To Set Up a Committee Act, in Committee of the Whole. Look, I'm not going to take a great long period of time here because I don't know that I have really very much to add that hasn't already been said tonight, but I do want to get on the record as supporting the arguments that have been made by many of my colleagues so far this evening about Bill 1.

9:20

Bill 1 by tradition is supposed to be the government's flagship legislation of every new year's session. It just boggles my mind. I'm gobsmacked, Mr. Chair, to think that the best that they could come up with for Bill 1 is a bill, four pages in length, that seeks to set up a committee.

Now, I may not be any expert on parliamentary law or parliamentary procedure. In fact, there's very little that I'm an expert on. I know a tiny little bit about an awful lot of things. Usually that suffices as enough to allow me to ask one or two intelligent questions, and if I listen real hard for the answers, maybe it gets me somewhere. So maybe I'll ask a couple of questions here, and maybe someone on the government side will step up and give me some answers.

Like I said, I'm no expert on this, but I don't think you need a bill in the Legislature, and I certainly don't think that you need to make it Bill 1, to set up a committee, an expert panel of 10 people, to make recommendations to the government on what they should do about this big land mass called Asia. I believe it was the Member for Airdrie-Chestermere or it may have been one of my other colleagues in the House who made the comment, "Wow, the government has discovered Asia," or "They've discovered Asia exists." There are only — what? — 3 billion people living there, something like that. It may be a little shy of 3 billion. It kind of comes across that way, Mr. Chair, that the government has just woken up and discovered that there's this big, massive continent with all these potential customers, and, my gosh, how do we tap into them?

Well, that's what it looks like on the surface, but it seems as though the Premier and the cabinet have been working towards setting up trade with Asia for quite some time with elaborate trips to set up trade negotiations in Asia. Back in October the government announced that they were spending about \$90,000 to send a pair of ministers on separate trips to Asia. The Minister of Agri-

culture and Rural Development was to spend a week visiting Beijing, Shanghai, and Tokyo in an effort to boost trade and investment. He was going along with his counterpart from British Columbia in an attempt to drum up business for agriculture, seafood, and aquaculture products from the west. Also, at the time the then Minister of Advanced Education and Technology was supposed to be sent over to visit three cities in China as well as Hong Kong and Singapore to sign partnership agreements with a number of education and research institutes. Those two trips together were expected to cost about \$90,000.

The Premier was in China last year to boost our trade relations in Asia. That trip cost about \$40,000 for the Premier and a staffer who accompanied him plus \$78,000 for events and promotion.

They've been doing this sort of thing for a while. It kind of begs the question: if they're already doing this, why do they need 10 of their expert friends? Who knows? Maybe they're even picking adversaries to sit on the panel. It would be a first, but it could happen. Why do they need 10 experts to recommend to them what they should be doing unless they're failing miserably at what they're doing now, and I suppose that's a possibility? Why do we need this piece of legislation to set this up? I'd like an answer from the government about that. Why do we need a bill, especially Bill 1, the Asia Advisory Council Act, to set up this committee, to set up the Asia advisory council?

My gosh, how much time do we spend? It's not that we spend a lot of time relative to all the time available in a calendar year debating anything in this House. But of the limited time that we have here, how much time do we spend debating and criticizing and back-and-forthing about the government's predilection for bringing in legislation that is either amending acts to existing legislation, housekeeping bills, or bills that set vague and very broad, mile-wide and inch-deep directions, and then leave it to cabinet and the bureaucrats to make all the regulations? Keep all that annoying little detail out of the hands of these pesky legislators who might actually want to get in here, you know, because they think they represent their constituents and debate this stuff and vote on it and maybe change the government's grand design. Heck, we'd be happy just to see the government's grand design.

It looks here like the government's grand design has run absolutely out of steam, and I think the parrot has expired. I think the macaw has met its maker. I think that the budgie has failed to budget for quite some time. I think this Bill 1 is evidence of that. My goodness. Please, somebody explain to me why it is that a government so bent on doing so many things behind closed doors in cabinet, on setting up so many important things that should stand the light of day of scrutiny and questioning in this House brought to this House this bill.

Mr. Chairman, you know, as I talk about this, as I think about this, I'm going beyond gobsmacked. I'm offended. I'm insulted. I think this bill wastes the House's time. I think this bill wastes the time of the people of Alberta, who sent us here to debate relevant, meaningful stuff that has something to do with their lives.

I'm not suggesting for a moment, Mr. Chairman, that setting up and establishing better trade relations with Asia — with Japan, with China, with India, with anybody else we want to trade with, that we think we could trade with, that we think we could sell stuff to — that getting the Northern Gateway pipeline built and getting our bitumen through that pipeline onto tankers to take it across, either in relatively unprocessed or upgraded form, to China and India and Taiwan and Singapore and anywhere else that needs it wouldn't be an advisable and an excellent thing for us to do. I mean, Economics 101 tells you that if you've got a product to sell, it's real stupid to restrict yourself to one customer, because then

the customer gets to set the price. If you've got two people competing for your product or three customers or multiple customers, you're going to do a heck of a lot better on the price side and a heck of a lot better in terms of calling the shots.

Mr. Chairman, I see no reason why this province, with its expertise in oil and gas, with its expertise in energy, whether it's oil and gas, whether it's oil sands, whether it's wind power, whether it's solar, whether it's building wind turbines, or whether it's developing the technology, developing the expertise – we have the knowledge base here already. The province of Alberta should be the world's energy superpower, and the decisions about energy should not be made in Houston or Dallas or Abu Dhabi; they should be made in Calgary and Edmonton.

But this bill doesn't get us there. This bill says, "We're nowhere near where we should be." This bill says, "We've been just messing around when we could have been getting down to business and establishing trade," or "We're already getting down to business and establishing trade," as I refer back to the various junkets that have been taken at taxpayers' expense, "and we just don't have any better ideas as a government about what we could make Bill 1." You know, we could have made Bill 10 Bill 1. That seems to be a much more pressing issue to the people of Alberta than Bill 1 is. So I don't know. Maybe someone on the government side can explain to me and to my constituents why they shouldn't be insulted that this is all that this government could come up with for a Bill 1 in 2011.

Hey, life is good in this province. There is no place else that I would rather live. But I don't think it's that close to perfection that this should be the flagship legislation of any legislative calendar year. I really don't. I think there are things. As wonderful a place to live, as wonderful a place to work, as wonderful a place to play, as wonderful a place to raise a family as this bloody awesome province is, we're not perfect. We've got things that we need to work on. The government has got a real credibility issue on their hands with Bill 36, Bill 19, Bill 50, and Bill 10, which I understand we'll get into debate on in Committee of the Whole a little later on this evening at least a bit, at least on the surface. We'll try and make a little bit of progress before closure kicks in tomorrow.

9:30

I think this government would be better advised to tackle issues around land use and regional planning as its flagship piece of legislation, given the amount of controversy and contentiousness that exists around that, than to be giving us this. This could be done by the Lieutenant Governor in Council. For all the times that I've gotten up in this House over the last six and a half years and said, "Why are you doing this and that and the other thing by regulation, determined by cabinet behind closed doors?" this is one time when I'm saying: "Why are you not doing this by regulation? Why are you not doing this by an order in council?" This, Mr. Chairman, is wasting this House's time.

Thank you.

**The Chair:** Any other hon. members wish to speak in Committee of the Whole on the bill?

Seeing none, the chair shall now put the question.

[The clauses of Bill 1 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

## Bill 11 Livestock Industry Diversification Amendment Act, 2011

**The Chair:** Any hon. member wish to speak on Bill 11? You want to continue on?

**Mr. Prins:** Just very briefly, Mr. Chairman.

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Thank you very much, Mr. Chairman. I just wanted to make a couple of more comments after I spoke the other night, just to maybe give a couple of examples of what amendments A and B refer to.

Amendment A talks about: "For the avoidance of any doubt, the Minister may not prescribe for the purposes of subsection (1) any activity to which section 18.01 relates." Really, it talks a little bit about hunting on elk ranches. The type of hunting that would be allowed would be if a person had an elk ranch and somebody wanted to hunt ducks or geese there. They could do that. There's not a total ban on hunting. It's just a ban on hunting of farmed animals. If you were hunting, say, upland game birds or ducks or geese, you could still do that on an elk ranch.

The other one, section B, talks about the condition that no consideration is receivable in respect of shooting a stray. Sometimes an animal would get out of an elk ranch. Rather than having it come back in, somebody could shoot that animal on the outside or even back in, and nobody could pay the rancher to shoot that animal. So if somebody would be contracted to destroy that animal to avoid or prevent any disease or unwanted activity there.

These are a couple of examples of why these amendments are put in. I spoke to the other examples the other night, but this is something that I left out. If anybody has any questions, I can answer questions about the amendments and about the bill.

Thank you.

**The Chair:** Hon. member, we have amendment A1, so we should continue on with that amendment.

The hon. Member for Airdrie-Chestermere on amendment A1 to the bill.

**Mr. Anderson:** Thank you. Thank you for the kind offer to answer some questions. I do have some questions about that because I actually have received quite a few e-mails on this. People are concerned, the folks in my constituency.

I've got a lot of hunters in my constituency, tons of them. I got to talking with a couple of them the other day about this, and we just talked about whether they thought a hunt farm would be a good idea or not. They had some very interesting feelings on it. One of them was that when you're out in the wild, it's almost like this honour code thing. You know, you go out there. The animal does have, obviously, a chance of not being seen and a chance of getting away, et cetera, whereas if you're going to have a hunt farm, so to speak, if there's a guarantee that the animal is going to die, you want to make sure that it's done in the most humane way. Those are kind of the things that they were chatting about. They thought it was kind of a cop-out to have a hunt farm, all this sort of thing, and there were some other issues that they raised.

I wanted to ask the member opposite, Lacombe-Ponoka: with the amendments right now, is there anything under this bill, after this amendment comes into force, that allows for a hunt farm, where people can go and hunt? I'm not so much worried about birds and stuff like that but, specifically, large mammals, elk,

these types, deer, et cetera. Are hunt farms going to be allowed under this legislation?

**The Chair:** The hon. Member for Lacombe-Ponoka, please.

**Mr. Prins:** Thank you very much. The question is: will hunt farms be allowed under this legislation? The answer is no. That was specifically not part of the consultation with the elk ranchers. They were not asking for that. They wanted to take the whole business of the LIDA act, which is the Livestock Industry Diversification Act, out of SRD and ARD and put it strictly into ARD.

This is a mature industry. Elk farms have been around for probably 20 years. They know what they're doing. There are a number of administrative advantages to having it just strictly under one ministry and not both. The legislation under these – I don't have the paper in front of me now, but the amendments clearly indicate that there will be no hunting on elk farms or deer farms, on cervid production farms. The amendments clearly state that if in a case where the minister would allow certain hunting to happen, it would be hunting of predators or hunting of game like ducks or upland game birds, that are not related to elk ranches. They could be hunted in these areas. The other ones are for pest control and for strays. So there will be no actual hunting on elk ranches.

**The Chair:** The hon. Member for Calgary-Glenmore on the amendment.

**Mr. Hinman:** Yeah. Again, just a few more questions of clarification for the hon. member, I guess. Is a cervid farm the total acreage that an individual might own, or is it just the actual enclosed areas? If you're raising cervid animals yet you have, you know, a woodland patch a mile away that there are wild deer or elk on, could you explain the parameters and if that's a problem? Is it inside the enclosed area, or is it all the area that one owns?

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Yeah. Thank you very much. That's a good question as well. I think that certainly the licensed portion of the elk ranch would be the enclosed part. Years ago I had an elk ranch, and we had a section of land. On the first part there were a hundred acres fenced. That was the licensed part. Then if I added more fence, I would have to get the inspector out again to inspect the whole area to make sure that the fence was adequate, that it was properly enclosed, and that we had the proper facilities to handle animals so that we could actually capture animals and treat them or tag them or identify them. They could be audited that way as well.

The elk ranch itself was always just defined by the area that was fenced to hold the animals. If you had, like you said, several quarters of land, one of them might be licensed. The other quarters are not licensed. You couldn't go out there and hunt on those. It wouldn't be part of the licensed elk ranch.

9:40

**Mr. Hinman:** I appreciate that clarification.

There are a few other areas. Again, the hunt farm is definitely the centre of controversy in most all of this in the e-mails that I receive. A few more points of clarification on, again, allowing an industry that has had its challenges over the last 20 years – and I still see it faced with a lot of challenges going forward just in the fact of the size of the market and the marketing of their produce.

The question that I have for the hon. member is, you know, that we've got farmers' markets, and we have farm gate sales under the agricultural act. We've allowed a lot of that to come forward again. It's been a real challenge, especially for those in the organic

or natural products. They're trying to sell those items, yet there's a challenge. I personally find a challenge for those people in the cervid industry being able to have those farm gate sales. What process do they go through?

My understanding right now is that if you wanted to have some farm gate sales, whether it's broccoli or asparagus or beef that you're producing, if people come and ask, you can get that and harvest it. But if you want to try and develop a farm gate sale of cervid animals, which I think is the best market available, how are they supposed to process them or allow someone to come in and, again I want to say, harvest them in an ethical way? In shooting them, which seems like the most ethical way and the most humane way to bring them down and to harvest them, we're limited to five animals per year. That is my understanding. Do you have any thoughts? Is the market really restrained and not allowed to grow because of that? Any explanation you could give on that?

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Well, thank you very much. That, again, is a very good question. It starts out with the amount of animals that you're allowed to kill on farm so that it's not really hunting. That is five animals per family per year. If you have a large family or if you like to eat a lot of elk meat, you can actually shoot an animal on your farm. You could take it probably to one of these mobile abattoirs or something and have it slaughtered, but you couldn't sell that meat. If you want to sell meat to the public or at a farmers' market or for farm gate sales, you would have to transport your animals to a licensed abattoir.

If it stays in Alberta, there are lots of provincially inspected abattoirs that can handle elk and, say, bison or deer or these odd or exotic or alternative animals. You would take it to one of these abattoirs, have it slaughtered and cut and wrapped in an inspected facility, and then you could take that meat to a farmers' market or sell it at your farm gate. So the public could actually access some elk or deer meat. A lot of people would like to eat elk, but they don't want to eat the whole elk. They just want part of an elk, 50 pounds or 100 pounds, so that's how you would do it.

If you want to export elk meat, you have to take it to a federally inspected plant. To my knowledge, there are at least two, but there might be more. There's one down in Fort Macleod at Bouvry packers, and then there's another one in Lacombe, called Canadian Premium Meats. Both of these plants are federally inspected and EU inspected so that the product that comes out of those plants could go to Europe or to some international markets, probably Japan, but mostly to Europe and maybe the U.S.

There is a very healthy market for elk meat right now. I know the industry has gone through some ups and downs, and it was partly because of CWD. Then there were some tariff issues with antler product going into Korea. But a lot of that has been overcome. The CWD problem is completely under control. With any animal that's slaughtered on farm or in a provincially inspected plant or a federally inspected plant, the heads are examined so that for every pound of meat that's sold commercially or even through on-farm slaughters, all animals that die that are over a year old have to be inspected. Any meat from these animals or any by-products have to stay on the premises till the results are back, and there has been no CWD found on an elk or deer ranch for many, many years now. The meat is very good. Every animal is inspected.

The markets are improving. In fact, the price of elk on the hoof right now is probably double what it was a year ago. I was at a sale just a few weeks ago, and the top bull went for \$6,000 or \$7,000, so there is a very lively market for breeding stock again. I



think the industry is back on its legs, so to speak, and has a very bright future. That's why this is a very good time to move forward with this legislation, to have a one-window approach to elk farming or deer farming, cervid farming in Alberta.

One of the other benefits of the legislation is that we now are going to a five-year licence for an elk ranch or a cervid ranch. It used to be one year, so every year you're back in there paying your hundred bucks to get your licence to operate your farm. That will be reduced to five years.

There are a number of these issues that'll be looked after under the legislation, and the farmers are very happy with this.

**The Chair:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. It's very much appreciated to have the hon. member's experience and knowledge in this area, and I'll continue to try and answer a few more questions from people that have sent e-mails to me and questions that I have been asked and I didn't have the answers.

Going back to farm gate sales, it's great that the breeding stock demand is coming up again, but that's going to be very limited to the actual market demand of the consumption of the meat of these animals.

Well, let's go back first to just the hunters that want to go out. When I was, you know, young and got my first hunting tag when I was 14 years old, I think it cost me a whopping \$50 to buy my gun, buy the ammunition, buy the tag, and go out and harvest the deer. I shot it, dressed it myself, brought it home, and that was very reasonable and cheap and wonderful meat. I think there are still many, many Albertans that look at hunting and approach it on an economic basis. It's the thrill of the hunt, the sport, yet the cost of it they try and control.

One of the, I guess, exciting things with domestic cervids is the opportunity for people to be able to go to a farm gate sale and purchase that. Again, in the organic market, you know, if people want organic beef or natural beef, they can go to a farm gate sale, and they can actually purchase that animal and harvest it themselves, much like a hunter.

This is the challenge that I see for the industry. Why would we not allow those same regulations, to allow someone to go to a cervid farmer and say: I would like to buy that animal and then be allowed to harvest it and take it home and not have to go through the expenses. When you have to go to these abattoirs, they're very expensive to process, and it becomes prohibitive for many who would like to eat that. Again, as you say, having to harvest the whole animal can be expensive whereas if they're hunters on their own, they know how to dress an animal properly and want to wrap it, freeze it, and take it to their home. It just seems to help the industry that we would allow these farm gate sales and allow the harvest to be taken.

You mention that they're allowed to shoot five a year, but there is no provision for myself or some other Albertan to go to one of these farms and buy that animal, then – is that what you're saying? – without taking it to an abattoir that's provincially or federally regulated. Is there any current way for someone to go to a cervid farm and buy and harvest that animal themselves, bypassing the expense of government and industry being a go-between, saying: "Well, you can't handle this properly yourself. You can go do it in the wild, but you can't do it here at a farm gate sale"? Any explanation on that?

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Thank you very much, Mr. Chairman. Yeah, that is a good question. I think if you were to go to a farmer to buy some

beef, and you said, "I just want to shoot that animal in your pasture" or "I just want you to put it down humanely, and I'm just going to take it home and cut and wrap it myself," that probably would not be legal. I'm sure it probably happens from time to time. Somebody might go out to a friend who's a farmer and acquire some meat that way. But I don't think it's legal for farmers to be selling cut and wrapped meat or half carcasses or whatever off the farm unless it's gone through a provincially inspected process.

This is exactly the same as the legislation in Bill 11. It will not allow for Joe Public to just go to an elk farm and pick out an animal and just shoot it down and say: let me take the carcass home and slaughter it or cut and wrap it myself. That will not be part of this process. There is other legislation that deals with the inspection of meat and products for sale, and I think that this will come under the exact same legislation as selling pork or chickens or beef or any other kind of animal that's being sold on the marketplace.

**9:50**

Basically, if you want to buy part of an elk or part of a deer, you're going to have to go to a local abattoir and have the farmer bring his animal in or go to one of these mobile slaughtering operators and put the animal down on the farm humanely. They'll put it in a squeeze or something, and they'll kill the animal, slaughter it there, and a mobile operator can then cut half of it or a quarter of it or a part of it for you. You might want to say to him: "You know what? Give me the quarter of the animal. I'll take it home and cut and wrap it." But it has to go through a process. I think you could probably do that somehow, but you'd have to know the people and make it happen.

We are not going to do anything illegal here, and we're not going to cut any corners or make it easier for people to pretend that they're going to go out there and shoot an animal and turn it into a hunt ranch. This is not the intent of this bill.

**Mr. Hinman:** It just begs the question for me, hon. member: why the arbitrary number of five? Why not two? Why not 20? Why not 50? Why do we allow it for five, but we do not allow any more than that? Like I say, we allow an individual to buy a hunting licence and a tag and go in the wild and shoot and harvest an animal, yet they're not allowed to approach a domestic cervid operator and say, "I would like to purchase that animal" and then all of it.

I understand if we're going to just take a section of it and try and sell it. I have no problems understanding that. But if someone wants to come, try and save a dollar, get some very choice meat, healthy meat, they hit this expensive wall saying, "Oh, they cannot harvest their own" or "The farmer is not allowed to assist them."

They're allowed to do five. How did we come up with five and not 10 or 20? Why five?

**The Chair:** The hon. member.

**Mr. Prins:** Thank you, Mr. Chairman. You know what? The number five: I don't know where it comes from. They probably thought that an average family with a couple of relatives or brothers and sisters with families could consume five elk. Elk are big animals. I don't know if the number is the same for deer, but for elk the number is five. These are big animals, and that's lots for a family. I don't know if I have enough relatives that could eat five elk in one year. This is just an arbitrary number that has been picked.

It's the same as the licence lasting for five years. You could make it 10 years if you wanted, I guess. Maybe if there's enough

demand for 10 animals, who knows? I don't know if that's part of the legislation or the regulation, but I believe that's part of the regulation.

**Mr. Hinman:** That's the crux of the problem that I see, that, okay, if you've got connections and you're a family member, you have access and can go and get an elk, yet we're closing the market to the rest of Albertans. Unless you're a family and have this connection, you can't go there. Again I just have to ask: why would we say that family is okay but a friend isn't? Or do the rules have enough latitude that you don't really have to be a family member; you can just be a friend, and you can have kind of like the different communications program, MY5. You can pick your five and allow those to benefit from domestic elk or deer, but that's it. You're limited to that. How strict is the legislation?

**Mr. Prins:** You know, I can't answer that question. I think if people aren't messing around with the rules, there will be no problems. When you turn it into 25 or 50, that's when people are going to start asking questions. I think if people just use their heads and stay reasonable, I think everybody that wants to get a piece of elk meat can either buy it at the farmers' market or if they know somebody that has animals – there has to be a way to make this work. But I think the best thing to do is to go back to the market, buy the meat that's inspected, stay safe. That way, you'll also know that the animal has been tested. I would suggest sticking with the rules, and if you really like it, build your own farm.

**The Chair:** The hon. Member for Airdrie-Chestermere on amendment A1.

**Mr. Anderson:** My last question. Thank you, hon. member, for answering my first question with regard to the hunt farms. There will be no elk hunt farms under this legislation. I think that's clear.

The other issue that I've heard is that – and I read this in the bill. There seems to be a clause – I should have found it here a second ago. I thought I had it written down. Anyway, in one of the clauses it talks about the ministry having the power to unilaterally, essentially, change – you know what? That's a different clause in the bill, so I'm just going to sit down and I'll ask him when we get back to the bill.

**The Chair:** The hon. Member for Calgary-Glenmore on amendment A1.

**Mr. Hinman:** Yes. I again would like to discuss a few more possibilities. I mean, what we want is the Alberta advantage. Last session that was the government's Bill 1, to restore the Alberta advantage, a little bit more admirable of a bill to say that, you know, we've got a problem here. We've undermined it.

It was interesting. Just on the weekend – and I wish I had brought the article with me; I meant to cut it out – there was a fine lady who has gone through two and a half, three years to get a mobile processing unit for chickens in British Columbia. I don't know if the hon. member saw that article. Two and a half years, and it was continually no, no, no, no, no. She just kept asking: well, what do we have to do? She charges \$3.50 an animal to process. Again, these mobile abattoirs are a great blessing for many small producers that couldn't justify any other way of existing than these mobile processing units.

Again, though, the regulations are amazing. The hon. member says: well, if you want more, build your own farm. I'd say: well, okay; buying one is probably easier than building one. If it hasn't been a successful business, it's kind of like buying a golf course that went under. I think the capital costs to build one are immense.

You can buy them at a pretty good discount compared to what they actually cost.

Again, the nagging question that I have is about these rules and regulations that government put in place, always declaring the safety of the people, which undermines many of our industries, and they leave and go offshore to other areas. This isn't an industry that's going to be driven offshore, yet it can be driven into a position where there's no longer an advantage, no Alberta advantage to raising elk or deer in Alberta because of the rules and regulations surrounding it.

You mentioned that, you know, this bull elk sold for \$6,000. Well, even if you're a small elk producer, if it's only one and you've got 25 because half of them are bull elks, what do you do with the other 24?

I remember when I was very young and they first brought over the exotic Simmental, Charolais, and the other ones, I mean, people were paying \$60,000 for a bred heifer, just exorbitant prices. That finally went bust. People who had paid those high prices at the end – finally, there was enough of a supply that there was no more real demand for the breeding stock – had to go back to what the business really is, selling beef by the pound. A \$60,000 bull or heifer: there's no justification for that.

Because deer and elk are, you know, domesticated wild animals, someone who wants to have access to them should be able to go to a farm and just say: I'd like to buy one. Just to clarify again. If I was a relative and I went there, it's okay to use a rifle and shoot them in the pen, up to five animals. Can you even sell them to a family member, or does this have to be a gift? Do they actually go through the harvesting practice of using a rifle, or is there some other method that they have to use to harvest these animals?

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Thank you again, Mr. Chairman. You're asking some questions that are very difficult to answer, first of all, because I'm not out on those farms, and people have different ways of operating their own farms. My view on the question: how would you kill five animals? I would put them in the squeeze, and I would use either a captive bolt gun to shoot them so that you don't wound the animal or shoot a big hole through it, or you'd want to use a small calibre gun to kill an animal from a very close range so that you're not destroying a big part of the animal. Plus you don't want to destroy too much of the brain because the brain is what they examine to test for CWD. There is a way to do this. If I were selling an animal, I would never shoot it in the field because you're going to destroy meat. That's just not a good way of doing that.

**10:00**

I think that if you're going to shoot it on a farm, you need to have a mobile abattoir, and if you're going to sell meat, it must be inspected. So unless you're giving it to your family members, you'd have to make that arrangement yourself. I can't speak for other operators, but there's no way to sell meat without having it inspected. There's no way to kill an animal on a farm and have it slaughtered there without a mobile abattoir, and those abattoirs are inspected as well. So it's a very regulated business, and that's to protect the consumers. If you start cutting corners somewhere, somebody's going to get hurt. What I mean by hurt is that they're going to get an unsafe product that doesn't meet the standards. So we're just protecting the consumers.

On the other hand, you can say that it adds to the cost, and that's true. But the fact is that there's a good market for elk meat

internationally. We don't have enough elk meat. What's happened is that the price was down for so long, yet we were developing markets. Now the markets are developed, but we don't have enough animals. So we want to grow this business back up to supply the international market. There is a huge market for venison and elk and deer meat in other countries, so this is actually a prime time to get going.

We might be a little bit late on the numbers of animals because too many animals have been lost due to farmers quitting and selling off their breeding stock and maybe not breeding animals in the last couple of years because of the low prices. This is a cyclical thing that happens in all industries. It happens in the beef industry. It happens in the pork industry. It's just part of agriculture that you go through these cycles. People make decisions to get in or get out, and it's just business. It's a business decision that people will make, to stay in or get out or to supply the market or not to.

It's much the same in the bison market today. The bison market has probably doubled in value. The animals themselves have doubled in value in the last year because people have acquired a taste for this type of meat. It's healthy meat. They say it has ZIP: zinc, iron, and protein. It's very, very healthy, and this is what people want. Peoples' diets are changing, and they're going to this type of meat.

We want to have a strong industry that is regulated under Agriculture, and we want to protect consumers in the health of the product. We don't want to cut corners. We want this industry to survive and prosper.

**Mr. Hinman:** I appreciate those answers. Just to clarify, then, when you're allowing family to come in, you're not allowed to receive any money for that? And did you say that you'd bring them into a chute, and then you'd possibly shoot them through the lungs or the heart, or is it just an area that you don't have enough experience in so you won't comment on it? How do they process these five animals that we allow? Again, can we actually sell them to family, or do we have to give them to them under this legislation?

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Prins:** Thank you, Mr. Chairman. I don't think the legislation addresses on-farm slaughter. I think that's probably regulated under a different act. How they do it is entirely up to the operator. If I were to kill five animals, I'd bring them into a squeeze, and I would humanely euthanize them and have them slaughtered. I think that every operator would have their own way of doing it. But if I didn't do it on a farm, I would bring them into a provincially inspected abattoir and have them kill them in the normal way that they would do cattle and pigs and any other animal.

**The Chair:** Any other hon. members wishing to speak on amendment A1?

Seeing none, the chair shall now call the question on amendment A1.

[Motion on amendment A1 carried]

**The Chair:** The committee shall now get back on the bill as amended. The hon. Member for Airdrie-Chestermere on the bill as amended.

**Mr. Anderson:** Okay. The other questions I've been getting regarding Bill 11 surround section 10 of the bill. It says there in 10.1(1), "The Minister may issue a permit authorizing a prescribed activity." [interjections] Never mind. Question answered.

**The Chair:** On the bill as amended?

All right. Seeing no other hon. member wishing to speak on the bill as amended, the chair shall now call the question.

[The clauses of Bill 11 as amended agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

## Bill 10

### Alberta Land Stewardship Amendment Act, 2011

**The Chair:** The hon. Minister of Sustainable Resource Development.

**Mr. Knight:** Thank you, Mr. Chair. It is a pleasure for me to stand here tonight and open debate in committee with respect to Bill 10, amendments to the Alberta Land Stewardship Act. The bill, of course, is entitled the Alberta Land Stewardship Amendment Act, 2011.

A little bit of background if I might. I think that everybody understands that the province of Alberta has had a period of time when there was a tremendous amount of growth in the province. In fact, if we look back in 2006, '07, and '08, that growth in certain areas of the province, particularly in Wood Buffalo, was at a point where many Albertans were indicating to the government that something needed to be done in order to be sure that we had the proper type of facilities in place and the proper infrastructure in place in order for us to continue to develop our resources in the province. And it wasn't just there. As a matter of fact, Mr. Chair, if you look at Fort McMurray, Grande Prairie, Red Deer, Medicine Hat, Lethbridge, Edmonton, areas around Fort Saskatchewan, the city of Calgary, the growth was tremendous, and the pressure was also tremendous.

We have to realize that the economic engine of Alberta and Canada is the investment in the energy industry and particularly the energy industry in Alberta. There was \$172 billion invested, capital deployed in the province of Alberta in five years, from 2005 to 2010, and this is in conventional oil and gas plus the oil sands. That's a tremendous amount of capital for an area that has a population of about three and a half million people.

What happened along with this is that the economic engine also fuelled population growth. The population growth in the province of Alberta over the five-year period of time from '01 to '06 was about 315,000 new Albertans, and we're now attracting about 60,000 people to the province of Alberta per year. So you can see that I think in 13 or 14 years we've increased the population in Alberta by about a million people.

This is a busy place. It's a busy landscape. There was economic and human pressure on the land. There was a need to manage our land and multiple land uses. There was also a need to manage the combined impact of all of the work that was going on, whether it was development of resources, building homes, building highways: all of the kinds of combined impacts that we needed to have managed. We needed a new planning concept.

## 10:10

Mr. Chair, this new concept is the land-use framework. We started consultation with Albertans in 2008, working on the land-use framework. It came with a number of, I think, very good and solid potential planning tools. First of all, a need and a require-

ment to balance our economy, the environment, and social objectives that people in the province of Alberta need and desire, want, I think have been provided with respect to social requirements for living and working, raising their families in the province of Alberta. Social requirements like health care, education, social services programs, the opportunities for recreation, the opportunities for touring and tourism: the land-use framework was laid out to provide these types of things.

We also have there the development in the framework of seven regional planning areas, the seven regions based on major watersheds in the province. Each region had unique challenges and unique needs. So we divided this into seven areas and started the work on the lower Athabasca region first. Of course, as I said, the majority of the pressure that Albertans were feeling was because of a tremendous amount of activity, probably in the neighbourhood of \$40 billion to \$50 billion worth over a couple of years there, development that was taking place in the Wood Buffalo region.

We have regional land-use plans that were spawned from the land-use framework. Regional land-use plans, Mr. Chair. They're regional in their concept, regional in their development. They're regional in the strategies that were deployed to put them together, and they will be regional in their implementation. There's nothing centralized about this issue at all. The regional plans start with regional advisory councils, individuals from the areas that they represent, bringing forward an opportunity for them to give government their vision and their advice with respect to how a regional plan for their particular unique area should roll out and should look for the future of Alberta. These plans will be tailored to regional needs.

There was a requirement, when we started into this, for legislation to enable regional planning, and we needed legal support to implement regional plans, and we needed certainty of regulation. We have the Alberta Land Stewardship Act. The intent of the legislation – the intent of the legislation – is very clear. We intend to respect private property rights. We intend to respect statutory consent holders. We intend to respect existing compensation and the appeal mechanisms that people have toward compensation. We have respect for local governments and the work that they continue to do and are responsible for. Many rights are defined in other Alberta statutes. ALSA doesn't provide these rights, Mr. Chair, and ALSA does not take them away. They exist in other legislation.

But there was a need to clarify this intent. ALSA and this government and this Premier required clarity. I was asked by the Premier to go out and listen to Albertans. While we were doing the consultation around the first couple of regional plans that we were working on, particularly lower Athabasca, I heard a lot from Albertans. The Premier asked me to go back and listen, and if necessary, to make adjustments. The result of that listening and the adjustment is Bill 10.

Bill 10 clarifies the respect for existing rights that Albertans have, and it creates some new processes. There is a commitment in Bill 10, right in the front end of it, to property rights. There is a refined scope to the regional plans. There is a very solid and firm explanation that statutory consents exclude land title, and there are no changes to the right to compensation of any entity or person in the province of Alberta relative to something that may be put in place with a regional plan. All of the rights to compensation that existed previously are maintained and clearly spelled out in Bill 10.

Local decision-making by municipal governments and co-ordinated planning with municipal governments is another one of the things that Bill 10 very clearly spells out. We as a government

cannot make laws under municipal authority. Mr. Chairman, the municipalities are great partners for the province of Alberta and for the Alberta government. We respect them, and we have no intention of interfering with municipal authority. Municipal development permits, for instance, cannot be cancelled or changed once work has commenced on new projects. Bill 10 very clearly respects all existing rights.

Statutory consent holders: if there is any impact on statutory consent holders, they must be provided with notice of compensation, under what laws compensation applies to them, and how that compensation will be determined.

With respect to private landowners, Mr. Chairman, the regional plan cannot – cannot – remove a title. It can affect an interest in property – that's very true – but if it does, it would be very limited and in cases where you might have something like a conservation directive. In the case of a conservation directive it would be very likely that the landowner would agree. In most cases landowners already understand what special pieces of real estate they actually own. Conservation directives do not include your title and would not remove title from the land. All it would ask is to put a directive in place. By the way, compensation is paid if that directive has any negative effect on the value of the owner's real estate.

Where there is a right to compensation, compensation is paid. The legal term "compensable taking" was included in Bill 10 to make it very, very clear that the right that we're now giving titleholders in the province of Alberta goes well beyond the right in almost any other jurisdiction in North America. It is a very, very solid addition to the Alberta Land Stewardship Act. Landowners also for other reasons can apply for compensation, and they can appeal the compensation to the Land Compensation Board and, Mr. Chairman, also to the courts if that is their desire.

There are some new provisions in Bill 10 that would be added to ALSA as we move forward. Of course, these plans are region-wide. There is a tremendous amount of work that goes into this, but these plans on purpose, Mr. Chairman, have a five-year review and a 10-year renewal. You could not foresee every circumstance and every situation when you start developing a regional plan. There are cases where this could affect someone's existing use. What we've done with this is said: "Okay. This could be a case. This is possible. Let's give people an opportunity." So they can apply for a variance. They can apply for a variance to land-use designation in a regional plan. Titleholders and leaseholders can apply to avoid unreasonable hardship on themselves and still honour the intent of the regional plan. I think these are very, very solid movements forward with respect to planning in Alberta.

Also, you can apply for a review. Anyone directly and adversely affected can apply for a review to a regional plan. They would apply to an appointed panel. The results of such a review would be made completely public in a transparent process. These, I believe, are new checks and balances that add to the strength of land-use planning in Alberta.

**10:20**

We also have as checks and balances in the amendments a public consultation requirement. Previously that was not the case. I heard very strongly from Albertans that they wanted public consultation. There is now consultation required. The consultation report would go to cabinet, and the draft regional plans, also another check in the system, will be filed at the Legislature.

Mr. Chairman, I think that there's some very solid meat in the amendments that we're bringing forward in Bill 10, and I am going to encourage that, again, people take a good look at this. I hope that all Albertans take a look at what we're doing with respect to land-use planning for the future in Alberta. Again, it

respects, I think, the existing rights and all rights of Albertans, it respects existing compensation, and of course it respects our existing methods of appeal.

There are new provisions to review regional plans, new provisions that make it more transparent in a more transparent planning process. There is very strong support for regional planning across the province. I found almost no people that did not feel we needed to move forward with regional plans. I think it's very essential that we do this with respect to multiple land use that is going on and will continue in the province.

Mr. Chairman, I will end by saying: it's your land, it's your plan, and it's your future. Thank you.

**The Chair:** The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. That was an interesting speech from the hon. minister, and I listened intently to it.

Certainly, it's only two years since we dealt with Bill 36 in the Assembly, and of course it was quite a comprehensive piece of legislation. It was viewed by many different people across the province with suspicion, and certainly I wasn't confident enough to support it at third reading. Here we are two years later, after the public is beginning to figure out this government and this government's habit of wanting to do so much without public consultation, behind closed doors. It's a cabinet decision. "The cabinet is benevolent. It knows what's best for the citizens. Don't worry. We will look after your interests." That theme is, unfortunately, quite popular with this government, Bill 36, and now we see the companion piece of legislation two years later, Bill 10, and we see the problems.

It's interesting to listen to the hon. minister talk about the need for land-use planning and a land-use framework, and the hon. minister would be right. But when this government was cheered on wildly by the Deep Six, a group of MLAs, one of whom is in the Premier's chair at the moment, whenever cuts were made and programs were dismantled, well, I would remind hon. members of this House that the regional planning commissions in the term between 1993 and 1997 were abolished: we didn't need any regional planning commissions; it was a waste of time; it was a bureaucratic exercise; let's get rid of them. Look what happened. Look what happened.

Now, I know the hon. Minister of Sustainable Resource Development is too young to remember all this, but when Steve West was here and cut and slash was the theme, the regional planning commissions went. They disappeared, and we have the same party now indicating that we need them.

I couldn't help but notice at the AAMD and C just how defensive the Premier was in his lunchtime remarks. He was talking about silk-suited lawyers running around the province spreading misinformation, causing trouble. I wondered: who is the gentleman talking about? [interjection] Well, I had the opportunity, hon. member, of attending the ag society and the Eckville Chamber of Commerce debate that they hosted between this very silk-suited lawyer, Keith Wilson, and two of your distinguished seatmates. There was a rumour circulating in that community hall before the meeting started that you, hon. minister, were going to arrive by plane. It was a large meeting. I didn't see you there, and I didn't hear the buzz of an airplane over the community, but that possibly could have happened.

The government is certainly very defensive about these issues around planning, land use, and they're very defensive now about Bill 19, Bill 36, and, of course, Bill 50. They're all related. They all have the same issues. This is a government that has a tendency

to want to make decisions behind closed doors: don't ask us any questions; we're doing what's in your interests. But the public knows, clearly, that it's not in their interests.

Now, Mr. Chairman, one of the things I would suggest we need to do in committee is . . .

**Mr. Knight:** If you're not going to make sense, I'm going home.

**Mr. MacDonald:** Well, before you go home, I would like you to consider giving Bill 10 some public consultation, a round of public consultation. We could send it to a policy field committee, the Resources and Environment Committee. The hon. Member for Lacombe-Ponoka was at the meeting on Thursday night in Eckville. Let's let that committee have a series of public meetings and public hearings across the province in central Alberta, northern Alberta, southwestern Alberta.

Citizens have a lot of issues about the direction you're going in with Bill 10. If Bill 36 was so well drafted, we wouldn't have it here less than two years later, amending the thing, trying to make it sellable to the citizens. That's why I think we would be better off with the policy field committee going around and having a public hearing in a place like – oh, dear. I'll say: let's just stop in Red Deer. We could go to the Legion in Rimbey. There are a number of places we could go if we would not want to go to the ag society, where the meeting occurred on Thursday night. That's one thing we could do. We could ask the people. We could ask the citizens how they feel about regional planning and regional planning commissions and what role they should play. We could also ask the citizens, the property owners, if they're comfortable with the explanations that this government is providing regarding these companion pieces of legislation.

No one denies that we need a form of planning. We had a perfectly good one, but we decided: "Hey, we don't need it. What's that doing?" Then we realized that we've got problems, and we've got no one to blame but ourselves, and ourselves in this case is the Progressive Conservative caucus.

**10:30**

Now, also with Bill 10 there are a few other individuals that indicate – one is a citizen acting on his own, Mr. Sam Gunsch. He has a publication dated April 20, 2011, and he indicates that Albertans deserve a public hearing on the Bill 10 amendment act before the provincial government proclaims it into law. Well, let's give it to the hon. Member for Lacombe-Ponoka and let him go across the province and hear directly from citizens.

Mr. Gunsch goes on to say:

Albertans deserve to have [a] public review in plain language of proposed Bill 10 Amendments Act before it becomes law so they can participate on an informed basis in the making of law in Alberta. Albertans have a democratic right to know whether this proposed Bill 10 law is an American-style law, a type of takings legislation which could insulate, by threat of lawsuits, the industrial corporations using Alberta's public lands and forests from enforcement of environmental regulations. Albertans deserve a hearing to determine whether Bill 10 is American-style takings legislation, before the Alberta government proclaims it as law. As citizens, our ability to have control of our democracy, to serve the common good and potentially millions of dollars in lawsuits and payouts to corporations are all at stake.

That's one gentleman. That's one gentleman's request.

I heard many requests in Eckville on Thursday night. The Minister of Education heard many requests there. What is the response of this government? What is their response? It's not to have a committee of this Legislative Assembly have public hear-

ings across the province. No. The response is an oral notice to have closure on this bill. Five hours. We're going to limit debate on this bill to five hours. That's the response of this government.

**An Hon. Member:** Make it count.

**Mr. MacDonald:** Tell that to the citizens. If you had been at the meeting the other night, hon. member, and said that, I don't think you would have left that community . . .

**Mr. Hinman:** He wouldn't have been able to walk out on his own power.

**Mr. MacDonald:** He might walk out on his own power, but I think he'd need some rugby players to assist him to his vehicle. Or maybe some rodeo hands could help him out. To the Minister of Education: what would have happened if you had stood up at the end of that meeting and said: "I'm going back to Edmonton, and I'm going to restrict and limit the debate on this bill. I'm going to invoke closure"? What would the citizens have thought?

Now, Mr. Chairman, we have a democratic deficit in this province. It's evident as a result of the behaviour of the hon. Government House Leader this afternoon with his oral motion that we're having . . . [interjection] Yes. That's a good point, hon. member. We do have a democratic deficit here, and this is another example of it. "We know what's best. We're this benevolent group. Don't worry. Trust us." Well, the citizens no longer trust this government.

In fact, Mr. Chairman, when you look at the Conservative leadership race – I wanted to check out their websites the other day, so I went on a couple. Pretty nice websites. Very well done, professionally done. I noticed one, the former Minister of Justice, one of the front-runners in that leadership race.

**Mr. Hehr:** Is she a legal scholar herself?

**Mr. MacDonald:** A legal scholar, of course. She wants to get rid of Bill 36, wants to go back to the drawing board on this, wants to have a second look at this. Not this Bill 10, not this excuse of public consultation; let's have a second look at this.

I can't imagine the discussion internally in the Progressive Conservative government caucus about this matter, but I'm sure there are other members of this Assembly who are in that leadership race who also have opinions one way or the other on whether this is good or bad legislation and whether we should proceed or whether we should go back and have some public consultations which are meaningful. But no. Here we are. We're going to have a limited time to debate this. I would like to go back to that ag society hall and hear what the citizens would think. Five days later this government restricts debate to five hours.

**An Hon. Member:** What would they say?

**Mr. MacDonald:** What would they say? I would say that they're going to start shopping around for a new government is what I would think. They're weren't impressed, and they're going to be unimpressed with this latest action.

Now, Mr. Chairman, when we look at this bill and we look at the government's view, we can say . . . [interjection] The hon. member is trying to heckle me.

The spin is that this allows for a wider consultation process both before our regional plan is developed and when plans are being amended. We heard that with the previous speaker. We're going to allow for compensation for those who were directly impacted, in this case the landowner or the property owner. It allows for

appeals regarding either a regional plan or an amendment to the regional plan.

Well, it was put to me the other night at a separate meeting in Stony Plain on this issue where a gentleman came up and said: the government wants nine acres of my family farm to widen the approach to highway 43, and they have offered me \$36,000 for the nine acres. He said to me: can you find me in the county of Parkland nine acres of land for \$36,000? If I had been quick, I would have said: you should see the Minister of Education; I'm sure he can find it for you. But I didn't think of that. He said: there is no place in this county where such a deal exists, yet this is what the government wants to provide me for relinquishing my land for this expanded right-of-way. He didn't think this was fair. He didn't think this government was listening to him. You know, Mr. Chairman, he's absolutely right to think that, because you're not listening, and you don't care what his view is.

You have this idea – you're almost like the English royalty – that you have a divine right to rule, but you don't. You don't. To hear, hon. members across the way, what you heard in Eckville on Thursday night and then to come back to this Assembly and five days later restrict and limit debate to five hours is, I think, very disrespectful of democracy in this province, and it's very disrespectful of the people who came and politely listened to both sides of the debate on this bill and on the whole approach that this government has taken on Bill 19, Bill 36, and Bill 50.

In fact, I don't know who put that billboard up on 104th Avenue, Mr. Chairman, but I drove by there slowly on Easter Sunday, and I saw on the right-hand side of that billboard "Edmonton Stickmen," whoever they are. Maybe they're just a group of people who own a lot of property in rural Alberta. I don't know. But they certainly have an opinion, and they're certainly willing to place their money with an advertising agency and express that opinion, and that's their right. That's their right. But we have to be very concerned in this province about this government's approach: they know better. In reality it was clear to me the other night that the citizens have caught on. The citizens certainly have caught on.

**10:40**

Mr. Chairman, in conclusion, with this bill I would really urge this Assembly to please consider giving the field policy Committee on Resources and the Environment some work to do over the summer, allow them to travel across the province, consult publicly with citizens who certainly have an opinion about this and other legislative issues that the government has implemented, and then come back to this House with a bill that is acceptable to property owners regardless of whether they live in urban areas or in rural areas.

Thank you very much.

**Mr. Anderson:** That was an excellent, excellent speech by the hon. Member for Edmonton-Gold Bar. That's where I live when I'm in Edmonton, Edmonton-Gold Bar. That was a great speech.

I'm going to start tonight by getting something on the record immediately. I've talked about this previously, but since we're going to be in here together for the next couple of hours, a few hours, five hours, I guess, tomorrow, likely, I think there needs to be an understanding of where I'm coming from on this bill. My parents always taught me growing up that when someone makes a mistake, they need to fess up to it. They need to correct it. They need to admit to it, and they need to try to make up for it or make restitution for it as fast as they possibly can.

In 2009, when this bill was passed, I spoke in this Legislative Assembly in favour of Bill 36, no doubt about it. My good friends over there have put it on YouTube. It's there for the whole world

to see. I absolutely spoke in favour of it, and I did so of my own free will and choice. I could sit here in this Assembly and say: "You know what? I didn't have enough time." And there's truth in that. I didn't have enough time to look over the bill. I don't think any of us did over there. It was rammed through very quickly, very short time period, very thick bill, and I don't think we had anywhere near the time we needed to consult with our constituents, et cetera, et cetera, et cetera. I could say that. That is an excuse. [A cellphone rang] That's not me, by the way.

I could also say that I trusted the opinion of the minister and the Justice minister at the time as well as the Premier. I thought that they had more thoroughly reviewed the bill and gotten expert legal opinion on it, et cetera, et cetera, et cetera, and I trusted them. I could use that as an excuse, but I'm not going to use that as an excuse.

I could also say that when I was over on that side of the House, all votes were whipped. We all know that that's the case, especially for any kind of important legislation or any kind of government legislation.

**An Hon. Member:** No.

**Mr. Anderson:** Yeah, I know. It's hard to believe. It's hard to believe.

I could say that that's why I voted for the bill, but I'm not going to say that.

I voted for the bill because I made a mistake, and I want to apologize to the people of Alberta for standing up in this Assembly and speaking in favour of a bill that absolutely is a harmful bill, is not what Albertans want. I made a mistake. I fess up to it fully. No questions asked, no excuses.

Our former Premier, Ralph Klein, taught Albertans, I think, a lot of things. One of the things he taught us, one of his lasting legacies – and he'll have a lot as opposed to the current Premier – is that when he made a mistake, he acknowledged it. Whether it was a personal issue or whether it was a policy issue, he'd say, "I made a mistake," and he would back away. He would say "Sorry," correct it, and move on. That is what made that man so popular in this province. Even though no doubt everyone agrees that he made quite a few mistakes, by and large he stepped back when he made a mistake. He listened to the people of Alberta. He would step away, and he would say: "You know what? I made a mistake there." Obviously, you can't make up for all your mistakes, but he would sure try, and that made him popular and beloved by most people in this province. There is a lesson to be learned from that politically. There was a reason he was able to be so popular for so long, because when he made a mistake, he was willing to say sorry and make up for it and make restitution.

In contrast we have this government, which is absolutely unable to admit when they have stepped on a snake and made a mistake. They just physically cannot seem to be able to do it. It's like it's beyond their capacity. I don't know where that started, but for some reason it's the case. We saw that with the royalty framework. We saw that, clearly, it was an absolute disaster. It was a botched policy that cratered thousands of jobs in this province, sent billions of dollars fleeing to Saskatchewan and British Columbia and the United States. It did so at the beginning of a recession, when we needed all hands on deck and all the economic stimulus possible. They had every excuse in the book to say: "You know what? We made a mistake to jump on this too quickly. We're entering a recession. We need to stabilize things. We need to take another look." No. Full steam ahead, no questions asked, and Albertans suffered because of it.

I don't care what the bloody intentions of the government opposite were in that regard. Yeah, there were a few of us in that caucus that spoke out against that royalty framework, but every single time we did, we were shouted down, belittled, told to just relax, et cetera, et cetera, ignored, ignored, ignored. They went forward with that new royalty framework, and it was an absolute mistake. They started to back away from it slowly but surely, step by step, eight different changes, and they still wouldn't admit that they had made a mistake, and they still don't today. They blame it on the former finance minister, Dr. Oberg, or whatever. I mean, it's just incredible. Just admit that a mistake was made and move on. Make up for the mistake. So there was the royalty disaster.

There was the health care disaster. I mean, the centralization of health care delivery and the superboard has been a total train wreck, and everybody can see that. I mean, costs have escalated out of control, double-digit increases in less than two years. There have been virtually no efficiencies made in health care due to this superboard amalgamation. It hasn't worked, but has there been a mistake? Did Mr. Iron Hands over there, you know, Energy Minister Iron Hands make a mistake? No, he didn't make any mistakes. Absolutely not. Good grief. Of course he made a mistake. Government made a mistake. They should back away from that and realize that the centralization of health care did not work.

We see this with the public inquiry. Mistakes have been made. Mistakes have been made with regard to the public inquiry. Clearly, people have been bullied. They've been intimidated. Doctors, nurses, physicians, specialists, health care workers have been bullied time and time again, and there has been no admission of a mistake by this government. They're not even necessarily involved in it. We don't know. It would be nice to know. It would be nice to have a public inquiry on it. Then they could absolve their names. But no. Here we are. No mistakes. Full steam ahead. First it was: "No. We don't need the Health Quality Council." Then it was: "Okay. Yeah. We need the Health Quality Council but not a public inquiry." I mean, they just don't seem to understand what Albertans want, and then they don't react to it accordingly. They don't respect the will of the people in this regard.

And here we are with these property bills: Bill 50, a brutal bill. Absolutely no question that the Energy minister at the time, now the SRD minister, made a huge mistake with Bill 50. There's no doubt. I know the debate that went on in caucus there. That was one of the few bills that there actually was a debate on in caucus. It was blasted through, and every single person in this Legislative Assembly except for a few who abstained from the vote voted for it. You know it's a bad bill. You know we shouldn't have usurped the role of the Alberta Utilities Commission. Everyone here knows that. Everyone knows the mistake that was made. Everyone knows these lines are probably not needed. We all know that, yet we barrel ahead with it.

**10:50**

We had a chance to repeal the bill here with a motion just the other day, the motion that I brought forward to the House. No, we're not going to do anything. We had people here that I know voted against it in caucus standing up to vote for it here. What a joke. What an absolute joke that is, so dishonest with people's constituents that they would vote for it in the House and against it in caucus. It's worse than the people that are voting for it in caucus and in the House. Anyway, it's just unbelievable.

Bill 36 is the next example. That was a mistake. I was part of that mistake. I voted for it. I spoke to it. It was wrong. Everywhere we go in this province – take it to the bank, guys – you're going to lose dozens of seats in rural Alberta because of this bill. Take it to

the bank. I mean, we could start naming names. We won't, but I guarantee it's going to happen because you won't admit that a mistake has been made and that you need to correct course. Your constituents are not going to put up with it. You have a chance here to put this to a committee, do the right thing, and regain some of that lost support. Just do the right thing.

We were in Eckville the other night, as the Member for Edmonton-Gold Bar put it. It was an incredible night, and 400 or 500 people showed up. It was a healthy, good debate. There was no doubt in my mind who won the crowd that night. Then all the comments I heard from the ministers after, from the Minister of Education and others: "The fact was that it was a Wildrose crowd. You know, they put a whole bunch of Wildrose people in." Come on. Good grief. You guys have been the government for 40 years, for Pete's sake. You can't fill a room? Holy smokes.

We didn't put out any call or anything. We knew about this about 10 days ago and decided that, well, we'd better go see that; that sounds interesting. So we went. And guess what? So did 400 to 500 Albertans. And guess what? Frankly, the former Minister of SRD was booed out of the room by 500 rural Albertans. You know what? I guarantee that of those 500 rural Albertans – guarantee – 90 per cent of them voted Progressive Conservative the last election. I guarantee you that 90 per cent of the people in that room will not be voting Progressive Conservative in the next election. Take that to the bank. And their families and their friends and their neighbours won't be either because this government won't listen.

So I would ask the government again to learn from that very noble man Premier Klein, who came before the current Premier. When you make a mistake, admit it, back away from it, and do what your constituents want. That's why we absolutely need to re-examine this bill, take it back to the drawing board and see how we want to proceed going forward.

One thing the Minister of SRD and the government is right on is this. Everybody wants good regional planning. No one is arguing against good regional planning, good conservation practices, making sure we take into account cumulative effects when we're approving new projects, making sure we have enough water in the South Saskatchewan basin: all that stuff. We all agree on that. But Bill 36 and Bill 10 as an amendment to Bill 36 do not do that.

It is a central planning document; it is not a regional planning document. I don't care. In the bill itself it specifically says that these regional commissions, that the government appoints, by the way, these RACs – what are they called? – regional advisory panels, commissions, whatever they are, are appointed by the government, so that's not democratic to start. Aside from all that – say that it was democratic and that these were locally elected officials – they don't have to take into account anything that these people talk about, anything that they advise, anything where they say: here's what we advise the government to do. They don't have to listen. The government doesn't have to listen to a word they say.

You know, it's great that they say, "Oh, we'll take it under advisement," and "We're doing consultation." No. That just means that the central planning government is going to talk to local people, a few people that they appoint, about what they think should be in the plan. That's not democracy. That's not regional planning and decentralized decision-making. That is socialistic central planning, and it's wrong. It's not what we should be doing. There's no doubt we should be giving these folks tools. One of the reasons I voted for the bill in the first place was, quite frankly, because I like the idea of transferable development credits and these types of things, but I like them as tools. They should be tools that municipalities and regional authorities have to use in order to

compensate landowners. It should be a tool in the tool box, et cetera, and those are good. Let's talk about giving the municipalities and giving these local authorities those tools in their tool box. That's a good part of the bill.

Where we went way wrong on this, where the big mistake was made, clearly, was by enshrining all power to plan land use in this province in the hands of cabinet ministers behind closed doors. We have 13 individuals that, essentially, have dictatorial power over every land-use planning decision in this province. They can do whatever. Shake your head, Minister of Education, but every single decision has to comply with the regional plan. Whatever you say from cabinet, you may allow them to do stuff, you know, by your good graces, allow the municipalities to have some autonomy and do some things, but it's completely at your discretion. If you want to come down with the hammer and plan, you can do it. You're allowed to do it, and they have to comply. That's just the way it is. Every landowner, every company, every individual, every municipality has to comply with what the government says the planning should be in that area.

Everyone should know that intentions don't matter in this case. Do you honestly think that I think or that any of us over here think that the master plan of the former Minister of SRD, the Member for Foothills-Rocky View, who's running for leader right now, is to take and expropriate people's land and not give them any compensation? Clearly, it's not. There's no way I believe that, and I won't ever believe it, but the problem is that he's not always going to be SRD minister – clearly, he's not right now – and neither is the current SRD minister.

When you give people power, politicians will abuse the power. When you create a position of power, it can be abused, and we have given the cabinet unfettered power to plan every piece of land in this province. It's ridiculous. There's no check or balance. They say that you can appeal these decisions of the cabinet. No, you can't if the cabinet will say what you can and what you can't appeal, and they appoint the committee that's going to hear your appeal. I mean, it's just asinine to say that the cabinet doesn't have total power in this case.

Anyway, it's very frustrating to watch. If Eckville taught us anything – and it's not just been Eckville. Look, 300 people came out to Crossfield, for crying out loud. I went to a meeting in Trochu. There were 250 people in Trochu. I went out to Beiseker as well for a different meeting that Joe Anglin, the former Green Party leader, put on. He put on something, and it was a little different. It was on the power lines, but this was in the middle of the day in Beiseker. There were over a hundred people there. It was incredible.

I mean, how can you deny those numbers? The people don't want these bills. They don't want them. Your intentions could be good and wonderful and all that, but they don't want them. They've looked at them. They've had time to look at them. They don't want them. This will be your Achilles heel for the next year until the next election. I guarantee it. But it doesn't have to be that way. All you have to do is stand up and say: "Look, you know what? We're going to do some more consulting with the people of Alberta. We're going to put this thing to a committee, and we're going to have all kinds of experts through to talk to the committee to thoroughly vet this bill, to thoroughly vet Bill 36, and see if it needs to be repealed or if it needs to be taken back to the drawing board or what have you."

The other thing that's amazing to me has been the arguments that I've heard from the SRD minister regarding the original Bill 36 and then its changes regarding section 11 of Bill 36. I'm just going to read the bill with regard to this. Section 11 says that "a regional plan may, by express reference to a statutory consent or



type or class of statutory consent, affect, amend or extinguish the statutory consent or the terms or conditions of the statutory consent.” Okay? It’s in Bill 36.

**11:00**

Now Bill 10 changes Bill 36, and instead of “extinguish” the statutory consent, it’s “rescind.” They changed the word to “rescind.” So now it reads: a regional plan may, by express reference to a statutory consent or type of class of statutory consent, affect, amend, or rescind the statutory consent or the terms or conditions of the statutory consent.

Okay. Now, what is a statutory consent? There’s this argument that I keep hearing from the SRD minister, who says: well, statutory consent doesn’t apply to a land title. It doesn’t apply to any kind of land title or interest in land in that regard. Well, that’s malarkey. Look at what statutory consent means. It’s in the definition of Bill 36.

I’ll come back to this point many times.

**The Chair:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Chair. Some interesting comments by the Member for Airdrie-Chestermere.

**An Hon. Member:** Really?

**Mr. Taylor:** Yes, really, hon. member. There were some interesting comments there.

One of the most interesting comments, I think, touched on this whole notion that the government for whatever reason is refusing to acknowledge, refusing to listen, refusing to understand what’s going on out there in the hinterland. The Member for Airdrie-Chestermere was right. It does so at its peril. There’s something going on out there that is big, really big. You don’t get hundreds upon hundreds upon hundreds of people out to meeting after meeting after meeting and have nothing happening. You don’t get those numbers out to these sorts of meetings and be able to completely dismiss it as just: well, you know, that’s all the people who are interested in the subject. People talk to people, and as they talk to people, they’re going to be telling people how the government has treated them on these issues. The word is going to spread that you guys on the other side have done really a horrendous job of wrapping your heads around and understanding and comprehending the depth of the opposition to Bill 36, and that opposition continues with Bill 10, I’m afraid.

Alberta’s land-use framework was visionary, in my opinion. I think I can say that with some credibility, hoping now that I don’t have to go down the same road as Airdrie-Chestermere and apologize for a mistake that I made in the past. I did in 2007 bring forward a private member’s bill, Bill 211, the Planning for the Future of Communities Act. That was not my title. That was the title that Parliamentary Counsel gave the bill for whatever reason. We brought this forward, and it was, in fact, a first attempt at a land-use and regional planning bill for the province of Alberta. Of course, it was defeated because that’s what the government did at the time to Official Opposition private member’s bills. They defeat them, and then they look at them and go: but, you know, there were a lot of good ideas in there, so we better get on with doing something of our own.

Well, out of that came the land-use framework. As I said, Mr. Chair, it was a visionary document. It was full of ideals and principles and, more specifically than that, I think, real clear directions in terms of what we needed to do around land use and regional planning in the province of Alberta. Then the government took those visionary principles of the land-use framework, ran them

through a sausage machine, and turned them into Bill 36, a law that, in my opinion – but it’s an opinion shared by very many Albertans – is fundamentally undemocratic.

It gave too much power to cabinet: complete plan-making authority; the ability to override plans; the ability and the power to make decisions, to ignore a plan, to ignore a regional advisory council, to ignore the secretariat; no checks or balances; a lack of compensation for landowners; a lack of consultation requirements; no appeals to the court; the extinguishing of statutory consent in section 11, which the Member for Airdrie-Chestermere touched on a few moments ago; all kinds of things like that. I guess the government did hear the groundswell of opposition, primarily in rural Alberta but I think to a much lesser extent but to some extent in urban Alberta as well, to the extent that they went: “Oh my gosh. We have to amend Bill 36. Let’s bring in Bill 10.”

Well, can Bill 10 be repaired? I have my doubts, but I think we have a duty to try to the extent that the government is going to allow us to try by bringing in time allocation and limiting debate at committee on Bill 10. I think we have to try and amend this bill because I think Bill 10, as introduced by the government, is a flawed attempt to amend a seriously flawed act that was based on, in my opinion, quite a remarkable land-use framework.

In my opinion, where it all went off the rails and into the rhu-barb where Bill 36 was concerned is in applying those principles in a way that gave cabinet virtually all the say in how this should be done. That certainly wasn’t my intention in Bill 211. My intention and the intention that I think existed in the land-use framework and that I would even go so far as to suggest or assume was probably the intention – and we all know the road to hell is paved with good intentions – of the former Minister of Sustainable Resource Development was to give local decision-makers the authority to make their regional plans.

If this had been done right, I would submit, Mr. Chair, the regional advisory councils would have been constructed and comprised in such a way and the contents of the growth plans of the regional plans would have been spelled out in such a way and the principles and process around consultation, real public consultation as opposed to sham public consultation, would have been spelled out in such a way that the regional advisory councils would have done a proper job of consulting with the public and would have designed the regional plans on that basis and, quite frankly, would have brought the regional plans forward to cabinet pretty much to be rubber-stamped.

If cabinet said, “Hey. We’ve got a problem with this. We’ve got a problem with this section and this section. We’re sending it back to you” then the regional advisory councils would have had the authority to say: “Well, okay, cabinet. We’ll go through the hearing process again. We’ll go through the submission process again. We’ll hear from the public again, and now that we’ve done that,” jumping forward 90 days or whatever the consultation period would be, “we’ve found out that the public really thinks that you should go pound salt. You’re sitting in Edmonton, sitting in judgment of what the regional plans should be in this area or that area. We actually live in that area. We have to live with this every day. Our plan respects the principles, and now you’re niggling over the details, so we’ve decided, based on putting this out to the public again, that you’re wrong and we’re right. We’re going to sing the ‘I was right’ song, so here’s the original plan back to you for ratification. This time ratify it.”

That’s how it should have been done. That would be true regional planning. The current Minister of Sustainable Resource Development, when he started debate tonight, made quite a speech where he tried to convince this House that this is not about centralized planning; this is all about regional planning. Well, the land-

use framework, Mr. Chair, was, I believe, all about good, responsible land-use principles and establishing a process or establishing a context within which good regional planning could be done. But by the time it went through the Bill 36 sausage machine, it came out the other end looking like something that the Kremlin could have come up with, not to put too much torque on the story. But it's like: really? We've got cabinet deciding what can go where?

11:10

**Mr. Hehr:** Not the Kremlin, the politburo.

**Mr. Taylor:** Okay. The politburo. The Member for Calgary-Buffalo says it was the politburo. I'm not up enough on my Soviet politics to know whether he's right or I'm right, but you get the basic message.

Bill 10 attempts to address the need for further public consultation on regional plans before those plans are approved by cabinet and to enhance the compensation scheme for land expropriation, but in my view those attempts fall well short of the mark. What are we going to do about it? Well, I don't know. Part of that depends on how long we go tonight, I suppose, because we know that tomorrow the government will use its majority to pass the time allocation motion, the notice of which the Government House Leader gave this Assembly this afternoon. He's required to provide 24 hours' notice of that motion, so in about 16 hours from now or a little bit less that time allocation motion will click in, and from that point on the meter is running, and we've got five more hours in committee to debate this bill.

That's significant, Mr. Chairman, because the committee stage is the stage at which we can propose amendments. We can't really do that except in terms of bringing forward amendments that would seek in one way or another to kill the bill altogether in third reading, nor could we have done it in second reading. What we really have to do if we want to amend the content of Bill 10 in whole or in part is to propose amendments and have a full and fair debate on those amendments in committee stage. You limit debate to five hours, it clearly limits the number of amendments that can be brought forward, and that does limit debate and democracy as concerns, well, certainly one of the most unpopular bills that this government has brought forward in recent years, certainly not the only one but one of the most unpopular bills. It limits not only our ability but the government's ability to try and improve a flawed bill.

I think what's going to happen, Mr. Chairman, over the next however long we have in committee to debate this bill is that various members of this House will put forward or will attempt to put forward some amendments to Bill 10 to at least try and make it a more worthwhile piece of legislation than I think it currently is. I know that if I have the opportunity, I would like to bring forward amendments, if I have the time, that will seek to include rangeland and agricultural land within the definition of land to be considered in a regional plan to make it a little more specific there, to further clarify the proposed public consultation process, to create a process for appealing ministerial decisions so that cabinet no longer has absolute power over land-use planning in our province, to ensure or to try and ensure that fair principles guide the compensation process.

I hope to ensure as well that all regional plans are developed and approved in sync with one another. I'm not sure how I'm going to do that one yet, but I think that there's a need not only for seven regional plans to be approved individually; there's a need for a cumulative final ratification of the seven plans together to ensure that the last regions to go through the regional planning process are not negatively impacted or in some way held hostage,

if you will, by decisions made in earlier regional plans. It's entirely possible that the seventh region to develop its plan will be – maybe held hostage is the wrong way to put it – in a sense held captive by decisions made in the previous six plans. I believe that needs to be addressed.

Well, because the government is bringing in closure to limit debate on Bill 10 in Committee of the Whole, we don't know if we'll run out of time to present all our amendments. I don't think any of us who may be proposing amendments do know that. If time runs out or our amendments are defeated, well, then we'll have a decision to make in third reading as to whether we're going to support Bill 10 as a flawed piece of legislation or whether we're going to vote against it because it just doesn't do the job that it's supposed to do. I believe as it sits now it doesn't do the job that it's supposed to do.

There is, of course, a way to avoid all of this. There's a way to avoid bringing in the closure motion, going through five hours of very limited debate, a way to avoid partisan contentiousness, if you will, around some of the amendments that may be proposed. That way is that the government – and at this stage I believe it can only be the government that can do this because at this stage we can amend sections of the bill, but we can't propose an amendment, really, about the whole bill – could decide, the minister could decide to refer Bill 10 to the Standing Committee on Resources and Environment.

According to the standing orders there is a process which that standing policy committee will follow to put this through another round of public hearings, of appropriate and worthy public consultation. It's one thing to consult with the public. It's another thing to consider what the public has told you and to consider it thoroughly and honestly and openly and to take those consultations into consideration in a meaningful way as you're developing a regional plan or anything else that you consult with the public on. There is no point, Mr. Chair, in consulting with the public if you have no intention of listening to what they say in the first place. There is no point in consulting with the public if you're only consulting with the public so that you can listen to those members of the public who happen to agree with your point of view and discount everybody else's. That is sham public consultation.

You put it before the all-party, by nature at least somewhat bipartisan or multipartisan policy field committee, the standing policy committee. The process of inviting and taking in public submissions, the process of holding public hearings, is not an ironclad guarantee by any stretch of the imagination, but it certainly has at least as much of a shot at getting to the truth of how people feel about Bill 10 and Bill 36, what they feel is right and what they feel is wrong about the bill and how to improve it, really improve it as, for instance, the Health Quality Council has of getting to the bottom of the allegations of fear and intimidation around health care professionals in this province. It's not a guarantee, but it's at least as good a shot as the health minister's Health Quality Council investigation into fear and intimidation.

That's what the government should do, Mr. Chair. They should – I'll be nonsexist about this – person-up tonight or tomorrow at the very latest and refer Bill 10 to the Standing Committee on Resources and Environment and let the standing policy committee do its job, do the job that those standing policy committees were designed to do, which is to take proposed legislation, whether it's government or private members' legislation, that we all know misses the mark as written right now and fix it and come up with something better.

I know that it's very important to some members of the government – I don't know to how many, but I know to some – to get this bill passed. Maybe it's a legacy for the outgoing Premier. I

don't know. I don't quite get how this is a legacy in any respect other than that he gets to put another check mark beside another in a very long list of items on his to-do list without regard to prioritization of any of them. I think that's been a problem for this government since the current and outgoing Premier became the Premier, quite frankly.

**11:20**

There are others, I know, in government who really think, who really believe that they got it mostly right with Bill 36 and that it just needs a few tweaks to get it just about perfect. I think they're wrong, but I respect their opinion. I would just implore the government to respect the wishes of many, many, many Albertans: individuals, landowners, businesspeople. I believe the term is disinterested observers; in other words, those Albertans who may not have a direct and personal stake in any of these regional plans in that nobody is going to come necessarily, or at least they can't see that anybody is going to come, and take their property and knock down their house but who are as citizens of this province disinterested observers in the process who may wish to comment on this. Give them a fair hearing and another chance to tell the government how to do this right.

By pulling this bill off the legislative agenda and referring it to the Standing Policy Committee on Resources and Environment and using the standing orders that are in place, giving it to the standing policy committee to hold another round of public hearings, I think we'll get a much better bill out of this. We'll certainly get a much better bill out of this than we will by limiting debate to five hours and trying to fix a flawed bill that in itself tries to amend a very flawed Alberta Land Stewardship Act.

With that, I will cede the floor to the next person who wishes to continue debate at the committee stage. Thank you, Mr. Chair.

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. It never ceases to amaze me that we can spend an hour and a half or so in debate on a bill, lamenting the fact that we have no time to debate a bill, and during a portion of that discourse indicate, "If I had time, I'd bring forward an amendment," yet we've seen no amendments come forward. There are so many things that were said tonight that could be responded to and need to be responded to because of the inaccuracies of it, but given the hour I think we'll leave that for another day. I would move that we adjourn debate.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 11:22 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Cao in the chair]

For the motion:

Amery	Elniski	Quest
Benito	Griffiths	Rogers
Bhardwaj	Groeneveld	Sandhu
Blackett	Hancock	Tarchuk
Brown	Horner	Webber
Calahasen	Klimchuk	Xiao
DeLong	Oberle	Zwozdesky
Doerksen	Prins	

Against the motion:

Anderson	Hehr	Taft
Boutilier	Hinman	Taylor

Totals:	For – 23	Against – 6
---------	----------	-------------

[Motion to adjourn debate carried]

**The Chair:** Shall progress on Bill 10, the Land Stewardship Amendment Act, 2011, be reported when the committee rises? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I move that the committee now rise and report bills 4, 1, and 11 and report progress on bills 15 and 10.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 4 and Bill 1. The committee reports the following bill with some amendments: Bill 11. The committee reports progress on the following bills: Bill 10 and Bill 15. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Having heard the report, those in favour of the report, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. So ordered.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:37 p.m. to Wednesday at 1:30 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, April 27, 2011

Issue 29a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 27, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. We give further thanks for the gifts of culture and heritage which we share. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** Hon. members, today in the Speaker's gallery and the members' gallery are a number of distinguished spouses and partners of Members of the Legislative Assembly. As I mention their names, I would ask them to rise, and I'd ask for no applause until I conclude, please: Alberta's first lady, Marie Stelmach; my wife, Kristina Kowalski; Fiona Beland; Estrella Benito; Jennifer Blackett; Julia Carter; Jackie Dallas; Wanda Doerksen; Sherry Drysdale; Angeline Goudreau; Barb Grodaes; Judy Groeneveld; Rose Horner; Diana Knight; Janis Marz; June Mitzel; Debbie Oberle; Mardell Olson; Pauline Prins; Jan Tremblay; Trish Vandermeer; Christine Zwodzesky. In the members' gallery: Marge Allred, Stacey Brotzel, Jennifer Burns, Sue Griffiths, Beverly Snelgrove, Lanny Fritz, Bob Jablonski, Wade Klimchuk, and Steve Sarich. I would ask all members to join with me in welcoming these individuals, who, while not formally elected, put in as many hours serving constituents as those of us whose names appear on the ballots. [applause]

### Introduction of Guests

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to members of this Assembly 57 students from two grade 6 classes at Lilian Schick school in Bon Accord. The students are accompanied by their teachers Melissa Zacour, Shannon Campbell, and Tricia Hurst and by parent helper Kevin Inkster. I had the opportunity to talk to these students a few minutes ago. They're very excited to be here and are extremely well informed, no doubt due to the excellence of their teachers and their dedication but also due to the fact that both of Melissa's parents were former MLAs. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm very pleased to rise today to introduce to you and through you a group of grade 6 students from Lymburn elementary school in my riding; their teacher, Barbara Hall; teacher assistant Birgit Braid; and a mother, Glenda Yarwood. I'd ask them to rise and receive the traditional welcome of this House.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. Horne:** Thank you very much, Mr. Speaker. I have two introductions today. The first is a group of 25 visitors, exceptional students from Rideau Park elementary school in my constituency of Edmonton-Rutherford. They're here today to observe question period and learn more about the democratic process, and they asked some very intelligent and probing questions during a photo session earlier today. I'd ask all those visitors from Rideau Park elementary to please rise and receive a very, very warm welcome from my colleagues in the Assembly.

**The Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. April marks the launch of Parkinson's Awareness Month in Alberta and Canada. A hundred thousand Canadians, including over 8,000 Albertans, are living with Parkinson's disease today. It is one of the most common brain conditions. It's chronic, progressive, and it results in increasing disability that, unfortunately, dramatically impacts individuals, families, communities, and health care across our province. Parkinson Alberta and Parkinson Society Canada are committed to positioning the brain as a priority health, social, and economic issue in Alberta and Canada, one that warrants significantly increased research and policy investments.

Mr. Speaker, it is my pleasure to introduce to you and through you to members of the Assembly five people seated in the members' gallery, I believe, that are working hard at eliminating Parkinson's. They are Dr. Oksana Suchowersky, professor of neurology and medical genetics at the faculty of medicine, University of Alberta; Doug Darling, board chair, Parkinson Alberta Society; Bruce Strachan, board co-chair and treasurer, Parkinson Alberta Society; Helen Mak, board member, Parkinson Alberta Society; John Petryshen, CEO, Parkinson Alberta Society. I would like to also acknowledge 12 others, also seated in the members' gallery, who are helping to make a difference in dealing with this insidious disease. Please join me in giving our guests the traditional warm welcome of this Assembly.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Chia Yi Liao, or Nicole as she's known in English, visiting all the way from the city of Tainan in Taiwan. Nicole is 16 years old and visiting Canada for the first time on a one-year youth exchange with Rotary. Nicole loves to travel and has been to New Zealand, China, and Japan. She's also an accomplished musician, artist, and badminton player. Nicole's family owns and operates Sun Lung Gear Works in Taiwan, and their company recently celebrated their 50th anniversary. After Nicole has obtained her bachelor of business degree, she will take over sales for the family business in North America and Europe.

Mr. Speaker, accompanying Nicole is the man in my life for the last 38 years, my husband, Gord. I'd ask the members to join in the traditional welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. It's my pleasure today to introduce my brother-in-law, who is visiting here from Burlington, Ontario. Jeff Bowden is a consultant based in Burlington, providing marketing and communications services to corporate and government clients. He was in Edmonton today helping organize events for his client the Canadian Council for Public-Private Partnerships. The event occurred this morning and featured a keynote address from the hon. Premier as well as a

panel discussion including the mayors of Edmonton and Calgary. The event was organized to discuss opportunities for municipalities to develop strategic infrastructure and services using public-private partnerships.

Jeff founded Nexus Communications & Consulting in 1997. He has a variety of clients, including small business, municipalities, and provincial ministries. He is grateful to have the privilege to attend the Legislature today and witness the important work that we are all doing here. I would ask you to give him the warm traditional welcome of the House.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. Horne:** Thank you, Mr. Speaker. For my second introduction today I'm pleased to introduce to you and through you to all members Catherine Ripley, a trustee with Edmonton public schools. Catherine is well known in my constituency and throughout southwest Edmonton for her commitment to public education but also to meaningful consultation with the community. Together with the hon. Minister of Education, our city councillors, and the trustee for the Edmonton Catholic school board as well as our Member of Parliament Catherine has done a lot to enable us as a group to discuss and act on issues of mutual concern to our constituents. I would ask Catherine Ripley to please rise and receive the warm welcome of our Assembly.

1:40

**The Speaker:** In the list of introductions that I gave earlier, I inadvertently missed Alice Yang. If she would rise, please.

The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Speaker. I've received information that a group of students from Senator Patrick Burns school in the Calgary-Varsity constituency are touring the Legislature. If they are here at this moment, I'd like to introduce them to you and through you and have them stand and be recognized.

Thank you.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Montrose.

#### Taking the Legislature into the Classroom

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Today we are taking the Legislature into the classroom. Yesterday I had the honour of speaking with a group of grade 6 students from Roland Michener school. The students are keen about learning about the political process and our democratic institutions; however, unfortunately, they could not visit the Assembly. Therefore, their teacher, Meredith Bly, and myself thought that we would take the Assembly to them, so this afternoon they are watching the proceedings live in their classroom. I would like to welcome them to our proceedings and assure them that if I, born in Penbrooke and raised in northeast Calgary, can be a representative of the people here in this Assembly, so can they.

Mr. Speaker, since I cannot do a formal introduction of the group here in the House since they are joining us by Internet, I want to use this time to formally introduce those students to this Assembly. Welcome to their teacher, Meredith, and to Fatima, Symone, Marina, Mohamad, Kate, Jahfeena, Aya, Dylan, Nathan, Alyssa, Matthew, Chay, Brianna, Ihama, Iloha, Dustin, Skylar, Marwa, Hilton, and Gina.

I would like to say to the students that this Assembly is a place

which, as we discussed yesterday, should represent the greatest of human ideals and the greatest of human potential, but far too often, just like any classroom, it's consumed with bitter chatter that takes place at the end of the hallways or at the very back of the classroom. However, I assure this class that today they will see the most uplifting, well-behaved, and respectful behaviour of any adult in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** Oh, hon. member, my greatest dream in life.

The hon. Member for Edmonton-Meadowlark.

### Government Accountability

**Dr. Sherman:** Thank you, Mr. Speaker. Sir Walter Scott famously said, "Oh what a tangled web we weave, when first we practise to deceive." Today Albertans find themselves bound up and confused by complicated yarns this government spins about land rights, energy transmission, and health care. No one can make head or tail of it – what is true, what is false, who said what – but these past sessions will be remembered long into the future not only for the issues we've discussed in this Assembly but for unprecedented defections and expulsions of hon. members who stood up for their constituents and spoke the truth and of government members going to other parties after their constituents' concerns were ignored by their own team and even for brave Albertans who dared to speak up against those who tried to silence and intimidate them.

Some will try to convince you that it has only been about political football, theatrics, and baseless allegations. While that has been prevalent, Mr. Speaker, it is thanks in large part to the leadership of the government caucus and their refusal to bow or listen to any will but their own, not to their elected colleagues, not to the citizen organizations, and not even to the entire medical community. From the very beginning all of this has been about promises, responsibilities, and values and the kind of society we all want to live in.

We have a society like that described by the great Tommy Douglas in Mouseland, where mice elect cats who make laws that are good for cats but not very good at all for mice. Just as he said that "you can lock up a mouse or a man but you can't lock up an idea," so too do Albertans have an idea of the society and government they want.

There are some of us who believe their government should be honest with the people who elect it. Others believe that the government must represent and consult the people on a regular basis, not ram through in the first two years of their mandate an agenda developed by an unelected few and then spend the other three spending taxpayers' money to convince them why it was good for them.

**The Speaker:** The hon. Member for Edmonton-McClung.

### Daffodil Day

**Mr. Xiao:** Thank you, Mr. Speaker. The fight against cancer is an ongoing battle that has touched the lives of many Albertans. This year alone over 15,000 people across Alberta and the Northwest Territories will be diagnosed with some form of cancer. That is why it is an honour and a privilege to rise and acknowledge that the Canadian Cancer Society has announced April 27, 2011, as Daffodil Day, which is today.

Mr. Speaker, the daffodil is the Canadian Cancer Society's symbol of hope and courage, and when it comes to fighting cancer, it is essential to have both. Every spring society volunteers in

Alberta and the Northwest Territories are busy delivering and selling bright yellow daffodils to help raise money in support of the fight against cancer.

The Canadian Cancer Society does commendable work in trying to eradicate cancer and improve the quality of life of those who deal with the constant struggle. They achieve this through funding the most promising cancer research, offering supportive community programs to help people live with cancer, providing comprehensive cancer information, supporting prevention initiatives, and advocating healthy public policies.

Mr. Speaker, I urge all Albertans to buy a daffodil on April 27, which is today. Show your support towards this wonderful society and what it stands for.

Thank you, Mr. Speaker.

### Democratic Reform

**Mr. Anderson:** When politicians talk about democratic deficits, people's eyes sometimes glaze over. Maybe it's because accusations between parties in Canada are so commonplace. Parties accuse one another of being antidemocratic, yet they both seem to forget about democracy once elected. Despite this, as the father of four wonderful boys and as one who loves this province, I would be remiss not to speak to just how eroded and vulnerable our democracy, both in Alberta and Canada, has become.

This week will likely be the end to one of the shortest legislative sittings in provincial history. Over the past 12 months MLAs have been in this House exactly 48 days. There have been a few good questions, very few answers, and little debate on important issues. The most controversial bill of this session, Bill 10, will be passed after only six hours as this government cuts off debate, no time to discuss meaningful amendments or give sober second thought. This Legislative Assembly and its proceedings are a sham, nothing more. It's a show, a very poorly written play with far too many extras reciting lines given to them by others.

We could be so much more. We could be a place where thoughtful debates thrive, where important bills, instead of railroaded, could be introduced in the spring, vetted by all-party committees talking with stakeholders over the summer, and passed with solid amendments or rejected where appropriate in the fall. We could be a bastion of free votes, where MLAs were free to vote based on what is in the best interests of their constituents, our bosses, rather than based on what the Premier, his chief of staff, or some other special interest wants.

Our democracy is broken, but we here in this Assembly can change it, and I hope we do. I'm tired of this charade. Our kids and all Albertans deserve so much better. If the current majority is unwilling to do so, I implore Albertans to select a new majority that will. The Wildrose is committed to doing just that, and I hope others in this House will join us in achieving this goal.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you very much, Mr. Speaker. Instead of being able to spend time treating patients, we have another doctor who has been forced to use his time, energy, and money in defending himself from this government's culture of fear and intimidation. Without warning the distinguished physician Alan Thomson was

forced out of his position at the U of A and alleges he was harassed, bullied, and that irreparable damage was done to his professional reputation. The Premier likes to hide the fact that physicians at the University of Alberta are joint appointments with Alberta Health Services. When will the Premier listen to doctors and allow them to focus on patient care, not lawsuits? Call a public inquiry.

**Mr. Stelmach:** Mr. Speaker, as I said many times in the House, the Health Quality Council has begun its review. It's open to all physicians and health care providers that want to appear before the council and talk about improving the system. They may even want to bring some of the issues that they've experienced personally in delivering health care to the quality council. The invitation is there.

**Dr. Swann:** The Premier knows that only a public inquiry can get to the bottom of a culture of fear and intimidation that this Premier has contributed to. Concede the Health Quality Council will not help doctors such as Dr. Thomson.

**Mr. Stelmach:** Actually, that's not true. Now for two days there have been these allegations brought forward to the House, no proof whatsoever. In this particular situation, I think, there's a statement of claim by the physician that was just named by the member that is pursuing through the courts, I believe. But if the doctor wants to come forward and talk about his personal experience, so be it. That's why the Health Quality Council is there to listen.

**Dr. Swann:** Well, Mr. Speaker, cases of Drs. Thomson, Sauvé, Candler, Al-Ghamdi, Garbutt, McNamee, and many others demand a full public inquiry. How many more cases of intimidation are required before the Premier does the right thing?

**Mr. Stelmach:** You know, it's interesting. Maybe Dr. McNamee and Dr. Winton can appear before the Health Quality Council and actually tell them why Dr. McNamee was suing Dr. Winton and Dr. Winton was suing Dr. McNamee. We all want to know. So appear before the council and tell all of Alberta why you were suing each other while you were in the employment of Alberta Health Services.\*

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you, Mr. Speaker. Well, it's clear that Albertans have no confidence in this government's mismanagement of our health care system. The evidence of deep-seated mismanagement, daily accounts of physician intimidation, cover-ups, financial misconduct is alarming. Now with 27,000 health care professionals from the AMA and the Health Sciences Association joining the deafening chorus calling for a public inquiry, it's time for the Premier to act. Why do you continue to ignore 27,000 health workers, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, this government does not ignore any health care worker. They're all free to come forward before the Health Quality Council and deliver evidence, ways of improving cancer treatment, reducing emergency waiting times, ensuring that the good health care system is sustainable and is here well into the future. The opportunity is there. We welcome all of them to come forward.

**Dr. Swann:** The Premier knows the Health Quality Council is completely inadequate to deal with these issues in a culture of

\*See page 953, right column, paragraph 7

intimidation. Only a public inquiry can satisfy the needs of these 27,000 workers to have confidence in the system again. Do you want confidence back in the system or not, Mr. Premier?

**Mr. Stelmach:** We have great confidence in the health care system in this province. There are thousands and thousands of health care workers that are working very hard every day delivering services to Albertans and non-Albertans. Non-Albertans are coming here for very specialized care. I believe the only people that do not have confidence in the Alberta health system are those people sitting across.

**Dr. Swann:** Well, take a look.

Mr. Speaker, given that a public inquiry is the only way to restore confidence in the system, will the Premier find the balls to call a public inquiry?

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Well, actually, that phrase has been ruled out of order ages ago in this Assembly, and I have no idea how that works into the vernacular of this Assembly. It doesn't even work into the vernacular of the school that the hon. Member for Calgary-Montrose talked about, so we're moving on.

Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

#### **Land Stewardship Legislation**

**Mr. MacDonald:** Thank you. Last Thursday evening over 600 Albertans listened to a debate on property rights in Eckville. Yesterday this government decided to restrict and limit debate on the floor of this very House on the same issue. This government, Mr. Speaker, has limited debate at least 40 times since 1992, and they're at it again, shutting down democracy in this province. My question to the Premier: who ordered the closure motion after the debate occurred in Eckville on Thursday night, you or the House leader?

**Mr. Stelmach:** Mr. Speaker, I have even a better question for all Albertans. Where were you, where were you, and where were you all in the opposition the other day when the bill came up for second reading? There wasn't one person in the House.

**The Speaker:** The hon. Member for Airdrie-Chestermere rose on a point of order, I believe. Then I saw the hon. Member for Edmonton-Centre. Then I saw the hon. Member – okay. [interjections] Sit down. [interjections] Sit down. [interjections] Okay. All right. Airdrie-Chestermere, would you just cool the jets? Would everybody else as well?

We now have four points of order, and we'll deal with Airdrie-Chestermere, then Edmonton-Centre, then Edmonton-Highlands-Norwood, and then the Deputy Government House Leader at the conclusion of this. [interjections] Airdrie-Chestermere. [interjections] Airdrie-Chestermere. Okay. I want quiet in this Assembly. [interjections] I didn't hear that. I don't know what it was.

**An Hon. Member:** You didn't hear that?

**The Speaker:** No, I did not hear that last comment.

Is there another point of order? Well, we've got four now.

**Mr. McFarland:** I dare you, Rob. Say it again.

**The Speaker:** Little Bow, it's okay. Relax.

Are we all ready to resume? The clock is running.

Hon. Member for Edmonton-Gold Bar, supplemental question, please.

**Mr. MacDonald:** Thank you, Mr. Speaker. I could ask the Premier where he was and why he wasn't in Eckville the other night, but I won't.

**The Speaker:** Okay. That is the question. Edmonton-Gold Bar, sit down, please. That is the question. You asked the question.

Proceed.

**Mr. Stelmach:** I was here in the House, actually, doing my estimates. Thank you.

**Mr. MacDonald:** That's not true, and it's a reflection of how little the Premier knows about this issue. The meeting occurred on Thursday evening, and you should know that, hon. Premier.

Now, given that the former Justice minister now running for Premier has admitted that with the property rights issue this government needs to take a step back and fix the process of the Land Stewardship Act. Why would the government now restrict and limit debate on such an important matter when PC leadership candidates want to cancel it and start over?

**Mr. Stelmach:** Whoever will be seeking the leadership – who knows, there may be more people coming forward – is certainly free to talk about different ideas that they might have with respect to the future growth of the . . .

**Mr. Anderson:** We chased you out of the province. That's why. Because you're chicken.

**The Speaker:** Okay. Please. Airdrie-Chestermere, I heard that. You're going to apologize right now for that remark. Stand up and do it.

**Mr. Anderson:** I will not. I will leave this House, Mr. Speaker. [interjections]

**The Speaker:** No, no, no. You don't have it that easy. Will you apologize for that last remark?

**Mr. Anderson:** Which remark, sir?

**The Speaker:** You know which one. You said it.

**Mr. Anderson:** Which one?

**The Speaker:** No, no, no. Don't play the game with me. Will you withdraw that last remark that you made about somebody being a chicken in this House?

**Mr. Anderson:** I withdraw the remark that the Premier is a chicken. I withdraw it completely. Withdrawn.

**The Speaker:** Three times now you've withdrawn it.

The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Maybe a jellyfish out of water. I don't know.

Mr. Speaker, I recall the passionate speech delivered by the Premier at the 2011 AAMD and C conference, where he declared that there would be no land confiscated in Alberta under his watch. I know he was sincere, but his watch is now coming to an end. What he is leaving behind is a central planning tool by which the future Premiers can easily confiscate property. Given that we have no assurances that the next Premier will be as personally

dedicated to protecting property as he is, why is the Premier rushing these amendments through rather than referring them to the Standing Committee on Resources and Environment?

2:00

**Mr. Stelmach:** Mr. Speaker, nowhere in the legislation that's before us will there be any land taken away from any owner without compensation. That is very clear. A lot has been said on this particular bill. There are issues facing Alberta. Those issues are unprecedented growth; they're pressures on water; they're pressures on environment, you know, on agricultural land base. All of these are serious issues. We should all come together as Albertans and decide as Albertans what we want to see in our province, not allow some federal court to make that decision.

**Mr. Hinman:** He should allow the debate to go on here, and he might learn a few things.

The best litmus test of a law like this is whether you would support it even if your opponents are in charge. Can the Premier assure all the property owners in his caucus and across Alberta that they would truly be protected even if, say, the Member for Edmonton-Centre were the stewardship minister?

**Mr. Stelmach:** Mr. Speaker, I can tell you that this is a very sensitive topic to many in this Assembly. It is sensitive because some of us come from a heritage when, during a very difficult period of time in Alberta's history, land was actually taken away from new immigrants. They were, of course, put into camps, and they never did get their land back. There are many people in this Assembly that have historical evidence of that. Let's not bring up what happened in the past. Let's look to the future.

**Mr. Hinman:** Mr. Speaker, if he understood that, he wouldn't have passed this legislation two years ago.

Given that the best way to protect property and Albertans is through good legislation, not relying on benevolent politicians always being in charge and given that many members of your own caucus, some even publicly, are calling for the bill to be referred to the committee, will the Premier do the right thing and listen to them and protect Albertans, or do you truly believe in central planning and think that you know best?

**Mr. Stelmach:** Mr. Speaker, that last statement just proves that the hon. member has not thoroughly reviewed the bill. The decisions coming forward in terms of evidence put together, ideas, and also recommendations come from the community. I'd sooner have the community make those recommendations than leave it up to others. Those others may not even be Albertans. They may be federal judges. They may be NGOs that don't even live in the province dictating what we are going to do in our own community. That is not the right . . .

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

### Education Funding

**Mr. Mason:** Thanks very much, Mr. Speaker. This provincial government's financial policy is forcing school boards to cut hundreds and hundreds of staff across the province. Calgary is being forced to cut up to 400 positions. Edmonton will have to cut \$23 million – that's hundreds more staff – and rural boards are looking at making long bus rides even longer. My question is to the Minister of Education. Why has this PC government failed Alberta children by forcing school boards to lay off hundreds of teachers and other important educational staff?

**Mr. Hancock:** Mr. Speaker, the premise is wrong. This PC government has not failed Alberta students. In fact, this PC government has been the government for a period of time in which Alberta has moved to among the best in the world in education. Although we have a tough fiscal time like everybody else in the world, we're moving through that fiscal time in a prudent way, and we're asking school boards to work with us using their operating surpluses, looking at all of their programs and making sure that the Alberta education system, which is among the best in the world today, will be among the best in the world tomorrow.

**Mr. Mason:** Fine words, Mr. Speaker, but this minister doesn't put his money where his mouth is.

Given that class sizes will increase and given that special-needs students will not have their basic needs met as a result of this budget, will the Minister of Education please explain why this PC government has let Alberta students down?

**Mr. Hancock:** Far from letting Alberta students down, this PC government has made sure that we have had a very thorough look at our education system because we're not content with being among the best education systems in the world for today. We want the best education system in the world for our students long into the future. The needs of special-needs students are being met across the province. There are times when you struggle to make sure you have the right professional in the right place at the right time. It always takes resources. Class sizes: we've met the class size guidelines in all except the K to 3 level across the province . . .

**The Speaker:** The hon. member, please.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that the minister claims to put children first yet he is robbing school boards of the funds they need to do the work and given that teacher layoffs and large class sizes will hurt children's success, why is the minister making children pay the price for this government's fiscal mismanagement?

**Mr. Hancock:** Children in this province, Mr. Speaker, as I've said before, have one of the best education systems in the world. There is no danger that that is going to collapse overnight because of tough fiscal times. Yes, school boards have to look at their budgets very carefully. Yes, they have to examine their administrative structures. Yes, they have to look to their operating circumstances. And, yes, there may be circumstances in which there might be fewer teachers. All of that is not going to create distress or a calamity in the education system. It is going to be tight. They know that, and they're working with us to make sure it's always done in the best interests . . .

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the hon. Member for Cypress-Medicine Hat.

**Mr. Hehr:** Well, Mr. Speaker, despite the Minister of Education's bluster to the contrary and ridiculous suggestions that budget shortfalls can be made up by the use of reserve funds, teachers and support staff across the province are being given their pink slips because of the sleight of hand budget that significantly cut grants to school boards. This means one thing. Alberta school-aged children will face larger class sizes and fewer learning opportunities. Accordingly, when will this minister do the right thing and find the money to prevent cuts to our education system?

**Mr. Hancock:** Well, Mr. Speaker, nothing would give me more pleasure than to have a whole lot more resources for the education

system. We could scale up our one-to-one laptop program. We could ensure class sizes across the board. Nothing would be better. But that's not a reality. There is not a full bag of money someplace that we can just draw on. This hon. member knows about the budgeted deficit this year. We've told Albertans we're going to reduce that deficit and balance the budget within three years. We have to do that while we still have money in the sustainability fund, and everybody has to be part of that solution, including school boards who have \$350 million . . .

**Mr. Hehr:** Given that the Minister of Education has publicly admitted that this is not the time to be eliminating teachers from the system, why are school boards still announcing teacher layoffs despite the minister's directive to simply use their reserve funds? Could it be that reserve funds are actually reserved for something else?

**Mr. Hancock:** Mr. Speaker, one of the interesting things in this province is that we have school boards, and school boards get to design their own budgets. So I can't give them a directive as to how to do it. I can make suggestions to them. If they choose to do other things – quite frankly, it wouldn't be fair of me to suggest that all of them will be able to work within their budgets without perhaps reducing the number of their staff. They're operating within the class size guidelines process, they're operating with what they believe is in the best interests of the students in their area, and they're operating within a strong fiscal regime.

**Mr. Hehr:** Given that teachers will be let go from the Alberta school system and will no doubt seek work elsewhere and given that the minister has admitted we will need teachers in the very near future, is he not worried that these cuts will irreparably harm our ability to find qualified teachers in the future?

**Mr. Hancock:** Mr. Speaker, every year the schools of education across this province, the three residential universities and some of the other universities in the province, all of whom have a very good reputation, are turning out new graduates. It would be great if all of those new graduates who want to be teachers and who have a passion for students could be engaged each year. Going to university doesn't guarantee you a job at the end of the year, but what I can tell you is that as we move forward with a 100,000 new students in this province over the next 10 years, we're going to need those graduates, and they're going . . .

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Edmonton-Riverview.

#### **Livestock Traceability Pilot Project**

**Mr. Mitzel:** Thank you, Mr. Speaker. The Department of Agriculture and Rural Development released the results of a pilot project that examined the feasibility of traceability systems in Alberta's auction markets. Prior to the pilots I met with auction markets in my area that were very concerned about the logistics required and the question of accuracy in the long term. My question is to the Minister of Agriculture and Rural Development. I believe I understand why something was needed, but can the hon. minister say if this project was really successful?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. As an exporting jurisdiction it's critical that we have a traceability system that works, one that not only works but doesn't impede the speed of commerce in

our province. We needed to determine if the technology with respect to the sensors was working properly and had the capability to be read. We did close to a quarter of a million cattle this past fall in the fall run and had a success rate of 95 per cent reads, which was very, very encouraging.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. My next question is to the same minister. Considering that no two auction markets in Alberta are the same and they are subject to different economic and environmental demands and different methods of operation, how can the results of this pilot project be replicated in the real world?

2:10

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. The way that we had to do it was of course to use different areas of the province so that we could replicate the conditions that they face throughout Alberta. They face different weather conditions. They face different market conditions and different sizes of operations. We customized the reading systems to match the areas of the province. As I said, our results were very, very good and had very little impact on the speed of commerce.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. My final question is also to the same minister. Now that we have these results, can an effective traceability system be also of benefit in other situations, not just the production and sale of livestock?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. One of the biggest reasons that we undertook this as a nation and as a province and worldwide was for the control and traceability of species because of the risk involved with health. What we found out just recently was in the hon. member's constituency when we had a flooding situation, a benefit that we had no idea would occur. We were able to locate eight cattle herds that were at risk due to flooding. So there are a number of benefits.

#### **Corporate Tax Advantage for American Companies**

**Dr. Taft:** Mr. Speaker, U.S. tax law requires that American corporations operating in Canada pay a 35 per cent tax rate. If they pay less than 35 per cent in Canada, the difference is collected in Washington. In Alberta the combined federal-provincial tax rate is only 26.5 per cent, so the entire 8 and a half per cent difference is paid to Washington rather than to Alberta. The people of Alberta send an equalization payment to Washington of about \$2 billion a year. Is the President of the Treasury Board aware of this issue?

**Mr. Snelgrove:** Mr. Speaker, it is an issue. It's just that the numbers are nowhere near what the hon. member has brought up. There certainly is a difference in how the tax is put onto different businesses that operate in Canada and the U.S. The realistic figure: if it were in the hundred million dollar range, about 2.8 per cent of the total corporate tax we collect could be involved in this exchange. It is nowhere near the numbers that were quoted yesterday or today.

**Dr. Taft:** Well, again to the same minister: given that the Minister of Education has just lamented that school boards across Alberta



are laying off hundreds of teachers, why is this government sending a professionally estimated \$2 billion a year in tax breaks to Washington instead of investing it in the well-being of Albertans?

**Mr. Snelgrove:** Mr. Speaker, the hon. member is taking an editorial comment and trying to suggest that those numbers reflect Alberta corporate tax. They do not. It's very clear. There are choices. There are parties that try to make prudent decisions in difficult times, there are parties that will continue to spend more, and there are parties that want to drastically cut the systems we have. Those are choices that Albertans can make at election time, and we're proud of the choices we've made.

**Dr. Taft:** To the same minister: given that this widely recognized, quote, treasury transfer effect, unquote, means Albertans are cutting schools, choking universities, and draining their savings while sending billions of dollars through the back door to the U.S., is it a deliberate position of this government or an unintended consequence this government will fix?

**Mr. Snelgrove:** Mr. Speaker, it's not a correct statement that the hon. member has made. If the hon. member wanted to read a little further from such noted economists as Jack Mintz or others about this thing, he will realize that the numbers are put out there from different formulas. At the top edge it might be .28 per cent, realistically .01 per cent.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Edmonton-Centre.

#### Carbon Capture and Storage

**Mr. Prins:** Thank you, Mr. Speaker. My questions today are for the Minister of Energy. In January allegations were made about the safety of the carbon capture and storage, or CCS, project in Saskatchewan. Given the safety concerns that have been raised, will Alberta continue to move forward with our CCS technology?

**Mr. Liepert:** First of all, the member is correct when he said that there were allegations. I think some subsequent reviews of studies have determined that there was no evidence that there was any leakage that could be attributed to the CCS project in Weyburn. I should note that the Saskatchewan government just announced yesterday that they'll be contributing another 1 and a quarter billion dollars towards CCS projects in southern Saskatchewan. I think that the science has been proven world-wide, and we're confident that it is safe.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. To the same minister: given that the government has recently announced the province's first large-scale CCS project, the Alberta carbon trunk line, how will the government ensure that CCS projects like this one are done safely in Alberta?

**Mr. Liepert:** Well, one of the things that we have taken on is to create an international regulatory assessment committee. We have members on that committee from, I know, Australia and the U.K., and we want to look at the regulations as they exist around the globe to ensure that we develop the best here. As I said in my first remarks, there are more projects coming online, so the more that we have to learn from, the better we'll all be.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you very much. To the same minister: will the public be consulted about how this technology will be used in Alberta?

**Mr. Liepert:** There has been consultation under way since the projects first were announced, in 2007, but since then there has been a significant move relative to specific projects that are either approved or about to be approved. One of the things that we are going to embark on this summer and into the fall is a very extensive informational session with Albertans in communities across the province, and we'll see if there's additional information that needs to follow from that, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

#### Sand and Gravel Extraction Management

**Ms Blakeman:** Thank you very much, Mr. Speaker. Improve inspections and enforce land reclamation requirements, assess sufficiency of security deposits, verify the amount of resources removed so the province gets the revenue it's due, and strengthen the ability to test compliance with legal obligations: these are recommendations from the Auditor General to the government on the sand and gravel industry, yet another industry that this government is failing to monitor, enforce, and receive revenue from. To the Minister of SRD: why has this minister and this government been so lackadaisical about gravel mining in this province?

**The Speaker:** The hon. minister.

**Mr. Knight:** Well, thank you very much, Mr. Speaker. The fact of the matter is that the aggregate business in the province of Alberta is a very important business for Albertans. We do monitor, we do measure, and we do collect our fees with respect to the aggregate business in the province. Again, like with many of these things, the Auditor General has seen some deficiencies in the system, and we're working with him and working forward to correct those.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. To the same minister: how can the minister approve or consider approving any new gravel operations when this government continues in many cases to have no idea what's coming out of the ground, no idea how much revenue they are owed in certain circumstances, and no idea what level of reclamation has taken place at deserted gravel pits around the province?

**Mr. Knight:** Well, Mr. Speaker, honestly, that's a bit theatrical. The fact of the matter is that we do have a pretty darn good idea what's coming out of the ground, where it's being processed, where it's being used, and where it's being consumed. Again, as I said, the Auditor General did point out what he thought were some deficiencies. We're working with him, and we'll correct those in due course.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. This question is to the Minister of Environment. Given that gravel and sand mining, aggregate mining, is intimately connected to aquifers and clean water for Albertans, why hasn't the government taken a leadership and coordinating role instead of deflecting to local zoning and ad hoc decision-making?

**Mr. Renner:** Mr. Speaker, I think it's perfectly appropriate that the first decision that needs to be made in any development is whether or not the municipality will approve it from a zoning perspective. We respect the authority of the municipality to make such decisions. Once that decision has been made, then it falls to Alberta Environment to determine whether or not there would be adverse effects on groundwater and the like. That's the process that we use.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Strathcona.

#### Secular Public Education in Greater St. Albert

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. For several months now the Greater St. Albert Catholic regional division has been refusing to provide a secular education program to students in Morinville despite being a public school division with a constitutional obligation. My questions are to the Minister of Education. Why is it taking months to solve this problem?

2:20

**Mr. Hancock:** Well, Mr. Speaker, I don't think it's fair to say that GSACRD has refused to provide a program. They've met with the parents, and we've met with them to ensure that they understand that as a public board they have an obligation to provide a secular program. They're now in the process at our request of doing a census of parents in the area to determine what the need or demand for a secular program is.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: can the minister tell the House how the parents of Morinville got into this situation in the first place?

**Mr. Hancock:** Mr. Speaker, that's one community which exists as a bit of an anomaly. The Greater St. Albert Catholic board is actually a public board because in that jurisdiction when the board was established, Catholics were in the majority. The minority faith board in St. Albert is St. Albert Protestant. There is no minority faith board in Morinville, so the public board in Morinville is Greater St. Albert Catholic. But they are a public board, and they have an obligation to provide public education, not religious education. They can provide religious education, but they have to make sure . . .

**The Speaker:** The hon. member, please.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: given that many parents are concerned about faith-based education in Edmonton, what is the minister doing to ensure that the parents in Edmonton and elsewhere in the province have access to their choice of education, which they are entitled to?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. We've seen across the province a number of people writing in and asking for assurance that this government supports a faith-based education, particularly the separate school boards across the province. We've made that clear time after time after time. We believe in choice in education. We have an excellent system of education in the province that consists of a public system, which is available for all students; in certain places in the province where it's been established, a minority faith board, mainly a Catholic board, except in St. Albert,

where it's a Protestant board; and then charter schools, private schools, and other options.

#### Business Revitalization Zones

**Ms Notley:** Business revitalization zones build communities, but the minister of community spirit doesn't care. First he claimed that he was cutting BRZs from CIP funding because they're funded by municipalities. Once he finally understood he had that wrong, he questioned their auditing even though their auditing often exceeds that of other recipients. In Strathcona alone Ice on Whyte, the SOS Festival, and Return of the Magic are all in jeopardy thanks to this minister's failure. To the minister: why won't he reverse his irrational decision and let the BRZ applications be considered on their merits like every other group?

**Mr. Blackett:** Well, Mr. Speaker, our community investment funds are given to organizations that are deemed not-for-profit and are registered through the Societies Act. Business revitalization zones are constituted by the municipalities across this province, and as such they fall under different regulations. We looked at whether or not we could make an exception for them, but as we tried to get to the bottom of the information, each different BRZ under each different municipality runs under a different set of rules and regulations. Ultimately, their operation is dictated by the municipality.

**Ms Notley:** Mr. Speaker, given that last fall the minister promised BRZs that they'd be eligible to apply for grants and given that BRZs started planning, falsely assuming they could rely on the minister's word, and are now left out of pocket for events that may be cancelled, will the minister explain why Albertans should ever trust his assertions? Or is he hoping that this particular broken PC promise will be lost amongst all the others?

**Mr. Blackett:** Mr. Speaker, I went to that meeting with all the best of intentions. I was led to believe by the representatives of the BRZs that they were not-for-profit organizations just like any community league, just like any other community organization. As I found out through further research from my department and work with Municipal Affairs, that was not the case.

**Ms Notley:** Mr. Speaker, I believe he was at a different meeting.

Given that this minister likes to wax poetic about leveraging private money with public money to maximize benefits to the community and given that BRZs are specifically designed to apply private dollars to exactly that purpose, why is this minister determined to penalize small businesses for the very act of paying to support community development initiatives?

**Mr. Blackett:** Mr. Speaker, as much as I like small businesses, our community investment programs were not designed to support small businesses. They were designed to support those worthy communities and those organizations in our communities; to build stronger communities and safer communities; and whether it is a sports organization, whether it's a community organization, to help plan, to help operate and maintain those worthy facilities and organizations, not the small businesses.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for St. Albert.

#### Personal Gaming Profiles

**Ms Pastoor:** Thank you, Mr. Speaker. The Alberta Gaming and

Liquor Commission along with Caesars Palace and other famous Las Vegas names is a gold member of the international Gaming Standards Association, which recently announced a plan to enable members to develop profiles of each customer across their entire operation, including how often and when they visit, how they spend their money, and how they gamble. To the Solicitor General: is the Alberta Gaming and Liquor Commission planning to develop these fully integrated customer profiles of its Alberta clients?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. The development of our new gaming products, new machines is exactly that. We're out for a market review right now. What we do plan on doing is incorporating that technology in our safe gambling and problem gambling programs.

**Ms Pastoor:** I guess my question would be: voluntary or automatic? There's a big difference.

Given that the industry-wide standards promote the sharing of information, what assurance can the minister provide that profiles of Albertans will not find their way into gambling operations outside of Alberta and, in particular, outside of Canada?

**Mr. Oberle:** Well, Mr. Speaker, we're talking about a voluntary program. I think the member would agree that we do need to deal with problem gamblers. Maybe the member should be aware that we have privacy of information legislation in Alberta, and my department will adhere to it.

**Ms Pastoor:** Since the most recent annual report of the Alberta Gaming and Liquor commission states that the commission grossed nearly \$23 billion in revenue from gaming – that is grossed, of course – considerably more than oil and gas royalty revenue, what's the minister doing to encourage the commission to ensure a balance between revenue generation and our social responsibility?

**Mr. Oberle:** Well, nobody in this province is forced to gamble, Mr. Speaker. The Alberta Gaming and Liquor Commission's mission is to provide a safe, well-regulated product, and I think they're doing that in the marketplace.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Fish Creek. [interjection] Calgary-Buffalo, did you want to get in? [interjection] Whoa. No. You're not talking. Period. You're listening right now, okay? Shall I recognize you? You be a good boy and be quiet.

The hon. Member for St. Albert.

### Sturgeon General Hospital

**Mr. Allred:** Thank you, Mr. Speaker. My questions are to the Minister of Health and Wellness. The Sturgeon general hospital is in the midst of several phases of renovations, the first stage of which is to expand the emergency department. Can the minister please advise what improvements have been made and what the schedule is to complete the renovations of the emergency department and the public access thereto?

**The Speaker:** The hon. minister.

**Mr. Zwozdesky:** Thank you, Mr. Speaker. The short answer is that the facility has been expanded, redeveloped, and refurbished

to the tune of about \$43 million, all of which means that the expansion and upgrades will provide far better services now to far more people. Treatment space has been increased by more than a hundred per cent, and the ambulance bay there has been increased exponentially as well. There are a lot of improvements coming, and there are still more on the radar.

**The Speaker:** The hon. member.

**Mr. Allred:** Well, thank you, Mr. Speaker. I recognize that my first question was a little bit long, so perhaps the minister could address the schedule of when the improvements will be completed.

**Mr. Zwozdesky:** Mr. Speaker, over the next several days Alberta Health Services will actually be working with the city of St. Albert to see what else needs to be done to continue providing the outstanding service that they have. As part of that they're looking at the smoother flow through of emergency medical services and how the additional third ambulance bay will be accommodated there to provide even better and more services for the large catchment area that the Sturgeon general serves.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. That answer leads me to my final question. Given that the transition of the emergency response service from the city of St. Albert to Alberta Health Services has been ongoing for two years now and AHS has finally added a third ambulance, will this addition of the third ambulance be permanent?

**Mr. Zwozdesky:** My understanding, Mr. Speaker, is that, yes, it will be permanent, and it will enhance the already expanded emergency department. That department, as the hon. member might know, includes 13 more treatment spaces over and above the 38 that were there, so the ambulance needs to be a permanent feature of that to help accommodate what has become a rapidly growing area of need. It also helps many other people from Edmonton, from Fort Saskatchewan, from northeast British Columbia, and from the Territories.\*

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Athabasca-Redwater.

### 2:30 Health and Wellness Follow-up Questions

**Mrs. Forsyth:** Thank you, Mr. Speaker. Two weeks ago in this House I questioned the minister of health in budget estimates. It's often the only time to ask detailed, specific questions. Many of the questions I asked that day went unanswered and appear to be totally ignored or unacknowledged. Today as the health critic for the Wildrose I'm asking questions to you, Minister, on behalf of Albertans. To the health minister: given that the Premier stated that we must look at a different model to reimburse health CEOs and that a new model may be necessary, when can Albertans expect the promised review of health bonuses?

**Mr. Zwozdesky:** Mr. Speaker, we've looked at this issue quite carefully. In fact, a couple of independent, external firms were engaged, one by Alberta Health Services a few years ago and one by Alberta Health and Wellness just a few months ago. That final report should be coming to me very soon, and it will have a very thorough set of recommendations, I hope, that will address performance incentives, what other people might call bonuses or pay-at-risk or the like.

\*See page 897, right column, paragraph 8

**Mrs. Forsyth:** Well, Mr. Speaker, we know what the government thinks about “soon.”

Given that Alberta Health Services began activity-based funding in seniors’ homes on April 1, 2010, what progress has been made, and when will you table a report?

**Mr. Zwozdesky:** Mr. Speaker, there was a pilot over the last year with respect to activity-based funding in long-term care facilities and perhaps elsewhere. I’ll just check on what the progress is on that. I haven’t seen the final conclusion of it, but as soon as I do, I’ll be happy to alert the House to that.

**Mrs. Forsyth:** Mr. Speaker, he’s talked about tabling reports in this Legislature before. Given that this government started a three-year children’s mental health plan for Alberta in 2008, when can we expect reports to be tabled in the Legislature?

**Mr. Zwozdesky:** Mr. Speaker, I indicated to a question similar to this earlier that we have a very comprehensive provincial mental health strategy that is being developed with numerous stakeholders. That will be coming out very shortly as well, but in the meantime I just recommitted our support of \$19 million over three years to help improve children’s mental health in schools. That will result in many more counsellors and other help aides to assist those children in need.

**The Speaker:** The hon. Member for Athabasca-Redwater, followed by the hon. Member for Calgary-Varsity.

#### Highway 63 Emergency Services

**Mr. Johnson:** Thank you, Mr. Speaker. In rural Alberta volunteer firefighters are our emergency first responders. Last year when emergency services on the dangerous highway 63 were withdrawn by the small and dedicated Wandering River fire department due to burnout, other small communities – Boyle, Grassland, Plamondon, Hercules – stepped in to pick up the slack. Can the Minister of Municipal Affairs tell us what immediate steps have been taken to support these volunteer firefighters and assure Albertans that we have first responders on the north and remote section of highway 63?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. Earlier this month my colleagues and I joined Athabasca county to improve emergency response in the highway 63 region. In the near term government is working with the county to recruit full-time emergency responders to support the volunteers and purchase portable speed indicator devices for use at accident scenes to slow traffic and improve responder safety. This is a community-based solution that was brought forward through the work of municipalities, emergency responders, and, naturally, the local MLA for Athabasca-Redwater, also supported by the MLA for Lac La Biche-St. Paul.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. Given the strain from situations like this last weekend, where volunteer firefighters from Boyle and Thorhild responded first to a rolled super-B loaded with ammonium hydroxide and then a rolled super-B loaded with sulfur, all while responding to grass and structural fires in the same area, what’s the minister doing to ensure that there’s a sustainable long-term model for first responders along the highway 63 corridor?

**Mr. Goudreau:** Mr. Speaker, the challenges with recruitment and retention of volunteer firefighters are certainly not unique to this particular area, but our investment recognizes the heightened situation faced by these municipalities, the first responders, the motorists along this important road, and the need for a long-term strategy. That’s why we are continuing our partnership with our municipalities, our first responders, and industry while a regional approach is developed over the next year. We’ll consider a number of solutions, including traffic enforcement, driver awareness, public safety, and volunteer recruitment and retention.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. My final question is to the Minister of Culture and Community Spirit. Given the great announcement that was made a few weeks ago involving this section of highway and emergency first responders up there, obviously it was a real team effort. What role did your ministry play in this announcement?

**The Speaker:** The hon. minister.

**Mr. Blackett:** Thank you, Mr. Speaker. Culture and Community Spirit was pleased to provide a grant for \$325,000 to the Wandering River Agricultural Society through the community initiatives program. The project provided funds to support the ability to help provide direct services to communities throughout Alberta. This grant not only produced community capacity but will help to actually save lives. We’d like to congratulate the local MLAs, reeves, mayors, the community organizations, and the volunteers on working together to find sustainable community-driven solutions to improve highway safety.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Lougheed.

#### Logging in Castle Special Management Area

**Mr. Chase:** Thank you. The 1965 Alberta Forest Reserves Act, the 1974 NRCB recommendations, the 1977 eastern slopes policy, the 1985 Castle integrated resource plan, 1993 NRCB recommendations, the 1998 special places committee recommendations, the revised 2001 integrated resource plan, and the 2004 minister’s task force report from the southeastern slopes all emphasize watershed protection and species diversification. To the SRD minister: why does this government continue to ignore decades of recommendations against allowing clear-cutting in the Castle?

**The Speaker:** The hon. minister, please.

**Mr. Knight:** Well, thank you very much, Mr. Speaker. You know, that was quite a litany of things that have happened in history. We do learn from that. One thing that we have learned is that the area in question, C5, with respect to harvest of timber has been extremely well managed. Indeed, you hear a lot of things now about the situation where it’s a great place for tourism, super recreational opportunities. The viewscape is tremendous.

**The Speaker:** The hon. member, please.

**Mr. Chase:** Thank you. Why does this minister continue to ignore expert advice and public opinion and refuse to protect this area?

**Mr. Knight:** Well, Mr. Speaker, the fact of the matter is that the expert advice we have is that the management of the forest land-use zone that this particular region falls under has been, I think,

very proactive and productive. Two-thirds of the area today is off limits to logging, and of the remaining one-third that can be harvested, the area harvested in annual allowable cut is about 1 per cent of one-third of the area. I think that is, you know, a very good management program. To go forward, I could also say that when you look at this area . . .

**The Speaker:** The hon. member, please.

**Mr. Chase:** Given that there is no regional plan in place in the Castle and the cumulative effects have not been determined, will this minister halt all logging and new energy development, do the assessment, and designate the Castle as the Andy Russell I'tai Sah Kòp wildland park with at least the same protections the area formerly had within the Waterton national park boundaries before it was pulled out in the 1930s?

**Mr. Knight:** Mr. Speaker, how could that possibly be the answer to anything? We have very good hard-working Albertans that are out there earning a living and supporting their families. What should we do: chuck them out on the street instead of taking a look at a hundred years' worth of proper management? The trees that people look at today in that area in many cases are regrowth from areas that have been harvested previously. There does not appear to be a lot wrong with that. There are very dense, high-growth older trees in the area that require some forest management to keep us from a situation of forest fires and pests.

**The Speaker:** The hon. Member for Calgary-Lougheed.

#### School Trustee Pecuniary Interest

**Mr. Rodney:** Thank you, Mr. Speaker. I don't think there is any doubt that parents have the greatest stake in the success of their children. That's why it was a little bit of a head-scratcher last week when Calgarians learned that parents who serve as trustees for the Calgary board of education are not permitted to participate in that school board's budget debate. Considering that budgeting is a significant part of a school board's work, can the Minister of Education please explain this decision?

**Mr. Hancock:** Well, first of all, Mr. Speaker, I don't think it's fair to say that parents who are trustees are not permitted to participate. Every individual, whether in an elected position, whether in this House or on a school board or at a municipal council, has to make a decision as to whether or not they are in a conflict of interest. I think the rules are pretty clear on conflict of interest, that it's a direct pecuniary interest, and if you have a direct pecuniary interest, you should withdraw from the discussion and the vote. However, boards should be able to arrange their affairs so that's not on broad issues like a budget but on very narrow issues relative . . .

2:40

**The Speaker:** The hon. member.

**Mr. Rodney:** Thank you, Mr. Speaker. It's quite well known that the CBE has obtained a rather lengthy legal opinion on the subject that seems, on face value at least, to bind the trustees' hands. Is the minister prepared to do anything about this? What are these trustees exactly supposed to do under these circumstances?

**Mr. Hancock:** Mr. Speaker, I'm not privy to a 13-page legal opinion. I'd be surprised if that legal opinion suggested that a trustee who was also a parent could not participate in budget discussions. Again, if it's a direct pecuniary interest, that interest has to be declared and the individual withdraw, but they can organize their

affairs and the agenda of a board meeting to ensure that parents or any other person who has a direct pecuniary interest in a subject that comes before the board can participate in the broad discussion of issues and just withdraw from the narrow issues . . .

**The Speaker:** The hon. member, please.

**Mr. Rodney:** I've had a number of conversations with the trustee in question, and I'm sure that she wasn't expecting pecuniary interest to be in her vocabulary at this point. But considering all of that and the answers to the two previous questions, is this minister contemplating changes to the School Act to address the issue and put it to rest for good?

**Mr. Hancock:** Well, Mr. Speaker, we anticipate introducing the new Education Act later on today, but I can say this. The rules with respect to conflict of interest are pretty clear in the act, but if there's further discussion – and this bill will be available for further discussion – and there are things that need to be clarified, that could be contemplated and done when the bill goes through the House.

**The Speaker:** Hon. members, 18 members were recognized today. That was 103 questions and responses.

I understand, Minister of Health and Wellness, you wish to supplement an answer. Please identify from whom the question was asked, and they will have an additional question permitted.

#### Sturgeon General Hospital (continued)

**Mr. Zwozdesky:** Yes, Mr. Speaker. I just wanted to clarify an answer I gave to the Member for St. Albert with respect to the third ambulance that's being provided. It's stationed at the Sturgeon community hospital, but it's being provided for the community of St. Albert. The exact location and its permanency will be determined over the 90-day period to see if it's more effectively placed at that hospital or somewhere else in the community, but at the moment it's being placed there.\*

**The Speaker:** Hon. Member for St. Albert, that permits you an additional question if you wish.

**Mr. Allred:** Yes, Mr. Speaker, just a little bit of clarification on that from the hon. minister. He says that it will be placed within the community. Does that mean within the community of St. Albert, for instance in a fire station, or does it mean in the greater community, being Edmonton?

**Mr. Zwozdesky:** A very good question. The answer is that the city of St. Albert is working with metro Edmonton officials right now to see what the most appropriate location for that would be, assuming it would become permanent. Clearly, the level of need is there, hon. member, and they're looking at a few different locations. At the moment the Sturgeon hospital appears to be the best place to house it, but in 90 days we'll have more information on it regarding its future.

**The Speaker:** Hon. members, in 15 seconds from now we will continue with the Routine.

#### Members' Statements (continued)

**The Speaker:** We will continue with Members' Statements. The hon. Member for Calgary-Hays.

\*See page 895, right column, paragraph 7

### Parkinson's Awareness Month

**Mr. Johnston:** Thank you, Mr. Speaker. Today each member in this Assembly has been presented with a tulip from the Parkinson's Society of Southern Alberta to commemorate April, which is Parkinson's Awareness Month. Since 2005 the red tulip has been the world-wide symbol of Parkinson's disease, signifying solidarity with those affected and the need for increased awareness.

As one of the most common neurodegenerative disorders, second only to Alzheimer's disease, Parkinson's affects nearly a hundred thousand Canadians. Mr. Speaker, this disease attacks cells in the brain which produce a chemical called dopamine. As a result of this cellular degeneration those who suffer from Parkinson's experience tremors, slowness, muscle rigidity, and balance issues. Over time Parkinson's begins to take control of the body while leaving the mind untouched. While there is no cure, non-profit organizations like the Parkinson's Society of Southern Alberta are dedicated to raising the money and awareness that are both integral in its pursuit.

In addition, this organization provides much-needed support to those living with Parkinson's and their families, acting as a lifeline as these individuals manage the daily struggles that come with the disease. Just a few of the services they provide include counselling, support groups, learning resources, speech therapy, and community awareness programs.

Mr. Speaker, I urge my hon. colleagues and all Albertans to do whatever they can to help raise the awareness that is needed to find a cure and make Parkinson's disease history.

Thank you.

**The Speaker:** The hon. Member for Athabasca-Redwater.

### Highway 63 Emergency Services

**Mr. Johnson:** Thank you, Mr. Speaker. In rural Alberta we rely on our neighbour. It's part of the fabric that makes this province so strong. Some of the strongest threads of that fabric are our volunteer firefighters.

I'm very pleased that earlier this month our government was able to work with Athabasca county and several other municipalities and partners on solutions to the serious issues along highway 63. I want to particularly thank the ministers of Municipal Affairs and Culture and Community Spirit as well as the AAMD and C for their leadership on this file. But, Mr. Speaker, I really want to thank our volunteer firefighters, some of whom are with us here today. They signed up to fight fires, but the reality is that they're often the first to arrive and the last to leave very serious accidents.

Mr. Speaker, their importance, their actions, and their impact are best summed up in the words of a real-life victim. My sister-in-law Gillian Berg and her young family were in a devastating car accident that claimed the life of my brother-in-law Myron four months ago. In her blog this is what she wrote about the volunteer firemen who were at the scene that day.

Men who in the act of answering a call came that horrible day to lend us their strength. Firemen who in their commitment to duty rushed away from their own lives to enter into ours. The words "Cedars of Lebanon" sprang into my mind as clearly as if they had been spoken to me directly. The bible tells of the massive trees God directed to be used to build His temple, a place where His people would know he is a God of love, of protection. As I was surrounded by these towering men, I couldn't help but believe that these had been our cedars of Lebanon, being towers of strength to shelter us in that terrible storm. You literally saved our lives that day. You are friends of my heart and I can never

thank you enough for your protection. May God bless you and your families, men of courage. Know that you are loved.  
Thank you.

**The Speaker:** Hon. member, I'd ask that tomorrow you table the document that you quoted from as well, please.

### Introduction of Bills

**The Speaker:** The hon. Minister of Education.

#### Bill 18 Education Act

**Mr. Hancock:** Thank you, Mr. Speaker. I beg leave to introduce Bill 18, the Education Act.

Mr. Speaker, nearly three years ago this government began a process for transforming our province's education system to enable it to better meet the needs of the 21st century student. We began by engaging Albertans in a broad community conversation about a vision for education. This was a dialogue unique to Alberta, and it challenged citizens to think not about what our education is now, what was for us, but what it could be and should be. This bill, the Education Act, will provide a foundation for how we will proceed with our transformation based in great part upon what we learned from Albertans during our engagement process.

The legislation will maximize the opportunity for the success of all students. The Education Act will be one more instrument that will enable everyone – students, parents, teachers, schools and school boards, and the broader community – to focus on student success and move forward with educational transformation. It will enhance student access to education and will empower local school boards to be more responsive to the diverse learning needs of students in their communities.

Through Inspiring Education: A Dialogue with Albertans, chaired by the hon. Member for Athabasca-Redwater, we heard about a vision of students being inspired to achieve success and fulfill these engaged thinkers and ethical citizens with an entrepreneurial spirit. This legislation is a very important step towards achieving this vision.

[Motion carried; Bill 18 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. minister of finance.

**Mr. Snelgrove:** Thank you, Mr. Speaker. I'd like to table five copies of the Automobile Insurance Rate Board annual report, highlighting the good work that they do. In fact, it includes a 5 per cent reduction in premium levels for basic coverage.

Thank you.

2:50

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. On behalf of the Leader of the Official Opposition, in reference to a question of today, I'm tabling five copies of the statement of claim between Alan B.R. Thomson, the governors of the University of Alberta, the University of Alberta hospital, and Alberta Health Services.

**The Speaker:** Are there others? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you, Mr. Speaker. I am tabling e-mails from

the following individuals who are seeking the preservation of the Castle wilderness, all of whom believe clear-cutting will damage the ecology, watershed, wildlife, and natural species and must be prohibited at all costs: Ray Kodama, Lindsay Coulter, Antonia Mills, Eva Gersbach, Robert Fyfe, Ernie Siemens, Mark Holmes, Virginia Robinson, Brandon Johnson, Stephen Wright, Valerie Mayes, Eddie Chau, Lynn Brooks-Holtz, Catherine Brown, Mel Burkholder, Trevor Reeves, Garry Pierlot, Evan Sorestad, Ted Mann, Donna Gill, Paula Vopmi, Kayla Goguen, Randy Romano, Colin Herbener, and Mark Jobin.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, before we proceed to the purported points of order, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (continued)

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to members of this Assembly 19 volunteer firefighters from the Athabasca-Redwater constituency and our provincial fire commissioner. I'm very pleased to serve these constituents, but really it's they who serve us. I'm very happy they took the time to come and have lunch with the Minister of Municipal Affairs and myself.

I'd ask them to rise one by one as I say their names. From the Grassland fire department we have Ken Kearney, the fire chief; Mel Peterson, deputy chief; Ernie Stasiuk; Wayne Melvin; Travis Johnson; Paul Ponich; Kari Petersen; Mickey Stasiuk; Richie Melvin; John Riley; Sue Ball; Dennis Schryver. From the Wandering River Fire Department we have Maureen Haugen. From the Boyle fire department we have Joshua Anderson. From the Gibbons Fire Department we have Chief Eric Lowe. From the Thorhild fire department we have Chief Nick Kuzyk. From the Redwater fire department we have Harco Middelkamp. They're accompanied by the reeve of Athabasca county, my friend David Yurdiga; Ron Jackson, the director of emergency services at Athabasca county; and, of course, our provincial fire commissioner, Trent West, who does a lot of great work.

I'm glad that they're here to join us today. I'd invite the Assembly to give them the traditional warm welcome.

### Point of Order

#### Referring to the Absence of Members

**The Speaker:** Hon. members, we have several points of order to deal with. Earlier this afternoon in question period at one point in time when a question was directed to the Premier, the response was: "Mr. Speaker, I have even a better question for all Albertans. Where were you, where were you, and where were you all in the opposition the other day when the bill came up for second reading? There wasn't one person in the House." As soon as that was said, the hon. Member for Airdrie-Chestermere, the hon. Member for Edmonton-Centre, and the hon. Member for Edmonton-Highlands-Norwood all rose, and at almost the same time the Minister of Housing and Urban Affairs rose as well. I subsequently received a note from the hon. Member for Edmonton-Highlands-Norwood, who says that he need not proceed at this point in time.

So hon. Member for Airdrie-Chestermere, if this is what the point of order is about, I'll deal with it very quickly.

**Mr. Anderson:** Okay. Mr. Speaker, I refer to, well, two citations. The first is in Standing Order 23(1) as well as in *House of Commons Procedure and Practice*, page 614. I'll quote from that. It says:

Allusions to the presence or absence of a Member or Minister in the Chamber are unacceptable. Speakers have upheld this prohibition on the ground that "there are many places that Members have to be in order to carry out all of the obligations that go with their office."

So naming them is not appropriate. By saying, "Where were all the members of the opposition?" clearly he was informing the public in this House that we were not here for second debate.

Mr. Speaker, it has to be made very clear, though, how misleading this statement was. I will table copies in this Legislature tomorrow of the e-mail we as opposition members in small caucuses get from the House leader, a projected business of the day e-mail that clearly states what is going to be debated that day. As members of small caucuses, with two and four and nine – specifically I'll just speak for the Wildrose experience with four – we rely on the truthfulness, the accuracy, and the trust that we have with the government leader that that will be respected, that projected business of the day.

On the day in question the projected business of that day in the afternoon and in the evening was estimates. In the afternoon it was the estimates for Executive Council, for which I am the critic. So I was here for those estimates, and I had a back-and-forth exchange with the Premier on his estimates. After that was finished, I did indeed leave the House to go to attend to other matters that I have as a member and apparently so did the other opposition parties as well.

So at the end there was about half an hour or thereabouts before 6 o'clock that day where there was nobody in the House on the opposition side. At that time, breaking with all convention and breaking any trust that we had in this government that they would be truthful with the e-mails and the projected business of the day, they brought Bill 10, which was on the Order Paper, brought it back up and passed it through second reading. The most controversial and important bill of this Legislature this session: passed it without even a modicum of debate. It absolutely goes against every convention in the House to do that. Not one member spoke to it.

As an opposition member if we totalled up all of the hours in this House, Mr. Speaker, how much time each member speaks in this House, I guarantee you that the folks on this side are in this House more than any other. We work darn hard. I know this because when I was over there, you know, there was no comparison between the work we had to do over there and the work over here as members. That's just a fact. It's the fact that you have 68 seats. Okay?

The point of the matter is that it is so completely misleading and hypocritical for this government to stand over there and point to us and say: you weren't in the House at that time. They misled us, they broke that trust, and because of that, yeah, we were out doing other things for the last half hour that day. They took a very important piece of legislation, that they knew was going to be debated, rammed it through, and then they had the audacity to call us on it.

It's an absolutely shameful, shameful practice by that Premier and that government, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Centre, is your point of order on the same subject?

**Ms Blakeman:** It is, and I would like to be allowed to augment the comments of the previous speaker.

**The Speaker:** To augment?

**Ms Blakeman:** Yes.

**The Speaker:** So we'll deal with it as one item, then, instead of two separate ones.

Okay. Proceed.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'll add to the citations mentioned by adding in *Beauchesne* 481(c) and *M and M* 522 to *House of Commons* 614, all of which make a point of saying that allusions to the presence or absence of a member are unacceptable and that the Speaker has noted that members have a number of other places that they need to be to carry out their obligations.

What the Premier did was he did not indicate verbally, but he definitely indicated through gesture, and as the House moves more and more to the use of electronic technology like the television broadcasting, the internal closed-circuit television, and the live streaming of video, this becomes increasingly important. The Premier is no fool, Mr. Speaker. He clearly indicated through his gesture the three leaders of the opposition parties. So he did make it clear to anyone watching who he was referring to, and it would be easy and obvious for anyone watching that or here in the room to understand who he was commenting on the absence of.

The Member for Airdrie-Chestermere also talked about the fact that on the day in question the government brought up bills. Now, Mr. Speaker, they are allowed to do that. They are allowed to go to any government business that's on the Order Paper. We do generally work day by day on the House leaders' agreement. But the government is allowed to do it. They've done it before. It's perfectly legal. It's not respectful. It's not honourable behaviour. But it's perfectly legal according to parliamentary protocol.

It would not have been difficult for the Government House Leader or any member to step outside, make a quick phone call, and say: we are going to proceed from the debate in Committee of Supply, and we're going to rise and report and continue on with government business in the time that is left during the day. It would have been polite. It would have been collegial. It would have been respectful. The government chose not to do that. They proceeded, as they were allowed to do.

3:00

We had two conditions this year, Mr. Speaker. When we met at night, we were meeting in a policy field committee, which had a specific timeline to be followed. Also, if the business was concluded before the end of that timeline, it was written into the standing orders that no additional business would happen. Because in the afternoons we were meeting here in the Assembly in a Committee of Supply situation, the government was in control and was able to move to government business.

What they did was perfectly legal, just not very honourable, Mr. Speaker. They certainly took advantage of the fact that the members of the Official Opposition were relying on the memo that was received from the Government House Leader and the deputy chief of staff through their staff that was sent out to us, and we had gone off to do other things, all of which needed to be done.

I believe that the Premier should withdraw his commentary on who was and was not here at that time. There's nothing I can do about the fact that they managed to pass in very short order and with no debate seven bills through second reading on that day, which is difficult and certainly does not uphold the transparency that the government likes to say that it's all about, seeing as we have no idea how people really thought about that bill or whether they've raised it in caucus or not because, in fact, there was no

government debate on those bills. In second reading there was no debate at all.

People like me, who weren't scheduled to be on duty, didn't even get an opportunity as the Official Opposition critic to speak to Bill 10, for example, and that has certainly put a strain on me. It was a very effective tactic but not very honourable.

Thank you very much, Mr. Speaker. I'd ask that a point of order be found.

**The Speaker:** Hon. Government House Leader, just a second, please.

Hon. Deputy Government House Leader, you rose, too. On a separate point of order?

**Mr. Denis:** On a separate point of order, sir.

**The Speaker:** Okay. Then let's proceed, Government House Leader, on this one.

**Mr. Hancock:** Thank you, Mr. Speaker. I feel somewhat aggrieved that the members opposite from Airdrie-Chestermere and to a lesser extent, I have to admit, from Edmonton-Centre have called me as a House leader not honourable, not respectful, not truthful, not trustworthy, breaking the trust.

What actually happened that day and what happens in the ordinary course of business, Mr. Speaker, as you will know having been a former House leader, is that the Government House Leader works with opposition House leaders on an ongoing basis, sometimes directly and sometimes with staff, to bring together an order of business for the day that the House can anticipate dealing with. Usually what we try to accomplish is to have a compatible order of business because we do have other things to do, and everybody is not always here. We try and make sure that if we're bringing forward a bill, the opposition critic is available to speak to it, or if they've already spoken to it, then it's alive and available for others to speak to. That's an ordinary course of business, back and forth.

There have been occasions in the 14 years that I've had the privilege of serving as Deputy Government House Leader or Government House Leader when we've run out of business in an afternoon or an evening, where we've actually proceeded faster than we anticipated, that there weren't as many speeches on a bill or we were able to make arrangements for bills to move ahead more quickly or whatever. What do we do in that circumstance? What have we always done in that circumstance? Trot over to the other side of the House, sit down with the opposition House leaders, and say: what else can we bring onto the agenda?

Imagine my surprise, Mr. Speaker, on April 12 when the Premier's estimates in Committee of Supply were completed and there was nobody to talk to about what we could do at 4:30 in the afternoon. Four thirty in the afternoon and nobody to talk to about: what other government business? What does a House leader then do? Do we say that, well, in the interests of openness and transparency to the people who are following along at home, we should probably adjourn and take the afternoon off, that that's probably what we should do? Or do we do the next prudent thing and say that every week we do Projected Government Business, and in Projected Government Business we always put in there "and as per the Order Paper?" It's always alive to go to business as per the Order Paper.

What happened on April 12? We went as per the Order Paper. Bill 1 was called. Bill 4 was called. Bill 5 was called. Bill 6 was called. Bill 7 was called. Bill 8. Plenty of time for anyone paying attention, if it was inadvertent, to show up. Plenty of time for people to show up. But nobody showed up. So for them to come



back and say that it's distrustful or not honourable or that I broke trust, I find that quite appalling, actually. Quite appalling.

It is a fact that we do have other things to do and that we keep duty rosters. We make sure that on this side of the House we have enough people here to make sure that there's quorum all the time while people go to other meetings and do other things. Absolutely true. You wouldn't want to keep 83 people in the House at all times on all aspects of business when not all 83 can participate.

However, it is incumbent on each party to keep an eye on what's going on. It is incumbent on House leaders to keep an eye on the business of the House or to deputize someone else to keep an eye on the House. It's not the government whip's job to make sure that the opposition is in the House at any given time. He's got enough trouble keeping track of the 63 or 65 or however many people. I can't even count how many people are on this side of the House.

Mr. Speaker, you know, certainly, I can understand the embarrassment, particularly for Airdrie-Chestermere. I can understand his embarrassment because they profess to say that these bills are really important and then do not show up to speak to them when the opportunity is there. That being said, it's not dishonourable or misleading or distrustworthy to say, "Here's what we anticipate doing for the business of the day" and then, when that business is done, to arrange for additional business to be transacted. If it was 5:30 – and I have done this in the past, adjourned at 5:30 and gone home half an hour early. But at 4:30 in the afternoon to take the rest of the afternoon off because they can't be bothered to show up?

Mr. Speaker, I was anticipating, actually, being very respectful of the rules in the House until the members opposite indicated, again, that they weren't here that afternoon. When they opened that door, it was open for me to comment on it. If they hadn't opened that door, what I would have done is got up and said what the Premier ought to have said, instead of that they're not in the House, that they weren't available to speak when it was called. That would have been appropriate, I think. Maybe not.

In any event, it is clearly not appropriate in the rules to mention the presence or absence of a member. Therefore, on behalf of the Premier I would withdraw those remarks.

**The Speaker:** Well, that certainly provided clarity.

Now I'll give you food for thought. We'll be away next week. I want you all to read Standing Order 10. I'll tell you what it is. "Every Member is bound to attend the service of the Assembly unless notification has been given to the Speaker in accordance with the rules of the Assembly." So it could be interpreted that nobody can leave unless you get a note to me. How would you like us to interpret that into the future?

The hon. Deputy Government House Leader.

### Point of Order Parliamentary Language

**Mr. Denis:** Thank you very much for recognizing me, Mr. Speaker. I do rise on a separate point of order. It gives me no pleasure to do so. In fact, I'm quite saddened that I have to bring this up, but I have heard nothing but inappropriate phrases from the Member for Airdrie-Chestermere today. I rise pursuant to Standing Order 23(h), (i), and (j) as well as *Beauchesne's* 489.

In that exchange with the Premier, Mr. Speaker, the Member for Airdrie-Chestermere referred to him as a joke. He referred to him also as a liar. If you refer to *Beauchesne's* 489, page 146, prohibited phrases do in fact include "joker" and "lie", and the instances of "lie" are about half of the page gone, so obviously this is, in fact, a prohibited word.

Mr. Speaker, I'm sure, as you know – and I will just mention this for the edification of the members here but also for anyone who may be watching – *Beauchesne's* 35 indicates that one of the Speaker's roles is to maintain order and decorum. I ask the standard: what would the average person think, especially when, as the Member for Calgary-Montrose mentioned, students were here today? We had young students here today, and to hear this particular type of language.

Mr. Speaker, in my previous career I learned very quickly that it was very important to try to be collegial with other members. There are members that I consider friends here, members which I don't consider friends, but it's always best to try to consider people as colleagues and to try to maintain some decorum here as well. I appreciate, you know, that if I had only practised law for a couple of months, I may not have known this.

3:10

I have to say that this particular member's use of this prohibited language is flagrant, and it's, in fact, common, Mr. Speaker. If you look at Standing Order 24, it indicates that "if a Member, on being called to order for an offence, persists in the offence or refuses to follow the Speaker's direction in the matter, the Speaker shall" – not may but shall – "name the Member to the Assembly."

Now, Mr. Speaker, I'm not suggesting that this is happening because it's very obvious to me that this particular member simply wants to get kicked out of this House to make himself conspicuous for some political gain. That is not what this Assembly is about. This Assembly is about doing the business of the people, and we have many people watching in the three galleries. We also have many people watching, as the Member for Edmonton-Centre noted earlier, through electronic means. I think the citizens of Alberta deserve better, and I would ask you to rule accordingly and have this member go and withdraw these offensive remarks.

**Mr. Anderson:** Well, I would note, Mr. Speaker, that he did not cite the *Hansard*, and until I see a copy of the *Hansard*, I'd like to say that he has no evidence. I'd like to see a copy of the *Hansard*, and we can discuss it.

The second thing is . . . [interjections]

**The Speaker:** The hon. Member for Airdrie-Chestermere has the floor.

**Mr. Anderson:** That is important, that we see what the record states. There were comments going back and forth from a lot of people during that time.

There is no doubt, as we talked about earlier, that the Premier was certainly, I believe, spinning – I'm trying to use parliamentary language.

**An Hon. Member:** Misleading.

**Mr. Anderson:** I don't think we're allowed to use "misleading."

Spinning the facts to state that we were not here because we obviously didn't care about the bill . . .

**The Speaker:** Hon. member, that matter has been dealt with. Let's not get in deeper. Deal with what we've got before us.

**Mr. Anderson:** Anyway, my point is that until I see it in the *Hansard* – you know, if for some reason I am in the *Hansard* saying that, then I for sure will withdraw those remarks. I would say that this member should spend a lot less time talking in this regard to this House and more time door-knocking given the poll I just saw in his constituency.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Calgary-Varsity, you're involved in this?

**Mr. Chase:** Thank you, Mr. Speaker, for the opportunity to speak to this point of order. While I do not always agree with your decisions, I recognize the authority granted to you by this House to make those decisions, and I don't think you require a member of the government to make those decisions for you. I do not like poor decorum, but I don't like tattletales either, so I don't see the point.

**The Speaker:** That was on the point of order?

**Mr. Chase:** I just said that I didn't see the point of order, if you like.

**The Speaker:** Hon. members, *Beauchesne* 486 is clear on this point.

Remarks which do not appear on the public record and are therefore private conversations not heard by the Chair do not invite the intervention of the Speaker, although Members have apologized for hurtful remarks uttered in such circumstances.

In this case, unfortunately, I did not hear the remarks that the hon. Deputy Government House Leader is alluding to, so there was no intervention. On the one remark that I did hear, there was an intervention, and there were three apologies that followed through that.

Quite frankly, you know the way the question period operates. We generally go on average 18 questions. In the first six questions people try to be really, really aggressive because it's usually the leaders. The first three questions go to the Leader of the Official Opposition, the fourth question goes to the leader of the second party, and the fifth question goes to another party leader. Those five, six questions always have an aggressiveness attached to them, an enthusiasm, sometimes misplaced. Some histrionics are part of it. Theatrics are part of it.

Then, you know, in the second phase in the question period, questions six to 12, the tone reduces itself pretty dramatically. There are fewer preambles. Then we go from questions 12, 13 to question 18. Actually, most of the questions dealing with fact and information follow in that category. The first ones, basically, want to have debate, which are all violations of the question period. Of course, somebody brings in the question with a debatable thing instead of a policy question, and then that just relates to something else. If people actually knew the rules and followed the rules, we wouldn't have had what happened today in the first six questions. I really look forward to hearing what that school group from Calgary-Montrose has to say today. I do know that I've certainly been getting a lot of comments from people about the performance of certain members in this House, none of which has been very flattering, I might add. Nevertheless, they certainly do come.

This happens periodically. I'm not entirely dismayed by the fact. I just wonder sometimes why it's taken so long. Maybe this is the one excuse for people to behave in a way that I'm sure they would never want their children to behave. They would say to a child that it would be quite childish if they behaved that way. As a matter of fact, they would probably take them for a walk and sit them down and say: if you don't want to listen to me, I'll have your mother talk to you about this to try and improve it.

Look, I get comments from people saying, basically, that members in committee put their feet on their desks. I have never seen that, but I have people saying that. Members are using their computers. You know the infamous picture that came out of I think it was Delaware, where they were having a budget debate, and they took a picture of the members, and three of them were playing cards on their computers. It circulated through all of America and said: what a waste of time and money and everything else that was all about.

The childlike interjections: yeah, okay; they are childlike, and nobody can say they're not.

Members have got to have respect for one another. If they don't have respect for one another, they won't have respect for the chair. Members get up and just walk away. Members stand up, look around; they don't speak through the chair. They don't acknowledge the Speaker. Should the Speaker stand up and remind them every time? Wouldn't that be quite arrogant? I'd be interjecting every 12 seconds, but we can do that.

Oh, there's going to be lots of mail coming after today.

## Orders of the Day

### Government Motions

**The Speaker:** Is it the hon. Deputy Government House Leader on Motion 15?

### Time Allocation on Bill 10

15. Mr. Denis moved on behalf of Mr. Hancock:  
Be it resolved that when further consideration of Bill 10, Alberta Land Stewardship Amendment Act, 2011, is resumed, not more than five hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Denis:** Yes. Thank you very much, Mr. Speaker. There were some comments earlier – I forget which member mentioned it – that there wasn't a lot of debate on this. I want to actually just set that record straight because, in fact, there has been a substantial amount of debate on this. As all members are well aware, Bill 10 has already received almost two hours of debate in second reading. That's two hours of debate in second reading. [interjections] Even though I'm mocked and heckled over here by members who have no respect, I will continue.

In addition, last night in this very Assembly there was close to another two hours of debate on Bill 10. Last night another two hours. Further, Bill 10 will now receive an additional five hours' debate in Committee of the Whole today, and that will be followed by perhaps another two hours of debate in third reading. Just so that the Member for Airdrie-Chestermere can actually know what that adds up to, that's actually 11 hours of debate. Of course, in addition to that, Bill 36 received countless hours of debate in this particular House.

Now, Mr. Speaker, given that this is only an amendment to the original bill, I'm confident that all members, no matter what their political stripe, what caucus they belong to here, will be more than able to raise their points of concern over an 11-hour period of debate. It's also important to note that by providing notice, all members can actually plan as to where exactly they want to go with their particular debate as well. There have been a lot of empty chairs, I've seen, in the past on this particular bill. I have to suggest that I do believe that there is ample time here to actually debate this particular item.

I also just want to refer to an item in *Beauchesne's* that I was looking at earlier today, which appears on page 162, and that deals with time allocation for stages of a bill. Pursuant to *Beauchesne's* 534, "A motion for the allocation of time may set out in detail some or all of the provisions which are to be made for the further proceedings on the bill." Mr. Speaker, if you go back to *Beauchesne's* 529, this type of time allocation is not new in this

parliamentary tradition. In fact, as I'm sure you're aware, this goes back to 1927, the first instance of this.

3:20

Just in conclusion, I don't want to belabour this point, but we're in a situation here where after this motion is passed, if it is passed, we will have 11 hours of debate on this particular bill. It's my submission to you and to every member of this House, Mr. Speaker, that in fact we will have ample time for debate and for further amendment.

Those are my submissions, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 21(3) reads: "A member of the Executive Council may outline the reasons for the motion under suborder (1)," which is this one, "and a Member of the Official Opposition may respond but neither speech may exceed 5 minutes." So who would like to respond on behalf of the Official Opposition? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I appreciate the opportunity to stand and speak on Government Motion 15, the oral notice that was given by the hon. Government House Leader yesterday afternoon. Certainly, I must say that I was surprised at this restriction and limitation of what, in my view, is free speech and the democratic right of all hon. members of this Assembly to express their opinions and, more importantly, the opinions of their constituents regarding, specifically here, Bill 10.

Now, the hon. Deputy Government House Leader started by talking about how often this is done and why it is wonderful and things of that nature, but I would like to say that if we had perhaps slowed down the debate and the discussion on Bill 36 to start with, these amendments that we are now discussing in committee, which is Bill 10, perhaps wouldn't be necessary if the legislation had been drafted properly in the first place and citizens had been consulted. Citizens, clearly, in Eckville last Thursday night indicated that they felt this government did not consult with them. I'm sure that when they learn that five days later this government, instead of listening to their reasonable suggestions and their reasonable comments on this property rights issue, invokes closure and takes the guillotine to open free speech and restricts and limits it to five hours – now, certainly this is not the first time.

The hon. member went on a historical vignette regarding closure, but we need to point out, Mr. Speaker, that this Progressive Conservative government has limited the debate at least 40 times – at least 40 times – since 1992, and here they're at it again with Government Motion 15 this afternoon. Certainly, this is a contentious issue not only within the province in rural and urban areas. We only have to look at the billboards that are popping up all over the city and what they say about government MLAs.

**Mr. Denis:** What do they say?

**Mr. MacDonald:** You read it yourself.

**Mr. Denis:** What does it say? Just tell us what it says.

**Mr. MacDonald:** You read it yourself. Go over to Grant MacEwan. You're not that busy a gentleman that you don't have time to go to 104th Avenue. There's a question and an answer.

#### Speaker's Ruling Decorum

**The Speaker:** Hold on. It seems to me that I heard the hon. Minis-

ter of Housing and Urban Affairs waxing eloquent just a few minutes ago about respect from members. I have recognized the hon. Member for Edmonton-Gold Bar, and he was making his comments to the Assembly through the chair. Through the chair. Then the hon. Minister of Housing and Urban Affairs made a few comments, but he didn't go through the chair. He went directly over there, which diverted, then, the hon. member's concentration away from the chair.

Let's just forget about the hon. Minister of Housing and Urban Affairs at the moment, speak to the chair, who will listen very attentively and will convey your message and thoughts through himself as the medium to the Assembly.

#### Debate Continued

**Mr. MacDonald:** Thank you, and I appreciate that guidance, Mr. Speaker.

This is certainly a contentious issue within the government caucus and also with the public in rural and urban areas. One only has to look at the billboard on 104th Avenue to realize that, Mr. Speaker.

Now, the former Justice minister, who was probably – I'm not sure – involved in the drafting of Bill 36 in 2009, has such reservations about it that that hon. member of this Assembly would like to see this bill put back on the drafting table. So what happens? Instead of listening to that hon. member, we have a government that wants to limit debate at committee to five hours.

We need to do a historical comparison of this era of Progressive Conservatives to the initial era that was started in 1971 by the Hon. Peter Lougheed. Our research indicates that only once did Peter Lougheed as Premier invoke closure like we're seeing this afternoon, only once in a long period of time, 15 years or 14 and a half years. Closure was invoked once. Since 1992, our research indicates, this is the 40th time that this has occurred. If the citizens of Eckville and all other areas of rural Alberta are concerned that their voices have not been heard by this government, there are reasons why.

**The Speaker:** Well, thank you, hon. member.

[The voice vote indicated that Government Motion 15 carried]

[Several members rose calling for a division. The division bell was rung at 3:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Drysdale	Marz
Allred	Elniski	Ouellette
Benito	Fritz	Prins
Berger	Goudreau	Rodney
Bhullar	Groeneveld	Rogers
Campbell	Hayden	Sarich
Cao	Johnston	Snelgrove
Danyluk	Liepert	VanderBurg
Denis	Lukaszuk	Webber
Doerksen		

Against the motion:

Anderson	Forsyth	MacDonald
Chase	Hinman	

Totals:	For – 28	Against – 5
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[Government Motion 15 carried]

**3:40 Government Bills and Orders  
Committee of the Whole**

[Mr. Cao in the chair]

**The Chair:** Hon. members, the Committee of the Whole is now called to order.

**Bill 17  
Appropriation Act, 2011**

**The Chair:** Any comments to be offered?

**Mr. Snelgrove:** Well, Mr. Chairman, finally, we've reached a point in the day where we can deal with something that we pretty much all should agree on, and that's the budget that was presented and has spent countless hours in the Assembly being debated. It's a budget that reflects the economic reality of today. It's a budget that funds health care and education and seniors and Albertans that are most vulnerable. It's a budget that commits to continuing to build the infrastructure that Albertans need to grow the economic pie. It's a budget that is balanced, and it's certainly a budget that's right for Alberta right now, and I look forward to the passing.

**The Chair:** The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Yes. Thank you very much. Certainly, when we listen to the minister of finance, it's interesting to listen to the contents of his speech. When we consider this budget, we have to point out some things that are not exactly as the hon. minister indicates. Now, the hon. member in his short speech indicated that this is a balanced budget. Well, it's not. It's the fourth year in a row that this government has run a deficit, that is now totalling \$10 billion. Whenever we look through the fiscal plan of this budget, we can see where there is an indication of a \$2.4 billion budget shortfall.

This government is essentially living off another good, sound idea from the Alberta Liberals, and that's the sustainability fund. Fortunately, the sustainability fund was adopted by this government. But when we look, Mr. Chairman, at the budget and we look closely at Bill 17, we can see where there are some assumptions or sensitivities that were made in February or maybe sooner, in January, that have changed, and there are going to be significant consequences as a result of that.

Now, certainly on the positive side we've seen the dramatic increase in the price of crude oil. The government projected that over the fiscal year we would see an \$89 barrel of oil. It's gone up to \$107 a barrel, and when I was driving to work this morning, it had gone up an additional I think 13 cents. Who knows what it is, but it seems to be settling around the \$100-plus per barrel level in U.S. dollars.

Now, what does that mean to the budget projections? Well, of course, if we're only to look at that, we could potentially, if we do the calculation on the sensitivities in the fiscal plan for crude oil, see an increase of \$2.4 billion in royalties. But that's only half the story because whenever you do the calculation on the exchange rate, where you gain with one sensitivity, you lose with another, unfortunately, Mr. Chairman. In this case that is what has happened with the target for the exchange rate, which is out by 6 cents. If this was to continue for the entire year, it would mean we would have \$850 million to \$900 million less. So what we gain in royalties, we're losing in the exchange rate.

And then we have, of course, the interest rates, which are going up. I asked the hon. minister last week in the House how those

increases may affect the government, and I was disappointed that I didn't get an answer. I got the brush-off. Yes, hon. minister, I got the brush-off. It's quite important because what has happened in the last four years with your wasteful spending habits, hon. members? We have a deficit. We have borrowed money. We have borrowed billions of dollars.

I'm sure that the Minister of Infrastructure is keenly aware of the interest rates and the borrowing that has happened and the borrowing that will happen and how it will affect the government. I would encourage all members to have a look at the consolidated financial statements. You can clearly see in the schedules where interest rate payments by this government went down under the leadership of the former Premier, Mr. Klein, and now they're in- ching back up under this regime.

**Mr. Knight:** Smart money, Hugh.

**Mr. MacDonald:** Smart money. I wonder what that means. Mr. Chairman, I believe the hon. Minister of Sustainable Resource Development may be referring to smart debt, which was a fashionable slogan a couple of years ago. But smart money: I'm not so sure. Fortunately, we have a very low public debt in this province, and we are a lot better off than many jurisdictions despite this government's mismanagement, particularly in health care.

We look at the transfers that are discussed in section 5 of this bill, Mr. Chairman.

5(1) A minister may, with the approval of the Treasury Board, transfer an amount

- (a) from the Capital Investment vote administered by that Minister to the Expense vote administered by that Minister, or
- (b) from the Expense vote administered by that Minister to the Capital Investment vote administered by [the same] Minister.

In other words, this is allowing money to go from capital to expenses back from expenses to capital. But there's a limit on this, as I understand it, of \$5 million.

Last year there was a significant amount of money that went unexpended by this government. I think the Minister of Sustainable Resource Development – it might have been the former fiscal conservative, who is currently running for the leadership, who was running that department. It was a significant amount of money that was unexpended and turned back over to the minister of finance. I could be wrong on that, and I would stand corrected if I am, but certainly there were many departments that turned significant amounts of money back into the general revenue fund at the end of the year, March 31.

But this transfer is certainly interesting.

- (3) The Minister of Infrastructure may, for the purpose described in subsection (4), transfer an amount, not to exceed \$65 000 000, from the Expense vote administered by that Minister.

I don't know why the sum of \$65 million would be selected here. In the past in that department – and Infrastructure and Transportation would be the departments . . .

**Mr. Danyluk:** From Alberta Health Services.

**Mr. MacDonald:** Oh, I think there was \$500 million unexpended that went back into general revenue.

**Mr. Danyluk:** A changing of responsibility, hon. member. Alberta Health Services.

**Mr. MacDonald:** Changing responsibilities, so we have a different number.

**Mr. Danyluk:** Of capital.

**Mr. MacDonald:** Of capital. Okay. I can appreciate that.

Certainly, it is interesting to also note that the Minister of Transportation is involved in this, and the Minister of Transportation has an amount transferred. It's \$10 million more, so we must be going to build more roads and hospitals leading up to the election. That would probably be the reason why Transportation has a transfer that's not to exceed \$75 million. But, certainly, these are interesting.

3:50

Now the President of the Treasury Board is going to get in on the act. The transfer, the amount in the Treasury Board, is not to exceed \$19 million from the expense voted and administered by the President of the Treasury Board to the capital investment. The Treasury Board certainly has been downsized in recent budgets. There has been some fiscal discipline exercised there. The President of the Treasury Board has certainly led by example. But I still would like to remind all hon. members of this Assembly that perhaps it's time to eliminate the Treasury Board and put it back in the ministry of finance, have a smaller, smarter government rather than this rather large front bench that we witness this afternoon.

Certainly, we are going to be transferring money. There was a while, as I understand it, when if we were to have these transfers occurring, it would have been simply against the law. We had more rigid discipline fiscally than we do now. But that's not the case. There are certainly reasons for these transfers. I'm not convinced they are needed, nor are they necessary.

Accountability: we heard in question period today about accountability. Now, in the last section of this bill under Accountability is one sentence; it's not a very long one, Mr. Chairman. It reads, "The due application of all money expended under this Act shall be accounted for." Well, certainly that doesn't apply, in my view, to Health and Wellness if you look at Health and Wellness and the entities that are receiving vast sums of money under that department. I would look at the old regional health authorities and use them as an example. I could certainly use Alberta Health Services as an example.

Some of the accounting practices that had gone on in the old regional health authorities certainly were flagged by the former office of the Auditor General. And we have all these outstanding questions, particularly with the old Capital health region, as to why so much money over the years, over \$300 million to be precise, had been just casually mentioned as other expenses. If you total other expenses in the former Capital health region between 2003 and 2009, you will see where there is a sum of slightly over \$300 million. Taxpayers have every right, and they should be very interested, to know what that money was spent on. Why is it listed under Other? Why can't it be in more detail? The former Calgary health region – you know the region, Mr. Chairman – that racked up deficit after deficit after deficit year after year after year would give a more detailed, comprehensive list. Certainly, it could have been improved, but at least they made an attempt. At least they made an attempt.

Meanwhile we have all these filings from the courts that are being tabled almost daily in the Assembly. These are filings from health professionals who for one reason or another have gone to the courts because they feel that either Alberta Health Services or the University hospital or the former health regions – when they spoke up for their patients, suddenly there were rules and allegations that these rules were being jeopardized, or there was inappropriate behaviour. The list goes on, Mr. Chairman. There were settlements. We know there were settlements. Taxpayers are

curious to know where in those other expenses of \$300 million those settlements would be. And were they paid out?

Accountability is not just one little sentence in one section of one bill. This government has to be accountable to the taxpayers and to the citizens, but in my view it is not. With Bill 17 here we have this one short sentence that reads, "The due application of all money expended under this Act shall be accounted for." Well, you don't have a very good track record, hon. members. When we look at the schedule of votes here, we look at what's in the Legislative Assembly, \$115 million. We're looking at amounts from the office of the Chief Electoral Officer. We have \$25 million. I thought we put the money in there last year for the pending election, but obviously I was wrong.

Now, under Aboriginal Relations, Advanced Education, Agriculture and Rural Development – we can go through this list alphabetically, and of course we end with the Treasury Board, looking at a capital investment of \$137 million and expenses of \$62 million to run the ministry. We will also have other votes under the lottery fund and, of course, under section 2, the capital investment. Essentially, we're looking at three requests here under Bill 17. It is a lot of money. When you look at our revenue stream and you look at our spending requests, I'm surprised we can't get them a little bit more balanced.

Now, I know this is a government that loves to spend money before elections. We know there is an election coming within a year for sure. It could be sooner; it's hard to say. It's the last thing that we on this side of the House have any control over. When we look at the past history of this government in the run-up to the election and we look at what's left in the sustainability fund, I think we could see a lot of spending announcements, a lot of cheque presentations, a lot of photo opportunities where politicians can grip and grin and tell the citizens, "This is PC money" and "I'm doing my job" and "We're looking after you" and "Things are great."

The citizens are sitting in a community hall, and they're listening intently, watching. They know what these presentations are all about, and they remember that this is a government that without any reason, without a cost-benefit analysis, without any internal or external consultation decided they were going to consolidate nine health regions and two other boards into the Alberta Health Services Board. We know what has happened. Budgets have ballooned. Service has declined. The system is fraught with confusion and chaos. That is what citizens are going to remember. They're going to remember what a mess this government has made of our public health care system through their mismanagement.

**Mr. Danyluk:** Where would it be better?

4:00

**Mr. MacDonald:** What would be better? Well, certainly, the hon. Member for Calgary-Mountain View has suggested – and I hope you heed his advice – to go back to five regions. You had nine. You wrecked that.

**An Hon. Member:** Where?

**Mr. MacDonald:** Where? Well, you look at Alberta Health Services' website, and I'm sure that if the Minister of Infrastructure is cutting cheques over there, he's got to be looking at that website to see how they're internally organized. That's how it is. It's five regions, just like this hon. member has suggested in the past. You've got to have some sort of local control and autonomy.

The hon. Member for Calgary-Glenmore was talking earlier in question period about, I think, the centralized planning of this

government, how they're fond of central planning. I'm not sure, Mr. Chairman, about the reference, but there was mention of central planning and central power and the concentration of power. That's what occurs when governments are out of touch with the citizens that elect them, and I can confidently say that this is a government that's out of touch with the citizens that have been gracious to it in the past. I can certainly say that. When you look at what happened after the 2008 election, when you got this big majority, it went to your heads.

Thank you.

**The Chair:** The hon. Member for Calgary-Glenmore on the bill.

**Mr. Hinman:** Thank you very much, Mr. Chair. It's an honour and truly a privilege to be able to get up and speak on a bill. Last night I waited here for hours to speak on Bill 10, and just as it was getting close to our turn, the Government House Leader got up and adjourned debate. It's interesting with the accusations they've made today that we're not here. We wait hours and hours to speak on these bills.

The thing that I really find incredible, Mr. Chair, is that Bill 17, the Appropriation Act, 2011, is time allocated. We have three hours in which to debate each of the different ministries and to go through and ask questions. But just so that people out there understand the procedure of what goes on, the first hour for that back-and-forth discussion with the minister is with the Official Opposition. They get one hour. Then after that, the Wildrose gets up, and we have 10 minutes – 10 minutes – to respond, and then the minister has 10 minutes to respond.

Mr. Chair, as we go through the appropriations, to think that 10 minutes is all the time that a Wildrose member would get to ask any of these questions. It's very undemocratic. It's not a process by which a government can be held accountable.

What I really find offensive, though, is that after we have our 10 minutes, then the NDs get their 10 minutes, then the Alberta Party gets their 10 minutes, and then the independent gets 10 minutes, and the three hours are up. In between all of that, the government members can stand up, and they can take their 10 and 10 because the minister gets to respond. So you can wait an hour and a half, two hours. With the rotation that goes through, with three hours to debate on this, what you end up with is that it comes back to the Wildrose, and they'll have five minutes at the end in which they can ask a question.

If we're lucky enough, Mr. Chairman, we get 15 minutes to speak to the appropriations in these bills. It's not enough. It's undemocratic. They can't be held accountable. The hon. Member for Edmonton-Gold Bar brings up a very important line in here, section 6, accountability. "The due application of all money expended under this Act shall be accounted for." Well, it certainly isn't accounted for at any length or in any detail here in the House. Again, if you look at the line items that we are given and you try to ask questions in a 10-minute period, there's no way of holding the government accountable in such a short period of time.

I have to say, first of all, that I didn't appreciate the minister saying that this budget is something that he thought we could all agree on. This is a fudge-it, not a budget. They're fudging it in saying that we've got a balanced budget. There's nothing balanced. They're going into their savings, their sustainability fund, in a big way. They have a cash deficit of I believe it's \$6.6 billion. Anybody who's running a business would know it's your expenses going out versus your cash coming in, and at \$6.6 billion, you know, that is – what? – roughly 25 per cent over budget. I mean, that's huge. How long could a business stay if they were using up their cash reserves at 25 per cent of their budget? They

couldn't. Not only would that company go under; this government is going to put Albertans under in short order if they don't start to balance the budget in a realistic way.

I want to talk in a few areas about balancing the budget. The Wildrose has been very explicit on the \$2 billion that this government wants to – I don't know – bury with CO<sub>2</sub> at this point, saying that this is the technology of the future that's going to save the province. Again, if we even look at that just for a minute, how do we spend our tax dollars to be the best for Albertans and Alberta business and for the environment? Two billion dollars to store CO<sub>2</sub>. If you sat down and, again, prioritized, which is what the Wildrose is all about, always prioritizing where you're going to spend your money, there are many, many other areas, whether it's public transportation, whether it's a natural gas strategy plan, where we could spend that money and have a true impact on the environment. This is all speculation right now with billions of dollars. For what? We don't know. We could do some positive things with that money if, in fact, that really was the goal.

I wanted to talk a little bit today about Infrastructure because, again, that was one of the nights when I was in here. I sat here for the full three hours, and then I had a whopping 13 or 14 minutes to speak in three hours. And the Premier has the gall to say that we're not here. What is really just insulting to Albertans and everyone else is that even, Mr. Chair, when you're sitting in here – again, we do have other business. I got a phone call from an individual with a concern, and I said to the chair: "I'm sneaking out. I want to be up there." With the government members, who are taking their turn to speak, as soon as an opposition member steps out, all of a sudden they have nothing to say, and they sit down. The same thing happened here. They think they're being cute and say: oh, that's what it is. But if we're sitting in here and want to speak, they'll get up and speak all afternoon. Mark my words, when we go into Bill 10, the government is going to get up and speak, when last night they wouldn't. They wouldn't even allow me to.

In Infrastructure, trying to have a discussion with the minister and getting the best bang for our buck here in the province, there wasn't enough time to go over that, so I want to ask a few questions right now, seeing as how we're in Committee of the Whole. The province does spend billions of dollars on infrastructure, and the question is: are we tendering it in a way that we're getting the best value for our dollar?

What I find when I talk to different construction industries and everything else is that they often set up the parameters such that they eliminate many businesses from bidding on things, and they set it up in a way that's not advantageous or competitive for all businesses to get in on that. Specifically, with Infrastructure what we find over and over is that they have a cost-management fee to build these facilities, whether it's the south hospital, whether it's the university additions up here. These companies put in a bid on what they're going to charge as a management fee, but then there are many areas underneath there that they don't actually tender out.

One of the most expensive is the concrete. If they get the cost-management fee, then they can just start to do their own concrete costs and then a lot of in-house concrete because they actually get to decide what they tender out and what they don't. The government doesn't put the parameters in there and say: "Here's the locked-in cost-management fee. Now tender everything out." They get the cost-management fee, and then what they get to do is decide what they want to tender out, and then a lot of the in-house costs they go with.

It's very frustrating for taxpayers, but it's even more frustrating for many businesses who want to put in a tender. Again, the sys-

tem is flawed. It needs to be discussed, and we need more than three hours' time. Once again, the time allocations are ridiculous, they're not democratic, and they do not allow us to fully hold the government accountable on how it's spending its money.

**Mr. Chase:** Construction without contracts.

**Mr. Hinman:** Yes. Isn't it interesting that the Auditor General, again, in his report says: why are they continuing to start projects without contracts? Who in business would do that other than this government? They would say, "Oh, let's start it; let's build it" and then down the road say, "Oh, I guess we should have a contract; we don't know what the costs are." It would be interesting for the Infrastructure minister to get up and to share with us what the actual cost over the last three years is on cost overruns and to be asked that in committee, where we'd have some time, but because of time allocations there are just so many questions that we can't ask. It's difficult.

4:10

**Mr. Anderson:** They don't give a rip.

**Mr. Hinman:** Yeah. As the hon. Member for Airdrie-Chestermere says, they really don't give a rip. They've got the bank account. They've got the signatures. They can just sign it off. They're using other people's money. "We don't need to be held accountable. They're not going to be able to ask us many questions."

On we go to Transportation. How many times have we asked? Again, the nerve of the minister, Mr. Chair, to get up and say: here's the list. They announce what's been announced. They don't get that a priority list is what you're going to be doing next. What are the next five structures, infrastructure projects or highways, that are coming out of the bin? Say that this is the next one. Which is the next school that's going to be built? That's what a priority list is. That's what putting it out is.

Mr. Chair, they give this pathetic excuse – and it is; it's truly pathetic – saying that if we were to put that list out, it would be demoralizing to one of these other counties or other school districts or something else to think: oh, my goodness, we're 15 down the list, and we're never going to get in there. It's a pathetic excuse. Albertans don't buy it. I hope that they keep putting it out there right through to the next election so that Albertans can send a loud, clear message, like they did in Calgary-Glenmore, that we don't accept what this government is doing, that we don't accept their expenditures, that we don't accept their self-serving interest. A number of things that they do are very disappointing to Albertans.

Again, we can talk, you know, on Infrastructure and Transportation and Service Alberta. The problem that we're going to have is that this government is budgeting billions of dollars for power lines that it's highly unlikely we'll ever use or need unless, of course, they build them. Then someone could say: oh, well, now that we've got this billion-dollar line, we might as well put up a power plant here that otherwise we never would have done, but because we get uncongested line usage, we can afford to compete with someone who's close and on-site and be fine. What this government doesn't get, Mr. Chair, is that there are going to be a lot of industries that will go offline, so we'll need those power lines even less once they go offline.

The problem is that with the set-up . . . [interjection] Oh, maybe we should listen for a minute to the former Minister of Energy, listen to his excuses on the royalty framework, that he refused to change. Go in and talk to CEOs and tell them: oh, there's nothing we can do; it's the political will.

It's just shameful, again, the things that this government has passed, Mr. Chair, when they know – they absolutely know – it's wrong. Yet they'll come out and defend it, just like Bill 10, Bill 36, Bill 24, Bill 50. They know it's wrong. They say that it's wrong to their constituents and to people who corner them outside of the House, but in here they have the gall to stand up and say: this is the right thing to do; we're pushing it through. It's amazing how they collectively all seem to vote the same way. It's very disappointing for Albertans, and they're frustrated with it.

To talk just a little bit more about the line items, again, going back to the hon. Member for Edmonton-Gold Bar and the accountability, section 6: "The due application of all money expended under this Act shall be accounted for." As a lump sum it is accounted for, but what is it being spent on? What are the actual contracts? I mean, so many of those things, Mr. Chair, are hidden. We don't know. They say: oh, it was tendered out. But if there are three or four tenders that come in, they often will not open up and make those public. They say: oh, under legislation we don't have to. That's wrong. It should be made public for all to see, for all to make a judgment and, more importantly, for those industries that weren't in on the bidding to see what happened.

I haven't been able to verify, you know, Mr. Chairman, but SRD, to my understanding, just put out a one-hour time frame to renew I believe it was a hundred-million dollar contract for fire-fighting. Again, if we had more time in Committee of Supply to ask the minister and to get the details of that tendering . . .

**Mr. Liepert:** It would be nice if you showed up.

**Mr. Hinman:** Oh, keep mumbling about that. It's always interesting to have the Minister of Energy mouthing off: if we show up, if we show off.

Well, it's interesting that you won't even admit the boondoggle that the two of you, sitting side by side with the smirks on your faces, did to the Alberta economy. What was it that you signed, Mr. Minister, with the teachers? Six billion dollars of unfunded liability. Again, we're in trouble in education, which has been questioned time and time again. Yes, we of this province – you guys don't even consider that because you've got your little fat retirement funds and you've got your little fat houses that you're going to retire to. Mr. Chair, Albertans are truly disappointed with the front bench of this government and their disregard for taxpayers' money. This budget shows it.

The former Minister of Education signed a deal that we can't afford, and now we have major cutbacks because of the deal that he signed because of the Premier five years ago, a five-year contract at an inflation rate that we cannot afford because we hit hard times. Who'd ever think that this province would ever hit hard times? We've never done it before. Oh, yes, actually, we have had cyclical problems in oil and gas, but they don't know that. They don't understand. It's taxpayers' money. So what if we sign on for \$4.2 billion of unfunded pension plans?

They should have paid it. We can go back and look through *Hansard* to when I asked them, requested when they had their surplus money to pay off the unfunded liabilities. Would they do it? No. They were playing politics. The former minister and now Minister of Energy puts on his glasses, and he's sitting there yapping again. I can't quite understand him, but it wouldn't be anything that's legible or sensible anyway. Just signing away more money for taxpayers. It's very disappointing.

Mr. Chair, the problem that we have here is that there is no accountability. Because of their situation they can sign the cheques, go into debt, not do a good job in having tenders for the infrastructure, for our schools, for transportation, all of those

areas. We struggle here in the province because of the lack of this government's accountability and responsibility.

You know, there would just be one thing that we really need to do, in my mind, that would change all of this – and a Wildrose government will do this – and that is accountability through recall. If there was recall, I doubt that the former Energy minister and the current one would be sitting in this House. Albertans were upset – and they knew it – but there's nothing they can do with our current democratic process here. But with accountability through recall that would change. When governments want to spend ridiculous amounts of money, the citizens could actually go in and say that – you know what? – we don't want this and start getting a petition signed. And all of a sudden they'd wake up.

The Premier talks about missing in action. He wouldn't even go for a request to speak to landowners in his own riding on the accountability of the power lines going through there and what Bill 36 was doing.

I would also venture, Mr. Chair, that if you actually go back and look through *Hansard* for the Premier giving his eloquent defence, he says that he knows and he understands, which obviously he doesn't. He talks about history and the tragedies of the past, yet he's enabling future leaders to do exactly what happened in his heritage. He doesn't understand history, and we're going to have to repeat it here because of his misunderstanding of the problem.

He wouldn't even attend an open forum in his own riding. That's pretty sad when you won't go and attend those things in your own riding because – well, I guess we can't use a farm animal like a chicken because that was ruled unparliamentary, but I don't know what else you'd call it. [interjection] Yes, scared. Scared to face his own riding. Scared to face the voters next time. So he resigned unexpectedly just three weeks after he made . . . [interjections] Yes, we're talking about the Premier and cabinet and the misappropriation of the money that they're spending.

**An Hon. Member:** Relevance.

**Mr. Hinman:** That's the problem. You guys don't understand the relevance of a \$16 billion power line. It's shameful, Mr. Chair, that they want to go on with that rhetoric that there's no relevance. It's all about the money. It's the money that they're spending. They failed to tender things out. They failed to go through due process of a needs process on a regulated industry, and they don't understand these things. It's shameful.

4:20

Sustainable Resource Development. Let's go back to firefighting. They need to put the fires out. I'd love for the minister to get up and to inform the House on the process on the tender that went out for sustainable resources on the firefighting suppression. Like I say, verify it for us. They have the information. They won't give it to us. Was it only open for one hour? How many people did they send it out to so that they could have competitive bids? It's truly amazing.

The amount of lottery fund transfers to be voted on under this section is \$1.4 billion. Again, I see that whole area as, what I call, a political slush fund, Mr. Chair, the \$1.4 billion. What we need to do is to have a much better system where they're formula based when these things go out to different communities, to different organizations. The amount of money and time that I hear these organizations spend as they struggle to put in applications to the minister, hoping to win his good favour, so he will say: "Oh, I think this is a neat application. I will grant that." That is a very poor way to govern. It's a very poor way to see that things are working out.

Mr. Chair, there are just so many areas when you go through here where the money could and should be spent in a much wiser way. I'll go back for a minute to the Executive Council expense. It's \$28 million. Twenty-eight million dollars to run Executive Council. Let's have a few line items to see what they really do with \$28 million and if some of that couldn't be transferred over. They love to talk about education.

**The Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Chair. One of the things that the government fails to recognize is liability versus investment. Yesterday in speaking to Bill 17, I talked about the importance of investing in education. It's unfortunate this year that the minister has used the recession as an excuse for cutting back education and punishing not only teachers but punishing students by creating larger class sizes and then suggesting to school boards that \$500 million of surplus money will solve their problems.

The government doesn't seem to understand, even though they accepted the Liberal idea of creating a stability fund, the idea of continuous investment instead of: we'll put some money in when the oil prices are right, but if they go down, tough luck. You can't govern based on internationally set, nonrenewable prices.

This morning in Public Accounts in terms of investment we had an opportunity to speak to the ministry of advanced education. One of the questions I asked had to do with why the ministry of advanced education cut the budget for bursaries and grants this year by a whopping 50 per cent. Education produces a 3 for 1 investment, yet opportunities that postsecondary education provides to diversify are, unfortunately, not funded by this government.

The government figures suggest that there's a 17 per cent participation rate for 18- to 24-year-olds in the postsecondary system. Other StatsCan figures put it at only 14 per cent. When the ministry of education was asked, "Do they track the number of students who are turned away from postsecondary institutions or who fail to complete or drop out?" there was no statistical data to provide that. My concern is that the investment in our youth is not being recognized as important.

What the government has done, instead of bursaries and grants, is that the government has forced students to take on greater debt loads through the loans they have been provided. Also, again in terms of expense and cost to students, which Bill 17 does not address, is the fact that with Bill 40 three years ago the ability to raise tuitions went out of this legislature into the minister of advanced education's office.

The former minister of advanced education, who is now seeking the leadership of the provincial Conservative Party, said that he would not increase tuition beyond inflation. Then when the universities of Alberta and Calgary came cap in hand and said, "We need to raise our professional faculties' tuition rates," permission was granted even though it was absolutely contrary to what the minister had said. When the universities and postsecondary institutions said, "We need more money," instead of the government providing sustainable operating grants, what they did was say, "Okay; we'll let you hit your students with a \$500 facility fee," that has no direct bearing to their educational outcomes or their quality of life on campus. Again, the former minister of advanced education put it to the students in terms of \$500 in extra fees. Mr. Chair, this is something that students from the CAUS group, that represents universities, and from the ACTISEC group, that represents colleges and institutes, are extremely concerned about.



This government has not found it important in terms of advanced education to provide on-campus student housing near to the degree which is standard in eastern Canada at eastern universities of being able to accommodate, on average, 21 per cent of their students on campus, thus saving the students the transportation and overhead costs. Again, this government is not recognizing advanced education as an investment, which produces tremendous returns.

Likewise, the government has fiddled with the innovation fund, and as a result a number of research chairs that have been doing extremely important research in a variety of fields, whether it's engineering or whether it's medicine, no longer know whether their research grants are going to be continued.

In terms of accountability and oversight again with postsecondary institutions this government got caught, as did a number of the postsecondary institutions, the U of A and U of C in particular, with investing in asset-backed commercial paper, and that caused terrific losses to their endowment funds.

In the government's so-called wisdom this year they didn't have the oversight to regulate the universities on their investment procedures. But this year they said: we're no longer going to match your endowment contributions. Again, a large source of funding for the universities was taken away because the government, obviously, doesn't see postsecondary as worthy of investment.

Mr. Chair, another problem I have is within Employment and Immigration. Employment and Immigration drastically cut back, as did Education, the funding for English as a second language for worker training and upgrading. That was a very short-sighted circumstance. The Minister of Employment and Immigration has talked about bringing in temporary foreign American workers, who have no rights, to deal with the upcoming boom.

Now, to his credit, and something I agree with, is the need to increase the provincial nominee program. We don't need more temporary foreign workers. We need Alberta and Canadian citizens, and that's only going to happen if there is greater support – I know that has to be worked out with the federal government – to allow more individuals to be nominated. Unfortunately, this year the federal government as part of its fiscal restraint or constraint has reduced the number of immigrants that will be allowed into this country, particularly with families. That's having a very detrimental effect across the country not just in this province.

4:30

Something I've mentioned before, that affects the most vulnerable individuals with jobs, is our low minimum wage. For over seven months there has been no movement from the minister on the minimum wage. The committee on the economy, for which I'm the vice-chair, recommended over seven months ago a small quarterly increase. Now, the government doesn't pay that increase, but the government regulates and requires that that increase be made. So here we are in this resource-rich but regulation-poor province with a minimum wage which will soon be the lowest in the nation, yet Alberta has among the highest costs in terms of housing, food, transportation.

There's no tremendous benefit to us as the owners of the non-renewable resources of oil and gas when you go to the pump to fill up. Unfortunately, we're not seeing that. The hon. Member for Edmonton-Gold Bar indicated how much money we're transferring down to the States from Albertans' pockets to provide subsidies to American companies. That certainly has to stop.

Yesterday I talked about the need for sustainable funding, and I talked about the current tax rate, and I talked about progressive. What I didn't speak about was the alternative that we see in this province to a flat tax. The flat tax provides forgiveness at the low-

er end of the scale, puts the majority of the responsibility for taxation on the middle-class individuals, middle-income earners, and to a large extent it exempts the people who are benefiting to the greatest extent from this province in terms of just a flat tax rate. That forgives approximately \$5 billion of income that would have gone into education.

Now, we have different points of view in terms of smart debt, smart money, smart investments. I realize that if you carry debt for a short time to support institutions like education, like health care, then it can be a good investment, especially in education, as I say, where by educating individuals, they now become part of the employment of the province. They pay the taxes, and we derive the benefit of their education, not only from the jobs they carry out with their improved education but from the taxes they pay for having the privilege of that improved education.

Mr. Chair, there are areas where this government very much needs to cut, and that's in the number of ministries. For example, while the government talks about cross-ministerial initiatives, Sustainable Resource Development and Environment and parks, for example, should all be within one ministry and definitely be talking to each other so that they get it right. We don't have that balance.

There is a terrific amount of money, as the hon. Member for Calgary-Glenmore mentioned, being spent on Executive Council: \$23 million. Similarly, large amounts are being spent for the Public Affairs Bureau, which is not information; it's propaganda control that continues to operate out of the Premier's office. This was an initiative that former Premier Ralph Klein undertook to make sure that the so-called arm's-length informational aspect of it became the government's propaganda way. One of the things a Liberal government would do and, I would expect, a Wildrose government or an NDP government would do would be to get rid of the Public Affairs Bureau because it's strictly a propaganda issue.

Mr. Chair, with regard to reducing ministries, we would reduce subsidies. We would stop propping up, for example, horse racing with \$35 million worth of subsidies. We would provide greater funding and support for education so that we didn't depend on slot machines and VLTs to provide more money for our coffers, under questionable circumstances, than conventional oil does. This business of: now we're going to track the addicts, pass along their information so that every gambling institution not only in this province but throughout North America can zero in and send them attractive offers over e-mail about online opportunities to lose their money. You can lose it at home. You don't have to go to the casino.

Mr. Chair, we could be using the money that is currently being wasted in this government by its overadministration and putting it towards Education, putting it towards Seniors, putting it towards Children and Youth Services. In every front-line care delivery circumstance people are burned out. In health care they're burned out because of a lack of trust for them to do their job. There's no whistle-blower legislation for them to report, and if they stand up, they get smacked down. We've seen that over and over again, and that's why we've called for a public inquiry, which I believe would be a good investment because it would clear the air. Then we could have a new starting point, and people would regain their trust in the system.

The smacking down of individuals isn't just in the health care circumstance. The intimidation happens in education. Former minister Gary Mar, through his henchman Kelley Charlebois, tried to silence me when I was sending information and concerns to the minister when he was Minister of Education. Twice through this individual Kelley Charlebois, the man who had illegitimate con-

tracts, I was called before the superintendent of the Calgary public board and had to explain why I was communicating with the Minister of Education. That's the type of intimidation that happens far too frequently in a variety of professions. That is not a good investment.

We need to be working for a sustainable vision in this province, and we need to get rid of our dependency on externally set global prices. We have to diversify our economy within this province, and the route to diversification comes back to education, Mr. Chair.

I appreciate this opportunity to speak about where we could save money and where we could better invest money. This should be a collaborative, collegial process. I'm glad that time allocation is not being set on this particular Bill 17, the appropriation bill, although time allocation was certainly the case in each of our budget debates. There was very limited opportunity to ask the questions, and I received no sense of commitment that for the numerous questions I asked in Tourism, Parks and Recreation and in Children and Youth Services and in Employment and Immigration I would receive the written answers that I have requested. Of course, we will soon recess, and I don't have those answers. I could have been asking more directed questions today, for example, during this debate, but without that feedback it's very hard to do so.

Thank you for this opportunity, Mr. Chair. I'll allow other members to participate and look forward to again rising.

Thank you.

**The Chair:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you, Mr. Chair. At this juncture I would move that we adjourn debate on this bill.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 4:40 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Cao in the chair]

For the motion:

Ady	Elniski	Marz
Allred	Fritz	McQueen
Benito	Goudreau	Prins
Berger	Groeneveld	Renner
Bhullar	Hayden	Rodney
Danyluk	Johnston	Rogers
Denis	Knight	Sarich
Doerksen	Liepert	VanderBurg
Drysdale	Lukaszuk	

Against the motion:

Chase	Hinman	Notley
Forsyth	MacDonald	Swann
Totals:	For – 26	Against – 6

[Motion to adjourn debate carried]

### Bill 10

#### Alberta Land Stewardship Amendment Act, 2011

**The Chair:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. I am pleased

to speak today to Bill 10, the Alberta Land Stewardship Amendment Act, 2011. As a former Minister of Municipal Affairs and a local councillor and a reeve I would like to address some specific aspects of this bill that pertain to municipal powers and responsibilities. But first, as a current rural landowner I would like to make some general comments about the importance of this legislation.

Agriculture has been the backbone industry of our province and still is, only now it is reinforced by the energy sector, making Alberta an economic powerhouse on a scale we never could have predicted. Because of this, there has never been a more important time to put the necessary plan in place to accommodate the impending growth. Albertans recognize this and have clearly told us that they support and expect long-term planning. They have told us to make plans to help preserve our air, our land, our water, and the rural Alberta way of life for future generations.

As growth continues, our major cities will continue to expand and industrial activity on our landscape will increase. Our government is working hard to make sure that this happens in a strategic, well-planned way. As this planning occurs, our government is committed to ensuring that the landowners who are affected are being treated fairly and that as few of them are being impacted as possible. That is what the Alberta Land Stewardship Amendment Act and other planning legislation is about.

The need for co-ordinated land-use planning makes ALSA a very valuable legislative tool. Economic and population growth are putting pressure on the landscape. Albertans have told us that they want a more co-ordinated approach to managing growth in our province. ALSA provides the authority to develop regional plans that will help guide local and regional land-use decisions to balance economic, environmental, and community objectives. We need to plan now to manage future growth, and ALSA lets us do this. This legislation is about ensuring that the land Albertans have a deep attachment to is preserved for future generations.

Mr. Chairman, my family has farmed land in Alberta since 1896. My land is not only my livelihood; it is my legacy for my children and my grandchildren. I need to say to you that it wasn't very long ago when I wanted to purchase some extra land, and my family said, "Do we really need it?" I answered them, "Well, the value of land will not decrease and will maintain its value." The comments from my family were, "You would never ever sell it, so maintaining value really means nothing." In fact, one of them said that I would possibly be in the grave still holding on to the last piece of grass, making sure that that land stayed in the family.

That is the attachment that I have for the land. That is the attachment that landowners have for the land in Alberta. That is why I believe strongly that we must be good stewards of the land and we must always protect the rights of landowners. I have always worked to protect these rights, and so has this government. In fact, Mr. Chairman, I have worked as a surface rights advocate to deal with well spacing, soil protection and compensation, and the need for regulators to work together. I have worked to protect the land that my family has farmed all of my life. This is why I support the land-use framework and why I support Bill 10, which strengthens and enhances landowners' protections.

Unfortunately, there has been a lot of misinformation circulating about this law and other legislation. Bill 10 is intended to clarify that the government will respect the property and other rights of individuals and that it must not unfairly infringe on those rights. The amendments in Bill 10 make it clear that nothing in the act or regional plan takes away an individual's existing rights to compensation under Alberta law, and the amendments further ensure that the landowners are treated fairly.

Section 1(1) emphasizes that government must respect property rights and other rights of individuals and must not infringe on

these rights except with due process of law and to the extent necessary for the overall public interest. New sections outline mandatory consultation requirements before regional plans are adopted. In addition, new sections 15.1 and 19.2 strengthen and clarify rights to request variances and reviews of plans. Mr. Chairman, these are meaningful clarifications and improvements to the landowner protections already present in the Alberta Land Stewardship Act.

5:00

I would now like to discuss in greater detail some of the other provisions of Bill 10 that relate to municipal government. Municipalities are key partners in land stewardship along with the province, private landowners, and other stakeholders. They have a long record of working co-operatively to protect our air, our water, and our land. I would like to discuss how that partnership will continue under ALSA as strengthened by Bill 10.

Mr. Chairman, this government recognizes the critical importance of municipalities through the development of the land-use framework. Government held consultations with municipalities from the start of the process in 2006. A total of 237 municipal decision-makers participated in consultation sessions that year. I need to repeat: a total of 237 municipal decision-makers participated in consultation sessions that year. Nearly 30 municipal representatives were involved in stakeholder working groups in 2007 and 2008. We have continued to value municipal contributions during work on the regional plans.

The two regional advisory councils so far have each had three members with a municipal perspective. In the lower Athabasca region these representatives included the mayor of Wood Buffalo, the deputy mayor of Lac La Biche county, and the director of planning for the city of Cold Lake. The South Saskatchewan representatives include the mayor of Airdrie, councillors from the town of Nanton and from the municipal districts of Foothills and Taber, and the director of water resources for the city of Calgary.

Last September the government held three sessions that included all municipalities in the lower Athabasca region. This was on top of nearly 60 municipal representatives who had been part of the previous consultations on the South Saskatchewan region. These ongoing discussions demonstrate the value this government places on our relationships with municipal leaders.

Respect for municipalities is also demonstrated in specific amendments contained in Bill 10. Bill 10 proposes changes to the Alberta Land Stewardship Act that will strengthen the relationship between provincial and local governments and will provide better planning in Alberta for present and future generations. This relationship is important when you look at the goals of long-term planning and the purposes of the Alberta Land Stewardship Act.

When the government started work on this planning process, we heard from Albertans about the need for decisions made by different groups to be better co-ordinated. I draw your attention to section 1(1)(c), which states the purpose of the act. The purpose includes "to provide for the co-ordination of decisions by decision-makers concerning land, species, human settlement, natural resources and the environment." I'm pleased to see this clarification. It is important that the legislation encourage provincial government and local bodies, including municipalities, to co-ordinate decisions about the land and land use-related planning and decision-making.

The proposed change recognizes that all decision-makers need to work together to achieve these purposes. While there is a need for co-ordination, this does not mean that the provincial government is taking away the authority of the municipal government over local decisions and resources. The success of this process

depends on municipal governments' detailed knowledge of their local areas' challenges, attributes, and priorities. For example, Bill 10 repeals section 9(2)(f), an earlier provision in the legislation that allowed a regional plan to make laws about matters that municipalities are authorized to do. Section 11(3) also makes it clear that a regional plan cannot change or rescind a development permit or approval granted by a municipality. I need to say this again, Mr. Chairman. In section 11(3) it also makes it clear that a regional plan cannot change or rescind a development permit or approval granted by a municipality if the project has already progressed to a point of actual improvements on the land. These changes emphasize our respect for the existing role of municipalities and our support for the authority of local governments.

We also have been responsive to municipalities' need for time to co-ordinate their planning with the regional plan. They asked for a five-year window to do that, and we have agreed.

Finally, the proposed amendments in Bill 10 give municipalities the ability to request a review of a regional plan. Mr. Chairman, that gives municipalities a say in the future. Bill 10 makes it clear that the provincial government respects the authority of municipalities. The Alberta Land Stewardship Act will ensure that regional plans become a way to align decision-making and provincial policies. The act will ensure that all provincial ministries and agencies and local governments work together towards a common vision and common objectives within each region. Local governments will retain decision-making authority but will need to ensure that their plans, bylaws, and policies align with the regional plans. This reflects what Albertans have said they wanted from regional planning. This is what this bill does. Albertans said that they wanted everyone to work together to manage the pressures of the present and future growth. The government is committed to working with municipalities and other decision-makers to create that alignment.

Mr. Chairman, we all live in this province. We all work here. We all drive on the highways. We rely on power to be there when we turn on the switch and on water to be there when we turn on our tap. It is important that we work together for the preservation of this province as we see it and as we know it today. We need to work together, all forms of government. We all want our natural heritage and our rural way of life maintained and strengthened for future generations.

I think, Mr. Chairman, I've made it very clear that I don't have any intention of selling my land. My land is to be passed on to my children and to my grandchildren. It is important that we are stewards. There are 30 members in this caucus who have and own land. If we look to my left, the hon. Minister of Agriculture and Rural Development has been on his farm for over a hundred years.

5:10

**An Hon. Member:** How long?

**Mr. Hayden:** No wonder I'm tired.

**Mr. Danyluk:** He was. He may have not been physically there, but he was a twinkle.

This is just as critical to our future as infrastructure and public services, and we have a responsibility to plan for it. As we do so, we are committed to maintaining our long-standing respect for property rights and for those who own them. As a government we have understood and protected Alberta's rural way of life for the past 40 years, and we will continue to do so. That is our responsibility not only as members of this Assembly but as landowners, as parents, as grandparents.

Thank you very much, Mr. Chairman, for giving me the oppor-

tunity to say a few words about how precious and passionate I am about the land that I farm. If you went around to landowners, you would not find many that look at that land as an opportunity for an investment for the future that is monetary. It is an investment for the future of their children and their grandchildren. We need to keep in mind that this country is very young, this province is very young, and land is our most precious commodity.

Thank you.

**The Chair:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Chairman. A pleasure to rise in committee on Bill 10, Alberta Land Stewardship Amendment Act, 2011. Thank you to the minister for his heartfelt message and his acknowledgement that he is precious. I concur that all of us are precious, and the future is precious. We need good leadership, and we need to rebuild a sense of trust and integrity and relationship with those in the province that have carefully placed their trust in us and given us the responsibility to plan well into the future.

A famous Liberal once said that trust is the only currency in politics. Indeed, it is the element that allows for relationships, for authentic communication, for decisions to be made, and for collective actions to be taken in the public interest. Trust is the foundation of all that we do in our lives and particularly relates to public policy and the role of representatives in the Legislature. The foundation of trust is respect, integrity of purpose, and honesty in dealing with all people regardless of their position and place in society. Trust is not only the glue of civilization; it is the essence of business, education, health care, environmental stewardship, and indeed progress, all progress, Mr. Chairman.

This government has squandered its capital in trust over this past decade with poor planning and consulting, marginalizing, dismissing, and ignoring science, intimidating dissenters, and weakening the institutions that hold elected people accountable. This government's sense of entitlement and arrogance, its stifling of dissent have created a climate of fear and silence even in the last election, where only 40 per cent of people felt their vote was significant enough to turn up. This government has become the butt of jokes in Canada with its disrespect for democratic process. Average citizens are alienated and cynical. Even our esteemed health professionals have disengaged and are fearful of retaliation in this one-party state, this one-party health system. Such is the loss of trust in Alberta that we now see our most revered professionals cowed into frustrated silence as they attempt to restore some semblance of confidence and competence in our health care system.

Similarly, the good citizens of Alberta are attempting to address this gross attempt to correct inadequacies in land stewardship, Bill 10. Let me be clear, Mr. Chairman. The Alberta Liberals do not support expropriation of land without due process, including a public process, a formal appeals process, and an appropriate compensation mechanism. The bill does not address these issues in a comprehensive way. While the Land Stewardship Act does offer some positive mechanisms for long-term planning in the development of our key resources and our land, this must be done with a transparent public process. The power should not be exclusively held in the hands of cabinet and decisions made behind closed doors.

The Alberta Liberals believe in the protection of Alberta's Crown land, sustainable development of our resources, and growth of our urban and rural communities. Bill 36 is one of the most important bills passed in this House in the last decade, the Alberta Land Stewardship Act. It put land stewardship – that is,

proper land-use planning – at the forefront of government responsibility, a responsibility ignored for over a decade. I acknowledge this attempt. It is a positive if inadequate beginning in a province with the largest growth in population and industry yet with low freshwater supplies. This kind of planning document is long overdue, and this opposition party has been pressing for land-use planning throughout that decade.

Government is charged with setting priorities ensuring protection for the long term of our natural places, food production, and efficient transportation as well as protecting property rights and freedom of citizens and business to operate. Without a thoughtful plan based on our water systems, the continuing free-for-all land scramble would continue since the Klein-era dissolution of regional planning commissions. Instead of bringing in the best evidence from around the world, including Europe, where they're right up against limits of growth and land and water, we ignored the experience of other jurisdictions and charged ahead without ensuring Albertans were meaningfully consulted in establishing their values in terms of land stewardship, sound economic development, and property rights.

Let me be clear. Bill 19, the land assembly act, and Bill 50, the Electric Statutes Amendment Act, or what I like to call the Transmission Lines White Elephant Act, are not the same category as land stewardship. We must be careful not to throw out the baby – that is, the land stewardship – with the bathwater, Bill 10, which is inadequate in dealing with the land stewardship shortcomings. We need to retain Bill 36 with proper amendments, not these poor excuses for public accountability and landowner rights.

I supported Bill 36 as a beginning. It needs amendments to ensure a proper appeal process, open consultation before final decisions, and a compensation process that is not going to tie everything up in courts indefinitely. Bill 10 does not provide this assurance.

I'd like to quote someone who has been very thoughtful in analyzing this bill and has no axe to grind, University of Calgary professor Nigel Bankes, an environmental lawyer.

The Bill will encourage the adoption of timid plans that will not achieve the noble purpose of the legislation. I [believe] the amendments will create significant uncertainty and encourage litigation. The big winners from this Bill will be lawyers; the environment will be the loser.

We can do better than this, Mr. Chairman, and we must do better than this in the interests not only of our citizens but, as the hon. minister has said, our children and our grandchildren.

5:20

After 40 years of rule by the PCs, however, there is such a sense of entitlement and transparent self-interest along with a lack of objective scientific analysis of key issues that the result of the Land Stewardship Act is not better land stewardship but confusion and mistrust now in the land. The government's effort to stem this distrust by following with Bill 10, this amendment act, is inadequate. It purports to deal with the lack of an appeal mechanism, lack of respect for landowners and those affected, and fails to address the government's growing appetite to control all decisions irrespective of the will of the people living in these regions, and so it fails. This government cannot hide the fact that they have lost the confidence of the people, and these frantic efforts to fix land stewardship are one misguided push.

Now, in addition, we see the limiting of debate with closure to these debates, and the government demonstrates its arrogance again for proper democratic process and the intimidation and silencing of opposition views. This is not acceptable. It's not adequate. It's hardly believable in 21st century Alberta. Once

again, the public trust is put second to power and control. The changes, then, Mr. Chairman, in Bill 10 could actually worsen the province's ability to provide real leadership on land use, and it fails to ensure conservation values are protected along with agricultural land and sustainable economic development into the future.

This is a travesty of governance. Instead of proper consultation and understanding the concerns of Albertans, we are left with no choice and will be voting against the amendment and Bill 10.

Thank you for the opportunity to speak, Mr. Chairman.

**The Chair:** The hon. Member for Livingstone-Macleod.

**Mr. Berger:** Thank you, Mr. Chair. I'd like to speak to the rights of deeded landowners and grazing lease holders under the Alberta Land Stewardship Act and more recently the proposed amendments to the Alberta Land Stewardship Act in Bill 10. These remarks are based on meetings and correspondence that I have had with landowner groups like the Alberta Beef Producers and Western Stock Growers and meetings and conversations that I've had with concerned Albertans in town halls across the province. These groups and individuals are concerned about Alberta's future, and so are we. They have raised concerns about property rights, compensation, access to the courts, and public consultation. We have listened. To answer these concerns, we have proposed the amendments to Bill 10.

I'd like to begin with deeded landowners, individuals who hold land titles. The alleged threat to their property rights posed by section 11, authority to extinguish statutory consents, was based on a highly improbable if not absurd interpretation of statutory consent as including deeded land and freehold mineral rights. Nine out of 10 lawyers would have told anyone who wanted to listen that this is not and has never been the case, and that was attested to by Nigel Bankes, a University of Calgary law professor.

However, just to put this whopper to rest forever, Bill 10 adds a definition of statutory consent that makes explicit what was always implicit, that a statutory consent does not include deeded land or freehold mineral rights. But Bill 10 does more than this for deeded landowners. It amends section 19 of the Alberta Land Stewardship Act to create a new right to compensation for any compensable taking suffered by a landowner as a consequence of a regional plan.

Compensable taking is broadly defined to cover not just the extinguishing of a property right but any negative impact on the right, title, or interest for which there is compensation in either Alberta statutes or common law. This represents a dramatic expansion of landowners' rights to compensation for any negative economic impact that a regional plan might have on their land. Indeed, the new section 19, in effect, extends the principle originally found in the conservation directive sections of the Alberta Land Stewardship Act, section 35 through 43, that landowners should be compensated not just for expropriation of land but for the negative impact on that by a new regulatory restriction and the effect that might have on the economic value of the current use of that land. In the new regulatory environment of the 21st century this type of regulatory taking is a much greater threat to landowners than expropriation.

Last but not least, the economic interests of landowners are further protected by the new section 15.1, that authorizes the stewardship minister to grant a variance to a landowner whose current use is adversely affected by a regional plan. This is just a safeguard against possible unintended consequences that a boundary line in a regional plan might have on a landowner. A

landowner who has a parcel of land that sits right on the boundary line of a special-use zone and who thinks the value of his land or the use of that land has been adversely affected can now petition the minister to exclude or include that parcel in the zone. The minister may grant that request so long as the exclusion or inclusion does not diminish the purpose of the regional plan. This is a simple but important new safeguard against any unintended consequences.

In summary, these three amendments should put to rest concerns about the potential for a future regional plan under the Alberta Land Stewardship Act to have a negative impact on property rights. Indeed, the new provisions for compensable taking represent a giant step forward for Alberta landowners, a new level of protection against regulatory taking not found in the laws of any other Canadian province or U.S. state. Indeed, I would challenge anyone to find a jurisdiction anywhere in the world where property rights are better protected.

In turning, then, to the impact of the Alberta Land Stewardship Act on grazing lease holders, I would first note that it is virtually impossible in Alberta for a person to hold a grazing lease without also owning deeded land. All leaseholders or landowners will enjoy the expanded protection of property rights authored by the Alberta Land Stewardship Act. With respect to status of grazing leases it should be remembered that prior to the Alberta Land Stewardship Act, under the Public Lands Act the Crown always had the authority to cancel a grazing lease for cause or without cause. In the latter case, however, section 82 of the Public Lands Act required the Crown to compensate the affected leaseholder for the loss.

The same people who spread the falsehoods about the definition of statutory consents in section 11 also falsely allege that the Alberta Land Stewardship Act would cancel this right to compensation. They pointed to section 19, which stated that "no person has a right to compensation" under the Alberta Land Stewardship Act except under the conservation directives or "as provided for under another enactment." In this case the other enactment is, of course, section 82 of the Public Lands Act. To purposely suppress the Alberta Land Stewardship Act's protection of landowner compensation under other enactments was but a cheap political trick, perhaps good enough to fool and scare non-lawyers, but it would have been laughed out of any court by any Alberta judge.

But the Alberta Land Stewardship Act did more than just preserve the policy status quo. Section 11 of the Alberta Land Stewardship Act actually improved the position of leaseholders and all holders of other forms of statutory consents by imposing new requirements of due process, procedural fairness, on the Crown.

**5:30**

Under section 11 if a regional plan is going to amend or cancel a grazing lease, the Crown is now required to provide reasonable notice to the leaseholder, state the purpose for the change, and give the leaseholder the opportunity to propose and negotiate an alternative way to achieve the same results. This improved protection of statutory consents was actually proposed by the stakeholders after we first introduced Bill 36, and the government was happy to accept it.

Going forward, the amendments now proposed in Bill 10 will further improve the legal position of leaseholders. Under the new section 11(2)(c) if the Crown plans to change a statutory consent as part of a regional plan, the Crown is required to notify the holder of the statutory consent of any proposed compensation and the mechanism by which compensation will be determined. In the

case of grazing lease holders this means section 82 of the Public Lands Act.

To summarize, then, the Alberta Land Stewardship Act always protected grazing lease holders' rights to compensation under the Public Lands Act and added new procedural protections. These procedural protections are now further strengthened by the Bill 10 amendments that shift legal responsibility to the government to notify the affected cattlemen of the compensation provided under the Public Lands Act.

Mr. Chairman, with the clarifications and the amendments described above, I am confident that fair-minded Albertans will agree that both landowners and grazing lease holders are now better protected by the Alberta Land Stewardship Act and Bill 10 than they were before.

Further proof of this is found in the recently released South Saskatchewan Regional Advisory Council report, with its call for enhanced protection of Alberta's remaining grasslands, continued use of stock grazing as the best way to manage these grasslands, and a repeated emphasis on the protection of property rights as a guiding principle. In there they also suggest that for water protection, purity, quality and quantity grazing, those specific native grasslands are the best use, and the statutory consents should be amended to lengthen the tenure. I think that's a very positive thing.

There's no going back to the good old days, Mr. Chairman. Since the Leduc 1947 discovery there have been 50,000 new Albertans per year. That's half a million people every decade. In six decades we've gone from half a million people to 3.7 million people in this province, and 80 per cent of them live along the highway 2 corridor between Edmonton and Fort Macleod. They're going to keep coming at 50,000 to 60,000 people per year and keep settling along the highway 2 corridor in Foothills, Rocky View, Willow Creek, Mountain View, all the way up and down the line. We project to be at 4 million by 2015 and 5 million by 2030. That means more subdivisions, more acreages, more cars, more trucks, more roads, more quads, more OHVs, more hikers and campers, more transmission lines, more drilling rigs and pipelines, more gas plants and tank farms.

Do we really want no plan to deal with another 2 million new Albertans in the next 20 years? No. Mr. Chairman, failure to plan is planning to fail, and this is way too important to allow to fail. Do we have a plan? Yes. We're getting there. We have the Alberta Land Stewardship Act, supplemented by the clarifications and amendments in Bill 10, a plan that supports the development of seven regional plans based on our major watersheds and incorporating the most expansive and generous protection of property rights of any Canadian province or U.S. state.

To close off, Mr. Chairman, I'd just like to quote from a printout from Fraser Milner Casgrain LLP, who have reviewed Bill 10 and put forward their opinion, their concluding paragraph.

In conclusion, Bill 10 and the Proposed Regulations have written a new chorus of property and procedural rights protections into the revisited [Alberta Land Stewardship Act]. How these changes will play will, of course, depend on the interpretation given to the new lyrics by critics and the reaction of folk fans.

With that, Mr. Chairman, I'll take my seat. I appreciated the opportunity to address the Legislature this afternoon.

Thank you.

**The Chair:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Chair. Once again it's an honour to be able to have a few minutes to get up and speak to this because of what this government has done, invoking closure on the discus-

sion of the most important bill that we have before the Legislature. They seem to think that five hours is ample time. But what's most remarkable is that we're going to see the government members pop up now and speak and take two and a half hours of that time to not allow us to be able to address the concerns of this bill. The concerns are really deep.

You know, to listen to the Minister of Infrastructure get up and say that he'll never sell land: well, never is a long time. If you go bankrupt, you won't have a choice, Mr. Minister, so hang on to that grass. It's just pathetic to listen to the gibberish that's coming out of these government members saying that there's nothing to worry about. It's amazing to listen to them speak of property rights when they have absolutely no respect for them.

The minister talked about the importance of protecting property rights. I ask you: how do you protect property rights? It's interesting, Mr. Chairman, when we look around the world and we see where there's real peace, where there's real prosperity. It's where there is rule of law. It's where property is protected. It's also interesting because, again, there are areas in here where they're well meaning – there's no question about it – but they don't understand the intent, or they have the intent, but they don't understand the wording and what it is doing to property rights with Bill 36 and, again, the lack of proper amendments coming in.

The Premier and the Minister of Education want to accuse us. "Well, where are the amendments? Where are the amendments?" Let's first talk about the problems. But, again, we won't be able to bring forward very many amendments because of the time allocation, the closure, that this government voted on. Again, it's just truly sad that they think that this is the democratic way. They have a majority, and they say: "Oh, we don't want to listen to the opposition. They're just full of gibberish."

Well, I would say, Mr. Chair, that there isn't a better judge of what we have to stand up and speak to in here than the people of Alberta. To allow us to stand up and to speak and to disgrace ourselves, as the government wants to say: that is just absolutely wonderful. Give us the rope to hang ourselves. If you're so bold and you think that you know what you're talking about, give us the time to speak, and let Albertans judge us rather than the House leader or this caucus saying: "We don't want to listen to these individuals here anymore. We know what's best."

To listen to the Member for Livingstone-Macleod talk, if I didn't know where I was at, I would think I was dreaming and living in a communist country as we listen to central planners say: "We're going to look after everything. How many people are going to be here by 2050? How many more oil rigs and how many more wells?" These great, great central planners are going to fix the world. If you look anywhere in the world where central planning has taken place, that's where they looked after the environment the worst, did the poorest job. Central planning has never worked. Even with a benevolent dictator they're not going to say: "This is what's best for your land. This native grass may not be touched. This wonderful woodland may not be touched."

It's amazing how opportunities change. We can just look at the oil sands and realize what wonderful potential has changed in the last 50 years, where people have been up there. They've tried to be innovative. They've tried to extract the oil from the sands, and it has been a huge challenge. Yet the entrepreneurs have cracked that challenge. They've got some incredible businesses going up there that are going to again allow the world to continue to prosper and live in peace because of the availability and the entrepreneurs that have developed that.

5:40

Mr. Chair, today we put out the Wildrose caucus's six steps to

regional planning. This isn't an amendment that we can bring forward, but I want to bring the six points for the government to listen to. What's the purpose of this debate? The hope is – and again there's always hope until the judgment day or until the vote – that they'll come to their senses and realize that, you know, this really should go to a committee, that we need to get it right.

The comical thing is that they got Bill 36 right. Wow. What a repercussion once Wildrose got on the scene and said that we will stand up for property rights. Then we have such I want to say patriotic Albertans like Keith Wilson, who has sacrificed so much to go out and educate Albertans on what's really in this bill.

Isn't it interesting that we have the Minister of Transportation laughing and cackling in here like a chicken who just laid an egg? It's pathetic that they have those types of feelings towards a patriotic Albertan sacrificing so much to make sure that this government gets it right. He's their best friend because if they were to listen to the advice that he gave and make those proper amendments – and there's no reason why we couldn't do that with this bill – they could save themselves. But they won't even save themselves. They've been thrown the rope to climb back up, but will they do it? No. Their arrogance doesn't allow them to. They've dug themselves into this hole.

There's a six-step approach, and it isn't about amendments. The first one is that we need to repeal and entrench.

Immediately repeal the Alberta Land Stewardship Act (Bill 36) and pass an Alberta Property Rights Preservation Act. When private property is used for a genuine public need, there absolutely must be full, fair and timely compensation with full recourse to the courts.

This isn't in the amendment. It's not in the old bill. There isn't recourse to the courts. It's carefully crafted and worded so that the minister can say: "Oh, you can bring a variance to me, the minister. Trust me. I am like justice. I am blind." Boy, they are blind. They don't see it when it's right in front of their eyes.

Step 2, honour existing deals. This government is unbelievable. They seem to think we can just throw one or two under the bus, and it's okay. There's nothing wrong with that because everyone else is okay. It's a very small number. "Grandfather existing leases and licenses and establish conservation areas, or 'no-go zones,' before issuing [these licenses]. Investor confidence in the Alberta economy depends on it."

Yes, they can look at the percentages and say that they are small, and those companies that aren't affected can say: well, it's okay; it didn't affect us. But there's always a risk factor when a government for the third or fourth or fifth time breaches contracts, and there's nothing these companies can really do because they have them over a barrel. We should be honouring those contracts. They haven't. Again, very, very disappointing that in Committee of Supply and in question period we've asked the minister – they spent \$1.9 million on the Athabasca plan, the Athabasca draft. Isn't that interesting? In here it's a draft. When they're out there, it's a plan. The only draft is between their ears, Mr. Chair. It's just blowing through, and there's nobody home.

The problem is that they don't even know, and I think they do. Again, it's a cover-up. They're not going to tell Albertans how much. There are 24 leases that have been affected. Just tell us the dollar value of the lease land that is being rescinded. I would expect that they're going to try and save face and at least reimburse the actual lease funds that they received as they leased out those lands. But they won't give it to us. Unbelievable.

Step 3, use what we've got. "Let Alberta Environment perform cumulative effects analysis on impacted areas. They've got the experience and expertise, let's put it to use." What kind of an excuse is it to say: oh, we can't do cumulative effects? That's

ridiculous. Put it under the Minister of Environment. He's passionate. He's worked hard on it. They're very capable. The workers that they have, hundreds and hundreds of workers, have been going around the province monitoring, doing all these things. Give them the mandate to do the cumulative effects. There's no reason we couldn't do it under the current Environment minister. But, again, no, we need to create all this new bureaucracy, all of this other area. Very, very disappointing. Let's use the Environment minister. Again, we've heard the government so many times. This is the first government in North America, I believe, for sure in Canada, to have an Environment minister, yet we don't allow him to be capable to do cumulative effects. That's shameful that we don't do that.

Step 4, let the Water Act work. We have a Water Act. It was reworked in 1992 or 1993, yet the government seems to want to step in and do it. This law has allowed for a stable water supply for those with water licences in Alberta for decades. We need to get it out from under ALSA and promote it. It's been thoughtfully put forward. We have a great opportunity. Why don't we use it?

Step 5, cut the red tape, find the best models for a streamlined regulatory framework that is balanced between Alberta Environment's authority over the stewardship of air, land, and water. You know, nobody says that we want to go out and just willy-nilly have these developments pop up and say: oh, we have no plan. We have an extensive environmental protection act – extensive. To say that there is no plan – the point is that they don't use it. I mean, how many times have we heard . . . [interjection] Well, the hon. Leader of the Opposition says that they don't have the resources, that they'll spend it foolishly in other areas. The point is that we've got so much red tape and such a mess that it's not being efficient, effective, and it certainly isn't being environmentally friendly. So we need to cut the red tape.

Step 6, involve the community. This is the most critical point. How many times have I heard this government, the Premier himself, say that if we didn't do something, Ottawa is going to step in and do it to us? Really. Really. We're not going to stand up and fight Ottawa? What we're going to do is rescind licences and contracts here in Alberta so that we can have this facade to say: oh, we're looking after our area. It's a joke, Mr. Chairman. What we need to do is involve local community because if they're going to say – and again, yes, they've put these RAC, regional committees, together for the different areas, but then they just abandon them. They put it in there. This is a total disconnect with the community.

In my own personal experience in business life, back in the early '80s, I found that out. You go to municipal government, and you ask: "Oh, what's the act? What's allowed to be developed here?" Here it is. I took it at face value. They said that no more subdivisions are going to go on in this area. So I thought: "Oh, well. You know, I don't want to buy this land if there's no potential for subdivision." Six years later, two elections later, all of a sudden subdivisions were allowed, and I thought: "Wow. Why didn't I realize that people can change these things, that these laws aren't set in stone." And, again, to think that central government can do it.

So step 6, involve the community. Let's invite locally elected officials, landowners, industry stakeholders, and other regional and government representatives to work together to guide regional development in a sustainable way, and recognize that central planning does not work. If we're going to follow the Premier . . . [interjections] They're just like chickens that have laid their first egg, and they're cackling away. It's quite a sight to see. You hear all those hens cackling, and you go in there, and there's one or two eggs.

**Mr. Anderson:** Explain how the RACs aren't binding.

**Mr. Hinman:** They seem to think that these RACs can be put forward and be part of the planning, but it's not binding. The minister can say, "I appreciate that; great work," and then do whatever he wants. There is nothing binding in this bill or the amendment. When the RAC puts forth a recommendation, the minister can say: "Thank you for your time. We're going forward. We appreciate that." It's about locally elected people and the landowners and industry going forward.

Mr. Chairman, there are so many areas in this bill that are so flawed. We need to go back to step 1. We need to repeal it, and we need to entrench the Alberta property rights preservation act. Without doing that, we are on an extremely slippery and steep slope that's all downhill.

5:50

Yes, I was here in Edmonton when the Premier, speaking to the AAMD and C, was so passionate and talked about his heritage and where they came from and not being able to own land. Why? Why, if he understood that, would he pass this bill? To sit there and say, "I am the king, and I wouldn't do that" doesn't matter, because he's gone. In five months he's gone. Who's the next king, and what is that king's agenda? What are they going to do?

I mean, I was astounded when they talked about taking back 30 per cent of the lower Athabasca because this is a great thing to do. Yet the total disregard for those leases that have been put out there is shameful. Again, these contracts are written.

I mean, it's interesting, too, because in 2008 many of the regional areas were saying: "Make this a no-go zone. Do not put this land up for auction." What was this government's response, this very government, this very Premier? Oh, no. We don't know what our regional land plan is yet, so we're not going to – what would we say? – restrict our pocketbooks. If we can sell some of these leases, it's okay.

I truly believe that they had this plan all along, that we will eventually pass a plan because they understood that if they pass a plan and it's a regional plan, it becomes government policy, and it cannot be challenged in the courts. That is the key of this whole LARC and every other plan, that because it's government policy, it's therefore not challengeable in court.

That – that – Mr. Chair, is the biggest dilemma with this problem. To say that, "Oh, we're going to change section 15.1 and allow variances to come to the minister," that's a joke. What good is a variance going to the minister? That's like if a person just beat you up, and then you go in there and say: "I'd like fair compensation, please, for the beating that you just gave me. What are you going to give me?" "Oh, well, here it is." It doesn't work.

Under section 11, cabinet's regional plans can amend or rescind existing rights – they changed extinguish to rescind; that isn't good enough – including development rights, resource extraction rights, mineral rights, water licences, grazing leases, and any dispositions, approvals, or permits issued by the Alberta government.

Section 13(1): "exclusive and final jurisdiction over its contents." It doesn't matter what the big letter giveth; it's the small letter. If it taketh away, it is gone. It's in the contract. So, Mr. Chair, it isn't good enough. "Exclusive and final jurisdiction over its content" is pretty clear, and people cannot go forward.

Section 15(1). It's binding on municipalities and all Albertans. It's binding. It even goes on to explain that municipalities that don't accept this – and, oh, they keep talking about if it's already been started, it gets to continue, one area where they actually grandfather it, which is great to see that they, I guess – what would I say? – thought they could slip this through by saying that

we'll grandfather any existing municipal plans. Boy, after this is in there, and they start to bring a new one that doesn't go along with the minister, they can smack him down in a minute and say: "No, you can't do that. Rewrite your bylaws." Even more disgusting is that they can say: "You know what? We're not going to transfer your money back to your municipality. You're not listening to our regional plan. You bad, bad person. Listen up, and if you don't, we're going to strangle you to death economically. No money. We'll get you knuckled down. You'll get down on your knees begging to come onside. We've got all the authority because there's nothing binding."

Sections 15(3) and 15(4): no rights to make a claim against government. The regional plan does not create anything with a cause of action or create any claim exercisable by any person or confer jurisdiction on any court or decision-making body. There's absolutely no recourse for compensation. So when the minister has made his decision, it's done. I do not know of a place in the world where I would want to live where a minister of the government can be the final jurisdiction and no courts can intervene or that you can appeal to. I'll say it again and again: this is the crux of the problem. Jurisdiction has to stay in the courts. Appeals have to be able to have a process to the courts. This bill is so carefully crafted to say and make sure that there is no appeal to the courts. They can shut it down, and the door is slammed shut.

Section 17(4). Bill 36 trumps all other acts. What does that mean? Pretty clear to me. Bill 36, the Alberta Land Stewardship Act, trumps all other acts. So it doesn't matter what it says in the Mines and Minerals Act, it doesn't matter what it says in the Water Act, and it doesn't matter what it says in the environmental protection act because Bill 36, the Alberta Land Stewardship Act, trumps all of those, and there's no amendment coming forward to that.

Section 19: restricted right to compensation if government approvals, water licences, grazing leases, subdivision approvals, mineral leases, timber rights, et cetera are amended or rescinded. I mean, it's very restricted on what they can decide. How can you say that this is protecting property rights when, if someone has something they want to develop, the restriction is: that doesn't go along with the minister's idea of what we're going to have go on in that little region. That isn't good enough, Mr. Chair.

**The Chair:** The hon. Minister of Transportation.

**Mr. Ouellette:** Well, thank you, Mr. Chairman. I stand today to speak to Bill 10, Alberta Land Stewardship Amendment Act, 2011. Perhaps one of the most important things to point out about the amendments in Bill 10 is the fact that this legislation is and always has been about protecting landowners' rights and making a better quality of life for Albertans. This is the fundamental reason I got into politics. As I suspect, it is also the reason a lot of my colleagues did as well. This government has heard from Albertans about the need to reinforce the protective mechanisms in the wording of Bill 10. The reason Albertans wanted this is because the previous wording did not sufficiently safeguard against individuals misinterpreting the information and spinning it to advance their own personal or maybe even political interests.

We heard from many Albertans that the language in the legislation was being misinterpreted by some and needed to be clarified, and that is exactly what this government is doing with Bill 10. We have listened, and we are acting. What the wording in the amendment does is safeguard against some wild lawyers creating a culture of fear among Alberta landowners when there is nothing to fear.



Mr. Chairman, what also needs to be clarified is that Alberta is the most compensating jurisdiction in Canada. Albertans need to know that our government understands, perhaps better than most governments, that land-use planning is intended to benefit all Albertans in the province as a whole while making sure that individuals always have a say in the process.

The Premier ordered a review of the legislation to make sure the words clearly reflect the intention of the act. Some key points are: consultation would become a legal requirement before a plan or amendment is made; any person who believes he or she is directly and adversely affected will be able to request a review of a regional plan; titleholders will be able to apply for a variance to a regional plan; the amended act makes it clear that nothing in the act or a regional plan takes away an individual's existing rights to compensation. This supports the intention of government to stay out of the lives of Albertans by giving them as many opportunities as possible to represent their own individual needs and interests in the land-use planning process, and I believe the amendments achieve that, Mr. Chairman.

I would like to also say that when you listen to the other side, they mustn't read the plan because they get a completely different interpretation out of the act than I do when I read it. Mr. Chair-

man, that's what I guess the law is all about. Some lawyers interpret something one way, another lawyer interprets something another way, and then there's a judge in the middle that makes a decision. When I'm out speaking, there doesn't have to be a judge there that gets to judge me, and when they're out speaking or their great wild lawyer is out speaking, they don't have a judge there to make a judgment either.

Thank you very much, Mr. Chairman.

**Mr. Anderson:** Well, I have to admit, I do always enjoy watching the hon. Transportation minister speak. It's very entertaining, so thank you for joining the debate. That's for sure.

We don't obviously have much time. We only have about 30 seconds left, most likely, but I thought I would stand and – maybe at this time I can adjourn debate till we get back tonight, and we can pick up where we left off. Can I make a motion for that, a motion that we adjourn for the afternoon?

**The Chair:** Well, in fact, it's 6 o'clock, so the Chair doesn't need a motion to adjourn.

The committee will be in recess until 7:30 p.m.

[The committee adjourned at 6 p.m.]







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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday evening, April 27, 2011

Issue 30e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, April 27, 2011

### Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the committee to order. The Committee of the Whole has under consideration Bill 10. Continuing on from this afternoon, the hon. Member for Airdrie-Chestermere.

#### Bill 10 Alberta Land Stewardship Amendment Act, 2011

**Mr. Anderson:** Thank you, Mr. Chair. It's good to be back. Obviously, I want to continue on with some of the comments about Bill 10, the Alberta Land Stewardship Amendment Act, 2011. Yesterday I started speaking a little bit about it, and I went through several things on the bill. I talked about one of the important things that we need to realize, that when we make a mistake, it's important to fess up to that mistake and say: "You know, we made a mistake. We need to correct it, and we need to back away." That's what Premier Klein really taught a lot of politicians, that when you do make a mistake, it's important to admit to it, try to make up for that mistake, and make restitution as quickly as possible.

I find myself feeling somewhat like that with regard to Bill 36 and so forth. One of the things that I didn't read or understand, I guess would be a better way of putting it, in the first go-round with Bill 36 was the issue around statutory consent and the power that Bill 36 gives the cabinet to revoke property rights and to extinguish – this is the language used in the act – property rights, things such as land titles. Obviously, Bill 10 works to correct that. The government says clarify, but let's look at what Bill 36 says and then how Bill 10 clarifies, hopefully, what their intent is.

In Bill 36 under section 11 it says: "A regional plan may, by express reference to a statutory consent or type or class of statutory consent, affect, amend or extinguish the statutory consent or the terms or conditions of the statutory consent." Now, there was some argument about whether statutory consent in Bill 36 meant land titles and other forms of licences, and there was quite a debate around that. In Bill 10 there was an effort made to clarify that, but the government continues to say that the original Bill 36 never did allow the government to unilaterally extinguish land titles. Well, this is just simply not the case. This isn't just a matter of one lawyer disagreeing with another lawyer. As any first-year law student would know, when you're trying to look for the definition of something in a bill, the first place you look to – it's not the only place you look to – is the act. You look to the act, right? Isn't that true, hon. members? You look to the act first.

What does the act say about statutory consent? According to section (z) of Bill 36 statutory consent means

a permit, licence, registration, approval, authorization, disposition, certificate,

as in a certificate of title,

allocation, agreement or instrument . . .

Titles are instruments.

. . . issued under or authorized by an enactment

such as the Land Titles Act

or regulatory instrument.

So there's really little doubt in the definitions section of what statutory consent is and that it can include land titles.

If one looks to what instrument means, we can go further to instrument. They even clarify it further. Instrument means

(i) a grant, certificate of title, conveyance, assurance, deed, map, plan, will . . .

Et cetera, et cetera, et cetera.

It also includes a judgment of the court, so that could include a maintenance enforcement order or a marriage annulment, or

(iv) any other document in writing relating to or affecting the transfer of or dealing with land or evidencing title to land.

That's the definition of instrument, okay? So this whole idea that it did not apply to land titles or mortgages or these types of things is garbage. It did.

This government, that is famous for not understanding, you know, the unintentional consequences of its actions, has come and said: "Okay. Well, under Bill 10 we're going to make a difference. We're going to make some exceptions. We're going to make it clear in section 3(2)."

For greater clarification . . .

This is kind of funny.

. . . the definition of statutory consent does not include any permit, licence, registration, approval, authorization, disposition, certificate [et cetera, et cetera, et cetera] under or authorized by

(a) the Land Titles Act,

They put it right in there.

(b) the Personal Property Security Act,

(c) the Vital Statistics Act,

(d) the Wills Act,

(e) the Cemeteries Act,

(f) the Marriage Act,

So they can no longer get rid of your marriage. That's good.

(g) the Traffic Safety Act, or

(h) any enactment prescribed by the regulations.

It's pretty clear when we look at this clarification that the fear that people had that the government would be able to unilaterally take away their land titles when this bill is passed – that will not be the case. Under the law right now under Bill 36, indeed the government, the cabinet can seize people's land titles. I don't know how you missed that. You obviously did.

Now, let's be very clear. Was it ever your intention to seize people's land titles? I certainly hope not. I don't think it was. But the fact is that that is what the act, Bill 36, clearly authorized or else why would you be passing Bill 10 and one section to clarify that?

That lawyer in a silk suit, as the government always likes to say, that was running around Alberta telling people that the government had just authorized giving itself the power and authority to seize your land title if they felt it was in furtherance of their regional land-use planning, was correct. He was not lying at all. Thankfully, he pointed it out because now it has been dealt with in Bill 10.

There are many things that Bill 10 does not include. For example, it does not specifically exempt the Mines and Minerals Act although it does now exempt the Land Titles Act from extinguishment of a property right. We saw that in action. We saw what happens when you don't have something exempted under this act, that in fact the government can come and seize. It is doing so right now with the lower Athabasca regional plan. It is seizing a couple dozen mineral and mine leases that belong to these companies. It's unilaterally coming in there and seizing them.

Now, there is still a question around what the compensation would be, which is amazing, that the government would allow that kind of uncertainty. But there still is a question. We don't know much the government plans to compensate these companies if at all. We don't know if they plan to give them the value of the lease when they bought it and that's it or if it's going to be the value of

the lease plus interest or if it's going to be — who knows? I mean, it's kind of weird. You'd think that when you take somebody's land, if you expropriate someone's house, you don't pay them what they paid for their house. You pay them what the house is worth when you expropriate it. Fair market value. But we don't know what the government wants to do. Are they going to pay fair market value for it? Who knows? Unintended consequences. It's banana republic stuff is what it is.

According to the former Minister of SRD at the Keith Wilson event in Eckville the other night, when Keith Wilson was going at it with the former Minister of SRD on this, the former Minister of SRD actually gave me credit for moving international stock markets with the power of my words. It was incredible. My banana republic comment was the reason the international stock market fell 150 points according to the Member for Foothills-Rocky View. I didn't know I was that influential, hon. members, but I guess I am. I guess I caused the stock market to go down 150 points.

**Ms Blakeman:** That was an unintended consequence.

**Mr. Anderson:** That was an unintended consequence. Banana republic: whoosh, stock market crash. Well, I said it, so it must be true. Anyway, that was an interesting argument to say the least.

What it does demonstrate is that because there's uncertainty in the market, because the market did not understand what was going on, because they didn't understand what the value of their assets were on their balance sheet for some of these companies, the market got jittery for sure. But, as the minister says, the market came back up. Well, you know what? That may be true, but you have to understand that just because the market comes back up, just because people realize, "Oh, you know what; this doesn't affect a lot of the mineral leases up there; it only affects a few of them," it doesn't make it right. It's still a Mickey Mouse, banana republic way of doing things.

7:40

Property rights are property rights. You hold to them. You respect them. You respect the licences that you give out. If you want to make a no-go area or a conservation area, you make sure that existing licenses and leases are allowed to proceed, that the land is reclaimed, and it becomes part of the no-go zone if that's what you're going to do. But that's not what this government does. They just go ahead, bulldoze ahead, damn the torpedoes, and then Albertans can be left paying the bills and the uncertainty that comes from it.

So there are many problems with Bill 10: the fact that it does not include that specific exemption to the Mines and Minerals Act. I think we have an amendment coming forward later on in the evening.

Before we get there, I would like to touch on another issue, and I'd like to do so by proposing an amendment to this act. This is the first amendment. The Wildrose has roughly 20 amendments that, I guess, we'll have to read into the record at the end of this because we've been cut off on our debate. This is the first one, and hopefully we'll get at least one or two on here.

**The Deputy Chair:** Hon. member, we'll pause for a moment while it's brought up here.

Hon. members, this is amendment A1.

Hon. member, please proceed.

**Mr. Anderson:** Thank you, Mr. Chair. A1 is the amendment. Section 5 currently deals with before a regional plan is made or amended, so after cabinet decides they want to change a land-use

plan or, you know, change the zoning, and say: "You know what? We didn't get that right. We actually want to protect this area. We want to change everything here again." So they make a change.

Well, before a regional plan is made or amended, the stewardship minister must (a) ensure that appropriate public consultation with respect to the proposed regional plan or amendment has been carried out. Okay? So, basically, the stewardship minister is going to have to settle it in his own mind through whatever process that means. I don't know. Maybe he calls his mom. Maybe he googles a few things. Once he's sure in his own mind that this is the right regional plan, so a regional plan is made or amended, then he needs to present a report of the findings of such consultation to the Executive Council and then (b) lay before the Legislative Assembly the proposed regional plan or amendment. Okay? Well, that's really great. That's warm and fuzzy. They're going to tell us, according to this act: here's the regional plan for this area or here's the amendment to the regional plan. They're going to lay it down before the Legislative Assembly. Fantastic. It's always good to have disclosure about how you're going to be changing everyone's property rights in an area or dealing with them. That's great.

Unfortunately, I don't think it is enough. What I'm proposing is that Bill 10, the Alberta Land Stewardship Amendment Act, 2011, be amended in section 5 of the proposed section 5(a) by striking out "and present a report of the findings of such consultation to the Executive Council" and substituting "lay before the Legislative Assembly a report of the findings of such consultation for the Assembly's approval."

Now, the reason for this proposed amendment is simple. All the folks in this House are the elected representatives of the people of Alberta, okay? So it seems pretty important, in my view, that a decision to alter land-use planning in an area should be left to the people's representatives, not 22 or 23 or 24, however many there are of the day, cabinet ministers behind closed doors making the final decision on something.

There needs to be accountability to this House, to the people's representatives, and the only way to do that is to say: okay; we've made changes to this plan. Let me be very clear. I don't agree with the stewardship minister having the authority to bring these plans forward. I think that should be left to regional planners at the local level. But if we're going to go this way, if that's what we're going to do, if this is the way the government wants to do it, then at least have the accountability and the transparency to take the report and to bring it to this Legislature and to lay it before this House so that we can examine it and make suggestions, et cetera, and so that we can ultimately approve it in this Legislature. I think that is a fair thing to ask, and it's a fair transparency and accountability measure that I think the people of Alberta are owed in this regard.

These are big decisions. I mean, look at the LARP. Look at the lower Athabasca regional plan. You're talking about a monstrous land area there. You're talking about revoking mineral leases of industry holders. Who knows with the South Saskatchewan and these others how many private landowners it's going to involve? You're talking about extinguishing or rescinding property rights, changing property rights. You're talking about putting in conservation areas and no-go zones. You're talking about a lot of different things: cumulative effects management, water management, et cetera. These are life and region altering decisions that are being made by cabinet.

It makes sense that before those plans go forward, the people of this Legislature, the people's representatives, would have the ability to sit here, debate it, make sure there were no unintended consequences, make sure that the government wasn't going to accidentally seize someone's land that wasn't needed, things like that. You know, have the opposition throw some things at the

wall. Let's do some more research on this. Let's talk a little bit more about this so that we make sure we get these plans right or we make sure that the amendments to these plans are right, okay?

I mean, I look at some of the members in there: the Member for Drayton Valley-Calmar. I know full well you trust the people's representatives to make a good decision here. I think that it's important that we let them do that. To just say that the government is going to come here and, you know, is just going to plunk the regional plan or the amendment to the regional plan in front of us and say, "Okay; this is what we decided; here you go," is not accountability at all. I don't even know why that's in the act. They would do that without this act, without it saying that they had to lay it before the Legislative Assembly. Of course, they're going to put the plan out there. They've got to give it to somebody to implement.

So that's not really an accountability measure. But having the Assembly have to actually vote on it elevates it and at least makes sure that the people in this House have the final say.

I mean, we have the Speaker of the House, remember, who goes through every month and tells us all the recognized days that come up, you know, like basket weaving awareness day and kiss your lawyer day and all these different days that we . . .

**Ms Blakeman:** Administrative support day is today.

**Mr. Anderson:** Administrative support day is today?

**Ms Blakeman:** Yes.

**Mr. Anderson:** There you go. Administrative support is important, I'll tell you, especially when you've got the resources and the office that we have. I mean, you really rely on that staff.

The point is that he's making us aware of that. That's all this is saying right here. This is saying that somebody is going to come and make us aware of this report. It's basically at the same level of importance as the Speaker standing up and telling us all these different days and awareness weeks, et cetera, that are out there.

7:50

Now, the difference is that this amendment, if passed, will make sure that the people's representatives have the final say on whether they want to go ahead. I think this is a reasonable amendment. I would like to hear from government the reasons. If they support it, that's great, but if they don't support it, why not? Why is it not important that the people's representatives have the power and authority to make the final decision with regard to one of the seven regional plans in this province? Why wouldn't that be important to you, or why would it be important to you? I'd like to know that.

With that, I'll leave this amendment for some debate.

**The Deputy Chair:** On the amendment. Do any other members wish to speak? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks for the opportunity to speak on amendment A1. I agree with the attempt to remove the reporting in section 5 away from presenting a report of the findings of the consultation to Executive Council, which, of course, is the cabinet, and trying to widen it to a larger group. That I agree with because I think that too much of what's wrong with the amending act, Bill 10, is that it has tried to address some issues, but it didn't address them enough. The original Alberta Land Stewardship Act had concentrated too much power in the hands of cabinet. I think that Bill 10 did not address that enough. So this amendment is trying to take it a step further, but where my problem is with this amend-

ment is in having it come back to the Assembly for the Assembly's approval.

We're in a time of change, I hope, and we have no idea what is coming and how the political structure is going to look, who is actually going to have the balance of power, the majority of it. We have a lot of experience in this Assembly and in this province with a party that gets into power for 40 years and counting and is dictatorial in the way it sets about writing legislation.

We have a number of things that come back to this Assembly for approval. Frankly, Member, look around. So what? Lots of things come here for approval. You still have a government in power that does basically what they want to. I understand that you're trying to protect the integrity of the plans and to involve the elected members, but you could end up with the same thing happening that you've got right now, and that is a majority that just barrel rolls stuff through.

So there are two things that you need to have in place, I think, to make this plan work better. One is – and you always should default to this – more local control, more local input because communities really do understand how to take the one-size-fits-all that you're trying to build as a provincial plan to make sure that we are moving forward and implementing general policies as a province. They understand how to take that overall policy and augment it to make it really work locally. They can't be allowed to say, for example: well, we're not going to have environmental protection in this particular area because we just choose not to. No, no. They have to. There are certain things that are required, but they can say: "You know what? This little bit extra would really make a difference for us because we've got a lot of forestry here or a lot of this." They can fine-tune it to make it work on a local level, but you still need that sort of broad province-wide policy setting that you want everybody to use.

My problem with the way this is put is that we could get exactly what we've got now. It could come to the Assembly, and look how many decisions and how many times – I'm getting into trouble with my dentist for grinding my teeth, which is a relatively new problem for myself, but part of it is from when I hear the Premier stand up and say things like, "Well, it's going to an all-party committee," and, you know, "That will be wonderful because it's an all-party committee."

Well, I was at the negotiating table when these all-party committees were established, and believe you me, the second, third, and fourth parties may have something to say occasionally. I've actually been in the position where those all-party committees have passed, duly debated and passed, a motion I put on the floor only to have at the next meeting a member come forward and basically rescind my motion on the instruction of government. So much for all-party discussion and all-party approval of something. That rarely happens. So you're basically putting back in place what we have now, and that's the problem for me, I think. Yeah.

Additionally, you're not clear on what you're going to do with 5(b). You're going to amend 5(a), but are you leaving 5(b) there? Because that's the same thing again, to "lay before the Legislative Assembly the proposed regional plan or amendment." I think you're right in trying to draw power away from the cabinet. I just think the way it potentially could play out here is problematic for us in that it basically puts into place the same institution that we have now, that's already causing us problems. You'd end up with something that read the same way. You're going to present a report of findings to the Assembly for its approval, and then in 5(b) you're going to lay the plan before the Legislative Assembly, the proposed regional plan or amendment.

I'm not quite sure how that works, but I definitely think you're right to make the point that you need to draw some of that power

back into a wider base, back into the Assembly and away from cabinet, definitely understanding the place of local decision-making.

So to make the point, you know, I'm willing to support this amendment because of the discussion that it's put on the floor, and I urge – well, I'm not looking around with great hope, but I urge the members of the government to respond to the amendment that's been put forward and explain why they feel those decisions need to stay embedded in the Executive Council. We could actually have a debate about this bill instead of calling each other names. We're doing this for five hours, of which we've got three and a half left, so we might as well have the debate, folks. Minister of Energy, you like to debate. No? Okay. Well, I tried.

Anyway, I think it was a great idea to put this on the floor, and I'm happy to have had the opportunity to speak to it. I'm willing to support it for the issues that it has tried to address.

Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. It's an opportunity for me to get up to speak in Committee of the Whole on Bill 10, the Alberta Land Stewardship Amendment Act, 2011 . . .

**The Deputy Chair:** On amendment A1.

**Mrs. Forsyth:** . . . and particularly in regard to A1 – I was getting there – the amendment that the hon. Member for Airdrie-Chestermere has brought forward on section 5. As he's indicated before, there are several amendments that we're going to be bringing forward in regard to what I consider a very flawed piece of legislation.

I have been around, and I've always spoken about my length of time and the opportunity to serve in this Legislature. I can tell you that it's one of those pieces of legislation where I've received enough phone calls and e-mails and letters that it starts my spidey sense saying that the government has done something wrong.

If we specifically talk about section 5, which is our first amendment of many for the night – and it's unfortunate that, as the Member for Edmonton-Centre has mentioned, the government has brought closure in on what I would suggest the Premier has considered one of his legacy bills, which, quite frankly, to me is a piece of crap. But I guess if that's what he wants to go forward on as a piece of legacy, so be it.

When you talk about a regional plan that is made or amended, and it talks about the section about the report ensuring that – [interjection] Obviously, Edmonton-Castle Downs is going to be speaking after me because I can hear him.

**The Deputy Chair:** I'm listening.

8:00

**Mrs. Forsyth:** I'm sure I'll look forward to him standing up and speaking on this right after I finish and sit down.

We talk about ensuring the appropriate public consultation with respect to the proposed regional plan or amendment that has been carried out. Our amendment is referring to "and present a report of the findings of such consultation to the Executive Council" and eliminating that. I think that's a good step because of the fact that the people that should be getting this consultation – and I struggle with the word in Bill 10 when they talk about appropriate public consultation because what we would probably consider appropriate versus what the government considers appropriate are two different places. It goes on to say that we take out "report of the findings of such consultation to the Executive Council," and then

we're going to "lay before the Legislative Assembly a report of the findings of such consultation for the Assembly's approval."

I like what the Member for Airdrie-Chestermere is presenting, quite frankly, because then it gives everyone in this Assembly the opportunity to debate and talk about this, similar to what we're seeing a little bit of right now when we saw the government just prior to the 7:30 break, when they were talking between 4:30 and 6, knowing we've only got five hours of consultation, and a couple of the members stood up. I found that very interesting from my time here, and I'm sure for the Member for Edmonton-Centre. The last time I saw anything like that happen – I'm scratching my head – I think was Bill 11. We had speeches from the government.

I'm quite excited. Even though it will limit our debate to somewhere between two and a half to three hours, we're looking forward to getting their comments on record because that's what Albertans need to hear. They don't need to hear just because of the consultation that people were making fun of Mr. Wilson and some of the groups that he's getting in Eckville or the Premier at an AAMD and C meeting talking about his silk suit.

So when we talk about the amendment that we're presenting the report findings and consultation on, we're eliminating that to the Executive Council. We're bringing before the Legislative Assembly a report of the findings of such consultation. The people that were elected by the people in Alberta have the opportunity to stand up and speak in this Legislature and talk about whether they approve what has happened under the regional plan, the consultation. I think it puts the onus on everybody, as it has put the onus on myself to spend hours and hours and hours, quite frankly, bringing myself up to speed on not only Bill 36 but Bill 10, going through the tons and tons of research that has come forward from people, Albertans, our voters, telling me what is right about the legislation and what is flawed about the legislation.

For us to start and have the government come forward and support this first amendment that the hon. member has brought forward in regard to having the Assembly approve, I think is a good step, and I think it's an important step. I want to have on record, first of all, that it's a small step. So if the government accepts this, I don't want them going out of this Assembly tomorrow with a huge press release bragging about how they accepted an amendment from the Official Opposition or the Wildrose saying, "Well, we listened to what they had to say, and we've accepted their small amendment" in regard to something that should really have been written into the legislation in the first place. Instead of going to the cabinet or the Executive Council it comes right back to the Assembly, and it can be consulted on with people. It says: consultation for the Assembly's approval.

As I have mentioned I think two or three times, the importance of having the ability for MLAs to first of all be able to talk to their constituents, and secondly, to find out what they like about the consultation process or what they didn't like. Did they think it was long enough? Did they think it was short enough? Was it done adequately? Was it not done so adequately? Did they feel it was an appropriate public consultation?

I'm hoping, Mr. Chair, that the government will give some thought to this amendment A1 and look at voting for this, keeping in mind that it's a small amendment. It's a first step.

We look forward to bringing forward, in our small time allotment that we have of five hours, more debate and more of our amendments. Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Okay. Thank you, Mr. Chair. I'd briefly just like to stand and speak in favour of this amendment. I think it's quite

straightforward. The hon. Member for Airdrie-Chestermere summarized it and the hon. Member for Edmonton-Centre as well as the hon. Member for Calgary-Fish Creek. What this is about is section 5(a). "Ensure that appropriate public consultation with respect to the proposed regional plan or amendment has been carried out, and present a report of the findings of such consultation to the Executive Council." There is the problem. Again, this is just solely at the minister's discretion, and what we need is to have it reported to the House.

Not only that, the government members always get up and say: oh, we've done all these consultations. We've done this. We've done that. We've had 238, I think, people that they talked about earlier. Present the report to the Assembly so that we can actually see and ask questions about it and verify what they're actually saying rather than just vague comments and commentary on what their so-called consultation is. We need to have the consultation. It needs to come.

I'm looking forward to the vote. We'll see. The government says: what amendments? We have several that we want to bring forward. We feel this is a good and plausible one and hope that the government will vote in favour of this.

Perhaps we can have the question now.

**The Deputy Chair:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I am also standing up in favour of the amendment. I have heard the Member for Edmonton-Centre, the Member for Airdrie-Chestermere, and the Member for Calgary-Fish Creek. I don't think that the Member for Airdrie-Chestermere is asking for much. It's just bringing the process more into the open. I do believe that the decisions or any changes we want to make into regional plans or anything should be done here in the Legislature, not by 23 or 22 or 16 Executive Council members.

Here with Bill 10 the government is trying to address what was not done in bills 36, 19, or 50. I think they should do the right thing. You know, those bills gave the cabinet too much power. Here the government is still trying to keep all the power with the cabinet.

What this amendment is trying to do is take the power away from the Executive Council and have everything come to the Legislature so that we could have reasonable debate in the Assembly and make the right decisions. This amendment may not address what the member intends to do with this, but still I think it will be better to have a decision made by the majority in the Legislature, by the elected representatives of Albertans. Well, I think it still will be better to make the changes here in the Legislative Assembly after a reasonable debate instead of making a decision, you know, behind closed doors. It should be up to the elected representatives to come up with what is good for all Albertans. For those reasons, Mr. Chair, I'm supporting this amendment.

I don't think the Member for Airdrie-Chestermere is asking for much. The government with the majority will still be able to blow through whatever they want, but we want to have everything in the open so that everybody knows what we're going to do. For those reasons I'm supporting the amendment.

Thank you.

8:10

**The Deputy Chair:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Chair. I will just add my two cents' worth briefly to this because we have a lot of business to get through in a limited period of time tonight. I would not normally support this amendment. I would not normally say that

this is something that the Legislative Assembly needs to consider and vote on in terms of regional plans for each region.

I think that there is a real interest, obviously, on the part of MLAs from that particular region for which the regional plan is being prepared to have a say in this, but as to whether all 83 of us need to weigh in on it or not, under – maybe I shouldn't say normal – ideal circumstances I would say that if we had done all the preparation work properly, this would not be necessary. Unfortunately, Mr. Chair, we haven't done all the preparation work properly, and even the government recognizes this, which is why they brought Bill 10 forward in the first place.

The amendments that are put on the floor tonight, whether we all agree on them or not, I think will all be put on the floor sincerely with the effort to try and improve this bill further. I think absent a whole process that we cannot amend because it's not in Bill 10, you'd have to go back to the ALSA itself, which would change the way in which these regional plans were prepared, change the way in which the regional advisory councils were constructed and put together, and that sort of thing. I think there is a need for elected representatives to weigh in before these plans were approved and vote on each one of them.

To just lay the plans before the Legislative Assembly as it reads in section 5 of Bill 10 right now, which says exactly under 5(b), "lay before the Legislative Assembly the proposed regional plan or amendment" – okay. That says we're tabling the proposed regional plan or amendment for the interest and edification of all Members of the Legislative Assembly, but it does not allow for any input from the MLAs or any decision-making power. That power still rests with cabinet. I think that's a problem. That's a problem because of the way in which we go about under Bill 36 and Bill 10 creating these regional plans without enough democratic participation going into it. I think for that reason rather than leaving the power with cabinet to approve these regional plans, I can support this amendment, which gives that power to the Legislative Assembly.

Thank you.

**The Deputy Chair:** Do any other members wish to speak? The hon. Member for St. Albert on the amendment.

**Mr. Allred:** Mr. Chair, just speaking briefly to the amendment, I appreciate the intent of the amendment, but if you look closely, the amendment replaces section 5(a), but by doing so, it makes section 5(b) totally redundant.

For that reason, I don't think we can support the amendment.

**The Deputy Chair:** Do any other members wish to speak?

I will call the question on amendment A1 as proposed by the hon. Member for Airdrie-Chestermere.

[Motion on amendment A1 lost]

**The Deputy Chair:** We'll move on to the bill. We're back to Bill 10 and the next speaker. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you so much, Mr. Chair. I appreciate being recognized. This is my first opportunity to really speak to this bill given the interesting progression of Bill 10 through this House. What we have is what people commonly call Bill 36, but of course each year we start over in our numbering, so we need to start referring back to the Alberta Land Stewardship Act, which was passed in 2009. It hasn't gone over well. This, what we have before us today called Bill 10, is an amending act to the Alberta Land Stewardship Act.

Let me talk about the intentions of the Alberta Land Stewardship Act and then relate back to that what I think about this amending act. The way I approached the Alberta Land Stewardship Act from the start is that we need a planning tool. We need a planning tool in this province that allows all of the user groups, who are often in conflict with each other – and their activities may conflict with other groups' activities over the use of a piece of land. We need a planning tool to be able to sort this out in the province.

Of course, we're referring to the use of what we call Crown land, or public land, the land that is held in stewardship by the province. How do we determine who gets to use it and how they use it? Here are some of the groups whose activities start to conflict with each other. We've got conventional oil and gas exploration; conventional oil and gas production; mining, including aggregate mining, so gravel mining, in aquifers and river basins and things like that; coal mining. We've got an application right now in the Castle Crown area to mine magnetite I think it's called, which is a product that is used in conjunction with coal.

We have conservationists that are saying: "We have some very precious land here. We should leave it alone. We should not allow anything to happen on it and preserve it." We have people that say that it should be used for recreational purposes by horseback riders, by hikers, by cross-country skiers. There are others that say: "Well, we want to have motorized vehicle access. We want to use ATVs," that my family calls quads. "We want to go in the winter and snowmobile; we want to go heliskiing." How do you put those two groups together, and do they conflict?

We have municipalities that want to expand their boundaries onto prime agricultural land. Well, at what point do we the province, we the people lose our ability to say no? We need to protect prime agricultural land. We need to be able to say: you can't keep building subdivisions, precious little acreage parks for the wealthy, farther and farther out from our cities, which stresses the resources of the cities to put the services in and, of course, the roads to bring everybody, you know, into town to work and all of that stuff. At the same time, they're building it on the very land we need to produce food.

There are immense conflicting groups and activities, and we need a planning mechanism. The Alberta Land Stewardship Act was supposed to be that mechanism.

Now, I agree with many others that have criticized the original act. Actually, in our caucus there are people that were in favour of the Alberta Land Stewardship Act in 2009 who are not in favour now and, the reverse of that, people that have never been in favour of it at all. We've certainly had even some hearty discussions in my own caucus about that particular bill.

The real criticism you've heard quite a bit about was that the government concentrated too much power in the hands of the cabinet and, in particular – and this offended me at the time, and I was, to put it mildly, blown off by members of the government – the use of what they call the Henry VIII clause, which literally said that a minister can change legislation without bringing it before the House. "Oh, this is common," they said. "This is used all the time to fix little things, and we should be able to do this." No, not in conjunction with our land, Crown land. Public land is the other way that that space is referred to. It's public land. It's held in trust by the government, in trust on behalf of the people of the province. So too much power held in the hands of the cabinet.

There was no compensation offered when the Crown indicated that it was going to do something and that it was going to take somebody's land to do it, or in some cases activities that are currently going on on Crown land or expected to go on on Crown land would be curtailed; for example, conventional oil and gas

development leases or oil sands leases or forestry. All of that's possible. All of that goes on now on Crown land, and the government makes money from it. It's revenue, and that helps offset the taxes that Albertans pay. It's not that this is particularly new activity here.

**8:20**

The idea that the government would extinguish somebody's property rights or the money that they were making from their activity without any kind of recognition of compensation just goes against the heart of fairness, of justice, and it really bugs people. When a province gets beyond itself, gets too big for its britches, gets too high on its horse, or flies too close to the sun, you know, the wax melts, the feathers come off, guys, and you plummet to Earth. That's essentially what has happened to the government in this whole process. I'm sure that there will be a master's thesis and maybe a PhD or two based on the process around this Land Stewardship Act and Bill 10. So those of you who are currently pages who tend to be particularly brilliant students: there's your master's thesis because you sat here and watched this happen. It has not gone well for this province and for this government.

The third thing is that there was no right of appeal. So too much power in the hands of government, no recognition of compensation or ability to compensate people, and, three, no avenue of appeal. There is always avenue of appeal; there has to be. Mistakes get made, you know, Friday afternoon screw-ups. People make mistakes: deliberate, benign, whatever. You've got to have the ability to say: "Whoa, whoa, whoa. Something went wrong here, and I need to be heard. I need my day in court. I need to be able to appeal the decision that was made." Not because you don't like it. I mean, you don't get an appeal process just because you don't like the finding. You get an appeal process because something went wrong in the way the process worked, and you need to be heard. Your case needs to be heard and re-examined for a good reason. So those are the three things in this particular bill that really offended the core of the Alberta psyche.

The other interesting thing that developed out of this was public knowledge and public participation. This I actually find very exciting because increasingly Albertans, Canadians have been saying to their politicians: "We want in. We want access to this process. We want to be able to tweet you and tell you what we think of the comments you just made in the House. We disagree. We want input from the beginning on this." That's what happened. People started to get access to real knowledge, to factual knowledge. This is what the bill says. Here is the interpretation from the lawyer. Here is the interpretation from the government. People could go to town hall meetings and hear well-versed people talk about this, and they could learn it, too, and be able to understand it, to hold the bill in their hand and look at what it said and go: "Okay. I understand that. I get it, and I don't like it. I don't agree with the decisions that have been made here."

People got an opportunity to get educated on the process, to get educated on the content of the bill itself, and then to be able to push back with government. So not just, you know, yelling and screaming, not just carrying placards with rhetoric on it, but very specific points being raised in a well-informed manner by the public back to the government saying: you have chosen to use certain words in this language – a word like extinguish is a very, very specific and powerful word, and it carries with it a lot of action that goes behind the word extinguish, especially when that word is held by government: to extinguish your right, to stop it, to put it out. That's a very powerful word, and it was a deliberate choice by government. So we have people that became involved in



the process, as they should, as they always should, and I found that very exciting.

Then things really went sour for this government. This is the hubris that I was accusing the government of. You know, you've been in power for 40 years. You still have to listen, and you didn't on this one, and it's costing you big time because people did get educated on this. They have held you accountable for the decisions you've made. What you've said is: "In Bill 10, trust us, we fixed everything. Just trust us. Just believe us." Clearly, the evidence is that Albertans do not trust you anymore. You have burned some bridges on this one. They don't trust you. They will not take your word on faith. They've gone out and got educated. They've sat in those town halls. They've given up their Wednesday nights to drive 50 miles to sit in a community league building that had the heat turned on a 6 o'clock, and they're still freezing their butts sitting in those stupid wooden chairs with the little splinters on them and the metal backs. Oh, my goodness. So they put in the work, the public, and they've been really clear with the government that they don't like this process.

Frankly, the last time you really heard members of this government get booed – my understanding was that when Peter Lougheed walked into a football game in Edmonton, I think, and got booed was the day he turned around and said: "Okay. I'm done. At the point when people boo me at a public event, my time is over. I'm done. I no longer have the trust and the belief." Very quickly after that he started to move to step down as Premier.

You guys got booed at a public forum in rural Alberta by people who were informed. Frankly, they booed someone that's quite well respected. Now, I don't agree with the hon. Member for – is it just Rocky View?

**An Hon. Member:** Foothills-Rocky View.

**Ms Blakeman:** Foothills-Rocky View. Thank you very much.

I'm hard pressed to think of anybody that's further away from me on the political spectrum than the hon. Member for Foothills-Rocky View. Nonetheless, I will admit that . . . [interjection] Yeah. Okay.

I believe that he is a fairly well-respected individual. He has a PhD. He's not a stupid man. He does his homework. He's a fairly good administrator, from what I've seen of the departments he's administrated. This is not some newbie. This isn't somebody that was elected six months ago. He knows his stuff, and he got booed pretty near to home stomping ground. You guys have been given a serious boot in the behind here. You didn't listen, and it's made this whole process much more interesting. Of course, I'm thrilled because I like to see that kind of engagement from the public, but it's serious for you folks.

I wasn't at all surprised to find out that – last week we were sort of ambling along, taking our time. We'd be back after the constituency week, no big hurry. Then the Member for Foothills-Rocky View got booed in Eckville on Thursday night last week, and come Tuesday, when we're back in the House, we now have a time allocation motion on Bill 10. Those things all track one after another. So here we are with a time allocation.

At this point what I would like to do on behalf of my colleague from Edmonton-Gold Bar is move an amendment onto the floor for discussion. That amendment is adding after section 18 in the amending act and is amending section 67. They have it at the table.

**The Deputy Chair:** Okay. We'll pause for a moment. Please proceed.

**Ms Blakeman:** Thank you very much. In our caucus, as I said, we have had different opinions on the original land stewardship bill, but the more we looked at and the more we thought about Bill 10, which is the amending act, the less we liked it. It's just not going far enough.

**8:30**

Then there are the inevitable discussions about: "Okay. Do we all get together and do a hoist? Do we do a million amendments to try and slow things down? Do we even bother trying to fix this thing? Is it fixable?" In the end what we decided to do was to bring forward – because let's face it. There's a majority in here. The government has 68 seats. They're going to pass this damn bill. We're going to talk to it for five hours, and the government is going to pass it. It's not going to make a whole heck of a lot of difference what we do here. The government is still going to pass it.

So what is the most effective thing that the Official Opposition caucus could do around this bill? Well, let's try and mitigate the unforeseen consequences. Let's try and get a process in place that would allow us to come back and correct any truly egregious problems that roll out as a result of the amending act.

The amendment that is put on the floor by myself on behalf of the Member for Edmonton-Gold Bar is asking for a review of the act. It is inserting after section 18 of Bill 10 a section that would actually come in after section 67 of the original Land Stewardship Act so that within two years after the bill comes into force, a special committee established by the Legislative Assembly shall begin a comprehensive review of the act and shall submit to the Legislative Assembly within 18 months after beginning the review a report that includes any amendments recommended by the committee. So it's what we would call a select special committee that reviews legislation. [interjection] Oh, crap. I'm sorry. All right. I'm looking at an earlier version of what we had. I'll just look at the one that you all have in front of you.

Within 3 years after Bill 10, Alberta Land Stewardship Amendment Act, 2011, comes into force, a special committee established by the Legislative Assembly shall begin a comprehensive review of the Act and shall submit to the Legislative Assembly, within 18 months after beginning the review, a report that includes any amendments recommended by the committee.

The idea behind this was to be able to look at the act fairly quickly and deal with the beginnings of it because the way the regional plans – remember, let's go back to the original act here, which was to put in place a series of consultations and regional plans, seven regional plans, that covered the province. We've started on the first two, the lower Athabasca and the South Saskatchewan. They are now positioned to come in two years apart. So with seven of them, it's going to take 14 years before we essentially roll the last one into place. We thought: "Yikes. Do we really want to wait until a couple of years after the last ones roll into place? Even if they get better at the process and speed it up, which is not a good idea because that would be foreshortening the public consultation section of it, which is the lengthy part of it, do we want to wait that long?" Of course, the answer is no. Good heavens. You could be 15 or 20 years out, right?

It's a little arbitrary to say three years. I agree there. But we really wanted to find a point where we could say: Okay; once the amending act comes in and is passed, presumably out of committee tonight and out of third reading possibly tomorrow or in the middle of the night or maybe after we come back from our constituency week – I can't tell anymore – that three years from that date we would start a review, which would allow us at that point

to look at the first two and possibly the first three of the regional plans and how they've actually worked. That would allow us to put recommendations forward which could influence how the final four are implemented.

That's the thinking behind the amendment that we've brought forward. We know the government is going to pass this amending act. It's not what we wanted. It's not good enough. You're always debating in political terms: is the glass half full or half empty? I think the realization we've come to in our caucus is that the glass is half empty. It's not good enough. We're not willing to hold our nose and vote for it and all of those other euphemisms for: we're willing to support a bill that we're not incredibly happy with. We're so unhappy with the lack of things that have been put forward under Bill 10, which is the amending act where the government is trying to fix the mistakes it made. They're just not fixing enough of them. There's not a serious attempt to do things.

So I've moved that.

**The Deputy Chair:** Any other members wish to speak to the amendment?

**Mr. Hinman:** I would just like to briefly comment that I appreciate this amendment that's been brought forward. I would have to say that, you know, if we even just look at the Oregon factor and their first land assembly act, if you want to call it that. It's the only one in the States that's come forward in I don't know how many years it's been now, and it's been a disaster. So I think that they bring out very valid points. Let's see how this works before we enact a bunch more. I think that we should heed this amendment and vote on it and bring it forward.

**The Deputy Chair:** Any other members wish to speak?

**Mr. Kang:** I'm also standing up in support of this amendment. I think it would be a good idea. We will get a clear picture, you know, if we do one or two regional plans, of where we want to go with it and all the mistakes we made with them. We can correct those, and if we cannot continue on, maybe we can scrap the whole thing and start afresh.

For that reason, I'm supporting the amendment. Thank you.

**The Deputy Chair:** Are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A2 lost]

**The Deputy Chair:** We are back to Bill 10. The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Chair. It's an honour to rise today and speak to Bill 10, the Alberta Land Stewardship Amendment Act, 2011. Some people believe that provincial land-use planning is something new, but of course it really is not. Way back in 1948 the Alberta government under Premier Ernest Manning created the green forested areas and white settled areas of our province, and in its day that was a land-use plan. Another example, perhaps a little better and more recent, was the Lougheed government in 1978 with the eastern slopes policy. It was to address the development during the last period of rapid growth.

Over time Alberta leaders with foresight like Ernest Manning and Peter Lougheed have responded to the growing population and economy by putting in place new land-use guidelines. Of course, that has come again.

We all know that today's decisions shape tomorrow's realities. That is especially true with decisions involving land use. For

instance, once a subdivision is approved, once we build a new highway or interchange or approve a new cement factory or any other sort of development, it is difficult if not impossible to undo. The new land-use framework provides a strategic blueprint for all levels of government so that we can make the right decisions today.

Now, like many members of the Assembly and all sorts of Albertans I do not believe in change simply for the sake of change. The justification for initiatives like the land-use framework must be strong, indeed. It will change the way that we manage land in our province, and that is pivotal. The burden of proof is high. I believe it's justified and it's what Albertans have asked us for.

We've experienced hypergrowth in this province all across the province. In the last 25 years we've seen the population of the province grow by a million people, from 2 million to well over 3 million. In Calgary alone, of course, we have more than a million people now. The Edmonton capital region is not far behind. In our lifetime, in fact by 2026, Alberta's population is projected to hit 5 million people, and at this rate of growth our population will double, to over 10 million, this century. Obviously, more people mean more activities on the land. Not only that; we now have 2.6 million cars and trucks on our roads.

**An Hon. Member:** How many?

**Mr. Rodney:** That's 2.6 million cars and trucks on our roads. You can compare that to 1980: 1.6 million.

Now, Mr. Chair, when Albertans aren't working, we know they're out and about. They're hiking, they're backpacking, they're fishing, they're hunting, they're cross-country skiing, and, of course, they enjoy motorized recreation in great numbers. In fact, here are some of those numbers.

8:40

**An Hon. Member:** How about mountain climbing?

**Mr. Rodney:** They do that, too, sir. Sometimes on all-terrain vehicles.

I do want to point out the fact that when it comes to ATVs, the use has more than quadrupled in the past 20 years, from 17,000 to over 82,000. Add to these the almost 29,000 registered snowmobilers in Alberta, which have increased by two-thirds from 17,000 back in 1987.

On top of this spike in population and recreational activities, we have to layer on a corresponding increase in industrial activities. Last year 26,000 wells were drilled in Alberta. That's double just 20 years ago. One decade ago there were no wells being drilled for coal-bed methane, but today there are over 12,500 CBM wells, 11,000 just since 2004.

With respect to agriculture, Albertan farmers and ranchers own and use about one-third of the province's land, but from just before I was born, back in 1960, until just a few years ago, 2006, the number of cattle in confined feeding operations increased from well under 3 million to well over 6 million. With respect to hogs, they've increased from less than 1 and a half million to well over 2 million as well.

With respect to forestry, back in the early '80s Alberta's forest companies produced a billion board feet of lumber, but today our province produces annually 3.2 billion board feet of lumber, more than triple. Alberta has gone from producing no oriented strand-board in the early '80s to becoming the third-largest source of OSB in North America, with more than 3 billion square feet produced every year in this province.

Mr. Chair, while the number of people keeps growing, the size of our province does not. There are more and more people doing

more and more activities on the same piece of land, and we have reached a tipping point. Sticking with old ways of doing things, some might say a laissez-faire sort of approach, just won't work. Allowing anyone to do anything any time anywhere may have worked to some degree at some point in the past, perhaps when there were 1 million or 2 million Albertans, but with 3 million or 4 million or 5 million or more it's just not going to happen.

If we want to keep what we value in this province, we have to change the way we make decisions about land use. The goal of the land-use framework is to ensure that in 20 years we won't have to tell our grandchildren or, in the case of some of us, our children: I wish you could have seen what Alberta looked like 20 years ago. That is why we are bringing in the land-use framework. We're establishing six new land-use regions with a land-use plan for each, and these are congruent with our major watersheds to facilitate co-ordinating land use with water policy, which makes all kinds of sense. There's the South Saskatchewan and the North Saskatchewan, south-central; upper Athabasca, north-central; lower Athabasca, northeast; upper Peace, northwest; lower Peace, north. And this has just never been done, Mr. Chair, on this kind of a scale in Canada or anywhere else for that matter.

We're working to respect public lands and private lands. We're working to conserve ecologically valuable lands – wetlands, wildlife corridors and habitats, viewscapes, traditional agricultural lands – not to tell landowners how to manage their land but to give landowners the tools and market-based resources to conserve important natural features. We can share the cost as well as the responsibility for conservation and stewardship. Some examples include transfer of development credits, conservation offsets, land trusts, conservation easements, and environmental goods and services.

At this point I would like to highlight a certain place that's very special to me and many people that I know. It's very close to my home; it's very close to my constituency. That, of course, is the OH Ranch, which is an incredible example of great things that can happen in our province. It consists of 10,000 acres of heritage rangeland. That's 10,000 acres of private deeded land with conservation easements from land trusts.

Mr. Chair, we're not talking about stopping growth. We're talking about facilitating smart growth. Some might ask: does this mean trampling on the property rights of rural landowners? As one myself, I can say no. I can assure you that the protection of property rights will be respected in any land-use policy. But protecting this land will require government leadership, not the kind of leadership that imposes choices on the public. They don't impose choices. It's the kind of leadership that gives residents the opportunity to make choices and expenditures that they wouldn't have otherwise.

The Alberta government has primary responsibility for making decisions that meet the economic and environmental and social goals of everyone in Alberta. The government of Alberta expects that regional plans will reflect provincial interests and priorities, and that planning and decision-making must take place at different levels of government. These decisions simply must be aligned, or else they won't work. The land-use framework leaves local decision-making authority with the same officials who currently exercise it, but in the future these decisions will have to be aligned with provincial policy set out in regional plans. Stronger provincial leadership, however, does not mean creating a heavy-handed, centralized bureaucracy in the capital of the province.

In closing, Mr. Chair, Albertans are grateful for the natural wealth and beauty that they've inherited. I know that personally. We acknowledge our collective duty to pass this natural bounty on to the next generation and to the ones that follow, and as my dad

taught me, we've got to pass it on as good or better than we received it. Now, at this moment in our short history as a province we have an opportunity for national, even global leadership on sustainable resource management, and we have the capacity, the expertise, and the wherewithal. I ask: if we can't do it in Alberta, who can do it and where? I say that we can do it. I say that we will.

I thank you, Mr. Chair.

**The Deputy Chair:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Chair. That was an interesting contribution to the debate from the Member for Calgary-Lougheed. I'm not going to question his sincerity in delivering it. I'm just thinking that if I was a landowner in rural Alberta and I had just listened to that, I would say: "Well, that's all well and good. It's very nice that you've said all these things, that you've assured me, but I'm just not buying what you're trying to sell unless you can come up with something a little more concrete than some of those" – and please don't take offence; it's the first word that comes to mind – "platitudes."

I think there's a real credibility problem. There's a credibility problem with Bill 36 itself, with the ALSA itself. I think the government recognizes that, Mr. Chair, and I think that that is why Bill 10 is being debated tonight. The government is trying to fix some of the problems with the ALSA and trying to repair some of its lost credibility at the same time. The credibility issue is exasperated – I'm sorry – exacerbated. There are many people who are exasperated by all of this, but the credibility issue is exacerbated by some of the other bills that have been referenced over the course of this debate and in the lead-up to this debate, in all those meetings in places like Eckville and Crossfield and so on and so forth, that hundreds and hundreds of people have attended. Bill 50 and Bill 19 are two that come to mind.

You know, I look back to the creation of the land-use framework and its expression as law, as legislation in Bill 36, which, as the Member for Edmonton-Centre indicated in her contribution to the debate a few minutes ago, a number of people in this House initially supported, and since they've had the opportunity to live with it a while longer, they have grown to have serious problems with it. Bill 10, as I indicated I think last night, when we were starting debate on this in Committee of the Whole, is a flawed attempt to fix a seriously flawed piece of legislation. The intentions may be as honourable as the day is long. It is spring; the days are getting longer. Intentions may be getting nobler. But the rubber still needs to hit the road here, Mr. Chair, and the government, I think, really needs to take a second look at this because I don't think that as it sits, it's going to do the job.

**8:50**

There are a number of problems, of course, with not only Bill 10 but Bill 36, the bill that it seeks to amend. There is the issue of phenomenal cabinet power – I won't say absolute, but it's pretty darn close for a democracy – complete plan-making authority, the ability to override plans, no checks or balances. There's lack of compensation. There's lack of consultation requirements, no appeal to the courts. We've talked about all this, and we've also talked about how Bill 10 seeks to address a number of these issues.

You know, listen; I'm not here to suggest for a moment that it's a total, abject failure. I'm just suggesting that in terms of the problems that it seeks to address, in some ways it falls short of the mark. In some ways, I think, Mr. Chair, this bill almost bends over backwards to try and convince people that the government surely

does have their best interests at heart. Yet sometimes less is more. Sometimes less is more.

I'm looking at section 14 in Bill 10, under which section 19 of the ALSA is repealed and the following is substituted. The new section 19 deals with compensation. "A person has a right to compensation by reason of this Act, a regulation under this Act, a regional plan or anything done under a regional plan," and it goes on from there. The bill is a matter of public record, and time for debate tonight is limited, so I'm not going to read the whole thing.

Section 19.1, the right to compensation for compensable taking, subs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10): again, I think the intentions were honourable here. It does seek to spell out the matters of compensation, which are of great concern, Mr. Chair, to landowners, property owners who might be affected and, in their opinion at least, negatively so by regional plans coming into force in their area under the ALSA, under Bill 10 as it amends the ALSA, and, of course, by the regional plans themselves. There's a great concern that they will not be fairly compensated or not compensated at all for the compensable taking or the easement or whatever.

As we all know, there's reality and then there's perception, and in politics perception often is reality. I'll even go so far as to say that if the government is right and the people have become convinced that the government is not right, it's the responsibility of government to do what their bosses, the people, want them to do. If the government truly, honestly believes that what the people want it to do is the wrong thing, then the government has the responsibility, having done what the people told it to do, to go back, consult with its experts, consult with its spin doctors, consult with its image consultants and everybody else that they can pull in, and say: "Okay. The people want us to do this, but the people are wrong this time. How are we going to convince the people to change their minds?" Then come back at it again.

Mr. Chair, that's a very natural approach for me to take. I'm an only child, and when you're an only child, no never means no. It just means: no, not now; come back with a better argument and try again. It's rather like growing up to be a lawyer, I think. That was a lawyer joke, but I was looking at a lawyer across the way, the Member for Calgary-Egmont.

I think it's not a bad philosophy in life that if you're truly convinced that you're onto something here and you haven't persuaded people that you are, to keep trying until you do. In the meantime, because we're elected by the people of Alberta, we work for them, not the other way around. We can represent ourselves to them till the cows come home, but once those cows walk through the gate and the people say, "Hey, that's just great, hon. member, but I don't agree with you; I want you to do it the other way," we have a responsibility to do it the way our bosses tell us to do it.

So back to the notion that perception is reality and back to the notion that I put on the floor here a moment ago that section 19.1 represents an effort by the government to bend over backwards to try and persuade people that when it comes to compensation for losses suffered under regional plans brought in by the ALSA, the government really has their best interests at heart. A lot of work went into writing this bill when we already have a model, I would argue, that does the trick, that largely if not hugely has the buy-in and the support of the people of Alberta, that has been used time after time after time to resolve issues of compensation when government needs to take land from property owners, that is respected at the municipal level, that is respected by landowners, and that serves as, I think, a fine template for how we should address this.

Mr. Chair, with that in mind, I would like to put an amendment before this House for debate and vote. I have the amendment here.

If the pages would distribute it. As soon as they have, I will read it into the record.

**The Deputy Chair:** Okay. We'll pause for a moment.

Hon. members, this is amendment A3.

**Mr. Taylor:** Thank you very much, Mr. Chair. I will mark it on my copy as amendment A3.

I would hereby move that Bill 10, the Alberta Land Stewardship Amendment Act, 2011, be amended in section 14 in the proposed section 19 as follows: (a) by renumbering it as section 19(1); (b) by adding "Subject to subsection (2)," before "A person"; (c) by adding the following after subsection (1): "(2) A person's right to compensation under this Act shall be determined in accordance with the principles of compensation outlined in Part 2 of the Expropriation Act with all necessary modifications."

I will speak briefly to my amendment, Mr. Chair. I'm certainly not going to read into the record part 2, Procedure for Compensation, from the Expropriation Act because, well, I would run out my time and most of my colleagues' time if I did that. It is a somewhat lengthy section, but it pretty much covers the issues of compensation where expropriation of private land is concerned under a number of different scenarios, and it has done for quite some number of years. It is well-understood legislation. It is legislation that has buy-in from the people of Alberta. It is not legislation where people go: "My God, what have you foisted upon us? You're taking away my property rights. Your taking away my right to compensation. You're taking away my right to appeal. You're taking away this, that, and the other thing." This is something that is well understood, that works well, and if it ain't broke, folks, don't fix it.

Now, Bill 10 is not totally broken – I'm not suggesting that it is totally broken – but it does not go all the way to fixing Bill 36 by any stretch of the imagination. But it's worth trying to improve from the form in which the government presented it to this House. It is worth trying to improve because as someone in this House said – and I'm sorry; I can't remember who it was, so I can't give proper credit. But somebody said earlier today that, otherwise, we are throwing out the baby with the bathwater, quite frankly.

9:00

I refer you back to what I said in this House last night. I refer you back to what I suspect you have all heard from numerous people as you've done your consultations about the controversy around these bills, and that is that there is, I think, a widely held belief among the people of Alberta that the land-use framework was a visionary document full of a number of visionary principles and a number of land-use principles and initiatives that we need in this province, that we require in this province if we are to manage future growth. The Member for Calgary-Lougheed touched on some population projections, and I've got no quibble with what he has said there. He touched on some history as well, one of the last times that we were under incredible growth pressures, and the Lougheed government brought in some land-use planning around the eastern slopes.

Remember, this all started, Mr. Chair, because in 2005, 2006, 2007, around about there, we were in a situation where virtually every square inch of land in this province had competing potential uses, competing interests trying to use that land. Without good land-use planning and good regional planning and good land-use principles to guide those regional plans, that's only going to get worse as our province grows and as there is more demand for everything that Alberta has to offer the world across all platforms.

So there's no quibble on this member's part with the land-use framework.

There are some serious quibbles with the application of that land-use framework as expressed in the ALSA. There are some concerns on the part of this member that this attempt in Bill 10 to fix the ALSA doesn't really do the trick, doesn't go far enough. Sometimes it doesn't go far enough because of what it doesn't say, and sometimes it doesn't go far enough because, in the case of section 19, it says so much that it is a little bit like, as Shakespeare said, "The lady doth protest too much, methinks." It has the effect of looking, to a very skeptical population, as though the government is trying to say: "Look here. We've got it all laid out for you. We have your best interests at heart."

Well, the Expropriation Act, Mr. Chair, I think, is an ongoing expression of best principles and best interests and a way and a process that's well understood and well respected to manage those interests and to manage those conflicts around fair compensation. As I hear it, as I travel around the province, as I talk to Albertans, the question of fair compensation is one of the primary concerns around our Land Stewardship Act and around the Land Stewardship Amendment Act, and it's not the only one by any stretch of the imagination. If we didn't have these time limits on debate, I'm sure that there are many, many people in here who would bring in many good, well-intentioned, well-reasoned, well-thought-out amendments that would address all those other concerns. If I have the opportunity, I'll bring another amendment or two over the course of the evening as well.

On this particular amendment, Mr. Chair, I think this addresses the issue of compensation, the issue of fairness around compensation, the issue of the conflicts around compensation in an open, transparent, well-understood way, and I would urge the government to accept this amendment.

Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Glenmore on amendment A3.

**Mr. Hinman:** Yes. I'd like to just speak briefly on amendment A3. Again, this has been a major concern for the Wildrose caucus, that basically the authority has been given to the minister to decide what he thinks is fair compensation. There are so many acts, and this was one of the amendments that we also wanted to bring forward, that was on the expropriations. So we naturally are going to support this.

We have an Expropriation Act. It is very lengthy and detailed on what proper compensation is and more than just the investment money but also future possibilities. It's very extensive, and we would urge the government to accept this and take it out of the minister's decision-making authority and power to say: oh, this is the proper and full compensation. Let's use the Expropriation Act. This is what we're talking about. For the greater good of society when the government does need to take some of these lands or whatever it is, let's follow the Expropriation Act and not give that discretion to the minister.

Thank you.

**The Deputy Chair:** Any other members wish to speak to the amendment?

I'll call the question on amendment A3 as moved by the hon. Member for Calgary-Currie.

[Motion on amendment A3 lost]

**The Deputy Chair:** We are back to the bill.

The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Chairman. I'm happy to rise today to speak to Bill 10, the Alberta Land Stewardship Amendment Act, 2011. I'd like to focus my comments on section 1(2)(c), which states that the purpose of the act is "to provide for the co-ordination of decisions by decision-makers concerning land, species, human settlement, natural resources and the environment." I want to talk today about the bill not so much from the perspective of the legislation but more its impact to someone who has for a long time worked in the resource extraction industry and, in my case particularly, forestry.

Coincidentally, my former employer, Millar Western Forest Products, which operates in the Al-Pac forest management area, is a party to the lower Athabasca regional plan. They are party to it, Mr. Chair, but they are not afraid of it. Not only do forest workers plan the removal, regeneration, and production of the forest, but they also, in order to turn conifers into lumber and deciduous into pulp, live there, play there, and they work side by side with people in other industries with very different priorities. Right or wrong, the hydrocarbon extraction industry has much shorter markets and capital-driven timelines than forestry. Conflicts exist. They've always existed, and they're managed.

In Boyle today, unlike 20 years ago, there's virtually a house on every quarter section. Hobby farms and the smallholders work resource extraction to, as they say, pay for the tractor. People involved in agriculture, forestry, oil and gas, and recreation all come together on the land because, by and large, it's the same people who use it for more than one purpose.

Temporary market-driven cuts in production to my mill in 2008 were felt across the region. A reduction in an annual allowable cut would likely also be felt across the region, but it would not be a temporary one. Now, I don't know that a mill closure would necessarily be a big deal to people except for those who happen to have some skin in the game, but to them it's a very, very real problem. So when you decide to let your opinions be dictated by the legal community, you need to be very careful to make sure that you find one who understands where you live and knows what you do. There is a very real need in Alberta, Mr. Chair, to get everyone at the table, and land stewardship is the way to do it.

World-leading research such as the EMEND project in the Peace River constituency, which stands for ecological management emulating natural disturbances, or the water resource research done by Dr. Ellie Prepas at Meanook in Athabasca actually prove that the first step in landscape management is to determine what you want to manage the landscape to achieve. It is possible to manage the landscape for many outcomes: water, roads, fish, timber, caribou, spotted owls, highways, power lines, agriculture, grazing, recreation, conservation, country residential, even urban expansion and residential development.

Only the unwise are going to say that moose are more important than fish or that gravel is more important than mushrooms or that my tree is more important than your SAGD operation, and please just go park your quad and hang up your gun because you're making too much noise and you're scaring the deer.

There are those whose knowledge of the lower Athabasca is obtained from the passenger window of a Citation when they're flying from Calgary to Fort McMurray. They may believe that spreadsheets will tell you everything you need to know and that likely in the corporate universe any plan is going to be the wrong plan if it didn't pass the bottom line or, more importantly, shareholder return on equity. Their review really isn't saying: I don't care about the land base. What it's saying is: "Let me know what it's going to cost. I want to be a good corporate citizen, but I want to know what it's going to do to my costs to play with the lower Athabasca." Frankly, that's fair enough.

Without a comprehensive and, in fact, more impartially reliable planning process those whose offices overlook the Bow River will have a great deal of difficulty justifying to their own shareholders and investors that a SAGD investment in Alberta is somehow better than a SAGD investment in Saskatchewan.

**9:10**

Corporate industry loves certainty of supply and of regulation, and the world is full of examples where certainty has been absent and the results have been, frankly, disastrous. If I were to talk potash in Saskatchewan, Mr. Chair, I think you'd know what I mean. In 1975 the NDP government in that province nationalized that industry. After bleeding money to the tune of \$800 million, a Conservative government took over, gave the industry back to the private sector, and frankly that same industry to this day now controls 25 per cent of the world's potash market. Even today, the current NDP opposition sums up private ownership as – quotation from their website – that they would require guarantees that the potential corporate owners not only accept Saskatchewan's current royalty and taxation regime but also accept the rights of the people of Saskatchewan to change royalty and taxation regimes in the future at their will. Now, that is not what I would call a climate for investment certainty. It may, in fact, explain to us to some extent the proliferation of green and white licence plates in the province of Alberta. But in saying so, we know that we not only compete for our resources, for money, and for people, but we even have to do so with our neighbours.

Our economy is based upon price makers. We're not price takers. We sell commodities, and we have to compete with producers who have a variety of cost models. I could not run my mill in Boyle if I did not have a reliable, consistent, and cost-effective fibre supply. We will achieve this in the long run by creating a framework where everyone with a role is involved. Everyone has input and has understanding of the objective for the plan.

The property owners who are party to the lower Athabasca plan or, indeed, to any of the particular projects talked about in either Bill 36 or in the amendment in Bill 10 have no greater or lesser right of property than anyone else in the province of Alberta. I believe and I continue to maintain that a regional level of planning creates cost efficiencies and certainties that will encourage and enhance the assets of the area by promoting things like the integration of industrial footprint, improvements in the reclamation regime, minimizing disturbances with a multipass approach. Planning leads to certainty. Every Albertan has property rights; of that they can be certain.

Nature, of course, does not care who owns what. Those who will remember the House River fire in 2002 will appreciate the comments by Greg Baxter of the Forest Engineering Research Institute of Canada when he said, "The House River fire was important to Alberta, as the fire behaviour was somewhat unanticipated . . . The big question to be [asked] is: is fire behaviour in aspen slash different than in pine or spruce slash? If so . . . how?" The significance was that the House River fire behaved differently than the Chisholm fire the previous year, in 2001. Greg's research indicated that the difference was largely due to the fuel loading of the aspen and conifer slash from harvesting activities.

The report also commented on the extensive oil and gas salvage in the area: 248,000 hectares later a lot was learned that makes regional planning in the area just that much more relevant. Impact on the landscape led to impact to the landscape. The reason we don't lose more forest, Mr. Chairman, more well sites or more trucks on shared roads is because industry has been planning for years. Forest companies have the best geographic information

systems, and they share it because it makes money by reducing road conflict, by reducing construction costs, and by reducing safety risks.

The regional planning model works. The amendments in Bill 10 make it work just that much better. We can lead by standing up for what we believe, or we can hide behind what we are opposed to.

On a landscape basis the co-ordination of decision-making means we don't have to pick winners and losers. The people who want gravel or the person who wants a 300-horsepower V-drive boat on the lake will have the same say in the future. We have very sophisticated spatial data and systems available to us and can manage landscape influences if we have a consistent, considerate, and common approach to data management. Every user has a bit of data, and we need to bring it all together. When challenged, people who don't understand the competing interests on a landscape, on any landscape, will respond with anger and fear. Once we get over the noise and get into the details, it is impossible to argue that a co-ordinated approach is not better than a free-for-all. We have been moving in relatively unco-ordinated steps in this direction for a long time. Bill 36 and the amendments in Bill 10 support a strong and comprehensive model for people to follow.

Noise about extinguishing rights is nonsense. It's based on political fearmongering. More importantly than that, by deliberately taking words out of context, we create troubling and inaccurate interpretations. We don't like it when people cherry-pick Bible quotes or deliberately distort a speaker's comments, typically because it is self-serving and attempts to give the speaker some advantage over the audience. You can't call it outright lying, but certainly the opportunity to deceive exists.

Mr. Chairman, Albertans want to live, work, and play on the landscape, and they want to know that development makes sense. People like things that make sense. Leadership and planning, commitment, and a long-term view that benefits everyone makes sense. I urge all of my colleagues to support the bill.

Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Chair. I would like to continue where I left off earlier, when my time ran out. We talked about section 19, the restricted right to compensation if government approves.

We want to go on now to section 20(1). "Every local government body affected by the regional plan must . . . review its regulatory instruments" and bring them into compliance. This is like telling your son or your daughter that they can do whatever they like as long as it complies with what your plan is for them to do. It's nonsensical. What's the purpose of saying that they have these regional areas when the regional plan is dictated by the minister?

Section 23. If the minister determines that a trigger or limit has been exceeded, the minister must direct the appropriate official to the minister's government department to initiate a management response consistent with the framework. The person responsible shall comply with the lawful direction of an official in respect to the management response referred to above. Essentially, if the government doesn't like what you're doing with your land, a government bureaucrat will be designated to come up with a management plan to tell you how to run your farm, and you're going to have to comply.

These are all major concerns, Mr. Chair, with Bill 10 and the inadequate amendments that they're making to Bill 36. We need to do a better job. It just doesn't work. The idea that for whatever arbitrary reason the minister can send someone out and say,

“We’re revoking your licence” is concerning. The government’s response to section 2 in their amendment is to put in, I think, seven areas, seven different acts to say: well, this power doesn’t go into the Land Titles Act. This is section 2(2)(a), (b), (c), (d), (e), (f), and (g): the personal property act, the Vital Statistics Act, the Wills Act, the Marriage Act, the traffic act, and the Cemeteries Act.

The problem is, Mr. Chair, that once again this government is trying to rush these things through and is realizing – it has been brought up so many times – that the pressure is growing in Alberta as they understand the latitude that the minister has. They’re wanting to rush this through, hopefully thinking: if we get this through and there’s nobody talking about it, this will have a quiet death here in the province, and on we can go. It just doesn’t happen that way. The problem is that Bill 36 is 18 months going strong and causing problems. Again, when we saw LARP come out, this was exactly the suspect that industry and other people felt was going to happen, where licenses are rescinded. It just isn’t good enough.

So we would like to bring in another amendment, and I’ll hand this off to the page to bring up to the table.

**The Deputy Chair:** Hon. members, we’ll pause for a moment while the amendment is passed around.

Okay. This is amendment A4.

9:20

**Mr. Hinman:** Thank you, Mr. Chair. In law there’s something that’s very important. Once a list is started, it becomes exclusive. We want this to be inclusive. Because it’s exclusive, those bills that aren’t mentioned are therefore not part of it.

In section 3 in the proposed section 2(2) by adding the following after clause (a):

- (a.01) the Water Act,
- (a.02) the Mines and Minerals Act,
- (a.03) the Forests Act,
- (a.04) the Environmental Protection and Enhancement Act,
- (a.05) the Public Lands Act,
- (a.06) the Fisheries (Alberta) Act,
- (a.07) the Agricultural Operation Practices Act,
- (a.08) the Oil Sands Conservation Act,
- (a.09) the Oil and Gas Conservation Act,
- (a.10) the Coal Conservation Act,
- (a.11) the Highways Development and Protection Act,
- (a.12) the Animal Health Act,
- (a.13) the Marketing of Agricultural Products Act,
- (a.14) the Livestock Identification and Commerce Act,
- (a.15) the Animal Protection Act,
- (a.16) the Pipeline Act,
- (a.17) the Dairy Industry Act,
- (a.18) the Farm Implement Act,
- (a.19) the Pharmacy and Drug Act,
- (a.20) the Gaming and Liquor Act.

We hope that we’ve included all of the acts that should be under this bill that have failed to be listed under section 3. We feel that this amendment is critical. We cannot allow these other acts to be in the arbitrary decision of the minister.

In section 3 of Bill 10 statutory consent authorized by a certain act is excluded from those which Bill 10 can rescind. One of the most notable is the Land Titles Act. It is reassuring to know that Albertans will not simply have their land titles extinguished. The Marriage Act is also enumerated. It’s reassuring to know that the SRD minister can’t decide to annul my marriage when they pass the South Saskatchewan regional plan. There are a number of acts missing from section 3. They say that it’s comical, but the fact is that it was put in there. Obviously, there’s a reason why they put it in yet missed so many more.

There are a number of acts missing from section 3. Our amendment seeks to add 20 relevant acts, ones that grant various sorts of permits, licences, registrations, approvals, authorizations, dispositions, certificates, allocations, agreements, or instruments upon which people’s livelihoods depend.

One of the most basic yet fundamental roles of government is the protection and preservation of property rights. Without such protection our peace and prosperity would be jeopardized. Property rights are the foundation of each individual’s and family’s financial security and quality of life. For example, farmers and ranchers need to know that their investment in their land and livelihood is protected, that it will not be devalued by others, including government, without just compensation. Those owning residential or commercial properties in urban and rural areas need to feel confident that not only will wrongdoers be criminally prosecuted for trespassing and vandalism but also that the government won’t pull the rug out from underneath their investments without fair notice and compensation.

In order for Alberta’s economy to prosper, businesses need to know that their investments are stable. They need to trust that the government won’t suddenly reverse course and confiscate their land or rescind leases after these companies have spent their time and money developing projects in Alberta. The way to do this is the rule of law, predictable and precedent based, not arbitrary ministerial decisions. Rights which are subject to the discretion of a politician or bureaucrat are not rights at all.

The current government has shown a lack of respect for basic property rights with Bill 19, the Land Assembly Project Area Act of 2009. The government granted itself the authority to freeze large tracts of private land for public purposes without having to compensate landowners for the cost of forgoing development, business interruptions, relocations, or other related damages.

Bill 50, the Electric Statutes Amendment Act, 2009, eliminated the role of the Alberta Utilities Commission to determine Alberta’s needs for electrical expansion and allowed the cabinet to declare unilaterally that a 16-fold increase in capacity is urgently needed. Last fall the PC government passed Bill 24, the Carbon Capture and Storage Amendment Act, 2010, which went against the common law understanding of property rights, and simply declared that the government owns all underground pore space, pores that they want to pump CO<sub>2</sub> into. These are two more examples of the current government passing laws that consolidate the decision-making authority in cabinet while undermining your property rights and the rule of law.

Now we have Bill 10, which proposes various amendments to ALSA, the Alberta Land Stewardship Act, 2009. ALSA divides the province into seven land regions and authorizes cabinet to implement sweeping regional plans for each area of the province that override whatever had previously been in place. This means that central planning at the Legislature rather than by locally elected and accountable municipal councils and landowners will ultimately decide what types of activities are going to be permitted or prohibited on private land in every region of the province.

The act allows cabinet to extinguish or rescind, whatever word the government wants to use, rights held under these licenses, permits, leases, and approvals with limited or no compensation. Because they classify the decisions made in the regional plan’s policy, there is no right to appeal the decision to the courts.

That is why this amendment is important. These acts are designed to give licences to Albertans to operate businesses. Whether it’s the Forests Act or the Public Lands Act or the Water Act, each of them is mandated to distribute their licences for various industries in a sustainable way. The Forests Act, for example, is explained on the SRD website. “This Act establishes an annual

allowable cut in coniferous and deciduous forests. It prohibits persons from damaging the forest in any way and allows the Minister to construct and maintain forest recreation areas.” So there are conservation provisions in it, and those who get a tree harvesting licence assume that they are granted the freedom, the right, the licence to harvest certain trees. This would be a reasonable assumption until now.

After LARP came out, the lower Athabasca regional – again, whether it’s a plan or a draft, which I always find comical, they want to say that it’s a draft. We know that these licences are liable to be extinguished if the minister decides suddenly that for whatever reason, because nobody can appeal or demand the rationale, he wants to extinguish their licences in his regional plan. The point is that all kinds of industries and professionals rely on the acts to plan their business, hire employees, raise capital, and even base their decisions on whether they want to come to Alberta to do business and hire people on the reliability of this framework.

As indicated, there are stewardship provisions already built into these other acts, so there is no need for a huge new act to trump all of this and throw it out and throw everything into doubt, no economic reasons and not environmental ones. We just need to use the acts that we already have. Some of the acts we are talking about even have “conservation” in the title: the Coal Conservation Act, the Oil and Gas Conservation Act, the Oil Sands Conservation Act. If they’re not doing their job, Mr. Chair, why not bring each of them in to make the adjustments, like the government is doing with Bill 16, the Energy Statutes Amendment Act?

We need the rule of law, not a superlaw that overrules everything else and gives all kinds of arbitrary powers to the minister and cabinet. There has been an undeniable trend in the current government to concentrate power in the executive and undermine all the checks that exist on their prerogative. This is something that we should all expect when one party has ruled for 40 years. Everyone in that party starts to utterly trust the government and lose the vigilance they owe their constituents as MLAs. They forget the reason why independent commissions, property rights, local governments, and the rule of law are essential.

These checks are in place to ensure that government doesn’t go too far, but when you give utter trust to a centralized government, you begin to see these checks and balances as nothing more than a nuisance. Bill 36, or ALSA, undermines, supersedes, or eliminates all these competing authorities and centralizes decision-making authority in cabinet. The amendments in Bill 10 do little to change this fact as the government embarks upon the admittedly difficult task of engineering a new framework for land-use planning. Whenever they encountered attention, they decided: let’s just give that power to the stewardship minister.

A government that respected local authorities, independent commissions, existing legislation, and the right of Alberta property owners to have recourse to the law would have come up with a much more balanced land-use framework. ALSA, even as amended, not only pushes municipal authorities aside; it utterly undermines their authority. Not only does it direct municipal councils to rewrite their bylaws to suit the minister’s plans; it make provisions for the stewardship minister to withhold transfers to the municipalities or to rewrite the municipal bylaws directly if he’s not satisfied with what they have done.

**9:30**

As with the regional advisory council, that governed land planning from 1955 to 1995, we need to empower local municipalities in the decision-making process in order to have actual democratically based regional planning instead of central planning under Bill 36. The minister does not know how to plan for a region

better than the regional authorities. Vague promises of giving the locals a hearing is not good enough.

It’s always interesting to me, Mr. Chair, that they start off by having a regional advisory council. This is where they’re going to ask advice on what they should do. Why don’t we just leave it there, in those regional areas, with the so-called council that they’re looking for?

Alberta currently has a number of respected, experienced bodies that regulate growth and development: the Alberta Surface Rights Board, the Energy Resources Conservation Board, the Alberta Utilities Commission, the Land Compensation Board. These independent bodies have been in power to balance economic growth with property rights in the overall interest of Albertans. For the most part they have been doing a reasonable job. Reforms should be made within the existing framework to address problems so that Alberta’s regulatory system is open and fair for all.

When ministries override these independent authorities, the results are often disastrous, as we are seeing with Bill 50, where the current government took the power line needs assessment out of the hands of independent experts. The Wildrose caucus believes that government should resist the temptation to overrule and undermine independent bodies. They are there precisely to serve as a nonpolitical check that acts in the public interest while treating individuals fairly, but this government seems incapable of seeing the value of independence. They don’t appreciate that there need to be checks and balances to ensure that the government is limited and accountable and does not either trample the rights of the individual or set the whole province back by pursuing misguided ideological projects, with all kinds of dangerous and unforeseen consequences.

We also have a great deal of existing legislation, passed by this House over the years, that has evolved to handle growth and conservation issues. The most troubling act that Bill 36 overrides, in my opinion, is the Water Act. The Water Act is designed to manage this precious resource. We need to work within it rather than let the stewardship minister trample the water rights it bestows. Water licences, especially in southern Alberta, are a valuable piece of property. The first in time, first in right principle has been working well, and it has handled our shortages for decades. All this is threatened to be overturned. The Water Act is predictable, and we know when and how and in which priority the water is going to be allocated.

Organizing our regions along watersheds makes some sense even if they are too big in the current model, but we don’t need to generate a whole new provincial department under the sustainability minister to duplicate what it should be doing in the Environment department. Under the Water Act and under the Environmental Protection and Enhancement Act the Environment minister sets overall limits, guided by consideration of cumulative effects. Local authorities are empowered to make decisions for their communities within these broad limits established by the province. This should continue to be the basis of land-use planning. The Wildrose believes that we should let the Water Act work and let the Environment ministry do its job of monitoring specific emitters and setting overall parameters based on cumulative effects.

We also believe that the most offensive aspect of Bill 36 is the utter disregard for individual rights. This concern was not adequately addressed by the window dressing of this Bill 10. The provincial government has a leading role in protecting the environment and establishing the powers of local authorities. It has been doing so for a century. There are many established practices and rights that have been conferred over the last century. It is important that these not all be overturned for the sake of ministeri-



al expediency. The land-use and development framework in Alberta must be stable and predictable for the sake of investors' confidence and property owners' peace of mind. Instead, Bill 36 enables, even encourages the stewardship minister to wield arbitrary power.

The Wildrose caucus believes that the government must establish conservation or no-go zones in advance instead of revoking leases and permits after companies and individuals have invested in development. The government should respect licences and permits as allowances that cannot simply be rescinded. Revoking a permit should only be done in very rare circumstances if at all, and there should be safeguards in place to ensure that this is not done capriciously and that full compensation follows. These safeguards must include recourse to the courts.

The Wildrose caucus also believes that we should immediately repeal offensive legislation like bills 19, 36, 50, and 24 and pass an Alberta property rights preservation act to ensure full, fair, and timely compensation to property owners and full recourse to the courts.

Mr. Chair, we need to accept this amendment. We need to add these other 20 acts under section 3 of Bill 10 in order to protect all these others so it's not just arbitrarily given to the minister to say: you know, we're going to revoke this licence; we're going to revoke that licence; we'll decide how much compensation. Because they've started the list, let's accept these amendments and adopt them into Bill 10 and at least safeguard these other areas so that the government can't in its arbitrary decisions rescind licences and investments in businesses at their discretion.

Thank you, Mr. Chair.

**The Deputy Chair:** Any hon. members wish to speak to amendment A4?

**Mr. Anderson:** Thank you, Mr. Chair. I, of course, will rise and support amendment A4. You know, it's funny. The folks over there, opposite, are the ones in charge of this amendment, including the Minister of SRD, who's joined us here tonight. He continues to say – and I've heard this around the province – that the original Bill 36 never once allowed the government to expropriate or extinguish land title rights. It just absolutely wasn't the case. Just absolutely wrong, he would say. Obviously, he would say that it's just completely nuts to say that we could extinguish a marriage licence or that we could extinguish anything under the Wills Act or the Traffic Safety Act or anything like that. This just could never happen. Yet, amazingly, in Bill 10 here are these amendments. It says:

For greater clarification, the definition of statutory consent . . . That apparently doesn't apply to these things.

. . . does not include any permit, licence, registration, approval, authorization, disposition, certificate, allocation, agreement or instrument issued under or authorized by

- (a) the Land Titles Act,
- (b) the Personal Property Security Act,
- (c) the Vital Statistics Act,
- (d) the Wills Act,
- (e) the Cemeteries Act,
- (f) the Marriage Act,
- (g) the Traffic Safety Act, or
- (h) any enactment prescribed by the regulations.

I find it funny that he decided to put those things in there. Now, it's, of course, for greater clarification, I guess. Obviously, in the law nothing is one hundred per cent, but the fact is – and we went over this earlier – that there's no doubt that statutory consent under Bill 36 could easily be interpreted as a land title. I do find it funny, too, that this minister would argue so voraciously that this

act clearly did not empower the government to do these things, to extinguish a land title, yet here we are a couple of months later. Bill 10: there it is. It's like magic. It just appears. It's so clear that you didn't know what you were talking about, Minister. In fact, Bill 36 did allow you to extinguish people's land titles. Now, of course, would you have done so? I hope not. I sure hope not. I don't think you would have. I'll give you the benefit of the doubt. But the fact of the matter is that you empowered cabinet to do so. That's just a fact.

Now, you've clarified that no longer under this bill can you seize someone's land title or extinguish someone's land title. That's good. I'm very happy about that. Neither can you extinguish their rights under the Personal Property Security Act. That would be a real problem for banks. It would be a real problem for business and industry in general as well as for the residents of Alberta if you could, and you did have that power under the law that you passed. But now you've taken that power away, graciously. That's fantastic. We could go on.

**9:40**

The problem that you have now is that you've specifically cited several acts under this law that this law does not apply to. The hon. Member for Calgary-Egmont would know this, that when you specifically in an act cite some inclusions to the exclusion of others that do the same types of things – i.e., issue permits, licences, et cetera – the problem is that that means you're saying that although it doesn't apply to these acts that you've listed here, it does definitely apply to the acts that you don't list here. That's just basic statutory interpretation, and I think that the hon. Member for Calgary-Egmont could even verify the truthfulness of that. He is, after all, a QC and would know that.

If that's the case, what that means is that because you've specifically not listed these acts that the amendment that has just been brought forth by the hon. Member for Calgary-Glenmore speaks to, it means that you specifically do mean to have the power to rescind permits, licences, registrations, approvals, authorizations, dispositions, certificates, allocations, agreements, or instruments issued under the Water Act, the Mines and Minerals Act, the Forests Act, the Environmental Protection and Enhancement Act, the Public Lands Act, the Fisheries (Alberta) Act, the Agricultural Operation Practices Act, the Oil Sands Conservation Act, the Oil and Gas Conservation Act, the Coal Conservation Act, and so forth. So you specifically do have the power to rescind licences under that act.

In fact, we saw that. We saw that with the oil sands leases and the mines leases that were just extinguished or rescinded or will be extinguished or rescinded up in the lower Athabasca regional plan. You do have that power. You've said continuously to Albertans that you didn't have that power, and then you come in here with an act and say: "Oops. Well, for clarification we're going to make sure we can't extinguish people's land titles, but that's just for clarification." Then it turns out that you, in fact, do use this act to extinguish the mineral and mine leases of several dozen companies up in the lower Athabasca. That really is quite shameful, a shameful display of misinformation.

We talk a lot in this House about misinformation and how there are silk-suited lawyers running around rural Alberta giving misinformation, yet here it is by the minister's own pen. Right here is proof of what he was saying, certainly prior to Bill 10, and you can now see why he was so concerned. If it wasn't a concern, you wouldn't have changed the act. When you look at rural Alberta and you look at the incredible loss of support that you're experiencing there right now, the reason for that is because you've lost the confidence of those people, what used to be the Progressive Conservative

base, because you haven't listened to them. I think they've been misled by this government, and there's a breakdown of trust. That's why you're in the mess that you're in in rural Alberta.

The Water Act, in particular, is troubling. Why would you want to be able to rescind under the Water Act a water licence? Do you not intend to hold to the principle of first in time, first in right? I know the Environment minister always speaks about how important that is. Is that not what you're doing? If you're going to extinguish or transfer licences, maybe that's needed, maybe it's not, but let's let regional authorities decide that. Is the best way for that to happen for you to be able to rescind those water licences and give them out to new people or sell them to new people, or do we work on a way of transferring those licences or use what's already under the Water Act to transfer those licences? I would say that you should use what's in the Water Act already. There are tools in there that allow for you to transfer water licences. Let's make sure that that's done. Right now there are many people that want to do that, but they can't get approval from the government to do so because they're waiting on the government to pass the South Saskatchewan regional plan. It just doesn't make sense. It doesn't add up. It's certainly not a very wise way of doing things, and it's very disconcerting.

There's, obviously, the Mines and Minerals Act. We saw that earlier. That brings me to a point of mine. When we're talking about the Mines and Minerals Act, what I find distressing and confusing, frankly, with regard to this lower Athabasca regional plan is that I don't understand why on earth the government would release the LARP and not have any kind of cost estimates attached to it. Like, what type of incompetence – it defies logic that you would put out a document saying, "This is a consultative document; now we want stakeholders to give us feedback on this draft lower Athabasca plan" and you don't include in there your cost estimates.

Now, why would you include cost estimates? I don't know. Because maybe taxpayers are a stakeholder in this? Maybe the taxpayers would like to know how much the government is going to spend on paying companies to not develop our resources. That's a new concept. How much is that going to cost taxpayers? Is it going to cost a million dollars? Is it going to cost ten million? A hundred million? A billion? Ten billion? What's it going to cost and over what period of time? Right? We don't know. Nobody knows because it's not in your plan. Where is the estimate?

I know a fiscal conservative like the Member for Edmonton-Calder clearly would like to know that information, would you not? Would you not like to know, Edmonton-Calder, what the estimate is for how much this is going to cost taxpayers? I'm not saying you'd reject it out of hand just because it costs money, but wouldn't you like to know what it might cost before you put your hand up and vote for it? I don't know. That would seem like a pretty reasonable thing. There is nothing in the lower Athabasca plan.

It's almost like the royalty framework, where there was all of this basic back-of-the-napkin math on all the new royalty revenue that the new royalty framework was going to bring into the province of Alberta, and then the exact opposite happened because they drove business out of Alberta, and the price of natural gas tanked and a whole bunch of other factors. None of the calculations added up. The back-of-the-napkin calculations were malarkey.

You're telling me that you can make a back-of-the-napkin calculation, but you can't even make an estimate on this at all? Not even an estimate? It seems pretty transparent that you don't have a clue what you're doing, and you don't have a clue – certainly, the Energy minister doesn't, nor the Minister of SRD – on how much

this is going to cost. You know, I just don't understand how that's responsible to taxpayers. But let's leave taxpayers out of it. Let's pretend taxpayers aren't important to this government. With their budget deficits and so forth, that's very clear.

Let's talk about industry, then. We don't want a banana republic. Obviously, we want a place where industry can come and they can feel that when they purchase or they licence something from the government, that's a contract. That's an agreement that is signed. They can put that on their asset sheet, their balance sheet, and develop it within the terms of the licence and eventually reclaim the land, et cetera, et cetera, et cetera.

You would think that it would be important for the industry to have that confidence in the government of Alberta. Well, they've just shattered that confidence. Now they don't know that because this plan, this lower Athabasca plan, can be changed at any time by this government. Even for those going into the lower Athabasca who buy a mineral lease now, it can be changed. So you've taken out more certainty. It would be okay to take a little bit of certainty out of the equation if they knew how much money they would be compensated for should the government expropriate or take back or rescind that lease, but the government failed in their LARP, in their lower Athabasca regional plan, to give an estimate or any kind of indication on how they are going to compensate industry or these licence holders who are having their leases rescinded. They failed to give any estimate to them on how much that's going to cost them. Nobody knows. Nobody knows.

9:50

It's amazing to me that you would come out with a plan that oversees the most important economic region of the province, the lower Athabasca, and you wouldn't put any kind of fiscal estimate, any kind of financial estimate into what it is going to cost to do what you're doing, not to industry, not to taxpayers, not to neighbouring municipalities, not to anybody. There are no estimates. Nobody knows what it's going to cost, who's going to pay for it, how compensation is going to be calculated. And you want feedback on that? Jeepers. Well, here's the feedback. The feedback is that you're paying the people in your departments enough money. Maybe they should do a calculation on this. Rather than just say that this is arbitrarily where we're going to put the conservation zones, this and there, maybe you should actually think about how much this is going to cost people.

It's amazing to me. There are so many folks over there that claim to be fiscal conservatives. Everybody wants to be a fiscal conservative, right? Well, maybe not everybody. But most of us want to be fiscal conservatives, certainly over there. Could you imagine if someone came to you with a business plan and said: "I've got this great plan. We're going to do all this stuff, and it's just going to be fantastic. You're going to get a big return on your investment." And people say: "Okay. Well, can you show me the numbers?" "Oh, we don't have the numbers. Just trust me. It's a great plan. We're going to do this, that, the other thing. We're going to make this new widget. It's going to be fantastic."

Well, I don't want to invest in it. I don't want to approve it. I don't want to be a part of it if you don't have some basic cost estimate in there of how much this is going to cost. Then Albertans and this House can do an estimate and say: "You know what? We're going to take a look." We're going to say: "Is this \$1.5 billion worth it to the people of Alberta? Is it worth it for attracting investment, et cetera, et cetera? Is it worth it to spend this kind of money in order to extinguish, rescind, these leases, et cetera?"

I mean, even though the hon. Member for Edmonton-Centre and myself may have a disagreement on how many conservation zones should be up there in the LARP – I'm just saying that it's possible

in theory; I'm not saying that there is – I think that she just as much as I would like to know how much it's going to cost. I mean, isn't this useful information to have, an estimate on that? Shouldn't we at least know how much it's going to cost so we can at least budget for it? I don't know. I think any sane fiscal planner would like to at least have an estimate. No estimate.

I know that this is a bit of a tangent on this, but it needed to be discussed, and I thought this would be a good time to discuss it. It's absurd. Hopefully, the Energy minister, when he goes back and reads the *Hansard* tonight – I know he will; I know he likes to read the *Hansard* – will remember, and he and the Minister of SRD might put their heads together and decide between them: "You know what? When we put out the south Saskatchewan regional plan, perhaps we should put out a cost estimate on what this is going to cost industry, the taxpayer, and all stakeholders involved." It's just a suggestion.

You've specifically given yourself power to extinguish water rights, mines and minerals rights, timber rights, anything under the Environmental Protection and Enhancement Act, the Public Lands Act, the Fisheries (Alberta) Act, so it's a fishing licence, the Agricultural Operation Practices Act, anything to do with oil sands, coal, animals, livestock, pipelines, dairy, farm, the Gaming and Liquor Act, et cetera, et cetera, et cetera. Since you've given yourself power to extinguish any licences or permits or anything else given under these acts, perhaps you should do some kind of cost estimate for when you do take away those things.

You decide: "You know what? We're going to go and rescind these fishing licences because we want to make this lake a conservation zone." You want to make it part of a provincial park or something. "So we're going to extinguish people's fishing licences or outfitters' hunting licences or whatever. We're going to do that, and that's the plan because we want to conserve." Great. Okay. How much is that going to cost? What are you going to pay? What's it going to cost taxpayers? Let's do the assessment.

Alternatively, you can do what we're asking here and add these acts to the list of acts that are excluded that do not apply to the Land Stewardship Act. I think, Mr. Chair, that the people of Alberta would feel very confident to know that aside from their land title under Bill 10 not being able to be extinguished, which is now the case under Bill 10, that same protection will apply to their water licence, to their mineral licence, to their mining licence, to their fishing licence, to their oil sands lease, to their pipeline permits: all these different things. They can have confidence that if the government is going to come in and take and rescind their rights on that, they're going to do so under those particular acts, under the heads of compensation, et cetera, that are under those acts and that they can only be rescinded for the reasons given in those acts.

For example, I was just reading through the Mines and Minerals Act. There is a way that you can lose your mines and minerals leases, but there are criteria involved. If certain criteria have not been complied with, et cetera, et cetera, et cetera, then you can lose the lease. That would be good to know, and it would be good for people to know that when people's lands or rights are expropriated, that the Expropriation Act is going to apply. That would be nice to know with regard to compensation.

This would be a good first step. I hope that the government was clearly riveted, and I hope they'll support this amendment.

**The Deputy Chair:** Any other members wish to speak to amendment A4?

I will call the question.

[Motion on amendment A4 lost]

**The Deputy Chair:** We are back to the bill. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. With time allocation being in place, it's hard to get your two bits in here. Thanks very much for recognizing me. There are a couple of other things that I want to get on the record about Bill 10 overall and a couple of themes that I'm hearing in response and from some of the debates that we've heard tonight from members of the government caucus. Thank you very much to the two individuals who did speak. It's nice to hear, particularly the Member for Edmonton-Calder. I know that it's all in Calder. Here are some of his reactions to the bill.

Let me start where I left off at the end of my last speaking. I think the process that we have watched the government and others go through has been an interesting test of democracy but also an illumination of the government's hubris. When I talked before about Icarus flying too close to the sun, I mean, the point was that he believed that he was beyond – there are a number of examples in Greek tragedy, actually, of hubris, where the individual believes himself literally above the gods. They just think they're the bee's knees, the end-all, and the gods strike them down for that. It's not a pretty picture. They're a pretty violent bunch, actually, and they do some pretty wicked things to the individual who has placed themselves above the gods.

I find that this government often does that. They are too willing to believe that they are right and not to question themselves.

**The Deputy Chair:** Hon. members, if you wish to discuss, please sit down beside the colleague and talk with them there rather than standing.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** I'll continue. Thank you. I think we have seen that process of hubris start to play out in what has happened to the government, and I think this is going to carry over to the election if it doesn't actually trigger the election.

What's happened is that this has started to become two issues that I don't find incredibly related to the point of the bill. For my hon. colleagues in the Wildrose Party and others it's become an issue about property rights versus something, and it's moved away from the essence of what the bill is supposed to be about.

10:00

I believe that what we needed it to be about was public good and a planning process, to be able to decide with a reasonable process how we wanted to make decisions. It's a decision-making process about how we would treat our public land or our Crown land. We've moved into this other place, where that's not what it's about at all. I think we need to remember what the original act was about and go back there.

Now, my whole good intentions about this and all the good thoughts about that planning process have been completely subsumed under this other discussion about property rights, and it's become an issue that is rural against urban. I can tell you that when people in Edmonton-Centre, who are well educated, bright people, you know, hear the words "property rights," they think: "Well, what's that all about? I've got a little condo. I own 1,700 square feet. Why are they going on about property rights? That's a rural issue." It's been cast now as a rural issue, and it's not. It is an Albertan issue, but because it's turned into this high-profile what I call billboard kind of politics, it's all coming down to a five-word sentence that can be put on a highway billboard that you can read as you drive by it at 120 kilometres an hour.

That's not what this was supposed to be about, but because of the way the government has carried itself, the hubris it has carried itself with, it's allowed them to be set up and shot down by my colleagues in the Wildrose around an issue of property rights. Yes, property rights are important to Albertans, but so are a lot of other things.

Frankly, this moves me on to another point I want to make. It's not all about money, and I've heard so much talk tonight about money: money, money, money, money, money. It's not all about accumulation of wealth. Yes, that's important, and I'm not saying that it's not, and don't misquote me and say that I did. It's about more things. I mean, even this planning document is supposed to be – I mean, where's the money in recreation? That's about people getting outside and enjoying themselves, a little physical exercise, time with their family. That's not about wealth generation. That is about quality of life. We've become so positional in this discussion. It's become about property rights. It's become about money. That's not everything Albertans wanted this planning document to be.

It was to be about things like food security. It was to be about things like the municipality's ability to control urban sprawl using good agricultural land. That's what this was supposed to be about. This whole discussion has boiled down to billboard signage on property rights and accumulation of wealth – money, money, money – and that's not what Albertans were looking for. They were looking for an opportunity to have reasonable recreational experiences. I'm a snowmobiler. I understand that it's not possible for me to ride my snowmobile in every single square inch of this province. That is not reasonable. There are areas that it's not responsible for me to go into for a number of reasons: because it upsets the wildlife balance, you know, because there are certain areas of land that just shouldn't be gone into. There are lots of reasons for it, guys, but this discussion has descended into a rhetorical, positional discussion.

I still believe in the underpinnings of this, that it was about a planning process that we wanted to put in place that was about land stewardship. It was about looking after public land.

Now, the Minister of SRD and I are never going to agree on where in that continuum we set conservation. The minister is very pleased that in the first plan that came out for the lower Athabasca they were talking about setting aside 11 per cent and possibly as much as 20 per cent and now 23.

**The Deputy Chair:** Hon. member, would you mind taking any chair? Thank you.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you. It doesn't bother me, Mr. Chairman, except that the interruption has knocked me off my rhetoric. That's okay.

I can't go everywhere in the province. I can't cover all areas. There has to be a reasonable balance here. So the minister and I disagree on the continuum of conservation and him being pleased about 11 per cent conservation, but even under that conservation rule he's still going to allow various kinds of development.

Again, I find that falls into the money position, that, you know, if it doesn't make money in this province, the government is not interested in it. That's just too narrow a focus to be taking about something as important as everybody's access to the land that they own. This is public land, Crown land. So I think there should be more conservation. I'm always going to argue for that.

I still argue that at this point we still don't really understand the effect of our activities on the land. People can say: oh, you know,

we've got lots of studies. Well, yes, but every day these studies are showing us that we really didn't understand how much water we had and that we don't really understand how much fracking and CCS, carbon capture and storage, are going to affect water aquifers. If we put it down there, is it going to come back up again through some other hole we've poked in the Earth? I mean, things like that we still don't really understand. I would argue that we have not reached the end point in that, so we need to err more on the side of environmental protection and conservation. I don't think we give the conventional oil and gas sector or the oil sands sector enough credit in their ability to step up to the mark and be creative on this one.

The last piece of this act is the ability of the government to govern. We have to have legislation, and everything we do in this House is weighted in favour of the government in order to get stuff done. We can't be in here forever arguing the same point. That's why those rules are in place to say: if it's already been decided, you've got to move on. Ultimately, you do need legislation that says that the buck stops. We all need that kind of certainty. So we need a good land stewardship act.

My problem is that this whole process and what has happened has been, I think, subsumed under a number of other discussions that were not as helpful. The government, in making the choices it has made, has alienated its own backers in rural Alberta, and its attitude has caused a whole upheaval that didn't need to happen and which obscured the actual debate here about land stewardship plans and regional planning and the ability of the local authorities and the people that live there to influence a regional plan and to make it work for them. That's my disappointment in what's happened over the debate of this.

Bill 10 addressed some of the most egregious things the government had implemented in the original Land Stewardship Act. It truly was egregious. I mean, there's way, way, way too much power given there, in the same way that, you know, in the next bill we're going to debate, Bill 8, they take way too much power around collecting information from people. So the government just oversteps all the time, but after 40 years they believe they have a right to do that.

My last points on this are that our caucus is really quite concerned about the issue of democracy in what's happened to this process. We're very concerned about the government overstepping its bounds in a lot of those cases. I still continue to say that we need to have built into this process markers, targets on public good, and the discussion should be about public good. When we talk about including things in Bill 10 like taking away some of the power granted to cabinet and we talk about compensation – in other words, reintroducing the expropriation, that there be an appeal process, which was missing from the original act – I think the other thing we need to include here is the public good and that discussion of public good and public interest being part of the larger discussion on land stewardship.

#### 10:10

What's happened is that my caucus is no longer willing to support Bill 10. It's just not enough. The government didn't work hard enough. I'm sorry about that. I'm sad about that because I think we've all missed the mark on this one, but the choices the government made just did not fix enough of the problems that have so offended Albertans. Yes, mostly rural Albertans – fair enough – but ultimately this does affect urban Albertans. It is part of an urban agenda because we're all interested in how the land that we share in trust is treated and in what kind of access we have to it.

Thank you for allowing me to put that on the record. There's a lot more I could have said, but we're time allocated here, and other people need a shot.

Thank you very much.

**The Deputy Chair:** The hon. Member for West Yellowhead.

**Mr. Campbell:** Thank you, Mr. Chairman. I'm pleased to speak to Bill 10, the Alberta Land Stewardship Amendment Act, 2011, and its commitment to transparency in regional planning. The government's commitment to transparency started long before regional plans and Bill 10. From the very beginning the Alberta government has been committed to an open, accountable, and consultative approach to land-use planning. We have worked to keep people informed and have worked from a solid base of consultation with the public and with stakeholders. The result is a land-use planning process that is transparent and responsive. Bill 10 strengthens both.

Let's remember that a regional approach to land-use planning is itself the outcome of public input. The land-use framework is a bold new direction for Alberta, the first of its kind in Canada. We could take that bold direction because that is what Albertans wanted from us. Back in the spring of 2007, four years ago, our government announced and conducted public consultations. We were seeking public input on what we'd already heard from consultations with stakeholders that included municipalities, aboriginal communities, agriculture, recreation, industry, and environmental sectors and groups.

The public sessions were designed to gather input on a vision and guiding principles for land-use planning, to identify land-use issues of great public concern, and to seek direction and outcomes from Albertans. We backed the consultation with a resource publication, *Understanding Land Use in Alberta*, and with a workbook. Both were available in all MLA constituency offices, including those of former government members. The resource was also available in most municipal, provincial, and regional government offices and online. We promoted the consultation with paid advertising and highlighted the website.

More than 3,000 Albertans provided input during those spring consultations. People were engaged, and they participated. In October 2007 the government publicly released and posted a 50-page report that summarized the input. Highlights of the summary report were a greater balance between development and the environment; more co-ordinated planning for land, air, and water; more provincial leadership in land-use planning; and support for regional planning. So it is clear that from the start this whole process has been open and consultative and that government has been responding to public direction.

For certain critics with an agenda to suggest that any of this was behind closed doors is to deny the dedicated input and participation of more than 3,000 of their fellow Albertans and is to suggest that the input was immaterial. It wasn't. The outcome of all of that input was the draft land-use framework, that was released for further public and stakeholder consultation in May 2008. Based on what we heard during the earlier consultations, the draft framework made a commitment to cumulative effects management, to conservation and stewardship, to creating an information and monitoring system that supports land-use decisions, to including aboriginal peoples in land-use planning, and to regional planning.

That further consultation resulted in adding a new strategy to the land-use framework, making efficient use of land. As a result of consultation the final framework also added a seventh planning region to the six originally proposed and identified the development of supporting legislation as a priority. I repeat that a new priority to develop legislation to support the land-use framework, including

regional planning, was the outcome of public consultation. All this, of course, is available online at [landuse.alberta.ca](http://landuse.alberta.ca) for anyone, including our critics, to see.

I'd invite the members of this Assembly to consider that and to consider the extensive consultation and open access to information at every step as I turn now to discuss the legislation. At the same time that work started very publicly on the first regional plan for the lower Athabasca, work also started on the supporting legislation. Again, both processes were very transparent and highly accountable.

We released the final land-use framework on November 3, 2008. A month later, to the day, we announced the Lower Athabasca Regional Advisory Council. Members were appointed from stakeholder nominees to bring expertise and experience to this important advisory role. Treaty 6 and Treaty 8 First Nations named their own representatives. The news release included biographies of all advisory council members. Terms of reference and a regional profile were posted online. The land-use website carried the minutes of all meetings.

On April 27, 2009 . . .

### **Bill 17 Appropriation Act, 2011**

**The Deputy Chair:** I hesitate to interrupt the hon. Member for West Yellowhead, but pursuant to Standing Order 64(4) I must now put the question proposing the approval of the appropriation bill referred to the Committee of the Whole. Does the committee approve of the following bill, Bill 17, Appropriation Act, 2011?

[Motion carried]

**The Deputy Chair:** The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I move that the committee now rise and report progress on Bill 10 and that the committee also report Bill 17.

[Motion carried]

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 17. The committee reports progress on the following bill: Bill 10. I wish to table copies of all the amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** All those members in the Assembly who concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed? So ordered.

### **Government Bills and Orders Committee of the Whole**

#### **Bill 10 Alberta Land Stewardship Amendment Act, 2011 (continued)**

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for West Yellowhead.

**Mr. Campbell:** I'll just say again that on April 27, 2009, we announced Bill 36, the Alberta Land Stewardship Act. The news release included a backgrounder that outlined the regional planning process and one that provided a full history of public consultation going all the way back to May of 2006. I bring this up in the interest of showing transparency in a public process that has had wide public participation. That public participation continued and continues today.

Two days after announcing the legislation, we announced province-wide public open house information sessions on Bill 36. Eleven sessions brought Bill 36 to public attention and discussion from Grande Prairie to Wainwright to Pincher Creek. Sessions were added for Edmonton, Calgary, and Medicine Hat. These were followed with community sessions in the lower Athabasca and neighbouring communities on the lower Athabasca regional planning process and Bill 36.

Over the course of May and June of 2009 government officials were in 26 communities discussing Bill 36. This was all fully transparent. It was publicly announced, posted, advertised, and promoted, and it was all done in the spirit of and commitment to accountability. In the meantime the bill was going through debate in this Assembly, during which every MLA, including those now on the other side of the House, had full opportunity to participate.

In fact, a number of amendments were made to Bill 36 before this Assembly voted to pass the legislation. Those amendments defined the term compensation board for appeal to the amounts of compensation. They clarified how regional plans would apply to Métis settlements. Changes were made to ensure that any tax-based conservation and stewardship tools developed under the act are not implemented without the approval of the Minister of Finance and Enterprise. Another amendment required that the Minister of Infrastructure and the Minister of Transportation receive prior notice of plans to register a conservation easement. To my recollection property rights were not raised as an issue to be amended during that original debate, and there's no reason why it should have been because property rights were always protected under Bill 36.

I note that the news release, when we tabled Bill 36, was titled Bill 36, the Alberta Land Stewardship Act, Sets the Bar for Responsible Regional Planning. The news release was subtitled Proposed Act Respects Property Rights and Local Decision-making. That is important because it shows that right from the start this government was committed to property rights and was acting to protect them.

Land titles were always excluded from the definition of statutory consent, so it would be very clear that although both are instruments of an enactment, they are very different instruments. A statutory consent is permission to access a public resource. A land title indicates private ownership. Owned by the public or owned privately: very different.

It is true that Bill 36 did not provide for compensation if a statutory consent is rescinded under a regional plan. That's because those provisions already exist in other legislation; for example, in the Mines and Minerals Act, the Forests Act, and the Expropriation Act. Bill 36 respected those provisions and took nothing away from them. Bill 36 actually created a new market-based compensation provision if a landowner retained title but a portion of the land was subject to a conservation directive under a regional plan.

**10:20**

The Alberta government has good reason to be committed to property rights. First, this is a Conservative government. The rights of the individual is a basic principle of Conservative ideology. Second, many MLAs in this government are landowners.

Some, including the Premier, are landowners for the third or fourth generation. We have a personal interest in seeing property rights protected.

In spite of the protections in the act and the government's reasons for protecting property rights, critics with an agenda succeeded in scaring or angering a lot of people over a situation that never existed, and they claimed that we did all of it behind closed doors in spite of a history of consultation going back to 2006, in spite of a populated and accessible website, in spite of public advertising and open houses and information sessions.

The Premier responded. He ordered a review of the Alberta Land Stewardship Act because the intent and the language clearly were being misinterpreted. He made a promise. No regional plan would be approved until the act was clarified to show full respect for property rights, including compensation and appeal and respect for the right of Albertans to be consulted on decisions that affect them.

That brings us to Bill 10, the Alberta Land Stewardship Amendment Act, 2011. The wording of Bill 10 has been clarified specifically to show that all existing rights under other legislations are respected.

In particular, I wish to speak to section 5, entitled Consultation Required. This section creates new checks and balances to ensure a transparent consultation process. As a result, regional plans under the land-use framework must be developed through a transparent and accountable process that requires public consultation. We were already doing that, but we weren't required to do it under the law. Now the law is being changed to require what we were doing anyway as a good practice and out of respect for the opinions of Albertans.

Government recognizes that regional planning needs to be informed by regional representatives and by people who live in the planning region. Regional advisory councils of Alberta have provided advice to the government in the development of the first two regional plans, for the lower Athabasca and the South Saskatchewan regions. Many of the people on these councils live and work in their region, representing a broad cross-section of experience and expertise. They generously provide local perspective and wisdom.

In the lower Athabasca the government conducted three rounds of consultation with the public, stakeholders, and municipalities. The first round was the sessions I already mentioned, in May and June of 2009. Those awareness sessions were held in a number of communities in the lower Athabasca and the adjacent upper Athabasca and North Saskatchewan regions. More than 250 people were involved in 13 public and stakeholder sessions, including two in Fort McMurray. The other communities were Lac La Biche, Bonnyville, Cold Lake, Vermilion, St. Paul, Fort Chipewyan, Fort Smith, Athabasca, Smoky Lake, Wabasca, and Fort Vermilion.

For the second round, in September of 2010, the government sought input on the regional advisory council advice in lower Athabasca and in nearby communities in the adjacent regions and in Edmonton and Calgary. Just under 800 people participated in public open houses and stakeholder sessions in the following communities: Bonnyville, Cold Lake, Fort Smith, Fort Chipewyan, Fort McMurray, Lac La Biche, Elk Point, St. Paul, Athabasca, Edmonton, and Calgary.

At this very moment the government is once again consulting with Albertans on the third phase of consultation, this time on the draft lower Athabasca regional plan.

In the South Saskatchewan region the government conducted awareness sessions in 16 communities in the fall of 2009. More than 850 people participated in the stakeholder and public sessions

throughout the South Saskatchewan. Sessions were held in the following communities: Calgary, Vulcan, Strathmore, Claresholm, Cochrane, Okotoks, Airdrie, Canmore, Lethbridge, Brooks, Fort Macleod, Pincher Creek, Medicine Hat, Taber, Cardston, and Milk River. The advice to government from the South Saskatchewan regional advisory council has been recently released for public scrutiny, and consultation with the public will occur through an online workbook.

[Mr. Marz in the chair]

Aboriginal consultation is also critical and has been conducted in an ongoing and continuous fashion throughout the planning process. For example, aboriginal consultation for the lower Athabasca regional planning has been very extensive and inclusive. Since the regional process began in January of 2009, a total of 79 meetings have been held with aboriginal groups. Twenty-five different First Nations aboriginal groups have been contacted, and an additional 16 meetings will be held this April and June with aboriginal groups to discuss the draft plan.

We are doing all this without the law saying we had to. Now under Bill 10 we have a legal requirement to do what we are committed to doing anyway, consulting with Albertans in developing a regional plan. Furthermore, section 5 of Bill 10 requires that the findings of these public consultations must be presented to cabinet. That's accountability. This ensures that the thoughts, concerns, local wisdom, and the special knowledge of regional residents and other Albertans are brought to the cabinet to assist them with responsive decision-making.

Proposed regional plans or amendments will now be required under the amended section 5 in Bill 10 to be laid before the Legislative Assembly. This is all before cabinet can make a final decision about any plan. This gives all members of the Assembly an opportunity to review a regional plan, the same opportunity they had to review the original Bill 36.

All these aspects of section 5 of Bill 10 contribute to a more open, transparent, and accountable process that engages and involves Albertans. It's what we were doing anyway. Bill 10 makes it the law. By doing so, Bill 10 responds to concerns about accountability and strengthens that commitment to Albertans.

For the sake of increased transparency and accountability I ask you to support Bill 10, the Alberta Land Stewardship Amendment Act, 2011.

Thank you, Mr. Chair.

**The Acting Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chair. It's a pleasure to be able to rise to speak to Bill 10, an act to amend the Alberta Land Stewardship Amendment Act. This, of course, is a bill that has received a great deal of political attention over the last few weeks arising from a fairly animated debate within the public about what the implications of the bill are to all Albertans and, in particular, to those who are concerned about property rights. This is something that has been discussed at some length throughout communities in the province, and it raises some legitimate concerns.

Probably the key thing to point out at this point, however, is that those concerns that have been expressed throughout Alberta relate not solely to the Alberta Land Stewardship Amendment Act but really relate as much or, I would suggest, more to the former Bill 19, the land assembly act, and Bill 50, which is related to issues of transmission lines. If any two acts were actually directed at undermining the rights of property owners, particularly in rural Alberta, then it was really those two acts.

It's very disappointing to see the government come here today, in this session, claiming to address concerns but not actually addressing the two acts, which had much more wrong with them in many respects than the third act which has been lumped into this so-called property rights discussion and concern that has been generated in parts of rural Alberta. So it's really quite disappointing to see that neither Bill 19 nor Bill 50 has been addressed.

Just briefly to identify, to go back to that. With respect to Bill 19 we saw situations where we had the ability of the government to designate certain project areas that could easily overlap on private land and put land under a project area order for an indefinite period of time and, thus, substantially impact the rights of the people who own that land. That was a significant concern, and that continues to be a concern that remains entirely unaddressed by any of the efforts that we see reflected in Bill 10.

Bill 50, of course, we talked quite a bit about. That was a key bill that limited transparency and limited public accountability and limited the opportunity for property owners and other members of the public who have an equal interest in many of these decisions, property owners or not property owners, to engage in a discussion about the merits and the degree to which a particular initiative actually met the public interest through the AUC process. That was clearly more evidence of this government's trend towards moving everything behind closed doors and making all their decisions amongst their little group of friends and excluding Albertans from the major decision-making processes in this province.

Bill 19 and Bill 50 were probably the most critical bills, quite frankly, that generated or sparked off a lot of the controversy. Those are the ones that the government is absolutely unwilling to touch because those are the ones that are so important to folks in industry, so the government won't touch them.

**10:30**

Well, what was Bill 36? What was the Alberta Land Stewardship Act? What was it supposed to do, this bill that the government is now proposing to amend? As we said when that bill first came through, it was premised on several years of consultation, and it was premised on the notion of a land-use framework, which included a number of worthy principles and ideas and policy initiatives. When that bill came forward a couple of years ago, we identified that, certainly, it grew out of a very positive process that was designed to achieve good things in the best interests of all Albertans. Unfortunately, at the time we said: hear this; there are some real problems with how you're planning on going about it. We had some very significant concerns.

One of the concerns that we had at the time, which continues to this day, was that there were far too many mechanisms through which the government would be able to keep ultimate control of what the outcome was and to make those decisions about what the ultimate outcome was behind closed doors, with a tremendous and profound lack of transparency, you know, notwithstanding that we're going to set regional advisory councils, appointed, of course, hand-picked by the government. Those regional advisory councils themselves would just simply make recommendations, but then the government would certainly have the ability to review and revise and have more meetings behind closed doors and then change what those advisory councils were putting forward. That was the kind of thing that actually went directly against the very transparency that the government claimed was part of the original land stewardship approach.

Indeed, what we've seen since then is exactly that kind of thing. We have the lower Athabasca regional plan. We had an advisory panel, that was appointed very much by government. Although there were some good people on that panel, it was definitely a

panel that did not fully reflect the broad range of groups and stakeholders whose public interests were at stake in terms of the outcome of that plan. Nonetheless, the regional advisory committee did come up with a plan and submitted it to the government, and then the government, behind closed doors, clearly had more conversations with people. We don't know who. We don't know on exactly what. We can make assumptions. But we certainly didn't have it all on the public record. Then changes were made.

Then we brought out another draft land-use framework for that area, which, strangely, accorded much more with the wishes and desires of industrial players in that area and ignored a number of the concerns put forward by community members, First Nations groups downstream from major industrial activity sites, and scientists who were concerned about environmental implications. Those things were mostly ignored, and then we sort of went back to what it was that industry had been advocating for most of the time. Of course, that whole process: we didn't see exactly how that deliberation was done. That was all done by cabinet and by the minister. Now we have another draft report, and we don't know exactly what's going to come of it. We won't be at that table when those decisions are made. It'll just be provided to us.

That was one of the problems that we had with the Alberta Land Stewardship Act in the first place. It was absolutely founded on very good principles, but at the end of the day there needs to be a level of trust with this government, and this government has not earned the trust of the majority of Albertans for years and decades. We simply don't have enough trust in this government to let them go behind closed doors and make these kinds of decisions. As a result, some of the concerns around this Alberta Land Stewardship Act have inflamed people from all different ends of the political spectrum because there are so many opportunities for government to fiddle with the process in a way that does not reflect the public interest.

The question now is whether Bill 10, which we're talking about tonight, deals with any of these problems that we first identified when we said: listen; a good concept, good principles, but you're not implementing it in a way that's going to be the best for Albertans. I would suggest that, in fact, Bill 10 does not address many of the concerns that have been raised throughout this process.

What are some of the failures? Well, generally speaking, I think it's fair to say that what Bill 10 will do is it will cause more confusion and more delay and more opportunities for legal wrangling that will extend this period in-freaking-definitely. It is really quite unfortunate because as it is, although there were grand pronouncements and fabulous articulations of good principles around the Land Stewardship Act and around the land-use framework, the fact of the matter is that the government is way behind schedule in terms of moving forward with any of the land-use frameworks.

[Mr. Mitzel in the chair]

When I first got elected, in 2008, we had all of these great, shiny timelines that we could all look forward to, and we are well behind all of them. The Minister of Sustainable Resource Development tells us that maybe by 2017, all things being equal, we'll be there. Well, I think we all know that he's dreaming in technicolour, and I think he knows that, too.

We don't have the resources dedicated to the work, the Ministry of Environment is completely unable to provide the sort of support that's necessary to do the work, and it's clearly an intensely political process, where we go through sort of the facade of public consultation. Then the draft report is picked up, and everyone scurries behind closed doors and meets with countless vested

interest groups, and then we come up with another version. Then we delay and delay and delay, and more conversations are had.

We've been waiting around for two years for the first LARC, and we're still not there. I can't even begin to imagine how much longer it will take for that to be complete because I know that it is an intensely political process. I suspect it will be subject to unprecedented levels of ongoing lobbying before we get anywhere with it.

Does Bill 10 change that? No. It just opens the door for that many more opportunities for behind-closed-door lobbying to take place and for more delay to be suffered by Albertans. The thing of it is that, you know, I've heard people argue: well, you know, it's okay because we've got a legal regime in place that sort of deals with the unfettered, unplanned, chaotic development that we see in this province. But the reality is that even that has been put on hold. Whenever we say to representatives of government, "Gee, you know, you do have this other piece of legislation here, and through that maybe you could engage in some form of planning, some form of conservation, some form of disposition, depending on whatever it is that you want done," we're told, "Well, we could, but let's just wait for the regional land-use framework to come into place." "When will that be?" "Well, sometime between now and 2000-and-whenever." In fact, we've actually now succeeded in some ways in crippling the current legislative regime that's in place. That's sort of the general gist of what Bill 10 does.

Now, we see the new section 15.1 under section 12 of Bill 10. It talks about this whole new process. It injects this whole new process, that after we've gone through this five-, 10-year process, however long it is until we actually get to a land-use framework plan in a particular region, well, then there's the opportunity for applications for variances to be made.

The trigger or the basic level that makes one eligible to make a variance is so low that we will probably see nothing but variance applications for another two years afterward, which will effectively render the regional plan unrecognizable in many cases. Even if it doesn't, it will ensure yet more delay. So I'm not really entirely sure how well thought out that process is, and of course it all goes to the minister, who's not having public hearings. You know, we're not seeing what the arguments are in public, in a transparent way. There's just an application, and the minister kind of goes: maybe, maybe not. This actually puts more discretion back to the cabinet, back to the minister, which is exactly the kind of thing that everybody said was one of the fundamental problems with this act when it first came through. So that doesn't fix it.

10:40

Then we have this whole question of: what triggers the ability to apply for a variance or for variance reviews? It's no longer the kind of thing where we're looking at simply sort of the loss of a land right, but we're now looking at any kind of – I think language is diminution of property value. That's a tremendously vague term. Again, I think what we're going to end up doing is opening the door to copious applications, that will invariably delay the whole thing and ultimately mean that this act dies an untimely and very early death. I mean, it's already on its way because it's very clear that the political will and the resources to support this initiative are only partially supported by this very divided government caucus. It's very clear that it's already, you know, starting to heave its last breaths, but this will ensure that it really does.

You know, another point that I came across in doing a little bit of reading around Bill 10 and what it stands for is this notion that we have the new 19.2, which allows persons directly affected to request the review of the regional plan. I find it very concerning that people who are directly affected, i.e. the property owners,



have yet another opportunity to request a review of the regional plan, but other members of the public remain unable to do that. We have responded so intensely to what you perceive to be your political threat in rural areas.

This is so clearly such a political document. We've long since departed from good public policy here. We've responded so reactively to the concern about property rights that we've given yet another forum for property owners to raise a concern, and maybe that's fine. But we've just been so mindful of just that issue that we have not provided an equal opportunity for a review or a request for a review by somebody who is representing a different public interest. Theoretically, there are a number of public interests that are to be balanced in the drafting of this land-use framework, but it is only one player in that process that gets to access yet another review process.

You know, communities that need water don't get to do it if they don't happen to have an ownership interest in the water, for instance. Industries that require a certain amount of environmental integrity – you know, the tourism industry or whatever – don't get to do it because they don't actually have an interest in the land. They don't get to request a review. But the actual landowner has yet a whole other regime of review request there.

Why is it just one of the parties to this whole land-use planning process that gets this whole new review regime, only one, but not the other parties to the process? It seems to me to be a very reactive kind of bill that's very much responding to political issues, that has not really looked at the totality of the act and referenced itself to the overarching multiplicity of interests that are supposed to be reflected in the land stewardship approach and, instead, has very much just reacted in a very political, thoughtless kind of way to one.

Some other concerns that I have. I did see that there was an amendment that I believe one of my colleagues from the Wildrose Alliance put forward. I've missed the conversation about this, but I did note that section 5 of the bill talks about there needing to be a consultation with respect to any amendments to a plan and that the new plan or amendment has to be put before the Legislative Assembly, which was certainly interesting, but of course the actual consultation does not have to be put before the Legislative Assembly. I noted as well in my reviewing of the act that that, of course, appeared to be a pretty significant failure. I understand that there was an amendment put forward to actually ensure that that consultation would be put before the Legislature, but I presume that that amendment failed.

Then I noted as well that section 8 talks about amending section 11 that deals with the policy of regional plans and that it talks about the fact – oh, darn. I'm already finished. Who knew?

**The Deputy Chair:** The hon. Member for St. Albert.

**Mr. Allred:** Well, thank you, Mr. Chair. I'm pleased to rise today in support of Bill 10, the Alberta Land Stewardship Amendment Act, 2011. It's very important to the future of this province that we pass this bill and get on with the job of restoring a system of land-use planning in Alberta. Last week at a forum in Eckville I heard lawyer Keith Wilson praise Alberta's system of regional planning that was in place under the former Planning Act prior to the abandonment of our regional planning commissions that were the implementation arm of our system of regional planning prior to 1995. I hear similar endorsements from the hon. Member for Calgary-Glenmore about the former planning regime.

Mr. Chair, I likewise have extolled our system of regional planning pre-1995. As the former chair of the Edmonton Metropolitan Regional Planning Commission, in 1995 – actually, in view of the

demise of regional planning in Alberta, I now refer to my former title as the chief pallbearer of the EMRPC – anyway, as I was about to say, I often used to refer to the Alberta advantage in terms of our system of land tenure. We have the best and most modern system of survey in the world, being the Dominion Land Survey system, which in Alberta is part of a uniform system across western Canada. We also have the best land titles system, modelled after the Australian Torrens system. We have the best system of regional planning, built and created right here in Alberta, starting shortly after we became a province.

Mr. Chair, these are systems that fit together to make a most efficient system that facilitates inexpensive and efficient transfers of land, an efficient rural addressing system, and a simple, rudimentary co-ordinates system, which allows us to develop comprehensive land information systems and efficient land management practices. This system also allows for a simple, efficient system of subdivision of land as well as an organized municipal and resource development. To put it simply, we have at least had the basics of a very efficient system of land tenure and management, which allowed our economy to function well in times of high growth.

The former Planning Act set out a planning framework, which established a hierarchy of plans with the regional plan as its foundation, moving up through the municipal plans, area structure plans, land-use bylaws, and plans of subdivision. The regional plans were prepared and adopted by commissions composed of elected officials from all municipalities within the boundaries of the region. The system was financed largely by municipalities themselves through an annual levy, with a token contribution from the province. By and large these regional planning commissions were very successful, with great co-operation and collaboration amongst both rural and urban municipalities. Granted, Mr. Chair, there were some exceptions although relatively few.

The former system was not, however, without its shortcomings. One element that I always thought was necessary for a complete planning framework was to move the foundation of the hierarchy up and build it on a base of provincial policies to make it a provincial plan as opposed to just a regional plan. Another shortcoming was the lack of integration of resource development planning with municipal development and infrastructure planning, which has resulted in a hodgepodge of pipelines and transmission lines and utility corridors that have impeded the development of our urban centres.

**10:50**

A third shortcoming, Mr. Chair, was the fact that not all of the province was included in the regional planning system. Several areas of the province were left to the whim of provincial planners to provide direction as opposed to municipal and regional management and control.

I would suggest that the demise of the regional planning structure in 1995 set this province back 25 years. Fast-forward, Mr. Chair, to 2010, when we introduced and passed the Alberta Land Stewardship Act as the basis for the land-use framework and the subsequent adoption of seven regional plans, actually nine if we include the capital region plan and the Calgary partnership. Now we're debating Bill 10, the Alberta Land Stewardship Amendment Act, 2011, which was introduced solely to clarify a number of issues that have arisen out of the Alberta Land Stewardship Act. The Alberta Land Stewardship Act reintroduced regional planning to Alberta in a forward-looking attempt to bring rational land-use planning back to our province to aid us in planning for the growth that is bound to come to our province over the next 20, 30, or 40 years. Bill 10 reinforces the intent of that legislation.

This total package of planning legislation – the Alberta Land Stewardship Act and Bill 10 along with the land-use framework and the regional plans – cures some of the ailments of our former planning scheme. It covers the entire province, and it reintroduces a hierarchy of plans, but this time it has a firm foundation built upon a provincial plan, which will integrate provincial policies into regional land-use decision-making. It also includes the resource sector, which will be the major driver of our growth in the next several decades, and it includes local stakeholders in the regional advisory councils and regular, legislated updates of the regional plans. And, Mr. Chair, it does not infringe on individual property rights. In fact, it bestows more rights on individual landowners than the former legislation did.

In this regard, Mr. Chair, I'd like to quote two prominent southern Alberta lawyers, who had this to say in a recent *Calgary Herald* article: "The Alberta Land Stewardship Act, plus the Bill 10 amendments, put Alberta ahead of any other province or U.S. state when it comes to protecting landowners' property rights." That quote is from Stan Church and Dan Smith, who are both members of the South Saskatchewan Regional Advisory Council.

Mr. Chair, Bill 10, the Alberta Land Stewardship Act, the land-use framework, and regional plans across the province are essential elements that are necessary for the forward planning of the province of Alberta as we move into a very prosperous future. These regional plans, together with the ALSA and the land-use framework, will be the road map that will co-ordinate the planning of our province as we move forward in the 21st century. Without sound planning we will experience another 15 years of haphazard and disjointed growth similar to what we see in our neighbour to the south.

Mr. Chair, this government is not alone in championing the need for the restoration of a strong and vibrant system of land-use planning in Alberta. The Environmental Law Centre has recently stated their "support for a strong, integrated, binding land use planning and management system for Alberta." Similarly, the mayor of the city of Red Deer has recently written and stated: "Regional planning is critical to ensuring sustainability and facilitating regional cooperation that will benefit all Albertans." Further, in a rather poetic statement a leading Canadian law firm, Fraser Milner Casgrain LLP, waxed eloquent: "Bill 10 and the Proposed Regulations have written a new chorus of property and procedural rights protections into the revisited ALSA."

Mr. Chair, Bill 10 supplements the Alberta Land Stewardship Act by clarifying the intent of the original legislation to make it abundantly clear that the property rights of Alberta landowners will be respected. Unfortunately, there's been a lot of rhetoric and misinformation about both the original Alberta Land Stewardship Act and Bill 10. Considerable consultation, discussion, and debate has taken place over the past several years, which have addressed and resolved these issues to my satisfaction. This is good legislation that will return the Alberta advantage to our system of land tenure and land-use planning.

Mr. Chair, I urge all members of this House to support Bill 10. Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Chair. Let me just take a quick sip of water here although I promise that's not because I'm going to talk for all that long, but I think it would be nice if you would be able to understand what I'm saying at all.

I want to try and put one more amendment on the floor tonight for this House's consideration in terms of Bill 10. This will go to further clarifying, I think, section 5 on consultation required. Just in the interests of time, because I know that there are other speak-

ers who would like to try and get in on this before closure raises its ugly head and shuts down debate, before I go any further, I will pass these amendments to the pages and let the pages pass out copies to everyone, and then I will speak to the amendment. This time I will actually give the page the original copy. There you go.

**The Deputy Chair:** We'll pause for a moment while the pages deliver the amendment. Hon. members, this will be amendment A5. Okay.

**Mr. Taylor:** Thank you, Mr. Chair. With amendment A5 I move that Bill 10, the Alberta Land Stewardship Amendment Act, 2011, be amended by renumbering section 5 as section 5(1) and by adding the following after subsection (1):

- (2) To fulfill the requirement for appropriate public consultation under subsection (1), the Stewardship Minister must
  - (a) advertise the development or amendment of a regional plan in one or more newspapers circulating within the boundaries of the regional plan, and such advertisement shall include
    - (i) the details regarding the proposed regional plan or amendment and its effect on the region,
    - (ii) an invitation to review the proposed plan or amendment and any supporting material at specified times and places, and
    - (iii) an invitation to the public to submit input;
  - (b) provide not less than 45 days for responses from
    - (i) the council of each municipality within the regional plan;
    - (ii) any local authority whose powers extend to any part of the regional plan, and
    - (iii) any other person or organization that the regional advisory council considers necessary;
  - (c) following the period provided for in clause (b), hold public hearings;
  - (d) consider the input received under this subsection in the preparation of his or her report;
  - (e) carry out any additional consultation processes that the Minister considers necessary.

What this does is add to the section 5 that is proposed in Bill 10. You know, the section 5 that is proposed in Bill 10 repeals section 5 in the ALSA. That, Mr. Chair, in my opinion, is an excellent move on the part of the government.

11:00

The original section 5 in the ALSA presently says – and I won't read the exact words because you all have the bill in front of you – that a regional plan may be made or amended, whether or not a regional advisory council has been appointed, whether or not a regional advisory council has provided advice about a proposed regional plan or an amendment, whether or not that advice was considered or followed and irrespective of the advice given; if the secretariat provides advice with respect to a regional plan or amendment and irrespective of the advice given and all the rest of that, the minister can just charge ahead and do whatever he wants. The Lieutenant Governor in Council can go ahead and do all that. Well, that's been repealed, or at least once we pass Bill 10, that will be gone out of the ALSA. That's a good thing. That's an absolute good thing.

As far as it goes, the proposed new section 5 in Bill 10 is a good thing, too. It says:

Before a regional plan is made or amended, the Stewardship Minister must

- (a) ensure that appropriate public consultation with respect to the proposed regional plan or amendment has been carried out, and present a report of the findings of such consultation to the Executive Council, and

- (b) lay before the Legislative Assembly the proposed regional plan or amendment.

It's not for the Assembly to debate the amendment or debate the plan or vote on it. It's just basically tabling the plan. Okay. Fair enough as far as it goes.

The key phrase here in all of this is, I think, "appropriate public consultation." The issue here is: how do you define that? Who defines that? That's what this amendment seeks to do. It seeks to bring clarity around this concept of appropriate public consultation, and it does so in, I think, a pretty clear and transparent way so that all who have concerns can see what the process is to fulfill the requirement for appropriate consultation under subsection (1).

You've got to advertise the development or amendment of a regional plan. You've got to include certain things in that advertisement. You've got to provide not less than 45 days for people who are affected, you know, and that includes members of the general public as well as stakeholders like councils of the municipalities affected by the potential plan, so on and so forth. You've got to give them at least 45 days. You know, if the minister wants to give them 90 days to respond, 60 days to respond, 120 days to respond, even, at the risk of incurring the potential wrath of the Member for Edmonton-Strathcona, six months to a year to respond, I'm cool with that. You just have to give 45 days, and you have to give 45 days to the councils of each municipality and any local authority whose powers extend to any part of the regional plan and any other person or organization that the regional advisory council considers necessary.

Then after that notice period, which has to be not less than 45 days – it can be more – you've got to hold public hearings. You've got to give people the chance, if they wish, to present to the regional advisory committee or to the minister. Then the minister has to consider the input received under this subsection in the preparation of his or her report. That is spelled out in the government bill in what is numbered in Bill 10 as 5(a). The minister must "present a report of the findings of such consultation to the Executive Council." What we're adding here is that the minister has to consider the input received.

This is much the same as the process that a standing policy committee would go through when it holds hearings on a government bill or a private member's bill or anything referred to it by the minister for review or study or investigation, that sort of thing. We invite submissions, written submissions. We then make the decision at the policy field committee as to whether we're actually going to go so far as to hold public hearings, but that's because it could tend to involve the committee going on a bit of a road show. In these sorts of circumstances they're going on a road show to one particular region sort of thing, or at least the regional advisory committee is already in the region, theoretically, I think. Then that input is considered in the preparation of the report to the minister or the report to the Assembly, making certain recommendations by the policy field committee. You know, we're doing the same thing here. Basically, that's what this is.

And, finally, "carry out any additional consultation processes that the Minister considers necessary." Mr. Chair, I think my spidey sense is pretty good, but I'm not psychic. I can't say in the case of every single regional plan and every single amendment to every single regional plan as we go forward in time that I or anybody else can in an amendment like this preconsider, if you will, every single consultation process that might be required. So all I'm doing here is giving the minister the opportunity. If the minister in his or her wisdom feels that in addition to what we've laid out here, there is some other consultation process that could happen, whatever that might be, then we're saying that the minister can go ahead and carry out whatever they consider necessary.

The purpose of this amendment is just to bring clarity, clarity that I think everybody can wrap their head around, can look at this and say: here is the process that the government will follow or that the government will cause to be followed in the development of regional plans and in the handling of any proposed amendments to regional plans. You look at that, and you go: "Aha. I got it. I see what this is all about. I see how this is going to be done."

You know, the message that keeps coming through to me from people I talk to across all walks of life, across all areas of interest in this province is that it's not particularly important to most people whether we as elected officials propose ideas that they're going to agree with or not. What's more important to them is that they want to know what the guiding principles will be that inform the policy and the laws and the plans that we develop.

In addition to the guiding principles – and I think those guiding principles are in the land-use framework, and they have carried over with some success to the ALSA – people want to know: "What's the process you guys will follow? Let me see how you do it. I don't necessarily need to agree with everything you do as long as I can understand why you did it." We'll disagree. People disagree. That's the great benefit of living in a democracy. Everybody knows that we disagree, and nobody expects that we have to agree all the time. That's fine. But everybody, I think, has a reasonable expectation that their government should be able to show them the road map, the process in terms of how you get from A to B.

That's what this amendment is about. I'm going to sit down now and let anybody else who wants to speak to the amendment get in on the act. Thank you.

**The Deputy Chair:** Any other members wish to speak to amendment A5?

I will call the question, then.

[Motion on amendment A5 lost]

**The Deputy Chair:** We are back to the bill. The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Chair. I just wanted to rise on some brief comments on Bill 10 as we are debating it here, of course, the amending formula to ALSA, Bill 36, which has previously been passed by this Assembly.

Land-use planning in the form of municipal zoning has always existed for subdividing land, and this will not be affected either by this legislation. Municipalities will retain their authority for municipal development plans, area structure plans, land-use by-laws, and making decisions on subdivisions and development standards . . .

Clearly, land-use restrictions and planning have been an ongoing Alberta project. The new regional planning does not mean creating a heavy-handed, centralized bureaucracy in Edmonton. It does mean, however, that the government will provide the kind of policy direction and guidelines and opportunities that local levels of government cannot. That being said, the most local level of government is the Alberta landowning family. There is no one better placed to determine the best use of their land than the owners who reside upon it . . .

Conservation efforts driven by landowners is the finest example of who we are as Albertans. We are stewards and conservationists at heart. This bill will not change that. This bill will not disrupt these grassroots efforts. The government will not get in the way of the good work done by groups such as the Nature Conservancy of Canada, the Southern Alberta Land Trust Society, and Ducks Unlimited. This legislation will not get in the way of generous Albertans who want to responsibly steward their land.

Another tool in this bill is the conservation offset, that can replace, restore, or compensate for the effects of an activity on public or private land . . .

Literally, it basically gives the government of Alberta the power through a regional plan to take an interest in any piece of private land for conservation purposes. However, all this will be accomplished with appropriate compensation. None of this will happen without landowners being properly compensated for a public good they are asked to provide. This is an important and, in fact, a groundbreaking proposal that ensures that landowners are compensated for being asked to provide a public good even in cases where their land is sometimes not directly affected.

**11:10**

The act protects property rights. Landowners will be compensated for any loss in market value based on principles under the Expropriation Act. This is an improvement over the status quo that placed the costs of conservation for public good on what I would define as the private treasury. The private treasury consists of the funds, monies, and savings that families have privately, of course.

Some critics may argue that providing mandatory compensation will be a disincentive for government to use conservation directives. Well, that is exactly the point. These decisions have to be done responsibly and must respect the private costs borne by Alberta families that are associated with conservation. No other jurisdiction proposes to protect the rights of landowners the way Bill 36 [and this Bill 10 amendment do.]

Another major benefit to landowners is the regional plans themselves. They will provide consistency, stability, and predictability. [In fact,] lands determined to be candidates for conservation directives will be identified in the regional plans. Formal notice will be provided that will outline the land affected, give a description of the directive, notify the landowner of the right to compensation, describe the application process to the Land Compensation Board, and inform the landowner of the right to appeal any decision.

No longer will landowners be surprised by having parks or other conservation areas created at their expense and at the whim of politicians. If the only way to protect the land is to impose a conservation directive, then the value of the land will be appraised, any impact assessed, and landowners will be compensated for any loss in market value. Landowners will retain title to their land. Often in the past they were expropriated outright, losing lands that may have been passed down through several generations . . .

The process I have just outlined is game changing. It is an unprecedented victory for the rights of landowners in this province. It will ensure that our province's precious viewscapes, landscapes, and lands that we all know and love are preserved for generations to come. I am very excited to see this bill [and the amendment] proceed. I support it, and I urge all members of this Assembly to support it as well.

Now, of course, Mr. Chair, these are not my original words. These are the exact words of the Member for Airdrie-Chestermere on May 13, 2009. It is self-explanatory. It is interesting how this member changes his opinion by way of the caucus that he joins. That is self-explanatory.

**An Hon. Member:** Who said that?

**Mr. Denis:** The Member for Airdrie-Chestermere. These are his words verbatim, Mr. Chair. I will not belabour this but, again, it's the Member for Airdrie-Chestermere. You can actually see this on YouTube, where I think there are several hundred hits already, of him enunciating these exact words on May 13, 2009.

Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. It's quite comical, Mr. Chair . . . [interjections]

**The Deputy Chair:** The hon. Member for Calgary-Glenmore has the floor. [interjections] You have the floor. [interjections] Just a minute. [interjections] Just a minute.

Just a minute, hon. Member for Airdrie-Chestermere. [interjections] Hon. Member for Airdrie-Chestermere . . . [interjections]

Hon. members, the hon. Member for Calgary-Glenmore has the floor.

**Mr. Hinman:** Thank you, Mr. Chair. Obviously, the former Energy minister and the current SRD minister have a lot to be embarrassed about. The Member for Airdrie-Chestermere got up and he said: "Yes. I did say those words." But these guys are still saying it two years later and don't realize the problem.

Mr. Chair, what I want to finish off in the short five minutes, I think, that are left to debate on Bill 10, the Alberta Land Stewardship Amendment Act, 2011, is to go back to the importance of local government. This government has gone to great lengths, this current government, to say that it's so important to have the RAC committee, the Regional Advisory Council, to tell the minister what needs to be done. They say that it's so important that we act on this in order to protect this area so that the federal government doesn't act.

I guess what I find amazing in the deductive thinking of that process is that if Edmonton somehow in its ultimate wisdom has greater knowledge and authority for a regional area and therefore we need to have a provincial oversight with the stewardship minister, then would not that same thinking say that Ottawa should have the oversight over Edmonton? It's ironic that they don't recognize the importance of local government, property owners, industry in making decisions locally, yet they want to extrapolate that power to the minister and say: "Oh, we know so much better than you do. We'll take that on." It doesn't work.

You know, there are many acts that got rewritten as this very thick Bill 36, the Alberta Land Stewardship Act, passed two years ago, and when you go through it, you talk about those omnibus bills, with all kinds of things embedded in there. Yes, they can pick out a few sentences that give some rights here, but then they take the rights away a few pages later. What we want to concentrate on at this point is municipal government. They've got up and they've reiterated time and time again: oh, if there's already a plan in place, we'll grandfather that. We're not talking about the grandfather. It's the next one that's coming up, what it can do.

Under the Municipal Government Act, section 570.01(1), if the Minister considers that a municipal authority or regional services commission has not complied with an ALSA regional plan, the Minister may take any necessary measures to ensure that the municipal authority or regional services commission, as the case may be, complies with the ALSA regional plan.

We're talking in the future. These guys like to talk in the past. They've got 40 years of past. In the next 40 years they can think about that. But we need to worry about the future, and this bill has a major impact on the future and especially on local government.

In subsection (1), all necessary measures includes, without limitation, an order by the Minister

- (a) suspending the authority of a council to make bylaws in respect of any matter specified in the order;
- (b) exercising bylaw-making authority in respect of all or any of the matters for which bylaw-making authority is suspended under clause (a) . . .

- (d) withholding money otherwise payable by the Government to the municipal authority or regional services commission pending compliance with an order of the Minister;
- (e) repealing, amending and making policies and procedures with respect to the municipal authority or regional services commission;
- (f) suspending the authority of a development authority or subdivision authority and providing for a person to act in its place pending compliance with conditions specified in the order.

This is a problem. This should be amended. It should be struck from there, but it isn't.

In the amendment in Bill 10:

- 20(1) When a regional plan is made, every local government body affected by the regional plan must
  - (a) review its regulatory instruments, and
  - (b) decide what, if any, new regulatory instruments or changes to regulatory instruments are required for compliance with the regional plan.
- (2) Every local government body affected by the regional plan must, within the time set in or under, or in accordance with, the regional plan,
  - (a) make any necessary changes or implement new initiatives to comply with the regional plan, and
  - (b) file a statutory declaration with the secretariat that the review required by this section is complete and that the local government body is in compliance with the regional plan.

Mr. Chair, this government has closed debate on this. The debate is long from over. If we even had recall, Albertans would be rising up, and you would see these guys being knocked off one at a time by Albertans, but they don't have that courage to give the power to the people to stop them from these notorious bills that they push through in short order and declare there's no problem with.

The best example is the ridiculous new royalty framework, and we have the two ministers sitting here, smugly chewing on their gum or whatever it is, saying that we didn't do anything wrong, that it's good, that this is fine. And they know. They changed it after two and a half years. They changed the new royalty framework, and still they never said that they did anything wrong. This government is notorious for passing bills that hurt Albertans. They strip away the Alberta advantage. Bill 10, the amendment to Bill 36, the Alberta Land Stewardship Act, is just a ridiculous bill. This government doesn't have the foresight, the understanding, the knowledge of history or of the future. That is why they're pushing this through, just like with Bill 50 and the power lines. They have no respect for independent commissions. They think that they know it all.

11:20

This is the problem with central government, central power, central economy, run by those who think that they're better than the rest of the world, aristocrats. They're arrogant, they're above reproach, and it's a real problem. The truth does hurt, Mr. Chair – I realize that – but it's supposed to. That's when people go and have to recover, and they confess. It hurts. That's why this government won't do it. Ralph was big enough to do that. I don't know anybody over there. They sit back smugly, saying that these things are great, that the future of Alberta is great. It isn't. The only thing that's great is that there's going to be an election. These individuals are going to be held accountable for these things.

In here it's supposed to be honourable, and it's okay to mislead and to put out intentions and to guide because they're protected. [interjections]

**The Deputy Chair:** Hon. member, just a caution. The word "arrogance" is unparliamentary. "Misleading" is unparliamentary. Just a caution, please.

**Mr. Hinman:** Thank you for that caution. Like I said, the truth does hurt, and I can appreciate that.

The web that's been woven on this is a web that these individuals are stuck in. They're not going to be smart enough to get out in time. The bottom line is that this bill should be repealed. The next best thing that this government should do is that they should be voting against this. They should be sending it to the Committee on Resources and Environment. They're not going to do that.

**Mr. Knight:** You're talking about Bill 10? Repeal it?

**Mr. Hinman:** Yes. Absolutely. Repeal Bill 10, Minister.

**The Deputy Chair:** Speak through the chair.

**Mr. Hinman:** Well, then, tell the Minister of SRD to talk when it's his turn. He's had lots of time. They get to get up and be smug about it whenever they want, and they go around talking. It was kind of interesting that the Minister of SRD didn't show up at Eckville last week. He sent the previous minister. It would have been enjoyable to have had him there and to see him defend it. I do enjoy that.

Mr. Chair, Bill 10 is not acceptable to Albertans. It needs to be sent to the committee. It needs to be suspended. Do anything, but do not pass Bill 10. It's not in the best interests of landowners. It's not in the best interests of industry. It's not in the best interests of the people of Alberta. This is a step in the wrong direction. It's undermining democracy. Yet this government seems to be just bullheaded, saying: "We're going full steam ahead. Nothing is going to stop us. We'll invoke closure. We don't want the debate to go on." By smothering the debate, the discussion, they think this will die a quiet death. I look forward, Mr. Chair, to see where it goes from here.

The more the people of Alberta study it, the more they're educated on this, they realize that this bill is not at all what has been proposed by the Premier, by the minister, by the cabinet, by the MLAs. When they go out and try to explain this to Albertans one on one, they lose. In a forum they lose. In here they don't want to do it anymore, so they're shutting it down. I would urge all members to take a hard second look at this and realize that this bill is not the answer.

They said for two years how wonderful this is, that there's nothing to worry about, yet they come in with all of these amendments. Bill 36 is going to go down as one of those notorious bills in history. It's always kind of fun to go back and read in history, especially in old English law, European law, about the different bills that they passed on what colour of material they can weave in their different regions, how much they can do, how big a house can be, the size of windows, the different taxes that government puts out. There are so many notorious tax bills that have come forward over the centuries. You'd think that in a democratic society government would realize how self-serving and undermining it is for the country or the province as a whole.

It's interesting that as the United Kingdom started to fall apart, you know, back in the 1700s, they couldn't pay their soldiers or anything else. All of a sudden the free market took over, and that became the great era of England because government had overgrown itself, the taxation, the property rights.

Let's just go back to that for a minute. The Magna Carta in 1215 was the start of property rights, where the king, on threat of

his life, decided: oh, we'll protect property rights. Here we are 800 years later, and coming up in three years, we're going that full circle, where we think that the king should be able to make the rules and say: "This is what's best for these areas. This is what we're going to invoke, the plan." Again, like I say, it's so comical to think that they would go to a regional advisory committee and say, "What do we need to do there?" and then pass that off to the minister to say, "Now it's yours, and you can go" when they supposedly are relying on a regional advisory committee. Yet they're empowering the minister to make those decisions, to have the discretion to say: "You know, we're not going to listen to the regional advisory committee. We've listened, we've consulted, but we don't have to do."

The most important thing, if we really want to have accountability, is to pass recall. A Wildrose government will have recall, and when government steps out of line, we can stop something. I see the hon. Member for Edmonton-Centre is shaking her head, afraid of allowing the people to hold the power. There's nothing more important than power in the people's hands and accountability 24/7, not once every four years.

**Ms Blakeman:** Recall doesn't do that.

**Mr. Hinman:** It does. People haven't researched it. They don't understand it.

We need accountability, and this bill doesn't give accountability. It's just the opposite. It empowers the cabinet. It empowers the minister to make arbitrary decisions over land, over development, over industry, and basically instead of extinguishing rights, they now say that they're going to rescind rights. [interjection] Isn't it interesting that the Minister of Energy is now commenting that he likes to support the Liberals. We've always known that, that they're closer to the Liberals' thoughts.

Again, big government is better government in their mind. This bill absolutely shows that. We understand the intent, what they want with this, Mr. Chair. It's a sad day for Alberta that this bill is going to pass out of Committee of the Whole this evening with no amendments accepted though the government has brought forward numerous amendments because of their shortfall. It's very disappointing.

With that, I'll sit down, and the Energy minister maybe now wants to pontificate on why it's so great.

**The Deputy Chair:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Well, thank you, Mr. Chair. I don't believe I have too much time left to speak here, but I just want to get a few comments on the record. I'm happy to speak to this Bill 10 because I am a third-generation rural landowner. I have a passion for my land, and I know all of my neighbours around me have a passion for their land. I'm also a lawyer, and I'm familiar with a circumstance where lawyers don't agree on any number of issues. With that in mind, you know, I want to talk a little bit about what motivates me to support this bill and also to have supported Bill 36.

This is difficult because anytime you're talking about planning, you are potentially talking about limiting people's rights. When I go to a meeting of landowners who have concerns about property rights, I'm thinking they probably drove on a highway that went past somebody's house, that maybe limited their rights because maybe there wasn't always a highway there. The fact of life is that we have to plan for the future in Alberta. This legislation is about planning for the future, and we have to create a balance between

protecting property rights, which I am passionate about, while at the same time planning.

**The Deputy Chair:** I hesitate to interrupt the hon. Minister of Justice and Attorney General, but pursuant to Government Motion 15, agreed to on April 27, 2011, the time allotted for debate in Committee of the Whole on Bill 10, the Alberta Land Stewardship Amendment Act, 2011, has expired. I must now put the following question. On the clauses of the bill, are you agreed?

[The voice vote indicated that the clauses of Bill 10 were agreed to]

[Several members rose calling for a division. The division bell was rung at 11:30 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For:

Ady	Goudreau	Prins
Allred	Groeneveld	Renner
Benito	Knight	Rodney
Bhullar	Leskiw	Rogers
Campbell	Liepert	Sarich
Denis	Lukaszuk	Tarchuk
Drysdale	Marz	VanderBurg
Elniski	McQueen	Webber
Fawcett	Olson	

Against:

Anderson	Kang	Pastoor
Blakeman	MacDonald	Taylor
Hinman	Notley	

Totals:	For – 26	Against – 8
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[The clauses of Bill 10 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That's carried.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I move that the committee rise and report Bill 10.

[Motion carried]

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 10. I wish to table all copies of amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** All those members of the Assembly who concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

## Government Bills and Orders Third Reading

### Bill 4

#### Securities Amendment Act, 2011

**The Acting Speaker:** The hon. Member for Calgary-North Hill on behalf of the hon. Member for Calgary-Nose Hill.

**Mr. Fawcett:** Yes. Thank you very much, Mr. Speaker. It's an honour to be able to move third reading of Bill 4, the Securities Amendment Act, 2011, on behalf of my colleague the hon. Member for Calgary-Nose Hill.

Mr. Speaker, Alberta continually ensures that its securities regulatory regime remains at the forefront of modern securities regulation. In light of the federal government's proposal, a move that Alberta and five other provinces opposed, to change the current decentralization to a national securities system, we need to take action on this issue and not stand idly.

Bill 4 builds on the work that Alberta has done since 2004 to further modernize, harmonize, and streamline Alberta's securities laws and also to ensure that Alberta supports Canada in meeting its international commitments. This bill strengthens protection for investors and fosters confidence in Alberta's capital markets.

I encourage all members of the Legislature who want to continue to attract investment and protect investors to support Bill 4. With that, Mr. Speaker, I'll leave it open for other members of the Legislature.

**The Acting Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's a pleasure to rise and say a few words regarding Bill 4. Certainly, we had quite a discussion on this yesterday, I believe, in committee. The hon. Member for Calgary-North Hill is absolutely right in his summation of the bill. When you listen to the hon. member's comments, one is hopeful that this latest amendment will do precisely what the hon. member has suggested it will do. This is another in a long series of amendments to our securities regulations, and I certainly at this hour am not going to go into any detail on the national securities regulatory body or anything of that nature. We have supported this bill in committee, and it's also a pleasure at this time to support it at third reading.

Thank you.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. I'd just like to briefly speak on this in support. It's always interesting to see the government when it makes the proper steps and realizes the importance of securities and investment here in the province. It's good to see that they're making some efforts to secure that. I just wish that they'd have respect for all contracts and not undermine those people that are thinking to invest in Alberta and to raise money, whether it's for oil and gas or some other project that the minister might want to rescind those different licences for that have been given out. It's good to see that we're going to have strong Alberta securities, and I just wish the government would follow that consistently and respect the rule of law so that we would indeed attract the best, the brightest, and the smartest people here in the province in investing and developing our resources and our people.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) allows for five minutes of comments and questions to the last speaker.

Any other members wish to speak?

Does the Member for Calgary-North Hill wish to close debate?

[Motion carried; Bill 4 read a third time]

### Bill 5

#### Notice to the Attorney General Act

**The Acting Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm pleased to rise today and move third reading of Bill 5, the Notice to the Attorney General Act.

This legislation consolidates and updates notice requirements that ensure that parties notify the Attorney General about certain matters. It is very important for the Attorney General to receive timely notice about and, if necessary, to be heard on these issues, allowing the Attorney General to be able to protect the interests of Albertans and be in a position to defend the constitutional validity, applicability, and operability of Alberta's legislation, Mr. Speaker.

Bill 5 clarifies the requirements for adequate and timely notice to be given to the Attorney General. It includes regulation-making powers to ensure this legislation stays up to date with evolving litigation trends. It includes a specific provision to ensure the Attorney General is notified about allegations of inadequate consultation with aboriginal peoples.

Mr. Speaker, I'd like to thank all my hon. colleagues for their continued support of this legislation and look forward to its passage. Thank you.

11:50

**The Acting Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. Certainly, we have had previous discussions on Bill 5. I would just like to say to the hon. Member for Leduc-Beaumont-Devon that he has done his homework, again, on this bill, and I on behalf of my colleagues appreciate your efforts, sir. Certainly, the Notice to the Attorney General Act is everything that the hon. member has suggested in his remarks that it is. Hopefully, it will resolve some of the matters that concern our First Nations people. Thank you for that.

I hope this bill is voted for this evening by all members of the Assembly at third reading. Thank you.

**The Acting Speaker:** Any other members wish to speak?

The hon. Member for Leduc-Beaumont-Devon to close?

**Mr. Rogers:** I call the question, Mr. Speaker.

[Motion carried; Bill 5 read a third time]

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

**Mr. Renner:** Thank you, Mr. Speaker. I would move that the Assembly now stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 11:51 p.m. to Thursday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, April 28, 2011

Issue 30a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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Anderson, Rob, Airdrie-Chestermere (WA), WA Opposition House Leader	Liepert, Hon. Ron, Calgary-West (PC)
Benito, Carl, Edmonton-Mill Woods (PC)	Lindsay, Fred, Stony Plain (PC)
Berger, Evan, Livingstone-Macleod (PC)	Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)	Lund, Ty, Rocky Mountain House (PC)
Bhullar, Manmeet Singh, Calgary-Montrose (PC)	MacDonald, Hugh, Edmonton-Gold Bar (AL)
Blackett, Hon. Lindsay, Calgary-North West (PC)	Marz, Richard, Olds-Didsbury-Three Hills (PC)
Blakeman, Laurie, Edmonton-Centre (AL), Official Opposition House Leader	Mason, Brian, Edmonton-Highlands-Norwood (ND), Leader of the ND Opposition
Boutilier, Guy C., Fort McMurray-Wood Buffalo (WA)	McFarland, Barry, Little Bow (PC)
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McQueen, Diana, Drayton Valley-Calmar (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	Morton, F.L., Foothills-Rocky View (PC)
Campbell, Robin, West Yellowhead (PC), Government Whip	Notley, Rachel, Edmonton-Strathcona (ND), ND Opposition House Leader
Chase, Harry B., Calgary-Varsity (AL), Official Opposition Whip	Oberle, Hon. Frank, Peace River (PC)
Dallas, Cal, Red Deer-South (PC)	Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC), Deputy Government House Leader
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)	Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)
DeLong, Alana, Calgary-Bow (PC)	Pastoor, Bridget Brennan, Lethbridge-East (AL), Official Opposition Deputy Whip, Official Opposition Deputy Leader
Denis, Hon. Jonathan, QC, Calgary-Egmont (PC), Deputy Government House Leader	Prins, Ray, Lacombe-Ponoka (PC)
Doerksen, Arno, Strathmore-Brooks (PC), Deputy Government Whip	Quest, Dave, Strathcona (PC)
Drysdale, Wayne, Grande Prairie-Wapiti (PC)	Redford, Alison M., QC, Calgary-Elbow (PC)
Elniski, Doug, Edmonton-Calder (PC)	Renner, Hon. Rob, Medicine Hat (PC), Deputy Government House Leader
Evans, Hon. Iris, Sherwood Park (PC)	Rodney, Dave, Calgary-Lougheed (PC)
Fawcett, Kyle, Calgary-North Hill (PC)	Rogers, George, Leduc-Beaumont-Devon (PC)
Forsyth, Heather, Calgary-Fish Creek (WA), WA Opposition Whip	Sandhu, Peter, Edmonton-Manning (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC)	Sarich, Janice, Edmonton-Decore (PC)
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)	Sherman, Dr. Raj, Edmonton-Meadowlark (Ind)
Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-Ste. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

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Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, April 28, 2011

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** We have a prayer to say today. On this day let each of us pray in our own way for all who have been killed or injured at the workplace. Life is precious. When it is lost, all of us are impacted. In a moment of silent contemplation may we now allow our thoughts to remember those taken before their time, those who have suffered through tragedies and reach out to the families, friends, neighbours, and communities most immediately impacted. May God provide them eternal peace. Amen.

Please be seated.

### Introduction of Guests

**The Deputy Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a very high honour for me today to have the privilege of introducing to you and through you to all members of the Assembly two members of my immediate family who are sitting in your gallery. First off, my uncle, Jerome Hauk, resides in St. Albert and is a father of three, grandfather of three. He is a retired physics teacher from St. Joseph school in Edmonton. Interestingly enough, I think he might have done a pretty good job with one of his students as one of his students from years ago is, in fact, the Minister of Employment and Immigration. In addition, my second introduction is a woman who lives in Calgary-West. Her name is Marguerite Denis, and she is a mother of one, namely me. She is a retired educator and now operates a property management company in Calgary. I can say that no one has put more volunteer hours over the last few years into my particular association and campaign than my mother. Thank you very much. Would you please join me in giving them a warm welcome.

**The Deputy Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Webber:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly 54 students, teachers, and parent helpers from Sherwood Park, actually. I'm introducing on behalf of the Minister of International and Intergovernmental Relations. Again, 54 students, teachers, and parents from Westboro elementary school are here today to tour the Legislature. We've got teachers Ms Theresa Cartmell, Mr. Bill Stetzenko – I apologize for that pronunciation, Bill – Mrs. Erin Tompkins, Mrs. Kari Dahus, Ms Wendy Thomson and parent helpers Mr. Brent Schmidt, Mrs. Sandra McFadden, Mr. Chris Stirling and the students. I ask that they rise and please receive the warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. Today it's a pleasure to rise and introduce to you and through you two outstanding Albertans. Today we have a very good friend of mine, Mr. Tom McGee, a former member of Drayton Valley and currently with the ERCB. Also, joining Tom McGee today is Mr. Brady Whittaker, a real friend of the forest industry, a friend of this Legislature, and ex-

ecutive director of the Alberta Forest Products Association. It's wonderful this afternoon to have a chance to catch up with both of them, and I would ask these two fine gentlemen if they would rise and receive the traditional warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** I just have another introduction under guests, Mr. Speaker. Over the last few years I've of course seen many introductions of military personnel here. Well, I want to introduce some people from another type of army, and that is the Salvation Army. It would be difficult to list everything that the Salvation Army has done for this province. Instead, I simply want to say thank you to each one of them for their very terrific work and service for vulnerable Albertans. I would also ask the Assembly to join me particularly in welcoming Major Fred Waters, Major Wendy Waters, Vice-chair Bruce Bowie, board member Antoinette Alleyne, and Karen Diaper.

Interestingly enough, Mr. Speaker, I was informed by the Sergeant-at-Arms the other day that he is, in fact, a member of the Salvation Army board. These people have done excellent work. In particular, I want to say thank you to both Majors Waters, who, unfortunately, will be leaving Alberta soon, going to Toronto on their next assignment. Thank you very much for the hard work that you do. Please rise so we can give you a warm welcome.

Thank you.

**The Deputy Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm very happy today to introduce to you and through you to Members of the Legislative Assembly three people from the Public School Boards' Association of Alberta who have contributed to the creation of the proposed Education Act, who have given trustees all across the province an opportunity to give their ideas and discuss the principles and values as well as the details of the act. They're here to watch the introduction for second reading of Bill 18, the Education Act. I'd ask them to stand and receive the traditional warm welcome of the House. Patty Dittrick, MaryLynne Campbell, and Maurice Fritze: welcome today, and please continue to do the good work that you do for us.

**The Deputy Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. I've got two introductions to do today. It's certainly my pleasure to introduce two people that are very, very important in my life. Raymond Fortin is my nephew and godson, and he is accompanied by his fiancée, Kathryn Wasele-nak. They're both from here in Edmonton and both students at the University of Alberta. Raymond has just finished his fourth year in honours physics, and Kathryn is finishing her fourth year in business finance. They're anxious for the weather to warm up so they can take out their golf clubs. They're very, very anxious about golfing, and both are very avid golfers. I'd like both of them to stand and receive the warm tradition of the Assembly.

Mr. Speaker, my second introduction is Ryan Gauthier and Rhonda Clarke-Gauthier. Both are from my constituency. Ryan is very much involved in 4-H and has been here many times with the TUXIS Parliament. Ryan is just graduating as well, from grade 12. He's accompanied by Rhonda Clark-Gauthier, also very much involved in 4-H and our SARDA board, which is an agricultural producer board. She's involved with other groups, including the church, and is a very important member of the executive on my PC association.

All four of them are accompanied my wife, Angeline. I'd like those three to stand up and receive the warm traditional welcome.

**The Deputy Chair:** The hon. Minister of Children and Youth Services.

**Mrs. Fritz:** Thank you, Mr. Speaker. I'm honoured to introduce to you and through you to all members of the Assembly 14 outstanding youth leaders who are representatives of the Métis Settlements Youth Network Society. By speaking to your peers about the effects of family violence, bullying, addictions, and other social issues, you've helped many young people face the challenges that they have. I would like to thank you for being here. Each youth has travelled quite a distance in order to be in the Assembly today. I'd especially like to thank you for this beautiful gift of a sash.

We have society president Matt Belhumeur from Buffalo Lake; Delaney Cunningham, western co-chair, from Peavine; Kayla Fayant from Fishing Lake, the eastern co-chair of the society; Dayna Thompson, secretary, from Kikino; and Neil Lamouche from Gift Lake Métis settlement, the treasurer. We also have Waylon Sparklingeyes from Buffalo Lake, Kayla MacDonald from Kikino, Adriaahna Faithful from Fishing Lake, Tori Stewart from Peavine, Tristyn Haggerty and Greg Patenaude from East Prairie, Cody Chalifoux from Paddle Prairie, and Karla Lamouche and Brian Tallman from Gift Lake. As well, we have three mentors for these fine youth: Joy Ohashi, Louise Okemow, and Maurice Trudel. Please join me in giving these wonderful young people the warm welcome of the Assembly.

1:40

**The Deputy Speaker:** The hon. Minister of Transportation.

**Mr. Ouellette:** Thank you very much, Mr. Speaker. It gives me great pleasure to rise to introduce to you and through you to all members of the Assembly some great children from a wonderful school in my constituency. I think a few of those children from that school are from the hon. Member for Red Deer-South and some from the hon. Member for Red Deer-North also. I don't believe they've arrived in the Chamber yet. They are touring the Leg. today. I just had a picture with them downstairs. They're 12 students from Destiny Christian school in Red Deer county visiting us today. I'm sure at some point they'll be in the members' gallery. They have with them their principal, Glenn Mullen, and a parent helper, Miss Roberta Bechtold. As I've said many times, it's very important for these children to visit the Legislature and have some dialogue with us because we know they will be our leaders of the future. I would like them, if they are here, to rise. If not, I'd still like my colleagues to give them a great round of applause.

Thank you.

**The Deputy Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Well, thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly some of my constituents, starting with Mr. Aaron Falkenberg. Aaron is chairman of Mercantile Trust. He's also a businessman who has been involved in poultry farming for most of his life as well as real estate development and many other endeavours. He serves on a number of boards, including the Climate Change and Emissions Management Corporation and Alberta Innovates. He's accompanied today by Todd and grandson Conor Newberry. I met Conor a couple of times. I know he's a real political keener, so he'll really be enjoying the tour and watching

question period this afternoon. They're seated in the members' gallery, and I'd like to ask them to rise and receive the warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Calgary-Hays.

**Mr. Johnston:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Mary Philipo. Mary should be in the members' gallery. She's accompanied by my wife, Shirley. Mary is a worker with the Kids Cancer Care Foundation of Alberta, and she's been in the Edmonton area for training at the Stollery hospital. As mentioned, she's with my wife of 37 years, Shirley. I'd like you to give them the warm traditional welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you 50 great students from Gibbons school located just north of Edmonton within my constituency. Gibbons is a community that my great-grandfather came to when he came to Canada and settled in in 1912, about the same year the Legislature was built. I'm very pleased to have them here. It was nice meeting them on the steps. I'd also like to welcome their three teachers: Colleen Lowe, Stephanie Thimer, and Amylia Soetaert. I'd ask these two fine school groups to please stand and receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** Are there any other introductions? The hon. President of the Treasury Board.

**Mr. Snelgrove:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to all members of the Assembly Mr. Dave Nelson. Dave is one of the very capable trustees of the Buffalo Trail school division, which is the regional division that serves the vast majority of my students, and they do a very good job. Mr. Nelson is currently the vice-chair and is here today to also view the second reading of Bill 18, the Education Act. I think it's important to note that over the past several years the Buffalo Trail school division has had one of the highest percentage rates of students graduating from high school and also one of the highest rates in the province of students transitioning to postsecondary education. I would ask Mr. Nelson to rise and receive the warm traditional welcome of the Assembly.

### Ministerial Statements

**The Deputy Speaker:** The hon. Minister of Employment and Immigration.

### National Day of Mourning

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Today is the National Day of Mourning for workers who were killed on the job. This special day reminds us of how precious life is and how quickly it can be taken away. One hundred and thirty-six people died in our province from job-related injuries or illnesses in 2010. Of course, we're talking about more than just numbers. These are people with hopes and dreams, people with careers and aspirations, people with friends and family, fathers and mothers, brothers and sisters, aunts, uncles, cousins, friends, and neighbours, who are also profoundly affected by such tragedy.

Of those 136 deaths, 43 were tragedies at a workplace. That's 43 times, Mr. Speaker, that my BlackBerry actually buzzed to



deliver the news. That's 43 descriptions of the final few minutes that led to someone's life being taken away, 43 names and ages, from a 19-year-old who died of injuries just west of Edmonton last June to two 74-year-old workers, one near Stettler in January, the other near Carstairs in October, and there were 40 others. Add to this the occupational disease and motor vehicle related fatalities, and we have 136 Alberta workers who deserve so much more than a moment of our time today. They deserve workplace conditions that are healthy and safe. They deserve their lives back.

I assure all of my Legislature colleagues that every one of those BlackBerry messages that delivers the dark news of a workplace tragedy only strengthens my resolve and the resolve of this government to continue to work harder to ensure that the role of government when it comes to workplace safety is second to none. Mr. Speaker, as the minister responsible for workplace health and safety I stand before my Legislature colleagues and all Albertans to say: there are no excuses. Government, industry, employers, and workers must pick it up a notch and do a better job of protecting our most valuable resource, our people.

As a government we are in the midst of creating a stronger balance between enforcement, compliance, education, and awareness. Since delivering a National Day of Mourning message in this Assembly at this time last year, we have updated our compliance and enforcement procedures. We have launched an employer records website listing the safety records of 140,000 employers in Alberta. We have launched an internal software program enabling us to collect and analyze OHS data better than ever before. We have hired additional occupational health and safety officers, including a hiring plan for the next three years, and increased our focus on northern Alberta by adding a third regional office right in Fort McMurray.

Mr. Speaker, I am hopeful, now more than ever before, that we are on the path to ensuring that taking part in unsafe work is no longer acceptable. We will have a culture of positive health and safety practices that is commonplace regardless of where you work or what you do. In just a few days I'll be releasing the full occupational health and safety data for the year 2010. In addition to the total number of fatalities, there are many other measures that help determine whether our province is becoming healthier and safer.

Several more announcements will be made over the coming week as well, all of which lend themselves to ensuring that Alberta remains an attractive, healthy, and safe province in which to work, especially as we begin our approach to renewed economic activity. I expect Albertans to hold my feet to the fire, just as I challenge Albertans and Alberta's employers to ensure that their workers remain healthy and safe on the job. I also encourage workers to know their rights and responsibilities. This is truly a team effort, Mr. Speaker.

One hundred and thirty-six fatalities. It's an overused cliché, Mr. Speaker – I know that – but it's truly 136 too many. Hard-working men and women like Travis, Wade, Juan, Erin, Josh, Eugene are all more than just numbers. They are people who have left a mark on our province and will not be forgotten soon. Our hearts truly go out to those whose lives have forever been changed by workplace injuries and fatalities.

I thank you all.

1:50

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

**Mr. Hancock:** Mr. Speaker, let me ask for the unanimous consent of the House to complete this particular section of business in the interests of respecting the National Day of Mourning.

[Unanimous consent granted]

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you, sir. On this National Day of Mourning Alberta Liberal MLAs offer our condolences to the many friends, family members, and co-workers who have lost someone as a result of a workplace accident.

Fatalities on the job are avoidable tragedies, making such losses all the more heart-rending and difficult to come to terms with. The Official Opposition strongly believes that the Alberta government must do more to protect workers from workplace injuries and fatalities. In the last 10 years there have been over 1,200 occupational fatalities in Alberta. That's like losing an entire small town, Mr. Speaker, to an utter disaster. I also note, with respect, that the number of Alberta workers killed on the job jumped by 24 per cent last year. One hundred and thirty-six workers lost their lives in 2010, up from 110 the previous year.

The hard work of Albertans is responsible for the growth of our communities, provides essential services, funds public institutions and needed social programs. Labour is the bedrock, the foundation, of our prosperity, but Alberta still lags behind other jurisdictions when it comes to workplace safety and fatality rates. Despite years of Alberta Liberal questions on the issue farm workers, for example, still work without the protection of the Occupational Health and Safety Act. All paid workers in Alberta deserve the same, equal rights, Mr. Speaker. New cases of needless deaths and injuries of paid farm workers appear in the news, unfortunately, on a regular basis, yet this government remains unmoved. It's callous, unfeeling, and bad public policy.

We will never stop pushing this government to do the right thing on this issue, nor will we stop calling for other legislative changes to improve worker safety, including requiring workplaces to post health and safety rules at the job site and the implementation of mandatory health and safety committees for work sites that employ 20 or more individuals. Making accident investigation reports admissible as evidence at trials and public inquiries would also help. These three improvements could save countless lives and dramatically reduce the number of workplace injuries.

Alberta Liberals respect Alberta workers. Every day they provide for their families and keep Alberta's economic engine humming along. We have a duty as members of this House to make their workplaces safer by vigorously enforcing the laws and improving those laws where they prove to be inadequate. We must always remember to support families who have already needlessly lost a loved one as a result of a workplace accident.

Thank you.

**The Deputy Speaker:** Hon. members, I have requests from the other parties, who wish to respond to the ministerial statement. I seek unanimous consent.

[Unanimous consent granted]

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker, and thank you to the colleagues in the House. I'm honoured to rise on behalf of the Wildrose caucus to commemorate this day of mourning.

Mr. Speaker, Alberta is a dynamic province blessed with an abundance of natural resources and economic potential that is the envy of the world. Every morning thousands and thousands of men and women all over Alberta wake up, grab their tools, put on their gear, and make our economy work. They are the fuel in the gas tank of the Alberta economy.

Tragically, Mr. Speaker, last year 136 Alberta workers went to work but did not come home. It's the other side of our economic coin. Along with the thousands of well-paying jobs Alberta offers in the trades, in forestry, in agriculture, and in oil and gas comes the inherent danger in carrying out the tasks associated with them. That is why we as legislators must always be vigilant in protecting and increasing worker safety, ensuring that as many men and women, moms and dads, husbands and wives as humanly possible can arrive home safely after a hard day's work.

Unfortunately, here in Alberta we consistently have one of the highest fatality rates in Canada in the workplace. Workplace fatalities are on the rise, and it seems like Alberta is once again lagging in sanctioning workplace safety violations. Over in Saskatchewan, a province with a workforce a quarter of ours, workplace safety cases are prosecuted at five times the rate they are in Alberta.

Certainly, Mr. Speaker, these figures suggest that the current system is failing our workforce in a serious way. As I said before, our economy is held up around the world as one to emulate. There's no reason why our safety record should be any different.

To the families of those who have been lost on the job site: we remember your loss on this day, and I hope that all members of this House will pledge to do better. We must do better.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. Today around the world we take time to honour the lives of those people who have been hurt or lost their lives on the job. In our own country Alberta continues to be one of the most dangerous places to work, and the situation is only getting worse. Much of the responsibility rests squarely with a government that does not take seriously its responsibility to ensure that people who go to work can do so with confidence that they will be safe and healthy there.

This PC government looks the other way when children are working illegally; underfunds inspections and enforcement of laws that do exist; stubbornly refuses to protect farm workers by the same laws as other workers; blatantly continues to ignore the well-accepted practice in other parts of the country of having mandatory workplace health and safety committees; leads the battle across the country to prevent improvements to CPP that would offer decent pensions so older workers are not forced to stay on the job past when it is safe; treats labour unions dedicated to ensuring that workers are treated safely as hostile antagonists; avoids adequate actions to protect temporary foreign workers, who often lack sufficient language and cultural familiarity with Alberta workplaces to advocate for their safety; procrastinates in making clear information about employers with dangerous records from being easy to identify despite the urging of the province's Auditor General; and finally, undercompensates injured workers and the families of deceased workers through an employer-dominated Workers' Compensation Board.

It's a sad litany of Tory disregard for the well-being of working people and their families. No smooth platitudes from a cabinet minister saying that one death is one too many carries any weight as long as there is a continued disregard to undertake the practical actions that will make a positive difference. Every year too many workers lose their lives as a result of work-related injury, illness, and disease. Workers shouldn't have to risk their lives or their health to go to work.

Alberta's NDP is committed to the changes that are required to keep our workers safe. We need to hire more inspectors to ensure that employers comply with the law. We need to ensure that workplaces have mandatory joint health and safety committees.

We need to introduce new protective standards that deal with known dangers in today's workplaces, including workplace violence, exposure to toxins, repetitive stress injuries and injuries caused by poor ergonomics, workplace harassment, and stress. We need to remove the employer escape clause that says, quote, as far as practicable, end quote, from the health and safety act.

Every workplace death or injury is preventable, Mr. Speaker. A government that truly cared about worker safety would take the necessary steps to make it so.

**The Deputy Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. Some excellent points have been made by all speakers so far in this House today, and I would just like to add a couple of comments of my own, if I could, on behalf of the Alberta Party.

Mr. Speaker, I had the opportunity with the Minister of Employment and Immigration yesterday to attend the Work Safe Alberta young worker video contest awards. One of my constituents, Vincent Varga, a grade 11 student at St. Mary's high school in Mission, was the second-prize winner, and his video, which is up on the ministry's website now along with the first- and third-place videos, is a powerful piece of work.

2:00

Mr. Speaker, the minister has said that Alberta is walking into a perfect storm in worker shortages: the combination of our growing economy, our low birth rate, and the looming wave of retirements as boomers start turning 65. We could be facing a shortage – and I think these are the minister's numbers – of 77,000 workers. Some that I've talked to in the workforce have said that it could be as much as 110,000 within the next 10 years.

Here's where this relates to the National Day of Mourning, Mr. Speaker. As the minister knows, workplace deaths and injuries occur for a whole variety of reasons, and they do not need to occur at all if everyone involved is sufficiently experienced, sufficiently supervised, sufficiently personally motivated, and sufficiently committed to the notion that on the job site and on the way to and from the job site safety must always trump everything. But the reality is that safety in Alberta does not always trump everything. People cut corners. Businesses cut corners. Young, inexperienced workers, the workers who are statistically most likely to do dumb stuff on the job because they don't yet know any better, aren't always and in some cases are not often sufficiently supervised.

Mr. Speaker, I know the minister spends a lot of time thinking about how we might address and prevent this looming labour shortage just as he thinks about how to make the workplace safer. But where there are labour shortages, where there are not enough workers with enough experience on the job site, and where there are too many pressures to get the job done on time, on budget, under budget if possible, there will be more corners cut, more shortcuts taken, more mistakes made, and more lives lost.

We need as a province to take the advice that we give to our workers – stop, think, observe, plan – and then we need to act to protect their right and ability to work safely in Alberta.

Thank you.

## Oral Question Period

**The Deputy Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

## Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you, Mr. Speaker. Dr. Irfan Qureshi, an ortho-

paediatric surgeon from Fort McMurray, is the latest in a lengthy line of doctors victimized by this government's culture of fear and intimidation. Dr. Qureshi was forced to file legal action against the health region after his medical privileges, quote, were wrongfully discontinued without sufficient cause and without investigation and caused irreparable harm to his professional reputation. End quote. How can the Premier deny that a culture of fear and intimidation continues to exist under this government's watch as lawsuit after lawsuit comes forward?

**Mr. Stelmach:** Mr. Speaker, there is a process in place. The profession has the College of Physicians & Surgeons to review all matters with respect to issues tied to the practice of medicine. Whatever the college did in terms of reviewing the case has been done. Now I believe that particular doctor has taken this to the courts, and the courts will decide.

**Dr. Swann:** Mr. Speaker, when will the Premier finally tell Albertans the full truth, that only a public inquiry can get the truth and restore public confidence and protect doctors like Dr. Qureshi?

**Mr. Stelmach:** Mr. Speaker, it's the same question that was asked a number of times. I suppose it could be important to go back a decade or so and look into the matters that some doctors have had. But I must remind this House that over 90 per cent of the AMA doctors signed on to bylaws in partnership with Alberta Health Services, and that is to clearly put a plan in place, a program, the steps for what doctors can do in terms of advocating for their patients. That is the right thing to do: advocate for patients; put patients first.

**Dr. Swann:** Well, clearly the bylaws are being violated, Mr. Premier. How many more hundreds or thousands of health professionals like Dr. Qureshi does the Premier have to hear from before he concedes that a public inquiry is the only way to address the government's culture of fear and intimidation and cover-ups?

**Mr. Stelmach:** Unfortunately, the hon. member is wrong. The case that he is bringing forward was well before the bylaws were agreed upon and signed, and I haven't heard of any recent case since the bylaws have been signed of any doctor coming forward saying that the bylaws aren't fair. If there is such a case that I'm not aware of, certainly that physician can go before the Health Quality Council and deliver the evidence and say that the bylaws aren't fair.

**The Deputy Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Quality Council Review

**Dr. Swann:** Mr. Speaker, regarding the culture of fear and intimidation in the health care system the Premier admitted yesterday that "we all want to know." He fails to say what he knows, that not only will no one ever find out what is said behind the Health Quality Council doors about individuals like Dr. McNamee and Dr. Winton, but the quality council can't compel testimony from individuals subject to nondisclosure agreements. Neither can it subpoena ministers. Why does the Premier continue to be economical with the truth by saying that doctors are free to come forward when he knows full well that doctors can't say anything if they've signed a nondisclosure agreement?

**Mr. Stelmach:** Actually, that's not true again. Any physician can come to the Health Quality Council and bring forward their opinions on how to improve the system. What would be in a

disclosure document that would not allow a doctor to talk about how to best improve the health care system of Alberta? That's absolutely ridiculous.

**Dr. Swann:** I think I speak on behalf of many Albertans and professionals who are frustrated with the non answers we get from the Premier time and again.

What damning evidence is the Premier afraid will emerge from a public inquiry that can require doctors, bureaucrats, and even ministers to testify under oath? What are you afraid of?

**Mr. Stelmach:** In fact, Mr. Speaker, anyone that has been asked by the Health Quality Council to appear before the council has not refused, number one. Number two, all those individuals that appear before the Health Quality Council will be protected under the Alberta rules of evidence. They will be protected in terms of what they're bringing forward to the Health Quality Council. There is nothing here to hide. The report will be public. We will have one report within three months, the second within about six months, and the final report in nine months.

**Dr. Swann:** Again, Mr. Speaker, the Premier is very disingenuous when he knows that people like Dr. McNamee and Dr. Winton have already said that they cannot come forward to the Health Quality Council. What are you hiding, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, I'm not hiding anything. I don't know what those two physicians do not want to bring forward.

Yesterday, Mr. Speaker, I did make an inaccurate statement. I did say that Dr. McNamee was suing Dr. Winton and that Dr. Winton was suing Dr. McNamee. Actually, Dr. McNamee filed a statement of claim against Dr. Winton, and Dr. Winton filed a statement of defence against Dr. McNamee. I want to make that very clear. I'm not a lawyer, so please excuse that small inaccuracy on my part.\*

**The Deputy Speaker:** Third question from the Official Opposition. The hon. Member for Edmonton-Gold Bar.

### Memorial to Fallen Workers

**Mr. MacDonald:** Thank you. Today on this National Day of Mourning I would like the Premier to please commit to building a permanent, visible monument that can be seen from this Legislative Assembly so that all members of this House are reminded each and every day of the year of what happens when our occupational health and safety laws are not enforced. To the Premier: will the Premier please commit today to building this monument in memory of all the workers whose lives have been lost as a result of a workplace accident in this province?

**Mr. Stelmach:** Mr. Speaker, as you know, we can only advise the Speaker of this Assembly and, of course, the minister that's responsible for the Legislature Grounds. There have been a number of recommendations or requests that have come forward for statues. The Speaker and the minister are responsible for reviewing them all.

This is a very good idea. It is one that will remind us of the many tragic events. The minister may want to give further detail.

**The Deputy Speaker:** The hon. member.

**Mr. MacDonald:** Yes. Mr. Speaker, this time to the Minister of Infrastructure: given that there are 27 monuments already located, or sited, in various places on the Legislature Grounds and there's a

\*See page 889, right column, paragraph 6

very small plaque just to the south of us to honour workers, that was installed in 1991, can we now have a permanent memorial to those who have unfortunately lost their lives on a job site in this province?

**The Deputy Speaker:** The hon. minister.

2:10

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. As the Premier has said and as we had the minister's statement today and also members of the opposition, it is very tragic, the individuals that we lose. I would be very happy to meet with the hon. member to discuss this further.

**The Deputy Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: given that this was a request that was made over 10 years ago, is it possible, please, to get a commitment from this government so that we can permanently remember those who have unfortunately lost their lives on a job site in this province? It's the least we can do for the families.

**Mr. Danyluk:** Well, Mr. Speaker, again, I have offered to meet with the hon. member. I will also defer to the hon. minister.

**Mr. Lukaszuk:** Mr. Speaker, not only is this a good idea; it's an idea that already has been discussed. My office has actually been approached by individuals from organized labour who also share that desire. I am more than willing to discuss that idea and share it, obviously, with the Speaker, the Premier, and the Minister of Infrastructure. Frankly, because I know you have been such a big advocate for occupational health and safety, perhaps members of the opposition would care to be involved in creating – it's quite a creative process, but I think it would be very becoming to commemorate those who have built this province for the last 100 and some years.

### Property Rights

**Mr. Anderson:** Mr. Speaker, in a recent poll of almost 20,000 randomly selected Albertans the question was asked whether this PC government had adequately protected the rights of property owners, and 69.1 per cent of those polled answered no. The numbers are even worse for the government in rural constituencies. Whether this government agrees or not, Albertans want bills 36, 50, and 19 repealed, and they want them repealed now. Why does this Premier continue to ignore the common-sense judgment of everyday Albertans who rightly feel that this government has failed to protect their property rights?

**Mr. Stelmach:** Mr. Speaker, on the contrary, the bills that have been passed are there to protect property owners. As I said yesterday, this is a very sensitive topic for landowners that are in this Assembly. It's also a very sensitive topic for Albertans because this is one province where at the beginning, about 1917, 1918, many pioneers lost their land, taken away without compensation. The families moved to camps in different parts of Alberta and Canada. That is Alberta history.

The bills that are passed are here to protect property rights and offer compensation for those properties that may be needed for public infrastructure.

**Mr. Anderson:** That's why you should know better, Premier.

Given that this Premier refused to attend a town hall of 600 landowners in his own constituency and given that he hasn't shown up to one town hall in Alberta on these landowner rights

issues in his entire premiership and given that he has cut off debate on amendments to Bill 36 in this Legislature, with dozens of proposed amendments ready for discussion, and given his surprise and pending retirement, will the Premier just admit that he's afraid of facing voters now and in the next election because of his failure to protect Albertans' property rights?

**Mr. Stelmach:** Mr. Speaker, one just has to look into *Hansard* and read the eloquent speech that was given by the member in support of Bill 36. Might I remind this House that the total debate on Bill 36 was about three and a half hours. I think, Mr. House Leader, we've had at least eight hours or even more on the amendments. Now, isn't that a little bit of theatrics? Pass a bill in three and a half hours and take 10 hours to pass amendments to a bill that he so eloquently supported in the House?

**Mr. Anderson:** Given that your former Justice minister, a current PC leadership candidate who oversaw the drafting of Bill 36, has come to the same conclusion that I have, that we made a mistake to support Bill 36 in 2009 and that it's time to go back to the drawing board and fix it, will you, like her and like me, do the right thing, admit your mistake, just like Premier Klein would have done, and repeal these bills that Albertans clearly want scrapped? Why won't you admit your mistake and just do the right thing?

**Mr. Stelmach:** Mr. Speaker, the one bill, Bill 19: previous Premier Peter Lougheed had a tremendous vision for Alberta, and that was to build ring roads around Edmonton and Calgary. But what the governments did at that time is that they sterilized the property where the road was going to be built, and those people that had money to go to court fought the government in court and many won. Okay? So what Bill 19 has done: any time that the government through full public consultation decides this is where the next ring road has to be around the two cities, the government has to purchase the property within two years or remove all restrictions on the land. That is the best property protection in Canada.

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

### Education Funding

**Mr. Mason:** Thank you very much, Mr. Speaker. While the Education minister struggles to perfect legislation that may never see the light of day, in Calgary hundreds of teachers will be laid off thanks to this government's budget cuts. Catholic schools in Fort McMurray are cutting out one day of instruction per week to save money. Will the minister explain why his priority is an Education Act which may never be passed instead of making sure there are enough teachers in Alberta classrooms?

**Mr. Hancock:** Mr. Speaker, in government one has to always look to the horizon while they're doing today. One cannot choose between planning for the future, preparing for the future, and working on the legislative framework for the future while they're struggling with the fiscal issues of the day. In the end there will be enough teachers in the classroom because it's the quality of teachers we have in this province which makes a difference, not the time in front of the students and not the number of students in front of the teacher.

**The Deputy Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Our teachers aren't

miracle workers, and they can't make up for this government's mismanagement.

Given that this new Education Act, of which this minister is so proud, will do nothing to restore needed resources to schools and given that Lethbridge public school division could lose 35 teachers thanks to this government's budget cuts, why can't the minister see that education isn't inspiring under his watch; it's expiring?

**Mr. Hancock:** Mr. Speaker, just another clever and very rude comment from the hon. member opposite. Nobody is impressed.

**The Deputy Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. I'm sure not impressed by this minister's funding of schools.

Edmonton school boards are short \$23 million, leading potentially to the loss of hundreds of teachers. Given that the Prairie Rose school division's kindergarten students will only get a half-day of class next year thanks to budget cuts, why won't the minister admit that the real problem with education is the shameful PC budget cuts?

**Mr. Hancock:** Mr. Speaker, had the hon. member been paying attention, he would know that there have not been budget cuts in education but, rather, a 4.7 per cent increase in education funding. Now, it is certainly fair to say that that translates through and that there has been no sleight of hand. It was clear from day one – I explained it to the boards' trustees on budget day – that some school boards have a little bit less money than last year, some school boards have a little bit more money, and all school boards have some increased cost pressures that they have to deal with. But we are well funded in this province. We have a tough fiscal budget this year. The school boards will do well. There may be some job loss, but it's not going to be a catastrophic disaster for one of the strongest educational systems in the world.

**The Deputy Speaker:** The hon. Member for Calgary-Currie.

#### Payday Loans

**Mr. Taylor:** Thank you very much, Mr. Speaker. In 2009 this government edited the rules that regulate payday loans in Alberta. The modifications included caps on fees and interest rates, eliminating rollover loan costs, and requiring lenders to clearly post their costs in their outlets. These measures were supposedly put in place to help prevent companies from preying on vulnerable Albertans. Now I want to see if they're working. To the Minister of Service Alberta. One of the most important commitments the government made was to educate the public on payday loan rules. Could the minister give an update to this House on the progress of those education campaigns?

**The Deputy Speaker:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. An excellent question. Since this regulation was passed, we've been able to regulate and follow up and have inspections of all the payday loan companies that are operating. Working within the rules, at any time – we do have investigations ongoing with some, but at the end of the day we know that consumers are much better prepared when they go in and choose to take a payday loan.

**The Deputy Speaker:** The hon. member.

**Mr. Taylor:** Thank you very much, Mr. Speaker. In addition to promising education campaigns, Service Alberta also committed to conducting random audits of payday loan companies to ensure that they are following these new regulations. Has the minister commissioned these audits, and what are the results, please?

2:20

**The Deputy Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Yes, indeed, we do audits on a regular basis of all the payday loan companies that are operating here in Alberta, and that goes from the larger companies all the way down to the smaller companies. At the end of the day we are looking into those, and I'd be prepared to follow up with some further information for the hon. member on that.

**The Deputy Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. I appreciate that offer from the minister. I will take her up on that.

Before these changes were adopted, a general lack of understanding of payday loan contracts, I think it's fair to say, was the norm. Can the Minister of Service Alberta offer any concrete measurement of how borrowers now have a greater understanding of the contracts they sign given Service Alberta's commitment to ordering companies to use plain language in contracts?

**The Deputy Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Another excellent question. At the end of the day consumers now know when they go in that all their rights have to be posted. They have to ask questions. We've had some concerns expressed about the rollover of cards and charging extra fees on cards. We are looking into that. We've also, with the homeless ID program that Service Alberta and Housing and Urban Affairs is working on, empowered people to get ID so they can open a bank account and perhaps not make a choice to go to a payday loan company.

**The Deputy Speaker:** The hon. Member for West Yellowhead.

#### Electricity Pricing

**Mr. Campbell:** Thank you, Mr. Speaker. The regulated price of electricity in Edmonton went from 7.09 cents a kilowatt hour in March to 11.76 cents in April. This created a lot of media excitement and headline news as well as questions here. The Minister of Energy said at the time that he expected power rates to go back down. My first question is to the Minister of Energy. Can he give us an update on the regulated price of power for the month of May?

**Mr. Liepert:** Yes, I can, Mr. Speaker. The Alberta Utilities Commission announced yesterday that the regulated rate for the price in May would be 6.3 cents in the city of Edmonton and between 6 and 7 cents across the province.

I know that the Member for Edmonton-Highlands-Norwood and the Member for Calgary-Buffer do their daily research in the *Edmonton Journal* and rarely get past page 1. So at the appropriate time in the House I will table copies of the story on the front page of the *Journal* a month ago. I'll also table the very small story in today's paper, in the *Edmonton Journal*, because I doubt that they would have gotten to page B3 today.

**The Deputy Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. My first supplemental is to the same minister. What has resulted in power prices coming down as quickly as they have?

**Mr. Mason:** Point of order.

**The Deputy Speaker:** There's a point of order from the Member for Edmonton-Highlands-Norwood. After QP we'll deal with it.

The hon. minister, then.

**Mr. Liepert:** Well, thank you, Mr. Speaker. I look forward to that point of order. That'll be an interesting discussion.

You know, Mr. Speaker, there are a number of factors that go into the regulated price, including supply and demand and, you know, unexpected supply interruptions, which increase price fluctuations, but I think overall where we are for the month of May will be fairly consistent with the historical price that Albertans have had to pay for electricity.

**The Deputy Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. My second supplemental is to the same minister. What options do consumers have with their power bills?

**Mr. Liepert:** Mr. Speaker, I have said in the past that consumers, like they can do with their home mortgages, can lock into a contract. But if they choose not to lock into a contract, we do have the regulated rate, which is set every month. It tends to go up and down but generally is fairly consistent with what the price will be in May.

#### Education Funding Initiatives

**Mr. Hehr:** Mr. Speaker, after talking to school trustees, parents, students, teachers, and support staff alike, it is apparent to everyone that these cuts to education funding will have a detrimental effect on our children's future. In my view, balancing our current budget on our province's future prosperity is foolish. Accordingly, here are three solutions that could provide our children with the future they deserve. Will the Premier allocate an extra \$110 million, the amount cut from the expected grants to school boards, from the sustainability fund to cover schools' shortfall funding?

**The Deputy Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Well, thank you, Mr. Speaker. This afternoon we will vote on third reading of the Appropriation Act, which will put some finality on this year's budget. It's totally inappropriate to make any changes to a budget while it's in the House. You have to then refile the whole budget. I'm sure the President of the Treasury wouldn't want to do that. The hon. member ought to know through the two months of discussion we've had on the budget that the deficit that's projected for this year comes from the sustainability fund. The deficit that's projected for next year comes from the sustainability fund. When we balance the budget in a fiscal trajectory over the next three years, we will utilize that sustainability fund. It cannot be utilized twice.

**Mr. Hehr:** Mr. Speaker, all I know is that he's shortchanging Alberta's students.

Will the Premier reduce his cabinet to the economical size of 17 from 24 to free up money to cover school funding shortfalls?

**Mr. Hancock:** Mr. Speaker, this just goes to show the difficulty that some people have actually in understanding budgets because

you'd never find \$107 million by reducing the size of cabinet from 24 to 17.

**Mr. Hehr:** Here is another suggestion. Will the Premier undo his panic flip-flop on alcohol taxes and reinstitute the proposed wine and beer tax that Albertans will be more than willing to pay to cover the cost of school funding shortfalls?

**Mr. Snelgrove:** Once again, this is why you have choices. You have parties that are absolutely willing and love to tax and spend. We've seen it in the federal election right now. There are some people that are not grounded in financial reality, and they can't help themselves from saying: well, if we just tax a little more and spend a little more, it'll get a little better. And it never ends. That's the choice, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Ellerslie.

#### Emergency Preparedness

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. In this province volunteers are a key part of fire services. In many rural areas in this province we face a shortage of volunteers who can provide fire and rescue services. My questions are to the Minister of Municipal Affairs. How is the minister helping municipalities get the volunteers they need so they can provide emergency services?

**The Deputy Speaker:** The hon. minister.

**Mr. Goudreau:** Thank you, Mr. Speaker. We support all Alberta's volunteer firefighters. They make our communities better and safer places to live. That's why we've been working with the Alberta Fire Chiefs Association on a province-wide recruitment and retention plan. That's why we provided \$50,000 last year to establish a working tool for all departments and an additional \$36,000 this year to further develop these tools. That's in addition to the \$500,000 we provide each year to firefighters and their training programs.

**The Deputy Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister. During a disaster emergency responders are the first on the scene. Given that next week is Emergency Preparedness week, what steps can Albertans take to help emergency responders do their job?

**Mr. Goudreau:** Mr. Speaker, there are things that Albertans can do to help all of our emergency first responders so they can help the most critically affected and injured people first. All Albertans should have a family plan, so everyone knows what to do in case of a disaster, as well as a 72-hour kit and a ready-to-go kit in case they need to evacuate. This particular kit will give Albertans the items they need to keep their families safe until emergency responders can reach them. The Alberta Emergency Management Agency website will provide a lot of information on what can be useful in a kit.

**The Deputy Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: what else are you doing to ensure all Albertans are prepared for emergencies throughout the year?

**Mr. Goudreau:** Mr. Speaker, it's very important to be prepared for an emergency. It takes more than just a single week in a year. It's a behavioural change that should be part of every Albertan's

daily life. The Alberta Emergency Management Agency works with stakeholders and continues to work with our municipalities to change behaviours so more Albertans are ready in case a disaster strikes.

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

### **Health Quality Council Review** (continued)

**Ms Blakeman:** Thank you very much, Mr. Speaker. Repeatedly this government has assured Albertans that those appearing before the Health Quality Council of Alberta are protected by the Alberta Evidence Act. In fact, the only protection that the act affords is against being asked a question about a health quality review in a subsequent court action; medical malpractice, for example. Nothing in the act protects those who have signed nondisclosure agreements from being sued in breach of contract and breach of confidentiality. To the minister of health: why does the minister continue to present the protection of the Alberta Evidence Act as something it is not?

2:30

**Mr. Zwozdesky:** Mr. Speaker, I'm not doing any such thing. In fact, there are protections under the Alberta Evidence Act. I've read them here in the House, and if you would like, hon. member, I'll read them to you again.

In addition to that, however, I also asked the Health Quality Council to make sure that they took into consideration any other protections of privacy or confidentiality that might be necessary so that people would feel encouraged and comfortable coming forward, and I understand that people are. So we'll wait to see what the report says.

**Ms Blakeman:** He's just wrong.

Back to the same minister: given that only a public inquiry can compel evidence and protect doctors from liability, why does the minister continue to refuse growing demand for a public inquiry?

**Mr. Zwozdesky:** Mr. Speaker, I think it's important to reiterate and keep the record straight that the Health Quality Council of Alberta has already indicated very publicly that their report will be based on fact, that it will be based on public input and on input from people in the practice, and that they are creating an atmosphere of participation. I hope that anyone with any information might come forward. Perhaps somewhere we'll get to the bottom of all of this if any evidence exists, if any proof exists to the allegations that were made. So far I'm not aware of any.

**Ms Blakeman:** Well, the Health Quality Council can offer whatever they want, but they cannot protect those doctors. So if the government is serious about getting to the bottom of allegations of government intimidation and a culture of fear, why does the minister persist in offering a process that will not allow those doctors with the information we need to speak out freely? Why is that?

**Mr. Zwozdesky:** Mr. Speaker, no one is denying anyone from coming forward with whatever information they want. In fact, the exact opposite is true. We on this side are encouraging doctors to come forward if they have issues that pertain to the allegations. What we've seen so far is a bunch of statements of claim that are basically disagreements between professionals and their employers. That's all that we've seen. A lot of it is not relevant to the points that were alleged in this House, and this hon. member knows that.

**The Deputy Speaker:** The hon. Member for Whitecourt-St. Anne.

### **Range Road 20 Improvements**

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. Within Whitecourt-St. Anne range road 20, located south of Onoway and south of highway 633, is a very busy industrial roadway. It sees a lot of commercial traffic and helps support the construction activities across this capital region. However, this roadway is not paved, and it's in bad shape. My questions are to the Minister of Transportation. When will you and the province step forward to support the improvements needed on this important roadway?

**Mr. Ouellette:** Well, I'd like to be able to tell this hon. member, who works so hard for his constituents, that the last mile of this important roadway is going to be upgraded. My department is providing Lac Ste. Anne county a grant of up to \$755,000 to pave the final stretch of this road. Funding comes from the resource road program, which provides a 50-50 cost share to rural municipalities for upgrading local roads. This funding is about supporting areas with increased activity because of economic development. We are building a better Alberta, Mr. Speaker.

**Mr. VanderBurg:** Well, that's great news. If you continue with those kinds of responses to my questions, I'm going to ask you more.

I'd like to know: when are you going to actually cut the cheque, and when is this work going to be done?

**Mr. Ouellette:** Well, Mr. Speaker, under the resource road program the province provides the grant funding to municipalities and the municipalities prioritize those road projects. The projects are then managed by the municipality. By providing this grant funding in early April, it's very possible that the municipality could have construction under way this year. But he'll have to check with the municipality.

**Mr. VanderBurg:** I'd like to thank the minister for that good response. [interjections]

**The Deputy Speaker:** Hon. members, before I recognize the minister, please lower your volume.

Hon. minister, respond to the question.

**Mr. Ouellette:** Thank you. Thank you. Thank you.

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

### **Questions about Government Accountability**

**Mrs. Forsyth:** Well, thank you very much, Mr. Speaker. When asked about reports, pilot projects, and program reviews, the government is notorious for answering with, "Soon," "Very soon," "As soon as we can," or "It's forthcoming." Albertans are tired of being delayed and denied real answers to serious questions about their government and their vital programs. My first question is to the Government House Leader. When will your government stop the delay tactics and dodges and table reports that Albertans have been promised?

**The Deputy Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Well, thank you, Mr. Speaker. The question is inappropriately directed to the Government House Leader. It's not within my purview, but I will answer the question. This government makes sure that all reports are made available at the most

appropriate time, after thoughtful consideration has been put into them and responses, if necessary, have been prepared.

**Mrs. Forsyth:** Okay. Well, now we'll add "most appropriate time" to that list.

Given that there are over 80 pieces of legislation passed by this House awaiting proclamation, that were debated for hundreds of hours, and that this government has the audacity to limit Bill 10 debate to five hours, will the government make sure to proclaim all of the other legislation before proclaiming Bill 10?

**The Deputy Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. The hon. member would know, having been a minister in government, albeit for a short period of time, that once bills are passed in this House and receive royal assent, then a considerable amount of work goes into providing the regulatory framework. Sometimes, as the hon. member ought to know, preparing the regulatory framework which supports the bill and puts the rules and regulations in place in terms of how a bill operates also has to be the subject of public consultation and discussion because this government values the input from Albertans at every stage of the legislative process.

**Mrs. Forsyth:** This minister is full of gobbledegook, quite frankly.

Given that the Premier demonstrated a shocking lack of understanding around what is going on in health care, so much that his office had to make a statement on his behalf to get him out of trouble, how can Albertans have confidence in this government about our public health care system? Call a public inquiry, health minister.

**Mr. Zwodsky:** Mr. Speaker, I have to tell you that the health care system in our province is absolutely excellent. If it were any different, we wouldn't have 400 more international medical graduates coming to us from around the world. We wouldn't have 460 more brand new specialists working in this province. We wouldn't have 23 additional cardiologists. We wouldn't have 3,000 more RNs, over 800 new doctors than we did just a few years ago. We're a magnet for wonderful health care experiences right here in Alberta.

**The Deputy Speaker:** The hon. Member for Calgary-McCall.

### Highway Signage

**Mr. Kang:** Thank you, Mr. Speaker. We see them more and more. I'm not talking about dandelions or mushrooms; I'm talking about highway direction signs that don't talk about where you are going but, instead, talk about roads you are on and which roads they connect to. Most people don't navigate like this. I'm certain tourists don't look for highway 1 west; they look for the sign pointing to Banff. To the Minister of Transportation: has there been a change to highway signage policy to account for these changes?

**Mr. Ouellette:** Mr. Speaker, if I understand that hon. member correctly, I would have to say that, no, there hasn't been a policy change to highway signage. What I will say about highway signage, though, is that it's about creating a balance between clear and effective signage or having signs that have too much information on them. We want to make sure that our highway signage doesn't create distracted driving or doesn't create a problem for drivers. Alberta's highway signage policies and practices strive for consistency, and they mirror North American . . .

**The Deputy Speaker:** The hon. member.

**Mr. Kang:** I think that's exactly what the minister is trying to do. He's trying to confuse the travelling public here, Mr. Speaker.

To the minister again: given that most people won't be looking for a sign to Stony Plain Road west from Henday but, instead, for an exit to Jasper, why are signs pointing to Jasper absent from the Henday southbound exit? Why was it changed when it was working just fine?

**Mr. Ouellette:** Well, Mr. Speaker, I want to be able to tell you that Stoney Trail is a great addition to our highway system. I want to also say that Stoney Trail is an actual circle. We put our signage for Banff on there at the exit of it, not the beginning because otherwise people would go in a circle. We want to get them to their destination. Tourism is very, very important to us.

2:40

**The Deputy Speaker:** Before I recognize the hon. member, please, the volume of noise in this Chamber is so high that the Speaker cannot listen to the eloquence of the member.

The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I think that's exactly what the minister is trying to do. He wants people to go in circles instead of trying to give them directions. To the minister again: given that, is the government so lost that they can't even get highway signs right?

**Mr. Ouellette:** Mr. Speaker, I have to say that this hon. member isn't hearing very clearly. We're saying that the sign says at the exit where to get off at highway 1. It says Banff. It doesn't say it when you get onto the Stoney Trail because the Stoney Trail does go in a circle.

I will say that this hon. member always does try to do the very best for his constituents and Albertans, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Calgary-Montrose.

### Education Funding

(continued)

**Mr. Bhullar:** Thank you very much, Mr. Speaker. As someone that is concerned about the effects of Budget 2011 and the effect it may have on the classroom, my questions to the minister are whether or not the following ideas, that could possibly prevent cuts that affect students in the classroom, have been explored. First of all, Minister, have you considered reducing from 4 per cent to 3 per cent the amount of money school boards can devote to headquarter and trustee expenses?

**Mr. Hancock:** No, Mr. Speaker, we haven't at a provincial level considered changing the guidelines which provide for up to 4 per cent for urban boards and up to 6 per cent for rural boards. It is an area which could be looked at. Quite frankly, I would expect as minister and we would expect as a provincial government that each board would look at their administrative expenses and try to keep their administrative expenses as low as possible in order to direct as many resources as possible to the classroom.

**The Deputy Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. My second question. Some claim that year-round schooling has the potential to reduce costs by requiring less capital and operational dollars. Mr. Minister, has that been explored further in these circumstances?



**Mr. Hancock:** Mr. Speaker, there are a number of projects around the province looking at different ways of doing schooling, and I think it's incumbent on school boards to look at and talk about issues within their communities as to how they might better provide an educational program for students in that area. I think that has to be first and foremost. Certainly, there are educational benefits to year-round schooling in terms of educational outcomes for some students. In fact, we do have a considerable amount of school capital around the province which could be better utilized, perhaps, if we could look at longer days and using it for more months. That wouldn't mean that every student would have to go all days in a longer day or that every student would have to go every month in a longer year, but you could use your capital better if you looked at those opportunities.

**The Deputy Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. My last question to the same minister. Minister, although we have many different school boards, we have one taxpayer in the province. Have we explored the simple idea of bulk purchasing? For example, we spend about \$35 million on textbooks alone each year and large sums of money on technology. What have we done to pursue bulk purchasing at a provincial level?

**The Deputy Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Through the Learning Resources Centre annually we not only buy textbooks in bulk, but we also to a certain extent subsidize the cost of those books for school boards across the province. I do think we need to do a better job, whether we do it as a provincial government or whether we do it through the School Boards Association or through just a conglomerate of school boards, of looking at how we purchase technology, how we purchase technology licensing, how we make a provision for cloud computing, those sorts of things, which could I think have incredible benefits for boards, not only in terms of the services that they get but also the cost of those services.

**The Deputy Speaker:** The hon. Member for Lethbridge-East.

### Occupational Health and Safety

**Ms Pastoor:** Thank you, Mr. Speaker. Yesterday we learned of yet another serious Calgary incident of falling work debris. Fortunately, no workers or the general public were injured. This is in a long series of construction safety incidents that have plagued Alberta. To the minister of Employment and Immigration: government efforts to increase awareness and improve job safety aren't working; why not?

**Mr. Lukaszuk:** It would be very presumptive of the member to say that they are not working. As the member knows, just a few months ago I had ordered a concentrated review and inspection of commercial construction sites, particularly in Calgary relevant to falling objects from construction sites. I have used some very strong language describing the outcome of that particular inspection. As you know, Mr. Speaker, we have enhanced enforcement, and we'll continue to do so. At this particular site we are investigating right now, if there is any culpability on behalf of either workers or the employer, we will deal with those proprietors or the workers accordingly.

**Ms Pastoor:** These at this point in time appear to be short term. It's increased work-site safety inspections, that we saw earlier this

year, but it still failed to achieve a long-term change in poor practices at commercial construction sites. I'm looking for outcomes. How do you evaluate good outcomes?

**Mr. Lukaszuk:** Well, Mr. Speaker, the member says that my recent actions have failed to achieve long-term goals. Well, how do we know what the long-term outcomes will be? Let's get there first, and then we can assess it. I can tell you that whatever it is that I'm doing, I'm doing it with the best intentions.

I have to tell you that we have the full co-operation of Alberta employers, Alberta organized labourers, and all industry safety associations. We're all in the same boat. All we want to do, Mr. Speaker, is make sure that the culture in the province changes, that it improves, and that it is unacceptable for anyone to either be provided with a place of employment or to create a place of employment that's dangerous to themselves or their co-workers.

**The Deputy Speaker:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Speaker. Is the minister making a commitment to increase the overall number of work-site safety inspections in Alberta? These short-term safety blitzes, again, are not having the desired outcomes.

**Mr. Lukaszuk:** Well, Mr. Speaker, I respect the fact that this member is sincerely concerned about occupational health and safety, but she mustn't have paid attention. Over the last few months I have more than doubled the number of safety inspectors, by 52 per cent, within this and the next budget year. In addition to our regular inspections of all work sites in Alberta, for example, we're now completing inspections of forklifts. We're starting with young and inexperienced workers, probably next month. After that, we will be spotlighting the residential construction industry. We have increased both inspections and the number of occupational health and safety officers.

**The Deputy Speaker:** The hon. Member for Lesser Slave Lake.

### High Prairie Health Care Centre

**Ms Calahasen:** Thank you, Mr. Speaker. On again, off again; on again, off again: that's how my constituents felt about their new proposed High Prairie replacement one-window-service health facility. The people in my area have waited patiently for many, many things and, most importantly, recently the new land agreement which was signed. I'd like the Minister of Infrastructure to please give my constituents an update as to what's been happening and what it means for securing that land for that specific facility.

**The Deputy Speaker:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. In fact, I'm glad to report that we have reached an agreement with the town of High Prairie and the Peavine Métis settlement for the location of the new hospital. The agreement expands the site from 14 acres to 20 acres. It provides new space for future hospital needs.

Also, the town and the Métis can better meet the future development plans . . .

**The Deputy Speaker:** The hon. member.

**Ms Calahasen:** Well, Mr. Speaker, that was a really good answer, but I'll give him another question. Given that my community and my constituents have worked hard to ensure the needs of our region are met and worked on a new design in 2008, can you please,

Mr. Minister, explain why new design work is being undertaken now?

**Mr. Danyluk:** Well, Mr. Speaker, the project is moving ahead at full speed. We have an aggressive schedule. However, we want to get this right from the start. We will make sure that this hospital meets the health needs of the community now and for years to come. This includes the incorporation of the latest technology innovation and expertise available. We also have to make sure that the design reflects the most up-to-date service delivery.

2:50

**Ms Calahasen:** Mr. Speaker, there have been consultations going on. We've done consultations in the past. Given that all these consultations have occurred, can the Minister of Infrastructure please explain the value of and why more consultations are needed in order for that facility to finally be realized, and what role is Northern Lakes College going to be taking in terms of making sure that their views are also addressed?

**Mr. Danyluk:** Mr. Speaker, I think it's critical that Alberta Infrastructure has consultation with the community. We need to ensure that we deliver the hospital that works for the High Prairie community. We rely on having active participation and local knowledge and expertise. In fact, we're having doctors and other stakeholders at the table to ensure that we get the most reliable information about their community and what they feel is necessary.

Also, Mr. Speaker, I will say to you that once the design has been built, we're going to go back to the community . . .

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

### Corporate Tax Advantage for American Companies

**Dr. Taft:** Thank you, Mr. Speaker. Reports from TD finance as well as data from Statistics Canada show that corporations make profits in Alberta at consistently double or more the rate in other provinces and the U.S., and a huge amount of that profit flows out of Alberta at very low tax rates, never to be seen again. At the same time Alberta public services are squeezed, teachers are laid off, and roads blossom with potholes. To the President of the Treasury Board: why does this government let unprecedented flows of wealth go from Alberta to Wall Street, where it's taxed by Washington at a rate of 35 per cent?

**Mr. Snelgrove:** Mr. Speaker, his statements aren't completely true. The article that he's trying to refer to wasn't able to differentiate between corporations that are run through Canadian subsidiaries or that are run through their American head office. If they are run through a Canadian subsidiary, they pay all of their tax in Canada. The only time there would be a double taxation or a drop in taxation is if they're operated through their American head office, which only applies in approximately 10 per cent of the corporations operating in Canada.

**The Deputy Speaker:** The hon. member.

**Dr. Taft:** Thanks, Mr. Speaker. Again to the same minister: given that the minister referred to Jack Mintz as a source of policy information on tax rates, is the minister aware that Dr. Mintz was paid \$130,000 in stock options last year by the largest energy corporation in Canada, Imperial Oil, to serve on its board of directors?

**Mr. Snelgrove:** Mr. Speaker, that's totally irrelevant to what goes on in this House. If they want to ask questions based on corporate tax law, that's terrific, but to somehow suggest that either Jack Mintz or this government would be making comments in a paper based on some of the boards they sit on is just simply not fair to Jack Mintz, and it certainly offers nothing to the discussion about the tax laws.

**Dr. Taft:** Well, then, given that this government relies heavily on Dr. Mintz for advice, why is the government ignoring his letter of June 2008, which he wrote as chair of the government's financial planning commission, advising that the government needed to have \$215 billion in net assets in 2008 to maintain current public services and tax rates? Why is that being ignored?

**Mr. Snelgrove:** Mr. Speaker, it's not being ignored. We get information. We consult with dozens of very respected financial consultants or business consultants. What he is simply saying is that to sustain the spending at levels we have without resources, we're going to have to have more assets, more money in the bank. It shouldn't be a shock to the hon. member. We cannot continue to spend on health care, with growth of 10, 12, 13 per cent year over year, when business is only growing at 2 or 3 per cent in good years or in many years at zero. To somehow suggest that Jack Mintz's report is contrary to what we're trying to do in growing the economic pie is also untrue.

**The Deputy Speaker:** Hon. members, we just ended our question period. We had 102 questions and answers. We have a few seconds before we continue on.

### Members' Statements

**The Deputy Speaker:** The hon. Member for Calgary-Mackay.

#### Dr. Lorne Tyrrell

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. I'm honoured to stand up today and express my utmost admiration and respect for Dr. Lorne Tyrrell, an icon in this province as well as the national medical community. Today marks a very special occasion for Dr. Tyrrell. Tonight Dr. Tyrrell will be inducted into Canada's Medical Hall of Fame, a truly inspiring accomplishment. He will be honoured for his outstanding dedication to medicine and acknowledged for a number of awards, too long to list in this House.

Dr. Tyrrell is truly a pillar in Canadian medicine. Upon receiving a medical degree with distinction from the University of Alberta and a doctorate from Queen's University, he propelled himself into the medical community. Dr. Tyrrell served as the chair of medical microbiology and infectious diseases from 1986 to 1994 and for the next 10 years as dean of the Faculty of Medicine and Dentistry at our very own University of Alberta.

While serving in these positions, he was also making incredible breakthroughs through his research in viral hepatitis therapy. In 1998 Dr. Tyrrell's lab licensed Lamivudine, the first-ever oral treatment for the hepatitis B virus, which helps 350 million people in 170 different countries. What an astounding achievement.

Among many other awards for his brilliant contributions he has received the gold medal of the Canadian Liver Foundation, the Alberta Order of Excellence, and has been named an officer in the Order of Canada. Dr. Tyrrell is also the chair of the Health Quality Council of Alberta as well as of the Institute of Health Economics and is director of the Li Ka Shing Institute of Virology at the U of A.

Countless Albertans, from students to patients, have benefited from and been inspired by this tremendous individual. I would ask the members of this Assembly to join me in recognizing a true Albertan hero and one of the world's most brilliant medical minds.

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

### Western Cup

**Ms Blakeman:** Thank you very much. I'm very honoured to present this on behalf of my colleague the Member for Calgary-Buffalo.

Mr. Speaker, for nearly three decades the members of the Calgary LGBT community have hosted the Western Cup, one of the premier gay multisport events on the continent. When the Member for Calgary-Buffalo spoke about the Western Cup last year, he noted that Alberta has thousands of gay, lesbian, bisexual, and transgendered citizens, people who are doing incredible work every day to strengthen and grow all aspects of our social, cultural, and political progress.

Over the long weekend Calgarians celebrated the successful completion of the 29th Western Cup. This year the closing dance, Calgary's largest LGBT dance, was held at the beautiful Hotel Arts. For a second year in a row the Member for Calgary-Buffalo checked it out, and he had a wonderful time. I know how good he is at those social occasions.

Mr. Speaker, nearly 500 athletes participated in the Western Cup, North America's oldest LGBT multisporting event. This year athletes competed in curling, volleyball, bowling, and dodge ball. Events like this one demonstrate how Albertans in the LGBT community are really giving back to their province with events that draw tourists, promote physical fitness, encourage healthy competition, and promote universal human rights.

The Member for Calgary-Buffalo is very proud of the participants, and I join him in being proud of the participants, volunteers, sponsors, and organizers who made this event possible. Well done, everyone, and we all hope to see them again next year.

Thank you.

**The Deputy Speaker:** It's 3 o'clock. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Given the time that was spent on the very appropriate and necessary statements with respect to the National Day of Mourning, might we request the unanimous consent of the House to continue the Routine notwithstanding the standing orders?

[Unanimous consent granted]

**The Deputy Speaker:** We will continue on with Members' Statements.

3:00

### Literacy

**Mr. Allred:** Mr. Speaker, it's my pleasure to rise today and speak about the importance of literacy in Alberta classrooms. Literacy is the foundation for continuous learning and a vital characteristic of the highly skilled population needed for Alberta's next generation economy. Literacy has benefits for individuals, society, and the economy. Stronger literacy skills are associated with higher income, better health, and greater social and civic engagement.

In the kindergarten to grade 12 education system students need to develop a broad and deep range of literacy skills so they can have the literacy future they deserve, optimize their lifelong learn-

ing potential, and become active, participating members of their communities and the wider society.

Literacy has always been the keystone of learning. Changes in society and the rapidly evolving technology of the 21st century have increased the intensity and complexity of literate environments. The 21st century challenges us to rethink what being a fully literate person means. In the 21st century literacy is more than reading and writing. Today and in the future learners must develop expertise with a range of literary skills and strategies to acquire, create, connect, and communicate meaning in an ever-expanding variety of contexts.

Alberta Education has developed Literacy First: A Plan for Action. This action plan has supported key Alberta Education initiatives, including Setting the Direction, Inspiring Education, and inspiring action on education. It also supports the vision, values, and goals of the provincial literacy framework, Living Literacy. This framework co-ordinates the efforts of the government of Alberta and our many partners to improve literacy levels for all Albertans. In addition, Literacy First supports the Council of Ministers of Education Canada literacy action plan and Learn-Canada 2020.

As you can see, literacy is an important priority across Canada.

**The Deputy Speaker:** The hon. Member for Edmonton-Rutherford.

### Primary Care

**Mr. Horne:** Thank you, Mr. Speaker. When it comes to health care, a frequent comment I hear from constituents is that the care and treatment provided in Alberta is excellent once you get in the door. I would be willing to wager that colleagues on all sides of this House and in Legislatures across the country frequently hear similar feedback.

The door to which our constituents refer is primary care, the foundation of our publicly funded health system. I believe that what Albertans want from this House is a focus on helping them get through that front door. Primary care refers to a citizen's first point of contact within the health system. Traditionally this has been through a family physician, but today primary care increasingly means individuals, families, and communities accessing a broad range of health and, I might add, wellness services delivered by multidisciplinary teams dedicated to serving the community's needs over the long term. In Alberta over 2.7 million citizens, more than 70 per cent of our population, live in communities served by our 40 primary care networks.

Mr. Speaker, the value proposition for primary care teams is usually expressed in terms of better, more frequent access to front-line health providers. It is true that much progress has been made in Alberta on this over the last eight years, but the real challenge before us and the one that calls out for debate is how to open the door wider and use primary care as the powerful tool it is to improve care across the system and, in doing so, the health of future generations. Co-ordination of care in the local community, same-day access to physicians and other professionals, dedicated links to specialists, faster access to locally delivered home care and continuing care, and proactive screening and management of chronic disease are just a few of the possibilities within our reach right now.

This vision for primary care is not new, it is not unachievable, and it need not be costly. But it will only become possible when we as representatives make a conscious choice to engage in constructive, informed discussion with our constituents and with one another.

Thank you, Mr. Speaker.

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

### Education Act

**Mrs. Sarich:** Thank you, Mr. Speaker. Our Minister of Education with pride and thanks tabled the new Education Act yesterday. The proposed legislation represents a three-year journey and the contributions of thousands of Albertans to arrive at the current destination.

Looking back over the past few years, the government had set a very aggressive agenda to address a number of important education issues and undertook several significant initiatives such as Inspiring Education: A Dialogue with Albertans, Setting the Direction, the Speak Out student engagement, the Inspiring Education discussion paper, and the School Act review. All of these separate initiatives provided the basis for what could be referred to as an informed transformation in the education system.

Transforming a complex system such as education requires careful thought, research, analysis, and, above all, meaningful interaction with all Albertans. Just as local conversations with friends and neighbours build community, the public engagement initiatives that were undertaken have truly shown that teachers, school leadership, parents, students, and the public want a true voice in guiding the future transformation of education in our province. Albertans provided input through online discussion papers and facilitated online discussions, blogs, tweets, and videos as well as community conversations. All of these contributions, Mr. Speaker, helped in drafting a new Education Act.

As one of the four MLAs who served on the Inspiring Education Steering Committee, I feel that we can proudly acknowledge the significant contributions of all Albertans. We sought new ways to reach out to Albertans and involve them in meaningful, in-depth discussions about education. Community participation was extensive and essential in producing the new Education Act.

Mr. Speaker, we know that the next steps of our transformation are not ones that the government will take alone. That is why the dialogue will continue within our communities amongst Albertans who care about the future of education for children and youth in our province.

Thank you.

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

### Education Funding

**Mr. Mason:** Thank you, Mr. Speaker. The list of Alberta school districts in tough positions making decisions to deal with underfunding is growing. In the past few days we have seen reports from the Fort McMurray, Edmonton, Calgary, Lethbridge, Grande Prairie, Medicine Hat, and Battle River areas about some of these difficult situations.

When we talk about the Education budget, we are dealing with children and youth to whom we owe responsibilities. Young people will also ensure a strong and prosperous province for all the rest of us in the years to come. It is no cliché to say that we invest in children. What is spent to ensure they receive good education in safe and stimulating environments is creating our future.

This Progressive Conservative government has found billions of dollars to chase ideas like carbon capture and storage or to subsidize horse racing. They give big energy companies windfall profits from the oil sands through inadequate royalty formulas that cost us billions in lost revenue. But when it comes to schools, the PCs' inadequate funding means teachers and other skilled professionals

who work with our children will be losing jobs, and it means young people eager to be educators, who have invested in years of education, will not get jobs. It means class sizes will increase, vital local community schools will close, children with special learning needs will miss individualized attention, and rural children may be in more multigraded classrooms and spend more of their lives on long bus rides. These are all situations which harm the education of Alberta children.

It is shameful that we have a PC government and a Minister of Education wanting to talk about abstract ideas in legislation while walking away from real action to address the challenges our education system is facing. The children of Alberta deserve better, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Drayton Valley-Calmar.

### Emergency Preparedness

**Mrs. McQueen:** Thank you, Mr. Speaker. I am pleased to rise today to talk about an important annual event that reminds Albertans and, indeed, Canadians about the importance of being prepared for emergencies. Next week is Emergency Preparedness Week across the nation. It is an opportunity to remind everyone that by preparing for emergencies and disasters, we can save time, reduce anxiety, and perhaps even save a life.

As we know, emergency response in Alberta is first handled locally by our municipalities, but just as important is the individual responsibility each of us has when it comes to emergency preparedness. During this year's Emergency Preparedness Week the government of Alberta is encouraging all Albertans to create a 72-hour kit. Having this kit will give Albertans and their families the essential items to keep them safe, and having a similar to-go kit will assist everyone in the event they need to evacuate.

Mr. Speaker, that's what emergency preparedness is all about: knowing the hazards and planning ahead. The planning we do now can save our own life or that of a loved one. Just as important, when we're prepared for an emergency, it means first responders will be able to help the most critically affected and injured people first.

Mr. Speaker, I hope that everyone will take the time during Emergency Preparedness Week to review their family emergency plans and stock up on their own 72-hour kit. Together we all have a role in enhancing this province's public safety, and together we can be a province prepared.

Thank you, Mr. Speaker.

3:10

**The Deputy Speaker:** May we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Deputy Speaker:** The hon. Member for Rocky Mountain House.

**Mr. Lund:** Thank you, Mr. Speaker. It is a great honour for me to have this opportunity today to introduce three constituents from the Rocky Mountain House constituency. They are Ray Ahlstrom from Alhambra; Gord Sanders from James River, Sundre; and Neil Godlonton. They are here to meet with the Minister of Sus-

tainable Resource Development. I would ask them to now rise and receive the traditional warm welcome.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I'm honoured to rise today and introduce to you and through you to members of the Assembly an incredible group of people from the Department of Alberta Education who have committed themselves to public service. More specifically, this group has dedicated countless hours in numerous ways to the transformation of our education system through the Inspiring Education process and through the development of Bill 18, the new Education Act. Their task to this point has not been an easy one, and I have nothing but the utmost of respect and appreciation for each and every member of our department staff who offered their skills and talent in helping to create an education system in Alberta that will continue to lead the world and provide our students with every opportunity to find their own happiness and success in life.

We have with us today Rick Baker, Sheldon Bossert, Laura Cameron, Chelsea Evans-Rymes, Donna Fedoration, Bette Gray, Terence Harding, Keray Henke, Mark Kay, Amanda Krumins, Paul Lamoureux, Peter Malcolm, Allison Matichuk, Carol McLean, Rob McPhee, Caroline Nixon, Rakhi Pancholi, Greg Rudolf, John Rymer, Sandra Shepitka-Boyle, Lorraine Stewart, Carolyn Stuparyk, Kathy Telfer, Angela Town, and Maureen Towns.

There are many others, of course, who aren't able to join us, but I want to on behalf of all of us in this Legislature say thank you to these individuals and through them to all staff in Alberta Education, in fact all of our staff in the government of Alberta, who do so much every day to make it work for the people of Alberta. I'd ask them to rise and receive the traditional warm welcome of our Assembly.

**The Deputy Speaker:** The chair wishes to use this occasion to recognize that April 28 is a special day for the hon. Member for Calgary-Nose Hill as it is his birthday.

### Notices of Motions

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

**Mr. Hancock:** Thank you, Mr. Speaker. Today I'd like to give oral notice of a motion for leave to introduce a bill, being Bill 19, the Miscellaneous Statutes Amendment Act, 2011.

I would also rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, May 9, 2011, written questions 14, 19, and 20 will be accepted, and written questions 15, 16, 17, and 18 will be dealt with.

Also, on May 9, 2011, motions for return 13, 14, and 16 will be accepted and motions for return 12 and 15 will be dealt with.

### Tabling Returns and Reports

**The Deputy Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. I'd like to table the required number of copies of the blog post The Towering Cedars of Lebanon from Gillian Berg's blog, posted on January 8, 2011. I quoted this blog entry in my member's statement yesterday to highlight the impact that volunteer firefighters can have in someone's life.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. As I indicated, I have three tablings. My first is the required number of copies of an April 26, 2011, media release from the Sierra Club, CPAWS, the Castle-Crown Wilderness Coalition, the Natural Resources Defense Council, and the Alberta Wilderness Association calling for a boycott of lumber products from the Crowsnest forest until the government and the sawmill in question have reformed forest management to protect the watershed.

My second tabling is a March 22, 2011, newspaper article from the *Missoulian* addressing a judge's decision to block selective thinning in the Kootenai national forest because Montana Forest Service was unable to show it had properly assessed how the projects would affect grizzly bear populations. It's a shame, Mr. Speaker, that grizzlies don't require passports to cross our endangering border. My final tabling is from 25 individuals who are concerned about the upcoming June fate of the Castle-Crown area, when clear-cutting is set to begin. They are as follows: Susan Ellis, Judy Wright, Linda Martens, Casey Brennan, Nicholas Engelmann, Devon Smead, Rebecca Haynes, Dennis Francis, Marilyn Goode, Gail Matwichuk, Nancy Cooley, G. McElree, Peter Morgan, Erika Sullivan, Bella Zimbalatti, Allison Forsythe, Chris Lee, Mona Gudjurgis, Armand Boisjoli, Annie Ryan, Gaile Carr, Eric Edwards, Mary Rausch, Camille Gilbert, and Brian Gibbons.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Yes. Mr. Speaker, as I mentioned in my answer to a question earlier today, I'm going to table the required number of copies of the *Edmonton Journal* front-page article of a month ago, April 3, which talks about power bills increasing, and today's copy of the *Edmonton Journal*, page B3, a three-paragraph, fairly buried article about electricity prices that are dropping sharply. I would strongly encourage the Member for Edmonton-Highlands-Norwood to take a look, and maybe he'll have a question on May 9.

**Mr. Mason:** Mr. Chairman, point of order.

**The Deputy Speaker:** Point of order?

**Mr. Mason:** Yes. It is not permitted to table newspaper articles in the House. It may be his research, Mr. Speaker, but it's not in order.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. On behalf of my colleague the Leader of the Official Opposition I would like to table copies of court documents that he referred to during his questions in question period today specific to the case of Dr. Qureshi against the Northern Lights health region.

Thank you very much.

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I would like to table five copies of a letter received from a Marion Leithhead. She is from Bawlf, Alberta. It's a very good letter. She talks about her displeasure with regard to Bill 50 and the fact that the government voted down a motion from this hon. member to repeal that bill.

**Mr. Liepert:** One letter.

**Mr. Anderson:** This is just one, but it's very much worth . . .

**The Deputy Speaker:** Hon. member, please continue.

**Mr. Anderson:** Well, I think the hon. Energy minister wants to hear the letter, so I think I'll read it.

**The Deputy Speaker:** Hon. member, just table it.

**Mr. Anderson:** Are we not allowed to do that?

**The Deputy Speaker:** Just table it.

**Mr. Anderson:** Sometimes those Q-tips fall in the ears, you know. You've got to read these things for him to understand.

**The Deputy Speaker:** This is tabling time, so just table enough copies.

**Mr. Anderson:** Okay. Well, we'll table five copies of that for his viewing enjoyment. Maybe I'll come in next week with a few more just to help him understand how serious his silliness is.

**The Deputy Speaker:** Hon. Member for Edmonton-Highlands-Norwood, do you have some tablings?

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. I'd like to table copies of 35 different reports from individuals who work in long-term care. They've been collected by the Alberta Union of Provincial Employees, and they indicate specific problems in caring for elderly patients on shifts when they were short-staffed. These reports indicate that residents often missed bathing, did not receive their meals on time, and bells, when they called for help, were not able to be answered in a timely manner. I'm happy to table these, Mr. Speaker.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mrs. Jablonski, Minister of Seniors and Community Supports, responses to questions raised by Ms Pastoor, hon. Member for Lethbridge-East, and Mrs. Forsyth, hon. Member for Calgary-Fish Creek, on March 8, 2011, Department of Seniors and Community Supports main estimates debate.

### 3:20 Projected Government Business

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. At this point according to Standing Order 7(6) I would ask the Government House Leader to share with us the projected government House business for the week following next – next week is a constituency week – so the projected government business for the week commencing Monday, May 9.

Thank you.

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

**Mr. Hancock:** Thank you, Mr. Speaker. On Monday, May 9, under Government Bills and Orders in the evening we anticipate dealing in Committee of the Whole with Bill 8, Missing Persons Act; Bill 15, Victims of Crime Amendment Act; Bill 16, Energy Statutes Amendment Act; for third reading Bill 6, Rules of Court Statutes Amendment Act; Bill 7, Corrections Amendment Act;

Bill 12, Alberta Investment Management Corporation Amendment Act; and Bill 14, Wills and Succession Amendment Act.

On Tuesday, May 10, 2011, under Government Bills and Orders in the afternoon Committee of the Whole on Bill 16 and third reading of Bill 1, Asia Advisory Council Act; Bill 10, Alberta Land Stewardship Amendment Act; Bill 15, Victims of Crime Amendment Act; in the evening third reading of Bill 1, Asia Advisory Council Act; Bill 10, Alberta Land Stewardship Amendment Act; and as per the Order Paper.

On Wednesday, May 11, 2011, in the afternoon third reading of Bill 1, Bill 8, Bill 10; Bill 11, Livestock Industry Diversification Amendment Act; Bill 16, Energy Statutes Amendment Act; and as per the Order Paper; in the evening third reading of Bill 10 and Bill 11 and as per the Order Paper.

On Thursday, May 12, 2011, in the afternoon third reading of bills 10 and 11 and as per the Order Paper.

**The Deputy Speaker:** Now the chair will deal with the point of order. The hon. Member for Edmonton-Highlands-Norwood on a point of order.

### Point of Order Allegations against Members

**Mr. Mason:** Thank you very much, Mr. Speaker. I will cite Standing Orders section 23(h), (i), and (j). That is to say that the rules state that members would be called to order by the Speaker if in the Speaker's opinion the member

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- [or]
- (j) uses abusive or insulting language of a nature likely to create disorder.

Now, as unlikely as that may seem given the hon. Minister of Energy's history, he claimed that I and the hon. Member for Calgary-Buffalo used the *Edmonton Journal* as our source of research. I just want to correct the record here, in particular, and I hope that the hon. minister will recognize the error of his ways and, hopefully, stand up and apologize.

First of all, we employ top-rate research staff in our caucus, and we have plenty of sources of information beyond the newspapers. In fact, often on this subject the newspapers are covering what we say rather than the other way around. I just want to indicate to you, Mr. Speaker, that we have tabled documents from the organizations Alberta Direct Connect and the Industrial Power Consumers Association, both of which have made it very clear and have given considerable analysis, which we have used, which shows that this minister and this government's plans to impose transmission infrastructure on this province will make Alberta industry uneconomical and will result in a 65 per cent increase in the transmission component of everyone's bills.

This information is what we've been asking the minister about. It's been very clear and we've made it clear that we got this information from our own research and from these organizations. We've also been in touch with RETA, which I think is the Responsible Electricity Transmission association as well as the Consumers' Association of Canada. They are all reputable organizations that do good research and with whom we are in contact on matters relating to this and other things to do with electricity deregulation.

When the minister tables, against the rules, by the way, in this Assembly newspaper articles in an attempt to illustrate his point, which is false, that we in fact get our research from the newspaper, he is doing a disservice to this Assembly. In fact, in

suggesting that we get our research from the newspapers, he is misleading the Assembly.

I would ask, Mr. Speaker, that you rule that the minister should stand up and apologize for his attempt to besmirch the reputation not only of myself but of my caucus and, of course, all of our excellent staff.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Well, thank you, Mr. Speaker. You know, some targets are just too easy.

Let me very briefly respond to this member. I go back to *Hansard* of April 14, where the member asked me a question and stated, “Yesterday the Minister of Energy claimed that after a massive 62 per cent jump in April,” and he goes on. Now, going further through the front-page article of the *Edmonton Journal*, it didn’t say 62 per cent. It actually said 66 per cent.

Mr. Speaker, I want to also reference the fact that in that same *Hansard* of April 14 this particular member said, “I will certainly put my position as critic on the line.” That was followed up by my comment: “I think I heard the member say that if the price of electricity in the city of Edmonton averages 6 or 7 cents a kilowatt hour in the month of May, he’d be prepared to put his job on the line.”

Mr. Speaker, it’s obvious, because the question quoted a 62 per cent increase and the *Edmonton Journal* story says a 66 per cent increase, that he’s done his research elsewhere, so I would withdraw the comment that the member does his research on the front page of the *Edmonton Journal*. But I do want to ensure that the member is prepared to uphold the other commitments that he made to the House as we proceed through this session.

**The Deputy Speaker:** Well, I think the chair shall now make a ruling here. First of all, I think this is a point of clarification. You had the floor. You have already explained. Then we also have the withdrawal of the statement by the minister.

So let’s go on. Let’s continue.

### Orders of the Day

#### Government Bills and Orders

##### Second Reading

##### Bill 18

##### Education Act

**The Deputy Speaker:** The hon. Minister of Education.

**Mr. Hancock:** Thank you, Mr. Speaker. It’s with great pleasure that I ask for leave to introduce Bill 18, the Education Act, for second reading.

The course of history turns on events both large and small. Often no one can truly understand the significance of what has been achieved in the past until long after events have occurred. For example, more than 570 years ago Johannes Gutenberg perfected movable type, and we are all beneficiaries of the revolution in access to learning that his invention helped to initiate.

More than 290 years ago Wapasu, a Cree trader, brought a sample of bituminous sands to the Hudson’s Bay Company post at York Factory on Hudson’s Bay. That was indeed a small event, Mr. Speaker, but 84 years ago it resulted in Karl Clark of the University of Alberta perfecting a process for separating bitumen from the oil sands, that has become one of the pillars of Alberta’s economy today.

Fifty years ago this month Yuri Gagarin was rocketed into space and orbited the Earth. His 108-minute journey signalled that technology was going to drive the future. We can show now how these events set the stage for many things to come. But at the time they occurred, just what they meant to the future wasn’t immediately clear. Today we’re witnessing far more than just the mere tabling of legislation. We are witnessing an event that has the potential to change the lives of generations of Albertans to come.

3:30

When the School Act of 1988 was introduced, it was intended to bring education into line with the world that existed at the time and to provide Alberta and its students with an effective foundation for the future. The current success of our K to 12 system and the acknowledgement that it is one of the best educational systems in the world shows the wisdom behind the changes that were made to the School Act in 1988.

However, the world of 1988 was a much different place than the world in which we exist today. In 1988 one of the important technological announcements was the release of an advanced scientific calculator. Technological advancements have turned that much heralded calculator into not much more than a battery-operated paperweight. In 1988 the Internet was six years old, and it was not nearly the Internet that we know today. Personal computers were just starting to be available. Mobile phones were still in their infancy. In 1980 there were about 11.2 million mobile phones in the entire world. Now there are more than 3 billion mobile phones. The world has changed dramatically since 1988. Alberta has changed and is changing still.

One of the things our education system must do now is to respond effectively to a far greater diversity in the native languages and cultures of our student population. Alberta has drawn newcomers from Africa, India, Pakistan, China, and indeed all parts of the world. These newcomers rightfully expect Alberta to educate their children in a way that equips them for success in their new province and country.

In addition to responding to newcomers, we must also better respond to the needs of our First Nation, Métis, and Inuit peoples. This is the fastest growing segment of young people in Alberta. We must ensure that they, too, have the same opportunities for success and are equipped to perform at the same level of achievement as the rest of the population.

Our system is doing well now, but we must ensure that it does well by every child and that all children are provided equal opportunity for success. Given the rapid changes that we’re seeing in Alberta and in the world generally, we cannot be complacent about our education system and the role that it will play in our future prosperity. The world of tablet computers, smart phones, Smart boards, text messaging, video chat, and Internet-connected game consoles was the stuff of science fiction in 1988.

As Daniel Pink, the noted American author, has said, it is our responsibility to educate our children for “their future, not our past.” Though we cannot predict the future, we can help shape the future through education. Our education system must continue to evolve if we are to continue to be leaders in education today and tomorrow. That is why we’ve introduced the new Education Act.

Alberta has experienced tremendous economic development through the past decades since the School Act was introduced. Fundamental changes are occurring in the global economy. Our province must change, too, if it’s to flourish in the new economy just as it did in the old. As was stated in this year’s throne speech, “Of all of Alberta’s natural resources, none is more valuable than our people. It is our ethical citizenship, engaged thinking, and entrepreneurial spirit that have made Alberta prosperous today”

and which must be the foundation of education if the children of today are to realize their promise tomorrow.

Ethical citizenship, engaged thinking, and entrepreneurial spirit are the qualities of our education system that must be instilled in our children as they grow into young adults. It is those qualities that will enable them and our province to reach our full potential. Though Alberta's education system leads the world today, we must not be complacent. We must redouble our efforts to maintain and remain a world leader in education.

Through the Education Act we will equip the education system to offer students more flexible, engaging, and personalized learning. We will continue to build the teaching profession. We will recruit, prepare, and support the best and brightest in becoming and remaining teachers. We will continue to build an education system in which all students have value, a system that recognizes that all children have some capacity for success regardless of their ethnicity, place of birth, or the physical or psychological challenges which they may realize in reaching their full potential.

When looking at the achievement of Yuri Gagarin, it is important to remember that it was not a rocket that took him into space. It was his education, an education that allowed him to identify and follow his passion and enable a man who was only five foot two to become a giant of achievement and to take on the mantle of Columbus of the Cosmos.

Through the new Education Act we are making a commitment to all Albertans' children that they, too, will be able to find and follow their passion. We will create schools that are safe, caring, and respectful places in which to learn and grow. This will be the responsibility not only of communities, boards, schools, and teachers but of the students as well. Students will be required to refrain from, not tolerate, and to report bullying directed towards others in the school, whether or not it occurs in the school, online, or during the school day.

One significant change of the Education Act that will also affect students is the school leaving age being changed to age 17. This change sends a clear message about the importance of education and the need to complete high school if one is to take full advantage of the opportunities Alberta has to offer, and it implements a portion of a private member's bill brought forward by the Member for Little Bow a number of years ago.

Another change is that our young people will have access to a high school education until the age of 21. This acknowledges that not all students work at the same pace and that many students who now leave high school early find themselves blocked on the basis of age when trying to return to complete their studies. This change, too, acknowledges the importance we place on education and our willingness to support those who leave and want to come back. Their being able to do so will not only be a benefit to them but to Alberta.

The new Education Act also creates residency for students based on where they live rather than on where their parents live. This change is based on the belief that an eligible student who is a resident of Alberta and who has a parent who is a resident of Canada is entitled to an education here. In essence, the new education system will adapt to the student and not the student to the system. As we have seen through successive generations, it's education which will enable our children to recognize their maximum potential.

Though the Education Act was drafted here in the Legislature, its content actually comes from the people of Alberta. The Education Act is the result of almost three years of unprecedented dialogue with Albertans about how our K to 12 system needs to be transformed for it to equip our students for success in the 21st century. All school jurisdictions in the world, including the top-

performing systems in Finland and Singapore, have recognized that their models for education must be changed and their systems must be transformed.

We can be proud of the fact that Alberta is taking a bold step forward when it comes to transforming our education system. There is something that I must make clear, however. It is not legislation that will transform our education system; it is people that will do that. Our success will be based on the engagement in education of trustees, teachers, students, parents, and the broader community. The Education Act is predicated on the basis that education is of benefit to all and requires the support of all for its success.

Mr. Speaker, it is not by chance that we are not introducing a new School Act. The School Act of 1988 was about the operation of the system of education. The new Education Act changes the focus from the system and the buildings to the student. The focus moves beyond seeing learning as only taking place in the school and will allow learning to take place at any time, in any place, and at any pace. We will also continue to build capacity for local decision-making and foster broader community engagement.

The Education Act, unlike the School Act it is replacing, is less prescriptive and is more descriptive, or enabling. The education system does not tell students what to be; it enables them to be what they can, want, and need to be. In the same way, the Education Act won't tell stakeholders exactly what to do but will enable them to do what needs to be done. The Education Act describes the desired destination; it does not describe the specific route for arriving there.

It provides boards with natural person powers that they have said are critical for their success and enables them to act as true leaders in the quest for educational excellence. Boards will be able to do any legal thing a person can do that is consistent with board responsibilities as outlined in the act. Natural person powers will enable boards to be more responsive, nimble, and adaptable in meeting the needs of the communities they serve. If anyone believes that these powers will somehow unduly politicize school boards, I only need to remind them that trustees are elected every three years precisely to ensure that the views of the community shape the work of the school boards.

It will also create the conditions that will allow boards and the ministry to work together with all educational stakeholders to transform education. The act clearly indicates the responsibilities of boards, parents, teachers, and students in creating educational success. The responsibilities of boards reflect a student-centred focus and the principles of inclusiveness, diversity, and excellence. Because education is foundational to the future, it matters to the whole community, and the whole community has a responsibility to engage in the education of its children. The new Education Act makes engagement possible across the system.

### 3:40

Though many things have changed in the new Education Act, some things remain the same. The act still shows a commitment to a publicly funded education system that provides a choice of educational opportunities – public, separate, francophone, charter, and private schools as well as home-schooling options for parents – and it continues to honour the rights guaranteed under the Constitution of Canada with respect to minority language and minority denominational education via public, separate, and francophone schools.

But we should be clear that our transformation neither begins nor ends with legislation. Make no mistake. School boards and teachers are already changing their work to fulfill the vision of inspiring education and the needs of our students. No one can



reasonably expect that a large, complex system like the education system of Alberta, with a \$6.4 billion budget, 600,000 students, over 40,000 teachers, thousands of support staff, and almost 1,700 schools, is going to change overnight because of the passing of an act.

That's why as we transform the education system, our conversations will continue. Albertans are shaping the changes we're making, and we welcome their continued involvement in shaping this legislation. Every Albertan who has a comment or suggestion about this act can join the discussion at [www.education.alberta.ca/engage](http://www.education.alberta.ca/engage) or learn more about this act at [www.education.alberta.ca/educationact](http://www.education.alberta.ca/educationact).

It's an exciting time for education in Alberta, a time when we have a clear direction that we need to take and a willingness and ability to travel there. Today, Mr. Speaker, in a small way we are making history in Alberta. Just as Yuri Gagarin showed us that we are no longer limited to this planet and could explore amongst the stars, we are now showing that our education will be bound only by the possibilities we create for ourselves.

Thank you, Mr. Speaker.

I would move that we adjourn debate.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Third Reading

#### Bill 17

#### Appropriation Act, 2011

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move Bill 17, the Appropriation Act, 2011, for third reading.

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere on Bill 17.

**Mr. Anderson:** Thank you, Mr. Speaker. Well, as this is our last opportunity to stand in the House and talk to the budget, essentially, I'd like to stand on behalf of the Wildrose Alliance caucus and explain again why our caucus does not support this budget. We feel that this government has over the last several years severely damaged the economic standing of Albertans.

There was a lot of work done prior to this administration to establish a heritage fund and to establish a sustainability fund. We did those things. Should more money have been saved during that time? Yeah, it should have. Should spending have been controlled more during that time? Absolutely, it should have. No doubt about it. But what has happened since then over these last several years has been an absolute non-Albertan, frankly, way of doing things. This is not the Alberta way.

There have been billions and billions of dollars in cash shortfalls: this year \$6.6 billion; last year \$7.6 billion – in other words, that's how much money is going out compared to how much money is coming in – and close to \$8 billion over the last two years in actual deficit numbers on the books according to the government's own numbers. There is no excuse for this.

The government can say all they want – and they do – about how the economy is in the tank, et cetera. The economy in Alberta is not in the tank. Our unemployment rate is very low, not necessarily compared to where it was in 2006 or 2007, but certainly historically it is very, very low. If you want a job in Alberta, generally speaking, you can get a job in Alberta.

That's not to say that things are always wonderful for everyone, but things are good. We have near record royalties coming into the

coffers. There have been one or two years when overall royalties have been as high as they are now, yet here we are with a \$6.6 billion cash shortfall and a \$3.5 billion deficit. It's a shameful display of fiscal irresponsibility by this government.

Albertans deserve much better than this. We have over and over again stood in this House and explained that if we had begun earlier to cap program spending and operational spending and capital spending to the rate of inflation plus population growth, if we capped it at that amount, we would not be in the situation we're in today, where in order to balance the budget, we would have to essentially freeze spending, frankly, in order to do it at the rate we're going right now, and we wouldn't be able to account for those increases in inflation plus population. That's because this government failed to control their spending even in the last few years. If they had started back in 2004-2005, yeah, we'd have huge surpluses even today. But even if they had started at the beginning of this current Premier's administration to increase spending by only the rate of inflation plus population growth, we would have a balanced budget today. It shows a complete lack of ability to prioritize.

Why are we building new museums when we have a \$6.6 billion cash shortfall? Why are we building new MLA offices and offices for civil servants when we have a \$6.6 billion cash shortfall? Why are we giving cabinet 34 per cent raises when we have a \$6.6 billion cash shortfall? Why are we doing these things? Why can we not spend on capital the same amount as B.C., Ontario, and Quebec do on average per person? Why can we not do that? How is that unreasonable? That's a right-wing idea? Are you kidding me? That's a fiscally responsible idea. That's what fiscally responsible or at least fiscally competent governments do. But here we are, spending bucketloads more money than any province in the country per person on capital, and here we are, in the cash shortfall position that we find ourselves in.

This government is not conservative. I challenge anybody in this House to identify something conservative that this government has done over the last three years of their administration. Look at their property rights record. Look at their record on the budgets. Look at their record on health care: the centralization, the top-down, the lack of democracy. It's ridiculous, and it needs to change.

There are many priorities that Albertans have. We need to build the schools that our kids need. We need that. We need to build the roads that we need. We need to finish twinning that road to Fort McMurray. We need to finish those ring roads. We need these things. Absolutely, we need them. But can we not do so in a way that will not fiscally mortgage our children's future? The Wildrose says that we can do that. I think that we can do it. I know there are members over there that probably in their heart of hearts know that they can do it.

We can't mortgage our kids' future anymore. What are we going to say to them in the year 2020 or 2030 when they come to us? What are we going to say if the heritage fund is still worth, as it is today, as much as it was in 1981? At that time, let's say, there's a replacement for oil, or the price of oil isn't nearly as high as it is today, and we're not able to fund the social programs and the things that we fund because we refused to be fiscally responsible and to put a little bit away so that that ocean of nonrenewable oil and gas in the ground could be turned into a mountain of permanent investment capital, replenishing the books of the government every single year with interest.

We could do that. We could have started it long ago. We could start it today, but we're not. I just fear that, you know, when we're long gone, out of this Legislature anyway, our kids will look at us when the price of oil is at 20 bucks and say: "What on earth were

you guys thinking? You had the chance to save. You had the chance to give us a legacy fund to allow us to keep taxes low and keep people coming up here to start new businesses and new industries. We could have had that seed capital to do that, perpetuating over and over every year regardless of what oil and gas does. That's what we could have had, yet you didn't." That's what they could say to us if we don't get our fiscal house in order.

3:50

The government says that centralizing health care has saved money. It hasn't. In the last two years there's been another double-digit increase in health care: 6 per cent this year, and I believe it was 17 per cent last year. It's just an absolute falsehood that centralizing health care has delivered any kind of efficiencies in the health care system, and because that's such a large part of the budget, that is why we find ourselves in the fiscal hole that we are in today.

We have not controlled our costs. We have not signed appropriate contracts. The teachers' contract: do we want highly paid teachers? You bet we do. We want to have competitively paid teachers. We want to attract the best to Alberta. But you cannot in the middle of a recession give a 9 to 10 per cent increase to teachers over a two-year period when the cost of living goes up during that same time by less than a third of that. You can't do that and balance your books. If you do do that and try to balance your books, you're going to be cutting teaching positions.

That's exactly what has happened. Even with the 4 and a half per cent increase in education spending the boards around the province have to cut teaching positions because of the blinking contract that the Minister of Energy signed with the teachers when he was Education minister. When we sign contracts that are not sustainable, we have to pay. Our kids have to pay. It's wrong. We can make sure our teachers are paid well. We can make sure that there are cost-of-living increases.

I met with the ATA table officers yesterday, and we got to talking about this. I said: "Wouldn't you rather have a sustainable, gradual funding increase so that you knew you could make sure that you hired teachers each and every year and could keep your teachers and not have cuts? Or would you rather have these unsustainable pay increases and then have the government not giving you the money to fund the contract and then you having to lay off teachers?" Guess what? It was an easy answer for them. But they also said: why should we be expected as teachers to keep our pay increases to the rate of the cost-of-living index, inflation, when the government MLAs' salaries are tied to the average weekly wage index, which greatly outstrips inflationary costs? That's a good point. How can they? Teaching is every bit as important as being in this Assembly. That's for sure.

So how can we do that? Well, not only did this government tie our own salaries to the average weekly wage index, which is wrong – it should be tied to the rise in inflation – but furthermore, aside from that, it gave us a 34 per cent pay increase as its first order of business when it got back after the 2008 election. We all know in this House, specifically us new members, what that was. That was a wake-up call.

**Mr. Hinman:** Tell us about it.

**Mr. Anderson:** Well, it's another story for another day. It was shocking, but what do you do?

**Mr. Hinman:** Wasn't that the Premier's promise to individual candidates?

**Mr. Anderson:** Yes, it was, hon. member.

The point I'm getting at is this. If we want to have a sustainable budget, if we want to be able to save, if we want to be able to bring our budget into balance, we have to make tough decisions. That doesn't mean we have to slash and burn. What it does mean is that we have to prioritize. We cannot have everything right now.

I've got four little boys. They want everything right now. Everything. It's all good stuff. They want ice cream. They want a baseball glove. They want a hockey stick. They want this book, that book. They want the candy and the pop, and they want everything. Guess what? As a parent you've got to make sure that you give them what they need and that you give them the best that you can give them, but you don't give them everything all the time, whenever they want it. You prioritize. You make sure that they're registered for their baseball and for their hockey so that they can have some sports to play. If that means not getting them a whole bunch of new toys, then that's what it means. You prioritize. You make sure you've got food for them and heat and that the mortgage is paid. You make sure those are done first before you go to Hawaii for a \$10,000 vacation, right? Is that not what you do?

You make sure that you can afford to pay the mortgage and the car payment before you go off and upgrade to a Mercedes or something, right? You make sure you can pay your bills. You look at your income, and you make sure, and you plan for the future.

But this government doesn't do it. They just keep on throwing around money like candy at a parade. Whatever you need. If you're going to vote for me, here's some money. That's all it is. It's not conservative; it's not fiscally responsible. I expect the Liberals and the New Democrats to be more fiscally responsible than these guys right now.

**Mr. MacDonald:** We are.

**Mr. Anderson:** Yeah. The hon. Member for Edmonton-Gold Bar sure seems to be. I like some of the ideas in his alternative budget. He seems to have it down.

The Liberals: are they extreme right wing, too? I guess they're extreme right wing because they want to control spending. Good grief. Get a grip. When the Liberals and the New Democrats are running to the right of you on fiscal issues, isn't that a sign? Of course it's a sign. When you go back, you're probably going to have one more budget before the next election. Maybe. I don't know. Who knows when the next election is? But if you are going to have one more budget, please – please – whoever the new Premier is, hopefully that Premier will be truly fiscally responsible. I'm looking at the group you've got there right now, and I'm not very hopeful on that.

Let's hope that that occurs. If it does, make sure to hold that person's feet to the fire. Make sure that they show leadership and get our books balanced and put a savings plan in place that is going to make sure we can save and build that heritage fund over the next 10 to 20 years to a hundred billion, to a hundred and fifty billion so that when the oil and gas goes back down to 20 bucks and when we're sitting in our armchairs enjoying our grandchildren, we can enjoy our grandchildren because they'll still be here in Alberta, because they can still get a job, because we can keep the Alberta advantage here instead of having to talk with them at Christmas by Skype because they're down in some other jurisdiction out east or out west or down south because Alberta blew it, spent all the money, had to raise their taxes, and drove all the business out of Alberta so the place isn't a very good place and not a land of opportunity like it is today.

That's what we're risking. It's pretty easy for us to sit here in this Chamber and say: oh, well, we'll be long gone by then. Yup. You're right. The Minister of Energy will certainly be long gone

by then. In 2030, I would hope – meaning out of this Legislature, of course. But what legacy will he have left? What legacy will this Premier have left? What legacy will the next Premier in this party, the PC Party, have left? Will they be the party that bungled the future prosperity of Albertans, or will they be the party that did the right thing and got their spending in check, reconnected with Albertans, and went forward?

I'll tell you that if you don't reconnect with your fiscal conservative side, you're going to see a new government sitting over there at the next election. That is what will happen. When you don't stick to your principles, when you get all wishy-washy and try to be everything to everybody, you're not going to be successful. It didn't work for Paul Martin. It didn't work for a whole bunch of different leaders and different parties in this country and across the provinces. You need to stand for something. You need to stand on your principles. Fiscal responsibility used to be a principle of this PC government, and it's not anymore. Please find it in the next year for the good of all Albertans, and if you don't, the Wildrose will find it for you. I'm sure the New Democrats will try to help out and be fiscally responsible since you are more fiscally responsible than this crew is over here from all indicators right now.

With regard to this budget, again, we would ask the government to please not just balance the budget but balance the cash shortfall. Let's not spend anymore of our sustainability fund, which is down to something like \$6 billion this year from \$17 billion just a few years ago. Let's have a savings strategy put in place, once we do get the books balanced, to grow that heritage fund by controlling spending to the rate of inflation plus population growth and investing those surpluses, or large chunks of them, into the heritage fund, not just for inflation-proofing it, like you've been doing the last 10 years, but growing it to where it can be a mountain of permanent investment capital, replenishing our province with compound interest each and every year. That's important.

4:00

We can prioritize. We can be responsible. We can make sure that our health care needs are taken care of, that our education needs are taken care of, that vulnerable Albertans are cared for, but we have to get rid of the things that we don't need. The carbon capture and storage fund: we've got to get rid of it. We've got to get rid of those ridiculous pay raises for cabinet ministers and so forth. We've got to make sure we stretch that capital plan, even just another year, and stretch that over a little bit longer. We can have everything we want. We just can't have it today, right now, and that's okay. [interjection] Yeah, we do need a school in Airdrie. Absolutely we do. We need a school in Beaumont, too. We don't need \$2 billion in carbon capture and storage spending being pumped under the ground. We certainly don't need today a new museum or new MLA offices. We can wait for those things because, yeah – that's right – Airdrie needs a school, and so does Beaumont, and so do a few other places.

This is obviously going to pass third reading, this budget. I hope that next budget this government will find its courage, will find its principles again, hopefully, if they ever had them, and that they will put forward a budget that is the Alberta way of doing budgets, which is balanced, which is saving for a rainy day, which is saving for our kids and caring about more than just our own political aspirations, our own political health for the next election but caring for the financial health and well-being of Albertans and our children for generations to come.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwodzesky:** Thank you very much, Mr. Speaker. I listened carefully to the inaccuracies of the former speaker here from Airdrie-Chestermere. We've corrected a lot of those things already in our estimates debate, and other speakers have already spoken to some of the facts that are in this budget, so I'm going to support third reading of the Appropriation Act when the vote comes.

With that, I would like to move adjournment of debate on this Appropriation Act.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

(continued)

#### Bill 16

#### Energy Statutes Amendment Act, 2011

[Adjourned debate April 26: Mr. Kang]

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. This is weightwise probably the second-heaviest bill we've had this session. There's a lot of stuff in this. Just given a number of different factors and timing of schedules, my caucus has not been able to get a briefing yet. I've worked with the sponsor of the bill, and I appreciate her flexibility in still trying to provide us with a technical briefing, and we will take advantage of that. I've tried to read her notes in comparison with the bill.

I just want to note for everybody that this is an omnibus bill. This is amending every act that has anything to do with energy. Here are some of the things that are getting amended: the Alberta Utilities Commission Act, the Coal Conservation Act, the Electric Utilities Act, the Gas Utilities Act, the Oil and Gas Conservation Act, the Oil Sands Conservation Act, and the Pipeline Act. This is no small stuff. This is the energy sector in Alberta. There's a lot going on here.

I know the government is in a hurry and wants to get this all tied up with a bow by the end of the next week that we're in session here, but I think we have to be careful. We need to understand this really well and understand what the consequences are that roll out from these changes. I'm going to walk my way through some of the questions that I have, and the sponsor has kindly agreed to either provide me with answers or to bring them up at the very beginning of Committee of the Whole here. I apologize if the sponsor has answered that in her notes that she's provided to me, but she hasn't structured her notes in the same way that the bill is structured, so I was having a bit of trouble going back and forth between the two this afternoon.

I'm going to walk through the bill and ask the questions based on that. I'm going to start with the Coal Conservation Act, which starts on page 2 of this omnibus bill. Now, part of what's happening here in section 2 is that it's changing the definition of coal, and it essentially is redefining it as "sedimentary rock that contains at least 50% by weight organic matter formed from plant or algal matter." I apologize for pronunciation on that.

What it's dropping out of that definition includes "manufactured chars, cokes and any manufactured solid coal product used or useful as a reductant or energy source or for conversion into a reductant or energy source." There's quite a difference there. What it essentially does is drop out, as I mentioned, the manufactured stuff. It's possible now that with the redefinition you're going to have some regulations that no longer apply that we think will apply, but if you've changed the original definition of coal, they may not.

I'm wondering if the changing of this definition changes the ownership of the lower quality coal under the mineral rights, so the stuff that you sort of crush together to make something that burns. I'm sorry. I'm using layperson's terms here, so I hope I'm not offending anyone. I'm wondering if redefining it changes the ownership of that under the mineral rights, and I'm wondering how this affects the classification of the pore space. That pore space is getting more and more important, and I wonder how this change in definition is going to affect or be affected by the change in the definition of coal.

In the same bill under subsection 14, which appears on page 7 of the original bill, the entire section 14 has been repealed. I'd like to know why the sponsor or why the Minister of Energy felt that it was necessary to remove the industrial development permit and if the sponsor of the bill could describe how similar objectives are going to be met under other existing regulations. Or do we just not have them anymore?

Moving on to the Electric Utilities Act amendments on page 17 of the new bill, in section 3(2)(a) it's adding a new ground under which the Market Surveillance Administrator could object to the Independent System Operator rule. I'm wondering why the government felt the need to allow the Market Surveillance Administrator to object to rules that are not in the public interest. Is it coming out of this?

**Mr. MacDonald:** Well, that's part of it, but that's a really skimpy document.

**Ms Blakeman:** Okay. What I've just had plunked in front of me is the MSA, Market Surveillance Administrator, report to the minister in 2010, which the sponsor of the bill has been kind enough to supply to us. It is quite thin. Oh, my God, look at the typeface. Crikey. This is, like, seven-point font. The actual report itself is 14 pages long.

4:10

It strikes me as really odd that you would have the one talking about the public interest. "The Market Surveillance Administrator may object to an ISO rule . . . on one or more of the following grounds," and then "that the ISO rule may have an adverse effect on the structure and performance of the market" or a ground set out in a different subsection. You think: what on earth is going on here? "Does not support the fair, efficient and openly competitive operation of the market" or – here's the one – "that the ISO rule is not in the public interest": I'm looking for an explanation of that.

I'm wondering how this relates back to those public-interest hearings at the Alberta Utilities Commission. Was removing those a problem, and are they now finding a way to put them back in again through this amendment?

Moving on to the Gas Utilities Amendment Act, which appears on page 20 of this new act, it's removing ministerial regulator power and replacing it with a section that empowers the Alberta Utilities Commission to make rules in its place, so rules on standards, on service outages, maintenance requirements, customer care, billing in call centres, et cetera. It's actually quite a long list. I'm wondering: does the minister believe that the rule-making capability on customer care and call centres covers outbound calls to sign customers into long-term contracts, for example, to entice people to switch gas distributors? How does that get covered? Is it in fact covered under that section? That actually does appear under 28.3(1)(e) on page 21 of the new act.

I'm also wondering if the maintenance and repair standards of gas utilities will improve given the rule-making capability, or is it more about setting uniform standards across the province?

To the Oil and Gas Conservation Act, which starts on page 22.

The section I'm looking at is on page 23, which is section 5(3), empowering the Energy Resources Conservation Board to exempt in situ coal scheme wells from specific provisions in the existing regulations, which indeed it does, "exempting wells that are included within an in situ coal scheme from the application of specified provisions of the regulations." Why does the government feel it's necessary to give the board power to exempt in situ coal schemes from regulations, essentially as it sees fit?

I would have thought that it should set regulations that are proper for in situ coal schemes . . .

**Mr. Liepert:** Why don't you read the answers we gave you?

**Ms Blakeman:** Well, because this is what I was given an hour ago, and I just can't read that fast. It's fair for me to put these on the record.

**Mr. Liepert:** You got it long before then.

**Ms Blakeman:** Well, she has not given it to me in any way that relates back to the act.

**Mr. Liepert:** It was how it came up in questions. You asked the same questions as your partner there.

**Mr. MacDonald:** No. Her questions are totally different.

**Ms Blakeman:** That's what this is for, to ask the questions. If you've got a problem with answering them, deal with your person. Thank you.

Under the Oil Sands Conservation Act amendments, which start on page 27, changing the definition of oil sands products: with the use of the oil sands derivatives to produce ethane, are the products produced from the ethane, including polyethylene, now considered oil sands products? Does this change the potential tax class of the assets that produce this? Could it affect the payoff period for future oil sands products if they're to include petrochemical facilities that use oil sands derived products as feedstock? Those are tiered questions, that hook into each other.

## Government Bills and Orders

### Third Reading

#### Bill 17

#### Appropriation Act, 2011

(continued)

**The Deputy Speaker:** Hon. member, it's 4:15. I hesitate to interrupt the hon. member, but pursuant to Standing Order 64(5) the chair shall now call the question on Bill 17, the Appropriation Act, 2011.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 4:16 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Ady	Horne	Oberle
Benito	Johnson	Prins
Bhullar	Johnston	Quest
Blackett	Klimchuk	Rodney
Brown	Knight	Sarich
Campbell	Liepert	Snelgrove
Danyluk	Lukaszuk	VanderBurg

Fritz	Marz	Woo-Paw
Goudreau	McQueen	Zwozdesky
Hancock	Mitzel	

Against the motion:

Anderson	Hinman	Mason
Blakeman	MacDonald	Taft

Totals:	For – 29	Against – 6
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[Motion carried; Bill 17 read a third time]

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

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. Given the considerable progress that has been made today and over the last several days, I would move that the House stand adjourned now until 1:30 p.m. on Monday, May 9.

[Motion carried; the Assembly adjourned at 4:29 p.m. to Monday, May 9, at 1:30 p.m.]



## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to April 28, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

### **1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft.), 553-62 (Mar. 24 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 862-73 (Apr. 26 eve., passed)

### **2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c4]

### **3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c3]

### **4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 858-60 (Apr. 26 aft.), 861-62 (Apr. 26 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

### **5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 797-99 (Apr. 20 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

### **6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 799-801 (Apr. 20 eve., passed)

### **7 Corrections Amendment Act, 2011 (Oberle)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 801 (Apr. 20 eve., passed)

### **8 Missing Persons Act (VanderBurg)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

- 9 Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 113 (Mar. 1 aft., passed)  
Second Reading -- 185-86 (Mar. 3 aft., passed)  
Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)  
Third Reading -- 305-08 (Mar. 10 aft., passed)  
Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]
- 10 Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 877-85 (Apr. 26 eve.), 910-17 (Apr. 27 aft.), 919-37 (Apr. 27 eve.), 937-46 (Apr. 27 eve., passed)
- 11\* Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft.), 552-53 (Mar. 24 aft.), 618-27 (Apr. 12 aft.), 661-62 (Apr. 13 aft.), 790-97 (Apr. 20 eve., passed)  
Committee of the Whole -- 826-27 (Apr. 21 aft.), 873-77 (Apr. 26 eve., passed with amendments)
- 12 Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft.), 675-79 (Apr. 14 aft., passed)  
Committee of the Whole -- 802-04 (Apr. 20 eve., passed)
- 13 Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)  
Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force March 18, 2011; SA 2011; c2]
- 14 Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft.), 679-680 (Apr. 14 aft., passed)  
Committee of the Whole -- 804 (Apr. 20 eve., passed)
- 15 Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft.), 680-684 (Apr. 14 aft., passed)  
Committee of the Whole -- 827-28 (Apr. 21 aft., amendments introduced), 853-58 (Apr. 26 aft., adjourned)
- 16 Energy Statutes Amendment Act, 2011 (McQueen)**  
First Reading -- 482 (Mar. 22 aft.)  
Second Reading -- 552 (Mar. 24 aft.), 820-26 (Apr. 21 aft.), 852-53 (Apr. 26 aft.), 969-70 (Apr. 28 aft., adjourned)
- 17 Appropriation Act, 2011 (\$) (Snelgrove)**  
First Reading -- 818 (Apr. 21 aft., passed)  
Second Reading -- 841-52 (Apr. 26 aft., passed on division)  
Committee of the Whole -- 904-10 (Apr. 27 aft.), 937 (Apr. 27 eve., passed)  
Third Reading -- 967-69 (Apr. 28 aft.), 970-71 (Apr. 28 aft., passed on division)
- 18 Education Act (Hancock)**  
First Reading -- 898 (Apr. 27 aft., passed)  
Second Reading -- 965-67 (Apr. 28 aft., adjourned)
- 201\* Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)  
Committee of the Whole -- 464-68 (Mar. 21 aft.), 579-88 (Apr. 11 aft., passed with amendments)  
Third Reading -- 704-05 (Apr. 18 aft., passed)
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 209-24 (Mar. 7 aft., defeated on division)



- 203 Alberta Get Outdoors Weekend Act (Rodney)**  
First Reading -- 152 (Mar. 2 aft., passed)  
Second Reading -- 588-89 (Apr. 11 aft.), 705-10 (Apr. 18 aft., passed)
- 204 Justice System Monitoring Act (Forsyth)**  
First Reading -- 304 (Mar. 10 aft., passed)
- 205 Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
First Reading -- 362 (Mar. 15 aft., passed)
- Pr1 Alberta Association of Municipal Districts and Counties Amendment Act, 2011 (Rogers)**  
First Reading -- 550 (Mar. 24 aft., passed)
- Pr2 Galt Scholarship Fund Transfer Act (Pastoor)**  
First Reading -- 507 (Mar. 23 aft., passed)
- Pr3 Auburn Bay Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 515 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)
- Pr4 Cranston Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)
- Pr5 New Brighton Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)
- Pr6 Tuscany Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)
- Pr7 Hull Child and Family Services Amendment Act, 2011 (Rodney)**  
First Reading -- 516 (Mar. 23 aft., passed)







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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday afternoon, May 9, 2011

Issue 31

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

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Forsyth, Heather, Calgary-Fish Creek (WA), WA Opposition Whip	Sandhu, Peter, Edmonton-Manning (PC)
Fritz, Hon. Yvonne, Calgary-Cross (PC)	Sarich, Janice, Edmonton-Decore (PC)
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)	Sherman, Dr. Raj, Edmonton-Meadowlark (Ind)
Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-Ste. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

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Clerk	W.J. David McNeil	Committee Research Co-ordinator	Philip Massolin
Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1



### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
VanderBurg

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Monday, May 9, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. As we begin our deliberations in this sitting of the Legislature, we ask for the insight we need to do our work to the benefit of our province and its people and to the benefit of our country. Amen.

Hon. members and ladies and gentlemen, we're now going to proceed to the singing of our national anthem. I would like all to participate and feel free to sing in the language of one's choice. I'm going to call on Mr. Paul Lorieau to lead us.

### Hon. Members:

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

### Introduction of Visitors

**Ms Evans:** Mr. Speaker, I'm thrilled and indeed honoured today to introduce to the members of this Assembly His Excellency Zhang Junsai, the ambassador of the People's Republic of China to Canada, accompanied by his wife, Yin Guomei; also, the consul general in Calgary, Madam Liu Yongfeng; Mr. Jiang Shan, minister counsellor from the embassy in Ottawa; Mr. Lei Jianzhong, from the consulate general in Calgary; and Mr. Li Kezhen and Mr. Yang Zhiqiang from the embassy. It's our great privilege to host His Excellency. We have been working harder than ever to make our relationships with China work in this year of the anniversary of Heilongjiang. Since 2003 our work with trading with China has more than doubled. With the ambassador here to speak at the Global Power Shift conference, we know that many Albertans and many guests will be honoured indeed to hear the ambassador's message.

Would His Excellency and other guests please rise and enjoy the warm welcome from this Assembly.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you two outstanding Albertans. The first is someone many of us in this Assembly know very well, Dianne Nielsen, formerly Dianne Mirosh. Dianne served as a Member of the Legislative Assembly from 1986 to 1997 and held cabinet positions under both Premier Don Getty and Premier Ralph Klein. She has contributed to our province in so many ways, both as an elected official and as a volunteer. Please join me in extending the traditional warm welcome of the Assembly.

My second introduction is a true pillar of the Airdrie community. Brenda Moon is currently the president of the Airdrie & District Agricultural Society and has served as a volunteer with numerous organizations over the years such as the Airdrie Rodeo

Ranch Association, the Airdrie Chamber of Commerce, and of course the Airdrie Festival of Lights. She's a shining example of what makes this province great. I would ask that you join me in extending to her the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Athabasca-Redwater.

**Mr. Johnson:** Thank you, Mr. Speaker. I've got two introductions here today. On your behalf I'd like to introduce through you to members of the Assembly 15 grades 5 and 6 students from W.R. Frose elementary school located in Fawcett. They're participating in the School at the Legislature program this week. They're accompanied by their teacher, Kim Miller, and parent helpers Terry Boyd, Kathy Fauque, Hazel Schneider, and, of course, the bus driver, Jim Laughy. They're seated in the members' gallery this afternoon. I'd ask them to please rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I'd also like to introduce to you and through you today some friends of mine, the mayor and council from Redwater, who are seated in the Speaker's gallery. These officials have been great for me to work with over the last several years. It's been a real privilege to be able to work with all my elected councils and boards, which add up to about 25 in my constituency alone. I've come to rely very heavily on their counsel and direction and have found them to be very focused and straight. At least, most of them are. In any event I'd like to ask these folks from Redwater to please stand as I call out their names: Mel Smith, the mayor; Debbie Hamilton; Jack Dennett; Les Dorosh; and Lori Lumsden, who was not able to make it here today. I'd like to invite the Assembly to please give them the traditional warm welcome.

### Introduction of Guests

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

**Mr. Prins:** Thank you, Mr. Speaker. I'm very pleased today to introduce to you and through you to all members of this House some very special guests from the Echo Valley Christian school, which is located just south of Bluffton in my constituency of Lacombe-Ponoka. There are 12 students and their teacher and their parent helpers. The teacher is Mrs. Cynsee Colberg, and the helpers are Mr. David Colberg, Mr. Merv Wohlgemuth, Mrs. LeAne Wohlgemuth, Mr. Darryl Giesbrecht, and Mrs. Sue Giesbrecht. I would ask them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to the members of the Assembly the grade 6 class of Michael A. Kostek school. I had a very great chat with the students from the three classes. Today they came here with their chaperones: Meagan Rempel, Paola O'Connor, Bob Shulko, and one parent, Mr. Ron McDonald. I'd ask them to rise and receive the traditional warm welcome.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It is an honour to introduce to you and through you today to all members of this Assembly several distinguished Alberta researchers, CEOs, and board chairs from the four Alberta Innovates corporations. These individuals are really remarkable ambassadors for our research

and innovation system here in Alberta, and I'm pleased to welcome these experts who are top researchers. They are Gary Albach, Alberta Innovates Tech Futures; Kristina Williams, Alberta Enterprise Corporation; Yaman Boluk, nanofibre chair in forest products; Steve Kuznicki, University of Alberta chemical and materials engineering. I'd ask them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you, Mr. Speaker. It's my pleasure today to introduce some young Albertans. Our party believes very strongly that it's important for young people to be involved and learn the intricacies of government. We think it's also important to learn those intricacies before you get elected. We have in the gallery today three summer students who are employed with my constituency office. I would ask them to stand as they're introduced: Charlotte Hall, Cooper Matheson, and from the Edmonton office Duncan Webster. They're accompanied by my constituency assistant, Laura Frank. I'd ask them all to stand and be recognized by the House.

**The Speaker:** The hon. Minister of Health and Wellness.

1:40

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's my great pleasure to introduce to you and through you to all members of the Assembly three outstanding members from the strategic health policy group in my Ministry of Alberta Health and Wellness. This group plays an extremely important role in strengthening policy capacity within the ministry and also in developing policy for research and analysis. Here with us today are Jennifer Jabs, manager of health strategic policy; Chris Emmerling, policy analyst; and Meghan Horn, also a policy analyst. I would ask them to rise and receive the warm welcome of this Assembly, please.

**The Speaker:** The hon. Minister of Sustainable Resource Development, and the hair is rather catching.

**Mr. Knight:** Thank you very much, Mr. Speaker. It is a pleasure for me to rise today and introduce to you and through you to all members of the Assembly four individuals that keep my office running but don't necessarily control me all of the time. Denise Kalwajys actually was complicit in the little display I have. It is in support of prostate cancer. Both Denise and Warren Singh from my office, my executive assistant, actually have special people in their lives that are touched by this illness. I would ask my staff Warren Singh, Denise Kalwajys, Stacey Leighton, and Chad Barber – they're all in the members' gallery – to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. Today I have the honour of introducing one of my constituents from Drayton Valley-Calmar, Mrs. Beverly Simpson Headon. Beverly has volunteered with the Girl Guides for years, in her words, first for her children and now for herself. I would also like to point out that today is Beverly's birthday. I want to thank her for joining us here at the Legislature, and I would ask her to now please rise and receive the traditional warm welcome.

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

**Ms Tarchuk:** Thank you, Mr. Speaker. I'm pleased today to in-

troduce to you and through you to Members of the Legislative Assembly a constituent from Banff-Cochrane, Mr. Rob Hatch. Mr. Hatch is the dealer of the Cochrane Canadian Tire store and chair of the Calgary Jumpstart chapter, which I will be giving a member's statement on later today. Mr. Hatch has been with Canadian Tire for 13 years, has been a resident of Banff-Cochrane for 10, and has been on the Jumpstart board of directors for six years. Sitting with Mr. Hatch in the members' gallery is Vivian Smith from Strathcona county, who is a member of the Edmonton Jumpstart chapter. I'd ask that they now stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of this House two wonderful staff members with the Wildrose caucus team. First, Lauren Armstrong is a political science student with the University of Alberta and has been with us since the start of this session, working as a legislative researcher. We also have Darren Woods, who just joined us last week. He is a student at the Bissett School of Business in Calgary and will spend the summer working with us as a communication assistant. I do not need to explain to anybody in this House how valuable our support teams are that work for us back in the office. I would ask them both to rise and receive the warm welcome of this Assembly.

**The Speaker:** Hon. Minister of Justice and Attorney General, later or now?

**Mr. Olson:** Now is good. Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a group of people who are here representing the Boomtown Trail organization. The Boomtown Trail is basically highway 21 from New Sarepta in the north to Bassano in the south. This is a tourism region, and it's bringing the history of Alberta and rural Alberta to life. We have people here dressed as historical characters. I'm going to introduce them by their historical name and then their real name. If they'd just rise and give a wave: Sarah Brown, who is Glenys Smith from Camrose; Gabriel Dumont, who is Bob Willis from Stettler; Miss Anne Morrison, who is Sue Backs from Drumheller; Miss Alice Rogers, who is Nora Smith from Delburne; Mary Alice Tayler Presant, who is Rosalie Lammlie from Three Hills; Lily Pithouse, who is Marianne Lippiat from Hay Lakes; Mrs. Eugene Bashaw, who is Laura Graham from Bashaw; Dollie Williams, who is Twyla Chitwood from Bashaw. Portraying themselves from the Boomtown Trail organization are Ken Duncan, CEO; Verity Webster; and James Reckseidler. I'd ask that all of my colleagues in the Legislature offer them a warm welcome.

**The Speaker:** Hon. members, two ministers have advised that they wish to proceed with ministerial statements today, and we have Standing Order 7(1.1), which states: "At 1:50 p.m., the Assembly shall proceed to Oral Question Period with the balance of the daily routine to follow." It's not my desire to interrupt. If we recognize one to proceed with a ministerial statement, I have no doubt whatsoever that others will want to participate as well. So we're going to need a couple of motions, one that would ask for unanimous consent to proceed beyond 1:50 with this section of the Routine and a second one requesting an opportunity for other members of the Assembly to participate as well.

I will sit and I will wait to hear such a motion. First is the motion about the 1:50 time frame.

**Mr. Renner:** Thank you, Mr. Speaker. I would move that we give unanimous consent to allow the ministerial statements to proceed beyond 1:50 and that question period be begun at the conclusion of the ministerial statements discussion.

[Unanimous consent granted]

**The Speaker:** Okay. We can proceed with that now.  
The second motion. The Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I would ask the indulgence of my colleagues in the House to allow members of other caucuses to respond to the ministerial statements today.  
Thank you.

[Unanimous consent granted]

**The Speaker:** We'll proceed with that as well.

### Ministerial Statements

**The Speaker:** The hon. Minister of Culture and Community Spirit.

#### National Culture Days Alberta Arts Days

**Mr. Blackett:** Thank you, Mr. Speaker. Today in Vancouver was the official media launch for national Culture Days, starting the work of preparing events across Canada to celebrate arts and culture. I'm pleased to inform the House and all Albertans that the fourth annual Alberta Arts Days will occur from September 30 to October 2 in celebration of national Culture Days 2011.

Here in Alberta we are far along in our planning for three wildly creative days in cities, towns, and villages across our great province again this year. The goal of Alberta Arts Days is to ensure all Albertans have access to a wide range of cultural experiences and to encourage a greater love and appreciation for the arts while helping to foster new partnerships within our own communities. All Albertans are encouraged to participate in Alberta Arts Days. Participation can be as simple as adding an artistic element to an existing event or attending one of the hundreds of free family-oriented events throughout the province.

Last year thousands of Albertans discovered, experienced, and celebrated our unique culture, heritage, artistic diversity, and provincial pride through 681 events in 91 communities. Participation wasn't limited to our artists and cultural community. Organizations like the Edmonton Federation of Community Leagues added cultural elements to activities they were having in support of community leagues throughout the city.

Public libraries across the province participated by offering cultural programming over the weekend to their patrons. The participation of libraries is especially worthy of noting as for many new Albertans and those in a lower socioeconomic strata libraries are a key place in their community where they meet, learn, and share experiences while learning about their new home and having access to those services they otherwise wouldn't.

Schoolchildren in their schools and throughout the community were also involved through our partnership with Alberta Education. Each one of them received a flyer from their school to take home to their family, which was entitled Get Your Parents Out of the House for Three Days. And they did, Mr. Speaker. During my travels I met a family from Spruce Grove that had used the flyer and looked online at [albertaartsdays.ca](http://albertaartsdays.ca) to see what events were taking place in Banff, where they had planned to go as a family for the weekend. This family visited the Banff Centre, toured backstage and in the costume rooms, and even enjoyed a free

lunch and musical performance as their way of celebrating our fabulous culture. That is one of the thousands of great stories of Alberta Arts Days.

In addition to these and many other locations, there were five feature celebration sites across the province which received support from the government of Alberta. This year, using the same level of funding as in 2010, the government of Alberta is committed to financially supporting a minimum of 60 designated celebration sites.

1:50

Mr. Speaker, though some parties would suggest that we don't spend enough and others would suggest that we don't spend any money at all, we think it's important as a government to celebrate families and their communities. My department has received interest from communities and organizations across the province to be part of this celebration. The applications are being reviewed now, and I will be announcing the names of the designated celebration sites by the end of May.

Hosting an Alberta Arts Days event is a wonderful opportunity to foster relationships and develop new partnerships, strengthen our community spirit, and showcase local talent. It is also a great way for organizations and communities to boost the impact and reach of the existing efforts to promote value and availability of cultural programming.

The idea of building events in communities through local support, both financial and in volunteer time, is taking hold. I would be remiss if I didn't mention the recent decision by the city of Grande Prairie to contribute \$5,000 to support Alberta Arts Days events in their community. It is this kind of support from municipalities, from private business, and from Albertans that will grow the spirit of Alberta Arts Days each and every year.

I hope all Albertans take the opportunity to discover, experience, and celebrate Alberta Arts Days 2011 in their communities between September 30 and October 2. Information about events, how people can participate, and downloadable information to help you organize your events is available on our website, [albertaartsdays.ca](http://albertaartsdays.ca).

Thank you very much.

**The Speaker:** On behalf of the Official Opposition the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker, and thank you for the opportunity to respond to the ministerial statement on the national Culture Days and on Arts Days. I know the minister should be congratulated on his work with Alberta Arts Days. I know it's a project close to his heart.

Mr. Speaker, Canadian culture has grown in vibrancy and diversity since Confederation, maturing right along with the nation. Canadian music, literature, film, dance, photography, and other art forms are gaining widespread appreciation and acceptance around the world.

Alberta artists have made key contributions to our growing world renown, and I'll be celebrating them when I celebrate Alberta Arts Days when it rolls around. But I still believe that a government with foresight would do more to invest in Alberta's arts and culture both to bolster a very important economic sector, that contributes tens of millions of dollars to our economy, and to fuel our artistic and cultural growth. Remember, every dollar invested in the arts generates triple that figure in economic activity, something this government seems to have forgotten given the wild inconsistencies in funding to Alberta's arts groups over the last few months.

Alberta is overflowing with world-leading artists, from emerging artists to established masters, and Alberta Liberals believe we help these artists achieve even greater heights with sustainable funding for the long term. An Alberta Liberal government would immediately double the budget of the Alberta Foundation for the Arts and establish a \$500 million endowment fund for the arts, social sciences, and humanities similar to existing endowment funds for medicine, engineering, and sciences.

We would also work to improve the status and legal protection of artists, most of whom remain among the most underpaid workers in our economy. Many of our artists work full-time in a variety of other sectors so they can afford to work in the arts. In effect, they're generously subsidizing our arts and cultural sector.

We would also reach out to help Alberta's publishing and film industries, which have demonstrably suffered under this government. We would establish an Alberta film and television tax credit system and a \$15 million three-year Alberta publishers' fund to reinvigorate our provincial publishing industries.

The Alberta Arts Days are a wonderful way to celebrate our grassroots and amateur artists, and I look forward to all of the events, but we must do more to support our professional artists, who play such a vital role in the province's social, economic, and cultural development. Culture breathes life into Alberta. Let's breathe a little life into our professional artists.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It is my distinct pleasure to rise on behalf of the Wildrose caucus to share our support for Alberta Arts Days. Arts are very important to Albertans. There are more than a million amateur artists across the province. Some paint, some make elaborate quilts, and some sing. In the latest issue of *Maclean's* they declared Alberta to be the most musical province in all of Canada. Apparently 71 per cent of us are able to play an instrument, some better than others, I'm sure, and 50 per cent say that playing music is their favourite hobby.

The Alberta Foundation for the Arts supports 40,000 events across the province, for which annual attendance exceeds 12 million people. That's more than three times the population of Alberta. One of these excellent groups or initiatives is found at the Rosebud Theatre in the constituency of Strathmore-Brooks. I think many of us here have been and have enjoyed the plays that are put on there. It's an excellent example of how the arts can reinvigorate and diversify the economy and grow economy in rural Alberta as well as provide wonderful education opportunities for our youth.

Then there are the tens of thousands of other artistic events that are entirely detached from government funding and which thrive solely based on the artists' dedication and the support of patrons. These events are just as important, and hopefully they, too, will be acknowledged and promoted by the government leading up to Alberta Arts Days this September.

While the arts are important to Albertans as an enjoyable pastime, for others a healthy arts environment is essential to their livelihood. According to the Professional Arts Coalition of Edmonton more than 3,500 Albertans work full-time in arts-related jobs, and hundreds of millions of dollars are earned and spent in Alberta's arts communities and at Alberta arts events. That's why it is important that the government support initiatives like Alberta Arts Days and, indeed, why the arts should be promoted throughout the year.

The Wildrose caucus encourages Albertans to get out and support even more arts events this summer than they did last year and, in particular, to make sure they go out with their families and en-

joy some of the events on Alberta Arts Days, which will be held across the province from September 30 until October 2.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to rise and to join the minister in congratulating the many volunteers, artists, and community members for their commitment to Alberta Arts Days and for their subsequent contribution to the success of this event. Support for arts and culture in our province is vital to developing vibrant and diverse communities.

There is no doubt that arts and culture enrich our daily lives and help give meaning to our experiences. That is why Alberta's NDP opposition advocates for support for the fine arts and cultural activities year-round rather than simply on a few limited showcase days. While showcases have their place in arts and culture programming, they are meaningless without sustainable and predictable support to artists and cultural groups throughout the year, support that this government has consistently cut. Over the last three years this minister has overseen over 50 per cent cuts to his ministry's budget.

Rather than taking the advice of the arts community in terms of the needed programming and funding for sustainable arts and the cultural production sector, this government is content to declare a three-day public relations showcase to raise awareness of the work of the artisans who struggle throughout the year due to a lack of government support. The superficial nature of the PC government's commitment to the arts is demonstrated by the fact that the minister has just announced an increase in designated celebration sites, from five to 60, but has not announced a corresponding increase in project funding.

The minister's call for students to get their parents out of the house for three days is particularly frustrating in light of this government's ongoing disregard for the role of fine arts within the education system. The image of the Minister of Culture and Community Spirit lauding a three-day event as promoting arts appreciation to schoolchildren while at the same time the Department of Education consistently underfunds the fine arts, considering it an expendable luxury rather than a crucial pillar of a full education, is disappointing.

Alberta's NDP opposition believes fine arts and culture should be fully integrated in the school curriculum from kindergarten through grade 12, provided by skilled and qualified teachers, complemented by other artists and experiences to encounter professional fine arts supported with the necessary resources. Our vision of the fine arts in education sees every student having opportunity to not only develop skills but also to grow an appreciation and pleasure for the significance of fine arts in the living of a full and complete life.

Alberta's NDP opposition is proud of the wonderful tradition of arts and culture in Alberta and will work to ensure it remains accessible to all Albertans via their education throughout their lives and through increasing sustained, predictable funding for professional artists. Unfortunately, for the moment Alberta's vibrant arts and cultural sectors survives in spite of the PC government, not because of it.

**The Speaker:** Hon. Minister of Energy, please proceed with the second ministerial statement.

### Oil and Gas Regulatory System

**Mr. Liepert:** Thank you, Mr. Speaker. I'm pleased to rise in the House today to announce significant progress in creating a more

competitive regulatory system for Alberta's energy resources through the establishment of a single regulator. The means to accomplish this are contained in a draft discussion document entitled *Enhancing Assurance: Developing an Integrated Energy Resource Regulator*, which will be tabled in this Assembly later today by my colleague the Member for Drayton Valley-Calmar. This document is the culmination of a process that included extensive engagement with the energy industry, aboriginals, and a broad range of stakeholders.

2:00

Mr. Speaker, energy is Alberta. It provides a standard of living for this province that is among the best in the world. Some two years ago the government embarked on a very rigorous undertaking to determine our competitiveness with other similar jurisdictions. That report, entitled *Energizing Investment*, was made public on March 11, 2010, and the report had two major recommendations. Alberta needed to change its fiscal regime and reduce its regulatory complexity in order to regain its competitive advantage.

Government followed through with the fiscal changes in March of last year, and after further consultation with industry, additional changes were announced at the end of May 2010. We also announced that those would be the final adjustments to the fiscal regime because investors needed predictability and stability. Now, one year later, this stable fiscal policy has resulted in \$2.6 billion in revenue from land sales, the highest fiscal year on record, Mr. Speaker, and a 42 per cent increase in well completions from 2009-10. Our changes have worked and will continue to work.

Getting the fiscal structure right, however, was only half of the answer. The other initiative was streamlining our regulatory structure, and an MLA committee comprised of the members for Drayton Valley-Calmar, Red Deer-South, and Livingston-Macleod conducted an extensive review and engagement with stakeholders during much of 2010. Their recommendations in *Enhancing Assurance: Report and Recommendations of the Regulatory Enhancement Task Force*, were released on January 28 of this year. Government promised to follow through with action, and that is what is proposed today.

This draft discussion document calls for the use of best practices in the operation, functions, and processes of a proposed single regulator. The regulatory system needs to support the development of Alberta's energy resources while ensuring that vital environmental resources – air, water, land, and biodiversity – are managed appropriately. Regulatory enhancement is not about reducing environmental standards, nor will it diminish the ability of the system to respond to the needs of those affected by development such as landowners.

The document will be tabled in the House later today by my colleague from Drayton Valley-Calmar and is designed to elicit feedback in the coming months and form the basis of legislation at the next sitting of the Legislature.

**The Speaker:** On behalf of the Official Opposition the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Mr. Speaker, the first thing we need to remember is that this government caused the regulatory royalty problems. Can they really be the ones to fix it? We'll see.

Way back in 2009 Alberta Liberal MLAs engaged in a vigorous year-long consultation process with key players in the energy sector. The overwhelming message we received from the people working in oil and gas was that above all else the industry wants certainty and stability. That's why regulatory reform is front and

centre in the oil and gas policy we released way back in January 2010.

Once upon a time Alberta had the best regulatory framework of any oil-producing jurisdiction, allowing the industry to succeed, but what was once an efficient and effective regulatory system has become cumbersome. It used to take a year to get regulatory approval. It now takes three.

Alberta Liberals recognize that this approach does not work, so our policy calls for a simplified regulatory system with a one-window approach to approvals, permits, inspections, and so on. We would also improve co-ordination in oil and gas matters between the ERCB, Alberta Environment, Alberta Energy, and Sustainable Resource Development, and with the federal government and our First Nations. It sounds as though the Energy minister is taking some small steps forward by stealing some great ideas from our playbook, especially our one-window approach and our belief that industry must be consulted regularly.

Though I'm looking forward to carefully re-examining the minister's draft discussion document, to be sure, you can bet we will be watching to see if the government follows through. The one-regulator approach is all well and good, but we'll also be watching to make sure that there is no reduction in environmental remediation or financial security standards, and rest assured that we'll be pushing the government to give the public enhanced opportunities for public participation in the regulatory process.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. The Wildrose caucus is pleased to see that this government has finally moved toward streamlining the regulatory framework for Alberta's energy sector; however, there is no way that it should have taken this long to take the first step toward simplifying the process. Nevertheless, we along with the energy sector are eager to read and consider the draft discussion document from the Member for Drayton Valley-Calmar. The details will be very important, and we hope that this document will live up to its billing. We have heard that there has been consultation with many different groups and that this discussion will facilitate further input in the discussion going forward. It is our desire that the end results will in fact incorporate what the government has heard from landowners, oil and gas companies, aboriginal groups, environmental groups, and other stakeholders to the benefit of all.

In terms of the government's heralded fiscal policy we take exception to the idea that this government is the driving force in regaining Alberta's competitive advantage, especially when they themselves are directly responsible for messing things up in the first place by tearing up mineral lease contracts and by creating chaos and instability for over three years. It was the innovation of Albertans and the tenacity of our oil and gas industry along with the recovery of the global economy which has driven our prosperity as a province, not the faulty fiscal policy tinkering of this government. This government ran over the industry and its workers with a dump truck and with runaway spending and is now claiming victory for hauling them to the emergency room after much money and work.

However, we acknowledge that regulatory reform is both necessary and long overdue, and we will thoroughly examine the government's conclusions and proposals in this area. We believe that there is still much more work to be done, and the Wildrose caucus believes much more can be done without compromising the regulatory requirements or placing undue burden on our most prosperous industry or our environment.

Predictability, stability, rule of law, or final adjustments: this is a farce, Mr. Speaker. The government has been nothing less than an economic wrecking ball for the last three years.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. The prosperity and stability of this province depends on Alberta developing our important oil and gas resources in a safe and smart way to ensure our markets are strong and to ensure a good quality of life for all Albertans. The message the minister is delivering is not that Alberta is seeking to become more competitive but that this government is seeking to make it easier for the oil industry to do what they wish and to rake in maximum profits as fast as they can.

We have ample evidence, even as recently as the past few days in regard to a massive pipeline spill in northern Alberta, that the current regulators are not doing a satisfactory job of regulating, monitoring, or communicating about the issues. Now the proposal is to reduce even what is now in place. Replacing three rubber stamps with a single rubber stamp does not improve environmental protection or protect the public interest.

Alberta's NDP is committed to ensure that we have regulations that are meaningful, that the compliance with those regulations is well monitored, and that violations are vigorously prosecuted. Unless we do this, jobs and economic strength for tomorrow are put at risk. Unfortunately, we cannot expect this from a PC government that is largely financed by the very industry it purports to regulate. Mr. Speaker, this is the tail wagging the dog. It is just more of the same.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I look forward to this afternoon's tabling by the Member for Drayton Valley-Calmar. As I recall, the announcement of this extensive review of our energy industry's regulatory framework was made at the same time that the hon. minister finally put the royalty framework for oil and gas back together. The minister is correct. Certainly, on the fiscal side certainty has returned and along with it Alberta's competitiveness in oil and gas relative to Saskatchewan, B.C., and other jurisdictions.

Mr. Speaker, it is very clear – and it was very clear as I did my own consultations with top people in the oil and gas industry in the months leading up to this government seeing, if never exactly apologizing to those who lost their jobs or their businesses over it, the error of its ways on royalties – that another big drag on our competitiveness with other jurisdictions was Alberta's regulatory regime. It was and is in need of some simplifying, of becoming more of a one-window approach, where a company that wishes to develop the resource could jump through all the necessary hoops at relatively the same time, not have the process dragged out for years and years.

But the standards that we set must not be compromised. The minister has just told us that they will not be, and the discussion document that the Member for Drayton Valley-Calmar will table soon will show us whether the minister is correct or not.

2:10

Mr. Speaker, the Premier has vowed to hold Plains Midstream Canada's feet to the fire over last week's Rainbow pipeline spill. We need only think back about a year to BP's blowout in the Gulf of Mexico or a couple of decades to the grounding of the *Exxon Valdez* in Alaska to be graphically and painfully reminded of the devastation that oil can cause when there is not appropriate regula-

tory oversight in place both at the front end in setting the environmental health and safety standards and at the back end in making sure that those standards are in fact enforced.

The energy industry is a positive force in the province of Alberta. We cannot get to where we dream of being or to what we dream of Alberta becoming without a healthy, competitive oil and gas industry. Our regulatory standards and processes in the past were the envy of the world, and in streamlining them, we need to make sure that they are once again in the future.

Thank you.

**The Speaker:** Hon. members, we'll conclude the question period if we continue after 3 o'clock. I will not rise as per Standing Order 7(7) until we conclude the question period, so we'll have the full 50 minutes.

Secondly, should there be a question addressed to the Solicitor General and Minister of Public Security, as the result of an unfortunate accident that he got himself involved in last week doing things that younger men should do and snapping an ankle or something, he will be able to stay in the comfort of his chair rather than being required to rise to respond should a question come. So that's the soft side today.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you very much, Mr. Speaker. Over 30,000 health professionals have made it clear that only a public inquiry can get to the bottom of this government's culture of fear and intimidation. This Premier and his minister of health have no interest, however, in finding the truth. Well, Mr. Premier, we're not going to stop until the truth about your government's mismanagement of public health care and its disgusting tactics of fear and intimidation are fully exposed. Albertans have no reason to trust you. Will the Premier finally come clean and tell Albertans why you'd rather cover up the truth and keep the skeletons in the closet than call a public inquiry?

#### Speaker's Ruling Parliamentary Language

**The Speaker:** Pretty strong language in there about accusing a member and saying: covering up the truth. I'm not sure that's exactly what the Leader of the Official Opposition wanted to say, but he did say it.

Hon. Premier, if you wish to proceed.

#### Patient Advocacy by Health Professionals (continued)

**Mr. Stelmach:** Mr. Speaker, there have been a number of times when the opposition have used language that's unparliamentary. You know, notwithstanding the behaviour of the opposition, there have been a number of times I've risen in the House and said that there is a very robust review being done by the Health Quality Council. I understand that today there were a small number of doctors that took part in a news conference and spoke to the media about their experiences in the health care system. I am sure that if these doctors that were at the conference today want to say the same things, express their opinions to the Health Quality Council



in terms of how they can improve the system, they're there to listen. [interjection]

**Dr. Swann:** Well, is the Premier saying that 30,000 health care professionals, including doctors, are wrong in calling for a public inquiry and that the doctor Premier from Fort Saskatchewan-Vegreville has the prescription for Alberta's ailing health care system?

**Mr. Stelmach:** Mr. Speaker, I just heard that there was a comment made that the doctors wouldn't be protected. They took part in a news conference. They spoke publicly. So why is it they can't take those same opinions and express them to the Health Quality Council?

**Dr. Swann:** Will the Premier finally find his backbone and tell Albertans why he insists on covering up the truth instead of calling a public inquiry?

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Okay. That's the second time for the unparliamentary phrase: covering up the truth. That's a direct accusation against a member. It's unparliamentary. We're going to move on to your next question.

Second Official Opposition main question. The hon. Leader of the Official Opposition.

#### **Health Services Local Decision-making**

**Dr. Swann:** Thank you, Mr. Speaker. Well, despite firm opposition from experts and stakeholders in 2008, the government went ahead and forged a superboard to manage and deliver all of Alberta's health care system, a failed experiment costing Albertans over \$1.2 billion. Now, after wasting precious health care funding on a transition nobody wanted, Alberta Health Services is shifting back to increased local decision-making. Since the Premier has flip-flopped on government policy again, will he admit that this government's centralization of health care has been an epic failure?

**Mr. Stelmach:** Mr. Speaker, once again a total misunderstanding of what Dr. Eagle announced. There were always five management regions in the province. What happened is that the doctor, through listening to not only what MLAs and ministers brought through suggestions in terms of better decision-making at the local level, has reorganized. Now there'll be more decision-making at the local level which will deal with very simple situations like when to put a light bulb in a surgical suite, all of those things that will now be taken care of through a common-sense approach.

**Dr. Swann:** Common sense, Mr. Speaker: what an innovation.

Given that in response to the opposition the Premier has said in this House, "I know they're still upset over the changes to the one superboard; we're not backing off," will the Premier admit that the needless instability created and \$1.2 billion in overspending was a huge step backwards for the health care system?

**Mr. Stelmach:** Actually, it was a very positive step forward. It has minimized the number of people in management in terms of dealing with management issues, put more money into where money was necessary, and that was to front-line health care services. We see waiting lists improving throughout the province. We see more surgeries being done. That is a direct testament to the changes that were made.

**Dr. Swann:** Will the Premier apologize to the many health care workers who have been threatened and demoralized when they challenged this colossal failure of planning resulting from the creation of the superboard? Will you apologize, Mr. Premier?

**Mr. Stelmach:** Mr. Speaker, once again, \$600 million going to one health board in the province is \$600 million worth of savings that have gone directly to front-line services. That's \$600 million that previously went to management and board expenses, et cetera, that is now going directly to nurses and doctors that are practising medicine in this province.

**The Speaker:** Third Official Opposition main question. The hon. deputy Leader of the Official Opposition.

#### **Plains Midstream Canada Pipeline Leak**

**Ms Blakeman:** Thank you very much, Mr. Speaker. Last Thursday computers for a pipeline company detected a problem on a 40-year-old line at 7 p.m. While it triggered an initial shutdown, this was overridden, and the line was restarted several times. At 7:50 a.m. the next day the company confirmed that there had been a release of what would later be reported at 4.5 million litres of crude. This will affect the local ecosystem for decades. To the Minister of Energy: does the government share the concern of Albertans that it took the company 12 hours to confirm the leak and even then got the facts wrong?

**Mr. Liepert:** Well, Mr. Speaker, I think the appropriate thing to do – and I would ask the indulgence of the member. The Energy Resources Conservation Board was on-site shortly after being notified of the leak on Friday. Part of the role of the ERCB is to do an extensive review of what transpired. That is about to be completed and will be released shortly. Until that review has been completed, I don't think we should be jumping to conclusions.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Again to the same minister: why is there no requirement for the company to physically check the line prior to several attempts to restart after systems have repeatedly triggered a shutdown?

**Mr. Liepert:** As I said, Mr. Speaker, these are the kinds of accusations that the Energy Resources Conservation Board will be looking at through the course of their review. We want to make sure that we're dealing with fact and not possibly what may have been gleaned out of a newspaper article. When that report is completed, we'll release it.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Again to the same minister: why did it take until late in the day on May 3 for the ERCB to publicly release the actual scale of the spill when the spill took place on April 29?

**Mr. Liepert:** Well, I think the member would probably understand that this particular spill was in a very remote area of the province. The ERCB does not engage in hypothetical situations, as some others might. They wanted to be assured that the information that they were making public was, in fact, correct. I'd just as soon, Mr. Speaker, have the correct information than have them rush out the door with incorrect information.

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

### Long-term Care

**Mrs. Forsyth:** Thank you, Mr. Speaker. We hear from the government how important seniors are and how they get the care they need in the right place at the right time. This year's throne speech told Albertans that seniors would be given more choice and greater independence, yet hundreds wait in hospitals, assisted living, and at home for long-term care. My questions are to the Premier. Seeing as Alberta health policy forces seniors in assisted living to take the first available long-term care bed no matter where it is, how can you claim to be keeping seniors near their home?

2:20

**Mr. Stelmach:** Mr. Speaker, we're well ahead of the schedule that we had articulated to Albertans in terms of construction. We thought we'd have about 800 continuing care beds built in the province, and now we're in excess of 1,100. We'll probably reach 1,300. We do have to build about a thousand additional continuing care beds a year to keep up with the aging population in the province.

**Mrs. Forsyth:** You didn't answer the question, Premier.

Given that the Premier continues to say that seniors now have more choice and greater independence, can he tell us how many seniors in assisted living end up in a hospital bed first before getting the long-term care that they need?

**Mr. Stelmach:** Mr. Speaker, there are seniors that are still in . . . [interjection] The reason the member didn't hear the answer to the first question is that she's listening to her partner sitting next to her.

**Mrs. Forsyth:** My last question is to the Premier again. How can you say that seniors are getting the best care in the best settings when a senior asks for help to take their loved one to the washroom, and they're told to let them go in their diaper?

**Mr. Stelmach:** That's absolute, ridiculous nonsense. We have very, very good, quality care in the province of Alberta for seniors, and to bring stuff like that to the floor is absolutely wrong. There are many dedicated health care workers in the province that are doing their best to look after our seniors, who are very deserving of good, quality care. We'll continue to improve in Alberta what are some of the best programs in the country of Canada, and we're also going to be able to do that at very, very affordable prices, you know, the costs that seniors pay. This is a huge problem for us right across the country of Canada with an aging population.

### Critical Transmission Infrastructure

**Mr. Mason:** Mr. Speaker, documents leaked to the NDP show that as early as October 2010 the Tory caucus was informed that this government's proposed \$13 billion transmission infrastructure program was unaffordable and based on inaccurate and unreasonable power demand projections. Can the Energy minister tell the Assembly why this government believes that power consumption will rise by 27,000 gigawatt hours in the next eight years when it only rose 5,000 in the last 10?

**Mr. Liepert:** Mr. Speaker, when deregulation took place in this province, about 10 to 15 years ago, what was created was something called the Alberta Electric System Operator, commonly known as AESO. AESO has two responsibilities. One is to ensure that we have an effective and efficiently run system. I think every member would agree that the power system in this province is run very effectively and very efficiently. Their second role is to do long-range planning. It's from part of that long-range planning

that some of these projections have come out. AESO will be releasing a new long-range plan in the near future, and hopefully it'll be similar.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that a homeowner who uses a thousand kilowatt hours per month will pay between \$256 and \$413 more per year because of this unnecessary infrastructure plan, how can the Energy minister be so out of touch with Alberta families that he does not understand the burden that this will place on household budgets, especially for those on fixed incomes?

**Mr. Liepert:** Well, Mr. Speaker, talk about spreading fear and intimidation. That is absolutely false. The projections from the independent operator are that the actual cost as a result of the four critical transmission lines will be the equivalent of \$1 per month per residential customer for every billion dollars billed.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, you need an interpreter to understand that answer.

Given that this government has already spiked increases in pensions for seniors and given that this transmission white elephant will jack up power bills for seniors by hundreds of dollars, why won't this minister admit that the government would rather see seniors out on the street than stand up to the big power companies and their puppet, AESO?

**Mr. Liepert:** Mr. Speaker, I think what the member is attempting to do is reopen the debate under Bill 50, and we can go back and have that debate if we like. We want to ensure that we have critical transmission so that in the year 2020 all of those who are living south of Red Deer do not have to worry about the access to power, and we want to ensure that industry remains competitive in this province. [interjection]

**The Speaker:** Are we dancing? What are we doing?

The hon. Member for Edmonton-Centre, followed by the hon. Member for Rocky Mountain House.

### Plains Midstream Canada Pipeline Leak (continued)

**Ms Blakeman:** Thanks very much, Mr. Speaker. In 2005 a massive oil spill at Wabamun Lake exposed this government's pathetic lack of emergency response plans. At the time the government's response was: we can do better. Well, you didn't, and unfortunately it appears that the government's focus again is on controlling the messaging rather than dealing with the problem. As we saw in 2005, the initial reaction from government and industry is: this can't be a problem; keep going. So the flow of oil rather than the double check is not a problem for the environment. To the Minister of Environment: what has actually changed?

**Mr. Renner:** Mr. Speaker, a significant amount of change has taken place. Lessons were learned since the Wabamun incident. In this particular case there was a response like none other to first of all control the release, to stop the flow of oil within the pipeline, and then to maintain as small an affected area as possible. Beyond that, there is a 24-hour, round-the-clock effort now under way to ensure that it's cleaned up as best as it possibly can be.

**Ms Blakeman:** You must be blessing those beavers.

Back to the same minister: given that I've raised the issue of how and what the government tests for in air monitoring repeatedly and given that the First Nations are again raising health concerns resulting from oil industry activity, how can the minister say that without a doubt there are no negative impacts?

**Mr. Renner:** Mr. Speaker, the statements that I make are based upon Health Canada's air quality standards. Those standards apply across the entire country. I can definitively say that the air quality is well below health quality standards. I cannot in all good conscience say that there cannot and will not be an impact on health to any individual. I can say that they are well below accepted Health Canada standards.

**Ms Blakeman:** Back to the same minister: how much of this cleanup and the cost of long-term effects like the destruction of wetlands will be shouldered by the taxpayer?

**Mr. Renner:** Mr. Speaker, nothing. Nothing will be borne by the taxpayers other than, of course, the role that the regulators are playing. We have staff that are on the ground, ERCB has staff on the ground, Alberta Health has staff on the ground, and those costs are minimal. Those are employees of the department. All costs associated with the cleanup and remediation are the responsibility of the company.

**The Speaker:** The hon. Member for Rocky Mountain House, followed by the hon. Member for Calgary-Varsity.

#### WCB Cancer Coverage for Firefighters

**Mr. Lund:** Thank you, Mr. Speaker. My first question today is to the Minister of Employment and Immigration, responsible for the WCB. In Alberta we have approximately 3,500 full-time firefighters, that do just a great job for us. A number of years ago we passed legislation that allowed them to collect WCB if, in fact, they had certain types of cancer. I see that there are some more cancers added to the list. To the minister: I'd like to know what kind of scientific . . .

**The Speaker:** The hon. minister, please.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Indeed, there were a number of cancers that had a presumptive clause in the WCB act through regulations deeming them work-related cancers when firefighters developed one of those cancers. Recently I added four more. There is scientific evidence obtained by firefighters and their association that shows that there is a causal relationship between the chemicals that they're exposed to and the development of cancer. They develop cancer at a much more prevalent rate than the general population does.

**The Speaker:** The hon. member.

**Mr. Lund:** Thank you, Mr. Speaker. My next question is to the Minister of Municipal Affairs. Given that there are approximately 10,000 volunteer firefighters, that are exposed to the same kind of carcinogens, I was wondering if the municipalities have given any indication of this concern that they might have.

**The Speaker:** The hon. minister.

2:30

**Mr. Goudreau:** Thank you, Mr. Speaker. About 80 per cent of Alberta's firefighters are volunteers, and they do important work in many of Alberta's communities, and we need to support them.

This issue is important to all our firefighters, whether they're career or volunteer, and to the municipalities that they serve. Volunteer firefighters have talked to me on numerous occasions about this important issue, and that's why our fire commissioner's office has been working with all fire departments as well as Employment and Immigration and other partners in the discussion concerning presumptive cancers.

**Mr. Lund:** Mr. Speaker, back to the first minister. It would seem to me that it would only make sense, since these 10,000 are exposed to the same carcinogens, that they, too, would be covered under the WCB. So to the minister: are you considering doing this? If not, why not?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. The Member for Rocky Mountain House has been very supportive of an initiative of expanding this protection to volunteer firefighters, and I thank him for his ongoing support. I am definitely considering it, and at this point in time I can tell the Member for Rocky Mountain House to stay tuned.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Lesser Slave Lake.

#### Protection of Children in Care

**Mr. Chase:** Thank you, Mr. Speaker. Fourteen-month-old Elizabeth Velasquez had already suffered two broken legs when her desperate grandparents contacted police and Alberta Children and Youth Services in March of last year. Some six weeks later paramedics rushed the toddler to Alberta Children's hospital but were unable to revive her. The cause of death, we now know, was nonaccidental asphyxiation. To the Minister of Children and Youth Services. Given that the police child abuse unit recommended that it do so, why did the department not take Elizabeth into protective custody before it was too late?

**Mrs. Fritz:** Well, Mr. Speaker, this is a very tragic situation, as the member has said to you. I did learn on Wednesday as well that the Calgary Police Service are investigating a toddler's death, that was determined to be an accident a year ago, as a homicide. Given that the Calgary Police Service are investigating, you can understand that I cannot share all information about this case, but I can confirm to you, hon. member – you asked about the staff – that we were actively involved, the child and family services authority in Calgary, from March 15 to May 2, 2010. Given the seriousness of this new information, that I learned on Wednesday, I have put forward a number of initiatives to address the situation.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Again to the minister: why only now, when Elizabeth's grandparents have gone public, has the department decided to launch an internal review into the mishandling of the case?

**Mrs. Fritz:** Well, as I indicated to you, I did learn about this on Wednesday. I have discussed it with the police service, the deputy chief responsible for the area, the chief of police, and others in the field. I have a number of initiatives, as I indicated to you. One is an external review of expert people on a panel, who will take the information from Health Services, Calgary Police Service, and our child and family services authority over that six-week period. They will take note of the police advice that is on the file, and they

will make solid recommendations as to how we can learn from the tragedy. Once that review is completed, I can assure you, Mr. Speaker, it will be submitted to me, and it will become part of an overarching internal investigation.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. My final question again to the minister: in the interests of transparency will the minister undertake to make this review public?

**Mrs. Fritz:** Well, Mr. Speaker, I can tell you also, though, that one of the initiatives is that I've directed each of our 10 regional authorities to complete a detailed review as well of all the detailed information that's on active files for our children under the age of six who have experienced abuse or neglect.

Your question, that third question, about transparency is very important, and I want you to know that although I'll be respecting the confidentiality of the child and the family and that this is an ongoing police investigation, lessons to be learned from this will be made public.

#### **Plains Midstream Canada Pipeline Leak** (continued)

**Ms Calahasen:** In the early hours of April 29, 2011, a portion of the 700-kilometre pipeline that runs through my constituency ruptured and resulted in the release of approximately 28,000 barrels of crude oil. Oil spilled onto traditional lands impacted wildlife and caused justifiable concern to the MD, the two First Nations, and the Métis communities in the area. My question is to the Minister of Environment. During our site visit on Saturday – and thank you for that – we observed significant activity to recover the product and clean up the spill. First Nations elders, however, expressed concerns regarding long-term effects and wanted to ensure that the cleanup is done. How will you commit to ensuring that this is done right . . .

**The Speaker:** The hon. minister, please.

**Mr. Renner:** Thank you, Mr. Speaker. The member is absolutely correct. The elders that accompanied us on a tour of the site on Saturday expressed good support for the work that is under way but were concerned, however, that the long-term impact would not be addressed adequately. I gave my assurance at that time that we will rigorously pursue this company to ensure not only that the immediate cleanup is successfully done but that remediation takes place in an appropriate way, and we will ensure that that happens.

**Ms Calahasen:** To the same minister: given, by your own admission, that initial communication with First Nations, Métis, and the MD could have been better, what will be done now to ensure that leaders and elders in my communities are provided with the information they require?

**Mr. Renner:** Mr. Speaker, the visit that we made on Saturday was truly a first step in what I believe to be a long process in establishing lines of communication between the government, industry, the two First Nations, as well as the elders and community members within that region. We recognize that in the short term, at the initial stages, communications could have been and should have been better. That doesn't mean that they need to be that way the rest of the time, so I also gave my assurance that I would return to the region this fall to ensure that they are comfortable with the work that has taken place.

**Ms Calahasen:** My final question is to the Minister of Energy. Given that the Energy Resources Conservation Board will ultimately decide when the pipeline is reopened, what will you do to ensure that this is done as responsibly and collaboratively as possible with the people of the area?

**Mr. Liepert:** Well, Mr. Speaker, first of all, as I said earlier, the Energy Resources Conservation Board has been on-site since Friday and was part of ensuring that the pipeline was repaired very quickly. It's been about 10 days now, and there are some other consequences here that need to be put on the record. The town of Norman Wells in the Northwest Territories, as an example, has declared a state of emergency because its natural gas supply has been cut off due to this line not being up and running. So the ERCB has to take those considerations into account along with ensuring that the safety and the regulatory requirements will be met. I anticipate that to be fairly quickly.

#### **New School Construction**

**Mr. Hehr:** Mr. Speaker, as a result of this government's misguided cuts to education, the cuts will lead to fewer teachers in classrooms and through-the-roof increases in busing fees. The reason for this increase is this government's complete inability to build neighbourhood schools. Instead of doing this, the government's solution is to bus children, sometimes more than a one-hour ride, to the school they are going to. To the Minister of Infrastructure: when will this government start building schools when communities are built, not a quarter of a century later?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. The hon. member opposite does know that we are building schools. In fact, in ASAP 1 we built 18 schools: nine schools in Calgary and nine schools in Edmonton. Last year we initiated to build 14 more schools. That was 10 schools under ASAP 2 and also four high schools.

**Mr. Hehr:** Well, given that many Calgary families will be forced to pay an additional \$670 in busing fees to get their kids to school because they do not have a neighbourhood school, when will the minister take ownership of the problem and commit to building schools in neighbourhoods where these children live?

**Mr. Danyluk:** Well, Mr. Speaker, we're doing that. Last week, in fact, I was in Calgary, and we opened I believe it was four schools in Calgary, ensuring that individual students had an opportunity to get their education right in their communities.

**Mr. Hehr:** Well, Mr. Speaker, given that there are another 10 schools in Calgary and given that there are another 10 schools in Edmonton and other places in this province that need schools, that answer isn't good enough. Will the minister commit in the short term to covering the cost of this additional busing until these neighbourhood schools are built?

2:40

**Mr. Danyluk:** Well, Mr. Speaker, in fact, we are building schools. This government is very, very responsible in trying to build schools in areas where they are necessary. This government is also looking at where the necessity of schools will be in the future. We work with the co-operation of school boards and with the co-operation of communities to make sure that this does happen.

**The Speaker:** The hon. Member for Athabasca-Redwater, followed by the hon. Member for Edmonton-Strathcona.

### Research and Innovation Funding

**Mr. Johnson:** Thank you, Mr. Speaker. Economic diversification is a hot topic these days, and no matter where you stand on this issue, you can't help but recognize the important role that research and innovation will play in our future. The Alberta Innovates system is a big step in this direction, but many researchers have questions about how the system will fund or support their work, especially if it doesn't neatly fall within one of the system's priority areas. All my questions are for the Minister of Advanced Education and Technology. As Alberta Innovates continues to focus our research investments, researchers like those in attendance today, Mr. Minister, want to know if basic, curiosity-driven research is being left by the wayside.

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'm very pleased to have this question today. Curiosity-based or basic research continues to play a very, very important role in research in this province. Much of it is conducted on the campuses of our colleges and technical institutes and universities. It's funded through those institutions. It's a very important part of it, but we also have an important role to play in directed or specific research that impacts the entire province, things like the nanotechnology area, where we've set a policy in place that helps us to direct research into nanotechnology. Assistance for those things in Alberta that will benefit the taxpayers in the province is also critically important.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. If the government is setting the overall direction for these arm's-length Alberta Innovates corporations, the researchers would like to know: how is the minister going to ensure their objective approach to research and innovation?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Yes, the province does set some general guidelines or areas of research that we believe would benefit our province. Some of those would include agriculture and forestry and bio or energy and the environment or health, which are all critically important to Albertans. We do help set the direction, but these boards of businesspeople, of researchers do work at arm's length to government and help set the direction of research, where it's going and which projects will be funded.

**The Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. Finally, can the minister please respond to concerns that this approach will see the government invest only in research that's commercially viable and that will potentially make money?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you. We do hear a lot about commercialization, and we do hope that research that's occurring in Alberta does turn into viable opportunities, turns into an investment of capital, and turns into real employment here in Alberta. But that's not all that it's about. It's about finding solutions to

making healthier Albertans. It's about finding solutions to delivering health care more effectively and efficiently. These are important. We often say that it's not just selling products; it's from the lab to the bedside, making people's stay in hospital safer.

### Plains Midstream Canada Pipeline Leak (continued)

**Ms Notley:** Mr. Speaker, on April 29 the Plains Midstream pipeline began leaking, and the ERCB advised only that a leak of undetermined volume had been detected. The next day government was told that the spill was the worst in 35 years, yet they kept silent for four more days. All the while, the community members were kept in the dark. Will the Minister of Energy explain why the ERCB breached its duty to the public and, particularly, to the Lubicon people by waiting until the day after the federal election to alert the public to the true severity of the spill?

**Mr. Liepert:** Mr. Speaker, as I said earlier, the spill was in a remote part of the province. It was important that the information be correct rather than quick. The Minister of Environment did mention that there were discussions with the First Nations on the weekend, that he did apologize for the breakdown in communications, and we acknowledge that they could have been... [interjection] The member seems to have the answer, so I'll let her answer.

**Ms Notley:** Given that the ERCB was advised last Saturday, two Saturdays ago, that this spill was the largest in 35 years and then waited until after the election to tell anybody, will the minister responsible for the ERCB advise this House what exactly he knew about the spill and when he knew it?

**Mr. Liepert:** Well, Mr. Speaker, to draw a comparison to the federal election is absurd. It just shows that this particular member is completely out of touch when a situation like this happens.

One of the things that you have to ensure takes place is that we work with the company to get the issue resolved as quickly as possible. That was done. As I said earlier, there probably was some additional communication within the communities that could have taken place, but you can't fix history, and we have assured that we will in the future.

**Ms Notley:** Well, given that having the ERCB review the appropriateness of a response by the ERCB is actually more ridiculous than having industry police its own safety standards, will the minister commit to releasing all documents relating to the cause and the extent of the spill, its cleanup, health and environmental damage, and all communications so that Albertans can judge for themselves the appropriateness of this response?

**Mr. Liepert:** Well, Mr. Speaker, nobody said that the ERCB was going to review the ERCB. What I said earlier was that the ERCB was conducting a full inquiry into this particular incident, as it would under any incident like this. The information, the review, will be public, and the member will have every opportunity to look at it.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for St. Albert.

### Workers' Compensation for Injured Transit Driver

**Mr. MacDonald:** Thank you. Tom Bregg continues to heal from

the brutal assault which occurred on December 3, 2009, while operating a city bus for Edmonton Transit System. He has permanently lost the use of his left eye and still requires further facial surgeries. The WCB has been threatening to cease wage replacement for noncompliance. My first question is to the minister in charge of the WCB. Why is this man, an innocent victim of a vicious, violent crime, having his benefits threatened by the Workers' Compensation Board at this time?

**Mr. Lukaszuk:** Mr. Speaker, first of all, what has happened to this gentleman was despicable, and from occupational health and safety purposes I hope something like this never happens again.

Now, with respect to his recovery he, thankfully, is recovering and under the good care of medical doctors here in the province. The Workers' Compensation Board reviews medical reports that are submitted by his treating physicians, and ultimately there will be a joint decision made on whether he is capable of returning to some form of employment. Ultimately, I imagine he also would like to return to some form of employment. But I cannot comment on the decision because no decisions have been made at this point.

**Mr. MacDonald:** Mr. Speaker, again to the same minister: given that in a message to stakeholders the minister said, "I am pleased to work with the Workers' Compensation Board to ensure this province's workers and employers have a strong and stable source of support when workplace injury strikes," how is the WCB's threat to cease wage replacement for Mr. Bregg a strong and stable source of support when workplace injury strikes?

**Mr. Lukaszuk:** Mr. Speaker, the WCB does not threaten. They make decisions. Either they make a decision to remove benefits or to not. Then there is in place a due process for appeals if a worker is not satisfied with the decision. Having said that, no such decision has been made. I firmly believe that a decision will be made based on medical evidence in the best interests of the worker, making sure that when he is able to return to some form of modified employment, that opportunity will be extended to him.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the same minister. I have spoken to Mr. Bregg and his family and have permission to discuss this matter.

**The Speaker:** But you don't have opportunities for preambles in your question.

**Mr. MacDonald:** Why are the city of Edmonton's director of labour relations and the Workers' Compensation Board spokesperson discussing the case of this innocent man, who was the victim of a violent crime, in public?

**Mr. Lukaszuk:** Well, Mr. Speaker, this is quite ironic because, unlike this member, I will not discuss this case in public. Hence, I will not be making any comments to that specific case. If the worker chooses to divulge the details of his case, he's always more than welcome to do that. Workers' Compensation has not been discussing this case in public either.

I have to tell you, Mr. Speaker, that if there are any issues on the file, there is a course of appeal that a worker can undertake, and the decisions are made based on the medical evidence. I will make sure that the right decisions are made because the process is such that it leads to proper decisions.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Glenmore.

### Adverse Possession of Land

**Mr. Allred:** Thank you, Mr. Speaker. Rural constituents have recently contacted me with concerns about the common law doctrine of adverse possession, or squatters' rights. Apparently, they are having disputes with neighbours who are claiming part of their quarter section because of a misplaced fence that is robbing them of as much as five acres of their land. To the hon. Attorney General and Minister of Justice: why does this archaic practice of land grabbing still apply in our modern society?

2:50

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. While I acknowledge the hon. member's significant knowledge in the area of surveying and I also spent 30 years practising real estate law, I'm well aware that there are often boundary disputes. We do have a system that is based on the Torrens system of land registration, British common law, and we have the Limitations Act, adverse possession law, and so on. Some of it goes back to 1870. It is also true that there is a way that people can get title by having occupied land for long enough, but I'm not aware of any great problem there.

**The Speaker:** The hon. member.

**Mr. Allred:** Well, thank you, Mr. Speaker. Really, this is more than just boundary disputes. Given that adverse possession is a common law remedy from the Northwest Territories inherited from England in 1870 and given that the land title and property boundary demarcation system is vastly different in Alberta than in England, does the minister think this law should be applicable in Alberta?

**Mr. Olson:** Mr. Speaker, this practice, this system, has been in place, as I mentioned, for many years. I think the hon. member himself would acknowledge that there have been very few of these cases over a hundred years, less than one a year. I'm not convinced that there is a burning need for a legislative change here.

**The Speaker:** The hon. member.

**Mr. Allred:** Well, thank you, Mr. Speaker. My final question again to the same minister: given that our Torrens system of land titles guarantees title to land, does the doctrine of adverse possession not undermine our guaranteed title system?

**The Speaker:** Well, you're asking for a legal interpretation here, which is not the purpose of question period, but if you want to, proceed shortly and briefly.

**Mr. Olson:** Mr. Speaker, maybe I'll just suggest to the hon. member that he spend some time with me. We can talk this over, and I'll have the information for him.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Calgary-Fort.

### Health Services Local Decision-making (continued)

**Mr. Hinman:** Well, thank you, Mr. Speaker. This government has a knack for creating problems and then taking far too long to fix them. The best example of this was the new royalty framework. After running the dump truck over our energy sector, it took this government three years and too many tries to finally get it back to where we were. They are still at it. After paralyzing our health

care system in 2008, they finally decided to begin a long process of decentralizing the health superboard. To the health minister. Five zones and you still don't have a plan to properly empower local health care providers. Why don't you just admit that you don't know what to do and you're slapping on another Band-Aid?

**Mr. Zwozdesky:** Mr. Speaker, that's the kind of misinformation that needs to stop by that member and by other friends of his in that caucus. When the Alberta Health Services was created, it had already established right soon thereafter five zones. Just like the press release says, geographically those five zones don't change. What is changing is more capacity for local decision-making because the circumstances today are vastly different than they were two, three years ago.

**The Speaker:** The hon. member.

**Mr. Hinman:** No, it's a placebo.

Thank you, Mr. Speaker. Given that the now Energy minister brought in the superboard three years ago and he said it would "ensure a more streamlined system for patients," are we to conclude based on last week's announcement that the government has finally concluded that the superboard has failed in this regard and now doesn't know what to do?

**Mr. Zwozdesky:** Mr. Speaker, I think this demonstrates extremely well that the Alberta Health Services Board knows exactly what to do. Now that they don't have to worry about \$1.3 billion worth of deficit, now that they have stable five-year funding guarantees, now that they have the five-year health action plan and all the other accountability measures, it's possible to move on with the next phase of this local decision-making. That's what we've got, and it's looking really good so far.

**Mr. Hinman:** Three years of confusion is going to turn into five years of confusion.

Mr. Speaker, the proposed changes to the superboard structure don't go nearly far enough, and they don't truly allow for local health care decision-making. Can the minister give us a rough idea of how many revisions he'll be making before he finally gets it right by dismantling the superboard and giving up the dream of a centrally planned health care system? Follow the Wildrose plan.

**Mr. Zwozdesky:** Mr. Speaker, I don't think anybody is going to be following the wild plan at all, and certainly I won't be. But I'll tell you that what we're going to be doing is continuing to improve access to the system, and we're going to continue to reduce wait times. Let me tell you that as of today the emergency inpatient numbers have been reduced very significantly, by about 69 per cent in Calgary alone, and that member should know it.

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Calgary-McCall.

#### **Workers' Compensation Accountability**

**Mr. Cao:** Well, thank you, Mr. Speaker. Unlike other jurisdictions, the government of Alberta has opted not to have a statutory review provision in the Workers' Compensation Act, but rather it responds on an ongoing basis to issues as they arise. To the hon. Minister of Employment and Immigration: why has the government of Alberta chosen not to follow suit and have a mandated review of the WCB act in, say, four or five years?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. The member is correct. Some provinces have chosen to have sunset clauses in their WCB legislation, which demand that the provinces every three or five years do an overhaul of the act. Unlike those provinces, we have elected to respond to needs on an ongoing basis, so one doesn't have to wait for three, four, five years to address an issue. That is why, for example, the firefighters' cancer legislation was amended midstream. We have the ability to respond to issues as they arise.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: given that the WCB disability insurance system involves 1.7 million workers and 137,000 employers, with what information and how does the ministry ensure more accountability and fairness to injured workers in the administration of the Workers' Compensation Act and the WCB policies?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. In reference to the last question about WCB, indeed, that's how vast WCB is. I have to tell you that a majority of cases are resolved and workers return to work as they want to return, and that's what the system is based on. But there is accountability. There is a board of directors that's appointed by the minister. I have recently appointed a member to the board that has thoroughly reviewed WCB and will provide the board with input. They file their statements of investment and statements of audit with the Alberta Legislature, but ultimately they're responsible to the stakeholders, being employers and workers of this province.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister. More than a decade has passed since the last review of the WCB in dealing with injured workers. Would the minister consider having such a review more regularly, perhaps this year or next?

**Mr. Lukaszuk:** Mr. Speaker, I look at the act often myself. A thorough review: I'm not sure if it's required. I have to tell you that I made reference that I have appointed to the board a member who partook in the last review of WCB, and I'm sure he will bring many of the matters that he has found in his review of WCB to the attention of the board of directors. In the interim I will be responding to issues as they arise, be it from employers or workers, and make sure that WCB manages itself in an accountable way to both stakeholders.

**The Speaker:** The hon. Member for Calgary-McCall, and then the hon. Member for Strathcona.

#### **Residential Building Inspections**

**Mr. Kang:** Thank you, Mr. Speaker. In response to serious concerns from Albertans about the Penhorwood catastrophe in Fort McMurray and similar problems faced by condo boards in Edmonton and Calgary, the Minister of Municipal Affairs has indicated that he opposes the licensing of builders and developers, doesn't require accountability from safety code officers, allows contractors and architects to cut costs with impunity, and only demands limited warranty protection for homeowners. To the Minister of Municipal Affairs: how can the minister say in all honesty that he's really doing anything of substance to protect

home and condo owners from shoddy construction practices? The evidence suggests otherwise.

**Mr. Goudreau:** Mr. Speaker, we are working with all of our municipalities to ensure that proper inspections are taking place. There's no doubt our municipalities, those that are accredited, are out there looking at individual buildings, and they certainly are closer to the local situation to make better decisions. We will continue to work with them to ensure that the inspectors that they hire are doing the right jobs.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think the problem is getting worse by the day.

Will the minister release a follow-up report to the April 2008 Building Envelope Survey so that Albertans can get a better sense of what changes are being recommended to the province's building construction and inspection system, and if not, why not?

**Mr. Goudreau:** Mr. Speaker, just the fact that the chief building administrator has requested additional information on existing situations across the province is an indication that we are trying to do things differently and better. There's no doubt that we are requesting all of that information under the Alberta building code and that we assess through the chief building administrator the needs. If there is a need for changes, we'll do that as part of our ongoing duties and responsibilities.

3:00

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: will Alberta follow British Columbia's lead by requiring builders to provide longer warranties to homeowners, sir?

**Mr. Goudreau:** Mr. Speaker, that's again a part of our ongoing discussions. I've indicated in the past that we are working with the construction industry, our municipalities, and our own individual staff and various ministries within the government of Alberta to see if we can make some changes. We are aggressively pursuing various alternatives. I suppose over the next few months we hope to have some information.

**The Speaker:** The hon. Member for Strathcona.

### Cumulative Effects Environmental Management

**Mr. Quest:** Thank you, Mr. Speaker. We've heard several times in this House that the cumulative effects approach is the future to environmental planning and management in Alberta. The Industrial Heartland, which is right beside my constituency, was the first to begin implementing this new approach for protecting our air, land, and water. My question to the Minister of Environment: what have we actually achieved from the cumulative effects management approach in the Industrial Heartland?

**The Speaker:** The hon. minister.

**Mr. Renner:** Thank you, Mr. Speaker. This is a significant, major success story as we have the first truly functioning project under cumulative effects environmental management. It's the first of its kind in Alberta. It creates a system that supports water demands and improves water quality in the North Saskatchewan. Last week I had the honour of recognizing our multistakeholder group – the city of Edmonton, Lamont county, Strathcona county, Fort Sas-

katchewan, industry – as well as a significant number of very dedicated employees of Alberta Environment.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My first supplemental to the same minister: given that we already have water frameworks in the province, what's different about the Industrial Heartland water management framework, and how is it actually a move towards cumulative effects?

**Mr. Renner:** Mr. Speaker, what's different about this project is that it brings everything under one umbrella, surface and ground-water along with industrial and municipal water users. There's a common, sustainable goal for the river and for the region. Above all, it was created by a multistakeholder group, where everyone is actively engaged in putting the process together. We've developed scientific methods for water and air to help the environmental management within the entire capital region based upon a lot of the work that went into this project.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. Second supplemental to the same minister: while the creation of this framework is great, what are you doing to expand our reach beyond the Industrial Heartland and demonstrate that we're serious about province-wide cumulative effects environmental management?

**Mr. Renner:** Well, Mr. Speaker, members will be familiar with the lower Athabasca regional plan and some of the references in that plan to environmental limits and cumulative effects. What we've learned through the development of this plan allowed us to draft the management frameworks for air, water, and groundwater for the LARP. Similar frameworks will be created for each of the other regional plans as they move forward, and each framework will identify limits and triggers to achieve regional environmental objectives. We intend to build upon existing environmental policy, legislation, and regulations.

**The Speaker:** Hon. members. that concludes the Oral Question Period for today. Eighteen members were recognized. That's 107 questions and responses.

I must now advise the Assembly of Standing Order 7(7), which reads, "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." Now, that means that I should be calling Orders of the Day unless someone wants to rise with respect to a motion that says we should conclude the Routine, which has about seven different sections to deal with.

The hon. Deputy Government House Leader.

**Mr. Renner:** Mr. Speaker, thank you. I rise to make such a motion given that we have members' statements, some very important members' statements, particularly affecting some of the people that have joined us in the gallery today, as well as the tabling of the report referred to earlier in Ministerial Statements. I would move that the Assembly give unanimous consent to allow the Routine to proceed to its conclusion.

[Unanimous consent granted]

### Members' Statements

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



### Bashaw Centennial

**Mr. Prins:** Thank you, Mr. Speaker. This summer from August 19 to 21 the town of Bashaw will celebrate its 100th anniversary. Bashaw is located in central Alberta about half an hour east of the highway 2 corridor on the junction of highways 21 and 53. The Bashaw area is known for its prosperous agricultural community, productive farms, and diverse livestock industry along with a thriving oil and gas sector. Tourism based on its natural beauty and nearby lakes and golf courses enhances Bashaw as a prime destination on the Boomtown Trail, which is a well-developed series of tourist stops located along highway 21.

The centennial homecoming weekend will host many activities, including music, meals, and historical characters from Bashaw's founding days that will provide a fun and interactive way to learn about Bashaw's history.

As another part of the centennial the Bashaw Historical Society has created a beautiful, two-volume history book called *Over 100 Years of Memories* that contains more than 1,200 family and business stories about the settlement and development of the Bashaw area. Earlier today copies of these books were donated to the Legislature Library so that the stories of Bashaw will be preserved and available for all to read.

Several members of the Boomtown Trail characters in period costume were with us today, and they tell some of the real stories of the history of the area with very realistic and colourful theatrical acting. Two members of the theatre group are here today. Laura Graham and Twyla Chitwood are from Bashaw and play the original historical characters of Mrs. Eugene Bashaw and Dollie Williams.

I attended a centennial kickoff event earlier this year, and the August centennial weekend promises to be a great success and an enjoyable weekend for all in attendance.

I would ask all members to join me in offering congratulations and best wishes to Bashaw as they celebrate their centennial year, and I would encourage all Albertans to come visit Bashaw this summer to experience a real taste of rural Alberta hospitality in a beautiful, relaxing, scenic area.

Thank you.

**The Speaker:** The hon. Minister for Calgary-Varsity.

### Democratic Renewal

**Mr. Chase:** Thank you. Democracy lost. As this Alberta government does not believe it is necessary to set or stick to either a legislative session or fixed election dates, approximately half of Albertans who cast their vote for alternative voices are effectively disenfranchised. In 2008 our first past the post system saw government complacency rewarded by voter apathy. Twenty-one per cent of eligible Alberta voters, barely half of the 41 per cent who took the time to exercise their hard-won democratic franchise, gave this government a majority.

As another typically abbreviated parliamentary session draws to a close, a growing government rumour chorus suggests that there will be no legislative sitting either this fall or next spring, which from the Alberta government's perspective effectively prorogues the pesky parliamentary process for over a year. Considering that their federal Conservative counterparts, whose current leader twice prorogued Parliament, whose party was recently found in contempt of Parliament, and whose escalating taxpayer-shouldered debt includes the purchase of motorless military jets, were recently awarded with a national majority, why should Alberta government members concern themselves with the democratic process? Why just limit debate

with time allocations or closures when you have the majority power to shut down the people's parliament for over a year, thus avoiding calls for transparency, accountability, or, worse still, a reputation-damning public inquiry?

From 2008 forward or backward, depending on your point of view, this government has consolidated its dictatorial power by using its deliberately shortened sessions to ram through bills which move debatable legislation to behind-closed-doors ministerial regulatory control. This government's bulldozer attitude is executed with devastating effect across the province from wholesale clear-cutting in the south to growing tailing pond pollution in the north.

To paraphrase the lines from a once-popular song which has become a Conservative government anthem, the rich get rich and the poor get poorer; in the meantime, in between time, ain't we had fun? Mr. Speaker, Albertans deserve better.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

### Holocaust Memorial Day

**Mrs. McQueen:** Thank you, Mr. Speaker. On Sunday, May 1, 2011, in accordance with the Jewish lunar calendar, Albertans along with citizens around the world remembered the countless victims and survivors of the Holocaust and those who fought to defeat tyranny and genocide on Holocaust Memorial Day. Holocaust Memorial Day, or Yom ha-Shoah, is a time to remember the senseless and systematic annihilation of millions of Jewish people between 1933 and '45 and the many other victims and survivors of genocide, hatred, and discrimination past and present around the world.

In Alberta communities and families observed this day by remembering and recalling the victims of the catastrophe. On Monday, May 2, a commemorative service organized by the Jewish Federation of Edmonton was held at the Holocaust memorial on the Legislative Grounds. Survivors told their stories to educate children and future generations and to reflect on the enduring lessons of the tragedy.

3:10

Yom ha-Shoah is an opportunity for Albertans to reflect upon the tragedy and to look for ways we can each make a difference in our world today. On Holocaust Memorial Day and every day I urge all Albertans to recognize this very important day and, in doing so, reflect on our individual and collective roles in the fight against religious, racial, and other forms of hatred. Yom ha-Shoah is a call to all people, not just the Jewish community, to fight for the common goals of societies that value diversity and protect human rights.

In our province Yom ha-Shoah was officially proclaimed Holocaust Memorial Day by the Alberta Legislature on November 16, 2000, with the passing of the Holocaust Memorial Day and Genocide Remembrance Act. Let us never forget the atrocity that was the Holocaust, those who suffered and those who lost their lives in such a horrific way.

Thank you, Mr. Speaker.

### Federation of Calgary Communities

**Ms Woo-Paw:** Mr. Speaker, the earliest community associations in Calgary were formed during the 1920s to provide formal recreational programs and facilities such as outdoor skating rinks and also social programs. The first official incorporation of a community association, the Elbow Park association, was formed in 1930, and two more, Mount Royal and Scarboro, were registered prior to

World War II. The dramatic population growth after the war correspondingly increased the number of community associations.

During the 1950s one unified voice was seen as necessary to co-ordinate and liaise with community services to address common concerns. The Federation of Calgary Communities was an initiative of 47 community associations. Incorporated in 1961, this new, large support organization gave its members a way to increase their effectiveness while remaining autonomous.

There are currently 147 community associations in Calgary, with 97 per cent being Federation of Calgary Communities members. It's estimated that annually 20,660 community association volunteers contribute 2.4 million hours of public service at an equivalent monetary value of over \$28 million. These volunteers operate, manage, and maintain facilities and amenities with a value of more than \$250 million. They come from a diverse population base, with about 15 per cent of the city's population supporting the associations through paid membership.

Today the federation supports its members and communities in urban planning, managing their finances, building awareness around volunteerism, celebrating community life, and administering the associations. The Federation of Calgary Communities is committed to enhancing the ability of community associations to provide necessary social and recreational services. In 2010 the federation was recognized by the Governor General.

**The Speaker:** The hon. Member for Edmonton-McClung.

### Mental Health Week

**Mr. Xiao:** Thank you, Mr. Speaker. It is a privilege to rise today in recognizing that this week in May all across Canada is Mental Health Week. This is the 60th anniversary of Mental Health Week, a time that is dedicated to encouraging Canadians of all demographics to learn, talk, reflect, and engage with others on all issues relating to mental health.

This year the theme for this important week is Mental Health for All, which focuses on key topics for a better understanding of our mental health. Those two words, "for all," are key because in today's busy world we must understand that our children also have many stresses. Striking a balance between school or work and families, our physical wellness, and our emotional wellness is extremely important for each and every one of us.

Mr. Speaker, the Mental Health for All fact sheet lists some simple ways to promote good mental health. These ways can range from physical exercise to socializing with others to reading or taking up a hobby; in other words, activities that are relaxing and enjoyable. I personally enjoy relaxing after a busy day with a nice cup of tea and some quiet music. I recommend that we all choose to take some personal time every day to nourish our emotional well-being and our mental health.

One of the key initiatives of our government's five-year health action plan is supporting people with addiction and mental health issues. This includes early intervention with youth who may be susceptible to addiction or mental health issues.

Thank you, Mr. Speaker.

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

### Canadian Tire Jumpstart Day

**Ms Tarchuk:** Thank you, Mr. Speaker. I am pleased to rise in the House today to recognize Canadian Tire Jumpstart Day, which will be held on May 28 this year. Canadian Tire Jumpstart is a community-based charitable program that helps financially disadvantaged youth participate in organized sport and recreation by

covering registration fees, equipment, and transportation costs. In Canada an estimated 1 in 3 families struggles to include their children in organized sport and recreation.

Canadian Tire Jumpstart supports local kids in need through direct anonymous contributions as well as its network of regional chapters and community partners such as Big Brothers Big Sisters Canada, the YMCA, and parks and recreation. Most importantly, 100 per cent of customer donations to Canadian Tire Jumpstart are reinvested into the local community. Since 2005 the Jumpstart program has helped over 315,000 kids across Canada get involved in activities like hockey, soccer, swimming, and ballet. In Alberta alone over \$2.2 million has helped more than 22,000 kids.

Mr. Speaker, the constituency of Banff-Cochrane is part of the Calgary Jumpstart chapter. Mr. Rob Hatch, whom I introduced earlier, is the dealer of the Cochrane Canadian Tire store and chair of this chapter. His team has distributed over \$700,000 to support over 8,500 kids in just the last six years. This is truly an amazing accomplishment. I would like to thank them for their efforts, congratulate them on their success, and ask each member in the House to join me in recognizing the great work Canadian Tire is doing for families across our province.

Thank you.

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

### Prostate Cancer

**Mr. Vandermeer:** Thank you, Mr. Speaker. Prostate cancer affects 1 in 6 Canadian men. More than 90 per cent of prostate cancer cases are curable if detected early. However, far too many incidents are not caught early enough. More than 4,000 Canadian men will die of the disease this year alone. An additional 24,000 men will be diagnosed in Canada this year, not including cases that go undiagnosed due to men failing to go for annual checkups. Prostate cancer has no symptoms in its earliest, most curable stage, and it is important to note that the incidence of prostate cancer is increasing due to the aging of our population.

Mr. Speaker, it is recommended that men who are 40 years old talk to their doctor about a prostate examination. However, more awareness needs to be raised on just how important it is for men to get checked. Awareness and fundraising efforts are already established in our province. Look no further than our own Minister of Sustainable Resource Development's blue hair campaign for awareness.

Each Father's Day Safeway supports a walk or run for dad, raising more than \$1 million last year, and each November the fundraising event Movember challenges men to grow moustaches to raise money. All Alberta MLAs participated on November 1 of this past year by wearing prostate cancer ties and scarves in the Legislature.

I would like to reiterate that while fundraising and awareness efforts are very much appreciated, more can always be done when tackling such a serious issue.

Thank you, Mr. Speaker.

### Notices of Motions

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

**Mr. Renner:** Thank you, Mr. Speaker. Today I'd like to give oral notice of a motion for leave to introduce a bill being Bill 20, the Workers' Compensation Amendment Act, 2011.

### Introduction of Bills

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Bill 19****Miscellaneous Statutes Amendment Act, 2011**

**Mr. Olson:** Thank you, Mr. Speaker. It's my pleasure today to request leave to introduce Bill 19, the Miscellaneous Statutes Amendment Act, 2011.

Bill 19 contains a number of noncontentious provisions. I'll just briefly list those acts which are affected by this particular bill: the Emergency Management Act, the Family Support for Children with Disabilities Act, the Business Corporations Act, the Cooperatives Act, the Land Titles Act, and the Mobile Home Sites Tenancies Act.

Thank you.

[Motion carried; Bill 19 read a first time]

**The Speaker:** The hon. Member for Whitecourt-Ste. Anne.

**Bill 207****Seniors' Property Tax Deferral Act**

**Mr. VanderBurg:** Thank you, Mr. Speaker. I request leave to introduce Bill 207, the Seniors' Property Tax Deferral Act.

Mr. Speaker, this act may allow more seniors to stay in their homes for a longer period of time, remain independent, and help ensure that they age in the right place.

Thank you, sir.

[Motion carried; Bill 207 read a first time]

**3:20      Tabling Returns and Reports**

**The Speaker:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Today I'm very pleased to table five copies of the vital statistics annual review 2009. This review is a summary of all vital statistics events during the 2009 calendar year and contains information involving births, stillbirths, marriages, deaths, adoptions, and changes of name that occurred in Alberta. Completion of the review often takes upwards of one year as the information provided by hospitals, municipalities, and other organizations is compiled and verified before the review can be finalized. The review is produced primarily to provide the public and health care related professionals with a resource document of provincial statistical data. Once the review is tabled today, Service Alberta will make copies available to medical examiners, hospitals, research clinics, medical associations, universities, colleges, funeral homes, and libraries.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm pleased to rise this afternoon on behalf of the Minister of Energy to table five copies of the draft discussion document Enhancing Assurance: Developing an Integrated Energy Resource Regulator. The document has been created to provide insight and greater detail regarding the operation, key regulatory functions, and processes of the proposed single regulator. The document is designed to elicit feedback on the design structure of the empowering legislation.

Thank you, Mr. Speaker.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. A number of individuals continue their concerns with regard to clear-cutting in

the Castle wilderness. Among those individuals who have raised their concerns are Richard MacInnis, Charmaine Hollings, Wayne Seibel, Christopher Thomas, Rick Oliver, Skylar Kozak, Mackenzie Devereaux, Laurie Cartman, Susan VanMeter, Michael Pound, Georgia Braithwaite, Bruce Cohen, Hal Trufan, Dale Must, Viviane Tits, Nicola Gunter, David Mondoux, and Wendy Ponomar.

Mr. Speaker, it becomes counterproductive to table pounds of tablings, when you're opposing clear-cutting, that would provide the pulp for the tablings, so I am tabling over 500 names of individuals opposed to Bill 29 that were not previously tabled due to the short fall session. And I'm tabling a letter with over 60 signatures from M'n'M Calgary Senior Outdoor Club who are opposed to Bill 29.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Yes. Mr. Speaker, I need to retable some documents. It was brought to my attention, rightly so, that I had included a letter, but it was unsigned. It was actually an attachment to an e-mail. I'm resubmitting this tabling of the five copies of both the e-mail and its attachment together. I've received hundreds of e-mails and letters, et cetera, from people against Bill 50 and who will be voting against this government based on that, but this one I'm tabling in particular because I was asked specifically by the individual to table it, who was not a constituent of mine.

Thank you.

**The Speaker:** Hon. Member for Edmonton-Gold Bar, we had a purported point of order.

**Point of Order  
Factual Accuracy**

**Mr. MacDonald:** Yes. Thank you very much. I rise on my point of order, please, under Standing Order 23(h), "makes allegations against another Member," and (i), "imputes false or unavowed motives to another Member." In question period today the hon. Minister of Employment and Immigration indicated in an exchange with myself regarding the matter of Mr. Bregg and the WCB – you have to understand, Mr. Speaker, that there's a lot of noise in this Assembly, but I do believe I heard the hon. minister indicate that the Workers' Compensation Board, or the WCB, did not discuss this case publicly, and that is simply not true.

There are various media reports, not only from this week but last week, where this is discussed. I would quote – and I'll table this at the appropriate time if necessary. I'll start with today, Monday, May 9, from the *Edmonton Sun*. A WCB spokeswoman has told the *Sun* that Bregg's case is under review. So it has been discussed publicly. Also, last week in the same newspaper, I believe on the 4th of May: "WCB spokeswoman Jennifer Dagsvik said the case is under review, and believes Bregg is being compensated while his file is looked over." The Workers' Compensation Board, it also indicates here, "has declared Bregg fit for work and will likely suspend his benefits after he failed to start a new job Tuesday." This is according to the city of Edmonton.

It's clear that this gentleman, who was working hard, was innocent of any wrongdoing. He was the victim of a violent, vicious attack. The man was doing his job. Now that he's injured, now that he can't earn a living at the moment for himself and he needs further rehabilitation and care – I would certainly urge the hon. minister to withdraw that statement that the Workers' Compensation Board had not discussed this issue publicly.

In conclusion, I would urge the hon. minister to please use his authority, that he certainly has, to get to the bottom of this and ensure that this man is looked after. Thank you.

**The Speaker:** The hon. Minister of Employment and Immigration on this point of order.

**Mr. Lukaszuk:** Well, Mr. Speaker, let me start by saying that there is no point of order. One, the citation to which the member refers would allege that I have somehow put words into his mouth or have ascribed some actions or beliefs to him, which obviously is not what he argues, then, in the body of his argument. I have said clearly in question period that the Workers' Compensation Board does not comment on files that they manage, and that is for a very good reason. While the member in question period rose and has expressed a degree of dismay with the fact that, in his opinion, the Workers' Compensation Board discusses the details of this particular file, what he actually has done through his line of questioning in question period and now through his commentary in this particular point of order is discuss the details of that very case, which the Workers' Compensation Board refuses to do and will continue to refuse to do, as will I.

Mr. Speaker, the quotations that the member has just elaborated from the newspaper are clearly cited to the city of Edmonton. The only comments made by the WCB, which are routine comments, are that this file is under review. By no means would the WCB in any respect discuss any particulars relevant to a claimant or an employer in any case that it manages. If that was to be the case, this member knows very well – he's a well-seasoned member of this Chamber – that he should and could and probably would go to the Privacy Commissioner and address that issue through the Privacy Commissioner.

Mr. Speaker, let me say this. What has happened to this particular individual, without knowing the details of the file – all I know is what I read in the media, and what appears does seem despicable, and I hope that the perpetrators are being dealt with properly. Relevant to the WCB file, any worker who is injured in any way on the job is compensated by the WCB. Decisions are made on medical evidence, and in the event that a decision is made that is perceived to be wrong by either party, there is a process of appeal. In some cases, yes, the minister may review a file and ask for additional reconsideration, but at the end of the day those decisions are made based on factual medical information.

If this member is indeed concerned, as he purports to be, I would suggest to him that the proper course would be to pick up a phone and call my office. Perhaps he wants to advise me of details that I may not be aware of. But there is no point of order, Mr. Speaker. All he is doing is soliciting a debate and creating himself another forum for further disclosing private details of a file that should not be discussed in a public forum.

3:30

**The Speaker:** Well, I've listened very carefully to both members, and I let it go on much farther than I should have. In addition to the point being made by the hon. Member for Edmonton-Gold Bar, there was a petition to the minister to do some additional intervention with respect to this. Then I allowed the hon. minister to go on forward basically clarifying what this is all about and providing some guidance or opinion on this. I think it served the purpose of everybody being listened to and everybody paying attention to it and everybody understanding what this is. It strikes me that this is what the minister said. "Workers' Compensation has not been discussing this [matter] in public either," and "I will not discuss this case in public." From the position of the hon.

Member for Edmonton-Gold Bar the mere fact that the minister said that means that the case is under review. Okay. That clarifies a lot.

## Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Special-needs Student Assessments and Supports

Q14. Mr. Hehr:

How many appeals were filed in Alberta concerning the assessments and supports provided to special-needs students in each of the years 2005-2010, and how many of these appeals were successful?

#### Alberta Creative Hub

Q19. Ms Blakeman:

As of March 11, 2011, what is the current status of the Alberta Creative Hub that the Minister of Culture and Community Spirit announced in June 2010 and which had received \$1.4 million from his ministry's budget?

#### Postsecondary Education Spaces

Q20. Dr. Taft:

How many postsecondary spaces in government of Alberta priority areas were created by funding from the enrolment planning envelope before the funding became a part of the Campus Alberta fresh start grant in budget 2010-11?

[Mr. Mitzel in the chair]

#### PDD Support Qualification Rate

Q15. Ms Pastoor asked that the following question be accepted.

As of March 11, 2011, how many people qualify for supports under the persons with developmental disabilities program but are unable to access these supports?

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

**Mr. Renner:** Thank you, Mr. Speaker. On behalf of the minister for seniors I would like to propose an amendment to this question. I understand that copies of the amendment have been circulated to all members. For the record the amendment reads that Written Question 15 be amended by striking out "March 11, 2011" and substituting "February 28, 2011." The amended written question will read as follows: "As of February 28, 2011, how many people qualify for supports under the persons with developmental disabilities program but are unable to access these supports?"

Mr. Speaker, the PDD program gathers wait-list information from community boards at month end, not mid-month. For this reason we are unable to respond to the question as originally written because that information is not collected and not reportable in the manner requested. I would ask that all members accept the amendment to this question.

**The Acting Speaker:** Any other members wish to speak to the amendment? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. With that amendment coming forward, I am pleased to accept that amendment, and I'm

hoping that the information will be coming to me very readily as the date is the end of February.

[Motion on amendment carried]

[Written Question 15 as amended carried]

#### **Edmonton Hospital Occupancy Rates**

Q16. Mr. Chase asked on behalf of Dr. Swann that the following question be accepted.

In 2010 how many days were the University of Alberta hospital, the Royal Alexandra hospital, the Misericordia community hospital, the Grey Nuns community hospital, and the Stollery children's hospital operating at over 100 per cent occupancy, broken down by hospital?

**The Acting Speaker:** The hon. minister of health.

**Mr. Zwoddesky:** Thank you very much, Mr. Speaker, and thank you to the hon. member for the question. I'm pleased to inform this member and all members in the House that we will be accepting this question.

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

**Mr. Chase:** Thank you. I look forward to your response.

[Written Question 16 carried]

#### **Comparative Hip or Knee Procedure Costs**

Q17. Mr. Chase asked on behalf of Dr. Swann that the following question be accepted.

What is the average cost per procedure of privately delivered hip or knee procedures and the average cost per procedure of a publicly delivered hip or knee procedure?

**The Acting Speaker:** The hon. minister of health.

**Mr. Zwoddesky:** Thank you very much. Thank you again for the question. I'm pleased to inform this member and all members that we will be accepting that written question as well.

[Written Question 17 carried]

#### **Continuing Care Wait-lists**

Q18. Mr. Chase asked on behalf of Dr. Swann that the following question be accepted.

What is the number of people on wait-lists for continuing care in Alberta, broken down by zone, with individual lists of how many are waiting in acute-care beds and how many are waiting in the community?

**The Acting Speaker:** The hon. minister of health.

**Mr. Zwoddesky:** Thank you very much, Mr. Speaker. In accordance with what I've said on 16 and 17, I'm pleased to inform this member and all members that we'll be accepting Written Question 18 as well.

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

**Mr. Chase:** Thank you. Mr. Speaker, while I very much appreciate the acceptance, I'm not sure why that information wasn't provided earlier so that we could dispense with this to and fro, so to speak.

[Written Question 18 carried]

#### **Motions for Returns**

[The Acting Clerk Assistant read the following motions for returns, which had been accepted]

#### **Proposed Alberta Pension Plan**

M13. Mr. MacDonald:

A return showing a copy of all reports, studies, financial forecasts, or materials prepared for Finance and Enterprise regarding the creation of an Alberta pension plan.

#### **Northland School Division Board of Trustees**

M14. Mr. Hehr:

A return showing copies of all documents that illustrate the Ministry of Education's attempt to work with the board of trustees of the Northland school division prior to the termination of the board in January 2010.

#### **Child and Family Services Authorities**

M16. Mr. Chase:

A return showing copies of any evidence that was used in the decision to transition child and family services authorities to an outcome-based service delivery model.

#### **Infrastructure Hosting Expenses**

M12. Mr. Kang moved that an order of the Assembly do issue for a return showing a list of all hosting expenses under \$600 for the Ministry of Infrastructure, itemized by event and amount, for each of the fiscal years 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, and 2009-10.

**The Acting Speaker:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. This motion for a return asks for an itemized list of Infrastructure's hosting expenses under \$600 for the last six fiscal years. It is simply not feasible or reasonable to provide this information through a motion for a return process. First of all, Infrastructure did not exist as a stand-alone ministry between 2004-05 and 2006-07, and for those years that we did exist as a stand-alone ministry, providing that level of detail would take an inordinate amount of staff time, time to retrieve and restore archived information, time to analyze and review that information, time to itemize the detailed records, time far better spent serving Albertans.

3:40

Mr. Speaker, this is a time- and labour-intensive request, which will take time away from the services Albertans expect from their government. If this information is so important to this member, I would suggest that he make a FOIP request and pay the considerable cost required to gather that information.

Mr. Speaker, I recommend that members reject this motion for a return. Thank you very much.

**The Acting Speaker:** Any other members wish to speak?

**Mr. Kang:** Mr. Speaker, this is all about accountability to the citizens of Alberta, the people who pay our salaries. That's why we ask for this type of information. Light is the best disinfectant, and knowing how much the ministry has spent on hosting – and that is food and drinks – helps to keep politics out of the backroom and works to assure the people that their money isn't being mispent.

You know, that shouldn't be an excuse not to provide this. Other governments across Canada are more proactive about releasing this information, something we hope to see from this government in the future, not only now releasing a summary of the expenses but actual cost breakdowns, including receipts and how many individuals were present, to help better determine whether expenses were reasonable.

That we need to use a motion for a return to bring this information to the daylight is something we want to see fixed, Mr. Speaker. I urge all the members to accept my motion for a return and have the information released. This information should be readily available. You know, with one touch of the button we should be able to get it, Mr. Minister, an efficient minister like you.

**The Acting Speaker:** The hon. Member for Calgary-McCall has closed debate.

[Motion for a Return 12 lost]

#### **Proposed Calgary Maternal/Newborn Centre**

M15. Mr. Chase moved on behalf of Dr. Swann that an order of the Assembly do issue for a return showing copies of all documents containing planning information regarding the Calgary maternal/newborn centre, which was part of Health and Wellness's three-year capital plan in Budget 2009.

**The Acting Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. With respect to Motion for a Return 15 we will have to reject this particular motion. It's not a rejection of information. It's simply a rejection because we're already doing this project, and I'd just like your permission to proceed to briefly explain why.

The Calgary maternal/newborn centre project did not go forward, actually, because Alberta Health Services in their 2011 to 2014 facility infrastructure capital submission did not identify the need for this project, particularly because Alberta Health Services had already included a high-priority request for the women's health program redevelopment project at the Peter Lougheed Centre, the hospital in east Calgary.

In fact, Mr. Speaker, in December 2010 as part of the 2010 to 2013 health capital plan the Alberta government approved capital funding in the amount of \$11.6 million from the capital transition initiative for the women's health program redevelopment project at that particular Peter Lougheed Centre. Therefore, the dollars allocated for the design phase of the Calgary maternal/newborn centre, roughly \$196,000 as part of Budget 2009, were never spent by AHS because they did not require those dollars. Why not? Well, the planning phase for that project as worded in the motion did not have to occur; therefore, there is no planning documentation the way that the motion requests.

As a result, I should say that the next opportunity for Alberta Health Services to identify the need for any additional maternal/newborn related capital projects in Calgary will actually come forward as part of their Alberta Health Services 2012 to 2017 facility infrastructure capital submission. I can tell you, Mr. Speaker, that we expect to receive that particular documentation in June or July of this year.

It's important to note that there are projects under way that have already added or will be adding maternal services and capacities in that regard in Calgary. I've already explained the women's health program, a redevelopment project at the Peter Lougheed Centre. I think it's important to note that this redevelopment project is actually proceeding right now, and it's expected to be

completed by 2013. It will provide a much-needed increase in clinical capacity. It's also important to note that Alberta Health Services has not yet finitely determined the exact number of new beds for maternal services, but they have confirmed that they are adding five more delivery rooms and one operating room.

Secondly, Mr. Speaker, the east Calgary health centre and the Cochrane health centre are now open, and both of them have some basic ambulatory, maternal/newborn services available.

Finally, Mr. Speaker, the Calgary south health campus. This is an extremely important project in southeast Calgary, as we all know. At that location clinical programming has been revised for the south health campus to accommodate maternal/newborn services. In 2008 a service utilization review was completed and recommended the inclusion of maternal health in phase 1 of the south health campus. In fact, the Calgary south health campus will now include 28-bed in-patient units for maternal/newborn services and 16 special-care nursery beds and two labour and delivery operating rooms and one outpatient module specifically for women's health.

Mr. Speaker, in conclusion, when these services and programs actually come on stream is still a little bit in flux, but we're well along the way with the planning and the design and the construction, all of which is nearing completion over there for an opening sometime next year. It is all net new capacity.

It's for those reasons, hon. member, that we do not need this particular motion accepted. It's important to note that it's already being done elsewhere, elsewhere.

**The Acting Speaker:** The hon. Member for Calgary-Varsity on behalf of the hon. Leader of the Official Opposition to conclude debate.

**Mr. Chase:** Thank you very much. The reason for this question is that the idea of a maternal/newborn centre was a controversial discussion in the city of Calgary. There were two schools of thought. Possibly having the newborn centre centred at the Children's hospital was one of the considerations, and then the alternate consideration was that this service, as the minister explained, be provided at a variety of centres.

One of the concerns that led to this question was the fact that with the closure of the General hospital and the closure of the Holy Cross, access to these formerly provided services was no longer provided. Likewise, although the Grace hospital didn't provide birthing opportunities, it did provide excellent care for mothers leading up to delivery and care of mothers following the delivery. The concern was: what had the Alberta Health Services finally determined with regard to centralizing the services? From the minister's answer it sounds like the Peter Lougheed will be the primary location for the newborn services but that there will be backups at the south hospital and also potential supports in Cochrane.

I appreciate the minister's clarification. I wanted to provide the background for the question.

Thank you, Mr. Speaker.

[Motion for a Return 15 lost]

### **3:50                      Public Bills and Orders Other than Government Bills and Orders Second Reading**

#### **Bill 204 Justice System Monitoring Act**

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to rise and speak to my private member's Bill 204, the Justice System Monitoring Act. The goal of this bill is simple: track the criminal justice process so we can identify bottlenecks and delays in the justice system. This act was borne from the safe communities task force, that I was honoured to chair. The committee included a judge, a police chief, and those in the rehabilitative field. I travelled the province listening to experts and Albertans so I could give voice to their concerns. They wanted to know why it could take years for a court case to reach a verdict, why accused persons are not showing up for their court dates, and why lawyers are consistently asking for more time. All of these issues lead to one thing: delayed justice.

The Premier accepted our recommendations. I sat in on a press conference as he said that implementing the recommendations was a top priority for his government. It was a priority of this government to streamline the criminal justice process and to track indicators and results of the system. Neither one has been accomplished.

Much like our health care system makes patients wait, our justice system makes victims wait. I believe that justice delayed is justice denied. Victims cannot move on without closure. An emotional toll is taken from victims. The dream of justice often turns into a nightmare as the case slowly works its way through the system. While it is true that criminal laws are made by the government of Canada, it is the provincial government that administers justice. Albertans are concerned that this government is ignoring its duty to administer justice in a timely manner. The Ministry of Justice must do a better job of handling court cases in a reasonable amount of time.

Victims of crime are not the only ones to suffer from chronic delays in our justice system. Our remand centres and courthouses are overflowing. Crown prosecutors and judges are overworked. Quite frankly, we need to take practical and tangible action now.

The first step towards a better system is understanding the challenges we face. We need to measure progress so we know when we started and how far we've come. Bill 204 will mandate that the Ministry of Justice track and present different measures of efficiency for the people of Alberta. The suggested measures are a great start to cover the major aspects of the justice system. Too often performance measures are created by a ministry that sets the bar too low, with standards that are not even relevant. The Justice System Monitoring Act will track the length of time from laying a charge until a concluding verdict, the total time of court hearings in a case, the length of time between reporting an offence and laying a charge, number of delays exceeding three months, number of prosecutors involved on each file, number of adjournments granted, number of trials that begin on their designated date, approximate cost of delays in terms of peace officers and prosecutors as well as witnesses, victims, and jurors.

A problem cannot be understood without the proper information. It is easy to speculate about a solution when the necessary information is unavailable. With the passing of this bill we will have a starting place so that we will know how far we've come or, for that matter, how far we've fallen. The data will fuel a debate in and out of government on how well justice is being respected and delivered in this province.

The workings are simple. The ministry will have six months after the calendar year-end to present a report online providing the statistics outlined in the act. If the House is not sitting, the report must be tabled within 15 days of the next sitting. The tabled report will be referred to the relevant committee. Six months after the committee receives the data, they will report to the House. The minister will have three months after the committee's report to respond. The process is quite simple and quite straightforward.

Much the way Albertans anticipate a report from the Auditor General, they will look forward to the latest data on the justice system. They will finally have a way of gauging how well the courts are operating.

Frankly, the importance of justice has been forgotten. For some, reminding the government of its duty and its obligation implies revenge. Why someone would think this is beyond me. Nothing could be further from the truth. Justice is about fairness, and it's about balance. When your home is broken into or you are threatened at knifepoint, something greater than money or property is at stake. Your sense of safety is shattered.

When someone is victimized, they need to heal. Having their pain dragged through the courts, bogged down with adjournments and delays leaves a victim helpless. Delays break the faith that people have in their government. Not only do we have delays in our justice system; we have delays in the victims of crime fund. Funds are set aside for these victims, who have trouble financially and emotionally recovering from a traumatic experience. Recovery can be a financial hardship. Applicants to the fund are waiting 11 to 12 months for any kind of compensation. Victims of violent crime need the justice system, and it just doesn't seem to be there.

Having been the Solicitor General, I greatly admire the staff that work in our justice system. Crown prosecutors, judges, and other court staff sometimes feel overwhelmed. The government has not made the justice system a priority. New laws have been passed session after session, but the tools and the resources to follow through are not there. No one in the legal system has time to waste. Verdicts should be delivered so that everyone, especially victims, can move on with their lives.

Delayed justice doesn't just hurt victims. Witnesses often take risks by stepping forward to see that criminals are put behind bars. I know many of my constituents who want to do the right thing, and they want to testify. They take time off work at their own expense and go to court, and a lawyer will ask for an adjournment or a delay of some sort, often on a small procedural ground, and it is granted. Now a well-intended citizen has been financially penalized for doing the right thing, ensuring that the justice system can do its job.

Albertans are asking: "Where is the accountability? Where does the buck stop?" Frustrated victims, witnesses, and others see everyone point fingers at someone else. The buck stops with the government. The provincial government's responsibility is the administration of the justice system. They must answer for delays. They must deliver justice. Bill 204 is a necessary first step to making that happen.

**The Acting Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. I'm pleased to have the opportunity to rise today and join the debate on Bill 204, the Justice System Monitoring Act, which is being brought forward by the hon. Member for Calgary-Fish Creek. This bill proposes to implement a tracking system for the Justice department that would monitor various measures of efficiency within the criminal justice system.

Some of the proposed data to be measured would include the number of cases where there is a delay of more than three months, the number of prosecutors involved on a file, and the approximate cost of trial delays. An efficient justice system is important to all Albertans and should be a top priority. However, Mr. Speaker, I don't think Bill 204 would provide us with the necessary means to create a more efficient system. This is because it does not provide any relevant information on how excessively monitoring these measures will help meet efficiency goals.

Bill 204 has too many variables that would need to be considered in each of the areas that it proposes to measure for it to be an effective tool for the justice system. The processes that are being proposed in this legislation are also time consuming, and there are already resources in place that are being developed to make the justice system more efficient.

For example, Mr. Speaker, the justice system already has a program in place called the court case management program. The objective of this program is to more effectively manage criminal cases in provincial courts. This program makes it possible for Provincial Court judges and Crown prosecutors to only appear in court for significant or more serious cases while more minor ones can be delegated to paralegals and justices of the peace. As a result, cases are dealt with in a hierarchy that ensures only the means necessary are used when processing them. This secures more resources for the other cases.

As well, the court case management program enacts a process of Crown file ownership. This means that the responsibility for a file is vested in one prosecutor, who is then accountable for its progress from the beginning to the end of the court process. Mr. Speaker, this ensures that time is not being wasted as several people do not have to review and become familiar with the file as it is passed through the criminal justice system.

This program also makes use of specialized courts, which, in turn, allows more time to be allotted to cases that do not fall into these specialized categories. This, in turn, ensures that the judges and prosecutors in these areas are able to gain experience and expertise on the issues, which ensures more consistency in the treatment of cases. Initiatives such as these make our court system more efficient and more fair for all Albertans.

4:00

Similarly, another program that is employed by the justice system is the justice innovation and modernization of services initiative. The goal of this initiative is to streamline the system through the use of modern technology. The implementation of a new, modern system will likely improve the effectiveness of the system. Through the use of this program the public has greater access to information. Similarly, this program works with other divisions to develop baseline measures and to identify bottlenecks within the system. Ultimately, Mr. Speaker, the justice innovation and modernization of services initiative already provides solutions to issues that Bill 204 raises.

Bill 204 could also be considered time consuming and extraneous because the Alberta justice system already has a business plan in place that has very similar objectives to this piece of legislation. The business plan makes use of the Ministry of Justice annual report, which tracks several different performance procedures in order to measure the proficiency and efficiency of the justice system. Some of the measures included are the median lapse time from the first to last appearance and the number of days from when a charge is laid to disposition. Also, the department tracks the length of time from the laying of a charge until a final judicial determination is made on the matter. This report is available to the public and provides statistical data which analyzes performance measures of the criminal justice system.

Mr. Speaker, I think that it is important to note that Alberta is doing well compared with other jurisdictions that are measuring similar provisions. This shows that Alberta has a commendable and efficient justice system. It also shows that the provisions that are already in place are working.

Finally, Bill 204 does not take into account the many factors that influence time to trial. Some of these important performance indicators include whether a bail hearing is necessary, if the ac-

cused is retaining counsel, Legal Aid Alberta's processing times, and the time that it takes for the defence to review the case. Without looking at these multiple variables, it would be difficult and time consuming to create a tracking system that is both effective and accurate. Ultimately this legislation would require extensive data retrieval, which could be a very costly procedure. There are only so many resources available to collect and track this data, resources that could be more useful if employed elsewhere. Also, Mr. Speaker, as I stated before, this bill does not give a clear understanding of how these specific pieces of data will create a more efficient criminal justice system.

Bill 204 is also redundant because we already have an extensive collection of data at our disposal. We need to work with the mechanisms that are already in place and give them an opportunity to work. We must make sure that we are efficiently using the resources within the department rather than forcing the department to gather statistics.

Mr. Speaker, I'd like to thank the Member for Calgary-Fish Creek for introducing this proposed legislation for debate. Although Bill 204 aims to address relevant issues, I think that it has drawbacks, and I don't think it is an efficient use of our resources. I'm in full support of efficiency in our justice system, and that is why we should focus on improving our current system and support the procedures that are already in place.

For these reasons I will not be supporting Bill 204, and I urge all my colleagues to do the same. Thank you, Mr. Speaker.

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

**Mr. Chase:** Thank you very much. I want to clarify that I am supportive of the hon. Member for Calgary-Fish Creek's Bill 204, Justice System Monitoring Act. That does not mean that all members of my caucus are necessarily supportive. We as Liberals take pride in the fact that we're individuals and that we make up our minds individually as opposed to being whipped collectively into a decision.

I support this bill on a number of counts. One, Mr. Speaker, is the fact that I tried to create a degree of efficiency within the children and youth court system when I brought forward Motion 511 calling for a unified family court. That was the common practice in the majority of other Canadian provinces. Now, the Children and Youth Services minister of the time suggested that I needn't worry, that the efficiencies existed, and that the family enhancement act would cover all these circumstances. Despite that and with the support of the hon. Member for Calgary-Hays, who amended my motion to say "unified family court process," the concept was unanimously accepted by this House. Unfortunately, here we are in 2011, and the complications within Children and Youth Services and court processes continue.

One of the concerns with regard to justice delayed, justice denied is the number in my particular portfolio of children involved in the court system for a variety of reasons – whether it has to do with delinquency, whether it has to deal with guardianship, custody, the result of divorce, et cetera – who are forced to seek Legal Aid lawyers, who are not specialized in children and youth services. As a result, when the preparation is done and the information is presented, because of the lack of experience that these individuals have, the whole court process is delayed.

Mr. Speaker, I have gone to court a number of times as an observer with regard to cases involving Children and Youth Services where the case could not continue because important documentation evidence was not available, and therefore dates had to be reset. So the time of all the individuals involved – the prosecutor, the judge, the representative of Children and Youth Services, the



representative of the various individuals seeking custody, the legal representative appointed for the child – was all wasted because the information hadn't been provided.

A number of times individuals have sought the professionalism required to argue their case, and that individual because of their authority and reputation has so many cases that when they go to try and argue their particular case on a particular day, if they can't present that information before the judge on behalf of their client, then more bookings go. So the lawyers basically scrum and compare notes with the judge and find out what the next available date will be. It could be months down the road. The child could be removed from their family for no reason other than the court having trouble getting various bits and pieces of its act together.

The first step in solving a problem is to define what the problem is, and this is what Bill 204 is indicating, a statistical analysis of the problem. You have to know what your problem is if you're going to attempt to resolve it. The first step in healing, or in this case correcting or beginning to address the problem, is admitting that you have a problem.

Now, the hon. Member for St. Albert, in his opinion, didn't believe there was a problem, and therefore he felt that Bill 204 was the remedy for a nonexistent problem. Well, I would suggest to all members, when they have an opportunity to support a constituent, to go in and witness some of the obstacles to justice that people experience, whether it's witnesses failing to show up, whether it's the accused not being able to get the legal representation needed or trying to represent themselves when they don't have the capability of doing so, not having sufficient legal aid lawyers because the government has cut back on the funding, the ability of the legal aid lawyers to specialize as opposed to having the best of intentions in terms of working for a pittance of what a regular trial lawyer would receive. They have the best of intentions and large hearts, but being unable to provide the specific information delays the process.

4:10

Mr. Speaker, I don't want to delay the process, but I want to highlight some of the concerns in Bill 204, the Justice System Monitoring Act, introduced by the hon. Member for Calgary-Fish Creek, who has had years of experience in the ministry and various ministries related to justice. The act would require detailed statistical reporting on a range of matters that affect the time it takes for a criminal matter to proceed through the court system. The minister would be required to table a report for review by a legislative committee. This is all about transparency and accountability. It's about timelines. It's about shining a spotlight on a problem that I and, obviously, the hon. Member for Calgary-Fish Creek believe exists in this province.

It's generally agreed that court delays are an important issue. According to the most recent Statistics Canada data, 2006-07, Alberta had the second highest mean elapsed time to complete a case in adult criminal court: 270 days. Quebec was even worse at 294 days. The model for a program to address court delays in Ontario, justice on target, JOT, requires the dedication of resources, but it does not require reporting at the level of detail proposed here. It addressed the problem but doesn't require the reporting of it. Here we're looking for reporting as well as addressing. Alberta Justice has a performance measure on this matter, a measure reported by Statistics Canada. It is the median elapsed time from first to last appearance, that is currently reported.

The importance of timely administration of justice. Delays pose risk for the administration of justice. Delays may result in the loss of evidence or issues about the chain of evidence, as I have previ-

ously provided an example of, the disappearance of witnesses, and the unreliability of testimony, especially eyewitness testimony, after long periods. Since the Supreme Court of Canada decision in *R. versus Askov* unreasonable delay has serious consequences: charges can be stayed, i.e. suspended.

We've also seen the lack of justice being provided for both the person accused and the victim. In the case of the person accused we've seen cases of double and triple bunking in remand centres where the person has been accused but not found guilty and receives no educational counselling and very little psychological support or counselling while they're facing a highly crowded condition regardless of whether they have actually committed the crime. In the case of the victim of the crime, if the person in remand is later found guilty, then it's an additional delay, so justice isn't carried out.

Public safety. Accused persons released on bail may reoffend, an issue in a recent Alberta case of impaired driving, or flee.

The rights of the accused. Accused persons may be held in custody in remand without having been convicted for possibly even longer than the sentence for the offence. Accused persons released on bail may be subject to conditions, limited freedom of movement, be unable to obtain employment, and may have difficulty renting a home while charged with an offence. Persons held in remand are subject to harsher conditions than in correctional institutions: crowding, no access to rehabilitation programs, as I mentioned.

Then, of course, the rights of the victims. Victims can be distressed or intimidated as a result of coming into contact with an accused released on bail. Victims may not be able to get effective access to victim services until there is a conviction, have no possibility of restitution until sentencing, and often cannot move on with their lives until the matter is settled.

Efficiency. Delays can be costly for all participants. [Mr. Chase's speaking time expired]

**The Acting Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you, Mr. Speaker. I am pleased to have an opportunity to participate in the second reading debate on Bill 204, the Justice System Monitoring Act, proposed by the hon. Member for Calgary-Fish Creek. The purpose of Bill 204 is to implement the tracking and presentation of various statistics in relation to the criminal justice system at the end of its calendar year. Specifically, these statistics would be accessible to the public and would include but not be limited to the approximate cost of trial delays, the number of prosecutors involved in a file, and the length of time from the laying of a charge until the final judicial determination of the matter.

Although the intentions of this bill are commendable, I do not support this bill because it is an addition to modernizations that have already been implemented in the criminal justice system. Mr. Speaker, as we know, the provincial government is accountable for the management and administration of Alberta's criminal justice. Therefore, it is in the best interests of the Justice department to streamline its processes in order to efficiently use resources and time. This is what Alberta Justice is already working towards through the justice innovation and modernization of services initiative, or JIMS for short.

I would like to take this opportunity to discuss one of the JIMS initiatives, the court case management program. The aim of the court case management program is to increase public trust in our criminal justice system by more effectively handling criminal cases in Edmonton and Calgary provincial adult courts. The goals of the program and the goals of Bill 204, proposed by the hon.

member, are very much on the same track. Given the similarity between the programs under way and the Justice System Monitoring Act it may not be a responsible decision to implement Bill 204 as it would take time, money, and other valuable resources that could be better allocated.

Mr. Speaker, the court case management system is an effective program already in place in our justice system, which even further diminishes the need for additional spending on publicly available data compilation. The program was brought into place to increase confidence in our justice system as well as to respond to increased pressures and demands on judicial clerks and Provincial Court judges. These are matters that the government is taking very seriously, as evident through the implementation of this program.

In response to these concerns the court case management program encompasses many features to improve our justice system. With regard to the increased demand on judicial members the case management office counter has been put into service. This program appoints administrative court matters to appropriate and qualified professionals, which in turn frees up the Provincial Court judges and Crown prosecutors so they can concentrate on more significant matters. This improved allocation of valuable resources is just one method the court case management system employs to streamline the system.

In addition, the case management office counter deals with adjournments. With many adjournments not occurring in court, tracking the number of adjournments granted to Crowns and defence, like Bill 204 would do, may not be a practical or useful measure of court efficiency. Mr. Speaker, that is why initiatives such as the case management office counter are what the Provincial Court of Alberta in Edmonton and Calgary require to evolve.

I would also like to comment on the advanced system introduced in response to file ownership in the courts. One of the statistics Bill 204 aims to track and publicize is the number of prosecutors involved in a file. The court case management program already addresses this topic with the Crown file ownership system. This system assigns management of a court file from commencement to termination to one Crown prosecutor. This ensures accountability for one prosecutor and decreases the amount of time and energy required to review files that may otherwise be passed through several individuals. However, it is often necessary for more than one prosecutor to be involved in a file due to various factors. That is why tracking the number of prosecutors, which Bill 204 aims to do, is probably not the best measure of efficiency in the courts. Appropriate and well-executed changes to the criminal judicial system such as the Crown file ownership system are what boost confidence in our courts, Mr. Speaker.

I would also like to address some of the technological modernizations brought into play with the court case management program. In accordance with the Crown file ownership system the prosecutor information system manager, or PRISM system, has been introduced to allow access to trial dates, criminal records, and client information. Also, a remote, web-based scheduling system allows for more convenient and efficient court bookings.

4:20

Mr. Speaker, in addition to the successful advances to the Provincial Court, the court case management program has also introduced a day-of-scheduling approach. This grants a greater number of cases to be processed and a more even distribution of trial work. For example, in Edmonton and Calgary courts unless all witnesses are present and accounted for the trial will not proceed. If the trial is unable to begin due to something like an absent witness, the court case management program's day-of-scheduling

method eliminates any wasted court resources by accommodating other cases. So the Minister of Justice is already doing something to increase the number of trials that start on time.

Mr. Speaker, I am obviously in favour of improving our Provincial Court system. Increased efficiency and better use of court resources are an important initiative. This is exactly what is being done through the court case management program. The tracking and publicizing of statistics, some of which are already public through the Ministry of Justice business plan and annual report, on their own are a way to improve our courts. For this reason I will not be supporting Bill 204, and I encourage other members of this House to do the same.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. It's a pleasure to be able to rise and participate and join in on this debate on this private member's bill, the Justice System Monitoring Act. I appreciate the work and the commitment that the member has demonstrated in bringing this bill forward. It, I think, reflects a concern that many of us here in the Legislature hear from our constituents day in and day out in that Albertans want to know that their communities are safe. Albertans want to be safe, and they want to know that if something happens and that breaks down and if, heaven forbid, they or someone they know becomes a victim of crime, the system which we have in place to address that is effective and will address and stop and prevent that crime from occurring again.

We need a system that is responsive to the factors which drive the occurrence of crime in our communities. Certainly, ensuring that the justice system functions more efficiently and effectively is one part of that.

One piece in this bill that I think is helpful for me is that by having these pieces of information publicly available, it ensures a greater level of accountability on the part of the government for failures within the system that would negatively impact the statistics that this particular bill would ensure that we regularly keep and publicize. Because so many people's interactions with the justice system are often driven by much bigger issues, much bigger systemic things that we are not paying adequate attention to, I think anything that we can do to keep accountability in place and to ensure that we can itemize and touch and talk about places where the system is not working as well as it could is a good thing.

Now, if I had my way with this, in the best-case scenario I'd like to potentially see it referred to a committee so we could review the particular statistics that are being asked for in this case and perhaps do some consultation with various people within the community, not only within the current bureaucratic system of providing and managing the court system but also in terms of law enforcement personnel as well as victims' groups as well as legal groups as well as community groups and other stakeholders to ensure that we're getting at all those different measures that matter to Albertans, who are concerned about living in safe communities.

Notwithstanding that, I think the idea, again, is important for the purposes of tracking our law enforcement efforts. But I have to say that, you know, this was one of the recommendations that came out of the 2007 safe communities task force. I will say that there were a lot of things that were in that set of recommendations that, quite frankly, the government has not addressed. What I see this bill doing – it's a way to consistently keep the government accountable for failing to address those components.

So what are some of the big ones? I mean, there are many because, of course, the existence of criminal activity within our

communities is – obviously, there's no simple answer. It's a very complex issue.

But there are key things that I know we haven't been able to respond to as much as I think we should. The whole issue around the availability of mental health services in a preventative way. The availability of addictions and treatment services in a preventative and post-incident manner because you can have someone who gets into the justice system for a relatively – I don't want to say minor – less serious offence that's primarily arising as a result of an addictions issue. Then they get suckered into a system which is completely incapable of providing the kinds of addictions support that they need in order to actually rehabilitate and indeed may well enhance the addiction issues while they're in the system. Then we have somebody leaving the system even more inclined to potentially engage in even more serious levels of criminal activity. You can see that the delays in the system are only one small part of this dynamic, yet these kinds of measures would identify that kind of problem.

Another issue which is really important is the whole issue of having representation within the system both from the prosecutorial side as well as from the defence side. I'm aware that, you know, we have at times faced shortages in terms of finding and keeping consistent, experienced prosecutorial staff. We're currently in a situation where Alberta's Crown prosecutors have a differential salary system where people simply by virtue of when they were hired are paid a differential salary, notwithstanding the fact that they will have been called to the bar at the same time and have exactly the same experience, but they're paid differently. Well, these kinds of silly internal problems, of course, are going to result in our having a problem keeping adequate numbers of prosecutorial staff there to ensure that the system works effectively.

On the flip side, on the defence side, well, I've talked before at much length about how our legal aid system is a nonexistent entity at this point. I mean, it is shameful how we manage legal aid in this province. Of course, the piece of information that we all heard about on the weekend about how a pensioner, who earns less than a thousand dollars a month, who's about to have his house stolen from him by someone who was able to apparently go into court and overrule provincial legislation, couldn't get a lawyer through Legal Aid. You think: oh, wow, if you can't get it there, my goodness, when do you get legal aid? I would say that the answer is often: not ever.

Many of the delays that we see in our justice system come, clearly, from our profound inability to deal with our failure to provide access to legal assistance and legal resources. At least what this bill would do is help identify the number of times that we've seen delays occur because justices are trying to manage the unjust situation of having people come before them without proper representation. Often many justices will simply delay the trial or delay the process because they can't tolerate the idea of someone being prosecuted without some type of legal representation.

Those are some of the kinds of things that we need to deal with. The safe communities task force talked about hiring more police officers. Well, we never hired all the police officers that they said we should hire nor did we hire all the police officers that the government promised we would hire. So, again, if there are delays, it's because we don't have enough people able to be where they need to be in the system to make sure that it doesn't go off the rails.

What are some of the other ones that we've talked about? Well, those are some of them, and I don't want to get into too much detail because I want to let people speak. The only thing that I would say, though, about this court management program that I see some of the government members speaking on from their

speaking notes – what I would suggest is that if that truly is the answer or the alternative to this piece of legislation, then that thing ought to be tabled on a regular basis and maybe could even be tabled tomorrow in this House so that we could get a sense of what it is that we're looking at, and it could be regularly published. Then perhaps we can have an opportunity to look at its construction in order to determine if there's better information that we could get from that process, and we could refine that. But since it's not something that appears to come before this Legislature very regularly or certainly isn't commonly discussed with the public in terms of those measures, I don't see how it would fulfill the purpose that this particular piece of legislation would otherwise.

4:30

At the end of the day I think the issues that we need to address in terms of providing our safe and caring communities are really the bigger ticket items that were originally identified in the safe communities task force, many of which – you know, there were some announcements around them, but if you look sort of globally in terms of the on-the-ground services that we've been able to provide – are still a very small drop in the bucket. We haven't been able to move forward on the kinds of things that we should have if we were really to see measurable reductions in criminal activity in the areas that we targeted. Those are the most important things. I do see the potential for this bill to give members of the public who are concerned about these issues a tool to keep the government accountable.

It's not by any means the panacea, and as I said, I might well myself want to revise the criteria that they were measuring. It's an interesting idea because there is no question that at this point there are a lot of problems in our justice system in terms of how we're able to get cases through it and in terms of the resources that we're able to dedicate to it. We're not seeing the kinds of improvements that we need to, and we are seeing a significant deterioration in terms of the availability of certainly legal aid, that being the most direct area. So this is a good start.

Thank you.

**The Acting Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I'm pleased to rise and support Bill 204, the Justice System Monitoring Act, put forward by my esteemed caucus colleague the hon. Member for Calgary-Fish Creek. She deserves so many accolades for the work that she's done with regard to the Solicitor General's file both as Solicitor General and while in opposition and for not just the Solicitor General file but the Justice file, particularly as it relates to children, child protection, but also just on issues of criminal justice and transparency in the system and so forth. She's been a wonderful advocate for that, and she's probably done more in that regard for legislation than all the folks in here put together. So I'd like to thank her for bringing this forward.

I'd also like to say that, you know, there's been a lot of talk in the previous speeches by members of the government. They've talked about, you know, that all this reporting is going to cause all kinds of costs and diversion of resources. You know what? Transparency is a great thing. Sunlight and transparency actually is a very small amount of money to put forward. It does cost money to be transparent, but transparency leads to efficiency. When things are being done and there's not light been shone on it, that's when waste and corruption and mismanagement, et cetera, occur.

We see it rampant with this government at this time. They don't like transparency, whether it be in the health care system, whether

it be in multiple different files, and because of that, there's massive mismanagement of the system. So investing in transparency and accountability is always worth the money. If you didn't go by that, then what the government might want to do is say: let's just shut down the Auditor General. That costs money to run the Auditor General's office. Well, no. We do that because it's an investment in transparency and accountability that saves money down the road. So, too, with this bill.

The goal of this bill is simple. It's to track the criminal justice process so that we can identify bottlenecks and delays in the justice system and thereby not only make sure that our justice system is strong and beyond any kind of disrepute but that also we do save money in wasted resources by that transparency.

My support for this bill is simple. The justice system must do better for the people of Alberta than it currently does. Justice is an issue close to my heart as I previously served as parliamentary assistant to the Solicitor General, and I know that the police officers and peace officers as well as the Alberta sheriffs do an amazing job serving and protecting the people of Alberta. Sadly, though, the follow-through is absolutely abysmal. It seems like the hard work of our officers goes to waste as justice is off in the distant horizon. Bill 204 will help us pinpoint exactly where this government and where the system is failing Albertans so that we can remedy it.

We do know this much is fact. Alberta has the second-longest court case line in the country at 270 days. Alberta is also first in defendants not showing up for their court date. A third fact is the most damning. Fifty-six per cent of people in custody have not been convicted of a crime. It is astounding that in this day and age most people in prison haven't even faced a judge and jury yet. Obviously, some have to stay in the system while they await trial and so forth, but 56 per cent, over half? Very unreasonable, especially when compared to other jurisdictions. If they are innocent, they need to be released. If they're guilty, get them tried, convicted, and going to prison. Any time in remand is a credit to convicted criminals. This cannot continue going forward.

A quicker justice system is a better justice system. It's a more trustworthy justice system. The memories of all parties involved are still fresh. Evidence is at hand and ready for investigation. Whether you're a victim or a witness, we are all better served by an efficient and time-efficient justice system.

There are many reasons why our system is clogged, but the number one reason is gross mismanagement by this government. Simply put, the government did not keep pace with the growth in this province. Our population and economy has been booming. A growing economy doesn't just attract the best and brightest. It does do that, but it also attracts low-lives that want to make a quick buck and prey on the weak.

A growing criminal population demands more courts, prisons, judges, and Crown prosecutors. The government has fallen behind. It's been years since new judges and prosecutors, promised in the last election, have been hired. This is another reason we have a clogged justice system. Waiting has become the way of life in Alberta. Patients wait for the health care that they need, and victims of crime wait for their day in court. Delayed justice is justice denied. The average case, as I said, takes 270 days to complete, 270 days. If the defendant doesn't show up or the case has an initial delay, the cases take 338 days, almost a year, to complete. This is simply unacceptable.

Alberta doesn't control the Criminal Code. That's created, of course, and passed in Ottawa. Administering justice is, however, the duty of the province. Edmonton is where the buck stops, this capitol building is where the buck stops on the justice file. Albertans are tired of excuses and finger pointing just like in health, just

like in the energy sector, et cetera. They just want a competent government to administer a system that works.

Step 1 is more information. You cannot find the cure for something if you don't know what's ailing the system specifically. Otherwise, you're flying blind. Only by consistent measuring of the justice system will we know where we've come from and where we are going. Bill 204 mandates that the Ministry of Justice track and publish measures of efficiency for the people of Alberta. The first measures are a fantastic step to cover the major aspects of the justice system. They won't be cherry-picked so that the bureaucrats can look like they're doing a great job as we've seen over and over in our health care system.

The Justice System Monitoring Act will track the following deliverables: first, the length of time from laying a charge until a concluding verdict – obviously, we want that to be as small as possible – the total time of the court hearing in a case; the length of time between reporting an offence and the laying of a charge; the number of delays exceeding three months; the number of prosecutors involved in each file; the number of adjournments granted; the number of trials that begin on their designated day; and the approximation of costs of delays in terms of peace officers and prosecutors as well as witnesses, victims, and jurors.

The way this bill works is simple. Alberta Justice will have six months after the calendar year-end to present a report online providing the statistics outlined in this act. When the House is not sitting, the report must be tabled within 15 days of the next sitting. The tabled report will be referred to the relevant standing policy committee. Six months after the committee receives the data, they will report to the House. The minister will have three months after the committee's report to respond. Imagine that: actually doing work in our standing policy committee.

4:40

Albertans anticipate the biannual reports from the Auditor General, and they will look eagerly to read the latest data on our justice system and discuss ways that we can build a stronger justice system for all Albertans. At last Albertans will have a way of gauging how well their courts are operating.

Tragically the importance of justice has been forgotten. Advocates for justice reform are too often smeared as vigilantes. Nothing could be further from the truth. Frustrated Albertans want their government to work for them. It's perfectly natural to be upset when you took a day off work at your own expense and the hearing or trial was adjourned. Of course you'd be upset if that happened. It happens all the time in our system. A lawyer will ask for an adjournment or a delay of some sort, often on a small procedural ground, and it is granted. Well, now a well-intended citizen has been financially penalized for doing the right thing, ensuring that the justice system can do its job.

Not only is our justice system blocked; so is the victims of crime fund. Badly needed funds are set aside when victims are having trouble recovering physically and emotionally from a brutal crime. Some victims end up permanently disabled. Recovery takes a financial toll. Victims wait 11 to 12 months for compensation. Victims of violent crime need the justice system, and it just doesn't seem to be there.

I look forward to a further discussion on Bill 15, when it is brought forward again today, I assume, by the Solicitor General, to see if some very reasonable requests made by the NDP as well as the Wildrose and Liberals were in fact followed, that victims who were molested as children will not have the 10-year mandatory cut-off that is currently being proposed by the Solicitor General.

I hope this is just the start, Mr. Speaker.

**The Acting Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I'm pleased to be able to say a few words today about Bill 204, the Justice System Monitoring Act. First of all, though, I want to acknowledge the hon. Member for Calgary-Fish Creek for the work that she did on the safe communities task force. This committee did great work for Alberta. She was the leader of that committee. Their report has really framed a lot of what this government and Alberta Justice have been doing for the last few years. I think the hon. member can be very proud of some of the accomplishments that have been achieved.

I want to say a few words about this legislation. I agree with the intent of it, but I'm going to have to respectfully disagree with the method by which the information is acquired and disseminated. The proposed bill calls for the Ministry of Justice to prepare and present an annual statistical report which would include statistics ranging from the length of time from the laying of a charge until final judicial determination all the way to approximate cost of delays in the commencement of proceedings, delays relating to cost of peace officers, prosecutorial staff, court staff, witnesses, victims, jurors, and so on.

It would be tabled in the House and then sent to a committee for review. The committee would then produce another report within six months of the tabling, and then within three months of that the Minister of Justice would have to file yet another report responding to the response to the original report. So by my account that would be three separate reports within nine months, then just another three months until the process starts again, and on and on.

Again, I appreciate the intent. I do have some concerns about the practicality of enshrining this bureaucratic process in legislation. Some of these measures were in fact brought up in the 2007 Crime Reduction and Safe Communities Task Force. I think there were 31 recommendations, and if my memory serves, 29 of those recommendations were accepted. As I say, a lot of the good things that we've been doing in safe communities is because of those recommendations.

We've been developing a robust internal tracking system. Again, I'm not so sure that we want to see more bureaucracy added to that tracking system. It may be counterproductive. If we're not bound by legislation, we can maybe be more reactive to changing circumstances to gather information that would be more relevant. I notice that the Member for Edmonton-Strathcona said that she wouldn't mind revising the criteria that are referred to in the proposal. That would be my point, that the criteria may change from time to time, and then we would be having to amend legislation in order to keep the criteria and the statistical information relevant. So flexibility, I think, is important.

I think our time and resources would be better devoted to just going ahead and making the improvements, and I would like to make a point about that, too. I don't think there is much debate about the fact that we do have some court delays that we're not happy with. I don't think there's much debate about the fact that we don't like to see a whole bunch of prosecutors handling one file. There are all kinds of things that are already acknowledged, and we're working on them.

As has already been mentioned in some of the earlier comments by some of the other members, we have, for example, a court case management program, which is making a big difference because new and innovative methods of scheduling are being incorporated, and we're taking some of the pressure off the courts in terms of just spending time on scheduling. Crown prosecutors are becoming much more efficient in terms of file ownership, so a

prosecutor is taking a matter through from beginning to end. These types of efficiencies are already being done, they're already being worked on, and I think the proof will be in the pudding. I think we will see an improvement in court waiting times and some of the other frustrations that people have.

I would like to say that we have added more judges. We have added more courtroom staff and prosecutors. In terms of legal aid, some comment has been made regarding legal aid. I again acknowledge the importance of legal aid to our system of justice, but I want to point out that our government has not cut funding to legal aid. As a matter of fact, in the last year we've increased funding to legal aid by about 10 per cent, and since 2006 the funding has increased, I'm told, by some 84 per cent.

That is not to say that there isn't an issue with legal aid funding. I have indicated in this House before that I'm very open to carrying on discussions with the stakeholders – the Alberta Law Society, Legal Aid Alberta, and the federal government – in terms of how we can make our legal aid system more sustainable.

It has already been mentioned, but I'll just reinforce that we do in our business plan make reference to tracking some of these performance measures, and we will continue to do that. We continue to be committed to doing that. There would be no reason why we would not want to make our system of criminal justice more efficient and more responsive. As I mentioned, many of those things are already being done. I just am not convinced that legislating this and creating a heavy bureaucracy or at least a heavy system of multiple reports is necessarily going to get us where we all want to be.

Once again, I would like to acknowledge and thank the hon. Member for Calgary-Fish Creek for raising this issue and bringing this on for debate.

**The Acting Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I just have five minutes? What's the timeline?

**The Acting Speaker:** Ten.

**Mr. Hinman:** Ten. Okay. Excellent. Thank you.

Mr. Speaker, we've all become a little too familiar with how governments are prone to waste. Usually they waste money, but we're standing here today to support a bill that would help reduce the wasting of time as well as money. Time is valuable to everyone, but we need to be aware of how valuable it is to those who are affected by crime.

The Alberta justice system is fraught with delays. This is true in many jurisdictions, but in recent years Statistics Canada has revealed that bench warrants that are issued here in Alberta are for 27 per cent of all criminal cases. This is by far the highest rate in Canada, and it's just about twice the average. It is a big waste of time, and frankly it's a provincial embarrassment.

The evening news loves to talk about serious crime. They report on the crime, then they report on the investigation, then they report on the arrest, and then they report on the trials. Albertans have understood that there needs to be a well-planned process to do all of this, and it should never be rushed, but, Mr. Speaker, Albertans wonder why they hear about repeated delays and why justice is not being done more swiftly. They also feel sympathy for the victims of crime, who are denied the peace of closure during an ongoing legal process.

4:50

Mr. Speaker, many have already said it, and we'll say it again: justice delayed is justice denied. To help make improvements in

the administration of justice, we need good statistics on how we are doing. To this end, the hon. Member for Calgary-Fish Creek has brought forward a private member's bill, Bill 204, the Justice System Monitoring Act, which we very much support.

Bill 204 is a simple, realistic, and efficient method of tracking the criminal justice process and eliminating these delays. When the safe communities task force was chaired by the hon. Member for Calgary-Fish Creek, they came out with many of these recommendations, and the Premier expressed his support. He said in a press conference that implementing these recommendations was top priority. Unfortunately, to date the government has not implemented a single one of our recommendations.

Mr. Speaker, it is my job as a duly elected representative to ask on behalf of Albertans: why hasn't the government been tracking the system and eliminating the delays? Why are these problems continuing unresolved? On principle why were these recommendations not implemented even after the Premier offered what appeared to be such genuine support for them? Hollow words, just like those that were spoken in Strathmore and Fort McMurray on ensuring that seniors were going to have a facility in their local towns. Why are Alberta's adult criminal cases amongst the longest in the country? Why are these cases taking so long to move through the justice system? These questions can be answered, but we need to implement Bill 204 in order to do this because the government has failed to do it.

The system must be streamlined to bring these criminals to justice faster. These delays cost judges, lawyers, civilian witnesses, police officers, and court staff their valuable time, time which we do not have enough of. Many of these people's jobs are paid by taxpayers, so their time is also our money. Why isn't the government working to speed up this process? Nobody seems to know or understand.

Unfortunately, Mr. Speaker, it gets even more embarrassing. A Canadian who is charged with a crime has the right to a bail hearing within 24 hours of their arrest. If there is a delay in the system, the defence lawyer may launch Charter applications to have their client's charges tossed. This is a rare occurrence, but much more common is a defendant avoiding jail time because of a lengthy pretrial custody. It's sad for me to report that currently 56 per cent of all prisoners in Alberta provincial custody have not yet been convicted but are only waiting to go on trial. Until the federal government finally reversed this policy, the sentence of these people was reduced by double or even triple for the time they spent in remand centres. Law-abiding Albertans get pretty upset when they watch those convicted of crimes collecting credits for time they served while they were waiting for the court hearing.

Mr. Speaker, this system is being treated as nothing more than a joke: 50 per cent off for time served. The number of adults behind bars is growing too fast because people are being held in custody while they are waiting to go on trial. Our remand centres have run out of room much faster than our prisons. We are also not keeping up with the number of judges, prosecutors, and courtrooms. Prosecutors in our province are overworked, and this adds to the delay problems.

It cost Albertans \$620 million for the new remand centre. Considering that the number of adults waiting to go on trial increased by 55 per cent between 2006 and 2009 and that they'll probably continue to do so, how much will it cost Albertans before the government addresses these inefficiencies?

Bill 204 contains some practical recommendations on what to track within the Alberta justice system. We believe that by tracking several significant variables in the process, obstacles will be identified and removed. The criminal justice process will be streamlined, and other delays will be reduced.

The Justice System Monitoring Act will track the length of time from laying a charge until the concluding verdict, track the total time of court hearings in a case, track the length of time between reporting an offence and the laying of a charge. It will track the number of delays exceeding three months, it will track the number of prosecutors involved in each file, and it will track the number of adjournments granted, a very important number. It will also track the number of trials that begin on their designated date, another important number. It will track approximately the cost of those delays, perhaps the most important in terms of peace officers, prosecutors as well as witnesses, victims, and the jurors.

Mr. Speaker, this bill was created with the experienced insight of the safe communities task force by the hon. Member for Calgary-Fish Creek. The committee includes a judge, a police chief, and some in the rehabilitation field. The hon. member took the time to travel across the province and to speak to Albertans about this issue to get a good sense of their concerns.

Albertans want the answers to the following questions. Why are the accused getting away with not showing up for court dates? Why are lawyers frequently asking for more time and receiving it? Why does it take so long for a verdict to be reached? And when they ask, "Why so long?" they're referring to trials that are taking years when they should be taking weeks or months. Of course, what about the victims of those, who need the issue dealt with? It's bad enough that innocent people are made victims of criminal acts. I think it's absolutely sickening that a victim, who may be dealing with the psychological trauma of the crime against them, can be victimized again as they wait years for justice to finally be done. These victims often have a dreaded appointment on the witness stand, where they have to relive their trauma, and to have this hanging over their head longer than is needed is absolutely unacceptable.

It's time to put an end to the injustice. It's time to stand up for the victims of crime, who are being made to wait in pain while the justice process is drawn out too long. It's time to put an end to the delays that allow criminals to treat the system as a joke and drain the public purse while they do it. It's time to pass Bill 204 and get back to distributing justice swiftly.

Mr. Speaker, we can do better and we will do better if we pass Bill 204 and implement the tracking and reporting of the number of incidents and the activities occurring in our justice system. It's important that we address these issues. It's always amazing to me how when the government wants to act, it can rush through a bill, like Bill 50, Bill 36, to do with power, to do with land acquisitions, to pass many bills quickly. I've forgotten the name of the task force of the hon. member.

**Mrs. Forsyth:** Safe communities.

**Mr. Hinman:** The safe communities task force. That bill, again, was passed years ago, and it hasn't been implemented. These are the types of things that are very frustrating to Albertans.

Do we have a justice system? The number one complaint that I get from Albertans as I go around and meet with them is that they're concerned that we have a legal system that allows loopholes for criminals to continue to play the system and victimize the victim over and over again. Mr. Speaker, we need to address it. Keeping our communities safe: that's what Albertans want. That's what we as government want, so why don't we act and do it?

We have a great opportunity here to pass this bill, and I'd urge the government and the government members to reconsider, and let's move forward. They always say: if you really want to make improvements, you have to start measuring and reporting. That's what this bill is about. We're going to measure, we're going to

report, and we're going to do better for the people of Alberta, the taxpayers, but, most importantly, for those victims of crime, who just feel like they're being assaulted time and time again as these cases draw out.

I'd urge all members to really sit back and ask themselves: what is it really going to harm to pass this bill?

**The Acting Speaker:** Hon. members, there are 30 seconds left. I can call on another member before we conclude debate on this. Hon. Member for Edmonton-Decore, do you wish to speak?

**Mrs. Sarich:** Yes, Mr. Speaker, but are you waiting for a response from the Assembly regarding the 30 seconds, or would you like me to continue?

**The Acting Speaker:** Hon. members, the time has concluded for consideration of this item of business, and we will continue on.

Before I call on the hon. member, may we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Acting Speaker:** The hon. Member for Red Deer-South.

**Mr. Dallas:** Thank you, Mr. Speaker. In a few moments I will be introducing Motion 505 to encourage visitability in homes, allowing people with limited mobility increased access to private residences.

Today we have guests joining us in the House to listen to the debate, and it's my honour and pleasure to introduce to you and through you to all members of this Legislature two individuals from the Canadian Paraplegic Association, Brian McPherson and Ross Norton. These individuals are dedicated to expanding opportunities in our communities for persons with disabilities, such as broadening social activities and finding meaningful employment. I'd like to thank them for their hard work and welcome them to the debate in the Assembly this afternoon. They are seated in the public gallery, and at this time I'd ask them to wave and receive the traditional warm welcome of the Assembly.

### 5:00 Motions Other than Government Motions

**The Acting Speaker:** The hon. Member for Red Deer-South.

#### Single-family Home Accessibility Standards

505. Mr. Dallas moved:

Be it resolved that the Legislative Assembly urge the government to utilize incentives to encourage visitability standards in all newly constructed single-family homes, including one zero-step entrance, wider doorways (minimum 32-inch clear door opening), and a main floor half bathroom.

**Mr. Dallas:** Thank you, Mr. Speaker. I'm pleased to rise today and begin debate on Motion 505. I'm introducing this motion because I believe that it has the potential to help people with decreased and limited mobility interact more fully with their community. In addition, if homes are built with visitability standards, people recovering from injuries or as they are aging can have a continued ability to visit friends in their homes. The wind is at our back today. Albertans from across this great province and, indeed, across Canada have voiced their support for this motion.

Before I begin, I'd like to acknowledge the support of my good friend Marlin Styner for the technical advice, the support, and the encouragement that he has provided in developing this.

Creating incentives to encourage these standards helps build strong communities and enhances the quality of life for Albertans. Visitable is a technical term used to describe a house that is easy to visit for a person in a wheelchair. In order for a house to be visitable, it needs to include three basic design components: one, a zero-step entrance or ramp; two, wider doorways with at least 32 inches of clearance – Mr. Speaker, this means that the space between the door frame is at least 32 inches wide, not that the door itself is 32 inches wide – and, finally, that there is a main floor half bathroom. These are the minimum requirements needed for a person with a wheelchair to visit a house.

I'd like to establish clearly that Motion 505 is not urging any regulation or legislation change. The people of Alberta deserve and appreciate choice in the design of their residence. Any attempt to legislate a standard house design would be very heavy handed, which is not my intention in bringing this motion forward. Rather, I would propose the use of incentives to encourage people to look at the long-term benefits offered by visitable homes. To be clear, I am mindful of the economic climate in both Alberta and abroad, and I'm not proposing incentives with a significant financial impact to the province. Mr. Speaker, there is a history of using incentives to encourage building standards, including recent initiatives designed to promote energy efficiency. I would argue that the long-term benefits of implementing visitable housing warrant promotion of this idea.

Mr. Speaker, I would also like to be clear that the intent of this motion is not to target existing homes. That said, we have funding programs to modify homes and provide support. These include the residential access modification program, or RAMP, for wheelchair users to increase accessibility in their homes as well as Alberta aids to daily living, providing financial assistance to Albertans with long-term disabilities or illnesses to buy medical equipment and supplies.

Returning to newly constructed homes, if a home is designed from the onset with visitability in mind, the cost is reasonable. Many of the changes required to meet a visitability standard are both affordable and, really, unnoticeable. Increasing the size of doorways, for example, is a seamless change that most would be hard-pressed to notice. Likewise, many homes already include a half or a full bathroom on the main level. In fact, walking into a visitable home should be no different than walking into any other home. While the appearance may not be any different, the long-term benefits can be quite astounding.

Mr. Speaker, the people of Alberta are aging. The baby boomer generation is nearing retirement, and as they age, their mobility can become limited. The simple reality is that many of the houses we live in today will be inaccessible to us in the future. I would reason that many of us in this House today can recall someone in their lives effectively losing a large section of their home simply because they were unable to access it.

Now, to be clear, visitable housing is not accessible housing. It is not a substitute for homes designed to accommodate everyone. However, visitable housing, by virtue of its three design principles, provides increased opportunities for those with mobility challenges to maintain contact with friends and families in their own homes. Also, during interim recovery periods for Albertans with injuries homes built with visitability standards allow for the increased possibility of recuperating in their home.

Mr. Speaker, the benefits of living in a visitable home are evident, and I believe that many people would choose to reside in this type of accommodation if given the choice. However, as a rela-

tively new concept visitability is largely unknown to both Albertans and the building community. I believe that by introducing incentives as proposed by Motion 505, we can promote this new form of housing design. This may in turn inform Albertans and get them to look for visitable characteristics when moving into or designing a new home. And if the people want something, the building community agrees and adapts. In fact, I believe that over time, once people start to see the benefits of visitable housing, we could eliminate any incentives and let the quality of this concept speak for itself. The key is simply to start the process.

I'd like to stress again that Motion 505 is not about legislative or regulatory change. It's not about telling people what kind of house they should live in or requiring that a home be accessible to all. Rather, Motion 505 is about encouraging a practical concept, a concept that has the potential to greatly assist our population as it ages. With visitability standards in place, not only will people with mobility concerns be able to visit friends and family, but as they age, they will also not lose the use of their home. I believe that Motion 505 is a practical initiative that does not overreach or unduly interfere in Albertans' lives. I also believe that it has the potential to improve our long-term quality of life.

With that, I'll conclude my remarks, and I look forward to hearing the comments of my colleagues on both sides of this House. Thank you.

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

**Mr. Hehr:** Well, thank you, Mr. Speaker. It is indeed a pleasure to rise and speak in favour of this motion on visitability brought forward by my hon. colleague from Red Deer-South. This is truly an idea that I am supportive of, that many other people in the disabled community are very supportive of. In fact, many individuals in the seniors' community and other individuals are waking up to the idea that an accessible Alberta, an accessible future may incorporate changes such as we see in this act into everyday living situations here in Alberta.

If you look at the changes that are coming to the playing field here in Alberta, we have an aging population. We have more members who are reaching into their golden years, living longer, people who will be using accessible means of getting around. Whether that is wheelchairs, strollers, walkers, or what have you, these require more easily visitable sites, visitable whether they're a public building or a private residence. There is no difference. If a person with a disability or a senior with an adaptation to get into a home can't get in, that essentially keeps them out of the societal mix, which makes them less healthy, less vibrant. And those are things that government should be concerned about.

In my view, this motion sort of starts the education process as well as the incentive process to get Albertans and Alberta businesses providing this type of option available out there to people who are constructing a home, people who are constructing other developments that go forward. I see this as a beginning point for us here in Alberta to continue to go down.

**5:10**

Now, as I point to this as being one of the positive aspects coming out in the future, I look around, and this motion does bring up some things we could be doing better, in my view, here in Alberta. For instance, our building codes act is a pretty good act, but it lacks enforcement. You have a lot of things pertaining to disability or even visitability that are so far being unregulated, unchecked, not followed up on. So we have a lot of people who are unable, then, to get into buildings that are currently being constructed, that

should be done the correct way. These are concerns that are out there.

By no means is this motion, brought forward by my hon. colleague, a cure to those current things that are not right, not enforced, not holding Alberta out to be on a level playing field for those seeking a truly inclusive society. That said, a motion like this isn't supposed to rectify all of society's problems in one fell swoop, so I appreciate that. I just wanted to get those concerns on the record, that right now in Alberta there are many challenges with disabilities, whether that's aging, whether that's home care, whether that's accessibility to economic opportunities. Those challenges are out there, and they're massive, and at times I don't believe that the government takes them seriously.

That said, when I look at this motion in its totality and it being a private member's motion, it provides some of that rugged incrementalism you like to see out of our Legislatures. We're continuing to push the ball forward, continuing to open up our eyes to how a really inclusive community works. It doesn't work simply by having one house accessible. It works by having an entire community accessible, an entire city accessible, an entire province accessible. That's what the concept of visitability is working towards, a sort of entire society with inclusivity being the model, the goal, the norm, that people can live in a beautiful home that just simply allows for a difference of people to come through the front door.

I applaud the Member for Red Deer-South for it, and I would ask all members of this House to pass this motion. I think it's a good, forward piece of legislation, and I think that with the passing of this, we could see it incorporated into future acts and into future building codes and the like. But the work starts today. So if we keep remembering this stuff when we redo those things – "hey, didn't we pass something on this?" – then we can incorporate that into our future legislation.

I thank you for the opportunity to speak on this motion. Again, I'd urge all colleagues in this honourable House to speak in favour of it and, hopefully, to vote in favour of it.

Thank you very much.

**The Acting Speaker:** The hon. Minister of Seniors and Community Supports.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I'm honoured to rise today and join discussion on Motion 505, which is being brought forward by the hon. Member for Red Deer-South. The objective of Motion 505 is to increase visitability and accessibility within Alberta's homes. Visitability is a key indicator when determining how easy it is for a person with confined or restricted mobility to visit or access a home. Visitability and universal access are two priority concerns for the Premier's Council on the Status of Persons with Disabilities. The members of the Premier's council, including the chairman of the council, Marlin Styner, are pleased that the MLA for Red Deer-South has sponsored this motion and look forward to the results.

Mr. Speaker, I wonder how many of us here in the Legislature would be able to welcome their friends and family members with restricted or limited mobility into their homes. Motion 505 proposes to increase visitability standards in Alberta's homes by introducing incentives that could encourage people to implement these standards when constructing new homes. Specifically, Motion 505 would increase visitability by encouraging three specific designs that include one zero-step entrance, wider doorways, meaning a minimum of 32-inch-clear door openings, and a main floor bathroom. These three factors are widely regarded as the minimum standards for creating a visitable home. These three



guidelines will ensure that everyone, regardless of mobility, will be able to at least visit a friend's home, use the washroom, and exit the home.

Mr. Speaker, as the Minister of Seniors and Community Supports I can tell you that Motion 505 could go a long way to making life easier for those with limited mobility. This can be especially relevant when looking at our province's aging population as has been mentioned by both previous speakers. Having newly constructed visitable homes fits in well with our department's directive.

In fact, our government already has the residential access modification program, known as RAMP. This truly is a very good program that helps promote greater accessibility. RAMP is a program available to eligible wheelchair users to modify their homes to be more wheelchair accessible. All wheelchair users within the program guidelines can apply for a RAMP grant of up to \$5,000. While I feel that the RAMP program is a great government initiative, I still think that more can be done to make our homes more visitable.

Looking at statistics, numbers show that visitable housing is needed now. We know that by 2030 the number of seniors in Canada over age 75 will grow by 277 per cent. That would bring the number of Canadians over age 75 up to 4 million from just 1.5 million in 1995. Mr. Speaker, it's safe to assume that many in this growing seniors' population will have mobility limitations.

While increasing visitable homes is sure to benefit a large segment of the senior population, it's important to look at how this motion could positively affect those with disabilities as well and, really, all members of our society, like mums with strollers, for example.

Our department's continuing care system also provides Albertans with the health, personal care, and accommodation services they need to support their independence and quality of life. Motion 505 will certainly help in this regard. The Alberta continuing care system provides both home living and supportive living facilities. Home living is for people who live in their own home, and supportive living combines accommodation services with other supports and care. In both cases it's easy to see how beneficial visitability standards would be.

In closing, Mr. Speaker, I would like to highly commend the hon. Member for Red Deer-South for bringing this motion forward. Motion 505 proposes to increase visitability standards in Alberta's homes, and this is a key issue faced by many seniors and those with disabilities, which make up a large portion of my ministry's mandate.

I'm pleased to speak in support of Motion 505, and I urge all my hon. colleagues to do the same. Thank you.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to stand up in support of Motion 505, "Be it resolved that the Legislative Assembly urge the government to utilize incentives to encourage," and it goes on. What I find very interesting in this particular motion is that it's urging the government to encourage the standards in all newly constructed single-family homes, as the member said, including one zero-step entrance, wider doorways, which is a 32-inch-clear door opening, and a main floor half bathroom.

What is interesting to me in this particular motion is that the government has the ability right now, without even listening to this particular motion, to make those standards available immediately. I mean, after all, they are the government. The seniors minister talked about the Premier's council, and she eloquently spoke about this as something that they've been after. I think that

if the government sees this as important as it is – I mean, they're the government. They can bring forward legislation. They can bring forward regulations. They can even bring forward a bill to make these changes immediately instead of going through this process of a motion. I'm struggling with that, Mr. Speaker.

5:20

What I am not struggling with is how quickly things have changed. Personally, I'm in the process of looking for new office space, and if you're going into new office space, there are regulations that have to be adhered to to deal with people with disabilities. That's wheelchair access, a wheelchair-accessible bathroom. If you are looking at an older space – and we're just starting to try and figure out what the rules are and what the regulations are because we weren't expecting to have to be moving out of my constituency office, but it's being gutted, and the whole mall is being renovated. What we're finding is that if we continue to stay in the mall we're in at this particular time, we have to have wheelchair accessibility. We have to have a wheelchair washroom, and it talks about wheelchair accessibility for getting into the building.

You move further into some of our older areas, and you don't need any of that. So you struggle with that fact if you're in a new building. It doesn't preclude the fact that I have constituents that come and see me that have disabilities. I'm thinking all of a sudden: how the heck do I have a constituent into one of the older buildings that I am in that can't even get into the office doors? It's a struggle.

The minister also talked about the aging population, and there's no question that we have to think ahead about some of the homes to deal with some of our aging population. I've spoken in this Assembly before about my mom currently being in an assisted living facility. You see at times where you've got a senior that's walking down the hall, and then, you know, several months later they're into a walker, and from there they go into a wheelchair. I know for a fact that if my – I'm blessed. My mom is still walking without a walker or even in a wheelchair at this point in time. If we went to where she had to go into a wheelchair, I'd be struggling in my own home as we were after she broke her hip in just dealing with her in her walker and getting up those stairs in the one-step level.

I guess it's like the Member for Calgary-Buffalo said: you really need to start working on this inclusiveness. You have to start looking ahead. I think what we have to do is start looking at the disabilities that are out there, how you accommodate. I think it's important.

I was somewhat taken aback, actually, listening to some of the conversation, that the builders now don't even have to adhere to, from what I understand, minimum standards when they're building a home. You can't particularly fault the builders, I don't think, at this particular time because they go by what the government tells them under the building code. What I think strikes me more than anything is the fact – and I stand to be corrected by any one of the government members – that if there is a building code, the government is responsible for that building code. I'm sure that they should be talking to the builders at this particular time, asking them to change the building code. It sometimes makes me wonder why we bring motions into the House when the government has the ability to be able to make these changes instantaneously, as far as I'm concerned, in regard to the changes that need to be done.

You know, we heard from the minister of seniors about the Premier's council, and I have a great deal of respect for the work that the Premier's council does. I think it was the former Minister of Justice that used to be the chair of the Premier's council, if I

may stand corrected, so it isn't something new to either the Minister of Justice or the minister of seniors. I would expect that if we started going through some of the council's former recommendations, that they have presented before the government, working with people with disabilities is something I know they've been advocating for many years.

I myself personally have learned so much by just watching the Member for Calgary-Buffalo. It amazes me what he has done in this Legislature and how he gets around. You know, he's in the Annex with us, and he goes like a bat out of hell from the Annex over to the Leg. I've kind of asked him if I could catch a ride with him sometimes. I think he has brought something to this Assembly in regard to what people with disabilities can do, and it's amazing how he just gets through here and by some sort of squeeze manages to get out of here. Huge admiration for what he does.

So we will support this motion. I think it's important. Again, I want to repeat that the government is the government. They have the ability to be able to make these changes very easily by bringing forward a change in the regulations or a change in the building code, for that matter. It's unfortunate that we have to have the Member for Red Deer-South bring it as a motion when he's in the government and could just go to the government and suggest that they make some changes with the code. I don't know if maybe there's some hesitation in regard to some conversations that have to go on with builders. I know he talks about an incentive, if I remember right. Yes. He does say: the government to utilize incentives to encourage standards within the builders. I think that's a great idea because I think most of the builders in this province – and I know several of them – I'm sure would be willing to do all of the things that are mentioned in this particular motion.

With that, Mr. Speaker, I want to say that it's a good motion. It's unfortunate that, you know, it hasn't been done through a government bill or regulations or through the building code. I have a great deal of respect for what he's trying to accomplish here, and I hope for that member that the motion passes.

**The Acting Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Goudreau:** Thank you, Mr. Speaker. I'm also pleased to rise today to say a few words and address Motion 505. This motion asks government to provide incentives to encourage visitability standards in the design of newly constructed single-family homes. While these are not the same standards under the Alberta building code, which are mandatory construction requirements, the spirit of this motion is admirable. Homes built with visitability features allow persons with disabilities to live in and visit these properties with greater ease and safety. As was indicated, these features include improvements such as wider doorways, entrances without steps, and accessible bathrooms.

Visitability standards in this motion speak to the broader principles of universal design, Mr. Speaker, designing products and environments that are usable by all people, including persons with disabilities. There's no doubt that as the population ages, barrier-free accessibility and universal design will become increasingly important. That's why Municipal Affairs is actively involved with the Premier's council for persons with disabilities. The department sits in a working group to promote universal design. In partnerships with key stakeholders the working group researches opportunities to promote universal design, whether by educational, financial, or other means. Through this work Alberta will become a model for best practices in universal design.

I need to emphasize that while a homeowner presently has a choice to use visitability designs, the Alberta building code requires accessibility in buildings especially used by the public.

These building code standards allow persons with disabilities to have safe access to public buildings, and over time, Mr. Speaker, we would hope that we would slowly move into residential homes.

Thank you.

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

**Mr. Chase:** Thank you very much. I am speaking in favour of Motion 505 and thanking the Member for Red Deer-South for bringing forward this very forward-thinking idea. It's being framed as a motion, and I understand the reservations expressed by the hon. Member for Calgary-Fish Creek in her preference for a bill as opposed to a motion because a bill would have greater weight, and the government has that opportunity through legislation to instead of talk about it actually begin to make things happen.

5:30

I want to talk about the circumstance of visitability from a very personal standpoint. Members of this House have frequently heard me brag about my father, Bryce Chase, whether it be his hunting prowess, whether it be his golfing capabilities. My father has been recognized, as I say, by a number of individuals. He'll be turning 88 on June 6. For example, the Member for Edmonton-Calder, who sat beside him at Alberta Fish and Game, commented on my father's vitality. I was very pleased when the Member for Red Deer-North, after I was talking about his Dieppe national golf winning experience when he was 85, sent me a note, and I passed those notes on to my father.

While I've spent a lot of time bragging about my father, I want to talk a little bit about my mother because it relates directly to visitability. Up until basically just about the mid-80s my mother and father would camp out at Little Elbow. They had a 10-mile circuit, and my mother would faithfully chug along at a pretty good rate with my father, and they would enjoy that circumstance. About five years ago my mother and father came out to Cataract Creek, where my wife and I were running the campground. Because my mother had been such a fit individual, I didn't stop to think about the effects of a fairly significant eight-kilometre roundabout hike in some fairly challenging terrain.

My father took the lead, and I was in the backup position for my mother, and together we managed to get her through a series of roots and rocks and obstacles. As we were coming back, I thought, "My God, I may have killed my mother" in terms of thinking that she could take on this kind of situation. At one point, when she was trudging up a fairly steep incline, I didn't have quite the support I should have had, and I called out to my father: here comes mother. Fortunately, he was ready and was able to catch her and support her.

As my mother's muscles started to atrophy, her home was no longer visitable. Her home no longer was accessible. My father tried a variety of circumstances to make it more visitable and accessible in terms of the standard procedures of the walker, but my mother, as well as her muscles atrophying, also was losing her balance ability. My father, to his credit, tried to overcome that by doing what I'd call the seniors' shuffle. There are many seniors who understand that shuffle. The more able senior reaches behind, puts their arms around his or her mate's waist, and basically sort of shuffles along behind, trying to keep them supported.

That allowed my mother probably an extra eight months in her house, but it got to the point that even with chairs that pushed her up and out and assisted her and my father, neither my father nor myself was able to negotiate either the two stairs at the back or the

walkway up the front. So the idea of visitable housing is to me a very progressive consideration.

Now, the hon. Member for Red Deer-South in putting forward this motion made it clear that he's not talking about legislated, regulated retrofits. He's not suggesting that people spend thousands of dollars to redo their house. What he is suggesting, although not necessarily directly, is the idea that when we purchase a house, we need to be thinking about how that house is going to suit our needs not only now but into the future. For example, the house my parents lived in was a bungalow, but even though it was a bungalow, there was still stairs access. In the case of the house that my wife and I live in in Calgary, it's a split level, so it wouldn't accommodate the requirements. There would be no first-floor bathroom, so visits from various friends are eliminated.

In the case of my mother, because of the accessibility, the visitability, she ended up in Cedars Villa, and all the family activities were then focused in one of the rooms in Cedars Villa, where we tried to accommodate. We brought in the food, we tried to make the circumstance as homey as possible, but the reality is that in an institution, no matter how friendly it is, you can't accommodate or parallel what you can in the comfort of your own home.

Mr. Speaker, I think the idea of suggesting that builders build homes with doors that are sufficiently wide to allow wheelchair access is extremely important. Obviously, people have the choice of what type of home they live in. If it's a two-storey home, that presents problems, but if there's a lower bathroom, so be it. People choose whether they live on hillsides, they choose whether they live in walkups, and we can't change that, but what we can do is suggest to builders that they take into account the needs of inclusivity to the greatest extent possible.

I commend the hon. Member for Red Deer-South for bringing forward Motion 505. As the hon. Member for Calgary-Buffalo suggested, for a society to be inclusive, we also have to be proactive.

Thank you, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I am pleased today to rise and join with my colleagues in the debate on Motion 505. I first want to congratulate the hon. Member for Red Deer-South for bringing this issue to the House and into the public ring. I am hopeful that our debate today will help to bring more public awareness to the issue of visitability standards, which is an issue that will affect more and more Albertans in the future.

As co-chair of the Premier's Council on the Status of Persons with Disabilities I am indeed very pleased that this motion will bring to the fore some very real and distinct challenges faced by many people across this province. It is extremely important that we look to the future in an effort to identify, examine, and rectify issues that are faced not just today but tomorrow as well. I want to discuss today what exactly the main components of visitability are, what makes them distinct, and why they are very important.

The concept of visitability is to make sure that single-family homes have minimal levels of accessibility so that wheelchair users and others who have mobility issues can visit those homes. There are three key design elements that make up the concept. They are, one, at least one zero-step entrance or ramp; two, wider interior doorways and minimum 32-inch clear door openings; and at least one bathroom on the main floor of the home.

Mr. Speaker, I want to share some of the things that I've learned about these three standards and how they are essential. Since I started looking into the concept of visitability, I've tried to take

note of some of these design elements when I'm out in my constituency. The first thing that I look at is whether a home has a zero-step entrance or a ramp. A zero-step entrance is a door that is at ground level and does not have any steps leading up to it. If a zero-step entrance is not possible, then a ramp could be added to allow an option for those that are not able to climb those stairs.

Now, I have noticed that many homes do not have zero-step entrances or a ramp. The lack of these features in some homes prevents people in wheelchairs or others who have restricted mobility from being able to visit these homes. These steps, which many of us barely notice, literally act as a barrier to many of our fellow Albertans. Putting a zero-step entrance or a ramp into a new home is not a large burden, Mr. Speaker. Homeowners would be able to incorporate these features into any entrance to their home, and these components are not very expensive. Also, by offering tax incentives, homeowners could recoup the costs.

5:40

Now, once you have someone that is in a wheelchair in your home through a zero-step entrance or ramp, they need to be able to manoeuvre through the home freely. There are many different types of wheelchairs and power scooters that aid people with their mobility. Ensuring that they can move through the door is critical so that they are not restricted to one room.

This is where the second concept comes into play, which is ensuring a wider interior doorway with a minimum 32-inch opening. These wider door openings allow wheelchair users to move freely, which not only is more convenient but also safer. Making sure that the door's width could accommodate a wheelchair allows those people to be able to evacuate a home using the quickest and safest route.

As I was reading about this, I found out that a 32-inch door opening is not much wider than most standard doors found in homes today. The standards would make sure that the designs of new homes would not have to be drastically altered to allow the extra-wide door. It seems to me that this would be a subtle change, but the effect would be very positive.

Finally, Mr. Speaker, the third component of visitability is to have at least one bathroom on the main floor of the house. Wheelchairs, obviously, can't climb stairs, so ensuring that those who use them can use the washroom is not only practical but essential.

Mr. Speaker, I am very grateful to the hon. Member for Red Deer-South for bringing this motion here today. One purpose of having these debates is so that we can educate each other and Albertans about this issue in this province. I do not think that this subject is widely discussed in the public, and I'm happy that we can hopefully bring it to the attention of more Albertans.

Thank you very much, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's an honour to rise this evening and to speak to Motion 505.

Be it resolved that the Legislative Assembly urge the government to utilize incentives to encourage visitability standards in all newly constructed single-family homes, including one zero-step entrance, wider doorways (minimum 32-inch clear door opening), and a main floor half bathroom.

There are more and more individuals in our society that are wheelchair bound. I had the opportunity last Friday to actually go over to the Canadian Paraplegic Association, and I signed up to be in a wheelchair for a day. I think perhaps one of the most important things for a society is to be aware of others and to understand the challenges that others have. Again, when I was over at the Canadian Paraplegic Association, we talked about, you

know, those barriers and the challenges and how to get around and all those things, and I think we've come a long way in our society about how we're addressing accessibility for those people that are in a wheelchair.

When I was in that wheelchair, one of the first things I said when we were having our early morning session to discuss a little bit about what we were doing and why we were there was for us to be grateful that we have the mobility of our legs versus those people that don't.

Mr. Speaker, I too, like the hon. Member for Calgary-Varsity, want to become a little bit personal at this time. My mother is in a wheelchair, and she struggles in that wheelchair. When I built my home, I wanted it wheelchair accessible. I built wider hallways. I built wider doors. I actually put in 36-inch doors. Thirty-two is accessible, but it's kind of nice to have a little bit of extra room. Yes, it did cost a few extra dollars, but to this day I do not regret it.

So often when we want to pass legislation or do things, we don't always understand: what's the domino effect? One of the things that really frustrated me is that I wanted my zero threshold to come from my garage into my house because my mother has a van. She can drive in. She can get out the ramp in her van, much like the ramp that the hon. Member for Calgary-Buffalo has, and then drive right into my home. But the regulations were such that because of carbon monoxide they want the garage lower than the door going into a house so that if there is a vehicle running or whatever, it drifts lower and doesn't drift into the house. It's always amazing how even when we want to do something, when we're made aware, often we're told that we can't do it.

The hon. Member for Calgary-Varsity also talked about split-level homes. There are just many areas that when we don't really think about it, we don't realize the implications when we pass such standards. As much as I want the visitability – I support this in the fact that we're just urging – I don't think we should just be urging government. We should be urging, you know, builders. We should be urging citizens to become more aware, just as we have on many other subjects in the past. It's about education. It's about that awareness and what we're doing with it.

Another area that frustrated me. My grandmother passed away at the age of 93. She had moved into a seniors facility for the last two years, and I was astounded when I'd go and visit her there at the number of times that the one elevator they had in that facility was broken. This was a new facility down in southern Alberta, but the struggle that they had and my fear for her having to go down the stairs to go to eat because of how many times the elevator was out of order.

I know that we passed legislation for seniors facilities and also for those public facilities, and we continue to work on it. But the real struggle that we have is that we're not aware yet, whether it's engineers, designers, all those other ones, and don't realize how easily we can adopt these things when we're doing the building of a new facility, a new place.

I also remember, Mr. Speaker, going to one of the early debates for the mayors of Calgary, and my hon. colleague from Calgary-Buffalo wasn't able to participate in that because it was in a public facility that was not accessible for him. There's no question that we definitely struggle and have problems with accessibility for those people in a wheelchair. It is discouraging when you have a loved one in a wheelchair who cannot participate or go to a function because when you check, you find out that it's not wheelchair accessible. All of a sudden: oh, why did we fail to check that before we booked this place for a family or for a public forum that we find isn't accessible for those people in wheelchairs?

It is interesting that they've got just three points in here. We want the wide door. Like I say, I've struggled over the years to get

my mother into various friends' homes with narrow 28-inch doors. You clip your fingers when you're trying to push them through, and you do damage on them. The zero threshold is probably the biggest barrier that you run into most frequently, this area where you just can't get over and the struggle and the danger when you try to push these individuals through and hit the bumps and try to lift and the door is narrow.

The intent of this motion is a great one. It's something that I think all of us as Members of the Legislative Assembly should be more aware of. I would urge all members that if they have not participated in a wheelchair-for-a-day event, they should seriously look at that for next year, go to the local Canadian Paraplegic Association and say: what can I do so that I'm more aware and understand the challenges of people in a wheelchair? We need to be more considerate. We need to be more mindful, and that usually happens when we're more aware of those individuals. I think that as elected members of this House we are pretty aware. I especially remember the hon. member Weslyn Mather, who was another wonderful example of someone who just made a great effort and did not let the wheelchair inhibit her ability to work for her constituents and to be a wonderful advocate of those people in that same situation.

Mr. Speaker, it is important that we're more aware of those people that have physical disabilities and are stuck in a chair. We need to be more aware of it. I think that it's by talking, by having these debates that we can and will become more aware. You know, when we lay concrete in these new communities, that we have curb cuts. I remember going back 20, 30 years, it was a rare occasion. Even though they might have had a wheelchair facility inside a building, you'd park the vehicle and there was no curb cut simply to get into the parking lot. Now we're aware of those things. We have the legislation. So awareness and education really is what it's all about.

5:50

Like I say, I'd really continue to urge all members to take up the challenge of the Canadian Paraplegic Association and try a wheelchair for a day. You'll be amazed. Even such simple things as going up to a door and realizing the challenge of opening a door, that it exists. Then if you have that little threshold in there, it can really be a challenge if that door swings shut on you. Such things as even getting into the elevator: is it large enough that you can back in? Can you turn around? There are just so many areas that, if we're thinking about them, if we're aware of them, are easy to overcome. But if we're not aware of it, all of a sudden we've created a barrier for those people who can't participate, though they might dearly want to.

I applaud the Member for Red Deer-South and his motion. Like I say, it's always good to bring these motions to the floor so that we can debate, become more aware. It'll be interesting to see if the government actually grabs hold of this and moves forward or not. The government is in a situation that caucus could easily make this a bill. This could have been bill 21 if that's what the government wanted to do, yet it hasn't been brought forward.

I've never been in the government, so I don't understand your priorities or why some bills go forward and other ones don't. This one, like I say, has a lot more to offer many Albertans than such bills as Bill 50. In saying that, "Well, we don't know if you have to have a zero threshold for a door, but you do have to have \$16 billion in power lines because we know better," it seems like sometimes we get our priorities mixed up in here and want to spend a lot of taxpayers' money for the benefit of everyone but the taxpayers.

This one, I think, the intent is good. The motion is good. I understand it. Like I say, we do want that freedom for people to

realize that when they're building a home, they can make that conscious decision and be made aware, and we'll go from there.

I thank you very much for the time and look forward to any other points that are brought up on this motion.

**The Acting Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. I realize that time is late getting to the voting. I did want to offer just a couple of comments here as well. I think this motion is a good idea, and I think that it's good that we have this type of conversation. I want to thank the sponsor of this motion.

Just before I get into a couple of comments, I don't think anybody here really fully understands what it's like in a wheelchair. The Member for Calgary-Glenmore mentioned about being in a wheelchair for a day. Well, maybe a lot of us, including myself, should consider that next year. At the same time the Member for Calgary-Bufferford understands because he lives that every day. I also look to people in my own family who do understand, like my aging grandfather as well as my aunt who passed away last year who had her mobility issues.

We want to imagine how difficult it must be for people who have limited mobility to get around on a daily basis. I'm not just talking about moving from point A to point B; I'm referring also to in their own private homes. There can be a particular issue in a lot of housing codes. As I've travelled this province, I've actually seen over and over how expensive it can be to retrofit some of these homes. In fact, it doesn't actually cost a significant amount of money to look at widening doors in some of our places, as simple as that, or having a more barrier-free design in some of our new homes. I've been to some places we have with our affordable housing programs, Mr. Speaker, where we have actually been able to change lives very positively for individuals who may suffer from disabilities. Again, it doesn't cost a lot when you actually go and plan it, but when you go and retrofit it, it can cost a significant amount of money.

With accessible housing people can access most of the necessities within a home, including a kitchen, bathroom, and bedroom. While we're quite familiar with the term "accessibility," that's not necessarily the case when you have the term "visitability." I'll just touch on that briefly. Visitability is an indication of how easy it is for a person with confined or restricted mobility to visit a home that is in fact not their residence. I put it to you, Mr. Speaker, that sometimes we take this for granted every day. It's a concept which seeks to provide single-family homes with a bare minimum level of accessibility so that a wheelchair user can feel comfortable within a home.

I do think that this is something that we need to discuss. This is a motion that I will be supporting. If we look at a bill, though, we

also have to look at the cost and balance the cost to the benefit because at the end of the day it all is passed on to the consumer. We also want to look at not inordinately affecting consumers when it comes to a bill like this. It does warrant some further discussion, and I'm hoping in the future that we can see some more specifics in a bill.

Thank you, Mr. Speaker.

**The Acting Speaker:** I hesitate to interrupt the hon. Minister of Housing and Urban Affairs, but Standing Order 8(3) provides for up to five minutes for the sponsor of a motion other than a government motion to close debate.

I'd invite the hon. Member for Red Deer-South to close debate on Motion 505.

**Mr. Dallas:** Well, thanks, Mr. Speaker. I'm pleased to rise and offer a couple of closing comments on Motion 505. I thank all of the members for their contribution to the debate this afternoon.

I introduced this motion because I believe that it has the potential to help people with decreased or limited mobility interact more fully with their community. Obviously, the discussion here today and the discussion that I hope ensues, creating awareness for all Albertans about the value to our families, to our friends, to our neighbours in terms of the prospect of making our homes more visitable, I think has some great upside. I also think that while there's been some comments about the cost of this and whether we should regulate it or legislate it, we need to think in terms of the context of if we can get Albertans talking about and seeing the value of making these homes more accessible, there's actually a resale value or a return on investment that potentially Albertans can receive for making these investments. If you look at our aging population and the demand for what these homes can offer, there's a great deal of upside there as well, Mr. Speaker.

It may not be a well-known concept in our province or, in fact, in our country, but I think it's a trend that is on the move and a trend that we'll want to be discussing with all of our colleagues going forward, how we can help support this concept moving forward.

I appreciate all of the comments and the debate today, and I ask that all members provide their support to this motion. Thank you.

[Motion Other than Government Motion 505 carried]

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

**Mr. Renner:** Thank you, Mr. Speaker. I would move that the Assembly now stand adjourned until 7:30 this evening.

[Motion carried; the Assembly adjourned at 5:57 p.m.]









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The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday evening, May 9, 2011

Issue 32e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

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Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

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Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
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Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
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Hinman	Tarchuk
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Leskiw	

### Standing Committee on Public Accounts

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Allred	Griffiths
Anderson	Groeneveld
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Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

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Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
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### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

7:30 p.m.

Monday, May 9, 2011

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 16

#### Energy Statutes Amendment Act, 2011

[Debate adjourned April 28: Ms Blakeman speaking]

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. I know my colleague for Calgary-Buffalo is very eager to speak on this bill because he is our Official Opposition critic, but I did raise a number of issues and put them on the record the last time I spoke, with the request that the sponsoring member provide me with answers, preferably in writing, before we came back. True to her word or to her acknowledgement in the House, because she didn't actually say anything, she did provide me with a number of statements in regard to her position in an attempt to address some of the issues that I'd raised. I can't always say that these are answers to the questions, but they're certainly statements around the government's position.

Our concern about this bill is that it's 35 pages long. Next to the education bill this is the heaviest bill, weight per page, that we've seen in the Assembly. It is an omnibus bill. It does address a number of different acts, and although there is assurance from the sponsoring member that there are no consequences, there are no nefarious dealings involved in this, we're still having a hard time believing this. After much to-ing and fro-ing we did get a briefing, which was literally 35 words long, in which they said that there is nothing in here that would affect the tax consequences or something to that effect, and that was the end of it. I do know that my caucus members, as we discussed it in caucus this morning, continue to have some suspicions about the longer term consequences of this act.

To be honest with you, I haven't had time to digest the notes that were sent to me by the sponsoring member. I got them printed off my computer this afternoon and haven't had time to chew on them appropriately, masticate appropriately. I don't really want to spend much more time just flah, flah, flah-ing up here. I'll give over some time to the government members to respond to this bill, and I will chew on the responses a bit. As I said, I know my colleague from Calgary-Buffalo had wanted to address this in second reading.

Thanks very much, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Highlands-Norwood on Bill 16.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise and address Bill 16, the Energy Statutes Amendment Act, 2011. This bill will amend seven different acts, and the majority of the changes are in order to facilitate coal gasification development by updating existing legislation to authorize the regulation of extraction of coal through in situ gasification or liquefaction. It would remove the existing permit system under the ERCB and the Oil and Gas Conservation Act and repeal existing permits for the

use of large amounts of energy for industrial and manufacturing operations. It will enable the ERCB to make regulations directly rather than going through the Lieutenant Governor in Council and will also allow the Market Surveillance Administrator to raise complaints about the ISO.

I think that there have been a number of task forces that have made these recommendations. In December 2010 the Task Force on Regulatory Enhancement published a report aimed at improving the system's efficiency and effectiveness.

Mr. Speaker, I just want to indicate some concerns, I think, with respect to some of these developments. I noted the other day that the Premier's task force on competitiveness outlined a strategy for the province's future that was very much based on high-carbon energy sources. I had to say that I was disappointed with that direction because it's the opposite direction to which the rest of the world is headed. Now, to be clear, we certainly recognize that in the medium term there is going to be a tremendous demand for hydrocarbon fuels in particular, but to base a whole new industry, a whole new industrial strategy for the future of this province on increased use of coal and coal products I think is not the direction that we should be taking the province. We should be doing research and development and, indeed, commercialization of research into renewable energies because that in the long run will provide sustainable prosperity for future generations of Albertans.

Mr. Speaker, the Pembina Institute released a report on the potential benefits and risks associated with in situ coal gasification, or ISCG. It found that ISCG has the potential to access significant reserves, is approaching commercialization, and can produce electricity with less impact than coal generation. There are risks that must be addressed: groundwater contamination, CO<sub>2</sub> emissions, and carbon capture and storage. Emissions associated with ISCG will be about 25 per cent lower than conventional coal generation but 75 per cent higher than natural gas generation, so that's a concern.

There's a risk of ground subsidence. Like other mining activities ISCG will create cavities underground, which will lead to ground subsidence. This subsidence can impact surface water flows, shallow aquifers, and any above ground infrastructure such as roads or pipelines. There will be land-use impacts. It will affect wildlife habitat. We believe there is an important requirement that large or multiple ISCG developments should be considered in regional land-use planning. As well, ISCG development will lead to incremental increases in air emissions wherever it's built.

Mr. Speaker, those are some of my comments because one of the key functions of this bill is to outline a regulatory framework for in situ coal gasification. That's the first thing. It will also amend the Coal Conservation Act, the Oil and Gas Conservation Act, and the Oil Sands Conservation Act, and repeal the requirements for permits for the use of large amounts of energy for industrial and manufacturing operations. Industrial development permits were introduced in the 1970s, and their primary activity was to enable the ERCB to make public interest decisions with respect to the security of supply and allocation of energy resources. According to the minister's office when we contacted them, the original objective, dealing with the allocation of energy resources, is now met with competitive market forces and is no longer considered necessary by the government of Alberta.

7:40

Of course, Mr. Speaker, another difference, I think, between the NDP and the PC government is that they believe the market forces will in all cases, in all ways produce the very best result. Of course, we don't believe that that's borne out in practice. In fact, not even close.

Mr. Speaker, Bill 16 fully removes the existing permitting system in section 43 of the Oil and Gas Conservation Act and cancels existing permits. Consequential changes are made to other acts.

I want to get to another important point, Mr. Speaker, and this has been raised by the people at the Environmental Law Centre. They have a number of questions. First of all, does Alberta Environment's procedure reflect all aspects of directive 025 of the ERCB? Do the differences between Alberta Environment's procedures and ERCB's directive 025 have different points of jurisdictional mandate that are relevant in approving and regulating developments?

Mr. Speaker, I think that one of the problems that we have with this approach, transferring the responsibility for oversight in some of these areas, is that one of the major changes would revoke the role of the ERCB in industrial development permits and put the full responsibility on Alberta Environment. Now, we have a problem, not with Alberta Environment per se, but this is a department that has been the subject of ongoing reductions. It has suffered consistent budget cuts and increasing demands on its work.

For example, in the 2011-12 fiscal year the government has budgeted \$11 million less than last year. Since 2007 the Environment budget has been reduced by 30 per cent. Mr. Speaker, that in and of itself is a very, very serious issue, and it really demonstrates clearly the lack of importance this government places on the environment. A 30 per cent cut in the last five years is very dramatic, and now we are being asked to transfer additional responsibilities onto this department. Quite clearly, it really lacks the actual capacity to oversee this. It really brings into question, in my view, whether or not they intend this function to actually be provided with oversights. We really question how Alberta Environment will be able to cope with this increased responsibility with regard to IDPs.

The last point that I wanted to make with respect to this legislation is the amendments that allow the Market Surveillance Administrator to make complaints and to challenge the Independent System Operator, otherwise known as the Alberta Electric System Operator, or AESO, which is supposedly an independent group of about 250 technicians and engineers set out in the Electric Utilities Act. I just want on a side note to remind members of this Assembly that it is the AESO group that is behind this cockamamie scheme to spend \$13 billion on unnecessary transmission infrastructure.

Mr. Speaker, one thing I learned in my time on city council is that if you let the engineers have a blank cheque to build all the stuff that they think would be neat and fun, you're pretty much going to be bankrupt in no time at all. I think it's important that we recognize that just because you can build something and you can have very interesting technological solutions to problems, it doesn't necessarily mean that you're going to have the most effective use of taxpayers' dollars.

I think that what has happened is that there's a combination of political influence from the big electricity generating companies, but also you've got this group, AESO, who have been given free rein to design their dream system for electricity transmission, and it is the ratepayers of this province that are going to pay the bill. Already we're seeing the large electricity consumers rebelling against this, and I think we're soon going to see smaller electricity consumers – homeowners particularly, small businesses, farmers, and so on – also rebelling.

Mr. Speaker, the ISO is established in the Electric Utilities Act as a corporation to operate a market for the exchange of electrical energy in Alberta. The Electric Utilities Act requires that market participants must comply with ISO rules. If the ISO suspects that a

market participant has contravened one of the rules, it must refer the matter to the Market Surveillance Administrator.

The amendment will allow the Market Surveillance Administrator to object or to complain about a certain rule that would impede the functioning of a proper market and bring it forward to the AUC for consideration. It begs the question of why a publicly funded body such as the MSA would need to get involved in the AESO complaint and rule change process if the Independent System Operator is supposed to be fair, independent, and a free market agent. The MSA is itself supposed to hold market participants accountable to the ISO and enforce the rules they set out.

Mr. Speaker, according to the MSA's latest annual report in 2010 the MSA issued a significant financial penalty to a single market participant composed of 332 notices of specified penalties, totalling \$655,000 for infractions of the ISO's dispatch rules. The MSA issued 46 other notices of specified penalties, totalling \$75,000.

The question I have is whether or not the MSA will be lobbied by the regulated electrical utility companies to bring forth certain complaints. If the MSA is getting involved with the AESO to conduct surveillance and investigate the working market, then this change makes some sense and fits within its mandate. However, the MSA itself is mandated to receive complaints, often from electrical operators themselves, who are direct market participants. Perhaps there ought to be a boundary between the MSA's genuine complaints and those that are brought to the MSA from electrical utilities providers themselves.

Now, again, the Environmental Law Centre has some concerns with respect to this, and they suggested that in amending this piece of legislation, there should have been a specific exception related to the market rules related to feed-in tariffs that would allow a level of support for renewables in electricity generation. These feed-in tariffs basically operate to allow electrical generators to charge a premium for renewable power generation. An express power to allow for feed-in tariffs would take the form of a regulation-making provision that prescribes instances where the market rules may be varied to allow for feed-in tariffs.

The area of tariff setting is a complex area, Mr. Speaker. However, the general view is that the current framework is a barrier to more rapid adoption of renewables. It should also be recognized that feed-in tariffs may cause price increases and, as such, may need to be accompanied by programs to assist those with lower incomes. Also, there are several questions about whether a feed-in tariff would be upheld under the current system as something under the regulated rate under the act. The concern, however, is that any such rate would be openly challenged.

Those are my concerns, Mr. Speaker. Thank you very much.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments and questions.

Seeing none, the chair shall now recognize the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's indeed a privilege to come in here tonight and speak to Bill 16, the Energy Statutes Amendment Act, 2011. As we see in this act, it proposes to create a regulatory framework for a new class of petroleum production called in situ coal schemes, that produce synthetic coal, gas, and liquids through in situ coal gasification and liquefaction. It apparently eliminates the current regulatory regime of the industrial development permits, which exist to prevent resource waste, as the regulations as currently applied have been apparently superseded over time by environmental regulations in play in this province. It expands the breadth and oversight provided by the Market Sur-



veillance Administrator under the Electric Utilities Act, the Alberta Utilities Commission under the Gas Utilities Act, and it changes the definition of oil sands facilities.

7:50

When you look at these overall amendments and how they've taken place within the energy structure, it's difficult to see the pattern and direction that this government is going in and how it is going to fit with our energy future. From what we have structured here in Alberta, we have great skepticism on this side of the House as to the way many of our electricity statutes have come down the pike and how they've been developed. Primarily, this has been since the inception, when we privatized the industrial market some 15 years ago, and it's proceeded on from that front in a way that hasn't always been noticeably of benefit to Alberta citizens. I guess we take that healthy dose of skepticism as we continue down that path, and that's expressed here in some of my views that I will place on the record here tonight.

If we look at this, what we have, especially with the first goal of this, when we're looking at creating synthetic coal gas and liquids through in situ coal gasification, this is essentially what appears to be an older form of technology dressed up in a new sort of bow. If you look at it, this is some of that stuff that was talked about in World War II. When Germany was running out of fossil fuels, they were going to see if they could get to the oil reserves out in Asia. They had no more production in that country, so they were looking at the development of the gasification of coal. It appears that as we are here in this area running out of fossil fuels, we appear to be looking at ways of trying to get our coal reserves into more usable fuel resources, and that may be a reasonable and laudable goal.

As I just heard the member from the third party say, it seems like we seem to be going backwards in time almost to where we're developing coal resources, where we're looking at alleged clean-coal technologies when these, in fact, may not be the correct type of technologies to be investing in in this day and age. We may be better off looking at other ways to in fact be greening our grid instead of old technologies such as coal and situations of that nature. I put that concern on the record, that we may actually be going down a path where it may not actually be in our long-term interest as a province to really be looking at that stuff.

That said, you know, we do have an abundance of coal, and I understand that if we are going to develop this industry, it's got to be developed in somewhat of a reasonable fashion, so at the same time putting down a regulatory framework may not be the worst situation in the world. I just offer a little bit of balance to both those perspectives, that, in fact, sometimes we lose here in this province in a rush to get things done, seemingly, as quickly and expediently as possible, often to get the resources out of the ground without necessarily understanding the long-term consequences of what is actually going to happen.

We also see that this has been somewhat of a concern as this has generally been described to us as a housekeeping bill. At least from our side, it looks like there are some major changes to some things that are going to be happening in our province. Primarily, we see this from the change in what the definition is of an oil sands facility and how these are going to possibly have ramifications on the definition of what gets processed in Alberta, how it's going to be incented, how the incentive is going to be calculated for taxation purposes, and how the like is going to be formulated under that.

We have been assured that despite what appear to us to be relatively clear changes to those definitions, the redefinition of things usually attributed to this type of industry are now being included

in the new definitions. To us it looks like this will definitely affect the tax regime. We have been told by the ministry – and we take them, I guess, at their word – that this is not going to be affecting the tax regime. Now, from our view, we think that we're going to keep an eye on that. We're going to see whether that is, in fact, a true case, whether that will be happening, and we're going to worry quite a bit about that, considering that the oil and gas industry provides a great deal of revenue to us.

As well, we want to know what type of industry the government is into promoting or incenting. Is this the right type of industry to be incenting in Alberta? Those are the types of things we need to know and need to understand. To date we don't have a clear indication other than the word that this apparently doesn't. We haven't really seen a good explanation as to why the changes would be other than if it affected the tax and regulatory bodies that are in play.

We also note that this act changes the definition of coal and defines coal seams, that may turn some marginal coal deposits from mineral resources to pore space, which potentially changes the ownership if the mineral rights are owned by private interests and allows the use of very low-quality coal formations as carbon capture and storage reserves.

You know, we're looking for clarification. We received some clarification on this, and hopefully that will be clarified in the future. Again, as it pertains to this act, we're concerned about carbon capture and storage. It appears to be one possible piece to the puzzle that many pundits and many experts believe will have a great deal of relevancy, yet we have placed a large deal of our reduction strategy into this one technology. We're putting almost \$2 billion, an unprecedented amount of money, into this type of technology, and this is obviously going to continue, as we see it's being formulated to do under this act, from a technology that is relatively unproven in the eyes of many people, in the eyes of many experts on the other side of the issue, who believe this is more of a boondoggle than science that works. We're very concerned that we continue to go on that path when we're still in the early stages of whether this technology will work in the long run not only for lowering our emissions as a province but also for getting value for the money out of what we spend on reducing our carbon footprint.

8:00

We have a responsibility of playing that fact even though we're going to continue to be large players in the production of oil and gas products. I think that gives us even more of a responsibility to be doing our environmental fair share, and that's going to cause us to do some things of a very high quality that produce results. The world isn't just going to look at our jurisdiction and say: well, you guys get a pass because you're producing oil products that the rest of us use. No. Unfortunately, the microscope is going to be on us even closer. We're going to have to produce results, in my view, at a pretty substantial rate in order to get on the right side of this issue.

This act is going some ways to try and do that. If it's going the right way – well, hopefully it is. If it goes down a path of carbon capture and storage, then we have a lot of questions and a lot of concern about, especially, the rate that we're spending money on it, it appears, and the rate that we're changing the bills in the industry and the going forward of our regulatory systems to have this play a larger role in the Alberta landscape.

Let's also just comment briefly on the expanded oversight of Alberta's independent electrical system and the ISO. Again, the member of the third party brought up the concerns that this is the group that brought in, essentially, the changes to our electrical

infrastructure that could see the end users of electricity in this province pay substantially more for their electricity. One has to look at whether they are truly an independent body or if they're an arm of this government.

We look at how they changed their prognostications for the expected use of electricity by Albertans and their plans for transmission outlay in this province in 2007. Virtually overnight it was changed in 2008 to something that didn't appear to be thought out, voted on, or discussed at any level other than by the tall foreheads in this organization and some members of this government. It changed the perspective overnight to all of a sudden have a large transmission line extending from various parts in northern Alberta down to, allegedly, places as far-reaching as California.

This group has been part of that push, has been a backer of this push, has been a supporter of this push and a supporter of this government lock, stock, and barrel with relatively few questions or concerns that you would think an independent operator would have of not only government but of other institutions. You have concerns about their expanding role as to whether they truly are an independent arm or whether they're being . . . [Mr. Hehr's speaking time expired]

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Well, thank you very much. The hon. member certainly raised some very important points. I'm wondering if his constituents, like other Albertans that have been mentioned by other parties like the leader of the New Democrats, who is here tonight – relative to the issue of the potential raise in rates and what this could mean in a very negative way to consumers in terms of what they will face in dealing with the AESO and, of course, the electrical conveyance operator, are you concerned about that?

**Mr. Hehr:** Well, I think that it would behoove any member of this Assembly to view power as almost an essential good not only for industry but individual users here in Alberta. It's a commodity that modern life runs around, that we produce our goods with, that people heat their homes with, that people cook their meals with. Really, whether you're the wealthiest family in Alberta or one of its poorest citizens, at the end of the day electricity has a direct role to play in your daily life, from the production of your meals to getting to work. Of course, this resource and how it's managed and how it's produced in this province is important to everybody.

If you look at the way that this transmission system was built, the sort of seemingly overnight switching of the independent Alberta Electric System Operator from one form of plans to another that supports the government vision for a large, substantial investment in these transmission lines by the consumer, not by them but by the consumer, would be a cause for concern. No doubt when you have those extraordinary expenses, there's only one person who is going to end up paying for it, the end user. Whether that will have a substantial bite on our end users in Alberta: I think it's naive to suggest that it won't at least have something beyond a de minimis level. It will most likely have something more significant, something that will take a substantial monthly contribution to it by the ratepayers of Alberta, which at least in the short term and probably in the long term will lead to a competitive imbalance for our citizens. If you looked at it, many of the criticisms are out there.

Although I hope that is not the case, many people have put a fair question as to whether this is needed at this time. There's a strong case to be made that you should be doing this when and if

the electricity is needed in a certain community, when and if the operators of the system want to build those things, and when and if the citizens are willing to do it.

No doubt, I guess, the proof will be in the outcomes. Let's hope that some of the forecasts don't come to the front where we're paying substantially more in power for a boondoggle. Let's hope some of the smaller government estimates for price increases are more true than some of the substantial price increases that I've seen come up.

Thank you for the question.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you, Mr. Speaker. A follow-up. Obviously, the hon. member is making reference to the comments made by the Minister of Energy. Am I to assume that this member is not accepting the premise and the comments made by the Minister of Energy in terms of his looking through rose-coloured glasses?

**Mr. Hehr:** It is often easy, I think, for the minister or, actually, anyone who is in government to tend to get caught up in government rhetoric and maybe, as it is on the opposition's side, trying to see what is needed and what is in the true long-term interests of Albertans.

**The Deputy Speaker:** Any other hon. members wish to speak on Bill 16?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 16 read a second time]

8:10

## Private Bills Second Reading

### Bill Pr. 1

### Alberta Association of Municipal Districts and Counties Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Calgary-Mackay on behalf of the hon. Member for Leduc-Beaumont-Devon.

**Ms Woo-Paw:** Yes. Thank you, Mr. Speaker. On behalf of the hon. Member for Leduc-Beaumont-Devon I move second reading of Bill Pr. 1, Alberta Association of Municipal Districts and Counties Amendment Act, 2011.

This bill serves to modernize the act and provide clarity to its statutory provisions. For example, the definition of a rural municipality is added to the act to give clarity for the purpose of membership eligibility. This bill also strikes out the portion where it says that the association's purposes include promoting the interests of "all municipal districts and counties" throughout the province and substitutes "rural municipalities." Given that the association's membership includes 69 municipal districts and counties, there would be times when the association would end up promoting the interests of the majority of its membership but not all, as it is now explicitly stated in the act.

This bill also seeks to remove the provision which states the identity of the directors of the association at its incorporation in 1923 as this section is irrelevant given that those people are no longer directors. Instead, it would simply state that "at all times there shall be a minimum of five directors."

I encourage all members to support this bill and in turn help the AAMD and C work under an act that is more relevant and functional for the work that they presently do.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Any other members wish to speak on Bill Pr. 1?

Seeing none, the chair shall now put the question.

[Motion carried; Bill Pr. 1 read a second time]

### Bill Pr. 2

#### Galt Scholarship Fund Transfer Act

**The Deputy Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I move second reading of Bill Pr. 2, the Galt Scholarship Fund Transfer Act.

Mr. Speaker, Pr. 2 is one of those good-news stories that I'm sure we'll have no trouble passing in this House. The origin of this trust fund can be traced back to 1909 as a bequest from the late Sir Alexander Tilloch Galt to the Galt hospital in Lethbridge. Over the years and many legislative acts later in 1954 the funds were to be used for scholarships for nurses at the Galt School of Nursing. In 1986 the Galt School of Nursing was closed, and finally in 1995 the trust was taken over by the Galt School of Nursing Alumnae Association. This group of nursing alumnae nursed those dollars very carefully. If only these nurses were looking after our provincial funds or if, in fact, the heritage fund was looked after with such care. The principal is now valued at \$144,000, and thousands of students have received tuition to help them become the health professionals that we so rely on in today's world.

However, also over these many years the ranks of the alumnae have been thinning, and the ladies are of the opinion that it's time to transfer these funds to the University of Lethbridge for their nursing student scholarships. The understanding is that the \$144,000 will remain intact, and as has been the practice, only the interest will be used for the scholarships. It has been roughly estimated that \$5,600 would be available for scholarships each year now and into the future. A wonderful gesture. The Galt School of Nursing alumnae are to be thanked and congratulated for keeping the trust of the Galt family. I'm sure the Galt family would be very satisfied.

I would ask all my legislative colleagues to pass Bill Pr. 2.

**The Deputy Speaker:** Any other hon. members wish to speak on the bill?

Seeing none, the chair shall now put the question.

[Motion carried; Bill Pr. 2 read a second time]

### Bill Pr. 7

#### Hull Child and Family Services Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure for me to rise today to move second reading of Bill Pr. 7, the Hull Child and Family Services Amendment Act, 2011.

The purpose of this private bill is simply to shorten the name to Hull Services Act to accurately reflect current mandates and activities of this world-class organization, which I believe is a jewel in the crown of Calgary-Lougheed. Way back in 1962, thanks to the legacy of Alberta pioneer William Roper Hull, Hull Child and Family Services opened its doors to children who were disadvantaged, abandoned, neglected, or abused. Today Hull is respected as a leading-edge agency with expertise in issues that challenge children, families, and entire communities.

Many times children who are brought to Hull are afraid, upset, angry, and hurt. Often they struggle with adverse childhood ex-

periences, including maltreatment, mental illness, behavioural disorders, sexual victimization, addiction, developmental delays, poverty, and depression. No wonder so many feel so helpless, and no wonder so many believe their futures are also hopeless.

Through individualized assessment and treatment combined with compassion and commitment, these children begin to understand that someone truly cares for them and that they're worth while. They take control of their lives. They overcome their pain and their challenges. They build on their strengths. They focus on their future, and they succeed, Mr. Speaker. I've seen this with my own eyes on many occasions. From first-hand experience I know that Hull carefully selects and delivers well-researched, proven practices to ensure the highest quality of care and the most beneficial of outcomes. Best practices create the best results.

Today Hull's service continuum ranges from prevention and early intervention through to residential programs and it includes mental health and addiction services, in-home support, mentors, educational programs, family therapy, foster and kinship care, residential treatment, and supported independent living. Hull contributes significantly to the well-being of children and the enhancement of their families as well as to the health of the entire community. Amazingly, Mr. Speaker, over 3,500 people are touched by Hull's services each and every day.

Hull will be celebrating 50 years of miracles very soon. In fact, 2012 will be marked with significant celebrations, progressive professional development, enhanced fundraising efforts, and a profile building, all focused within Alberta. The proposed new name, Hull Services, will provide a fresh, inclusive, and easy to remember moniker for the entire community, and that's why it's so important that we do this now, in time for their celebrations.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Any hon. members wish to speak on the bill? Seeing none, the chair shall now put the question.

[Motion carried; Bill Pr. 7 read a second time]

8:20

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The Committee of the Whole is now in order.

### Bill 15

#### Victims of Crime Amendment Act, 2011

**The Chair:** I believe amendment A1 is on the table. Any hon. members wish to speak? The Minister of Public Security and Solicitor General.

**Mr. Oberle:** Thank you so much, Mr. Chairman, for the opportunity to speak again. When last we discussed this bill, I adjourned debate because of issues raised on behalf of the ND opposition and the Wildrose Alliance opposition relating to the absolute length of time when an application could be brought forward from a victim of a crime.

The bill worked rather hard to put some fences around that, put some certainty into it because of our experiences with age-old applications where it's very difficult to obtain medical records, if any. You know, the criminal records were difficult to access. We had tried to put some certainty around it. I remain convinced that we need to have some certainty around that. Because of that, the current amendment before the House is, in my view, problematic.

It also deals with victims and their injuries. The timing has to be around the commission of the crime.

I'm not prepared to support this amendment, and I would ask the members of the House to join me in defeating this amendment. However, in saying so, I have to tell you that I was swayed strongly by the arguments of both the ND and the Wildrose Alliance opposition, and I am prepared, based on discussions with the three opposition parties, to bring forward an amendment that, in my understanding, meets their needs nonetheless.

So I think the first order of business would be to defeat this current amendment, and I'm going to ask support of the House to do that.

**The Chair:** Any other member wish to speak on amendment A1? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Mr. Chair, I just beg the House's indulgence. I don't have that amendment before me.

**Mrs. Forsyth:** It's A1. Rachel's amendment.

**Mr. Mason:** Yes, I know, but I don't have it.

While they get it, I'll just speak on it, Mr. Chairman. I know that there is a great deal of concern that has been expressed about someone who has had reasons why they couldn't bring forward these concerns within a short period of time. For example, according to the amendment:

2 years from the date of the injury or within 2 years from the date when the victim becomes aware of or knows or ought to know the nature of the injuries and recognizes the effects of the injuries.

This is an insufficient period of time, particularly with respect to children and also with respect in many cases to women.

I think that the problem is that we have not seen the amendment that the minister proposes to replace this, and I think that that is a difficulty. It might be easier for us to deal with if we knew what the intention was with regard to this, but I think there are real reasons why the period of time needs to be extended, so I would urge members to approve this amendment.

Thank you.

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo on the amendment.

**Mr. Boutilier:** Thank you, Mr. Chair. I'm pleased to rise today on the amendment pertaining to Bill 15, the Victims of Crime Amendment Act, 2011. It is interesting that in indicating that in terms of what has taken place, I heard the member from the New Democrats put forward what I thought was a very insightful amendment, and I'm pleased to say that I observed that the Solicitor General was listening intently to the motion that was put forward. Obviously, he would have gone back to speak with his administrative staff and the caucus relative to that, so I'm somewhat surprised by the fact that he now does not want to support the amendment pertaining to the victims of crime because, you know, of all the cutting of red tape that goes on, any obstacles that impede compensation for victims really have to be eliminated.

Victims of crime are often the odd person out, so to speak. There is a lot of attention paid to police officers and prosecutors and so on, but I would be the first to offer my praise for the hard work pertaining to administering the justice system. In doing so, criminals would not be brought to justice otherwise. This is a provincial responsibility. The work is demanding, often dangerous, even for lawyers and judges and, of course, our police, which the Wildrose caucus clearly support. We believe it's a conservative

value and something that Albertans support and that the Wildrose caucus has put forward in the past and will continue to in the future and will continue to do as a government.

We must cope with the different threats and intimidation that go on. There's a lot of attention that has been focused not on the victims of crime but on the perpetrators of crime. Millions of dollars are spent on programs for those who have broken the law, but no one here takes issue with a program that will help someone treat their addiction to drugs. We want to see those who break the law move forward and contribute to society rather than drain it for their own selfish benefit.

Now, what frustrates Albertans most is seeing innocent victims, some paralyzed or suffering from other long-term disabilities, suffering indignity. They struggle, I want to say, with the emotional and physical toll taken by violent crime. Some may never work again, and those who support a family also have children to worry about. So one violent crime can be a life-altering event to a family. It's not just a concern to me but, I believe, to members of this House and all Albertans who are victims of crime, and they must be respected and treated with respect. Therefore, I do believe that the amendment that has been put forward is something that is very important.

The amendment, which I thought was very, very well thought out, was put forward by the Member for Edmonton-Strathcona, who also, of course, is a lawyer by training, and that is a complement with her background and the experience she brings.

I am surprised that the Solicitor General and the government do not accept the amendment that has been put forward. In my view, it is kind of like, shall I say, we need to deal with a situation. We want to improve it. I know the Solicitor General wants to improve this. Some of my colleagues, to the Solicitor General, I think actually will support this, so I'm going to be interested in the detail of what is coming forward from the government side on this as the Solicitor General intimates that there could be some positive moves made. I'm assuming those moves were made based on the work that the Member for Edmonton-Strathcona has put forward and that perhaps we will take a look at them, you know, and we'll look at an idea that like health care it's very important that we achieve a high quality.

**8:30**

Of course, the fund that was spoken about in this House earlier is there for a reason and is there for the benefits to be able to help families who have suffered from brain injuries. Those with lesser injuries receive a lump sum based on the severity of their injury. The funds also go to victims' groups on a grant basis, and I think the victims' fund is a great start and a great program.

Sadly, though, the issue here is access. The crime fund now has assets that I believe are totalling over \$15 million, and it has long-term liabilities of something like \$30.6 million. But it's hard to swallow that money dedicated to victims of crime sits in a bank account as opposed to going to good use, so I will be watching very closely. It's my hope that we can right this ship and that in any amendments coming forward such as what I'm speaking of, we can get back on track and put crime victims first.

I want to say that the amendments that are being put forward by the Solicitor General, of course, we will look at and not rule anything out. I'm just very pleased that the Solicitor General has listened to the Member for Edmonton-Strathcona, from the New Democrats, because I believe that this is a conservative value, a conservative value that Albertans connect with the Wildrose caucus. Clearly, I think I'm glad to see that this one minister, the Solicitor General, is listening to what opposition are saying. It's

amazing: the skill to listen, to be willing to stand up and say that we can do better based on that.

Consequently, I will be listening intently to other speakers this evening prior to coming to a decision on what I think will be best. I'm looking forward to being convinced by comments from the government side and other opposition members relative to the benefits and the weaknesses, potentially, of the amendments that are being put forward.

Thank you, Mr. Chair.

**Mr. Mason:** I wonder if before we vote on this, Mr. Chairman, the hon. Solicitor General would share with the Assembly the general intent of the amendment that he would like to propose as an alternative.

**Mr. Oberle:** I believe I'm prevented by parliamentary process to do exactly that. We're discussing an amendment, and the normal process here would be to table a subamendment, which was not possible, though I can inform the member that I've discussed my intentions this evening with the Member for Edmonton-Strathcona, the Member for Airdrie-Chestermere, and the Member for Edmonton-Gold Bar. Again, my intent – my amendment is not an amendment until it's tabled in this House, and it can't be done until this amendment is disposed of. So I'm deeply sorry that I can't help the member in that regard, Mr. Chairman.

**Mr. Mason:** Okay. Mr. Chairman, I'm going to put forward the arguments in favour of this amendment, then, being in ignorance of what the hon. Solicitor General has in mind. The amendment put forward by my colleague the hon. Member for Edmonton-Strathcona would accomplish three things. It would keep the language currently in the act around the two-year time limit within which victims are eligible to apply for financial support; two, it would strike out the bill's proposed 10-year limit from the date of the offence within which the victims are eligible to apply for financial support; and three, where the victim was a minor, the amendment would strike out the 10-year time limit from the date the victim reaches the age of majority regarding eligibility for applying for financial support.

Mr. Chairman, in the current act the two-year time limit applies from the date of the injury or the date of the victim's realization of the nature and effects of the injury. Bill 15 would apply a two-year time limit from the date of the victim's realization of the offence. This amendment would maintain the language currently in the act about the victim's realization of the injury in place of the bill's language concerning the realization of the offence. It is important that the act maintain its current language on this issue because women who are victims of domestic violence do not often recognize that they are victims of a criminal offence.

As the Alberta Council of Women's Shelters position paper published in February of this year, following the Solicitor General's consultation on the bill, states:

Women in situations of domestic violence commonly do not identify themselves as victims of crime. Even in situations where repeated and extreme abuse and injury occurs, women often do not perceive their experience this way.

It is, therefore, extremely important that the act maintain its current language, stating that individuals become eligible for financial support upon realizing the effects of the injury rather than realizing that they are victims of a criminal offence. This amendment is needed for women who are victims of violent crime to have equal access to the victims of crime fund and not to be disadvantaged by the effects of patterns of abuse by intimate partners.

Mr. Chairman, this amendment would also strike out the bill's 10-year limit from the date of the offence for eligibility to apply for financial support. The minister has said that the limit is needed to reduce the number of applications being made to the fund, but it is an arbitrary and unfair limit which will prevent some victims from receiving the help and support that the fund was set up to provide. Similarly, for victims that are minors, the bill imposes a 10-year limit from the date the individual reaches the age of majority. Again, the limit is arbitrary and unfair and will prevent some victims from receiving the help which they need.

So I would urge all members of the House to continue to support this amendment A1. Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yes. Thank you very much, Mr. Chairman. I'm rising to support the amendment brought forward by the hon. Member for Edmonton-Strathcona. In listening to the exchange that's gone on over the last 15 minutes or so, I have to say that I am irritated that we have to keep fighting the same battle over and over and over again and that the government persists in demolishing the good work that has been done. We have so much work that shows that particularly women, almost exclusively women, who are victims of abuse, whether that is long-term emotional or psychological abuse or physical abuse, can take years to come to the point where they acknowledge that that was what was going on, that their lives have been affected by it, and to be able to apply for assistance. And they are perfectly entitled to do that.

I understand that the Limitations Act in Alberta says: two years from the date of the crime and that that applies to everything else. Fair enough. But that's not what we're dealing with here. We are dealing with a very specific and specialized group of people who suffer abuse in a way that is not customarily suffered by any other identifiable group. Interestingly enough, once again it's women who are this identifiable group and which the government is repeatedly in a position where it wants to take away what we fought so hard to gain, and that is the understanding of how long . . . Sorry. Let me stop.

What we're trying to do is make sure that those women have access to the funds that they are perfectly entitled to get access to. The problem that exists for this very specific group is that they may not come to terms with what's happened to them. They may not psychologically be able to identify that and acknowledge it and be able to go forward and claim the funding that is there in a government program for them. It often takes time to get to that point for this group of people. So why the government persists in coming back to us and doing this – this is the second or third time I've been involved in this debate in the 14 years I've been in this Assembly plus the time before that, when I was involved with the Advisory Council on Women's Issues, that I keep hearing this debate and the government keeps trying to do this.

**8:40**

It's, well, irritating is not a strong enough word, quite frankly. It's a persistence by this government of failing to acknowledge all of the documentation that is available to say: "This is what happens to this particular group of people." We have to recognize that. We have to go on the evidence and on the scientific knowledge that's available that tells us how long it can take women to recover and to be able to get to the point where they can apply for funds. [interjections] Gentlemen, if you are not able to contain your discussion, please, I invite you to step outside.

Thank you.

**An Hon. Member:** Are you challenging them?

**Ms Blakeman:** Well, I'm inviting them to step outside. If the conversation is that interesting, they should continue it out the door. Thank you.

Perhaps the chairman could be a bit quicker on his feet next time so that I don't have to do it. [interjections] Well, if this amendment hadn't had to keep coming forward, I wouldn't be quite so prickly about it, you guys.

I don't understand why you keep trying to do this. Maybe it's because of the legal basis for this that you want to line everything up with the Limitations Act and its two-year gates, time limits. It's annoying for me and irritating for me, and that's nothing compared to what the women and children that find themselves in this situation must feel when they look at the government persistently trying to deny them access to benefits that they're perfectly entitled to get and that, in fact, the fund was put in place for.

I went to the initial announcement of whatever the first version of this particular fund was called, and it's gone through about three incarnations now and been called a couple of different things. Here we go: the Victims of Crime Act, that came into force on August 1, 1997. That'd be exactly right. The Victims of Crime Act replaced the Victims' Programs Assistance Act and the Criminal Injuries Compensation Act. Then in 2005 it incorporated the Canadian statement of basic principles of justice for victims of crime. So now we have the victims of crime fund.

We have to acknowledge this, and that's what this amendment is trying to do. Once again the government has taken that acknowledgement out. We're trying to see it put back in. I have a statement of intent from the Solicitor General that he's going to deal with the issue again, but because of the process that we're in in this Assembly, we don't know what that is. We have to take the word of the Solicitor General at this point that his amendment will do, in fact, what we are seeking. He urges us to vote against the very amendment that actually does include what we'd like to see.

So I am going to go forward and vote in favour of the amendment that is on the floor before us because it does what I want to see done and tries to acknowledge and deal with that compensation. I'm sure the rest of you will vote according to whatever you believe is right, but I'll tell you that it's darn . . .

**An Hon. Member:** Frustrating.

**Ms Blakeman:** Well, frustrating doesn't begin to explain why we're back here for at least the third time arguing the same point in front of this government. We have an institutional memory in this place. Why isn't it operating?

I urge the rest of my colleagues to follow my lead and the lead of others that have spoken and to support this amendment. Thank you very much.

**The Chair:** The hon. Member for Airdrie-Chestermere on the amendment.

**Mr. Anderson:** On the amendment, Mr. Chair. I am absolutely still supportive of the amendment from the hon. Member for Edmonton-Strathcona as I said in my remarks previously, and I am very much in agreement with the previous speakers about this on the opposition side. This is the exact wrong message to send to those victims, in particular those victims that were victimized when they were children. A lot of the time those memories are suppressed. A lot of those times they live in fear. Whatever the case their mind literally does not allow them to unlock it, unlock those memories, until later in life. A 10-year cut-off date with regard to a limitation sends the message to them that their victimization is somehow less legitimate or less important than those who were victimized a little later on in life and haven't suppressed it

and have remembered it. This is an absolute fact. It does happen, and it happens more than I think any of us know. I would hope that most of us, if not all, haven't had this sort of victimization. But so many have, and literally they cannot remember what happened until after years of therapy. There's something wrong, there are usually signs, and then they go into the therapy, and the mind literally unlocks the stuff.

I really feel that it's a big mistake on the part of the government not to see this, not to recognize that that 10-year kind of statute of limitation just does not properly account for those victims. It just sends the wrong message. It just sends the wrong message to our kids, to those kids and to those adults who were kids when they were abused as well as to those who out of fear or whatever feel that they can't bring it forward for a 10-year period.

I know that the government wants certainty, and I understand that. Certainty is good. But there are some things so heinous and so wrong and so debilitating and awful that conventional thinking around certainty in the Criminal Code just doesn't apply, and it doesn't apply here for this victim of crimes fund. You need to really think this through.

In fact, I misspoke. I think criminally, if I'm not mistaken, there is no limitation. That's right. There is no limitation on the 10 years or any years on that for a victim that remembers it later on in life. So why wouldn't you follow that same principle when you're talking about the victims of crime fund?

Now, I am looking forward to see what the Solicitor General is bringing forward. That's not to say that me speaking for this amendment right now would preclude me agreeing to a different amendment if it improves the bill. But unless it specifically improves it, specifically does what this amendment is asking here, then I don't think it will be as good an amendment as what the hon. Member for Edmonton-Strathcona is talking about.

Again, I have no idea what the bureaucracy has said to the Solicitor General, to whoever to introduce this limitation. I don't know. I have no idea. But I know that it's not correct. I sure hope that if this doesn't go through now, hopefully in subsequent years or perhaps after the next election maybe we will look again at this and try to get it right. If anything, just think of the message that it sends. Everything else aside, think of the message it sends to those who were abused when they were kids, suppressed the memories, and then remember them later on in life. It says to them that their victimization is not as legitimate as the victimization of someone who suffered it later in life. It's the wrong message, so please reconsider.

I will be still supporting this amendment. I do hope it passes, and if not, we'll look to see what the Solicitor General is proposing.

**8:50**

**The Chair:** The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Well, thank you very much, Mr. Chair. At this point this might be the definition of piling on, but at the same time I, too, must speak in favour of this amendment, proposed by the Member for Edmonton-Strathcona. It's a very good amendment, essentially, for many of the reasons we've heard expressed by the Member for Edmonton-Centre, the Member for Airdrie-Chestermere, and in fact all members who have spoken on this issue who at least from the view from this side of the House feel there are both scientific reasons as well as reasons of equity that say that imposing a 10-year statutory limit on recognizing the pain and suffering by victims of crime in these situations is wrong and antithetical to what the act is actually trying to instill.

If we actually just left it at the amendment the hon. member is proposing here, the original act that is proposed in the Limitations Act, which states, “within 2 years from the date of injury or within 2 years from the date when the victim becomes aware of or knows or ought to know the nature of the injuries and recognizes the effects of the injuries,” this is essentially the reasonable man test. People would objectively look at the circumstances, apply the situation that the victim was in, and see whether it was reasonable that he or she was applying for the compensation so late or so early or whenever the fact the victim got around to applying for the compensation.

By no means is this a blank cheque or something to that effect that allows a victim some loophole. What it does is it just applies the reasonable man test to their circumstances, and in my view it recognizes a much more fair balance that identifies some scientific circumstances that exist to victims of crime when they’ve been in situations where they’ve been exposed to often horrific and repeated and extended abuse in all sorts of situations that this honourable House may not be aware of.

Again, I don’t pretend to be Kreskin, so I can’t tell you what the hon. Solicitor General’s amendment is going to be, but I look forward to it and hope he does come up with it.

**An Hon. Member:** Is he like Houdini?

**Mr. Hehr:** No, Kreskin wasn’t like Houdini. Houdini could escape from things. Kreskin could say whether you had 21 or not in your cards, so that’s what it is, hon. member. No, I am not Kreskin, but I will tell you that I hope the Solicitor General’s amendment is similar, if not identical, to the one being proposed by the hon. member of the third party, and we can go from there.

This is a good discussion tonight on a very important issue. I’m glad we were here for this debate, and I’m glad we had an opportunity to discuss this. I guess now the institutional memory of the Member for Edmonton-Centre says that this is the third time this situation comes up. At least maybe if we have this discussion a few more times, we’ll no longer see it being written into legislation here in Alberta if the reasons were valid that we brought up here tonight.

Thank you for the opportunity to speak, Mr. Chair. I invite other people to speak, or I hope the Solicitor General sets us all at ease and can calm our jittery nerves here on this side of the House and go forward in that vein. Thank you very much.

**The Chair:** The hon. Member for Calgary-Fish Creek on A1.

**Mrs. Forsyth:** Thank you, Mr. Chair. I’m pleased to rise yet again on Bill 15, the Victims of Crime Amendment Act, 2011. I recall specifically speaking in regard to the amendment brought forward by the Member for Edmonton-Strathcona about two weeks ago and brought forward what I thought were some important things. At that particular time, I talked about incidents like Theo Fleury, who was sexually abused, I think, probably at the age of 14 as a young hockey player and decided to come forward probably 20 years after the fact and has now, obviously, become someone who has become a Canadian idol, as far as I’m concerned, in regard to championing the issue of sexual abuse.

I know the Solicitor General has brought some amendments forward and has shared those particular amendments late in the afternoon with the House leader for the Wildrose and the NDP and also the Liberal opposition. You kind of feel like you’re caught between a rock and a hard place, where you kind of like the amendment, but you know that if you don’t support the amendment, you’re screwed.

He put his initials on this amendment. Then we have the Government House Leader coming over and reminding our House leader that, you know, you did sign this particular note supporting the Solicitor General on the amendments in regard to what he’s bringing forward, which he has already said that he can’t table because we’re debating the A1 amendment, but we will be able to discuss that after.

In my life in politics, which has been interesting to say the least, as a former Solicitor General and minister of children’s services I always used to look at doing the right thing and what’s best for Albertans. As people have said previously in this House, I have made my political history talking and advocating on behalf of children. So when I’m looking at a bill in particular, I look at what the bill contains, what it’s going to do for Albertans, what is right for Albertans, and what is wrong for Albertans.

Then when an amendment hits the Legislature, I always look at: where we were, which is the bill that was originally tabled in the Legislature; where we are now, which is an amendment that the Member for Edmonton-Strathcona put before the House; and where we’re going. You know, when we go to where we were, we have Bill 15 that was brought before the Legislature and tabled in the Legislature a few weeks ago, and it was the Victims of Crime Amendment Act, 2011. It was interesting that as this particular piece of legislation made its way through the House, an amendment hit the floor on the 21st of April, which was an amendment from the Member for Edmonton-Strathcona, so that’s where we are right now.

As someone who’s new to being a member of the opposition, I thought it was important that we talk to the Member for Edmonton-Strathcona to find out, as the critic for this particular piece of legislation, where she was going with this amendment when she talks about 12.2(2), striking out everything after “made” and substituting “within 2 years from the date.” I found the conversation actually quite fascinating because it really starts putting your brain in gear. You start thinking about all of the things that the government talks about in their throne speech and what the Premier has spoken about. They’re all for families. They talk about children. They talk about the protection of children. We’ve seen some of the legislation and private members’ bills hit the Legislature, and I know we’re going to be talking later on in the evening about, I think, Bill 8, the Alberta Missing Persons Act.

In the conversations with the Member for Edmonton-Strathcona and in talking to some of the people that I always feel are my best resources – and that’s people and stakeholders and the police and people that work with victims of crime, et cetera – it started to make a lot of sense to me. Then you dig a little deeper, and you start talking to or reading about or listening to a wonderful organization called Little Warriors, that has been advocating over the last, I would say, year in regard to the sexual abuse of children and how you should start talking to people, and that it’s not an embarrassment. They’ve put together a very, very good campaign, in my mind, encouraging people, adults or children, for that matter, who have been sexually abused to start to speak out and to talk to someone that they trust, even though a majority of the time the people that they trust are the same people that are sexually abusing them. It’s not your fault that you’ve been sexually abused.

I have to say, Mr. Chair, that I like the amendment that the Member for Edmonton-Strathcona has brought forward. I’m a realist, and I realize the chances of this particular amendment passing in this Legislature when you have a government that is intent on defeating this particular piece of legislation. I really, really challenge the government to think about this legislation and this particular amendment in regard to what they’re defeating and why they’re defeating it and then go home and explain to their

constituents. The nice thing about *Hansard* is that it's all on record, quite frankly. We've been very fortunate in being able to provide a lot of that through our web pages in regard to what particular individuals in this Assembly are saying about a particular piece of legislation.

9:00

What I find quite interesting is the silence of the government on this amendment and not speaking, whether they support it or they're against it. Silence is an incredible tool, especially when you don't have anybody speaking at all, so that obviously means that they don't support this amendment. We'll continue in committee as Wildrose caucus to speak in support of this amendment as I'm sure the Liberals and the NDP will. We know what is going to happen to amendment A1, but we're going to continue to advocate on behalf of Albertans, quite frankly, and on behalf of the children who at this particular time, at 5 after 9 somewhere in this province probably and if not in this province somewhere in this country, unfortunately are being sexually abused and may not understand what's happening until they get a little older and a little wiser. So I again am going to be on the record that I support A1, and I'm going to encourage all other members in this Legislature to support it.

**The Chair:** Any other hon. members wishing to speak on amendment A1?

Seeing none, the chair shall put the question.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 9:03 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Cao in the chair]

For the motion:

Anderson	Forsyth	MacDonald
Blakeman	Hehr	Mason
Boutilier	Hinman	

Against the motion:

Ady	Goudreau	Redford
Allred	Horner	Renner
Benito	Johnson	Rodney
Blackett	Knight	Sarich
Campbell	Lund	Tarchuk
Danyluk	Oberle	VanderBurg
Denis	Olson	Weadick
Doerksen	Ouellette	Woo-Paw
Fawcett		

Totals:	For – 8	Against – 25
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[Motion on amendment A1 lost]

**The Chair:** The hon. Minister of Public Security and Solicitor General.

**Mr. Oberle:** Thank you, Mr. Chairman. I would love to rise to speak if I could, but I can't. At this time I would like to table an amendment. I believe it would be amendment A2. As that's being circulated, I would just maybe make some introductory comments.

I think every opposition member over there would know the process that bills take, going through various committees and discussions, and they're a long time in the making, including some public consultation that was involved. We believed that we had

arrived at a bill, and we firmly believed there was some need to put certainty around the issue of applications. We're concerned about fraud in applications and other issues, and I tried to articulate that.

However, discussions in the debate in the House, most notably from the Member for Edmonton-Strathcona and the Member for Airdrie-Chestermere, raised what I thought were some legitimate and heartfelt concerns about the harsh termination of anybody's rights. They reminded me, quite rightly, that we are talking about victims of crime here for the most part, and how would my proposed bill address the issue of somebody that was sexually abused as a child and came to that realization or came to understand those issues and those injuries much later in life or of somebody that was, for example, the victim of a long-term spousal abuse situation and really only came to understand those issues at some later date? Both of those are not only plausible; they happen regularly. Those are people that are known to be victims of crime that have interacted with our system, people that would find themselves in that circumstance.

So we adjourned debate on that division, as it were. I went back to my staff to craft something that would meet the needs. There is still a thought amongst the community that there needs to be some certainty, and what we have crafted here I think represents a reasonable compromise. It provides some certainty, but it puts no fences around the end date in cases where these realizations come in later life. The amendment actually goes back to what was the previous wording. We had a director's discretion clause in there that the proposed Bill 15 would have eliminated, so we've reinserted it. It would now say, "Notwithstanding sections 12.2(2)(b) and 12.3, the Director may extend the period of time for making an application where the Director determines that there are compelling reasons to do so."

If I was to guess right now, I would say that probably provides more flexibility than the original intent was, but it certainly captures the issues such as sexual abuse of a minor or spousal abuse. It captures people whose realization of their injuries and their circumstance comes later in life and where their grappling with the effects of those injuries comes later in life. The science is – and I agree with the members for Airdrie-Chestermere and Edmonton-Strathcona – abundantly clear that these circumstances arise, that they exist, and they certainly would represent a compelling reason for a director to determine that the dates should not be adhered to.

I believe this represents a reasonable compromise. Not wanting to infringe upon the privilege of any member over there, I'll say nothing more than that I did discuss it with a few members in each of the parties, and I think I've got some level of agreement on that, but I look forward to the debate, Mr. Chairman. I'll retire my comments there.

9:20

**The Chair:** The hon. Member for Edmonton-Gold Bar on amendment A2.

**Mr. MacDonald:** Yes. Thank you very much. You're absolutely right, Mr. Chairman. We're speaking directly to amendment A2.

I listened with interest to the debate on amendment A1, as proposed by the hon. Member for Edmonton-Strathcona. Certainly, this amendment is a compromise. I received a handwritten note from the hon. minister regarding this amendment A2, and I certainly appreciate that. A2, as I understand it, will allow for an extension of time. This is going to be inserted or added following section 12.3 of Bill 15. Section 12.3 certainly provides instruction or whatever we want to call it on an application where a victim



was a minor, but this application is new and allows an exception to the general limitation periods. If the victim was a minor at the time of the offence, an application for benefits may be made within 10 years of the date the victim reaches the age of majority.

Now, I thought – and I could be wrong – this provision is consistent with the Alberta Limitations Act, which extends limitation periods for minors in a similar way, but if this amendment is further clarification to that, we are now going to allow that the director may, not shall, “extend the period of time for making an application where the Director determines that there are compelling reasons to do so.” Well, I think that is a step further. I could be wrong, but certainly that would be my interpretation of that.

It’s important that we understand and be mindful of section 12.2(2)(b), but certainly it would be my view that this changes the application deadline. It certainly changes it beyond the two years, which is noted in section 12.2, from the date of an injury or death or two years from the date when a victim knew or ought to have known the circumstances.

I think this certainly is a step in the right direction. Is it everything that the hon. Member for Airdrie-Chestermere or the hon. Member for Edmonton-Strathcona had discussed? I’m not certain about that, but I view this as an improvement. I think that at this time I would be quite willing to support this.

Thank you.

**The Chair:** The hon. Member for Calgary-Fish Creek on amendment A2.

**Mrs. Forsyth:** Thank you, Mr. Chair. I’m pleased to stand up in regard to amendment A2, that the hon. Solicitor General has brought forward. I do so with some hesitation, I guess. I understand that our House leader has indicated that we will be supporting this amendment, and I will also be supporting it but, if I may say so, with some reluctance.

I guess I’m going to start off with some of the comments that the Solicitor General made when he was bringing forward the amendment. He talked about the public consultation that they held in bringing forward Bill 15. I find with some difficulty that through public consultation no one – no one – thought about what was contained under 12.1, 12.2, and 12.3. When they did public consultation – and he talked about that – of all the people in this province, it struck no one’s mind that we have had people who have been sexually abused as a minor and that 20 or 25 years later they come forward in regard to the sexual abuse. I keep referring back to Theo Fleury, who has come out very publicly over the last two years. Within this public consultation you would think that at that particular time, whether it was stakeholders, the police department, or even someone within the ministry’s office, they would think: well, maybe we should kind of look at that particular section.

The minister also referred in his introduction of his amendments to the uncertainty in the community. I guess my question to him is: what is the uncertainty in the community? He never really elaborated on what he meant by uncertainty in the community.

The other thing he mentioned when he was speaking – and I look forward to reading the *Hansard* or maybe to some clarification from the minister – was that this regularly happens. I’m assuming that when he refers to “regularly happens,” he’s talking about sexual abuse. I look at his amendment, where he talks about 12.4 and the extension of time. It says, “Notwithstanding sections 12.2(2)(b) and 12.3, the Director may” – I always love the word “may” in legal terms; there’s always a big difference between “may” and “must” to anyone who is a lawyer here, and I’m not a lawyer – “extend the period of time for making an application

where the Director determines that there are compelling reasons to do so.” I guess my question to the minister is: what is considered compelling?

He talked in his briefing notes about the sexual abuse of a minor. He talked about the realization of the victim’s injuries that comes later in life. I started putting my thinking cap on, and I’m thinking: well, there’s no reason why anybody would even question the sexual abuse of a minor, nor would they question the realization of their injuries that comes later in life.

But what about somebody that’s sexually abused as an adult? Now, that may not strike anybody here, but from my time as the Solicitor General and the minister of children’s services I go back to when I brought a motion in front of this Legislature many, many years ago about a wonderful drug that was hitting the scene at that particular time called Rohypnol, the date rape drug. When I brought that motion forward several years ago, I think I caught everybody off guard in the Assembly in regard to Rohypnol because it was just hitting the scenes. As the Solicitor General we were just starting to get police reports about this drug that was hitting the bars and scenes like that and in regard to women, the majority of them women, that had some very fuzzy, fuzzy kinds of stories that they weren’t sure whether they were raped, that they weren’t sure whether they had had sex. At that particular time, if I recall – and I was the Solicitor General from 2001 to 2004, so I’m going to say 2001 and even prior to that – it was brand new on the scene. It was just hitting the market.

Then, of course, we go into gang rapes. Gang rapes are a very interesting scenario where you have a young adult, and what we consider a young adult in Alberta is 18. They get involved in drugs, and they get involved in the gangs, and some of the initiation in the gangs is gang rape. It’s all maybe very exciting and thrilling at that particular time, when we’re talking about an initiation into a gang, but somewhere down the line, when that particular individual is 25, 26, 28, that 10-year period that is involved in this particular legislation – I would suggest that that’s 28 – they all of a sudden think: what the heck have I gotten myself into? They’re dealing with a lot of emotions.

9:30

What’s particularly interesting to me is that in the amendment to Bill 15 that the Solicitor General has brought forward, under application for benefits, 12.2(1) stays the same. Under that 12.2(2) stays the same as does (a) and (b), which talks about within 10 years after the offence occurred. Section 12.3 stays the same. And then he’s adding in there 12.4, which says, “Notwithstanding sections 12.2(2)(b) and 12(3), the Director may” – again I want to repeat, may – and talks about “compelling reasons.”

We as the third opposition realize that when you’re given seconds, you take it. It’s kind of like you want first place, and that particular first place to me was the amendment that the Member for Edmonton-Strathcona brought forward. Now we’ve got second place, and that’s the amendment that the Solicitor General brings forward. It kind of reminds me, like, you’re second choice or you’re second fiddle or whatever. For us this particular amendment is that second choice. I guess in life you can pick first, second, and third, and if you have to, you take one of the top three.

Unfortunately, we’re now put in a situation where the government has defeated our first choice, which was the original amendment from Edmonton-Strathcona, which I think encompasses everything that people are seeking under the Victims of Crime Amendment Act to try and get some counselling. It fits and encompasses, you know, sexual abuse of women or men, for that

matter, who have been abused in a relationship. It encompasses the whole thing.

Now we're into what I call second choice. We have that little word "may." Another word that strikes me is "compelling," and I would love to look at the dictionary to really actually get into what compelling means. I know that the Solicitor General's intentions are probably – I don't want to use the words well thought out – I think thought out, and he feels that this is going to encompass what he feels is important to get this legislation through. We will obviously support this amendment with some reluctance, with some second sobering thoughts, if I can use that, and I'll listen to the rest of the debate.

It will be interesting to – again, the government through this whole debate on the Victims of Crime Amendment Act, whether we talk about our first choice, has virtually been silent. I'm looking forward to the hon. Member for Calgary-Montrose maybe standing up and speaking in regard to why he felt compelled, if I may use that word – and he was going to law school – to turn down amendment A1, which I think encompassed everything, and now he feels compelled to support amendment A2. I guess to me that's exactly what compel can mean. You know, it's different things to different folks.

With that, I'll sit down and let other members speak.

**The Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. It's a privilege to rise and speak to this amendment, which is amendment A2, to Bill 15, the Victims of Crime Amendment Act, 2011. As previously noted, this has been brought up to replace some of the concerns that were underneath the act, primarily some of the limitations that were brought in by this government on what would be known as the drop-dead rule, that an application must be made to the victims of crime board within 10 years of some occurrence of an event happening or that victim would forego their opportunity to forever get compensation back under the bill.

We see, then, that the Member for Edmonton-Strathcona brought forward an amendment that changed this, that eliminated this 10-year drop-dead rule and brought in the reasonable man test, where people would judge a situation on what a victim had been through, what a victim was dealing with, whether it was reasonable that he or she had taken so long to get their application in to the court, and make a decision based on science, based on understanding, based on a recognition of the human frailty and faults that lie within the human makeup at times. I thought her amendment was essentially an affirmation of where both the law is as well as the sentiment of what I believe this Legislature viewed as being a reasonable approach, to being a compassionate government as well as representing a compassionate citizenry that recognizes that people who are victims of crime don't always fit into neatly fitting definitions and 10-year rules and regulations and time frames.

The situation we noted as being especially difficult was the area of sexual assault or sexual abuse or spousal abuse, where victims take a lot of time to really internalize those, to recognize that they have been victims of crime, and often take years, if not a generation, to process those internalizations, what they mean and how they've affected their lives and their children's lives. In my view the amendment brought forward by the Member for Edmonton-Strathcona captured that.

The Solicitor General in his wisdom has not adopted that but has come with a provision that, in my view, goes some of the way to giving these victims of crime some opportunity to be heard, and that's through his amendment, which states as follows: "The Di-

rector may extend the period of time for making an application where the Director determines that there are compelling reasons to do so." One would assume that an applicant would not fall outside of the 10-year drop-dead rule, that was prescribed in the legislation, and would be forced, then, to get any compensation under the act at the sole behest of the director.

At this time in this Legislature we have no idea who this said director is, who has appointed him or her, what their viewpoint is, what evidence will be presented to them, what the forum is for presenting to them this information, all of that stuff. We are here left with a picture of some all-knowing, all-seeing being who's going to sit out there and decide compensation to deserving victims and those who are not deserving. In my view that's a very difficult position to put us in here, to really wholeheartedly get behind this amendment and say that this eradicates the unforeseen consequences that were in the other bill. Yeah, it does offer one more opportunity for the victim to be heard, but by no means is that an assurance that the right steps would be followed or the right tests under the law or what the minister said that the act is supposed to cure are followed. It puts an awful lot of power in the hands of one individual.

**9:40**

Upon looking at this as an objective toward the act, yes, one can say that this is incrementally better. Could it be a lot better? Yes, it could. In my view, it would be a lot better if we would have been adopting the amendment put forward under Bill 15 in the first amendment to this act. Nevertheless, because I'm a believer in incrementalism, I will be supporting this, although with the reservations I have. I hope that people faced with this situation are getting a fair and adequate hearing to present the evidence as it may be to the powers that may be at the time and if they should be receiving compensation under the act, that the act is getting them the benefits they so deserve. We've noticed some situations here where opportunities may have been missed in the past and may actually be missed in the future because of the way this legislation is written. I hope that is not the case.

Nevertheless, those are my comments. I would thank the Solicitor General for at least going away and working on the amendment and listening to what was brought up. Oftentimes I think there are situations where we put things through, and we get them done: let's not worry about it till the next time we open up the act six, 10 years from now. So I will say that. It's not everything we wanted, but like the Rolling Stones once said, Mr. Chair, "You can't always get what you want . . . you get what you need."

Anyways, thank you very much for allowing me to speak on this issue, Mr. Chair.

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo on amendment A2.

**Mr. Boutilier:** Yeah. Thank you very much, Mr. Chair. Pertaining to the amendment to Bill 15, the Victims of Crime Amendment Act, 2011, I appreciate the previous speaker and his comments about, you know, "You can't always get what you want," but you can certainly try for it. I do believe that the original amendment that was lost earlier tonight, put forward by the Member for Edmonton-Strathcona, was a far stronger amendment and a better amendment. I do believe that, clearly, under the act as it still reads, there is way too much wiggle room because it says "may." It does not say "must." In the amendment 12.4 says an extension of time notwithstanding 12.2(2)(b) and 12.3, the director may – he may not as well – consider to extend the period of time for making

an application where the director determines there are compelling reasons to do so. Once again, the inmates running the asylum.

There's way too much wiggle room in this, and I will not be supporting this amendment.

**The Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you. I have a question for the hon. minister, Mr. Chairman, and I hope he would answer it to help me make up my mind. What is the right of appeal from a decision of the director under this section?

**Mr. Oberle:** Mr. Chairman, an applicant can appeal a decision of a director to the Criminal Injuries Review Board, as has always been the case. That's their right of appeal.

**Mr. Mason:** From there to the courts?

**Mr. Oberle:** I would have to look that up. I'm sorry. I don't have that answer at my fingertips. I believe that would be only if an error in law was made in the decision of the board.

**Mr. Mason:** Mr. Chairman, this amendment has the advantage of providing an exception to the rules that are set out in the legislation, but in my view the provisions of the legislation set the overall direction that should be followed. It doesn't set out under what circumstances an extension would be provided or any criteria really that would be used to make that decision. So my concern with this is that it introduces an element of arbitrariness into the administration of this. That concerns me. I think, therefore, it is quite a bit less satisfactory than the amendment that was just voted upon made by my colleague for Edmonton-Strathcona. I don't really believe that this does the trick, and I would be very concerned that the fact that this provides for an extension at the discretion of the director doesn't ensure that it is properly provided to people who legitimately need it. So I think, Mr. Chairman, that the minister's amendment falls short of what's needed.

Thank you.

**The Chair:** The hon. Member for Airdrie-Chestermere on amendment A2.

**Mr. Anderson:** Thank you, Mr. Chair. I'd like to first commend and thank the Solicitor General for bringing this amendment forward. You know, I'm going to respectfully disagree with my colleague from Fort McMurray-Wood Buffalo. We agree on 99 per cent of things, but I think that on this one, although it is not a perfect amendment, it's certainly better than what's there right now. I want to be very clear, though. I think that the original amendment brought forward by the Member for Edmonton-Strathcona was better, that it hit the point better, it protected what we're trying to get at better. We're trying to protect individuals who address this issue of abuse that they've had earlier in their lives later in life after discovering it or remembering it or having the therapy, et cetera, that they need to remember it and deal with it or they feel protected to now deal with it or whatever have you. That's what we're trying to get at.

I hope that this amendment allows for that. I hope it does. It allows for it if the director determines there are compelling reasons to do so. That's very vague; it's too vague. It leaves a lot of discretion with someone who is not really accountable to anyone on a day-to-day basis. I don't think that's probably the best way to

go, but it is certainly better, miles better, than not having it there at all.

In the Solicitor General's comments I think what he's clearly said in *Hansard* – and I think that it's key for the director, whoever that is, to remember and look at what the Solicitor General's intent and this House's intent were when this amendment was brought forward – is that this is specifically for those instances where individuals are abused and then later in life are in a position or able to remember, et cetera, that abuse and deal with it at that time. One of the things that you need to look at when interpreting legislation, of course, is the debate in *Hansard*, and I hope that between what the Solicitor General has said and what other members of this House have said, clearly the director, when these situations present themselves, will use his discretion given in this amendment to do exactly what we're talking about here.

I would hope that other members of the government, particularly the former Justice minister and the Justice minister, would hopefully get on record as perhaps saying that that is exactly what the intent of this amendment is so that the director can feel emboldened to use that discretion in every situation where there has been a victim of abuse in their youth or a victim of abuse in an abusive relationship, and they can't deal with it for more than 10 years after because either they didn't remember it or they didn't feel safe or whatever the reason is.

9:50

With that I will support this amendment. I do thank the Solicitor General for bringing it forward. It is rare in this House that somebody on the government side actually listens to something that comes up in debate and actually deals with it. Clearly, it's not exactly how I or others on this side of the House would deal with it, but he did deal with it, and he did make an attempt. I think that's noteworthy and commendable.

I would also note that in this House and in this Wildrose Party we have free votes, so we are completely able – I don't think the sky will fall if there's some disagreement on our side of the House as to whether this amendment goes far enough or not. With that, I will sit down. Once again, I thank the Solicitor General for the amendment.

**The Chair:** The hon. Minister of Tourism, Parks and Recreation.

**Mrs. Ady:** Thank you, Mr. Chairman. I felt compelled to just stand and make one point today regarding the amendment to the victims of crime legislation. When I first entered the House, the Member for Calgary-Fish Creek will remember that she asked me to conduct a review of the victims of crime legislation. I spent six months out there travelling the province and consulting, and I think one of the things that surprised me the very most in that consultation was to find that there was abuse of the fund and that people were actually making claims that were abusive to the fund and that was actually diminishing the fund for those who needed it.

So I want to commend the minister for creating some certainty around this but also creating a methodology for people that do repress memory and do need longer. I would say that both happen, and I think the thing that surprised me the most in the review was the nature of some of the people that were abusing the fund and how they were abusing it. It was quite surprising to me. I think that this is a good compromise. It gives certainty but also allows a way and a methodology because I do think there are repressed memories or some of this stuff really does take time to be able to come to a point where somebody is willing to access help. I would like to support this amendment. I think it's a good piece. I think it

adds to the legislation, and the other maybe opened it too wide and would have actually diminished the very fund that we're trying to protect for victims of crime.

Thanks.

**Mrs. Forsyth:** Well, Mr. Chairman, I had to get up right away on this because I do remember the Member for Calgary-Shaw when I was the minister and asking her to review it. You know, I guess for me if you're talking apples to apples, I would be all right with that. I remember as the former minister talking to the member and the members of the committee, actually, on the victims of crime and talking about the abuse.

What is before us on this particular amendment isn't about abuse of the victims of crime. What we're talking about is one section, and it talks about how those who have been abused in the past have the right to come forward. The minister has acknowledged that. In fact, he has listened very intently to the hon. Member for Edmonton-Strathcona, who brought this forward, and then my colleague from Airdrie-Chestermere, credit to him, has realized that there is a hole within this piece of legislation and talks about compelling reasons. He didn't argue at all about the abuse in the system whatsoever.

We're talking about a statute of limitation on section 12.2, and it goes on to (a) about two years and (b). The minister then brings forward an amendment, and at no time during his speaking notes does he talk anything about abuse of the system. What he does talk about – I took some notes – is the public consultation process. He didn't mention anything about abuse in the system. He talked about uncertainty in the community, which I asked him. He talked about the fact that this regularly happens, and then he went into some considerable discussion about what is considered compelling. He went on from there to talk about what he considered compelling was the sexual abuse of a minor. The realization of their injuries comes later in life. At no time did he talk anywhere – and I've listened intently because, as everyone knows in this Legislature, this is a bill that when I was the minister was, quite frankly, dear to my heart. We have spent several hours speaking about this particular piece of legislation, and I don't think anyone at any time will criticize.

There has probably been some abuse in the system. If the Member for Calgary-Shaw remembers, the piece of legislation that we brought forward – and I can't even remember – was brought to address that. What we're talking about at this particular time is with the entire bill. If you want to go . . . [interjections]

**The Chair:** Continue, hon. member.

**Mrs. Forsyth:** Well, we've got some chatter in the back, and the member that was originally giving us heck for chattering is just back into the conversation with some of her colleagues, so she can maybe address her own colleague instead of us.

**Ms Blakeman:** Take it outside.

**Mrs. Forsyth:** Take it outside.

When we talk about Bill 15, which was tabled in this Legislature, the Victims of Crime Amendment Act, 2011, clearly spells out the ability for the process to be speeded up so that victims who are victims of crime can access their crimes quicker.

I guess I felt – and our new word of the night is “compelled” – compelled to jump up and make my comments after listening to the Member for Calgary-Shaw because, quite frankly, we're not talking apples to apples.

**The Chair:** The hon. Member for Calgary-Montrose on amendment A2.

**Mr. Bhullar:** Thank you, Mr. Chair. I just want to affirm some comments that have been made by other members specifically with respect to direction to the director. Compelling reasons, in my eyes, are people awakening or realizing after the said time frame the harm that was caused them.

I think it's incredibly important that we very much stress the fact that while we know very well, Mr. Chair, that victims of child sexual abuse, in particular, often do not realize or awaken to the fact of such abuse until many years later. We've heard testimony from folks that have referenced victims who are in the public light who have come forward with such realizations many years after adulthood.

I just felt the need to rise and confirm once again that based on the dialogue here today and the dialogue that we have heard from the minister, any such directors in this position shall hopefully reference our discussions here today in this Assembly.

**Mr. Hehr:** May. Not shall.

**Mr. Bhullar:** Not may.

They may consider the very serious intent of the folks in this Assembly today. The victims of child sexual abuse need justice. They need healing, Mr. Chair. They need an opportunity to receive whatever benefits are so afforded to them.

Also, Mr. Chair, I think it's imperative that we do take a second. Although this discussion, the amendment and so on, deals with discussions of a financial nature, this is really, truly about healing and about justice. Quite frankly, I think we live in a society that is often terrified to discuss such issues. However, they are incredibly prevalent issues in our society, and they are the underlying cause of much harm in our society, the underlying cause for many people, quite frankly, not living up to everything they are, many people suffering in many different emotional, spiritual, and mental capacities in addition to physical capacities.

10:00

Mr. Chairman, by us passing this amendment, we are not just saying that victims are so afforded financial rights; we are also saying that we as a society, we as a people recognize that it is incredibly difficult for victims to step forth. We are saying that we side with them, we stand with them, and we as a society, as a population, as a whole will work with them to ensure that we, number one, help them heal.

Number two, I profess that all members of this Assembly join in a wish, quite frankly, join in a movement by which each of us does what we can to spread awareness of such issues to prevent this from happening. The harm associated with such acts is often irreversible. It is up to us as members of this Assembly, as people with a voice in this province to step forth and to offer our voice, our commitment, our resolve to help people have those difficult conversations and to prevent this from happening in the first instance.

Thank you very much, Mr. Chair.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chair. I just want to make sure that it's clear because I've heard a number of members speak now, and their reference point is always about childhood sexual abuse. I want to make very clear that the scientific information that supports this does include childhood sexual abuse – absolutely correct – but the other place that we see it, unfortunately

commonly, is around abuse from faith leaders. Let me put it that way. It also includes women and spousal or domestic abuse, particularly long-term abusive situations, which can be psychological abuse, financial abuse, and severe physical abuse.

I want to make clear that the intention of this was to include all of those categories and that we're not omitting anyone. We're not promoting one category above another. It may well be that some of the speakers previous to me are more comfortable talking about or referencing children. Fair enough. If they will come to the discussion based on that, I'll take it, but let's be clear that it's not narrowed to that group and that it does include – and I want to make sure we're clear – those women that are victims of abuse. I will also add that I'm well aware that there are men and gay and lesbian partners who are also a part of that unfortunate grouping of spousal partners who have been abused, so it's not limited to women, and I'll be clear about that.

Part of the other thing I want to address here is the impassioned speeches from people that have spoken before me talking about recognizing the underlying causes of harm and giving direction to the director here. None of that is actually in the amendment. Unless the regulations give that or unless there is an annotated version of the act, none of that will go forward, and 10 years from now nobody is going to look up the *Hansard*. My experience has been that it just doesn't happen. So unless there's another way like an annotated version of the act that is regularly used by people that administer the act, this kind of information doesn't fall forward to them. If you really want something to be happening here where we're recognizing underlying causes of harm, loss potential, and underemployment and recognizing how difficult it is for victims to step forward, part of that is government support for those agencies that actually provide services to the victims that have been described.

That is about adequate funding, adequate, predictable, long-term funding for the NGOs that supply those services in this society, and that includes sexual assault centres and domestic abuse shelters. So I want to underline that to the members. This stuff doesn't happen magically; it doesn't happen by good fairies. These services are developed and administered by the NGOs in our society, and they need to be funded appropriately by government because they are providing services that the majority of citizens expect are provided by government, and that funding needs to be adequate, sustained, and long-term, which I would argue is not currently the case.

Thank you for allowing me to put those couple of points on the record. Now we can get on to voting on this amendment.

**The Chair:** Any other hon. members wishing to speak?

Seeing none, the chair shall now call the question on amendment A2.

[Motion on amendment A2 carried unanimously]

**Mr. MacDonald:** Mr. Chairman, could I please speak to the bill at committee?

**The Chair:** You would like to speak? Of course.

**Mr. MacDonald:** Thank you. Now, I haven't had an opportunity to speak on this bill at committee yet other than on amendment A2.

**The Chair:** On the bill as amended.

**Mr. MacDonald:** Yes. Certainly, there's a lot in this bill.

Now, I have some specific questions for the minister. Of course, other members have discussed this, but the victims of crime fund, according to the estimates in this year's budget, will have net assets of over \$47 million, and that's to March 31 of this year. The minister, in accordance with the act and the regulations, uses the fund for grants for programs that benefit victims of crime, costs incurred by the Victims of Crime Programs Committee and the Criminal Injuries Review Board in carrying out their duties, remuneration and expenses payable to members of the committee and the review board, financial benefits payable under the act, and, of course, the cost of administering the act.

I have questions around the financial benefits payable under the act. Now, earlier today we had a discussion in question period, and it relates to this, Mr. Chairman. There are two core programs operating under the act, the financial benefits program for eligible victims who have suffered injury as a result of a violent criminal offence and grants. It's the violent criminal offence and the financial benefits program for eligible victims that I would like to discuss.

Certainly, all hon. members, I believe, would be of the view that the gentleman that we discussed in question period today, Mr. Tom Bregg, was an Edmonton transit bus driver who was doing his job and was viciously, violently assaulted by a passenger. The gentleman is still getting over those injuries. He has a WCB claim. There are issues with the WCB. I'm not going to get into that, but my question to the minister at this time in debate would be: what happens to an individual such as this who is getting workers' compensation benefits? Are they also eligible to make an application to the victims of crime fund for their injuries?

In the case of this man it is hard for us to understand exactly what he is going through as a result of the injuries that he received from this violent assault. He still needs more surgery to repair the damage from the assault. But what happens in this case, where he is or was receiving WCB benefits? It remains to be seen whether he's going to be on full or partial benefits. Can an individual like this apply to the victims of crime fund?

Thank you.

10:10

**The Chair:** Any other hon. member wishing to speak on the bill? The hon. Minister of Public Security.

**Mr. Oberle:** Thank you, Mr. Chairman, for the opportunity to clarify those remarks. I will speak with great care here in that it would be improper for me to indicate whether or not the individual in question had in any way applied to the fund, and I certainly would be in no position to know what the status of his WCB compensation situation is. I have certainly not spoken to the individual. If I knew anything about his case, I would feel extremely constrained in speaking about it on the floor of the House. So in general I could say that, yes, the individual could apply to the victims of crime fund.

Interesting that this particular case is used as an example not just because it's timely – it is – but because it really illustrates a difference between a compensation program. The victims of crime fund is not a compensation program. So an individual in his situation would be hoping for compensation for lost work or the lost ability to work and other things. That would typically be dealt with through the Workers' Compensation Board. But an individual in this situation could apply to the victims of crime fund.

**The Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Minister, for that. I appreciate that.

**The Chair:** Any other hon. member wishing to speak on Bill 15?

**Hon. Members:** Question.

[The clauses of Bill 15 as amended agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

### **Bill 8 Missing Persons Act**

**The Chair:** The hon. Member for Whitecourt-Ste. Anne.

**Mr. VanderBurg:** Thank you, Mr. Chairman. I'm pleased to rise today to move Committee of the Whole debate on Bill 8, the Missing Persons Act. The Missing Persons Act will allow a police agency to access the personal information they need to help find missing persons in cases where the police have no reason to suspect a crime has been committed. Currently in these situations a lot of the information is left unavailable to them. To try to locate that person is very difficult. Many times this information would be vital to bringing these cases to a timely and positive outcome.

Mr. Chairman, over the last month I've had a lot of telephone calls, and a lot of articles that have been written in the papers have supported this bill. In one copy, the March 1 *Edmonton Journal*, Brent Wittmeier and Jana Pruden had some interesting comments, and I'd like to read them to the Assembly. The deputy chief of the Calgary Police Service chairs the law amendments committee for the Alberta Association of Chiefs of Police that recommended these changes last spring. Murray Stooke is that deputy chief. He said that "the bill will go a long way in helping police track down . . . Albertans currently missing. Since proving a crime is difficult, police were unable to access telephone, bank, or even health records" to help locate people. Also in that article a mother whose son disappeared said that "she understands some people may have concerns about the release of personal information, but she thinks the legislation's potential benefits far outweigh any risks."

When I had the opportunity to brief the opposition members, I felt pretty good about where this legislation was going, and I felt pretty good support. Mr. Chairman, Alberta is leading the charge when it comes to the missing persons legislation. No other province has initiated detailed legislation specific to this issue. I'm proud to stand in this House and push for this legislation, push for the missing persons, push for their families, and push for their friends and for the police agencies who hold the responsibility to bring these people home. I'd like to thank the members of the opposition for hearing me out and, like I say, for the most part being very supportive.

The Member for Edmonton-Gold Bar talked about some of the ways that he thought may strengthen the bill. In fact, I know that he'll be introducing an amendment that I do believe will strengthen the bill and that I will support.

At this time, Mr. Chairman, I'll sit down. Let's deal with those amendments.

**The Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. First, I would again like to thank the hon. Member for Whitecourt-

Ste. Anne for his work on this bill. I have received correspondence and phone calls from people in this province in support of the bill and from others that have had questions about this legislation in this Assembly, and I did my best to answer their questions.

I know the Missing Persons Act is a legislative first. I think it is a good step, but we have to have limitations and, certainly, controls on this bill. This act, as we all know, will allow a police agency to compel the production of personal information about a missing person in cases where the police have no reason to suspect that a crime has been committed, and we are the first jurisdiction in the country to contemplate legislation of this nature.

Now, at committee there are a lot of details that we should discuss in the sections analysis of Bill 8, but certainly we recognize that a government agency cannot refuse to disclose personal information to a police service that compels production of that information. In some cases legislation governing sensitive personal information may include a confidentiality provision that would be in conflict with this provision. That's outlined in section 2.

Section 3 is dealing with orders regarding records and the right of entry. We talked earlier about the role of the JP, or justice of the peace, in this. Section 3(3) empowers the JP, the justice of the peace, to make an order if satisfied that the order is necessary for an investigation. I asked in our discussions on this bill: why is that necessary? I didn't realize that in a lot of cases it is very difficult to track down a Queen's Bench justice to get this work done, so I can live with that. I have some concerns about that, but as it was explained to me, I can certainly live with that because sometimes you don't have a lot of time.

#### **10:20**

Now, I realize that this provision, section 3(1)(b), could be controversial because it allows a justice of the peace to authorize police in some cases to go right in. The only safeguard here, as I understand it, is the test of reasonable belief. But I'm not so sure, Mr. Chairman. I hope this applies only to the one location.

I'm sure there's going to be a lot of discussion on this over the evening. This is new legislation. It's in some ways innovative legislation. We've got to be careful whenever we are providing additional powers to our police forces that there are checks and balances here. Certainly, when we go through this and we look at some things that would improve this bill, I would suggest that we need to have provisions to ensure that the Information and Privacy Commissioner has the power to investigate complaints and that a whistleblower has the right to report a breach of this act.

My amendment, that I'm going to propose here in a minute, would deal with section 7. I know that all hon. members of this Assembly have been waiting a significant amount of time to deal with Bill 8, and I do hope to bring some of the concerns and questions that have been addressed to me from various interested parties on Bill 8 to the floor of the Assembly. Section 7 of the Missing Persons Act limits the disclosure of personal information collected about a missing person. The section begins with the clause, "Despite section 40 of the Freedom of Information and Protection of Privacy Act," which makes this act paramount over the FOIP Act with respect to the disclosure of personal information. Despite, I should say, Mr. Chairman, is like notwithstanding in legal parlance. Now, the legal question is: does the language remove the ability of the commissioner to investigate a complaint or a report of improper use or disclosure by a whistleblower? I'm told it does.

Now, there is legal precedent in order F2005-007 issued in 2006. The commissioner considered a case in which the Maintenance Enforcement Act limited the disclosure of personal information collected under the act. The following is from the case

summary published with the order on the commissioner's website. I'm not going to go through that in detail, Mr. Chairman, but certainly I think there's a lot we can do with this bill. There are a lot of questions about it, and I think those questions are valid.

Again, whenever I think of missing persons – and I don't know what the hon. member had in mind, but if B.C. had a bill like this, would that horrible crime that occurred in Pitt Meadows have been solved sooner? Certainly, there were reports of missing persons down in the lower east side of Vancouver. This morning on the way to work at the Assembly I heard on the radio that the Edmonton police had taped off an area around the mooring dock of the *Edmonton Queen*. It was Project Kare of the Edmonton Police Service looking for women who had gone missing over the last number of months and years in this province. All hon. members of this Assembly are aware of some of the cases in the county of Strathcona. So there certainly is an expectation that this bill, hopefully, would resolve some of those or speed up the investigations of those individuals who have been reported missing.

The amendment that I have this evening for this bill I think is necessary because it corrects or clears up deficiencies in both section 6 and section 7 of the proposed act. I think that we see as we proceed that we need to ensure that the Information and Privacy Commissioner retains jurisdiction over personal information that is used and disclosed under the Missing Persons Act.

At this time I have the signed copy for the hon. Clerk, and I have additional copies for each and every hon. member. I'll just wait until these are distributed. Fair enough?

**The Chair:** Sure.

Hon. member, please continue on amendment A1.

**Mr. MacDonald:** Thank you very much. I was speaking earlier about how this would work with section 6 and section 7 and certainly the commissioner's order going back to 2005. That order specifically would be F2005-007. The commissioner found – and I was talking about the Maintenance Enforcement Act – that section 12(3) and section 15(1) were inconsistent or in conflict with disclosure provisions in section 40 of the FOIP Act because section 40 contemplates numerous other disclosures that the limited disclosures allowed under the Maintenance Enforcement Act. It is also interesting to note that the commissioner held that section 12(3) and section 15(1) of the Maintenance Enforcement Act governed the disclosure of the information. The FOIP Act did not apply, and it did not have jurisdiction over the disclosure. This order had been used to explain how the FOIP Act is interpreted by the commissioner in a government of Alberta publication, FOIP Bulletin 11.

This bill, Bill 8, introduced by the hon. Member for Whitecourt-Ste. Anne: the hon. member indicates, and I certainly have every confidence that his view is correct, that he believes this act preserves the right of an individual to make a complaint to the commissioner in the right of a whistleblower to report improper use and disclosure. I believe that the commissioner also finds that this is acceptable. I haven't heard the commissioner publicly speak on this act. Sometimes there's a press release that comes out. I have on other statutes, but I haven't seen it if it has this time.

**10:30**

Certainly, whenever we look at this amendment, that is generally what is proposed. I think this amendment will give greater certainty that the commissioner has jurisdiction to investigate a complaint about the use or disclosure of personal information under the FOIP Act and also that whistle-blower provisions apply.

It is common to add provisions to acts for greater certainty, and I think A1 does that when there is likely to be a misunderstanding, and hopefully there will never be any misunderstandings about this. It is critically important that an act allow the police or the police forces to collect, use, and disclose personal information in a way that is unprecedented in Canada, but it must be subject to oversight by the Privacy Commissioner.

That's why we propose this amendment, and hopefully it will be agreeable to hon. members of this Assembly because I think it clarifies some of the issues that we have discussed in our remarks. Thank you.

**The Chair:** The hon. Member for Whitecourt-Ste. Anne on amendment A1.

**Mr. VanderBurg:** Well, I want to assure individuals who believe, you know, that their personal information is collected, used, or disclosed inappropriately under any act: the information officer will take that seriously. I think that by stating this in the act the way that the member has proposed strengthens the act, and I can assure everyone out there that nothing in this act does limit the powers or the duties of the Information and Privacy Commissioner under the Freedom of Information and Protection of Privacy Act. I do support the amendments.

**The Chair:** The hon. Member for Calgary-Fish Creek on amendment A1.

**Mrs. Forsyth:** Mr. Chair, actually I, the Member for Calgary-Fish Creek, will support this amendment. My preference, actually, would be to speak on the bill in its entirety, so I'd be prepared to vote on this particular amendment if you could put me on the speaking list.

**The Chair:** The hon. Member for Edmonton-Centre on amendment A1.

**Ms Blakeman:** That's correct. I have a number of comments to make on this bill, and the table is already holding some six amendments, I think, that I'm proposing to bring forward tonight.

Speaking specifically to amendment A1, that has been brought forward by my colleague from Edmonton-Gold Bar, in fact our caucus's official critic on this bill, I want to support what he has done here. It's a wise move. This act is important because it's the first, and everyone else will use it as a guidepost and develop their legislation based on what's proposed in front of us. The act quite deliberately set itself up outside of the Freedom of Information and Protection of Privacy Act because, in fact, it sets out to collect personal information.

It was very important to our caucus that we have a ground of appeal, that we have an avenue of oversight, of monitoring and evaluation, and that, obviously, in the province of Alberta is the office of the commissioner of freedom of information and protection of privacy. They have the expertise and knowledge there, and we in our caucus, as put forward by my colleague from Edmonton-Gold Bar, have an expectation that those services and that expertise would be available to the citizens of Alberta if they felt that their information had been inappropriately collected, used, or disclosed. It's very important to me that we have that avenue of appeal if you want to view it that way. I hope that this section also casts itself across the wider understanding of this act.

I'll speak later about my extreme reservations on what this act is proposing to do, but this amendment does go some small way toward addressing some of my concerns about what's needed to be able to hold these powers of collection of personal information

in check and to be able to rely upon the expertise of the commissioner's office to be able to investigate and, particularly, to protect whistle-blowers who bring forward information.

I urge all of my colleagues in the Assembly to support amendment A1. I'm sure the chairman already has me on the speaking list because he knew about the amendments.

Thank you very much.

**The Chair:** On amendment A1, any other hon. member wish to speak?

Seeing none, the chair shall now put the question on amendment A1.

[Motion on amendment A1 carried]

**The Chair:** Now we go back to the bill. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Chair. I thought it was important as a member of the Wildrose and the MLA for Calgary-Fish Creek to get on the record how I feel and how, actually, the constituents of Calgary-Fish Creek feel about the Missing Persons Act.

I'm actually pleased and quite honoured to rise and speak to Bill 8, the Missing Persons Act, and I want to thank the hon. Member for Whitecourt-Ste. Anne for his hard work on this bill. Again, I think this is the second time he's brought something through the Legislature. The time is late, so my mind isn't working as quickly as it should, but I believe it was the establishment of a task force on sexual exploitation through a motion that he brought forward. He continues to be on a bit of a roll.

I guess I'm encouraged to see that this legislation was requested by the Alberta Association of Chiefs of Police and that the government has responded to their request. Why I say that: as a former Solicitor General I had the honour of working with the Alberta Association of Chiefs of Police, and I always listened and respected what they had to say when they were making suggestions because, after all, their officers are on the ground and know the pulse of what's happening on the streets, or what I like to call the dark side. I think that this is a response from the Alberta Association of Chiefs of Police, and I respect the government for that.

As has been noted, if the Missing Persons Act is passed, Alberta is going to be the first province to pass missing persons legislation, and I think that's something Alberta should be proud of. I know the hard work that I had to do when I brought the Amber Alert to Canada. As we all know, Alberta was the first province to adopt the Amber Alert, and then I went across the country, actually, making all of the other provinces aware of the Amber Alert. Now it's Canada-wide, and it's something that I think not only Alberta should be proud of but Canada.

What I'm going to suggest to the hon. Member for Whitecourt-Ste. Anne is a challenge to him and to the Minister of Justice. When the minister is at his federal-provincial-territorial meetings, his FTPs, he has the ability to certainly take the Member for Whitecourt-Ste. Anne and this legislation, and they can push this across the country.

I think that what's important about this, as with the Amber Alert, is that when someone is missing, time is of the essence. I support this bill particularly because it gives police the tools to speed up the process of finding missing people. With the ability to find more information more quickly, police will be able to assess whether a missing person is, in fact, a missing person or someone who simply does not want to be found. It grants police access to information, including credit and debit purchases or text messages, when someone is missing, but it cannot prove whether or not a

crime has been committed. At that moment police need a production order to get information which they can only obtain when a crime has been committed. This has been an obstacle when trying to find a missing person, and I think that the bill will certainly address some of that.

**10:40**

I'm glad that this bill was crafted from the standpoint that a person has the right to disappear if they choose, and this is, essentially, important if a person is fleeing an abusive situation. I think that if people remember, I brought forward a horrific situation where I was dealing with someone that had actually left a very, very abusive situation, went through all the procedures to have a name change, and then no sooner had they gotten their name changed than Service Alberta decided to post that, and the whole process started again. For Jane and Janet Doe it's still very, very difficult to communicate with them. They won't leave a number or anything, and to me that's very sad.

As people in this Legislature know, I do a lot of research when I'm going to stand up and support a piece of legislation or if I'm not going to support a piece of legislation. The Wildrose caucus doesn't have a lot of money for their research budget, so we end up writing a lot of our own speeches or doing a lot of our own research, which makes our days, if I may say, very, very long. In that research I had some statistics, and interestingly enough, when I pulled this data off – when did I do it? – in April 20 of 2011, I went to the Missing Children Society. I know this particular bill deals with adults, but there were 51,000 missing children at this particular time in Canada. They go on to break it down by provinces. This was from 2009, so I imagine the numbers have gone up quite a bit. In Alberta alone we've got 5,172 missing children.

In my research I decided to go and dig a little deeper, and lo and behold if I don't come up with Alberta Missing Persons. We have 198 missing persons in Alberta alone. I found that fascinating, to the point where, you know, our latest missing person has been covered all over the Edmonton news, the young soldier that has just disappeared. He's got family combing the riverbank and wondering where he's gone. Has he fallen into the river? What tragic thing has happened? I mean, no one can second-guess what happened to him. Of course, before that was the elderly couple, Lyle and Marie McCann, an elderly couple who disappeared and whose family is still looking for them.

Mr. Chair, when you start going through the website Alberta Missing Persons, it's very, very sad because some of these people have actually been missing for years, some of them not so long ago. You know, you have a fellow by the name of John Armstrong, who disappeared March 21, 2009. Some of them go back for years, and to me it's important to have some closure. I can quite frankly say that if I had one of my children, who are not children anymore, who are adults, go missing – or maybe I can use my husband, for example – just all of a sudden disappear off the face of the Earth, I would like to know. I know probably tonight sometime we're going to hear about a spouse that has decided that they just can't be in a marriage anymore or that they just have to get away from the things that they're suffering in the day. Well, that doesn't preclude for the family that is left behind the ability for some sort of tracking.

I know the Minister of Justice has guaranteed that all information gathered will be separate from the rest of the police intelligence and will only be used for missing persons cases. I know that there is a fine balance between finding victims and intruding on the private lives of innocent people, and I believe that this legislation strikes it by ensuring a narrow focus on what in-



formation will be accessed and how it will be used to find missing people.

The likelihood that this legislation could be the difference between life and death is to me quite striking. It allows individuals, if they choose, to disappear in relative peace, but it also makes this legislation a worthwhile endeavour should an adult go missing under very, very strange circumstances.

This legislation also states that police will not reveal any information or location of the person to someone who filed a missing persons report but will only confirm that that particular person has been located alive. I think that's probably safe because, quite frankly, if it was my husband, that's probably the only way he would stay alive if I found him. It's a good thing that he has that protection. I personally find it quite cowardly, if someone can't stay in a relationship, to do something that, I think, is important so that the family has closure.

I think what's also important to consider for me is those who suffer from dementia and the difference it will make to the people who love these people. I see that quite often as the critic for seniors. I've brought up in this House on numerous occasions my mum in a seniors' home. They have several levels of care in that particular home. I don't know how many times, quite frankly, I've walked a senior back to their room or taken one of the seniors to the dining room table. For that matter, if a little senior has decided to go for a little walk, even if it's to the drug store, and I'm driving over to see my mum and I see them wandering around, I realize that they're confused. It's quite easy for them, in a city as big as Calgary, as far as I'm concerned, especially – you know, I live along Calgary-Fish Creek, so we have the Bow River that's very, very close. For them to take a walk and get lost in Fish Creek park isn't out of the question.

Mr. Chair, for the 198 missing people that are on this website that I happened to locate – and, quite frankly, there are probably, I can think, three or four that need to be added to this particular website. I really don't know the last time this website was updated, but I would bet that we could probably add to this particular website at least a dozen people. For the family of Lyle and Marie McCann and, for that matter, the family of the soldier that went missing a week ago, maybe this will help them; maybe it won't.

I can tell you as the Member for Calgary-Fish Creek and the critic responsible that we will be supporting this. Thank you.

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo on the bill.

10:50

**Mr. Boutilier:** Thank you very much, Mr. Chairman. Each year in Alberta our law enforcement services receive over 10,000 missing persons reports. I do believe that based on the members who spoke previously and the Member for Calgary-Fish Creek as a former Solicitor General, this legislation will be another positive step towards optimizing the efficiency of police and perhaps finding those that are missing.

There certainly is a fine balance between finding victims and intruding on private lives of innocent people. I think all of us in this Assembly of all political stripes believe that it's important to ensure that there is a narrow focus on what information will be assessed and how it will be assessed pertaining to helping find missing people. But the likelihood that this legislation could be the difference between life and death and also allow individuals to disappear in relative peace, shall I say, will make this legislation an entirely worthwhile endeavour.

Also, it's important to recognize that it's important to consider those who suffer from a variety of illnesses that perhaps could

create the ability of getting lost. In reference to what we've been seeing on the national news as of late, certainly I want to say that legislation of any sort that can help, I think, a family and a loved one to be found, it is my hope that this would be an intended spiritual help towards that even though this will become law.

As I look and see the story of the Chretien family, where Mrs. Chretien was found after 48 days of being lost, of course, our prayers and thoughts are with her family. The officials are looking for her husband now. Mrs. Chretien was travelling from Penticton, from British Columbia down into Nevada. You can imagine the human spirit of being in your van for 48 days and surviving and doing it in very good shape. Certainly, that must have been quite a Mother's Day present to the son, who we saw on television tonight. He was reacquainted with his mom on Mother's Day. Can you imagine being missing for 48 days? Our prayers and thoughts are with the Chretien family, especially while they're in search of his father and her husband. Of course, our prayers and thoughts are with them.

I'll just conclude by saying that I believe that this legislation states that police will not reveal any information or locations of the person to someone who filed the missing persons report but will only confirm that the person has been located alive. I think that is truly music to all of your ears, to get a phone call indicating that your loved one has been found and that they are alive. I believe this is another essential component of the bill, and I support it.

Mr. Chairman, I want to say that I'm encouraged by this. It was requested by the Alberta Association of Chiefs of Police. The government responded to this request, and I'm pleased to see that. Therefore, I want to thank all those who were involved and have had a role to play in this. As the Member for Fort McMurray-Wood Buffalo I'm pleased that this legislation has been brought forward, and I look forward to supporting Bill 8, Missing Persons Act.

Thank you very much, Mr. Chairman.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chairman. I don't think there's a person in the world who doesn't have that moment, when you hear on the radio or you see the tickertape news go by on the television or you pick up a newspaper or you walk by the newspaper boxes and see it on the front of the newspaper box, who doesn't have that little gasp, that little clutch at your heart when you see a news story about someone that's gone missing. Everybody reacts with that: "Oh, no. Oh, dear. That's a terrible thing to happen. How frightening for the individual. How terrible for their family." It's a genuine emotional response. This bill also generates that kind of emotional response. I think it was developed with the best of intentions by the sponsoring member.

In this society that we live in, we have increasing capture of information in electronic form. Our cellphone captures information. I just found out, to my horror, that my prized iPhone is tracking my every movement. They're quick, quick to get out news releases saying that, oh, they're not going to do anything with the information, but they're collecting it. Uh-huh. Oh, yeah. I'll trust them as far as I can throw them. But we're also tracked with our credit card usage, bank transactions. We have GPS in cars that track where we've been and how long we've stopped and where our favourite gas station is and how often we make a detour to the Dairy Queen. We're tracked on things like land titles and utilities and where we shop and entertain and where we work and at home. We're tracked everywhere.

We were all badgered into getting loyalty cards for the grocery store because that was the only way we were going to get discounts now, and of course we all duly sign up. Everywhere that we shop, we've all got a loyalty card. It tracks what we buy, what kind of toilet paper, and how often we buy shampoo. You can figure out an awful lot of information from people based on that data that is collected through electronic means.

There is no reason for us to trust any commercial collector of that information, that they're going to use it in a way we hope they're going to use it. That's why we need government to put strong regulation into place about the collection, use, and disclosure of personal information. Government is the only agency that we can trust on this one.

When I heard about this legislation coming forward and I read in the news that the FOIP commissioner was all in favour of it, I thought: well, really? Because that didn't seem like the kind of information that the Privacy Commissioner would be gung ho on, that we would be opening up personal information on people who had done nothing wrong, who had broken no law, who had no reason to be under scrutiny or surveillance by the police, that their personal information would be opened up for them to be looking at. It seemed a bit odd to me that the Privacy Commissioner would be keen on that, so I phoned him. In fact, he was carefully reserving his opinion, but indeed his office had been made aware of the legislation, and they had made some comments on it. I think if I look back, I can see that the commissioner has spoken a couple of times, saying: hey, just let's calm down and not be quite so quick to collect information on people all the time.

One of the ones I can think of was around a proposed bill on junkyards so that we could get at people who were stealing copper wire and things like that. They wanted everybody to register when they brought in stuff so that they could backtrack them. You know, if something was wrong, they could find out who was stealing copper wire, that kind of thing. Ditto for pawn shop registries, the same thing.

I think we have to be very careful when we create legislation, particularly first-of-kind legislation, that we get it right. I often find myself in a struggle. Do I accept legislation that I don't entirely agree with because it's probably the best thing that we're going to get and we won't be able to reopen it? There won't be enough demand to reopen it for – who knows? – 10 or 20 years. Can I live with it for 10 or 20 years? Is it good enough to get it started? Or do I say: "No. It's not good enough. We can't accept this. We should either start over, or there should be modifications to it?"

**11:00**

When we look at the PIPA Act, which is the act that regulates the private sector and its collection of personal information, PIPA allows police to request information from organizations to investigate, but it has a number of provisions in there that curtail police activity. My issue with the legislation that's being proposed here is that it's a great idea. I think there needs to be some legislation to help us find missing people. Let's be very clear here. This is a situation where there's no criminal activity expected or anticipated around the disappearance. There's nothing that would allow police to use the other means, and they've got extensive powers of investigation. There's nothing in the disappearance of someone that allows the police to use all of the other powers that they have available to them under the criminal acts part of their investigative tools. They can't use those tools, so the police are asking for other tools to be able to investigate when somebody does go missing and there's no criminal action around it.

My reading of this bill is: right idea, wrong bill because what has happened with this legislation is that it's casting the net too wide. What it's done is essentially make it illegal for any person to go off the radar screen for any period of time. It makes law-abiding Albertans into not criminals but certainly brings them under scrutiny of the police for things as simple as stopping to visit their mom or taking a detour to visit their mom on their way back from a trip, deciding to treat themselves and going to a spa instead of going directly home. A friend of mine was driving to Calgary during a snowstorm and just thought: "You know what? I'm not enjoying this ride. I'm going to check myself into a hotel, and I'll start out again tomorrow in daylight."

Any of those situations, according to what we have before us in this act, would open that person up to now coming under the scrutiny of the police and having their lives opened to the police to start looking for them because the way it's set out in this legislation, if you don't report back to literally those people who would normally expect to be hearing from you, you could be deemed to be a missing person, and all of this kicks into place.

So if you don't take the time when you decide to stop at the Jasper Park Lodge and treat yourself to a night there or you pull off the highway in Red Deer and go into the Super 8 there or you pull over and you go on a detour and stop and see your mom, you know, who lives out of town, before you come back into town, and you don't call the people, not one person but all of those people who would usually know where you were, then you fall into the definition of where this act could start to run in your life.

That's what it says. In this section it says:

- (b) "missing person" means
  - (i) an individual who has not been in contact with those persons . . .

Not a person, not a spouse, not a family member, but those persons. . . . who would likely be in contact with the individual.

So your best friend, your boss, your spouse, your neighbour, any of those people that you would regularly speak to. If you haven't informed all of them that you're going to stop and stay overnight with your mom, you could be deemed a missing person, and the police could then insist and could get access.

Here's what they could get access to: records containing contact or identification information, your telephone and electronic communication records, including without limitation records from wireless devices, the GPS in your phone that I was just talking about with the iPhone. They could get your cellphone records. They could get inbound and outbound text messages and what you browsed, you know, on your website archive. They can get access to all of that because you didn't phone all six people and tell them you were stopping over to see your mom.

They can also get your global positioning system tracking records. So if you've got a TomTom in your car or a BobBob or whatever the heck they're called, a GarthGarth, they can get that information. They can get video records, including any closed-captioned television footage that you may have gone through. So you stopped and got gas. They can go and get that footage from the gas station and see that you bought Cheezies as well as gas. Now you're in trouble. They could get your employment information: where you work, how much you were paid, what hours you work, what your classification is.

Now, remember, folks, that all you did was stop and stay overnight with your mom, and you didn't call all the people that would expect you to regularly be in contact. That's all you did. You pulled off the highway in Red Deer because the weather wasn't great, but you didn't phone all those people. That's all you did, and now they're looking at your employment records: how much you make and how long you've worked there and what it says

about whether you're a good employee or not or whether you've got any letters of reprimand in your employment records. That's what they can get access to.

Let me go on. Any records about health information. Okay. So now they've got your GPS, your positioning, your telephone records, your health records, your employment records, any closed-captioning footage that you may appear on. Oh, wait. We're going to go into your school and postsecondary attendance information. The police can get records about travel and accommodation information, your financial information – how many bank accounts you have, who your co-signers are, how much money you deposit into your bank account – and any other records that the justice of the peace considers appropriate. These are very, very wide powers and tools that we are giving to the police with this act.

We want to do the right thing. Anybody in here could tell you the people that have gone missing that have been big stories in the last six to eight months in Alberta. The couple that went off in their motorhome from St. Albert. Now, to be fair, they should not qualify under this act because, in fact, their motorhome was found by the RCMP burned out, but an investigation did not ensue from that. They didn't follow up on it, but they should have. They would have been considered a criminal investigation, and they could have done more work to find out what the heck happened to them. We still don't know what happened to those people.

We don't know what happened to the military officer who was running on the same running track along the river valley that I use who disappeared.

There's another couple that left another place in Alberta to go somewhere in B.C. We don't know where they are.

It's one of those horrifying nightmares. It's like the nightmare of having your child taken. That missing person nightmare really affects us. It's a very emotionally based fear that we all have, that we or a loved one will go missing, and we will do anything to find them.

But we didn't do it right with this legislation because in this legislation what we've done is say that for anybody that isn't where we and the key people in their lives would expect them to be, where they don't report in, the police can now go and pull all of this information on them. Once they've got it, kids, it's in an electronic database. "Well, that's okay because it's in the police's electronic database, and they wouldn't release this information. No, no, no. Nothing is going to change there."

**11:10**

Well, it does change. We just had a bunch of different police forces, each with their own databases, which now got combined into a general database called TALON, and now it can be accessed by people that we didn't expect to have access to that information when it was first collected. Now it has access to a variety of levels of security officers and possibly first responders and a number of others that we didn't anticipate when that was collected by that police force in Calgary or Edmonton or Calmar or Fort McMurray. Who knew that it was going to turn into a gigantic TALON database and have access by a bunch of other people? We never anticipated that. But once information is in an electronic database, it's in there, and it is so easy to combine with other databases and move on far beyond our control.

I have a number of amendments that I would like to bring forward because I understand how much people want this bill. They want to be able to look after missing persons. But to me this bill is almost unacceptable in the powers that it gives police to investigate our lives when we haven't done anything wrong. We're still decent, law-abiding people: my friend who stopped in Red Deer

on a bad driving night, you know, my cousin who decided to treat herself to a day and a night at the Jasper Park Lodge and just went there and had a wonderful day in the spa and swam in the pool and walked around. She had an absolutely fabulous time. It was a great break for her. But she didn't phone every single person in her life that might hear from her on a regular basis and tell them: I've decided to do this.

You have to allow people to make decisions to go missing, to play hooky, to bugger off, to sneak away, or to do stuff perfectly legitimately: to pull over and visit your mom on the way home. We have not allowed that to happen with this bill.

A couple of things I'm going to try to do to make the bill stronger so that I can deal with it. It's already been signalled to me that the sponsor of the bill is not keen on this, but the first amendment I'd like to put forward is one that amends – the main report of this is to have the police reporting back on the information that they have collected.

I can see that the table is handing this over to the pages to be distributed. I'll just pause briefly while she gets some help and gets that distributed to people.

**The Chair:** Okay.

Hon. member, please continue. Now you have a minute and a half.

**Ms Blakeman:** Thank you. This amendment is really to add the following after section 11 requiring that the police service have to provide a report to the minister who is the minister designated under the Government Organization Act. They would have to report on a number of categories of information. It was a way for us to be able monitor that the information the police were collecting was appropriate, that they weren't collecting too much of it, that they weren't using it in a way that wouldn't be considered allowable under what was here, you know: the number of times that the records in each of the categories were demanded to be made available, how many times the records in the categories were made available, how many times the police made an application or a demand under the act to get information, the outcome of the missing persons investigations in which the police service had made an application or a demand to get information under this act. So it's a long series of that.

I'm sure in *Hansard* the actual amendment will turn up. I don't have to read it into the record.

That's what I was trying to do was to give us a basis from which we could evaluate how successful and how helpful and targeted the information the police were collecting was.

So this would be amendment A2, and I would ask that the members support it. Thank you very much.

**The Chair:** We have amendment A2. Any hon. members wish to speak on amendment A2?

Seeing none, the chair shall now call the question.

[Motion on amendment A2 lost]

**The Chair:** We'll go back to the bill.

The hon. Member for Airdrie-Chestermere on the bill.

**Mr. Anderson:** Thank you, Mr. Chair. I'm pleased to rise to speak to Bill 8, the Missing Persons Act. I would like to thank the hon. Member for Whitecourt-St. Anne for his hard work on this bill.

I'm encouraged to see that this legislation was requested by the Alberta Association of Chiefs of Police and that the government responded to this request. Obviously, I've spoken many times in

this House about the shortcomings of the government in responding to Albertans' needs. In this case, I'm pleased that this legislation has been brought forward, and I will be supporting it.

If passed, Alberta will be the first province with missing persons legislation. Alberta was also the first province in Canada to have the Amber Alert program, which the hon. Member for Calgary-Fish Creek was instrumental in. This is important because when someone is missing, time is of the essence. As a father of four and I'm sure for anybody who is a parent in this Assembly – and there are many. The ultimate nightmare for any parent is to have a missing child. I know that's not all that this act deals with. There are obviously missing seniors and people with mental health issues, et cetera, but for me, personally, certainly where I come from on the bill is with regard to children.

I do support this bill because it gives police the tools to speed up the process for finding missing people. With the ability to find out more information more quickly, police will be able to assess whether a missing person is in fact a missing person or someone who simply does not want to be found. It grants police access to information, including credit and debit purchases or text messages, when someone is missing but it cannot be proven whether or not a crime has been committed.

At the moment police need a production order to get information, which they can only obtain when a crime has been committed. This is an obstacle when trying to find a missing person. I am glad that this bill was crafted from the standpoint that a person has the right to disappear if they choose. This is especially important if a person is fleeing an abusive situation or leaving certain acquaintances behind in a bid to improve their quality of life.

From a civil liberties perspective I support this bill because it states that collected information must be kept separate from other police agency records in compliance with the protection of privacy act. The Minister of Justice, it appears, has guaranteed that all information gathered will be kept separate from the rest of police intelligence and will only be used for missing persons cases.

There is a fine line of balance between finding victims and intruding in the private lives of innocent people. I believe that this legislation strikes it by ensuring a narrow focus on what information will be accessed and how it will be used to find missing people. Both the likelihood that this legislation could be the difference between life and death and that it could also allow individuals to disappear in relative peace make this legislation, in my view, an entirely worthwhile endeavour.

This legislation also states that police will not reveal any information or locations of the person to someone who filed the missing persons report but will only confirm that the person has been located alive. I believe this to be another essential component of this bill. It is also important to consider those who suffer from dementia and the different avenues that police would have to find them if they should wander away. This bill will make it easier, in my view, to find missing persons who suffer illnesses such as dementia and allow their family members to rest a little easier.

Each year in Alberta our law enforcement services receive over 10,000 missing persons reports. This legislation will go a long way toward optimizing the efficiency of police and finding those who are missing. Again, Mr. Chair, it's every child's worst nightmare for their aging parents or grandparents, and it's every parent's worst nightmare if their child was ever to go missing. So I am very glad that the hon. Member for Whitecourt-St. Anne has taken the time along with the Justice minister and, presumably, the Solicitor General to work together on a piece of legislation that I feel will benefit Albertans.

11:20

You know what? I think that civil liberties have been adequately protected in this legislation. There is always a balance. There may be a need to come back and look at it again someday if there are some abuses going on, if there are some unforeseen circumstances that arise that are not addressed or contemplated by this act, but for the time being I think that this act has the potential of saving lives and doing so with minimum intrusion into people's personal lives.

I will be supporting this bill. Thank you, Mr. Chair.

**The Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes, Mr. Chairman. Thank you. I'd like to indicate as well from the point of view of the NDP caucus that we will be supporting this bill.

There is a very serious situation in our society with respect to missing persons. This legislation comes out a year after the Alberta Association of Chiefs of Police passed a resolution asking the government of Alberta to develop missing persons legislation. Both the Edmonton and Calgary police services along with the RCMP were involved in developing the legislation and support this bill.

The bill is considered groundbreaking in that Alberta has no missing persons legislation, and no specific legislation has been adopted elsewhere in Canada. However, in 2009 the government of Saskatchewan passed The Missing Persons and Presumption of Death Act that allows a court to appoint a property guardian, who controls the missing person's estate as well as helps police gain access to information.

This bill was introduced by the MLA for Whitecourt-St. Anne, where an elderly St. Albert couple, Lyle and Marie McCann, disappeared in July 2010 under suspicious circumstances. In the early days of their investigation no criminal activity could have been suspected, meaning police did not have access to potential leads in the investigation. Obviously, in a missing persons case time is crucial and can often make a difference.

There are 10,000 missing person cases a year in Canada. Some of those are duplicates, but that's an enormous number. Furthermore, the vast majority of missing person cases are never linked to criminal activity or presumed to be criminally related. Examples of noncriminal missing persons often include heart failures or those with Alzheimer's and schizophrenia who go missing and who make up a significant portion of missing persons cases.

We were in touch with people representing aboriginal organizations, and I think that this is important specifically for aboriginal people. I think that we would like to encourage and allow police to act more quickly on missing persons cases. There is a perception that these cases are sometimes ignored by police when the missing person is aboriginal. In particular, missing aboriginal women have been a major concern that has often been overlooked by police and government. It's perhaps best outlined by the Native Women's Association of Canada through their sisters in spirit report on aboriginal women and girls who have gone missing or been murdered in Canada in the past generation. They found a total of 582 cases across Canada. Of those, 392 died as a result of murder or negligence, and 115 remain missing to this day. Mr. Chairman, the majority of disappearances and deaths of aboriginal women and girls occurred in the western provinces of Canada.

In 2008 police services across Alberta received about 8,000 calls from people and families looking for missing persons. Of these cases only about 200 used substantial police resources in an investigation. That means that only about 2 and a half per cent of

missing persons calls, not including duplicates, are actually closely investigated.

With this legislation more hours and investigative efforts will be required to adequately respond. It really raises the question, then, of police resources, and I think that's something the government should consider when they're looking at their budgets.

Mr. Chairman, I just want to echo some of the comments from Airdrie-Chestermere about the balance that is struck with respect to this legislation. We think that it's a progressive piece of legislation, a step forward for our province, and I am very hopeful this legislation that we are dealing with in this Assembly tonight will save lives and reunite families. I think it is something well worth supporting, and I urge all my colleagues to do so.

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Chairman. I'd just like to make a few comments on this bill. I certainly support this bill. I think it's a very good bill, well thought out.

Mr. Chair, there's been considerable reference to Lyle and Marie McCann from St. Albert. They were two of my constituents. They were last seen in St. Albert at a service station. Interestingly, one of the previous speakers spoke about some of the privacy intrusions we have. One of the only clues they've got of their disappearance was from a video camera at a gas station where they filled up in St. Albert before they left. It was several days later that they found their burned-out vehicle, and the investigation, as was indicated, didn't really commence immediately, so it's questionable whether this legislation would really have helped in this situation.

Nevertheless, Mr. Chair, whether it would have helped in that particular situation or not, there are many instances where it would have helped or certainly may have helped. I think it's important that we pass this bill for those situations where it may provide some clues and may provide that clue that will prevent a tragic event or at the very least solve a case.

Yes, there are privacy issues, but, Mr. Chair, we've got to put some trust in our protection services. This legislation is put out here, and it is, as has been indicated, the first in Canada, perhaps the first in North America. I don't know. It is a piece of legislation that is needed, and we've got to put some trust in the police officers that they will use this legislation – they won't use it very often – with the trust of the general public in mind. I don't personally believe that it will be abused at all as has been suggested.

I think, Mr. Chair, we've got to move on and pass this legislation and put it into effect. Let's make use of it. If there are some problems with it that arise, there could be amendments at a later date, but let's get on with it.

Thank you.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chair. I just briefly want to address some of the things that have been raised where members have said that this proposed legislation that we're seeing under Bill 8, the Missing Persons Act, would somehow distinguish between those people that just wanted to absent themselves or go missing or skip out or take off or whatever of their own free will, that somehow this legislation distinguishes that. It doesn't. It very clearly defines a missing person. If you follow the legislation, the definition appears under section 1(b). A missing person means

- (i) an individual who has not been in contact with those persons who would likely be in contact with the individual, or . . .

Not and, or.

- (ii) an individual
  - (A) whose whereabouts are unknown despite reasonable efforts to [find] the individual, and
  - (B) whose safety and welfare are feared for given the individual's physical or mental capabilities or the circumstances surrounding the individual's absence.

I think all of us could accept the last definition, the individuals whose whereabouts are unknown despite attempts to try and find them or whose safety and welfare are feared for. We can accept that as a definition for missing persons, but it's not and; it's or. So any individual who doesn't report in – and I'm putting air quotes around that – to those persons who would likely be in contact with the individual can be deemed to be missing. There is no distinction made in this act that would allow my colleagues to be saying: "That's okay. Anybody that just wants to make themselves gone or missing can do that." No, they can't. That's not what's in this bill. That's not the way it's written. It does in fact cover all Albertans, and it now makes it mandatory that any Albertan that wants to go missing must contact those who would regularly expect to hear from them. That's what is in the section. That's what it says. It doesn't say "and." It says this is what you're supposed to do or the police can apply.

**11:30**

Now, the police can apply in two ways. I already talked about orders regarding records and right of entry, but also under emergency circumstances, they can go under section 4(1). If there are reasonable grounds to believe that immediate access to records is necessary to prevent imminent bodily harm or the death of a missing person, the police may serve a written demand on any person requiring that person within a reasonable time period to make available to the police service a series of records. So they could go to a phone company. They could go to a roommate. They could go to a parent. They could go to a spouse. They could go to the gas station for the closed-circuit stuff. In emergency circumstances they can require this.

Now, you can get into an argument about whether the word "require" is the same in the law as "compel." I think most people, if you went to them and said, "We're requiring you to give us this information," and it was a police officer standing at your door, you're going to give the information. You're going to believe that you have to rather than get into a protracted legal discussion with an armed person standing at your door saying: we require you to give this to us. I mean, to be fair, if the person refuses, the police can still under section 5 go to a justice of the peace and get an order that does insist that the person, whoever that is – the gas station, the roommate, or whoever – hand the information over.

I think that there continues to be a number of misunderstandings and mistakes about this act. We need to be able to go back and look at this legislation and review to see if it did what we expected it to do. I would love to be proved wrong. I would love for it to be proved that none of this happened, that the examples we have of the police force and members of the police force going in and collecting personal information out of information that they held, for purely personal reasons that had nothing to do with why they had the information, I would love to believe that that's not going to happen. But I certainly have the examples in front of me that tell me that they do happen.

I have an amendment in front of me that is amending section 11 and adding in: a special committee of the Legislative Assembly must begin a comprehensive review of the act within five years of it coming into force and submit to the Legislative Assembly within one year after beginning the review a report that includes any

amendments recommended by the committee. In other words, it's a five-year review clause, which is very common for us.

It's actually often less than five years. We've certainly – I've sat on the reviews – done the legislative reviews for the Health Information Act, the Personal Information Protection Act, and the Freedom of Information and Protection of Privacy Act. All of those had legislative reviews in them, and I would like to see the same kind of legislative review in this Missing Persons Act which does allow us to look at it once it has been in play, in use for a period of time, and allow us to see whether it's working the way the sponsor of the bill intended that it work.

Clearly, there's a lot of support in the Assembly for the act and a lot of people that want to see it go forward. So there should be no fear in putting in a clause that allows us to review whether it worked the way we expected it to work.

That is what my amendment, which I assume would now be amendment A3, should cover. So I urge all to support amendment A3. Thank you.

**The Chair:** We'll pause for a moment for distribution.

On amendment A3, any hon. member wishing to speak? The hon. Member for Calgary-Buffalo on amendment A3.

**Mr. Hehr:** Well, thank you, Mr. Chair. Having reviewed the merits and heard the reasoning for this amendment, I think it is reasonable and prudent to do so given the concerns raised by the hon. member. Of course, many members of this House do want to see this bill get into place, and it has some valid reasons to do so. I don't know if that's in debate.

The hon. Member for Edmonton-Centre has brought up concerns. They've been brought up to her by many organizations. As we're well aware, government legislation can contain in it consequences that we are unsure of at the time that are actually there. She brings up enough for me to understand that this could be some of that legislation that has that slippery slope to it: where will this end, and what will happen, and have we really run this up the flagpole as far we should go? So I would support this amendment. It allows us to look at the act. Five years from now it comes back, and we can hopefully have a report to the Legislature on how it's working, on whether it has had some of these consequences that the Member for Edmonton-Centre has brought up.

I think we might be prudent to put this in almost every new legislation, especially one of this innovative kind. It's the first of its kind in Canada and, I believe, North America. It would only be prudent of us to do so at this time given the nature of the path we're going down and, frankly, to look if other jurisdictions are instituting other similar legislation over the course of the next five years, for us to learn some best practices from those Legislatures who maybe have done things a little bit differently.

So I speak in favour of this amendment. I think it's a good amendment and we'd be prudent to follow the Member for Edmonton-Centre's advice on this. I urge all my colleagues that this would not stop the bill. It would merely allow for us to contemplate it five years from now and to look at it again with a fresh set of eyes, with a fresh set of ears, to whatever problems may be existing. Or maybe everything will be running tickety-boo. Who knows.

Anyways, I thank you for allowing me to speak on this, and I'd urge everyone to vote in favour of this amendment.

**The Chair:** Any other hon. member wishing to speak on amendment A3? The hon. Minister of Justice.

**Mr. Olson:** Thank you, Mr. Chair. I only want to say, very briefly, that I can support this amendment. I think it's reasonable under

the circumstances given that we're breaking ground here with some legislation that isn't seen in a lot of other jurisdictions. We're very confident with this legislation, and we're very confident that a review five years down the road is going to support what we've been saying all along about the value of this legislation and the value for Albertans.

Thank you.

**The Chair:** Any other hon. member wishing to speak on amendment A3?

Seeing none, the chair shall now put the question.

[Motion on amendment A3 carried]

**The Chair:** Now we'll go back to the bill. The hon. Member for Edmonton-Centre on Bill 8.

**Ms Blakeman:** Thanks very much, Mr. Chairman. I have another amendment that I would like to bring forward, and that amendment is amending the section that I referred to very briefly last time, which is section 4, the emergency circumstances section. Essentially, it's striking out "demand" wherever it occurs in that section. I've sort of gone through it, and wherever it said that the police may serve a written demand on any person requiring the person – it's striking out "demand" wherever it occurs and substituting "request."

I think the pages are already handing this out, so I'll just keep going.

11:40

**The Chair:** Yes. Continue, please.

**Ms Blakeman:** It's also striking out the word "requiring" and substituting "requesting", and striking out "to be provided" and substituting "may be provided", and striking out "shall" and substituting "may".

Under the emergency circumstances section it is making it much more of an option and less obligatory in the way police are presenting the demand – it would now be a request – and allowing people much more of a wider option to say: no; I'm sorry. This could be persons or businesses, as I said, like phone companies providing phone records, financial institutions providing financial records. Just so people understand, I mean, they may sometimes be doing this because it's a cost and a work burden on them to have to go through their files and find this. They believe it to be an imposition on them, and they don't want to have to do it, or they want to get some kind of compensation for it. It's differing levels of requesting and demanding and whether somebody is required to answer this and give them back the information they've requested under the emergency circumstances.

The information that can be requested here, as compared to the section that I reviewed earlier, is records of contact and identification; communication records, including signals on wireless devices, cellular telephone records, text messaging, browsing records; GPS; employment records to the extent that they indicate when the person might have been last seen and when and where and how the person is paid. So this one's a little more detailed in this section, the emergency section, than it was in the demanding records section that was earlier.

Health information also appears here to the extent that records might indicate if the person has recently been admitted to hospital and including the information of which hospital and the date and time, that kind of thing, reasons for admission. It is health information that they're requesting here. So even if you just decided not to show up somewhere, they could under this provision be

asking for that kind of information, which might include that you had your appendix out recently. That's information that could be asked for.

School or postsecondary attendance information. Financial information, including credit cards, their usage, if the records indicate where and for what purpose the credit card was used for. So don't go using it for anything that might be misinterpreted by anybody because they're going to see it. So the Love Me Tender video store, if it shows up on your bank statement and it's really just an Elvis Presley video collection, could be misinterpreted as something else. Any bank accounts that were accessed and records about where and for what purpose they were accessed. And any other prescribed records that the police may decide they want to get.

So this is all of the information under that section, and this is where I'm trying to amend that compelling of information because, yes, they might be addressing a gas company that has closed-captioning, and they would probably be approaching them during business hours, but they could be approaching a roommate or a spouse or an employer after hours, and I think that's kind of scary. If a police officer showed up at my door wanting access to records about somebody I had records on, I would tend to co-operate just because I would believe that I had to. I think we need to be clear that that's not required. It does go further into the failure to comply section, and it strikes out "demand" and replaces it with "request" there and "demanded" and replaces it with "requested." It does still allow a justice of the peace to give an order directing the person to comply, so it's still possible to get the records. You just have to go to a justice of the peace and make the argument with the justice of the peace that this is why they want to get the information from that roommate or parent or adult child or gas company or telephone record company.

I just think it makes the legislation less scary. Probably in more instances people would refuse to give them the information, and the police would have to go to the justice of the peace and plead the case there. I don't see that that's a problem. In emergency circumstances they're not requiring this to be a judge. It is allowed to be a justice of the peace, which is much more accessible 24 hours a day, seven days a week. I don't think it's going to impede or place that much of a barrier on getting the information fairly quickly under this emergency circumstances clause.

I would ask for support for what would now be amendment A4. I thank everyone for their co-operation.

**The Chair:** On amendment A4, any hon. members wish to speak further?

Seeing none, the chair shall now put the question.

[Motion on amendment A4 lost]

**The Chair:** Back on the bill, the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. My next amendment, which could be distributed, is actually striking out sections 4 and 5. This would be amendment A5. It's actually getting rid of the emergency circumstances and the failure to comply section. Then under section 12, which is the regulation-making section, which empowers the Lieutenant Governor in Council, in other words the cabinet, to make regulations – so this is sort of consequential – it strikes out "and 5" under that section. It's saying: "respecting applications under sections 3 and 5." It would strike out "and 5" – so it's essentially consequential – and strikes out clauses (b) and (c), "respecting the service of a written demand under section

4(1)" and "prescribing records for the purposes of section 4(2)(h)."

If these sections are removed, it still allows the police to apply to a justice of the peace for an order that does require a person to make available to the police copies of records. Then it goes through the list that I read out in the first place, which was, again, the whereabouts, the identification information, the telephone records, the GPS, the browsing history, the video records, the employment. Everything that's found under the order regarding records and right of entry under section 3(1) and (2) would all still be there. They're all still available. They can all still be accessed. It's just that they would have to go and get the order through the justice of the peace first. They can't just show up at somebody's door and say, "Give me this information about this person" and demand it because it's emergency circumstances. They would have to go through that extra step.

The justice of the peace can make the order under the subsection if they're satisfied that the applicant requires the order in aid of investigating the whereabouts. It particularly, then, goes on to talk about minors or represented adults under adult guardianship and about people for whom an effort has been made and where they can't find any records, to prove that they looked and that they can't find any records.

11:50

To my reading of this, it still allows all of those records to be asked for, but you have to go before a justice of the peace and explain why you think you would need it. It takes out any of the demand sections that are in here under the emergency circumstances section, so the police could no longer demand or require someone to turn over these records. They'd have to go through the JP.

That's amendment A5. Thank you.

**The Chair:** Any hon. member wish to speak on amendment A5?

Seeing none, the chair shall now put the question on amendment A5.

[Motion on amendment A5 lost]

**The Chair:** The hon. Member for Edmonton-Centre on the bill.

**Ms Blakeman:** Thanks very much, Mr. Chairman. This is amendment A6, that I would ask be distributed now, which is amending section 5 by striking out subsection (3) and substituting the following, which is that an order under that subsection could

be subject to any terms or conditions respecting the production of the records demanded, including terms and conditions as to the costs of producing the records, that the justice of the peace considers appropriate in the circumstances.

I'll allow that to get distributed.

**The Chair:** Hon. member, please continue.

**Ms Blakeman:** Thank you. The way that section 5(3) currently reads is for an order under subsection (1), which is the written demand, and if the person doesn't comply, the police service can apply to the justice of the peace for an order directing them to comply. Under subsection (3) an order under that subsection, which I just read, "may be subject to any terms or conditions, including terms and conditions as to costs, that the justice of the peace considers appropriate."

I'm proposing that that be redone so that it reads that the order may be subject to any terms or conditions respecting the production of the records demanded, including terms and

conditions as to the costs of producing the records, that the justice of the peace considers appropriate in the circumstances.

The real difference there is in the beginning of that, respecting the production of the records demanded. It allows specific boundaries around what's going to be provided as well as recognizing that there may be costs that are considered. Again, this is around getting the records out of, you know, the oil and gas company, around closed-captioned videos, or around any company that's holding records that could say: well, we don't want to give them to you because it's going to cost us money. This would be respecting the production of the actual giving over of those records, so a fairly small, simple amendment here.

Thank you, Mr. Chairman.

**The Chair:** Any other speakers on amendment A6?

Seeing none, the chair shall now put the question.

[Motion on amendment A6 lost]

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. My final amendment tonight, which would be A7, is amending section 4(3), which, again – I'll just remind everybody – is the emergency circumstances section. Subsection (3) currently reads: "A person on whom a written demand under subsection (1) is served shall make the records available, or provide copies of the records, to the police service within the time specified in the demand." It's the must-comply section under those emergency circumstances.

Again, I've read into the record the kinds of details that are expected here: the health records, the financial records, the employment records, the credit card stuff, the GPS, all of those kinds of information that can be asked for. It's adding into it that the person shall make these records available or provide the copies within the specified time "unless the person has reasonable grounds to believe that the records will not aid in the investigation of the whereabouts of the missing person."

What it does is it allows the individual, who, again, could be related to the person, or it could be a company – let's say that the police go to them and say: we want the health records and the employment records and the credit card records that you have. It allows the individual to say: "Well, I don't see why you need their health records. They haven't, you know, been admitted into the hospital recently. I know that. I don't think you need to see the health records. But, you know, I'm going to give you their Visa bills recently, and I could give you their bank account numbers." It allows the individual that's been requested to give over the information to argue about whether or not they're going to give them everything and to reasonably state that they believe they shouldn't need to give over all because they have reasonable grounds to think this isn't going to make any difference. I think the key there is that the individual has reasonable grounds to believe that providing that information isn't going to help, and they don't want to provide that information. Fair enough.

I think we're playing with a lot of information here and a lot of different aspects of somebody's life. I know that we want to solve this stuff as quickly as possible. We want to get to the bottom of it as quickly as possible. We're talking, potentially, about missing children, you know, parents with dementia or people with mental health problems or a history of mental health problems, but it can also just be people that played hooky, that took off, that are having a romantic tryst. I mean, that's not illegal. It's not nice – we don't approve of it – but it's not illegal. But under what's happening in this act, that could be grounds for somebody to start going through and demanding these kinds of records. This section allows some-

body to say: "You know what? I really just don't see why you're asking for that, and I don't want to provide it."

I ask for support on this amendment. I wouldn't do these amendments if I didn't genuinely believe that there was reason to do them. Having sat through years of my life now in various committees looking at protection of private information, I think we have not been careful enough with this bill to ensure that law-abiding Albertans won't have their personal information gone through unless it can be proven to a justice of the peace that there's a reason to do that.

I understand the emotion that goes behind this as much as anybody else. My heart squeezes when I hear those reports on the radio or on the television or in the newspaper as much as anybody else, especially when you can imagine yourself in that situation. As I said, I run the same track that that young military officer disappeared along. Any time you feel a personal connection to this, your heart just squeezes, and you want to think that the best has happened, not that the worst has happened, and you want to be able to help the family members and friends and the co-workers, the people that are around them, because those are the people that turn out to do the searches and put the posters up on the telephone poles and really worry about what's happened to this person. We want to do the best by them, but I think we have to be very, very careful, and the only organization that can make sure that we're careful about how much information of an individual is exposed or collected by an organization and whether there's good cause to be collecting that information is this Assembly, to be able to put that context in place and to put those checks and balances in place.

12:00

I know I've been the only voice that's been asking for support for these amendments. Fair enough. I wouldn't waste your time if I didn't think this was important, and I do. I ask for support for amendment A7, which is allowing that an individual can challenge and question why they would have to provide all of the various records that they've been asked to supply on the reasonable grounds that they don't think it's going to aid in the search for the individual.

Thank you very much.

**The Chair:** We have amendment A7. Any other hon. member wish to speak on it?

Seeing none, the chair shall now put the question on amendment A7.

[Motion on amendment A7 lost]

**The Chair:** Does any hon. member wish to speak on the bill?

Seeing none, the chair shall now call the question.

[The clauses of Bill 8 as amended agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I'd move that the committee now rise and report Bill 15 and Bill 8.

[Motion carried]

[The Deputy Speaker in the chair]



**The Deputy Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills with some amendments: Bill 15 and Bill 8. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Government Bills and Orders Third Reading

#### Bill 6 Rules of Court Statutes Amendment Act, 2011

**The Deputy Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I'm pleased to rise to move third reading of Bill 6, the Rules of Court Statutes Amendment Act, 2011.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. At third reading, certainly, I would like to get on the record on behalf of the Official Opposition. This bill updates 29 statutes to make the language in those statutes consistent with the *Alberta Rules of Court*, which came into force last fall. These amendments are mostly technical. We had quite a discussion earlier in debate on this matter and on this bill, and I would just like to say that I think we should proceed with this at this time.

Thanks.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill?

Seeing none, the hon. minister to close the debate.

**Mr. Olson:** Question.

[Motion carried; Bill 6 read a third time]

#### Bill 7 Corrections Amendment Act, 2011

**The Deputy Speaker:** The hon. Minister of Justice and Attorney General on behalf of the Solicitor General.

**Mr. Olson:** Yes. Thank you, Mr. Speaker. On behalf of the Solicitor General and Minister of Public Security I move third reading of Bill 7, the Corrections Amendment Act, 2011.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. With Bill 7, as I understand it, we are permitting the disclosure of the health information of inmates in correctional institutions to the institution for specific purposes. The amendments, as I understand it, are needed to address problems that arose when the scope of Alberta's Health Information Act was expanded.

We had a discussion at our caucus table, and it was rather robust, to say the least.

**Mr. Hehr:** Very robust.

**Mr. MacDonald:** Yes. The hon. Member for Calgary-Buffalo is correct. It was very robust.

The decision to expand the scope of the Health Information Act was a questionable policy decision. However, some of the most serious concerns have been addressed in exclusions from the now general rule that health information is subject to the Health Information Act.

Now, it was pointed out that it was problematic that the policy reason for the expansion of the Health Information Act, protecting the electronic health record, is likely to be compromised by the proposals that can be expected to amend legislation to get around the impracticalities of the expanded Health Information Act. At this stage the most practical approach to the issue is to review the amendment proposals on a case-by-case basis. At third reading in this particular case the reasons for allowing the disclosure of health information to correctional institutions seem reasonable.

Before recent amendments to the Health Information Act the act applied primarily to health service providers operating in health care settings such as hospitals, nursing homes, clinics, and physicians' offices as well as pharmacies. As I understand this amendment, if I am understanding it correctly, then, of course, this is going to change, and in the Corrections Amendment Act, 2011, we will have the first case where it is proposed to amend an act governing a specific program to address concerns raised by changes to the Health Information Act.

We have spent time in committee and in second reading on this. There have been a lot of remarks put on the official record. With that, Mr. Speaker, I would conclude my remarks on Bill 7. I know we can support this. It was discussed. There were a lot of good points made in our caucus regarding this bill, and I think it's with reluctance that we can support this.

Thank you.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill?

Seeing none, the chair shall now put the question.

[Motion carried; Bill 7 read a third time]

#### 12:10 Bill 11 Livestock Industry Diversification Amendment Act, 2011

**The Deputy Speaker:** The hon. Minister of Environment on behalf of the hon. Member for Lacombe-Ponoka.

**Mr. Renner:** Thank you, Mr. Speaker. On behalf of the Member for Lacombe-Ponoka I'm pleased to move third reading of Bill 11, Livestock Industry Diversification Amendment Act, 2011.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. I don't know if they're going to be providing elk on the menu of some of the corrections institutions in our province or not, but we certainly had questions regarding this legislation. The amendment, I am confident, has satisfied the hon. Member for Lethbridge-East. The amendment that was provided and voted through the Assembly at second reading certainly clarified the issues, not only what the hon. Member for Lethbridge-East had questioned but also other hon. members of this House. Certainly, at third reading Bill 11 will move the responsibility for elk and deer farming from SRD to Agriculture.

We're looking at the Wildlife Act, an amendment to that, the wildlife regulations; the Livestock Industry Diversification Act; and consequential amendments to eight other pieces of legislation. Certainly, there were reservations on this side of the House. I believe the amendment as proposed by the hon. Member for Lacombe-Ponoka has satisfied those reservations. Hopefully, the proposed amendments that are designed to transfer legislative responsibility for deer and elk farming as identified in the Wildlife Act will work as has been presented to this Assembly.

Thank you.

**The Deputy Speaker:** Any hon. member wish to speak on the bill?

Seeing none, the chair shall now put the question.

[Motion carried; Bill 11 read a third time]

## Bill 12

### Alberta Investment Management Corporation Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Athabasca-Redwater on behalf of the hon. Member for Red Deer-South.

**Mr. Johnson:** Yes. Mr. Speaker, on behalf of the hon. Member for Red Deer-South I'm pleased to rise and move third reading of Bill 12, Alberta Investment Management Corporation Amendment Act, 2011.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I think we're going to be here for a while. Bill 12, Alberta Investment Management Corporation Amendment Act, certainly adds the requirement that the directors and officers act honestly and in good faith. When you look at that, it seems like a very harmless bill but at the same time a very worthwhile bill. We talked about this earlier. This bill will clarify the government's ownership structure of the corporation supposedly to remove any ambiguity.

Language around the directors' conflict of interest will also be updated to match industry standards, we're told, adding an amendment to make it clear that AIMCo must act in the best interests of its clients when delivering their investment management services.

We do know that AIMCo is essentially just getting started. We do know that we have been going through some turbulent times financially. Any questions that are directed AIMCo's way, well, the answer is, of course: "Give us time. Things are going to work out. You're going to get a real return on your investment with us." It is unfortunate that the transition from Alberta Finance to AIMCo was made while we had some of the most difficult times since the '30s in the financial markets.

I'm not satisfied with some of the explanations I get from AIMCo on their investment style. We were talking about this in committee, Mr. Speaker, but when we compare AIMCo's internal and external costs, there's always someone else to blame: well, these are things that happened before we took over. When we look at a comparison of internal and external costs, regardless of how we look at it, there's \$542 million externally that was lost. "How can we say it's lost?" someone questioned. Well, this is value-added net of expenses. For the year ended March 31, 2010, that's exactly what happened. We lost \$542 million.

That didn't stop the performance fees. Performance fees were over \$25 million. Other investment costs. Well, they were \$126 million in this external category. They were much less in the in-

ternal category. Of course, the minister of finance is quite willing to compare the internal costs to the external costs, but whenever you look at these external deals, you have to question: who signed them, why did they sign them, and how come there is such a difference between what's managed internally and what's managed externally?

Now, we look at that and look at some of the fine print in AIMCo's annual reports and how they have set this up so that the bar, Mr. Speaker, to achieve a performance bonus is set really, really low so that regardless of how much wealth is created or generated with this \$70 billion plus fund, there are going to be bonuses paid out, or performance incentives, whatever you would like to call them. You have to really look through the fine print of the annual report to find these numbers. You can see for yourselves if you would like, hon. members, on page 47 of the annual report, where you can compare the long-term incentive compensation and how this would work. The long-term incentive plan or grants, as they're called, as described are quite a deal. Of course, the argument with AIMCo is: oh, well, we need this to attract high-quality, competent staff.

12:20

Then there's another program in here as well. Who gets these bonuses or these performance fees? Well, there are not that many people eligible. In fact, I think it indicates that there are – I'd have to find it – probably 60 or 65 employees that are collecting this annual incentive plan. It comes in various forms, two that I'm aware of from the annual report. Why would AIMCo set this up in this way? I don't know, but in my view the bar is really low. Regardless of what kind of performance there is going to be money set aside for bonuses.

Now, there should be some additional caution before this bill is fully supported. One would only have to read the Auditor General's report, not the last report; let's forget about that report. You know, if the Auditor General's reports were classified on a best-seller list, that one would have been on the list for perhaps 10 minutes because, unfortunately, I didn't find there to be that much in it. It was just sort of an update on what had happened before. But, certainly, previous reports from the office of the Auditor General had highlighted serious concerns with AIMCo. While it is desirable to have AIMCo at an arm's length from the government, until the concerns raised by the Auditor General have been sufficiently addressed, the government should not entirely set AIMCo free, if I could say that. We know the minister of finance is ultimately responsible for the pension and endowment funds under management; thus, it is the minister's responsibility to ensure that AIMCo is properly functioning.

We know the motivation behind turning AIMCo into a Crown corporation was supposedly to remove politics from investment decisions. I'm doing a little bit of digging around, and I'm not going to say too much more, Mr. Speaker, because I'm sure in the department of finance the minister is going to read *Hansard*, and he's going to say: what kind of digging around is he doing? Well, I'm doing some interesting work on this. The whole idea was to remove politics from investment decisions, and I'm not sure that the reverse hasn't happened, that it is more political than it was in the past.

I really don't think it was that political in the past, but my suspicions were increased when I had difficulty finding some information that I used to find routinely on the Internet. It disappeared. I know the Minister of Transportation is quite concerned about this. It disappeared, and it took a lot of effort to find it. If investing in an oil company, for example, makes sense from an investment management perspective, it should not be impacted

whatsoever by politics. AIMCo's mandate, as we've said before, is to maximize returns for pension plans and endowment funds and, supposedly, not to worry about the political leanings of the day.

Whenever I look at this bill, I question: why has it taken so long to include these amendments? What instigated this legislative change? Have there been any conflict-of-interest issues by the directors previously that have motivated this change? Why was the section not put in the act in the first place? Again, it's not that long since we – in fact, it was Dr. Oberg, I think, who brought this before the Assembly in his time in this Legislature. Why would AIMCo not have already been working in the interests of clients? Given that the Auditor General has raised concerns with AIMCo's lack of an internal audit group and the need to improve financial reporting, how will this bill impact the ability of the finance department to ensure that the problems raised by the Auditor General are not only addressed but are addressed immediately?

Now, I was looking at some of the internal audit functions of Alberta Health Services here just in the last hour and a half, and I thought it was quite an unusual arrangement that was going on there. I certainly hope that the same is not going on with AIMCo.

With those remarks I'm going to keep my eye, certainly, on the \$70 billion plus. I'm disappointed with AIMCo. I'm disappointed in the fact that this bill doesn't put, for instance, some of the individuals who in the past have worked perhaps in this Legislative Assembly and who have pensions under the local authorities pension plan – I don't understand why the government wouldn't ensure that there are a few representatives from the pensions on this board. That doesn't happen, or it hasn't happened to date. I'm disappointed that there's not a broader representation on the board to include individuals who have a pension. They have a direct interest in the performance of the AIMCo investment strategy. I'm not suggesting, for instance, that we should have the hon. Member for Calgary-Buffalo on there, not at this time. But, certainly, there are individuals who I think would make very good representatives on that board.

Those would be my comments, Mr. Speaker, on this legislation at third reading. I cede the floor to any other hon. colleague who would like to speak on this matter.

Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-Buffalo on the bill.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. It is a privilege to speak to this bill and bring up some comments, much of them based on listening to my hon. colleague and hearing what concerns him. The openness and transparency of AIMCo and its ability to carry forth its mandate on behalf of the Alberta people is extremely important to our future, the future of not only our pension funds but also the future of our Alberta heritage trust fund, which, as you know, has languished from a contribution standpoint under this government. Since approximately 1987 there have been no new contributions to it. Really, it's worth less now than it was back then in real dollars. That's concerning when we have investment vehicles set up and they're not doing what they were originally intended to do.

If we look back at the heritage trust fund, what it was supposed to do was actually to set us up for the future, to readily take 30 per cent of our income that came from oil and gas revenues and put that away for the long-term future. The reason why it was established to do that was because the creators of that fund recognized this as a one-time gift. Yeah, you know, you can blow it to your

peril, and you can have a good time while you're doing it. But at the end of the day they realized that the Alberta advantage was oil and gas and this windfall revenue that would come into the coffers of the Alberta government. It was recognized that this had the opportunity to set us apart from other jurisdictions of the world who were not as blessed as we are here to sit on still 25 per cent of the world's petroleum oil resources.

If there's one thing that this government has shown the ability to do over the course of the last 40 years, it's to snow through oil and gas revenues. It's been estimated that \$180 billion has come into the coffers of this Legislature, and with how much saved? Fourteen billion dollars over in the heritage trust fund, that is run by AIMCo. If you look at it, it's grim, and really it has been a squandering of resources and wealth that I think will go into the annals of history as squandered opportunity lost by a government.

**12:30**

Nevertheless, we're here discussing the merits of this going forward and how it's going to affect things like AIMCo. AIMCo is going to be there. I believe in the one thing, that it should be separate and apart from this government. So we applauded the initial move when it appeared to be moving in that direction, when it was handled by an outside group of consultants. Nevertheless, concerns brought up by my friend from Edmonton-Gold Bar are very true. We have an Auditor General's report from a couple of years ago that lists some serious deficiencies in the openness and transparency of how that board runs and the auditing functions.

Generally speaking, fees for financial services, depending on how the contract is written, can borderline from the sublime to the ridiculous. Money managers have been known to even recently make out like bandits when they're able to set the rules and regulations of their own compensation. They know how to craft those rules and regulations and how to inflate their pay in good times based on short-term economic results that may not be in the fund's long-term interest but more for a financial manager's short-term gain.

I think we've seen examples of that very clearly since 2008, since the downturn. People call it a downturn. I call it the melt-down of the financial system that we've basically been on, having no rules, no regulations. Sooner or later, well, there was nothing left to hold it together because the people started stealing from what was in the long-term best interests of the society. We've got on be on guard for that at our own place, at AIMCo. If the Auditor General flags it as an issue, I think it would behoove this government to take it seriously, to act on it, to try and have the minister direct AIMCo to act on some of these issues that are outstanding.

It also is a fair issue brought up on compensation. We all know that with \$70 billion in assets under management we can command a fairly reasonable price for people to manage those assets that may not be available to the rank and file owner of mutual funds and stocks and bonds at your local investment agency. I suggest we use that power to limit the fees.

From the things I read about the market, almost the best you can do is what the market returns. Yeah, some people do a little bit better, produce a couple of points ahead. Some don't do as well, are a couple of points behind. But by and large you're doing pretty well if you stick with what the markets do on a year-to-year basis, and almost anything outside of that is to be worrisome because you're making some unwise bets in that regard.

If we take that as knowledge, sometimes we should follow that general principle and look at that and provide the rules and the regulations that guard our investments going forward on that front, where people get paid reasonably for a reasonable day's work, but

the lion's share of the money is being returned to the people of Alberta, the people who have saved their money, who will want to build a province for a better day in the future.

I leave those comments for the record, and we'll go from there. Hopefully, the minister will act on some of these suggestions given by me and the hon. Member for Edmonton-Gold Bar to better AIMCo and have it go forward on a more solid ground in the future.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Are there any other hon. members wanting to speak on the bill?

Seeing none, the chair shall now put the question.

[Motion carried; Bill 12 read a third time]

#### Bill 14

#### Wills and Succession Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Athabasca-Redwater on behalf of the hon. Member for Grande Prairie-Wapiti.

**Mr. Johnson:** Thank you, Mr. Speaker. On behalf of the hon. Member for Grande Prairie-Wapiti it's my pleasure to rise today and move third reading of Bill 14, the Wills and Succession Amendment Act, 2011.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Mr. Speaker, I've been waiting all night for this bill.

**An Hon. Member:** God help us.

**Mr. MacDonald:** I hope He does. You're going to need all the help you can get.

The amendment will remove a misunderstanding which has led parties to hold up legal processes relating to the wills of persons already deceased in order to take advantage of the new powers of the court to interpret wills. Although technical, this amendment affects legal rights.

I think it was earlier today that we saw the Miscellaneous Statutes Amendment Act introduced, and it was suggested at one time that perhaps this is where this amendment belonged, but I don't think so. This amendment is to correct a transitional provision, as we said earlier, and I just wasn't comfortable with allowing this to be moved through the Assembly through the miscellaneous statutes process for the following reasons.

The Wills and Succession Act, which consolidated a number of acts and codified law made in the courts, was passed in the fall of 2010. The act is expected to come into force next January, but the changes relating to the wills in the Wills and Succession Act focus on meeting the testamentary intent of the deceased. This reform is a modernization of the existing approach.

The key changes. This is why I don't think it was acceptable to just move this through the Miscellaneous Statutes Amendment Act. The courts will be able to validate a will where the testator's intentions can be ascertained even if the will does not perfectly meet legal formalities. When interpreting wills, the courts will now be able to rely on outside evidence for the intentions of the testator. Rules on the interpretation of commonly used words and phrases are updated. For example, the definition of child now includes all the children of a testator regardless of parentage. When a marriage or partnership ends, a gift in the will to the spouse or partner is deemed to have been revoked. The previous interpretation that a will is immediately revoked upon marriage or the establishment of an adult interdependent partnership is repealed, and rules addressing situations that affect a will but are unlikely to be covered by the will are modernized. An example of that is, unfortunately, where a beneficiary would murder the testator.

That would be why I think this may be considered a small but important fix. I'm pleased that this bill has gone through the Assembly in the manner that it has. It should not have been included in the Miscellaneous Statutes Amendment Act as was originally suggested.

With that, Mr. Speaker, I will cede the floor to anyone else who is interested in speaking. Thank you.

12:40

**The Deputy Speaker:** Is there any other hon. member wanting to speak on the bill?

Seeing none, the chair shall now put the question.

[Motion carried; Bill 14 read a third time]

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

**Mr. Renner:** Thank you, Mr. Speaker. Well, we've made some significant progress in moving business through the House tonight, and given that significant progress I would like to move that we now adjourn until a little bit later today at 1:30 p.m., when the House will resume session.

[Motion carried; the Assembly adjourned at 12:41 a.m. on Tuesday to 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday afternoon, May 10, 2011

Issue 32a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, May 10, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome.

Let us pray. In our mind's eye let us see the awesome grandeur of the Rockies, the denseness of our forests, the fertility of our farmland, the splendour of our rivers, the richness of our resources, the energy of our people. Then let us rededicate ourselves as wise stewards of such bounty on behalf of all Albertans. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** Hon. members, I'm pleased to introduce to all members today 76 students who are here as participants in Mr. Speaker's MLA for a Day program. The participants arrived yesterday for a tour of the Legislature, a presentation on the role of an MLA, and dinner at the Royal Canadian Legion, after which they prepared for a debate and then spent the night in a local hotel with their chaperones. This morning they debated a resolution in the Assembly Chamber, visited their members' offices, attended a session in the Chamber with myself, and had lunch with their members. Following Oral Question Period they will take part in an activity related to the electoral process. The ultimate aim of the program's activities is to further develop the interest and understanding of our parliamentary system among Alberta youth. The Royal Canadian Legion Alberta-NWT Command is sincerely commended for their support and cosponsorship of this program.

Seated in the Speaker's gallery today is vice-president, youth chair, Legion Alberta-NWT Command Ms Bobbi McCoy. Accompanying as student chaperones are Legion leaders Tim McCoy, Rod and Joyce Stewart, Ted and Donna Latimer, Karen Bruens, John Ferguson, Sharon Fedak, and our 76 shadow colleagues, who are seated in the members' and public galleries today. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to all members of this Assembly a person that we know quite well, the recently re-elected Member of Parliament for St. Albert, seated in the Speaker's gallery, Mr. Brent Rathgeber. Brent, of course, as you know, is the former MLA for Edmonton-Calder. He lives there; so do I, proving once again that it's all in Calder. On May 2 Brent was re-elected as a Member of Parliament, receiving 63.5 per cent of the popular vote in the riding of Edmonton-St. Albert, nearly 22,000 votes more than his nearest competitor. I'd like to both welcome Brent here today and wish him well as he begins his second term as a Member of Parliament and give him the traditional warm greetings of the Assembly. Brent, please stand up.

Thank you.

**The Speaker:** The hon. Member for Calgary-Montrose.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's indeed a very esteemed honour for me to rise today and introduce the former Member for Calgary-Montrose, Rick Orman. Rick served as minister of career development and employment, Minister of En-

ergy, and minister of labour in his time here in the Alberta Legislature. Since leaving the Alberta Legislature, Rick has had a very active and rewarding career in Calgary's business community, specifically the oil and gas industry, being involved with companies such as Daylight Energy as well as NOR Energy. Rick is somebody who I have known for many, many years. In fact, I still remember that the very first political sweatshirt I ever wore, many years ago, was that of Rick Orman.

**An Hon. Member:** Does it still fit?

**Mr. Bhullar:** It still fits. Mr. Speaker, it does.

Mr. Speaker, I would ask Rick to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. It gives me great pleasure to rise and introduce to you and through you to all members of our Assembly the 2011 Manning awards nominees for northern Alberta. Creativity knows no professional, geographic, or cultural boundaries. People of any age or walk of life or professional community generate ideas that can change the world. Since 1982 Manning awards have been awarded in our province. With us today are Mr. Sol Rolingher, a Queen's Counsel from Edmonton; Ryan Clarke; Tanya Bach; Randy Marsden; Gautam Rao; Brad Murray; and Dr. Joseph Mitchell. I would ask them to rise and receive the warm welcome of our Assembly.

### Introduction of Guests

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

**Ms Blakeman:** Oh, Mr. Speaker, thank you so much. I have such an honour today, and that is to introduce the family of one of our very special pages. Her family is sitting in your gallery. I would like to ask Lloyd Clarke, who is Regan Coyne's grandfather, to please stand. Joining him are Sharon Clarke, Regan's mother; and Craena Coyne, her aunt, who is also her godmother. I want to say thank you so much for giving us such a wonderfully organized, hard-working, pleasant, warm, and smart young woman with a great laugh. She's treated us very well. Thank you so much for letting us have the experience of working with her. Please join me in welcoming Regan Coyne's family.

Mr. Speaker, I have a second introduction. It is a special day for me because today I get to introduce to you and through you to all members of the Assembly Ms Stéphanie O'Brien. Now, Stéphanie is from Quebec City. She is quite a world traveller, having been to France, Paraguay, Peru, and Ireland. And as I joked, but not really, she's now joining the twilight zone of the Liberal caucus staff. She is going to be our Quebec exchange student for the summer. We are very grateful to have her help, and we're hoping she has a wonderful experience in Alberta. Stéphanie, would you please rise and accept the warm welcome of the Assembly.

Thank you so much.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. A pleasure to rise again. This time I would like to introduce to you and through you to all members of the Assembly several very special guests seated in your gallery. With us today are Al Schram, fire chief for the town of Edson and first vice-president of the Alberta Fire Chiefs Association; also Peter Krich, fire chief for the city of Camrose and second vice-president for the Alberta Fire Chiefs Association;

Patti Boone, a firefighter with Yellowhead county's Wildwood hall; Jim Olson, a firefighter for the town of Edson; and Bill Purdy, executive director of the Alberta Fire Chiefs Association and deputy fire chief for the Wabamun fire department. Mr. Purdy knows these halls well as he served as MLA for the constituency of Stony Plain from 1971 to 1986, which I know you very well remember.

These five guests represent over 10,000 Albertans who serve as part-time firefighters in the province. They are with us here today for the introduction of Bill 20 a bit later on our legislative agenda. With them is Bob Jones, district 1 director of the Alberta Association of Municipal Districts and Counties, whose members are the employers of many volunteer firefighters throughout the province.

Mr. Speaker, we also have with us today a representative from Alberta Municipal Affairs. I would like to introduce Spence Sample, deputy fire commissioner and director of public safety initiatives for the Alberta Emergency Management Agency.

Thank you, Mr. Speaker.

1:40

**The Speaker:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through to this Assembly a constituent of mine, Megan Jakeway. Megan is here today to celebrate last week's announcement of the midwifery degree at the Mount Royal University in Calgary and is currently applying to that program. Megan is here today with her husband, Bruce, and her two children, Esther and Gabriel. I'd ask that they rise to receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members of this Assembly a wonderful group of women who represent midwives across Alberta. Last week the hon. Minister of Health and Wellness and I had the pleasure of visiting Mount Royal University for the announcement of Alberta's first bachelor of midwifery degree. I understand there is already a wait-list for that program, which is wonderful news. Last Thursday was also the International Day of the Midwife, which recognizes the value and important role that midwives play in the health of women and newborns around the world.

I'd like to introduce to you some of the wonderful women involved in midwifery: Monica Eggink and her son Louis, Jackie Michaels, Amanda McEachern, Claire MacDonald, Heather Beaudoin, Pamela Aloisio, Barbara Scriver, Marie Tutt, Joanna Greenhalgh, and Heidi Coughlin. If they would please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Webber:** Well, thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to all members of the Assembly two exceptional young women, Crystal Kirton and Kimberly Bellerose. Earlier this week they started their positions under the new Aboriginal Relations internship program. It's an initiative that we are piloting with Employment and Immigration and Finance and Enterprise. Ladies and gentlemen, Crystal and Kimberly were the successful candidates among over 100 applicants. They both have great resumés, and we are very excited to have them. Also in the members' gallery are their supervisors, Carolyn Fewkes, Ellen Tian, and Paul Wyminga. The goal of the

Aboriginal Relations internship program is to help aboriginal youth develop their professional skills and leadership capacity. I'd ask that they all please rise and accept the traditional warm welcome of the Assembly.

I have one more introduction if you don't mind. It's a pleasure to rise today to introduce to you two women who drove up this morning from my Calgary-Foothills constituency. The first is my very hard working constituency assistant, Lou Winthers. Lou has been working for me for a number of years now, and I'm thankful for her commitment to keep my office running so smoothly. She is a registered nurse and a board member with my association and is also a past executive director of Hospice Calgary and Meals on Wheels, just to mention a few. With her is Ms Donna Gee, who is also a board member of my association. She is a practising lawyer and a registered nurse as well. She is also president of a local community association in Calgary. I would ask that they please rise and receive the warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you today two young friends of mine, Jeff and Arlene Carlson. They are a very busy young couple. They farm in the Trochu-Olds area. They also have a business in Innisfail. As well, Arlene teaches, and Jeff has his law degree. I guess that all helps to feed the farming addiction. Jeff assures me, though, that their seeding operation is in full swing today and that they're able to keep the crew busy, so they've had time to come up and experience the excitement of question period today. They're seated in the public gallery, and I would ask them to rise and receive the warm welcome.

**The Speaker:** The hon. Minister of Children and Youth Services.

**Mrs. Fritz:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to all members of the Assembly five outstanding leaders in the Child and Adolescent Services Association. CASA is the lead organization working with my ministry, Health and Wellness, and Justice and Attorney General on the infant/preschool trauma pilot project, which is a direct result of our children's mental health plan. It is so good to have you all here. I would ask that our guests please rise as I introduce them and remain standing. We have Gwen Harris, chair; Nicole Van Kuppeveld, executive director; Germaine Dechant, chief executive officer; Jaret Farris, executive member; and Dr. Carole Anne Hapchyn, psychiatrist and therapist. Please join me in thanking these outstanding individuals for the good work they do. Thank you for being here.

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm very pleased to rise to introduce to you and through you to the members of the Assembly constituents of mine, Mrs. Tascheleia Marangoni, her daughter Isabella Marangoni, and their guests, Lana Atkinson and Jane Carr. They work with the postpartum depression awareness project and are here today to hear my member's statement on postpartum depression. I would ask that they rise and receive the traditional warm welcome of this House.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the Assembly

a constituent of mine and one of Alberta's young, aspiring political minds. Aisling Pollard-Kientzel is very interested in the political process here in Alberta as can be gleaned by her recent involvement in Brent Rathgeber's Conservative federal election campaign, her run for municipal council in St. Albert, and, of course, her attendance here today. I would ask Aisling to please stand, and I would ask all members to join with me in giving Aisling the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you today to all members of the Assembly Austin Mardon. Austin will be well known to many members of this House. He is an academic, an author, a researcher, and most importantly, the work for which he is known best, a strong advocate for the disabled community in Alberta, particularly those suffering from mental illness. Austin holds a doctorate in geography and many awards of distinction, including companion member of the Order of Canada. He is currently a member of the Premier's Council on the Status of Persons with Disabilities and a board member of the Alberta College of Social Workers. Dr. Mardon has many accomplishments, as I have said. Many of us have relied and will continue to rely on his advice on issues that affect the disability community in this province. He is very deserving of our recognition and respect. I would ask him to rise and receive the warm welcome of the Assembly.

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

**Ms Notley:** Thank you, Mr. Speaker. I have two sets of introductions today. First of all, I am pleased to rise to introduce to you and through you to all members of the Legislature two students who are currently studying midwifery in Edmonton through distance education at the Midwives College of Utah. For some time now the Midwifery Health Disciplines Committee has been unclear about granting registration to graduates of the Midwives College of Utah. Given that there are currently 11 MCU students in Alberta and Mount Royal will not graduate a midwife for another four and a half years, the situation needs to be resolved in favour of students and the goal of increasing the midwives. I would now like to welcome the students, who are seated in the public gallery, I believe, to the Legislature. I would ask that Tracy Kennedy and Carly Beaulieu rise as I read their names to receive the traditional warm welcome of the Assembly. Thank you.

I'm also pleased to introduce to you and through you to all members of the Legislature two members of my constituency, Kelly Carter and her daughter Erin Carter. Kelly and Erin are here today to raise public awareness about the real impacts of this government's decision to cut education funding for special-needs students. Erin's community living skills class has been eliminated, and she will be forced to attend school in a larger classroom with children up to four years younger than her. I would now like to welcome Kelly and Erin, who are seated in the public gallery, to the Legislature, and I would ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** I still have two more on my list of introductions. We'll proceed, and then we'll go immediately to question period.

The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly a very bright constituent of mine. Mark Koeppen has his master's degree in communications and technology from the University of Alberta,

and he's here today to help me capture photos and video clips of all the excitement of the MLA for a Day program that you brought in. He is seated in the public gallery, and I would ask him to now rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a pleasure to rise to introduce to you and through you to all members of the Assembly a constituent of mine, Mr. Oscar Fech, who lives in Kingsland. Oscar ran for mayor of Calgary in 2004 and came in second and frequently reminds us that it's all about the accountability in this Chamber. Let us take his words, and please give him the warm welcome of this Assembly.

1:50

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Nondisclosure Agreements with Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, over the last three months we've been asking this government how many lawsuits filed by doctors have been settled, how much money was paid out, and what the circumstances in the nondisclosure agreements were. Government always has the same response: Alberta Health Services have the answers. Well, I spoke with a senior official from Alberta Health Services, who told me that neither he nor other officials could discuss these lawsuits because they were sealed with nondisclosure agreements. To the minister: will the minister now admit that Alberta Health Services cannot discuss the agreements covered by nondisclosures?

**Mr. Zwozdesky:** Mr. Speaker, Alberta Health Services functions like an independent corporation, and they can do whatever they want to do or whatever they feel is necessary to do. I think we've made it abundantly clear in this House because they keep asking the same questions over and over and over, so of course the answers are going to be the same. It's the same question; you get the same answer. Nondisclosure agreements typically would require both parties to agree before they are opened. That's my understanding.

**Dr. Swann:** Well, given that because of nondisclosure agreements neither Alberta Health Services nor the government nor the doctors can talk about these settlements, how can the Health Quality Council possibly get the whole truth about this government's culture of fear and intimidation?

**Mr. Zwozdesky:** Mr. Speaker, this government has no such culture whatsoever. I can't account for what this hon. member went through in his private life before becoming elected, but if he wants to make his severance package available to everybody, let's have a look at it. That would be a good start.

**Dr. Swann:** Duck and dive. Duck and dive, Mr. Minister.

Given that Albertans deserve to know about their health dollars, how their health professionals have been muzzled and intimidated, and given that the only way to discuss the details sealed in these settlements is through a public inquiry, will the health minister do the right thing? Stop dancing around the issue. Call a public inquiry.

**Mr. Zwozdesky:** Mr. Speaker, we have a very good process in place with the Health Quality Council, which this member along

with numerous others just a few months back were championing as being a wonderful place for an investigation or an inquiry or a review to be done. So that's exactly what we did. We asked the Health Quality Council of Alberta to come in, and they've got some incredible people there who are doing a great job, I'm told, helping to find out if there's any truth to the allegations that were given. Whoever wants to is welcome to appear before them.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Patient Advocacy by Health Professionals

**Dr. Swann:** Well, thank you again, Mr. Speaker. Facing mounting internal pressure from health care professionals, Alberta Health Services has implemented an internal patient advocacy committee in efforts to improve a doctor's ability to advocate for his patients. Dr. Lloyd Maybaum is a member of that committee, and he pointed out, quote: it doesn't address any of the past history. Only an inquiry can get to the bottom of what has happened. End quote. Again to the minister. To learn from past mistakes, we must first investigate the mistakes. Does the minister not agree with Dr. Maybaum that it's in all Albertans' interests to get to the bottom of these issues of intimidation and mismanagement?

**Mr. Zwozdesky:** Mr. Speaker, all I can say again to this hon. member is that we have the Health Quality Council of Alberta doing this work right now, and if things were really that bad, I don't think you would have seen the satisfaction ratings that we just saw in December. Eighty-three per cent of Albertans said that they had excellent care in our health system in the hospitals.

**Dr. Swann:** And less than 25 per cent of professionals have any confidence in this government's ability to manage the health care system.

How can doctors expect to see any change from an internal health services committee when the committee is powerless to address external intimidation coming from this government?

**Mr. Zwozdesky:** Mr. Speaker, I don't know what intimidation this hon. member is referring to. What I can tell you is that we have a very open process. In fact, the recent restructuring by Alberta Health Services would tell you that there's going to be a lot more local decision-making and that that includes much more physician engagement, physician input, physician involvement. That's what we're trying to do, get more people integrated to help out with this excellent health system to make it yet better.

**Dr. Swann:** Mr. Speaker, 30,000 health professionals in this province have said that the only way to get to the bottom of this culture is a public inquiry. Why don't you do the right thing and honour your commitment to health in this province? Call a public inquiry.

**Mr. Zwozdesky:** Mr. Speaker, we are doing the right thing. We're providing 37.3 million medical services per year. Thirty-seven point three million services per year. We're providing 59 million lab tests – 59 million lab tests – per year; 165,000 MRIs per year, and we've just added another 9,000. We're doing 250,000 surgeries per year, and we've just added another 5,000. So, please, hon. member, suck it up. Admit that we're doing a lot of things very, very well.

**The Speaker:** Third Official Opposition main question. The hon. Deputy Leader of the Official Opposition.

### Plains Midstream Canada Pipeline Leak

**Ms Blakeman:** Thank you very much, Mr. Speaker. In 2005 the former Premier said that the government's response to the Wabamun spill was poor because no one could have thought we would have a disaster. Now the Minister of Environment is stating that there's no need to take advantage of information on environmental performance of companies working in Alberta, information that could alert us to keep a closer watch on some companies with poor records elsewhere. To the Minister of Environment: why wouldn't the government want to have all possible information on a company desiring to do business in Alberta, especially on their environmental performance?

**Mr. Renner:** Mr. Speaker, I made the statement yesterday – and I stand by it today – that we have a rigorous regulatory regime in this province. We expect all companies that operate in this province to stand up to the rigour that we would put them under. Frankly, while it might be interesting to the opposition to see what their environmental record is elsewhere, it doesn't compare because we don't know what the regulatory regime is elsewhere.

**Ms Blakeman:** Oh, Mr. Speaker, back to the same minister: how can the minister claim that a company's environmental record elsewhere is not interesting or is irrelevant when the company has just spilled 28,000 barrels of oil into a wetland here, and that company was recently fined over \$3 million by the U.S. government as a result of 10 leaks over the past several years?

**Mr. Renner:** Well, Mr. Speaker, I might suggest that the question might be better directed to the minister responsible for the ERCB because they are the regulatory authority that is responsible, but the fact of the matter is that we have a rigid regulatory regime in this province that requires ongoing inspection and maintenance of pipelines, and I think our record reflects that we have a very enviable record when it comes to ensuring that we do not have incidents such as the one that we had last week.

**Ms Blakeman:** Mr. Speaker, back to the same minister: given that this government will not learn from the experiences of others, will it at the very least implement the recommendations from this government's own review of our environmental and emergency response capacity following the last of our own environmental disasters at the Wabamun spill?

**Mr. Renner:** Mr. Speaker, let's look at the facts. The Wabamun spill that she refers to was admittedly not reacted to as quickly as it could have been or should have been. As a result, there was an entirely new division that was instituted in Alberta Environment, the ASERT program. That program stepped up to the plate, did the job. In this particular case it's because we had the capability to get onto the incident immediately that we were able to contain it within a small area, and we are now rapidly cleaning the mess up.

### Government Policies

**Mr. Anderson:** Mr. Speaker, in the recent federal election we saw two-thirds of Albertans vote for free market, fiscally responsible, small "c" conservatives. This PC government has been anything but conservative. They have governed these past four years to the left of any NDP or Liberal government in the country. Now the Premier's Council for Economic Strategy is proposing tax increases to pay for this government's reckless spending while funnelling our royalties into several government-run slush funds and programs. To the Premier or whomever: why doesn't his gov-

ernment just make it official and appoint the leader of the NDP behind me as their finance minister going forward?

2:00

**Ms Evans:** Mr. Speaker, the government has received the report tabled by the Premier's Council for Economic Strategy, and we will individually examine those areas that pertain to our ministries and give a full response. I think the exciting thing is that they're looking 30, 50, and 100 years into the future for ways that we can set a template and chart a different course. It is not yet government policy, but our Premier has committed to bringing it forward to the caucus in due course.

**Mr. Anderson:** Well, to the Environment minister, then. Given that the Premier's council report also calls for increased carbon pricing and given that while I was in the PC caucus the Environment minister and this Premier were actively supporting the idea of signing on to a national cap and trade system that would mandate that Alberta businesses purchase billions in carbon credits from outside of Alberta, that's causing billions more in wealth to be transferred out of this province, is the government planning on jacking up the carbon tax they already slapped on industry, entering into a cap and trade deal, or both?

**Mr. Renner:** Mr. Speaker, this government has been very consistent. We were the first Legislature in Canada to institute legislation to deal with and regulate CO<sub>2</sub> emissions. We've indicated all along that we see it as being an opportunity to demonstrate to other jurisdictions how a system can work in the absence of cap and trade and how investment in technology is the way that we should be going, and I see no reason why we wouldn't continue in that direction.

**Mr. Anderson:** It's not what I heard when I was in caucus, Minister.

Given this government's persistent attack on property rights, its continuous centralization of health and everything else it can think of, its capitulation to green extremism, its hiking of taxes and fees on industry, its refusal to protect the rights of free speech, its deplorable record of intimidation of health workers, its disregard for democracy . . .

**The Speaker:** Okay. Hon. member. [interjection] Hon member. [interjection] Hon. member, please, if that isn't a preamble, I don't know what it is, but the hon. minister may respond if she chooses. [interjection] No. We're finished. [interjection] I'm finished with you. [interjection] Sit down. [interjection] Sit down. [interjection] Sit down.

**Mr. Anderson:** Point of order.

**The Speaker:** We'll deal with the point of order at the end of the question period. [interjection] Sit down, please. [interjection] Sit down, please. If somebody wants to respond, they can. If not, we're moving on.

The hon. Member for Edmonton-Highlands-Norwood.

### Critical Electricity Transmission Infrastructure

**Mr. Mason:** Thank you very much, Mr. Speaker. You know, I would only consider the job under a New Democratic government, not under a Tory one.

Yesterday the Minister of Energy suggested that consumers will pay a dollar per month for every billion dollars spent on the transmission megaproject planned by this government. That's based on the most optimistic assumptions possible. So at a mini-

mum the most frugal electricity consumer will still pay an extra \$156 per year. To the minister: does he not understand the impact that an additional \$156 per year will have on the household budgets of Alberta families or on seniors on fixed incomes?

**Mr. Liepert:** Well, Mr. Speaker, what I did say was correct. The projections are that for every billion dollars of construction it would be approximately one dollar per month on the bill. If you take \$3 billion to \$5 billion of construction and multiply that by 12, I don't think you'd come up with the number that the member is referring to.

**Mr. Mason:** Well, given that the minister admitted yesterday that \$13 billion is more likely the total number and given that the minister's figures are the best-case scenario and that the actual costs are likely going to be much higher and given that billions of dollars of costs have already been approved without public scrutiny, will the minister agree to subject all transmission projects to a full public hearing so that they can prove that they're needed and in the public interest?

**Mr. Liepert:** Mr. Speaker, in fact, one of those particular hearings is under way right now, and there will be hearings into the other lines in due course.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that \$1.6 billion in extra costs are about to be loaded onto unsuspecting electricity consumers without any proof that these costs are reasonable or even necessary, why won't the minister allow a public examination of these costs before allowing them to be passed on to consumers?

**Mr. Liepert:** That's exactly the purpose of the hearings that I just talked about, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Calgary-Varsity.

### Government Policies

(continued)

**Dr. Sherman:** Thank you, Mr. Speaker. This question is designed by the future MLAs from Edmonton-Meadowlark, Kathleen Robertson and Joyce Chiang. We have the best, hardest working staff on the planet. Once you get into care, it's great care. The trouble is accessing care. In the U.K. this was a major problem. They invested massively in home care, primary care, with the strongest performance and accountability measures on the planet. To the minister of health. You gave the largest investment in history to acute care with the weakest performance measures in the nation, that we are not even meeting. My question is: can you please explain to the future MLAs why you made the decision that has led to cutbacks in their education and the number of teachers they have in their schools?

**Mr. Zwozdesky:** I think he's asking a question to the Minister of Education, so I'd be happy to take that question under advisement.

Insofar as medical education is concerned we've actually increased those seats over the last few years. We have 180-some seats in Calgary and about 180 or so seats here in Edmonton so that people who want to pursue a medical career, specifically a doctor's career, will have a place to be trained right here in our province.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that we've invested in creating more doctors – and that's a good decision. The problem is that they're all specialists. The type of doctors we need are family doctors. To the minister of advanced education. Across the nation only 30 per cent of the doctors are becoming family doctors. We need 60 per cent. What are you doing, working with the minister of health? In which way are you going to create more family and geriatric doctors in this province?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'm happy to try to answer this. The good news is that last year of the graduating class in Alberta 80 per cent of the doctors chose family medicine. I think that's a tribute to our young people and that they see the value in treating families across our province. Truly good news, and we look forward to more people choosing family medicine and rural medicine.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Eighty per cent is an incorrect number; it's actually 40 per cent. To the seniors' minister. Acute care cannot function if home care is not resourced and if you do not take long-term care patients out of acute care. You're only removing 200 patients. What are your performance and accountability measures to remove long-term care patients out of acute care?

**Mrs. Jablonski:** Mr. Speaker, we have some of the highest accommodation standards in the world. We inspect every facility that is in continuing care at least once a year, and if we have a complaint, we do a random inspection on top of that, so we do have some of the highest standards possible. We are building 10,000 more units, since 1999, to be able to facilitate care for our seniors.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Banff-Cochrane.

### Daycare Accreditation

**Mr. Chase:** Thank you, Mr. Speaker. In 2007 this government removed the 80-children cap on the maximum number of children that may be accommodated in a child care facility in this province. Now we learn that Education Learning Universe, or Edleun, the only publicly traded child care corporation in Canada, is about to construct a 2,300 square foot care house in Chestermere that will accommodate a whopping 247 children. To the minister of children: did the minister backtrack last month on the decision to make accreditation of daycares mandatory simply to facilitate this kind of warehousing of our children?

**The Speaker:** The hon. Minister of Children and Youth Services.

**Mrs. Fritz:** Thank you, Mr. Speaker. The member is correct. Three years ago there was a policy put in place where the cap of 80 spaces per facility was removed. That decision was made by staff, I understand, at the time based on what the child care association, members of the child care community – parents who had asked for flexibility in choice in child care found that that cap was a barrier to the development of new spaces.

I want you to know, though, as I said previously – I know you've mentioned accreditation here today . . .

**The Speaker:** The hon. member, please.

**Mr. Chase:** Thank you. Given the displacement of 12,000 children that the bankruptcy of Australian child care giant ABC Learning led to in 2008, can the minister assure Alberta parents that their children will not experience similar upheaval should Edleun's profits happen to ebb next quarter?

**Mrs. Fritz:** Well, Mr. Speaker, we do have nonprofit child care, and we have child care for profit. The member has mentioned a for-profit child care organization that did not succeed with their business. I go back to this. The for-profit and not-for-profit organizations follow the same rules. They're licensed, they're regulated, and parents can be assured that that's in place.

2:10

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Instead of the PHD process for managing children – and that stands for piled higher and deeper – will the minister undertake to reintroduce the cap on the number of children that may be accommodated in this province's daycare facilities?

**Mrs. Fritz:** Well, Mr. Speaker, I can also tell you that 2 out of 3 of our child care organizations that have over 80 spaces in child care, which is only about 1 to 2 per cent of all the child care spaces, are actually not-for-profit organizations. They're not-for-profit. I can also tell you that I won't be reviewing this cap at this time, but I will follow very closely what is occurring in the Chestermere community.

Thank you.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by the hon. Member for Calgary-Buffer.

**Some Hon. Members:** Happy birthday to you, happy birthday to you.

**The Speaker:** The hon. Member for Banff-Cochrane has the floor.

### Midwifery Services

**Ms Tarchuk:** Thank you, Mr. Speaker. I've heard from some constituents and others who say that they need help finding a midwife to assist with the delivery of their babies. Expectant mothers with low-risk pregnancies are looking for this option in ever-increasing numbers. My first question today is to the Minister of Health and Wellness. With a growing demand for midwifery services in this province, what are you doing to bring more midwives into our system?

**Mr. Zwozdesky:** Well, Mr. Speaker, as the minister of advanced education just indicated, we were in Calgary last week to actually bring into place a four-year baccalaureate program for midwifery. That will include at least 10 spaces in this first year, as I recall, and I think at least one in every 10 spaces starting this year and thereafter will be dedicated specifically to aboriginal health. So there's quite a lot of excitement and activity about that, and I want to again welcome the people who are here on that.

**The Speaker:** The hon. member.

**Ms Tarchuk:** Thank you. My second question is to the Minister of Advanced Education and Technology. Given the demand for midwives, can you tell us why it has taken such a long time to get a midwifery degree in place in Alberta?



**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. That is an excellent question, and I know there are a lot of midwives in the audience and students that would ask exactly that same question. It has taken a while. It has been over 20 years since we first approved the use of midwives in Alberta and funded it. Mount Royal has come to the table and has developed a program, worked with my department to make sure the program meets the needs of midwifery students, and then in partnership with Alberta Health we've been able to come up with the clinical piece so that together we can provide a baccalaureate four-year degree in midwifery that'll meet the demands of that profession.

**The Speaker:** The hon. member.

**Ms Tarchuk:** Thank you. My last question is to the same minister. How soon can we expect to see the grads begin to take pressure off our growing waiting list?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. We heard a little bit about it during the introductions. It will take until 2015 to see the new graduates coming out. The good news is that the very first class of students will enter this September. We will have a full cohort of midwifery students at Mount Royal University, and those students will graduate in 2015. They'll add to the group of midwives that we have in this province, and after that we'll see new ones every year.

Thank you.

#### Teacher Retention

**Mr. Hehr:** Well, Mr. Speaker, this Conservative government has been obsessed about centralizing control of Alberta's public institutions, including hospitals, schools, universities, and colleges, but it's a clumsy approach because the left hand often doesn't know what the right hand is doing. Even as record numbers of new teachers are graduating under the department of advanced education, the Education minister is forcing hundreds of layoffs. To the minister of advanced education: can the minister explain why this government is cutting job opportunities for new teachers when Alberta is going to need more teachers, not less, to meet the oncoming demand?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Yes, we know that it has been an extremely tough budget year, especially in education. We have seen some challenges across the province, but we continue to educate teachers. We also, because of the economic times, had a lot of teachers that were able to retire this year that simply didn't. They've stayed in the workplace, so this has removed some of the potential for new jobs. We're hoping to continue to train our new teachers and that there will be positions for them in the future.

**Mr. Hehr:** Well, Mr. Speaker, given that we've seen this cycle of huge layoffs of nurses and teachers, followed by cuts to the institutions, followed then by shortfalls of nurses and teachers, when will this government learn that simply cutting these things at the ebbs and flows of the marketplace is not going to work for actually having sustainable, predictable teachers in the classrooms?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Not only are we not cutting education positions, but we're actually working very closely with regional colleges, and some of the funding that we provided this year was to allow them to go out and create new degree opportunities. I know that in visiting with those colleges, one of the degrees that they most want to deliver locally is education degrees for new teachers for their communities. Teachers that train in Red Deer will work in Red Deer or in Medicine Hat or Grande Prairie. We like to see this happening. We're going to continue to work with our local institutions to train teachers.

**The Speaker:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Speaker. I'd like to correct the minister. We are cutting opportunities for these teachers to work in this province. Yesterday the Minister of Education offered this advice to Alberta's teachers: wait until next year. Can the minister of advanced education, whose department paid to educate these graduates, offer them any better advice?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. We're already starting to see some openings. Unfortunately, some teachers will be working within the subbing system this year, but over the course of the year we hope to continue to integrate our new teachers into the system and create opportunities for young teachers as they come out. Our young teachers are very energetic and well trained, and we want to work them into the system as quickly as we can.

**The Speaker:** The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Lethbridge-East.

#### Children at Risk

**Mr. Horne:** Thank you, Mr. Speaker. It is my understanding that at any time in the Edmonton area Children and Youth Services staff are involved with approximately 1,000 children under school age who may have suffered abuse or neglect. As an MLA I've had occasion to hear of several tragic cases often after a child has been permanently removed from a home or when an offender who has allegedly abused a child is before the courts. A number of my constituents have asked how we are assisting these children and how we are managing their emotional needs at a young age, before mental illness becomes an ongoing issue. To the Minister of Children and Youth Services: what is your ministry doing to address this?

**Mrs. Fritz:** Mr. Speaker, the member is so right. Abuse and neglect can be devastating for our children. Earlier today I had the honour of introducing five outstanding leaders from the Child and Adolescent Services Association who are leading a very important initiative here in Edmonton, which will provide the assessment and the intervention services in partnership with health professionals and with our law enforcement personnel and my staff. That's a \$400,000 new pilot project for our vulnerable infants and children.

**Mr. Horne:** Well, that does sound promising, Mr. Speaker, but given that early identification is key, how will the ministry identify the children who are most at risk, and what specific support will they be offered?

**Mrs. Fritz:** Mr. Speaker, this is an important question. Children will be referred to this new program by caseworkers from my ministry. There will be a multidisciplinary team that will assess

their mental health, their physical and their developmental needs, and they will help ensure that appropriate treatment is offered as quickly as possible. But just as importantly, training will be provided to the biological parents and to parents that are looking after children in care, and this will help support the development of healthy relationships for the child.

**The Speaker:** The hon. member.

**Mr. Horne:** Well, thank you, Mr. Speaker. Finally, to the same minister. Given that there are so many children in the system today who are in need of emotional and mental health supports, would the minister elaborate on what performance measures will be considered, and if the program proves successful, will you offer it on a province-wide basis?

**Mrs. Fritz:** I also told you earlier that this new pilot project is a direct result of the children's mental health plan, and the good news is that it really will make a tremendous difference. It will remove barriers, as I said, with the co-ordination of services. It will make a difference for an estimated 75 children who have been traumatized by abuse and neglect this year. Through the co-ordination of supports we anticipate better outcomes for our vulnerable children. Yes, we will expand this model as we know it will be successful.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Mill Woods.

#### Bladder and Uterine Prolapse Surgery

**Ms Pastoor:** Thank you, Mr. Speaker. I'm a nurse, and this topic was my job and doesn't embarrass me, but maybe there will be a few in the House that will squirm. Maybe that's why thousands of Alberta women are living in needless discomfort. Childbirth, heaving lifting, and, yes, lack of exercise can cause bladder and uterine prolapse of the sagging internal organs into a woman's birth canal. The condition causes incontinence, repeated bladder infections, and often severe pain. To the minister of health: why are women in this province waiting for as long as two years to receive the surgical procedures needed to correct the most serious cases of bladder and uterine prolapse?

**Mr. Zwozdesky:** Mr. Speaker, obviously there are some medical decisions that would have to be made to help those women in need. If you have some individuals that need that help, you can refer them to Alberta Health Services, or if you like, you can refer them to my office, and I'll refer them over. These are medical decisions that are beyond my control.

2:20

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Will the minister undertake to add these procedures to the Health and Wellness online wait times registry so that women might track the wait time for them, which is two years?

**Mr. Zwozdesky:** Mr. Speaker, we just added 5,000 more surgical procedures of various types into the permanent category, so we can take a look and see if this particular procedure she is referring to is one of those. Regarding the second request, I'd be happy to take a look and see what might be possible to help those women out.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you again. Where in the ministry's five-year action plan is this common women's health issue addressed?

**Mr. Zwozdesky:** Mr. Speaker, it's addressed in a number of places albeit perhaps not in those exact words. For example, one of the primary things that we're trying to do is increase access and reduce wait times. I've talked about that numerous times. We've talked a lot about it during estimates. I would refer the hon. member, because there's not enough time to do it right here right now, to estimates, where some of these issues were covered. If you have more, hon. member, I'd be happy to sit down and chat with you to help out.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Fort McMurray-Wood Buffalo.

#### Labour Supply

**Mr. Benito:** Thank you very much, Mr. Speaker. I understand the Ministry of Employment and Immigration has a number of services dedicated to helping Albertans find employment and employers to find workers. In the near future we're likely to find ourselves in a situation where our province faces a labour crunch and more must be done. My first question is to the Minister of Employment and Immigration. In order to be prepared for the next economic boom, what is your ministry's plan to quell the expected shortfall, which could be as many as 77,000 workers?

**Mr. Lukaszuk:** Mr. Speaker, it's a timely question. The plan involves both the industries, the employers of Alberta, and the government of Alberta. Our number one responsibility is to Albertans and Canadians first, making sure that we tap into the workforce of those who are chronically either unemployed or underemployed by way of providing them with educational programs and making sure that they have the skills that are required by our economy. Ultimately once the local labour force is tapped out, obviously we will be looking at labour from outside of Alberta and outside of Canada.

**Mr. Benito:** Also to the same minister: what specific strategies has your ministry outlined in order to support or encourage older workers to remain on the job?

**Mr. Lukaszuk:** Mr. Speaker, that choice will always be in the hands of Albertans, whether they choose to work after their retirement age or post retirement age. It would never be the strategy of this government to force anybody to do so. Options must remain. Many individuals that I have met choose to work past the age of 65, and we want to make sure that neither provincial nor federal policies, particularly on taxation, are punitive and that they allow for that choice to be made.

**Mr. Benito:** My second supplemental is to the same minister. What is your ministry doing to incorporate aboriginals in the workforce, especially when dealing with concerns of labour shortages?

**Mr. Lukaszuk:** Mr. Speaker, the issue of the engagement of our aboriginal community in our workforce is actually quite complex. From the perspective of my ministry and this government we have released a new report that was done in consultation with the aboriginal community, known as Connecting the Dots. Frankly, I think there's a lot of work that needs to be done from many different perspectives, not only that of this ministry. I think that now, at

a time where there will be a shortage of workers, it is incumbent upon us to be as helpful as we can.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Calgary-McCall.

### Highway 63

**Mr. Boutilier:** Thank you very much, Mr. Speaker. The MLA for a Day student from Westwood high school joined me today. She drove down highway 63 yesterday with her mom, and of course they were appalled with the condition of highway 63, an important economic link in the province. To the Minister of Transportation: can you give an explanation to the student and to her mom on the poor condition of highway 63?

**Mr. Ouellette:** Well, Mr. Speaker, I want to say that we're talking about a region that is very, very important to this province. We've got \$190 million in the budget to spend on improvements and to carry on with the construction that's been going on on highway 63. We're going to be doing twinning. We're twinning right now. We're working towards twinning south of Wandering River, north of Wandering River. We're carrying on with the interchanges within the town, and we're moving as fast . . .

**The Speaker:** The hon. member, please.

**Mr. Boutilier:** Yeah. Mr. Speaker, given that the student and her mom wanted to know why they haven't seen a drop of pavement on highway 63 in the last year and a half, can the minister please explain?

**Mr. Ouellette:** Well, Mr. Speaker, I don't know the exact dates, but I think a year and a half might be a little far out. We have done some paving on highway 63. We've scheduled some new paving. That's supposed to be coming up this year, weather permitting. We're going to carry on. We're spending \$127 million on the bridge there. It's something like \$600 million in the last two years.

**Mr. Boutilier:** Mr. Speaker, given that we haven't seen any pavement in Fort McMurray in the last year, can the minister assure this Assembly and residents in the gallery, moms and dads who travel highway 63 like me and my three-year-old son, who will be turning four tomorrow, that you will commit to paving parts and twinning highway 63 this year?

**Mr. Ouellette:** Mr. Speaker, we'll move as fast as we can with all the conditions that are put on us there. When we can get our permits from the federal government to move ahead in certain areas, we move ahead, and we're going to do it as fast as we possibly can.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Mackay.

### Tourism Marketing

**Mr. Kang:** Thank you, Mr. Speaker. Official numbers estimate tourism in Alberta to be a \$6 billion industry. The economic crisis, the recent tragic events in Japan, and the current strength of the Canadian dollar have made hotel prices go down and international tourists scarce. To the minister of tourism: given that the hotel prices have been increasing world-wide but steadily decreasing in Alberta, why hasn't the minister been able to stop this downfall and its negative impact on employment and on our economy?

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Mrs. Ady:** Well, thank you, Mr. Speaker. Obviously, tourism is a wonderful industry, and it's a very resilient industry. There have been pressures lately, we know, in the economy, and that has caused some difficulties in pricing of hotels. But that's a free-market piece. I think we'll see those prices go up. I have no control over what the rooms are and what they charge in a hotel.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Why hasn't the minister, as have many other Canadian provinces, invested in developing the tourism marketing and original publicity campaigns to stimulate our declining tourism industry?

**Mrs. Ady:** That's a great question, Mr. Speaker. Actually, we're working very hard at that and have been from, you know, the beginning of time. We have a new campaign that's about to be unleashed this fall, and I would say to all hon. members: watch for it. We think it's going to be one of the best out there in the nation. We're going to continue to do the good work. We put almost \$50 million a year into advertising this province across the world.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think the minister answered part of my question.

To the minister again: why has the minister not been acting on this issue and not been inclined to prevent groups who wish to hurt the industry with negative advertisement campaigns from doing so?

**Mrs. Ady:** Well, Mr. Speaker, actually, when we looked at the numbers for last year, we found that those campaigns did not have a negative effect on tourism. It stayed as robust as we thought it would. You know, even though you're going to go out there and say my name everywhere, it actually helped us. It didn't hurt us; the economy did. We did find that Albertans actually picked up and increased the amount that they travelled in the province, and we think that that's going to also help us this year.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Edmonton-Riverview.

### Housing for Immigrant Seniors

**Ms Woo-Paw:** Thank you, Mr. Speaker. Some immigrant seniors who came under sponsorship are facing undue hardship, including lack of access to subsidized housing supports, when the sponsors fail to support them adequately. Our Housing Act states that all permanent residents of Canada are eligible for subsidized housing given they meet income requirements. My questions are to the Minister of Housing and Urban Affairs. Clarify the relationship between the federal government's policy for immigrant seniors sponsorship agreements and the procedure within his ministry for permanent residents and citizens who are immigrants.

**Mr. Denis:** Thank you very much, Mr. Speaker. Our province does continue to welcome many people from outside the country. In fact, over the next couple of years our statistics do show that even more people from international origin are going to be coming here.

Now, moving to the member's question, if we look further, often people who come to this province are sponsored by a particular community organization or an individual. Those people do

not qualify for our assistance. But if they fall out of this particular housing and particular sponsorship, then they can . . .

**The Speaker:** The hon. member, please.

**Ms Woo-Paw:** My supplemental to the same minister: will the process for resolving differences between your ministry and the housing management boards be reviewed to improve the response to these issues that cross different levels of government?

2:30

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. As we look forward, we do have many private-sector management bodies throughout the entire province. If a dispute does arise, we do deal with it on an individual, case-by-case basis. These management bodies are very important to our local governance model and do create a great degree of efficiency and local input throughout the entire province. Problems do arise, but we do deal with it on a one-by-one basis.

**Ms Woo-Paw:** To the same minister: how do you respond to the perception that the right hand doesn't seem to know what the left hand is doing in relation to the work of your ministry and the housing management bodies?

**Mr. Denis:** Well, Mr. Speaker, that's the second time I've heard that phrase today, and of course I do prefer the right hand.

There are 14,000 self-contained seniors' housing units in this province, and it can be a challenge sometimes to stay on top of it all. But it is important to always keep the dialogue going as to what may be happening at a particular end of the province, and that's what we will endeavour to do going into the future as well.

#### University of Alberta South Campus Development

**Dr. Taft:** Mr. Speaker, the U of A is telling neighbouring communities that it wants to revamp its long-range development plan by this summer. This is a huge plan with billion dollar implications, covering hundreds of acres in central Edmonton, directly affecting tens of thousands of people. Revising the plan in such a short time could preclude due process. Since the minister of advanced education has the final approval of this plan, will he ensure that it follows recognized and accredited planning processes such as those followed by Alberta municipalities?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. It's true that I have met with the University of Alberta, and they are working on their new long-range development plan. It is a critical document. All developments on university sites must conform with their long-range development plans. The change of the 2013 Expo plans did create the opportunity for that property to look for some other options. So, yes, to answer the member, I have asked the University of Alberta to revisit that plan, to meet with the neighbours, and to follow good planning processes as they move forward.

**Dr. Taft:** Well, given that the U of A is planning south campus residences for 15,000 students, equal to the combined population of all the neighbourhoods around south campus and given that the GO centre plus the proposed arenas and field house plus many other developments will generate major traffic concerns in an already congested area, will the minister require the university to

conduct a full, publicly disclosed traffic management plan as part of its LRDP?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. In meetings with the Member for Edmonton-Rutherford and the Member for Edmonton-Riverview and some of the neighbours we did hear that issues around both parking and transportation are going to be critical through the area not just for the people who live there and the new 15,000 but also for people commuting in. So it's going to be critical that the University of Alberta in partnership with the municipality develop a proper transportation plan that will meet the needs of not just this site but the neighbouring communities and those commuting through the property.

**Dr. Taft:** Well, given the wonderful opportunity that the south campus and Campus Saint-Jean lands provide and given that a top 20 university needs a top 20 campus and given that universities are meant to welcome peer reviews of their work, will the minister make sure the upcoming university LRDP is opened to international peer review before he approves it to help make the plan a global leader?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. That's a very good question. It's my understanding that there has been a plan developed at least to give some feedback and input on how a green site could be created there and how the development can be done in an environmentally friendly way and, in fact, as a world leader for development in environmentally appropriate ways. The university has got some of the finest people working on that, and I'm hoping that they will build those ideas into their future long-range development plan so that we can see a green site on the south campus.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Centre.

#### Anthony Henday Drive Interchanges

**Mr. Elniski:** Thank you, Mr. Speaker. As part of Alberta Transportation's ongoing efforts to improve traffic flow along Stony Plain Road, the Yellowhead, and the Anthony Henday, a series of events have transpired that resulted in the elimination of two of four accesses to the Westview Village and Acheson industrial parks. My questions are to the Minister of Transportation. Now that we've basically doubled the traffic on Winterburn Road, when will the 199th Street and 109th Avenue accesses be reopened?

**Mr. Ouellette:** Well, Mr. Speaker, we're investing \$168 million in the Stony Plain Road-Anthony Henday Drive interchange. The 109th Avenue access was temporarily closed last summer. We had hoped that it would open in late fall, but due to poor soil conditions and weather conditions we were unable to do that. We should have it open by early June. The permanent closure, though, of the 199th Street access is part of the construction of the interchange and will not be reopening as it's no longer safe for motorists.

**The Speaker:** The hon. member.

**Mr. Elniski:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Given that Winterburn Road south of the Yellowhead Trail crosses the CN main line, which is the busiest rail

line in Alberta, why did planners decide to shut down our alternative accesses without taking into account the dangers involved in that crossing?

**Mr. Ouellette:** Mr. Speaker, it was not our plan to have both accesses closed at the same time. The poor soil conditions that happened: we had some extra work to do, and we have done that now. Industry and community residents want this access open as quickly as possible, and so do I. That's why we're reopening the 109th Avenue access as a priority, and as soon as the asphalt plant is up and running, we'll be paving the access. We're looking to try and get it open in early . . .

**The Speaker:** The hon. member, please.

**Mr. Elniski:** Thank you, Mr. Speaker. That's good news, indeed. Given that my constituents will make very good use of the interchanges at Stony Plain Road and the Anthony Henday, what can we do in the long term to improve access to Acheson and Westview?

**Mr. Ouellette:** Mr. Speaker, as I've said, we're going to reopen the 109th Avenue access once it's paved, and we're going to do that as quickly as we possibly can this spring. It's a top priority for us, and we'll proceed as quickly as possible and help relieve the congestion for motorists on Winterburn Road. We always do our very best to manage our construction projects as efficiently and as safely as possible. That's because we want to make sure that everyone gets home to their families every day.

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

### Water Allocation

**Ms Blakeman:** Thank you very much, Mr. Speaker. The Premier's pet project, Shaping Alberta's Future, includes recommendations for our water system, including the creation of an Alberta water agency that will deal with water allocation and private industry building water infrastructure. This is another way for the government to continue to allow an antiquated Wild West system to determine who gets water. To the Minister of Environment: why would the government create another administrative authority behind which it can hide and continue to pull the strings, this time with our most important resource, water?

**Mr. Renner:** Mr. Speaker, as the member well knows, we have had a process under way to engage Albertans in a discussion about water and water allocation. The report that the member refers to is a report that is not a government report. It is a report that was commissioned by the government for independent long-term thoughts that could help the government and Albertans to think about the future. The specifics in that report may or may not someday form government policy.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Back to the same minister. Why is the government encouraging private entities to build water infrastructure, which could be candidates for the new shaping the future fund? By my reading of that, the private sector once again can be eligible for subsidy to build infrastructure that they then own.

**Mr. Renner:** Mr. Speaker, it's not unusual in the least for private entities to participate in some form of water management struc-

tures. The EPCORs of this world are heavily involved, TransAlta is heavily involved in this province, as are municipalities in various forms: public, private, and government entities. So I don't think that this is anything that the member or any Albertan should be concerned about. This is just looking at opportunities that may arise in the future.

**Ms Blakeman:** Uh-uh. Albertans don't like that.

Back to the same minister. Why does the government propose again and again and again to set up a system for the future, which insists on protecting individuals based on the past and lets them sell water just because they happen to be on the land first?

**Mr. Renner:** Mr. Speaker, let's be very clear. Albertans cannot and will never be able to sell water. Water is the property of the Crown. There are opportunities for individuals and companies to process water in one form or another, and it goes on all of the time. The Albertans that live in the city of Edmonton buy their water from a private company called EPCOR. That's not in the least bit threatening, nor do I think that other kinds of discussions around water should be any more threatening.

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

2:40

### Mature Worker Strategy

**Mr. Vandermeer:** Thank you, Mr. Speaker. My first question is to the Minister of Employment and Immigration. In late April the minister released a document called Engaging the Mature Worker: An Action Plan for Alberta. In that plan he talks about ways to encourage older workers to remain in the workforce. There is a lot of confusion out there as to what this plan is all about. Do you realistically expect seniors to remain in the workforce well into their 70s and 80s?

**Mr. Lukaszuk:** Mr. Speaker, nothing can be further from the truth. I do acknowledge that there are some spreading the fear that this minister is promoting freedom 85, but that is not the case. All we are doing is giving Albertans choices. By all means, any Albertan who chooses to work past the age of 65 should not be precluded from doing so and should have that opportunity to make that choice for herself or himself. The age of 65 is the new 55, and many of us choose to work longer.

**Mr. Vandermeer:** To the same minister: how can a government influence whether or not older workers will continue to work in the workforce?

**Mr. Lukaszuk:** Well, Mr. Speaker, all we want to do is create an environment where they have at least the option of working past 65, and that would include making sure that our provincial benefits structure does not penalize people who are benefiting past the age of 65 by earning additional dollars if they choose to do so and by making sure that the taxation regime, both federally and provincially, is not punitive to a person who collects his or her pension and then chooses to work past 65. There are a number of steps that we can take to give seniors a viable option if they choose to exercise it.

**Mr. Vandermeer:** Is this action plan going to negatively affect younger employees trying to move up in the workforce?

**Mr. Lukaszuk:** Mr. Speaker, that's a good question. Looking at the fact that we are now having baby boomers retiring en masse and that our population growth is slightly above zero, we are already facing a shortage of certain skill sets and will be short some

77,000 workers over the next few years. The fact is that we actually need to capitalize on some of that experience – these are fine, experienced workers – to teach our new workers the skills. For every worker that is retiring right now, only a fraction of a worker is entering the workforce, so these workers, if they choose to continue working, would not be taking jobs away from young people.

**The Speaker:** Hon. members, that was 19 members who were recognized today. There were 113 questions and responses.

Join me in wishing two members of the Assembly a happy birthday today, the hon. Member for Red Deer-South and the hon. Member for Banff-Cochrane.

In a few seconds from now we'll return to the Routine with Members' Statements, and we'll all leave as we ponder the concept of freedom 85.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Mackay.

#### Asian Heritage Month

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise today to recognize Asian Heritage Month in Alberta and across Canada. In 1998 the city of Edmonton was the first municipality in Canada to officially recognize Asian Heritage Month, with the province joining in on that recognition. I started the festival in Calgary in 2001, which in turn led to the government of Canada officially designating May as Asian Heritage Month in 2002.

Asian Heritage Month fosters appreciation for the contributions that have been and continue to be made to our country and to our province by Canadians of Asian descent since the mid-1800s. Through those contributions members of Alberta's Asian community have brought acclaim to this province and stand as role models for all Albertans, people like Canadian Football League hall of famer and former Lieutenant Governor the Hon. Norman Kwong, who was the first Chinese-Canadian to play in the Canadian Football League and Alberta's first Lieutenant Governor of Asian descent, and people like award-winning playwright and author Marty Chan, who helped raise awareness through the arts about issues faced by Asian-Canadian youth growing up in rural Alberta.

I want to encourage Albertans to take part in Asian Heritage Month by experiencing and enjoying the rich and diverse cultural heritage of our Asian communities.

Our Legislature, through the support of the Speaker's office, is offering such opportunity with a photo exhibit entitled Builders and Patriots: A History of Calgary's Chinatown. This collaborative project between the Sien Lok Society of Calgary and members of the broader Calgary community has been created by the community and for the community with a group of committed volunteers, and that just reflects the essence which has kept Chinatown alive to witness its 100th anniversary in 2010.

During Asian Heritage Month many events and activities will be taking place across the province, and I invite Albertans to join with me in the celebration.

Thank you, Mr. Speaker.

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

#### Tribute to Health Professionals

**Mrs. Forsyth:** Thank you, Mr. Speaker. Since January 4, 2010, when I crossed the floor, I have sat in this House across from the government, with which I have some very profound disagree-

ments. The government has held office for a long, long time. Over time it's lost touch with Albertans. Their big-government mentality confuses the people with the system, where the system is given credit for the people's achievements.

Let us shift our focus, Mr. Speaker, back to the successful, innovative, and capable people of this province. During the spring session there was one particular group of Albertans who have shown their bravery, their professionalism, and their dedication under unfair working conditions. I'm talking about our health care professionals. We owe these individuals so much gratitude that for me to stand here and try to express it in such a short time would be impossible. They serve in the face of hardship when their jobs are thankless, they serve in the face of unquestionable working conditions when the quality of the system is compromised, they serve in the face of fear and intimidation when these truths begin to emerge, and they endure these things for Albertans. For this they deserve all the respect we have to offer.

To say that they deserve better, Mr. Speaker, is a tremendous understatement. This government did not acknowledge them when they called for an inquiry simply to ensure that Albertans were getting the most from their health care system, and unfortunately this is why we have no reason to believe these abuses will stop at any time.

But I refuse to accept that there is no hope for our health care professionals. To them I can offer this. We in the Wildrose will continue to fight for them, and we will not stop until they finally receive the respect that they deserve from this government. Once they do, we will be one step closer to restoring Albertans' faith in our great province.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

#### Highway Cleanup Program

**Mr. Marz:** Thank you, Mr. Speaker. I'm very pleased to stand today and recognize a great initiative that took place this past weekend. On Saturday, May 7, the annual highway cleanup program was out in full force as participants contributed their time and energy in order to help clean up Alberta's highways.

The program has been set up as a fundraiser event, allowing all sorts of clubs such as Scouts and 4-H to earn money for their organizations while making Alberta a better and cleaner place to live. This has been made possible by Alberta Transportation, who very generously donated money to these clubs based on the number of kilometres of highway they cleaned this weekend. Last year \$476,000 was awarded to 357 groups that took part in collecting an astounding 44,000 bags of garbage. I'd like to commend the Ministry of Transportation for taking part in such a valuable program. It's a true testament to the respect and value that we as Albertans place on our environment as well as the aesthetics of our beautiful landscapes.

Seeing these individuals out there this weekend was an effective reminder of the consequences that littering has on our province. We all need to think twice about throwing that piece of trash out of our windows or being careless with our refuse. Our highways and ditches are vital to Alberta's image as they are often a large part of the impression that our province provides to travelers as they pass through. Therefore, it's crucial that we keep them as clean and trash free as possible.

Again, I would like to ask the members of this Assembly to join me in thanking the annual highway cleanup program, Transportation Alberta, and all of the dedicated volunteers and participants who helped to keep Alberta beautiful this past weekend.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

## 2:50 Rutherford Heights Retirement Residence

**Mr. Horne:** Thank you, Mr. Speaker. Recently I had the honour of opening a new community-based adult day program for seniors at Rutherford Heights Retirement Residence in southwest Edmonton. This program offers local residents and their families specialized care, social programs, meals, and other supports geared to the needs of the participants. It will provide much-needed support to the growing numbers of Albertans coping with the early stages of Alzheimer's disease and other forms of dementia.

Mr. Speaker, like other hon. members, I know from personal experience the value that these programs deliver not only to participants but also in the form of much-needed respite to the spouses, sons, daughters, and family and friends that care for them. Sadly, despite their many benefits and relatively low cost I am told these programs are scarce. I will leave the analysis as to why this is to others, but I think one factor that contributes greatly is that when it comes to continuing care, our focus today is pretty much where it was 40 years ago, centred squarely on the institution.

Mr. Speaker, this is not to say that we don't need more facility-based care for seniors who can no longer be supported at home. On the contrary, my constituents have made it very clear to me, for example, that they don't want a plan for continuing care that places arbitrary caps or quotas on long-term care beds. But what makes a program like the one I've just described unique is that it looks to how the institution can reach out and work with the community to provide innovative, personalized support to seniors and their families, who are working hard to maintain their independence.

In the final analysis, Mr. Speaker, if as members of this House we look at aging and continuing care only through the lens of beds and bedpans, I guarantee that this province, with all that we have, will never succeed in addressing the challenges before us. This is a public policy discussion worth having soon. Alberta's aging public policy framework is a very good place to start.

Thank you.

**The Speaker:** The hon. Member for Edmonton-McClung.

## Postpartum Depression

**Mr. Xiao:** Thank you, Mr. Speaker. It is a privilege to rise today and speak about an important issue that impacts the lives of many Albertans, postpartum depression. Postpartum depression and other postpartum mood disorders affect approximately 15 per cent of mothers within the first year of giving birth. However, the majority of these mothers do not get help for a variety of reasons. Either they go undiagnosed, are unable to find help, or never come forward because of the stigma attached to postpartum depression.

It is important that Albertans acknowledge the significance of this form of depression and understand that there are resources available. The organization Postpartum Depression Awareness, or PPDA, is doing amazing work spreading this message of awareness to Albertans by providing resource-related projects to support those dealing with PPD.

One of the most impressive developments is the creation of a comprehensive website which endeavours to list all of the resources that are available in the Edmonton area relating to postpartum depression. They are trying to inform the public through their yearly awareness month and through other initiatives. The next objective of the PPDA is to implement a provincial

awareness month, which would generate significant awareness of postpartum depression.

Mr. Speaker, knowledge and resources are very powerful tools to assist those who are dealing with the challenges of PPD. I would like to commend all the efforts and initiatives that have been undertaken by my constituent Tascheleia and her colleagues to generate awareness and support for postpartum depression. I would like to urge all Albertans to support these endeavours in every way they can, and I sincerely wish PPDA every success.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

## Education Funding

**Mr. MacDonald:** Thank you. Alberta students are the future of this province. Their creativity, energy, and intelligence, if properly nurtured, will one day drive Alberta's prosperity and growth. But this government is shortchanging Alberta students and their parents with their short-sighted approach to public education funding. The chair of the Edmonton public school board has called this government's budget the worst budget for education and school districts in years. The Catholic board chair simply states: there's nothing left to trim.

Now parents are out of pocket hundreds of dollars a year in extra costs such as busing fees, and in return the children will have to make do with fewer teachers and larger class sizes. Parents in my constituency have contacted our office to explain how they have no choice but to resort to fundraising so their children can enjoy basic classroom necessities and important teaching aids such as library books, technological resources, and field trips.

Alberta Education's funding manual for school authorities notes that funding allocation changes for this year will expand class sizes, eliminate teaching English as a second language, and may eliminate or severely reduce funding for special-needs children. We don't know for sure because the document merely states that such funding is "under review."

The Minister of Education has dumped all the responsibility for his flawed budget onto school boards, who must now decide, in his words, what doesn't need to be done. I guess that includes having enough teachers to effectively provide sufficient personal attention to each and every student or helping children with special needs or providing English- or French-language instruction in an increasingly globalized world.

Public education is the single most important investment any government manages. This Progressive Conservative government has dropped the ball, and the students and their parents are once again paying the price.

Thank you.

## Presenting Petitions

**The Speaker:** The hon. Member for Foothills-Rocky View.

**Dr. Morton:** Thank you, Mr. Speaker. I'd like to present 2,077 signatures from concerned and committed parents in Calgary. These Alberta parents are petitioning in support of choice for their children's education through charter schools. Their request includes a fair and equitable process to establish charter schools through direct application and also the ability for charter schools to be granted earned permanence.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have a petition. I've looked into the eyes of young men and women with a five-year education degree from the U of L and two years' experience, and it wasn't a pretty sight as they will now lose their jobs. I'm presenting a petition signed by a hundred people urging the government to provide funding to "address the needs of every student, every day, no exceptions."

### Notices of Motions

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

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. On behalf of the hon. Government House Leader I'm pleased to propose the following motion:

Be it resolved that pursuant to Standing Order 3(9) the 2011 spring sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

Is that the motion that you're looking for?

**The Speaker:** That's not the information I have, that that was what you would be giving oral notice of a motion of today.

### Introduction of Bills

**The Speaker:** The hon. Minister of Employment and Immigration.

#### Bill 20

#### Workers' Compensation Amendment Act, 2011

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I request leave to introduce Bill 20, the Workers' Compensation Amendment Act, 2011.

This bill, if passed, will allow volunteer and casual firefighters, categorized as part-time firefighters, to access the benefits of receiving compensation for a list of presumptive cancers without shouldering the burden of proof. Mr. Speaker, these same benefits currently extend to Alberta's full-time firefighters. I along with Albertans hold our province's firefighters in high regard. The bottom line is that part-time or volunteer firefighters can be exposed to the same hazards at a fire scene as a full-time firefighter would.

Bill 20 is reflective of the government's ongoing commitment to the brave men and women who put their lives on the line so that we can enjoy ours.

Mr. Speaker, I thank you for this, and I ask all members of this Assembly to support Bill 20.

[Motion carried; Bill 20 read a first time]

### Tabling Returns and Reports

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of 38 separate reports from long-term care workers collected by the Alberta Union of Provincial Employees indicating specific problems on shifts that were short-staffed. These reports indicate that residents were left in bed, that baths were not given, and that bells were not answered in a timely manner. This is in addition to hundreds of similar reports that the NDP opposition has tabled over the last two years and indicates that the government cannot argue that it is unaware of the situation.

3:00

**The Speaker:** Hon. members, I must advise that under Standing Order 7(7) "at 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly."

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I rise to seek unanimous consent from the members assembled to continue with the daily Routine past the 3 p.m. time.

[Unanimous consent granted]

**The Speaker:** Let's continue, then, with tablings. The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have three tablings today. The copy of the letter and my cheque, as I had promised on April 2, 2007, where I give half of my pay raise in support of AISH being indexed, as are our MLA salaries: I've sent it to the Medicine Hat food bank this month.

I also have tablings from Gwen Bodie, Sandra Leckie, Dave Birrell, John Clarke, and John Verlaecka, who are extremely disappointed with this government and very upset with the clear-cutting that will be happening in the Castle River area.

I have five copies of a letter from Megan Cummins expressing her deep dismay regarding the education cuts.

Thank you, Mr. Speaker.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk: on behalf of the hon. Mr. Weadick, Minister of Advanced Education and Technology, response to Written Question 20, asked for by Dr. Taft on May 9, 2011, and on behalf of Mr. Allred, the hon. Member for St. Albert, a document dated September 30, 2010, entitled Court Case Management (CCM) Program Phase 1, Closeout Report, prepared by the Provincial Court of Alberta.

**The Speaker:** Hon. members, during the question period an hon. member rose in the House and said that he wanted to raise a point of order at the conclusion of the question period. There will be no such point of order even considered by the chair with respect to this matter as there are no points of order against the rulings of the chair.

The subject matter in question was the elimination of one question by the chair in terms of preserving decorum in the House and dealing with preambles in the House. The situation with preambles is very, very clear. It's been agreed to by all members in the all-party agreement, that was given on several occasions, that "preambles to supplemental questions are not allowed . . . A preamble [does] not exceed one carefully drawn sentence . . . A supplementary question should need no preamble." Included in the past documentation is a document signed by the hon. Member for Airdrie-Chestermere adhering to this, in fact advancing it.

What was said today when there was an interjection. The hon. Member for Airdrie-Chestermere said, "It's not what I heard when I was in caucus, Minister," period, and then went on for about five more sentences before the chair said: no, no, no. "If that isn't a preamble, I don't know what it is," said the chair.

**Mr. Boutilier:** Mr. Speaker, I raise a point of order.

**The Speaker:** There are no points of order against . . .



**Mr. Boutilier:** I raise a point of order, Mr. Speaker.

**The Speaker:** Would you sit down, please? Would you sit down? Would you sit down? [interjection] Sit down. I'm standing up. Sit down. [interjection] Sit down.

**Mr. Boutilier:** I'm still raising a point of order.

**The Speaker:** When I stand up, you sit down, okay? Okay? If I recognize you, I will. If I don't see you, I won't.

I will preserve decorum in this House, and that's one of the responsibilities of the chair of the House. I've indicated this matter. I've dealt with this matter with respect to preambles. There are no points of order against decisions with respect to what the chair has given in terms of rulings in this House.

Now, Mr. Member for Fort McMurray-Wood Buffalo, what is your point of order?

### Point of Order

#### Explanation of Speaker's Ruling

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I raised a point of order under 13(2) pertaining to that a member may request of the Speaker "reasons for any decision on the request of a Member." What I observed in the exchange this afternoon is the fact that the Member for Airdrie-Chestermere had started his comments by saying "given," which is a parliamentary procedure that has been widely accepted in this House.

**The Speaker:** No, no. Sorry. Please sit down. There are no points of order under 13(2). That's not a point of order. It's a request that can be made by any member at any time for an explanation by the Speaker. The Speaker shall give the explanation.

Just in the last few seconds the hon. Member for Fort McMurray-Wood Buffalo said: it's my understanding that the hon. Member for Airdrie-Chestermere started with the word "given." He did not. I have the Blues in front of me. Sorry. It says very clearly, very clearly in the Blues that there is no "given" with respect to the time the interjection came from the chair.

Furthermore, it's very, very clear what was said. The chair by way of explanation interjected with respect to the usage of a preamble on a third question. There was also a preamble on the second question. It was let go. But very clearly, everybody has agreed, including the hon. Member for Airdrie-Chestermere – including the Member for Airdrie-Chestermere – who has signed a document with his name on it, with respect to not using preambles. This is not a question. We're not wasting the time of the House dealing with this anymore. It's been dealt with.

### Orders of the Day

#### Government Motions

##### Adjournment of Spring Session

16. Mr. Zwozdesky moved on behalf of Mr. Hancock:  
Be it resolved that pursuant to Standing Order 3(9) the 2011 spring sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

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

**Mr. Zwozdesky:** Thank you, Mr. Speaker. I rose prematurely with a motion that I needed to make, and since I read it incorrectly and at the incorrect time, I'd like to now read the correct motion at

the correct time. My apologies to you and to the House for that error on my part.

**The Speaker:** Hon. members, this motion is not debatable. I'll call the question.

[Government Motion 16 carried]

### Government Bills and Orders

#### Second Reading

##### Bill 19

#### Miscellaneous Statutes Amendment Act, 2011

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

**Mr. Zwozdesky:** Thank you, Mr. Speaker. On behalf of the Minister of Justice I would like to move second reading of Bill 19, the Miscellaneous Statutes Amendment Act, 2011.

Mr. Speaker, as I think all members of this Assembly know, miscellaneous statutes typically reflect provisions that are very straightforward, noncontentious – many would call them house-keeping in most cases – and it's for that reason that they usually receive the support of this House. I would encourage all members to please give their support to Bill 19 and its provisions at second.

Thank you.

[Motion carried; Bill 19 read a second time]

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

**Mr. Zwozdesky:** Thank you. Mr. Speaker, I rise to seek the unanimous consent of the House to proceed with the second reading at this time of Bill 20, the Workers' Compensation Amendment Act, 2011, as brought forward by the hon. minister of immigration and citizenship.

**The Speaker:** Hon. members, we're going to need unanimous consent to the question being asked, to move to this next stage of the bill on the same day.

[Unanimous consent granted]

##### Bill 20

#### Workers' Compensation Amendment Act, 2011

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I'm pleased to rise and speak to this amendment act. Before us today is Bill 20, the Workers' Compensation Amendment Act, 2011. If passed, this act will extend the same WCB coverage for presumptive cancers, that is currently offered to some 3,500 full-time firefighters in Alberta, to the 10,000 individuals who serve as volunteer and casual firefighters in this province.

Mr. Speaker, when the alarm sounds or the phone rings, these part-time firefighters drop what they're doing and voluntarily – and I underscore: voluntarily – go into harm's way to protect their families, their neighbours, and their communities.

3:10

For most people it's human nature to run from danger. No one can be faulted for it because it's simply a natural instinct. For firefighters, including part-time firefighters, their training tells them to run, Mr. Speaker, towards danger, to set aside concerns for themselves in order to help their fellow man. That kind of spirit and dedication deserves our respect, our sincere thanks, and, as proposed in this act today, our support through legislation.

Mr. Speaker, it is one thing to volunteer to coach a soccer team or serve on a library board. Many of us have been that kind of volunteer in our own communities. Those volunteer jobs are important. But it takes a special type of man or woman to be willing to put on a helmet, strap on a respirator, and hop onto a fire truck at 2 o'clock in the morning to help a neighbour. In many cases they might be driving a fire truck, not just riding on it. These individuals have tremendous community spirit, and they demonstrate it every day by putting their own lives at risk to help others. They might be a mechanic at a local car dealership or a farmer or a furniture salesperson, but they all have something in common. They all believe it's their duty to step up when they're needed.

I think that members of this Legislature will agree with me that all Albertans benefit from the goodwill and sacrifice that those volunteers have agreed to make. That is why I am glad that we can step up today and offer them something in return with this proposed act.

Contracting cancer through exposure to chemicals or other hazardous materials in the course of being a firefighter is, unfortunately, Mr. Speaker, a known possibility. That is why we have implemented presumptive WCB coverage for 14 types of cancer, including four more just last week, for full-time firefighters. Part-time firefighters face the same risk as they are exposed to the same hazards as their full-time counterparts. They can be called out to fires at oil and gas facilities, explosions at remote utility installations, or chemical releases from motor vehicle accidents on the highways. In other words, they can easily come into contact with the same circumstances and the same hazards that full-time firefighters often do. Therefore, it makes sense that they should be offered the same WCB coverage as well.

Mr. Speaker, this proposed act has the full support of the Alberta Association of Municipal Districts and Counties, which passed a resolution suggesting to government to extend the coverage to volunteer firefighters at its own 2011 convention. These organizations have urged us to extend WCB coverage for presumptive cancers since their municipalities are considered the employers of firefighters even if they are part-time volunteers.

Passing this bill would also be in keeping with the majority of provinces and territories, that currently offer workers' compensation coverage to full-time firefighters, including British Columbia, Ontario, Nova Scotia, Manitoba, Nunavut, and the Northwest Territories. These jurisdictions have all extended coverage for presumptive cancers to part-time and volunteer firefighters as well. They have seen that it makes sense to support those volunteer firefighters who, unfortunately, contract cancer through their work and compensate them without forcing them to shoulder the burden of proof.

Mr. Speaker, we here in the Legislature have been given the task of representing Albertans. It is our job to act on their behalf. That is why I urge my colleagues to support this bill. Since we represent Albertans, then collectively we owe a huge debt of gratitude to those 10,000 part-time firefighters, who set aside their work and their free time to serve us in our time of need. The least we can do is to provide them with proper compensation coverage should they contract an illness in the line of duty.

I am proud to carry Bill 20, Mr. Speaker, and I encourage all of my colleagues in the Legislature to support it. Thank you so much.

**The Speaker:** The hon. Member for Calgary-Fish Creek, then the hon. Member for Calgary-Varsity, then the hon. Member for Leduc-Beaumont-Devon.

**Mrs. Forsyth:** Mr. Speaker, thank you. I am happy to stand today on behalf of the Wildrose caucus to express our support for Bill

20, which adds presumptive WCB coverage for volunteer firefighters who are diagnosed with one of the 14 cancers linked to the dangerous work. Nobody has a workplace that is more dangerous day in and day out than our firefighters. Even if the whole crew makes it back after fighting a fire without any apparent injury, there are the countless toxins that they are exposed to. Studies are confirming what common sense would tell you: smoke from all burning material is full of cancer-causing agents.

Mr. Speaker, houses are not just made out of wood. As anyone who has thrown a plastic wrapper into a campfire knows, burning plastic smells awful. Now think about all of the things in a house that are not wood or paper: counters, carpets, paint, siding. Buildings are full of all kinds of materials that are not meant to be burned. Burning material can be even more toxic when it comes to industrial fires.

Last week four cancers were added to the list for regular firefighters, and that process should be supported. It's a shame that only eight years ago firefighters had to prove which fire caused their cancer to be eligible for coverage. Fortunately, Mr. Speaker, we are well past that.

Extending this coverage to the volunteer firefighters is also an important next step and one that we all need to support. These brave and generous people are essential to smaller communities across Alberta. Smaller towns cannot afford full-time forces, but fortunately smaller towns are blessed to have these wonderful people committed to rushing out in all hours and in all types of weather to contain any fires that break out in their community.

You know, people may be surprised – I was surprised, Mr. Speaker, quite frankly – at the number of volunteer firefighters that are in this province. I live in the city of Calgary, so I was quite taken aback when I started reading the numbers of volunteer firefighters that are in this province. They are truly a valuable safety net for our province, and they deserve our support. As we're hearing, they are facing some recruitment issues, and hopefully things like that combined with the proposed federal tax credit will help reverse some of the recruitment issues. The AUMA as well as volunteer firefighter groups have been pushing for this change. Good for them.

It's important, Mr. Speaker, and I say that as someone who growing up in Saskatchewan had a major house fire in their own home, where we lost everything. Believe it or not, they managed to save my two turtles and my dog out of that fire. We walked away with the clothes on our back.

I have always had a great admiration for the firefighters in this province, and I am extremely pleased to stand up and support Bill 20.

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

**Mr. Chase:** Thank you very much, Mr. Speaker, for this opportunity to speak to Bill 20, Workers' Compensation Amendment Act, 2011. Forty-two years ago as of August 30, 1969, Rob Tomlinson, a Calgary firefighter, stood up as my best man at my wedding. Rob has recently retired from the Calgary fire department, in which he was a captain. Rob served very diligently over those years for the department, and his service was very much appreciated.

Mr. Speaker, I am pleased to see that the tradition started by a former Member for Calgary-North Hill, Richard Magnus, of extending the protection for firefighters due to a series of carcinogens has been extended to volunteer firefighters. As the hon. Minister of Employment and Immigration pointed out, simply having a V on the front of your jacket, which represents volunteer, should not prevent you from receiving the same benefits as your counterparts in the city.

But we still have a ways to go. Firefighters are not supported when they suffer from posttraumatic stress syndrome to the same extent that either armed forces members or RCMP members are supported. Mr. Speaker, I have spent a number of years through the Calgary-Varsity constituency working on behalf of another captain of the Calgary fire department by the name of Greg McDougall. When Greg McDougall was forced by the city into early retirement based on posttraumatic stress syndrome, there was extremely little support for him either from the city at that time or from the Workers' Compensation Board. It has been an ongoing struggle, actually, with a forced recommendation from the Ombudsman to require the Workers' Compensation Board to apologize to Mr. McDougall and look after his financial concerns.

3:20

While I am pleased to see it and to support the passing of Bill 20, until firefighters are dealt with in all circumstances, including posttraumatic stress disorder, we will not be finished. Mr. Speaker, I am hoping that the same rights that have been extended to volunteer firefighters will be extended to all first responders. In rural districts the firefighter and the paramedic are often the same individual. Police forces, whether they be sheriffs, whether they be RCMP, are also on the same site directing traffic and risking their lives, and at some point their contributions along with their comrades, the firefighters, need to be recognized.

Thank you, Mr. Speaker.

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

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very pleased today to rise and speak in support of Bill 20, the Workers' Compensation Amendment Act, 2011. I think this bill recognizes that it is high time that we treat all professional firefighters in the same manner, and I stress the word "professional" because even though we have in this province full-time paid firefighters, a significant proportion of this province, including the community that I call home, the city of Leduc, is served by a volunteer force. As a matter of fact, the force in Leduc is a combination of both volunteer and full-time firefighters. I can assure you that when these brave men and women attend the scene of a fire, there is no difference between the volunteer and the full-time paid individual.

The risks that these individuals are exposed to are great, and it is something that we have recognized in this Chamber in previous amendments. I look back, Mr. Speaker, to Bill 201, that I was privileged to carry last year, the previous amendment act to the WCB act, that added additional presumptive cancers to the list for firefighters. Also, I was very pleased to see the recent addition of four new cancers by the WCB in the past week. I think that it is very fitting and it's a credit to the work of volunteer firefighters across our province that we would now, as proposed by Bill 20, offer volunteer firefighters the same level of protection, recognizing the significant risk that these brave men and women put themselves in when they go out to save our lives and our property on a day-by-day basis.

Mr. Speaker, I would encourage all my colleagues to support swift passage of Bill 20. Thank you.

**The Speaker:** Hon. members, in recognizing the speaking order this afternoon, because of the time commitment of 20 minutes and 20 minutes, the person who introduced the bill, in this case the hon. Minister of Employment and Immigration, would have had 20 minutes. Then the second speaker would have had 20 minutes. Normally under our protocol it's a member of the Official Opposition that would get 20 minutes.

Also, Standing Order 29(2)(a) did not apply because in this case I just recognized the first person who stood and the third speaker, and this was the Member for Calgary-Varsity. I did not offer 29(2)(a) because if he had been recognized as second, it wouldn't have happened anyway.

Now we've got the fourth speaker, and that is the Member for Leduc-Beaumont-Devon, who has participated, and we do have 29(2)(a) available. We'll start now with this one if anybody wants to participate under Standing Order 29(2)(a).

Are there additional speakers? On the debate. Proceed.

**Mr. MacDonald:** Thank you. Bill 20, the Workers' Compensation Amendment Act, 2011, is an unusual but a good request. I am glad that the Assembly is allowing this legislation to proceed quickly. Certainly, all Alberta firefighters must receive enhanced WCB cancer coverage. It was indicated in a government press release from last week that the list of cancers eligible for coverage will be among the best in Canada. Whether we have voluntary firefighters, Mr. Speaker, or we have full-time firefighters, no one denies that they should be protected under the Workers' Compensation Board for coverage.

Now, certainly, I have no problem supporting this bill. The hon. Member for Calgary-Varsity talked about the efforts by the hon. Member for Calgary-North Hill I think it was called in those days, Mr. Speaker, Mr. Richard Magnus. He worked very hard on previous legislation to ensure that firefighters were covered.

But I would like this Assembly at this time to consider what we have done today for voluntary firefighters and to give due consideration to better protecting the rest of Alberta's workforce who each and every day when they go to work are exposed to agents or toxins. It has been known scientifically that cancer can result as exposure to these toxins and agents increases. Essentially, I would hope that what we have done for firefighters in the past, whether they're full-time or whether they're voluntary firefighters, all hon. members of this Assembly would consider for the rest of the workforce who day in and day out are exposed to cancer-causing agents.

We can go through the financial statements of the Workers' Compensation Board, and we can see where there are millions of dollars set aside in the occupational disease reserve fund. There are examples, for instance, with welders – and we have brought this up in the Assembly before – where welders have an unusual rate of throat or thoracic cancer. We don't know the causes of that, but it sure would be, I think, good public policy if this government was to act expediently once and for all to get a study done to see precisely the long-term effects that welding has on those who are qualified to practice welding procedures.

Now, with that, I would just like to say that Bill 20 is the right thing and the fair thing to do, but we have so much work to do for the rest of the workforce in this province. I'm urging my colleagues: please don't forget that there are others that, unfortunately, are exposed to toxins and agents that produce cancers. It may not happen next week or next month. It may happen 10, 20 years down the road.

Thank you.

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

There being none, the hon. Member for Rocky Mountain House to participate in the debate, and Edmonton-Riverview to follow.

**Mr. Lund:** Thank you, Mr. Speaker. It gives me a great deal of pleasure to have the opportunity this afternoon to rise and speak on Bill 20, the Workers' Compensation Amendment Act, 2011, as introduced by the Minister of Employment and Immigration. Now, we look at the situation in rural Alberta where most of the

volunteer firefighters exist. You see them having to come in from work in many cases. Of course, fires and all kinds of emergencies don't happen at a convenient time. So they have to come in and suit up, go out and fight the fire, and in many cases then go back to work. Now, of course, this is very difficult for the whole family. To think that these people are putting themselves in harm's way to save the lives and property of other people, I think it behooves us to make this kind of an adjustment so that if they are exposed to carcinogens, like so many firefighters are, and they develop these types of cancers, the least that we could do would be to make sure that they have compensation.

3:30

When we look at the volunteer fire departments and the type of backup that they would have versus what we would find in the cities, where they have many, many stations, top-notch equipment, this sort of thing, I think that in many cases we don't appreciate what these volunteers are putting up with in order to save people's lives. It's not only the fires that they attend to but other types of disasters and vehicle accidents. At any kind of emergency like that you will find volunteer firefighters on the line helping people.

It was interesting. A week ago in the county of Lacombe all of the municipalities within the county got together and signed agreements to assist in emergency management. Well, when you look at the personnel that will be carrying this out, it is primarily the firefighters in all those small towns and villages and the county that have gotten together to provide this service. Now, I know that it's getting more and more difficult for the volunteer firefighting units to find the people. Of course, this has a good deal to do with the jobs that people have and the area that they have to cover.

I think that this is a great move. I was very, very pleased with the answer yesterday to the question that I asked the minister about this very issue. He told me that I didn't have to wait long or to stay tuned, something like that. So I was very pleased to learn today that this was going to be introduced. I want to once again thank the minister for bringing this forward. It's a great move.

**The Speaker:** Standing Order 29(2)(a) is available should anyone wish to participate.

I see no movement, so I'll call on the hon. Member for Edmonton-Riverview to participate in the debate.

**Dr. Taft:** In the debate, Mr. Speaker, yes. I join with other members of the Assembly in supporting this bill. I want to make note of its admirable intent, which is to extend the protection offered to professional firefighters to volunteer firefighters under WCB. It's already been mentioned in this Assembly by the minister and by others some of the risks that all firefighters face, whether they're professionals or volunteers. If we expect people to volunteer for this position, we need to, I think, in some ways treat them even better than we treat professionals because they're not getting paid, they're committing their time, and they are after all risking their health and their lives on a volunteer basis.

I would like to get some questions on the record that the minister might address at later stages in the bill. These may be questions, Mr. Speaker, that I ought to know the answer to, but I'm going to proceed on the basis that there's no such thing as a stupid question. My first question is around the payment of WCB premiums. How will that be handled in this particular situation? Does the minister have a plan around this? Is there going to be a financial implication for volunteer fire departments, or does this flow through to the minister? Or are we going to expect these

volunteer firefighters to now have to pay their own WCB premiums? I don't know what the issues are here, Mr. Speaker, but I will be looking to the minister to answer that set of questions.

My second question is just around the position of the Workers' Compensation Board itself on this piece of legislation. Has the WCB been consulted? If so, did they say anything? If they haven't, they should be. I'd be curious and I would think all members of this Assembly would be curious to know what the WCB might be saying about Bill 20.

I also want to raise the question just around costs, which probably relates not just to premiums but to the payment of benefits. Has there been any assessment of the cost of this legislation? Do we have any idea at all how many volunteer firefighters might qualify for benefits and how much those benefits will cost? Has anybody looked at that? It seems to me a basic question that we should all be asking. It doesn't mean that I'm opposing the bill. I just want to be informed when I vote on something. So that's a handful of questions.

I also want to echo the comments of the Member for Edmonton-Gold Bar. The intent of this bill, as I noted in my very first comments, is to extend WCB protection to a group of people who do not currently have that protection. It's a good intent. I think it's an intent that should be applied to paid farm workers, Mr. Speaker. Paid farm workers run some of the same risks, don't they? They handle chemicals that can be carcinogenic. They run physical risks in running equipment. We all know that farms are among the most dangerous worksites in the world, perhaps not as dangerous as going into a burning building but very dangerous.

**Ms Blakeman:** You still get dead.

**Dr. Taft:** Yeah. Either way you get injured or killed.

Actually, it would be interesting if the minister had any statistical information he could provide to the Assembly comparing the accident, injury, work-related disease, and fatality rates of firefighters versus the same figures for paid farm workers. I will say, Mr. Speaker, that I won't be surprised if paid farm workers actually have a higher injury rate than firefighters. I don't know, but it wouldn't surprise me.

My point is that the intent here is to extend WCB benefits to volunteer firefighters. In that spirit I think everybody in this Assembly knows that I and other members of the Alberta Liberal caucus would like to see that intent flow through to paid farm workers. I just think it's an unacceptable failure – and I could choose much stronger language than that – that this government betrays an entire class of workers.

With those comments, Mr. Speaker, I will wrap up by saying: good piece of legislation, let's get some more details, and let's take the intent of this and apply it to paid farm workers next.

Thank you.

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

Are there other participants?

I'll call the question.

[Motion carried; Bill 20 read a second time]

3:40

## Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the Committee of the Whole to order.

**Bill 19****Miscellaneous Statutes Amendment Act, 2011**

**The Chair:** Are there comments or questions on Bill 19?

**Hon. Members:** Question.

**The Chair:** Question? No speaking? Wow, that's great.  
All right. The chair shall now call the question on Bill 19.

[The clauses of Bill 19 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

**Private Bills****Committee of the Whole****Bill Pr. 1****Alberta Association of Municipal Districts  
and Counties Amendment Act, 2011**

**The Chair:** Are there any comments or questions? The hon. Member for Edmonton-Riverview on Bill Pr. 1.

**Dr. Taft:** Yes. Thank you, Mr. Chairman. I won't prolong this. I want to first of all commend the work of the Private Bills Committee under the leadership of its fine chairman, the Member for Calgary-Nose Hill. On this bill we as a committee received a presentation from the petitioner, the Alberta Association of Municipal Districts and Counties. We did receive some useful background research and I suppose we'd call it advice from Parliamentary Counsel. There was no particular concern in the committee about Pr. 1, so I think you are well aware it deserves full support.

At some point, though, this afternoon, Mr. Chairman, I think it's just really important to remind members of this Assembly what private bills are about. I know there was a bit of confusion at one point, members mixing up private bills with private members' bills. They're actually two very different things. It took me a while as an MLA to learn the difference.

There is some documentation available on private bills, which I would like to bring to the attention of all members of the Assembly, particularly members of the Private Bills Committee. I know the chairman has worked at this. I'm just reinforcing the work of the chairman. Since in my position I'll never, ever be a chairman of a committee, I can only imagine and pretend and try to be helpful here. I would like members to take the time to study what a private bill is to understand how it differs from a private member's bill, to understand that the Private Bills Committee has a particular vetting role and questioning role, that private bills have a very long and ancient tradition, and that they need to be managed and approved through a due process, Mr. Chairman. It's that kind of background that I wanted to get on the table, that influences not just Pr. 1 but all of the other private bills we will be discussing today.

With those comments, I'll just wrap up by saying: glad to support Pr. 1.

**The Chair:** Any other hon. members wish to comment on the bill?

Seeing none, the chair shall now put the question.

[The clauses of Bill Pr. 1 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

**Bill Pr. 2****Galt Scholarship Fund Transfer Act**

**The Chair:** Does any hon. member wish to speak or comment on Bill Pr. 2? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Chairman. I recall my colleague from Lethbridge-East having spoken in favour of second reading on this bill last night. She actually came in specially to do it because she was so impressed with this group and all of the wonderful work that it's done.

Essentially what we have is the Galt School of Nursing Alumnae Society transferring their trust fund to the University of Lethbridge, which allows the Galt scholarship fund to be continued and allows the administration of it to now be under the university. So it allows a very honourable family name in Lethbridge to continue and for the opportunities that are presented by the scholarship fund to also continue. It funds scholarships to students enrolled at the University of Lethbridge, specifically around encouraging students in health care, I believe.

I'm very happy to recommend passage of Bill Pr. 2, the Galt Scholarship Fund Transfer Act, in Committee of the Whole. Thank you very much.

**The Chair:** Any other hon. members wish to speak on the bill?

**Dr. Brown:** Mr. Chairman, I wish to have the question put at this time.

[The clauses of Bill Pr. 2 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

**Bill Pr. 7****Hull Child and Family Services  
Amendment Act, 2011**

**The Chair:** Any hon. members wish to speak on the bill? The hon. Member for Calgary-Montrose.

**Mr. Bhullar:** Thank you, Mr. Chair. It's my pleasure to rise on behalf of my colleague from Calgary-Lougheed. This is a bill that was supported by the Private Bills Committee, and the committee recommended that the bill proceed. Therefore, I would ask for the question to be put.

[The clauses of Bill Pr. 7 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Deputy Government House Leader.

3:50

**Mr. Zwozdesky:** Thank you very much, Mr. Chair. I would move that the committee now rise and report the following bills: Bill 19, the Miscellaneous Statutes Amendment Act, 2011; Bill Pr. 1, the Alberta Association of Municipal Districts and Counties Amendment Act, 2011; Bill Pr. 2, the Galt Scholarship Fund Transfer Act; and Bill Pr. 7, the Hull Child and Family Services Amendment Act, 2011.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 19, Bill Pr. 1, Bill Pr. 2, and Bill Pr. 7.

Thank you, sir.

**The Deputy Speaker:** Does the Assembly concur with the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Government Bills and Orders Third Reading

#### Bill 8 Missing Persons Act

**The Deputy Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's my pleasure to rise today and move third reading of Bill 8, the Missing Persons Act.

The Missing Persons Act was brought about at the request of the police in this province and will allow these police agencies to access personal information they need to help find missing persons in cases where the police have no reason to suspect that a crime has yet been committed. This will allow for more efficient police investigations when searching for missing persons. This act also ensures that the information collected is protected if the former missing person does not want to be contacted once found.

All information collected under this act is confidential and can only be used in situations cited in the legislation. Records and information collected must be kept separate from other police agency records and will not be shared. Amendments have been made to ensure that there is a review of the act in five years and to clarify the powers and duties of the Information and Privacy Commissioner under the FOIP Act.

I want to thank my hon. colleagues for their participation in the debate on this bill and for their continued support of this important legislation. Thank you, sir.

**The Deputy Speaker:** The hon. Member for Edmonton-Centre on the bill.

**Ms Blakeman:** Thanks very much, Mr. Speaker, for the opportunity to speak in third reading on Bill 8, the Missing Persons Act. In third reading, of course, we're speaking to the anticipated effect of the act once it has been passed. It's no secret to anyone that

read the *Hansard* or followed the archival video from last night that I brought forward a number of amendments. That's not to say that I don't agree with the principle of what's been presented in the act. I just think that the way the act has been drafted creates as much possibility for harm as it creates possibility for doing good. I wish that the government, in supporting the sponsor of the bill, had chosen a way that did not throw the net so wide, that didn't capture every single Albertan as part of going forward.

I live in a society which is governed by permission. We willingly acknowledge that there's a set of rules that we all agree to abide by, and we all agree that we will have paid people put in positions of authority to implement those rules upon us. It's by consensus. We agree to this. So I don't want anyone running around there saying that I've got some kind of a hate on or that I've got a problem with police forces. I don't. I live in this society. I approve of that. I agree with that. However, we are also living in a society where increasingly we are losing control – indeed, it can be argued that we've lost control – of our personal information. It's now being held by so many different sets of government agencies, private entities that we don't know who is tracking our movements.

We no longer really have the ability to go about our lives without being under surveillance in some way, shape, or form, including, as I pointed out last night, with my iPhone. I'm a big Apple fan, and I love using my iPhone. Now I find out that they've been spying on me and tracking everywhere I go and every time I stop and for how long I stop, and all of that information is duly kept. Of course, Apple as well says: this will be kept in a separate database; we will not use this information except for our own purposes. They don't tell me what that is.

All of this always starts out well. Let me be really clear. When we're talking about electronic databases that are in use that have in them personal information, it is very, very rarely a computer problem that releases personal information. The systems that have been developed are actually very good at being able to bar people from getting access to a security level that they're not entitled to, et cetera, et cetera. If you're given a code or as a certain level of individual you are given access to this level of information and no more, the computer systems are actually really good at that stuff.

Consistently where we have found a problem with these databases is human beings willingly, knowingly contravening the rules that are there and accessing those databases. We've had a number of examples here very, very close to home. I live in Edmonton. We had a terrible experience for everyone involved, including members of the Edmonton Police Service, when it was discovered that members of the police service had accessed information, including home addresses, and in fact had used it for surveillance on a member of the media and on an individual who was then chief commissioner of the Edmonton Police Commission. Shocking, and as shocking to members of the Edmonton Police Service as it was to members of the public that that information would have been accessed for reasons for which it was not collected.

Then as people started to say, "Well, was my information looked at?" we further found out we had a very well-known defence attorney in town who went through the appropriate channels and found out that his information had been accessed literally dozens and dozens and dozens of times by different individuals, by the same individuals at different times, to track his whereabouts, to track what he was doing, to get into his finances, et cetera, et cetera, et cetera. So we know that these things happen.

That's my frustration. We are trying to create a good thing. We're trying to create a system by which we could find people who were missing, who may be in need of our help. That's a good idea, and the intent of that is good. But the effect of what I see that

we've done in Bill 8 is that and a whole bunch of other things, in that we have also essentially, I think, criminalized law-abiding Albertans who either forget or aren't feeling well or make a conscious choice to not tell a bunch of people where they are.

4:00

According to this legislation that can trigger the local police service under section 3 to apply *ex parte* to a justice of the peace for an order to get access to an astonishing array of information from bank records, employment records, health records, GPS records, cellphone, et cetera, et cetera, to track this person down. That's a wonderful thing if you're trying to find a missing person.

It's not such a wonderful thing if you're an individual who just decided to take off. It means that we're not allowed to do that in Alberta anymore because we in this Assembly passed a bill that said that we're not going to allow Albertans to play hooky, to take off, to forget. That's the part that I object to in this bill. I don't object to trying to do a good service, to try and find people who are missing and need help.

I came from the cafeteria downstairs. As I went by, there was a bulletin board with a photo of a young man. It just jumped out at me. I stopped and went back and looked. I thought: boy, that's a very attractive young man. Well, there's a bias. I went back and looked at the poster and realized that it's a poster of the young man from the military that has gone missing recently in Edmonton. You just have that little gasp of air when you go: oh, no; that's just awful. Everybody feels that.

This is my struggle with this bill. It did what it needed to do, and then it did a whole bunch more. That's my objection to the bill. I think the effect of the bill is that we haven't done enough to make sure that it's very clear that anyone who does access any of these records that can now be collected on an individual and uses them for a purpose beyond what they were intended for, the consequences will be severe. I think that needs to be made very well known and needs to be put into practice far more often. At this point it's worth it for people that want to be able to gain access that they shouldn't be gaining because they gain the information. That's what they want.

Let me give you another well-documented example from health information. We had the other woman in a – what do they call them? – love triangle who was regularly accessing health information on her lover's wife's progress through cancer treatment to see, you know, how she was doing. Can you imagine what an invasion into the privacy of that woman it was? Trying to survive cancer treatment is one thing, dealing with a family breakdown is another, and now to find out that a perfect stranger to her is regularly accessing her health records to see how she's coming along, or more likely how she's not coming along.

So that's what we know. Yet this bill did nothing to deal with what we know about what goes wrong in the system. It's giving immense powers to the police to once again collect information.

Now, the act says that you can only use it for this purpose. Yeah, true. But we've also had other instances where information was collected for a specific purpose – we were told it wasn't going to be used for anything else – and lo and behold, several years, 10 years, a dozen years down the road it is in fact linked to other databases and eventually used for other purposes. That's exactly what happens. So although we're told that today, we have no guarantee that in the future it won't be used for other purposes. That's a bigger problem, I think. Again, this act did a good thing, and then it went too far and allowed too many other things to happen along with this.

People say to me: "Well, for heaven's sake. If you've done nothing wrong, what's your problem? What are you worried

about?" Well, part of the issue that we found with collection of personal information and databases is that sometimes the information is wrong, and it's unverified or unverifiable. People are walking around looking at your information, using it for various purposes, and in fact it's wrong or it's misinterpreted.

A doctor codes an extra long visit with a patient as a diagnostic code for counselling on alcoholism because, well, that just gives him the half-hour billing, and that's close enough. In fact, that turns up in someone's employment record later when they're checked by an insurance company, and the person is denied a job. Again, these are real cases. A person is denied a job because it turns up in their health record that they've been counselled for alcoholism. Well, they weren't. They just had an extra long session with a doctor who decided to code it as a counselling session. You know, tick for alcoholism because it was a longer session and they wanted to be paid for it. But there it is. The information is in there. It wasn't correct, and it was misinterpreted further than that, and it had a huge effect down the line on somebody's life.

That's my concern when we start giving powers of collection of information to a group. This government has been very generous in giving overrides and exemptions around the collection, use, and disclosure of personal information to police services. There are a lot of exceptions that they already have in the health information bill, in the privacy and information protection bill, and under FOIP, a lot of extra power. More than any other organization the police services have those exemptions, so I think we need to be very, very cautious when we start handing over additional access to a very wide range of information.

Let's go back to that argument about, you know, if you're leading a good life and you're a good person, then what have you got to worry about? Well, we already know that things can be misinterpreted in a file.

Let me give another example with all those Google maps they're taking of people. Here's one. This happened to me. You all know in this House of my struggles with smoking and how it took me so long to quit and how hard it was. In the Google map picture of my home there is a woman sitting on the front steps smoking a cigarette. So I'm trying to tell my insurance company that I quit smoking, and there sitting on the front steps is a woman smoking a cigarette. Well, the woman is not me, but it's damn hard for me to convince the insurance company that it's not me because she's sitting on the front steps of my house. She's turning up in Google street view clearly smoking a cigarette on the front steps of my house. What the heck am I supposed to do with that?

Now I'm in an argument about whether or not I'm entitled to this health care because I'm a smoker and not a nonsmoker as I claimed. This is a true story, guys. I had to go through a number of things to prove that I wasn't blond and didn't weigh that much. "Here's a picture of me, and I don't know who that person was." It turned out to be someone who was visiting an individual who was boarding with me at the time. That's what happens to that information. It wasn't me, but she was smoking sitting on the front steps of my house. Therefore, I was in trouble with the insurance company that I had applied to to get a better rate because I went through all that hell and agony to quit smoking.

You start to get a picture here that this is not a perfect system, right? As people collect more – and I did nothing wrong there. I did everything right. I quit smoking. But I got caught in something that I couldn't verify, I had no control over, and there was information that they were using against me. So do you get a sense now? I've given you guys very specific examples, all of which can be verified really easily. That's why you have to be careful about, one, in how wide a net you allow people to collect information.

This bill collects a lot of information: closed-circuit television, bank records, employment records, health records, GPS tracking, cellphone, where you've searched, what archives you've searched in your web browser; what web pages you go to. Boy, you better be careful that when you were searching on your web browser, you didn't type in p-o-r-n. Oh, now you're in trouble, Mr. Minister of Infrastructure, because when they go looking for you because you haven't reported in, you've been on a porn site. Well, that wasn't what you were typing in. You know, the little numbers are . . .

**Mr. Danyluk:** I was looking for the corn site, not the porn site.

4:10

**Ms Blakeman:** That's exactly right. The little tiles that you're supposed to hit are so small for your fingers now. How many times do I make a mistake punching that stuff in?

That's the kind of mistake that happens. It turns up when they go looking for it, and they say: ho ho, the Minister of Infrastructure was surfing a porn site. And he's not. He was looking for something that was about oranges, and the O and the P are beside each other, and now he's in trouble. [interjection] A prune site. There you go.

I hope I've helped you understand why I think this bill is important and why I think we need to be so careful about doing this. It gets away from us literally with the click of a button. Once these are housed in electronic databases, linking them to other electronic databases, again, is done in a milli-microsecond and can be sent around the world faster than you can even think of doing it. That's why it's our responsibility in this House to be very, very cautious when we develop bills that empower any agency, including ourselves, to collect information on our public. We need to protect them. We don't need to be exposing them to wider opportunities, where someone else can be literally surfing through their life without that person being aware of it and without them having been able to give permission for it. I just want to make sure that what's a good idea in this bill doesn't turn out for us years later to be a bad idea.

How many times do we hear good stories about health records, and then how many stories do we hear about health records flying around in the wind outside of the back of somebody's garage? We find out about unencrypted laptops that have been picked up in your parked car and taken off somewhere. That's what we usually hear about health records. We don't hear about the good stories. We hear about how somebody's personal, private information is now out there, God knows where, being used for we don't know what, but it's not good.

Thanks very much for allowing me to put that on the record. You've all been very patient in listening to me. I wish I wasn't an expert on privacy, but unfortunately you all insisted on putting me on the committees in which I learned all of this, so you only have yourselves to blame.

Thank you very much.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Yes, please, Mr. Speaker. I certainly am not an expert on privacy laws, but they are developing. It will be interesting to see in a couple of years exactly where we are with the Missing Persons Act, Bill 8. We had quite a discussion last night on this, and it was interesting to hear from the hon. Member for Edmonton-Centre. Certainly, I would agree with her that it is a work-in-progress and we have to proceed with caution, but I think we have to proceed. I certainly respect her opinion, but I don't

think that we are giving the police far-reaching, wide-scoping powers. I, like others, am concerned about granting special powers to police forces, but they have a special job to do. There are odd occasions where those powers are, in my view, overstepped, but we have police commissions and we have a number of ways of dealing with police detachments that overstep their boundaries.

I think this is, as technology changes, a very interesting concept. I note again that Alberta is the first jurisdiction in Canada to introduce legislation of this kind. I know there's a balance. I know there are people who are concerned about this act and how it fails to strike an appropriate balance between giving police the powers they need for missing person investigations and respecting individual rights. I don't think individual rights will be an issue here, at least I hope they are not.

We heard in the discussion previously on this bill about the role of the justices of the peace, and I'm satisfied, again, on the record, with the explanation that was provided by the hon. Member for Whitecourt-St. Anne regarding this bill and the role that justices of the peace are going to play in this matter. But, certainly, there are organizations that have had issues with this approach. I'm sure all hon. members of the Assembly have heard from them as this bill was proceeding through the House. We do know this bill is a response to a resolution passed by the Alberta Association of Chiefs of Police in spring 2010. We also heard of others who are supportive of this initiative. But we haven't really heard from those who have questions about it, and I think it's only fair that their concerns, Mr. Speaker, be part of the public record.

The chiefs of police, as I said, passed a resolution supporting this initiative. Calgary and Edmonton police services were involved in the drafting of the bill. But the Canadian Wireless Telecommunications Association believes that only the federal government has jurisdiction to regulate telecommunications services. The Canadian Wireless Telecommunications Association wants assurance that the proposed legislation actually fills a pressing need and does not merely duplicate current industry practices and/or existing legislation already available to law enforcement agencies.

The Canadian Civil Liberties Association and the Canadian Internet Policy and Public Interest Clinic, which is located, I believe, at the University of Ottawa, have reported the introduction of the act but have not yet provided detailed comment that I'm aware of.

Now, I think this act has good intentions, just like the hon. Member for Whitecourt-St. Anne, and if it could be used to solve an issue around a missing person, then I think all the work from the hon. member will be recognized. But the Canadian Wireless Telecommunications Association is one authority on wireless issues, developments, and trends in Canada, and it represents wireless service providers as well as companies that develop and produce products and services for the industry. They have CCed me on a letter with some of their issues, and this is a detailed letter. I think, with all respect to them, their opinions regarding this bill should be on the public record.

They have made general comments on Bill 8, and they note that they should not be construed as their recognition of the government of Alberta's jurisdiction to regulate the sphere of telecommunications services, which – and this is, again, the Canadian Wireless Telecommunications Association – they respectfully maintain is solely under federal law. They go into detail about this.

They, too, have concerns about the justice of the peace. We talked about this last night, Mr. Speaker, but the Canadian Wireless Telecommunications Association considers the test for access to subscriber records in Bill 8 to be overly open ended. In order to obtain an order from a justice of the peace for records – and that's



in section 3 – the justice of the peace need only be satisfied the information is required to investigate the whereabouts of a missing person. There is no reasonable grounds test, which is more typical for warrants and other orders. We had a brief discussion on this last night. All that is required is a belief that the telecommunications service provider may have information relevant to a missing person case. We do know that the portable devices – there are all kinds of programs now available that can tell a lot about the owner of the device. It can tell what time they used it. There are a lot of interesting things that go on that hopefully will never be needed, but if they are needed to solve an issue around a missing person, it would be available.

4:20

The Canadian Wireless Telecommunications Association: they were, I would have to say, quite concerned about Bill 8, but I don't share their concerns. Some of them I certainly do but not all of them. I don't think their concerns are a valid reason to delay this. I really don't, with all due respect.

They also talk about safeguards. The Canadian Wireless Telecommunications Association is also concerned that there are no safeguards in Bill 8 to help ensure that the subscriber information production requirements will be used appropriately: only in cases where a person is reported missing by a family member or other acquaintance. Police only have so much time to do a lot of work, and I don't think any police association or police service anywhere is going to be in a frivolous or vexatious way looking at someone's information. I can't see this happening.

The Canadian Wireless Telecommunications Association respectfully submits that Alberta should consider including in Bill 8 some safeguards contained in the proposed federal legislation, which was Bill C-52, dealing with lawful access as introduced in the House of Commons last fall. Bill C-52 had this, Mr. Speaker. The requesting officer must provide identifying information, badge number, agency, et cetera and state that the request has been made in exceptional circumstances. The officer must have reasonable grounds to believe that the information requested must be immediately necessary to prevent an unlawful act, serious injury, or crime.

The officer must report the request to a designated officer in the force, establishing the basis for the request, and the designated person must confirm with the telecommunications service provider in writing that the request was made in exceptional circumstances. A record must be kept for the request and the grounds for it. Internal audits of police and the national security agencies are required to ensure compliance with the subscriber information sections of the bill, with noncompliance being escalated to the minister. The Privacy Commissioner may also conduct such audits.

Well, that's a legislative wish list. Some of this has been provided, as I understand it, in Bill 8. But this is what the Canadian Wireless Telecommunications Association considers to be the very basic safeguards necessary to ensure that the application of the statute remains consistent with its intent.

They also have some issues around privacy, compensation, and technical and reporting standards. In the time that I have, Mr. Speaker, I would like to note what the Canadian Wireless Telecommunications Association had to say in conclusion regarding Bill 8. Of course, they're concerned about the general privacy implications for Canadian wireless subscribers given the low threshold, in their opinion, for obtaining an order for production of data under Bill 8 as well as the lack of safeguards to ensure that the power is not misused or used indiscriminately by Alberta law enforcement agencies. I can see why they would say that, but hopefully their concerns will be unfounded.

I'm hearing from hon. members that this is quite an important issue. The Canadian Wireless Telecommunications Association notes that Bill 8 offers no compensation for telecommunication service providers for complying with potential numerous orders – I don't think there will be a lot of orders, but we'll see – particularly in cases where the person in question turns out not to be missing and/or in cases where no crime was about to be committed. It's essential that potential costs to the service providers be minimized by limiting the use of the order power in the first instance. The Canadian Wireless Telecommunications Association is equally concerned about the technical and reporting standards that would result from complying with this legislation.

They conclude by expressing their appreciation for the opportunity to provide this submission in writing, and it is my privilege to present this to hon. members of this Assembly. That's one side of the argument. We heard, particularly in debate in committee, the other side of the argument last night.

Certainly, Mr. Speaker, in conclusion I would like to say that this bill hopefully will allow a police agency to be able to do their work more effectively, more efficiently, and in cases where they need to have this, they will now have it. It will certainly be another tool for police services or police agencies to use to settle issues around missing persons. It could be a child. It could be an adult. It could be someone who, unfortunately, loses their way, and family members recognize after a period of time that maybe grandmother and grandfather are lost.

Thank you.

**The Deputy Speaker:** Any other hon. members wish to speak under this 29(2)(a), five minutes of comments or questions? Anybody?

Seeing none, on the bill?

Seeing none, the chair shall now put the question.

[Motion carried; Bill 8 read a third time]

## Bill 15

### Victims of Crime Amendment Act, 2011

**The Deputy Speaker:** The hon. Solicitor General and Minister of Public Security. You don't have to stand up because your foot is . . .

**Mr. Oberle:** Thank you, Mr. Speaker. It's my pleasure to sit today, I guess, instead of stand today and move third reading of Bill 15, the Victims of Crime Amendment Act, 2011.

I think we've had vigorous debate. The bill, with the able assistance of the Member for Edmonton-Strathcona and the Member for Airdrie-Chestermere, is amended from its original form. I think it's a better bill for it. I call the question in the absence of comments.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar on Bill 15.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. Again, this is legislation that we had an opportunity to deal with last night at committee, and certainly what we're looking at here with the amendment act is the clarification of the processes for applying for financial benefits for injury and for death benefits. We're setting out detailed procedures for reviews of decisions and applications, and these are consistent with procedures in other administrative tribunals. We're changing and removing some of the existing powers of review boards; for example, to call expert witnesses or to require a medical examination or a test by an ap-

proved physician. These amendments in the bill are mostly amendments that provide helpful clarifications. As I said, the amendments with respect to benefits for injury or death as a result of a crime add clarity for users of the act.

4:30

Certainly we must note, when we discuss the victims of crime fund, the amount, which is over \$48 million in net assets as at March 31, 2011, while the victims received just under \$14 million last year. While we applaud the diligent work of many of the not-for-profit organizations that receive grants to support victims' services, we do not wish to see a fund created for the benefit of victims either hoarded or diverted into government programs that do not directly benefit victims.

There was a review done on these proposed amendments by Alberta's Solicitor General and Public Security ministry, and that was done online before Christmas until the end of January. Six weeks later the amendment act was introduced in the Legislative Assembly. One could reasonably ask how there was time to consider the responses to the consultations, develop recommendations, and then have them approved and go through the legislative drafting process in a little bit more than seven weeks. I have not seen, Mr. Speaker, a report on the consultation or the review process that was published. It may or may not be an internal document, but I haven't seen it.

We have been working with this legislation since 1997, almost 14 years, except for provisions directly associated with financial benefits to individual victims of crime. That came into force a little later on. We do know that in May of 2005 the act was amended to incorporate the Canadian statement of basic principles of justice for victims of crime, which emphasizes the need to treat victims with courtesy, compassion, respect, and privacy. The principles state that the victim should be provided with information about the role they play within the system and acknowledge that a victim's views and concerns are important.

Last night we had a discussion about how an individual who was involved in a violent, vicious assault while he was driving a transit bus is currently receiving Workers' Compensation Board benefits. How does all of that work, or does it work? Would an individual, for instance, who is receiving Workers' Compensation Board benefits be eligible to make application before the victims of crime fund?

It's a regulated fund, a \$48 million value, and it is administered by the minister of finance and operates under the authority of the VCA. The Solicitor General and Minister of Public Security is responsible, of course, for the fund, and the fund is financed through a levy on provincial and federal fines. The purpose of the fund is to provide grants to victims' programs and to pay benefits to victims who suffer injury or death as a result of a criminal offence specified in the regulations under the Victims of Crime Act or, where death resulted, to pay benefits to dependants.

We talked in committee, Mr. Speaker, about the administration of the act and the role of the director. We had a good look, a sectional analysis last evening. We had, actually, a good discussion on this, and I appreciated the participation of the minister even if it's under difficult circumstances.

When we look at this bill at third reading, I'm confident that the amendments will provide helpful clarification to make the act more user friendly for victims. We on this side of the House support the new procedures for review of a decision on an application for benefits. They are consistent with the principles of natural justice. These procedures will make it clear to applicants how to go about contesting a decision that seems unfair or unjust. The procedural changes not only promote clarity and fairness for applicants; they are likely

to promote good practices in the review process, which is likely to result in fewer requests for judicial review.

We do however have concerns that the amendment act moves provisions as to who may apply for benefits into regulation. These provisions affect rights under the act and should be in the act rather than in the regulation. We know how this government likes to get enabling legislation and then write the regulations quietly, off by themselves. Sometimes they're public; sometimes they're not. That's how this government, unfortunately, is ruling. Yes.

We also have concerns about the power of the director of the act to collect health information – we talked about this last night – from health service providers without notice to or consent by the individual. We think – and I hope we're wrong – that this could discourage victims from seeking assistance.

In conclusion, Mr. Speaker, I certainly would like to thank the minister for his work on this amending legislation. Hopefully, people who need to apply to the victims of crime fund can do so with confidence, knowing that they will be treated fairly and justly, and there will be support there for them and their families if it is needed.

Thank you.

**The Deputy Speaker:** Any other hon. member? The hon. Member for Edmonton-Riverview on the bill.

**Dr. Taft:** Thanks, Mr. Speaker. I'd like to just get some comments on the record here in third reading. It's been clear that this is a piece of legislation that we've supported. Well done. I mean, it's a step in the right direction. It seems certain that it's going to pass, and here in third reading is an opportunity to speak briefly about the impact of this bill and about what the future might hold. What's the next step after this bill becomes law? I'm presuming that it will, which I think is a safe presumption to make.

I was reading very recently, Mr. Speaker, an article in *The Economist* magazine about a prison situation in the United States, and I was startled to read, although I had seen figures like this before – every time I see them they're startling – that in the United States 1 adult in 100 is in prison, which is astonishing. There are 3 million people, adults, in jail in the United States. That is startling. That's what I focused on initially, but then listening to the debate on the bill and this bill being about victims, I began to think: how many victims of crime are we looking at in a country like the United States, for example? Obviously, it's a staggering number. Many of those criminals will have had multiple victims, so we are looking at a huge, huge number of victims in the United States.

Now, we're lucky here, I think, although I'm just going on a hunch – I could be wrong – that the situation is somewhat different in Canada and in Alberta. But I'm just saying that on a hunch; I'm not sure. I am quite confident that Canada does not incarcerate people at the same rate as the United States, but I'm not as confident that there aren't as many victims of crime in Canada as there are in the United States.

4:40

Canada is sometimes labelled by some political and media commentators as being soft on crime. During the recent federal election I was reading that, actually, Canada's sentences are among the very longest in the developed world and that if you're going to go to jail for a long time for a crime, it's more likely to be a long time in Canada than anywhere else. Canada actually has some of the toughest sentencing procedures. Again, we have to remember, Mr. Speaker, that for each one of those there's a victim or multiple victims of a crime, and we can think of direct victims and indirect victims.

I think of a tragic case that came before this Assembly over the years for debate. I am trying to think of the name, and the name escapes me. Leslie Miller, I think it was. Her husband, if I have the correct name, was the victim of the crime. He was severely beaten.

**Mr. MacDonald:** Mr. Teskey was the guy who beat him.

**Dr. Taft:** That's right. He was severely beaten by a man, who ultimately was convicted, by the name of Teskey. The Member for Edmonton-Gold Bar is helping my increasingly frail memory dredge up these facts.

You know what? Mr. Miller wasn't the only victim of that crime. From the moment he was left permanently and severely disabled, his wife also became a victim of that crime as did other members of that family. We're talking about a lot of people involved here, Mr. Speaker, and when we discuss victims of crime, I think we need to stretch our thinking a bit to really comprehend what's going on.

One other startling figure I saw reported on television. It was an interview with a so-called expert on the news, so I take that for what it's worth. The claim that this person made was that about 1 in 4 jobs in the United States now applies one way or another to security. The person was using that in the broadest sense, so they were including the armed forces, the police, the private security, and perhaps even indirect industries like weapons manufacturing, and so on; prison guards, for sure. It was a staggering portion in the U.S. of the number of jobs tied up in security. I believe the figure that this person put forward was 1 in 4. Again, what does that tell us? Well, that tells us that there are not only an awful lot of security issues; there are a lot of victims' issues.

I think I need to make a point at this time also, Mr. Speaker, about the future plans for prisons in Alberta and in Canada. There are going to be cost implications for this province if the federal prison construction program goes ahead, and this is all aimed at a point I want to make in a moment here. We have seen through the last federal election campaign and in the weeks leading up to it the current federal government proposing a multi multi billion dollar prison construction program even though the statistics that are generally reported show that crime is going down. When a former member of this Assembly was questioned about that – until this election he was in the federal cabinet, Stockwell Day – he said, “Well, those prisons are being built for unreported crimes,” which is a kind of contradictory thing once you think about it. If the crimes are unreported, how are we going to sentence people and put them into prisons?

There are cost implications to this for Alberta, and this issue undoubtedly is going to come before this Assembly because the cost of operating those prisons is borne substantially by provincial governments. Again, my point here, Mr. Speaker, is that we're spending money on criminals; we're not spending money on the victims. Too often the victims continue to be forgotten. This bill is a little step in the right direction. The victims of crime fund is a step in the right direction. What I would challenge this Assembly to consider as we move forward and maybe bring other legislation to the floor of the Assembly is to think about: how do we reduce the number of victims by reducing the number of criminals? That's the real challenge here. It would be absolutely fabulous if someday we don't have to make any payments to victims of crime because there are no victims of crime. Now, that's not going to happen, but we can certainly set that as a goal.

That raises for me some broader issues. How do we reduce the number of criminals? I think there are a lot of pretty widely accepted ways to approach that, and a lot of it comes down to

investing in our children from the very youngest ages. There's a lot of good evidence that by grades 3 or 4 teachers and specialists can predict with remarkable accuracy which kids will complete high school, which ones won't, which ones are likely to run into problems with the law, which ones are likely to become criminals and, therefore, create victims of crime.

Do you know what's interesting, Mr. Speaker? It's that a lot of those people who become criminals, creating victims of crime, are themselves at some point early in their lives victims of crime. The victimization of children creates criminals, which creates more victims in a kind of vicious circle that we can break if we put our minds to it. I'm thinking of some basic things. An issue I've raised repeatedly in this Assembly is dedicated funding to feed hungry children in Alberta, dedicated funding for school nutrition programs, early intervention for kids who are identified as at risk, more aggressive than what we do now. That intervention might be all kinds of things.

I was talking to a teacher the other day who teaches grade 2. One of the children in her class has a particular behaviour problem. The teacher strongly suspects that this student has eyesight issues. But it's an impoverished family, and it's finding a way to get eyeglasses for that grade 2 student. To get that grade 2 student to an eye doctor or an optometrist to have her eyes checked and then to afford glasses, well, is something that most Albertans would handle. In this case and in many other impoverished families, families of immigrants, children of dysfunctional families they don't have a chance with something as simple as getting their eyes tested and getting glasses. So what's going to happen to that girl from grade 2 if this turns out to be the case and she has an eye problem and it doesn't get addressed? She's going to continue to flounder in school. It rapidly increases the risk that she is going to end up in the justice system and end up creating victims of crime. That's just one example.

When I look at this bill and I think about this issue – and I commend the Assembly for creating a fund and improving a fund that pays out victims of crime – I want to leave a larger challenge here, which is: in the long term how are we as MLAs going to reduce the number of victims of crime by reducing the number of criminals? What are we going to do? What is this government going to do through education, through our schools, through community supports, that are shown over and over and over to pay huge dividends? What are we going to do to act, to reduce the number of victims of crime?

I just want to leave those comments on the record, Mr. Speaker. Maybe next year we'll see something that goes beyond this current legislation. Thank you.

**The Deputy Speaker:** Any other hon. members?

**Hon. Members:** Question.

[Motion carried; Bill 15 read a third time]

4:50

### Bill 1 Asia Advisory Council Act

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

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. On behalf of our hon. Premier I'm very pleased to rise and move third reading of Bill 1, the Asia Advisory Council Act.

As you would know, Mr. Speaker, we've had some excellent debate since our Premier first introduced this bill in the Assembly a couple of months ago. In fact, a number of hon. members asked some very good questions, which spurred some informative dis-

cussion, and that, in turn, encouraged others to reflect and to realize precisely what the importance of Bill 1 is to the future prosperity of our province.

Obviously, I won't be repeating all that was said at that time, Mr. Speaker, but I would like to provide just a few minutes of brief overview regarding some of the more salient points. During our research and then the ensuing debate there was no question that further diversifying our markets will be a critical element of Alberta's future economic success. There certainly was no disagreement in the House, to my recollection, that Alberta needs to expand beyond our biggest trading partner, that being the U.S.A., of course, which receives about 85 per cent of our exports. The U.S.A. has been and still is our greatest trading partner.

Of course, there are some points to note that will provide some context to all of this, and I'd like to do that briefly. Today the U.S.A. struggles to recover from the global economic recession while some markets in Asia are pulling into the fast lane, so to speak, with China on track to surpass the U.S.A. in terms of GDP. India is predicted to eventually surpass China, so we can see where that's heading. That said, these Asian markets are already important to Alberta, and their importance will increase.

In fact, yesterday our Minister of International and Intergovernmental Affairs chaired a session at a conference that focused solely on China and India as two large and emerging economic powers for the entire world to note. There was a lot of excellent discussion, I'm told, on how these markets will impact Alberta and, of course, Canada and also about the many opportunities that this economic shift is going to present. As well, the Premier's Council for Economic Strategy's final report identifies specifically Asia as one of the main game changers in Alberta's future. That report, Mr. Speaker, confirms that with the establishment of the Asia advisory council as enunciated by this bill, we are right on track to tap into the tremendous opportunities available in these aforementioned Asian markets.

Of course, I don't think it's any secret to many that our Alberta government has long been cultivating this relationship with regions in Asia. In fact, we've been developing partnerships in China, in Japan, in India, and other eastern countries for decades, in fact, from the very opening of an Alberta office in Tokyo back in 1970 right up to last year's opening of a joint trade and investment office in Shanghai. Alberta has been twinned with a great many regions in Asia, and these relationships also continue to foster economic, scientific, and cultural ties, which is what this bill is all about.

In fact, Mr. Speaker, our missions to countries in Asia have established and strengthened Alberta's relationships with governments, with business leaders, and certainly with investors. Everyone is now looking to Alberta, and Alberta is looking back to them to partner where we can and to seek greater investment and other opportunities for economic ties wherever possible. That type of foundation, that we have built over many years, has in fact positioned Alberta for even greater success in the years ahead. So we are now at a pivotal time, at a pivotal turning point. That's why it's so critical that our next steps be very deliberate, very specific, very focused on behalf of the future of this great province.

Just a couple of final points. The Asia advisory council will in essence bring together the best and the brightest minds. These members will be experts in their respective fields, be that business or energy or technology or academia or a host of other areas, and they will also be experts on Asia. The council members will provide a targeted insight through this bill that will be of great value to the government of Alberta and, in turn, to Albertans in general. With the experience and guidance of this particular group of knowledgeable and committed people I'm confident that we will

set new goals that reflect the new global economy, an economy, I should add, where the strength of our relationship with Asia will determine our future success.

In conclusion, Mr. Speaker, I will be supporting the creation of an Asia advisory council because of its immense importance. In fact, it's so important that having this legislation created emphasizes it most illustratively. With this bill we're signalling to Asia and to the world that Alberta is comfortable being out front when it comes to furthering our engagement with these rapidly growing markets.

I would like to conclude by thanking you for this opportunity, Mr. Speaker, and all members of the House for their anticipated support of this new bill and also for the input and the good discussion that has occurred to date. On that note, I would encourage all members to kindly offer their support for Bill 1, the Asia Advisory Council Act.

Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview on the bill.

**Dr. Taft:** Thanks, Mr. Speaker. There's been quite a lot of debate on this bill through its journey to becoming legislation, and there have certainly been challenges from some MLAs that for the flagship bill it's not particularly bold or visionary. Yet when the chips are down, I think it's better to do this than to not do it. In some ways it's reinforcing things that are already happening. It's kind of perhaps in the spirit of the former Premier, Ralph Klein, who talked about finding a parade and getting in front of it. Certainly, there has already long been a parade of business and tourism and academic exchanges and so on between Alberta and Asia, and this legislation is perhaps just trying to get in front of that parade, to run around, hurry up, and get in front of it. For all that, it's better to be done, I suppose, than to not be done.

There's been quite a lot of discussion in this Assembly about China. I spoke during committee, I believe it was, or perhaps second reading about China, and I reflected on China's rising power. I was trying to make clear in my comments that we should not be naive about doing business with China or any other Asian country. What I didn't have the time to say is that, despite my cautions, I still think it's a good idea that we proceed, we reach out, we build the relationships with Asia that this legislation envisions. I just don't want us to be, as I was saying at the time, sort of good-hearted Boy Scouts out there in a big bad jungle. We need to be sharp and astute and canny and shrewd. Sometimes Canadians don't do those things very well, and I think we need to.

I've also been struck with how much of the conversation or debate that I've heard on this bill has focused on China. We're forgetting perhaps some very important other countries. I look at you, Mr. Speaker, and I think of Vietnam or Malaysia or the Philippines. There are many, many tens of thousands of Edmontonians who are from the Philippines or Indonesia, which is a deeply impoverished but rapidly expanding economy. I visited there a couple of years ago. I was most impressed with what I saw and with the industriousness of the people, but I was also struck with the enormity of the challenges they face. And, of course, India. There are a handful of members of this Assembly whose ancestry goes back to India.

5:00

These are countries that are setting the global agenda. It's widely understood that the current global recession would be much more severe if it weren't for the demands of the economies of China and India and the rest of Asia. Particularly, this has been

beneficial to Canada because the demand is for raw materials, but it has been Asia that has prevented this economic recession from becoming even more severe.

I also wanted to just make note briefly of the lessons from Vietnam. Now, I have not been to Vietnam – I'd love to go there – but there's a lesson here, I think, about trade versus war. We all know that there was a very long, multistage war between Vietnam and a series of colonial powers – the French, the Americans, the Chinese – and that that went on and on and on. Vietnam fought a valiant war that stretched probably 20 years or more – somebody here could correct me on that – and was flattened. Billions of dollars, probably hundreds of billions of dollars were spent. Hundreds of thousands or millions of people died. It was a horrifying war.

At the end of it what was achieved? I suppose the Vietnamese would say, "Well, we kept our independence," and so they did, and good for them. But when I reflect back on that war now, I think: well, okay; what's happened since? When we switched from war to trade, suddenly good things happened. Suddenly things are getting built instead of destroyed, people are flourishing instead of getting killed and maimed, societies are expanding instead of being pounded down, and friendships and bridges are getting built instead of enemies being made. So I think there's an important lesson to be learned from the experience of Vietnam and, by all accounts, of Southeast Asia. The country to watch, perhaps above larger, more populous ones, is Vietnam because of the industriousness, the coherence, the determination, the pride of the people.

When I look at what's happening in a different part of Asia, Afghanistan, I find myself wondering: gee, wouldn't we have been better off to have learned the lessons of Vietnam? Instead of pouring countless billions of dollars into war, what if we poured countless billions of dollars into trade and friendship, and if we had opened our arms to our enemies, might we have actually turned them into allies and even friends and had a much more constructive result? So as we look at Asia, those are issues I'd like us to be considering.

I want to talk, before we leave, about a couple of specific economic and, I guess we would say, engineering or scientific issues. One is renewable energy; the other is a pipeline. This week China announced that it is aiming at getting 50 per cent of its energy from renewable resources within the next couple of decades. It's a hugely ambitious objective. Right on its heels, I think yesterday – or perhaps it was even today; I lose track; things happen so quickly – Japan announced that because of the nuclear catastrophe that resulted from the earthquake and the tsunami, they're putting their nuclear expansion programs on hold, and they are shifting to renewable energy.

The Member for St. Albert came to visit a house I'm building about a week ago, and it's a house that's going to depend heavily on solar energy. I fully expect we'll be buying the technology, the solar panels that'll go on the roof, from Asia, or at least there'll be Asian components in them. That's clearly the way of the future.

Alberta will be one of the last to get on that train because we have so many fossil resources, but what's going to make our fossil fuels less and less valuable, I predict, in the 15-year range and beyond is the enormous innovation that's going to come out of Asia in terms of renewable energy supply: solar, wind, tidal, biomass, what have you. If we build relations with Asia and if we follow some of the ideas that other panels have recently put forward to create a more broadly based energy economy in Alberta, I think we're going to have to build those relations with Asia. I think we should even look to them to try to emulate some of their leadership on these issues because I think we're falling behind.

I will wrap up with one other point, which is the debate around a pipeline to carry Alberta's oil production or bitumen production to the west coast. As complicated as that is, as laden as it is with environmental controversy, with land claims from First Nations, and so on, I myself think it should be done. I'm not going to speak for others. I believe that in the end we need to do that. I think Alberta needs to diversify its market away from the United States to include an ocean port on the west coast of Canada. We could then sell wherever. It might go to Asia. It might go down the coast to California, as has been speculated. It might go to South America. It could go anywhere. But we need that port for our energy exports.

The other morning I was at a breakfast speech given by somebody who spent many years in here, former Premier Peter Lougheed, and in that speech he made a point that if he were the Premier, he would not sign another approval for an oil sands project that did not include upgrading in Alberta. He said – and I will repeat this – that if he were still Premier, he would not approve another oil sands project that did not include upgrading in Alberta. He said that publicly. He said some other fairly dramatic things as well, but I'll focus on that one.

You know, that was and, I believe, continues to be consistent with the policy of the Alberta Liberals. Why do I say that? I would be much less supportive of a pipeline to the west coast, Mr. Speaker, for just shipping out raw bitumen. I think that would be a travesty. I think that would be a sellout. I think that constructing a pipeline to the west coast should go hand in hand with an increased commitment to adding value here. If we ship raw bitumen to Asia, where they upgrade it at lower environmental standards, lower wages, lower labour standards, and then sell the crude oil or the refined product from where they are, we're foolish.

That goes back to my early comment about Canadians sometimes being a little naive internationally. We need to be every bit as far sighted and determined and disciplined as countries like Korea and Singapore and Taiwan were in creating Asian tigers and as India and China and other countries are today. Otherwise, they will eat our lunch for us, as they say. They will get our jobs, they will take our wealth, and we'll be left impoverished not just financially but politically and culturally and otherwise.

I wanted to make that point. Let's look hard at building that pipeline, but let's make sure that it's not just there for raw bitumen. Let's look at building bridges that reach into the renewable energy industries that are so aggressively developing in Asia. Let's look at building allies, friendships, joint ventures with countries across Asia, and through the process let's not just build a better Alberta, a better Canada, a better Asia but a better world.

Thank you.

5:10

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I realize that this is the last opportunity to speak about Bill 1.

**Mr. MacDonald:** Are you a fan of this bill?

**Mr. Hinman:** A fan? I think that the fan should blow the paper away that this was written on.

It's very disappointing when we consider that we just are pulling out of a recession, that we've got a \$6.1 billion cash deficit year to year running here in the province, that we've got a third-year deficit running. The Premier's council just put out today or, I guess, yesterday, you know, their wonderful book here, *Shaping Alberta's Future*. Then we look at Bill 1. We're going to form a committee to go to Asia.

The hon. Member for Edmonton-Riverview brought up some very important points I just want to start with. There's no question that the two most important things for us to have that security now and in the future are to look at the oil and gas industry and where we're going and what we can achieve. There's no question we need a pipeline. I could see that being Bill 1. The government says: "We need a pipeline to the west coast. We're trapped. We have no place to take our commodities." This is a repeat of 2003 with BSE, when all of our customers went to the States. When they decide to shut that border, we're in big trouble.

There are many things, Mr. Speaker, that this government should have been looking at as a number one priority. I would say that because of our economy and our exporting, the number one priority should be a pipeline to the west coast. It's just hard to believe that the number two priority, that I look at, is that we need a natural gas strategy here in the province.

We have an abundance of natural gas. What are we going to do to capitalize on that, and how are we going to go forward? What are they capitalizing on? They're saying a committee to Asia and that we need a \$2 billion carbon sequestration and capture program to see if this is going to pan out in the future. It's very disappointing how we're letting down Albertans and the future.

Let's just take the next step, if we want to do that, and talk about renewable energies – there are so many people in this House that are so passionate about it – and have a little bit of a breakdown. It's interesting. Back in 2010 – I believe it was December – there were quite a few protesters that were protesting the Copenhagen conference and what we were going to do there. It's interesting. The one individual drove a Prius and showed up at this rally I was at. I asked him: "Do you have any idea of the rare-earth elements that are needed and how much to produce this Prius that you want to drive around in? Where are our lithium mines to produce the batteries? How much mining do we need in order to build solar panels?" All of those are dependent on rare-earth elements.

The hon. Member for Edmonton-Riverview talked about this. China hopes to get 50 per cent of their energy from nonrenewable. Well, they have 90 per cent – or maybe it's 99 per cent – right now of the mines and the rare-earth elements in China, and we're dependent on buying that export from them. If we move over, it's very true. The hon. Member for Red Deer-South is shaking his head, saying: it's not true. Do the research, and see where the rare-earth elements are and what the future is if we don't change our strategy.

I'm going to talk about that in a minute, what our strategy is here. With the lower Athabasca regional plan we just doused some opportunities for exploration and development of some possible rare-earth mineral mines. We're shooting ourselves in the foot on how we want to go forward by not thinking: where do we do that? I mean, it takes 500 pounds of rare-earth elements to build a two-megawatt windmill. Where are we going to get that? All of a sudden the table has turned, and we have to go to China to try and buy these rare-earth elements because we don't allow mineral operations to exist here in the province. I've been speaking to some explorers that are in there, and they say that Alberta is the worst place in Canada to try and open and develop a mine. We have to ask ourselves: why? If we're so excited about going into the nonrenewables, are we going to allow ourselves to be self-sufficient or switch over to these things and then find out that we are unable to go forward on them?

This idea that through Bill 1 the future of this province is going to be formed by a volunteer committee that's going to go over to Asia when we can't even get our number one export to the west coast is – I don't even know if you'd call it buying the wheel before the cart, before the horse. I mean, it's just wrong, Mr.

Speaker. So I have to again go on the record and say how disappointing it is for myself and for many Albertans that I've talked to that the number one priority, the number one bill that this government came up with is, in fact, a committee to go to Asia to see if we can open up exports when we can't even get our products there. There's a problem here. We're not thinking things through, and it's very disappointing.

Shaping Alberta's Future: Report of the Premier's Council for Economic Strategy. Everything in here goes against the Alberta Advantage. What they're saying is that government knows how to run businesses, pick the new businesses. It's interesting because when we even look at Texas, who built their wealth on the oil and gas industry, it's those people that have created the wealth who then turn around and invest in microchips and nanotechnology.

To think that the government is going to tax, whether it's \$4 billion or \$6 billion, \$8 billion, \$10 billion, \$12 billion, out of our current industry to then put together a super slush fund and say, "This is what we're going to do," that these are the industries, whether it's nanotechnology or something, that the government is going to pick and choose where we're going to spend this money, it's going to collapse the Alberta economy to a greater extent. We're going to go back to run not just massive cash deficits but actual deficit budgets in two or three years if they're going to raise the taxes and say, "We've got an opportunity to go forward here; let's send the committee to Asia to see if we can export something" when we cannot get our products there or we don't meet their standards. It's disappointing.

The natural gas strategy: like I say, to me that's the natural direction we should be taking. We understand that we want to reduce pollutants. High-carbon fuels have more pollutants in them. Methane, a one-carbon fuel, is the cleanest, whether it's for producing electricity, whether it's for compressing that to become liquefied, compressed natural gas. There are many, many areas, Mr. Speaker, that we could be looking at and realizing that this is our opportunity.

Perhaps the most important natural strategy that we should be taking on here in Alberta is to make sure that we're not putting up rules and regulations – for example, a tax on CO<sub>2</sub> emissions – to the detriment of an industry that we have here. Too often government seems to see a lucrative business, and they rub their hands together and say, "What a great opportunity; we can now tax this business," only to lose it. Our strategy should be, as it has been for years, to be the most competitive tax regime in not just North America but the world.

We are competing with some giant countries out there that don't have universal health care, so we can't add onerous regulations, even onerous taxation, and then think that we're still going to have these other social benefits that we do and try to export to such countries in Asia or to India or other areas in the world. We need to come back home and focus on: what do we do well? Adam Smith's *The Wealth of Nations*: look at what your natural commodities are, your natural abilities. Let's make sure that we do it in an environmentally proper way. We as Albertans, I think, have one of the best environments in the world. Yes, we've made a few mistakes, but that doesn't mean that we haven't learned from those mistakes in going forward.

Another strategy that we should be looking at is water. For heaven's sake, we have flooding going on again, massive destruction, but are we filling up our reservoirs on and off the stream? Do we have enough? The bottom line is no. When are we going to wake up and realize that we need to have a water strategy that is more than just not using it wisely but actually storing and containing the water that we have? Still, 50 per cent of our water allocation is being lost and going out of the province, and then we

say: oh, we don't have enough. I mean, who would cut their paycheque in half because they don't need it all this month and let it go out? You put it in a savings account.

5:20

We need to have a strategy, Mr. Speaker, for saving our water. Get some on- and off-stream storage; be looking at that. There are just so many areas. We need to have a strategy on how we are going to produce electricity cheaply, and \$16 billion in power lines is not the answer to having an energy advantage here in the province. There are so many areas where we should be focusing and looking at: what is the Alberta advantage?

How do we encourage entrepreneurs and people with capital to come here and invest in our schools, invest in technology, and not say that the government is going to tax it? We're going to get some elite groups that are not able to raise their own money for their ideas, and they're going to pick and fund other ones. Yes, it works sometimes, but entrepreneurial start-ups and new ideas, whether it's energy, whether it's nanotechnology – let the university work, again, with some free enterprisers, with some wealthy philanthropists.

There are many directions that we should go, but increasing taxes, which is what shaping the Alberta future is about, is wrong. Putting together an Asia committee to go over there and see if we can do business with them is wrong. Until we get a pipeline, until we have our rules and regulations in order so that we can export to them, there are just so many areas that are a major concern.

Like I say, the other one I want to reflect on a little bit is our Alberta Land Stewardship Act and the way that we've attacked industry that would produce a lot of these things that we need, these rare-earth metals, gold, diamonds. There are many things like that that are being mined in British Columbia, Saskatchewan, the Yukon, the Northwest Territories, but the last place they look to come to is Alberta. Again, LARP has extinguished some of those opportunities.

I spoke with an individual today who said, you know, that to buy the mineral permit was only \$675, but they spent probably \$30,000 exploring, doing assay tests to see if it's worth while. The government is telling them, "Well, we don't know that we're going to recognize any of those expenses, but we'll give you back your \$675" when they've got two years of exploring going in. They were told originally, two years ago, that this isn't part of the LARP plan, but because they changed it – they didn't even go and make any presentations so that we could perhaps have a hydro dam in the north. Again, it just shows the shortsightedness that we have here in the province. We need to be open to business, we want to protect our environment, and we're not addressing any of those critical and important issues with Bill 1 or any other bill.

We're undermining our future. We're losing the Alberta advantage. We're not going to have what I call cheap energy, and we're not even going to have good energy. We have to ask: why aren't we focusing on the big picture, Mr. Speaker? Why are we missing this and talking about bigger government, bigger programs, more taxes, more committees and thinking that we're going to somehow surge ahead in a province that is being undermined by this very government, that is picking businesses, picking industry rather than creating a level playing field and realizing what we need to do to be competitive with our neighbours, let alone our distance neighbors, let alone the rest of the world?

This bill fails to address it. It shouldn't be passed. We don't need an Asia committee. I would hope that the members in this House would speak against it and vote against it as third reading comes.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. I appreciated hearing from the hon. member. I appreciated his comments on Bill 1, and some things he says I certainly do not disagree with.

Now, I know your party has had some issues with the centralized planning that was done with the Health Services Board by our friends across the way. It's interesting that a candidate for the leadership of the party of our friends across the way, Mr. Gary Mar, indicates that centralized health care was a mistake. He also notes that he's very uncomfortable with giving cabinet the power to decree the need for new power lines, and he feels that the land-use framework was imposed without proper consultation. I'm getting this information from the *Calgary Herald*. Mr. Mar indicates that regional planning makes more sense. This, of course, we know, was dismantled and cut when Mr. Mar was probably in the Deep Six cheering on Mr. Klein and Mr. West whenever they cut some essential services, including regional planning.

My question to you after that, hon. member, is: do you have any idea whether Mr. Mar as a leadership candidate supports Bill 1 or not?

**Mr. Hinman:** I appreciate the question. I guess I'd have to say that I haven't had quite the enthusiasm that you have in watching the leadership race for this PC, or, as I say, this phony conservative, government. I mean, they talk the talk, but they never walk the walk. They talk about being fiscally conservative, yet we have a \$6.1 billion deficit. It's interesting that it's going to heat up here as we come to an end. I think we're going to see a lot of truth coming out on the dictatorship that we've been experiencing. These power lines aren't needed. They didn't go through a proper process.

The truth is that we don't need an Asia committee. We have a lot of companies that are already doing business there. The truth is that we don't need \$16 billion in power lines. The truth is that we don't need a centralized, government-run, minister-run land-use assembly act that's going to say what can and can't be done. "You know what? I don't like minerals and rare-earth metals, so why would I allow that? We'll wipe that out." Or they like something else. They don't even understand what they're wiping out with their across-the-board legislation and placing it under the purview of one individual. Whether they're short-sighted or self-serving is a major concern.

It'll be interesting to see if any of the new PC candidates, these phony conservative candidates, come out and want to try and rein in this ridiculous spending, these ridiculous regulations, and the-  
se. . .

**Mr. Zwodzesky:** Point of order.

#### Point of Order Relevance

**Mr. Zwodzesky:** A bit of latitude is accepted, but under 459 of *Beauchesne* this is not relevant to the discussion of Bill 1, so could I please ask the member to get back to the bill? A good try there, hon. members, to sidetrack this into a different issue. Relevance is of importance here, Mr. Speaker.

**The Deputy Speaker:** We have a point of order. The chair noticed that the discussion has ventured out too far from Bill 1. Please, hon. member, stay on Bill 1.

**Mr. Hinman:** Excellent counsel. We'll wrap it back up.

### Debate Continued

**Mr. Hinman:** There are all these important things, but these PCs, phony conservatives, want to talk about an Asia committee and think that that's going to somehow look at yonder star to shine bright, that that's going to save them when they haven't even looked after what's wrong here in our own home. They don't have the priorities on where to spend their tax money, where to use their intellectual intelligence to make decisions. Like I say, we're looking at some star way off in the galaxy, thinking we're going to be able to go there for the answer. We need to prioritize here at home, get our spending in order.

I mean, that could have been Bill 1, to educate Albertans on how important it is that we prioritize our infrastructure and our social programs so that we can afford them and balance our books. The dilemma that we've run into: if we can't afford to balance the books today, if we have to pay 10 cents, 15 cents, or 20 cents on every dollar as it's coming in and being collected, we'll afford less. We won't be able to have the health care that we have. We won't be able to have the education that we have, the postsecondary. We won't be able to build the infrastructure. Bill 1 should have been focused on one of those.

To say that the number one priority of this government is to look to an Asia committee and, again, to tax Albertans over the next 20 years to have the Premier's Council for Economic Strategy is plain wrong. It's failing Albertans. This government needs to vote against Bill 1 and refocus their ideas on something that's going to have some economic and social advantages for Albertans and not just a few PC, or politically connected, individuals to this old, tired government.

I hope that answers your question, hon. Member for Edmonton-Gold Bar.

**The Deputy Speaker:** We have 10 seconds left, so I will recognize the hon. Member for Fort McMurray-Wood Buffalo on the bill.

**Mr. Boutilier:** On the bill? Thank you very much, Mr. Speaker. That's the end of questions, I guess, so I won't ask the member the question. I would have asked a question on the bill. You would think that rather than forming a committee, one of the top priorities on this bill would have been dealing perhaps with the economic engine of Canada, the oil sands, and perhaps twinning a highway that is an important economic link to the oil sands centre. Clearly, it's not Bill 1, and what a surprise that it's not Bill 1.

5:30

I want to say that Bill 1, if you can imagine, is a bill to form a committee. Let's think about that for a moment. That, number one, lacks imagination. Let's have Bill 1 to form a committee. Not only that; let's form a committee to allow the inmates to run the asylum.

Really, one thinks of the lack of imagination that goes around Bill 1, Mr. Speaker. I can only say that I could not support Bill 1 in third reading because it lacks imagination. My concern is simply this: one of the key components of any government is to govern and to govern properly. To come up with a bill to say: let's form a committee – there are 30, 40, 50 committees. Gee whiz. Are the next 50 committees going to be Bill 1 to come in front of the next Premier, whoever that may be? In my judgment it lacks imagination. Actually, it's often said that if everyone is thinking the same, then nobody is thinking, as quoted by Winston Churchill.

I want to say today that it's my observation that the front-bench thinking of allowing the Premier to come forward with Bill 1 lacks that imagination. Someone should have had the courage to stand

up and say: "Mr. Premier, this is not a good bill. This does not represent the energy, the imagination that is required, of what Albertans are expecting of you."

Tomorrow this Premier will celebrate his birthday, and of course my son is celebrating his birthday tomorrow. I think you know what birthday I'm going to be at. Certainly, I wish the Premier a happy birthday, but I'm going to be with my four-year-old son tomorrow. The reason is because my son has imagination. My son has an imagination of a future, so that's why I'm going to be spending my time with him. I like to hang around people that have imagination, and that's what I'm going to be doing.

Bill 1 lacks imagination. It lacks energy. It lacks the creative thoughtfulness to come forward. It has no vision. Consequently, Mr. Speaker, I want to say that if Bill 1 had been brought forward by the Minister of Transportation, who said, "I think Bill 1 should be that we will commit to twinning highway 63, an economic engine of Canada, an important connection to Alberta," – but the reality of it is that I think there's more paving going on in Sylvan Lake. Perhaps Sylvan Lake is the economic engine of Canada, and it's not the oil sands. I'm not so sure. I've just driven by there, and I saw a lot of work going on.

**Mr. Mason:** It's the waterslide.

**Mr. Boutilier:** It must be the waterslide.

Mr. Speaker, I want to say to you that Bill 1 should have been a commitment by the Minister of Transportation to say that we want to connect the oil sands capital of the world with the rest of Alberta, and not only connect on the highway, since we haven't seen any pavement, but also we could connect in a pipeline.

In fact, I want to say that Premier Lougheed, who I met with not that long ago, clearly indicated that before any more expansion goes forward, we need to start committing to upgrading in Alberta, and we haven't seen that. Once again, it's an example of a lack of imagination, basically, after 40 years.

If I could use this example. It's kind of like a 60-year-old person getting a facelift. And if you can imagine, then they live for 40 years, it keeps stretching and redefining, but when the person turns 100, facelifts don't work anymore. It just really is time for something else. I think that is indicative of this government. They have run out of ideas. They have run out of steam. They've just run out of energy. Mr. Speaker, I believe that their time is up. Do not pass go.

Mr. Speaker, I want to say that I do not support Bill 1. I think you're saying, "Let's form a committee" to have some bureaucrats. We saw the committee work already, saying, "Let's come forward and raise taxes, so we don't depend on just oil revenues anymore." Well, that is really quite a solution, the creativeness of this government.

Mr. Speaker, I want to say this: I do not support in third reading this bill. I believe that, as the hon. Member for Edmonton-Gold Bar a few weeks ago mentioned, he wanted to know – I was going to send over to the Minister of Education a globe because they clearly do not even know where Asia is. Businesses are 15 years out in front of this government. This government is forming a committee, yet universities and research institutions and businesses have been out there for the last 15 years. Not only are they down the road; they're around the corner. This government with this bill forming a committee is not even at the starting gate. Clearly, members for Edmonton-Highlands-Norwood and Edmonton-Gold Bar, I want to let you know that I am sending a globe over to the esteemed Minister of Education since he was the one interjecting.

I observed his performance, of course, down in Eckville about two weeks ago, and that was 750. In fact, the Member for



Innisfail-Sylvan Lake was there that night. I want to say that I thank the member from Sundre for taking the opportunity to introduce me and my colleagues there. It was interesting. It was the day before Good Friday, for those who are Christian, but I actually think the crucifixion started the night before. It was in Eckville, and it was really about the fact of celebrating. The Member for Edmonton-Gold Bar was there as well. It was nice to see him there and others. Clearly, that night was quite an example.

On Bill 1, Mr. Speaker, the key is that given the fact that it lacks imagination, we have truly, truly seen a government that has run out of ideas. The gas tank is on empty. Consequently I will send that globe over. I would really wish the government the best in catching up with Alberta businesses and Alberta universities and Alberta research institutions who have been utilizing the important partnerships in Asia for the last 15 years. I'm glad to see that they're forming a committee. That means they're not even at the starting gate. It is an embarrassment to call a government that says that this is Bill 1.

I will not be supporting in third reading this bill. I want to say that I'll be spending tomorrow with my son because he has a lot more imagination. Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions.

Seeing none, any other hon. member wish to speak on the bill?

Seeing none, the chair shall now put the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 5:38 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Benito	Fritz	Morton
Berger	Goudreau	Olson
Bhullar	Groeneveld	Ouellette
Blackett	Hayden	Rogers
Brown	Horne	Sarich
Calahasen	Lindsay	Taft
Dallas	Lund	VanderBurg
Danyluk	McFarland	Weadick
Doerksen	Mitzel	Zwozdesky
Drysdale		

Against the motion:

Boutilier	Hinman	MacDonald
-----------	--------	-----------

Totals:	For – 28	Against – 3
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[Motion carried; Bill 1 read a third time]

**5:50 Government Bills and Orders**  
**Committee of the Whole**  
*(continued)*

[Mr. Cao in the chair]

**The Chair:** The Committee of the Whole is now back to order.

**Bill 16**  
**Energy Statutes Amendment Act, 2011**

**The Chair:** Are there any hon. members wishing to comment or speak on the bill? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. Thank you. Committee of the Whole on Bill 16, the Energy Statutes Amendment Act, 2011. I guess that we'd have to say, first of all, that we understand the necessity to update many regulations that the industry has. It has been tough. We support the intent of this bill, but the question is: is the content correct? It's a wonderful thing to say that our intentions are good, but are the actions actually wrong? Again, this has come forward. We would like to spend more time doing some research. It's to provide regulation for in situ coal gasification and to eliminate duplication in regulation of energy use already administered by Alberta Environment and to strengthen the power of the Market Surveillance Administrator.

In situ coal gasification has a lot of potential although it has its share of problems as well. I hope the regulatory framework finds the right balance of vigilance without overburdening entrepreneurs. It's obvious that it's important that there be a regulatory framework specific to this method of extraction because it's not the same as it is for coal mining. It's a bit ridiculous that this is the framework that the industry has been working under. I guess it's that old saying that it's better late than never, so here it is.

Speaking of better late than never, it's good to see that this bill reduces one of the thousands of cases of overregulation in this province; namely, the duplication of regulation governing energy use for industry and manufacturing.

The other major part of this bill clarifies and strengthens the power of the Market Surveillance Administrator. This person's role is to be the independent policeman for our power market. The power that he's given to look to the concerns of the Independent System Operator through the AUC for adjudication will make him better able to carry out this mandate. Doing some research on the Market Surveillance Administrator, however, we had trouble finding much activity.

This may be related to our concern about the Market Surveillance Administrator, who is of course appointed by the minister, which, again, is problematic for us when we see the centralization. It's going to be appointed by the minister; we have some concerns. Given the disturbingly close relationship between this government and the power industry, it's not unreasonable to be skeptical of whether this appointment will always be an independent policeman. We would like to see the Market Surveillance Administrator appointed by the Standing Committee on Resources and Environment and that in addition to his existing powers, he report to the committee once a year.

These are a few of the areas that are definitely of concern to us. We are always a little bit nervous with how fast this government loves to bring in a bill. To try and do research, I mean, we're not staffed well enough.

I think the other opposition leaders want some time. At this point I'll sit down and let the hon. member from the NDP put forward a few of his concerns.

**The Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I'm pleased to talk a little bit about Bill 16. I have spoken on Bill 16 already with respect to many of the specific aspects within the bill. I wanted to talk a little bit more about the intent of the bill with respect to coal gasification, which is a major component of this particular bill. This seems to be an emerging technology, but it also appears to be an emerging economic development strategy of the government, and it is cause for concern.

Now, it's clear that the process of in situ coal gasification will produce somewhat fewer greenhouse gases than burning coal di-

rectly, but I think there are still a number of concerns. It's interesting that this bill, in my view, paves the way for some of the components of the report of the Premier's task force on competitiveness. *Shaping Alberta's Future: Report of the Premier's Council for Economic Strategy* is headed, of course, by Dr. Emerson, who in the previous election was elected as a Liberal. Then before he even sat in Parliament, he joined Mr. Harper's cabinet as a Conservative. Of course, there was not a chance in Hades that he was going to be re-elected by his constituents after pulling that stunt, so he took on a stint here with the Premier's task force.

It is clear that this report is a very, very carbon-intensive report. This report has a brown future for the province of Alberta whereas the Alberta New Democrats want to see a green future. It's clear that the direction, at least in this report and, obviously, supported by this piece of legislation, is to depend more heavily on the development of our coal reserves as an energy strategy going forward.

I think that it is a matter of considerable concern, and I think it should be for all Albertans because they're going against the direction that's being set by science and they're going against the direction that's being set in the rest of the world. I think that when they talk about a carbon-intensive economic development strategy

as envisaged by a global centre for energy that we have to express concern. It says:

The Opportunity: To become a leading innovator in making energy from high-carbon resources (such as bitumen and coal) more acceptable, and a global centre of high-carbon energy expertise.

The idea contained in the report is:

Create a Global Centre for Energy – a crucible for accelerating innovation to transform environmental and operational performance. Design it to be a catalyst and funder of collaborative research, a meeting place of diverse interests, and a showcase of achievement. Make Alberta internationally respected for pioneering research, with authoritative evidence and industrial-strength solutions.

Mr. Chairman, I'll just go a little further. It says:

We envision the creation of a Global Centre for Energy with a mandate to foster expertise in high-carbon development and make Alberta the global "go-to" place for ideas, products and services.

**The Chair:** Hon. member, it's 6 o'clock. I hesitate to interrupt, but we can continue this at 7:30.

[The committee adjourned at 6 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday evening, May 10, 2011

Issue 33e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, May 10, 2011

### Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 16 Energy Statutes Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, amendments to be offered with respect to this bill?

**Some Hon. Members:** Question.

**Mr. Chase:** We all wish. It's not you wish; it's we all wish to-night.

With regard to Bill 16, Energy Statutes Amendment Act, 2011, I had already expressed my opinion that for the most part I was supportive of Bill 16. There is concern, however, in our caucus – and it's important to get that concern on the record – that this is such a complex bill that while we've received a certain amount of briefings and we appreciate the briefings that we've received, there are still unanswered questions as to the extent of this bill.

We continue to have concerns with regard to the sequestration aspects of it. We have a good understanding of the value of the coal resource, as I pointed out when I first spoke to this bill, and the idea of the gasification of coal I very much appreciate. The underground process involved is somewhat of a concern based on the sequestration elements involved. The government has chosen to spend \$2 billion on carbon sequestration, which is not an absolutely solid-proof science, but that large commitment of funds is a concern to us. The federal government has kicked in approximately a billion dollars, so we've got \$3 billion worth of taxpayers' funds riding on this, and we don't have a similar commitment from industry. In other words, there isn't a \$6 billion pool out there should things not work as we would hope. Industry to a large extent has been left off the hook on this particular bill just as they're left off the hook when we get to be talking about Bill 10.

Those are the primary concerns that we have. The idea of the regulatory framework is important. Obviously, we need those regulations. We'd like to see the role of the ERCB in terms of the regulatory process strengthened. As I mentioned before, and I don't want to go into detail again: the possibility of the regular gasification of coal as opposed to putting it up the chimney, as is currently the process, and adding to the pollution. Despite Premier Klein's assertions there is no such thing as clean coal. We have cleaner versions of coal in Alberta, but it's a myth to suggest that there is no pollution associated with the burning of coal. Whether it's turned into a synthetic gas or not, there are still emissions that have to be dealt with.

Those primarily, Mr. Chair, are the concerns that I have over Bill 16. The complexity, as I say, will hopefully not come back to bite us at some point in the future.

Thank you, Mr. Chair.

**The Deputy Chair:** Any other members wish to speak?  
Seeing none, I will call the question.

[The clauses of Bill 16 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That is carried.  
The hon. Deputy Government House Leader.

**Mr. Zwozdesky:** Thank you very much, Mr. Chairman, and thank you to all members for their support at this juncture of Committee of the Whole on Bill 16. I would move that we now rise and report the Energy Statutes Amendment Act, 2011, otherwise known as Bill 16.

[Motion carried]

[Mr. Mitzel in the chair]

**The Acting Speaker:** The hon. Member for Whitecourt-St. Anne.

**Mr. VanderBurg:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 16.

Thank you, sir.

**The Acting Speaker:** All those members that concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

### Government Bills and Orders Third Reading

#### Bill 10 Alberta Land Stewardship Amendment Act, 2011

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

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. On behalf of the hon. Minister of Sustainable Resource Development it's my pleasure to move Bill 10, the Alberta Land Stewardship Amendment Act, 2011, for third reading.

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

**Mr. Chase:** Thank you very much. Bill 10 is the equivalent of trying to stuff the winds back into Pandora's box and then keep them there when they should never have been released in the first place, as was the case with bills 50, 36, and 19. I will give the government credit for trying to repair three pieces of questionable legislation, but this doesn't quite achieve what the government had intended.

I have spoken in praise of the former minister of sustainable resources, who is now seeking the leadership of the Conservative Party, for dealing with land stewardship. Unfortunately, we just got basically to the opening chapters. A previous minister, prior to my time in this Assembly, Lorne Taylor, talked about the idea of water stewardship, the blue gold aspects. He is still sort of in the background in terms of being connected with the location and mapping of underground aquifers, which is part of the whole process of stewardship.

Unfortunately, what has happened is bills like Bill 50, Bill 36, Bill 19 are the equivalent of the cart before the horse because until the actual land stewardship is dealt with we have a series of one-

offs. We have, for example, the one-off that is happening in the Castle-Crown area, and that's the clear-cutting where over a period of 30 years one-third of the Castle will have been decimated with this approach to clear-cutting.

Also, with regard to land stewardship in the north the government continues to approve ever-growing tailings ponds. The new methodology, whether it's the sun-dried, spread-it-out, scatter-it-across circumstances, is not keeping pace with the ever-expanding tailings ponds. This is another concern I have.

Also, the whole idea of land stewardship – the land-use framework is the term that I've been searching for – started off correctly in terms of identifying six regions based on water. Obviously, water has to be our starting point. The current system, where anything goes anywhere at any time, makes the whole notion of the land-use framework of no consequence.

7:40

This is a concern that Bill 10 is attempting to address but still does not provide sufficient relief, I guess would be the word I would use, for individuals concerned about the expropriation of their land. The highlights of this bill are that it allows for a wider consultation process, both before a regional plan is developed and when plans are being amended. It allows for compensation for those who are directly impacted, and it apparently allows for appeals regarding either a regional plan or an amendment to a regional plan.

Mr. Speaker, we're aware that there has to be a balance between private ownership and public good. For example, the Liberal Party believes that the rapid rail, the speed train from Calgary through Red Deer and on to Edmonton, is a very good concept. There are chances that, depending on which route is taken – and of course the people in Red Deer hope it goes by their municipal airport because they've purchased land there to develop a station, hoping that that will be the chosen route. But there is the possibility that individuals along whatever right-of-way is chosen will not necessarily agree with the land price that is being offered by the government.

Under certain circumstances for the good of the entire province expropriation has to happen. It's the scale of expropriation that concerns people, particularly with regard to the utility corridors. There is an awful lot of doubt, particularly with the route chosen from northern Alberta to carry electricity down south, where, despite a slight improvement in the price of gas, the idea of local production of electricity as opposed to lengthy line losses is still a preferable option. People aren't convinced, an awful lot of rural landowners aren't convinced that this isn't just taxpayer subsidized, whether it be \$10 billion or \$16 billion, for the company to export our power down south.

The people in Montana aren't exactly thrilled about what's happening either. We've seen what's happening in terms of Montana and Idaho with bringing up the heavy equipment for the Kearl project. So there are legitimate reasons for people to be concerned about who's benefiting from this Alberta Land Stewardship Act.

We still, unfortunately, create a lot of our energy through coal. It's not the gasified coal. It's the up-the-chimney, polluting variety. In terms of our bitumen processing developments we're putting out an awful lot of chemicals unscreened through the chimneys there. So what's happening is that we are benefiting the countries to whom we export, but we're basically, to use the bird analogy, fouling our own nest, and other individuals are reaping the benefits of our lack of balance.

Now, there is no doubt that we need to expand our exports. There is a concern – and it possibly is playing politics with President Obama – and whether the line down south is not only going to export bitumen but is going to export jobs, it is going to be a circumstance worthy of pursuing.

I believe most members in this House, Mr. Speaker, have seen presentations by Dr. Brad Stelfox where he takes us back to the first oil and gas discoveries, the first development of cities. In other words, he takes us back, rolls the clock back to about 1905, and then with a series of dots he brings us up to where we are in 2011. Then he expands the notion of, if we continue at the pace we're going, what Alberta is going to look like and what places, unfortunately, are going to be overrun if the industrialization continues at the pace it is going.

Land stewardship is about a balance between industrial growth and environmental protection. I think a number of us in this Assembly are either parents or some of us have reached that grandparent stage, and passing on a legacy of value to our grandchildren and our children is extremely important. The Alberta Land Stewardship Amendment Act attempts to make the process more open, more subject to appeal, but this government is going to have to do an awful lot of convincing, particularly in the rural areas affected, that it's acting in the best interests of landowners as well as the best interests of the province in terms of going forward.

Regardless of the concerns that opposition members will be expressing tonight, this bill will go ahead. The government will pass it, and Albertans are left basically holding their breath and once more, because they don't have much choice until the next election is called, trusting that the government is not going to steamroll their land acquisition.

As I began, Mr. Speaker, we've got bits and pieces. We've got a series of loose ends which are not going to be tied together by Bill 10. The whole land act remains basically on hold, so it's an anything goes circumstance.

Mr. Speaker, I don't wish to hold the floor. I have expressed the concerns I have that Bill 10 does not go far enough in relieving the pressure or providing the stewardship that its name suggests.

Thank you for the opportunity, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. My colleague from Calgary-Varsity shed some light on Bill 10, the Alberta Land Stewardship Amendment Act. This goes on to correct some, maybe all of the fears that were created by Bill 36, Bill 19, Bill 50. If we had had Bill 36 done correctly, we wouldn't be here today.

The bill is designed to take some power away from the cabinet, which was originally awarded to it not by a bit but in heaps, and allow compensation for those who were directly impacted by the regional plans. It also creates a public appeals process, all well and good. It also changes "extinguish" to "rescind" in section 8.

However, amendments to this bill do raise some concerns regarding the extent of future regional plans. Will what we see coming forward from regional advisory councils and later the government be too weak or have any real impact in protection of the environment? Is it out of concern that if they're too forceful, the government will face appeal after appeal?

The bill does remove some of the powers that had originally been given to the cabinet, which is a positive move, and it provides for a greater consultation and opportunity for compensation.

7:50

Section 5 requires consultation with respect to the proposed regional plan and requires that proposed regional plans or amendments be tabled in the Legislature. Further on section 14 amends section 19 of the act. This allows the person who is directly or adversely affected by either the region plan or the amendment

plan to request a review again within 12 months. Section 5 requires a proposed regional plan or amendments to be tabled in the Legislature. Will this be debatable as a concurrence motion, for example, or will it simply be tabled, and we move on? There are lots of questions still that have to be answered.

We do not support the expropriation of land without due process, Mr. Speaker, including a public process, a formal appeal process, and appropriate compensation. This bill does address some of these issues, but we continue to have some questions about how.

While the Land Stewardship Act does offer some positive mechanisms for long-term planning for the development of our key resources and our land, this must be done with a transparent public process, and the power should not be exclusively in the hands of cabinet, with decisions to be made behind closed doors. We do believe in the protection of Alberta's Crown lands, sustainable development of our resources, and the growth of our urban communities.

With Bill 16, that we just passed, I don't know what kind of impact those developments in the province are going to have on the environment.

There are so many issues that Bill 16 has created. Even with Bill 10 I don't think we are going all the way. It must provide a fair expropriation process, a transparent process of determining the need for the project. Is it, in effect, for the public good? It must also include fair compensation when land is expropriated. There should be a clear process. With all those issues, you know, we're still not really clear with Bill 10. We still have our concerns, Mr. Speaker.

With that, thank you for the time.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have some notations that I got from the Red Deer Chamber of Commerce, and I'd certainly like to share them on Bill 10. One of the comments was that

the imminent passage of Bill 10 and the proposed process of adopting each regional plan independently represent a potential for significant economic instability which may generate a lack of investor confidence.

I believe what they're getting at here is that there will be long-term, cumulative effects, and if things are done piecemeal instead of looking at what should be anticipated as long-term effects, how these long-term effects would affect different regions.

In the long run, ultimately, the land-use framework will be the overriding legislation that will probably try to draw it all together, but in the meantime many of these regional plans have gone ahead and may well have to be adopted if the land-use framework is the umbrella that would be over top.

In section 19.1, which is the compensation, which is certainly one of the more contentious issues in bills 36 and 10,

according to Section 17(4), the Alberta Land Stewardship Act takes precedence over all other legislation including the Expropriation Act. This is a serious concern for the Chamber of Commerce as this Act gives our government over-arching authority to affect the future value of property and impact property development . . . Simply stated, the government has the power under this Act to impact the value and marketability of real property, both in the short term, and the long term.

It's their opinion that

this section of the Act needs to be enhanced to protect and preserve the interests of the private landholder and interested parties.

Certainly, in Crown land, et cetera, I believe that interested parties are actually sometimes always all Albertans, not just somebody that happens to be within a small radius of a particular problem. That small radius or that problem could well affect us all. I think the woman in Rosebud has already spoken to the United Nations about her problem and the fact that fracking has affected her water supply from the water well. So this is a concern. It should be all Albertans that really understand what's going on in each area and how each area would be affected both short term and long term.

The protection and the preserving of the interests of the private landholder and the other interested parties would recognize injurious affection and the concept of fair market value.

The definition of Market Value does not fairly consider that a forced devaluation is different from a sale [between] a willing seller and a willing buyer. A willing seller would choose the time to sell the property. [But] the case law under the Expropriation Act recognizes this difference and considers "highest and best use" in its deliberations by expanding the consideration beyond what would normally be considered in a market analysis. ALSA attempts to limit compensation to a "fair market analysis." This is a significant variance and places the burden of loss on individual land-owners and those with present or future interests in land, who are negatively impacted by the Plans.

The recommendations that the Red Deer Chamber of Commerce wanted the government of Alberta to consider were

- (1) Delay the third reading of Bill 10 and immediately conduct a thorough review of all other legislation that would be impacted by ALSA, since it is intended to take precedence over any other Act;
- (2) Prior to passing Bill 10, hold a moratorium on all Regional Plans under the Alberta Land Stewardship Act, keeping it open and active until all regional plans have been submitted and all issues related to procedural fairness have been fully set out and codified in the legislation;
- (3) Prior to adopting any of the regional plans, appoint an independent adjudicator to review each and all of the regional plans individually and collectively to ensure that appropriate public consultation has been considered; and
- (4) Prior to adopting any of the regional plans, conduct a thorough assessment of how any one plan may impact or interact with the plan of another region, and how all of the plans as a whole impact investment, development, and competitiveness throughout the Province of Alberta.

As we know, we live in a global economy, and I believe that investment, development, and competitiveness throughout the province of Alberta are important. However, they certainly will reflect, in the end, how we compete in the global market.

Thank you, Mr. Speaker.

**The Acting Speaker:** Standing Order 29(2)(a) is available for anyone who wishes to comment or question. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. To the hon. Member for Lethbridge-East. I know there is considerable concern about two situations happening in southern Alberta. One is the potential exporting of electricity to the States and the transmission towers that will be necessary to put in place, that will take up a significant footprint in southern Alberta. Then there is also the concern that has been raised in a number of local papers and by local citizens, and that's the clear-cutting of the Castle-Crown. I wonder if the member would like to comment on those two southern Alberta concerns.

**The Acting Speaker:** The hon. member.

8:00

**Ms Pastoor:** Thank you. Yes. The MATL line, which is a private provider line, has been for years trying to get that line to go through Montana. Yes, it will leave a huge footprint.

One of the concerns of the local farmers, of a lot of the potato farmers, is that because of the height of the towers, because the towers go right across their land – and I'm going to diverge for a moment. I've never really quite understood why, when we have road allowances, some of those towers can't go down the road allowance instead of through somebody's farm field when, in fact, it will definitely restrict the ability to be able to use crop-dusters. The planes are not going to be able to dust those crops – they're called crop-dusters – and are not going to be able to get into those fields and get down low enough because of the wires and the big poles. So that's a huge concern to farmers that use that way of protecting their crops from insects, et cetera.

As far as the Castle-Crown goes, I just can't believe that it's even going ahead. I don't think there's a great deal of money to be made. I believe that the government itself will be paid hardly anything for that. Bill 10 is about the Land Stewardship Act, and it is about good stewardship of the land in the Castle-Crown area. I happen to have a place very close to there, and I can assure you that I am one of the first ones to be saying that I really think that this is probably one of the worst decisions that this government has ever allowed itself to be talked into.

Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is still available.

Seeing none, any other members wish to speak? The hon. Member for Calgary-Currie on the bill.

**Mr. Taylor:** Thank you. That's what I wish to speak on, Mr. Speaker, and thank you very much for calling on me to add my voice to the debate on Bill 10 in third reading. In third reading we are essentially debating the impact of the bill, the effect of the bill, to be passed. Now that we have moved it through the committee stage, the stage at which we can go through a piece of legislation clause by clause, section by section, ask questions on particular sections, sometimes even get answers to those questions, and propose amendments, that opportunity has come and gone.

I was in the House for the committee debate on Bill 10, which was conducted under time allocation and which was an interesting exercise in that members of the government caucus, who, I think it can be said, do not often eagerly enter debate at this stage, feel that they've taken government legislation thoroughly through the process – through cabinet policy committee, through their own caucus, et cetera, et cetera – and, of course, think that when a bill arrives on the floor of the Assembly, it's about as perfect as nature itself could make it and that, really, all our job is to rubber-stamp the darned thing.

Normally they don't get too engaged, but they were quite engaged that night, and many of them were taking pretty close to their full allotted time. You know, you got the distinct impression that they were taking part in an effort to run down the clock since we were under time allocation. The overriding theme that we heard from their prepared speeches was that Bill 10 is probably the best thing to happen since your mother gave birth to you, Mr. Speaker, and that anyone who questions Bill 10, anyone who questions the ALSA, anyone who questions Bill 50, anyone who questions Bill 19 is out there rabble-raising and fomenting fear and panic in the hinterland. If that's the way the government caucus sees it, I think they're going to be in for a surprise on election day.

I imagine that my colleague from Airdrie-Chestermere, when he gets up to speak, not to put words in his mouth but just based on past behaviour, which is the best predictor of future performance, will probably have a little more to say about that, so I won't spend too much time on that.

The other interesting thing about the debate in committee on Bill 10 was that there were a number of amendments proposed by various members of the opposition. There would have been a number of additional amendments proposed had there been time, but of course under time allocation there wasn't. I know that I personally only had time to present two of our proposed four amendments from the Alberta Party caucus, and three others were proposed by other parties. All of them were soundly voted down by the government. In most cases nobody from the government even bothered to get up to debate the merits of the amendments, and since they were so engaged in the debate otherwise, that was a little surprising as well. But they didn't typically get up to debate the merits or the drawbacks of the proposed amendments. They just sat there and voted them down, showing absolutely no interest in engaging in any kind of real, reasoned debate over whether this bill was, in fact, perfect or whether it could be improved upon.

Mr. Speaker, normally when I and I think most people who do what we do for a living feel passionate about having gotten something right and somebody comes along and proposes that we change it, we'll get up and defend our position. We won't just sit there and vote it down. But that's what happened the other night when we were moving Bill 10 through committee stage under time allocation and the clock was ticking down. The government limited debate on Bill 10 in committee to only five hours. That's not a lot of time for 83 legislators to weigh in on making a bill that will affect land use and regional planning province-wide for perhaps decades to come the best that it can possibly be.

Let me go farther, Mr. Speaker, and suggest that it's not only about making it the best that it can possibly be, but given the history around Bill 36, Bill 19, Bill 50 at minimum, given the history around those three bills, the nature and content of those bills, the way in which they were driven through the Legislature, the way in which they were brought into effect, which certainly gave a great number of people in this province the impression that those laws were imposed upon them, with, again, the impression that there was a loss of certain rights, a loss of certain control over their own property and over their own destiny, if I can go that far, given that history it's not only important to make Bill 10, which I think by the government's own admission is an attempt to correct the flaws in Bill 36 – and I think it's pretty obvious that it's an attempt to turn down the political heat that the government has been taking over Bill 36 – the best it can be, but we have to make it be seen to be the best it can be. [An electronic device sounded] Somebody is backing a truck up in here by the sound of things. I hope they don't run over me before my time is up. I operated under time allocation last time, and I don't intend to do it this time.

It's not enough to just get it right now. I think it's important that the government be seen to get it right because there is a loss of trust. Perhaps I could even go so far, Mr. Speaker, as to say a breach of trust, a breach of contract, if you will, between this government and the citizens that it represents in the province of Alberta. If you could put it to a province-wide referendum, would Bill 36 pass in its present form? Would Bill 36 pass? Would the Land Stewardship Act pass as it will be amended by Bill 10? I don't know. But if it did pass, it would be, I'm pretty sure, by a pretty narrow margin, and I know there are some of my colleagues who believe that it would be crushed.

There is a tremendous amount of anger and distrust and despair and disillusionment out there in the real world, once you get out

from under the dome here, related to Bill 36, related to those other bills that I mentioned, bills 19 and 50, and Bill 10 was an opportunity for the government to try and get it right. The government, I think, by limiting debate at committee stage to five hours, by making what sure looked like an effort to burn up the clock during those five hours during debate on the bill itself, showed absolutely no interest in trying to change or amend or even enter arguments as to why the bill should not be changed or amended when amendments were on the floor for debate and discussion. It's clear that the government is not interested in doing anything to fix this bill or doing anything more to fix the Alberta Land Stewardship Act than this bill proposes.

**8:10**

I think that's a problem, Mr. Speaker. I really do think that's a problem because there are some real key issues with Bill 36. There are issues around compensation. There are issues around consultation. There are issues around appeal. Bill 10 certainly does attempt or appears to attempt – the government is at least making it look like they're attempting – to address those concerns, but I don't think they really do address those concerns sufficiently so that, you know, if we pass this bill into law tonight, tomorrow the people of Alberta will wake up and say: "Well, there. Okay. Everything is fine. The land, the water, and all the creatures who live off the land and the water are now going to be protected. This province's natural heritage is going to be protected not only for my generation but for my kids and my grandchildren and generations to come. We now have a blueprint, a road map for orderly development that imposes limits on what you can do on certain parcels of land, but by the same token as a landowner my rights are protected, and I feel like I don't have to worry about anything that this government might try and sneak through the Legislature behind my back and impose upon me later when somebody wants to put a high-voltage power line through my backyard or, you know, whatever comes up."

This is a problem because Bill 10 is a flawed attempt to fix a seriously flawed Bill 36, a seriously flawed Alberta Land Stewardship Act, and the government has shown no interest in making it better or in addressing people's ongoing concerns. That is why I will vote against Bill 10 tonight. Of course, given the government attitude and given the government's majority it doesn't really matter how I vote – does it? – or how my colleagues in opposition vote because we know that Bill 10 will pass as is.

The government expects you and me and all the people of Alberta to sit back and take it. They expect landowners to sit back and take it and stop complaining that they're worried that their rights are being violated. They expect environmentalists to sit back and take it when environmentalists are worried that Bill 10, in fact, weakens the environmental principles in Bill 36. They want city folk to sit back and take it. They want everybody to sit back and take it. They are all-wise, all-knowing when it comes to matters of land use, and what do you little people know about it, anyway?

Well, Mr. Speaker, any good attempt at establishing land-use policy and regional planning has to walk a fine line because it must balance the long-term needs of all the land and the people in this province and all the water with the rights of individual land-owners. Any government attempt to protect or conserve or place limits on the use of land risks impacting citizens who use the land or who might use the land in the future for purposes, you know, other than what the regional plan will intend if that regional plan wasn't there.

The only way that land use and regional planning are going to work is if the public buys into it. The only way any law that we

pass in this Assembly works, the only way that it works in the public interest, the only way that it works for the common good, the only way that it's enforceable, Mr. Speaker, is if you have a vast majority of the people in support of that law. There are probably some fairly scientific studies to give you an exact number, but my gut tells me that it's something in the neighbourhood of 80 per cent plus. If it's below 80 per cent, you've got enough non-compliance with the law that it's essentially unenforceable.

The Land Stewardship Act can be a supreme piece of legislation to which everything else is supposed to answer, and the Land Stewardship Act as I believe it will be amended by Bill 10 still has that supremacy, as I understand it. That doesn't necessarily mean that people are going to go along with it. That doesn't necessarily mean that people aren't going to shoot, shovel, and shut up on their own land. That doesn't necessarily mean that people aren't going to get upset at this government and, when they think nobody's looking, pee into the river. That doesn't necessarily mean that people aren't going to find all sorts of ways to violate the regulations and the rules and the laws put into place by our attempt at land-use policy and regional planning because they don't feel like they were listened to, they don't feel like they were consulted, they don't feel like they were respected, and they don't feel like their rights are being respected. They feel like their government is running roughshod over their property.

You know, that's enough to turn an environmentalist nasty. That's enough to turn an environmentalist into somebody who might just shoot that gopher rather than protect it.

About the most efficient way, Mr. Speaker, that I know to ensure that you do not get the kind of public buy-in that is necessary to make the principles, the very sound principles, in our land-use framework in this province work is to impose your will on people. Pretty much every ruler in our history, in the history of British parliamentary democracies and many other western European nations who, you know, have formed part of the heritage of our law and Constitution in this country, pretty much every one of those rulers who has tried the heavy-handed approach going as far back as King John and the Magna Carta, has found out the hard way that it doesn't really ever work to impose your will on the people on something as basic as this.

I'm not sure, Mr. Speaker, that the principles of Bill 36, that the principles of the land-use framework are all that out of whack at all with what we need, but the application is. Thank you.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. I would be very much interested in hearing from the Member for Calgary-Currie, who attended, along with a number of Calgary MLAs, the Enmax power presentation. While former CEO Gary Holden has gotten into some disrepute based on a rather lavish lifestyle, what seems to have been forgotten, at least by this government, is the importance of locally produced electricity as opposed to power lines coming all the way from the north. I would like to hear from the member his support for locally produced gas-powered electricity and his concerns about bringing wind-powered generation on from the south as opposed to transporting coal-fired from the north.

**The Acting Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. I'll be pleased to answer that question. First of all, in principle, let me be clear. I don't have a problem with building a power grid that is primarily designed or certainly looks on paper like it's primarily designed to export an overcapacity of electrical generation from our province to Califor-

nia and to keep the slot machines running in Vegas so long as the people in Vegas and the people in California are paying the freight for those lines, not the people of Alberta. We should not have to pay for somebody else's benefit, and that's problem number one with Bill 50 as far as I'm concerned.

Secondly, it only makes sense to generate power as close to load, which is the term that the industry uses for where it will be consumed, as possible. Now, gas-fired power generating stations can be controversial. There's a huge controversy in Ontario in the Oakville area, I believe, about whatever Ontario Hydro calls itself today, their proposal to build a rather large, you know, about the size of the facility that Enmax will build in Shepard, the gas-fired generating plant there. The people of Oakville, Ontario, don't want it in their backyard. I guess that's their call, right? I don't hear a whole lot of opposition from the people of Calgary to gas-fired generating plants being built close to the city of Calgary as opposed to continuing to produce dirty electricity from coal and shipping it halfway across the province to the people who need to consume it.

8:20

Now, on the other hand, wind power compared to coal-fired power is much cleaner. It's not perfect. It has its environmental challenges, too. It's hard on migratory birds. There are concerns about the noise of the vibrations the turbines generate for people in other jurisdictions. We haven't heard those concerns in southern Alberta. There are problems with bats as well. So it's not perfect, but what in life is?

I mean, we attempt to make good law and good policy in this province, I would hope, on the basis of a number of shades of grey and going for the best of all possible alternatives, which is not necessarily perfection. In order to get that wind-generated power from southern Alberta to load, to where the people who need it live, we need high-voltage power lines to bring it from Pincher Creek, to bring it from Crowsnest, to bring it from Fort Macleod, from Taber and Lethbridge and Medicine Hat up to Calgary, where there are a million consumers.

I've never suggested that we don't need to upgrade or modernize our grid. What I've said is that we can do it Toyota class, but they're shoving Lexus class down our throats and making us pay for it, quite possibly so that a bunch of Americans benefit from it.

**An Hon. Member:** Or maybe a Rolls-Royce.

**Mr. Taylor:** Maybe Rolls-Royce, yes.

**The Acting Speaker:** Standing Order 29(2)(a) is still available. Are you on 29(2)(a)?

**Mr. Hinman:** Sure. Just interested, you know. Again, this Bill 10 being the amendment of Bill 36 seems to be part of a group, and Bill 50 being the root of all of this because they got caught up in the courts – they were spying on the people and felt compelled that, oh, we're in this emergency position – do you have any comment? You talked at length about the government calling closure on this so that we couldn't bring forward amendments and couldn't debate and then speaking on that. What's your thought concerning the way . . .

**The Acting Speaker:** Any other members wish to speak to the bill? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** I guess I wasn't aware of the time left on that question.

I would feel remiss if I didn't get up to address Bill 10 for the last opportunity in this House, especially with the fact that the government brought in time allocation on this a week ago. I'm very, very disappointed in the government for doing this. Albertans are disappointed. As the hon. Member for Calgary-Currie pointed out, it's amazing how once they put in time allocation, all of a sudden they have so much to say. If you look at *Hansard*, they had so little to say, but they used up so much time of the five hours, Mr. Speaker.

I'm extremely disappointed, once again, not only in the bill brought forward by this government but by the behaviour of government members in having the desire to speak on this bill. Here we are now with time limitations to speak to this. I'm very disappointed that we weren't able to get any answers during Committee of the Whole on this because of the time allocation, which the government imposed. It's very disappointing.

It is interesting that just a short year and a half after Bill 36 was rushed through – and what a wonderful bill this was going to be. It would solve all of our developmental problems going forward to the future because what did we have? We had the intellects, the brilliance inside this government to be able to say: we can plan best for industry, for people, for the future, and we'll put all of that trust into a cabinet minister because he has that ability. That, Mr. Speaker, is the crux of the problem with Bill 10 and Bill 36 and why it shouldn't be passed. It's flawed. The main flaw is the idea of central planning and bypassing all of those checks and balances that we had in the past.

I want to just relate that I had an individual today who came into my office who is impacted by Bill 10, directly impacted by LARP, the \$1.9 million study of the lower Athabasca regional plan. This government will get up and say: "Oh, no. At this point it's only a draft. It's only a draft." As I've said before, the draft is in the heads that think that this isn't the plan going forward and the willingness of these government members to just let this draft blow right on through without any thinking, saying that maybe there is a problem here. As the Member for Calgary-Currie stated very eloquently: yeah, take this to the people and see if it passes a referendum. I would say that there would be a resounding no, an in-your-face, slam-dunk rejection. This would be a one-yard-line stance, where they'd be pushed back to the 10-yard line if not creamed out. It's very disappointing, Mr. Speaker, the whole process of how this has come forward, the rush of getting this through.

To go back to LARP and this individual and the problem with central planning, he was assured. He's a geologist. He went out and staked a mine in an area that was outside the original draft and was told: "No need to worry. You go ahead and stake this out." He spent \$675 for the permit on the minerals. That's a very reasonable price that the province lets these mineral leases go for. He didn't even go to the hearings because he was told by SRD: "No. That's outside of the area that we're looking at. You don't need to come and address us."

Lo and behold, a short two years later a huge section was inside the LARP plan. I believe that it was EnCana who approached them and said: we want to put in a hydro dam plan. Again, it's great to see industry come in and use our natural resources, but for some reason there was an amount, it seemed like: we have to make sure that we make this much acreage into a park. So they took another huge chunk.

This individual conservatively feels that he has probably spent \$30,000 in the last two years doing mineral assays and tests in trying to see what potential there is for a mine there, just to have it swept out. SRD is telling this individual: "Oh, no. We'll pay you



your \$675 back.” Whoop-de-do. Big deal. Poke you in the eye. He has probably put out \$30,000.

Bill 10 has this: if there’s a problem of how you’re being compensated for what we’re taking back – rescinding, extinguishing, whatever word the government wants to use – you can make a variation to the minister, and he’ll be happy to listen. We need the court of law. The minister’s office has already very much told him: “You know what? You’re going to get your \$675 back.” That isn’t what it’s about. He has already struggled trying to raise capital to do exploratory mining here in the province.

Again, when mineral leases, mineral permits are rescinded at the whim of the minister, there’s no stability. He says that Alberta is the absolute worst place in Canada to try and open and develop a mine. This is one of the reasons why. It’s because of Bill 36 and Bill 10 and this government’s bulldozing. It’s interesting to use the term “bulldozing” because that’s what his family first did when he was very young. They had a D8 Cat and did bulldoze mining up in the Yukon to expose the rock. [interjection] It would appear that the Minister of Infrastructure wants to make a comment. I will really enjoy his time to get up and comment on this, seeing as how there is a time allocation. You’ll have your 15 minutes. You can answer it or ask me under Standing Order 29(2)(a).

It’s just really disappointing that this government doesn’t understand that there was a turning point in history – and the member brought it up – in 1215 with the Magna Carta where the people, the citizens of the country had had enough of the dictatorship. They wanted property rights, and 1215 was a turning point.

This bill is a turning point, but it’s a turning point in the wrong direction to where people once again no longer have the recourse to the courts. It’s a recourse to the minister, who is going to make his own judgments on his own bias and say: “Oh, no. We’re compensating you fairly. You never should have invested \$30,000 in that mineral permit. Why would you do that?” When his friends went up to the Yukon or Northwest Territories, he said: “No. This government gets it, and I’ve been assured that this is a safe place to try and develop and to get the mining going.” It’s just extremely disappointing that this government doesn’t understand that. It’s screamed to investors throughout the world that it doesn’t in this Bill 10 in the fact that there is no recourse to the courts. It’s explicit in there that there is no recourse to the courts. It’s a recourse to the minister.

**8:30**

The other thing that they’ve done very, very well and the best legislation – and my computer, lo and behold, when you’re counting on it, won’t open up tonight in here, so I can’t get my notes that I need. There’s an individual out east who looked at Bill 36, and she says that she’s never seen such a well-written piece of legislation that crafts it to say that this is a plan, that this is a government policy. When they craft and use those words in legislation, which Bill 10 fails to amend, what it means is that there is no recourse to the courts because it’s government policy. When it’s government policy, you can’t be compensated through the courts on that. It takes the whole process out of the courts and lands it right in the lap of government and government ministries. At best, cabinet or maybe a few more people will debate it.

I was down in Eckville. I witnessed the government trying to defend this. I guess, you know, to show due respect to the government members who were there, none of us outside of the government MLAs were bright enough to understand that these amendments protect us. People just don’t buy it. If, in fact, we’re all wrong on this, then amend it into language that the common people – those who own property, those who have mineral permits, those who have oil and gas leases – can understand and feel

comfortable with. But the bottom line is that those who want to invest in this province look at it, judge it, and they say: “You know what? There’s a red zone around here.” It’s a red zone.

I remember a conference down in Florida back in 2009. There is a red zone around the oil and gas industry because of the new royalty framework, and that red zone is a communist zone. It’s a five-year plan zone saying that we don’t know which oil and gas companies, which mineral leases, which properties are going to be rescinded by this government and protected from the courts. There’s no recourse to the courts.

It’s unacceptable, Mr. Speaker. We should not be passing this bill. Bill 10 is wrong. Albertans have spoken out throughout this province. I would ask the government, the Minister of SRD now: what other rallies, what other groups have been so outspoken and come forward since Bill 11? I can’t remember which year that was, when they were changing the health care, when people came out by the hundreds, by the thousands to oppose this. Yet this government just bulldozes ahead and says: “Oh, trust us. Trust us. We know what’s best for you.” History has proven time and time again that government doesn’t know what’s best for the people.

You know, we always get caught up in our passion. But if central planning is so wonderful and is the way to go, then why don’t we go to our senior brothers in Ottawa and say: “Oh, you’re more senior. You’re bigger. You’re smarter. Why don’t you look after our planning and tell us what we can and can’t do here in the province?” Better yet, why don’t we go to the UN and say: “You know what? You’re looking after world peace, world interests, and the environment, and you put out these edicts. Why don’t you be the ones to tell us what we can and can’t do here in Alberta?” I mean, is there any purpose in a sovereign nation with that attitude of centralization? I would say no. We’re giving up our sovereignty. The people, the businesses, the entrepreneurs are giving up their sovereignty in this bill to a cabinet minister, who is going to say: we know what’s best.

I kind of get a chuckle out of the idea that, you know, local planners sometimes will say: “You know what? There are not going to be any more bridges built across this river that divides our town in half.” They go through excruciating pain sometimes for 20 or 30 years before they finally admit: oh, well, you know, what we should have said was that there’ll be no more houses built outside this area and only up. But they limit something like a bridge across a river and say: there’ll be no more of those because we want to protect the river. Yet the people keep coming and building.

This bill is going to be the downfall of Alberta. It’s going to crush our economy. The question is: when? How long? Is it going to be death by a thousand cuts, or is this government going to do something drastic, like it did on January 1, 2009, when they implemented the new royalty program? They’d already done two years’ worth of damage to the industry and then said: “Oh, no. It was the economy.” No. It was the rules, the regulations, and the legislation that this government passed with its idea that centralization is best. Central planning hasn’t worked anywhere in the world. We all relate it back to the Iron Curtain countries, where central planners say: “We know what’s best. We’ll tell you what industries to build and what other ones you can’t build.”

We need to go back to the founders. We want peace. We want prosperity. We want pristine wilderness here. How do we do that? How do we create the wealth of our nation? Adam Smith wrote it right back in the 1700s. It’s by allowing those people to develop their resources, to use their intelligence, to have universities, to develop how they want to in a sovereign nation, develop and compete how they want to.

This government is squashing all of that. It's putting the fear factor over the entrepreneur through the individual who raises capital to have a new idea that might be something with new non-renewable energy, or it might be renewable energy. Can we do that? No. The government, again, with its new Premier's council on the future is saying: "We know best. We're going to tax a huge amount to go forward." This is all part of a package – Bill 19, Bill 36, Bill 50, Bill 10 now – of central planning at its absolute worst, which is not going to allow us to recover and to enjoy the peace, the prosperity, and the pristine wilderness that we have here. To step in and to write off a whole area might be the absolute best we have.

What are they going to do with shale gas? How are they going to implement this? There are so many areas, Mr. Speaker, we could and should be looking at, but it goes back to one important point, and that is the rule of law. Are we going to respect the rule of law? Are we going to have a constitutional democracy that protects the individual's life, their freedom, and their property, or are we going to have a government that says: "You know, it's in the best interests of the people that we're doing this, and it's okay to sacrifice a few"? This sounds like a war that's going on. A percentage of those first soldiers: we know we're going to have a loss. There's no reason to have an economic loss.

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. The hon. Member for Calgary-Glenmore has a southern perspective. You farmed, I believe, in the Cardston area. What we have been proposing for a number of years in terms of land-use framework and sustainability is the idea of returning the land in the Castle-Crown, which is relatively close to where you were – it's kind of en route – to a provincial park, the Andy Russell I'tai Sah Kòp park, and the protection of areas, whether it be for parkland or environmental purposes; in other words, establishing a balance. I'm just wondering how you feel about some of the clear-cutting that's going on versus the preservation of parkland. Back in the 1930s this land was part of Waterton park, and I'm wondering how you feel about allowing one-third of it to be clear-cut and other questionable uses. As a landowner in that area how do you feel?

**The Acting Speaker:** The hon. member.

**Mr. Hinman:** Yes? Oh, I thought that you were going to give me some counsel or something.

**The Acting Speaker:** I was hoping you could draw it into Bill 10.

**Mr. Hinman:** Well, I don't know how I can with that question. Perhaps you could give me some guidance.

**Mr. Chase:** Land use.

**Mr. Hinman:** He's saying land use, so I guess, Mr. Speaker, what he's bringing up and what I would point out in relevance to Bill 10 is that that is a watershed area. Again, you know, I think that the South Saskatchewan is going to be the next regional plan that's going to be coming forward.

The important part, I guess, looking at this and relating it back to Bill 10 and the problems that it causes, is that here we're having decisions made in Edmonton rather than by the local people. Those local people should have a far greater impact on deciding what is right and how they want to develop. Probably the most exciting part about having, you know, local regional areas decide

those things is that they might want to try something different. Maybe there's an area further north that does want to clear-cut, and everyone else looks and watches and observes that and says: "Look at the problems that they're having. Let's not do that in our area. Let's have selective cutting. Let's have this boundary area."

**8:40**

Human nature is that we all want to progress and do better, and we love to live in wonderful, clean environments, but when you have a regional plan that's pushed down on you and they make those decisions, whether it's good or whether it's bad, there's nothing that we can do, and we don't get to try those things. I mean, many people have tried and failed, but others have looked at their failures and have been able to turn that into success. This is the problem with central planning. One area might come up with a new, innovative way or pass new laws or legislation saying: this is how you're going to care for the forest in this area. Then, we're all going to turn our eyes to that and say: wow, that's really innovative, and it really doesn't cost more. We can allow smaller lumber companies to come in and do selective cutting or to do those other areas.

The whole problem with this is the fact that what we're going to have is a central planner deciding everywhere, and what might work great in northern Alberta in a vast tract of 20 million acres for forestry to do some clear-cutting doesn't work down where you have major slopes, running water, fish habitat. Yet that person says, "Well, it worked here," and wants to impose that.

So what we need to do is to go back and respect property owners. We need to respect local people to actually make a decision: this is what we want. Whether they want more or fewer subdivisions, let them decide it, not have it imposed by some bureaucrat or higher government official saying: "Oh, why don't we step down and say that, you know, Calgary and Edmonton can no longer expropriate any land. You live within your borders. Done." That would change a lot on the development and the problems that we're facing if we were to do something like that. So it's just disappointing that we get to that point, that aristocracy where we know best, that we're entitled to make those decisions. That is so backwards. That is so wrong, in my opinion.

So many people have come and talked to me. They're so concerned about whether they're going to make this decision: oh, we need \$16 billion worth of power lines. Why? Because the parameter that they've set up is zero congestion when they don't think we should be paying . . . [Mr. Hinman's speaking time expired]

**The Acting Speaker:** Any other members wish to speak to the bill? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker.

**Mr. Hinman:** It's funny that the government member leaves when it's his opportunity to speak.

**Mr. Anderson:** Aw, who knows?

You know, I always find it really funny when we talk about this bill and the peanut gallery over there just gets so uptight and chaty. You know, if you have nothing to worry about, if you're not worried about losing your seats or anything like that, why babble? Why chat? Why chirp? Anyway, it's interesting. It's almost like they've got something to fear, and if they don't, they probably should.

There's a huge failure to listen on the part of this government, and a huge failure, in particular, by the rural MLAs to listen to their constituents. There's just a total, utter lack of respect for what their constituents have been telling them for the last months

upon months and months and months and months. It's funny that the former Justice minister from Calgary-Elbow and the leadership candidate, an urban MLA, has actually listened and has actually done the right thing and decided: "You know what? We didn't look at this as closely as we needed to. We made some mistakes on this. We need to go back to the drawing board."

**Mr. Hinman:** She might actually want to be the Premier.

**Mr. Anderson:** Yeah, she might actually want to be the Premier. Who knows?

It's just amazing to me that she would figure that out while the peanut gallery over there, the rural MLAs for the government, continue to be the biggest promoters of this act. It is absolutely ridiculous, in my view. We don't have any excuse anymore. From when this bill was introduced to passage, it was done quickly. It was done in just a couple of months. We barely had time to review it.

**Mr. Hinman:** It was a big, thick bill.

**Mr. Anderson:** It was a big, thick bill, et cetera, and it was passed.

You know, people can make mistakes. I certainly made a mistake because I sat in this House and supported it. I spoke to it and said that it would adequately protect land rights, as the hon. Member for Livingstone-Macleod still loves to point out. You know what? We all make mistakes, and I certainly did make a huge mistake there. I apologize to Albertans for supporting this bill. That was wrong to do, and I'm more than happy to be accountable for that moving forward.

But I'll tell you: I don't understand why after this year and a half that's gone by since then – I mean, it's almost been two years that have gone by – the rural government MLAs in particular still fail to get it. They're not listening to their constituents. The constituents have passed the verdict. They've gotten educated on it, and they've passed the verdict on the bill. They don't want it. It is too much of a central planning document.

That's what it is. It's a central planning document. Just because you go and talk to a regional RAC that you appoint does not make it a regional document. It's a central planning document, plain and simple. The minister doesn't have to listen to the RAC. There's nothing in the legislation that says that he does. As long as he feels that he has consulted properly, he can do whatever the heck he wants. That is not regional planning. That is central planning. And to say anything otherwise is just completely separated from reality.

I don't understand because I know that there are – you know, it isn't about the intentions. I know that the members over there, particularly the rural government MLAs, are not anti property rights, but they've gotten into this blinder thing where all they can hear is the drivel coming from their bureaucracy telling them that this is the right way to go and from this Premier telling them that this is the right way to go. [interjection] It's drivel, and you should know that, hon. member. You should know that.

I mean, how many times did we sit there and listen about the blue blobs? You remember those conversations we had with the Minister of Municipal Affairs and others about the blue blobs and how that would affect your constituency if they didn't have a veto over those things? You remember that? You were an advocate behind closed doors of that. So why not stand in this House right now and be an advocate for it? I don't understand.

I'll tell you: that's when I became absolutely aware that this was going down the wrong track fast, when we got into the nuts and bolts of actually how this was going to be implemented and who

was going to be forced to join the Calgary regional plan, for example, the Calgary Regional Partnership, and we started talking about how that was going to be possibly imposed on our county, the one that the former agriculture minister represents, myself, as well as the members for Foothills-Rocky View and Strathmore-Brooks.

We started getting into that, and it became very clear very quickly that what was being talked about here was imposing a set of regional requirements, the density requirement that our communities would have to abide by and would have to build according to moving forward if they were forced into the regional plan, otherwise there would be no water for them, and that they were going to be forced to join this. Well, that scared the heck out of me because I knew that my constituents sure didn't want that, my rural constituents. So we talked as a group on that, and it became very clear that that is exactly where the government was headed.

Now, I don't know when they're going to force those counties to join the Calgary Regional Partnership or if they're going to do it before the next election. I don't know. But I'll tell you one thing. That's when I knew that this was a BS document. That's when I realized that this was nothing more than a central planning document that was going to enforce the will of cabinet and the will of the bureaucracy, frankly, on locally elected councils and locally elected officials. It's wrong. From that point on, you know, things started to go downhill. It certainly wasn't more than a couple of months after that that I crossed the floor.

There have been other things since then. In listening to the presentation from Keith Wilson, who I'd never even met till three months ago, when I went to Crossfield to listen to his presentation – I'd never met the guy. He's a lawyer. I went in to listen to him. He knew about property rights, and he's done these transmission bills before. He's been involved in those cases and those hearings before. I went and listened to him, and I'm telling you that is a convincing and compelling case. It is.

It's not just him talking about it. There's Richard Jones, who's going to be running against the Minister of Housing and Urban Affairs in Calgary. Twenty years at the bar, a water rights expert, going to be running here for the Wildrose in the next election. Before he was running for us, he came to us and said, "Do they realize what they are doing here?" and went through the bill and tried to make people understand how this type of government centralized planning was going to affect those with water rights moving forward and the dangers that it presented.

**8:50**

These are not stupid people. These are people that are leaving huge amounts of money behind to run, to travel the province in Keith Wilson's case. As far as I know, he doesn't have any intention of running, but he's travelling the province on his own dime to get this message out. On his own dime, not paid as far as I know. He's not paid. [interjection] Not paid at all. Very sure.

On top of that, you have the member that is going to run there in Calgary-Acadia leaving a – who knows? – million-dollar-a-year job just basically on this issue because he's so ticked off at this PC government becoming a central planning machine. That's essentially what's happened here. That to me says all I need to know. That's commitment. That's not political. That's commitment. They really believe it, and they're case is compelling.

I know there are arguments on the other side. I understand that. Obviously, you know, not every lawyer and every expert is going to agree. There are arguments to be made on the other side. But just the fact that there's so much uncertainty – at a minimum the government could admit that there's a massive amount of uncer-

tainty out there with regard to this legislation. Even that uncertainty shows that it is a poorly drafted bill, that it hasn't been thought through properly.

If you're going to draft a bill with such reaching implications as this one has, then it makes perfect sense to make absolutely certain that it's put through the proper committee and vetting process in our standing policy committee so that we can have the experts in, so we can make sure that we get it right. Because some of the things in that bill are okay. There are some transferable development credits and things like that. These are tools that we could give to municipalities and so forth to empower them, truly regional planning organizations, give them these things as tools so that they can use them to do their own regional planning. What's happened here is that we haven't given them these tools at all. We've taken over the entire planning process, so the province is going to be implementing these plans across the board. That's not the way we should be doing it. It's not right, and Albertans don't want it.

You know, aside from everything else, right or wrong – is my legal argument wrong; is the government's legal argument right, et cetera? Take all that aside. Albertans don't want it. Rural Albertans don't want it. And I'm telling you that if you don't think that this is going to be an election issue, you're smoking something really good. It is going to be a huge election issue. Huge. And there will be multiple MLAs on that side of the House that will lose their seats just based on this one bill. One bill, and Bill 50 as well.

**Ms Notley:** And 19.

**Mr. Anderson:** And 19. But Bill 36 is really the big one. Really the big one.

**An Hon. Member:** That's three times as many.

**Mr. Anderson:** That's right. It's three times as many. You know what? Maybe if it was just one, it would be only a few, but it's these multiple land-use bills.

You don't understand the effect that you've had. I'm just still waiting for people to stand up on that side of the House and show the courage to speak out against their own government. For those of you who think that this is something your constituents want, I don't know where you're getting your information. I mean, the best information we can have is talking to people. The best information we can have is obviously doing a lot of polling. I've done both, and I know what the people are saying out there. They're certainly not saying they want this legislation. They want it back to the drawing board. They want regional planning – no doubt about it – but they want us to go back to the drawing board and get it right. They do not want centralized planning.

People are going to lose seats. Good people in here are going to lose seats because of that huge mistake that they've made in that regard, misjudging the public's anger, particularly in rural Alberta where it will have the biggest effect.

Now, everyone in here, I think, agrees with the need for better regional planning. The question is not do we need better regional planning, but how do we accomplish better regional planning? The Wildrose, as I'm sure the other opposition parties have done, have put out some alternatives in that regard. How can we have better regional planning? Well, step one, you can immediately repeal the Alberta Land Stewardship Act and pass an Alberta property rights preservation act. When private property is used for a genuine public need, there absolutely must be full, fair, and timely compensation with recourse to the courts. There's step one. Let's get the legislation right. Let's go through the proper process and put landowners first.

Step two, honour existing deals. Grandfather existing leases and licences and establish conservation areas or no-go zones before issuing leases. Investor confidence in the Alberta economy depends on it. After you've issued a licence as a government, you cannot go and just take it away and then say: we're going to pay you back what you paid for it originally. That is banana republic stuff. It is absolutely not the way to do business, and on top of the old royalty framework debacle it's just another step that this government has undertaken to make our province less competitive and really hurt investor confidence when it comes to investing in Alberta.

Step three, use what we've got. Let Alberta Environment perform cumulative effects analysis on impacted areas. They've got the experience and expertise, so let's put them to work. That's what the Department of Environment is for, to oversee the provincial environmental regulations, et cetera. Why on earth can we not empower the Ministry of Environment to oversee cumulative effects management? We all agree it's needed. Why can't they do it? They should be able to do it.

Step four, let the Water Act work. The law has allowed for a stable water supply for those with water licences in Alberta for decades. We need to get it out from under ALSA and promote it. There are many tools within the Water Act – they're there – for the transfer of water licences and the use of water. They're there. But so many can't be approved right now because they're waiting on the land-use framework, particularly the South Saskatchewan regional plan. So they've got all these people that want to do transfers using these tools under the Water Act that can't right now. They're not allowed because they can't get approval from Alberta Environment because everything is being held up by this blinking central planning document, which is the whole problem with overregulation. This is not a Conservative thing we're doing here. We're slowing down commerce, agriculture, business, et cetera, residential, commercial development because we're just not using the tools that are in the Water Act. It's becoming burdensome and full of red tape.

That brings us to step five, cut red tape. Find the best models for a streamlined regulatory framework that is balanced by Alberta Environment's authority over the stewardship of air, land, and water. And I'm glad to see the government is looking into that with Bill 16. We've had some debates on that, and that's good. Very much too late in the game, but it's better late than never. You know, it's like this bill. You could repeal it tomorrow if you really wanted to – better late than never – but I don't think you will.

Step six, the last one, involve the community. Invite locally elected officials, landowners, industry stakeholders, and other regional and government representatives to work together to guide regional development in a sustainable way. Recognize that central planning does not work. This goes back to my first point. These RACs, these – what are they called? – regional advisory councils, are appointed by the government, by the minister, I believe. So, first of all, that's not democratic at all. Who knows what special interests and what favours are being paid back there, okay?

**Mr. Hinman:** Kind of like the Hunter report.

**Mr. Anderson:** Yeah, that's right. Exactly. Kind of like the Hunter report with the royalties, very similar.

The point is that you have these people appointed by the government to give counsel on these regional plans, and even if it was a perfect mix . . . [Mr. Anderson's speaking time expired]

**The Acting Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. A couple of questions. You talked about the Calgary regional plan and the loss of local autonomy. You mentioned centralization quite a bit. Now, Okotoks, for example, wanted to set boundaries; they didn't want to expand. They saw the problems associated with gobbling up land. They also saw their water limitations and so on, and they were trying to restrict development. They've done some very smart things in terms of solar housing, very smart things with regard to 10 inches of topsoil because it holds the water. I'm just wondering how the Airdrie-Chestermere area is feeling about potentially being gobbled up by larger concerns as Calgary expands its 1.3 million. Is that a concern?

Also, because of your legal background, several government members seem to be very worried about courts being involved in the legislative process. So from your legal background, the relationship between courts and legislation: if legislation is done right, then courts shouldn't need to interfere and turn it over.

I'd be interested in your perception: regional planning, beating up on local areas, and legislation versus legal action.

**Mr. Anderson:** Thank you for that. I would say to the first part that, yeah, I am concerned about the loss of regional autonomy. It goes back to what we were talking about when that conversation was happening behind closed doors with regard to how we move forward to possibly force the counties of Rocky View, Wheatland, and Foothills into the Calgary Regional Partnership. Think about that for a second.

9:00

One of the reasons that the counties didn't want to get involved is because—for example, a place like Langdon in my constituency. There are about 4,000 people there. If they join the Calgary Regional Partnership, they would have to build to eight units per acre. In Langdon, okay? Now, if anybody knows about density requirements at all, that's insane. That means you'd have to have apartment buildings in Langdon, lots of them, in order to build towards eight units per acre. It's not reasonable, but that's what Rocky View county would have to sign on to if they are forced to join the Calgary Regional Partnership because that's what the CRP is saying: in order to get water out of the CRP, you need to build eight units per acre.

We all want better planning, and we at least want to limit urban sprawl. I don't think we all want to live in cookie-cutter houses that look the same. If I wanted that, I'd go live in Calgary. No offence to Calgary; Varsity is a very nice area and not really a cookie cutter. But if I wanted to live in Calgary, in a cookie-cutter house in suburban Calgary, I would. But that's not why people live in Airdrie, and it's not why people live in Langdon, and it's not why they live on acreages, and it's not why they live on farms. The point is that variety is good. We don't want complete urban sprawl. We want to protect the eastern slopes, for example. That's not a good place to have urban sprawl. I agree that we don't want to go any further west with urban sprawl.

Put protected areas in, do something, but why would you force communities to join this Calgary Regional Partnership, have the province force them to do so, and then have the province come forward and force those communities to build to a certain density and decide that this is what you will build to? How is that not central planning? How is it not? It is central planning in the worst possible sense.

**Mr. Hinman:** And how is it good?

**Mr. Anderson:** And how is that good? You know what? It's un-Albertan, frankly. That's what it is. It's got this Big Brother

knows best, we're going to tell you how you can develop your land, we're not going to leave it to local people that, you know, have an actual stake democratically or with regard to property rights in the area—it's a top-down, centralized, quasi-socialist system, and it's wrong.

With regard to the legal question about letting courts decide land-use issues, I don't think anybody in here, as far as I know, is a legal expert on water rights or land use. That's why we need to bring people into these committees and actually listen to the experts. Imagine that. That's tough to understand, isn't it? That we're not experts on this. [interjection] I've never claimed to be an expert, hon. member. Never, ever. Quote me. [interjection] When did I? Exactly. Once again, you don't know what you're talking about. Revisionist history. That's clear. Anyway, it's just sad to see.

**The Acting Speaker:** Any other members wish to speak?

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It's a pleasure to be able to rise and add my comments to the debate on Bill 10 in third reading. This is an interesting piece of legislation because it's one that is intensely political and not one that comes from good policy planning or development. It's not a bill that comes forward in response to any sort of genuine outcry on the part of the public. It's not a forward-looking bill that represents sort of the best of good governance. It really is a slap-happy attempt to respond to a political crisis, some of which is quite legitimate and some of which is not entirely legitimate, in my point of view.

Nonetheless, it's an attempt to create an impression of responding to that political crisis, yet it doesn't respond to that political crisis, either the real one or the alleged one. It doesn't deal with the real issues that have been raised by a number of people around the concerns with respect to this government's approach to land development generally over the course of the next many years in Alberta.

I want to say that I approach this concern from the perspective of one of these, you know, scary socialists that's been referred to by colleagues in the opposition.

**Mr. Anderson:** I didn't call you a socialist.

**Ms Notley:** I think there's been reference to my being a socialist, but they've never actually called me scary, although I think it's implicit in some of the comments they make.

Nonetheless, what I think has happened with Bill 36, which Bill 10 is designed to amend, or with the Alberta Land Stewardship Amendment Act, 2011, and with Bill 50 and with Bill 19, because I see them all as being actually quite linked in certain ways, particularly as it relates to the politics, which I believe is the underlying rationale for this particular attempt at changing the Land Stewardship Amendment Act, is that this government has really given a bad name to thoughtful, consultative, responsive, community-based planning on behalf of the public interest as a whole.

Maybe that's wild socialist language that I'm talking about there, but that's what I believe in. I believe that when you're talking about land and economic development and environmental development and growing into the future, there's nothing wrong with actually planning. In fact, it's kind of a good thing in the long run. To do it thoughtfully in a well-informed way with reference to the environmental science and the demographic plans and the economic needs of the province is a wise thing. To do it in full, open, transparent settings in consultation with the people of Alberta where your primary mandate is one and one thing only, which is

the overall public interest of the people of the province, is a good thing.

I think that some of the people that began to contribute, in particular, to the Alberta Land Stewardship Amendment Act might have actually had those objectives in place as they worked on it, but the act itself did not meet those objectives. Certainly, the act in combination with Bill 19, the Land Assembly Project Area Act, and Bill 50, the We're Going To Try and Make Sure Nobody Ever Has To Question Us on the Public Interest Around Building Transmission Lines Again Act – when you put them all together, what we've done is we've bastardized the goodwill that I think we were attempting to achieve, or some people in government might have been attempting to achieve, when we first approached the concepts inherent in Bill 36.

The Land Stewardship Amendment Act was designed to do some good things, but even when it came forward a couple of years ago, the NDP did vote against it. We voted against it for a number of reasons, probably the most important of which was that we were very concerned that the cabinet, as with all pieces of legislation that this government passes, was given an unprecedented amount of power under the act. It gave the cabinet complete control over the regional plans, and it did not provide for the type of accountability and transparency and sort of completion of the consultation or feedback loop with Albertans that was necessary in order for the kinds of decisions that were authorized under this act to be done truly in the best interests of Albertans after genuinely responding to their contribution to the discussion.

The act did not adequately, in short, reflect the land-use framework's commitment to public input and community involvement because, of course, the document, the land-use framework, preceded the land stewardship act. The land-use framework was quite genuine about public commitment. The piece of legislation that followed was a great deal more superficial in terms of the guarantees that were provided with respect to the public consultation that we were looking for. It allowed cabinet to create and amend regional plans without ever creating a regional advisory council, for example, the kind of thing that means that it was really mostly a lot of window dressing. Certainly, in what little we've seen happen under the authority of Bill 36 since then, we have seen that regional advisory councils are indeed hand-picked and that the reports are greatly massaged. Way too much happens behind closed doors, and it's way too vulnerable to behind-closed-doors lobbying to cabinet members that the public just doesn't see. The government is not held accountable for that kind of process.

Ultimately we didn't believe that Bill 36 actually provided adequate environmental protection in terms of what it required the government to do. It simply required a plan to describe a vision for planning and then to state one or more objectives for the planning region. It didn't actually identify the public interest, or it didn't identify preserving the environment. It didn't identify these things as mandatory components of regional plans.

**9:10**

At the time the NDP put forward a number of amendments to Bill 36 and focused particularly on efforts to honour the land rights of Albertans and also to improve the consultative processes that existed under the act. They were unfortunately rejected. So then what happened is that we had this sort of political firestorm that was developed through an analysis of Bill 36 and Bill 19 and Bill 50. The government decided to come up with Bill 10 and bring that forward and then say: "Look. We've addressed all of your issues." As I say, it's a highly superficial response, and most people who have evaluated Bill 10 and assessed whether in fact it deals with any of the issues that were originally raised around the

concerns with Bill 36 have concluded that it doesn't really relate to almost any of them.

In terms of even dealing with the concerns that it did fundamentally impact property rights: really, truly, just superficial amendments there, so not addressing those issues. Then, of course, those people who particularly address property rights and who were concerned about property rights also always identified the combined authority that the government has given itself not only through Bill 36 but through bills 19 and 50.

You know, I mentioned Bill 19, or I sort of heckled Bill 19, and one of the members opposite suggested that that had nothing to do with this, but I think it really does. What I would have liked to have seen is the government come back and address some of those significant concerns because those are really the concerns that I think are probably the most substantive in many cases to the greatest number of property owners. In this case, I'm not thinking about potential industrialists. I'm thinking about Joe Average Albertan who currently owns property, maybe a bit of farmland, maybe an acreage, whatever. These are the folks that I'm thinking about.

When I think about Bill 19, you know, what did we have concerns about and what did many Albertans across the province – what were their concerns with Bill 19? Well, landowners whose land is part of a project area that can be identified through that bill don't get any compensation for the development restrictions that are placed on their land. Is that addressed through Bill 10? No. Could it be? Should it have been? Yes, because it's all part of the same discussion that generated this. [interjection] It doesn't matter. It's all part of the same political discussion.

My point is that Bill 10 is a superficial response to a political discussion. But the real substance in there as well included the concerns around bills 19 and 50. It also allowed the government to cancel project area orders at any time or without penalty. It allowed the government to choose the appeal body that a property owner might seek to have their rights assessed under. It allowed the government to impose an injunction where someone appeared to be about to commit an offence. It ultimately defined a public project without including the need for it to have any relation to the public good.

That's particularly interesting when you then combine it with Bill 50 and the fact that with Bill 50 – once again, part of this overarching theme of not consulting with Albertans, just as they don't with Bill 36 but also with Bill 10 – they've removed significant obligations on the part of the government to consult with Albertans. We've heard today about how power lines are going to be increasingly expensive. They are not in the public interest. Most Albertans would say that we don't want them, yet through Bill 50 the government has removed their obligation to consult with Albertans on it. They have given themselves more power to take it behind closed doors and have it addressed in cabinet.

This was probably the most significant complaint of Albertans. If this government thinks that this little Bill 10, this teeny-weeny little superficial bit of a bill that casually makes ever so minor amendments to Bill 36, is going to address the significant problems and concerns that have been raised by Albertans across the province with all three bills – with Bill 19, with Bill 50, and with Bill 36 – they are sorely mistaken.

They are going to, I think, suffer the consequences of that when it comes time for people to be campaigning about it in the next election. In every case they've taken the control away from the citizens of Alberta. They have given themselves the opportunity to make those decisions behind closed doors, and they will not give Albertans an opportunity to have public hearings about these very things which ought to be considered in their best interests, in the

open, with them having every opportunity to insist upon accountability throughout the process. That's what we don't get from this bill.

So where are we left with Bill 36 and the Alberta Land Stewardship Amendment Act? Well, I do want to put it on the record that the principle that is underlying that act is something that the Alberta NDP supports. The notion of understanding that there are competing interests, both collective and individual, around the future development of our land is a wise decision. But the question becomes: how do you address those competing interests, and how do you do it in a way that is most responsive to the best interests of the greatest number of Albertans? You don't do it by taking the whole thing behind closed doors. You absolutely do not. That's what still happens under Bill 36. That's what's happened with the two regional plans that we've seen so far. Most of the substantive discussions around what has happened with those plans have happened behind closed doors.

Then in the midst of that, we've got the situation where the Premier had his little panel come out and start talking about water markets and advocating water markets, when we still haven't managed to find a way to deal with the regional plans that are currently in stasis. You know, they're just basically on hold because the government doesn't give itself the resources to actually move forward with the regional plans, nor are they prepared to consult with Albertans adequately on these regional plans. So decisions around water are pending the land-use framework. Meanwhile, they're waxing poetic about the value of water markets, and it's just creating a ridiculous amount of confusion in a very important area, one of great importance to Albertans.

At the end of the day my concern is that the principles underlying the Alberta Land Stewardship Act have been abandoned for the most part by this government. They haven't been properly resourced. The staff resources necessary to do the work, to do the science, to do the consultation, to keep it out in the open, to provide adequate opportunities for Albertans to genuinely respond: none of that has been done. The secretariat for the land stewardship framework has been underfunded since day one. The Ministry of Environment: don't even start me on how completely underfunded and inadequate it is.

We haven't moved forward on this. We haven't moved forward on the good stuff, but at the same time the government has retained for itself a tremendous amount of power to do things behind closed doors. With that in mind, I can't support Bill 10.

I'd like to move the following amendment, and I'm wondering if I could just have a break in my time so that I could distribute this amendment to my colleagues in the Legislature.

**The Acting Speaker:** Okay. We'll pause for a moment.

Hon. member, please proceed. This is amendment A1.

**Ms Notley:** Yes. The amendment that I'm putting forward is that "Bill 10, the Alberta Land Stewardship Amendment Act, 2011, be not now read a third time but that it be read a third time this day six months hence."

Do I have time to speak to it?

**The Acting Speaker:** No. I'm sorry.

The next speaker, please. The hon. Member for Calgary-Varsity.

9:20

**Mr. Chase:** Thank you. Speaking in favour of the amendment, what it does is give the government a further six months to get it right. Bill 10 could not correct the wrongs of bills 19, 36, and 50. I agree very much with the hon. Member for Edmonton-Strathcona

that Bill 36, the Alberta Land Stewardship Act, in terms of the balancing of divisive interests was very well intended. Unfortunately, we've had Bill 19 and Bill 50, which have torn apart the whole land-use framework process. It seems to me, Mr. Speaker, that this government has no desire to see the land-use framework ever developed because then there would be an overriding principle that would govern all further land usages. We still have this piecemeal approach, where we're doing a variety of conflicting interests in various parts of the province.

Now, the main point of amendment A1 is that this bill not now be read a third time but be read a third time this day six months hence. As I say, I think it's a very good idea. It allows time for individuals to be consulted. It allows time for public forums to take place. While it does not potentially direct it towards a particular committee to call forward witnesses and experts, it does allow for the government to set up this type of consultative, collaborative circumstance, which currently is not the case.

A problem that I see, Mr. Speaker, is that this government has suggested that six months from now we're not going to be having a fall Legislature. That's what the government rumour mill has suggested, and the government has also suggested that we're likely not to have a legislative session next spring either. So, in fact, what this hoist bill would do is give the government a reason to actually have a session six months from now, to continue with the governance of the province instead of abdicating their role by shutting down the parliamentary system for the better part of a year. If only for that reason, six months hence would require the session to be on and the opportunity to discuss and debate, which is not likely to occur if we have no fall session or spring session.

My big concern and what A1 is suggesting is that we have to get the land-use framework right. We can't keep putting Band-Aids on bad pieces of legislation. What we need is not a Bill 10; we need a tourniquet. We need a land-use framework instead of the bits and pieces that go around the central issue, and that involves the land-use framework. So I'm extremely supportive of the call for sober second thought. I look forward to having further discussions with greater public input six months hence.

I'd like to thank the hon. Member for Edmonton-Strathcona for taking the time out that is necessary as opposed to what we've seen. We're on day 32 of our spring session. That's hardly sufficient time to do justice to either the land-use framework or this attempted correction in the form of Bill 10, the Alberta Land Stewardship Amendment Act, 2011. It just falls short.

Thank you, Mr. Speaker.

**The Acting Speaker:** Any other members wish to speak to the amendment?

**Mr. Anderson:** I'd love to speak to this amendment on the bill, the amendment to hoist it. [interjections] Absolutely. Absolutely, hon. member. You know what, hon. member? You should really try to see this thing pass because this is going to help you in your re-election. It'll make a big difference.

**Mr. Ouellette:** I think that you should worry about you, and I'll worry about me.

**Mr. Anderson:** Are you sure we can't share those polling numbers?

**Mr. Ouellette:** You can show them all you want.

**Mr. Anderson:** The point of this, Mr. Speaker, is that we do need to show some sober second thought here. [interjections] I see that I've gotten into the head of the hon. minister. I'm sorry about that.

**The Acting Speaker:** Airdrie-Chestermere has the floor.

**Mr. Anderson:** It's all right. There's lots of time to campaign, hon. minister. The problem is that we do need that sober second thought.

One of the things that I remember after the 2008 election is hearing the Premier talk about these new standing policy committees and how these were just going to be great. You know, they would be part of his transparency agenda, which surely has not transpired. They did set up the committees. They do pay us a very large amount of money, and we have done very, very, very little in them. Certainly, I don't think the taxpayer has gotten their due out of it, has not gotten good value for money out of it because we don't do many substantial things in those committees.

There are a couple of little tweaks here and there on a couple of pieces of feel-good legislation or easy, agreeable legislation, but when it comes to real tough stuff like this or like Bill 50 or like Bill 19 or like what we were doing before we decided to centralize all the regional boards into the health superboard or before we passed, you know, Bill 24 to expropriate pore space from peoples' titles – before we did all that, it would have been nice to put those things into a committee because in committee it's a great opportunity for all the experts to come in.

You know, if you were to put Bill 10 or Bill 36, bring it up, and the bureaucracy and the minister do the best that they can, and you introduce the bill in the spring. Okay? Then at the end of second reading you pass it kind of in principle in the spring, and then you put it into the committee for the entire summer. Then let the MLAs earn their money and do their work with regard to legislation and go through it with a fine-tooth comb. Make sure experts are invited in, the whole bit. Talk to Albertans. Talk to your constituents. Get feedback from them, all that stuff over like a five-month period in the middle there. If we did that and then we came back and got real amendments together, and we polished up the bill or realized that the bill was just a bad idea and we're not going to go further with it, then you come back in the fall and either reject it or pass it with the appropriate amendments.

I think that if that was the process that this government actually used for their standing policy committees, we may actually have some very good legislation. I would also venture to guess that things like the royalty framework wouldn't have happened. Things like this Bill 36 wouldn't have happened. Or if they did, they would have been changed to essentially make them into actual regional planning documents instead of central planning documents. So many mistakes would have been avoided.

And I would venture to guess that the four MLAs sitting right here wouldn't be here right now because there wouldn't be a reason for us to be because you would pass good legislation that Albertans actually wanted. [interjections] Hon. minister, we will take advantage as much as we can. Absolutely. Through the chair.

The point of this is that if you want good legislation, you have to work for it, and this government doesn't work for it. They have the bureaucracy draft it. Then they get it, they run it through their little caucus procedures, which are a farce, and then they pass it in the House, a lot of times just cutting off debate on anything substantial. So what this would do, Mr. Speaker, is that it would allow us to put this legislation into a committee and actually really get down and try, if it is possible, to fix Bill 36. Or maybe we turn this into a repealing of Bill 36. Or maybe we change Bill 36 enough, using Bill 10, to turn Bill 36 into something that Albertans actually want.

Then the Minister of Transportation can keep his job at the next election. I want him in here because he's entertaining, Mr. Speaker. I want him in here. I want to hear him answer these questions.

But his constituents aren't going to re-elect him, partly because of this bill if we don't repeal it. I'm trying to help him because I like him so much. But, alas, I don't think that's going to happen.

**9:30**

I think that what we need to do is spend all the time and effort we can to get this legislation as right as we can, and we're not able to do that if we just ram through another piece of legislation like this. That's what we've done here again.

You know, I think of the process of how Bill 10 has come forward. I know the Premier named members and was sanctioned for doing so, people who weren't there for second reading of this bill when we were clearly told that we weren't going to have second reading of this bill. After his estimates they passed through four bills, including Bill 10, the most controversial piece of legislation during the session, when the opposition wasn't here. They used that politically to say: oh, look; the opposition wasn't here. How many times have we ever seen him for any votes? So we basically didn't have any debate at second reading, basically none. No debate at second reading.

**Mr. Ouellette:** Well, that's because you left.

**Mr. Anderson:** That's right. You're absolutely right. We did. [interjection] Because you're so ethical, very ethical, very democratic, incredibly democratic.

Anyway, the point is that we didn't have any debate in second reading, Mr. Speaker. [interjection] I'm really in the Transportation minister's head. I apologize. [interjections]

**The Acting Speaker:** Hon. members . . . [interjections] Hon. members, are you done? The hon. Member for Airdrie-Chestermere has the floor. He's directing his comments through me. If you have any comments, any other members, direct them through me as well.

**Mr. Anderson:** Okay. Maybe we could release the Transportation minister to go door-knocking. He'll feel better if he gets out there defending this bill. [interjection] Oh. He doesn't need to door-knock? Interesting.

What we need to be doing going forward is making sure that we get this legislation right. It's not right. We don't have it right. Albertans know that it's not right. I just cannot understand why, when the people overwhelmingly don't support something – I'll tell you what Premier Klein would have done. He would have stepped off this snake so fast. It wouldn't even have been two seconds. He would have left. He would have gotten off it because he listened to the people. You may not agree with everything he did, but the man listened to the people when they spoke out. That has not been the case here.

We had no debate in second reading – no debate – not even from the government members. "Oh, if you cared, you would have been here." It's not like any of the members here debated it in second reading either. Then it went to Committee of the Whole, and before we had even debated – we hadn't even begun Committee of the Whole – the government brought in closure, five hours of debate for closure. They spoke for half of it. Then they said: "Well, it's democratic. We've got to have our turn." Well, then why bring closure? Why not let every member over here speak to the bill? Why not let every member in the House speak to the bill – that would be fair – at least once? Maybe they could have brought closure in that way. That way we could have had at least had a good, thorough debate in that regard. But, no. They just pressed on forward, blasted it through.



Now we're in third reading, and we're going to actually get full time in third reading to debate it. But we can't go to the clauses. We don't have time. We introduced two amendments as the Wildrose. I know the Alberta Party introduced two amendments. Did the New Democrats introduce any? I don't know. Anyway, there were amendments introduced. I don't think you would have had time, frankly. There was no time to do amendments. It's such a slap in the face to the democratic process the way this is run.

One of the things that I know the Wildrose will be doing if we are lucky enough by the grace of the people of Alberta to be government after the next election is that we will absolutely change the way that we pass legislation. We will introduce it in the spring, go into committee in the summer, come back and pass it or reject it officially in the fall, making sure that all legislation is properly vetted throughout the process, that the opposition parties have full input into the discussion, that we hear the stakeholders out, slow it down, especially on major pieces of legislation like this, making sure that we do a thorough and good job, openly and transparently. And you know what? That's only going to benefit the government of the day. It's only going to benefit them and the people of Alberta because when government passes good legislation, the people of Alberta are happy, and when the people of Alberta are happy, they support the government. That's why I don't understand the self-defeating things that this government does.

Why not take the time to pass the right piece of legislation, and then you're not up you-know-what creek without a paddle. This wouldn't happen to them. The Wildrose Alliance wouldn't even exist if they did it that way – imagine that – instead of being neck and neck with the government in the polls. [interjection] That's right. Fine. Neck and neck: that's all I'll say. [interjection] Oh, hon. member, I will miss you.

Anyway, that is really an issue that we need to get through our heads, that as a government our job, our role is to pass legislation that is good for the people of Alberta. That's what we need to do, and we haven't done our due diligence. And you know what? I don't even blame the members for getting it wrong the first time. How can I? I got it wrong the first time. I don't blame them for that on any bill. If you're going to pass a bill and you get two weeks to look it and you've had no time to go to your constituents or ask any experts about it, you're going to make mistakes. Absolutely.

If you're going to make mistakes, it's fine to make mistakes on the first draft. That's why we have drafts. But then we go to committee. We have the experts in, and we listen to those experts. We make sure that the legislation rolls out the way that it was intended to, that it has the effect that was intended and so forth. But we haven't done that in this Leg., and because of that, mistakes were made. Instead of correcting them, we have gone forward with it, and now we have a government in its death throes. I love using that language, death throes. It's a good word.

It's a problem, and there's no reason for it. I think it's too late now, unfortunately, for this process to be reversed because I don't think there's a will. I hope I do see some indication. You know, there are at least some mumblings from the next leader, but of course the next leader always starts that way. That's the way the Premier started. [interjection] Yeah, one candidate.

The point is that I hope that whoever the next leader is, for the good of the province, will use this amending formula, these committees to make sure that we get the right legislation passed for Albertans, that we're not concerned with speed and getting it done right away and just making it happen, that we're more concerned about getting it right. Get it right: somebody should use that as a slogan. Get it right. If not the first time, get it right the second or

the third time, and you can do that if you have a proper legislative drafting process.

But this government has gotten lazy. They've gotten too used to doing things the way they've always done things, which is ready, shoot, aim.

**Mr. Hinman:** No, it's fire.

**Mr. Anderson:** Ready, fire, shoot? I said "shoot" instead of "fire." [interjection] Come on, man; be supportive.

**Mr. Chase:** Cut twice; shoot once.

**Mr. Anderson:** That's right. Cut twice; shoot once.

Anyway, if we're very careful, if before we cut, we make sure we measure twice – there you go; I think I got that one right – then we would make far fewer mistakes in this House.

Again, I will say that this bill is a mistake. The people of Alberta don't want it. Every poll I've seen on this particular question is clear. I mean, it's like three-quarters of Albertans don't want this piece of legislation, meaning Bill 36. It's bad, and in rural areas it's worse. You're not winning here, government, so fix it by repealing this, by repealing Bill 36, and starting over at the drawing board, putting those great minds of yours together with the opposition minds in the committee. Get those stakeholders in. Let's not have the bureaucracy run our province completely. Let's at least try to have a little political check on the situation.

9:40

**The Acting Speaker:** Any other members wish to speak?

**Mr. Hinman:** Well, this truly is an A1 amendment. I thank the Member for Edmonton-Strathcona for bringing this forward. Once more, being a friend of the government, I say: look; here's the problem, and here's the solution. What's the solution here with this A1 amendment? To bring it back six months hence. We have the mechanism in place, Mr. Speaker, to do something with this.

The rumblings out there are incredible. Why do we have to wait for a tsunami? Why do we have to wait for an earthquake? Man, where are your political antennas to listen? It is our job as elected representatives to listen and say: "You know what? We really shouldn't push this through."

It's funny. I've been a long-time advocate of recall, accountability 24/7, and this is exactly the type of bill where people say: "Oh, we can't have recall because we couldn't push through bills like this. People would then have the power to do something to stop us. But if we can do this and push this through, in six months or in four years, if we do it early, they won't remember then, and we'll have other things." This is about accountability. It's been brought up.

The policy field committees: it's a solution for something like this. Why do you want to have the destructive fighting within that's going to go on during the leadership campaign? Should we toss it? Shouldn't we? This will really actually be quite an interesting phenomenon for me to watch, to see the leadership campaigns become divisive.

**Mr. Anderson:** Gary Mar spoke out against it.

**Mr. Hinman:** Yeah, I know Gary Mar spoke out against it. I know Alison Redford has. [interjection] Oh, I can't believe it. I got conned into that. The hon. Member for Calgary-Elbow has spoken out against this and realized: let's go back and listen to the people. It's always the best thing to do when we're trying to pass divisive legislation, to take the time, and 32 days isn't time. Five hours of debate isn't time.

Like I say, it's just embarrassing to realize that here we are in third reading, and everybody can only get up and speak once, yet the government is not compelled to do so. When they had closure in five hours, they limited the opposition. Not even all the opposition members were allowed to speak during that opportunity, let alone bring forth our amendments. I was one of them because one of my colleagues really wanted to speak badly to it, so we almost had to draw straws on who gets to. Why? The government in all of its wisdom says: oh, we're going to limit debate on this because we can. They didn't speak during second reading. They didn't speak in Committee of the Whole until closure came in, which was the first thing they brought in, and then for some reason they were so compelled to speak, and we couldn't.

You know, perhaps the most important thing that can be allowed is to let the opposition speak if that's what they feel compelled to do. If they think that it's so bad, let us open our mouths and remove all doubt by speaking foolishness.

**Mr. Lindsay:** You're doing that now.

**Mr. Hinman:** Instead, what do they do? "No. It's closure. Let's not allow them to speak. Better yet, we'll all get up." They'll open their mouths and remove all doubt. The hon. Member for Stony Plain seems to think that that's what I'm doing, so I'd encourage the Member for Stony Plain to get up and open his mouth. When was the last time, since you got shoved to the backbench, that you've done anything to help the people of Alberta? It's very disappointing, Mr. Speaker, extremely disappointing, yet he'll yap now and say: that's what you're doing. Get up and do something. Speak about Bill 10. Tell us how wonderful it is for your riding and all the industrial use that wants to go on there. It's pathetic, truly pathetic.

Why no speakers tonight? They don't care anymore. They brought in closure. That was all they wanted to do. They didn't want any amendments coming forward. They didn't want any debate coming forward.

Here it is: policy field committees. It was the right thing to do when Premier Stelmach came in, but has he done the right thing with it? Oh, twice. I apologize: the hon. Premier. I apologize, Mr. Speaker. We get a little bit passionate here, and sometimes we forget that we have multiple names when we're in the House and when we get into the committee and things.

The problem is that this bill is upsetting to Albertans, and on that alone it should be going to the policy field committee. We should be going through this. If they're so convinced that it's so great, why did we have Bill 10, which is nothing more than an amendment to Bill 36, when they said: it's perfect; no amendments necessary? Yet here it is, again under a very quick time frame, pushing this through so that their regional plans can be implemented and not challenged. That's what this is about. It's about eliminating the challenge of industry, of landowners who say: "This is wrong. This isn't in my best interests." It's about the challenge of saying: "You know what? The parameters that you are setting up and are therefore making the decision that we need billions of dollars of power lines needs to be protected here." That's what Bill 10 does. It allows Bill 50 to go forward. There isn't the challenge there. It's just wrong.

Like I say, this is an ideal opportunity, but I don't think there are enough people listening or thinking here, as was mentioned earlier. If everybody is thinking the same, then it's highly likely that there is nobody on that side that's even thinking because they don't have any divergence of thought. It's just all the same: "That's what we're going to do."

We need to put the brakes on this. It's not a good bill. We already see with LARP the problem that it is. I've asked four times of the government: just tell us what the mineral leases have brought to the government's coffers. They talk about the \$2.6 billion in land sales. Tell us what it was, the land sales that are being rescinded by LARP. They won't do it. It's very disappointing. Obviously, they have the numbers. Or worse, they don't even have the numbers, and they don't want to look at it.

I had an individual today with \$675 in permits, \$30,000 in investments, and he's basically been told by the department: "You know what? We're not going to recognize that, but go ahead and bring forth your best case." And why not? The minister gets to decide. It's faulty. It's wrong. It's unacceptable. It's un-Albertan. Why are we pushing this through? Vote for this amendment. It's an A1 amendment. That means top notch, A1. It's great. Let's do it. This is our opportunity to say: let's have that second thought; let's open it up."

One of the real problems is that this government – and I'll go back to the Hunter report. I mean, it was selected by government ministers. These are the people to do it. The hon. Member for Edmonton-Highlands-Norwood took my other pamphlet today – and he hasn't brought it back – on the Premier's council. What's that new one called? [interjection] Everything's been taken from me. I'm in shambles. He took it tonight, and he didn't bring it back.

The Premier's Council for Economic Strategy. The problem is that they pick these people, but they don't do what we do in a policy field committee, where we allow people to come in and present both sides. Yes, they've heard some presentations and this and that, but it's inside, where we don't get to make the full presentation, to have the debate.

This bill needs to be hoisted for six months. This is an A1 amendment. Let's grab it, and let's run with it. We're just being bamboozled here. I'm not sure by whom. Is it by bureaucrats? Is it by a Premier who says, "This is going to be a wonderful legacy that I've set up"? I don't know what Kool-Aid they're drinking, or maybe it's vodka in their Kool-Aid that they're drinking, and therefore they're not able to think clearly. [interjection] This isn't Jonestown. The lemmings are all just going to run off the edge because that's where their leader leads them and says that this is the way to go.

This is a very sad day for Alberta that we're going to pass this again. We brought forward Bill 10 to try and correct Bill 36. We're not doing it. They don't bring in both sides to listen. As the Leader of the Official Opposition says, they deny; they dodge. But what they actually do is duck and deny and deny and deny. It's 3-D dimensional. [interjection] There we go: 3-D demented.

This is an opportunity to say no to this bill and to come back six months hence, to say: let's have that sober second thought; let's actually listen. Why are we so uninterested in listening to the experts out there, in pointing out and saying why we don't need to pass this bill, this central planning bill, this empowerment of one individual to say, "This is my dream, my vision of Alberta" and squash one area or do something foolish in another area. We're not going to have our best potential here when you have central planning.

As I said earlier, you know, you need that entrepreneurial spirit. You need those different regions that are unique to say: yes, maybe that works up in northern Alberta, but it doesn't in southern Alberta. Even with the water: very different aspects of how much water we have in northern Alberta yet how little we have in southern Alberta. What we do with that resource is absolutely phenomenal. Allow the different development in those areas in how we're going to utilize our resources in our different regions, whether it's wood, water, crops, minerals.

9:50

What are we going to do? This is not going to solve what we're going to do. This is going to compound the problem of how we're going to be innovative, how we're going to reach out and do that next step. Again, just thinking of renewable energy, when you think of windmills, solar panels, all of those, the number one element that we need are rare-earth elements, yet this province is so against mining. It's so difficult to raise it. You know what? If we're going to drill and actually mine the ground for oil and gas, why would we not allow it for the rare-earth elements, that we've found are so wonderful in electronics and what we can do with them? This government doesn't have the vision to say: "Well, let's explore. Let's find. Let's raise the capital. Let's have those flow-through shares go as we're trying to develop our mining industry in the province." We could do it, yet with LARP we're reaching and grabbing out of an area saying: oh, no; we're going to protect this area. For what? What's the purpose?

The area that they've reached in and grabbed wasn't even supposed to be part of LARP, but because they caught the vision of possibly having a large hydro facility, "Oh, well, we'll grab the next section over there and just lump it in here," without doing their homework. That's what is wrong and why we need to hoist this bill for six months, come back with a lot more information, and do a better job.

This is going to hurt the Alberta advantage. It's going to hurt our future. It's going to hurt development. It's not going to allow that entrepreneurial spirit to reach out and to come up with a new idea. A regional plan could be such that they're going to say: "You know what? We don't want any more windmills." Yet some area in central Alberta says: "You know what? We've got a great opportunity. We're going to grow the biggest windmill farm anywhere." But the regional government could say that it's only going to happen in southern Alberta and put a block on it. What can they do? The problem with central planning is that it's flawed. It doesn't allow progress to go forward except in the vision of one or a few powerful individuals who had that responsibility land on their shoulders and their decision-making.

I will plead with the government to do the right thing, be all individuals and stand up and vote for the hoist of this bill to bring it back in six months. Let's send it to the policy field committee, where we can hear all the pros, all the cons, and know that at least we're going to be informed when we make this decision and not just take that attitude of: "Oh, I don't want to hear it. Oh, I don't want to see it. I don't want to speak it." Hear no evil; see no evil; speak no evil: that's just what this bill is all about, it seems like. We can't have that open discussion. We can't bring in the experts. We won't listen to them. We're just going to rush this through, be done with it, and we'll let it come back here, whether it's in eight months, 12 months, two years, and deal with this after we've done a lot of damage, after we've hurt our industry again.

Just like the new royalty framework. Two years of chaos, of inconsistency, wondering: what's the government going to do? Then we had to put everything on a fire sale and actually lose more. Had we just left it at a sustainable level, a good level, we would have been far better off. But we had to put in extra incentives to bring the industry back, and that's what we're going to have to do again here. We've slammed the door shut: "Out of business. Don't come here. Don't raise capital. We're not interested in your money. We know what's best. Don't try and do it."

Once again, I plead with the government members to open their eyes, put on their political antennas. I realize that you've got a leadership campaign on. Let's deal with it later, not rush it through now as supposedly some sort of fancy legacy, you know: "Look at

the socialism that we've brought in here. Look at our wonderful Premier's Council for Economic Strategy. We'll force this down. We'll tax the people and put these resource revenues into a political slush fund. We'll shove this other stuff out here and tell you what industries to invest in. Whether it's windmills, solar panels, nanotechnology, I'm just really encouraged that government's going to know what to do best."

**The Acting Speaker:** Any other member wish to speak to the amendment? The hon. Member for St. Albert.

**Mr. Allred:** To the amendment, Mr. Speaker, I'd like to just raise the question: what does the opposition think Bill 10 is intended to do? It's intended to clarify some issues that they raised over Bill 36. It enhances property rights. It strengthens property rights, the very thing they've been crying about for the last number of months. I could also ask: what is this amendment going to do? If this amendment is passed, Bill 10 dies. Then we revert to Bill 36, which they thought was flawed. Is that what they want? I would suggest that their intentions are flawed in this. It would probably be great if we went back to Bill 36, and then they would have what they didn't want in the first place.

That's all I have to say, Mr. Speaker.

**The Acting Speaker:** The hon. Member for Calgary-Currie on the amendment.

**Mr. Taylor:** Thank you, Mr. Speaker. On the amendment, in response to the Member for St. Albert, I think if the member had been listening to what every member of the opposition, the combined forces of the opposition – well, should I use the term "coalition of the strange"? No, I won't. We joke sometimes among ourselves that we are the coalition of the strange. Here you have one caucus representing a party that represents the right of the political spectrum, another caucus that represents a party that represents the left of the political spectrum, another caucus, a caucus of one, that's steadfastly committed to the centre, and another caucus that's still trying to find its way – I'm not naming names – yet we are all speaking with one voice on this, not necessarily because we all agree that the problems that we see in Bill 36 and in Bill 10 are the same but because we do see problems. Paramount is that the problem we see with Bill 10 is that it does not do enough to clarify. I think we've been pretty consistent on that throughout the limited time that we have had to debate Bill 10, and it has been limited. There was virtually no debate at second reading. There was time allocation put on, only five hours of debate at committee.

**An Hon. Member:** They took half.

**Mr. Taylor:** The government members took half or thereabouts. I wasn't running an actual timer on it, but they took a substantial portion of it.

Now here we are at third reading, where there is no opportunity to fix this bill, this flawed legislation on the floor of the House, so now we're dealing with a hoist amendment, an amendment that says that Bill 10 be not read a third time now but be read a third time this day six months hence. You know, that doesn't necessarily have to kill the bill. Yes, usually a hoist amendment is designed to kill a bill. If this amendment passes, there is the opportunity for the Premier or the Minister of Sustainable Resource Development to do the right thing. I'd like to see the Premier do it because everything that I'm hearing is that the Premier is the one who wants this bill passed before we adjourn this session because he wants it as part of the legacy.

Now, I'll concede what the Member for St. Albert has said. Bill 10 certainly addresses some of the major flaws in Bill 36. I suppose if Bill 10 were to die, we'd be left with a worse piece of legislation on the books than if Bill 10 were to pass and amend Bill 36. But it's degrees. It's degrees of badness. It's degrees of toxicity. It's degrees of failure and flaw. Bill 10 doesn't go far enough. That's the point that we have been trying to make in the opposition with those amendments that we were actually able to put on the floor in the time allowed. We had more amendments, but there was no time.

Mr. Speaker, I think that the opposition has done its job to the extent that we've been allowed to do our job. We've done our job, our collective job, on this bill in that we have attempted to make it better than it was when it hit the floor of this House. We've attempted. We've failed. We failed to engage the government members in debating our amendments. We failed to engage most of the government members in Bill 10 debate tonight because they just want this thing passed.

**10:00**

I mean, it's been a beautiful day, Mr. Speaker. I think it got up to 22 degrees today. It's forecast to go to 23 degrees tomorrow. I think Edmonton is the hot spot in the country right now. Everybody wants to get out and golf or just get out of here. It's like the last days of school, you know? You know you're a couple of days away from the last day, and you spend your entire day gazing out the window. Whoever designed this particular classroom we're in made sure that we didn't have access to windows to gaze out of, and it's probably a good thing because attention, I think, has been waning anyway. But that's kind of the way it feels. Everybody just wants to go home, just wants to get on about their leadership campaigns or get on about their golf game or get on about their travel plans or get on about fundraising for the next election because Lord knows, it's going to be a bigger fight than it was the last time around for a lot of you folks in here.

That's where we're kind of at right now, but it hasn't been for lack of trying on our side. We've tried to engage the government in a full and fair and reasoned and spirited debate about the merits and the drawbacks of Bill 10, which is designed, after all, to turn Bill 36 from a sow's ear into a silk purse, or maybe the best we can hope for, given what we have to work with is – I don't know – a polyester purse, something like that. We have tried, and we have failed. This is our last attempt to try and make this a better bill than what exists right now, make it a better bill than what we're about to vote on.

This is an attempt to not read Bill 10 a third time now, and this gives an opportunity to the Premier, to the government to do the right thing and refer this legislation to the Standing Policy Committee on Resources and the Environment and let them do what these policy field committees were designed to do: to solicit submissions from interested parties, to hold public hearings, to get input from everyone, from the experts to the man on the street, the woman on the street, and let the people of Alberta be heard. Then craft the kind of land-use and regional planning legislation that we need. The kind of land-use and regional planning legislation that we need, Mr. Speaker, clearly puts limits on what can be done on this piece of land versus that piece of land. That's what land-use policy is all about.

We have the land-use framework. We went after developing a land-use framework in this province because during the boom every square inch of land in this province and every square inch of water surface was subject to competing uses from competing interests, and you just can't go on that way. You need to bring some order to chaos.

Now, my hon. colleagues in the Wildrose Alliance like to raise the spectre of central planning, and I understand why they're doing

it in this case. Because the application of a land-use framework in the legislation that we have dealt with so far and, quite frankly, the application of a lot of principles in a lot of legislation that we've been dealing with in this House over the last – what's it been now? – almost three years has had a whiff of central planning to it. But land use, land-use policy, and regional planning does not need to be central planning. In fact, if it's done right, it should be done as close to the local people as possible. [A timer sounded] We need to pass this amendment.

Thank you.

**The Acting Speaker:** I'm sorry. Your time wasn't up, hon. member. That bell was incorrect.

**Mr. Taylor:** Thank you. I thought that seemed like an awfully short period of time.

**The Acting Speaker:** Six minutes left.

**Mr. Taylor:** Thank you, sir. I will pick up where I left off, which is saying that we need to pass this amendment. We do need to pass this amendment because we need to go back and get this right. The concept, the principles behind land-use policy and regional planning, is of fundamental importance to the province and people of Alberta going forward. If we don't get this right, we're in a lot of trouble, but we need to do it in a way that gets it right. I'm not sure that I want to go so far as to argue that we're better off without any land-use framework and any regional planning than we are with Bill 36. I think if I felt that way, my participation in this debate around Bill 10 would have taken a very different tone, and I would have said: "You know, what are we wasting our time with this for? Why don't we just rescind Bill 36?"

Certainly, there have been some people, including at least one and I think more PC leadership candidates, who have suggested that we do need to go back to the drawing board. We need to kill Bill 36 and start again. Maybe they're right. We certainly need a bill that expresses land-use policy and creates a good regional planning process because if we don't have that, it's back to the gold rush days, the gold rush environment, the gold rush atmosphere that we had going on here during the last boom and that we have with every boom: you know, everybody grab just as much of the resource as you can in as short a time as you can, and sell it for as much money as you can because we all know this gravy train ain't gonna last because the price of oil always goes down and booms are short lived. In booms it can get real ugly because everybody is grabbing for their piece of the pie, and people and environments get hurt that way. So we need land-use policy. We need regional planning. We just don't need it the way it's being done.

We have an opportunity here to put Bill 10 on hold and over the summertime and perhaps into the fall let the policy field committee do its work, fine-tune this bill, come up with recommendations to make it better and bring it back to the floor of the House this fall. Presuming – and I'm going to presume because I'm going to assume for a moment that the government actually wants to do the right thing here rather than the politically expedient thing. I'm going to assume there actually is a fall sitting of the Legislature because it would be the right thing to do. Passing amendment A1 gives us, in fact, the opportunity to do that. It doesn't give us the opportunity to do that on the opposition benches; it gives the Premier, the government, the cabinet the opportunity to refer this bill to the Standing Committee on Resources and Environment and let that committee do its work, which is to seek public input, to seek expert input, and to get this bill right.

This bill right now, Mr. Speaker, is not right; it is wrong. It is perhaps less wrong than the bill it seeks to amend, but it doesn't fix

the problem. It doesn't fix the massive credibility gap that exists between this government and its people. It doesn't restore the trust that's absolutely fundamental to making land-use policy and regional planning work. It doesn't restore the trust that the people need to have in their government, that their government is actually out to operate in the public interest and, in fact, is not out just to get them. It's designed to make it look as though it does that, but when you drill down into it, it doesn't do that at all. That's why we need to pass amendment A1, and that's why I'll be voting in favour of it.

Having gotten that on the record, Mr. Speaker, I'll sit down and make room for anybody else who cares to join the debate. Thank you.

**The Acting Speaker:** Any other members wish to speak. The hon. Member for Lethbridge-East.

**10:10**

**Ms Pastoor:** Thank you, Mr. Speaker. I believe that there certainly has been a great deal of discussion prior to this, and I will not try to repeat many of the arguments. However, I would like a few comments on the record. From my personal experience – and certainly I have been hearing from people: letters, phone calls, e-mails, and by just attending different events. These people are ticked off. They are ticked off with Bills 19, 36, 50, and now Bill 10, and they are ticked off partly because they really do not trust this government. But interestingly, they're not sure that they trust the other side either, because they really don't understand it. They feel that even with the government road shows that go to these different large events where, in fact, the government gets booed and heckled in a public place, which isn't always probably the best thing for the government, these people are really, really unhappy. They just don't trust, and when the people don't trust the people who are governing them, we're in trouble. We're in big, big trouble.

I think the reason that this should be put off for six months is to give a chance for this conversation to calm down, to try to eliminate some of the rhetoric, to allow people to listen, and to allow people to perhaps understand. But the government would have to listen. Not just listen, they have to really hear what people are saying.

One of the last comments that I would like to make is that I believe that passing this amendment will be the smartest political move that this government could possibly do.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I will be brief, too, with my comments on amendment A1. I urge the members to pass the amendment. I think Bill 10 is trying to fix the flaws of bills 19, 24, and 50. I believe that to quell all the fears on property rights, we should approve this amendment and send the bill back to Albertans because Albertans are not on board with the government or with what the government has been trying to do. Let's have open houses. Let's have gatherings like at Eckville, and let's put those fears away for good so that Albertans have a say. Albertans know what is happening with their property rights, and Albertans know what the government is trying to do here. The fear that the government is coming through the back door: that fear will be taken away.

For those reasons, I think it wouldn't hurt, like, if we wait for another six months to pass this bill. Let's do it right. Let's not have another bill trying to fix Bill 10 in the fall session, if we're going to have a fall session. Let's send the bill to a policy field committee. Let's do a proper hearing, and do it right so we don't have to come back and say: oh, this bill is coming to haunt us, and let's bring another amendment bill to fix Bill 10 now. It will be a

good idea to send the bill back to the policy field committee, take it to Albertans, and get it right.

With those comments, Mr. Speaker, I will be supporting this amendment. Thank you.

**The Acting Speaker:** Any other members wish to speak?

I'm going to call the question.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 10:14 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Mitzel in the chair]

For the motion:

Anderson	Kang	Swann
Chase	Notley	Taylor
Hinman	Pastoor	

Against the motion:

Allred	Doerksen	Morton
Benito	Fawcett	Olson
Berger	Fritz	Ouellette
Bhardwaj	Goudreau	Rogers
Bhullar	Groeneveld	Sarich
Blackett	Horne	VanderBurg
Dallas	Jablonski	Zwozdesky
Danyluk	Lindsay	

Totals:	For – 8	Against – 23
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[Motion on amendment to third reading of Bill 10 lost]

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 10:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Mitzel in the chair]

For the motion:

Allred	Doerksen	Morton
Benito	Fawcett	Olson
Berger	Fritz	Ouellette
Bhardwaj	Goudreau	Rogers
Bhullar	Groeneveld	Sarich
Blackett	Horne	VanderBurg
Dallas	Jablonski	Zwozdesky
Danyluk	Lindsay	

Against the motion:

Anderson	Kang	Swann
Chase	Notley	Taylor
Hinman	Pastoor	

Totals:	For – 23	Against – 8
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[Motion carried; Bill 10 read a third time]

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

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. An incredible night of great progress, and on that note I would move that the Assembly now stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 10:40 p.m. to Wednesday at 1:30 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday, May 11, 2011

Issue 33a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees  
Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

Ady, Hon. Cindy, Calgary-Shaw (PC)	Klimchuk, Hon. Heather, Edmonton-Glenora (PC)
Allred, Ken, St. Albert (PC)	Knight, Hon. Mel, Grande Prairie-Smoky (PC)
Amery, Moe, Calgary-East (PC)	Leskiw, Genia, Bonnyville-Cold Lake (PC)
Anderson, Rob, Airdrie-Chestermere (WA), WA Opposition House Leader	Liepert, Hon. Ron, Calgary-West (PC)
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Berger, Evan, Livingstone-Macleod (PC)	Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)	Lund, Ty, Rocky Mountain House (PC)
Bhullar, Manmeet Singh, Calgary-Montrose (PC)	MacDonald, Hugh, Edmonton-Gold Bar (AL)
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Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)	McQueen, Diana, Drayton Valley-Calmar (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)	Morton, F.L., Foothills-Rocky View (PC)
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Drysdale, Wayne, Grande Prairie-Wapiti (PC)	Redford, Alison M., QC, Calgary-Elbow (PC)
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Griffiths, Doug, Battle River-Wainwright (PC)	Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)
Groeneveld, George, Highwood (PC)	Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC), Premier
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC), Government House Leader	Swann, Dr. David, Calgary-Mountain View (AL), Leader of the Official Opposition
Hayden, Hon. Jack, Drumheller-Stettler (PC)	Taft, Dr. Kevin, Edmonton-Riverview (AL)
Hehr, Kent, Calgary-Buffalo (AL)	Tarchuk, Janis, Banff-Cochrane (PC)
Hinman, Paul, Calgary-Glenmore (WA), WA Opposition Deputy Leader	Taylor, Dave, Calgary-Currie (AB)
Horne, Fred, Edmonton-Rutherford (PC)	VanderBurg, George, Whitecourt-Ste. Anne (PC)
Horner, Doug, Spruce Grove-Sturgeon-St. Albert (PC)	Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)
Jablonski, Hon. Mary Anne, Red Deer-North (PC)	Weadick, Hon. Greg, Lethbridge-West (PC)
Jacobs, Broyce, Cardston-Taber-Warner (PC)	Webber, Hon. Len, Calgary-Foothills (PC)
Johnson, Jeff, Athabasca-Redwater (PC)	Woo-Paw, Teresa, Calgary-Mackay (PC)
Johnston, Art, Calgary-Hays (PC)	Xiao, David H., Edmonton-McClung (PC)
Kang, Darshan S., Calgary-McCall (AL)	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Deputy Government House Leader

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Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 67    Alberta Liberal: 8    Wildrose Alliance: 4    New Democrat: 2    Alberta: 1    Independent: 1

### **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board, Liaison to the Canadian Armed Forces
Lloyd Snelgrove	President of the Treasury Board, Minister of Finance and Enterprise
Dave Hancock	Minister of Education, Political Minister for Edmonton
Iris Evans	Minister of International and Intergovernmental Relations
Mel Knight	Minister of Sustainable Resource Development
Luke Ouellette	Minister of Transportation
Rob Renner	Minister of Environment
Verlyn Olson	Minister of Justice and Attorney General
Yvonne Fritz	Minister of Children and Youth Services, Political Minister for Calgary
Jack Hayden	Minister of Agriculture and Rural Development, Political Minister for Rural Alberta
Ray Danyluk	Minister of Infrastructure
Gene Zwozdesky	Minister of Health and Wellness
Ron Liepert	Minister of Energy
Mary Anne Jablonski	Minister of Seniors and Community Supports
Len Webber	Minister of Aboriginal Relations
Heather Klimchuk	Minister of Service Alberta
Lindsay Blackett	Minister of Culture and Community Spirit
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration
Greg Weadick	Minister of Advanced Education and Technology

### **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Finance and Enterprise
Fred Horne	Health and Wellness
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board (Oil Sands Sustainable Development Secretariat)
Diana McQueen	Energy
Janice Sarich	Education
Teresa Woo-Paw	Employment and Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

DeLong  
Forsyth  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Services

Chair: Mr. Doerksen  
Deputy Chair: Mr. Hehr

Allred  
Anderson  
Benito  
Bhullar  
Chase  
Johnston  
Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

Chair: Mr. Bhardwaj  
Deputy Chair: Mr. Chase

Amery  
Dallas  
Fawcett  
Hinman  
Johnson  
Lund  
Taft  
Tarchuk  
Taylor  
Woo-Paw

### Standing Committee on Health

Chair: Mr. McFarland  
Deputy Chair: Ms Pastoor

Forsyth  
Griffiths  
Groeneveld  
Horne  
Lindsay  
Notley  
Quest  
Sherman  
Swann  
Vandermeer

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Bhullar  
Blakeman  
Campbell  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest  
Rogers

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Bhullar  
Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Lindsay
Boutilier	McQueen
Calahasen	Morton
Dallas	Redford
Doerksen	Sandhu
Drysdale	Sarich
Hinman	Taft
Horner	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Hancock

Amery	Lindsay
Berger	McFarland
Calahasen	Mitzel
DeLong	Notley
Doerksen	Pastoor
Forsyth	Quest
Groeneveld	Sherman
Hinman	Tarchuk
Jacobs	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Rodney

Allred	Griffiths
Anderson	Groeneveld
Benito	Kang
Calahasen	Mason
Chase	Sandhu
Dallas	Vandermeer
Elniski	Xiao
Fawcett	

### Standing Committee on Public Safety and Services

Chair: Mr. Drysdale  
Deputy Chair: Mr. Kang

Boutilier  
Brown  
Calahasen  
Cao  
Forsyth  
Johnson  
MacDonald  
Rogers  
Sandhu  
Xiao

### Standing Committee on Resources and Environment

Chair: Mr. Prins  
Deputy Chair: Ms Blakeman

Anderson  
Berger  
Boutilier  
Hehr  
Jacobs  
Marz  
Mason  
McQueen  
Mitzel  
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Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

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Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

### Select Special Ombudsman Search Committee

Chair: Mr. Mitzel  
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Blakeman  
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Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 11, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

Let us pray. Renew us with Your strength. Focus us in our deliberations. Challenge us in our service to the people of this great province. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Battle River-Wainwright.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to members of this Assembly a group of students from Provost public school in the town of Provost in the constituency of Battle River-Wainwright. They are accompanied today by Mrs. Michelle Munro, their teacher, and by parent helpers Mrs. Karen Paulgaard, Mrs. Corinne Bachmann, Mrs. Diana Kroetsch, and Mr. Martin Biro. We had a great discussion, and they asked me exceptional questions when we were down getting our pictures. They are seated today in the members' gallery. I'd ask them to rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I have a second introduction if I may. I am very honoured today to have three constituents here in the gallery. They are Myron and Brenda Badry, and they were brought here today by their daughter Nicole. They have been exceptional agri-entrepreneurs in the constituency and a model for what the future of agriculture can be. They're fantastic community builders, who have done more for their community than a lot of people do. They have been close friends and helped me with my first nomination, and they were exceptional in helping to do that. I'd ask them, please, today to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yes. Thank you very much, Mr. Speaker. It's indeed my pleasure also to introduce three grade 6 classes from Timberlea school in Fort McMurray, who travelled the bumpy highway 63 to get here safely, and in doing so, I'd like to introduce them today. The teachers are Andrea Organ, Linda Nguyen, and Amanda Murray, and joining them today are teacher helpers Theresa Wells, Sheri Reid, Celina Whiteknife, Glen Noseworthy, Tammy Murphy-Becker, Sue Allen Dupreez, and Shauna Kendall. I'd like to ask the students and parents and teachers to rise in the members' gallery and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a pleasure today to rise to introduce to you and through you several terrific Albertans who are here today visiting from the Multiple Sclerosis Society of Alberta. Of course, MS affects 11,000 Albertans, including my own aunt, Mora Louise Hauk, who died last year. I would also like to thank them for providing a red carnation to raise awareness of MS in this Assembly. I'd like to introduce Judy Gordon, the former MLA for Lacombe-Stettler; James Orr; Neil Pierce; Julie Kelndorfer; Garry Wheeler; and Darrel Gregory.

They are seated in the Speaker's gallery, and I ask that they please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Culture and Community Spirit.

**Mr. Blackett:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you my executive assistant, Honor Humphreys, and our new summer student, Miss Courtney Edwards. Honor is a graduate of Haskayne School of Business and came to us from the fund development branch of the Calgary philharmonic and sat as a member of the Alberta Foundation for the Arts board. Our summer student, Courtney, is a fourth-year student at the University of Alberta working toward her BA in psychology. She is an Edmontonian born and raised and is such a loyal Oilers fan. In her spare time she likes to do yoga, run, read, and tweet. I'd like to ask Honor and Courtney to please rise and receive the traditional warm welcome of this House.

**The Speaker:** The hon. Minister of Environment.

**Mr. Renner:** Well, thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly three guests who have joined us this afternoon from Medicine Hat representing the Medicine Hat chamber of commerce. I understand they're attending meetings in St. Albert today and have come down to observe us this afternoon. I don't see them yet in the members' gallery. They may still be on their way in, but I'll introduce them anyway: the chairman, Milvia Bauman; the executive director, Lisa Kowalchuk; and Deanna Haysom, who is a director with the Medicine Hat chamber of commerce. If they are here, I ask them to rise and for all members to give them the usual warm welcome.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. It's a pleasure and an honour to introduce to you and through you the University of Alberta's clinical islet transplant program team. As the director of the clinical eyelet transplant program since 1998, Dr. James Shapiro, together with a dedicated team of internationally attracted clinical and laboratory staff, developed and tested a new protocol that dramatically increased insulin independence results in diabetics. This leading-edge research became known as the Edmonton protocol. The team has performed over 300 islet transplants in Edmonton, and 74 per cent of posttransplant patients are now insulin free after five years.

Mr. Speaker, with us today in the gallery are the members of Dr. Shapiro's team: Dr. Shapiro, accompanied by his wife, Dr. Vanessa Davis, and their two-month old son, Noah; Dr. Sonal Asthana, here from Delhi, India, now an Edmontonian; Dr. Boris Luis Gala-Lopez, here from Havana, now an Edmontonian; Dr. Toshiyasu Kawahara from Tokyo, Japan, accompanied by his wife, Mrs. Tomomi Kawahara, now Edmontonians; Dr. Samy Kashoush from Egypt, accompanied by his wife, Carmen Eissa, also Edmontonians; Dr. Alexandre Sarubbi Raposo do Amaral from Brazil, accompanied by his wife, Mrs. Isabella Elias Broggiato Raposo do Amaral; and their secret weapon, Cherry Robinson, who was my executive assistant for a number of years and now is Dr. Shapiro's executive assistant. I would ask them to rise and accept the warm welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Thank you, Mr. Speaker. It's indeed a pleasure and an honour for me to introduce to you and through you today to the members of this Assembly four individuals who last Friday were among the recipients of our annual crime prevention awards. Each year these awards launch Crime Prevention Week and give us the opportunity to celebrate the achievements of people and organizations in communities across our province who have gone the extra mile to help fight crime. I would ask each of the recipients to stand as I call their name and remain standing. First, we have Constable Todd DePagie of Rocky Mountain House, who was honoured for his work creating the cadet corps in the Sunchild-O'Chiese First Nation, which gives youth there constructive options for their lives. We have Wendy Huggans and Kathleen Rousselle from Driftpile First Nation, who were honoured for their work with the Driftpile choices youth program, which helps youth in grades 3 to 8 with life choices and decision-making skills. We have Constable Tara St. Denis from Peace River, who was honoured for her work with the Woodland Cree First Nation and the RCMP on such programs as the Woodland Cree youth group.

There were six other award recipients who couldn't be with us today: Trevor Tychkowsky of Smoky Lake; Lyn Michaud of Turner Valley; the Calgary Educational Partnership; Nancy Hixt, a crime reporter with Global TV; the Medicine Hat Safe Community Association; and the encouraging positive informed choices program, also from Medicine Hat.

Mr. Speaker, they have all inspired us with their hard work and determination to make Alberta a safer place to live and raise a family. I ask this Assembly to please join me in congratulating and thanking them for their work in being outstanding community crime fighters.

Thank you.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great pleasure and privilege for me to introduce to you and through you to the House a very special guest and personal friend who joins us in the public gallery. Arif Khan is an active member of the Alberta philanthropic community through his work as president of the Autism Society of Edmonton Area, board of trustee for Project Shelter Wakadogo in Uganda, board member of Aurora charter school in Edmonton, and board member of Sturgeon hospital foundation, St. Albert. Arif is also the incoming president of the Rotary Club of Edmonton Mayfield. I'm also proud to add that Arif will be the Alberta Liberal candidate for Edmonton-Riverview in the next election. I'd ask Mr. Khan to stand and accept our heartfelt welcome to the Legislature.

1:40

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

**Mr. Prins:** Thank you very much, Mr. Speaker. I'm very pleased and honoured to introduce to you and through you to all members a number of great senior guests from Lacombe and central Alberta. They are travelling with Parsons Holiday Tours, and they are seated in the members' gallery: Mr. John Parsons, Gail Sissons, Eric Sissons, Ruth Craig, Kathleen Corkery, close neighbour and friend Evelyn Frizzell, Ben and Annie Gebbink, Frank Keough, Eleanor Denoncourt, Shirley Kole, lifelong friend Alida Harink, Dorothy Charlton, and Kathleen Smith.

Now, Mr. Parsons has been a great ambassador for the city of Lacombe and has been here many times over the years. He still runs his own holiday tour company. He is one of the younger and more spry seniors of the group, and I would call him a senior teenager at the age of 80. He's the bus driver who drives these

people around. I would ask them all to rise and receive the warm welcome of all the members.

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

**Ms Tarchuk:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you two members of our Alberta parks public safety team, Burke Duncan and Mike Koppang, and our area manager for Kananaskis Country, Dave Hanna. Burke and Mike are internationally certified mountain guides working around the clock responding to emergencies, everything from missing people to climbing and water rescues and avalanche incidents. Together our public safety specialists here today have a combined 47 years of service to our province. Their work is invaluable, and it is an honour to have Burke, Mike, and Dave with us. I ask them to rise and receive the warm welcome of the Legislature.

Thank you.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and privilege to rise today to introduce to you and through you to all members of the Assembly six very special guests in the members' gallery from Queen Elizabeth high school, which is in the constituency of Edmonton-Decore. Queen Elizabeth high school and all their alumni will be commemorating their 50th anniversary milestone this year.

My guests this afternoon include Mr. Don Blackwell, the principal of Queen Elizabeth high school for the past three years; Brenda Scaddan, the social studies department head, serving in that capacity for 10 years; Mr. Terry Godwaldt, a teacher and coordinator of curriculum, advanced placement, and videoconferencing; Shawna Walsh, school council chairperson, who has volunteered with the school council movement for the past 18 years; Patrick Goodfellow, an enthusiastic grade 12 student who is an inspiring leader and is known for his community service and dedication to people; and finally, Diana Hadzizulfic, a grade 12 student, originally from Illinois, U.S.A., who has a passion for learning and leadership. I would now ask them to please rise and accept the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's my honour to rise today and introduce to you and through you Mrs. Mary Ann Dobson. Mary Ann Dobson is a schoolteacher at J. Percy Page high school, located in the Edmonton-Ellerslie constituency. Of course, I taught with her for two years prior to my election. I recently attended an Edmonton public school event where she was named a semifinalist for the 2011 excellence in teaching awards program.

Mrs. Dobson teaches art and believes that art is for everyone, not just for the gifted. She has received funding to start Drawn Together, a travelling sketchbook project. These sketchbooks are travelling across Alberta, providing a networking opportunity for students and teachers. The theme for the book is Identity, where the hope is that the book will increase students' understanding of one another and reduce bullying through this understanding. I wish Mary Ann continued success. At this time I'd ask my guest to please rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of

the Legislature three staff members who have recently started working with the Alberta NDP opposition. First of all is Élisabeth Ricard, who is our new exchange student from Quebec. She hails from Montreal and is currently completing her MA in international studies. Next is Richard Liebrecht, our communications officer. He is from the great orange land of Manitoba, and he holds a degree and diploma in communications. Thirdly, Pascal Ryffel, our new outreach co-ordinator, who just started this week, recently returned from the United Kingdom, where he completed his MA in media and international development. I would like to welcome the staff members, who are seated in the public gallery, and I would ask that they please rise and receive the warm traditional welcome of this Assembly.

### Ministerial Statements

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Ms Blakeman:** Mr. Speaker, point of order.

**The Speaker:** The point of order will be dealt with.  
Go ahead.

### Homelessness Initiative

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today to update you and all members of the Assembly on Alberta's plan to end homelessness. In 2008 the Premier created the Alberta Secretariat for Action on Homelessness. This secretariat recommended Housing First, a paradigm shift towards permanent housing, including extensive support to free vulnerable Albertans from the causes that lead to homelessness.

Last week the secretariat announced in the Ending Homelessness in Medicine Hat report a 10 per cent average decrease in month-to-month emergency shelter use from 2008 to 2010. Let's look around the whole province, Mr. Speaker. There has been a 16 per cent decrease in demand for emergency shelter spaces in Calgary from February 2009 to February 2011. The city of Fort McMurray has reported a 42 per cent decrease in the amount of homeless Albertans during the same period, and in Edmonton there has been a 21 per cent decrease in the number of homeless people during the same time frame. As of today 3,995 formerly homeless individuals have been housed with supports in just over two years.

Mr. Speaker, this accomplishment is a reflection of the great work from department officials and the tireless efforts from our partners with the community and private sector. Private sector and community partnerships are the foundation of Alberta's 10-year plan to end homelessness, and as taxpayers this program is in our interests. The cost to support a chronically homeless person with emergency support services is over three times the amount it costs to house the same person with the Housing First program. As the number of homeless people decreases, so does the cost to communities and governments to care for these individuals. We will continue to work with community-based and private-sector organizations to ensure that provincially supported initiatives align to local priorities and reflect local plans. This is especially critical to helping people regain or strengthen their independence.

Another initiative that we can all be proud of is making government identification voluntarily available to homeless Albertans. I'd have to again thank the Minister of Service Alberta for her leadership in this program. The identification can help get these people back on track as they work, rent an apartment, open a bank account, or apply for a job.

Mr. Speaker, we still have a ways to go, but we are definitely heading in the right direction, and we can be proud of the progress being made. Again, much of this is due to the incredible work being done by private-sector and community-based organizations and local groups across Alberta.

Some say that we're spending too much on this program even though I've been able to reduce our budget by 36 per cent and achieve the same results. Others say that we should be spending more even though we are meeting our goals with this leaner budget. To both, Mr. Speaker, I say that the measure of our success is in the results that we achieve, how many Albertans become independent, some of whom I had the privilege to meet personally.

I commend every member of this Assembly who has supported these efforts, both from the government and the opposition side, and the countless Albertans who remain committed to ending homelessness as we know it.

Thank you.

**The Speaker:** On behalf of the Official Opposition the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Mr. Speaker, the Alberta Liberals support the Housing First approach to dealing with homelessness and are extremely heartened by the enthusiasm with which this province's seven community-based homeless management bodies in Calgary, Edmonton, Red Deer, Lethbridge, Medicine Hat, Grande Prairie, and the regional municipality of Wood Buffalo are addressing the issue of homelessness. They have really been at the forefront of the fight to eliminate homelessness in Alberta and are deserving of much of the credit for the significant decline in the province's homeless population. I also want to acknowledge the tireless efforts of this province's many faith communities and social agencies. It is because of their dedication and compassion that the laudable goal of eliminating homelessness in Alberta will succeed.

1:50

Mr. Speaker, the desire to end homelessness in Alberta is one that is shared by all parties in this House. It's one of the few issues where you get the sense that we're all in this together and where our common humanity matters most. It is in that spirit that I'd also like to recognize the good work being done by the Minister of Housing and Urban Affairs and his department. Even though the Alberta government unveiled its 10-year plan to end homelessness a year or more after some of the community-based homeless management bodies, and some of those bodies are actually slated to achieve their goals well ahead of the province, the point is that the province did, to its credit, develop an overarching plan to end homelessness.

While I don't want to rubbish the progress that has been made in the ongoing fight to end homelessness in Alberta, I do want to briefly mention a few areas where, in my view, there is still room for improvement. This is based on discussions I've had with those that are on the front lines. Firstly, I think we need to do more to make the Housing First approach more inclusive and accessible to those with significant physical disabilities. I think there's a tendency to think of homelessness or the hard to house in a particular way. The reality is that the face of homelessness can be anyone, and we need to be mindful and sensitive to that. Also, I think we need to recognize that some people will require housing supports for far longer than the period of the wraparound supports that are currently being offered. In some cases support might be needed for a person's entire life. Mr. Speaker, we need to be flexible on how we approach the needs of the homeless and acknowledge that there are no two cases that are the same.

Thank you very much.

**The Speaker:** Hon. members, to permit additional members to participate on this ministerial statement discussion will require unanimous consent of the Assembly, so I shall ask the question. Would all those in favour of allowing two additional speakers to participate, please say aye?

[Unanimous consent granted]

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. Thank you to the minister for that update. To this government's credit the 10-year plan to end homelessness actually uses the right approach to service delivery. By utilizing a competitive bidding process, we've seen significant savings to the taxpayer while maintaining high levels of quality and service. What a novel concept. Of course, the question then is: why does this government refuse to do the same in other areas? In health care we could have saved billions by introducing competitive delivery into the system, but the Wildrose plan to make those reforms was met with ridicule and fearmongering from a PC party stuck in the 1980s. On transmission lines this government awarded an untendered contract for \$16 billion worth of unnecessary upgrades to our transmission system that Albertans will be stuck paying for. Why does this approach work for homelessness but not for health care and not for transmission lines?

Saving money on construction is actually only one part of the equation. In terms of real taxpayer dollars what they save in bricks and mortar is probably covered off by what is wasted in needless bureaucracy. The fact is that seven Alberta municipalities already had their own homelessness plans. They were developed locally with real consultation with people on the ground living in their communities. In typical PC fashion this government decided that it wasn't good enough. They made their own 10-year plan because they know best, and they made other municipalities follow it. How much could we have saved if we simply financially enabled municipalities to tackle the problem themselves, as they were and remain prepared to do so? A Wildrose government would do just that.

We in the Wildrose have also questioned, several times actually, the need for this minister's particular department. He likes to talk about saving taxpayers money, and that's good, even taking credit for spending cuts in his department that were planned long before he took over. But I wonder how much money his ministry spends on bureaucratic administration simply by continuing as a stand-alone government ministry. The purview of his department clearly falls under Municipal Affairs. I suggest that if he truly respects taxpayers, he would reunite his ministry with Municipal Affairs and free up millions in savings. Mr. Speaker, that's money that could be reinvested in the very initiative that he spoke about, or it could be used to pay down the deficit, but I don't suppose anybody on that side of the House is interested in doing that.

Thank you, Mr. Speaker.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. This PC government has hitched its wagon to a 10-year plan to end homelessness that's on a trail which assures that many Albertans will continue to struggle to have decent, affordable housing.

The government likes to talk about how many units of affordable housing have been created and about drops in the use of emergency shelters or in counts of homeless people, but there is no evidence that those changes are due to its actions or simply the result of a temporary drop in the vacancy rate. The government continues to ignore the need for a comprehensive plan for housing. Yet as long as the focus remains on the tip of the iceberg – that is,

those people who are currently and in many cases chronically homeless – and does not develop a fully integrated plan to ensure that we have enough housing for the diverse needs of all Albertans, we will continue to see new people become homeless from various perilous situations that they're in.

The 10-year plan to end homelessness owes more to the changing economic circumstances in Alberta the last couple of years than to the government's funding commitment. Since the plan began, there has never been a commitment of the amount of money the government's own committee said was needed to properly address the issue. Indeed, the minister just bragged about a 30 per cent cut to this program. Shame, Mr. Speaker.

There continues to be too much reliance on the for-profit sector in addressing affordable housing needs and too little investment in this issue. The waiting lists for low-income affordable rental housing are years long in the major cities of this province. Meanwhile some of our most vulnerable citizens, including children, people with mental illnesses, and seniors, are left in housing that is either far too expensive or far too poor in quality, and they all pay the price in their health and in their safety.

This government eliminated funding of important social housing years ago, and a huge homelessness and housing problem soon developed in our province. With the return of a stronger economy under way and more people coming to Alberta's labour market, we will see more difficulties. This government has nothing to brag about. The human costs of letting far too many people remain homeless or in poor housing in our wealthy province is a sad illustration of a government that just doesn't care about Alberta families.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you very much, Mr. Speaker. We've all heard stories from physicians and allied health workers about intimidation and punishment for advocating for changes in the health care system. Now we hear a story from a courageous registered nurse, Terri Reuser, who tried to speak up about procedures not being followed, abusive staff, compromised patient care. Instead of being listened to, she was silenced by her managers. To the Deputy Premier: why does the government ignore the growing evidence of a culture of fear and intimidation in our health care system?

**Mr. Snelgrove:** Mr. Speaker, in any workplace it is unacceptable at any time to bully people. The responsibility to treat employees respectfully is across all industries. It is unfortunate that there are going to be times when nurses disagree with doctors, when doctors disagree with doctors. They have to work those out, and when they can't, the administration has to get involved. It is unfortunate that it happens. It certainly is our intention to allow any of those circumstances to come forward in the Health Quality Council review, and I certainly hope that this nurse does.

**Dr. Swann:** Clearly, the Deputy Premier hasn't been listening because 30,000 Alberta health care workers do not feel confident in the Health Quality Council to hear issues of intimidation and bullying. When are you going to get it and call a public inquiry?

**Mr. Snelgrove:** There's absolutely no question that someone hasn't been listening, Mr. Speaker.



You know, it's amazing that the Liberal caucus can take a letter from a very respected nurse and just input: oh, Tory culture of fear and intimidation. Nowhere in her letter does she mention Tory intimidation and fear. She talks about her professional association not listening. She talks about her colleagues and her employer, who is Alberta Health Services. That's why we brought forward the Health Quality Council. They will listen to people who are trying to make the system better, and then we'll make it better together.

**Dr. Swann:** Such disrespect from a man who says that he's representing Albertans when 30,000 of our top health workers are saying that this is a bogus investigation that cannot get to the bottom, cannot restore public confidence, and will not get professionals back onside.

**Mr. Snelgrove:** Mr. Speaker, I just recently got to visit my father in the hospital in Vermilion. He suffered a stroke. I can tell you that that health care system he's talking about isn't there. The nurses in that hospital, the doctors, all the people involved are treating patients with absolute care and respect. He has nothing but respect for the physicians and nurses. You know what he has for them? He wonders: are they starting to believe their own news releases?

**The Speaker:** Second Official Opposition main question. The hon. Member for Calgary-Buffalo.

## 2:00 Education Funding

**Mr. Hehr:** Astronomical fee increases, teacher layoffs, special-needs program cuts: why this government's misguided cuts to education? Instead of cutting the Education budget and shortchanging children on their schooling needs, the government should be doing one of three things: cutting other government spending, dipping into the sustainability fund, or, God forbid, even reintroducing a small liquor tax. That's what governments do. They make tough decisions in order to protect children's futures. My question is for the minister of finance. Why does this government refuse to make hard decisions to protect our children's futures?

**Mr. Snelgrove:** Mr. Speaker, he is partly right. They are difficult decisions we make in government when we have the needs of seniors and children in care. We have a health care system that we're managing to maintain. It's one of the best in the world. We have an education system that is amongst the best in the world that's raising students into a very competitive world. He's right. There are difficult choices to make. On the other end is the taxpayer, and we balance those judgments.

**Mr. Hehr:** Given that the sustainability fund was created for a purpose, why is there continual refusal not to put our children first and allocate an extra \$110 million, the amount cut from expected grants to school boards, from the sustainability fund to cut these shortfalls?

**Mr. Snelgrove:** Mr. Speaker, that's why we're in this House. We have to balance the elected members who would spend everything in the kitchen until the cupboard was bare and borrow more, a party that would spend little or less on education and then pay for it down the road, or a party that is thoughtfully dealing with the financial realities we're in and appropriately allocating the money to those departments.

**Mr. Hehr:** Given that the reality is that children are currently being shortchanged on their education, will this government do a couple of things and either, God forbid, pass a tax, go into the sustainability fund, or cut some of the bloated government de-

partments you have to get our children the extra education dollars they need?

**Mr. Snelgrove:** Mr. Speaker, there is a lot more to education than the money that they would like to add to it. Every now and then you have to reassess what we're doing in education, and the minister has very, very capably addressed that. We're looking at education in the next decade and for the next generation. Some of them seem to be hung up on what education might have been in the '50s or '60s. We're moving forward with a well-funded, very balanced approach to educating not only our young students but our advanced education needs as well.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Centre.

## Water Marketing

**Ms Blakeman:** Thank you very much, Mr. Speaker. As I predicted, the government's weak-kneed approach to protecting Alberta's water has resulted in multinational corporations licking their lips over the chance to buy and sell Alberta's water. The chairperson of Nestlé says that they are actively dealing with the government regarding a water exchange because, and I quote, competition could be particularly fierce between farmers for water for crops and oil companies needing water for the oil sands. To the Minister of Environment: when was the minister going to share with Albertans that he is in discussion with Nestlé about how they can be involved in selling our water in the same way other commodities are traded?

**Mr. Renner:** Mr. Speaker, as I've indicated to this member on numerous occasions, Alberta's water is not for sale and will not be for sale. The fact that Nestlé talked about being in discussions with Alberta: I have no reason to believe it's wrong. There are all kinds of corporations and lobby groups that are constantly in discussion with the government on both sides of the issue. I can assure you, Mr. Speaker, that in addition to Nestlé, we've heard from literally hundreds and thousands of Albertans who do not share that opinion.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Back to the same minister. Interesting point. Why is it that Nestlé does not appear on the Alberta lobbyist registry? Is it because the minister approached them, and therefore the act doesn't apply, and they don't have to disclose?

**Mr. Renner:** Mr. Speaker, this minister did not approach them. I can categorically state that that is the case. As to whether or not Nestlé has directly contacted the government, I don't know. I cannot comment.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Back to the same minister: why would this government throw our farmers into a pitched battle against multinational food giants to gain control of water, whether through water market or through sale? How on earth does that help Albertans' access to a clean glass of water?

**Mr. Renner:** Mr. Speaker, this government would never pit farmers against the industry. I'll remind this member that the policy and the laws of Alberta are made here in this Legislature, not by some European over in Geneva. That's the way we deal with things in this province.

**The Speaker:** The hon. Member for Calgary-Glenmore.

### **Taxation Policy**

**Mr. Hinman:** Thank you, Mr. Speaker. The Premier has insisted that there will be no tax hikes on his watch, but the spending increases of this government have left us in terrible fiscal shape. Last week the outgoing Premier touted his economic council's report, which refers at least five times to the need to raise taxes in order to cover spending. Given that this administration has blown \$45 billion in royalties in five budgets and is still running a deficit, it's true that taxes or spending must change. To the finance minister: when will you admit that you plan to raise taxes to cover your reckless spending?

**Mr. Snelgrove:** If this were a library, that would be the fiction department, Mr. Speaker.

Mr. Speaker, we have invested in Alberta \$50 billion in infrastructure. We have built and are running one of the best health care systems, one of the best education systems. We provide for our seniors like no other province. If the hon. member says that's wasting money, then he needs to stand up and tell them that.

**Mr. Hinman:** Well, it's not the library. This is our budget we're talking about.

Given that program spending – not capital, just programs – increased 32 per cent in your first four years, or nearly \$10 billion annually, and given that you will have nearly vaporized the sustainability fund by the end of the year, when will you tell Albertans that tax increases will be necessary to cover your opulent, nation-leading spending?

**Mr. Snelgrove:** I guess he's been very busy, probably too busy to review the budgets.

Over the last few years that I've been with the Treasury, Mr. Speaker, our spending was below inflation. It has been reprioritized to priority areas like health, like seniors, like education and doing what most of the world says is the right thing to do, continuing to build infrastructure right now because we're going to need it in the future.

**Mr. Hinman:** Well, given that your government has increased its unfunded pension liabilities from \$5.5 billion to \$10 billion and given that your program spending increases have put us in a structural deficit unless bailed out by record oil prices every year, why do you deny that this government has mismanaged our finances so badly that we are now racing down the deficit highway, not unlike the fiscal mess that you were in 20 years ago?

**Mr. Snelgrove:** Because, Mr. Speaker, it's simply not true. The financial statements of the province are considered the gold standard in Canada. The Auditor General goes through the statements, and they are held up to the level of any other province. Our debt and our assets are all stated in the consolidated financial statements and in the budget. If they can't read a budget, that's not my fault.

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

### **Water Marketing** (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. If this was indeed a library, that would be the comic book section over there.

Yesterday in this House the Minister of Environment claimed that Albertans cannot and never will be able to sell water, yet today we have learned that the PC government has been in

behind-the-scenes talks with Nestlé, one of the largest and most unscrupulous corporations in the world, to create a water market in our province. Will the Minister of Environment admit to Albertans that his government is conspiring behind closed doors with a foreign multinational to sell out Alberta's water and agree to fully disclose the content of all meetings between Nestlé and this government so that Albertans can see what . . .

**Mr. Renner:** Mr. Speaker, I've already stated that we meet on a regular basis with all kinds of interest groups. It should come as no surprise to any member of this House that those interested in water have been watching what has been going on in Alberta. We had three publications that have been part of the public record for quite some time now that have talked about possibilities and options for proceeding with water allocation into the future. So he can just put away all of his conspiracy theories, put them to bed, because they don't exist.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, given that the Alberta water authority proposed by the Premier's economic council is exactly what Nestlé announced that it has been working on with this government to develop and given that this demonstrates the government is taking its water policy directly from foreign corporations, again, won't the Minister of Environment admit that he and his government have been talking with Nestlé and other multinationals to create a water market that foreign corporations would control at Albertans' expense?

**2:10**

**Mr. Renner:** Mr. Speaker, we have been engaging in discussions about water allocation. That is not a secret. We've had numerous occasions to have that discussion in this House. I'll remind this member, just as I reminded the previous member, that the laws of this land, the policies with respect to water will be decided in this House and have nothing to do with Europeans.

**Mr. Mason:** Mr. Speaker, given that the chairman of Nestlé has admitted that a water market will pit the water demands of big oil corporations against the needs of small farmers and given that in any market where access to water is determined by who has the deepest pockets, our farmers will inevitably lose. Will the minister do the right thing and protect ordinary Albertans' access to water against the demands of huge multinational corporations by stopping all Tory plans to create a water market in this province?

**Mr. Renner:** Mr. Speaker, Albertans are protected and will continue to be protected by the best water legislation anywhere in the world. I'm here to tell this member that it will always stay that way as long as Albertans demand that it stay that way.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Leduc-Beaumont-Devon.

### **Education Funding** (continued)

**Mr. MacDonald:** Thank you. The Edmonton public school board chair has called it the worst budget for public education and school districts in years. The Catholic board chair has said that there's nothing left to trim. They have no options but layoffs to deal with budget shortfalls. To the Minister of Education. The experts are all predicting fewer teachers and larger class sizes in September. Does the government think the experts are wrong, or

does the government think that Alberta's children should have fewer teachers and larger class sizes?

**Mr. Hancock:** Mr. Speaker, what the government knows is that the education system in Alberta is one of the best in the world and will continue to be one of the best in the world. The government knows that the public school board in Edmonton and the separate school board in Edmonton are boards which people come from all over the world to look at to see what they're doing and how they're doing it well. What we also know is that we're meeting the class size guidelines across the province and beating them in every area except K to 3, so we reprofiled money to deal with class sizes in K to 3. Yes, there may be a loss of teachers over the next year due to fiscal restraint but class sizes will still . . .

**The Speaker:** The hon. member, please.

**Mr. MacDonald:** Thank you. Again to the same minister: since the minister has stated that the boards have to decide what doesn't need to be done, can the minister please give these cash-strapped boards a hint about what the minister thinks doesn't need to be done in our public education system?

**Mr. Hancock:** Well, Mr. Speaker, every organization that spends the kind of money that we spend on education needs to look at what it's doing on an ongoing basis to analyze whether we're getting value for money. That means looking at every aspect of what you're doing. We can focus on class size. People believe class size to be important. Now we need to look at that issue and say: "Where is it most important? How is it most important? How do those values with respect to class size match with the values for providing early kindergarten or junior kindergarten?" Those are choices that we make in the system. School boards are elected, as we were elected, to make those tough choices. But what I can say to the hon. member is that we have the best education system in the world, and we will continue to have it.

**The Speaker:** The hon. member, please.

**Mr. MacDonald:** Thank you. Again to the same minister: given that effective September 1 money has been discontinued for class size funding in grades 4 through 6, ESL funding, distance education funding, and funding to cope with changing enrolment, how much money has been cut from each of these programs, and where is it going?

**Mr. Hancock:** Well, Mr. Speaker, the givens are disingenuous. English as a second language funding has not been eliminated. We fund \$1,155 per student for English as a second language. What has been eliminated is the enhanced English as a second language grant. The enhanced grant was a grant that was put in place several years ago for specific, targeted purposes, to deal with the extra issues related to immigrant students who are coming from difficult areas, war-torn areas, et cetera, to find ways to better include those children into our system. Guess what, Mr. Speaker? It's not working. We have to find a different . . .

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Lethbridge-East.

#### Federal-provincial Relations

**Mr. Rogers:** Thank you, Mr. Speaker. On May 2 Canada was blessed with a stable majority Conservative government after almost eight years of successive minority governments. Prime Minister Harper has said that western Canada can breathe a lot

easier. My questions are for the Minister of International and Intergovernmental Relations. With this level of stability what is the Alberta government looking for from this federal government?

**The Speaker:** The hon. minister.

**Ms Evans:** Thank you, Mr. Speaker. We are indeed very hopeful now that the Prime Minister has a majority because a majority government has a track record of following through with commitments and promises. The belief of the western opportunity is that we are the centre of the natural resources for Canada. We know that the people in Ottawa recognize the importance of a robust economy properly and responsibly developed. We're looking forward to working with Ottawa to make that happen. The Gateway pipeline to the west coast and building a stronger relationship . . .

**The Speaker:** The hon. member, please.

**Mr. Rogers:** Thank you, Mr. Speaker. My first supplemental is to the same minister. With a strong majority government can we expect possible movement on other key Alberta priorities such as fair representation and Senate reform?

**Ms Evans:** We are highly hopeful, Mr. Speaker, for Senate reform and a proper allocation of seats to the province of Alberta. It's something which we look forward to along with Bill C-12. We understand that that's back on the table. We think that's very good news. We're hopeful that Ottawa will regard carefully the position we have on the single regulator for securities and will look at that in the context of the comments we've made following the Supreme Court decision.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. My final supplemental to the same minister: given that the Canada health transfer has been a major source of contention between our governments, will a majority Conservative government finally give Alberta its fair share of health funding?

**Ms Evans:** I know that the President of the Treasury Board and the Member for Foothills-Rocky View have advocated strongly. [interjections] Mr. Speaker, I'm really glad that you want to listen me. Thank you. There are others, obviously, that don't.

We hope that the health care funding will be addressed in the manner in which we have been anticipating. The Prime Minister has acknowledged a 6 per cent escalator in the Canada health transfers, and we hope that that will start to make a difference where we haven't had it in past.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-Montrose.

#### Education Funding (continued)

**Ms Pastoor:** Thank you, Mr. Speaker. The late beloved Lois Hole said that the best of our achievements in the 20th century could be attributed to the public education system, but she had a warning that's relevant now. The education system must be adequately resourced and have the supports in place to help students reach their full potential. To the minister of finance. The minister of finance said in this Assembly on March 2 that in the next 10 years Alberta will have a hundred thousand more students. So on the basis of population growth alone how can this minister justify cuts to the Education budget?

**Mr. Hancock:** Mr. Speaker, another disingenuous question. We're funding enrolment growth in our budget every year. This year the budget provides for 1.1 per cent growth in enrolment. That's over and above all of the other grant processes. We can talk about the grants that were eliminated after we analyzed whether they were achieving the purpose or not, but to suggest that we're not funding each and every child in this province effectively and efficiently with the resources of this province for their good education is just absolutely wrong.

**Ms Pastoor:** Actually, my third question was for the Minister of Education, so I'll try the minister of finance again. When Lethbridge not only needs a new school, but three of its existing schools need upgrades badly, projects that are now under threat along with teaching positions, how can this minister justify cuts to the Education budget?

**Mr. Snelgrove:** We had the answer on operation. Now let's look at capital cost. To put it quite frankly, Mr. Speaker, it's a great problem to have a province that's growing with young people. We had a presentation today from Beaumont where they have just about three times as many people under six years old in their community as they have seniors, and that's fairly rare. So this is a problem across all of Alberta, where we're going to have to bring forward an accelerated capital building plan to address those very good opportunities. To some it might be a problem. To us it's the future of our province, and we're going to fund it.

**Ms Pastoor:** Well, let me assure you that to us it does remain a problem, and portables are not the answer. To the Minister of Education: since the Lethbridge school district has 8,200 students in 18 schools and the board is facing a \$5 million shortfall, is this government conceding that Lois Hole's vision of public education will be lost in the 21st century? How can this minister justify cuts to the Education budget?

2:20

**Mr. Hancock:** Mr. Speaker, this minister and this government embrace Lois Hole's vision for education in the future. We spent the last three years on a project called Inspiring Education. We're looking and talking about what it means to be an educated Albertan not just today with one of the best systems in the world but 30 years into the future. We're putting in place the plan for that, and we have in place the funding for that. We're talking about a 10-year plan with respect to building school capital, and we'll be moving on that. We're talking about how we ensure that every child is included in the system, and we're moving on that. Yes, we'll make sure that the appropriate funding levels are in place . . .

**The Speaker:** The hon. Member for Calgary-Montrose, followed by the hon. Member for Edmonton-Centre.

### Domestic Violence

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Child sexual abuse is an issue that causes great harm and suffering. Victims are forever left with a void in their innocence. My questions are to the Minister of Children and Youth Services. Minister, government must use its voice to help those without a voice and to help prevent child sexual abuse. Will the minister of children's services commit to establishing a time-specific, cross-ministry, stakeholder-engaged plan to end child sexual abuse in Alberta?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. The member raises an issue that is critically important. It is one of the very reasons why this ministry exists, and that's to protect our children and youth from harm and to keep them safe. As the member said, there's no greater breach of trust than when someone that is known to a child interferes with them sexually or causes them harm through any other type of violence. We do work with nine ministries, and I can assure you that we will continue to do so on prevention, intervention, assessment, and treatment.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. Since child sexual abuse is an issue many communities are very reluctant to discuss, what can the minister do to help break the veil of silence and prevent child sexual abuse?

**Mrs. Fritz:** Mr. Speaker, that is true. We have experienced that as well because child sexual abuse is a difficult subject to discuss, but it is still critically important to have that discussion with communities and focus on prevention. We do work closely with our stakeholders, with our community organizations. For example, we have 46 parent link centres across Alberta that offer resources and supports to parents. We will continue to support local strategies. Hon. member, I want you to know that this means that for your community as well there will be resources and support.

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. My last question to the same minister. Many in the community that work with child sexual abuse groups believe that work has been done in the domestic violence area that we can learn from. Can the minister tell us what collaborative efforts to end domestic violence have been in place, are they working, and if they are not, whether the minister can commit to a strategy to ensure that they will work?

**The Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. We do have a 10-year provincial plan through the prevention of family violence and bullying strategy. It's currently in its seventh year. We have nine ministries that have been working closely with our community partners. Annually there's more than \$65 million that's allocated to this initiative. We continue to address our priorities to support our children and families in need. I want to thank you and I want to thank members of this Assembly for giving unanimous approval to our recent amendments to the Protection Against Family Violence Act because that will make a difference in a way that this member is talking about.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Strathmore-Brooks.

### Oil and Gas Regulatory System

**Ms Blakeman:** Thanks very much, Mr. Speaker. I am unnerved that the same member who introduced the health superboard as the health minister is now introducing an energy superboard in his proposed regulatory reform. The Alberta Liberals are supporters of aspects of reform, especially the one-window approval process and a reduction of red tape. But as the Environment critic I can tell the minister that environmental protection, monitoring, and compliance is not red tape. To the Minister of Energy: how does this energy superboard strengthen environmental protection and stewardship in Alberta? It didn't work very well in . . .

**The Speaker:** The hon. minister.

**Mr. Liepert:** Mr. Speaker, in health there's an Alberta Health Services board. There is no superboard. There is no superboard being proposed in this particular case. What is being proposed in the discussion paper that's tabled in this House is one single regulator to streamline the process in this province for major project approvals.

**Ms Blakeman:** Sorry. It was your language. I used it.

Back to the same minister. Given that this will be the most powerful board in Alberta ever, dealing with approvals, carbon capture and storage, enhanced recovery schemes, all aspects of oil, natural gas, oil sands and coal, plus storage and disposal of water- and oil-filled waste formation, et cetera, et cetera, et cetera, where are the checks and balances for the environment?

**Mr. Liepert:** Mr. Speaker, the issue that's laid out in this particular document won't necessarily change what happens today. What it'll do, however, is streamline, and it'll all be done in one process. Surely, this particular member isn't suggesting that we should make life more difficult when applications are before a series of regulators versus one streamlined process. As I said in the introduction of the draft discussion document, it is open for input, and I hope the member makes her points known.

**Ms Blakeman:** I expect you to make it better.

Back to the same minister. Given that this government already gets bad press for monitoring, for compliance enforcement, and for site reclamation and remediation, how does this superboard or proposal of his improve our record of poor performance?

**Mr. Renner:** Mr. Speaker, I want to make it abundantly clear to this member that she's got it wrong. The concept of a single regulator is the on-the-ground administrative end of environmental protection: the policy development, the ability for the government to ensure that all of the policy, all of the rules that are being enforced by the regulator remain with the appropriate ministry, in this case Alberta Environment.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by the hon. Member for Edmonton-Strathcona.

#### **Livestock Traceability Pilot Project**

**Mr. Doerksen:** Thank you, Mr. Speaker. Work on a livestock traceability system has been initiated by the cattle industry for its value to an advanced food safety system and the potential to expand trade. The Department of Agriculture and Rural Development recently released the results of a pilot project that examined the feasibility of traceability systems at Alberta auction markets. My question is to the Minister of Agriculture and Rural Development. What is the point of the pilot project, and did it meet its goals?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. It's critical that we have a traceability system that doesn't impede the speed of commerce in the market that we have out there. Our project was in several key locations throughout our province, so we were able to test it all in areas of differing weather and the worst conditions, and we did it with about a quarter of a million cattle this past fall, with a 95 per cent read rate on traceability, which is great because we have huge markets we need to go after.

**The Speaker:** The hon. member.

**Mr. Doerksen:** Thank you, Mr. Speaker. To the same minister: how much input did the livestock industry have on this project, and are their concerns being addressed?

**Mr. Hayden:** Well, Mr. Speaker, we work very closely with the Alberta Auction Markets Association and also with the individual auction markets. The pilot project was implemented, as I said, in the fall, and it included auction marts that went through very extreme weather conditions. They participated throughout the province, and we customized the reading systems to each of the areas where we installed them and used the unique approaches that were necessary for each of the auction marts. It worked very well.

**The Speaker:** The hon. member.

**Mr. Doerksen:** Thank you, Mr. Speaker. My final question is to the same minister. Can the minister quantify the potential benefit of a traceability system? Why is it important?

**Mr. Hayden:** Well, Mr. Speaker, it's important because it's a long-term investment. When the young people that are in our gallery today are out there in the working world by 2020, we will be one of six countries in the world that actually export food. We have the potential to do amazing things for those people that are going to need that food, but we need a traceability system, and we need the confidence of those markets to make it work right.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-McCall.

#### **Education Funding** (continued)

**Ms Notley:** Thank you, Mr. Speaker. The Minister of Education has admitted that the Education budget is a hundred million dollars short of the funding needed to support an already struggling education system. These cuts compound the chaos created by last year's fiasco wherein teachers were laid off because of the government's refusal to make concrete funding commitments until the 11th hour. In the midst of Alberta's natural resource wealth how can the Minister of Education possibly justify his government's complete failure to ensure our children's future through the refusal to provide adequate, stable, and predictable funding to our schools?

2:30

**Mr. Hancock:** Mr. Speaker, the premise of that question is absolutely wrong. First of all, the system is not struggling. The system is well funded, well operating, and one of the top five in the world.

**Mr. Chase:** Say that in a staff room and see what happens.

**Mr. Hancock:** I have been in staff rooms. I was actually on Sunday and Monday with the College of Alberta School Superintendents. They understand that it's a tight year. They understand that we have to look at our operations. They understand that in a free and democratic society people are willing to pay taxes, but they expect those taxes to be used well. They understand that investment in education is one of the best things we can do, and this government understands that as well.

**Ms Notley:** Well, Mr. Speaker, given that the \$100 million in education cuts will result in the loss of roughly 1,000 teaching

positions and given that the minister's hazy, empty, bureaucratic justifications are not going to make any of those administrators make ends meet, why won't the Minister of Education just admit that his government has sold him out and that they are leaving him and Alberta's children holding the bag for an impending crisis in education?

**Mr. Hancock:** Mr. Speaker, there's no impending crisis in education. Yes, it's a difficult year. A thousand teachers I think is a very, very significantly escalated estimate of how many teachers we might not have. Most of the situation will be dealt with by attrition in most of the boards across the province. It is going to be a tough year. Some of the class sizes may rise modestly. It's not going to be a disaster in education. It is a difficult year in education, no question. Would I have preferred to have had more resources to do some of the exciting things we could do? Yes. But as a government we're fiscally prudent, and we invest in our children in a very dramatic way.

**Ms Notley:** Well, given that funding for special-needs students has been frozen for three years and given that special-needs students will be among the hardest hit by the sudden reduction of professionals in the classroom, will the Minister of Education tell us if this is the legacy he and his Premier are so proud of, that their government has completely failed to prioritize the education of our most vulnerable children?

**Mr. Hancock:** Nothing could be further from the truth, Mr. Speaker. We've been working very, very strongly on our action and inclusion agenda to make sure that every child every day, no exceptions, is included in our education system and has the opportunity to maximize their potential. To suggest that school boards across this province would target the most needy and the most difficult students is absolutely ridiculous. No cuts have been made in spending for special-needs students. We have had a significant amount of funding in that area, we're looking at how we can use that funding better, and we have included an additional \$12 million in this year's budget so that we can implement the action on inclusion agenda.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Lacombe-Ponoka.

### Calgary Airport Trail Tunnel

**Mr. Kang:** Thank you, Mr. Speaker. Today the city of Calgary is days away from, hopefully, finalizing a deal on the airport tunnel, but there is no guarantee until the deal is done and the ink has dried. Why is the city in this situation? Because of this province's wrongheaded decision not to support building an important access to Alberta's busiest airport. To the Minister of Infrastructure: why did the province continually refuse to support the airport tunnel, delaying work to the airport by years?

**Mr. Danyluk:** Well, Mr. Speaker, let me first of all say that this is the responsibility of the Minister of Municipal Affairs. He did ask about why we didn't support it before. We have supported municipalities to the tune of \$11.3 billion over 10 years.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think the minister is just trying to pass the buck to the Minister of Municipal Affairs.

Given that without the construction of the airport tunnel the province's Deerfoot Trail will require major upgrades to handle

the increased traffic, has the minister's department studied whether upgrades to the Deerfoot or support for the airport would be more expensive?

**Mr. Danyluk:** Well, Mr. Speaker, let me say to you that we have built schools in Calgary. Those schools are placed in communities where it is most important, in the communities where children have access to be able to use the facilities and for parents to have schools in their areas. This is where the school boards feel that the schools are most important. Again, it's the responsibility of the city of Calgary to decide what their infrastructure should be.

**Mr. Kang:** We are talking about the airport tunnel, Mr. Speaker. We're not talking about schools here.

To the minister again: given that short-term thinking more often causes long-term headaches, why would the minister not step up to provide support for this critical piece of infrastructure, construction that will not only save the province millions on upgrades on Deerfoot Trail but help make the Calgary ring road truly useful?

**Mr. Danyluk:** Mr. Speaker, \$3.3 billion going to Calgary for infrastructure over 10 years through MSI alone. The city of Calgary has the responsibility and the choice to decide where that funding should go. I would also like to talk about the hospitals, about the cancer institute that is taking place in Calgary, the amount of funding that is being put in place in that city and the choice that we're making for hospitals, for health care, for education. Let me reiterate that the tunnel is the responsibility of the city of Calgary.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Fort McMurray-Wood Buffalo.

### Howse Pass Transportation Corridor

**Mr. Prins:** Thank you, Mr. Speaker. Various groups in the province have recently been discussing the competitive nature of many of our industries, including trucking and transportation. Currently there are only a few routes to deliver Alberta goods to the west coast via truck and highways, the main route being the Kicking Horse Pass. My question is to the Minister of Transportation. Are there any plans to develop an alternate route through the Howse Pass at any time in the future?

**Mr. Ouellette:** Well, Mr. Speaker, this is all about opening up access to the west coast because it's important for our economy and it supports competitiveness. We need to look at building the most efficient transportation network that we possibly can. The Howse Pass alternative has been on the drawing board in one form or another for over 50 years, and I plan to bring this matter forward to my colleagues in British Columbia and Ottawa as soon as possible.

**The Speaker:** The hon. member.

**Mr. Prins:** Well, thank you very much. Again to the same minister: given the concern about safety, about energy efficiency, the carbon footprint, and other environmental impacts would it not make sense to finally develop the shortest, flattest, and most efficient route, that has been identified more than 200 years ago, for transporting goods through the Rockies?

**Mr. Ouellette:** Mr. Speaker, I have to agree with everything that the hon. member said. I support this route in principle. Some years ago this government and a number of central Alberta communities did a feasibility study on this route which clearly showed that the

route would have many benefits. However, most of the route lies within either British Columbia or the national park and is under the jurisdiction of British Columbia and the federal government. Obviously, we would need the co-operation of these governments before anything could get started.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. Again to the same minister: if the federal government has the main jurisdiction over this corridor, what is the next step that we as the government of Alberta could take to get this back on the radar and see what could be done to expedite the Howse Pass transportation project?

**Mr. Ouellette:** Well, Mr. Speaker, I'm hoping after what just happened a week ago that with a new majority Conservative government we can get this back on the radar. British Columbia and Alberta have two of the stronger economies in Canada, and a lot of goods and services move from here to the west coast and vice versa. This proposed highway would serve a national economic interest, and I plan to communicate this to the new federal minister as soon as I can. It's very important to plan for the future now because this will make both Alberta and Canada very strong.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Strathcona.

#### Motor Vehicle Registry Database Access Fee

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Recently, when the budget came out, the PC government without consultation added a \$15 fee for when police officers issue tickets to violators. The municipalities are in fact faced with millions of dollars in fee increases, when in actual fact it's not \$15; it's about 99 cents. To the Minister of Service Alberta: is she working on trying to eliminate this fee?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I think it's really important to note with this fee increase that the municipalities will now pay that many other stakeholders were paying an \$11 fee. So it has been increased to \$15. At the same time, we were working with the municipalities to look for efficiencies on both sides to ensure that the IT system remains strong as it goes 24 hours, seven days a week. At the end of the day we want to be there to support the police when they're doing their good work.

2:40

**Mr. Boutilier:** Mr. Speaker, given that the mayors and reeves I've spoken to indicate they're not at all pleased because they were not consulted, why did you surprise them and not consult with them in advance?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. This was, indeed, part of the budget process that came out in February. All stakeholders were informed in March that there would be a change in this. I'm currently working with the five ministries involved, trying to work together to make sure that this is happening and to ensure that it's a good process and to look for opportunities to help them continue to get the revenue.

**Mr. Boutilier:** Given that charging more money is not a good process, I know that the minister of finance has indicated that he

was going to work towards eliminating this fee in his constituency. Has he made any new progress on this?

**Mr. Snelgrove:** Well, Mr. Speaker, what I said was that it's very important that we allow the municipalities to maintain the funding sources that they have now. We're going to work with them to make sure that the services we provide to that agency or to any other agencies or municipalities are done on a cost-recovery basis. This is one step along the road to making sure that those that actually break the law – photo radar or red light cameras or parking tickets – pay for the cost of collecting those tickets. It's fair to those who don't break the law.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Edmonton-Riverview.

#### Elder Abuse

**Mr. Quest:** Thank you, Mr. Speaker. As part of Crime Prevention Week the Minister of Justice was in Calgary this morning to announce a grant for two invaluable organizations in that city that support victims of crime: the Kerby Centre and the YWCA. The grants will help establish an elder abuse response team and establish a program that will help reduce the risk of domestic violence and criminal involvement in children exposed to domestic violence. My first question to the Minister of Justice and Attorney General: what assurances do Albertans have that this government is working to support victims of crime year-round and not just during Crime Prevention Week?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. The fund that the hon. member is referring to is the safe communities innovation fund, or SCIF. That's a \$60 million fund that actually was set up in November of 2008. It's been active, and it's been supporting projects since that time. The two projects that the member refers to this are both innovative projects in Calgary, but these kinds of projects are happening all over the province, and the provincial government is supporting them. One of the hallmarks of the safe communities initiative is that they are community led, supported by government. People on the front lines with great ideas are being supported by the provincial government.

Another hallmark is that we're talking about early intervention, prevention, getting to the root causes of crime as opposed to just trying to arrest more people.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My first supplemental is to the Minister of Seniors and Community Supports. Given the unfortunate fact that our seniors are too often victims of abuse, especially financial abuse, what are you doing to protect Alberta seniors?

**Mrs. Jablonski:** Mr. Speaker, this government is very supportive of community efforts and provincial policies that address elder abuse. Last November we released a strategy on elder abuse. This strategy provides a collaborative approach that government and community partners can take to prevent elder abuse. Over the last several years my ministry has worked very closely with the Elder Abuse Awareness Network to develop resources addressing the financial abuse of seniors. This information as well as other resources can be found on my ministry's website.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My second supplemental to the Minister of Service Alberta: what practical resources does this government have to protect Albertans from becoming victims of fraud?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Service Alberta has developed a number of resources and participates in many activities to promote fraud prevention awareness. One of the things that we do in partnership with the media is to issue consumer alerts when fraud happens. We also take a lot of calls at our consumer contact centre. Seniors call us on a lot of issues, and that's one of the major things we hear about. We also have many tipsheets available. Finally, we also do visit seniors' centres to talk about identity theft and how to protect your information.

#### Support for the Horse-racing Industry

**Dr. Taft:** Mr. Speaker, since this Premier took office, \$156 million has been channelled to horse racing in Alberta, an industry headed by former Deputy Premier Shirley McClellan, an industry that everyone except this government seems to know is dying. To the President of the Treasury Board: how can this government justify channelling \$156 million to horse racing through a sweetheart casino deal while at the same time cutting education, cutting . . .

**The Speaker:** The hon. minister.

**Mr. Snelgrove:** Mr. Speaker, someone who just came into this Assembly and just looked at one side of the budget could be forgiven for not understanding it. For someone who has sat in this Assembly for as long as that hon. member to not understand or recognize the simple fact – Horse Racing Alberta provides slot machines that give them a percentage of revenue to support the industry. It does not come from the taxpayers. It flows through the government for an accounting principle only and does not come from the taxpayers of Alberta. It comes through from the people who play the slots.

**Dr. Taft:** My next question is to the Solicitor General. Given that this government has arranged the sweetheart deal that allows the money to flow and given that millions of those dollars have flowed to privately owned Rocky Mountain Turf Club in Lethbridge on condition that it maintain the buildings it uses at the Lethbridge exhibition, how is it, Mr. Solicitor General, that most of those buildings are in disrepair and some are condemnable?

**Mr. Oberle:** Mr. Speaker, the hon. member doesn't seem to listen to the first answer. The fact of the matter is that the government doesn't funnel any money to Horse Racing Alberta, nor does it manage any buildings at any racetracks or the operations of any private corporation. The revenue that he's talking about is generated because of slot machine revenue at 'racinos,' which are minicasinios located at racetracks. That business wouldn't be there if it wasn't for Horse Racing Alberta, and they keep a portion of the money. It's not taxpayers' money, and I don't oversee the operations of any private corporation out there.

**Dr. Taft:** Mr. Speaker, given that the line item for the budget is in the Solicitor General's budget and given that as far as I know, he's responsible for his budget, will the minister do the people of Alberta a favour and order a forensic audit of the lottery funds channelled to the Rocky Mountain Turf Club and call in the SPCA to inspect the barns and facilities to make sure that they're safe?

**Mr. Oberle:** Mr. Speaker, if this was a library, that would be the fantasy department, soon to be the history department.

**The Speaker:** That concludes the question period for today. Seventeen members were recognized. There were 102 questions and responses.

#### Page Recognition

**The Speaker:** Hon. members, we're coming to what I sense – and I only sense this – to be the conclusion of this session before too long. One of the things that is very important to do is to recognize the role played by pages. If you don't mind, I'd just like to have us do a recognition of the pages before we continue the Routine. [Standing ovation]

I wanted to read a very nice letter that I received from the retiring pages.

Mr. Speaker,

The end of Session signifies something different for everyone. For the Pages, the end of Session is accompanied by the realization that some of us will be moving on. We would like to express our sincere appreciation for the incredible opportunity we have had to serve the Legislative Assembly of Alberta.

There are countless people who have shaped our experience into so much more than a job. We would like to thank you, Mr. Speaker, the Table Officers, the Sergeant-at-Arms, the staff in 315, the Security Staff, and all the other staff of the Legislative Assembly Office. As well we wish to extend our gratitude to the Members of the Legislative Assembly, without whom our role in the Chamber would not exist.

Being a part of a team of so many talented individuals has been both a privilege and an honour. The opportunity to meet prestigious Albertans who have willingly shared their expertise with us is one that few are able to experience, and for this we are profoundly grateful. We leave this job with a better appreciation for the people who work so hard for our province.

As we reflect on our experiences at the Legislature, we recognize how fortunate we are to have had the opportunity to witness history firsthand. For no other part time job would we be able to see news in the making, before we turn on the TV or read the newspaper. We have been privileged to play a small role in our province's parliamentary system, and have gained a greater understanding and appreciation for the history and tradition of the democratic process. The memories and experiences we have gained have shaped us as individuals as we embark on our future endeavours.

It has been a great honour and pleasure to work with everyone in this Assembly, and for this we are deeply grateful.

Yours sincerely, Larissa Shapka, Brittany Bryce, Regan Coyne, Kelsy Edgerton, Matthew McGreer, Dmytro Muzychenko.

Thank you to them all.

Would the hon. Deputy Speaker continue the program?

2:50

**Mr. Cao:** Thank you, Mr. Speaker. As Deputy Speaker I would like to draw to the attention of all members that we will have to send off six of our wonderful pages at the end of this session, and they are, as the Speaker mentioned, Matthew McGreer, Regan Coyne, Kelsy Edgerton, Larissa Shapka, Brittany Bryce, and Dmytro Muzychenko.

I ask all hon. members to join me in recognizing the efforts of our pages, who daily show patience and understanding of our many demands. They carry out their tasks with attention to duty and in good humour and suffer many late nights working with us. We are honoured to have our pages working with us in the Legislative Assembly to serve Alberta.



On behalf of all members here I present to each departing page a memento gift. These gifts are from the personal contributions of every member of our Assembly. Along with the gifts are our best wishes. I would like to ask our Deputy Chair of Committees to hand the gift to Kelsy Edgerton, representing the head page, Larissa Shapka, and our six departing pages. [applause]

**The Speaker:** Thank you. We'll continue with the Routine in a few seconds from now.

Hon. members, we have six members who are going to participate in Members' Statements today, and I do not want to interrupt the process. Government House Leader, do you want to ask the question if we can have unanimous consent to conclude the Routine?

**Mr. Hancock:** Yes, please, Mr. Speaker.

[Unanimous consent granted]

**The Speaker:** Okay. Thank you very much.

### Members' Statements

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

#### Queen Elizabeth High School 50th Anniversary

**Mrs. Sarich:** Thank you, Mr. Speaker. It's a pleasure to rise today to commemorate the 50th anniversary of Queen Elizabeth high school, which will be officially celebrated on June 11, 2011. It was a pleasure to have welcomed guests from the school in the Assembly today. These guests represent different generations who have been engaged in the school community either as a student, parent, volunteer, teacher, or principal.

Upon opening the doors for the first time in September of 1960, with 628 students in grades 10 through 12, Queen Elizabeth high school has grown today to serve over 1,300 students. Mr. Speaker, the school has successfully managed to maintain the feel of a small school community atmosphere and offer the same advantages of larger schools.

Queen Elizabeth high school endeavours to instill within their students the values of Queen Elizabeth, which include academics, athletics, arts, and active participation. These values are a very important part of the high school program and school culture; however, it is important to balance studies with leadership building as well as community participation and involvement. Queen Elizabeth high school challenges and encourages its students to find a balance between the two so that when the students graduate from this particular school, they are ready to be leaders in all of their endeavours.

Special thanks to the innovative and forward-looking staff at the school as they offer 21st century learning technologies which allow the students at Queen Elizabeth high school to interact with and learn from students around the world. This gives the students an incredible advantage, Mr. Speaker.

Queen Elizabeth high school has set itself apart from others in several other ways. They were the first school to offer hockey programming for credit and the first high school in Canada to offer an aviation program.

Special best wishes, congratulations, and heartfelt thank yous to all those who have contributed to student successes over the past 50 years at Queen Elizabeth.

Thank you.

**The Speaker:** My schedule has the hon. Leader of the Official Opposition, but the hon. Member for Lethbridge-East, please proceed.

### Patient Advocacy by Nurses

**Ms Pastoor:** Yes. Thank you, Mr. Speaker. I'll be delivering the comments on behalf of the Leader of the Opposition.

As a physician it's been my honour, pleasure and part of my success to work with some of Alberta's finest nurses. This is National Nursing Week, and therefore an appropriate time to pay tribute to the hard work, compassion and dedication shown by Alberta's nurses.

But it must be noted that nurses have been asked to do more with less since the 1990s. Time and time again they have sacrificed their mental and physical health in order to cope with conflicting directions, government cutbacks and mismanagement of public health care. The culture of fear and intimidation created by this government compromises patient care and affects all health care professionals, including nurses.

And yet they speak out for their patients, advocating for better care even in the face of threats and intimidation from their managers. Today we heard the story of one nurse who experienced post-traumatic stress disorder and long-term disability because of the treatment she received after speaking out repeatedly for the patients in her care.

Nurses should be applauded for patient advocacy, not punished. In this case, a nurse with nearly twenty-five years service has left her career behind, and Alberta is the poorer for it.

Health care professionals – nurses, doctors, social workers, technicians, everyone – must work in an environment of trust, respect and sound management. But that's not what [we're] getting. . . . Nurses deserve far more respect than this government has shown, and they deserve a full, independent, judicial public inquiry to uncover the truth about countless allegations of intimidation.

We cannot fix health care without addressing the fundamental problems of a public health care work environment that has become toxic for all concerned.

Our nurses deserve better. Their patients deserve better. And this government must do better.

Thank you, Mr. Speaker.

### Parks Public Safety Team

**Ms Tarchuk:** Mr. Speaker, I'm pleased to rise today to recognize the Tourism, Parks and Recreation Public Safety Team, which has been operating out of Kananaskis Country for more than 30 years, keeping Albertans and visitors safe. Our three public safety specialists are internationally certified mountain guides and professional members of the Canadian Avalanche Association.

The Kananaskis region is more than 26,000 square kilometres, and with a wide range of terrain to cover, the team has trained in all aspects of search and rescue. They're on call 24/7, 365 days a year for any type of emergency, and when needed, they assist in operations across the province from the Rocky Mountains down to Cypress Hills. They are also responsible for training the conservation officers who support them when they respond to public safety incidents.

An important responsibility is their extensive avalanche program. From November to the end of April every year they provide the public with daily avalanche bulletins, and they also provide the avalanche control program along sections of our provincial highways.

They respond to more than 350 incidents every year, and over the past 30-plus years they've responded to more than 10,000 incidents, including lost or missing persons; climbing rescues; avalanches; lakes and river rescues; skiing accidents; horse, bicycle, motor vehicle, and off-highway motor vehicle incidents;

wildlife-human confrontations; and just about any other incident you can imagine.

This winter they started using Facebook and Twitter to get important information to the public immediately. Their Facebook site has logged nearly 400,000 visits since January 1, and there are hundreds of followers on Twitter.

I want to congratulate this team for their incredible dedication and skill and the compassion they show in their work, keeping my constituents and so many other Albertans and visitors from around the world safe every day.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Strathcona.

### Seniors' Week

**Mr. Quest:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to all members about an annual event that's very important to me, Seniors' Week. Every year during the first week of June we set aside time to celebrate and honour the contributions of our seniors.

This year's theme, Vibrant Leaders in the Community, reflects the many roles that seniors play in our province as our parents, our grandparents, employers and employees, volunteers, and caregivers, and in these roles and more seniors continue to be leaders in our community.

As our population ages, the rising number of seniors will contribute to a growing pool of knowledge, wisdom, and experience that's invaluable to our communities. We need to recognize this and pay tribute to seniors for all they do.

3:00

Events and festivities will be happening across the province from June 6 to 12, and I'm pleased that the Seniors Advisory Council for Alberta co-ordinates and supports these events. Though our work focuses on raising government awareness of the issues and concerns regarding seniors in our province, we know that it's equally important to recognize and celebrate successes. That's why one of the highlights of the week for me is the minister's seniors' service awards. Presented by the hon. Minister of Seniors and Community Supports, these awards recognize Albertans who volunteer their time to make a difference in the lives of our seniors. This year over 60 nominations were received.

Award recipients will be honoured at a special ceremony in Edmonton during Seniors' Week. There are numerous other events occurring that week, and I encourage all members and all Albertans to take part in these celebrations. To find a calendar of events in your area, visit the Alberta Seniors and Community Supports website.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

### Tianna Rissling Peter Schori

**Mr. Mitzel:** Thank you, Mr. Speaker. I don't think the overabundance of water over the last two years has anything to do with this, and we in southeast Alberta certainly are not growing webs between our toes, but I'm pleased to rise today and brag to you about a constituent of mine, Tianna Rissling from Redcliff, along with her coach, Peter Schori. These two have just qualified for the World Swimming Championships in Shanghai, China, from July 24 to 31 this summer.

Tianna qualified by finishing second at the world championship trials in Victoria in April. Peter was named to the coaching staff based on her performance. Tianna is currently ranked 10th in the world for the 100 breaststroke. Tianna and Peter are the only swimmer or coach on the world championship team not from a major city, which is quite an achievement. They come from the Alberta Marlin Aquatic Club, which swims out of Medicine Hat.

The Alberta Marlin Aquatic Club is the number one swim club in Alberta outside of Edmonton and Calgary. Nationally in 2010 the club had swimmers on the Canadian senior national, the junior national, and the national prospects team. Provincially eight swimmers from AMAC were on Alberta provincial teams. Forty swimmers qualified for Alberta championships. They have over 100 swimmers in their competitive and precompetitive programs. As well, Mr. Speaker, every AMAC swimmer to continue swimming through grade 12 in the past eight years has pursued their postsecondary education. In 2010-2011 seven AMAC swimmers will compete for Canadian and American universities on full or partial scholarships.

The 2011 world championships will feature all five aquatic disciplines – swimming, water polo, diving, open water, and synchronized swimming – and 22 countries will come to compete. Portions of this championship will most likely serve as part of the qualifying for the 2012 Summer Olympics. I'd like to pass on my best to both Tianna and Peter for a successful event. I am confident we will hear many good things from them in the future.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore

### Government Accountability

**Mr. Hinman:** Thank you, Mr. Speaker. As I reflect on what has gone on in this province since December of 2006, I have to say it is very disappointing. During the last leadership race our now-Premier and his opponents started down the socialist path of tax more and spend more. With the new royalty framework they promised to increase taxes and increase spending, a promise they kept to our detriment. They now declare loudly that it is a great time to spend on infrastructure, but they still fail to apologize for the billions that they blew when it was not a good time to spend.

A month before they entered the March 2008 election they announced \$1.2 billion in vote-buying schemes on top of signing an unaffordable \$4.4 billion contract with the teachers to fund their share of the unfunded pension liability. It typified this government's cavalier attitude towards taxpayers: spend now and have our children pay later.

Not long after the election the Premier and his cabinet colleagues gave themselves a massive wage increase, setting in motion a demand by all other public employees. Once again, this is leadership of the poorest quality. They say that those who don't learn from history are doomed to repeat it.

My question to the Premier would be: is there a country in which central government has worked? Of course not. But this government willfully ignores the painful lessons of history.

What about free speech? They have a zero-tolerance policy on MLAs who speak out on behalf of Albertans. Those who do are kicked out. Their culture of silence extends beyond the confines of the caucus room and into our valued public institutions, health care being the worst. Their centralization and consolidation of power and money have undermined the Alberta advantage. We have seen legislation which grants the government arbitrary authority to shred contracts and violate landowner rights without full compensation or recourse to the courts.

Mr. Speaker, only in Alberta could we survive as long as we have with such an incompetent and fiscally irresponsible government. Any other province would have gone broke a long time ago.

### Presenting Petitions

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood. We're on petitions.

**Mr. Mason:** Petitions, yes, Mr. Speaker. Absolutely.

**The Speaker:** Proceed.

**Mr. Mason:** I have a petition that I would like to present. It reads as follows:

We, the undersigned residents of Alberta, petition the Legislative Assembly of Alberta to urge the Government to provide full funding to open the urgent care and family practice sections of the East Edmonton Health Centre no later than March 1, 2011.

The petition has 95 signatures, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I have approximately a thousand signatures on a petition that reads:

We, the undersigned... [wish] the Legislative Assembly to urge the Government of Alberta to consider increasing the funding to the Ministry of Education so that sustainable and adequate funding is provided to address the needs of every student, every day, no exceptions.

Thank you very much.

### Introduction of Bills

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

#### Bill 208

#### Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011

**Mr. Mason:** Thank you very much, Mr. Speaker. It's my pleasure to request leave to introduce Bill 208, the Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011.

Bill 208 is substantial legislation to secure public health care in Alberta. The bill interprets the Canada Health Act to ensure that key principles such as comprehensiveness, universality, accessibility, and portability, vital to all Albertans are strengthened. It would amend several Alberta acts in doing this. The provisions of this bill address what Albertans are really saying they want, things the NDP caucus heard in its health care hearings, with meaningful content and not vague platitudes.

This bill would help ensure that the mess we're seeing with health care services now in Alberta will not happen again. These provisions include an explicit prohibition on extra billing. It would ensure that no health facility could provide preferred access to insured services for those who pay. The law already prohibits such preferred access to insured surgical procedures. The bill would extend that protection to all insured health services. It would guarantee access to real long-term care and home care for those who require it.

Mr. Speaker, in recent years important health services have been moved out of many communities, forcing people to go to Edmonton or Calgary for treatment. This bill would require the government to set out which services will be available in regional facilities throughout the province.

Mr. Speaker, we need to stop the attack on public health care. Bill 208 expands insured health services by requiring the minister to present to the Legislature a comprehensive plan, including cost estimates, to meet two key objectives to improve health care: first, a prescription drug program that would ensure that access to drugs is not impeded by costs; and second, insured coverage for all dental services, except for cosmetic dental services, for those under 18 years of age or over 64 years of age.

An effective public health service would ensure that services are not only publicly funded but, as much as possible, publicly delivered as well. This bill would ensure that within five years all insured surgical procedures would be delivered in public or not-for-profit facilities.

The sustainability of our health system has been threatened by the lack of planning for infrastructure, capital spending, and human resources. Bill 208 would establish a health planning council so that planning is co-ordinated with clear timelines.

Finally, the bill would make the health care system more accountable by bringing transparency to the health budget and ensuring that the public is consulted through elected regional health advisory bodies.

Mr. Speaker, this bill is about the health services Albertans need and deserve.

Thank you.

[Motion carried; Bill 208 read a first time]

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

#### Bill 209

#### Tailings Ponds Reclamation Statutes Amendment Act, 2011

3:10

**Ms Blakeman:** Thank you very much, Mr. Speaker. At this time I would move for leave to introduce a bill, that being Bill 209, the Tailings Ponds Reclamation Statutes Amendment Act, 2011.

Mr. Speaker, tailings ponds are a picture worth a thousand words of the struggle between developing Alberta's energy sector in the oil sands and environmental protection and stewardship. Given that, trillions of words are now across the world showing Alberta with huge, huge tailings ponds and more being added.

The government has created directive 074 through the ERCB to set out expectations and requirements on reducing existing and reducing the creation of additional tailings ponds. Bill 209 is designed to complement that, to strengthen the direction of it, and to close some of the loopholes that exist. One of the things that it does is require that the ERCB must prepare a report on directive 074 and include such things as every instance of an operator failing to meet the reduction of fluid tailings stipulated in directive 074; every instance where a project has significant changes to its overall tailings planned management under directive 074; any amendment granted by the board to a plan for a dedicated disposal area, an overall tailings management plan, or an annual tailings management plan, and the reasons for granting that amendment; as well as any instance where an operator has failed to meet or to submit a tailings management plan. And that includes dates that go along with each of those.

Amending the Oil Sands Conservation Act. Bill 209, the Tailings Ponds Reclamation Statutes Amendment Act, 2011, also sets out that there would be a report on directive 074 which would be delivered to the minister responsible and tabled in the Assembly. As part of that it would include that there would be no amendment, including repeal, Mr. Speaker, to directive 074 that could be made without the board publishing a notice of any proposed

changes on a public website and the minister's departmental website, that the notice would comply with various parts of the section. Specifically, what I'm looking for there is that there would be a publication of the proposed amendment, that there would be a period that is set out very clearly for the public to give reaction to the proposed amendment, and that there would be a very clear closing date for the public feedback session as well as any other information that the board considers, and that those comments would then be reported to the minister with recommendations on what changes the board considers appropriate.

The last two points. There's also a very specific section on noncompliance, which requires that no amendment or waiver to the phase-in sequence of the reduction in fluid tailings or to the overall tailings management plan by an operator would be granted unless the operator can demonstrate extraordinary circumstances or undue hardship. That's trying to close one of those loopholes I was talking about. As well, it requires that any information submitted by an operator concerning compliance with directive 074 may be made public by the board itself.

I'm very proud of this bill, Mr. Speaker. I look forward to debating it in the fall session. As I said, I move first reading of Bill 209.

Thank you very much.

[Motion carried; Bill 209 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Culture and Community Spirit.

**Mr. Blackett:** Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of my responses to Written Question 2 and Written Question 19, both raised by the Member for Edmonton-Centre.

For Written Question 2 I was pleased to indicate that all groups that have previously received funding through the Wild Rose program are indeed eligible to apply to the community initiatives program.

For Written Question 19 I was pleased to correct the member's error regarding the amount of government funding provided and, further, to direct her to the Alberta Creative Hub corporation.

Thank you.

**The Speaker:** The hon. Minister of Housing and Urban Affairs.

**Mr. Denis:** Thank you very much, Mr. Speaker. As minister responsible for housing and homelessness in this province I wish to table the appropriate number of copies of a recent Alberta Secretariat for Action on Homelessness report. The report is titled Ending Homelessness in Medicine Hat and clearly outlines how the people of Medicine Hat can be proud of their community's collaborative work to foster, leverage, and deliver Housing First support to those most in need of help and, of course, with the province's assistance.

Thank you.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Speaker. It's a pleasure for me to table the appropriate number of copies of 157 letters of support for the upgrading and modernization of Trochu Valley school. The letters are all in support of that project. This is also a project that is the number one priority of the Golden Hills school division and also the number one priority of myself.

Thank you.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have a number of tablings today, three on behalf of the Leader of the Official Opposition and two on behalf of myself. I'm tabling on behalf of the Leader of the Opposition five copies of a letter from Terri Reuser, a nurse subjected to bullying and intimidation forcing her on sick leave and out of her work, and also copies of letters to Dr. Kevin Taft and Mr. Harry Chase thanking them for their extraordinary service to Albertans, this House, and the Alberta Liberal caucus.

On behalf of myself I am tabling five copies of letters from Michelle Tyslau and Sheryl Trimble, who are both upset about the education cuts, and in the case of Sheryl she will be losing her job.

I'm also tabling five copies of letters on behalf of Brent Harris from Calgary and Ann McLaughlin from Edmonton, who are more than upset about the clear-cutting that is happening in the Castle special area. Certainly, for someone who has spent the last 43 years recreating in that area, I too am more than upset.

Thank you, Mr. Speaker.

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

**Mr. Hehr:** Thank you, Mr. Speaker. I'm tabling e-mails from the following individuals who have taken the time to write to us about their concerns for the future of education in our great province: Tina Smith, Charlotte Moller, Carol Sparks, Julie Nicholls, Leslie Chapman, and Ken Yasenchuk. I do have the appropriate number of copies.

I also am tabling letters from the following individuals who shared their concerns about our health care system with us. Those are Heather Millington, Sandra Caines, Kristine Wretham, and Caron McBride.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** I am so glad you recognized me, Mr. Speaker. I'd like to table five copies of my response to the questions raised during the review of Employment and Immigration's estimates in the Standing Committee on the Economy meeting which took place on March 14, 2011.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. I have three tablings today. First, I would like to table the appropriate number of copies of a letter received by the Alberta NDP opposition from Nicole Thulien, who is in grade 8 in Veteran school. Nicole is concerned that provincial education budget cuts will mean the school will have to teach three grades in one classroom next year, and she's concerned that the quality of education at Veteran school will suffer if it loses any more of its teachers.

As well, I'd like to table the appropriate number of copies of postcards received by my colleague the Member for Edmonton-Highlands-Norwood signed by constituents who want to ensure that Catholic education in Alberta is preserved and that the government provides "adequate, predictable and sustainable funding for the education of . . . our children, without any dependency on fundraising by parents or children."

Then, thirdly, I'd like to table the appropriate number of copies of postcards received by my colleague the Member for Edmonton-Highlands-Norwood signed by constituents who are urging the government to reverse the funding cut to the Alberta Foundation for the Arts.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Weadick, Minister of Advanced Education and Technology, responses to questions raised by Dr. Taft, the hon. Member for Edmonton-Riverview, and Ms Notley, the hon. Member for Edmonton-Strathcona, on April 12, 2011, in Department of Advanced Education and Technology main estimates debate.

3:20

**The Speaker:** Hon. members, at the point at which Ministerial Statements was introduced today and prior to the hon. Minister of Housing and Urban Affairs rising, the hon. Member for Edmonton-Centre rose on a point of order. I know what the point of order is going to be. I would like to sum up this matter and deal with it with the concluding statements that I make, so brief comments, please.

### Point of Order

#### Advance Notice of Ministerial Statements

**Ms Blakeman:** Thank you very much for recognizing me. I appreciate that the Speaker has been able to give me a little bit of advice. Aside from a direct citation, I can say from long experience in this House that I believed it to be protocol at best and good manners at the very least that ministers doing a ministerial statement would provide a copy of that statement to the Official Opposition and, one would hope, to other opposition members. Today the Official Opposition was notified there would be a ministerial statement done by the minister of housing, but when we requested it, we were told it would not be provided.

Our problem, Mr. Speaker, is that we do not have the same amount of resourcing available to us. It's very hard for us to assign members or staff to be writing a response to a ministerial statement when we don't know what the content of it is, we don't know the tone of it, we don't know the direction of it. It makes it very difficult for us, and our staff is already stressed trying to accommodate being asked to do many different things. So this caused an additional stress in our caucus staff today that we, frankly, just didn't need. There is no database of Speaker's rulings that I could access, so I prevailed directly on the institutional memory of the Speaker himself, if he could give us a reference or provide some clarity in this matter.

I would say that at the very least it's good manners to provide us. It doesn't cost the members anything to provide a statement of what they're going to present. To not do so I just found unnecessarily churlish.

Thank you.

**Mr. Denis:** I'll be very brief, Mr. Speaker. I appreciate the member's comments about good manners. I know she always endeavours to utilize good manners herself.

*Beauchesne's* 349 says, "It is the tradition and a courtesy for Ministers to advise their opposition critics," as we did, "when it is intended to make a ministerial statement in the House." It also says, "Nevertheless, failure to adhere to this [procedure] does not prevent a Minister from making a statement." Well, Mr. Speaker, we did advise at 9:13, as the member mentioned. We did receive the member's call at roughly 1 o'clock. The Member for Calgary-Buffalo had phoned over. We did indicate what the subject of the statement was.

I also refer you to the procedural orientation manual, page 18, section 6.

Ministers may make statements or announcements under this heading. As a courtesy, the Minister's office or Executive Council usually provides a copy to the Opposition Leader prior to the commencement of the day's sitting.

It says "usually." It doesn't say that they shall.

A Member of the Official Opposition, by convention, is entitled to a three-minute response, which they gave. Again, it says "usually provides." It doesn't say "is required to provide" or "shall provide."

I have to say, Mr. Speaker, that I mean no ill will to this member or the Member for Calgary-Buffalo. I want to commend the member's comment on good manners, which she always follows, and I would like to apologize for any inconvenience to her.

**The Speaker:** Just a couple of brief comments. This matter did come up in the Legislative Assembly of Alberta as long ago as 1984, when the then Speaker, Mr. Amerongen, said:

It's not a matter that I could deal with as being a matter of right. It would perhaps be something which falls [far] short of that. I don't think there's any requirement in the Standing Orders that that be done. I would have to leave it to the good sense of the members involved.

That was said in 1984.

However, on October 4, 1993, the following was stated by the then Deputy Premier and then Government House Leader:

It is the intent of the government . . . that in essence we would like to have delivered from members of our Executive Council to the Leader of the [Official] Opposition a copy of such ministerial statements as much in advance as we possibly can. Our definition of "as much in advance as we possibly can" is normally in the area of 45 minutes.

By coincidence, that Deputy Premier and Government House Leader is the person standing before you now. That was a statement made 18 years ago, in 1993.

In the most recent documentation, the procedural manual that we put out to all members on procedural orientation, the recent copy of which was published in the fall of 2009, on page 18 it deals with the daily Routine under the subject matter of ministerial statements, identified as section 6.

Ministers may make statements or announcements under this heading. As a courtesy, the Minister's office or Executive Council usually provides a copy to the Opposition Leader prior to the commencement of the day's sitting. A Member of the Official Opposition, by convention, is entitled to a three-minute response to every Ministerial Statement.

Now, these are statements we've used by convention in our House going back to 1993, so all the stuff that comes out of all these learned journals that have been published around the world, please remember, while important, is of a secondary nature to the rules we make in this Assembly for ourselves. It's just good courtesy and civility and being nice to one another. That's all.

### Orders of the Day

#### Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

### Bill 20

#### Workers' Compensation Amendment Act, 2011

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Chair. Yesterday I made it very clear on behalf of the Alberta Liberal caucus that we were very supportive of Bill 20, the Workers' Compensation Amendment Act, 2011, which extends the coverage of benefits, particularly for carcinogens, cancer-causing agents, from professional firefighters now to volunteer firefighters. It's a very good concept, and we're very supportive of it.

Mr. Chair, I would like to emphasize the importance of further extending this coverage, and that is to all first responders, whether they be the police on site who secure the scene, whether they're the paramedics that provide the backup. These individuals, whether they're professionals or the volunteers that support the police or the firemen, should receive similar coverage because they are on the same site, experiencing the same potential threats. I made that point, and I'd like to emphasize that point.

A second point that I wish to see at some point further to where Bill 20 has left off is the establishment of counselling for firefighters and not just for firefighters, whether they're volunteer or professional, but for all first responders in terms of posttraumatic stress syndrome counselling. A number of individuals, because of the experiences they have, whether it's pulling a victim out of a burning building or responding to a horrendous accident, are traumatized by the repeated experience. We saw this with I think it was the volunteer department out of Boyle on highway 63, that could no longer take the experience of the number of fatalities and the carnage experienced on highway 63. So I would like to see posttraumatic stress syndrome covered, counselling provided, as it is for all armed forces members and as it is for members of the RCMP.

3:30

In passing along the equivalent compensation and recognition for volunteer firefighters, the majority of whom – the number that the minister provided yesterday was approximately 10,000. He mentioned that there are 3,500 professionals in Alberta's cities and approximately 10,000 volunteers who risk their lives and provide a wonderful service in a variety of ways in rural jurisdictions.

There is a bit of a problem, Mr. Chair, and I want to address that problem. In the rural circumstances it's reasonable to assume that a number of these volunteer firefighters are farmers, and it is reasonable to assume that a number of these volunteer firefighters are also paid farm workers because they're in that area and providing the service. The shame, I would suggest the disgrace is that if these paid farm workers are hurt while helping to recover from an accident scene or if they are hurt while fighting a fire or providing emergency service, they will be covered. However, on the paid farms, the factory farms that they work, they don't have that same type of workmen's compensation. So they are considered, basically, second-class citizens. This is the only province that does not recognize the need for compensation for paid farm workers.

I do not know whether Kevan Chandler, who died in a silo on a factory farm, volunteered for the Black Diamond or Turner Valley fire department. But I am aware and I want to thank the Member for Foothills-Rocky View and a teaching colleague friend of mine, who actually ran against the Member for Foothills-Rocky View, and that's Herb Coburn, who lives out in Springbank, for putting together a fundraiser that helped the widow of Kevan Chandler.

Farm workers and their families, when they're injured or killed, should not be dependent on charity. They are doing a job, a valued job, and they need to be covered by workmen's compensation.

To summarize, Mr. Chair, we need to extend the type of compensation that Bill 20 provides to volunteer firefighters to all first responders, whether they be police or paramedics; we need to recognize the need for volunteer firefighters, police, and paramed-

ics to have posttraumatic stress syndrome counselling and support from the WCB; and thirdly, whether they work on a volunteer fire department or not, farm workers must be recognized for their contribution and receive workmen's compensation.

Mr. Chair, it is a disgrace that in this wonderful country we are the only province that does not provide compensation for paid farm workers. That has to change. Whether it becomes Bill 21 in the fall or any other number, I hope to see it.

Thank you.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you very much, Mr. Chair. I'll be brief. This is a good-news story for those people who volunteer in our firefighting departments throughout this province. It extends them workmen compensation benefits that would be extended to a regular "firefighter" or person who's actively engaged in the line of duty, which is exactly what these people are. They are people we need to cover because they're doing a valuable service to us, and they should be recognized in kind.

I applaud the minister for bringing this forward. I hope he can look at other avenues to extend WCB coverage in like circumstances to people who deserve to be covered, of course, that goes without saying, the people who are paid farm workers, and the really fairly simple notion that if you're doing work on a farm or an industrial farm, you should be covered. It's not too hard to follow the logic along with that. Sometimes the mental gymnastics that I see being used by this government to get out of funding that option is actually borderline ridiculous.

Nevertheless, I think this is a good-news story today, talking about the extension of benefits to our volunteer firefighters. Hopefully, common sense will prevail on other situations that are similar to this, and we'll see dignity restored to many people in this province. Thank you very much, Mr. Chair.

**The Deputy Chair:** The hon. Minister of Employment and Immigration.

**Mr. Lukaszuk:** Thank you, Mr. Chair. It's a pleasure to rise and speak to this very important bill. Before I make my remarks, I have to comment on the remarks made by the Member for Calgary-Varsity. Perhaps I should have spent more time briefing him, as my critic, on the content of this bill. I thought it was abundantly obvious that the reason that this presumptive cancer legislation was extended to firefighters, first to full-time professional and now to part-time volunteer professional firefighters, is because of the fact that scientific evidence that is available clearly shows that these firefighters are exposed to chemicals, to substances, to agents, to molecules that appear to have a causal relationship with the development of the 14 cancers which are now covered by this bill.

The reason they're exposed to it is because they actually enter fire, enter where the combustion takes place, and are exposed to the smoke and to the combustion at very high temperatures. No other profession at this point has the scientific evidence that can show us that, indeed, their profession exposes them to such agents. Hence, police officers and paramedics, obviously, are not in a position that is similar to this, but if the member has any evidence or scientific data that indicates that they are, I will be the first one that would gladly look at it.

Today, Mr. Chairman, I rise to respond to the comments put forward yesterday in the Assembly regarding Bill 20, the Workers' Compensation Amendment Act, 2011. I have to tell you that I was extremely gratified to hear the positive comments and support

for this bill from my colleagues on both sides of this Assembly. The 10,000 part-time volunteer firefighters serving today in Alberta deserve the same level of support from the WCB and the same coverage as their full-time counterparts enjoy. We are pleased to be able to bring this proposed change forward.

Bill 20 proposes to extend WCB coverage for 14 presumptive cancers to volunteer firefighters throughout Alberta. They risk everything to protect their neighbours and their communities, so it makes sense that we back them with solid compensation coverage in the event that they fall ill as a result of their work. That's what really matters. At the end of the day verbal support for firefighters with cancer goes only so far; actions speak much louder. What they also need is financial support and peace of mind for themselves and, obviously, their families at a crucial time, and that's what we are offering here by this Bill 20.

Mr. Chair, I want to address the question that arose yesterday surrounding cost. That's always very important. Cost for any claims that might arise should any of our volunteer firefighters, unfortunately, develop cancer as a result of their work would be paid by the WCB, just like any other claim. There is no cost to the taxpayers of Alberta. WCB premiums for volunteer firefighters are already paid by their employers, which are the municipalities where they work.

The changes to the WCB coverage contained in Bill 20 are in keeping with what some jurisdictions in Canada have already done. We do not expect that the premiums for municipalities will be affected by providing volunteer firefighters with the same coverage as their full-time counterparts. In fact, both the Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties, Mr. Chairman, passed resolutions urging this government to do exactly what Bill 20 proposes to do.

At the end of the day this is not about dollars and cents. This is about protecting those who are running towards danger while most of us are running away from it.

3:40

Further, Mr. Chairman, on the question of the WCB's awareness of this proposal my answer is: yes, the WCB most definitely is aware of Bill 20. I can assure you that many of them actually are listening to us as we're speaking today. Consultations have been held with the WCB to ensure it was involved every step of the way. There is no way to know how many volunteer firefighters are going to qualify for this particular coverage. Of course, my sincere hope is that no firefighter ever qualifies for this coverage because that would mean that they haven't developed cancer.

The question yesterday regarding farm workers is somewhat outside of the realm of this bill. It's not unusual for some members to venture into matters that are totally irrelevant to the topic of discussion. I have to tell you that this proposal simply seeks to extend the same coverage for 14 presumptive cancers that already exist for full-time firefighters to volunteer firefighters. This is done not only because it is the right thing to do, but it's as a result of a number of new studies that point to a strong relationship between firefighters and what they do and the development of certain types of cancer.

Mr. Chair, I value the effort of Alberta's farm and ranch workers as much as anyone. However, Agriculture and Rural Development recently announced the establishment of a new farm safety council, that is working to improve health and safety on farms and ranches, including representatives from all sides of this issue.

There was also a comment from the Member for Edmonton-Gold Bar, I believe, about whether we should be extending this coverage to other professions, much like the Member for Calgary-Varsity has indicated, that might come into contact with harmful

substances. Mr. Chairman, the occupational health and safety legislation sets out limits for toxic contaminants such as lead, cadmium, and magnesium. Workers should not be exposed to levels that exceed the limits. If workers' exposure may be higher than the limit, then control measures are required to protect them.

Finally, Mr. Chair, regarding coverage for paramedics for post-traumatic stress I can only say that today's bill is not the end of the process of continually improving WCB coverage for workers in Alberta. We're always seeking ways to improve coverage and respond to new research and are already open to further discussion with other professions. Having been myself involved in the capacity as a first responder in a fatal accident, I can tell you that indeed it does affect the persons that are involved. I am open to entering into discussions with the first-responder professions. These people are our friends and our neighbours. That is why it is especially important and gratifying for me to hear our rural members voice their support and, in fact, lead this drive.

I have to tell you that the Member for Rocky Mountain House has definitely been very active on this file in promoting the extension of this coverage to volunteer firefighters, and I would like to thank him right now for his leadership on this particular file. He has kept my feet to the fire and definitely advocated on their behalf behind the scenes. We all admire and respect our volunteers, like the member does, and we all want to do whatever we possibly can, Mr. Chairman, for them in terms of proper compensation coverage should they fall ill as a result of serving the communities.

At this point, Mr. Chairman, I would like to thank again all members of this Legislature for their support of this bill. I hope you all vote in favour of it. I have to tell you that your firefighters, particularly in the rural communities, communities that are primarily served by volunteer firefighters, will be thankful. Aside from the fact that it is the right thing to do, I have to tell you that it is the smart thing to do. We all know that attracting and retaining volunteer professional firefighters is a challenge. This will be one piece towards assisting municipalities in their continuous effort to attract and retain firefighters.

Thank you, Mr. Chairman.

**The Deputy Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It's a pleasure to be able to rise to speak to this bill for the first time. I want to join what I'm sure is the majority of other speakers who've risen to speak about it in providing our support for the decision that was made to expand presumptive coverage to volunteer firefighters. I think that the concept of presumptive coverage is exceptionally important in the world of workers' compensation because the morass of establishing your case for complex compensable injuries is incredibly stressful and challenging to injured workers. Those few workers who benefit from the presumption, limited as it is in this province, enjoy a tremendous benefit.

There's no question that those people who commit to first responder work in the form of being firefighters are people to whom we owe a great deal of gratitude and our support. The rationale that's come forward in terms of including volunteer firefighters I think is certainly a very wise consideration because it's very clear that these folks are actually getting similar if not greater levels of exposure to the very hazards which underlie the decision to provide for this particular presumption.

So I congratulate the government, and I also congratulate the firefighters themselves for the good work that they have done and that they continue to do on behalf of their members in terms of advocating for their members' health and safety. I do think and believe and hope, anyway, that the successes that the firefighters

are able to achieve for their members may well at least start to teach an otherwise recalcitrant government about the nature of health and safety and chemical exposure and gradual, progressive injury in the workplace such that other professionals may, hopefully, at some point experience similar levels of success in establishing presumptive levels.

Because this is, you know, an important issue, I think it is actually wise to talk about other people who might be covered by this kind of presumption. I think that that is within the ambit of this bill because we're talking about the whole concept of presumptive coverage. I think one member has talked about the issue of stress and posttraumatic stress as it relates not only to firefighters but other first responders and the degree to which we are able to provide that kind of support to people who are typically forced to deal with very traumatic situations as part of their work.

I remember that there used to be a principle in workers' compensation law which was referred to as voluntary assumption of risk and the idea was: well, you signed up for this dangerous work; you knew when you signed up for it, so you're responsible for the greater hazards that you're subjected to. Certainly, by moving to this type of presumptive situation, we are starting to chip away at that very antiworker and very old-fashioned legal concept, which only exists in the most conservative of courtrooms these days. It's an important issue because we have other first responders who also are subjected to tremendous amounts of stress and, quite reasonably, suffer from forms of stress and post-traumatic stress, whether we're talking about paramedics, whether we're talking about police officers, whether we're talking about health care workers.

It may not be something that the minister is aware of, but in fact the people most likely to suffer from a violent attack in their workplace are not actually police officers, are not actually firefighters, are not actually . . . [interjection] One might think it would be the NDP opposition, but we move fast, and we've avoided getting a lot of contact. They are, in fact, health care workers. Health care workers in this province and in every province are statistically, without question, far and away the most likely to be the victims of violent offences in their workplace. People who work in emergency rooms are commonly subjected to extremely stressful situations where they find themselves feeling as though their life is actually at risk and where also they are forced to see other people's lives very much at risk, and that stress level is very common.

3:50

Interestingly, the people most likely to suffer from some type of injury in the workplace are people who work in a form of psychiatric care or in long-term care, and in that case the victim is most likely a female health care worker, and the perpetrator inadvertently is mostly likely to be male and above a certain age. It's usually associated, you know, with senility of some form, so it's a function of their illness. Nonetheless, that's what the statistics show. That's who is getting injured. That's the severity of their injury. That's the consistency of their injury. Yet they have to fight tooth and nail to get workers' compensation benefits in this province.

If they actually suffer from some type of emotional reaction as a result of being victims of this type of violence, they had better have themselves one heck of a good lawyer because there is no presumption that works in their favour. Those people, who make up a huge number of claimants and potential claimants to workers' compensation, go uncompensated under our current system. That's one of the places where we need to look at extending some type of presumptive coverage.

Now, the minister said: well, there's actually no evidence to suggest that other professionals are subjected to particular hazards in their workplace. Well, I will tell you as someone who worked in this area for many years that that's simply untrue. I mean, I've talked about violence in the workplace, but there are piles and piles and piles of studies out there about the hazards associated with working with a number of different chemicals that, again, are commonly found within our health care settings, the hazards associated with working with a number of different chemicals associated with our oil and gas sector, the hazards associated with working at a number of different jobs and tasks within the construction industry. There are buckets of studies out there that show that there is a clear relationship between particular occupations and particular diseases as a result of what people are exposed to.

This government has stubbornly refused to acknowledge many, many, many of those cases. The minister suggested that when it comes to chemicals and people who are exposed to chemicals who work in other professions, they can enjoy the benefit of the limits which exist in health and safety. Now, that's interesting because, of course, we've seen a lot of evidence about how we're not effectively enforcing our health and safety rules across the province in a broad range of worksites. That's one thing.

Another thing is that even where we do find that a worker has been exposed to chemicals in excess of what the regulations suggest are optimum or legal, that person still has to go to the Workers' Compensation Board and hire a lawyer because, of course, we have no bloody legal aid in this province and spend tens of thousands of dollars on medical support in order to establish that that illegal exposure to a certain chemical is connected to the illness that they suffer. There's absolutely no presumption that if you are exposed to an illegal amount of a particular toxic chemical, it will be assumed that the illness that you subsequently get is related to that exposure. That doesn't exist. You can show illegality on the part of the employer and still have to spend tens of thousands of dollars on legal fees to get the Workers' Compensation Board to accept your illness as being something that is deserving of compensation.

The other thing that doesn't exist within our system is that we have ridiculously easy limits when it comes to chemical exposure. Most other jurisdictions have much more rigorous limits and bans on chemical exposure than does the province of Alberta. One of the things that we don't do a good job of is looking at the cumulative effects of multiple chemical exposure. Does that result in the amount of chemical exposure that a person can tolerate having to be reduced if they're exposed to it in concert with two or three other chemicals at the same time? Other jurisdictions have done a lot of work on that issue. Alberta has not. We really, really do have a lot of work to do in this area in Alberta.

The only other area that I'll try and mention very quickly is the area of repetitive strain. Again, in other jurisdictions we have presumptive and quasi-presumptive pieces of legislation that outline that for certain people engaged in certain occupations and certain tasks, when they subsequently suffer from a variety of different repetitive strain injuries and diseases, it will be assumed that that repetitive strain injury or disease is related to their work. We have these types of presumptive and quasi-presumptive relationships in other jurisdictions across the country, but once again we don't have them in Alberta.

Once again, we have a number of workers in Alberta who suffer from injury in the workplace as a result of repeated exposure to unsafe conditions and struggle to have that injury recognized by the Workers' Compensation Board, an organization which at this point, frankly, ought to consider renaming itself the workers' denial board or something like that. The WDB we could call it



here in Alberta. It's actually not the workers' denial board; it's the employers' denial board. So we could call it the EDB, I guess, because that's really how it functions in this province and has done ever since we had a judicial inquiry actually recommending some wholesale changes to how our workers' compensation system works, which this government ignored, around 2004, 2005 I think it was.

Anyway, I digress, but it does all relate to the issue of how well we take care of those people who go to work every day in this province and expect to be able to do so safely and to come home to their families – to their husbands, to their wives, to their kids – and to do so in one piece and healthy and able to live their lives. We have a lot of work to do on that in this province. We are not doing a good job of it at all in this province. While I am very pleased for this particular piece of legislation and, once again, very pleased on behalf of the firefighters, who greatly deserve this recognition, and I don't want to detract at all from the success that they've achieved here, I think that they would agree with me and join with me in the call for this government to do much more for the vast majority of workers throughout Alberta.

With that, I will take my seat. Thank you very much.

**The Deputy Chair:** Any other members wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** I thank you for acknowledging me. I will speak, Mr. Chair, one more time. Again, I've said on the record here in committee that this is generally a good-news story, but after listening to some of the comments by the member from the third party, I too would like to offer some support for those comments.

There are numerous other fields where we should be using presumptions that extend coverage to many other people in this province. The member brought up numerous other activities, whether they're in farming, whether with oil and gas workers working with chemicals, whether they're with construction workers working with paints and paint thinners, countless examples of things that other jurisdictions have recognized where their work has contributed to illnesses in certain cases. Often these are common-sense linkages that other jurisdictions have taken for granted.

Another point that the hon. member made is perfectly correct. If most people who become sick and find themselves in a situation where they're given a denial by the Workers' Compensation Board, or the employers' noncompensation board, whatever you want to call it, they have no other means of getting to be heard unless they hire a high-priced lawyer. We all know that if rejected by the board, many people, because the price of hiring a lawyer is exorbitant not only here but elsewhere, effectively don't get justice with the WCB. I think we've made a pretty strong case here. In fact, a case has been made for quite some time in this province that the WCB is in shambles. It doesn't protect workers to the extent necessary to give them the rights and the compensation they need to carry out their daily lives, and that system should be looked at.

I'd like to just thank her for those comments and add that I think we need to get back to some of those principles. If we're going to have a Workers' Compensation Board, let's do it for the protection of workers, not the protection of employers.

Thank you very much, Mr. Chair. We'll move on from there.

4:00

**The Deputy Chair:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I also would like to speak in support of Bill 20. I'd like to applaud the minister for including the volunteer firefighters under workers' compensation for cancer-

related illnesses. I remember when the Member for Calgary-North Hill brought forward the bill to cover firefighters for cancer. I think this should be extended, as we heard other members speak, to farm workers who work with chemicals like pesticides and herbicides and construction workers, too, who work with paints and you name it. It comes to mind that people working with asbestos had lung cancer as well. I think this coverage should be extended to more workers who may suffer from work-related illnesses and cancers.

Once again, I wholeheartedly support this bill because it will encourage more volunteers to come forward to be firefighters and maybe be in other fields, too. I think it's a step in the right direction, but it's not going all the way. We should be extending this coverage to more and more workers.

With that, Mr. Speaker, I will be supporting this bill. Thank you.

**The Deputy Chair:** Any other members wish to speak?

**Hon. Members:** Question.

[The clauses of Bill 20 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed

**The Deputy Chair:** Opposed? That's carried.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Chairman. I'd move that the committee now rise and report Bill 20.

[Motion carried]

[Mr. Mitzel in the chair]

**Mr. Marz:** Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill, Bill 20.

**The Acting Speaker:** All those members of the Assembly who concur with the report, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Opposed, please say no. So ordered.

The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I rise to seek unanimous consent of the House to waive Standing Order 39(1)(b) so that the House may now consider Government Motion 17, which will allow for the appointment of a special committee of the Legislature to appoint a search committee for the Information and Privacy Commissioner.

[Unanimous consent granted]

## Government Motions

### Select Special Information and Privacy Commissioner Search Committee

17. Mr. Renner moved on behalf of Mr. Zwodzesky:  
Be it resolved that a Select Special Information and Privacy Commissioner Search Committee of the Legislative Assembly be appointed consisting of the following members, namely Mr. Mitzel, chair; Mr. Lund, deputy chair; Ms

Blakeman; Mr. Hinman; Mr. Lindsay; Mr. Marz; Ms. Notley; Mr. Quest; and Mr. Rogers, for the purpose of inviting applications for the position of Information and Privacy Commissioner and to recommend to the Assembly the applicant it considers most suitable to this position.

- (1) The chair and members of the committee shall be paid in accordance with the schedule of category A committees provided in the most current Members' Services Committee allowances order.
- (2) Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chair.
- (3) In carrying out its responsibilities, the committee may with the concurrence of the head of the department utilize the services of members of the public service employed in that department and of the staff employed by the Assembly.
- (4) The committee may without leave of the Assembly sit during a period when the Assembly is adjourned.
- (5) When its work has been completed, the committee shall report to the Assembly if it is sitting. During a period when the Assembly is adjourned, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

**The Acting Speaker:** The hon. Deputy Government House Leader on behalf of the hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. The Deputy Government House Leader wishes to thank you for recognizing him making a motion on behalf of the other Deputy Government House Leader.

Mr. Speaker, I wish to move Government Motion 17.

[Government Motion 17 carried]

## Government Bills and Orders

### Third Reading

#### Bill 16

#### Energy Statutes Amendment Act, 2011

**The Acting Speaker:** The hon. Member for Drayton Valley-Calmar.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm pleased to rise and move third reading of Bill 16, the Energy Statutes Amendment Act, 2011.

It's been a very good debate, and I want to thank all members that have spoken to the bill for their comments. I believe this bill is a good piece of governance that is needed to ensure that both government and industry continue to operate efficiently and effectively. When it comes to energy development and energy utilities, it is important that we keep our rules up to date. Our economy and communities throughout our province depend on it. All Albertans depend on the agencies of government to have the authority to carry out their mandates.

Bill 16 is a responsible bill that updates a broad range of rules related to energy development and the operation of our utility sectors. In particular, this bill will ensure that the Energy Resources Conservation Board has the authority to regulate underground coal gasification. Currently legislation only refers to mining as a means to extract coal from the ground. Other provisions

will remove duplication in approvals for the use of large amounts of energy for industrial operations and will enable the ERCB to make regulations and to approve amendments to coal permits in line with other industries that the ERCB regulates.

The functioning of a fair and efficient electricity market will also be strengthened and the quality of service standards will be harmonized between electric utilities and gas utilities to ensure that customers benefit from quality services across utilities.

In closing, these are necessary legislative amendments that provide our regulatory agencies the necessary authority to continue to operate efficiently and effectively. I thank all members of the House for their comments, and I look forward to the final passage of this bill.

Thank you, Mr. Speaker.

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

**Mr. Hehr:** Thank you, Mr. Speaker. It is indeed a pleasure to rise and discuss further Bill 16, the Energy Statutes Amendment Act, 2011. As the hon. member indicates, this bill is working with a variety of different acts and tries to pull together various themes, various things to deal with the production of in situ coal, deal with industrial development permits as well as looking at our Electric Utilities Act and the Alberta Utilities Commission and how it operates in our daily lives.

**4:10**

With all acts that act as omnibus acts, that tend to pull things together, it leaves a person on the opposition benches looking at it with, as I said earlier, a healthy dose of skepticism and concern. I will address those, and hopefully these will come to naught, and everything that the government says is going to come as a result of these bills will be for the betterment of the Alberta people in the long run. I am hopeful that that will be the case. Nevertheless, as it is my sworn duty as a member of Her Majesty's Loyal Opposition, I am under not only an obligation but a sworn duty to make some of those concerns noted and have the government prove its case over time. Hopefully, people will look back at this speech and say: well, the hon. Member for Calgary-Buffalo was a little off that day, and the government was right once again. Nevertheless, it's better to be often wrong and with an opinion and to have concerns noted than to have not noted them at all.

So here we go on some of these things. If I look at this overarching goal and direction of the Energy Statutes Amendment Act, it's tying on a whole bunch of new brave initiatives going down here in Alberta. Of course, we have an abundance of coal that is still part of our legacy and, actually, probably will be used at some point in time. This is a new regulatory framework that is trying to bring into our regulatory systems the use of in situ coal schemes that can produce synthetic coal, gas, and liquids through in situ coal gasification and liquefaction. That sounds, you know, like a reasonable thing, possibly, for the government to be involved in.

There is a difficult thing when we start throwing around terms like clean coal. That stuff is often an oxymoron. We know full well at this time that much of the stuff that we do to clean and scrub coal and to put it to use in whatever fashion is simply not measuring up to what other things are doing out there. It's much cleaner and efficient to burn natural gas. It's much better to of course try and use wind and solar and other things that are available, no doubt, sir, with a higher cost. That is, too, what we always look at: a balanced approach as to what our citizens can afford and what is in fact the right thing to do for the long run. I have no illusions that these are often difficult things to balance. I'd just bring up here that at this time we're putting forward a scheme that

looks like it's going to send Alberta down a path of coal development when there are recommendations out there from other jurisdictions saying – I heard an organization say that there should be no more coal-fired electricity plants. You hear that throughout the world, that maybe that day has come and gone.

Now, with technology available like carbon cap and storage does that make things different? I don't know. In Alberta that's another thing we've ventured down the path of, carbon capture and storage. Am I hopeful that this technology will work? Of course I am. God willing and the crick don't rise, this is going to be a very successful endeavour that is not only going to bury emissions for all time in a safe and effective manner but will also allow us to get more of our petroleum resources to the surface. Nevertheless, again, it's not a proven technology. Nothing says that this is going to work one hundred per cent. We're investing an awful lot of money, a lot of our future capital and earnings, into these projects that may not work out.

Other organizations, other pundits, other people with some expertise are saying that this money is better invested in other ways, into, as mentioned earlier, wind and solar and other things that may be in the long run more beneficial to Alberta citizens, maybe to citizens of the world but also even to us in diversifying our economy.

Am I an expert in this? By no means. I just bring that up as an observer of situations that we're doing here in Alberta as well as sort of reviewing some of the commentary that's out there that's of a more global nature, that we have to balance here in Alberta. I'm not sure we're getting that balance correct. This act tends to be carrying us further along on some of these things that I worry about. Hey, like I said earlier, maybe I shouldn't be worrying, but that's what I'm doing.

We've had many changes to our electricity system, the way we've delivered electricity in this province. Roughly 15 years ago we went away from a regulated system, that tended to smooth over some of the imbalances that can be out there when market forces are at play and the consumer is left to deal with the vagaries of the marketplace.

We've moved on from that, and the Alberta citizen has, in my view and I think almost anyone's view, paid higher electricity prices as a result of that change. We even saw this government tacitly agree with that by subsidizing electricity prices for a long time in this province. In fact, it was – I don't know – done for six or seven years as a way to say: "Okay. The citizens are now paying too much for electricity. Let's give them a subsidy." That was done, and I look at that as a tacit admission of things not working out when they privatized the market.

Now we're at a time where you're trying to make that system better, where we've gone now 15 years, and in many ways I look at that and say: yeah, you can't go back to 1995 when you're in 2010. Nevertheless, this is looking at how to make the system that is existing better.

Am I hopeful that this opens up a possibility for us to allow for better oversight of a marketplace that people are skeptical about, where people have been hooked into long-term contracts that have not been in their best interests and have been used to pressure sales by men and women who have strong-armed consumers into signing deals obviously not in their best interests and of that nature? Hopefully, this bill will do that. At the same time, you know, we can't be certain. I just put those concerns on the record.

It has just been brought to our attention that some of this stuff is coming at a time when changes under Bill 16 to unify the gas and electric service standards are seen as helping to move along the harmonization of the regulated option and the default gas supply regulation. This was being discussed at the Alberta Utilities

Commission on regulation and harmonization. We note that this report hasn't been released yet. The question that could be raised is: why are we unifying standards, seemingly, in this Bill 16 when we haven't seen the report on unifying regulation from the Utilities Commission? That's another concern that has been flagged to us at this time.

4:20

You can see that a lot of my concerns are of a larger nature than just this bill. It's a concern over whether we in this province should be continuing down what looks like a path of utilizing more, not less, coal in our daily needs. It also looks at whether sinking more time, energy, and resources into changing statutes to incorporate carbon capture and storage is wise given the concerns out there. Hey, I hope it works – and a lot of people do – but we've got to be cognizant of the fact that we can't put all our eggs in one basket and that we should look at many ways to diversify the reduction of our fossil fuel emissions, not only through carbon capture and storage. End users of all kinds have got to do their part, and that includes yours truly sitting right here at this desk.

Those are my comments. I appreciate that although I can't point to one specific thing – it's more of a general feeling that there are some nagging issues out there for me – as a member of this Legislature I'm not confident enough yet in this government's direction to give a full sign-off to this bill. Nevertheless, on the God willing and the crick don't rise front, I hope it does work out.

Thank you, Mr. Speaker.

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

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to rise to speak to this bill in third reading. It was unfortunate and due to my 10-minute late arrival last night that I was unable to participate in the bill's discussion at committee. I believe we had a combined amount of about 20 minutes dedicated to it in committee, and we had some amendments we hoped to have considered. However, I guess you've got to take responsibility for showing up 10 minutes late when things get moving really fast around here.

We have some very significant concerns with this bill. The first piece of it, I guess, is that this is something that flows from the regulatory enhancement task force report. This is, you know, a small piece of that, but it is part of it. That task force report raises a number of red flags for members of our caucus in terms of the intentions of this government to proceed in anything bordering on a prudent basis to ensure that future oil and gas development in this province is done in a way that preserves and protects the public interest not only now but in the future.

My concern is that the talk of streamlining is actually talk about enabling and limiting the opportunities for the public to have oversight and also limiting the opportunities for those outside of industry, stakeholders shall I say, to ensure the best outcome for community development and environmental integrity now and in the future.

There's a whole raft of reasons why we would suggest that that's not the way to go, but of course one of them is this whole notion of there being a single regulator that's somehow tasked with the obligation to juggle multiple mandates. The problem becomes that when a regulator is tasked with the obligation to juggle multiple mandates, it starts horse-trading with itself, and it does so without us really understanding how it's doing that. It also does so not necessarily with a clear and consistent set of principles on how it horse-trades with itself.

You end up in a situation where, for instance – I believe it was a couple of days ago – the Minister of Energy was asked about, you

know, what we could expect would happen and what assurances we could expect would be in place through the ERCB before the pipeline that breached adjacent to the Lubicon community was allowed to restart. How could we be sure that it would be done safely, and how could we be sure that there was adequate integrity in that pipeline as a whole given its history of breaching, given the history of the company generally speaking, and how could we be sure that the community and the environment were protected before we started putting oil down there again?

The minister responded: well, you know, we're going to do everything we can, but you've got to remember that the ERCB is also responsible for ensuring that such and such a community up north gets adequate energy supply. That's a legitimate consideration. I'm not in any way suggesting that that's not a legitimate consideration, but right there what you see is the example of the regulator horse-trading with itself.

I would suggest to you that what needs to happen is that you need to have a mandate, and the mandate is, in one case, thou shalt protect the environment and ensure that it is not compromised. Then you will have another organization with a mandate to build the economy, you know, to hand out money to the oil companies, to make sure that we've created jobs, to get energy to particular communities, whatever the mandate is. [interjection] What's that? Right. Was it Norman Wells? Right. That's fine, but if you've got one regulator horse-trading with itself, then what happens is that that fundamental mandate – don't do harm to the environment – gets compromised. What ought to happen is – you know what? – one regulator saying: "Our job is to protect the environment, and we can't turn the tap on until we know it's safe. Sorry."

Then what has to happen is that other strategies have to be developed around that mandate to get to the other issue of getting oil and gas up to Norman Wells. That's the way it should be because that's the way you protect the interests of both groups. If you horse-trade between yourselves there, then you're going to end up doing a bad job for both groups. That's the concern that I'm worried about, when you start mixing the mandates of different regulatory bodies, as is being proposed here.

In this particular bill one of the things that the bill purports to do is take away from the ERCB and move over to Environment the process of assessing – what is it called? – industrial development permits, which is something that the ERCB used to do. We're told: well, the ERCB doesn't need to do that anymore. It used to be that the ERCB would do that to make sure that particular industrial developments would not in a haphazard or irrational way suck all the energy into this one industrial development to the exclusion of the community, the municipality, or whatever and that the energy was properly distributed. That's what the ERCB used to do when it took a look at these IDPs.

Now we're told we don't need that because the market will fix it. Well, yeah, the market will fix it, and the market may fix it in that consumers adjacent to this new IDP will find themselves paying for water or some other source of energy at three or four times the rate that it used to be. Yeah, the market has fixed it, but it hasn't fixed it in the best interests of Alberta consumers, and that's why the ERCB was looking at it in the first place. So I'm concerned. I'm concerned that that's the way we want to go. I mean, I can think of a few industrial projects that might pop up adjacent to a water supply, for instance, which a municipality also relies upon.

Now, we're not looking at whether that industrial permit is appropriate anymore in terms of whether it meets the overarching public interest. We're just going to let the market deal with the outcome of that industrial development, and, you know, the community will just pay what they've got to pay. Well, I don't know

that that's wise. I don't think that that's a good idea. I'm concerned about that because, again, what we're then going to do is we're going to take that process and it's apparently going to be partially replicated by the Ministry of Environment. I know that the Ministry of Environment does also assess these industrial developments, but currently they do it under a different mandate with different criteria, and it's not clear that the criteria are absolutely going to mesh when the Ministry of Environment is going through its process.

It really sounds to me like we're not taking a focused, rational, inclusive approach to ensure that best interests are met. We are blindly slashing and burning what we see as red tape, and we're not really thinking about what this means for the often conflicting interests in a particular community in the province between a variety of different groups. There's nothing wrong with there being conflicting interests. We don't have, you know, all the land in the world. We are, ultimately, going to have conflicting interests in terms of how we use and develop our environmental and natural resources, but we need to have a way of dealing with that that adheres to certain principles, certain priorities. By going through this process, we're just meshing it all together, and I don't believe that we have a refined, rational, well-thought-out system of prioritizing on behalf of Albertans.

4:30

That's the second concern, and that would have been one of the amendments that we would have made. We would have eliminated the provision that would have moved that function over to Environment from the ERCB without first ensuring that there was an entire making up for what we were losing by taking it away from the ERCB, which it's clear is not currently being contemplated in this act.

The second major thing that this act does, of course, is it enables in situ coal gasification processes. Again, that's fine. This is an area that has some potential. I think some people in industry and government are perhaps overstating its potential at this point. I think there are still a lot of legitimate questions to be asked about the future and the efficacy of this particular technology in the context of Alberta's future energy development. But it's certainly a promising area that, at least from a transitional point of view, may well be very valuable to us.

At this point what we have is two experimental in situ sites: Swan Hills, which received approval for an experimental scheme in June of 2008; and then Laurus Energy, which received its approval in March of this year, so really nothing has gone on there. We don't really know at this point what's happened in the last two years or three years nor do we know exactly where it's going. I'm a little curious as to how we did get those experimental sites approved if we're only now passing the legislation to enable it. Perhaps someone can let me know about that in the future.

At the end of the day my concern, again, with respect to this incredible potential development here is twofold. The first is that I don't see that we currently have an environmental assurance scheme that is adequately regulated or adequately resourced to oversee this grand development that is anticipated by this piece of legislation in a way that ensures the safety and the long-term sustainability of the industry and/or the community adjacent to the industry in this province. There are a number of legitimate issues and questions that arise with the in situ coal gas process, answers for which we do not have. We don't know yet exactly how this will implicate groundwater contamination issues. We haven't mapped adequately the areas that could be impacted through this process. We don't know yet what the process will do to ground subsidence in terms of what that will do, ultimately, to surface

water flows and aquifers as well as ground infrastructure like roads and pipelines.

We don't know that yet, and I don't trust this government based on its record up to now to convince me that they are prepared to do the work that is necessary to keep us safe as we plow forward on this. We've got the enabling legislation to plow forward on this, but we haven't put an extra cent into the Ministry of Environment to make sure that we do it right. Quite the opposite. We've cut from the Ministry of Environment. So it's very clear that our intention is to plow forward on this without providing the adequate resources to ensure that we do it safely and responsibly in the best interests of all Albertans.

There are, ultimately, other land-use impacts that could arise from this process, which again we're not exactly sure what those will end up being. Then the whole question of air emissions. Yes, the greenhouse gas emissions from this process are about 25 per cent less than current coal production processes, and that's great. Twenty-five per cent is nothing to sneeze at. Down the line, 10, 15, 20 years from now – I can't remember what the Minister of Energy said one day in a moment of frankness – when we could actually expect to see something happening with carbon capture and storage, were it to actually happen, then carbon capture and storage has the capacity to reduce the greenhouse gas emissions more significantly.

Again, based on what we've seen this government do, based on the fact that we have copious numbers of tailings ponds around Fort McMurray where we have absolutely not one solution designed yet to deal with them, given that we develop first and then ask questions about the consequences later, my concern is that this piece of legislation is going to enable that rampant development without any of the answers to these important questions having been provided.

Those are the primary concerns. I guess the final concern that I will raise with respect to this bill relates to the section of amendments that address the Market Surveillance Administrator and provide to the Market Surveillance Administrator the opportunity to make complaints where they believe that the ISO, I believe, has adopted any type of rule that would impede the functioning of a proper market. I will say that this is a very complex area, and I'm the first to admit that I could easily spend six months learning about how all these organizations interact with each other. So I'm not going to get into an extensive discussion about this.

One thing that was brought to our attention, though, was that in that whole piece of legislation there ought to be some provision made – again, thinking to the future, not necessarily making it happen right now – for ensuring that we have an exception to that market rule where we might be looking at the whole issue of feed-in tariffs because, heaven forbid, even though this government right now is full speed ahead on a carbon only energy policy in the future, there may well be other people that will come forward that see the value in more aggressively pursuing a renewable energy industry in this province.

Feed-in tariffs are a component to that. Now, they're not a simple answer. There are cost implications to the consumer that arise with feed-in tariffs, and I'll be the first one to say that that needs to be fully examined and ways to ameliorate that need to be established before you go forward. But it is something that is a critical key to assisting in the development of the renewable energy industry, and the provision there does not allow for that to come forward.

Thank you.

**The Acting Speaker:** Hon. members, Standing Order 29(2)(a) is available for anyone for comments and questions.

Seeing none, the hon. Member for Calgary-Varsity on the bill.

**Mr. Chase:** Thank you very much. I want to echo some of the concerns raised by the hon. Member for Calgary-Buffalo as well as the hon. Member for Edmonton-Strathcona. We have all noted that Bill 16 is a very complex piece of legislation that attempts to connect or tie together a variety of both energy and, on the other side of that coin, environmental concerns.

The hon. Member for Calgary-Buffalo pointed out this concern, and I just want to provide a little bit more background to it. Changes under Bill 16 to unify the gas and electric service standards are seen as helping to move along the harmonization of regulated rate option electric regulation and default gas supply gas regulation. The written decision of the Alberta Utilities Commission on regulation harmonization has not been released as of yet.

Now, I give the government credit, Mr. Speaker, for having hearings that basically began on July 6 of last year and ran through to November 8, and I am assuming that these intervention hearings were well publicized and anyone who wished to intervene had the opportunity to do so. Unfortunately, this all happened six months ago and the findings of the commission have yet to be realized. What we're doing today is that the government is asking us to approve the game without the rules. This happens, unfortunately, far too frequently. You know, as the hon. Member for Edmonton-Strathcona said: trust us. That's frequently very hard to do.

I do believe, Mr. Speaker, in the intervenor process. I've been an intervenor when it came to natural gas increases. I was the last intervenor with regard to the Compton hearing regarding the sour gas wells that they wanted to drill faster within a kilometre of the southeast hospital. In that case the Compton hearing went on for almost two years. So trying to decide what is the appropriate amount of time can be a challenge.

4:40

The government, to its credit, allowed the process to go on. A couple of the major intervenors were the Calgary health board as well as the city of Calgary, and they put forward some very convincing arguments. I intervened on behalf of the Friends of Medicare. I was the Alberta chair at that time, and because the hearing overlapped with my election as the representative for Calgary-Varsity, I continued to pursue that hearing. The quote that sticks out in my mind from that particular hearing was that any chance of a sour gas release or explosion was the square root of zero, and that was said by one of the Compton executives. That kind of bravado makes you wonder about the interventions.

I also had the opportunity to participate in a Turner Valley environmental assessment that had to do with the area in which Turner Valley in conjunction with Black Diamond were creating a large retaining pool for their water. The complications that arose in Turner Valley – and it was quite a costly concern – were that there were not sufficient historical records as to where old gas and oil wells were located. It turned out that the engineering plans that were drawn up originally didn't take into account that there were actual wells in the midst of the water reservoir. So this caused great concern to a number of Turner Valley and Black Diamond residents. It was resolved. Again, to the Environment ministry's credit, expert witnesses were called, and the process provided constituents of Turner Valley and Black Diamond a degree of confidence because they had heard from a series of specialists.

Mr. Speaker, I give the government credit for having intervention processes and allowing people to participate in the discussion, whether they're amateurs like myself as a concerned citizen when it comes to oil and gas concerns or the experts.

Now, I share the hon. Member for Edmonton-Strathcona's concerns about moving the oversight from the ERCB to Environ-

ment. I commented on one strong example of environmental oversight, and that was the hearings at Turner Valley. But I'm also very aware that the Environment ministry, because it is so short-staffed and underfunded, relies on industry to report problems. The example of the ducks landing in the tailings ponds: if that had not been, basically, witnessed by an independent citizen and then reported to Environment, it would have gone unnoticed.

This business of relying on industry to do the reporting, which frequently as in the case of the latest oil spill happened days after, when several thousand barrels of oil had leaked from the broken weld in the pipeline, and the concerns, as the hon. member indicated, with the folks from Norman Wells, who depend on that to create local energy, and the balance between the Lubicon nation, whose backyard was thoroughly interfered with by this major oil spill, is of great concern.

Now, another concern that has to be taken into account with Bill 16 is the balance between economic nonrenewable progress and environmental protection. I am hoping that this omnibus bill will start to equalize the standards. For example, the standard for reclamation for coal with the open pit mining, which I've witnessed in the area of Edson, is considerably stricter both in timelines and expectations than is the reclamation for the mining of bitumen north of Fort McMurray.

In the case of Edson they were very careful. They were required to set aside the topsoil and, basically, to the greatest extent possible recreate the type of environment that they disturbed. I would suggest that to a degree they even bonused it because when they put the soil back in those trenches with the open pit mining, there was sufficient soil to plant shrubs and trees that were common to the area, that were most likely to succeed and develop to maturity. Then because of the depth of the mining, when these areas were filled, they became little lakes that were sufficiently deep for trout to overwinter. So that was an example of reclamation, environmental expectations being realized.

Of course, north of Fort McMurray given the muskeg, given the peat bogs it's an entirely different circumstance. You can't restore the area to its original circumstance, but you can reclaim it, and the speed at which that reclamation occurs and certificates are awarded for that reclamation seems to be an awfully long process.

To the government's credit we wouldn't have the oil sands if Peter Lougheed back in the day, in the early '70s, hadn't provided incentives to companies to develop the oil sands. The government recognized just recently that they needed to provide similar incentives to nonrenewable energy sources. For a number of years the government had capped wind power, and they realized that that was kind of a regressive move, but the government has not provided anywhere near the types of incentives for clean energy, for renewable energy that it has provided for oil and gas and bitumen exploration.

So the government has a long way to go, and because of the complexity of Bill 16 I'm not sure that the incentives for energy development are inherent in this particular bill. I wouldn't want to use the expression "doubting Thomas" because it would potentially be associated with another member of this Assembly, but I will express some doubt as to the complexity of Bill 16 and whether it will achieve the balance that the Alberta Liberals have asked for in terms of sustainability and environmental protection as we move forward economically.

I want to just re-emphasize the point that I would like to see the same level of investment in nonrenewables as we move forward so that we can meet the world's demand when oil and gas, whether it's produced by coal or other means, is no longer as attractive or potentially as necessary as innovation improves our energy provisions.

Thank you, Mr. Speaker, for this opportunity to speak in third to Bill 16.

**The Acting Speaker:** Any other members wish to speak? The hon. Member for Calgary-McCall.

4:50

**Mr. Kang:** Thank you, Mr. Speaker. It's my pleasure to speak on Bill 16 in third reading. I think this is a big bill, too, and it tries to amend a few acts. From the outset I was in support of this, but then when I read the whole bill, it gets complex as this act tries to create a framework for the Energy Resources Conservation Board to regulate in situ coal schemes in a similar fashion to conventional petroleum product deposits. It's trying to streamline the regulatory process for conventional coal deposit development. Further, it goes on to eliminate duplication in processes for investigative development that consumes large quantities of energy resources. I think that's a good thing, you know, if we're going to cut red tape and speed up the process.

That raises further questions about bringing on a boom and creating boom-and-bust cycles. How are we going to control the development? That remains to be seen. It will expand the oversight of gas distribution and default gas providers to both ensure systems safety and ensure consumer protection by harmonizing regulations with electric utilities.

It goes on to expand the oversight of the independent Alberta Electric System Operator by a Market Surveillance Administrator to ensure the safe operation of the Alberta electricity market. It's also going to reclassify downstream facilities that produce oil sands products as oil sands facilities to encourage investment in downstream activities beyond upgrading. So it will also bring some issues with the tax regime.

The bill is going to impact the amendments to the Coal Conservation Act and will create a regulatory framework for in situ coal schemes that will close a theoretical loophole that currently allows the operation of a scheme outside of the majority of the conventional petroleum regulatory framework. It will also create a regulatory framework for in situ coal schemes and may encourage investment, research, experimentation, and development that may evolve into more environmentally friendly alternatives to conventional coal used over time and, most likely, the generation of electricity.

It will also change the definition of coal in defining coal seams and may turn some marginal coal deposits from mineral resources to pore spaces, potentially changing the ownership if the mineral rights are owned by private interests and allowing the use of very low-quality coal formations as carbon capture and storage reservoirs. It is very important to raise this in the House, and I'm seeking clarification on this as well.

Eliminating the industrial development permits may allow irrational self-interest to overrule collective interests at times. For example, preventing the burning of ethane as a fuel versus reserving it for use as petrochemical feedstock may be more difficult under environmental regulations. Reclassifying downstream oil and processing facilities at oil sands processing facilities may change oil sands projects and create tax and royalty regime advantages, which may encourage more value-added industry to be placed in Alberta rather than in other jurisdictions.

This act, as I say, is a mixed bag, one that with amendments we could probably have made better. With the loss of industrial development permits, we'll lose an avenue for the rejection of large industrial facilities, that consume Alberta energy resources, by the Lieutenant Governor in Council outright under general public interest. That doesn't exist as broadly under environmental statute. This would be more significant if permits were ever rejected. While an Alberta Liberal government might wish to implement similar provisions that are being removed by this act, it is no significant loss to the public good under the current government.

The expansion of oversight by the independent Alberta Electric System Operator of gas distributors, gas default supply providers, and

electric utilities will help to improve the function of the utility system as designed while increasing consumer protection. We might object to the fundamental design of the system, most notably permitted profit margins and distribution of capital costs among market participants. So it is marginal improvements to the existing system. A vote for marginal improvements is not a vote for endorsing the current system. This bill is trying to do much more, and I think it's complex. It just raises more questions about the tax regime, about the boom-and-bust cycle. I don't know. I'm just confused about this bill.

I'll leave it at that, Mr. Speaker. Thanks.

**The Acting Speaker:** Any other members wish to speak?

Hon. Member for Drayton Valley-Calmar, do you wish to close debate?

**Mrs. McQueen:** No.

[Motion carried; Bill 16 read a third time]

### Bill 19

#### Miscellaneous Statutes Amendment Act, 2011

**The Acting Speaker:** The hon. Minister of Housing and Urban Affairs on behalf of the hon. Minister of Justice and Attorney General.

**Mr. Denis:** Thank you very much, Mr. Speaker. As you quite adeptly mentioned, I rise today on behalf of the hon. Minister of Justice and Attorney General to move third reading of Bill 19, the Miscellaneous Statutes Amendment Act, 2011.

Mr. Speaker, I'll just briefly review the list of all the acts that are affected by this particular bill. It affects the Emergency Management Act, the Family Support for Children with Disabilities Act, the Business Corporations Act, the Cooperatives Act, the Land Titles Act, and the Mobile Home Sites Tenancies Act. I think all of members of this Assembly know that miscellaneous statutes typically reflect provisions that are straightforward in a noncontentious nature.

I would encourage all members to support the passage of this act.

**The Acting Speaker:** Any other members wish to speak?

**Hon. Members:** Question.

[Motion carried; Bill 19 read a third time]

### Bill 20

#### Workers' Compensation Amendment Act, 2011

**Mr. Lukaszuk:** Mr. Speaker, it's my pleasure to move third reading of Bill 20, the Workers' Compensation Amendment Act, 2011.

I'd ask all members to support the passage of this bill.

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

**Mr. Chase:** Thank you. Seeing that there is unanimous support in this House for Bill 20, I would like to call the question.

[Motion carried; Bill 20 read a third time]

### Private Bills Third Reading

#### Bill Pr. 1

#### Alberta Association of Municipal Districts and Counties Amendment Act, 2011

**The Acting Speaker:** The hon. Member for Calgary-Lougheed on behalf of the hon. Member for Leduc-Beaumont-Devon.

**Mr. Rodney:** Thank you, Mr. Speaker. I move third reading of Bill Pr. 1, Alberta Association of Municipal Districts and Counties Amendment Act, 2011.

**The Acting Speaker:** Any members wishing to speak? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. Because of the nature of the private bills, that we are basically acting upon the requests of external organizations to let their will be done, so to speak, I would call the question.

[Motion carried; Bill Pr.1 read a third time]

5:00

#### Bill Pr. 2

#### Galt Scholarship Fund Transfer Act

**The Acting Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I move third reading of Bill Pr. 2, Galt Scholarship Fund Transfer Act.

As just a bit of the history the Galt family had left money in 1913 to the old Galt hospital, and over time this money has been taken over and managed by the Galt nursing alumnae. This money now equals \$144,000, and they have decided that it is time to transfer these funds to the University of Lethbridge for nursing scholarships. It's a wonderful gesture, and the Galt School of Nursing Alumnae Society are to be thanked and congratulated for keeping the trust of the Galt family. The Galt family, I'm sure, would be very satisfied.

I would ask that the question be called.

**The Acting Speaker:** Any other members wish to speak?

**Hon. Members:** Question.

[Motion carried; Bill Pr. 2 read a third time]

#### Bill Pr. 7

#### Hull Child and Family Services Amendment Act, 2011

**The Acting Speaker:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you, Mr. Speaker. I move third reading of Bill Pr. 7, Hull Child and Family Services Amendment Act, 2011.

**The Acting Speaker:** Any other members wish to speak?

**Mr. Chase:** Very, very briefly, and then I'll call the question. When my father retired from the services, he was a counsellor at Roper Hull Home, and I am very aware from my work with Children and Youth Services of the valued work that the Hull family services provides.

I'm very pleased with this piece of legislation and, therefore, call the question.

**The Acting Speaker:** Any other members wish to speak?

[Motion carried; Bill Pr. 7 read a third time]

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

**Mr. Renner:** Thank you, Mr. Speaker. As the business scheduled for today has concluded, I would move that we now stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 5:02 p.m. to Thursday at 1:30 p.m.]









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, May 12, 2011

Issue 34

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, May 12, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

Let us pray. As we conclude for this week our work in this Assembly, we renew our energies with thanks so that we may continue our work with the people in the constituencies we represent. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. the Premier. And happy birthday, by the way. [applause]

**Mr. Stelmach:** Well, thank you, Mr. Speaker, and thank you for your kind wishes. I wish to introduce to you and through you to all members of the Assembly my family, and I'm going to go down in order of age: my wife, Marie; our son Les and his wife, Dr. Liza Stelmach, who is away; Ethan – give us a wave – Naomi; and then our son Terry. Seated next to him is our son Nathan with his wife, Carole, who is expecting in July, and, of course, our daughter Lynette with Michael. Her husband is working another shift at the Shell upgrader and couldn't be here. Thank you for all your support. Please give them a good traditional warm welcome.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. It is my great honour to be able to introduce to you and through you to all members of the Assembly the woman who has stood behind our leader, Dr. Swann, and her name is Dr. Laureen Ross Swann. Please rise, Laureen, so that I may pay you some tribute. This is a woman of incredible strength, tough-mindedness, intelligence, generosity, great loving spirit, and patience for Dr. Swann, for all members of our caucus, and indeed for the political underpinning and process that we have in this province. I introduce to you Dr. Laureen Ross Swann. Please join me in welcoming her.

### Introduction of Guests

**The Speaker:** The hon. Minister of Transportation.

**Mr. Ouellette:** Well, thank you, Mr. Speaker. It's with great pleasure I rise today to make a very special introduction to you and through you to all members of this Assembly. Most of my colleagues know the very special woman in my life. Ms Jan Tremblay is seated in the Speaker's gallery. We all know how busy our lives can be, and to have such tremendous support and encouragement behind us is what keeps us trucking every day. So I'd like to send a big thanks out to the one who keeps me smiling. Thank you very much, Jan, and I would ask you to rise so all my colleagues can welcome you.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. Today it is my honour and pleasure to introduce to you and through you to all members of this Legislature my wife, Sherry Drysdale. Sherry is an amazing woman, and I'm honoured to have her join us in the House

today as she wanted to witness our great leader's last day. Sherry is seated in the Speaker's gallery, and I would ask her to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Hayden:** Thank you, Mr. Speaker. It's indeed a pleasure for me today to introduce to you and through you to all members of the Assembly an amazing class of students from the Veteran school. There are 21 students here with teachers and parent helpers. The teachers that are with them are James Matheson and Debbie Letniak. The helpers and parents are Marsha Tkach, Graham Schetzle, Darrel Durksen, and Melody Spencer. They're seated behind me in the gallery, and I would ask them now to rise and receive the welcome of the Assembly.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It is indeed a great honour for me to rise and introduce to you and through you to all members here in the Assembly four very special representatives from the pharmacy industry who are seated in your gallery. I would ask each of them to rise as I call their name and to remain standing until we've had a chance to say thank you to them: Donna Galvin, president of the council of the Alberta College of Pharmacists, from Okotoks; Greg Eberhart, registrar from the Alberta College of Pharmacists, from Edmonton; Margaret Wing, CEO, Alberta Pharmacists' Association, from Edmonton; and Jeff Whissell, chair of the Pharmacy Centennial Committee, from Edmonton.

Mr. Speaker, 2011 is a very special year because it marks the 100th anniversary of regulated pharmacy practice in Alberta. I know that everyone here wants to extend along with me a very sincere congratulations first of all to the Alberta College of Pharmacists, secondly to the Alberta Pharmacists' Association, and, of course, to all pharmacists for a century of outstanding service to Albertans. They have risen, and I would ask all members here to please join me in a resounding thank you and a warm, heartfelt thanks for being here and for what you've done.

Thank you.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It is an honour to introduce to you and through you to the members of this Assembly members of the southern Alberta irrigation districts. Representatives of the southern Alberta irrigation districts met today with myself, the hon. Minister of Environment, the hon. minister of agriculture, the hon. Minister of Municipal Affairs, and the MLA for Cardston-Taber-Warner to discuss funding for infrastructure upgrades to the St. Mary River irrigation district system which would increase water storage and provide support for storm runoff during flood opportunities. I commend these gentlemen and am pleased to support them in managing their operations.

I would ask them to stand as I introduce them so that we can give them the warm round of this Assembly: Tom Crooks, general manager of the St. Mary River irrigation district; LeRon Torrie, chairman of the St. Mary River irrigation district; Keith Francis, main canal chair and chair of the Taber irrigation district; Kent Bullock, general manager of the Taber irrigation district; and Gord ZoBell, general manager of the Raymond irrigation district. They're seated in the members' gallery, and I'd ask that we give them the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you, Mr. Speaker. It is my honour today to introduce to you and through you to all members of the Assembly three great members of the Filipino community: Rob Victoria, who is an insurance and investment consultant; Josephine Yee from Fat Jakks Asian Delight restaurant; and Phillip Aseron from Phillip Aseron financial services. They are seated in the members' gallery. I would ask that they rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. Deputy Speaker.

**Mr. Cao:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all the members Mr. Patrick Cochrane, a STEP student working in my office for this summer. I've known Patrick since birth, and he's now a young, handsome, and scholarly student at Mount Royal University. He is the youngest son of my former neighbours, Mr. Dick and Mrs. Carla Cochrane. Please give him a great welcome to our Assembly.

1:40

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Well, thank you very much, Mr. Speaker. I have two introductions today. First of all, it's my pleasure to introduce to you and through you a gentleman who was my chief financial officer and a very strong supporter in the last provincial election campaign, Mr. Derek Tsang. With him today is his daughter, Ashley Tsang, who was my absolutely key and staunch youth member and recruiter. With them today is Miss Cassandra Hutchings from Victoria, British Columbia. I'd ask them all now to rise to please receive the traditional warm greeting of the Assembly.

Mr. Speaker, my second introduction today is of two people who, I'm sure, will be no strangers to this organization and certainly no strangers to the Progressive Conservative Party: Mr. David Despins, regional vice-president of the PC Party and a strong member of my board, and with him his mom, Mrs. Melida Despins, who is my board member and perhaps the person who has the greatest ability to tell me what she really thinks other than my mom. Both people are here today because they're very, very strong supporters of our Premier, and they've come here today to celebrate what may very well be his final day in this Assembly, so thank you very much. If they'd stand and receive the traditional greeting of the Assembly.

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Oberle:** Well, thank you very much, Mr. Speaker. It's an honour to rise today and welcome a large group of students from T.A. Norris middle school in Peace River, Alberta. They were running a bit late today, and I didn't get a chance to meet with them, so I'll take this opportunity to welcome them to the Legislature on this historic day and wish them all safe travels. I would ask that all the members join me in giving them the warm traditional welcome of the House.

**The Speaker:** Hon. members, this is a section of the Routine that normally provides for statements made by members of Executive Council and then responses as well. I'm going to exercise the privileges that I have vested in me as the Speaker of the Legislative Assembly to see two sections of tributes being provided today.

We have a unique situation in our province in that as we close this spring session of the Legislative Assembly and we look to the future, it appears that two of the leaders in the Assembly will not

be returning to the Assembly this fall, when it reconvenes, in their capacity as leaders of their respective parties.

I think it would be very appropriate today if we heard some comments from a number of speakers in this Assembly. For the first segment I will call on the hon. Premier of the province of Alberta, and then I will ask for someone from the Official Opposition and someone from the third party and someone from the fourth party to participate, and then I will call on the hon. Minister of International and Intergovernmental Relations to begin a second segment.

#### **Tribute to the Hon. Dr. David Swann Leader of the Official Opposition**

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Thank you, Mr. Speaker. [applause] Thank you. I rise today in the Assembly to thank the hon. Leader of the Official Opposition for his many years of service to Albertans as the Leader of the Official Opposition. As we all know, the hon. Member for Calgary-Mountain View has announced that he'll be stepping down as leader of his party this fall – that sounds kind of familiar – and when he does, it will bring an end to this particular chapter of his life of public service even though he will run for re-election again in Calgary-Mountain View.

The hon. member was first elected to this Assembly in 2004 and re-elected in 2008, and since 2008 he has been the Leader of the Official Opposition. Now, during his time as Leader of the Official Opposition the hon. member has shown himself to be an honourable, humble, and decent man. He is a man of deep religious faith, who is active in his church. That is something I understand, admire, and respect.

His career both inside and outside of this Assembly has shown him to be a man who has a heart for service, whether that was working in Africa in mission hospitals, doing public health work in the Philippines, raising issues of human rights across the globe, or serving the people of Calgary-Mountain View in this Assembly. He has spent much of his life in service to others, and we commend him for it.

Throughout his time as Leader of the Official Opposition, of course, we've always had some political differences and maybe have not seen eye to eye on many issues, but the hon. member has impressed me with his commitment to maintaining civil political discourse in the Assembly, and that gesture has been noticed and appreciated by me.

Mr. Speaker, I have spoken before about the sacrifices that all elected members make to sit in this Assembly. Sure, it's long hours, and many times we do it without complaint, but it is an honour and a privilege to serve the people of Alberta. We also know that the real sacrifices are made by our families. It is our spouses, children, grandchildren who truly have to sacrifice because of the long hours that we spend away from home and, really, a long time away from loved ones.

It is in that spirit that I'd also like to thank Dr. Laureen Ross. By the way, I can tell you how small Alberta is. I just found out from the hon. minister of finance that Laureen's dad owned a feed mill in Vermilion, and Dr. Ross and our daughter-in-law worked together in the same location in Calgary. So it is a small community of Alberta. We want to thank her for her continued support and dedication to her husband, who is an honourable member of this Assembly. We also want to thank their children and grandchildren for letting their dad, their grandfather serve in this Assembly.

I wish the hon. Leader of the Opposition a long life of health and happiness, and I urge all Members of this Legislative Assem-

bly to show their respect to the Leader of the Official Opposition for his service to Albertans. [Standing ovation]

**The Speaker:** On behalf of the Official Opposition the hon. Member for Lethbridge-East.

**Ms Pastoor:** Happy belated birthday, Mr. Premier.

Mr. Speaker, thank you to the Premier for those very kind words about a man whom I believe everyone in this Assembly and many, many more outside of these walls have come to admire. The Leader of the Official Opposition is known for his sincerity, his kindness, and perhaps especially his unparalleled commitment to public health and the environment. It's been said by many that perhaps the good doctor is one of those people that's too nice for politics although I think that in recent times we've seen the hon. leader toughened and honed by the crucible of question period, and certainly his language has grown a little saltier.

I've served with the hon. leader as an MLA since 2004, and over the years my admiration and respect for him have only grown, and I know my fellow Liberal caucus members feel the same. Once in a very long while you run into one of those truly great human beings, those people of integrity and principle who walk the talk. This man has travelled into hostile territory, risking life and limb to provide aid to some of the world's most desperate people. He put his own career at risk by speaking out for what he believed in. As a doctor and a humanitarian he has served more lives and in more places than anyone I have known. How lucky we are to have the privilege of serving with such a paragon of virtue, and I use that descriptor quite literally.

Albertans truly love and admire this man. I've seen it in their eyes, and I've felt it from their body language, from all strata of citizens and all ideologies and especially from anyone who has worked for him in his many roles. You even charmed me and reined me in, and that, sir, is no small feat.

My dear friend, it has been a tremendous honour to serve with you as a member of Her Majesty's Loyal Opposition. You have been a credit to the office and an example to the countless Albertans who were looking for a different kind of politician. You gave us hope for democracy. Thank you for serving as our leader but, more importantly, as an example of honour and honesty in politics.

Thank you, Dr. Swann. [applause]

1:50

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I also am honoured to stand on behalf of the Wildrose caucus and pay tribute to the outgoing Leader of the Official Opposition. There is no question that the hon. member is a dedicated leader who served his constituents with integrity and courage during his seven years here in the Legislature.

Even before he entered politics, the hon. member stood firm on his convictions in the face of hostile opposition. He continued in this manner first as an MLA and then as the Leader of the Official Opposition. His legacy to the next generation of Albertans as leader will be one of hard work, dedication, and commitment, and we would all do well to remember this as we work towards improving our great province.

Passionate? He embodies passion. His list of service is impressive, and we would all do well to follow his example and give and care so much for the causes that we each believe in. He truly is his brother's keeper and has always put others first.

On behalf of our caucus I wish the hon. member and his wife, Laureen, the very best in the years ahead. Godspeed. [applause]

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

**Mr. Mason:** Thank you very much, Mr. Speaker. The Leader of the Official Opposition came to this House having already demonstrated in his life as a citizen and as a public servant a commitment to speaking up clearly and courageously about things he believed to be important even if they were not always popular, and he has continued to do that here.

He has brought his passion about good health care in the province to debate in the Legislature and has been relentless in raising this issue. His training and experience as a physician have served him well in this regard, as his knowledge of anatomy has served him well in question period.

His personal integrity is unquestioned, and I admire his conviction that Alberta would be a better place if the government listened more to people's concerns. I thank him for his openness to work with other parties and members in the opposition to find common ground and to allow us to be more effective in challenging the government. Mr. Speaker, I've also noticed that the Liberal caucus Christmas videos have become much funnier under his leadership.

As I well know, leading an opposition party in Alberta is difficult and sometimes frustrating, and he has acquitted himself very well in this regard.

I want to thank Dr. Swann and his wife and his family for their collective contribution to public life in our province, and I want to particularly thank him as an Albertan who has acted selflessly and spoken articulately through the years. My best wishes are with him for what lies ahead.

Thank you. [applause]

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. My friends, thank you so much for these kind remarks on all sides of the House. Serving as Leader of the Official Opposition has been a supremely rewarding and challenging and humbling experience. When I think about how fortunate I've been to be elected to represent my fellow citizens in this great democracy, one thing comes to mind. We are all called to be leaders at times, and part of leadership is recognizing that this is service, public service. In a democracy every voice counts, and every voice must be heard.

During my time as leader I've tried to listen to Albertans, all Albertans, including the hon. members across the way. Sometimes I didn't like what they were saying and I didn't agree with what they were saying, but that's the heart and soul of democracy. We argue passionately because we care passionately about Alberta, and we struggle together to chart the best way forward for this society in this new world.

Through all of the trials and tribulations I've enjoyed and endured this House, and through it all my family has stood beside me. I want to acknowledge their perseverance and help. My long-suffering wife, Laureen, is here today, a wife of 32 years, the unsung hero of my life. As they say, behind every successful man is a surprised woman. No, she's not an unsung hero. She's a saint. She's always wanted to be a saint. She achieved it in my lifetime. Thank you so much, Laureen, for sticking with me through all of this. I'm standing here in front of all of Alberta saying: I love you. [applause]

Thank you again, to the Premier, to the hon. Member for Lethbridge-East, my colleague, to the leaders of the Wildrose and the New Democratic parties, and to all of you for your good wishes to Laureen and me and our family for the future. [applause]

#### Tribute to the Hon. Ed Stelmach Premier of Alberta

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Thank you. Mr. Speaker, I rise today to pay tribute to an outstanding Albertan, our beloved Premier, on this the last day that he will stand in this Assembly as leader of our government.

The hon. Premier was elected leader of the Progressive Conservative Party on December 2, 2006, and was sworn in as Alberta's 13th Premier on December 14, 2006. Prior to election as leader he served as MLA, Minister of Transportation, of Agriculture, of Infrastructure, and of International and Intergovernmental Relations.

He has earned the respect, admiration, and, yes, the love of his caucus. His integrity is beyond reproach, and his wisdom, compassion, and service to Albertans have been acknowledged by those here and far beyond our borders. People are impressed by the depth of his knowledge on many diverse subjects, and when they meet him face to face, all come away touched by his kindness and humility.

The Premier is very proud of his roots as the grandson of Ukrainian immigrants. We know of his love for his family: his wife, Marie, his three sons and his daughter, his joy with their spouses, and his pride in his four grandchildren. His decision to run for the leadership of the PC Party was inspired in part by the birth of his grandson Ethan, which solidified his desire to create a better Alberta for future generations.

He loves his farm, and we all know he wasn't too happy to give up his cattle when he became leader although he had long lamented that Marie likely had more experience in calving in recent years than he did.

Just as the Premier has made an indelible mark on our province, so too has his bride. Marie has been an active member of her community and enthusiastically accepted various positions with dozens of agencies across Alberta from the Canadian Red Cross to Kids Kottage. She accompanied our Premier everywhere and has been an angel among us. We will always remember the kindness and compassion of Marie Stelmach, Alberta's first lady. Thank you, Marie. Thank you. [applause]

2:00

There's not time here today to put into words what the Premier has done for Alberta. He did not seek applause or accolades; he just worked to make Alberta better, to make it stronger, and to keep us all safer. His vision is reflected in each advance that he led, a vision that in the case of the Premier's Council for Economic Strategy stretches out 30, 50, even 100 years from now, a bold idea that has sown seeds for the way Alberta could be with courageous leadership in the future. He wasn't satisfied with doing things by halves. He bravely pushed an agenda of positive change, doing more in his tenure than many leaders before him.

Since 2007 the Premier has carried out his duties in this House and attended over 1,400 events and delivered more than 1,240 speeches. He's travelled to every corner of this great province, including places no Premier in recent memory has ever been, places like New Norway, Carstairs, Wembley, Ainsworth, and several more like Beaverlodge and my hometown of Stavely, Alberta.

His support of rural Alberta and agriculture reflects the enormous pride in our farmers and ranchers. Consider also what he's done for education. He championed a five-year funding deal for teachers that further removed the unfunded liability of pensions and allowed for the focus to be on students and classrooms.

His bold vision for infrastructure was based on the belief during the economic downturn that it was the right time to build and to keep Albertans working. Under his leadership new schools, hospitals, health facilities were opened across the province, and our universities, colleges, and technical institutions grew both in size

and reputation. We built more kilometres of roads and highways, many built through an innovative P3 model, something this Premier initiated with great resistance from others. He did it, and he brought it in to better connect our communities.

It was the Premier's vision for Alberta's future that led to Alberta Innovates, a system focused on solving the world's biggest problems with the best in research and innovation. As we see more growth in our knowledge economy, we will be seeing this Premier's legacy in action.

During the recession, when some called for deep cuts to social programs, the Premier was committed to preserving and growing the programs that protect Alberta's most vulnerable citizens. He passionately believed that every Albertan should have a home, a place to live in dignity. Today almost 4,000 more Albertans live in an affordable home and are receiving the support and the treatment that they need.

The Premier's vision for strong communities is reflected in the huge success of the safe communities initiative and increased support for the RCMP. He empowered local governments with the municipal sustainability initiative, the biggest boost local councils have ever had to fund their priority infrastructure projects. Our Premier also saw the soft spots in our fabric and reinforced support for communities with the greatest stress, Fort McMurray and Wood Buffalo, with the oil sands secretariat and a provincial energy strategy. In times of natural disasters he was there with dollars and moral support.

The Premier has challenged Albertans to define balanced and far-sighted policies for sustainable, environmentally superior resource management, and that's why we became the first jurisdiction in North America to limit carbon dioxide emissions through legislation and place a levy on carbon produced by the industry, resulting in year-over-year reductions in GHG emissions and over \$250 million to support cleaner technology. His commitment of \$2 billion to carbon capture and storage has been a world-class initiative, and the subsequent bitumen royalty in kind and value-added strategy will be meaningful for jobs for Albertans in the future as we continue to be a first-class world energy provider, a supplier, and a responsible environmental steward. Well done, Premier.

The Premier recently released the first of several regional plans that define lands for conservation and policies for the responsible management of industrial sites, and his love of the land and deep-rooted respect for landowners have guided this process and will set Alberta's land stewardship apart from all other jurisdictions well into the future.

One of the greatest challenges this Premier faced during his tenure was dealing with the worst economic downturn since the Great Depression. He displayed fiscal fortitude and developed policies to drive productivity and competitiveness so that today we're better positioned for the next boom.

The Premier has aggressively defended and advocated for Alberta's oil sands, and he introduced the concept of streamlining applications for responsible oil and gas projects. He's developed and nurtured relationships with elected officials and decision-makers to protect Alberta's energy exports to the U.S., including bringing U.S. Senators, White House officials, and legislators to Alberta to tour the oil sands.

He undertook international trade missions to China, India, and Europe to advance Alberta's trade and investment goals and has been a strong advocate for a new pipeline to the west coast that will greatly expand our markets. Mr. Speaker, right here at home the Premier championed the New West Partnership, an historic agreement between Alberta, B.C., and Saskatchewan, to create the largest barrier-free trade and investment market in Canada: 9 million people, \$555 million.

Canadians have benefited from the dedication and vision of our Premier, as have the brave men and women, so near and dear to his heart, who serve in Canada's armed forces.

Within months of taking the leadership helm, the Premier went to work on initiatives to promote open, democratic debate and to increase transparency in this Legislature: four new all-party legislative policy committees, new conflict-of-interest legislation, and an established lobbyists' registry.

Mr. Speaker, a unanimous vote taken by our opposition in a private caucus meeting has been leaked to me. It has been confirmed that Her Majesty's Loyal Opposition has voted the hon. Premier the best dressed in this House. Their only question, confirmed to me, was: why has our Premier never appeared on the cover of *GQ*? A unanimous vote really is something to pay attention to, so we did.

In closing, Mr. Speaker, I will remember these things and more about our Premier: his special grin, his famous giggle, his brave defence of what he believed was right. He never flinched when a flurry of attacks came his way. I know he truly loved people, all people in this House, particularly when we sought higher ideals for those we serve. Politics has a way of changing people. Not our Premier. He entered public life with integrity and honesty as his moral compass.

As this session of the Legislature winds down, we're all too aware that the next time we gather in this Chamber, it will be without the leadership of our friend, our Premier. I know I speak for everyone in expressing my deepest gratitude to our hon. Premier for all he has done. What an incredible honour it has been for me and for all of us to be a part of his team.

Mr. Premier, your mother and father must be so proud. You have honoured the name, the family name of Stelmach. We wish you, our leader Ed, full speed ahead and, in your words, safe travels.

Thank you, and God bless. [Standing ovation]

**The Speaker:** The hon. Leader of the Official Opposition.

2:10

**Dr. Swann:** Thank you, Mr. Speaker. First of all, on behalf of the Official Opposition I'd like to extend my thanks and congratulations and best wishes to the Premier and his family. This man has devoted his life to public service. I think it's safe to say that I and all Albertans respect and admire the Premier's dedication.

When I was elected leader of the Alberta Liberals back in December of 2008, I knew that one of my very first jobs had to be to sit down with the Premier and hammer out a deal to clear the air in the Legislature. The Premier and I had a positive meeting about decorum and mutual respect and how the people of Alberta look to their representatives as role models. We agreed that from that moment forward Albertans would bear witness to a new atmosphere of respect, attacking issues, not people, and co-operation where possible. I enjoyed the consent of my caucus and pledged to end the traditional heckling, name-calling, and use of colourful metaphors, fondly referred to in *Hansard* as interjections.

If the members will turn their gaze to the ceiling of this hallowed Assembly, they might catch a glimpse of the stained glass window with rainbows and unicorns that has graced our presence since the Premier and I hammered out this accord, an historic accord to be sure. Well, at least that's how I wish things had turned out. As you know, Mr. Speaker, our good intentions lasted about five minutes. By the end of this session I surprised myself by hurling an anatomical reference across this aisle. How easily the passion of politics changes us.

In all seriousness, Mr. Speaker, while I may disagree with many of the decisions of the Premier, I've never once doubted his desire to lead Alberta into a better future. As a fellow grandfather and Christian and traveller on this Earth we have shared experiences that have helped us find common ground despite our differences, including his recent celebrated prayer breakfast.

I've been very moved by the Premier's obvious love for his family and for all Albertans. I'd like to think that I could call him up sometime and discuss the issues of Alberta. I hope he would be comfortable calling me up as well.

Premier, I hope that you and your wonderful wife, Marie, and all of your family have a wonderful future in your postpolitical years. Postpartisan years or postpolitical years? I pray for you all. A healthy and joyous retirement.

Thank you on behalf of the province. [applause]

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Well, thank you, Mr. Speaker. I enjoyed that, and I think we know who won that deal they made.

I am pleased to stand here today on behalf of the Wildrose caucus to share a few words about the outgoing Premier. Mr. Speaker, leading this great province is indeed a tremendous privilege, something I know this Premier recognizes and did not ever take lightly. His time as Premier should serve as a reminder of the great challenges and personal sacrifices high office presents to those who hold it. This Premier served during a very interesting economic time in Alberta's history. Never did we doubt his intent in doing what he felt was right.

There is no one in this House, Mr. Speaker, who would claim that the Premier's job is easy. In fact, it may be one of the most difficult jobs that there is, and we hold the highest respect for this office.

When we talk about the sacrifices the Premier has made during his time in office, we cannot forget about his family, who also endured many challenges to support him through periods of emotional highs and lows, especially when he was required to be away from them. This bears heavily on loved ones, and for this sacrifice we will always be grateful. A simple thank you to his family is not enough, but I am sure the many fond and good memories will be.

To Marie: you have served this province with dignity and class. We wish you and your husband all the best in your lives after politics.

Thank you, Mr. Premier, and your family. God bless. [applause]

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to join with others in this House and in the province to thank the Premier for his years of public service both municipally and here in the Alberta Legislature, and in particular for the heavy responsibilities he's carried in recent years as Premier. Although we were often in adversarial positions on debate around public issues in the province, I respect his energy and dedication to the things he believes in and his willingness to speak up and to work hard for them.

Public service is vital to the strength of a democracy, and we need models of people who are prepared to step forward and do their part. This Premier has been a role model for our youth in terms of the kinds of commitments that are necessary for our society to work well.

The Member for Fort Saskatchewan-Vegreville came into the Premier's office with an activist approach to his duties. He had things he wanted to get done, Mr. Speaker. The Premier was not content to let the province run on autopilot. He sought to find a

positive role for government, one which would support safer communities and economic prosperity. He was willing to tackle difficult problems despite political risks. Although we differ on many of the policy decisions by his government, he saw that issues like natural resource royalties, infrastructure, health care, and homelessness are important questions that could no longer be ignored, and he tackled them without hesitation.

The Premier experienced some difficult challenges in his term. The significant economic downturn sidelined a number of plans and projects. It enabled the oil industry to blame the royalty regime for the economic problems in the oil patch when all along it was world oil prices that were really the culprit.

I want to pay tribute to the Premier's understanding of the legitimate and important role of the opposition. Under his leadership the role of the opposition was expanded, and its resources were increased.

Mr. Speaker, it's also important to express our deep appreciation for Marie Stelmach and her contribution. Her role is perhaps less visible than that of the Premier, but it is very important nonetheless. I want to thank her and her family for their contribution not only in support of the Premier but their own contribution to our public life.

I thank the Premier for his commitment to this House and to democratic government and to the people of our province. I extend my best wishes on behalf of my caucus and all New Democrats for some more peaceful yet no doubt very productive days ahead.

Thank you. [applause]

**The Speaker:** The hon. the Premier of the province of Alberta.

**Mr. Stelmach:** Thank you, Mr. Speaker. I'm truly humbled and moved by the kind words, and I really appreciate each hon. member for all the statements made. Thank you to the Minister of International and Intergovernmental Relations. Actually, I've got to mention this. When I first became minister, it was international and intergovernmental affairs, and I said: I'm not going to be responsible for affairs travelling around the country. We changed it to relations.

We all serve in this Assembly with the same goal, and that's really to ensure that the next generation enjoys a better life, a better quality of life even though all of us, especially my age, the baby boomers, have enjoyed an incredibly good life in the province of Alberta and the country of Canada. We were born and raised in good families, a stable economy, had electricity and running water. Well, not for the first two years, I think, did we have running water. But it was a good time because there were no external factors that played an important role in changing our quality of life in this country. The world is changing, and it's changing quickly.

I know that as elected members we all come here together: different ideas, different perspectives. We debate them. We may not agree at the end of the day on the decisions being made, but it is democracy, and as the Leader of the Official Opposition mentioned, it's really our role to represent our constituents and bring their views forward here and make a decision.

2:20

Being elected to office, obviously – and we all agreed on that – requires very strong family support. I'd like to thank Marie for her patience and support. [applause]

I'm going to share a little story that not too many people in this Assembly know. There are not too many people that have been married since August 11, 1973. And, remember, you only forget your anniversary date once. We first met at a wedding. Believe it

or not, to show our love I used to pick her up in a one-ton Chev truck. Can you imagine anybody going to pick up his girlfriend in a one-ton Chev truck today? Maybe in the movies but not in real life. Also, to all of our children, who have all become very responsible citizens and are raising children of their own. Many of those years, unfortunately, as we all know as elected members, we're not there for them, but certainly Marie was.

It has been an honour and a privilege in this Assembly to represent my constituents. I have many fond memories of working in this House and also the late nights, you know, just working with all of the elected members both in opposition and in government.

The goals achieved by all of us in this Assembly, not just the Premier but all of us in this Assembly, are outstanding. I'm proud of a number of things, obviously, but first and foremost is the diversity of this Legislature, the people coming here from different backgrounds, different cultures, different colours, different countries. It speaks well for Alberta. [applause] Quite frankly, it is one of our greatest strengths because if we reach out to other markets, especially in Asia and South America, the representation that we have in this Assembly is going to help us access those markets and stabilize and cement a good quality of life for the next generation. [A baby chattered] I think Naomi is saying that I'm talking too long.

I also want to thank my staff. Some have been with me for 18 years, some for 18 months, but we have established more than a working relationship. It is like a family. We took care of each other. If I could just mention one person in the audience, Bev Homeniuk, who has been there from day one in the Vegreville constituency.

It wasn't easy. I remember, Mr. Speaker, in 1993, when we were making the changes, it was very difficult sitting in the office listening to people coming through when we were making significant changes, many times in the lives of many Albertans, to ensure that we worked toward balanced budgets and, of course, ensuring that we had a better quality of life.

There are two measurements, as far as I'm concerned, in political life. These are, perhaps, my measurements. One is to have your family at your side when you leave politics, and the other is to have your personal integrity. I think, Mr. Speaker, those are two very important measurements for all politicians either in this Assembly or across this great country to measure up to.

I just want to thank everybody for the kind words. We've together helped make a much stronger Alberta, and for that I am very proud of the contribution of everybody here.

Thank you so very much, and God bless. [Extended standing ovation]

**The Speaker:** You know, one of the options on a day like today is just to recognize the hon. Government House Leader, pass the motion, and we all go. Alas, I believe we're going to now move to the Oral Question Period.

### Oral Question Period

**The Speaker:** I'll call on the hon. Leader of the Official Opposition for the first Official Opposition main question.

### Patient Advocacy by Health Professionals

**Dr. Swann:** Thank you, Mr. Speaker. Lest this be confused for a baby boomer love-in, we'll get back to business. I'll challenge the Premier. I will step down if you do. [laughter] Well?

**The Speaker:** The hon. the Premier?

**Dr. Swann:** No, that wasn't my question.

**The Speaker:** We do have a 35-second rule.

**Dr. Swann:** Albertans are concerned about health care. I thank the Premier for calling the Health Quality Council to review, and I agree that the Health Quality Council should review issues around emergency room wait times and cancer care. The Health Quality Council cannot, however, address the issue of intimidation of our health care workforce. Will the Premier call a public inquiry on the allegations of intimidation in our health care system?

**Mr. Stelmach:** Mr. Speaker, as I noted just a few minutes ago, I have great respect for this hon. member, and I know he brings great passion to this Assembly for all health care providers in the province and for all Albertans. He has done his job thoroughly and professionally.

I just want to reassure him that, yes, the Health Quality Council will continue to review waiting lists, improving cancer care, looking at other strategies to improve the delivery of health care in the province. I am confident that the review is independent. It will be thorough. I also as the Premier look forward to the interim reports that will come forward and to the final reports. I have great confidence in the Health Quality Council.

**Dr. Swann:** Given that key physicians have indicated that they're unwilling to participate in the Health Quality Council review, will the Premier concede that the Health Quality Council might not be able to give a full account of intimidation within the health care system?

**Mr. Stelmach:** Mr. Speaker, I believe the Health Quality Council will do a good job in listening to all physicians or those that, you know, have alleged to have been intimidated. I think what we want to hear from everyone is: come to the Health Quality Council, explain the different situations, talk about how to improve the system. If there is intimidation anywhere, I'm sure that physicians that are on the Health Quality Council together with the good legal counsel that they have will bring about a good report and deal with this matter. I know the president of the AMA is travelling, talking to physicians. I do know that in putting those two together with the Health Quality Council, we will have a good report. We'll deal with this issue in all fairness to physicians.

**Dr. Swann:** Well, let me try a new tack, Mr. Speaker. Will the Premier encourage his successor to listen to the 30,000 health care professionals and call a public health inquiry to restore confidence in our system?

**Mr. Stelmach:** Mr. Speaker, I will encourage my successor to ensure that Albertans have a good, publicly funded health care system and to continue on the good work that has been done in this Assembly by all parties: a five-year funding commitment, ensuring that we have very strict rules in terms of waiting lists, meeting the new guidelines. I'll also ensure that my successor maintains the commitment I made in 2008 to train more doctors and nurses, and we are meeting those goals by 2012. No problem about it at all.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Surgical Wait Times

**Dr. Swann:** Thank you, Mr. Speaker. My questions are for the minister of health. A tale of two cities' surgery wait times can best

be described as, quote, the best of times and the worst of times. End quote. Where knee replacement surgery is done within 19 weeks in Bonnyville, it takes 69 weeks in Medicine Hat and 74 weeks at the Misericordia hospital in Edmonton. This is unacceptable. To the minister: how can patients have confidence in the health system when so much rests upon where they live in the province?

2:30

**Mr. Zwozdesky:** Mr. Speaker, I suspect it depends much more on the severity of their need and on the consultation that they've done with their specialist. Let me just assure everyone that province-wide the wait times for hip surgery, for example, have been reduced by at least four weeks. There is a way to go yet, and we're aggressively pursuing that. The wait for knee operations has also been reduced by approximately four weeks. There are some challenges, obviously, but as we add more physicians and more specialists into the system, which we're doing, I think that people will start to see faster access and far greater reductions in wait times.

**Dr. Swann:** Well, Mr. Speaker, the current target for knee replacement wait times is 42 weeks. Why is it acceptable to this minister of health that this target is being nearly doubled in major cities, including Medicine Hat and Edmonton?

**Mr. Zwozdesky:** Well, Mr. Speaker, it's not at the acceptable level yet, but that's why we have under this Premier the fastest and most aggressive responses by budget, by plans, and by performance measures to health care in all of Canada. That's a legacy to the Premier we just saluted. We're making a difference, but it doesn't happen overnight, and I'm sure the hon. member would respect that.

**Dr. Swann:** Well, respectfully, yes, Mr. Speaker. The mismanagement of our health care system in Alberta has provided us the worst wait times in Canada in cataract surgery, in one case up to six years. What does the minister say to those losing their vision?

**Mr. Zwozdesky:** Mr. Speaker, actually, we've been looking at this issue quite a lot lately. I can tell you that we've added I think it's another 3,000 or so eye procedures just over the last short while to try and shorten some of those lists. But the discussion that we have to have with the ophthalmologists – and we're doing that – is: when is it that somebody formally and technically goes onto a wait-list versus a reservation list? That is something that is not easily answered, as we have all found, but improvements are being made, and wait times are coming down in the right way. The trend is in the right way, hon. member.

**The Speaker:** Third Official Opposition main question. The hon. Deputy Leader of the Official Opposition.

### Water Marketing

**Ms Blakeman:** Thank you very much, Mr. Speaker. Alberta will face tough choices about water use in the coming years, but those choices should in no way include foreign ownership. This government has already sold our oil, and now it is flirting with foreign companies to sell our water. It's a very dangerous game, keeping the option of selling Alberta's water on the table. To the Minister of Environment. The minister says, "Not on his watch," but his watch could be over soon. So where is the proof that our water is protected? Where is the legislation? Where is it written that you cannot sell our water?

**Mr. Renner:** Mr. Speaker, any suggestion that water would be sold – and I'm not suggesting it; this member is, so let me make that abundantly clear – would require changes to our legislation. Those changes would have to be approved by the members in this House.

**Ms Blakeman:** No, it doesn't. The minister can do it himself.

Back to the same minister. Given that selling our water to foreign companies is contrary to action on conservation, what exactly was the minister suggesting when he stated in reference to the Nestlé comments that the formation of a market is an option?

**Mr. Renner:** Mr. Speaker, I was referring to some of the documents, that have been part of the public domain for some time now, from three very qualified organizations within the province of Alberta that suggested that there may be some components of water allocation that would rely on certain aspects around a market-based system. But let me make it very, very clear that that doesn't apply to water that is necessary for maintaining a healthy aquatic ecosystem, and it doesn't apply to water that would be used to maintain human life and human needs within this province.

**Ms Blakeman:** Even an Alberta market still doesn't protect us.

Back to the same minister. Given that defining water in legislation as a public good would provide some protection against the sale of our water to foreign companies, why haven't the minister and this government taken that very simple step?

**Mr. Renner:** Mr. Speaker, we have been talking now for some time about having a very honest-to-goodness public discussion around water allocation. The fact, whether this member wants to admit it or not, is that we have a fully allocated system in southern Alberta. That means that no new licences can be issued. There must be a process that we can agree upon to transfer some of these existing licence holders to new licence holders. That is something that Albertans need to have a discussion on, and this member doesn't want that discussion to take place.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Land Stewardship Legislation

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Yesterday the government sent out a press release bragging about their amendments to Bill 36. The same day Rick Orman, a respected former PC cabinet minister, launched his leadership bid on a promise to repeal that very bill. He said that the law was unacceptable. Both Gary Mar and the former Justice minister have also promised to scrap the bill if they become Premier. To the Sustainable Resource Development minister: do you agree with what your potential future bosses are saying?

**Mr. Knight:** Mr. Speaker, there is no answer for me to give with respect to a question like that.

**Mr. Boutilier:** I'm not sure if that's a yes or a no.

Given the sheer number of lawyers from across the political spectrum who've spoken out against Bill 36 – Keith Wilson, Gary Mar, the former Justice minister, the members for Edmonton-Strathcona and Calgary-Buffalo, and my colleague from Airdrie-Chestermere – why are you ignoring such a broad base of legal opinion?

**Mr. Knight:** Mr. Speaker, I can tell you one thing. I have spoken to literally hundreds of Albertans across this province, and I have

not found one – perhaps there's one – that disagrees with the fact that this is a busy province, a busy landscape, that we are growing by leaps and bounds, and this planning is forward-thinking. On behalf of the Premier I'm proud to stand here and say that we will continue with this project.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given that PCs only speak out against Bill 36 and Bill 10 once they announce their leadership bids, and when they do, it's simply to say that they'll get rid of it, will you at least do your caucusmates a favour and your future boss a favour and, in fact, repeal the bill in this House yourself?

**Mr. Knight:** No.

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

### Water Marketing (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. The chairman of Nestlé has admitted that the for-profit market his company is discussing with the government to create a market will pit the water demands of big oil against the water needs of farmers and small business. He ought to know, Mr. Speaker, since he's also on the board of ExxonMobil. Will the Minister of Environment admit to Albertans that his government has gone behind the backs of Albertans to work with huge corporations to lay the foundation for a Nestlé-Tory water market that will benefit foreign multinationals at the expense of Alberta farmers and small businesses?

**Mr. Renner:** Mr. Speaker, yesterday I indicated that I don't recall ever having a meeting with Nestlé to discuss anything that remotely resembles what this member is talking about. I asked my staff to go through my itineraries for the past two years. They confirm that I have never had such a meeting. So I say once again: put the conspiracy theories away. They don't exist. There are no such discussions taking place.

**Mr. Mason:** Well, then I'll go to the Premier because I think he might know. Given the fact that the chairman of Nestlé says that it has been in water market talks with this government and given that the minister has contradicted himself daily on the sale of Alberta's water, will the Premier agree to release all documents relating to its secret talks to enter into a Nestlé quick water market?

**Mr. Stelmach:** Mr. Speaker, we'll release any documents the hon. member wants because there aren't any. There wasn't any meeting. Once again I'll make it very clear as someone that speaks in the Assembly who grew up in rural Alberta and is a farmer at heart that our water is not for sale. It's for growing our food in this province. It's for our generation.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that the Premier's own council on economic development just released a report last week calling for the creation of a water market, how can the Premier stand in this House and tell us that there's not going to be any sale of water?

**Mr. Renner:** Mr. Speaker, again, most times the opposition tend to use the newspaper as their source of information and research.



In this case I wish the member had actually done that because, in fact, there was a story in the newspaper yesterday that talked about the fact that the gentleman in question was participating in a discussion that was hosted by the water institute. The water institute, as members have berated me on recently, was a free-standing institution within the province. That institute has become part of Innovates. They didn't like that. Maybe now they'll think better of it.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by the hon. Member for Calgary-Buffalo.

2:40

### Crime Prevention

**Mr. Berger:** Thank you, Mr. Speaker. On Tuesday the Premier announced the release of the Alberta crime prevention framework, which is being described as a strategic road map for crime prevention. My first question is to the Minister of Justice and Attorney General. Since the safe communities initiative was introduced in 2007, why did it take over three years to produce this framework?

**Mr. Olson:** Well, Mr. Speaker, the hon. member is correct in that the framework does flow out of a report from a task force in 2007, but it's not as if nothing has been done in the interim. Lots of action has been taken in terms of getting tougher on crime but, at the same time, taking a broader approach to fighting crime. I want to say that this all is mandated by the Premier, and as a new minister I'm very proud to have inherited the responsibility for moving this initiative along. It speaks to the Premier's vision for fighting crime on a long-term basis.

**The Speaker:** The hon. member.

**Mr. Berger:** Thank you. My first supplemental is to the same minister. What assurance can you give Albertans that this approach will be successful?

**Mr. Olson:** Well, as I was saying, this is a long-term approach. Many of the initiatives that are being undertaken speak to getting to the roots of crime rather than just trying to put more people in jail. We're not afraid of putting people in jail, but in the long term we need a more nuanced, holistic approach. So there are many elements to this such as mental health, housing, literacy, many other things that we are attacking, and they are going to pay dividends in the long term.

**The Speaker:** The hon. member.

**Mr. Berger:** Thank you. My third question is to the Solicitor General. What has your ministry done over the past three years to support the Premier's safe communities initiative?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. It's a pleasure to inform this House that the safe communities initiative has absolutely shaped and will continue to shape and guide my department for years to come. There were immediate changes: the Premier's initiative to hire 300 officers; we've added 110 probation officers; and we've integrated traffic sheriffs with the RCMP. A number of initiatives.

Going forward, Mr. Speaker, under the law enforcement framework we're producing infrastructure for a modern enforcement fleet with an API3 computer network, the radio network. We formed ALERT, ASIRT, a new college, and now we're ready to sign the RCMP contract.

Mr. Speaker, my department is focused on safe and secure communities, just as our Premier has been for his entire tenure.

### Education Funding

**Mr. Hehr:** Well, Mr. Speaker, this government first claimed that there wouldn't be cuts to education, then they said the cuts would be isolated, and then they said the cuts would be covered by utilizing their reserve funds. However, the truth is that this government has significantly cut funding, which will result in teacher layoffs, larger classes, and special-needs kids going without the supports they need. All the while this government stands by like a deer caught in the headlights, unwilling to act to correct their mistake. Accordingly, will the minister restore the grant funding to school boards in order that children will receive the quality education that they deserve?

**Mr. Hancock:** Mr. Speaker, this government never said that it was going to cut funding to education. In fact, this government increased funding to education by 4.7 per cent this year, to \$6.4 billion, which by any measure is a substantial amount of investment in the children of this province. Yes, when we brought the budget out, we indicated that we were increasing the per capita grant per student. We maintained the class size grant although we reformulated that to focus on K to 3, where it makes the most difference. Yes, we had to do away with some of the grants which were not achieving their purpose. Yes, that goes to the bottom line of school boards, and certainly it makes it difficult for school boards this year. Yes, it's going to have an impact, but we should be able to get through this year with our class size policy intact and, certainly, continue to have the best education system in the world.

**Mr. Hehr:** Well, given that Alberta has the highest dropout rate of any province, would the minister not admit that his cuts to grants, that have resulted in larger class sizes and fewer teachers in the classrooms, will not help him in eliminating this deficit?

**Mr. Hancock:** Mr. Speaker, under this Premier's leadership this government has invested significant millions and millions and millions of dollars in class sizes over the last number of years.

**Mr. Hehr:** Under this government the minister has admitted that they're \$110 million short this funding year. Will the government commit to restoring this funding to adequately fund our school kids?

**Mr. Hancock:** Every year this government looks at how much we need to invest to make sure that every child in this province has the opportunity to be the best that they can be and to maximize their potential.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Lethbridge-East.

### Economic Competitiveness Initiatives

**Mr. Fawcett:** Thank you, Mr. Speaker. Over the last three to five years we've seen significant changes across the world and have found out that here in Alberta we're not immune, but I would say: in what other place would you rather live? My question is to the Minister of Finance and Enterprise. Competitiveness is key for jurisdictions who want to continue to grow and thrive. What has this government been doing to enhance the competitiveness of our economy?

**Mr. Snelgrove:** Well, Mr. Speaker, internally Alberta businesses are among the most efficient and the most competitive in the world. We needed access to the world. Under this Premier's leadership he initiated the New West Partnership, that brought together our neighbours from each side, Saskatchewan and British Columbia, a population of 9 million hard-working people who together will have access to world markets with our very competitive business environment.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. My next question is to the Minister of Energy. Given that not long ago oil prices were in a free fall and that natural gas prices continue to be in a prolonged slump, how are we managing to stay competitive in increased drilling activity, jobs, and mineral rights leases?

**Mr. Liepert:** Mr. Speaker, shortly after the economic downturn in 2008 under this Premier's leadership we commenced something called the competitiveness review. There were two main recommendations that came out of that. As you remember, earlier this week in this House I tabled the work that's going to be done on regulatory streamlining. Under this Premier's leadership we changed the fiscal regime to the point now where last year we had record land sales in this province, we have almost a record number of wells being drilled, and the future in this province when it comes to competitiveness in the oil and gas industry is bright indeed.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. My second supplemental question is to the Minister of Seniors and Community Supports. We have a responsibility to Albertans, especially those with lower incomes and special needs and other vulnerabilities, to ensure that they have the same quality of life as all Albertans.

**The Speaker:** Yeah. But you can't have a preamble.

**Mr. Fawcett:** What is the minister doing to help these Albertans?

**Mrs. Jablonski:** Mr. Speaker, every day this government is helping to support thousands of Albertans. I want to express my deepest appreciation for our Premier, who has made the support of Albertans in need and the most vulnerable a priority for this government. Alberta Supports is a visionary idea that is people-centred and provides a one-stop shop for information and supports in 34 programs and 120 services for Albertans. The official launch of Alberta Supports was just five months ago, but already we've had over 6,000 visits to the web portal and 25,000 calls monthly.

Though we're saying goodbye to our Premier, Alberta Supports will be his lasting legacy.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-East.

#### Continuing Care Costs

**Ms Pastoor:** Thank you, Mr. Speaker. Johanna Darwish was a resident of the Lynwood nursing home from 1994 until her death in '06. While preparing her estate tax returns, her son and executor, James, realized that the monthly accommodation charge Johanna had been paying was \$800 higher than the price of her food, rent, and common area costs. Today we've learned that the Supreme Court of Canada sees the merit in the class action that

James and approximately 14,000 long-term care residents have brought. To the Minister of Health and Wellness: why must Albertans sue this government in order to get justice for those who built the province?

**Mr. Zwozdesky:** Mr. Speaker, obviously, the Supreme Court's decision will have to be reviewed, and it would simply be inappropriate for me to comment on anything that is before the Supreme Court. I think members here all understand how the rules work.

**Ms Pastoor:** I think that I'd like to know how we got to this point.

What guarantee can the minister provide that seniors in this province will not in the future be thus exploited?

**Mr. Zwozdesky:** Mr. Speaker, no one is exploiting anyone here. What we're doing is bringing in the most aggressive, the most robust health action plan, a vision and a dream and a commitment of our Premier, to improve services for seniors in their own communities, and that's what we're focused on doing.

**Ms Pastoor:** What should Albertans be expected to pay for continuing care for their aging loved ones? What should they be paying for?

2:50

**Mr. Zwozdesky:** Well, Mr. Speaker, there are a number of different packages, if you will, that apply in different circumstances. That is something that is available simply by contacting whichever particular long-term care facility or continuing-care facility you might wish to explore. In many cases it will cover some issues pertaining to medical needs, and others are to living and health-style needs. So it's all there. It's all available if you wish to look at it, and if you need help finding it, I'll be happy to assist.

**The Speaker:** The hon. Member for Calgary-East, followed by the hon. Member for Fort McMurray-Wood Buffalo.

#### Affordable Housing

**Mr. Amery:** Thank you, Mr. Speaker. As we all know, the economy is bouncing back, and an increase in rental rates is sure to follow. My questions are for the Minister of Housing and Urban Affairs. The minister should be old enough to remember the last boom. I would like to ask him what mechanisms are in place to ensure that the housing built over the past three years stays as low-income housing.

**Mr. Denis:** Well, I want to assure the member, Mr. Speaker, that I am, in fact, old enough to remember the last boom. I'm sure this member is old enough to remember the first sitting of this Legislature about a hundred years ago.

I want to say that capital grants from my ministry, in fact, do provide for lower rents for 20 years, and our rents are 10 per cent below market rent for lower income Albertans but also 20 per cent for Albertans who have been homeless. Admittedly, we all have a long way to go when it comes to affordable housing and homelessness, but I am proud of our efforts, and I can assure you that we are on the right track as this program was started by the Premier in 2006.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. As I always say, older is wiser.

My next question is to the same minister. When external pressures such as condo conversions return and affect the rental market again, what checks and balances are in place to ensure that recipients of housing funding use it appropriately?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Older is often wiser, yes, but there are exceptions to every rule, I would remind this member.

I want to assure this member that all of our construction contracts work on a draw basis, so the money isn't provided right up front. It is provided over a period of time; it is staggered. If the expectations pursuant to the contracts are not actually adhered to as required by the contract, what ends up happening is that we can withdraw all or part of the money. That doesn't often happen, but that's important for good management of our tax dollars.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. My last question is to the Minister of Seniors and Community Supports. With our seniors' population expected to exceed 500,000 by 2016, how are we going to meet the increased need for affordable supportive living accommodations?

**Mrs. Jablonski:** Mr. Speaker, under the direction of this Premier we've had a long-term commitment to affordable supportive living housing for our seniors, providing over half a billion dollars for 10,000 spaces. One of the strongest visions that our Premier has expressed many times is to ensure that every senior in Alberta has a choice to remain close to family and friends in their own community when they need to go into continuing care. The Premier's passion for his own family has driven his vision of keeping spouses and families together even when the time comes for continuing care.

Once again, Mr. Speaker, I want to thank this Premier for having the vision to prepare for the future.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Calgary-McCall.

#### **Motor Vehicle Registry Database Access Fee**

**Mr. Hinman:** Thank you, Mr. Speaker. This government's current deficit is abysmal, and downloading their deficit onto municipalities and taxpayers goes against the Premier's promise not to raise taxes. The current budget raises taxes by jacking fees from 20 to as high as 300 per cent. Every time Albertans go to the registry this year, they'll be paying a lot more to help cover the government's excessive spending. To the Minister of Service Alberta. Your estimates show that you'll bring in an extra \$77 million this year. How much of this is in the form of fee increases, and how much, in particular, is there in the new licence fee to charge municipalities for the lookup?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Actually, it's going to bring in about \$83 million, of which \$12 million will affect municipalities, with a \$15 fee for searches for delinquent photoradar and red-light tickets.

**Mr. Hinman:** To the same minister. Given that you are estimating \$12 million in revenue for this new fee, will you please explain to

the police and municipalities why your database is so outrageously expensive to run? It's starting to sound like a gun registry.

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I guess at the end of the day it's really important to have technology to support the police in the work that they do. This is a system that runs 24 hours a day, seven days a week. We have to ensure that it's there for the police to use when they need it, so we want to make sure that the information is updated and kept there. We know that the access to information there is strictly to do with delinquent bills.

**Mr. Hinman:** That's ridiculous: a \$12 million increase in one year. Given that you are saying that it costs \$15 to get a name and an address and that Calgary has to pay a \$7 million tax per year to use your system, how are the people of Calgary-Glenmore not to conclude that your government is once again downloading the cost of your incompetence onto cities, police forces, and individual Albertans?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. With respect to the \$15 fee it's very important that we make sure that access to the licence plate information is given to the police on a timely basis when tickets are sent out. That's why it's there. We also know that, again, going back to the system, it's the integrity of the system. We have not had a fee increase for nine years, so it's about taking the time now to do it and do it right.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Drayton Valley-Calmar.

#### **All-terrain Vehicle Safety**

**Mr. Kang:** Thank you, Mr. Speaker. Every summer the use of ATVs causes too many accidents, injuries, and tragic deaths. A recent study estimates that injuries related to riding ATVs cost the Alberta health system more than \$6 million a year. To the Minister of Transportation: why hasn't the minister, at the demand of health specialists and off-roading groups, implemented the much-needed legislation on mandatory helmets and banning drinking and driving?

**Mr. Ouellette:** Well, Mr. Speaker, there is no doubt the hon. member is right that at this time of the year you get a lot more people out enjoying the wonderful province that we have here and the nature that we have here, and they go out and ride their ATVs. There's a lot more to this than just passing a law to say: you have to wear a helmet. When people are out there drinking and driving, which nobody condones, which nobody should be doing, do you think that because there's a law that says, "Strap on a helmet," they're going to do it? There's a lot more to it, and education is the answer.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I think education is not working. To the minister again: why hasn't the minister initiated education programs and legislation specifically designed to target ATVs' more at-risk group; that is, 18- to 19-year-old men?

**Mr. Ouellette:** Well, Mr. Speaker, there are a lot of programs going on. In fact, tourism is doing a pilot project in the schools right now for students from grades 1 to 12 to make sure that we're

testing new ATV safety materials. We have more manuals coming out. We work every day trying to figure out what type of education will work. But let me tell you that a lot of ATVs are being ridden on private land, and we have no jurisdiction on that land.

**The Speaker:** The hon. member, please.

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister again: given that this issue has been raised many times in the last years, why isn't the minister acting to prevent these personal tragedies and this economic burden on our health care system?

**Mr. Ouellette:** Mr. Speaker, we are acting. We're acting by trying to educate people. We talk about it every chance we can. I want to give this hon. member kudos for bringing it forward in this Legislature. That's another way that people can hear that: "You know what? We're in ATV season. Let's be safe. Let's make sure our children are safe, and let's make sure that they obey the rules that are already there."

**The Speaker:** The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Calgary-Varsity.

### Municipal Sustainability

**Mrs. McQueen:** Well, thank you, Mr. Speaker. As a former municipal leader I have to say that no celebration of the Premier's accomplishments could be complete without acknowledging the Premier's dedication to strong and sustainable communities. To the Minister of Municipal Affairs: what are you doing to support the long-term viability and sustainability of municipalities in Alberta?

**Mr. Goudreau:** Mr. Speaker, the government under our Premier's leadership has consistently demonstrated its commitment to building today for Alberta's tomorrow. The Premier initiated the \$11.3 billion municipal sustainability initiative, a fund that has so far put \$3.1 billion towards infrastructure and operating projects. Projects are chosen by municipalities, enabling them to build yet a much stronger Alberta. Albertans across the province are today enjoying new recreational facilities – roads, bridges, fire halls, just to name a few – thanks to the vision of our great Premier.

3:00

**The Speaker:** The hon. member, please.

**Mrs. McQueen:** Thank you, Mr. Speaker. To the same minister: can the minister tell the House how the Premier's leadership has contributed to developing a strong strategy to plan for essential infrastructure and attract investment, in particular in the capital region?

**The Speaker:** The hon. minister.

**Mr. Goudreau:** Well, thank you, Mr. Speaker. In the past few years the Capital Region Board has achieved great co-operative success on a historical long-term growth plan for the capital region. Just ask any member of the board. This could not have been accomplished without the guidance and direction of our Premier. The board is doing game-changing work on a number of regional opportunities that will benefit not only residents in metro Edmonton but all Albertans now and for many, many years to come. Many mayors thank me for that type of work.

**The Speaker:** The hon. member, please.

**Mrs. McQueen:** Thank you, Mr. Speaker. My final question is to the Minister of Culture and Community Spirit. Under Premier

Stelmach's leadership what is your ministry doing to deliver on the Premier's commitment to building strong communities?

**Mr. Blackett:** Well, Mr. Speaker, there's a long list of accomplishments that our department has in fulfilling the Premier's commitment to families and communities: creating the Spirit of Alberta, our province's cultural policy with the four pillars of access, capacity, excellence, and cultural industry; providing a unique Alberta community spirit program that gave enhanced tax credits and donor dollars to 5,000 organizations, \$53 million for voluntary, not-for-profit groups; strengthening our Human Rights Commission so that new Canadians can feel welcome in their communities; having Alberta Arts Days, that provide arts and entertainment and family-building activities through 681 events.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Edmonton-Beverly-Clareview.

### Surgical Wait Times for Children

**Mr. Chase:** Thank you, Mr. Speaker. As its March 2011 performance report shows, Alberta Health Services continues to struggle unsuccessfully with reducing wait times for surgeries most important to aging Albertans: hip replacements, knee replacements, and cataract removal. Meanwhile there's a population for which delays in receiving surgery have dire, lifelong consequences. To the minister of health: what proportion of patients on the province's surgical wait-list are children?

**Mr. Zwozdesky:** Mr. Speaker, I don't have an exact number, but I can tell you that what is probably more important right now is that those children who require the service are getting it within the recommended wait time. The last time I visited this issue, I believe I was told that they are.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. I'm disappointed because I gave these questions to the minister ahead of time expecting to receive answers.

Given that a study recently published in the *Canadian Medical Association Journal* found that 27 per cent of patients 16 years of age and under received the procedures they needed well past pediatric Canadian access targets for surgery, what is the minister doing to reduce children's wait times specifically?

**Mr. Zwozdesky:** Mr. Speaker, it's true that the member did provide the questions a couple of hours ago, but it's just impossible to amalgamate as much information as would be required here within a couple of hours.

The short answer is that children are in fact receiving the care that they need within the appropriate time. In fact, 72 per cent of children do receive their surgeries within the recommended time frame. Alberta's two pediatric hospitals are also participating in the Canadian pediatric surgical wait time project, which will offer unprecedented access to data of the kind that he seeks.

**Mr. Chase:** Given that plastic surgeries such as that to correct cleft lip and palate are among the surgeries accounting for the highest percentages completed past target and given that cleft lip and palate surgeries must be performed at a critical developmental period in order to ensure optimal speech, can the minister tell us how long on average the wait time in Alberta is for cleft lip and palate surgery?

**Mr. Zwozdesky:** Well, again, Mr. Speaker, with a couple of hours' notice it's difficult to get something very, very specific and

that precise. But I would give the hon. member some credit for raising the issue because it will allow us to tell all Albertans that 63 per cent of the Stollery patients, for example, who are children, receive the surgery within the recommended target time. The national average is 25 per cent, so we're far, far ahead of the national average in that respect for.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Edmonton-Gold Bar.

### Capital Infrastructure Funding

**Mr. Vandermeer:** Thank you, Mr. Speaker. Under the Premier's leadership Alberta has seen its infrastructure investment grow to unprecedented levels. Can the Minister of Infrastructure explain why government has taken this approach?

**Mr. Danyluk:** Mr. Speaker, the Premier's vision and our mission has been to improve infrastructure across Alberta, a bold yet prudent approach. The Premier recognized the need to improve infrastructure, to address the infrastructure deficit, to address the pressure stemming from the incredible growth. In the midst of the global economic downturn our investment in infrastructure allowed us to capitalize on lower costs and to keep people working. Since the Premier took office, nearly \$34 billion has been invested in capital projects.

**Mr. Vandermeer:** To the same minister: can you please provide more examples of where these investments have occurred?

**Mr. Danyluk:** Mr. Speaker, we are investing more than twice as much on infrastructure than any other province, and we are making a real difference in health and education and safety for Albertans. We are building 50 kindergarten to grade 12 schools, which means close to 16,000 spaces; more than 90 new post-secondary projects, 13,000 spaces; and currently 46 health facility projects are under way.

**The Speaker:** The hon. member.

**Mr. Vandermeer:** Thank you, Mr. Speaker. My final question is to the Minister of Transportation. Given that an effective transportation network is very important to this province, can the minister tell us what has been accomplished under this Premier's leadership?

**Mr. Ouellette:** Mr. Speaker, I'll have to talk very, very fast because this Premier has accomplished so much that it's going to be hard to get it all in. I want to say that this Premier has always realized that transportation is the backbone of our economy and just how vital it is to Alberta's continuing prosperity. That's why this government has invested \$19 billion in transportation in this Premier's tenure. This ongoing investment in all corners of this province has kept people working and positioned Alberta to meet future challenges, supporting industry and, of course, amazing communities. There is so much more.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Hays.

### School Transportation Funding

**Mr. MacDonald:** Thank you, Mr. Premier, this afternoon I would like to ask the finance minister for a few dollars for some school boards that are struggling across the province. My first question is to the minister of finance. Given that school boards, including

Aspen View public schools, are having a great deal of difficulty making ends meet because the cost of gasoline and diesel is rising so rapidly, can the government please find some money so that those budgets can be adjusted to reflect those increased costs?

**Mr. Snelgrove:** Mr. Speaker, one thing that we've learned from this Premier is that we listen to Albertans. The hon. member raises a very good point. We entrust the most precious commodity in Alberta every day to our school bus operators, and we want them to have the resources to provide safe transportation to their schools. I know they have been in touch with the Minister of Education and the Minister of Transportation, and we will do what we can to ensure they continue to provide that very necessary service to our children.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the minister of finance. Aspen View public schools calculates that they need an additional \$317,000 to ensure that they can fully and safely transport their students. Will this government commit this afternoon to making the financial adjustment so that this can happen?

**Mr. Snelgrove:** Mr. Speaker, one thing that we learned is that prices can go up and down quite rapidly. We've had a very, very steady hand on the financial purse strings of this province by a Premier who said: don't panic. We don't change everything after first-quarter results. We don't change everything after second quarter. We'll report it. We will watch the fuel prices. We will see if they stay at this high level all year long. Remember that two years ago they went from \$34 a barrel to \$147 a barrel in eight months. So prices can go down, and we need to look at it in the total year.

3:10

**The Speaker:** The hon. member, please.

**Mr. MacDonald:** Thank you, Mr. Speaker. Given that this has been done before whenever fuels costs have increased and that it's not unusual for this government to give contract increases – and I'm looking at the *Alberta Gazette* from last month, where we have seen a \$6.4 million increase in contract amounts – if we have this money set aside for these contract amounts, surely we can find some money for school boards that need a few dollars.

**Mr. Snelgrove:** Mr. Speaker, one thing that you need to do when you're dealing with large projects or anything is risk management. No one is going to accept long-term contracts if there aren't modifiers in the contract that reflect changes to the cost of doing business. That's just good business for both parties. We respect the work the bus drivers do, we understand the challenges that the school boards are faced with, and we will work with them on a go-forward basis.

**The Speaker:** The hon. Member for Calgary-Hays, followed by the hon. Member for Lacombe-Ponoka.

### Education Funding (continued)

**Mr. Johnston:** Thank you, Mr. Speaker. As the current session comes to a close and the Premier enjoys his last day in the hot seat, I think it's a good time to recap some of the important issues that were raised in this House over the last few months and years. One topic that has gotten a lot of attention is education, education in our

schools and in our postsecondary institutions. Education is a key to our success and our continued prosperity both as a province and as individuals. To the Minister of Advanced Education and Technology. We know that Alberta can't rely on its nonrenewable resources forever. What steps are being taken to build our human resources and foster a more sustainable and diversified knowledge base?

**The Speaker:** The hon. minister, please.

**Mr. Weadick:** Thank you, Mr. Speaker, and I'd like to thank this hard-working member for that great question. As important as our natural resources are, this Premier has always said that the most important thing in this province is our human resources. Everything that he has pushed for and supported is investing in our human resources. Within Advanced Education and Technology we have grown Campus Alberta and created new opportunities for young people, and the vision for Alberta Innovates came from this Premier. This is creating a world-class innovation opportunity and education opportunities for our young people.

**Mr. Johnston:** My first supplemental to the same minister: what are we doing to ensure that Alberta is educating enough of the skilled tradespeople? We need to take our ideas, apply them, build them, and put them to good use.

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Once again we see that Alberta under the leadership of this Premier is starting to grow again, and we're seeing enhanced opportunities within the province. It is creating shortages of some workers. We see that looking into the future, we are going to need to train more, but we are doing that. With only 10 per cent of Canada's population here in Alberta, we are training 20 per cent of the apprentices. So we are doing the job. This Premier has created an opportunity for us to train the young people that will be needed to grow Alberta into the future.

**Mr. Johnston:** My last question is to the Minister of Education. What is the minister doing to ensure that we have a basic education system that will provide our children with the essential skills and learning opportunities they need to contribute to our province and a knowledge-based economy when they graduate?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Under this Premier we resolved a long-standing unfunded pension liability, which led to a five-year agreement and the best relations with teachers and the best relations with school boards that this province has ever had so that we can spend the time talking about the future of education, which we've done and we're implementing.

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

### Support for Agriculture

**Mr. Prins:** Thank you, Mr. Speaker. We hear a great deal about promoting Alberta's oil and gas sector around the world, but we often forget that this province was built on and still has strong roots in the agricultural community. When you get outside the big cities, it becomes abundantly clear how important farming is to our province. In fact, there's an old saying that says: if you eat, you're involved in agriculture. That really is all of us. To the Minister of International and Intergovernmental Relations: how important is farming to our overall economy, and is she working with the agricultural community to increase their presence internationally?

**Ms Evans:** Mr. Speaker, our Premier has in fact opened up a lot of those markets, insisting that we pay attention to over 77,000 Albertans involved in agriculture. To do this, we have been doing more for Beijing and beef, we've been doing more in South Korea to press the case for Alberta beef, and we've even got beekeepers in Falher that are selling more honey in Japan because of the work there. There is a myriad of examples that I could use where we have increased our exports, and \$7 billion of our exports are agriculture related.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you. My second question is to the Minister of Agriculture and Rural Development. What new markets hold the most potential for Alberta's agricultural products?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Well, thank you, Mr. Speaker. There are a number, but as the Premier said to me, it's not enough that we have the lowest tax rate both personally and businesswise and the highest investment in education and health care per capita of anywhere in the nation. We need to go out and get more markets so we can maintain that position. The Premier said to me: "There are 400 million Chinese under the age of 17. If we can just feed them a hamburger, away we go." The Premier said to me that there are a hundred million people in India that speak English. We need that market, too.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. My final question is to the Premier. How is Alberta working in partnership with other provinces to increase market access?

**The Speaker:** The hon. the Premier.

**Mr. Stelmach:** Well, thank you, Mr. Speaker. Actually, a historical agreement with the provinces of British Columbia and Saskatchewan, which was referred to earlier as the New West Partnership, is co-ordinating and harmonizing all of our transportation routes and also working collectively to ensure that we have the pipeline capacity to the west coast, which will ensure greater access to Asia. I just think of the Premier's missions that we had. Shanghai: we now have opened an office that is jointly staffed by the three provinces. We're continuing to support the office in Beijing and have a new one to establish in India. These will all ensure that we have market access well into the future for the next generation. [Standing ovation]

**The Speaker:** Hon. members, that concludes the Oral Question Period for today. Eighteen members were recognized and 108 questions and responses were dealt with.

We now come to that point of the day under Standing Order 7(7), which says, "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." The Speaker chose not to interfere with the section in the Routine known as the Oral Question Period but now must ask the question. If we are to continue to conclude the Routine, we need unanimous consent of the members to do so. If we do not get unanimous consent, we hear a motion, and we go home. Just so you all understand this.

[Unanimous consent granted]

### Members' Statements

**The Speaker:** We will now proceed with Members' Statements. Happy birthday to the hon. Member for Bonnyville-Cold Lake, who will be the first.

### International Day of Families

**Mrs. Leskiw:** Thank you, Mr. Speaker. I am honoured to rise and recognize Sunday, May 15, as International Day of Families. Strong, healthy, and nurturing families are the foundation of vibrant communities in this great province of ours. This year's theme for International Day of Families is Confronting Family Poverty and Social Exclusion.

With 10 per cent of children and youth in Alberta living in low-income households, we know that many families are facing significant challenges that affect their well-being. This government is committed to working with its community-based partners to ensure that families have the support they need to overcome those challenges and reach their full potential.

Mr. Speaker, creating strong families takes many hands working together. Everyone can lend their hearts and hands, either by supporting or volunteering with agencies that assist families in need.

I rise today not only to recognize International Day of Families and the importance of families in our great province but also to encourage all of us Albertans and all of us here today to celebrate and spend time with our own families this Sunday.

Thank you, Mr. Speaker.

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

### 3:20 Reliance on Nonrenewable Resources

**Mr. Mason:** Thank you very much, Mr. Speaker. In the next year Albertans will have the responsibility of making a choice between a green, progressive, forward-looking plan or a brown, backwards approach to Alberta's future.

A few days ago the Premier's Council for Economic Strategy issued a report that paints a bleak and unsustainable vision for the future. While Alberta is blessed with nonrenewable resources that have brought us great wealth, it is evident that carbon fuels are not the future. Yet this out-of-touch, out-of-ideas government endorses a brown future for Alberta.

The Premier's economic strategy turns Alberta down a reckless and unsustainable path, relying heavily on coal to power our future economy. The proposed centre for global energy's mandate is to make high-carbon energy more acceptable to foreign markets. They want to increase the use of coal as a power source. The idea that the PCs convince the world to keep using high-carbon fuels when it's already moving on to other alternatives is a disastrous economic future in the making. If Alberta goes down this path, promoting instead of moving away from high-carbon energy, this province will be left behind. This PC government is swimming against the tide of history.

Alberta's NDP wants to see this province become a source of solutions to climate change. Alberta can tap its vast stocks of natural gas, a cleaner fossil fuel, to phase out coal-powered plants and begin cutting emissions. Alberta has a wealth of renewable energy sources that we can develop and perfect: the winds of the foothills, our abundant solar energy, the geothermal energy beneath our feet.

Further, we have immense water resources, but those resources are under threat from climate changes as nurturing glaciers recede and dry up. Yet the Tories talk about opening a water market that could see our water exported. The economic council backs them,

and the head of Nestlé, who also sits on the board of Exxon Mobil, is already talking with the PCs to get it under way. What it will do, in fact, is pit farmers against major oil companies, cities against industries, raise the cost of drinking water, and potentially send our water out of the province. The free market has its place managing an essential resource for life like... [Mr. Mason's speaking time expired]

**The Speaker:** The hon. Member for Red Deer-South.

### Red Deer College Athletics Leadership Fund

**Mr. Dallas:** Thank you, Mr. Speaker. Athletics are a key component of a vibrant college life, providing students with physical, social, and leadership opportunities. At Red Deer College an athletics leadership fund is being established with the goal of creating sustainability for athletic programs. The athletics leadership fund is a new initiative to provide teams, athletic programs, and student athletes support and resources that are sustainable year after year.

An exceptional donor, Doug Quinn of Quinn Pumps, has directed \$250,000 to this exciting new initiative. Along with Jeremy Jablonski, chair of the fund committee, Melody Davidson and Mike Babcock believe in the initiative and support the committee as honorary co-chairs. They contribute valuable experience, Melody Davidson as head scout of Hockey Canada's women's national team programs and Mike Babcock as former RDC hockey coach and current head coach of the Detroit Red Wings.

Student athletes contribute to community spirit as they display leadership on campus and throughout our province, within their present teams, and in the future as employees, business owners, and leaders in our communities.

I am proud of Red Deer College athletes, coaches, and students as well as the athletics leadership fund committee for their excellence in representing Alberta values and their commitment to helping build a strong and bright athletics future for all generations.

Thank you.

**The Speaker:** The hon. Member for Calgary-Montrose.

### Health Inspection Regulations

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I just want to get on the record the fact that I believe our Public Health Act and, specifically, the regulations in the area of swimming pools, wading pools, and water parks as well as the food regulations are suffering from some challenges in which the Pizza Police and, in consultation with the Premier, the Perogy Police, quite frankly, are creating an adversarial relationship with community groups, with restaurant owners, with business owners. We have not been able to identify if this is an issue of application of regulations or if this is an issue of the regulations themselves. Therefore, at this point I would ask the Minister of Health and Wellness to indeed look into this matter, perhaps take a look at whether some revisions to the regulations are in order so that our community groups and our business owners are not subject to so many stringent, unrealistic obligations when they're putting on community events.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Cassandra Budd

**Mr. Benito:** Thank you very much, Mr. Speaker. I rise today to recognize both an outstanding individual and a wonderful scholar-

ship program. The Persons Case scholarship program was established in 1979 to commemorate the 50th anniversary of the Persons Case, which allowed women to be considered persons under legal doctrine in Canada. These scholarships are funded by the Alberta heritage scholarship fund and are presented by Alberta Children and Youth Services. They are awarded to Alberta students each year whose studies and career goals contribute to the advancement of women or those studying in fields deemed non-traditional for their gender.

One such scholarship was awarded to a constituent of mine in Edmonton-Mill Woods, Miss Cassandra Budd. Cassandra was one of the 30 outstanding recipients whose tremendous efforts were recognized with this prestigious scholarship. Cassandra's application was selected as it demonstrated her commitment to exploring the field of environmental and engineering geophysics consulting as well as her desire to prove to young women that gender should not be a factor when pursuing a career.

Mr. Speaker, I would like to personally congratulate Cassandra Budd and wish her the very best in her studies and future endeavours. I would also like to thank the Ministry of Advanced Education and Technology and the Ministry of Children and Youth Services for making such a worthwhile scholarship possible.

Thank you, Mr. Speaker.

### Education Funding

**Mr. Hehr:** Mr. Speaker, the members of this government often look competent because oil and gas windfalls have allowed them to buy their way out of pretty much any problem. The mythology of sound fiscal management is just that, a myth. As the record clearly indicates, this government has blown through hundreds of billions of nonrenewable resource revenues, money that Albertans will never see again. It's one of the biggest opportunities blown by any government in recent memory.

The children and parents who rely on public education are the latest victims of this neo-con ideology, which regards taxes as inherently evil. The truth is that every citizen has a duty to contribute to things we do better collectively such as public education and public health care, which ensure equality of opportunity for everyone in our society. Rather than implementing a small liquor tax, dipping into the sustainability fund, or even, heaven forbid, cutting the number of cabinet ministers and government departments, this government will subject school children to larger class sizes, force special-needs students to flounder on their own, and deny English as a second language training to recent immigrants to our province. Even Saint Lougheed himself is now saying that reliance on nonrenewable resource revenues is unsustainable and that citizens and corporations alike must contribute more to the public purse.

Mr. Speaker, there is no such thing as a free lunch. Albertans have shown time and time again that they want quality public education, quality public health care, and all the other people programs that provide essential services. Albertans believe in paying their fair share for these services. I would like the government to have a little faith in the people of Alberta and understand that most people don't think of taxes as the ultimate evil, not when those taxes make it possible to provide core public services.

What this government needs to do right now in order to start steering our province in the right direction is commit to finding funding for education programs. This can come through a liquor tax, the sustainability fund, or from cutting government departments, whatever works, Mr. Speaker, to ensure that our kids continue to have the education they deserve.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder.

### Provincial Skills Canada Trades Competition

**Mr. Elniski:** Thank you very much, Mr. Speaker, even though this may be my last member's statement of the year. Today I would like to recognize the competitors, sponsors, volunteers, and organizers of the 2011 provincial skills competition, which is entering its second and final day of competition today. More than 600 young people from every corner of our province are competing in 42 trades and technology events. From web design to carpentry to refrigeration and air conditioning it's impressive to see the drive, the technical expertise, and the problem-solving skills of these young competitors. These dedicated young men and women are gathered at the Edmonton Expo Centre in hopes of earning the opportunity to represent Team Alberta at the national skills competition in Quebec City next month.

Tradespersons and skilled workers are the foundation of Alberta's economy and are a critical element in our province's economic and fiscal turnaround. It should be noted that other important features of this event are Skill City, which will have a number of school tours, a series of Try-A-Trade demonstrations, and a girls exploring trades conference. Alberta's top employers, associations, labour groups, training institutions, and government partners make up Skill City.

These initiatives, like the overall competitions, are a tremendous way to engage young Albertans in rewarding and interesting careers in the trades. I would like to congratulate all of the volunteers and organizers and sponsors for making this event a reality.

In closing, Mr. Speaker, I'd like to make a brief comment. On the night that he won the leadership of our party, our Premier had to leave early to go back to the farm and fix the furnace. The fact that he knew how to do this demonstrates that there is as much dignity and necessity in tilling a field, fixing a furnace, or driving a bus as there is in creating the laws to govern such things. This is a great example and legacy for the youth of this province.

Thank you, Premier. Thank you, Mr. Speaker.

3:30

### Presenting Petitions

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have hundreds and hundreds of signatures from all over the province from people who are urging the government of Alberta to "consider increasing the funding to the Ministry of Education so that sustainable and adequate funding is provided to address the needs of every student, every day, no exceptions."

**The Speaker:** I have the hon. Member for Calgary-Buffalo identified. Is someone presenting a petition on his behalf? Okay.

### Notices of Motions

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

**Mr. Renner:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3.1) to advise the House that Motion for a Return 17 will be dealt with on – she thought I was going to say Monday – I will say the first Monday that this session resumes.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Energy.



**Mr. Liepert:** Thank you, Mr. Speaker. I want to table the appropriate number of copies of an e-mail that went to the Member for Edmonton-Highlands-Norwood and was leaked to me. It relates to a question that the member had asked me, and I responded that for every billion dollars in construction for electricity transmission \$1 per month would be added to the bills. The member said that that answer was very difficult to understand, so this e-mail says, "I asked my 6th grade grandson what it meant to him," and he replied that for every billion dollars spent, that means \$1 per month; in other words, \$12 per year. The e-mail from Mr. Yurkowski concludes to the Member for Edmonton-Highlands-Norwood: "Does that help you understand the Minister's response?"

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Zwodesky:** Thank you very much, Mr. Speaker. I'd like to table the required number of copies of two reports: first, the 2009-2010 annual report of the College and Association of Registered Nurses of Alberta and the second being the 2010 annual report of the Alberta College of Combined Laboratory and X-Ray Technologists.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. Today I have two tablings. We've received a number of really beautifully designed cards in support of the arts, and I'm tabling a report from my office on the number of these received and from whom. The people want to make clear that they're in support of funding for the arts. This is from Luke Mohr, Jessica Telford, David Cook, Aspen Gainer, Erica Frank, Elizabeth Bore, Leslieanne Au, and Gina Vliet. That's the first tabling.

The second tabling is a report on the number of cards I've received on the future of Catholic education in the province, and those have been received from citizens who wanted me to convey a constitutional guarantee of Catholic education in Alberta be preserved in the new Education Act. There are a number of individuals who I received the cards from. They're included in the report.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. I have 10 copies of I Support the Arts cards with the appropriate number of copies. They're Alberta Craft Council cards.

I have a second tabling, Mr. Speaker. I have two tablings on the future of Catholic education in Alberta. They're Edmonton Catholic schools cards, and I have the appropriate number of copies.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. Agriculture and horse racing are important parts of this province, and the hon. Member for Edmonton-Riverview asked a very important question. Today I have a tabling and the appropriate number of copies of an e-mail addressed to myself and the members for Edmonton-Riverview and Lethbridge-East from a Max Gibb of the Rocky Mountain Turf Club answering part of that question asked by the Member for Edmonton-Riverview.

**The Speaker:** Hon. Member for Lethbridge-East, did I already get you, or do you have a tabling?

**Ms Pastoor:** No. I have tablings.

**The Speaker:** Proceed, please.

**Ms Pastoor:** Thank you. I have two tablings today, Mr. Speaker. I'm tabling five copies of e-mails from the following individuals who are very concerned about the funding cuts to education and the negative impact: Carol Sparks, David Redman, Kristina Koivisto, and Jessica Logan.

My second tabling, Mr. Speaker, is the copy of the *GQ* cover with the Premier on it. With all due respect to Marie, I've never seen the Premier without his tie, so this is really quite exciting.

**The Speaker:** Hon. member, please, please, please.

**Ms Pastoor:** Mr. Speaker, I'm going to put it up on my wall beside Johnny Depp.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mrs. Ady, the Minister of Tourism, Parks and Recreation, responses to questions raised by Mr. Chase, the hon. Member for Calgary-Varsity; Mr. Boutilier, the hon. Member for Fort McMurray-Wood Buffalo; Ms Notley, the hon. Member for Edmonton-Strathcona; and Mr. Taylor, the hon. Member for Calgary-Currie, on March 15, 2011, in Department of Tourism, Parks and Recreation main estimates debate.

On behalf of the hon. Mrs. Fritz, the Minister of Children and Youth Services, pursuant to the Social Care Facilities Review Committee Act the Social Care Facilities Review Committee annual report 2009-2010; the return to order of the Assembly MR 16, asked for by Mr. Chase on May 9, 2011; and responses to questions raised by Ms Notley, the hon. Member for Edmonton-Strathcona, on March 16, 2011, in Department of Children and Youth Services main estimates debate.

### Projected Government Business

**Ms Blakeman:** I look forward to the government sharing with us the projected government House business for when we return at the next opportunity, which I'm assuming is the fall. Please share away.

**Mr. Hancock:** Well, Mr. Speaker, at this time all I can say is that I project no government business for next week, and the Order Paper will disclose any business for the fall session if and when it convenes.

**The Speaker:** Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker, for squeezing one more in. It's a pleasure to introduce to you and through you to all members of this Assembly my constituency association president, Sue Timanson. Sue also serves as regional director on our provincial executive and chaired my 2008 election campaign. Sue is an almost lifelong Strathcona resident with a long history of volunteer service in our community as well as coaching numerous soccer teams while managing a successful advertising career and raising

a family. I am very proud to call her a friend. Sue is seated in the members' gallery, and I'd ask her to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker, and thank you to my hon. colleagues for their indulgence. I have four people from my constituency who I'd like to introduce. They are all members of the Wetaskiwin city council. They came in today, and we had lunch. We talked about issues in Wetaskiwin that touch on the provincial government, and we talked about ways we might be able to work with them. I have to say that like many of my colleagues, if not all of my colleagues, we have great respect for people like municipal politicians who work on the front lines, and not only do I respect them, but I consider them to be good friends. If they would just rise as I call their names, they are Mark McFaul, Patricia MacQuarrie, Joe Branco, and Barry Hawkes. I'd ask my colleagues to give them a welcome.

3:40

### Statement by the Speaker

#### Sessional Statistics

**The Speaker:** Hon. members, before I call on the hon. Government House Leader, just some statistics with respect to the Fourth Session of the 27th Legislature for the time frame essentially from February 22, 2011, to May 12, 2011.

The sitting days that we've had this spring are 34, including six evening sittings. Last year, in 2010, we had 31 days and one evening sitting. The number of minutes to the end of Wednesday's sitting: 9,190 compared to 7,039 for the 2010 spring sitting. The number of hours we've sat this spring was 153 hours and 10 minutes compared to 117 hours and 19 minutes for the 2010 spring sitting. The number of words spoken by members: 1,276,777 compared to 1,001,906 for the 2010 spring sitting. Number of *Hansard* pages for the House sittings we've had this year: 1,118 compared to 900 for the 2010 spring sitting.

This is a tough one. The number of words spoken by members in standing committee meetings this spring: 550,388 compared to

679,775 for the 2010 spring sitting. The reason for that: the number of hours spent in committees this year was 63 hours, 29 minutes compared to 84 hours and 16 minutes in 2010. Number of *Hansard* pages for committees: 498 compared to 672 for the 2010 spring sitting.

In terms of question period we've had 10 occasions, 10 days, in which there were 18 sets of questions and answers, 17 days where we had 19 sets of questions and answers, and two days with 20 sets of questions and answers. This compares to the 2010 spring sitting, which had 11 days with 18 sets of questions and answers, 14 days with 19 sets of questions and answers, and five days with 20 sets of questions and answers.

Total number of questions and answers for this spring not counting today: 3,530, or an average of 103.82 per day, keeping in mind that day 1 did not have an Oral Question Period. The total number of questions and answers for the 2010 spring sitting was 3,359. That was an average of 108.35 per day, keeping in mind that day 1 did not have a question period.

The number of government bills that have or will receive royal assent: 19 in 2011 compared to a total of 15 that received royal assent in the spring session of 2010. Private members' public bills that have or will receive royal assent: one compared to two for the spring session of 2010, and the private members' public bills that have or will receive royal assent since 1993, when the major changes to the standing orders affecting this item of business were implemented, has now reached 49.

**Mr. Hancock:** Well, Mr. Speaker, after that exhaustive list I would have to advise the House that, government business for the spring session now being completed, we would stand adjourned pursuant to Government Motion 16.

**The Speaker:** All members should be advised of the 2011 sessional calendar that was issued in January of this year, which calls for the return of the Legislative Assembly on the 24th day of October 2011.

Have a safe summer.

[Motion carried; the Assembly adjourned at 3:43 p.m. pursuant to Government Motion 16]

## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to May 12, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

### **1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft.), 553-62 (Mar. 24 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 862-73 (Apr. 26 eve., passed)

Third Reading -- 1063-69 (May 10 aft., passed on division)

### **2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c4]

### **3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c3]

### **4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 858-60 (Apr. 26 aft.), 861-62 (Apr. 26 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29, with exceptions; SA 2011 c7]

### **5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 797-99 (Apr. 20 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 cN-6.5]

### **6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 799-801 (Apr. 20 eve., passed)

Third Reading -- 1035 (May 9 eve., passed)

### **7 Corrections Amendment Act, 2011 (Oberle)**

First Reading -- 73 (Feb. 28 aft., passed)

Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 801 (Apr. 20 eve., passed)

Third Reading -- 1035 (May 9 eve., passed)

- 8\***      **Missing Persons Act (VanderBurg)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 1024-35 (May 9 eve., passed with amendments)  
Third Reading -- 1058-61 (May 10 aft., passed)
- 9**        **Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 113 (Mar. 1 aft., passed)  
Second Reading -- 185-86 (Mar. 3 aft., passed)  
Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)  
Third Reading -- 305-08 (Mar. 10 aft., passed)  
Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]
- 10**      **Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 877-85 (Apr. 26 eve.), 910-17 (Apr. 27 aft.), 919-37 (Apr. 27 eve.), 937-46 (Apr. 27 eve., passed)  
Third Reading -- 1071-89 (May 10 eve., passed on division)
- 11\***      **Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft.), 552-53 (Mar. 24 aft.), 618-27 (Apr. 12 aft.), 661-62 (Apr. 13 aft.), 790-97 (Apr. 20 eve., passed)  
Committee of the Whole -- 826-27 (Apr. 21 aft.), 873-77 (Apr. 26 eve., passed with amendments)  
Third Reading -- 1035-36 (May 9 eve., passed)
- 12**      **Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft.), 675-79 (Apr. 14 aft., passed)  
Committee of the Whole -- 802-04 (Apr. 20 eve., passed)  
Third Reading -- 1036-38 (May 9 eve., passed)
- 13**      **Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)  
Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force March 18, 2011; SA 2011; c2]
- 14**      **Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft.), 679-680 (Apr. 14 aft., passed)  
Committee of the Whole -- 804 (Apr. 20 eve., passed)  
Third Reading -- 1038 (May 9 eve., passed)
- 15\***      **Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft.), 680-684 (Apr. 14 aft., passed)  
Committee of the Whole -- 827-28 (Apr. 21 aft.), 853-58 (Apr. 26 aft.), 1013-24 (May 9 eve., passed with amendments)  
Third Reading -- 1061-63 (May 10 aft., passed)
- 16**      **Energy Statutes Amendment Act, 2011 (McQueen)**  
First Reading -- 482 (Mar. 22 aft.)  
Second Reading -- 552 (Mar. 24 aft.), 820-26 (Apr. 21 aft.), 852-53 (Apr. 26 aft.), 969-70 (Apr. 28 aft.), 1009-12 (May 9 eve., passed)  
Committee of the Whole -- 1069-70 (May 10 aft.), 1071 (May 10 eve., passed)  
Third Reading -- 1112-17 (May 11 aft., passed)
- 17**      **Appropriation Act, 2011 (\$) (Snelgrove)**  
First Reading -- 818 (Apr. 21 aft., passed)  
Second Reading -- 841-52 (Apr. 26 aft., passed on division)  
Committee of the Whole -- 904-10 (Apr. 27 aft.), 937 (Apr. 27 eve., passed)  
Third Reading -- 967-69 (Apr. 28 aft.), 970-71 (Apr. 28 aft., passed on division)  
Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29; SA 2011 c5]

- 18 Education Act (Hancock)**  
First Reading -- 898 (Apr. 27 aft., passed)  
Second Reading -- 965-67 (Apr. 28 aft., adjourned)
- 19 Miscellaneous Statutes Amendment Act, 2011 (Olson)**  
First Reading -- 989 (May 9 aft., passed)  
Second Reading -- 1053 (May 10 aft., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)
- 20 Workers' Compensation Amendment Act, 2011 (Lukaszuk)**  
First Reading -- 1052 (May 10 aft., passed)  
Second Reading -- 1053-56 (May 10 aft., passed)  
Committee of the Whole -- 1107-11 (May 11 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)
- 201\* Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)  
Committee of the Whole -- 464-68 (Mar. 21 aft.), 579-88 (Apr. 11 aft., passed with amendments)  
Third Reading -- 704-05 (Apr. 18 aft., passed)  
Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 c6]
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203 Alberta Get Outdoors Weekend Act (Rodney)**  
First Reading -- 152 (Mar. 2 aft., passed)  
Second Reading -- 588-89 (Apr. 11 aft.), 705-10 (Apr. 18 aft., passed)
- 204 Justice System Monitoring Act (Forsyth)**  
First Reading -- 304 (Mar. 10 aft., passed)  
Second Reading -- 992-1001 (May 9 aft., adjourned)
- 205 Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
First Reading -- 362 (Mar. 15 aft., passed)
- 207 Seniors' Property Tax Deferral Act (VanderBurg)**  
First Reading -- 989 (May 9 aft., passed)
- 208 Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011 (Mason)**  
First Reading -- 1105 (May 11 aft., passed)
- 209 Tailings Ponds Reclamation Statutes Amendment Act, 2011 (Blakeman)**  
First Reading -- 1105-06 (May 11 aft., passed)
- Pr1 Alberta Association of Municipal Districts and Counties Amendment Act, 2011 (Rogers)**  
First Reading -- 550 (Mar. 24 aft., passed)  
Second Reading -- 1012-13 (May 9 eve., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)
- Pr2 Galt Scholarship Fund Transfer Act (Pastoor)**  
First Reading -- 507 (Mar. 23 aft., passed)  
Second Reading -- 1013 (May 9 eve., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)
- Pr3 Auburn Bay Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 515 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)
- Pr4 Cranston Residents Association Tax Exemption Act (Johnston)**  
First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr5      New Brighton Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr6      Tuscany Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr7      Hull Child and Family Services Amendment Act, 2011 (Rodney)**

First Reading -- 516 (Mar. 23 aft., passed)

Second Reading -- 1013 (May 9 eve., passed)

Committee of the Whole -- 1057-58 (May 10 aft., passed)

Third Reading -- 1117 (May 11 aft., passed)

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday, October 24, 2011

Issue 35

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Taft

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Benito  
Bhullar  
Chase  
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Notley  
Rodney  
Sarich  
Taylor

### Standing Committee on the Economy

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Hinman  
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Elniski  
Hehr  
Leskiw  
Mason  
Pastoor  
Rogers  
VanderBurg

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Brown  
Calahasen  
Cao  
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Johnson  
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Rogers  
Sandhu  
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Marz  
Mason  
McQueen  
Mitzel  
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Hinman  
Lindsay  
Marz  
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Hinman  
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Marz  
Notley  
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Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Monday, October 24, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon, and welcome back.

On this day of new beginnings we ask for Your guidance in the responsibility we are undertaking and Your help in fulfilling our duties for the enduring benefit of all Albertans. As Members of this Legislative Assembly may we faithfully serve our province of Alberta. Amen.

Hon. members and ladies and gentlemen, would you now please join us in the signing of our national anthem. We'll be led today by Mr. Paul Lorieau. Feel free to participate in the language of one's choice.

**Hon. Members:**

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

**The Speaker:** Please be seated.

### Statements by the Speaker

#### Welcome to the Premier

**The Speaker:** Hon. members, at the outset of today's Routine I'd like to welcome two members who return to this Assembly as leaders of their respective parties.

In 1916 the Legislative Assembly of Alberta passed legislation which gave the vote to women and, by extension, the right to serve. In a general election held on June 7, 1917, Louise McKinney became the first woman elected to a Legislature in the British Empire.

Two months later, on September 18, 1917, an extension of the June 7, 1917, election was held in the trenches of northern France and southern Belgium to elect two service people to serve as representatives at large for Alberta. Twenty-one candidates ran for two seats. Twenty candidates were men, and one was a woman, Roberta MacAdams from Stony Plain, who was serving as a sister, a nurse, in the trenches. With her campaign slogan Give One Vote to the Man of Your Choice and the Other to the Sister, Roberta MacAdams came in second in the 21-person race and became the other first woman to have been elected to a Legislature in the British Empire.

In 1921 Irene Parlby became the first woman cabinet minister in Alberta's history when she was appointed minister without portfolio.

Three women of the Famous Five served in the Legislative Assembly of Alberta: Nellie McClung, Louise McKinney, Irene Parlby.

The first woman granted full ministerial status in our history was Helen Hunley when she was appointed Solicitor General in 1973. Subsequently Helen Hunley was to become our first woman Lieutenant Governor and served from 1985 to 1991. The first

woman recognized as Leader of the Opposition in this Legislative Assembly was Nancy MacBeth, who served from 1998 to 2001. The first woman to be appointed Minister of Justice and Attorney General was the hon. Member for Calgary-Elbow in 2008.

In Alberta's history 64 women have been elected to this Legislature. Twenty-one have served as cabinet ministers, and since October 7, 2011, one has served as Premier.

Welcome today to Alberta's 14th Premier, the first woman Premier in the 106-year history of Alberta, the hon. Member for Calgary-Elbow, the hon. Madam Premier. [Standing ovation]

### Welcome to the Leader of the Official Opposition

**The Speaker:** Two sword-lengths away and across from the Premier sits the Leader of Her Majesty's Loyal Opposition. The position of Leader of the Opposition has evolved through custom, procedural interpretation by the Speaker, and governance by the Legislative Assembly. From 1905 until an amendment to the Legislative Assembly Act came into effect in 1972, the tenures of Leaders of the Official Opposition were based on actual session dates. In other words, Alberta had no Leader of the Official Opposition outside of session from 1905 to 1972. During that period Alberta had 19 different men serve as leader. For the periods 1926 to 1940, 1949 to 1951, and 1960 to 1963, no individual served as leader either in or out of session in the province of Alberta.

The Legislative Assembly Act of 1972 was the first legislation in Alberta's history to address the actual full-time tenure of the Leader of Her Majesty's Loyal Opposition and was the first legislation to provide for an equitable stipend for the leader. A further amendment to the Legislative Assembly Act in 1983 clarified principles regarding the recognition of the Official Opposition that would be employed by the Speaker.

Since 1972 Alberta has had an additional 10 men and one woman serve as Leader of Her Majesty's Loyal Opposition. From 1905 to 2011 we've had 30 different leaders. While Premier Peter Lougheed was the only Official Opposition Leader in Alberta's first 106 years to become a Premier, four former Official Opposition Leaders were to become Lieutenant Governors.

The Member for Edmonton-Meadowlark was recognized on September 13 as Alberta's 30th Leader of Her Majesty's Loyal Opposition. Welcome to Alberta's new Leader of Her Majesty's Loyal Opposition, the hon. Member for Edmonton-Meadowlark. [Standing ovation]

### Introduction of Visitors

**The Speaker:** The hon. the Premier.

**Ms Redford:** Thank you very much, Mr. Speaker. It's indeed a great honour for me to rise and introduce to you and through you to all members of the Assembly someone who is no stranger to this House, and that is my friend Karen Kryczka, a former member of this House from Calgary-West from 1997 to 2004 as well as a former Calgary board of education trustee from 2007 to 2010. Karen is a loyal community volunteer, a good friend of mine. We share a great friendship. We also shared a very close time this year with the passing of our mothers. It was wonderful for her to be able to come today. I'd like everyone in this House who knows her to give her a really warm round of applause and to welcome her back.

1:40

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you very much, Mr. Speaker. It gives me great pleasure to rise and introduce to you and through you to all members of this Assembly someone who really needs no introduction as well. It's Denis Herard, the former member for my constituency, Calgary-Egmont, from 1993 to 2008. Mr. Herard also served as minister of advanced education and won four successive pluralities in that constituency. Denis and his wife, Rose, reside in Maple Ridge, a few minutes away from where I reside, and I was privileged to earn his support in the last election. Please join me in welcoming Denis Herard.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of this Assembly an excellent Albertan, someone who for the past two years has been travelling through this great province of ours, listening to the concerns of all Albertans. Whether it has been through her time at the Fraser Institute, the *Calgary Herald*, or CFIB, she has always put the ideas and principles of Albertans first. She is seated in the Speaker's gallery, the leader of the Wildrose Party, Danielle Smith. With that, I would ask her to rise and receive the warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I have two guests to introduce to the Assembly today. They are seated in the Speaker's gallery. The first is my wife, Mardell Olson. I had to clean my condo before she came up, and she is now here to finish the job. Our good friend Rhonda Harder Epp, a noted artist in western Canada, recently moved to Edmonton from Camrose, and I'm very pleased to have her here, too. I'd ask that they receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's a pleasure of mine to rise today to introduce to you and through you to members of this Assembly four special guests, and I appreciate your accommodating them in your gallery. I'd ask them to rise as I introduce them. The first is Donna Bagdon, a very good friend of mine, and Brian Heidecker, as well a very good friend of mine; and then my parents, Keith and Maureen Griffiths. I'd ask them all to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly somebody very important to me, my better half, Sharon MacLean. She's been there with me through the tough times and the good times. I'd just ask her to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's a great pleasure to introduce to you and through you my constituency staff, Margaret Thibault. Margaret is a great representative of the constituency of Whitecourt-St. Anne and does outstanding work for me. Not only do I want to introduce her; I want to thank her for all the great work that she does. Thank you, Margaret.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly two schools from my constituency, grade 6 students. From the Monsignor Fee Otterson school in the Rutherford community there are 61 students with us, and they're accompanied by their teachers and parent helpers Miss Chantel Greskiuk and Mrs. Michelle Armstrong.

Also joining us today are 31 students from George H. Luck school. They're accompanied by their teacher, Ms Melissa Bruins, and parent helpers Mrs. Sherece Creasy, Mr. Sean Rickard, and Mrs. Susanne Mohler.

I usually, in introducing the students, reference the fact that they're among the best and the brightest students we have in this province, and I think that's true of these two schools in my constituency today. I'd ask them all to rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Prins:** Thank you, Mr. Speaker. I'm very pleased today to introduce to you and through you to all members a group of grade 9 students from the Ponoka composite high school. They're seated in the public gallery, right behind me. There are 32 grade 9 students, two teachers, and a bus driver. The teachers are Mr. Brady Teeling and Mrs. Maryann LaFrance, and the bus driver is Mrs. Linda Nobles. I'd ask them to rise and receive the warm applause of all the members of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. I'm delighted to introduce some guests from the great institution in Edmonton-Riverview, the University of Alberta, and one of their schools, the School of Business, which is working to establish itself more and more strongly as a global school. The group today is connected with those global programs. There are 29 visitors. Twenty-four will be in the members' gallery and five in the public gallery, I understand. I'm not sure they're here yet, but if they are, I'd ask them to rise. Their group leaders are Jane Ji, Yu Bao, and George Zhang.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you today four people with the Edmonton-Calder based company Priority Printing. They are Tim Downey, the company president; Robin Chapelsky, production manager; Julie Lundy, their prepress manager; and Joanne Safron, a finishing technician. I'll tell you a little more about these fine folks in a member's statement shortly, but for now I would ask them to rise – I believe they're in the public gallery – and receive the traditional warm greeting of the Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege to rise this afternoon to introduce to you and through you to all members of the Assembly eight special guests representing Alberta's Ukrainian community, who are in attendance on the members' side to commemorate the 20th anniversary of Ukraine's independence. I would ask each of these guests to please rise as I mention their name: Luba Feduschak, president, Ukrainian Canadian Congress, Edmonton branch; Roger Pullishy, president, the

Friends of the Ukrainian Village Society; Steve Romaniuk, vice-president, Ukrainian Seniors' Club of Marko Boyeslaw; Serhiy Kostyuk, provincial co-ordinator, Ukrainian Canadian Congress Alberta Provincial Council; George Kotovych, director, Plast youth organization; Petro Dackiw, director, League of Ukrainian Canadians; Maria Romaniuk, League of Ukrainian Canadian Women; Motria Dackiw, League of Ukrainian Canadian Women. We are very honoured that they are with us today, and I would ask that they accept the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly a fine group of constituents and community volunteers, starting with my lovely wife of 17 years, Fiona; our friend Roxanne McReavy; the constituency association president and regional director, Sue Timinson; the treasurer of our constituency association and local entrepreneur, Clinton Alexander; and Lorette Strong, our constituency office manager. They're seated in the public gallery, and I'd like to ask them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I'd like to introduce three guests today. First and foremost, this young man is the nominated candidate in Sherwood Park. He's finishing his master's degree at the London School of Economics, and he's lived in Sherwood Park for a considerable period of time. Garnett Genuis is in the gallery. I'd like to ask him to rise.

Also, my wife of 24 years and our four-year-old son are with us, but I've just been informed that he was making too much noise, so he just went outside but will continue making noise later on this afternoon, certainly, Mr. Speaker.

Finally, a lady who worked in my legislative office. She is the better half of the former minister of finance, Dr. Lyle Oberg. Evelyn Oberg is with us today, and I'd ask her to rise and receive the very warm welcome of all members of this Assembly.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to this Assembly my guests from the Alberta Union of Provincial Employees. As Alberta's largest union AUPE represents 80,000 hard-working Albertans, your working people. President Guy Smith is here to show AUPE's commitment to the services those members provide to the public. The Alberta NDP is proud to stand with all AUPE members in protecting public services that benefit all Albertans. I would now ask my guests to rise as I call their names to receive the traditional warm welcome of the Assembly: Guy Smith, Tyler Bedford, and Mark Wells.

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

**Mr. Doerksen:** Thank you, Mr. Speaker. It's a privilege for me to rise today and introduce to you and through you to all members of this Assembly my constituency assistant. Seated in the public gallery is Emma Ronan with her partner, Cole. I'd ask you to rise and enjoy the traditional warm welcome of this Assembly.

**The Speaker:** Are there others? There being none, then four words – beautiful, intelligent, delightful, and loving – are words I use to describe my wife, Kristina, who also happens to be here.

1:50

## Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of Her Majesty's Loyal Opposition.

### Incremental Ethane Extraction Program

**Dr. Sherman:** Thank you, Mr. Speaker. The former Energy minister and current Finance minister gave two energy companies an inside track on an ethane program worth a third of a billion dollars before it was even approved by cabinet. To the Premier: is this the kind of change that the Premier promised Albertans?

**The Speaker:** The hon. the Premier.

**Ms Redford:** Thank you, Mr. Speaker. This was information that was made available to us through the public today. It's certainly something that I've asked the Minister of Energy to take a look at. Our information to date is that this is a program that's open to all industry stakeholders, that absolutely no one was prejudiced with respect to this. However, what I will say is that I have asked the Minister of Energy to provide a full disclosure of the facts that will be made publicly available so that we can all review it.

Thank you.

**Dr. Sherman:** Again to the Premier: given that the Williams-NOVA partnership had the inside track on such a generous government program, how does the Premier explain to the taxpayers the \$310 million head start the former Energy minister gave to his friends?

**Ms Redford:** Well, Mr. Speaker, as I wouldn't expect anything more from the hon. Leader of the Opposition, it is a characterization that still needs to be found to be conclusive or true. As I've said, the Minister of Energy will be providing a full set of facts that all Albertans will be able to scrutinize. What we will see from that is that this was an open, transparent process, open to anyone who is willing to participate and apply for the program, and that no one was prejudiced in any way.

**Dr. Sherman:** Finally, to the Premier: given that senior staff actually participated in the disclosure of insider information and ended up being promoted, is this the kind of behaviour that the Premier will continue to reward?

**Ms Redford:** Well, Mr. Speaker, as I've said, the hon. Leader of the Opposition has a characterization of a set of circumstances. We will have the facts before us. They will be publicly available. All Albertans will be able to assess whether or not anyone was prejudiced, and I assert that they weren't.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. NOVA Chemicals said that its deal with Williams couldn't have happened without the current Finance minister's help. To the Premier: if this happened in one department, how do we know that other departments are not leaking highly valuable information that will benefit their friends?

**Ms Redford:** Mr. Speaker, the hon. Leader of the Opposition can stand up 19 times and allege certain circumstances which I don't happen to agree with, but more importantly, as I've said, the facts will be made available. Albertans will judge.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Again to the Premier: the facts will soon be out. In fact, they're out already. Given that her Finance minister clearly broke government confidentiality, what will the Premier do to hold her minister to account to get to the bottom of this scandal?

**Ms Redford:** Well, Mr. Speaker, the hon. Leader of the Opposition keeps using the same words, so I will as well. These are characterizations and conclusions that are not warranted by the information that we have available. The full facts will be made available. If for any reason there is anyone who was prejudiced as a result of this, not only will Albertans know, but we will know in this House, and we will deal with it at that point.

**Dr. Sherman:** Finally, to the Premier: how many more scandals will we have to uncover before the Premier does something real to win back the trust of Albertans?

**Ms Redford:** Mr. Speaker, again, these words are inflammatory. They're not necessary. The facts will be made available. We do not have a scandal here. What we have is a tempest in a teapot.

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Mr. Speaker, given that Williams Energy retained the Lobbyists Act on their behalf in order to see changes to the ethane extraction program, a move that eventually paid off, getting Williams and NOVA on an inside track to receive up to \$310 million in taxpayer subsidies, to the Energy minister: when does the minister plan to stop this unethical influence that lobbyists continue to have on his ministry?

**Dr. Morton:** Mr. Speaker, the Official Opposition has clearly had a long time to build up their imagination over the last six months. Insider implies that somehow it was secret. Eighteen different companies consulted for 12 months on the development of this policy, plus trade associations. There was absolutely nothing secret about it whatsoever.

**Mr. Hehr:** Given that the facts speak for themselves and that Williams Energy has donated at least \$12,500 to the Progressive Conservative Party of Alberta in the last two years, how are the citizens of Alberta not to draw the conclusion that this government grants special access to PC Party contributors?

**Dr. Morton:** Mr. Speaker, again, the hon. member here is playing fast and loose with the facts. There was absolutely nothing time sensitive about this whatsoever. The program existed prior to this. The program exists today. There is still money in the program. Three other companies have taken advantage of it since then. There was no inside information. It was not time sensitive. In fact, it's a success story. We need more ethane for our petrochemical industry.

**Mr. Hehr:** Well, Mr. Speaker, here are the facts. Given that at least 12 days prior to cabinet even approving changes to the ethane incentive program the Energy ministry selectively informed their friends of a final decision while others were left in the dark, will the minister explain how this is not a good deal that gave Williams and NOVA an advantage in competing for these taxpayer dollars?

**Dr. Morton:** Mr. Speaker, it's obvious, with the Liberals not having been in government since 1921, they've forgotten the fact

that policy development in the executive branch and in the administrative branch develop simultaneously. Otherwise, it would be hopelessly inefficient. As I said, there was absolutely nothing time sensitive about this whatsoever. There was money in the program before. There's money in the program today. Other companies have enrolled in the program. The good news here is that it is producing additional ethane for our petrochemical industry.

**The Speaker:** The hon. Member for Calgary-Glenmore.

### Critical Electricity Transmission Infrastructure

**Mr. Hinman:** Thank you, Mr. Speaker. Today we are supposed to receive a decision from the AUC on the fate of the heartland transmission line. Last week the Energy minister halted three major lines, including heartland. However, the Premier overruled him and said that she wanted heartland to proceed because she believes it's critical infrastructure. This blatant political interference destroys any credibility this process has left. To the Premier: will she admit that it was inappropriate for her as the Premier to declare the heartland line critical three days before the AUC decision?

**Ms Redford:** Mr. Speaker, for eight months I've said that I believe that the heartland transmission line was critical. The AUC has undertaken their process. It's an independent process. They'll release their decision. I'm looking forward to seeing that decision. It's entirely appropriate for them to do that. I expect that if the AUC was in any way concerned about the compromising of their independence, they'd have commented on it.

**Mr. Hinman:** Well, given that the AUC is now delaying the release of their decision for a week because of the Premier and given that Albertans always wonder whether this decision is being changed to suit her declaration that it should go ahead, will she apologize to the AUC and to Albertans for her lack of judgment and inappropriate interference?

**Ms Redford:** Mr. Speaker, one of the things that is quite disappointing in political debate right now in Alberta is that whenever political parties think they can make a political point, they undermine the integrity of the independent institutions, and we're not going to do that.

**Mr. Hinman:** Mr. Speaker, she's the one who's undermining it.

Again to the Premier. Given that you refuse to answer my questions and do the right thing, let's get to the root of the issue, Bill 50, and the sweeping power that it gives the Premier and your cabinet. Will you repeal this legislation and reinstate a truly qualified, independent, and objective needs assessment for determining our transmission needs?

**Ms Redford:** Mr. Speaker, we've said that the heartland line was critical. We've also said, and we believe on this side of the House, that it's important to review the economic imperative of one of the north-south lines. It's going to be important to do that in order to ensure that we are making the best economic choices for Albertans, and we'll do that.

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

2:00

### Health Care Privatization

**Mr. Mason:** Thank you very much, Mr. Speaker. On July 12, 2010, the current minister of health made a presentation on health care strategy to the PC caucus based on a report from May 2010 released today by the NDP. Proposals were made by the now



minister of health and included delisting of insured services and more private insurance options, allowing a greater role for private hospitals and government-sponsored queue-jumping. My question is for the Premier. Why has she appointed an advocate for private health care as her minister of health?

**Ms Redford:** Mr. Speaker, I'll tell you that right now this government is committed to a public health care system that's accessible for all Albertans. That's the intention of everything we will do in the future.

**Mr. Mason:** Given that previous governments have made the same assertion before an election only to turn around and do the opposite or try to once they are elected and given that the current minister of health made health care privatization proposals to a closed-door meeting of the Tory caucus but omitted them from the public reports he issued, why has this Premier appointed a minister who hides his privatization agenda from the public?

**Ms Redford:** Mr. Speaker, we have one agenda for health care in this province. It's to have a publicly funded health care system that's accessible to all Albertans and to ensure that Albertans have confidence in that system. That's what our cabinet supports.

**Mr. Mason:** Two former Premiers gave exactly the same assertion. Given that the current minister of health has been an advocate of private hospitals, private insurance, government-sponsored queue-jumping, and more, why would this Premier appoint him as health minister if not because the privatization agenda of this progressive government, Progressive Conservative government has not changed?

**Ms Redford:** Well, Mr. Speaker, the leader of the third party is absolutely right. We are a progressive government. We are committed to public health care. We have been committed to that. We want Albertans to have confidence in that system, and everything we do is going to ensure that that is the case.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### **Critical Electricity Transmission Infrastructure** (continued)

**Mr. MacDonald:** Thank you very much. This government has a very long political history of interference with the electrical regulatory process in this province. The political interference has already cost electricity consumers in this province billions of dollars. My first question is to the Premier. What will this government's latest flip-flop on transmission infrastructure costs eventually cost ratepayers throughout this province?

**Ms Redford:** Mr. Speaker, I've been completely consistent with respect to my view on the heartland transmission line. I'm looking forward to the AUC decision. Once that decision is rendered, we will know what the costs are.

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier. Given that less than two years ago electricity ratepayers in this province were forced to pay an additional \$35 million for a transmission line that was never built, can the Premier guarantee that ratepayers will not have to pay for this latest transmission flip-flop by this government?

**Ms Redford:** Mr. Speaker, we've been entirely consistent with respect to our approach on these lines. There has been no change in policy. We are going to continue to ensure that any decisions

that are made with respect to transmission are going to be in the best economic interests of this province.

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier. When did the Premier find out that the Minister of Energy wanted to suspend these three transmission projects that have been deemed by this government to be critical infrastructure?

**Ms Redford:** Well, first, Mr. Speaker, I would suggest that the hon. member read the letter. That isn't what the letter asked for, so that might be one thing you might want to take a look at.

The other thing, Mr. Speaker, is that it was very clear – and I said this on Friday at my public comments about this for the first time – that I was made aware of that letter and the correspondence and the request on Friday morning at approximately 10 o'clock. I've been very clear about that. To be very clear, this is a position . . .

**Mr. MacDonald:** You sent the letter on Wednesday.

**Ms Redford:** That's not the question that I was asked.

Mr. Speaker, the question that needs to be answered here is what we are doing with respect to those lines, and I will tell you. I'm very proud of the fact that we're going to take a look at those north-south lines and take a look at what's in the best economic interests of this province.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

#### **Education Funding**

**Mrs. Leskiw:** Thank you, Mr. Speaker. My constituents were very pleased to learn that one of our new Premier's first actions was to provide additional education funds to local school boards. My first question is to the Minister of Education. Since the school year has already started, will it be too late for this funding to make a real difference this year?

**Mr. Lukaszuk:** Well, first, Mr. Speaker, no, it's not too late. School boards have been advised that this additional funding is to be directed to children. One of the requests upon the school board is to make sure that every single dollar of that \$107 million will be directed directly into our classroom so that your child somewhere out there sitting in a school in Alberta will actually see a measurable difference in their quality of education.

**Mrs. Leskiw:** My next question is to the same minister. Can the minister tell us whether the school boards, the local authorities on the ground, have full discretion to use the funds, or are there going to be strings attached to these funds?

**Mr. Lukaszuk:** Well, Mr. Speaker, every time we spend taxpayers' dollars, there are always strings attached, obviously, but one of the overarching requirements was, as I indicated in my previous answer, that the dollars find their way all the way down to the desks and the children in our classrooms. At the end of the day that was the Premier's commitment, and it is this government's commitment to make sure that education is there for our children, not for principals, not for teachers, not for the minister, not for government but for the children sitting in the desks.

**Mrs. Leskiw:** My last question is to the same minister. Flexibility is important. So is accountability. How will this government ensure that the dollars being used by the school boards are definitely going to benefit the students of Alberta?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Well, our school boards are under a scrupulous audit by the Auditor General and internal audits and audits by this ministry. In addition to the usual auditing process, which I don't believe leaves much to be desired, I have asked each and every school board to report to me so that I can report to you, hon. member, and to all Albertans on how these additional dollars were actually spent and what measurable differences they have made in the lives of our students.

**The Speaker:** The hon. Member for Calgary-Mountain View.

#### Health Quality Council Review

**Dr. Swann:** Thank you, Mr. Speaker. Earlier this month the former minister of health cast further doubt on the Health Quality Council of Alberta's investigation into allegations of widespread political meddling, queue-jumping, and physician intimidation. He said that the investigation, quote, would be a waste of time and money that would ultimately conclude the allegations are frivolous. End quote. To the Premier: given the minister's attempts to influence the Health Quality Council report, will the Premier finally change the reporting relationship of the Health Quality Council from the minister to this Legislature?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. I can assure this House – and I have no idea where the hon. member is getting his information – that no member of this government has attempted to influence in any way the review that is under way by the Health Quality Council. That being said, I think our Premier has been very clear over the last eight months. There is a desire on the part of this government to establish the Health Quality Council as an independent body reporting to this Legislature. We'll have a bit more to say about that in the next few weeks.

Thank you.

**The Speaker:** The hon. member.

**Dr. Swann:** Well, thank you, Mr. Speaker. Good news.

Given such blatant interference by a senior minister will the Premier finally fulfill her campaign promise and immediately call a public inquiry?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. Again, without the benefit of any background as to the allegations that the hon. member is making – once again, the Premier has been very clear. This government is committed to a fully independent inquiry into the allegations that were raised. There is a review under way by the Health Quality Council at this time. We will wait to see the results of that review and in due course have more to say about the inquiry.

Thank you.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Well, given that the minister clearly violated the Health Quality Council's own confidentiality rules, what did the Premier do to take action on this violation?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. You know, quite frankly, Mr. Speaker, if the opposition wants to inhabit the ground of conspiracy theories and characterizations, we'll leave that to them. Our commitment is to improving the performance of our publicly funded health care system. That means focusing on primary care, family care clinics, continuing care, and mental health. That's where our focus will be. These procedural matters will be explained in full as time goes on.

Thank you.

#### Slave Lake Fire Evacuation Order

**Ms Calahasen:** Mr. Speaker, on May 15 about 10,000 residents were evacuated due to the Slave Lake fire. Many residents have been frustrated and upset that an evacuation order came too late or never came at all. To the Minister of Municipal Affairs: why wasn't one issued sooner or even at all?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm honoured to answer this question. I know that the Member for Lesser Slave Lake has a deep personal concern for the people in her constituency, and I know that she spent a lot of time there, dedicated to helping them in any way she could.

I'm very pleased to report, actually, that in Slave Lake we had municipal officials and emergency service workers that worked very quickly. We would have issued an emergency clearance order faster except that high winds caused the fire to spread very quickly.

2:10

**Ms Calahasen:** Mr. Speaker, we in Lesser Slave Lake have learned the hard way about not receiving warnings to give us enough time to leave. It's just amazing how we were able to save the people that we did. I believe other Albertans want to know that they'll be given enough time to respond to the same situation. To the same minister: what are you doing to ensure Albertans get the warnings they need when seconds count so that they don't have to suffer like my constituents did?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. We've actually moved to a new system called Alberta emergency alert. Not only are we still using ground staff to alert people and evacuate them in serious conditions; we're also utilizing Facebook and Twitter, a dedicated website, and still ground-to-ground face communications so that we can give staged or phased warnings, updates to people so that they can better prepare instead of just that emergency warning that says to clear out. They can actually prepare more and take care of their goods and move in a timely fashion. We're very proud of this new system.

**Ms Calahasen:** Mr. Speaker, I'm really pleased to know that we are going to be doing it in a timely fashion.

What assurances can you give Albertans of any kind of new emergency alerts that will be used in the future for events like this so that we don't see this kind of thing happen again?

**Mr. Griffiths:** Well, Mr. Speaker, every municipality is responsible for emergencies such as this. We're training all of the staff on the ground, our municipal representatives as well as emergency personnel, so that they're fully aware of all of the degrees of alerts that could be sent out and how to best utilize them so that we have the best prepared staff on the ground.

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

### Children in Care

**Mr. Chase:** Thank you, Mr. Speaker. An alarming number of the 50 children killed while in this government's care in the past decade were First Nations; 67 per cent of the children currently in care have been taken from First Nations families. The abuse of Alberta's First Nations children hasn't ended. Instead, it has shifted from residential schools to provincial custodial care. To the Minister of Human Services: how can the government claim it is being culturally sensitive and responsible when it dumps six young children on relatives' doorsteps without due diligence?

**Mr. Hancock:** Well, Mr. Speaker, the hon. member alludes to a matter which is still before the courts. I will say in a general sense that kinship care is a very important part of the care process for children in need. It is important in circumstances where families are available to keep children together and to keep them with family. That's often a choice that parents want to have if their children are being apprehended. They want to have a say in that process, so it's an important part of the process. The characterization is overly dramatic. It is important that we take care of children in . . .

**The Speaker:** The hon. member, please.

**Mr. Chase:** Mr. Speaker, I wouldn't suggest that 50 deaths is overly dramatic; it's a fact.

What efforts are being made to support children and their birth parents within their homes before forcing them into foster care or kinship care and fast-tracking the adoption process?

**Mr. Hancock:** Mr. Speaker, there is no intention on behalf of this government to take children out of families where families can be supported to help those children. It is not the first thing that government wants to do. At the front end of the system social workers and caregivers work with families first to make sure there are appropriate care plans where there is any indication of concern, and only after that, if there is a problem that cannot be resolved by support, do they apprehend the child.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Given the supersizing of the new Human Services ministry, how is the minister going to ensure that vulnerable children and families don't get lost in this latest shuffle?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. That is a very important question and one that I want to answer by saying that I've worn this Children First pin since I was first appointed to the Ministry of Education, and I'm not taking it off any time soon. Children are going to be at the core of this ministry. You can support children by making sure that you support their families. You can support their families by making sure that they have the right links to education and skilling, the right links to a job, that there is a proper labour atmosphere. All of that comes together in a ministry that makes entirely good sense to support children and make sure that they get the opportunity to be successful in this province.

**The Speaker:** The hon. Member for Strathcona.

### Heartland Electricity Transmission Project

**Mr. Quest:** Thank you, Mr. Speaker. There was a lot of confusion

last Friday regarding the status of the heartland transmission project before the Alberta Utilities Commission. My question is to the Minister of Energy. What happened on Friday?

**Dr. Morton:** Mr. Speaker, I'm sure I speak for many people in the Assembly here to say that I'm proud to work for a Premier that keeps her promises. She's kept her promises, her campaign promises, on more funding for education. As Albertans are going to see, she's keeping many more promises soon on other types of reforms. One of the promises was on a review of Bill 50 to ensure that it does not undermine the economic competitiveness of Albertans. Pursuant to that I sent a letter to the AUC on Thursday. There was a misunderstanding – a misunderstanding – of which projects were to be included or not.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My next question to the same minister: what is the status of this application? Is it going ahead or not?

**The Speaker:** The hon. minister.

**Dr. Morton:** Thank you, Mr. Speaker. As I was indicating, as soon as this misunderstanding was identified Friday morning, the Premier and I met. We corrected that immediately, and I have sent a letter today to the AUC requesting that they delete the heartland project from my request for delay. My understanding is that the AUC has indicated that they will issue a decision next week.

**The Speaker:** The hon. member.

**Mr. Quest:** Well, thank you, Mr. Speaker. Again to the Minister of Energy. Many of my constituents have been advocating for burying the heartland transmission line. Is it being considered?

**The Speaker:** The hon. minister.

**Dr. Morton:** Thank you, Mr. Speaker. Indeed, the AUC heard compelling arguments on both sides of the issue, the advantages and disadvantages of burying the proposed line, but because that is part of their decision, it would be inappropriate for me to speculate on that in the Assembly today. We'll wait until next week and, when we hear the decision, proceed accordingly.

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

### Emergency Room Wait Times

**Ms. Notley:** Thank you, Mr. Speaker. A year after the former minister of health, with much self-congratulatory fanfare, promised to fix our ERs, wait times are back to where they were last October, and our long-term care wait-lists are growing. Will the minister of health admit that until the government unbreaks its promise on real long-term care beds, Albertans have nothing more than chaotic crisis management and failed promises to look forward to in our hospitals' ERs?

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. While I will be the first to say that we still continue to need to make progress on emergency department wait times, a lot of progress has been made in the last year. The number of Albertans waiting in acute-care beds for continuing care has fallen over the last year from just over 700 down to 500 today. If you look at not one month's but a year's worth of progress on emergency department wait times,

you'll see that the average waiting time has come down considerably. That said, there is more to be done.

**Ms Notley:** Mr. Speaker, given that, in fact, the number of people waiting in hospitals for proper long-term care is almost 40 per cent higher than the government's target, will the minister admit that their so-called continuing care strategy is failing to create the number of spaces that Albertans need for the level of care that they actually need?

**Mr. Horne:** Well, Mr. Speaker, the Minister of Seniors and I are both concerned that the continuing care spaces that we're opening in Alberta are able to meet the needs of everyone who requires the level of care, including those who require long-term care. We'll be continuing to look at that. The goal of this government is to provide a range of housing options for seniors and for those who need a health care component, to provide that component in a form that meets their particular needs.

Thank you.

**Ms Notley:** Well, Mr. Speaker, given that less than one-third of emergency patients at the Royal Alex were treated in line with the minister's own emergency protocols, will the minister admit that until more long-term care spaces, not some other kind of hotel but long-term care spaces, are created, Albertans will continue to face unacceptable ER wait times?

**Mr. Horne:** Mr. Speaker, there are a number of things that need to be done. Unfortunately, if the problem was as simple as adding additional long-term care beds, I'm sure we would have had it solved a long time ago. What, in fact, we need to do is make primary care, family care clinics more accessible to Albertans so that people who can avoid going to the emergency department have the opportunity to do so. We certainly need to look at the range of continuing care options and make sure that we're meeting needs on that side of the equation as well.

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

### Water Management

**Ms Blakeman:** Thank you very much, Mr. Speaker. This government's track record on water from monitoring in the oil sands to wetlands protection to commodifying water allocation frightens and puzzles Albertans. If they don't see concrete action taken quickly, then having added water to the ministry is a moot point. My questions today are to the new Minister of Environment and Water. If the Premier has stated that she isn't supportive of putting a price on water, then why does that option continue to be on the menu of choices available?

2:20

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and thank you to the hon. member for the question. As the Premier has highlighted it in our ministry, I'm glad to say that the ministry has been called Environment and Water. I like that highlight because we have the opportunity to discuss the ongoing issues, the needs and challenges within water. I want to make it abundantly clear in this House that water will not be for sale to other jurisdictions from Alberta.

**Ms Blakeman:** Well, that doesn't mean they're not going to let it be for sale inside.

All right. Back to the same minister. Previous ministers of

environment have talked about and indeed the Premier has also talked about a consultation process happening on water. When would this consultation actually take place? There have been promises made since I was a starry-eyed optimist. When might it happen?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. We will be consulting with Albertans with regard to water allocation as we move forward in the coming months to make sure that the priorities of Albertans are heard first and foremost. My job will be to make sure that I'm hearing all of the issues across this province, what the issues, concerns related to water allocation in this province are, having a good and wholesome discussion with Albertans on that, and then bringing back through the process the conversation that we're having.

**Ms Blakeman:** Okay. Still no timing.

Well, back to the same minister, then: given that a procession of previous ministers have paid lip service to a permanent wetlands policy, for which we prefer a no-net-loss policy, where is the minister placing this issue on her list of priorities?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Again on the question from the member, all of the issues with regard to the wetlands policy are being closely reviewed right now. I can let the hon. member know and the House know that we are getting very close with regard to the wetlands policy, bringing that through the process. We do have some differences of opinion with regard to no net loss, but we are going to work and have a further discussion as I have as a new minister to go and have those conversations with people. I would say that the wetlands policy will be coming through the process in a short period of time.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Royal Alberta Museum

**Mr. Benito:** Thank you very much, Mr. Speaker. Arts and culture are a very important part of our society. Last spring it was announced that a new Royal Alberta Museum will be built in a downtown Edmonton location. Given that new ministers are now in place, there have been questions on whether the museum project is moving ahead. To the Minister of Infrastructure: is the project on hold?

**Mr. Johnson:** Mr. Speaker, I can confirm the project is still moving ahead. The new Royal Alberta Museum is an important project for the province and one that's been on the books for some time. It is a great opportunity, and we need to make it a reality. We're currently working with the successful proponent and working through some of the steps in the contract phase. I'm optimistic and confident that we'll begin construction in 2012 for a targeted completion in 2015.

**Mr. Benito:** My first supplemental, Mr. Speaker, is to the same minister. What are the next steps that need to be taken, then?

**Mr. Johnson:** Mr. Speaker, there are a couple of things we need to work through still, and we're working with the proponent. One is that we need to make sure that the postal workers have swing space in the interim so that they have a place to move to while we demolish the building. My department is working on that. The

other is to work with the federal government and our federal minister of infrastructure to make sure the federal funding is forthcoming. We need to finalize those two things as we move through this contract process.

**Mr. Benito:** My second supplemental, Mr. Speaker, is to the Minister of Culture and Community Services. What can Albertans expect to see with the new museum?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Basically, the true measure of a great museum is what's inside. We all know that the museum will double the space of what was there previously. About 10 million artifacts that are currently in storage will be displayed. We'll have a suite of galleries with natural history, wildlife, cultural history as well as a children's pavilion with, of course, a signature bug room. We've recently issued an RFQ to help us secure an exhibit design consortium, and we are working with them and moving ahead. It's very exciting.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

#### Alleged Intimidation of Physicians

**Mr. Boutilier:** Well, thank you very much, Mr. Speaker. Albertans are wondering how the new minister of health can oversee a public inquiry, which he never supported with the previous Premier, when he is now at the centre of a scandal himself pertaining to intimidation of doctors when he called P.J. White, the president of the Alberta Medical Association? How can you do your job, Mr. Minister, in terms of the controversy that surrounds you?

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. Last fall there was a lot of discussion in this House over many of the accusations that have been made by the opposition. With respect to the matter he mentioned, I made a very full statement in the House on November 29, 2010. It's well documented in *Hansard*.

The larger question and the allegation here that somehow myself or others would be involved in directing an inquiry is, frankly, absurd. Mr. Speaker, as I've said, we're fully committed to an independent inquiry. We'll have much more to say about that in the months to come.

Thank you.

**Mr. Boutilier:** Mr. Speaker, given that answer, through you to the minister of health, is the fox in the henhouse? In fact, you still have feathers in your mouth when it comes to what is going on in here. Will you apologize to doctors and the doctor in this Assembly, who are standing up for Albertans?

**Mr. Horne:** Well, Mr. Speaker, with all due respect to the hon. member and to this House, I think there are some statements that you simply don't dignify with a response, and that would be one, sir.

**Mr. Boutilier:** Mr. Speaker, given that the feathers got in the way of the words, I'll ask him one more time. Will he apologize to the doctor in this House and to all Alberta doctors that you have played a role in intimidating relative to the health care of all Albertans?

**The Speaker:** The hon. Minister of Health and Wellness?  
The hon. Member for West Yellowhead.

#### Mountain Pine Beetle Control

**Mr. Campbell:** Thank you, Mr. Speaker. The pine beetle problem is not isolated to Alberta but is a cross-Canada issue that is now reaching epidemic proportions in our national parks and, in particular, in Jasper national park in my constituency of West Yellowhead. My question is to the Minister of Sustainable Resource Development. What is the current status of Alberta's fight against mountain pine beetle?

**Mr. Oberle:** Well, Mr. Speaker, we've just completed aerial surveys to determine the spread of the beetles that were hatched last summer, and I'm pleased to report that in the southwestern portion of the province things look good. We've got no significant new populations there and no new in-flights from British Columbia. I'm concerned to report that the situation is more serious in west-central Alberta. There are very large populations surviving there, and that will be the focus of our efforts this coming summer.

**The Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. My first supplemental question is to the same minister. How are we engaging the federal government in our campaign against beetles in Alberta and especially in Jasper and Banff national parks?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Well, thank you, Mr. Speaker. The efforts that we've undertaken on our provincial lands we're responsible for. We've worked very closely with the Canadian Forest Service and their tremendous research capacity. They've brought significant tools to bear in our fight against the pine beetle. We have discussions to take to determine whether we have a joint role within the parks, if there is any way Alberta can assist. I'm sure we'll find some synergies with the federal government.

**The Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. My second supplemental is to the same minister. The forest industry and the Alberta government are spending millions of dollars to fight this infestation. Is Alberta asking the federal government to provide funding in our fight against these beetles?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I've not yet had the opportunity to discuss the funding issue with my federal counterpart. I will say, though, that the federal government already has been at the table with funding, significant amounts of funding, in dealing with the environmental impacts of the outbreak. As I said, we have now an issue within the national parks – I'm sure the federal government will be concerned about that – and that will underline for us that this is not just a provincial but a national issue, and we'll be speaking to the minister soon.

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

#### International Trade Representatives

**Mr. Chase:** Thank you, Mr. Speaker. Albertans were appalled earlier this month when the newly minted Minister of Intergovernmental, International and Aboriginal Relations disregarded open and honest competition and unilaterally plucked Gary Mar into his

latest pork-barrel position in Hong Kong. To the Minister of Intergovernmental, International and Aboriginal Relations: will the minister table the evaluatory report card of Gary Mar's performance in Washington that eliminated the need for considering other candidates for the Hong Kong office?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you very much, Mr. Speaker. It's indeed a pleasure to rise and take a question from the hon. member. We had an opportunity to position a candidate in the Hong Kong office to look after our Asian offices. We were very pleased to surface a candidate and took advantage of that.

2:30

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. To the same minister: given the importance of the Keystone pipeline and foreign trade, how can the minister continue to favour government friends in our Washington office?

**Mr. Dallas:** Mr. Speaker, our Washington office continues to be staffed and operated at full capacity. We have a fellow by the name of David Manning who is doing work for us there on an ongoing basis. Whether it's the Keystone XL project, low-carbon fuel standard, or a variety of border trade issues that we have, we're right on top of it in Washington.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. I'm worried about the being right on top of it, what that connotes in this province.

Given the Premier's promise for openness and transparency in government, will the minister stop political patronage and commit to an open and competitive process for the appointment of Alberta's international trade representatives?

**Mr. Dallas:** Mr. Speaker, what I would suggest is that finding the absolute best candidate for the job is paramount. Whether that entails a competition or that involves an appointment, that is the process that we will use.

**The Speaker:** The hon. Member for Calgary-Hays

### Community Restorative Justice

**Mr. Johnston:** Thank you, Mr. Speaker. My questions are all for the Solicitor General and Minister of Public Security. By all accounts the Alberta community restorative justice grant is a highly successful program that, unfortunately, was cut in the 2011-12 budget. After much public criticism this summer funding was found to restore the grants for these kinds of programs. Could the minister explain the flip-flop?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. The previous Solicitor General, the minister responsible for Sustainable Resource Development, met in September with the Restorative Justice Association board and advised that the funding would be reinstated. I fully support this commitment. The request to relevant organizations went out in October. I'm looking forward, actually, to hearing some of the applications back under the restorative justice program.

**The Speaker:** The hon. member.

**Mr. Johnston:** Thank you, Mr. Speaker. My first supplemental: how can this minister claim funding was found from within the department when this cut should not have happened in the first place?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. The Victims of Crime Act, which I believe was Bill 15 of this year, gives the office of the Solicitor General authority to make grants to areas involving victims, of course, and that includes the restorative justice program. There are some guidelines set under this, and we'll follow the guidelines, but I'm confident that this program's continuation is in the best interests of the victims of crime.

**Mr. Johnston:** Mr. Speaker, how can this minister ensure that the victims of crime fund is used appropriately and is not a slush fund? What controls are in place to ensure that this important fund is spent responsibly?

**Mr. Denis:** Mr. Speaker, the Victims of Crime Act stipulates clear guidelines as to where funding under this act can actually go. We will be following that. It's not a slush fund. It's designed to support the victims of crime. That's why it's called the Victims of Crime Act.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Emergency Room Wait Times

*(continued)*

**Dr. Swann:** Thank you very much, Mr. Speaker. In September 2010 Dr. Paul Parks, president of emergency medicine in the Alberta Medical Association, warned Alberta Health Services and the former health minister of the potential catastrophic collapse of timely emergency care delivery in the upcoming months. Over a year later the emergency room physicians at Alberta Health Services website are saying little has changed. To the minister: how does the minister explain the continued failure to meet your own targets?

**Mr. Horne:** Mr. Speaker, Dr. Felix Soibelman, who is the current chair of the section of emergency medicine at the Alberta Medical Association, has already been in touch with me. We discussed the meeting that they held over this past weekend and are arranging to meet together with Alberta Health Services and other stakeholders who are key to addressing this problem in the coming week.

**Dr. Swann:** So a non-answer if I've ever heard one, Mr. Speaker.

The minister says they're trying to meet all seniors' needs at the same time. Well, has he learned nothing from the H1N1 epidemic? You cannot meet all seniors' needs at all times. You have to prioritize the high-risk people first. When are you going to do that?

**Mr. Horne:** Mr. Speaker, in fact, the question was asked and answered earlier this afternoon. The fact of the matter is that we are experiencing a surge in emergency department wait times in the last month. However, that is consistent with the experience in the last few years. If you look at our year-over-year performance over the last few years, those waiting times have come down. Are they good enough yet? Absolutely not. Can we do better, and do we need to work with stakeholders in order to find the right strategies, including adding continuing care spaces and expanding primary care and family care clinics? Yes, we do, and we're doing that.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Well, with emergency rooms at or over capacity and flu season looming, will this minister now formally begin assessing patient outcomes, or are you going to wait for courageous ER physicians to again start collecting the data for you?

**Mr. Horne:** Well, Mr. Speaker, I am not a physician, and I am not in a position to stand here and comment on how or when or under what circumstances we assess patient outcomes. What I can say is that Alberta Health Services is working very closely with physicians and with nurses and with other professionals to identify what those outcomes would need to be. We're watching the situation very, very carefully.

**The Speaker:** The hon. Member for St. Albert.

### Aboriginal and Métis Relations

**Mr. Allred:** Thank you, Mr. Speaker. My question is to the hon. Minister of Intergovernmental, International and Aboriginal Relations. Now that aboriginal relations is no longer a stand-alone ministry, how can we be sure that First Nation issues remain a priority of the government of Alberta?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Thank you, Mr. Speaker, and to the hon. member for the question, indeed an important question that's been raised over the last couple of weeks. Certainly, the intergovernmental – government to government – relationship that we have with aboriginal nations, communities, and Métis in our province is extraordinarily important. I believe that it's been positioned so that the linkage with our federal partners, with the other ministries that we're going to work together with is ideally positioned. Important to remember, too, that all of the resources and budget are still within the department.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My first supplemental to the same minister: what about your relationships with the Métis leaders and their communities?

**Mr. Dallas:** Mr. Speaker, just this morning I met with the Assembly of Treaty Chiefs, and I had an opportunity to speak with all of the chiefs, elders, and interested parties from throughout the province. We had a discussion about their vision for what we're going to be doing, going ahead together as a government and government, and I had an opportunity to share a little bit about myself and my interest and passion for outcomes in this area. So we're already dialoguing.

**The Speaker:** The hon. member.

**Mr. Allred:** Well, thank you, Mr. Speaker. Mr. Minister, you mentioned that you met with the Assembly of Treaty Chiefs today. Firstly, does that include the Métis chiefs as well? And could you give us an update on how things went and what issues were addressed in that meeting?

**Mr. Dallas:** It doesn't include Métis, Mr. Speaker. That is another group that we'll be meeting with in the very near future. One of the things that I wanted to speak to is the importance of our protocol agreement and the fact that we've indicated that we're

prepared to conduct a protocol meeting this fall. So we very much look forward to getting together with the grand chiefs, the vice-chiefs, ministers from the government and immediately engaging in a dialogue. We have initiated and are continuing our discussions with the Métis people on important considerations.

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

### Children's Services

**Mr. Rogers:** Thank you, Mr. Speaker. Government has gone through many significant reorganizations in the last few years, and one of the most dramatic that we have seen recently is, of course, the creation of the new Human Services ministry, a superministry as some would call it. It has been expressed to me by my constituents that we run the risk that services to very vulnerable children will be lost in this very big entity. To the Minister of Human Services: can you explain how these valuable services will be preserved for these children?

**Mr. Hancock:** Mr. Speaker, it's really at the core of the concept of the Ministry of Human Services that we need to have a consolidated social policy framework which ensures that we start with the children. We make sure that the children are protected when they need protection, that their families are supported when they need support, that there's ability there to support adults to get job training when they need it so that they can access a good job, that the labour standards are in place. It all really does come together very strongly in a social policy framework which centres around children.

2:40

**The Speaker:** The hon. member.

**Mr. Rogers:** Well, thank you, Mr. Speaker. Again to the same minister: can you assure the House, Mr. Minister, that as you work through this very significant reorganization, that the service levels will be maintained at the highest levels, that these vulnerable young Albertans can look to the highest level of services from you and your officials?

**Mr. Hancock:** Well, Mr. Speaker, just because there's a reorganization doesn't mean that the people that are on the ground have changed in any way. Those groups are still working, those people are still working, as we work to bring together the things that we can create with greater synergy and as we look to see what things we need to do better.

One of the critical pieces is that we have good people at the front end of the system. We need to empower them to use their judgment, and we need to make sure that they have the skills to be able to use that judgment in the most appropriate way.

**The Speaker:** The hon. member.

**Mr. Rogers:** No. That's fine, Mr. Speaker.  
Thank you.

**The Speaker:** That concludes the question period today, hon. members. Twenty-one members participated, with 123 questions and responses. That's a very large number, and I appreciate that. I want to say that I've looked forward to this question period for a long period of time.

Maybe there are going to be some new beginnings as well. I want to congratulate the Leader of the Official Opposition and the Premier for the brevity and the clarity in their questions and in their responses. By way of your examples today I hope that will

set the tone for all other hon. members in raising questions and in responding to questions as we move into the future.

Secondly, I only received one note from one member, basically pointing out that members continue to use preambles in their second and third questions, and there are four or five members who actually did that today. You'll be guarded in your own comments and you'll have self-discipline with respect to this, I'm sure, as we go into the future.

I'm pleased that the leader of the Wildrose Party is in the Speaker's gallery today. This has been one of the better behaved sessions we've had with her members in the House, so I'd invite you to come back each and every day to assist the Speaker in his role in the Assembly in keeping decorum in place. [Disturbance in the gallery]

**The Sergeant-at-Arms:** Order! Order in the gallery! You're not part of these proceedings.

**The Speaker:** Well, why not? It's the 24th day of October. We're one week from Halloween, so let's get into the spirit.

### Members' Statements

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

#### 20th Anniversary of Ukraine's Independence

**Mrs. Sarich:** Thank you, Mr. Speaker. Two decades ago, on August 24, 1991, in a historic move the Parliament of Ukraine established Ukraine as an independent, sovereign, and democratic nation. Ukraine's road to democracy was not an easy one and was achieved after centuries of struggle filled with countless political and cultural repressions.

I'm proud to say that Canada was the first western nation, Mr. Speaker, to recognize Ukraine's independence, and our country continues to be a strong supporter of Ukraine's democratization. The future for Ukraine is unwritten, and I along with others are hopeful and optimistic that Ukraine will continue on the path to freedom.

Mr. Speaker, I rose earlier to introduce and welcome to the Assembly representatives from Alberta's Ukrainian community, here in recognition of the 20th anniversary of Ukraine's independence. It was my honour and privilege along with the Member for Edmonton-Mill Creek to recognize and participate in the important milestone celebration hosted by the Ukrainian Canadian Congress, Edmonton branch, on August 28, 2011.

I commend the leadership of this important organization and its member organizations for their steadfast support to ensure that the cultural, political, and economic contributions of Ukrainian settlement and people in our province are recognized and cherished across generations. Truly this is a living example of the Alberta spirit, which is exemplified in many communities across our great province, including within the city of Edmonton. Please accept my heartfelt thanks for adding immeasurably to our city and great province.

Mr. Speaker, this also marks the 120th anniversary of Ukrainian settlement in Canada, and I urge our government to continue to stand strong with the Ukrainian people. Best wishes to all Albertans of Ukrainian heritage who celebrated the 20th anniversary of Ukraine's independence and settlement in our country. God bless Ukraine. God bless Alberta.

Thank you, Mr. Speaker.

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

### Human Services Ministry

**Mr. Chase:** Thank you, Mr. Speaker. Superministry or megamistake? Attributing the term "super" to the new Ministry of Human Services provides little assurance when applied in the Alberta context. A \$1.3 billion superboard cost overrun, the loss of local decision-making, governance infighting, ministerial revolving-door changes without improved results, longer surgical waiting lists, increased emergency waiting times, and large CEO severances for work not done are just a few of the superfailures associated with this multiflawed reorganizational attempt. Whose bright idea was it to superglue the two most spotted ministries of employment and children and youth services, with the highest combined casualty rate and least productivity in resolving human crises, into a megaministry?

Historically these ministries have failed to protect children and youth, particularly aboriginal children in care. They have neither ensured safe job sites for all working Albertans, nor have they guaranteed that families of workers injured or killed on the job would be fairly dealt with by the Workers' Compensation Board. Just as two wrongs don't make a right, how can the amalgamation of the two least productive ministries solve the problem of the inadequate provision and protection of human services?

A preferential solution would be in adapting Manitoba's Jordan's principle precedent, which ensures that the first level of government, whether federal or provincial, to be made aware of a service provision requirement is responsible for its successful resolution. Substitute "ministry" for "level of government." Ensure that regardless of which ministry receives the cry for help, it oversees the case through to its successful conclusion, not by ping-ponging the person requiring services from ministry to ministry nor by putting them on a super waiting list and certainly not by bonusing front-line caseworkers to arbitrarily reduce their most complex files. Instead, provide the front-line gatekeepers with the necessary training, support, salary, and authority to properly serve our most vulnerable.

**The Speaker:** The hon. Member for Edmonton-Calder.

### Priority Printing Ltd.

**Mr. Elniski:** Thank you, Mr. Speaker. As you know and indeed as everyone in this Assembly is aware by now, I am particularly fond of the slogan It's All in Calder. I'd like to talk about the businesses and people who are unique to my constituency.

Earlier I introduced four people from the company Priority Printing. This summer company owner Tim Downey and his staff celebrated 25 years in business, and what a remarkable business it is. Priority Printing is the company that prints, collates, folds, packages, and ships all of the documentation that we use to keep this Assembly functioning. Tim and his staff are keen businesspeople. Everyone knows full well that, frankly, the only risk to their business would be for us to stop talking. In other words, Mr. Speaker, it is reasonably certain that they will prosper for the foreseeable future. Because there is no other group of people with quite as great an interest in the things we say in this House, it seems only appropriate that after 25 years of reading about everyone and everything else in *Hansard*, they should have their opportunity to read about themselves in *Hansard*.

The staff at Priority can tell you exactly who said what and how many times they said it. They give you, Mr. Speaker, useful data like how many pages were printed, how much all of those pages weighed, and virtually anything else about turning the things we



say into the things that we read in this Legislature. It is important and interesting stuff.

When I toured the plant, I was surprised and happy to be reacquainted with Joanne Safron, who is the younger sister of a schoolmate of mine, Rhonda Grywachski, that I had the pleasure of spending 12 years with. I always enjoy meeting people, someone like Joanne from so long ago, and it's even more fun when you find out, Mr. Speaker, that they're keeping an eye on you to this very day, much like her sister used to do so very long ago. Say hi to Rhonda for me, Joanne.

Thank you.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

#### Grande Prairie Accident Victims

**Mr. Drysdale:** Thank you, Mr. Speaker. It is with great sadness that I rise today to comment on the terrible vehicle accident that occurred this weekend in Grande Prairie, which claimed the lives of four teenage boys and left one boy in critical yet stable condition. The loss of Matthew Deller, Vincent Stover, Walter Borden-Wilkins, and Tanner Hildebrand has left the community of Grande Prairie heartbroken and in a period of mourning.

Tragic accidents like this one are always difficult to comprehend as they affect many different people on many levels. That is why it is so important for the people of Alberta to provide comfort and support to those who have been greatly affected by this devastating incident. Mr. Speaker, our sincerest condolences go to the families of these young boys. As well, we stand behind Zach Judd, who is the lone survivor, and his family through these difficult times.

To the members of the Grande Prairie community, the Grande Prairie composite high school staff and students, and to the Warriors football team: we offer you our thoughts and prayers as you cope with this tragedy.

Thank you, Mr. Speaker.

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

2:50

#### Great Kids Awards

**Mr. Doerksen:** Thank you, Mr. Speaker. It is a pleasure to rise in the Assembly today to congratulate Alberta's Great Kids. Our province is full of inspiring children and youth, who make a positive and lasting difference for others in their own special way at home, at school, and in their communities.

This past weekend at the 12th annual Great Kids awards ceremony in Edmonton the Minister of Human Services, the Hon. Dave Hancock, recognized 16 outstanding young people from across Alberta between the ages of five and 18 for their generosity, courage, and strong spirit. Their activities included volunteering, mentoring, and fundraising initiatives.

Award recipients were selected by a committee of community members and government staff. One example would be 16-year-old Dyllan Duperron from Valleyview, Alberta. In early 2011 he ran from the Jack Ady cancer centre in Lethbridge to the Grande Prairie cancer centre over the course of eight weeks to raise more than \$15,000 for the Alberta Cancer Foundation in honour of his uncle, who passed away from cancer.

Joined by family and friends at the Fantasyland Hotel, each Great Kid received a laptop computer from IBM and attractions passes from West Edmonton Mall. More than 120 children and youth were nominated for the award by their teachers, parents, neighbours, and peers.

Alberta's Great Kids stand out as positive role models for all young people and people of all ages. I encourage everyone to visit [greatkids.alberta.ca](http://greatkids.alberta.ca) to read about the 2011 Great Kids program. Their stories of achievement and resilience make all of us proud. Alberta's future is bright thanks to the incredible talents and promise of our children and youth.

Thank you.

#### Slave Lake Fire

**Ms Calahasen:** Mr. Speaker, May 15, 2011, is a day my constituents and I will never forget. That day the forest fire east of Slave Lake jumped highway 88 and destroyed about 40 per cent of the town, the MD of Lesser Slave River, and Sawridge First Nation, leaving some 300-plus families homeless. The next day a second fire south of Slave Lake jumped highway 2, striking Wagner, Widewater, Canyon Creek, and Assinneau and burning many more homes. Within a few days nine jurisdictions in my constituency had declared a state of local emergency, with fires threatening Red Earth Creek, Gift Lake, Atikameg, Loon River, Cadotte Lake, Chisholm, and East Prairie.

Although this disaster is over and there are still residual effects today, I want to recognize the individuals, groups, and organizations who were involved in our unforgettable series of events. To our volunteer firemen, SRD, RCMP and peace officers, EMTs, and all the emergency responders from the surrounding jurisdictions and around the province: thank you.

Words cannot describe our thanks to the Red Cross workers and all the other volunteers who helped clothe, feed, and provide short-term financial assistance during and after the crisis.

To the citizens of the region, thank you for checking up on your neighbours to ensure everyone was safe and able to leave as you carried out an orderly evacuation of some 10,000 people, not knowing what you were driving into or through. You are my heroes.

To the people of Edmonton, Peace River, St. Isadore, Wabasca, High Prairie, Valleyview, Swan Hills, Whitecourt, Barrhead, Westlock, and Athabasca, you opened your arms and homes and facilities to provide emergency food and shelter on such short notice. You make me proud to be an Albertan.

I can't forget the tireless efforts of the employees of the POC in Edmonton, who immediately took action to guide, advise, and direct the overall management of the emergency. You worked 24/7. Thank you.

To the elected officials of the town, the MD, the First Nation, and all your employees who dealt with the crisis and are currently working on rebuilding our community: thank you.

My constituents and I are so grateful for the leadership demonstrated by then Premier Ed Stelmach and his cabinet in establishing a DM committee to help the elected officials deal with this disaster and providing much-needed assistance so fast. Big thanks.

**The Speaker:** The hon. Member for Calgary-Mackay.

#### Calgary Small Business Week

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. October 17 to 21 was Calgary Small Business Week. This week provided small businesses with opportunities to highlight and celebrate the success of small businesses in Alberta and in my constituency, which is home to about 200 small businesses. This Small Business Week also included a trade show, keynote luncheon speakers, and an awards celebration, which I had the pleasure of attending.

Small business is the backbone of Alberta's business sector, especially in Calgary. In 2010 95 per cent of all businesses in Calgary were classified as small, and they had the highest number of small businesses per capita of all the major Canadian cities. But despite these impressive figures challenges arise. Obstacles need to be overcome, and everyone could use a little help now and then. Alberta recognizes this and believes in supporting these growing businesses as best we can. This is why we have many outlets and services for small businesses in Alberta to take advantage of.

For instance, the government of Alberta has partnered with the government of Canada to offer Business Link, a website full of information, contacts, and tools for up-and-coming businesses in Alberta. We also offer the Alberta tax advantage. We have some of the lowest business taxes in Canada, allowing small businesses to get on their feet and grow. The Alberta government provides numerous grants and funds to various sectors of industry, from agriculture to science and technology.

This is a great province to start a business in, and this became very apparent to me when it took me three months to find an office space in my constituency when I first got elected.

Mr. Speaker, Alberta supports our small businesses in many, many ways, and in turn they support us, helping our province grow and keeping our economy strong.

Thank you.

### Notices of Motions

**The Speaker:** The hon. Member for Edmonton-Strathcona on a Standing Order 15 motion.

**Ms Notley:** Thank you, Mr. Speaker. In accordance with Standing Order 15(2) I am raising a point of privilege, that in November and December 2010 the Member for Edmonton-Mill Creek interfered with the ability of members of this House to fulfill their duties when as Minister of Health and Wellness he made certain statements regarding the source of materials contained in a document titled Alberta's Health Legislation Moving Forward.

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

**Mr. Hancock:** Pursuant to Standing Order 30, having provided your office the appropriate notice and having the required copies to be made for distribution, I wish to request of the House that upon completion of the daily Routine I be allowed to move to adjourn the ordinary business of the Assembly in order that the House may debate a matter of urgent public importance; namely, the future direction and place and opportunity of Alberta in Canada and the world given the current economic uncertainty in Europe, the state of the U.S. economy, the importance of Asian growth and markets, and the impact of same on Alberta and Albertans.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I would like to table for the benefit of the House the appropriate number of copies of a memorandum which I wrote to yourself on October 20 and titled House Leaders Agreement, which deals with understandings that were made between House leaders relative to the debate that I just gave notice of this afternoon and the time parameters which we will be asking the House to agree to later on.

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

**Mr. Chase:** Thank you, Mr. Speaker. I have two tablings. The first consists of five notebooks which were distributed this past week to supporters of the Alberta Association for Community Living at their fundraising breakfast at the Palliser Fairmont hotel, which the member for Calgary-Buffalo and I attended. The message on the cover by George Bernard Shaw states, "I am of the opinion that my life belongs to the community and as long as I live, it is my privilege to do for it whatever I can." AACL is frequently both the first hope and the last resort for disabled Alberta families.

My second tabling is the program for a fantastic, award-winning one-man play put on by Ghost River Theatre entitled *The Highest Step in the World*, which is currently running at Calgary's Pumphouse Theatre, upon whose stage I have thrice trod in Storybook Theatre productions.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am very pleased to have the opportunity in tablings to table three pieces of correspondence that I have received from my constituents. The first is from Edith Greene, who currently resides in Lions Village, which is a life lease facility. She is writing to me to ask the Assembly to please move forward on creating life lease legislation as soon as possible.

The second tabling I have is from Bev Burke, who for 27 years produced the English Express newspaper. She was writing to thank me for my efforts but also to remind the government that not all of the pieces that English Express used to cover have been picked up by other providers of the service.

Finally, an e-mail from Ron Howard, who is most vexed that every time there is a slight, small, tiny increase in seniors' benefits, there is a corresponding clawback in some way, shape, or form, in this particular instance in his subsidized rent.

Thank you very much.

3:00

**The Speaker:** Hon. members, Standing Order 7(7) says: "at 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly."

The hon. Government House Leader.

**Mr. Hancock:** Mr. Speaker, it's the first day back. I would ask the House for unanimous consent to suspend Standing Order 7(7) and allow the Routine to continue until completed.

**The Speaker:** All right. There's a request for unanimous consent to waive Standing Order 7(7). I will ask two questions. All members in favour of the waiver request, please say aye. Is anyone opposed? If so, say no.

[Unanimous consent granted]

**The Speaker:** Hon. Member for Edmonton-Gold Bar, your plea has been heard.

**Mr. MacDonald:** Thank you very much. I appreciate that, hon. member. I have two tablings today. The first is a letter dated October 19, last Wednesday, to the chair of the Alberta Utilities Commission from the current Minister of Energy regarding the four applications for critical transmission infrastructure.

The second tabling I have is a letter dated October 6, 2011, and it's from a distinguished resident of Strathcona county, John C. Murray, to the hon. Premier regarding the Keystone pipeline project.

Thank you very much.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Ms Blakeman:** I'm sorry. If I could be allowed to table on behalf of the Leader of the Official Opposition, I'd appreciate it.

**The Speaker:** Absolutely. Proceed.

**Ms Blakeman:** I have eight tablings that support the questions that he asked in question period today. I'm going to go through them as quickly as I can. One is e-mails, that were obtained through freedom of information, showing Energy ministry officials corresponding with Williams Energy and their lobbyist prior to the announcement.

The second is the Energy ministry news release announcing those changes to the IEEP.

The third is the Williams Energy news release announcing their partnership and how pleased they were with the government announcement. The drafting of this was actually done prior to the changes.

The fourth is the Williams Energy capital guidance filing from February 2011. This document was part of their planning process; therefore, they were working on it well before the date.

Fifth, NOVA Chemicals' news release on their partnership with Williams Energy in which they credit the IEEP with being instrumental in the partnership deal.

The order in council of March 23, 2011, approving the changes to the IEEP.

The provincial government news release announcing the creation of the Competitiveness Council, which recommended the changes to the IEEP.

Finally, the entry in the lobbyists registry showing that an individual, Walentin Mirosh, was a designated lobbyist for NOVA and was eventually taken off the lobbyists registry prior to his appointment to the Alberta Competitiveness Council.

Thank you for your patience, Mr. Speaker.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of a document titled Proposed Alberta Health Act, a document outlining options for privatization of health care by this government, including the tabling of contentious regulations involving privatization of health care and delaying them until fall 2012. I have the correct number to table with you.

Thank you.

**The Speaker:** Are there others?

Hon. members, as required by Standing Order 114, I'm pleased to present you with the 2010 annual report of the Legislative Assembly Office and the 2010 annual report of the Commonwealth Parliamentary Association, Alberta branch. The LAO annual report includes financial statements for the fiscal year ended March 31, 2010, and highlights the activities and achievements of the LAO for the calendar year ended December 31, 2010.

### **Privilege Misleading the House**

**The Speaker:** The hon. Member for Edmonton-Strathcona on the Standing Order 15 application. Now, just in looking at the application in terms of what you provided to me earlier today and by brief comment, I understand that the comments will be made with respect to the former hon. Minister of Health and Wellness. That's correct. Okay. That gentleman is not here today. He advised me late last week that he was attending to a family matter.

As this is an application for a motion of privilege, I would view that to be the most sacred of all applications. The presence of a

member, as per what our standing orders say, should be reviewed as part of this. So if the intent today with your application is to basically move a point of privilege against an hon. member, that's one thing. If it's simply to give notice, recognizing that when I had a brief discussion this morning with your leader, I advised him that the hon. member would not be here today nor tomorrow – I know that in a privilege the intent is to move it as quickly as possible, so there should be no delay in terms of when you receive certain information and you want to make a motion. So if the intent today is to move it but without major argument on it, I think that in all likelihood, in fairness – well, not knowing what you're going to say, perhaps I should just wait until I hear what you say, but I may be intervening as well.

Please proceed.

**Ms Notley:** Thank you, Mr. Speaker. My understanding from your discussions with the leader of the NDP caucus is exactly what you've just stated in that I understood that you would most likely be asking that this matter be deferred to when the Member for Edmonton-Mill Creek was back in the House. Without question, the nature of our concern revolves around simply our view that in that member's mischaracterizing the source of the information that is contained in the document Alberta's Health Legislation: Moving Forward, he interfered with the ability of members of this Assembly to hold the appropriate authors of that document accountable for the public policy decisions and directions that were implicit in that document.

My understanding, based on your discussions with the leader of the NDP caucus, is that further conversations or arguments around this point of privilege would be deferred until that member returned to the House. So based on that discussion, I understand that I will get into more detail about the nature of our concerns when that member is present.

**The Speaker:** I appreciate that, hon. member, and in fairness, I think, recognizing Standing Order 15(4), which also states:

If the Member whose conduct is called into question is not present, the matter shall be deferred to the next day that the Member is present unless the Speaker rules that, in the circumstances, the matter may be dealt with in the Member's absence.

Further, 15(3) states:

If the Speaker is of the opinion that the matter may not be fairly dealt with at that time, the Speaker may defer debate on the matter to a time when he or she determines it may be fairly dealt with.

My understanding from a conversation last week with the hon. member, the former Minister of Health and Wellness, is that he was away on important family matters and would not be returning till the House reconvenes on November 21.

You have given notice. It will be on the record that you want to make an application for this, and it will be one of the first orders of business after conclusion of the Routine when we reconvene. If I understand, it is November 21. Would that be fine?

**Ms Notley:** Yes, Mr. Speaker. I'm satisfied with that outcome.

**The Speaker:** Okay. I appreciate that.

Government House Leader, did you want to make a comment on this?

**Mr. Hancock:** Yes, Mr. Speaker. If I may, I would also note that the letter to yourself, a copy of which had been provided to us, is excessively vague with respect to the nature of the documents. I'm wondering if it might be appropriate to ask that the particular

documents being referred to in the letter also be provided so that a proper response might be available to the member.

**Ms Notley:** Mr. Speaker, as the House leader may not have noticed, the Member for Edmonton-Highlands-Norwood just tabled that document. The document itself is one which specifically outlines a number of issues, clearly drafted by public officials within the ministry of health, shared with the minister of health, and dated well before the public hearings which previously the minister of health had suggested were the source of the information that was in the subsequent document, which was the subject of his statements last fall, last November. So it is an analysis of the document which the Member for Edmonton-Highlands-Norwood tabled today, which contradicts very clearly the statements made in this Assembly last November.

3:10

### Emergency Debate

**The Speaker:** Okay. Hon. Government House Leader, on your Standing Order 30 application.

#### Alberta's Place in the Global Economy

**Mr. Hancock:** Yes. Mr. Speaker, I'm pleased to rise today to move pursuant to Standing Order 30:

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance, namely the future direction, place, and opportunity of Alberta in Canada and the world given the current economic uncertainty in Europe, the state of the U.S. economy, the importance of Asian growth and markets, and the impact of same on Alberta and Albertans.

Mr. Speaker, we have requested the opportunity to bring forward a Standing Order 30, which is to allow the discussion of a matter of urgent public importance. Nothing could be more important at this moment in time to Albertans than to hear from their leadership, the Premier and the leaders of the opposition parties in this House, about issues that concern them because Alberta trades out into the world. We are a trading province. We sell our products, whether they be oil and gas, agriculture, or forestry, into world markets, and the world markets are in an incredible state of disarray.

Nothing could be more important to the future of the province right now than to hear from our leaders with respect to that direction of Alberta and Alberta's place and what we can do in the context of what is happening in the global climate. It's particularly important, Mr. Speaker, because both the leadership of the government and the leadership of the Official Opposition have changed since we last sat, and the province has been party to and participants in leadership processes to select new leadership, to select new direction, and to have that new leadership explain that new direction to Albertans and clearly enunciate a way forward.

It couldn't be more important to Albertans right now to hear what that way forward would be given that seniors and those approaching retirement are concerned about their investments; our farmers, who have just had one of their best years ever, are concerned about the ability to sell; and the forestry industry is still in a state of flux. All of those things that we do in this province trade out into the world, and our economy, our livelihood, and our quality of life depend on that.

We have new leadership in the province: a new Premier, as you so eloquently pointed out today, and a new leader of the Official Opposition, as you eloquently pointed out earlier today. Nothing could be more urgent for this House to discuss than the future direction of the province given the state of the climate of the world.

I would also point out, Mr. Speaker, that by my memo to you of October 20 House leaders have agreed that this is an appropriate way to frame a discussion for this afternoon in this House and that all parties, therefore, would seemingly request. I have provided you with the memo, and I can assure you – I have e-mails from each of the other House leaders indicating that the memo accurately describes our conversation and agreement – that we would agree, then, as House leaders that this matter should go forward in this manner.

I would just end by saying, Mr. Speaker, that if, indeed, you and the House agree that we should proceed, we would then be asking you to request unanimous consent with respect to the speaking times and the end-of-day standing orders so that we can conform to the terms of the agreement with respect to allowing the Premier, the Opposition House Leader, and other leaders to speak to this very urgent matter.

**The Speaker:** Just a second, hon. member. The rules clearly state that under Standing Order 30(2), one "Member may briefly state the arguments in favour of the request for leave and the Speaker may allow such debate as [the Speaker] considers relevant to the question of urgency of debate" and then rule on it. As I have heard the submission, I've also had access now to documents that basically confirm that leaders of the other parties in the Assembly have at least agreed to this.

In terms of argument with respect to urgency, they can be very limited. I'm quite prepared to move this along. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. What I would like to say about the government's Standing Order 30 application is that, frankly, I'm not over the moon about the use of the Standing Order 30, particularly the possible precedents that can be taken from this.

I am particularly disappointed in the substitution or subsuming of private members' business, the pre-empting of private members' business for government business. The government has more than sufficient control of the agenda. I will state very firmly on behalf of my caucus and other opposition caucuses that we were not in favour of the adjournment. Our agreement was very much limited in how the presentations would proceed and the time limits that we would honour given those presentations. We have agreed to that. We will stand behind it.

I really ask the government, with all the parliamentary tools available at their disposal, to find a replacement time for the private members' business which has been lost today. I would like to see it recovered. We don't get a lot of private members' business time in this House, and I would not like to end this session and this year with one less day than we were entitled to.

Thank you very much.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I'll keep this very brief, from what you said.

We did agree, as the House leader pointed out, to the business of the day and adjourning the regular business to talk about and debate the issue of the world financial crisis and some of the issues related to it and how it will affect Alberta and what we can do going forward to lessen its impact on us and so forth.

I also want to make it clear that we did not as a caucus agree at all to this disrespectful, frankly, two-day session in the Legislature. It needs to be very clear that we feel that this was a huge slap in the face of democracy and something that, specifically with this Premier and her record of advocating for democracy overseas,

I wouldn't expect from her. She needs to conduct herself better in that regard.

**The Speaker:** Okay. Hon. members, the chair is prepared to rule on whether the request for leave for this motion to proceed is in order under Standing Order 30. Notice of the application was received in the Speaker's office on Friday, October 21, at 11:08 a.m., so the time limit of two hours prior to the start of the session has been met.

The chair wants to say that this is a unique moment for the Assembly and for the province of Alberta because there is not only a new Premier but a new Leader of the Official Opposition as well.

It is clear to the chair that there is no opportunity given the matters on the Order Paper for these individuals to address the Assembly, let alone the province of Alberta, on the current global economic condition. The chair has the duty as your Speaker to ensure that the Assembly retains its position as the focus for debate by the democratically elected representatives in this province.

Furthermore – and this is very important – the fact that House leaders have come to an agreement concerning the need for this discussion is a clear indication of the will of the Assembly, which a Speaker can take into consideration. *House of Commons Procedure and Practice*, second edition, states at page 695:

The Speaker may take into account the general wish of the House to have an emergency debate and grant a request for an emergency debate.

It goes on to say:

Similarly, the Chair has periodically allowed an emergency debate on an issue which was not necessarily urgent within the meaning conferred by the rule, but was one on which the House of Commons timetable prevented any discussion in a timely manner.

The chair is of the view that this quotation reflects the unique situation that exists today. Accordingly, the chair finds the application to be in order and shall put the question. Shall the debate on the urgent matter proceed?

[Unanimous consent granted]

**The Speaker:** Okay. Having done that, we now have a successful Standing Order 30 application. However, there has to be a whole series of rules that now have to be waived. The debate in the matter put forward by the Government House Leader will proceed, but in order to apply the desired rules agreed to by the House leaders, there has to be support by the members of the Assembly. Before the debate proceeds, everyone needs to be clear about the rules.

3:20

Under the House leaders' agreement – and I'm assuming that every member in this Assembly has seen such agreement, has a copy of such agreement, is cognizant of the details of such agreement, but I'll just repeat these very briefly – the Premier and the Leader of the Official Opposition are entitled to speak for one hour each. The representative of the Wildrose caucus, the leader of the New Democratic caucus, and the Alberta caucus representative are entitled to 30 minutes each. If any of these individuals does not use his or her allotted time, then after all these individuals have spoken, another member of the respective caucus may speak in the same rotation, but the cumulative total must not exceed the time limits just mentioned.

If everyone uses the allotted time, then the Assembly will continue past the normal adjournment hour of 6 p.m., stipulated in

standing orders 3(1) and 4(2). Under the House leaders' agreement the debate would continue until the speaking times have been reached, which could be three and one-half hours after the Premier starts speaking. Furthermore, the allocation of time departs from the time limits for speaking found in Standing Order 30(5). Also, there is a limitation on the number of members who will be speaking.

The chair will thus ask two questions to cover all the procedural issues associated with conducting this unique, historic debate. The rulings of such will have no precedent in future discussion by future Speakers in future Assemblies.

There will be two questions, as I said. Is there unanimous consent to waive the necessary standing orders in order to conduct the emergency debate as indicated in the House leaders' agreement of October 20, 2011? All those in favour, please say yes. If a member is opposed, please say no.

[Unanimous consent granted]

**The Speaker:** All right. Let's see. Three and a half hours from now will take us through. Clerk, you will keep time. Any time left over in the one-hour allocation for the Premier – if the Premier speaks for 60 minutes, well, then, that's it. If the Premier speaks for 50 minutes, then after the Leader of the Official Opposition, the leader of the Wildrose caucus, the leader of the ND caucus, the independent member, a government member can come back in the rotation as we go through.

Hon. Madam Premier, just before you begin, we haven't said "Orders of the Day," but we can have coffee and other refreshments brought in.

**Ms Redford:** Well, good afternoon, Mr. Speaker, ministers, hon. Members of the Legislative Assembly, and Albertans. It is an honour to stand before you today for the first time as Alberta's Premier. I'm so proud of our home, a great province that is doubly blessed. We have an astounding wealth of resources, more than enough to sustain our families and crown our communities, and we have an extraordinary natural heritage, timelessly beautiful landscapes that stir the soul and linger in the mind's eye. Albertans understand that we have the best of both worlds. That is why we take such a fierce pride in our province. I know that for each of us and for generations to come, we can leave Alberta better than we found it.

I requested that the Legislative Assembly's ordinary business be adjourned in order to speak to Albertans. I believe it is important to keep them informed about their government's plan for Alberta's future in the face of ongoing global economic difficulties. This is not just about the need to build prosperity. It's about anticipating our province's needs amid great uncertainty in the world around us.

This government has two basic responsibilities. We must shield Alberta from the hazards of challenging times in which we live, and we must help the province adapt to make the most of the opportunities that these same challenges offer, rising where others falter. We must keep the economy free and unfettered. We must maintain steady job growth and provide Albertans with the opportunities that they expect. We must offer high-quality and far-reaching public services, and we must preserve the province's finances. We must define where we are, where we are going, and where we want to be in a fast-changing and unpredictable world. With this government's guidance we will work together to strengthen Alberta and prepare it to overcome every obstacle.

Today I want to explain what we are doing about our place in the world in light of these circumstances. I also want to explain

this government's stand so you can understand what we have set out to do and why. Understanding is the key to effective co-operation, and only close collaboration in this Assembly will see Alberta safely through. We need a session built on thoughtful legislation and constructive debate, one that creates sensible solutions to improve Alberta's quality of life. The decisions we make together now will shape the province for a long time to come.

We have all heard of the crises in Europe. Debt is the trap that has caught so many struggling governments. Debt has proven the death of countless dreams. Many European countries are struggling with debt burdens that in some cases exceed a hundred per cent of GDP. Those unfortunate nations spent too much and took in too little. Now they are faced with hard choices: raise taxes and kill jobs, cut spending and devastate the social safety net, or both. Their citizens are paying the price. The homes they loved have changed beyond all recognition.

Alberta has no net debt. In fact, we have \$5,700 in assets per person and the highest credit rating available. We have the lowest overall taxes in Canada. We have disciplined spending priorities and no long-term debt. We are blessed with a strong economy built on a powerful industrial base and a young population. We have one of the greatest energy sectors in the world. We are better off than many other places, and we have a future anyone else would envy, one this government will work to make better still.

But we can't take this for granted. Good fortune will not fall into our laps because we ask for it or think we're entitled to it. We have to earn it. We can stay safe from these threats. This government will protect and strengthen our province. We will make it better. We will make the tough decisions. We will spend wisely and save intelligently, managing our finances to protect future Albertans from debt. We will introduce the necessary reforms to make sure that this province keeps growing. There is no other way.

It is normal to want the good times to last forever, and it is natural to hope that larger jurisdictions will get things back on track. This is the sort of thinking we must avoid because in this day and age we are all defined not by our hopes and wants but by our actions. To prosper, we must seize opportunity wherever we find it. We must open up new avenues of growth. We can become the lead driver in North America's economy.

The United States is and will remain our biggest customer, but their recovery is slow. They are struggling with crushing debt and political divisions on a number of fronts. We must search for new partners in foreign markets. Our prosperity depends on our ability to promote Alberta on a world stage. We must be bold. If we do this right, we can become the world's preferred supplier in food, energy, and innovation and realize the incredible future that comes with this status. But, above all, we must be disciplined, watching closely and working together to insulate Alberta from harm.

Our success at home and abroad is ultimately driven by people. The government will make maintaining Alberta's quality of life its highest priority for Albertans. We will continue to help Albertans excel because a strong economy depends on stronger people, and strong people depend on essential services that keep up with their needs. This means supporting a strong social network to protect our most vulnerable and to support families. We are committed to maintaining programs and services for vulnerable Albertans while ensuring long-term program sustainability.

Nonprofits have a major role to play. Albertans are passionate volunteers, and my government will support them in their efforts to reach out to those who need it most, especially during difficult economic times. Over the past four years the government has devoted nearly \$300 million to help nonprofits with capital and

operating costs. Through the community spirit program, as one example, the government offers tax credits and matching donations to encourage private philanthropy. Since 2008 eligible nonprofits have divided \$52.9 million in donation grants. We are changing lives community by community.

3:30

One example of that is a program that started in February 2009. The Strathmore branch of the Foothills Advocacy in Motion Society opened. It has since helped Albertans with developmental disabilities find and maintain full- or part-time employment. That's nine more Albertans who have enriched our communities and their own lives and their families' through fulfilling jobs and personal independence, and that must happen across the province.

This government will continue to support and work with our nonprofit organizations to assist them in long-term budget planning by providing more stable multiyear granting opportunities and more predictable accountability requirements for the government grants that they receive. We will encourage our nonprofits to look for ways to increase salaries for their staff and make them comparable to those in the public sector. This will attract quality staff and make it easier to retain them. We will increase the employment income exemptions for assured income for the severely handicapped clients to encourage persons with disabilities to work to the extent that they are able.

Albertans told me through the recent campaign that the future of our health care system is their number one priority. As Premier and an Albertan I share this view, and we will be introducing a series of initiatives in the coming months that reflect this importance and the need to make our system among the very best in the world without commercializing it or compromising our values.

Innovation is already under way. Since last year the government has been funding a new procedure called the transcatheter aortic valve implantation, the TAVI, at Foothills hospital, which sees critically ill Albertans suffering from faulty heart valves get replacements made from cow tissue. Recuperation time is half that of conventional open-heart surgery. Patients too sick for open-heart surgery have received a new lease on life. To help northern Albertans and rural communities get cutting-edge cardiac care, this government is funding digital stethoscopes. Albertans can now consult with a specialist at the Mazankowski Heart Institute through secure video links even as the digital stethoscope streams their vitals in real time.

Our province has the means to provide Albertans with the care that they need in an innovative way when they need it. By putting health care on a five-year budget plan, we have allowed institutions to plan for the future with confidence, making the best use of their available resources. We will get patients the treatment they need fast and efficiently, and we will prove that providing them with regular and honest updates so that they understand the developments in our health care system will allow us to work with them and to know that the system is improving. We will invest in the health infrastructure that's needed to keep all Albertans healthy, happy, and productive.

We will establish family care clinics in communities across the province. Each clinic will be staffed by multidisciplinary teams of health care professionals, who will ease doctors' workloads. No matter what your schedule is like, no matter how busy your kids are, your family will get the care that it needs.

Seniors are among those who need the government's support the most. The government will remove the cap on seniors' housing costs and work with the home-building industry to provide seniors with the spaces they need in assisted living and continuing care

facilities, ending the bed shortage. Seniors will be able to choose from a wide variety of safe, comfortable accommodations that suit their incomes, lifestyle, and family structures. Couples that have loved and depended on each other for decades will no longer be split up.

To get things started, this government will add a thousand new continuing care beds to the system through public-private partnerships. Allowing private industry to meet seniors' needs will create more jobs in many different sectors and steady growth for our economy. To help seniors who are able to live independently, we will provide increased funding for home care, saving them from stressful trips to the hospital.

Through income supplement, housing, and home care Alberta's seniors will have access to a range of affordable housing options that address their housing and health needs as they age. Quota systems for low- and middle-income seniors will guarantee them access to the continuing care system, ensuring they have the comfortable and dignified accommodations that they deserve. Our government will do its best to ensure that all seniors stay happier and healthier for longer in their final years.

Keeping Alberta strong involves investing in our engine of innovation, people. World-class output requires world-class input. Our economy depends on intelligent, capable, and productive people, and Albertans are gifted in these areas. We have a labour pool over 2 million strong, with 64 per cent of all workers 25 and up reporting postsecondary credentials. Despite having only 11 per cent of Canada's labour force, we train 20 per cent of its apprentices. Alberta's workers are young, well educated, and highly motivated, and we're lucky to have them.

We have great foundations that our government will build on. There is no better investment of public funds than in learning and training. Without a skilled and highly educated workforce we will not attract the cutting-edge companies to carry out research and development, much less the finest minds to lead it.

We need outstanding schools and postsecondary institutions, and that means we need the most committed teachers and flexible curriculum suited to every one of our most diverse students' needs. We need an inclusive system, one that lets students from Alberta's rainbow of ethnic communities get the attention and resources that they need to excel in their adopted home.

By restoring \$107 million in funding, we have taken a first step toward reducing class sizes and restoring quality education. Now it's time to start sprinting. We will provide students with increased opportunities for apprenticeships to alleviate shortages in the trades and get teens started on the path to success and stability early. We'll put the entire education system on a three-year funding plan, ending uncertainty over budgets and providing schools with the resources that they need to meet demand from a growing population.

Our government is committed to strengthening our universities and postsecondary institutions through the creation of new initiatives that will attract the world's best scholars, researchers, teachers, and innovators to this province. We want them to stay in Alberta and train and educate future generations, who in turn will build and grow our knowledge-based industries and professions and lead new discoveries.

To enhance our leadership role further, because we've had tremendous success in that area, this government will also negotiate what we're calling externships, which are competitive placements for talented young Albertans with energy-focused organizations around the world. This will help recent graduates jump-start their careers and put Albertans at the forefront of innovation in every aspect of energy, from compliance and monitoring to research and development, and then we want them

to come back to Alberta. There will be more announced about these initiatives in the coming months.

We will ensure that all Albertans have the skills and experience to take part in the economy. We must expand the recruitment of students in rural areas and among Métis and First Nations communities. It's not enough for us to simply have statistics that say that people who come from those communities have enrolled in postsecondary institutions. We will make sure that they can access the mentorship and support programs that they need to excel.

The most enduring prosperity is spread as widely as possible. This government will make sure that every Albertan in every corner of our province has the chance to contribute. We will invest in Albertans, in their sense of discovery, in their entrepreneurial spirit, and in their hopes and dreams for them and their family. We will pass these qualities on to our children so that they also can make their futures brighter.

Much of the revenue that we use to keep our public services running comes from the energy sector. Alberta plays host to one of the most innovative and responsible energy sectors on Earth. It remains a critical part of our economy, one that can make life better for all Albertans. It supports countless additional industries and maintains hundreds of thousands of jobs, with the potential to add even more. Future projects announced for the oil sands at the moment amount to \$112 billion, and production is slated to increase 3.5 million barrels per day by 2020, and we should be excited about that.

But with our great blessings comes the responsibility to properly manage them. Our environment must be protected. Albertans have a deep respect for nature, and they have the right to be able to enjoy the natural beauties of their home, pristine and unspoiled. We as Albertans want to be proud of what's going on in our province. When we talk about what's happening around the world, we want people to know that we're good stewards of the environment. We expect to live and raise our families in healthy conditions.

3:40

Future Albertans are counting on us to keep the province's incredible biodiversity intact, and this government will. Together with our industry partners we are moving beyond monitoring to cumulative effects management, a holistic approach that considers the combined impacts of existing and proposed developments on all aspects of the environment.

When it comes to our most precious resource of all, we are going still further. The addition of "water" into the official title of the ministry of environment is more than cosmetic. Through groundwater mapping this government is developing a better understanding of water resources across the province so that we can make better water management decisions for every region. We are using the water for life strategy in working with land-use planners, watershed councils, and environmental groups across the province to develop best practices, to increase conservation, to educate Albertans, and to manage our most precious resource today, tomorrow, and for future generations.

We will accomplish this while keeping the energy sector in full bloom, partnering with the sector to find solutions to reduce its footprint. Alberta's success also requires the industry to sustainably expand. Market diversification is critical to our long-term prosperity. Global demand for energy is growing. Our production is rising. New customers are within our reach, and we have to connect with them.

Over 99 per cent of our crude exports go to the United States, but we can find more outlets. This government will support the

proposed Northern Gateway pipeline to Canada's west coast, opening up Asia to our oil. China is already our second-largest export market, and they along with many neighbours are rapidly modernizing. This government will reach out to potential Asian partners and guarantee Alberta's prosperity for decades to come.

The supereconomies of the 21st century will be those that can strategically align themselves with Asia. Alberta has a great interest in forging stronger economic links to countries like China, India, and Japan. Asia is a lucrative market of 4 billion people, and we're one of the many jurisdictions competing for market share in the Far East. How important is the Asian market? When taken together, China, Japan, Korea, and India are Alberta's second-largest export market, accounting for about \$8 billion in 2010. Alberta's trade with China alone has tripled since 2003, and that's a success.

Infrastructure improvements to ports and rails, new pipelines for bitumen and natural gas: these will help us to export more agrifood and forest products and open new markets for energy products.

Another key is Alberta's relationship with Saskatchewan and British Columbia. The New West Partnership between the three provinces allows us to market our part of Canada as one large economic trading block. Last fall the three westernmost provinces signed a memorandum of understanding to work together on issues such as seeking new market investments and new markets, especially in Asia.

The world's population is growing, and demand for our agricultural commodities is only going to grow with it. This government will work to make Alberta a dominant global supplier in an increasingly hungry world. We must raise our yield sustainably, be leaders in research, turn provincial producers into preferred global suppliers, and strengthen Alberta's ability to compete with the best in the world. Our government will provide Alberta-based producers with the financing guidance and diplomatic support to make all of this happen.

Markets are already opening up to us. In June 2010 the federal government signed off on a co-operative agreement with China that allows expanded access to Chinese markets for Canadian beef and beef products, and we can take advantage of that. Other high-priority markets include the United States, Japan, Mexico, India, and the Middle East. Our government will do everything possible to open doors further, maximizing the market access for Alberta-based producers. Agriculture and Rural Development is co-operating with the federal government, and Alberta's Ministry of Intergovernmental, International, and Aboriginal Relations will nurture relationships with foreign customers through both executive and political missions.

This government will provide incentives to help producers excel, and we've made an excellent start. Since 2009 the Alberta Livestock and Meat Agency, ALMA, has provided almost \$80 million to support industry projects, projects with a projected value of over \$249 million. We will continue to support the Growing Forward initiative, a partnership with Ottawa that aims to address provincial agriculture and agribusiness by investing \$273 million in the industry. This initiative has allowed Alberta to become the only province in Canada offering programs for livestock welfare, automation, lean manufacturing, and market development.

We will not overlook the market here at home. Growing local demand for Alberta-based agricultural products is the key to building new businesses, to building stronger communities and businesses that will result in increased investment, employment, and manufacturing capacity in the province. Our government will continue to back the Agriculture Financial Services Corporation, a

reliable source of capital for agribusiness ventures considered too risky by private-sector lenders. Through the Agrivalue Processing Business Incubator in Leduc we will continue to provide agrifood entrepreneurs with the business guidance and assistance that they need to grow their enterprises and to stay viable. This government will go to the wall for Alberta's agricultural sector and ensure our farmers are the best in the world.

This past June 22,000 new jobs were created in Alberta, more than in the entire United States. The reason Alberta has been so successful is because it has maintained a business-friendly environment thanks to public investment and firm support for entrepreneurs. Over the past two decades Alberta has topped the country in average economic growth and is poised to regain that spot again in 2012. At the same time we continue to lead Canada in per capita investment at almost twice the national average. Government is investing in this province using savings from the good times and taking advantage of a competitive market in bad times to deliver the infrastructure that's critical to Alberta growth and to sustain Alberta communities.

We are investing \$17.6 billion to 2014, keeping over 70,000 Albertans employed during the downturn and retaining skilled workers who will be needed in the years ahead. Quality infrastructure in every community is helping local businesses grow and create jobs, and private-sector job creation is the major contributor to Albertans' quality of life.

Alberta has the largest number of small businesses per capita in Canada. They have an impact on our province completely out of proportion to their size. They contribute almost a third of our GDP, provide 37 per cent of private-sector jobs, and make up 96 per cent of all businesses in the province. Small businesses build and maintain our communities, produce our basic commodities, and pour their passion into making our lives easier every day. More than any other sector small businesses are the glue that hold Alberta together, and this government will never hesitate to defend their interests.

About 700 full-time jobs are supported by organizations that are funded through the Alberta Foundation for the Arts, for example, and support through the AFA helps ensure that our artists and cultural industries continue to have access to quality content as the sector grows. In fact, more than \$246 million was spent in Alberta over the last three years as a result of film and TV productions supported by the Alberta multimedia development fund. Alberta's film industry employs roughly 3,000 Albertans in supporting industries. It has amassed 56 Oscar and 92 Emmy nominations since 1948, and we have to keep it going, Mr. Speaker.

Small businesses do more than add to our net worth; they nurture our cultural and artistic diversity, they boost tourism, and they promote our values. This should come as no surprise because small-business owners reflect Albertans' deepest values. They are independent-minded, courageous individuals, each with a unique vision of their respective enterprises, which, taken together, make up a major part of our economy.

3:50

Entrepreneurship is one of our core values, and this government will promote it. We will establish a task force that is charged with finding ways to slash red tape and to reduce the regulatory burden that constrains small-business owners. This group will have a firm deadline, and when this government has received its final report, it will put the task force's recommendations into action.

Antibusiness protests are attracting a lot of attention in the media right now, Mr. Speaker, and very close to home, but they hide a basic fact: our wealth and freedom depend on the individual right to free enterprise. From Jade Homes in Bow Island, which



builds custom homes for shipment across the province and supports a local network of contractors, to the award-winning Birds & Bees organic winery in Two Hills small businesses are an integral part of Alberta's economic landscape. They make a difference every day, growing our economy in new and exciting ways. It is time the government gets out of their way and gives them the room they need to spread their wings.

At the end of the day, Mr. Speaker, all of our plans for a stronger Alberta must come back to finance. A healthy treasury is at the heart of any strong economy, and that's where we started today. Albertans must have a say in these plans. They must understand the government's spending priorities and have a voice in shaping them. Our government will consult with Albertans in November through public round-tables with ministers, followed by a public survey and requests for submissions. We will use the resulting feedback as we prepare our budget for 2012, so it reflects Albertans' priorities.

Let us be clear. We have some tough decisions ahead, Mr. Speaker, but Albertans have the intellect, the fortitude, the intelligence, and the entrepreneurial spirit to make the decisions that are right for the times and right for them. We must make better use of the funds we have, and we must grow our economy and our revenue base without job-killing taxes or legislation.

Albertans themselves are best equipped to guarantee the province's prosperity. The government's job is to create the conditions to let them do so and then get out of the way. Albertans expect no less from us. This means no provincial sales tax and as little public interference as possible in Albertans' rights to earn a living, start a business, and make a profit.

Sound financial habits also involve sensible budgeting. We must spend smarter and avoid the path of least resistance. Simplistic solutions and wide-eyed spending promises are not the answer, but neither are purely ideological positions, Mr. Speaker. Our plans for stable, multiyear budgets for essential public services will bring unprecedented discipline and accountability to public spending. Other governments have talked about doing it; we will make it happen.

Department budgets will only grow when there is a clear need, and we will conduct regulatory budgetary reviews to find savings and approve budgets wherever possible within the year. Albertans want government to be more responsible about spending, and we will be. We will treat taxpayers' money with the same respect that they do. The effort to keep spending in check will not stop there. Albertans expect their government to plan for the future, and we will not let them down. We will balance the budget by 2013-14, and we will plan ahead, Mr. Speaker.

To further protect Alberta's finances, we will keep the sustainability and heritage funds topped up. Parents do not leave their children with debt. They invest in their children's future, passing on a responsible legacy that allows their children to live their own lives and to realize their own dreams. We will keep the province's coffers full and its outlooks bright no matter what the world economy throws our way, and we will understand where we are going as well as Albertans because they share these same values.

Alberta equals opportunity, and this government must do everything it can to promote this simple fact. We have the means and the resources to make it truer than ever. We have the skills and the abilities. We have what we need. We have the will, and we will act.

Alberta has a vibrant economy built on dedicated small businesses and thriving industries. Our government will work with them to grow our prosperity even more. Alberta has no shortage of incredible people dedicated to doing everything they can to make

Alberta caring, compassionate, and fair. Our government will help them realize that goal. Our goal is to ensure economic success and a great quality of life for everyone in a province where hard work is rewarded and no one turns a blind eye to want or hardship. Together we will build a province where world-class, fully funded public services are there when you need them. We will insulate this province from the shocks of the global economy and build the best Alberta possible. We are already headed in this direction, Mr. Speaker. This government working together with Albertans will get us there.

This is not a partisan project. Fellow Members of the Legislative Assembly, you sit in this Assembly for one reason and one reason only as we all do: because we believe in Alberta. You want what's best for this province and its people. Every single one of us ran for office on this platform, and every single one of us comes to work each and every day knowing that we have another chance to make things better for Alberta. We will always be divided to some extent by our different visions, but in our hearts we want the same thing. I know that with a little goodwill, we can see past some of our differences. With a little effort we can come together for Alberta. We are incomparably stronger together than apart. We can give Albertans the exceptional government and outstanding public services that they expect. We can make Alberta the best place in the world to live, to start a business, to raise a family, and to retire. We can ensure that Alberta continues to be the best place in the world to live. Period. Together we can achieve amazing things.

Thank you.

**The Speaker:** Thank you.

I'll now recognize the hon. Leader of the Official Opposition. My understanding is that there remain about 24 minutes available for additional speakers from the government side on a rotation basis.

The hon. leader of the official and loyal opposition.

**Dr. Sherman:** Mr. Speaker, thank you and thank you to all Albertans. On behalf of the great province of Alberta I'd like to first congratulate our new Premier for making history as the first woman Premier of this wonderful province.

I would also like to express my deepest gratitude to Albertans for the privilege of addressing the Assembly as Leader of the Official Opposition, as leader of the party upon which this great province was founded, the party of Premier Rutherford, which sat on March 15, 1906 – the same birth date as my daughter, the same date upon which I joined this party, the same party that allowed women the right to vote – the Alberta Liberal Party.

Mr. Speaker, we didn't all get here by ourselves. Please allow me to share with you an unlikely story of hope, a Canadian story and an Albertan story. My grandfather came here at the age of 17 in 1906. He came here for adventure and in search of a better opportunity for his family. He showed up on a ship in Vancouver. He worked on the railway. He went to school, became a sawmill engineer, and was an integral part of building the logging industry in British Columbia. One thing he didn't have: freedom in his home nation of India. He was an integral part of freedom of the biggest functioning, youngest democracy on the planet today.

4:00

When India gained democracy, unfortunately it was good for some, not good for others as millions were displaced along the northern frontier. My mother's grandfather: his family became refugees. My mother as an eight-year-old child was raised in a refugee village. I was born in that little town in the middle of nowhere in the Thar Desert.

In 1965 on September 1 – on the same day, September 1, Alberta was founded – my father left India for Canada, when I was two months old, to make a better life for his young wife and three young boys. Times were tough, Mr. Speaker. Wages were low. He was a teacher by trade, but he had to work as a labourer in the lumber industry.

He first worked as a mailman, and then he worked as a prison guard in Oakalla penitentiary, and then he worked in the mills that his father had built. He couldn't afford to visit his family because flights were expensive, so instead he sent enough money for food at home, and finally seven years later he was reunited with his family.

Dad brought us to this country, and it was different. We didn't have our social network, and times were tough. I remember my mother taking us three boys and a new baby to the farms in the Fraser Valley and picking strawberries 14 hours a day every summer as our summer holiday. She grew up on a farm, and she knew the value of hard work and the importance of teaching her children how to work honestly and how to work hard.

My father worked in the mill. My mother got a job sewing clothes. Interestingly enough, she was a seamstress for the Oilers' uniforms in the early '80s, when they won all those Stanley Cups. We had Wayne Gretzky's uniforms in my house, and she couldn't pronounce his name, but she marvelled about why this one player had so many uniforms. Then our mother cleaned toilets and hotel rooms to make a better life for us.

Mr. Speaker, this is a story unlike most Albertans' and most Canadians'. Our parents came from lands far and away, from every different country in search of opportunity, and they worked hard. They worked beneath their education and skill level so their children would have a better chance, and their dreams are reflected in their children and their grandchildren. What they taught us was the value of hard work, honesty, and an education, a good public education. It was a way out of poverty.

Mr. Speaker, today we are talking about an urgent matter of public importance. The government has decided that there's an emergency in the global economy and that we should talk about it. As an emergency physician I would say that this emergency has been going on for a long time in the global economy, and it causes me due concern that we're discussing such emergent issues and going on vacation in 24 hours.

"The future direction, place, and opportunity of Alberta in Canada and the world given the current economic uncertainty in Europe, the state of the U.S. economy, the importance of Asian growth and markets, and the impact of the same on Alberta and Albertans": that's the question posed before us today.

Mr. Speaker, there is much uncertainty across the world. Why? Because it's caused by governments who place their needs and the needs of their friends above those of the people they are supposed to represent. The truth is that more than a billion people in the world today live on less than \$1 a day. I know that because I used to live that life as a child. Infant mortality rates are high, life expectancy and quality of life are low, and diseases run rampant because drugs are too expensive and poorly distributed.

But we here in the modern westernized world don't care enough to do anything about those emergencies unless our own economic stability is threatened. We are quick to act to shore up potential problems in our own interests, but we hesitate to prevent human suffering in lands abroad.

It's the same reason we don't have adequate investment into prevention and wellness in Alberta. We refuse to see the bigger picture, and we forget that an ounce of prevention is worth a pound of cure or a few billion dollars' worth of cure. Those of us who have worked or lived through these conditions understand

true poverty and true struggle and the real value of life because we've lived it and we've experienced it.

In the humanitarian missions abroad the Premier and my hon. colleague from Calgary-Mountain View and many of you have seen first-hand the devastating effects of abject poverty and social injustice, so I would ask all of us here to maintain some perspective. Alberta is still the best province in the best country in the world despite what others may say. A bad day in Alberta is still better than the best day in the majority of places on the planet. We are truly blessed to be living in the best province in the best country in the world.

It's ironic that Albertans, living in one of the most wealthy, stable jurisdictions, are being told that economic problems outside take precedence over so many more important opportunities right here at home within our own borders, opportunities such as good public health care; a quality education system for all regardless of ability to pay; restoring dignity to our seniors, who built this province with the sweat of their brow and the toil of their hands; opportunities to support our aboriginal communities, so long neglected by government; and to protect our water and environment for the future.

When I look at the protests in the streets of other countries, it seems to me that many problems of the global economy are caused when governments lose their perspective, when they forget their purpose, when they ignore the people that they are supposed to serve and, instead, begin to serve a rich, powerful few, the influential and the connected. This is the real crisis, Mr. Speaker. This is the real emergency that this planet and at times this province face.

When connected individuals circumnavigate the rules with inside help from government ministries, the people are the ones who pay the price, the hard-working people who built this province. Thomas Jefferson once said: "When governments fear the people, there is liberty. When the people fear the government, there is tyranny." That's what's happening across the world. Tyrants are being removed by the people because they have failed the people.

I want every company, every municipality, and every Albertan to remember that next election. They should remember that. Ask yourself what kind of society you want to live in, in the same old company town or in a truly free and democratic society with justice and opportunity for all, where freedom of speech is truly respected as freedom of speech, a society where you're judged by the content of your character and the merit of your actions, not by the size of your political donation to the governing party.

Do you want responsible and effective use of your money, or do you want to keep throwing it into a bottomless pit? That's a question we need to ask. These are the kinds of misaligned priorities, Mr. Speaker, that are so dangerous to competitive economies and the citizens who work and live within them. These are the reasons why I am on this side along with my new colleagues and friends here instead of on that side. My old friends there believe that the people of this province exist to give the government and those connected to it wealth and power. We believe that the government's wealth and power exist to serve the people.

Let's talk about Canada, Mr. Speaker. This is the best country in the world. Why? Good government. We had a really good government that paid down the deficits, paid down the debt. We had a really good government that represented all Canadians, a really good government that worked in partnership with Albertans to develop the oil sands.

I recently went to the Syncrude pit. There is something called Chrétien Point. A Liberal government helped develop it in

partnership with Albertans and signed the declaration of opportunity to develop the goose that lays the golden egg not only for Alberta but the nation, a nation that today in the face of an international crisis is actually a safe haven. I will say that everyone in the world would love to come to Canada if they had the chance.

Since we're talking about the global economy, it was actually the global economy that brought all of our parents and grandparents here from across the world in search of a better life.

4:10

Let's talk about Alberta. There are many unparalleled advantages in this great province, many advantages that we actually used to have and still could possibly have, advantages that led me and my family to move here so many years ago. But it's the caring, determined, and principled people who live in Alberta – not the government; it's the people – who make it easy to call this place home.

You see, Albertans' values are the same values of all of our families: the importance of a good education, hard work, and belief in oneself, that you play by the rules and always tell the truth, that you always aim to reach the stars. Actually, you don't talk about it. You just get out and do it. That's what Albertans do. We're doers.

My early years weren't easy, and neither were the early years of many in this House: poverty, hunger, for me personally intolerance, discrimination. Many in this House took any jobs that they could, whether it was paper routes, picking berries, cleaning hotel rooms, working in the mill, driving taxi, working construction, or working in professions: you name it. Our story is not unique. It's shared by many millions of Albertans and Canadians right across this great nation. It is a part of our identity. It's who we are. Albertans work hard. We play by the rules, and we know the value of a dollar. We believe that all things are possible.

Albertans just want a simple life. We want good jobs for our families, whether it's in farming, the oil and gas industry, forestry, or the knowledge-based economy. We want to maintain those same values and the sense of community, that we care for one another when we can't care for ourselves. We want to make sure that all our children have a chance to get an education, that the size of your wallet does not determine access to good public education or postsecondary education, that if you're sick and you're vulnerable, you will be looked after without reaching inside your savings account or your wallet, and that once you've built this great province, we will treat you with dignity and respect.

Government's role in our lives. The government's job is to pass rules and laws, fewer rules and laws but good rules and laws, that encourage amazing, beautiful things to happen when an Albertan has an idea and they want to take a risk and want to start a business, but those same rules and laws must also protect the people and the environment as well as industry.

Governments don't have all the solutions and all the answers. Albertans have the solutions. They have the answers to all their problems. They don't expect governments to solve all their problems. They know that they have to work hard, but they want government to create that great atmosphere I talked about for great things to happen. They want government to get out of the way, and they want government to stop taking credit for what they've actually done. We are living here in this place and time, and it's our turn now. We're doers. We see problems, we analyze them, and we find the best possible solutions. We crank up a full head of steam and face the challenges head-on.

Mr. Speaker, Premier Peter Lougheed was a doer. He was a Premier who truly understood the global economy and his people. He was bold and creative. He started the heritage savings trust fund. He made sure that we had community-based hospital boards and school boards. He made sure that there were local solutions to local problems. He made sure that every child had an opportunity to get an education; it didn't matter where they were from or how much their parents had. He made sure that every senior was looked after, that everyone had good health care. He made sure that every Albertan had a family doctor.

Not only did he balance the books after looking after the people; he put billions upon billions upon billions in the bank. He created great infrastructure. He invested in arts and culture, a story that is still told today that Albertans can be proud of. Under him people who needed help got it. Civil servants had the freedom to do their jobs and to do them well without political interference. People who experienced Premier Lougheed as their Premier say that he made them proud to be an Albertan. I am still proud to be an Albertan because of Premier Lougheed.

Mr. Speaker, what's happened to our province since he departed public service? We've been given three big booms, three of the biggest lottery tickets on the planet, yet we have a deficit. Where did our money go? Where did it go? Another country has put hundreds of billions in the bank, and they're living off the interest. We have the lowest high school completion rate in the nation. We have the highest university tuition fees in the nation and the lowest university participation rate in the nation. We're nickel and diming our seniors. Hard-working, middle-class Alberta families are being nickelled and dimed to death for school fees. Jobs: we're still dependent on the boom-bust cycle. When the economy is good, you've got to work too much. When it's bad, you're not working at all.

It's the centralization of power in the hands of a powerful few that Premier Lougheed fought. He returned power to the people, and that's the power that's been taken away from the people by the people who pretend to live by the vision of Premier Lougheed. That's what we must return to.

Management. Mr. Speaker, did you know that total personal and corporate income tax account for \$12 billion of income, yet health care alone costs \$15 billion? Why do we have the highest funded, second-worst performing health care system in the nation when under Premier Lougheed it was one of the best performing systems in the nation?

How long has it been since we've heard people say: "Wow. What a great idea from the government. What a great government program"? How long since we have heard good news, good, brand new, fresh ideas from the government? It's no wonder that people don't take part in the democratic system. Sixty per cent of Albertans did not vote, and that's a shame in a democratic country after our young men and women years ago, in fact many of our seniors, fought for the right to have the vote. There's a whole generation that has never seen a different kind of government or heard a single new creative idea.

Generally, it seems that when I was in government they weren't doers; they were don't-ers. More often than not the current government are the ideologically driven slashers, cutters, downsizers, centralizers, privatizers after the election, but the funny thing is that before the election the government has been whatever you want them to be to get your vote. After the election it's the opposite. The same thing is being said again. We need a government that does what it says and says what it does.

These are the people who actually believe that if you cut environmental enforcement officers, polluters will actually naturally take a step. They'll step up to the plate, and they will

report their transgressions and fix things on their own. They think it's okay to bully municipalities to support a political party or they'll get their funding cut off or that a good business practice is to alter government programs so that your buddies get exclusive access to hundreds of millions of taxpayer dollars and our resource dollars.

Unfortunately, Mr. Speaker, there is a view of government that is of cold administrative cost efficiency, yet I would say that it's cost inefficiency rather than proper delivery of services, which makes people's lives richer, fuller, and more hopeful.

The real emergency is that we've got bad government. That's the real emergency. We affect the lives of many not only here but in the nation and abroad. Imagine the tremendous amount of good we could do on this planet if we could get our house in order. We need good government decisions. We've been changing leaders when they're about to lose an election by saying that this is change when it's the same backroom boys making the same bad, old decisions.

We have deficit after deficit. What we really have is a deficit in democracy. More and more citizens are viewed as a set of costs rather than human beings with infinite and amazing potential. They have become experts in saying no. No to public home care; no to public lodges; no to public long-term care, community based; no to predictable and sustainable funding for municipalities or important social programs; no to our teachers; no to our nurses and no to our doctors and no to our patients; no to Albertans; no to respecting human rights and the rights of the landowners: no to this and no to that and less of more and more.

4:20

They forgot what an enlightened government is about. An enlightened government is about investment in a better society. It's a way of improving the experience of the people, a way that people just like you and me can live normal and good lives and achieve our potential.

Instead of talking about wasted potential, I'd like to talk about unrealized potential. This government has politicized far too much a civil service and demoralized some of the best and most brilliant civil servants on the planet. They've either silenced them or driven them out of their jobs. In the middle and lower ranks of the provincial civil service talented, highly skilled individuals, people educated here who really know what to do and how to do it, are muzzled or silenced and intimidated into humiliating silence. It's bullying, and it's wrong, Mr. Speaker. It's undemocratic, and it's un-Albertan.

Nobody truly respects or likes a bully. As we've seen recently, the brand of political bullying has gone much further. Threats are made or implied through spending of public money, and presto, volunteers and healthy political donations magically appear. This is wrong, and it must stop. Even private-sector companies and consultants in a province of a country that respects competition and free markets know that their chances of landing a provincial contract increase if they go to a golf tournament of the governing party. People's livelihoods are being affected by what political party they belong to and what signs they have on their lawns. This must stop. It's twisted, and it's wrong. It's the very opposite of what Albertans value, of what Premier Peter Lougheed valued.

Mr. Speaker, I'd like to talk about solutions, solutions and what Albertans value, about individualism and community. We believe in the rights of the individual in this province, but we also share their common sense of purpose of a community. If we want to fix our province, we need true open, honest, accountable government. We need government that will do what it says and say what it does. We need government ministries that will effectively and

efficiently use your tax dollars and get you the best value for your service. We need ministries that naturally work together, fewer ministries, not make-work projects for too many elected officials on one side of the aisle here. If you want health care to function, you actually need to deal with seniors' housing. Infrastructure and transportation should be together. Finance and Treasury Board should be together. Let's get down to 16 ministries.

[Mr. Mitzel in the chair]

We need better management, better fiscal management. It's about value. What are we getting for our tax dollar? I would argue that we can do much better than we're currently doing. We need to do it, and we should. Albertans expect much more of us.

Let's talk about the economy. We've gone through these boom-bust cycles. Let's talk about the energy economy. It is the goose that lays the golden egg, and we must protect it. Natural gas was in the boots for a while, but my understanding is that liquefied natural gas, if we export it to the west coast to other markets, fetches us triple the price. Let's get it out there to the west coast. Our best friend and neighbour, the greatest risk, the U.S., is on the verge of bankruptcy. They can't afford our product. We sell 80 per cent of our product there.

Our oil industry. Let's export our oil to the west coast, and let's make sure that we protect the pristine coast of British Columbia, ensuring that the environmental regulations are enforced, making sure that the tankers are safe, that we have double-hull tankers taking our product. But before we export our product out of our province, let's make sure we upgrade more of it at home. It's not going to be easy to do because of the cost of upgrading, but let's work with industry to build value, better jobs. What's the rush? We're already so short of labour.

Also, we must deal with the very real environmental issues. The greatest threat to our economy not only is our best friend and neighbour not having enough money; it's international policies on carbon. Our economy is overly intensive on carbon. We must decrease our carbon footprint. We must deal with the water issues. We must have good monitoring and not self-monitoring.

Beyond energy, let's work with agriculture and the forestry sector. Like my grandfather did, let's go sell our food abroad. We've got the best and safest soil on the planet.

Health care. Health care can be part of the economy of the future, the knowledge-based economy. Let's invest in good public education. In order to fix health care, you actually have to fix education and have good jobs. On a microscopic level to fix the ER wait time, the reason we still have problems year after year is because we haven't dealt with public home care and nonprofit public long-term care and subacute care and rehab care and palliative care for our seniors and those dying at home or dying in the hallways of the hospitals. Well, that can be fixed. That has to be fixed by getting rid of the faulty for-profit seniors' policy. We need to go back to the community.

We need to get every Albertan a family doctor that works with a team of professionals. When 70 per cent of our students want to become specialists because of the money made by the overprivatization of health care, that's the problem. Let's build our system and be a world-wide centre on primary care and prevention. Let's bring in the medical home model. Let's bring the care to you in your home. That's what the Europeans do, and that's why their system works well.

Let's use our community schools as community hubs. Let's stop using our schools as rental properties for our private buddies. Schools should belong to the community 24 hours a day. Let's connect our seniors and junior daycares to the schools, put a

public health clinic in there. Not only do we need more teachers; the \$170 million funding didn't fix the school system. That just restored it back to where it was, when 30 per cent of our kids are dropping out. We've got to do much more. Put in the supports that the teachers need to educate our children. Let's look after our seniors. We must treat them with the dignity and respect that they deserve.

I'd like to talk about the politics of hope, not the politics of cynicism. Mr. Speaker, I'm the new guy on this side of the House. All we did over there last year was have a cabinet shuffle. That didn't change. Don't be fooled. Nothing has fundamentally changed in the economy or the way the government does business. Everyone over there on that side of the House knows it, and they believe passionately in what they're doing.

I believe passionately that this province needs to change our government, so today I'm going to ask Albertans to watch us, watch us and participate in the politics of yes. On this side it's about: yes, we will support an open, honest, and accountable government; yes for respect for your hard-earned tax dollars; yes to better jobs for all Albertans; yes to true market competition, where contracts are based on merit and negotiated in public; yes to view municipalities as full and equal partners, not just wards of the state; yes to government that respects its professionals and civil service; yes to a supportive new approach to performing and visual arts funding so that after a hard day at work Albertans can relax and enjoy themselves; yes to a government that wants to restore a good Samaritan and neighbour as a core value to being Albertans; yes to fixing public health care and public education, not selling it off to the private buddies like it was done before. You won't have to take your credit card out or be nickelled and dined for fees while you get less.

Remember, Mr. Speaker, that we need to be doers and not don't-ers. So please watch our party and watch our friends. Watch this province as it changes.

**Mr. MacDonald:** And watch your wallet.

**Dr. Sherman:** Watch your wallet with these guys in power, and watch your back. We're going to watch your back. We're going to stand up for you. We're going to fight for you. We're going to fight for what's right when you're being wronged. We're going to make a commitment to educate all of our children, leave no child behind. Every Alberta child should expect to graduate from high school. Every Alberta child who wants to go to a postsecondary or get a trade or get a skill should have that opportunity.

We say yes to our seniors. We say yes to every Albertan who wants a family doctor. We say yes to dignity. And you know what else, Mr. Speaker? Above all we say yes to telling the truth, to always being honest. If there are mistakes to be made, they will be honest mistakes, not dishonest mistakes.

In summary, I'd like to say that the most precious resource in Alberta isn't what's in the ground, what's on the ground. It's the people, the hardworking, industrious people and their children and grandchildren, people who have come from afar in search of a better life and hope and dream to be the best that they can be. That hope is embodied in our children, and that's what we propose to do. We propose that we put power back in the hands of the people. That's what needs to be done, the same thing Peter Lougheed did 40 years ago.

4:30

Mr. Speaker, change is in the air, and it's time – it's time – that there's a real choice for a real chance for real change. It's time for Albertans to change their government. Alberta, all you have to do

is get out and vote. If 80 per cent of Albertans vote, they will change their government. In the words of Gandhi: Alberta, you must be the change that you want to see in the world.

Mr. Speaker, thank you very much for this opportunity. It's truly an honour to be here as a public servant of Her Majesty's opposition fighting for Albertans alongside my colleagues. May God bless Alberta. God bless Canada.

Thank you.

**The Acting Speaker:** Hon. members, that was 32 minutes. There will be 28 minutes left to carry on.

The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. Congratulations to the Premier on her leadership victory. Although it was not a mandate from all Albertans, her actions will now affect Albertans greatly, and because of that I wish her the very best in good judgment.

Today I have a few tough words – I know that's a surprise – but these are words that need to be spoken. They're from the heart because like everyone in this House I love this province, and I'm worried about the direction she's heading right now. Mr. Speaker, the world is indeed experiencing troubled times, and although the blessing of abundant resources and still-record-high oil prices has insulated us more than almost any place on earth, we are certainly not immune to the turmoil outside our borders.

There are several causes of this turmoil, but the main ones are these: corruption and a lack of ethics in government and around corporate boardroom tables, fiscal irresponsibility by governments and individuals, and a culture of "What's in it for me?" that is becoming far too common among far too many in society. In one word our problem is selfishness and its siblings greed and corruption.

What the world so desperately needs and what this province needs to avoid disaster is leaders and role models and parents with the integrity, courage, and wisdom to stand up and do and say what is right when it's hard, not just when it's easy and convenient. Unfortunately, I fear our new Premier does not understand the need for such leadership. I fear that because her actions over the last three weeks have shouted down her increasingly hollow words and promises of change.

Alberta needs a leader to end the era of fear and intimidation that has become so prevalent in this province. We need a leader who shows by her actions that government funding for community services and infrastructure isn't dependent on a town council's or an individual's support for the PC Party. We need a leader who will tell her cabinet and caucus that if it is confirmed that any of them have been undertaking actions to intimidate or remove from their jobs potential candidates of other parties or health workers or others, those intimidators and bullies will be kicked out of her party without any hesitation. We need a leader who sees the outright corruption that is the Bill 50 transmission lines project, repeals the bill fully, and starts over with an independent needs assessment so that ratepayers are protected from billions in unnecessary costs.

We need a leader who shows by her actions, not just her words, that she is committed to democracy and to following through with commitments made by keeping and not flip-flopping on her promise of fixed election dates, one that doesn't cancel the fall sitting of the Legislature, then restart it for two days, take a month off, then come back for a week, and in justifying it says, "It's not necessary for us to be in the house to make government decision – that is the job of the cabinet of the premier." Sorry, Premier. You're wrong. Legislation and policy decisions proposed by government are to be debated and passed by the peoples'

representatives, not by cabinet fiat, and this Premier should be ashamed of suggesting otherwise, particularly with her background and good work in advocating for democracy in other countries.

We need a leader who demands integrity and competence from those that surround her rather than appointing as the most powerful civil servant in a \$40 billion government an individual whose company won't pay its creditors despite repeated court judgments to do so. How can one promise to govern with fiscal competence when her first move is to appoint someone who represents the very opposite of that? We need a leader who selects government appointments based on merit, after a full and open competition of the best and brightest of Alberta, not one who appoints her biggest leadership rival because it's a politically convenient way to get him out of sight and out of mind.

We need a leader who understands that Alberta has a spending problem and doesn't promise billions of taxpayer dollars for the purposes of blatantly buying votes, a leader who is committed to balancing the budget now, that won't mortgage the future of our kids to try and save her party's political hide. In short, we need a leader with the ethics and thoughtfulness of Preston Manning, not a reincarnation of Joe Clark.

Mr. Speaker, I love this province like everyone here. We have such amazing people and potential. I sometimes sit in wonderment as I think about the opportunities that we have at our fingertips right now. But we are selling ourselves short. Our new Premier has not been up to the challenge during her first three weeks. I hope that changes. Albertans expect better, Madam Premier. My four sons and every child in Alberta deserve better. What is happening in this province right now is unacceptable. I hope you realize that it isn't just about winning; it's about doing the right thing for the right reasons. There's a lot of time to still change and to get back on the right track, away from what's happened over this first three weeks of your administration. Let's see you do what you said you would do and advocate for true change.

On behalf of the Wildrose caucus and our leader, Danielle Smith, let me assure all Albertans that the Wildrose stands ready to govern if called upon. We can't and won't promise the world, but in these unsettled times we do promise this: we will bring accountability to government by mandating free votes, fixed elections, and voter recall; we will end the culture of fear and intimidation that currently permeates our business, health, and political communities; we will shine a bright light of transparency in every corner and closet of government; and we will work to clean out the skeletons and the cobwebs that we find.

We will balance the budget and start saving some of our oil wealth without delay because we owe it to our children to do so. We will target Albertans' tax dollars for the things that matter most to them like health and education, teachers and doctors, and seniors. And we will cut without any reservation the PC corporate welfare handouts, the pet projects, the executive bonuses, the new MLA offices, the replacement museums, the cabinet salary increases, the golden handshakes, and all of the deals behind closed doors that cost Albertans millions.

We will defend Alberta's largest industry aggressively and competently. We are proud of producing the most ethical oil on earth and will work with our energy entrepreneurs to continually improve upon their already strong track record of environmental stewardship. There's always room to do better.

This is what the Wildrose has been and will continue to fight for. Whether Albertans give us 16 or 60 seats in the next election, our principles will remain unchanged: fiscally conservative, pro-entrepreneur, democratic and transparent, giving a hand up and not a handout, respect for local decision-making, and the

protection of the liberties of families and individuals. These principles reflect the values of Albertans. If we as a province adhere to them, we will weather the global economic storm and become a true beacon of prosperity and freedom in all the world. If we continue to abandon these principles as so many in this House and around the world have done, we will become a tragic and forgotten footnote in history. It's time for Alberta to stand back up and lead the way again.

Thank you, Mr. Speaker.

4:40

**The Acting Speaker:** That was eight minutes.

Our next speaker is the hon. leader of the New Democratic Party, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I want to begin by offering my congratulations to our new Premier. That was amazing. I watched the campaign quite closely, and I think it was an extremely interesting and well-executed win. Congratulations.

Mr. Speaker, usually on the first day of a new Premier and the last day I try to just say really nice things, but because we only have a two-day session, I'm very much constrained with regard to that rule. So people will have to forgive me, but I want to talk a little bit and respond to some of the things that the Premier has said. I think, first of all, that what was going to be a speech about international opportunities and the international situation actually turned into a bit of a bait and switch. We've got now a faux throne speech to respond to, so I'm going to try my very best to do that.

I know that the Premier has talked about the debt crisis internationally and its impact on the world. But I don't accept her characterization of this debt crisis as something where these countries in Europe were just spending way too much money, you know, and now they've got themselves in a real mess. That does not get down to what's really gone on and the role of the banking industry internationally in creating this situation for these countries like the banking industry did for people who had properties in the United States a couple of years ago or who invested in retirement products and so on. They've ensnared countries, and now the people who work for a living – the low-income people, the seniors, the young people – are the ones that are being forced to bear the brunt of it through cuts to the services that they depend on. They had nothing to do with the creation of this crisis, Mr. Speaker.

We've seen around the world that the Occupy Wall Street movement, for all its flaws, has really given a voice to the fact that the interests internationally of the very wealthiest people in the world are being put ahead of the vast majority of people in the world who are being asked to pay the price.

We were asking our schoolchildren to pay the price for this government's financial mismanagement. Now because of public pressure the government has reversed itself but has said that the hundred million dollars that they need in order to re-fund the education system will come from in-house or in-year savings. In other words, they are going to transfer these cuts from schoolchildren to others. We don't know who it's going to be, but it's clear that they're going to expect the people of Alberta, not their friends in the banking industry and the oil industry, to pay the price.

The Premier talked about health care when you need it. I want to talk a little bit about health care in the province, Mr. Speaker, because I haven't heard some of the things that I think we need to hear. We need to hear about a long-term care strategy that properly funds long-term care, which is part of the health system, because that is one of the key reasons why we have such a

shortage of acute-care beds. The government is going ahead to build more expensive acute-care beds instead of solving the problem by reversing its strategy of private delivery for long-term care, which will never work and which will not solve the problems of the seniors in our province.

Similarly with mental health care, Mr. Speaker. There is a severe shortage of mental health beds, and people who need mental health care are occupying much more expensive acute-care beds. Then those beds are not available to people who are discharged from emergency rooms, which backs everything up into the waiting rooms and out onto the street.

[The Speaker in the chair]

The Premier wants to build trust, but she has appointed as minister of health someone who has been piloting the privatization strategy of this government for years, someone who presented this strategy to the Conservative caucus, and someone who I think is the genius, if you could call it that, behind this government's plans to delist services, introduce private insurance options for people because they'll no longer be covered by medicare, increase the role of private hospitals, allow doctors to operate both in the public and the private system; in other words, a very, very serious blow to our publicly delivered and publicly funded health care system.

Mr. Speaker, instead, I think this Legislature should be debating the NDP's Bill 208, a private member's bill. Some of that private members' time has been lost to have this debate today, so I want to mention Bill 208, which would prohibit the delivery of surgical services in private facilities, which would ensure that all services are properly funded and which would extend coverage in medicare, not remove coverage, not retreat but advance and extend our medicare system to cover things like dental care for kids. There are tens of thousands of kids who have no dental care in this province, and the government has no plan to deal with that.

Seniors' drug plan: two strikes on this government. They've completely failed to come up with an alternative, and there are many seniors that cannot afford the drugs in this province because they have so many prescriptions and it's \$25 per prescription. There are no answers in that speech for the people of this province.

Mr. Speaker, the Premier talked about a smarter future. I mentioned the reversal on the education cuts, which are exactly the cuts that were made by this government, of which the Premier was a member, and nobody stood up and said: I disagree with it. I asked the Minister of Education at the time repeatedly to do something about it, and all I got were excuses and obfuscation. Those cuts are going to be reversed at the expense of some other program cuts because they're not prepared to use the sustainability fund or other options available to them.

Alberta continues to have some of the highest dropout rates in the country. We have school fees that are charged across the board to kids to go to school. Differential tuition for professional faculties are far too high, and the government continues to allow postsecondary institutions to charge noninstructional fees, really tuition fees, just a loophole that's created for those institutions because they haven't been funded adequately. They're going to get the funding that they need on the backs of their students.

All of this creates inequality in access to education, Mr. Speaker. The government likes to talk about its wonderful student aid program, but I can tell you that there are debts in excess of \$100,000. I met with some medical students not too long ago, and they talked about their debt upon graduation being somewhere in the range of \$200,000. It may be that as a doctor they'll be able to

pay that off, but that is something that is a huge barrier to kids from modest-income families, who will not even imagine being able to run up a debt like that. So we have a real problem with accessibility and equality of opportunity in our education system. An NDP government will fight for and will bring forward programs to make sure that accessibility is, in fact, a key priority of the government of Alberta.

The speech dealt with energy and the environment. Mr. Speaker, I think there are very different visions between this Progressive Conservative government and the NDP with regard to this. We continue to charge some of the lowest royalties in the world, and we are sitting on perhaps the most valuable strategic petroleum resource in the world with a ready-made market, and we are getting pennies on the dollar for what that is actually worth to the owners of that resource, which is the people of Alberta. We're continuing to ramp up the export of unprocessed bitumen and letting the jobs that go with upgrading that and refining it go down the pipeline to the United States, and the government does nothing.

They support the Keystone pipeline upgrade even though a U.S. State Department report clearly says that if that upgrade to that pipeline is not built, more investment and jobs will be created in Canada than in the United States. That's why the United States wants it, and that's why we are so, so foolish in allowing that pipeline to go ahead with our blessing.

Mr. Speaker, the government has brought no plan to clean up the settling ponds, which are an international black eye for our province, and it's high time that we did that. It's high time we made sure that there is no downstream contamination affecting the people at Fort Chip and other places where people live. The effect on cancer rates is unacceptable, and it should not be tolerated by this government.

Mr. Speaker, I want to talk a little bit about the water market. Although today they ruled out the export of water from the province, they are still determined to bring about a water market in this province. There has been no analysis of what that market would actually look like, who the players are and the financial resources that they have that they could bring to bear in terms of that and the distortions that would be created, for example, by large oil companies or companies like Nestlé, who wanted to buy up water resources and then sell them back to people. The effect of a water market on water prices in this province, I think, will be dramatic. It's going to go nowhere but up if the government continues with this misguided, right-wing ideological approach to our most precious resource in this province, something that is a right of everyone. I think that it's completely the wrong direction.

4:50

Nor has the government brought forward a comprehensive plan for developing green energy in our province. Renewable energy is the future. Other countries are investing billions and billions of dollars in green energy, and we are just sitting here basically twiddling our thumbs. We're happy that there's a little bit of wind power, and we think that carbon capture and storage has got something to do with green energy. Well, Mr. Speaker, it does not. We were surpassed long ago by Europe, by California, and other parts of the United States. Even in Asia, the subject of the Premier's comments about the growth of the importance of Asia, China is investing billions of dollars in renewable energy research and development, and we are going to be caught with absolutely nothing but an obsolete energy source sooner or later.

Mr. Speaker, there were some things said about agriculture, which I want to refer to. I just want to say that an NDP government is committed to the family farm and is committed to

small farms. The move of this government with its cousins in Ottawa to eliminate the single desk of the Canadian Wheat Board is a very serious blow to small farmers in this province. The farmers themselves have repeatedly voted in a referendum and previously in elections for their directors for a continuation of the single desk. This is something that a few large corporate farms that have the government's ear want to see, but it is not something that the majority of wheat farmers want to see in this province or in Canada, for that matter. Again, it's a triumph of right-wing ideology over common sense and not something that we're going to go along with.

I want to indicate that an NDP government supports balanced budgets, and we have for years. I want to also say that we support fair and competitive taxes. Right now our taxes may be competitive, but they are not fair. The burden has been placed on middle-class families and on working families at the expense of the very wealthiest in our society. I've already mentioned the flat tax as an important piece of that. This government has walked away from billions of dollars, not from taxpayers in general but only from the wealthiest taxpayers, who have been given massive tax breaks, and the result has been the budgets that we see. We've become so dependent on volatile resource revenue, now running at about 30 per cent of our program spending, that when the price of oil drops, we're laying off teachers or we're laying off nurses. We can do better. An NDP government will do far, far better than this government has ever done in making sure that we have balanced budgets, and they won't be balanced on the backs of schoolchildren, I can tell you that, Mr. Speaker.

One thing that the Premier didn't talk much about in her speech is the whole question of democracy. Now, we know that Tory governments have been promising more openness and transparency for years, and they've delivered anything but. We still have, I believe, the most secretive government in Canada. When the government has a plan for private health care, they will present it in their caucus, but none of their public reports or public statements will reveal the real plan. The former Premier promised more long-term care beds in the last provincial election. They actually reversed the policy, and we revealed that by releasing a document. That's how you find out what this government is doing; somebody gives you something, and you can read what they're actually doing because what they say and what they're doing are two different things. Their long-term care strategy is actually to reduce the number of long-term care beds. They've never acknowledged it, but it is, in fact, the policy that they are implementing.

I didn't hear anything from the Premier about election finance reform, and perhaps no wonder, because as Justice minister she's the one that conveniently shuffled off the whole question of leadership campaign donations being subject to the same public disclosure requirements as regular elections. That's still off in limbo somewhere. Very convenient because in her campaign, of course, she raised a great deal of money, and we should have had that legislation in place.

I'm disappointed, quite frankly, Mr. Speaker, in some of the decisions that have been made with respect to this government's cabinet. It's one thing to run against the old boys. It's quite another to appoint them to your cabinet. I have not seen that there's been a follow-through from the commitments or the impressions, maybe, that were given.

The same thing with fall sittings of the Alberta Legislature. Mr. Speaker, I think it was clear that they jumped before they looked when they cancelled the fall sitting. They did not know that they did not have the authority to not have a fall sitting. That is why we are now here for two days, and then we get a month off while they figure out what it is they're going to do.

In fact, there's plenty that they could be talking about. There's a great deal. Our Bill 208 I already mentioned; we could be debating that. We could be debating it today. The government's Education Act is a very comprehensive document. We could be debating that for weeks. There are lots of things.

The promise for fixed election dates should be decided in this Legislature this fall because that's a commitment that the Premier made, and I expect that she will consult with all political parties and will fix an election date before the end of the year so that the other parties know when it's going to be. Mr. Speaker, it's like having a foot race where you all line up and where one person gets to yell go when she's ready regardless of when everyone else is. It's an old-fashioned, antiquated, and unfair system. The Premier promised in her campaign for leadership that she would change that, so I think she has a duty to bring that forward now. We need full sittings.

We need to make sure that we end patronage. I want to say something about the appointment of Gary Mar. I think that that was completely unacceptable. Whether or not he did a good job in Washington and whether or not he has got suitable qualifications to do the job in Hong Kong, it was clearly not a decision made based on careful scrutiny of all of the available candidates and evaluation of their relative skills but a political patronage decision, which conveniently moves a former political opponent out of the province, halfway around the world. I don't think it's something that Albertans really want to see or pay for, for that matter, Mr. Speaker.

Finally, you know, I do accept that the Premier has made some sounds of having a more constructive relationship, and I think that that's welcome. If we can actually develop that based on deeds rather than on promises and we see some real moves in that way, I think that the Premier will find that we will respond. You know, there's an old saying, which I think bears repeating for the Premier: your opponents sit opposite you; your enemies are behind you. I think I'm going to be watching the relationships on the other side very carefully, but I am prepared and my party is prepared to work with the government where we believe they are acting in the best interests of the public and where they are actually genuinely interested in a co-operative dialogue and a relationship. If that is offered, that will be reciprocated.

Mr. Speaker, I want to just conclude by saying that I believe that there are two clear visions in this province. There's the Conservative vision, which has been put forward in the speech, and there's the NDP vision. The Conservative vision is based on favoritism to their friends, it's based on ignoring the environment, and it's based on using education and health care as means to balance a budget. The NDP vision is based on looking after the actual needs of the people and the families of this province, making sure that the environment is clean, that health care and education are delivered consistently year after year to the best possible standard, that we look after small business and we look after farmers, and that we don't allow the kind of cronyism and patronage that has marked this government for so many years.

Those are two very different visions, Mr. Speaker, and I'm looking forward to an opportunity to put those visions forward to the people of Alberta in order to decide what direction our province is going to go.

Thank you, Mr. Speaker, for your time.

5:00

**The Speaker:** I'll now call on the hon. Member for Calgary-Currie on behalf of the Alberta Party.

**Mr. Taylor:** Thank you very much, Mr. Speaker, for this



opportunity to address this House on behalf of the Alberta Party and our new leader, Glenn Taylor. He has asked me to bring his greetings to this Assembly and to voice our appreciation for this unique opportunity.

I am privileged to be the first Member of this Legislative Assembly to represent the Alberta Party. I am privileged to be, I think, the fourth Member of this Legislative Assembly this afternoon during these proceedings to congratulate the hon. the Premier on her new job and to say that I look forward to working with her and that I intend to take her at face value in her comments that where we go from here is not a partisan project, that we all sit in the Assembly together for one shared reason: because we believe in Alberta.

We in the Alberta Party believe in working together, in working constructively. We're going to criticize the government when we think the government is wrong. We're going to give the government credit when we think the government is right. We're going to trust that we can do that in an atmosphere of productive debate, a professional, businesslike environment and that it's not going to be personal and that we can continue to work together both behind the scenes and on the floor of this Legislature. I do hope we get the chance to work together on the floor of this Legislature much more in the near future than we have in the near past and the distant past.

I hope that we get to work together this fall on some substantive legislation. It boggles my mind that we are at government Bill 18 and private member's Bill 203 at this point. We should be much farther along in the agenda than we are.

I don't want to make this a half-hour of criticizing the government because there's more to be said and done here than that, I think. There's acknowledgement that there are some very good ideas in this speech. There's also the opportunity, which I would be remiss to ignore, to get our own position and point of view on the record, so I will.

The Alberta Party, Mr. Speaker, is the new kid on the block, named for this province that we all love. It is the party of the future, unencumbered by the ideologies of the past. The Alberta Party will bring hope, intelligence, trust, and better ideas back to our province and back to our government because we are a party that is built on listening and learning and then leading.

Alberta is a great place, but it can be better. That's why we're all here, to make it better. Together we can make it better. Alberta is a great place, but still too many families, too many households in this province are struggling with higher and higher costs of living and increasing debt loads. A debt-burdened society is a risk-averse society, and we cannot allow this culture of debt to endanger our enterprising and entrepreneurial skills. Our economy and our future depend on innovation, courage, and Albertans willing to start new businesses and to create jobs and prosperity.

This is a great place, but we have the highest high school dropout rate in the nation, more than any other province in Canada. We have the resources to ensure that every child completes high school and receives a postsecondary education if they choose to. Alberta is a great place, but we spend more on our health care system with often less satisfactory outcomes than many other provinces in the nation. Alberta is a great place, but our image around the world has been tarred both by our inability to tell our story and, obviously, to act as responsibly as we should have. We know this because the people of Alberta know this and they have told us so.

The Alberta Party will try to transform government because we are committed to an ambitious and authentic program of citizen engagement. We've listened to thousands of Albertans. We did this the slow way, the authentic way, often with small groups of

10 or 12 Albertans in coffee shops, living rooms, local libraries, church basements, and more than the odd pub. We've met face to face, and through the use of innovative technologies we've heard their stories, their challenges, their hopes for the province. We've also asked the citizens of this great province what they were grateful for, living here in Alberta, and they've told us that they live in a beautiful province blessed with an inspiring natural landscape and a proud history of citizenship, community spirit, and entrepreneurialism. They're grateful for the opportunities that this province offers, and they are insistent that we must not squander these opportunities.

Albertans have told us that they want us, their politicians, to work together constructively, much like we all do with our neighbours. Albertans, like all Canadians, know what it means to be a good neighbour. There is nothing like winter here in the Great White North to teach us the value of working together. We're all willing to push or pull our neighbour out of a snowbank or shovel the walkway when our next-door neighbour needs us to. So our hope is that we can bring some of that same energy and co-operative spirit to politics. It's time to do politics differently for the benefit of all Albertans, and I offer that challenge to our new Premier.

The Alberta Party is attracting thousands of Albertans from all regions, urban and rural, and of all ideological backgrounds, including those who have never been involved in any political party before this, because instead of representing a particular segment of the traditional political spectrum, the Alberta Party seeks out the best ideas regardless of whether they're perceived to be from the left, from the right, or from the middle. A good idea is a good idea. Albertans don't define themselves as right or left, and neither do we. If anything, Albertans define themselves as practical, as does the Alberta Party. Traditional parties have focused for far too long in this province on what divides us. We want to focus on the common ground that unites us. This common ground amongst Albertans is often common sense.

Having listened to Albertans and learned from their wisdom, this is how we will lead. On the economy, the Alberta Party recognizes that the development of natural resources is our primary economic vehicle. In order to continue to develop and grow, our resource-based industries need to be effectively leveraged and supported with an eye to future economic growth and challenges. We cannot control the economy. We cannot control the economy here at home within our own borders, nationwide, or, for heaven's sake, around the globe. We have no control over that.

However, we do have the ability to create a favourable business environment. It's time we use the public revenue generated from our resource-based industries today to catalyze a sustainable, profitable, competitive, and diverse economy which provides Alberta businesses access to new markets, research, and innovation.

Kudos to the Premier for recognizing the importance of the Northern Gateway pipeline project and for committing her government to getting behind it and supporting it. It opens up a crucial, key second market for our resources, and it's never good business to only have one customer to sell to.

The Alberta Party will ensure a stable regulatory and royalty environment for our business community to operate in and succeed in while we actively promote a positive brand for our industries globally. We'll insist on best practices that include a strong commitment to environmental stewardship. It's time to actively support the forestry, agriculture, and energy sectors of our economy through broad policy frameworks that encourage value-added products and processing.

We will partner as needed with the industries, enterprises, and businesses already established in Alberta, including most especially small businesses that, as the Premier pointed out, generate 37 per cent of our jobs, an incredible amount of our economic activity, to ensure that they have the capacity to continue to provide jobs and growth through increasing global market intelligence and access for Alberta's entrepreneurs.

Fiscal responsibility begins with smart planning. I think this province has lost its way somewhat when it comes to planning for the future and, thus, isn't able to sustainably pay for its operations and commitments. Yearly budgets fail to reflect the needs and wants of Albertans as they're not properly consulted before budgets are finalized. I commend the Premier for committing her government to consulting with real Albertans before Budget 2012 is written. I believe we said we would do that last spring during the last budget. Good ideas can come from anywhere, and I commend the Premier for borrowing one of ours.

Relying too heavily on nonrenewable resource revenues leaves our economy fragile and subject to the whims of the market when these revenues should be benefiting Albertans now and into the future. The Alberta Party believes smart planning and a proper mix of revenue collection, service funding, saving, and investing is needed in order to adequately offer the programs and services that the people of Alberta expect and deserve from their government now and tomorrow.

What's more, we believe it's time to engage Albertans in an authentic conversation, perhaps the most important conversation we could involve them in right now, about what level of service they would like from their government and how they want to pay for it. Consultation with Albertans is the key to successfully planning for the future, effectively governing on behalf of Albertans, saving and investing for the future, and paying today's bills without running up a deficit and a debt.

It's easy to say that the only way taxes will ever go is down and that there will be no provincial sales tax. I'm not standing here advocating for a provincial sales tax or higher taxes. I'm not even prepared to stand here as I have in the past and advocate for bringing progressivity back to our income tax system.

**5:10**

What I am advocating for is for government to engage the nearly 4 million Albertans in an authentic adult conversation about the level of service they want from their government and what they're prepared to pay for it and what they're prepared to give up if they want low taxes and high service. Because right now we have that. Health care is a good example. I'll touch on that in a second, Mr. Speaker. Through a collaborative and consultative process the Alberta Party will commit to discussing with Albertans the plethora of options available to cover the cost of services, including user fees and premiums, alternative revenue collection, program cuts, and a complete review of our taxation system while committing to maintaining Alberta as the lowest tax jurisdiction in the nation.

Now I want to talk about health care for a moment because it's on every Albertan's mind. We know that. It is necessary to build and we will build a health system that focuses on keeping people healthy, that strives to keep people out of the hospital. Of course, we need a medical system that is accessible and responds quickly when people become ill or injured and need to be in the hospital, but our focus on making sick and injured people better has become a focus on acute care rather than health protection and promotion, disease and injury prevention, management of chronic conditions, and long-term care.

Publicly funded universal health care in Canada is an idea that was born on the prairies. The Alberta Party believes it can be perfected here. Albertans should have the best health care system in the country, if not the world, and if we all pull together, we can achieve this. The Alberta Party emphasizes prevention as a means for ensuring the sustainability of our publicly funded health system. We acknowledge that health demands will increase in the future, and currently prevention, unbelievably, is only 1 per cent of the health care budget.

We also emphasize primary care, the right to have a family doctor, accessibility, and a strong mental health strategy. Chronic illness is the most common form of illness and very expensive to treat. Injuries are a leading cause of hospitalization among Albertans and often require expensive treatment and rehab; however, many injuries and chronic illnesses are largely preventable. Simple and relatively inexpensive initiatives like improving the enforcement of workplace safety standards can go a long way towards reducing the frequency of injuries and illness and lessening their human and financial burdens.

The Alberta Party will also create a school health policy that integrates nutrition and healthy living into Alberta's school curriculum. Our vision for the future of health care in Alberta is a vision that ensures that everybody has a family doctor and is able to easily access a primary care network. When people can see their family doc, a nurse practitioner, or some other health professional, they can identify and treat problems before they become worse, minimizing recovery times, preventing the system from having to provide more expensive levels of care.

The Alberta Party will invest in expanding access to high-quality home care and continuing care. Acute-care beds in hospitals are very expensive, up to \$3,000 per bed per day, yet many patients in these beds, as my honoured colleagues who have spoken before me today have referenced, are only there because they're waiting for beds in other parts of the system such as long-term care, palliative care, mental health care, and they're waiting a long, long time. Many could even be cared for at home if we had better support systems in place for their families. Increasing support for home care and continuing care is better for Albertans. It gives seniors and their families more of a say over their living arrangements and is much less expensive for our health system.

I would be remiss if I did not recognize and appreciate the hon. the Premier's commitment to ensuring a full, open, public judicial inquiry into the alleged intimidation of health care professionals in Alberta. Sunlight is a great disinfectant, and Albertans are looking for more. There are, I guess, two ways of looking at public inquiries. One is that they cost a lot of money. They may not uncover a lot of problems or wrongdoing. That way almost presumes that you can only justify the cost of an inquiry if it produces X number of incidents of wrongdoing per Y number of dollars spent. But the other way of looking at public inquiries is this. Sometimes they are the only means of re-establishing the public's trust in an institution brought into question. We think it's pretty important that the people be able to trust that the health care system on which they collectively spend nearly \$15 billion a year and on which they literally stake their lives is doing its work properly.

In many ways this province, Mr. Speaker, has some of the most progressive and forward-thinking environmental initiatives in the world. This is thanks in part to our municipal governments. The city of Edmonton, for instance: world-class waste management and a plan to preserve and promote farmland and urban agriculture. Medicine Hat: the city is using revenues from its natural gas royalties to support families in putting solar panels on

their homes. Okotoks: the town has reduced its water consumption by a third and its greenhouse gas emissions by one-fifth.

The province needs to learn from our municipal governments when it comes to environmental stewardship. We must stand up for this province with more than words and expensive taxpayer-funded ad campaigns. The rubber must hit the road. The provincial government can learn from our civic government brethren. They're showing leadership, and we need to be humble enough to follow. Good ideas, I repeat, can come from anywhere, and we must never be so proud that we will not or cannot build on those ideas to build a better Alberta for the next generation.

A rich and diverse environment comes with the responsibility of properly protecting, sensibly utilizing, and respectfully appreciating Alberta's natural heritage. With good governance, meaningful and collaborative decision-making, and effective leadership the Alberta Party believes we can advance our resource economy while at the same time honouring and preserving our unique natural ecosystem. The Alberta Party believes that the improved stewardship of all water resources, responsible development of land, high air quality, and reduced greenhouse gas emissions are all eminently achievable in Alberta if we have the will to achieve those goals.

The Alberta Party believes that the citizens of this province, business, and government working together can make the province environmentally healthier and economically more prosperous at the same time. We envision a future in which integrated environment and energy policies are developed with input from industry and the people of Alberta, where water is viewed as a public good that is responsibly shared among all Albertans and conserved as a matter of course, where a land-use policy is founded upon a sustainable balance of development and conservation, reclamation, and restoration.

Over the years this province's energy sector has created immense value for our province and prosperity for our people. These benefits will continue only if our energy sector keeps pace with and adapts to the demands of a rapidly changing world. Alberta is in the enviable position of having the potential to be the world leader in developing a sustainable energy sector, combining the best sources and practices of our existing energy industry with innovative and creative renewable forms of energy. Alberta can be at the leading edge of the green energy future by building on the current strengths of a healthy oil and gas industry. The Alberta Party recognizes the need for an innovative energy sector, a robust economy, and a healthy environment. Indeed, these are not three separate discussions in Alberta; they are the conversation.

In the past, activity in our energy sector has created huge spinoff benefits, but often those benefits accrue elsewhere. We want to keep more of these benefits here at home in our local communities. It also benefits Albertans when the energy sector produces a higher valued product for export to markets. Can we upgrade a hundred per cent of our bitumen? Would market conditions allow us to do that? No, probably not. Even if market conditions would, is it in our best interests in terms of environmental protection and the preservation of our scarce water supplies to do it all? No, it isn't, but we should do more than we do today.

Becoming and remaining a world leader in energy requires a culture of entrepreneurship and innovation. Entrepreneurship means we're able to recognize opportunity. Innovation allows us to respond to a changing world. This begins with building on our existing strengths and systematically supporting innovation in education, research, technology, business development, and environmental science within the energy sector.

Our democracy, our communities, and our economy depend on education, innovation, and creativity, and Alberta must use its wealth to fund what is most important. To our party education is the foundation of our future, and our children are the hope for our future, so why not give our hope that foundation that they need? We commend the Premier for belatedly restoring the funding cut from education. We condemn the government for putting our students in this position in the first place.

The Alberta Party vision for the future of Alberta recognizes that education is more than just grades and exams. Education means equipping Albertans for the world ahead of them as our society shifts and adapts to new technologies. Our education system must absorb these changes. A strong school system produces successful and creative citizens who are proactive in this ever-changing and diverse society.

The Alberta Party envisions an education system in which schools are adequately funded and are at the heart of the community, the local school boards are responsible for decisions regarding their schools, spending habits are transparent to the public, and teachers are trusted to teach to the needs of the students, not to the provincial exam. Alberta needs to become a leader in education and learning. This means prioritizing skill development in the areas of critical thinking and problem solving; creativity and innovation; social responsibility; cultural, global, and environmental awareness; communication; digital literacy; self-direction; personal management; collaboration and leadership; and, ultimately, lifelong learning.

5:20

The Alberta Party has a new vision that reconnects the communities of Alberta to a common dream while respecting and admiring the local creativity and local way of life that give our province the richness that we cherish. Strong communities are the building blocks of a successful province, and municipalities are the vehicles through which we build them. Local government is closest to the people, and it is their actions that most closely affect all our daily lives. An Alberta Party government will recognize municipalities as a true order of government and foster a new partnership based on mutual respect.

The Alberta Party will respect the taxes people are asked to pay, and we will invest those dollars to ensure our communities are safe, that necessary infrastructure is built and maintained, and that each municipality can achieve its most sustainable and creative form.

Albertans have shared their hopes with us that this province can continue to be a place of economic creativity and strength and that our enterprising spirit can be used to leverage the opportunity we have today while building our province for the 21st century. They've told us they want a vibrant, diversified economy to create a sustainable future not just within the energy industry but in all other sectors, including the arts, forestry, agriculture, and the innovative technologies of this century to come.

It's time to turn our province back into a place of ideas, where debate is welcomed and our citizens are inspired to create a bright future for their families, their communities, and the province. The Alberta Party is committed to partnerships that respect who we are as Albertans. We're committed to a fiscally responsible financial climate, that benefits each one of us. We must use public dollars as effectively and efficiently as possible, we must balance the books to mitigate the effects of boom and bust, and we must set aside money for a rainy day.

Albertans want a government that chooses to inspire and demand the best from our public service rather than asking for mediocrity and holding hiring freezes or layoffs over their heads.

The Alberta Party is committed to making this province unquestionably the best place in the world to live and to keep raising that bar to commit to continuous improvement in making this province the best place in the world to live. We want to create a province that young people are proud to live in, are committed to stay in, will grow old and die in, and will die happy.

The Alberta Party is committed to building a province that is committed to a new democracy and new partnerships, one where we're not afraid of the voices of citizens but where we seek out their voices at every opportunity so that all hands can help build this great province and make it a progressive, forward-thinking, 21st- and maybe even 22nd-century province.

It's time for all of us to be inspired and to demand more of ourselves. It's time for change, time for leadership, and it's time to act. You earn the right to govern every four or five years, but the trust of the people has to be won every day. We listen, we learn, and then we lead. That's the Alberta Party, and that's our vision for the future of this great province, this province that we love, this province that our party is named for.

Mr. Speaker, thank you.

**The Speaker:** Thank you very much, hon. member, and thank you very much, hon. member, as well.

We've now concluded round 1, and we will drop off the list of future speakers a representative from the Alberta Party because there's no one else to participate in the six minutes remaining.

My brief notes suggest the following, and they may be out by a couple of seconds: there are 24 minutes still available for participation by a member of the government caucus, 28 minutes for participation by a member of the Official Opposition, 22 minutes left for any remaining participants of the Wildrose Party, and 12 minutes left for participation by the ND caucus.

May I ask if there's an additional speaker from the government caucus?

Then I will recognize the hon. Member for Edmonton-Riverview to participate.

**Dr. Taft:** Okay. Thank you very much, Mr. Speaker. It is a privilege for me to rise. This is, after all, an emergency debate, and I was – okay. I'll change my opening here. This is a vital issue, and it's good to see so many of us here in the Assembly to partake and to participate. I thought I would start by going page by page through the speech that was delivered by the Premier and making some comments that I think are consistent with our own caucus policy and with my own beliefs. Some of them are favourable, and some of them are real concerns.

I'll start right off from almost at the beginning, where the Premier states, I think, something that's pretty obvious. She says, "We have an astounding wealth of resources, more than enough to sustain our families and crown our communities." I couldn't agree more. I've felt for a long time – and I've done the math to support my hunch – that Alberta is almost certainly the richest place on Earth.

That's led me to some serious questioning because given the incredible wealth in Alberta, given the fact that per capita we really are the richest place on Earth, why is it that we're debating about cutbacks? Why is it that just a few weeks ago we had to scramble under the new Premier to find a hundred million dollars to reinstate funding for teachers? Why is it that even according to the government's own business plan some 50 per cent of Alberta's roads are in moderate or poor condition? Why is it that we have the highest tuition rates? There are profound questions here that all of us need to think about. If we really do have the wealth that

the Premier indicates in her speech we have, why aren't we managing better? Why are we struggling so much?

She then goes on to say in her speech on page 2:

We must shield Alberta from the hazards of the challenging times in which we live . . . We must offer high quality and far-reaching public services. And we must preserve the province's finances.

I think I can speak on behalf of all the Alberta Liberal caucus that we will support this Legislature and this government in pursuing those kinds of goals.

On page 3 towards the bottom of the page the Premier talks about unfortunate nations, and I want to quote her correctly here. "Unfortunate nations spent too much and took in too little." She's referring there to the current economic crisis in Europe. You could add the United States to that list and perhaps a number of other countries. I think what's striking there is the balance, the implied balance: spent too much and took in too little. I'm glad both sides of that equation are in this speech because I think over and over we hear a noisy, noisy discourse about spending too much, and we hear almost nothing about taking in too little.

The previous Finance minister, who delivered the budget speech last spring, spoke about Alberta being able to increase its revenues by \$11 billion and still be the lowest taxed province in Canada. We have to ask ourselves: is it wise to leave that much money on the table? Is it wise to be \$11 billion lower than the next lowest taxing jurisdiction when we can't top up the heritage fund, when we can't give reliable funding to so many of our services? Are we really being wise here?

It would have been nice – and I would encourage the Premier to do this – to genuinely open a debate. Issue a white paper, for example. Stir up the public on the debate about: what is the right balance in Alberta between spending and revenue? It's a legitimate debate, with many different views. Let's open it up. Let's have it go on.

At the top of page 4 the Premier in her speech said: "Alberta has no net debt. We have \$5,700 in assets per person and the highest credit rating available." Actually, she understates things there. It's true that Alberta has no net debt and that we have, as she implies here, significant assets, but she limits her assets here to essentially the government's cash assets. I would like to challenge this government – and I challenge the Energy minister and the Finance minister to do this – to treat Alberta's assets the same way that Imperial Oil treats its assets on its books. Do the accounting in this government that you will see if you go through the financial reports of the corporations. What am I getting out there? Count all our assets and most particularly our oil and gas assets that are still in the ground. After all, if it's good enough for Imperial Oil and for all kinds of other corporate entities, surely it's good enough for us. After all, we do own it.

5:30

It's easy to forget, but we as the citizens of Alberta, we the government of Alberta actually own – what is it? – about 170 billion barrels' equivalent of oil and gas. If you do the math, even if you value that in the ground, a net present value of \$5 a barrel – Imperial Oil values theirs, I think, at \$10 a barrel on the books; remember that oil, I think, today got close to 90 bucks again – it's something like \$840 billion that we own and that if we were a private corporation, we would put on our books. I think that this government should do the same thing, and that \$5,700 number would soar. It would also give the people of Alberta a much clearer sense of what's actually at stake.

I would encourage this Premier to do that.

**Ms Blakeman:** Transparency.

**Dr. Taft:** Transparency. It's just a matter, really, of keeping up to what's common practice in the private sector.

I was encouraged when I read on page 5 where the Premier talks about "supporting a strong social network to protect our most vulnerable. We are committed to maintaining programs and services for vulnerable Albertans while ensuring long-term program sustainability."

I was discouraged that she didn't explore more detail there. We actually leave an awful lot of our most vulnerable citizens out of the picture. As many of you who've been in here over the years have heard me say, every day in Alberta thousands of kids – little kids, five, six, seven, eight years old – go to school hungry through no fault of their own, and alone among all the provinces this government provides no particular funding for helping those kids.

I was in a school just a couple of weeks ago in northeast Edmonton, and as I've seen done at a school in Lethbridge, the teachers and various charities provide toast and Cheez Whiz so that the kids can sit through a class without falling asleep or without being so distracted by their own hunger.

It sure would have been nice to have seen some commitment to actually expanding programs and services for vulnerable Albertans in this speech. We have after all expanded services for all kinds of perhaps less vulnerable interests, whether that might be the oil and gas sector, for example, with \$3 billion, I think, in subsidies in the last three years, or whether it's various agriculture subsidies or all kinds of other things. Let's be serious about looking after our vulnerable people.

I took some heart when I heard the Premier say, as she did on page 6 of her speech, that this government was going to proceed with health care plans "without commercializing it or compromising our values." All of us in the Alberta Liberal caucus are strongly opposed to commercializing health care for all kinds of reasons. It turns out that in this particular case good morality, good ethics, good health care, and good economics all converge.

The evidence is overwhelming that commercialized health care not only is unethical, picking people for care according to how much they can pay, but it's also inefficient because it drives up costs. There's a lot, an overwhelming amount, of evidence to that, and I think anybody in this Assembly, on all sides of the Assembly, have at least a gut sense of that when they look at commercial health care in the United States. I'm glad we've made that commitment, but you can rest assured that under our leader and backed up by all our caucus we will go to whatever length is necessary to hold the government to account on that particular promise.

I was struck about the examples used for health care, glamour examples – the heart surgery, the high-tech catheterizations, and so on – when what we really need in Alberta for better health care is to address issues of mental health. We need to address prevention and primary care. I will urge the minister of health to focus on those things. Don't get seduced by the chrome and mirrors of all the high-tech equipment and all the millions of dollars we can spend per patient in some cases when we can do so much more so much more effectively. I think this minister of health maybe gets that. I'll be checking to see.

One of the most effective ways of improving the health of Alberta is to reduce poverty, and we will be pursuing that kind of agenda aggressively.

I did get concerned, and I thought, "My goodness, there's a kind of contradiction in this speech" when on page 6 we're talking about health care "without commercializing it," and then on page

7 we're talking about a whole new system of continuing care through public-private partnerships. Then on the top of page 8 I was startled and, frankly, dismayed when I read a quote. Well, it's not a quote yet; I'll set this up properly for *Hansard*. The government will be "allowing private industry to meet seniors' needs." Then it goes on to say that that "will create more jobs in many different sectors and steady growth for our economy." Now, that sentence is loaded with so many problems that I could probably fill the rest of this speech just on that one sentence, but I know not everybody would appreciate that.

Allowing private industry to meet seniors' needs is exactly the wrong direction to go, and we know that. We have a whole nation that illustrates that to us south of the border. Turning our seniors, our most vulnerable people on fixed incomes, over to private industry to meet their needs is a recipe for pain and cost and suffering and injustice. You can bet the Alberta Liberals will fight this tooth and nail. We should not be turning our seniors into a commodity. We should be there for them as vulnerable citizens. Further, this sentence then goes on, and instead of talking about meeting seniors' needs through a better system, it talks about meeting seniors' needs in order to create more jobs and to cause steady growth for our economy. Well, where does that lead us?

You know who has the most rapid growth in their health care sector in the world? The United States. One of the biggest drains on the American economy is their health care system, yet they have come to depend on the health care system as one of the very, very few sectors that's growing, that's creating jobs. They're in kind of a black hole, a downward spiral, where the more they pour into their commercial private-sector health care, the weaker their economy gets and then the more they depend on that, the economics of health care. Health care should not become a job-creation industry. It should never be seen in that regard. As you as a government begin doing that, you are leading us towards a cliff from which we will not be able to hold back.

I was struck by the line on page 8 of the speech where the Premier spoke about "64 per cent of all workers 25 and up reporting post-secondary credentials." I'm the critic for this area, and I'm pleased, as I'm sure we're all pleased, that Alberta has a highly educated workforce, but we have to remember that a disproportionate number of those people were trained outside of Alberta. Some people will say: well, how can we have such a low high school completion rate, the lowest postsecondary participation rate in Canada, yet one of the most highly educated workforces? It's because that workforce is getting trained at Dalhousie and McGill and Ryerson and at BCIT and so on, and they're moving here.

**5:40**

In fact, I was at an economic symposium about 10 days ago at the university, and there was an estimate that Alberta gets a transfer of value just through education alone of well over a billion dollars a year because all those other provincial governments pour money into training the workforce that comes here. Good for us; that's how a portable workforce works. But let's remember. Let's not confuse ourselves that we're doing such a great job at training these people. They're coming from somewhere else.

The most exciting thing, the best thing for me – I've haven't had a chance to confer on this with my caucus colleagues – was on page 9. I want to give the government marks here. "We will put the entire education system on a three-year funding plan, ending uncertainty over budgets and providing schools with the resources they need to meet demand from a growing population." Great idea. I'm sure that we will support that in this caucus. Let's get

our government services off the roller coaster ride of funding cuts and uncertainty, and let's give them stability. Another thing this government did well, since I'm giving out bouquets here, was to give five-year funding to the health care system. Good moves.

I want to go to page 10 now and reflect on a quote here that I suspect has more truth in it than perhaps the Premier knew when she read it. The quote is this: "The most enduring prosperity is spread as widely as possible." That cuts to the core of inequality and the unrelenting increase in equality in Alberta and in Canada and in the western world.

A few years ago the TD Bank published a series of three papers over about four years where they spoke about the western tiger. In one of those they addressed inequality in Calgary, and they produced a startling figure, that 42 per cent of Calgarians were living on \$20,000 a year or less. Calgary actually had a larger portion of low-income people than other Canadian cities and a larger portion of high-income people than other Canadian cities. We need to address that inequality, or we will end up in the same kind of social turbulence that we're seeing in the rest of the developed world. We can do it. Let's feed those hungry school kids. Let's set out a coherent plan to eliminate poverty in the richest place on Earth, and we will all benefit.

It's not just about being nice to poor people; it's about being good for a whole society. So when the Premier says that "the most enduring prosperity is spread as widely as possible," I hope all of you in the government caucus understand what she's getting at there. That's a vitally important value.

I will flip over a few pages. I was concerned and I am concerned about the enormous concentration on the energy sector in this speech. Clearly, we all understand that the energy sector drives this province. Half of the economy of Alberta is driven directly or indirectly by the energy sector, but for a while I was concerned, as I heard the Premier talk so much about the energy sector, that this government was going to abandon any attempts at diversification. Some of the points in here just reinforce that for me.

She spoke about, for example, on page 9: "To enhance our leadership role further, this government will negotiate externships – competitive placements for talented young Albertans with energy-focused organizations around the globe." I wondered: why only energy? Why don't we send some of our filmmakers to Hollywood or to Bollywood? Why don't we send some of our architects to Dubai or to London or to New York? Why aren't we creating externships in all of those programs? Why only energy? Again, at least let's have that debate. There is a case to be made: we'll put all our eggs in one basket and then look after them very closely. But there is at least an equal case to be made to spread our risks, to grow other industries, to bring the world talent here that we want.

When I got to page 13, I thought the Premier was simply being over the top when she said, "This government will work to make Alberta a dominant global supplier in an increasingly hungry world." Now, I could have accepted important or vibrant or vital. But dominant? Come on, folks. We're not going to dominate world global agricultural markets. We don't have the resources. We don't have the land mass. You know, we think Canada is a huge exporter of grain. France, I think, exports more grain than Canada. Our herd of cattle – I'm sitting here beside somebody who probably has the exact numbers. Alberta's cattle herd is a fraction of many states in the United States, not to mention Brazil or Argentina or Australia.

We're not ever going to be dominant global suppliers in agriculture. Let's be realistic. We can be focused, effective, significant, but there's no way in the world we're going to

dominate agriculture. If there is, I want to see . . . [interjections] I'm getting heckled from some of the ministers over there. Put your money where your mouth is. Put the studies on the floor of this Assembly that show that Alberta is going to dominate the world in agricultural production.

**An Hon. Member:** Quality over quantity.

**Dr. Taft:** Quality over quantity.

Why don't we become, you know, like Kona coffee? There are barely a few thousand acres of coffee production in Hawaii, but the people on the Big Island have established Kona as a premium brand. They don't dominate world coffee production, but it's a premium brand. Let's do that for Alberta's agricultural products. Let's talk about quality.

I also wanted to comment on page 14, where the Premier said, "This government will go to the wall for Alberta's agricultural sector and ensure our farmers are the best in the world." Now, I have no problem with going to the wall for farmers, but I thought it was important to note the phrasing here. It says, "Go to the wall for Alberta's agricultural sector." And I'm thinking: well, what part of that are we going to go to the wall for? Tyson Foods? Are we going to go to the wall for Cargill? We actually have in the past. We know that under the BSE bailout the big winners were the multinationals. I don't particularly want to go to the wall for huge, multinational corporations, but I will go to the wall for the little farmer from Rimbey or Battle River or Sexsmith. I could do that, but let's get a little detail here.

It also left me wondering: who else will this Premier go to the wall for? I return to that hungry kid who sat in the classroom just a few hours ago today, without food and caught in an impoverished, dysfunctional family. Will the Premier go to the wall for that kid? Will you as a government caucus go to the wall for those kids? Will you go to the wall to protect the environment? Will you go to the wall to build the heritage fund, to get our finances in order? Who are you? Who is this Premier prepared to go to the wall for?

5:50

I think we should perhaps wrap up by addressing some of the values that were and were not spoken to in this speech. On page 16 the Premier spoke perhaps the only time in this speech about core values. She says, "Entrepreneurship is one of our core values and this government will promote it." I'm okay with that. Entrepreneurship is great. I come from a family of entrepreneurs, and I'm involved in various entrepreneurial activities myself. But I wanted to hear about more core values from this Premier.

Let's ask ourselves as Albertans: what are our other core values? What about fairness? Is it fair when some people benefit so much and some are left so far behind? Is it fair that somebody suicidal from mental health has to sit in an emergency room or somebody needing education can't get education because tuition fees are high? What about the core value of fairness? What about democracy? Some of the other speakers here challenged this Premier to address the core values of democracy, compassion, human rights, diversity.

It would have been nice if this speech had actually begun and ended with values rather than beginning and ending with finances. That's pretty much what this Premier did. She began and ended with finances. Page 16: "Our wealth and freedom depend on the individual right to free enterprise." It depends on so much more than that: rule of law, social stability, education, infrastructure, reliable electricity. On page 17 – and I'll wrap up here, Mr. Speaker – I just cannot buy this. "All our plans for a stronger Alberta must come back to finance."

I want to leave you with something. Is money the foundation of everything this government is going to do? Is it really the case that all our plans for a stronger Alberta come down to money?

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek

**Mrs. Forsyth:** Thank you, Mr. Speaker. Alberta is a proud province, and there is so much the people of this wonderful province can be proud of. Nowhere else in this country have I met people as generous in spirit and as kind in heart. When facing difficult economic horizons, Albertans remain hard working. They remain compassionate. They remain tough and resilient. They know that the greatness of this province will continue to be built by the people who live here. We work hard, and, yes, we play hard, but when the going gets tough, we dig in our heels and do what we need to survive. They don't believe in a government that thinks that they know best, that centralizes decision-making and is more concerned about rewarding their pals than putting the interests of Albertans first.

Mr. Speaker, let's talk about what the people of Alberta want versus what the government tells them they want. This is so clear in the Premier's speech today by the number of times that we saw the word "we" being used. Albertans want their province to be fiscally responsible and to not spend more than we have and plunge our province into debt. They don't believe in higher taxes, bigger spending, and more government. Albertans don't want a government that gives itself a raise behind closed doors. They want to be in charge of handling the salaries of their elected officials and not the other way around.

Albertans want their government to be open, transparent, and accountable to them, to represent the roles of the elected MLAs and give them a free vote in the Legislature. What they really don't want is a government that warns Alberta of the worsening economic climate and then, Mr. Speaker, takes three weeks off to avoid tough questions and important debate. Albertans want a government that will listen to the issues and concerns and act for them and not for that government's interest.

Albertans want more from their health care system. They want a health care system where everyone has a family doctor and they don't wait months and months to see a specialist and wait even longer for surgery. Albertans want a health care system that allows health care professionals to speak openly and freely about the concerns they see, on how to improve the system, without a gag order being imposed on them.

Mr. Speaker, Albertans want our seniors to move seamlessly through the system when they can't take care of themselves anymore. They want our seniors to have home care when they need it, assisted living when they need it, and long-term care when they need it. Albertans do not want our seniors to have to pay for a bath, to pay for someone to push their wheelchair to a dining room to eat. Albertans are proud of our seniors and believe we need to take care of them. What Albertans don't want is gobbledygook coming from the government about their continuing care model, where they have developed a system that cannot meet our seniors' needs, and they nickel and dime them to death.

Albertans know that in a province with no shortage of innovation and determination they can lead all of Canada in the quality of health care received, but they are tired of the government's talking points and want to see tangible results for themselves and their families. Albertans want mental health beds along with beds available for those suffering with alcohol and drug addiction. They want health professionals to be there when

they are needed. Albertans don't want to be told that there are no beds available and that they need to come back in a few weeks just to see a psychiatrist or a counsellor.

Albertans want our most vulnerable, our children, to be taken care of and for assistance to be available when emergencies hit. They especially want to make sure that these children are given stronger protection against victimization and crimes in their communities. Albertans want our social care workers to be able to manage their caseloads and be able to spend the time and the effort needed when taking care of our families when they are in crisis. Albertans want our foster families to be treated with respect and compensated fairly when they step up to the plate and to help our children and families when they are in time of need.

Albertans want us to recognize the nonprofit agencies in this province and the wonderful job they do on behalf of Albertans in our province. They want to make sure they receive a predictable funding formula year after year instead of being subject to an erratic supply of funds.

So why don't we start listening to Albertans when times get tough instead of turning a deaf ear to their concerns? They are the ones who feed life into our democratic institutions. They are the ones who make this province great. They are the ones we were sent here to represent. Let's make sure that their voices are heard. Albertans want their province to lead in troubled times, to reach out to those who need it, and to show others across this great country that in tough economic times we know what we're doing and that we are proactive instead of reactive. Albertans want to stimulate this economy the Alberta way, through lowering taxes, through balancing the books by prioritizing spending on front-line services, through less regulation and, quite frankly, Mr. Speaker, by less government altogether.

Mr. Speaker, Albertans love this province. What Albertans don't love is a government that has lost its way.

**The Speaker:** I'll call on an hon. member from the ND caucus.

There being none, I'll call on the hon. Member for Fort McMurray-Wood Buffalo. There are 15 minutes, 41 seconds remaining on the clock.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. First and foremost, I congratulate the leader of the PC Party for being selected as the leader and, of course, as Premier, representing the 30,000-some votes she did receive. Of course, we do have a province of over 3.5 million Albertans, and clearly it will be interesting in the next election in terms of how Albertans, our true bosses, speak when it comes to how and who will represent them in the government.

Having said that, Mr. Speaker, today truly was a Speech from the Throne as opposed to what it was described as. That being the case, it really, I guess, is politics, but we accept that, and we play by the rules of the majority of this government, this PC government of 40 years.

6:00

Mr. Speaker, over the past many months the Wildrose has been doing a lot of consulting with Albertans but, more importantly, doing a lot of listening, not telling Albertans but actually listening to Albertans. I do know that in all political parties, including the government, many of the MLAs are listening to their constituents because they know that they are their bosses and they give them their jobs. So I salute all Albertans, 3.5 million, who give everyone in this House their job. The question is: who remembers that, and who forgets it? I guess that's the real issue that we will all be judged on in this next election: did you represent the

political party, the entire party line, or did you actually listen to your constituents?

The Wildrose has been doing this for the past several months across this province. And they've been speaking loud and clear, telling us what they are tired of and also what they're worn out of in terms of the numerous tricks by the government. The state of Alberta is promising, and the future of this province is promising. It's based on ideas we've received from businesses and people and senior citizens. The wisdom that senior citizens bring to this party is significant.

I meet with citizens each and every week. I like to have open office hours where you don't have to make an appointment. I challenge all MLAs to do the same, where you can sit in your office and actually have a coffee without an appointment. It's based on first-come, first-served, kind of almost like an emergency room where you come in, and if there's nothing of a more pressing nature ahead of you, you will be actually listened to and dealt with.

Mr. Speaker, really, what this government lacks is new ideas. The fact is that after 40 years it's grown old and tired even though they do have a few young members on that side. I congratulate some of the new members of the cabinet. I'm sure they're excited. Their adrenalin must be booming. I know that there are some members who wanted to be ministers of other certain things. I saw on television where some members said that they would like to be the Minister of Education versus the minister of this and that. But it's all good. It's good ideas because at the end of the day we want to serve. Everyone in this House wants to serve.

Let's talk for a moment about new ideas. New ideas are like a newborn child. They have to be fed; they have to be nurtured. They have to be protected, the new ideas. They have to be given a chance to grow. We celebrate in the Wildrose caucus the opportunity to listen to Albertans, our true bosses, and the opportunity to allow an idea to grow. That is so important. What happens, though, in a dynasty of 40 years of a PC Party? The actual party and the system they have is more powerful than one MLA, and what happens is that you lose the connection with your bosses, your constituents. Now, there are many on the government side who continue to try to listen to their constituents, and I salute you. You are listening to your constituents. Good for you. They are your bosses, not someone who has a fancy title as a minister or a fancy title like Premier or Government House Leader. You actually report to your citizens, and I congratulate you for that.

Mr. Speaker, as we go forward, I would like to say that I believe that the next election will be built on new ideas, ideas that we hear from our constituents. Allow me to say that as I sit here today, I proudly say that it is an honour and a privilege to serve. In order to serve, you have to listen. Listening is so important because of the wisdom that senior citizens, in fact, have brought to me. I stood here three years ago with the then Premier from Vegreville who promised the seniors of Fort McMurray a long-term care centre. He stood right beside me when he announced it, and then he broke the promise. That just doesn't cut it in any constituency when you make a commitment to senior citizens to build a long-term care centre, and the then minister, now the Minister of Finance, says: "No. We're going to cut that for another five years because the average age is too young."

Mr. Speaker, a couple of weeks ago I was asked by the family to be a pallbearer for a senior citizen who stayed in an acute-care bed in our hospital in Fort McMurray along with 65 others. She passed away. She was 103 years old. She never complained because she was a hard-working Albertan. She didn't know that there are actually better facilities out there that other Albertans are

enjoying, but she did know that there could have been one in Fort McMurray, based on a commitment.

I'm sorry for the fact that I was not able to live up to that commitment when I was part of that government, but I proudly can say that I can look myself in the mirror. Ultimately, that lady who was 103 years old, as I carried her coffin out, I will say that not ever for a moment did her family complain. They never complained. They never criticized the Premier or anyone in his government. They said she'd lived a good life.

It's a humbling story, and I know that all of us in this room know that we can do better. We want to fulfill our commitments. So, Mr. Speaker, I say that I apologize to the family of that senior citizen because I know that we can all do better. As our licence plate says, welcome to wild rose country as we go forward into the future.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore. Eight minutes and 13 seconds, sir.

**Mr. Hinman:** Well, thank you, Mr. Speaker. It's an honour to get up and participate in this emergency debate, which does not seem to quite reach that level of what I'd call emergency debate. I want to congratulate the new Premier on her stunning victory to become the first woman Premier in the province here. Truly it was exciting to see at least a few Albertans decide to engage in that process and want to participate by spending their \$5 to vote on that.

Alberta is a province with a vast potential to lead the way for all Canadians in the years moving forward. We are truly blessed with incredible individuals that are hard workers. We have beautiful land that is clean and productive, that produces some of the best food in the world. We have clean water. We have clean air. We truly are blessed with resources that are second to none. However, I think that each and every one of us in here understands and realizes that the real reason we're blessed and able to develop these resources is because it takes good government that respects the rule of law in order for those opportunities to be fully developed.

When facing economic headwinds like these, it is critical that we lead and return to a balanced budget and be the example and the beacon of hope for all the provinces in our Confederation and, indeed, all of the countries around the world. The new Premier responded a little bit and talked about the economic problems, which again is what the emergency debate is supposed to be about yet was not really addressed in any true sense. We had some warm, wonderful words, some direction that she's talking about, but I truly question what her intent is and the direction that she's going to lead the province of Alberta.

Again, what she's demonstrated over this last week is that she doesn't respect the rule of law. She doesn't respect democracy. She set off and said that, well, we're not going to sit. The first thing she said when she got elected was that we're not going to sit. Then she talks to caucus and says: okay; we need to sit. Then it's just for two days.

We have a commission, the AUC, that was bringing forward their report today, which she suspended. So here we have commissions and boards that are being instructed by the province to produce these reports, and then they're squashed. I think she would be appalled if she saw that going on in some of the other countries where she's gone to promote democracy. Instead, though, what we see: this government is more concerned about interfering and micromanaging our markets here and wanting to pick what I want to call economic losers rather than allowing the competition and the free market to develop that. We see that in many areas.



Instead, they're busy promoting a wasteful program like spending \$2 billion on carbon capture and storage. This is not the proper answer to what we need. We need to promote the responsible development of our oil sands. We need to ensure that the Northern Gateway pipeline is our top priority. She talked about it, but is it her top priority? I don't think so.

No democratic accountability. Again, the House is going to recess for three weeks so that they can go out and rejig. Let's ask: why has this problem developed? Because of this government's poor timing on when they wanted to pick a new Premier. They knew that the House sat on October 24. They knew that way back in January when they were trying to set up the schedule to say that this is what we're going to do. They created this problem and then say: oh, we need some more time. No. What they need is some more competency, which they are lacking incredibly.

6:10

Our new Premier continues to plunge into our savings accounts for such simple things as a patronage appointment for her political rival, who was far exceeding her on the first popular vote, before they went back to the people to have a popularity contest. We'll spend, you know, \$260,000-plus a year when what we really should be doing is focusing and promoting our pipeline that gets our oil to Asia and India.

As we have witnessed the controversy over the Keystone pipeline, we no longer want to be beholden to the U.S. or the EU, who seem to show their desire to buy from dictatorships that have no problem supporting terrorism around the world. These areas that they want to claim as a better place to buy oil and gas don't even allow their women to vote. They don't allow them to go out in public and show their faces, yet we listen to the EU and the U.S. put a black eye on our wonderful province and our development of our oil sands.

This is an area that should've been focused on. Gary Mar said he'd be down in Ottawa on the 7th of October to fight for that Keystone pipeline, but he fell silent. But the Northern Gateway pipeline to the Pacific coast is a necessity for this province and for our country. Are we going to maximize our revenue from our resources, or are we going to be held captive to a market that wants to badmouth us on one side and yet take their oil from other states that are far more brutal and, again, barbaric in their production of oil?

We can do better, but this government is more interested in controlling and claiming credit when they have little to do with the economic prosperity that we enjoy. More often than not the entrepreneurs and the businessmen that excel in this province do it despite this government's policies rather than being enhanced by this government's policies.

Albertans deserve better. Right now we're paying for more bloated bureaucracies and individuals going to Asia and more red tape that stifles the Alberta entrepreneur. If this government is serious about improving the state of our economy, they need to stop meddling in the lives of everyday Albertans and our businesses. This government needs to begin to apply common-market principles and to begin to capitalize on the Alberta spirit and competition in an open and competitive market, the same Alberta spirit and entrepreneurial ingenuity that allowed us to unlock the oil sands and apply it to our prosperity.

We have many problems and challenges that this Premier has failed to address at this point. I just want to touch briefly on health care. Right now Albertans are paying the highest per capita of anywhere in the developed world yet getting some of the poorest results in those areas. It's very disappointing that the Premier has not addressed what we're going to do on that. Albertans agree on universal access for health, but they are tired of a health care system that operates in the same manner as North Korea and Cuba instead of applying practical European model solutions based on the competitive delivery of health care services. For too long this government and their progressive pals in the NDP and the Liberals have gotten away with fearmongering vulnerable Albertans about implementing the necessary reforms to fix our health care.

Mr. Speaker, we can do better. Albertans are looking for the type of leadership that made this province great, leadership that created the Alberta success stories in our ranching and farming communities and the oil patch. They are looking for leadership in balancing the budget without compromising our front line. They are looking for leadership that looks the challenges of the global economy straight in the eye and does not blink. From what we have seen so far, we are not getting this from our newest Premier. She has flopped on her democratic reform. She has failed to set election dates. She's flopped in coming back to allow free votes here in the Legislature.

What we know is that we've seen a nine-month hiatus, where government MLAs can speak out, but now that the leadership race is over, is anything going to change? It was very sad to realize that all of those individuals over there voted for Bill 50 and said that it's a wonderful thing, yet when we had a leadership debate, they started to denounce it. Now the silence will set in again and a lack of democracy.

Mr. Speaker, probably the most concerning is: is this Premier committed to balancing the budget?

**The Speaker:** Hon. members, the Assembly stands adjourned until 1:30 p.m. tomorrow.

[The Assembly adjourned at 6:14 p.m. to Tuesday at 1:30 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday, October 25, 2011

Issue 36

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Denis, Hon. Jonathan, QC, Calgary-Egmont (PC),  
Deputy Government House Leader  
Doerksen, Arno, Strathmore-Brooks (PC)  
Drysdale, Wayne, Grande Prairie-Wapiti (PC),  
Deputy Government Whip  
Elniski, Doug, Edmonton-Calder (PC)  
Evans, Hon. Iris, Sherwood Park (PC)  
Fawcett, Kyle, Calgary-North Hill (PC)  
Forsyth, Heather, Calgary-Fish Creek (W),  
W Opposition Whip  
Fritz, Hon. Yvonne, Calgary-Cross (PC)  
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)  
Griffiths, Doug, Battle River-Wainwright (PC)  
Groeneveld, George, Highwood (PC)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
Government House Leader  
Hayden, Hon. Jack, Drumheller-Stettler (PC)  
Hehr, Kent, Calgary-Buffalo (AL),  
Official Opposition Deputy Leader  
Hinman, Paul, Calgary-Glenmore (W),  
W Opposition Deputy Leader  
Horne, Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-Sturgeon-St. Albert (PC)  
Jablonski, Hon. Mary Anne, Red Deer-North (PC)  
Jacobs, Broyce, Cardston-Taber-Warner (PC)  
Johnson, Jeff, Athabasca-Redwater (PC)  
Johnston, Art, Calgary-Hays (PC)

Kang, Darshan S., Calgary-McCall (AL),  
Official Opposition Deputy Whip  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Knight, Hon. Mel, Grande Prairie-Smoky (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Liepert, Hon. Ron, Calgary-West (PC)  
Lindsay, Fred, Stony Plain (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC),  
Deputy Government House Leader  
Lund, Ty, Rocky Mountain House (PC)  
MacDonald, Hugh, Edmonton-Gold Bar (AL)  
Marz, Richard, Olds-Didsbury-Three Hills (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
Leader of the ND Opposition  
McFarland, Barry, Little Bow (PC)  
McQueen, Diana, Drayton Valley-Calmar (PC)  
Morton, F.L., Foothills-Rocky View (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
ND Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC),  
Deputy Government House Leader  
Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (AL),  
Official Opposition Whip  
Prins, Ray, Lacombe-Ponoka (PC)  
Quest, Dave, Strathcona (PC)  
Redford, Alison M., QC, Calgary-Elbow (PC),  
Premier  
Renner, Rob, Medicine Hat (PC)  
Rodney, Dave, Calgary-Lougheed (PC)  
Rogers, George, Leduc-Beaumont-Devon (PC)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
Leader of the Official Opposition  
Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)  
Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Taft, Dr. Kevin, Edmonton-Riverview (AL)  
Tarchuk, Janis, Banff-Cochrane (PC)  
Taylor, Dave, Calgary-Currie (AB)  
VanderBurg, George, Whitecourt-St. Anne (PC)  
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Hon. Len, Calgary-Foothills (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC)

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Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 67

Alberta Liberal: 9

Wildrose Alliance: 4

New Democrat: 2

Alberta: 1

### **Executive Council**

Alison Redford	Premier, President of Executive Council, Chair of Agenda and Priorities Committee
Doug Horner	Deputy Premier, President of Treasury Board and Enterprise
Dave Hancock	Minister of Human Services
Ted Morton	Minister of Energy
Verlyn Olson	Minister of Justice and Attorney General
Fred Horne	Minister of Health and Wellness
Ron Liepert	Minister of Finance
Thomas Lukaszuk	Minister of Education, Political Minister for Edmonton
Diana McQueen	Minister of Environment and Water
Jonathan Denis	Solicitor General and Minister of Public Security
Cal Dallas	Minister of Intergovernmental, International and Aboriginal Relations, Political Minister for Central Alberta
Evan Berger	Minister of Agriculture and Rural Development, Political Minister for Southern Alberta
Frank Oberle	Minister of Sustainable Resource Development
George VanderBurg	Minister of Seniors
Ray Danyluk	Minister of Transportation
Jeff Johnson	Minister of Infrastructure, Political Minister for Northern Alberta
Doug Griffiths	Minister of Municipal Affairs
Greg Weadick	Minister of Advanced Education and Technology
Jack Hayden	Minister of Tourism, Parks and Recreation
Heather Klimchuk	Minister of Culture and Community Services
Manmeet Singh Bhullar	Minister of Service Alberta, Political Minister for Calgary

### **Parliamentary Assistants**

Naresh Bhardwaj	Health and Wellness
Alana DeLong	Seniors
Arno Doerksen	Human Services
Kyle Fawcett	Treasury Board and Enterprise
Art Johnston	Executive Council
Barry McFarland	Agriculture and Rural Development
Dave Rodney	Sustainable Resource Development
Janice Sarich	Education
David Xiao	Transportation

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

Anderson  
DeLong  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Development

Chair: Mrs. Jablonski  
Deputy Chair: Mr. Chase

Amery  
Blakeman  
Boutilier  
Calahasen  
Goudreau  
Groeneveld  
Lindsay  
Snelgrove  
Taylor  
Vandermeer

### Standing Committee on Education

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Hehr

Anderson  
Benito  
Brown  
Cao  
Chase  
Leskiw  
Marz  
Notley  
Sarich  
Tarchuk

### Standing Committee on Energy

Chair: Mrs. Ady  
Deputy Chair: Ms Blakeman

Hehr  
Hinman  
Jacobs  
Johnston  
Lund  
Mason  
McFarland  
Rodney  
Webber  
Xiao

### Standing Committee on Finance

Chair: Mr. Renner  
Deputy Chair: Mr. Kang

Allred  
Anderson  
Drysdale  
Fawcett  
Knight  
Mitzel  
Prins  
Sandhu  
Taft  
Taylor

### Standing Committee on Legislative Offices

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blackett  
Blakeman  
Brown  
Evans  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Quest

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Elniski  
Evans  
Hehr  
Knight  
Leskiw  
Mason  
Pastoor  
Rogers

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Knight
Boutilier	Lindsay
Calahasen	McFarland
Doerksen	Sandhu
Drysdale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Snelgrove

Amery	McFarland
Boutilier	Mitzel
Brown	Notley
Calahasen	Pastoor
DeLong	Quest
Doerksen	Stelmach
Forsyth	Swann
Jacobs	Tarchuk
Knight	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Goudreau

Allred	Kang
Benito	Mason
Calahasen	Rodney
Chase	Sandhu
Elniski	Vandermeer
Fawcett	Woo-Paw
Forsyth	Xiao
Groeneveld	

### Standing Committee on Public Health and Safety

Chair: Mrs. Fritz  
Deputy Chair: Ms Pastoor

Bhardwaj  
Blackett  
DeLong  
Doerksen  
Forsyth  
Notley  
Ouellette  
Rogers  
Swann  
Woo-Paw

### Select Special Information and Privacy Commissioner Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 25, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Welcome.

Let us pray. Give to each member of this Legislature a strong and abiding sense of the great responsibilities laid upon us. Give us a deep and thorough understanding of the needs of the people we serve. Amen.

Please be seated.

### Statement by the Speaker

#### Order Paper Changes

#### Rotation of Questions and Members' Statements

**The Speaker:** Hon. members, as the fall sitting continues, the chair would like to point out some changes to the Order Paper and some minor changes to the order of questions and members' statements.

First, members may have noticed some changes to certain items on the Order Paper, resulting from the recent changes to the membership of Executive Council. The first modification is that the sponsor of Bill 18, the Education Act, which is at second reading stage and was introduced under the sponsorship of the former Minister of Education, now appears on the Order Paper under the name of the new Minister of Education. The cover page of the bill refers only to the Minister of Education, so reprinting the bill is not necessary.

The second modification found on the long Order Paper circulated yesterday is the withdrawal of motions other than government motions 514, 530, 547, 571, 579, 582, and 589 to reflect the appointments to Executive Council of the hon. members for Calgary-Montrose, Red Deer-South, Livingstone-Macleod, Athabasca-Redwater, and Whitecourt-St. Anne.

As well, the chair would like to point out to hon. members changes to the rotations for Oral Question Period and Members' Statements based on the increase in the number of members of the Official Opposition and the House leaders' agreement which was tabled in the Assembly yesterday by the Government House Leader.

A change is required in the order of questions to reflect the move of the new Leader of the Official Opposition to the Liberal caucus from his former independent status. As a result, today, day 3 of the Oral Question Period rotation, question 6 in the rotation to which the then independent member was entitled to ask, is removed and the subsequent positions moved up in the sequence of questions. Question 19 is allocated to the Official Opposition. The members' statement rotation will also be adjusted so that the Liberal caucus will receive the members' statement previously allocated to the independent member. The chair transmitted this information to all members in an October 14, 2011, memo on projected sitting days calendar.

There will be two modifications to these rotations based on the House leaders' agreement tabled yesterday. For today only, question 19 will be allocated to the Wildrose caucus instead of the Official Opposition. Similarly, for today only the New Democratic caucus will receive one member's statement that is usually allocated to the Progressive Conservative caucus.

## Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have two introductions. I would like to introduce to you and through you to all members of this Assembly a group of 40 grade 6 students from Annunciation school, a school in my constituency, Edmonton-Meadowlark. This school is one of only a select few that offers a highly distinguished International Baccalaureate primary years program and, like other schools, is a source of pride in my constituency. Amongst the hardest-working, smartest future leaders, community leaders, and possibly MLAs, they are sitting up in this Legislature along with their teachers accompanying them: Mrs. Maureen Ostrowerka, Mrs. Linda Girard, Mr. Chris Koper, and Mrs. Sharon Monson. They are seated in the gallery in front of me and behind me, and I would ask them to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I would also like to introduce to you and through you to all members of this Assembly a great Alberta Liberal caucus staff member, Melissa Gladue. Melissa came to us in the spring to work as an administrative assistant. Her efficiency, professionalism, and wonderful attitude as our front-line face to the world has made her a great addition to our team. While she is soon to leave us for a job as a judicial clerk, I know that her service has been appreciated by our caucus and by Albertans in general, and we wish her all the best. She is seated in the public gallery. I would ask Melissa to now rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I rise today to introduce to you and through you to all hon. Members of this Legislative Assembly on behalf of the hon. Member for Edmonton-Riverview a school group visiting today from École Notre-Dame in the constituency of Edmonton-Riverview. There are 35 individuals in this group, and they are led today by teachers Mr. Paulin Larochelle and Mme Adèle Maisonneuve. They are in the public gallery. I would now ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you very much.

**The Speaker:** The hon. Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's a pleasure for me today to rise and introduce to you and through you to the members of this Assembly staff from my department of the Ministry of Seniors. We are joined today by Susan, Sandy, Sharron, Andrea, Claire, and Kathy, who work tirelessly with our department and ministry to ensure that we provide the highest level of assistance and service to Albertans most in need. We have a tremendous team of civil servants working in my ministry, and we are excited to work together, bringing about and inspiring change in this ministry. I'd ask them to please rise and receive the warm welcome of this Assembly.

**Mr. Benito:** Mr. Speaker, I have three introductions today. It is my honour to introduce to you and through you to all members of the Assembly executives of the Pursuers Toastmaster Club, affiliated with Toastmasters International: Mr. Dresdin Archibald, current president, and Miss Kathy Servold, treasurer, who are seated in the members' gallery. I would ask that they rise and receive the traditional welcome of the Assembly.

It is also my honour to introduce, my second introduction, Mr. Arrey Tabot, who is seated in the members' gallery. He graduated with a BSc from the Athabasca University in June 2011 and is a volunteer at our Mill Woods constituency office. I would ask him to rise and receive the warm traditional welcome of the Assembly.

My third and last introduction, Mr. Speaker, is Mr. Doug Craig, who is seated in the members' gallery. Mr. Craig is the general manager of the Edmonton Southside primary care network, which was founded in 2005. I would ask him to rise and receive the warm traditional welcome of the Assembly.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you two people that are relatively new to my constituency, having spent the previous 40 years in the fine constituency of West Yellowhead. I'd like to introduce to you this afternoon Mr. Dan and Mrs. Margaret Rooks, who have joined us here this afternoon. They've decided that in their retirement they should come to Edmonton and take advantage of all that Edmonton has to offer. Of course, given that It's All in Calder, we're very happy that you're here. I'd ask them now to please rise and receive the traditional greeting of the Assembly.

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

**Mrs. Forsyth:** Thank you very much, Mr. Speaker. It is indeed an honour for me to rise today and introduce to you and through you to all members of the Assembly the Wildrose candidate for Whitecourt-St. Anne, Ms Maryann Chichak. Maryann was a small-business owner and is currently a councillor for the town of Whitecourt. She brings a wealth of knowledge and experience to the table, and I'm so pleased that she's a member of the Wildrose. I'll ask Maryann to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I also have two introductions today in the visitors' gallery. It is indeed an honour for me to introduce to you and through you to all members of the Assembly the director of political operations for the Wildrose Party, Mr. Ryan Hastman. Ryan is a former candidate for the federal Conservative Party in Edmonton-Strathcona, and, surprise, surprise, he is now a proud Wildroser. He brings enthusiasm, passion, and the strength of conviction. I am proud and honoured that he is a member of the Wildrose family. I would ask Ryan to please rise and receive the warm welcome of this Assembly.

**1:40**

My second introduction to you and through you, Mr. Speaker, is Mrs. Kerry Towle. She is a young and vibrant Albertan, a successful entrepreneur, wife as well as mother, and health advocate. She also happens to be the Wildrose candidate for Innisfail-Sylvan Lake. If she could please rise and receive the warm welcome of this Assembly.

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

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to this Assembly my guests from the United Ukrainian Canadian Seniors. They are here today to express their concern with the state of our public health care system and the ability in particular for seniors to receive timely and affordable care. The Alberta NDP is extremely pleased to be working with

strong and committed individuals in organizations like the United Ukrainian Canadian Seniors in advocating for well-funded and effective long-term care. I'd like now to ask my guests to rise as I call their names: Shirley Uhryn, Mike Uhryn, Lucy Antoniwi, Victor and Olga Horon, and Eva Doskoch. I'd like the Legislature to join me in giving them the traditional warm welcome.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to all members today 12 students from CDI College, south campus located in my constituency of Edmonton-Rutherford. Our 12 visitors today are all students in the oil and gas administration program. They are seated in the public gallery. I'm delighted to have them here, and I'd ask them all to please rise and receive the traditional warm welcome of our Assembly.

## Members' Statements

**The Speaker:** The hon. Member for Calgary-North Hill.

### Municipal Planning

**Mr. Fawcett:** Thank you, Mr. Speaker. I've risen in the Legislature many times to discuss the unique challenges and opportunities of the communities in my constituency. Today, though, I want to stand and congratulate the new Minister of Municipal Affairs for his well-deserved appointment. His dedication and inspiring advocacy for strong communities has many in my constituency excited about the potential for change. However, I'd like to take this opportunity to highlight the need for this government to adopt a deliberate and unique urban agenda that rethinks the relationship between our province's two biggest municipalities, the communities within these cities, and the provincial government.

Having visited 327 out of 422 communities in Alberta is a feat not many Albertans in or outside of this Assembly can claim, and this will serve this minister well in his position. However, I must note that the number of 427 communities in Alberta considers Calgary and Edmonton a single community each. I don't want to undermine the minister's accomplishment but, rather, highlight that this is how we have viewed our province in the past, where municipality is synonymous with community. While this has served us well for the last century, it is unlikely to do so moving forward.

The city of Calgary, for example, has over 1 million people, beyond 1.2 million if you consider the bedroom communities. The city of Calgary today is not a community. It's a large but important level of government with its own responsibilities, and it is comprised of hundreds of small communities such as Highland Park and Winston Heights, just to name a few in my constituency, as well as Tuscany, Cranston, Sunalta, Saddle Ridge, Evergreen, and Forest Lawn. Each of these communities is unique in the same way that Zama City is from Bow Island and Vermilion.

In the last decade our two largest cities have changed from medium-sized cities to large metropolitan centres made up of communities. We need to change the way that we think about these two cities, and this can be done by re-engineering the municipal-provincial relationship with the value of supporting communities at the centre of this relationship.

**The Speaker:** The hon. Member for Calgary-Currie.

### Duration of Fall Session

**Mr. Taylor:** Thank you very much, Mr. Speaker. We are here in

the House for day 36 of the 27th Legislature and our second day back this fall, which will also be the last day before a planned four-week break. Then we're scheduled to come back and sit for maybe two more weeks, give or take, this year.

Mr. Speaker, this shortened session will prove to be a missed opportunity to get some really good work done. It points out the need to do things differently here in the Legislature. Now, I understand that the new Premier needs time to set a new legislative agenda and that it takes time to put legislation forward – certainly, some delay is to be expected – but what I don't understand is how all of us as elected representatives can have no legislation to consider here in the House. Even if the government does not wish to debate Bill 18, the Education Act, there are half a dozen private members' bills on the Order Paper, including, selfishly but certainly not limited to, my own Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011, which has received widespread community support.

Here's an opportunity, as I see it, to show some flexibility and innovation in setting the agenda of the Legislature. Why not, while the government faces the need for some time to set its own legislative agenda, allow the members of this Assembly to carry out our work on private members' business? Private members' business serves a function just as government business does. I know that my own bill, which has been developed to remedy stalled or delayed developments that diminish the vitality of their communities and reduce attractiveness and accessibility for surrounding businesses, has received stakeholder buy-in from community residents, the AUMA, elected officials, and senior administration from cities and towns all over Alberta as well as an expression of support from members on both sides of this House. I trust that the sponsors of other private members' bills on the Order Paper have been consulting their stakeholders and gathering support for their legislation as well.

These bills deserve to be debated, Mr. Speaker, and voted on their merit. So I ask the government to acknowledge that there is work to be done in session while it's developing its own bills and to give MLAs the opportunity to represent their constituents in that capacity. We should be sitting.

Thank you.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

#### **Dr. Siegfriedt Heydenrych**

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is with great pleasure that I rise today to extend my sincere congratulations to Dr. Siegfriedt Heydenrych of Cold Lake for receiving the 2011 Alberta rural physician action plan early careerist award. The Alberta rural physician action plan, established by the government of Alberta in 1991, is an independent, not-for-profit company funded by Alberta Health and Wellness. Created in 2005, the early careerist award recognizes the significant contribution of a rural physician within the first 12 years of practice who is passionate about rural medicine, a physician who is seen as making a difference for their clients and the community now and into the future.

Mr. Speaker, this award is a great honour to be bestowed on one of my constituents. Dr. Heydenrych, better known as Dr. H., has provided medical services for Cold Lake's community for six years, involving himself in all aspects of health care in the area, including his role as hospital chief of staff, physician lead for the community primary care network, member of the Hearts for Healthcare coalition, and mentor to third-year medical students. Dr. H.'s commitment and dedication to rural practice in Alberta is

truly commendable. I know that my constituents and I value the difference he has made for our community, and I want to thank him for choosing Cold Lake to call his home.

Mr. Speaker, I am proud to be part of a government that recognizes the importance of rural physicians like Dr. Heydenrych in communities like mine.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### **Critical Electricity Transmission Infrastructure**

**Mr. Hinman:** Thank you, Mr. Speaker. By now everybody knows that the Premier supports the heartland transmission line. She doesn't, however, support the eastern line or the western line. Her Energy minister tried suspending all three last week, but she stepped in at the last minute to save heartland. She doesn't need evidence to support her decision. She just says the word, and it's done.

The last administration said that all three lines were necessary. She says that we need only one. Why? We don't know, and we won't find out. Bill 50 grants her this luxury. The Electric Statutes Amendment Act, 2009, allows her to declare what transmission lines Albertans need based on little more than political whim. During the leadership campaign the Premier promised to review Bill 50. Now that she is Premier, she is using it to suit her own agenda.

Mr. Speaker, this is easy enough to explain. During the campaign Bill 50 was a popular thing to oppose. Some of the loudest cheers the candidates received at the forums were when they talked about doing something about fixing it. But now that she's in power, she doesn't want to give it up, and that is precisely the problem when you have a government that has been in power for 40 years. It's not about fixing the system or correcting mistakes or improving how Alberta is governed; it's about power and retaining your grip on as many levers as possible once you get it.

Mr. Speaker, the problem is Bill 50, legislation that gives the Premier the power to bill taxpayers for multibillion-dollar transmission lines that will drive up electricity bills, force jobs out of the province, and trample on landowners' rights. That's why we have promised to repeal Bill 50 and put the transmission needs assessment process where it belongs: in the hands of experts, not the politicians.

Nine months ago the Premier didn't speak out against these lines as a cabinet minister. Now, all of a sudden, she's calling the shots on which ones stay and which ones go. It would be nice, Mr. Speaker, if courage and leadership were genuine instead of politically calculated. Has this been a change for the positive? I think not.

Thank you.

1:50

#### **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Leader of Her Majesty's Loyal Opposition.

#### **Incremental Ethane Extraction Program**

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier said yesterday in this House that the Minister of Energy, who was recently investigated about his own transparency, will release a set of facts about the backroom ethane deal. She also said that we'll find in the end "that no one was prejudiced in any way." To the Premier: does the Premier believe that it's okay to prejudge the outcome of the minister's investigation before it actually happens?

**Ms Redford:** Mr. Speaker, my precise wording was that the minister would account for the facts that led to this situation. I'm not presupposing any outcome, and nor should the Leader of the Official Opposition.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that we have the former Finance minister, now the current Energy minister, investigating the former Energy minister, now the current Finance minister, if that makes any sense, how can Albertans trust the outcome of the current Energy minister's investigation when the Premier has thrown him into such a conflict of interest?

**Ms Redford:** Mr. Speaker, we are going through an exercise right now of making sure that those facts are fully accountable to Albertans. Albertans will determine what the circumstances were with respect to this. The hon. Leader of the Opposition can paraphrase and make cute remarks all he wants. It's not confusing the issue. The issue will be clear, the facts will be clear, and Albertans will make up their minds.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the previous Energy minister and his senior staff have been generously rewarded with promotions by the Premier and she's already drawn the conclusion that "we do not have a scandal here," how can Albertans trust that this process might reveal any wrongdoings on their part?

**Ms Redford:** Well, Mr. Speaker, all of these words are wonderful language for a political party to use. I'll tell you that what I've said often to my nine-year-old is that just because you say something over and over again doesn't make it true. We'll see the facts, and Albertans will decide.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Trust and truth are words I say over and over again to my children. There is a huge difference between being consulted about changes to programs and knowing what those changes are and when they're going to happen. Williams and NOVA knew what ethane program changes were coming and when. They moved first because of this. To the Premier: is it fair to leak government decisions to industry before Albertans know about them or cabinet even approves them?

**Ms Redford:** Mr. Speaker, these characterizations again are presuming a set of facts that will be made available to all Albertans. Once we have those facts, I'd be quite happy to hear what the Leader of the Opposition's conclusions may be, but up until then I think it's all superfluous.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. If truth is a superfluous issue, then I'm sorry.

Regardless of what department or what industry we're talking about, is the Premier honestly telling us that a consultation process constitutes permission to leak confidential information prior to cabinet making a decision?

**Ms Redford:** Mr. Speaker, again we have these characterizations. We've been very clear that when we look at the facts in this

situation, what we are going to see is that none of these suggestions that are being made by the Leader of the Official Opposition are actually, in fact, the case.

**Dr. Sherman:** Mr. Speaker, given that trust and truth have now become a characterization and given that the Premier has instructed the Energy minister to fully disclose all facts of the ethane scandal, will the Premier promise a full disclosure of the entire consultation process as well as all information exchanged between the minister's office and Williams and NOVA ahead of the cabinet decision?

**Ms Redford:** Mr. Speaker, we've said that we'll make sure the facts are public, and we will.

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Mr. Speaker, yesterday we talked about the incremental ethane extraction program for \$310 million, over 10 years of ethane incentives. Now we read that the program has spent \$170 million in seven months. Either there has been a boom in ethane production or the ethane fund is setting aside money for companies on a first-come, first-served basis. To the Energy minister: which is this?

**Dr. Morton:** Well, Mr. Speaker, it's a good-news story. It shows that the program is working. The opposition member should do his homework. The incremental ethane extraction program is now being applied to the off-gases from the oil sands that were previously being burned at virtually no value to Albertans. Now it's being put into ethane for our petrochemical feedstock.

**Mr. Hehr:** Given that the Energy department's website states that only 12,000 barrels a day of ethane are currently produced under the program, which, at most, accounts for 2.7 per cent of what the Energy department has spent in the last seven months of ethane incentives, where has the rest of the money gone?

**Dr. Morton:** Mr. Speaker, why doesn't the Liberal Party just admit that they don't care about the petrochemical industry in this province? Why don't they just admit it?

**Mr. Hehr:** Given that in the guidelines for the incremental ethane extraction program incentives are only given when ethane is actually produced, how does the minister square this circle?

**Dr. Morton:** Mr. Speaker, the fact of the matter is that new ethane is being produced from the off-gases from the oil sands. It's adding to the feedstock for the petrochemical industry, and it's an important step forward in sustaining this industry.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Edmonton-Highlands-Norwood.

### Health Care Accessibility

**Mrs. Forsyth:** Thank you, Mr. Speaker. Let me start off by saying that my questions are on behalf of the health care professionals in this province: the doctors, the nurses, and the LPNs that are the glue that holds our entire health care system together. My questions are directed to the Premier. Given that the government has agreed that the eight-hour provincial benchmark for arrival within the emergency department to admission to a hospital bed is a marker of the entire health care system's capacity, what is your

plan to address the fact that you have missed the essential targets despite intensive attention over the last year?

**Ms Redford:** Mr. Speaker, the important part of this question is that we've focused intensive attention on this. There's no doubt that there are going to be times in the development of health care in this province when we're going to have situations where we meet those benchmarks and where we can't. We've been very honest in saying that we are going to do a better job. We have a new minister of health who is committed to public confidence in a public health care system, and I am very confident that we're going to be able to move to make progress with respect to that.

**Mrs. Forsyth:** Premier, your plan isn't working.

Given that a lack of affordable access to home care and long-term care has been identified and, Premier, agreed upon as the key contributor to a system-wide access block, when will the Premier and your government begin to be honest, open, and transparent as to what their plan is to address this essential component of health care within our province?

**Ms Redford:** Mr. Speaker, I don't know where the hon. member has been for the past eight months, but there's no doubt that Albertans agree, as I've agreed, that those are critical pieces to what a public health care system has to put in place. I'll tell you that in the past 10 days we've appointed a cabinet with strong leadership, that's committed to ensuring that exactly those things are achieved, and they will be.

**Mrs. Forsyth:** Well, Mr. Speaker, I can tell the Premier where I've been. I've been talking to the health care professionals that are keeping the system glued together.

What is the Premier's plan to address the fact that under her government's watch 30 per cent of Albertans do not have access to primary and preventive care as a result of not having a family physician?

**Ms Redford:** Mr. Speaker, I think that's a very exciting question because, again, if the hon. member had been paying attention for the past eight months, what she would have heard is that we are committed to establishing family care clinics that will do exactly that for Albertans.

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

#### Fixed Election Dates

**Mr. Mason:** Thank you very much, Mr. Speaker. During her leadership campaign for the PC Party the Premier promised to establish fixed election dates in Alberta. Since then she has been remarkably quiet on the subject. In her speech yesterday she failed to mention the subject altogether. Will the Premier tell the Assembly whether or not she intends to keep her promise for fixed election dates, and if she does, how she plans to determine the date for the next provincial election?

**Ms Redford:** Well, Mr. Speaker, in fact, within four hours of being elected leader of the party, I was less than silent on the issue. I was asked the question in a press conference, and I said I was fully committed to that. So I'd suggest the hon. leader stay tuned.

2:00

**The Speaker:** The hon. member.

**Mr. Mason:** Well, thanks, Mr. Speaker. This Premier wants to do everything according to her timetable. I think it's important that this Premier come clean with the Assembly and the people of Alberta. I'm sure that all those happy campers sitting in the back row over there are just dying to know when the next election is, so why doesn't the Premier stand up and tell all of us?

**Ms Redford:** Mr. Speaker, you know, the great thing about democracy and transparency is that one person doesn't get to decide everything. I'm reminded of that all of the time by the opposition. So I'm looking forward to the discussion about this, and I'm sure they'll be able to participate in it.

**Mr. Mason:** Mr. Speaker, does the Premier intend to involve the other political parties in this Assembly in that decision, and does she plan to have this Assembly make that decision this fall sitting or not? Yes or no?

**Ms Redford:** Well, Mr. Speaker, I think this is going to be a very important discussion for all Albertans to have, and I look forward to having it in the next little while.

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

#### Alleged Intimidation of Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. The Premier delivered on her promise to restore education funding immediately upon taking office, and I thank her for that. However, it would appear that some commitments are more important than others. For example, she has also promised to call a public judicial inquiry to investigate intimidation and potential financial misconduct in the health system. When will the Premier deliver on her commitment to call a public inquiry into the health system?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. As I said yesterday in this House when the same question was asked, the government is committed to two things: first, establishing the Health Quality Council of Alberta as an independent body reporting to this Legislature. We'll be moving down that road this fall, and there'll be opportunity for discussion in this House. Secondly, with respect to the inquiry we will have more to say about that after the Health Quality Council reports in February.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Well, given that the current Finance minister has publicly voiced his objection and his refusal to participate in the public inquiry and given that the Premier chose to elevate his position within cabinet, what guarantee do Albertans have that the public inquiry will ever happen?

**Mr. Horne:** Mr. Speaker, as the Premier has said both inside and outside this House numerous times, this government is committed to a fully independent inquiry into the very allegations that the hon. member has brought forward. We'll be moving forward on that as quickly as we can right after the Health Quality Council reports to this government.

Thank you.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Well, will the Premier commit to having the Legislature set the terms of reference for the public inquiry so that key witnesses – key witnesses – such as former health ministers, former senior health officials, Dr. Ciaran McNamee, and Dr. Timothy Winton might be compelled to testify?

**Mr. Horne:** Mr. Speaker, I don't know how many times we have to repeat this. The government is committed to a fully independent public inquiry. Fully independent means fully independent. Appropriate terms of reference will be set, and the inquiry will be free to proceed with conducting appropriate proceedings relevant to the allegations that have been raised.

Thank you.

**The Speaker:** The hon. Member for Calgary-Lougheed, followed by the hon. Member for Lethbridge-East.

### European Union Fuel Quality Directive

**Mr. Rodney:** Thank you, Mr. Speaker. The European Union was set to vote today on its fuel quality directive, a measure which could label Alberta's oil sands as dirty, which spawns obvious consequences. To the Minister of Intergovernmental, International and Aboriginal Relations: can you please provide the members of this House and all Albertans with the latest update as to the status of these pivotal negotiations?

**Mr. Dallas:** Mr. Speaker, today technical representatives from the EU member states met but opted not to vote on the current fuel directive proposal. It's our understanding that EU member states had some problems with the language that was involved in the document, and we've had those concerns for some time. Indications are that the vote might come later this year or early next year. Of course, that gives us time to continue working with member states on this file.

**Mr. Rodney:** My first supplemental is to the same minister. The FQD has been discussed for two years now. The perception for some is that our efforts are simply not getting the job done. To the minister: should Albertans be seeing more of an impact, and if so, how and when?

**Mr. Dallas:** Mr. Speaker, we are having an impact on these negotiations and are making progress. Our UK office has criss-crossed the European continent, working with member states, providing support, providing information wherever it's required, and of course we've had a number of both European policy and legislative delegations visiting us here as well.

**Mr. Rodney:** My final supplemental is, indeed, to the same minister. Some might suggest that we should be getting more mileage, if I may say so, out of these resources by working more closely with the federal government. What is the minister's response to these suggestions?

**Mr. Dallas:** Well, Mr. Speaker, in fact, we have a very strong advocate in the federal government. Minister Oliver has worked on this issue diligently and will continue to do that going forward. I also look forward to strengthening our relationship with Ottawa as we move forward on a whole number of issues that are important to both Alberta and Canada.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Stony Plain.

### Assured Income for the Severely Handicapped

**Ms Pastoor:** Thank you, Mr. Speaker. Last August during the PC leadership campaign the now Premier stated her intention to increase monthly benefits under the AISH, income for the severely handicapped, program by \$400. My question is to Madam Premier, and I've been waiting to be able to say Madam Premier. Yesterday the Premier's address made no mention of such an increase. What is the timeline on it?

**Mr. VanderBurg:** I heard the Premier very loud and clear. I have instructed my ministry staff to have a look at it and bring back some options for discussion and budget.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Given that MLA salaries are indexed, would it not be fair to have AISH benefits indexed as well?

**Mr. VanderBurg:** Again, you know, Mr. Speaker, all of those are options, and I need to have an analysis done by my department to come back to me. They have budget implications, serious implications. I'll do a review of that as quickly as possible.

**Ms Pastoor:** Mr. Speaker, you don't have to analyze fairness.

What does the Premier have to say to AISH recipients who fear that they may be even more overlooked in the large Human Services superministry?

**Mr. VanderBurg:** Well, Mr. Speaker, it's very loud and clear that this does have implications on the budget of my ministry. If you give to one, you take from another. I want to assure you that this group is a very special group under my ministry and will get serious consideration.

**An Hon. Member:** What about keeping your promise?

**The Speaker:** Actually, the way it works is that somebody asks the question and somebody responds. It's not the person who asks the question who then answers the question. We could try that, I suppose.

The hon. Member for Stony Plain, followed by the hon. Member for Edmonton-Centre.

### Coal-fired Electricity Generation

**Mr. Lindsay:** Well, thank you, Mr. Speaker. Coal-fired electrical generation is a huge component of Alberta's efficient electrical system. The federal government is currently working on regulations to reduce the environmental impact of coal-fired electrical plants, and I understand the province is at odds with these efforts. My question is to the Minister of Environment and Water. Is Alberta trying to interfere with the federal greenhouse gas reduction efforts?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Absolutely not. We share the same goals as the federal government: to produce energy more efficiently and effectively with less environmental impact. However, it needs to be done in a way that is fair to all provinces, especially those that still primarily rely on coal for electricity to meet their needs. At the end of the day Albertans should not pay vastly more for electricity than other Canadians due to federal regulations. We're going to use this time to consult with our federal colleagues with regard to this.

**The Speaker:** The hon. member.

**Mr. Lindsay:** Thank you again, Mr. Speaker. My first supplemental is to the same minister. It is important that our government stand up for Albertans on this issue. How is this minister planning to do that?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. We believe that unless the regulations change, they will lead to unacceptable costs for Alberta consumers and their businesses. We need to make sure that the regulations don't give industry any flexibility to achieve the same results on a company basis, so we want to make sure that there is flexibility with regard to these regulations to achieve the results that we're looking for.

2:10

**The Speaker:** The hon. member.

**Mr. Lindsay:** Thank you, Mr. Speaker. To the same minister. The proposed federal regulations are not the right approach for Alberta. What is your ministry suggesting instead of these proposed regulations?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Our preferred option is to have flexible compliance options, similar to Alberta's system, to ensure maximum flexibility for achieving our targets. We have demonstrated this with the system in effect in Alberta with mandatory greenhouse gas emissions reduction targets for all large emitters. We want to take this strategy and make sure that it's flexible for Alberta.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Lesser Slave Lake.

#### Land-use Planning

**Ms Blakeman:** Thanks very much, Mr. Speaker. The Premier was very clear during the leadership race that the Land Stewardship Act and the amendments that were passed in the spring would be immediately suspended if she should win. So here we are. She won, and the land-use framework process is in disarray. Land-use plans are needed by municipalities to push back urban sprawl, to provide clarity around water management, to enable protection of wildlife corridors, and just generally to protect Albertans' land. To the Premier: what are the immediate plans for the land-use framework and the Land Stewardship Act?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I'm pleased to address that and to thank the hon. member for her question and for her passion about land use. I agree with her that land-use plans are necessary. We're reviewing how to move forward. Our goal will be to produce land-use plans for the province of Alberta that address all of the issues that she raised.

**Ms Blakeman:** Well, it only took the Premier 24 hours to turn around and reverse on the fixed election dates, on funding for education, so what's the timeline here on the land-use plans?

**Mr. Oberle:** I'm not sure I heard a question, there, Mr. Speaker. I'm moving as fast as I can. Obviously, that involves a pretty broad consultation inside and outside of our government.

**Ms Blakeman:** Good. Consultation. Well, given that this government has a blue-ribbon reputation for holding public consultations and then implementing the plan they had all along, can we under this new Premier expect any changes?

**Mr. Oberle:** Well, I thank the member for pointing out that we do in fact have a blue-ribbon reputation for involving the public in the decisions we make. We're going to continue that going forward, Mr. Speaker.

Thanks for the question.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the hon. Member for Airdrie-Chestermere.

#### Slave Lake Interim Housing and Medical Access

**Ms Calahasen:** Thank you, Mr. Speaker. There have been residual effects of the fires for people in the Slave Lake area. One of the issues is housing for single people. Even though many of them have found places to live, there are still some who don't have a home. My first question is for the Minister of Municipal Affairs. Is it possible to use any of the leftover interim housing units for those who are single and without a home right now?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'd like to point out that with such a crisis in Slave Lake, we worked very hard to accommodate everybody who needed housing. Our priorities started with families with young children, seniors, disabled, and finally we've gotten to couples. We have built and assembled about 150 housing units. I was just up there Wednesday, and I saw the duplex units that are designed for singles who can live together. We expect that they will be getting their keys by the end of the month. Every single person that needs interim housing will have it by the end of the month.

**Ms Calahasen:** Well, although the recovery efforts have been ongoing, some of the people who lost their homes in the fire are still living in campgrounds, and they want to know when you as minister will get the help that was promised, a promise that was made in the last few months.

**Mr. Griffiths:** Again, Mr. Speaker, I believe the last update was from October 18, and there were six families that were currently living in campgrounds. Every single one of those families has available to them the opportunity to move into a hotel room if the temperatures become unbearable. Again, we anticipate that by the end of the month, which is a matter of days, every single person and family that needs interim housing will have the keys to their place and be moved.

**Ms Calahasen:** Another residual effect of the fire has to do with doctors. We have four doctors presently leaving Slave Lake, a cause for concern, Mr. Speaker. This creates problems not only for those who don't have doctors but those who have an inability to be able to get them. My question is to the minister of health. What are you going to do to ensure the people in the Slave Lake area continue to have access to the health care they need?

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you, Mr. Speaker. Well, I can assure the hon. member that we are very much focused on this issue right now. There are eight physicians in Slave Lake who will continue to provide physician services to residents after the others leave. The

Alberta Medical Association has assisted us in arranging coverage for the emergency department at the hospital. We're also looking at what other professionals who are in the community – nurses, pharmacists, and others – can do to help supplement the care that's available to the community until the situation is resolved.

### Political Party Donations

**Mr. Anderson:** Mr. Speaker, we have recently learned that some PC Party constituency associations have been accepting illegal donations from municipalities and school boards. I have personally spoken with mayors who say that they have been personally intimidated by PC Party officials into purchasing and making donations to fundraisers. This is pretty cut and dried; it's illegal, and it's unethical. To the Premier. She's the one sitting right there. Will she commit to ensuring that all funds illegally donated to the PC Party over the last several years are returned to these donors without delay?

**Ms Redford:** Mr. Speaker, there are a number of allegations being thrown around. As usual, whether or not we can verify them is something that is really up in the air. What I will say and what I've said from the very beginning since I became leader of this party is that that isn't a practice that we condone, and if there was any reason to think that there was that problem, we'd certainly encourage the Chief Electoral Officer to look into it. We are going to have no part in any kind of practice or procedure that would suggest that that was acceptable.

**Mr. Anderson:** Given that government bullying and intimidation of individuals and organizations for donations should never be a part of our political system – I agree, Madam Premier – will the Premier undertake to either personally or through, as she has suggested, a request to the Chief Electoral Officer prepare a letter clarifying the rules around which organizations are prohibited from making political donations as well as the penalties associated for the violation of these rules?

**Ms Redford:** Well, Mr. Speaker, let's be very clear. Every single time that the hon. member asks me to interfere with the business of the Chief Electoral Officer, he is not understanding the rules. The Chief Electoral Officer is an independent officer. The Chief Electoral Officer must make their own determination as to what to do. If I stepped in and asked the Chief Electoral Officer to take action in this case, I think that within months we'd have the hon. member standing up and accusing me of interfering in other areas. I won't do it.

**Mr. Anderson:** Sometimes doing what's right is hard, isn't it, Premier?

Premier, given that one of the ways these illegal donations are kept hidden is that individual town councillors and school board members will personally purchase their ticket to a PC fundraiser and then have it reimbursed by their respective municipality or school board as a promotion expense, will you undertake – this is a simple question – to have your Municipal Affairs minister send a letter to all municipalities and their auditors to ensure that this practice is ended on a go-forward basis? It's a very reasonable suggestion.

**Ms Redford:** Mr. Speaker, I find this to be fascinating. First of all, I'd be very interested in how the hon. member knows that this is what happens.

Secondly, there is no doubt that we have a system in place – and I referred to it yesterday – where we have a Department of Municipal Affairs, that has responsibilities with respect to the

relationship with municipal governments. Municipal leaders, who are also elected by their communities, have a responsibility to follow the rules. There is no doubt that auditors who are in place understand the rules, and I fully expect that everyone who is elected and fully engaged in auditing should understand the rules well enough to make sure that these things aren't happening.

### Funding for Private Schools

**Mr. Hehr:** Let me be clear, Mr. Speaker. I'm all for private schools that are entirely privately funded. That is not what currently exists in Alberta. This government currently subsidizes these so-called private schools to the tune of \$127 million this year alone. To the Minister of Education: why are we in the business of funding private schools?

**Mr. Lukaszuk:** Well, Mr. Speaker, let me tell you something, and I keep repeating this because I'm very proud of it. The Prime Minister of England recently reminded Canadians that Alberta has the best education system in the entire English-speaking world. That is for a number of reasons – great teachers, good administrators, and the list goes on and on – but one of the primary reasons is choice. Alberta parents and students have the choice of where they go to school.

**Mr. Hehr:** Why is it necessary for Alberta to be the highest paying jurisdiction per capita in Canada in terms of subsidizing private schooling?

**Mr. Lukaszuk:** Mr. Speaker, such results, that even warrant the attention of the Prime Minister of Great Britain, cost. I find that spending money on education is not an expenditure; it's an investment. We are committed to continuing to invest in education.

**Mr. Hehr:** Will the minister stand up for equality of opportunity and commit to cut all funding to private schools?

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Varsity.

2:20

### Primary Care Networks

**Mr. Benito:** Thank you very much, Mr. Speaker. Access to family physicians by Albertans is one of the most important issues for our publicly funded health care system. Primary care networks, or PCNs, are a multidisciplinary team care approach in a family physician's clinic in order to co-ordinate the delivery of primary health services for patients. My first question is to the Minister of Health and Wellness. What improvements have PCNs brought to the Alberta health care system in terms of access to family physicians and time spent with patient care since their inception in 2003?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. Well, it's true that primary care networks have expanded access to primary care for Albertans. They do that in a number of ways. They offer multidisciplinary teams, doctors working alongside nurses, pharmacists, and other professionals to meet the needs in the local community. They in some cases have expanded hours of service. They've offered continuity of care when it comes to dealing with continuing care, home care co-ordination, and access to specialists. There are many examples. We currently have over 40 primary care networks in Alberta, serving approximately 2.8 million Albertans. All of this success aside, there is certainly more



that can be done, and we're very much focused on looking at what we can do to enhance this program.

Thank you.

**Mr. Benito:** The first supplemental to the same minister: what assurances can you provide to Albertans that the funding mechanism for primary care networks will remain going forward?

**Mr. Horne:** Mr. Speaker, as the hon. member and others may know, primary care networks were the result of a partnership between Alberta's health region, the government, and the Alberta Medical Association. The arrangements that govern what services are provided and how they are delivered are dealt with in a trilateral agreement between those three parties. Those discussions toward a new agreement are under way now, and I'm very hopeful that they will allow us to continue to deliver what we have now and, as I say, enhance those services in the future.

**Mr. Benito:** Mr. Speaker, my second supplementary to the same minister: how can eligible primary care networks expect a long-term and sustainable funding formula from your ministry, and when can they expect it?

**Mr. Horne:** Mr. Speaker, we have an excellent example of a very successful primary care network here today in the form of the Southside primary care network, representatives of which are in the gallery. The way we ensure this is that we make the partnership work. We go back to the original agreement in our discussions, which are under way now, we look at what we've achieved to date, we look at more that can be done, and we look at other models that might enhance what primary care networks currently offer such as family care clinics.

#### Castle Wilderness Area

**Mr. Chase:** Mr. Speaker, Alberta is internationally renowned for the natural beauty, uniqueness, and wealth of its landscapes. This diverse bounty is particularly true of the jewel in the crown, the Castle area, which was formally protected within the boundaries of Waterton national park. This spring SRD insisted that despite the endangered status of this natural corridor it was necessary to clear-cut a minimum of one-third of the area to prevent the spread of the mountain pine beetle. To the Premier: given the SRD minister's admission yesterday that there was no detectable increase or spread of the beetle in southwestern Alberta, what justification remains for the proposed cumulative clear-cutting of this area?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. The member grossly mischaracterizes the state of the science-based forest management plan that exists in the area, which has logging on less than one-third of the area and about 1 per cent of the area in a particular year.

Mr. Speaker, we can attribute our current pine beetle situation in part to luck but also in part to sound forest management practices as we go forward. That's the only hope we've got.

**Mr. Chase:** The government needs to recommit to selective logging practices, Mr. Speaker.

Again to the Premier, given that the Premier intervened directly to prevent historical grassland in southeastern Alberta from being sold and plowed under for a potato patch, will this government afford similar protection to the southwestern corner of the province by eliminating the current threat of clear-cutting?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you. Mr. Speaker, as I pointed out in my previous answer, two-thirds of the area is already off limits, and the remaining third is under the jurisdiction of a very sound forest management plan, and we'll continue forward with that plan.

Thank you.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. Again to the Premier: does the Premier measure a unique forest value strictly on harvested board feet, or will this government finally commit to preserving the Castle-Crown by designating it as the Andy Russell A'tai Sah Kop provincial park?

**Mr. Oberle:** Well, Mr. Speaker, this government is always open to input from stakeholders. We've received quite a bit, and we will continue to receive more. We will certainly take that under advisement. For the moment there is a management plan and an allocation of timber, and we intend to follow it.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by the hon. Member for Calgary-Mountain View.

#### Affordable Supportive Living Initiative

**Mrs. Ady:** Thank you, Mr. Speaker. Like the rest of Canada, Alberta is undergoing a significant shift as our population ages. This has provided many opportunities as well as challenges for government and the not-for-profit and the for-profit sectors. Of increasing interest is how this government makes sure that there are appropriate accommodations and services that will provide more opportunities for Albertans to remain as independent as possible while addressing their changing needs. My question is to the Minister of Seniors. Will more continuing care spaces be built to meet the demanding Alberta aging population's needs?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I want to tell you that over the last 13 years the government of Alberta has invested millions and millions of dollars in creating about 10,000 spaces. That's significant. My ministry has right now until November 4 the ASLI grant. The applications will be received until November 4.

**The Speaker:** The hon. member.

**Mrs. Ady:** Okay. My second question is to the same minister. What impact is this funding having on seniors and persons with disabilities?

**Mr. VanderBurg:** Well, Mr. Speaker, I want to assure you that this new ASLI grant, \$67 million, will provide, I would expect, more than 600 spaces in the province. That's significant.

**The Speaker:** The hon. member.

**Mrs. Ady:** Thank you. My final question is to the same minister. Why is the government only accepting project proposals from certain parts of the province with this year's funding?

**Mr. VanderBurg:** Well, again, Mr. Speaker, it wasn't just the Department of Seniors that came up with the determination of needs. It was with the help of the department of health to make sure that we provided the spaces where they were needed and to make sure that we get the best bang for the buck.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Edmonton-Ellerslie.

### **Long-term and Continuing Care**

**Dr. Swann:** Thank you very much, Mr. Speaker. Dr. Felix Soibelman, the ER section president of the AMA, said today that adding more long-term care beds is the key to solving the emergency room crisis, a crisis where most Albertans wait over eight hours in an emergency room. To the health minister: how many of the Premier's promised 1,000 continuing care beds will be full, public, nursing home long-term care beds as opposed to private supportive living spaces?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. Dr. Soibelman and I and others, including Alberta Health Services, are going to be meeting later this week to discuss all of the parts of the solution to not just ER wait times but better access to care for Albertans. The question of the suitability of the spaces that we are opening to meet the needs, specifically, of people who are awaiting placement in hospital is of concern to me. We are going to continue to have some discussion about what we need to do in order to match the health care component that's provided in our continuing care spaces with the needs of the residents who require placement, including especially those waiting in hospital.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Well, given this government's not-so-secret health care privatization agenda and given that the health minister is a key architect of the agenda, what proportion of the continuing care spaces will be P3 or private?

**Mr. Horne:** Well, Mr. Speaker, I don't know how many times we're going to have to continue to listen to rhetoric around ideology and conspiracy theories.

What this government is focused on is expanding access. That's what Albertans have told us they want us to do. We have been clear about the importance of our partnership with the not-for-profit sector and private-sector providers. We successfully opened, as the Minister of Seniors just answered, thousands and thousands of spaces over the last 10 years. The power of our ability to expand access is imbedded in that partnership. That's what this government will continue to pursue.

**The Speaker:** The hon. member.

**Dr. Swann:** Well, thank you, Mr. Speaker. Given that publicly funded, publicly delivered long-term care delivers better value for money, why is the government out to nickel and dime seniors by proposing to build more private care facilities?

**Mr. Horne:** Well, Mr. Speaker, I have to outright object to the premise of the hon. member's question. In fact, the tradition of the provision of long-term care and other forms of continuing care in this province, dating back to the 1950s, is due very much in part to the role of not-for-profit organizations that have come forward with their capital, with their dedicated staff, with their vision for the future to try to provide a system of service that is going to meet the needs of today's generation and that of the future. We will continue to work with those partners. We will continue to ensure that the standards around quality of care delivered in the facility are controlled by . . .

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

2:30

### **Aboriginal Education**

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Recently an appeal was made to the United Nations about the abhorrent conditions of First Nations schools in Canada. Young aboriginals are the fastest growing and largest untapped population in Alberta. They deserve a quality education. To the Minister of Education: how are you supporting First Nations, Métis, and Inuit students in order to receive a quality education in Alberta?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I, too, find that report and the findings in that report unacceptable. The fact of the matter is that as we're speaking right now, aboriginal students who reside on reserves are funded significantly lower per child by the federal government as opposed to children living off-reserve who are funded by the provincial government. That inequality and inequity are unacceptable to me.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My first supplemental to the same minister: given that the report highlighted that funding for on-reserve education is inadequate, what is the Minister of Education doing to ensure that Alberta First Nations students are adequately funded?

**Mr. Lukaszuk:** Well, Mr. Speaker, frankly, I don't care where you live, and I don't care who you are. If you're a child in Alberta, you deserve the same standard of high-quality education. As such, I have already asked my department to arrange for a meeting with our federal minister, Minister Duncan. I'm hoping to meet with him very soon and address that very issue.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Final supplemental to the same minister: given that First Nations students have long been left behind with huge achievement gaps, including significantly lower high school completion, would this minister be undertaking any new actions?

**Mr. Lukaszuk:** Mr. Speaker, I will be meeting with leaders of First Nations as well.

Yes, we are privileged to be in this province, but many of the privileges that we've attained are here because of our education system. It is important that all children in Alberta have the same level of education.

I will be meeting with federal ministers. I will be meeting with school boards that in many cases deliver services to aboriginal children, making sure that at the end of the day every child of every creed, of every race, of every geographical location has access to the same high-quality education.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Calgary-North West.

### **Heartland Electricity Transmission Project**

**Mr. Boutillier:** Thank you very much, Mr. Speaker. Last week there seemed to be some confusion over communication between the new Minister of Energy and the new Premier regarding a letter to the AUC and the building of a new transmission line. Just like with my

four-year-old son, who turns the light switch on, then off, then on, and then off, it gets tiresome. I have to ask. First of all, the heartland was off, and then it was back on. To the Minister of Energy: does this government believe that it's somehow acceptable to intervene, and does he think that he is above the law?

**Dr. Morton:** Mr. Speaker, the members of the third party have been begging us to interfere in this process for years, and of course they want us to interfere in the direction they think is right. We made it very clear when we contacted the AUC – I'm happy to table the letter – that we completely respect their jurisdiction to hear these issues.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given that during the PC campaign this minister said that he wanted to send the heartland back to the independent needs assessment process so we can take a look at it, has he flip-flopped and changed his mind, or is he simply just compromising his principles for power, as he said during the campaign that you have to do?

**Dr. Morton:** Mr. Speaker, as the individual who's sitting over there knows well, forming government is a team effort, and I'm happy to be a member of this team. I'm happy particularly to be a member of a team where the Premier keeps her promises.

**Mr. Boutilier:** In other words, flip-flop or compromise.

Given that this entire problem began with the Minister of Energy and his pals in cabinet created this problem with the creation of Bill 50, a bill that overrides Albertans' centralized decision-making, I have to ask the Minister of Energy: will he do the right thing? Help Albertans and simply repeal Bill 50 and do it right now in this House.

**Dr. Morton:** Mr. Speaker, we've made it very clear now that we will be reviewing the energy regulation, particularly with respect to the two north-south lines between Edmonton and Calgary.

**The Speaker:** The hon. Member for Calgary-North West, followed by the hon. Member for Sherwood Park.

### Regulatory Review

**Mr. Blackett:** Mr. Speaker, over the last three and a half years I've had many instances of talking to constituents who expressed their frustration about the amount of red tape that is required to run their businesses. Yesterday I was indeed a happy camper as I listened to my Premier talk about the establishment of a task force to reduce red tape for business in Alberta. Can the President of Treasury Board and Enterprise provide some clarity about exactly what the role of this task force will be?

**The Speaker:** The hon. minister.

**Mr. Horner:** Thank you, Mr. Speaker. Certainly, we recognize the importance of small business and medium-sized enterprises to our economy. We also recognize our role as the government to create the conditions to allow businesses to prosper and to reduce the burden of those unnecessary delays and those costs. As per the Premier's direction we will be establishing a task force that will find ways to reduce the red tape and regulatory burden that constrains business owners. That task force will be reporting directly to executive council.

**Mr. Blackett:** My supplementary question to the same minister: that all sounds great, but can he be more specific about what this

task force will actually do, and will we see some tangible, measurable results?

**Mr. Horner:** Well, Mr. Speaker, it is very important to measure, and it's very important to benchmark where we are comparable to others today so that we have an understanding of where we need to go. Where we need to go is to be the best climate for small business and medium-sized enterprises in North America, and we will get there.

**The Speaker:** Hon. member, do you have an additional question?

**Mr. Blackett:** No supplemental.

**The Speaker:** The hon. Member for Sherwood Park, followed by the hon. Member for Cardston-Taber-Warner.

### Strathcona Community Hospital

**Ms Evans:** Thank you, Mr. Speaker. It's been over 14 years, close to 15 years since a Member for Sherwood Park was able to stand up and ask the question about the progress on the Sherwood Park hospital for that particular constituency. We have been waiting and watching, and my constituents are now asking the minister of health: why is it that both projects were tendered at the same time, both the Fort Saskatchewan and the Strathcona hospital in Sherwood Park, and why is it that one seems to be considerably more advanced than the other? The other – well, I'm going to get more information on it in just a moment.

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, the answer is simple. The Fort Saskatchewan hospital project is a redevelopment of an existing hospital that's currently in service. That obviously has to move forward very quickly. The Sherwood Park hospital is a new facility, as the hon. member knows. Construction is well under way, and I'm sure that the Minister of Infrastructure can provide more detail on that.

**Ms Evans:** Just a supplemental, first of all to the minister of health relative to the programming. Can the minister perhaps give us an idea about some of the programming? There's been some concern about the lack of obstetrics beds, for example.

**Mr. Horne:** Well, Mr. Speaker, what I can tell you is that an open house was held a few weeks ago to share plans for both phases of the hospital with residents of the area. Construction on the tower, the phase 2, is slated to begin in 2014. When it is complete, it will house 72 hospital beds, three operating rooms, an endoscopy unit, and a shelled-in obstetrics unit. As you can see, the plan is very much for a full-service hospital by the completion of phase 2.

**Ms Evans:** One final question, Mr. Speaker, for the Minister of Infrastructure. We've been told that the phase 1 will be shelled-in in time for the snow to fly. Will that, in fact, happen, and how far advanced are we on the beginnings of phase 2 relative to planning needs assessment, et cetera, from an infrastructure perspective?

**The Speaker:** The hon. minister.

**Mr. Johnson:** Thank you, Mr. Speaker. I know how important this project is to the hon. member and her constituency, and the Member for Strathcona and she have obviously been very strong advocates of it. I can tell you that phase 1 construction is under way and slated for completion in 2013. The building is already

framed, and windows are being installed as we speak. The building will be weather protected by December, so we can start working on the interior. So we're in progress and well on our way.

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

### Seniors' Property Taxes

**Mr. Jacobs:** Thank you, Mr. Speaker. Last session the hon. Minister of Seniors proposed Bill 207, the Seniors' Property Tax Deferral Act, as a private member's bill. While this bill passed first reading last session, its fate has yet to be determined. In the meantime I'm concerned about the needs of our seniors right now. First question to the Minister of Seniors. You know better than any of us that some seniors in our province live with limited resources. They are also faced with the additional and often hefty burden of paying their property taxes. What are we doing to assist these Albertans?

2:40

**Mr. VanderBurg:** Thank you to the member. Here in Alberta we're very fortunate to have the education property tax assistance for seniors. It's a very unique program. Over 100,000 senior homeowners take advantage of that program with a rebate every year to cover increases from year to year on the education portion of their property taxes.

**The Speaker:** The hon. member.

**Mr. Jacobs:** Thank you, Mr. Speaker. First supplemental to the same minister: how can your department justify such expenses, especially for a program that only serves one portion of society and at a time when our government is in need of revenue?

**Mr. VanderBurg:** Well, it's easy to justify, Mr. Speaker. We want people to be independent. We want people to stay in their homes as long as possible. I think this program, maybe in a small way, helps seniors do exactly that.

**Mr. Jacobs:** To the same minister: are there other jurisdictions around Canada with any similar programs to support seniors with their property taxes, and if so, what can we learn from them?

**Mr. VanderBurg:** Mr. Speaker, I'm very well aware of other jurisdictions across Canada that have programs that help seniors defer their taxes. There's one program specifically in British Columbia that I like and that I think we can consider in the future in this Assembly. Bill 207, sir, will address that.

**The Speaker:** Hon. members, yesterday I had an opportunity to congratulate the hon. members with respect to the decorum in the House. Today I am really, really appreciative to all of you. You've done something today that has not happened in 106 years in this Assembly. This is the largest number of questions and their responses ever in question period at 130 questions and responses from 22 – and that's despite the fact that a couple of members continue to do preambles in the second and third questions, and they tend to be the same members all the time. So good for you. Congratulations to you: 130 questions and responses, never before in 106 years, 22 members recognized.

We're going to continue in 30 seconds from now with Members' Statements.

### Members' Statements (continued)

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

### Affordable Housing

**Ms Notley:** Thank you, Mr. Speaker. Despite the recognized importance of affordable housing and despite the economic wealth and success of some Albertans, there continues to be a huge shortage of affordable housing across the province. The number of people that live in precarious housing circumstances, even if not literally homeless, continues to grow.

In the absence of rent guidelines in combination with adequate government support for and protection of affordable housing, rent supplements have become a stopgap measure upon which tens of thousands of Albertans are forced to rely to remain in their homes. The fixed-rate supplement program supports over 700 Edmonton families and roughly 550 Calgary families, and despite efforts by both housing authorities to stretch out the dollars, the program will end as early as this Christmas. Since the housing corporations have growing wait-lists, it is very unlikely that any of those who lose the subsidies will receive any assistance in finding a replacement home.

In response to public attention to this issue last week one recipient wrote the following:

Even though I work full time I do not make enough to pay the average rent. I am a single mom with four kids at home. If I had to pay full rent I would be living in a one bedroom [apartment]. Without the subsidy for my rent I would have to go back to using the many agencies in the city . . . I am already working poor. I don't want to be working backwards and end up homeless.

In the long term Alberta needs a comprehensive housing plan; however, more immediately the province needs to respond to Edmonton's call for continued funding for this program. Last week the Minister of Human Services suggested that the province would not be held to what he referred to as arbitrary deadlines. However, I remind the minister and this government that one relatively entitled person's arbitrary deadline is another's eviction notice. In short, it is crucial that the government act now.

Maintenance of this program will cost the Tories less than \$5 million a year. Just yesterday we heard the PCs confidently assure us that there was no limit on the number of oil companies who could access a \$350 million subsidy program. Surely, the Tories can find the political will to provide the same assurances to the 1,300 Alberta families who are waiting to hear whether they'll have a roof over their head this Christmas.

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

### Women's Equality

**Ms Blakeman:** Thank you very much, Mr. Speaker. I know that most people see March 8, International Women's Day, as the big day to review progress on women's equality, but my annual markers have been Persons Day and December 6, so I've had an interesting week.

Last Tuesday, October 18, was Persons Day, an important and motivating day for women in Alberta and beyond. On Friday I attended the annual LEAF breakfast, the Legal Education and Action Fund, where the keynote speaker talked about the courts requiring women wearing the hijab to disrobe in order to testify. On Sunday I attended the opening of The Collective Memory Project: Responses to Eugenics in Alberta, an art exhibit that was a collaboration between the department of extension and the living archives on eugenics in western Canada. The exhibit included artists from Alberta, across Canada, and women serving sentences in federal prison.

I'm struck by the linkages between these events: women, sexuality, punishment, abuse, legalities, power, and, thankfully, long-term resistance from groups like LEAF and history-keeping from the eugenics project. As an Alberta woman working to achieve the full and equal participation of women in the life of the province, the intersection and overlap between the issues is powerful. Women in this province are not independent until all women are independent in their choice of religion, in their choice of clothing, and in their ability to not be assaulted physically or sexually because they are women.

Women are shaped by the laws of this province. Eugenics was used to control the sexuality of young women and girls. Use whatever reason you want, but that was the effect. We may have come a long way, baby, but the laws of this province still can't cope with the concept of transgendered individuals on purely medical grounds. History shows us that even women who do well in one area can fail us in another, so Nellie McClung could be one of the Famous Five and still have supported eugenics law.

I'm grateful for the women and organizations that take on these issues.

### Presenting Petitions

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I'm pleased to present a petition signed by 246 Albertans to the Legislative Assembly of Alberta, in Legislature assembled, reading: "We, the undersigned residents of Alberta, petition the Legislative Assembly to pass Bill 205 – Municipal Government (Delayed Construction) Amendment Act, 2011."

Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of a paper that I received from a very concerned Albertan. His name is Norman Kalmanovitch. He is a geophysicist engineer, and he's very concerned with what our governments are doing about global climate change. He's compiled this report at great effort of his time to help people who are passing legislation to understand better how to address global climate change.

I also have a second report that he's asked me to table. It is entitled Geophysical Submission to the Alberta Legislature on Global Temperatures and the Influence of CO<sub>2</sub> Emissions from Burning Fossil Fuels on Global Temperatures. I'd urge all Members of the Legislative Assembly to read these reports, that we might make better-informed decisions.

**The Speaker:** Hon. Member for Edmonton-Strathcona, do you have one on behalf of your leader?

**Ms. Notley:** Thank you, Mr. Speaker. I have two tablings on behalf of the Member for Edmonton-Highlands-Norwood. First of all, I'd like to table the appropriate number of copies of postcards that he has received from 67 Edmontonians calling on the government to provide full funding to open the family medicine and urgent care sections of the East Edmonton health centre.

The second tabling is the appropriate number of copies of a news story dated September 23, 2011, concerning the Premier's promise to institute fixed election dates.

Thank you.

**The Speaker:** Hon. members, I'd like to advise, first of all, of an error on page 40 of the Legislative Assembly organization's annual report, which was tabled yesterday. Under the delegates listed for the Pacific NorthWest Economic Region conference the listing should have read the hon. Member for Calgary-North West as Minister of Culture and Community Spirit rather than the hon. Member for Stony Plain.

Pursuant to section 63(1) of the Freedom of Information and Protection of Privacy Act, section 95(1) of the Health Information Act, and section 44(1) of the Personal Information Protection Act the chair is pleased to table with the Assembly the annual report of the Information and Privacy Commissioner. This report covers the activities of the office of the Information and Privacy Commissioner for the period April 1, 2010, to March 31, 2011.

2:50

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Hayden, Minister of Tourism, Parks and Recreation, pursuant to the Alberta Sport, Recreation, Parks and Wildlife Foundation Act the Alberta Sport, Recreation, Parks and Wildlife Foundation annual report 2010-11 and the Travel Alberta annual report 2010-2011.

### Orders of the Day

#### Government Motions

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

#### Ombudsman Appointment

18. Mr. Hancock moved:

Be it resolved that the Legislative Assembly confirm the appointment by the Lieutenant Governor in Council of Peter Hourihan as Ombudsman and concur in the report of the Select Special Ombudsman Search Committee.

**Mr. Hancock:** Thank you, Mr. Speaker. It is my privilege to move that motion as a government motion, but I would cede my time to the hon. chairman of the special committee of Legislative Offices, who headed the search team of the Legislative Offices Committee, that did the search, and ask him to provide appropriate remarks in that regard.

**The Speaker:** Hon. minister, there's no need to cede time. This is a debatable motion, so the chair would recognize he or she who would wish to speak.

The hon. Member for Cypress-Medicine Hat.

**Mr. Mitzel:** Well, thank you, Mr. Speaker. I had the honour of chairing the Select Special Ombudsman Search Committee. The committee had a total of seven meetings, starting with an organizational meeting last January and completing its mandate on August 23. The committee received a total of 68 applications for the position, 60 from Alberta and eight applications received from candidates from other provinces.

At the request of the committee executive search completed comprehensive screening reports, and executive search conducted preliminary interviews for 11 candidates and reported back to the committee. The committee chose to conduct five interviews, and the decision was made shortly after. Mr. Hourihan was selected. Given Mr. Hourihan's past experiences I am sure and confident that all Albertans will be well served by our new Ombudsman.

**The Speaker:** Hon. members, additional participants? This is a debatable motion.

If not, then I'll call on the Government House Leader to close the debate or move the motion.

**Mr. Hancock:** Question.

**The Speaker:** I'll call the question.

[Government Motion 18 carried]

### Temporary Adjournment of Fall Session

19. Mr. Hancock moved:

Be it resolved that pursuant to Standing Order 3(9) the Assembly stand adjourned at the conclusion of the October 25, 2011, sitting and reconvene on November 21, 2011.

**The Speaker:** This motion is not debatable under the standing orders, so I'll call the question.

[The voice vote indicated that Government Motion 19 carried]

[Several members rose calling for a division. The division bell was rung at 2:53 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Evans	Marz
Allred	Fawcett	McFarland
Amery	Fritz	McQueen
Benito	Goudreau	Mitzel
Berger	Groeneveld	Olson
Bhardwaj	Hancock	Ouellette
Bhullar	Hayden	Prins
Blackett	Horne	Quest
Brown	Horner	Renner
Calahasen	Jablonski	Rogers
Campbell	Jacobs	Sandhu
Cao	Johnson	Sarich
Dallas	Johnston	Snelgrove
Danyluk	Klimchuk	VanderBurg
DeLong	Knight	Vandermeer
Denis	Leskiw	Weadick
Doerksen	Liepert	Webber
Drysdale	Lindsay	Woo-Paw
Elniski	Lund	Xiao

**The Speaker:** Hon. members, one of the great traditions of parliamentary democracy is that members should not be intimidated, harassed, heckled, or otherwise interfered with when they are carrying out their sacred duty of voting.

Against the motion:

Anderson	Forsyth	Notley
Blakeman	Hinman	Taft
Boutilier	MacDonald	Taylor
Chase	Mason	

Totals: For – 57 Against – 11

[Government Motion 19 carried]

**The Speaker:** Hon. members, you know what the intent of Motion 19 is. That means when the House rises later today, it will then reconvene on November 21, 2011.

### Committee Membership Changes

20. Mr. Hancock moved:

Be it resolved that the following changes to

- (a) the Standing Committee on the Alberta Heritage Savings Trust Fund be approved: that Mr. Anderson replace Mrs. Forsyth;
- (b) the Standing Committee on Legislative Offices be approved: that Dr. Brown replace hon. Mr. Bhullar, that Ms Evans replace Mr. Campbell, that Mr. Blackett replace Mr. Rogers;
- (c) the Standing Committee on Private Bills be approved: that Mr. Knight replace hon. Mr. Dallas, that Ms Evans replace hon. Mrs. McQueen, that Mr. McFarland replace hon. Dr. Morton, that Mr. Groeneveld replace hon. Ms Redford, that Mr. Snelgrove replace hon. Mr. Horner, that Dr. Swann replace Dr. Taft;
- (d) the Standing Committee on Privileges and Elections, Standing Orders and Printing be approved: that Mr. Snelgrove replace Mr. Lindsay, that Mr. Snelgrove replace hon. Mr. Hancock as deputy chair, that Mr. Knight replace hon. Mr. Hancock, that Mr. Stelmach replace Mr. Groeneveld, that Dr. Brown replace hon. Mr. Berger, that Dr. Swann replace Dr. Sherman, that Mr. Boutilier replace Mr. Hinman;
- (e) the Standing Committee on Public Accounts be approved: that Ms Woo-Paw replace hon. Mr. Griffiths, that Mr. Goudreau replace hon. Mr. Dallas, that Mr. Goudreau replace Mr. Rodney as deputy chair, that Mrs. Forsyth replace Mr. Anderson;
- (f) the Standing Committee on Members' Services be approved: that Mr. Knight replace hon. Mr. Bhullar, that Ms Evans replace hon. Mr. VanderBurg.

**The Speaker:** Hon. members, under Standing Order 52(3) Motion 20 is not debatable, so I will call the question.

[Government Motion 20 carried]

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

### 3:10 Amendments to Standing Orders

21. Mr. Hancock moved:

Be it resolved that the Standing Orders of the Legislative Assembly of Alberta be amended in Standing Order 52.01 by striking out suborder (1) and substituting the following: 52.01(1) At the commencement of the first session of each Legislature, 5 Policy Field Committees, consisting of 11 members each, shall be established to consider the following subject areas:

- (a) Standing Committee on Community Development – mandate related to the areas of municipal affairs, tourism, parks and recreation, and culture and community services;
- (b) Standing Committee on Education – mandate related to the areas of education and advanced education and technology;
- (c) Standing Committee on Energy – mandate related to the areas of intergovernmental, international and aboriginal relations, sustainable resource development, environment and water, agriculture and rural development, and energy;

- (d) Standing Committee on Finance – mandate related to the areas of finance, treasury board and enterprise, Service Alberta, transportation, and infrastructure;
- (e) Standing Committee on Public Health and Safety – mandate related to the areas of health and wellness, justice and attorney general, solicitor general and public security, human services, and seniors.

**Mr. Hancock:** Thank you, Mr. Speaker. The substitute amendment is printed in the Order Paper today. The effect of the motion is to replace the five policy field committees as provided for in the standing orders with new policy field committees on Energy, Public Health and Safety, Finance, Community Development, and Education.

**The Speaker:** Hon. members, under our standing orders this motion is debatable.

I have asked *Hansard* as well to make sure that they print in *Hansard* the words that are followed in the motion as in the Order Paper so we do have it in the historic record of the province.

It is debatable if anyone wants to participate.

[Government Motion 21 carried]

#### Policy Field Standing Committees

22. Mr. Hancock moved:

Be it resolved that the following members be appointed to the Assembly's five standing committees:

- (a) Energy: Mrs. Ady, chair; Ms Blakeman, deputy chair; Mr. Hehr; Mr. Hinman; Mr. Jacobs; Mr. Johnston; Mr. Lund; Mr. Mason; Mr. McFarland; Mr. Rodney; Mr. Webber; and Mr. Xiao.
- (b) Public Health and Safety: Mrs. Fritz, chair; Ms Pastoor, deputy chair; Mr. Bhardwaj; Mr. Blackett; Ms DeLong; Mr. Doerksen; Mrs. Forsyth; Ms Notley; Mr. Ouellette; Mr. Rogers; Dr. Swann; and Ms Woo-Paw.
- (c) Finance: Mr. Renner, chair; Mr. Kang, deputy chair; Mr. Allred; Mr. Anderson; Mr. Drysdale; Mr. Fawcett; Mr. Knight; Mr. Mitzel; Mr. Prins;

Mr. Sandhu; Dr. Taft; and Mr. Taylor.

- (d) Community Development: Mrs. Jablonski, chair; Mr. Chase, deputy chair; Mr. Amery; Ms Blakeman; Mr. Boutilier; Ms Calahasen; Mr. Goudreau; Mr. Groeneveld; Mr. Lindsay; Mr. Snelgrove; Mr. Taylor; and Mr. Vandermeer.
- (e) Education: Mr. Zwozdesky, chair; Mr. Hehr, deputy chair; Mr. Anderson; Mr. Benito; Dr. Brown; Mr. Cao; Mr. Chase; Mrs. Leskiw; Mr. Marz; Ms Notley; Mrs. Sarich; and Ms Tarchuk.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Again, the Order Paper has the motion with the membership of the committees printed, and I would ask that that be incorporated into the motion for *Hansard*. This is just populating the five committees that we have just established and making changes necessary as a result, of course, of the changes in Executive Council and the change to the structure of government.

**The Speaker:** This motion is debatable as well. Any participants?

Once again to the *Hansard* people I'd ask that they print within the *Hansard* for the official record of the province of Alberta the names of all the individuals listed on these particular committees.

[Government Motion 22 carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. As per Government Motion 19 I would move that the House now stand adjourned until 1:30 p.m. on Monday, November 21, 2011.

**The Speaker:** Before I call the motion, there is a possibility that I, in fact, will be inviting members back into the Legislative Assembly a little earlier, at 11 o'clock in the morning, that day to conduct a point of business, but the motion before us is that the House will reconvene on Monday, November 21, 2011, at 1:30 p.m.

[Motion carried; the Assembly adjourned at 3:13 p.m. pursuant to Government Motion 19]





## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to October 25, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

### **1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft.), 553-62 (Mar. 24 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 862-73 (Apr. 26 eve., passed)

Third Reading -- 1063-69 (May 10 aft., passed on division)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 cA-44.5]

### **2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c4]

### **3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c3]

### **4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 858-60 (Apr. 26 aft.), 861-62 (Apr. 26 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29, with exceptions; SA 2011 c7]

### **5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 797-99 (Apr. 20 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 cN-6.5]

### **6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 799-801 (Apr. 20 eve., passed)

Third Reading -- 1035 (May 9 eve., passed)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c14]

- 7        Corrections Amendment Act, 2011 (Oberle)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 801 (Apr. 20 eve., passed)  
Third Reading -- 1035 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c10]
- 8\*       Missing Persons Act (VanderBurg)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 1024-35 (May 9 eve., passed with amendments)  
Third Reading -- 1058-61 (May 10 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 cM-18.5]
- 9        Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 113 (Mar. 1 aft., passed)  
Second Reading -- 185-86 (Mar. 3 aft., passed)  
Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)  
Third Reading -- 305-08 (Mar. 10 aft., passed)  
Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]
- 10       Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 877-85 (Apr. 26 eve.), 910-17 (Apr. 27 aft.), 919-37 (Apr. 27 eve.), 937-46 (Apr. 27 eve., passed)  
Third Reading -- 1071-89 (May 10 eve., passed on division)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c9]
- 11\*      Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft.), 552-53 (Mar. 24 aft.), 618-27 (Apr. 12 aft.), 661-62 (Apr. 13 aft.), 790-97 (Apr. 20 eve., passed)  
Committee of the Whole -- 826-27 (Apr. 21 aft.), 873-77 (Apr. 26 eve., passed with amendments)  
Third Reading -- 1035-36 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c12]
- 12       Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft.), 675-79 (Apr. 14 aft., passed)  
Committee of the Whole -- 802-04 (Apr. 20 eve., passed)  
Third Reading -- 1036-38 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c8]
- 13       Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)  
Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force March 18, 2011; SA 2011; c2]
- 14       Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft.), 679-680 (Apr. 14 aft., passed)  
Committee of the Whole -- 804 (Apr. 20 eve., passed)  
Third Reading -- 1038 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c16]
- 15\*      Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft.), 680-684 (Apr. 14 aft., passed)  
Committee of the Whole -- 827-28 (Apr. 21 aft.), 853-58 (Apr. 26 aft.), 1013-24 (May 9 eve., passed with amendments)  
Third Reading -- 1061-63 (May 10 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c15]

- 16 Energy Statutes Amendment Act, 2011 (McQueen)**  
First Reading -- 482 (Mar. 22 aft.)  
Second Reading -- 552 (Mar. 24 aft.), 820-26 (Apr. 21 aft.), 852-53 (Apr. 26 aft.), 969-70 (Apr. 28 aft.), 1009-12 (May 9 eve., passed)  
Committee of the Whole -- 1069-70 (May 10 aft.), 1071 (May 10 eve., passed)  
Third Reading -- 1112-17 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c11]
- 17 Appropriation Act, 2011 (\$) (Snelgrove)**  
First Reading -- 818 (Apr. 21 aft., passed)  
Second Reading -- 841-52 (Apr. 26 aft., passed on division)  
Committee of the Whole -- 904-10 (Apr. 27 aft.), 937 (Apr. 27 eve., passed)  
Third Reading -- 967-69 (Apr. 28 aft.), 970-71 (Apr. 28 aft., passed on division)  
Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29; SA 2011 c5]
- 18 Education Act (Hancock)**  
First Reading -- 898 (Apr. 27 aft., passed)  
Second Reading -- 965-67 (Apr. 28 aft., adjourned)
- 19 Miscellaneous Statutes Amendment Act, 2011 (Olson)**  
First Reading -- 989 (May 9 aft., passed)  
Second Reading -- 1053 (May 10 aft., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c13]
- 20 Workers' Compensation Amendment Act, 2011 (Lukaszuk)**  
First Reading -- 1052 (May 10 aft., passed)  
Second Reading -- 1053-56 (May 10 aft., passed)  
Committee of the Whole -- 1107-11 (May 11 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c17]
- 201\* Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 73-86 (Feb. 28 aft., passed)  
Committee of the Whole -- 464-68 (Mar. 21 aft.), 579-88 (Apr. 11 aft., passed with amendments)  
Third Reading -- 704-05 (Apr. 18 aft., passed)  
Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 c6]
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
First Reading -- 55 (Feb. 24 aft., passed)  
Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203 Alberta Get Outdoors Weekend Act (Rodney)**  
First Reading -- 152 (Mar. 2 aft., passed)  
Second Reading -- 588-89 (Apr. 11 aft.), 705-10 (Apr. 18 aft., passed)
- 204 Justice System Monitoring Act (Forsyth)**  
First Reading -- 304 (Mar. 10 aft., passed)  
Second Reading -- 992-1001 (May 9 aft., adjourned)
- 205 Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
First Reading -- 362 (Mar. 15 aft., passed)
- 207 Seniors' Property Tax Deferral Act (VanderBurg)**  
First Reading -- 989 (May 9 aft., passed)
- 208 Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011 (Mason)**  
First Reading -- 1105 (May 11 aft., passed)
- 209 Tailings Ponds Reclamation Statutes Amendment Act, 2011 (Blakeman)**  
First Reading -- 1105-06 (May 11 aft., passed)

**Pr1      Alberta Association of Municipal Districts and Counties Amendment Act, 2011 (Rogers)**

First Reading -- 550 (Mar. 24 aft., passed)  
Second Reading -- 1012-13 (May 9 eve., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]

**Pr2      Galt Scholarship Fund Transfer Act (Pastoor)**

First Reading -- 507 (Mar. 23 aft., passed)  
Second Reading -- 1013 (May 9 eve., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]

**Pr3      Auburn Bay Residents Association Tax Exemption Act (Johnston)**

First Reading -- 515 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr4      Cranston Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr5      New Brighton Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr6      Tuscany Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr7      Hull Child and Family Services Amendment Act, 2011 (Rodney)**

First Reading -- 516 (Mar. 23 aft., passed)  
Second Reading -- 1013 (May 9 eve., passed)  
Committee of the Whole -- 1057-58 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday, November 21, 2011

Issue 37

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Hinman  
Lindsay  
Marz  
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Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 21, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. As we begin our deliberations in this sitting of the Legislature, we ask for the insight we need to do our work to the benefit of our province and its people and to the benefit of our country. Amen.

Hon. members and all of our guests, today we'll be led in the singing of our national anthem by Mr. Paul Lorieau, who's in the Speaker's gallery. I would ask that all participate in the language of one's choice.

### Hon. Members:

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

**The Speaker:** Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to all members of the Assembly a very special guest, the acting chief of police from the Camrose Police Service, Mr. Lee Foreman. Lee moved from Medicine Hat to Camrose and joined the Camrose Police Service in 1982. He currently has over 29 years of public service with the Camrose Police Service and is the second in command as he's the inspector in charge of operations. In the past he has served in a variety of areas of the Camrose Police Service, primarily in patrol and investigations. He is a proud father of three young adult boys and is proud to have raised them in the Camrose community. His contributions to the city should be commended. That's why I'd ask Lee to rise so that he may receive the warm welcome of the Assembly.

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Assembly two distinguished Albertans, the first being Deputy Commissioner Dale McGowan, who is the commanding officer of K Division of the RCMP, stationed here in Edmonton. Deputy Commissioner McGowan was born in Edmonton but has also served the RCMP in B.C., Saskatchewan, and all three northern territories. Sitting next to him is Chief Rod Knecht from the Edmonton Police Service. Chief Knecht is a native of Red Deer, Alberta, who has also served the RCMP throughout the country. We live in a terrific province, and I think we should feel much safer having quality individuals in senior roles like this running

our police services. Please join me in welcoming them with the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly a group of grade 6 students from Thorncliffe elementary school in my constituency of Edmonton-Meadowlark. This school is particularly special because of its excellent programs to individually assist students with special needs and with behavioural assistance as well as being a community school to 200 hard-working, very bright students, future leaders, I might say. Leading this group today is their teacher, Ms Karla Loberg. They are seated in the gallery above, and I would now ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's my honour to rise and introduce to you and through you to all hon. Members of this Legislative Assembly another visiting group, from the fine school of Forest Heights elementary in the constituency of Edmonton-Gold Bar. This group of 30 is sitting in the members' gallery. They are led by their teachers Ms Fritz and Kim Tew. Forest Heights elementary school has a regular English program as well as a German bilingual program, and they are doing very, very well in the Forest Heights neighbourhood. This is a very exceptional group of students. When their report cards come out on December 2, I'm confident they will all have As. With that, I would ask them to please rise and receive the warm traditional welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly a group of 89 exceptional students from George McDougall high school, a school that I attended when I was a little bit younger. They are in both of the galleries today. Their teachers are with them, Mr. Sharun and Ms Sawby, as well as their group leaders, a group of parents and so forth: Tiffany Ascione, Constable Henry, and Cindy Davis. If they could all please rise and accept the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to members of this Assembly Mr. Del Graff, Alberta's Child and Youth Advocate. The office of the Child and Youth Advocate works with children who are receiving government services to ensure that we provide the highest level of assistance to these vulnerable youth. Of course, today he is very interested in the fact that we'll be tabling an act later in the House which will make the Child and Youth Advocate an officer of this Legislature. I will also have the privilege of tabling the latest annual report later today.

Mr. Graff is joined today by Jackie Stewart, senior manager of advocacy services; Terri Davies, senior manager of legal representation for children and youth; Anita Lindstrom, systems analyst; Maxine Salopree, advocate; and Laura Gibson, legal representative for children and youth intake caseworker. Last year the advocate's office provided more than 3,000 children and youth with advocacy services, including helping young people to under-

stand their rights and making sure they have an opportunity to participate and be heard when decisions are being made about them. I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's an honour today to rise to introduce to you and through you to members of this House Mrs. Shawna Benson. Shawna is a very close personal friend of mine. She grew up in Byemoor, where I taught for several years before I entered this House. She has worked relentlessly on rural community building and on engaging youth in the political process. She is a true leader now and for the future, and she's one of the most dynamic speakers you will ever hear. I'd ask Shawna, who's sitting in the members' gallery, to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to members of this Assembly two individuals that are very supportive of more administrative penalties for impaired drivers. They are both from MADD Canada, an organization that doesn't need any introduction. They have been advocating increased safety on our roads for a number of years, and I'm very glad that they are here today to help us introduce some strengthening legislation on impaired driving. They are sitting in the members' gallery: Ms Louise Knox, a friend for many years and manager of the western provinces chapter services; and Mr. Wayne Kauffeldt, past chair of the national board, now a spokesman for the national board. Ladies and gentlemen, if you'd please receive them with the traditional warm welcome.

1:40

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'd like to take this opportunity to introduce to you and through you two different groups. The first group, seated in the members' gallery this afternoon, is from WorldSkills 2011 Team Alberta. We have three members of the Fierce Four, as we call them, as they were nicknamed in London. First are Sean Donnan from Leduc, Nigel Renschler from Stettler, and Tim Twa from Calgary. They are joined by Skills Canada Alberta representatives Kari Zral, event and competitor coordinator; and Shawna Bourke, director of communications and programming. Unfortunately, the fourth member, Luke Moore of Innisfail, couldn't be here, but we want to take a moment to honour him as well. I would ask that they please rise and receive the warm welcome of this Assembly.

The second introduction is some student representatives that are here today, Mr. Speaker, to see some of the important legislation that's coming forward. Two members of CAUS, which is the Council of Alberta University Students, Mr. Duncan Wojtaszek and Mr. Farid Iskandar, are here. Also, from ASEC we have Ms Carol Neuman and Mr. Timothy Jobs. I would ask all of them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Well, thank you, Mr. Speaker. I'm especially pleased to rise today and introduce to you and through you to the Assembly the chair and three members of the St. Albert 150th Anniversary Celebration Committee. This committee is chaired by

Margaret Plain and composed of Kevin Jones, Susan Jones, and Barry Bailey, who are in the public gallery today. Vice-chair Carol Watamaniuk was not able to come today. Margaret and her committee have worked diligently over the past few years to organize a host of events that have gone on throughout 2011 to celebrate the history of St. Albert, the oldest nonfortified community west of Winnipeg. I would ask Ms Plain and the members of the committee to rise, and in turn I'd ask members to give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. Today it is my honour and pleasure to introduce to you and through you to all members of this Assembly Mr. Don Gnatiuk, president of Grande Prairie Regional College. Don is a relatively new member of my community, but he has made great strides in a short time to profile GPRC not just in Grande Prairie but in the whole province of Alberta. I'd ask him to stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you again, Mr. Speaker. It's an honour to rise today to introduce a valued member of my department's appeals, education, and prosecution policy branch, Alberta's traffic safety co-ordinator, Mr. Robert Palser. Rob was the first Alberta Crown prosecutor to be designated as a qualified breathalyzer technician and is trained as a collision analyst and drug recognition evaluator. He also serves on the RCMP criminal crash investigation team for Alberta. He's clearly the perfect person to help Alberta create new and more effective impaired driving legislation. His efforts in this regard have been outstanding, and I'd like to recognize his efforts in the House today. It's certainly an honour to speak about him as a valued member of my department. I'd ask hon. members to extend their warm greeting.

## Members' Statements

### Tribute to Slave Lake Donors

**Ms Calahasen:** Today belongs to all of the givers I was involved with as they donated to help evacuees from the two municipalities and First Nations which were affected by fire. While our government went to great lengths to lessen the impact of the blaze, it is those who gave who have made quite a difference to the people who left their homes, sometimes with only the shirt on their back. I've been overwhelmed by the generosity of Albertans and Canadians alike.

So many to thank: the organizers of the Hope Concert, which brought people together after the fires; the many companies – Laricina, Pembina Pipeline, and ATCO – and the Loon River and Sawridge First Nations, who made generous donations. To Pro Bono Law Alberta, Legal Aid Alberta, and the many legal associations for providing free legal support to our residents. To institutions like ATB Financial, Scotiabank, and RBC for offering deferrals on loan payments for our residents. To AFSC for their willingness to help businesses get back on their feet. To all the retail stores who have offered discounts to the survivors of the fire as we reconstruct our lives.

To all those who collected, co-ordinated, and organized the massive outpouring of donations, especially the Slave Lake Rotary Club for the collection of many, many more donations which I do not have info on. To all the communities who ran collection drives. To Penn West for donating \$250,000 to the Red Cross; EllisDon, \$100,000; Merit Contractors for donating \$5,000 to the

Red Cross, \$2,500 to the Northern Haven women's shelter, and \$2,500 to the library; Alberta Sobey's Round Up program to the Slave Lake Native Friendship Centre, \$67,132; Canadian Crude Separators, \$100,000 to the Arctic Ice arena; Insurance Brokers to Slave Lake victims services, \$12,000; to West Fraser Timber for donating a fire truck to the Lesser Slave Lake regional fire department.

To Paul Brandt for his concert and for providing funds to the library. A special thank you to Lynne Carr from Oakdale, Ontario, who collected quilts all across Canada and personally delivered them to Slave Lake with my colleague from St. Albert. To the Canadian Red Cross, the Mustard Seed, the Salvation Army, the fire departments from across Alberta, and all of those who accepted donations on our behalf. And to the dozens of volunteers who sorted through countless semitrailers of donated goods.

My sincere gratitude to every individual and family who gave their hard-earned money to help our community get through this difficult time. While no one can give the residents of my constituency their homes back, all of these gifts gave us the next best thing, hope. Thank you so much for all your generosity.

### Temporary Foreign Workers

**Mr. Chase:** Mr. Speaker, enabling Albertans. Alberta needs an increase in the number of immigrants permitted under the provincial nominee program, which allows a faster tracking immigration process based on a person's job qualifications to meet employment requirements in Alberta. However, as is the case with most immigration policy matters, the federal government sets the quotas for the provinces. In sharp contrast to the global recession reality it would appear that a significant number of jobs are likely to be created in Alberta, thanks to our nonrenewable resource assets, which provides us with a degree of insulation from the economic downturn affecting the rest of the world.

As opposed to temporary foreign workers, TFWs, who are questionably recruited and lack the protection afforded to citizens, immigrants are a key component of Alberta's permanent employment force. Despite potential conflict in the competition for jobs, the Alberta Federation of Labour, AFL, to its credit has provided information and assistance to temporary foreign workers who were recruited to undercut wages of unionized employees in a province where unions are afforded little recognition by both federal and provincial governments.

TFWs have been used as pawns in forced contract agreements such as division 8, whereby the first signatory to the contract dictates the wages and working hours for the rest of the workers, whether union or nonunion. Recently in the oil sands 200 unionized insulators were laid off and replaced by TFWs due to Alberta's lax labour laws.

Immigrants are frequently caught in a cruel ping-pong game, bounced back and forth between the federal government, that sets the rules for their entrance and stay in the country, and the province, which has jurisdiction over their health care, education, housing, employment, the daily quality of their life. The offices of both one's MLA and MP, whether having achieved or applying for landed immigrant status as the first step to full citizenship, if so desired, should be considered as both a priority and a right in acquiring information and in seeking support.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Quality Council Review

**Dr. Sherman:** Thank you, Mr. Speaker. A year ago Albertans found out what cabinet ministers have known for years. The health system is in crisis. Now, the Premier, who campaigned on calling a public inquiry, has broken her promise to Albertans. The question is: what does she have to hide? To the Premier. What is the Premier most afraid of? Is it the damning testimony of doctors McNamee and Winton, what an investigation of her own cabinet ministers may reveal, or how Albertans will react to the truth and facts before an election?

**Ms Redford:** Mr. Speaker, today is an exciting day in Alberta. Today we are going to be tabling legislation that is going to ensure that we can have public, transparent, judge-led public inquiries into what's going on in health care. I am very proud of the fact that Albertans are going to be able to find out exactly what's going on in the system, and that's the appropriate place for us to find out exactly how health care can be improved.

1:50

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Again to the Premier: given that *Hansard* shows that after months of opposition pressure the government only agreed to a Health Quality Council inquiry on the day that the McNamee story aired on national TV, why should anyone trust this Premier's and this government's sincerity this time, when the HQCA hand-off is so obviously intended to minimize the political damage of a real public inquiry?

**Ms Redford:** You know, Mr. Speaker, I'm going back to six or seven months ago when I was sitting in this Legislature. There were a number of issues with respect to health care, and my recollection is that hon. members of the opposition asked for the Health Quality Council to be given the authority to investigate and launch an inquiry. Today that legislation will be tabled, and the Health Quality Council will have more authority than they've ever had before.

**Dr. Sherman:** Mr. Speaker, we have had the legislation in place for years, and many of those cabinet ministers and MLAs on that side have known about this.

Finally, to the Premier: given that we already have this legislation and the Premier has already flip-flopped many times, who is bullying the Premier out of calling a real public inquiry under the Public Inquiries Act? Why are you breaking your promise, Madam Premier?

**Ms Redford:** Mr. Speaker, I think about my life, and I really can't think of anybody who has ever bullied me into doing anything. But I will tell you that the legislation that's being tabled today is being tabled because Albertans want to ensure that they know what's going on with health care. The Health Quality Council is more than qualified to do that work. They will be given additional powers to be able to do that work, and that's good for Albertans.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Health Care Privatization

**Dr. Sherman:** Thank you, Mr. Speaker. Last year this government downplayed these leaked health care privatization documents, but the fact remains that the government does intend to run a parallel private, for-profit health system. Why did the Minister of Health and

Wellness present a privatization agenda to Albertans when they made it clear that they don't want it?

**Mr. Horne:** I presume that question was directed to me. You know, Mr. Speaker, earlier in this session and back in the spring we had a number of alleged, quote, privatization documents tabled in this House by members of the opposition. I don't know about you, but we on this side of the House are getting a little tired of it. None of the documents that have been tabled in this House can be attributed to any member of this caucus. The document that the hon. leader is holding up now is one such document. He's offered no proof, no substantiation . . .

**The Speaker:** The hon. leader. [interjection] The hon. leader, please.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that this is the minister that presented this document at caucus, when he's on the government's side, and given that the former minister said that these documents simply reflect comments from average Albertans, why did the current minister tell the public that this is what he heard from Albertans and then tell caucus that this is what he heard from Albertans, more privatization? Minister, tell the truth.

**Mr. Horne:** Mr. Speaker, I must say it's very illuminating to be told about the substance of caucus discussions on this side of the House by someone who's standing on the other side of the House.

The fact of the matter is that no other government has stood up stronger and harder for public health care than this government caucus, and we'll continue to do so. If the hon. Leader of the Opposition is interested in tabling documents that are unattributed discussions to which he may or may not have been a party, I suppose that's his business. We're interested in getting on with the business of . . .

**The Speaker:** The hon. leader. [interjections] Okay, okay. The Leader of the Opposition is recognized. Nobody else is.

**Dr. Sherman:** Thank you, Mr. Speaker. Illumination is exactly what Albertans want. Let's shed a little bit of sunlight onto the truth.

Given that the Premier was there when these documents were discussed and won her campaign on a pledge of public health care just like the previous Premier did, can the Premier just be honest with Albertans, admit that she and her whole caucus share the same privatization agenda after the next election just as her two predecessors did? Premier, can you please answer that question?

**Ms Redford:** Mr. Speaker, I don't know what the hon. member was doing all summer, but I think I was pretty clear for over eight months that I am committed to a publicly funded health care system in Alberta, full stop.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

### Provincial Fiscal Policies

**Mr. MacDonald:** Thank you. My first question is to the Premier. Why did this government feel it was necessary to handcuff the Minister of Finance by now requiring him to go to the President of the Treasury Board any time he wants to spend money in his department?

**The Speaker:** The hon. the Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. I think it's wonderful that the hon. member is standing up for our Minister of Finance because he sometimes needs some help in our cabinet.

What I will tell you is that when you're on this side of the House and you're managing a government, you're managing a cabinet, we have rules of protocol which allow for us as government to make decisions that are in the best interests of government. I know that everyone in our cabinet is committed to that. That involves speaking to each other, balancing priorities, and working together as a team, and that's what we do.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Given that hon. minister's history as a wild spender in health, I can see why you put the political handcuffs on him.

Now, again a promise. The \$1.8 billion that's in the Alberta sustainability fund: will the Premier please commit to this House that that money will not be used for the Progressive Conservative's re-election slush fund in the next four months?

**Ms Redford:** Mr. Speaker, we are the government of the day. We are committed to the future of this province. We are responsible fiscal conservatives that will ensure that we are managing a government and a budget and a caucus that's going to ensure that Albertans have the best services possible now and in the future. This random speculation is really out of sorts and not relevant to the real discussions in this House.

**Mr. MacDonald:** Again to the Premier: if this is a government that holds true to fiscal responsibility, why was it necessary, in the second quarter that was released today, for this government to increase borrowing by \$1.1 billion? That's not being a fiscal conservative. Ask those guys.

**Ms Redford:** Mr. Speaker, the quarterly update today reported on the circumstances as they've existed for the past six months in terms of fiscal planning. There was nothing out of the ordinary. There was no exception. There was no change in the way that we do business.

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

### Tom Baker Cancer Centre Pathology Lab

**Mrs. Forsyth:** Thank you, Mr. Speaker. Since 2000 the world-class pathology lab at the Tom Baker cancer centre has developed and performed a variety of critical tests for cancer patients in Alberta. These tests are crucial in determining life-saving treatments. However, in nine days the cancer testing lab at the Tom Baker is going to be shut down. This superboard decision was made without consultation and despite questions and warnings from the lab's director, Dr. Tony Magliocco, and other pathologists. To the Premier: will you heed the warnings and stop the closure of the Tom Baker cancer centre pathology lab today?

**Ms Redford:** Mr. Speaker, when we're managing health care, we have to understand that there are responsibilities the government takes on, and there are responsibilities that Alberta Health Services takes on. We know that some of the information we've seen today would certainly suggest that there's been a disagreement within the workplace with respect to some decisions. It's entirely appropriate for those to be dealt with within the workplace, and that's where we'll leave them.



**Mrs. Forsyth:** It's just so disgusting. Again to the Premier: given the proof of intimidation in the health care system and given that Dr. Magliocco has expressed no confidence in the Health Quality Council and, Premier, said he would return to Alberta to testify in a full judicial public inquiry, will you do the right thing, keep your promise of what you said you were going to do when you ran for leader, and call a full judicial public inquiry today and not your gobbledygook that you're tabling later on?

**Ms Redford:** Mr. Speaker, I'm pleased to see that, in fact, if someone does have concerns with respect to doctor intimidation, they would be prepared to come to an inquiry. The legislation will be tabled in the House today to ensure that that can happen. If there are issues to be determined, then I have full confidence that the Health Quality Council is going to be able to get to the bottom of that, the physicians are going to be able to testify with protection. That's where we're going to deal with these issues, before we start suggesting that there may or may not be proof.

**Mrs. Forsyth:** Given that Dr. Magliocco was ignored, stonewalled, ostracized, and intimidated for raising his concerns over the planned closure, it's clear that intimidation is real and world-class health professionals are leaving this province. What are you going to do to stop other world-class professionals from leaving our province? Premier, call the public inquiry today.

2:00

**Ms Redford:** Mr. Speaker, there will be legislation before this House that is going to allow for that inquiry to take place. It is very important that Albertans know what is happening, and it's also very important that we do not jump to conclusions. We know that there will be disagreements in workplaces, as we know there are in all workplaces, but when we start jumping to conclusions as to what that may or may not have resulted in or could have become, that is not appropriate for this House.

**The Speaker:** Okay. I've heard language in here already that I'm not sure *Hansard* is going to pick up. I will not recognize members if they continue to interject when they're not supposed to. I just simply will not recognize them when they think it's their turn in the question period.

The hon. Member for Edmonton-Highlands-Norwood.

### Health Care Premiums

**Mr. Mason:** Thank you, Mr. Speaker. In 2008 the PC government did away with health care premiums. Today the Finance minister threatened to reintroduce health care premiums, a regressive tax that will cost every family over a thousand dollars regardless of their income. This is an insignificant amount for Alberta's wealthiest individuals but a real burden on middle- and low-income families. My question is to the Premier. Will the government admit that this is going to be yet another tax and one that disproportionately and negatively affects middle- and low-income families in this province?

**Ms Redford:** Mr. Speaker, as the hon. member knows, this is exactly the point in time when we as a government are entering into budget deliberations. There are a number of points of view being expressed by Albertans across the province with respect to where we go in some difficult economic times. There's no doubt, as both the President of the Treasury Board and the Minister of Finance have said, that this is something that Albertans have raised with us. It was in that context that the comments were made.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that when the Conservatives did away with progressive income tax in this province, the Alberta Treasury estimated that it cost the province 1 and a half billion dollars a year way back in 2001 and that most of that was because of tax savings of up to \$60,000 for some of the wealthiest individuals in this province, will the Premier admit that the real source of the deficit was the decision to cut taxes for the wealthiest Albertans several years ago?

**Ms Redford:** Mr. Speaker, right now in Alberta we have a situation where there is a deficit. We also know that this is a very difficult economic time. To start speculating on whether or not it has to do with whether or not a particular household income is paying more or less taxes from over six or seven years ago is not an appropriate analysis of the situation.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that this government seems desperate to try and find revenue that comes from the people least able to afford it instead of asking those who are wealthy and benefit from our society to pay their fair share and given that the health care premium goes into general revenues rather than into the health care system, will the Premier admit that it has nothing to do with health care and is simply another disproportionate tax on poor and middle-class families?

**Mr. Liepert:** Mr. Speaker, this particular member happened to be at the media conference that we had this morning. I don't think that he washed his ears this morning because what we said at that media conference was that in our round-table discussions across the province these issues were raised. We made no commitment in any particular direction other than to listen to Albertans. I must remind this hon. member that he was the one out there advocating that we increase royalties substantially for corporations in this province, which significantly impacted negatively the oil and gas industry.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Lougheed.

### Assured Income for the Severely Handicapped

**Mr. Chase:** Thank you, Mr. Speaker. During her campaign for party leadership the Premier promised not only to raise the meagre monthly allowance that AISH recipients receive to \$1,588, which barely approaches Alberta's deplorable poverty line; she also promised to increase the preclawback amount for the small minority who are able to work. To the Premier: given that the ability to earn bolsters a sense of independence in those very few AISH recipients who are able to work, when can we expect the Premier to make good on her promise?

**The Speaker:** The hon. the Premier.

**Ms Redford:** Thank you, Mr. Speaker. The hon. member raises a very important point. It is important for people to feel that, where possible, they can make a contribution to their life. We are at the moment, right now, in the middle of budget deliberations. This is part of how we move forward with respect to both fiscal policy and public policy, and I think the hon. member can look forward to the results of that very soon.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. I can't wait, and the poor people on AISH are considerably more desperate than I am.

What does it say about this government's support for vulnerable Albertans that it has since 2008 offered AISH recipients less and less initiative to earn, Madam Premier?

**Ms Redford:** Mr. Speaker, I think what it says about this government is that in the past month and a half the party that is governing this province elected a leader that's committed to improving the quality of life of AISH recipients, and we will do that in the next budget.

**Mr. Chase:** When will the Premier stop talking about improving AISH benefits and implement the necessary changes to assist highly vulnerable Albertans? Talk is cheap. Solutions are more expensive.

**Ms Redford:** Mr. Speaker, I think the hon. member is very insightful in his comments. We are fully committed to honouring the commitment that I made, and we will do so.

**The Speaker:** The hon. Member for Calgary-Lougheed, followed by the hon. Member for Edmonton-Gold Bar.

### Keystone Pipeline Project

**Mr. Rodney:** Thank you, Mr. Speaker. The Premier has said that we cannot lobby the U.S. or intervene in their processes regarding the Keystone pipeline. My first question is indeed to the Premier. Can she please explain to Albertans and to this House what value, if any, her meetings with U.S. congressional leaders had in this regard, and can she update us on discussions she had along similar lines with Canadian counterparts?

**Ms Redford:** Mr. Speaker, last week was a very interesting week, and I think that as Albertans we should be very proud of the reception we received in Washington, New York, Toronto, and Ottawa. The reason for that is that we were able to go and talk about what Alberta is. We talked about our success as environmental stewards. We talked about being strong partners with the United States with respect to economic development. Fortunately for us, because of some announcements that the State Department had made, the regulatory process was suspended with respect to Keystone when I was there. So we also had the opportunity to advocate very strongly for Keystone both with the State Department as well as with bipartisan congressional leaders.

**The Speaker:** The hon. member.

**Mr. Rodney:** Thank you, Premier, and thank you, Mr. Speaker. My first supplemental is to the Minister of Intergovernmental, International and Aboriginal Relations. Considering the importance of Keystone, can the minister explain what good it is to have an interim envoy in Washington rather than employing someone on a longer term basis?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Thank you, Mr. Speaker. Dave Bronconnier's posting is, in fact, a very important assignment that comes at a very important time. Issues such as the Keystone XL and the oil sands are critically important issues that are front and centre to discuss in U.S. politics at this time. Dave has a significant voice. He gets the attention of the important decision-makers in the U.S., and I'm very confident that he will have an impact not only in Washington but in other key places around the United States.

**Mr. Rodney:** Thank you, Minister.

My final supplemental is to the Minister of Environment and Water. Obviously, Keystone is of vital importance to citizens across our country as well. During her visit to Ottawa last week was she able to get any kind of indication of when we'll see some real movement with our federal counterparts on world-class, joint monitoring systems for the oil sands so that this and other pipelines receive the required seals of approval as soon as possible?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker, and thank you to the member for the question. Well, I can tell the hon. member that we've been having some good conversations with the federal minister. We're making great strides to move forward with our monitoring system, and I'm looking forward to the work that we're going to do together to have one first-class monitoring system here in Alberta with both the federal and provincial governments. We're moving very well on this. I've had a couple of conversations, and I look forward to announcing something with that minister soon.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Strathmore-Brooks.

### Fixed Election Dates

**Mr. MacDonald:** Thank you. We have yet another broken promise from this Premier and this government. The promise was fixed election dates, but instead we have a fixed election season. Now, to the Minister of Justice: when every other Canadian jurisdiction that has fixed election dates actually has that, a fixed date for the election, one day, why would Alberta need a three-month political window?

**Mr. Olson:** Mr. Speaker, we're going to be introducing legislation in a little while here, and I would prefer to have that debate after we've introduced the legislation. The hon. member will have all kinds of opportunity to debate at that point.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister, the hon. Minister of Justice, who should be able to answer the question. Hopefully, he's capable. What challenges do Alberta voters face that other Canadian voters don't when they can have one day for fixed elections, and you want this three-month-long political window?

2:10

**Mr. Olson:** Well, I'm very happy to have the debate now. I think we'll have a little bit more time later. It's not a question of Albertans facing unique challenges; it's a question of a made-in-Alberta solution that makes sense for Albertans.

**Mr. MacDonald:** This is not a made-in-Alberta solution; this is a Progressive Conservative made-in-Alberta solution.

Now, what is this government so afraid of that you can't pick one date every four years for Albertans to elect their government?

**Mr. Olson:** Mr. Speaker, it's not a question of being fearful of anything. I would imagine that anybody could figure out that when there's a three-month window to host and have an election, they should be ready for it at any time within that three months. It's very reasonable, and it's very flexible.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by the hon. Member for Edmonton-Centre.

### Provincial Achievement Tests

**Mr. Doerksen:** Thank you, Mr. Speaker. There's been some indication that this government will end the provincial achievement tests for grades 3 and 6 students. My questions are to the Minister of Education. Is the minister planning to cancel the provincial achievement tests?

**Mr. Lukaszuk:** Mr. Speaker, I will not pre-empt the outcome of a very healthy discussion I'm having right now with the Alberta School Boards Association and many individual school boards, with the parent council associations, and with parents, students, and others. What I can undertake at this point in time is that we are looking at the PAT exams, and we will make sure that at the end of the day we will have a solution that is both constructive to administering education in this province and to addressing some of the issues that have been raised with the tests.

**The Speaker:** The hon. member.

**Mr. Doerksen:** Thank you, Mr. Speaker. To the same minister: can the minister assure parents that he will address the legitimate concerns regarding undue stress, particularly on young students, that has been raised with regard to the PATs?

**Mr. Lukaszuk:** Mr. Speaker, I can assure parents of two things. I can assure them that, yes, indeed, we will be looking at some of the concerns that have been raised and looking at how we can alleviate some of the issues relevant to their concerns, but I can also assure parents that we will make sure we continue to develop and monitor our curriculum so that we continue to have one of the best curriculums in the world to such extent that we're actually exporting Alberta curriculum to many countries throughout the world.

**Mr. Doerksen:** Again, Mr. Speaker, to the same minister: as these tests are to be gauging student achievement, how will the minister ensure that these tests are in fact used to address and gauge student achievement rather than as comparators between teachers, schools, and school divisions?

**Mr. Lukaszuk:** Mr. Speaker, these tests are really, actually, designed to test the curriculum and to see how the curriculum plays itself out in the classrooms. Then this is how we adjust and/or develop new curriculum. The fact is that, yes, there are third parties that utilize that test for purposes for which the test was not intended. It's a form of misuse of information and, frankly, arriving at very questionable conclusions. The fact is that we will look also at the possibility of making sure that these tests, which are very valid — they are there for a very good reason — are not misused by third parties.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Mackay.

### Environmental Monitoring of Oil Sands

**Ms Blakeman:** Thanks very much, Mr. Speaker. Albertans want an oil sands industry they can be proud of, and industry wants to be innovative and respected internationally for its environmental record, but this government's continual foot-dragging is making both things impossible. We've had no new standards for oil sands water monitoring, no new CCS, no health impact studies. All promised; not delivered. To the Minister of Environment and Water. Industry will step up to the challenge if it's provided, so why does this government insist on dragging its feet on implementing environmental standards?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Well, I wouldn't say that we're dragging our feet at all. I would say that what we're doing is working with the federal government to come up with a world-class monitoring system here in Alberta that Albertans can rely on. We looked at the portal that we announced a week or so ago. The transparency of the information is there. I would say that in the last month that I've spent here as minister, we're not dragging our feet.

**Ms Blakeman:** Well, Mr. Speaker, back to the same minister. Given that this government's inaction has led the federal government to step into our oil sands to a degree never seen before, what tangible evidence can the minister offer us that would show that they're encouraging environmental innovation in the oil sands on a scale that can't be denied internationally?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Well, I would say that we share the jurisdiction with regard to the environment with the federal government. Rather than having two separate monitoring systems for air, land, water, and biodiversity, we're doing what makes sense, and we're having one first-class system in Alberta. Albertans will see the transparency with that, and that is what we're doing with the federal government because we share that jurisdiction.

**Ms Blakeman:** I can't wait for transparency from a provincial and a federal government. Good Lord.

Back to the same minister: given that climate change is real and a threat to our biggest industry, what will the minister do to ensure Alberta is leading the way in environmental innovation rather than toddling along 10 steps behind?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Again, I'd like to say that I'm very proud that Alberta is leading the way and has been leading the way. We're the first one with regard to putting a price on carbon. We're the first one with regard to putting in a huge commitment with regard to carbon capture and storage, a \$2 billion investment that around the world is seen as a huge investment, taking real steps, real concrete steps to real projects on the ground. These are just a couple of the things that we're doing that are taking real leadership in Alberta, and quite frankly I'm proud of that.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Edmonton-Strathcona.

### Noninstructional Postsecondary Tuition Fees

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. For some time now postsecondary students have been expressing their concerns about colleges, universities, and technical institutes basically sidestepping this province's tuition cap and charging high fees that are deemed noninstructional. Institutions are using fees for things such as athletics and recreation technology and registration fees as a way to get around tuition caps. My questions are to the Minister of Advanced Education and Technology. What are you doing to make sure that this practice stops and that students are not literally paying the price?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I know the students are extremely concerned about the cost of noninstructional fees, and so am I. It is an issue that we promised the students we would deal with when we met earlier this year. Since meeting with them, I have sent a letter to all of our postsecondary institutions asking them to develop policy on how they will include the students in the discourse around any future fees that will be charged to those students.

**Ms Woo-Paw:** To the same minister: when will students see outcomes?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. We've asked all of the institutions to be back to us with their policies on student engagement within the next 90 days.

**Ms Woo-Paw:** To the same minister: given that the public postsecondary institutions' tuition fee regulations set a model for predictable increases to tuition fees, why not just regulate these noninstructional fees the same way you do tuitions?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. That suggestion has come up from the students, but, you know, we have 26 publicly funded postsecondaries across Alberta, and they're all very different and unique institutions. Some are extremely large; some are smaller and rural. We determined that it would be better if each institution had a chance to look at how they could engage their student body, their students in the process and come up with a way that would work in their institution. We don't believe that one solution would work in every institution across the province.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Buffalo.

#### **Fixed Election Dates**

*(continued)*

**Ms Notley:** Thank you, Mr. Speaker. Nations, provinces, and municipalities across Canada and around the world have had no difficulty operating with fixed election dates, but in Alberta somehow we're being told it's just not manageable and that the best we can do is narrow it to a three-month season. Now, seasons might be fine for duck hunting or theatre, but democracy deserves better. My question to the Attorney General is: what possible defence can he offer for the Premier abandoning her promise to deliver on the long-awaited fixed election date for Alberta?

**Mr. Olson:** Mr. Speaker, we're very comfortable on this side with this because it's flexible. In the springtime, for example, there are changes of season. There are many things that come up. There's Easter. There are dates where if you had an arbitrarily fixed election date, it would make it very inconvenient to have an election. It's a reasonable thing to do. Albertans are not going to be fooled in any way or prejudiced in any way, nor is the opposition, by having a flexible period of time within which to have an election.

**Ms Notley:** Well, Mr. Speaker, given that other provinces have the same range of unpredictable issues that Alberta has – I'm pretty sure Manitoba has had a flood or two – and given that Alberta municipalities have managed for years to hold elections quite successfully on fixed dates, why is the Attorney General supporting

the Premier's decision to secure political advantage at the expense of keeping her promise to Albertans?

**2:20**

**Mr. Olson:** Mr. Speaker, any political advantage, if there were any, would be minuscule in this example. Three months is a very small window of time within which to call an election. The opposition will know years ahead of time when the election is coming, and they can do everything they need to do to prepare. Albertans, again, are not going to be prejudiced in any way, but it will be flexible enough that people will also not be inconvenienced.

**Ms Notley:** Well, Mr. Speaker, given that the long string of broken promises is becoming a growing embarrassment to the new Premier and that her failure to stick with a fixed election promise would be so easy to correct, will the Attorney General commit today to flip back from the Premier's flop on this issue and consult with opposition parties and give us a fixed election date and not a fixed election season?

**Mr. Olson:** Well, this brings me back nicely to my original comment with the previous question, that we're going to have a chance to debate all of this once we actually introduce the legislation.

#### **Electricity Regulation**

**Mr. Hehr:** Over 10 years ago this government decided to deregulate electricity. The promise of better service and lower costs to consumers never happened. This change has led to significantly higher energy prices and unstable, unpredictable markets. My question is for the Minister of Energy. How is it that every time you promise lower prices, our electricity bills continue to grow?

**Dr. Morton:** Mr. Speaker, as usual the hon. member is about half right and half wrong. It is true that prices for electricity have increased since January – I'm happy to explain the reasons why – but if you compare Alberta to other non hydro dependent electrical systems, we are in the middle of the pack and very competitive.

**Mr. Hehr:** Well, given that five electricity producers control 70 per cent of the market and that the Market Surveillance Administrator identified over 46 violations of market manipulation in the past year, why aren't you defending Alberta consumers?

**Dr. Morton:** Mr. Speaker, I'm happy to report that just recently the Market Surveillance Administrator did identify an irregularity in one generator's practice, investigated, found there was an irregularity, and has negotiated with the company and imposed both a fine and a payback to the pool to make up for that transgression. So the system is working.

**Mr. Hehr:** Do you really think that a \$125,000 fine for causing 5 and a half million dollars in damage is an appropriate fine? Is that what I'm hearing from the minister?

**Dr. Morton:** Mr. Speaker, the hon. member has a wonderful imagination in coming up with imaginative figures in terms of total damage, but I can assure you that if there is a problem with the fine and the compensation, the decision made by the Market Surveillance Administrator goes to the Alberta Utilities Commission, which has the final word on the appropriateness of the penalty.

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Airdrie-Chestermere.

#### **High-speed Internet Service for Rural Alberta**

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very frustrated that there are still parts of our province that are left with poor access to high-speed Internet service and in some cases none at all. I represent an area comprising parts of Camrose and Leduc counties where access to the Internet is very poor. To the Minister of Service Alberta. Mr. Minister, it seems that no action has taken place recently on this file for quite some time. Are you finally going to do something to bring parts of rural Alberta into the 21st century and ensure that unconnected . . .

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. At present 3.3 million, or 94 per cent of Albertans, have access to high-speed Internet through private service initiatives and strategic government infrastructure. Now, we are committed to taking this up to 98 per cent, and to find that remaining 4 per cent, we are pinpointing reasons as to why some people are not receiving service today. We will bring forth solutions that are cost-effective and that can be executed in a very timely fashion.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: given that our government is now forecasting a significant deficit and with continued efforts to balance the budget, can the minister assure this House that this important initiative will not disappear from the government's radar screen?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I can assure the members of the House and all Albertans that this is a priority of this Premier and our government. We are committed to a thriving rural Alberta community. We will deliver on this promise. We will make sure our rural communities are thriving and have access to high-speed Internet to capitalize on every technology that the rest of Albertans have at their disposal.

**The Speaker:** The hon. member.

**Mr. Rogers:** Well, thank you, Mr. Speaker. Again to the same minister: will this minister leverage the SuperNet in his efforts to close the service gap, considering that all Albertans have invested millions of dollars in building this vital piece of communications infrastructure?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Alberta is a leader by creating the SuperNet; 429 communities throughout this province have fibre optics in the ground. We're a leader across not just Canada but internationally. We will capitalize on that technology. We will make sure that that infrastructure that we've put in place is best utilized and that we come forth with the most productive, cost-effective solutions moving forward.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Calder.

#### **Provincial Tax Alternatives**

**Mr. Anderson:** Thank you, Mr. Speaker. Many Albertans fought for many years to get the federal tax-and-spend Liberals out of Ottawa, but it seems that they have resurfaced here in Alberta under our new tax-and-spend Premier. Today the Finance minister and Treasury Board president all but promised that their Christmas gift to Alberta families next year will be a \$1,000 per year tax increase dressed up as the old health care premiums. To our Finance minister. This is a very, very simple question. Are you considering bringing back the old health care premiums at the next budget? Yes or no?

**Mr. Liepert:** It's a pretty simple answer, Mr. Speaker. It's no. I think this particular member, who was also at the media briefing, if he'd have washed his ears this morning, might have heard the same thing as the Member for Edmonton-Highlands-Norwood.

**Mr. Anderson:** Well, I am happy to hear that, Mr. Speaker.

Given that at today's press conference the Finance minister all but announced that health care premiums were coming back to pay for this government's all-you-can-eat spending buffet, are you, Minister, willing to say that under no conditions – under no conditions – will you as minister, will this government be raising taxes, fees, premiums, or any other money grab on the backs of hard-working Alberta families? Admit to that now, and I'll believe you.

**Mr. Liepert:** Mr. Speaker, the first question this member raised was whether we'd be bringing back the health care premiums, that were cancelled a few years ago, and my answer to that was no. What we do have to look at – and, quite frankly, it's what Albertans are saying – is that we need to ensure that as we move forward, there's a recognition by Albertans of the cost of health care. As we move forward, we're going to look at how that can be accomplished, and at this stage there's nothing that I have to announce.

**Mr. Anderson:** Well, that was as clear as mud.

Given that this Finance minister has mused this last week about introducing a provincial sales tax, bringing back a \$1,000 per year tax hike on everyone, or health premiums as he calls it, and given that his government now has a \$6 billion cash shortfall, will this minister confirm that he and this new Premier's balanced budget strategy entails taxing Albertans more and praying that the price of oil hits \$120 a barrel? Is that the plan?

**Mr. Liepert:** Well, let's be clear, Mr. Speaker. The member, as is typical, throws a lot of numbers around there, and frankly I don't know sometimes where he . . . [interjections]

**The Speaker:** The Minister of Finance has the floor.

**Mr. Liepert:** Mr. Speaker, I'll continue on. These numbers that are being tossed around have no validity. What we did announce this morning is that at this point in time, second-quarter results, we are very close to what we said in this House in February, that our projected deficit this year would be about \$3.1 billion now, all of it covered by the sustainability fund. We do not have a debt in this province, and that's because of the good management of this government.

**An Hon. Member:** Point of order.

**The Speaker:** Point of order? Okay.

The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-Mountain View.

### Property Tax Deferral

**Mr. Elniski:** Thank you, Mr. Speaker. One of the largest constituent groups in Edmonton-Calder is seniors, and I do believe that we need to do everything possible to keep them in their homes. It reflects directly on their quality of life, on their dignity, and on their overall health. One simple solution would be to address a property tax deferral program. My question is to the Minister of Seniors. Minister, will you consider such a property tax program for Alberta seniors?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I think the question is a valid question and probably a really brilliant idea as well. I can tell you that I've had the opportunity to read about B.C. and what they've done for property tax deferral. It has kept seniors in their homes. I want to tell you that I'm committing that next spring as part of the government agenda I'm going to bring this thing forward.

**The Speaker:** The hon. member?

**Mr. Elniski:** No supplemental. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Edmonton-Ellerslie.

### 2:30 Alleged Intimidation of Physicians

**Dr. Swann:** Thank you very much, Mr. Speaker. In the joint submission to the Health Quality Council of Alberta made by the Alberta Medical Association and the Canadian Medical Association, widespread physician intimidation is described as well as an environment of "chronic instability" in Alberta's health care system. Since last March the AMA, the Alberta Medical Association, has had no master agreement with this province. To the minister of health. During negotiations the ministry threatened to terminate programs such as the physician and family support program and cast doubt on the future of other programs and staffing of physician offices. Are these the tactics of a government intent on eliminating intimidation of physicians?

**Mr. Horne:** Mr. Speaker, as the hon. member knows full and well, discussions between the government, Alberta Health Services, and the Alberta Medical Association on a new agreement have been ongoing for some time. The discussions, I can report, are positive. They're constructive. The new president of the Alberta Medical Association, Dr. Linda Slocombe, and I have spoken several times. We are continuing to work toward a new agreement with Alberta's doctors. I see nothing but positive and constructive dialogue in the months to come.

Thank you, Mr. Speaker.

**Dr. Swann:** Well, I'm glad the minister is so optimistic, Mr. Speaker.

Given that such deplorable tactics persist, what confidence can Albertans have that current negotiations will result in an agreement fostering meaningful physician engagement in our health care system?

**Mr. Horne:** Mr. Speaker, the very act of the negotiations and the issues that are discussed are evidence of this government's

commitment to a constructive, positive relationship with physicians. My barometer is the feedback I receive from Dr. Linda Slocombe, the AMA president, on behalf of her members. As I will continue to report to this House, we're on a very positive path toward addressing a number of the issues raised by the hon. member.

**Dr. Swann:** A lot of ground to catch up, Mr. Speaker, on the loss of confidence in this province among physicians.

When will the province do what most provinces have done and implement continuance provisions that allow the building of trust and for the AMA to transition from one agreement to the next? Continuance provisions.

**Mr. Horne:** Well, Mr. Speaker, obviously, it would be inappropriate for me to stand here and discuss specifics of discussions that may be under way between government, Alberta Health Services, and the Alberta Medical Association. What I will say is that this government is committed to continuing to provide an environment of stability and predictability for physicians that practise in this province. The same is true for all other health professionals. The discussions that are under way now reflect that spirit on both sides, and I have every reason to believe that will continue.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-McCall.

### Bullying Prevention

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Last week was National Bullying Awareness Week. We're hearing too often the tragic stories of youth that have been victimized and targeted by this senseless act. My question is to the Minister of Education. How is this government raising awareness of this very important issue?

**Mr. Lukaszuk:** Well, Mr. Speaker, it is unfortunate that we have to raise awareness, but the fact is that bullying does exist. There are a variety of forms of bullying. There is cyberbullying. There is homophobic bullying. There's a variety of it, and there's no place for that in Alberta, never mind in schools and schoolyards but even outside of schoolyards. As the Alberta government we will be raising awareness on how to identify bullying and how to eradicate bullying from our schools.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Leadership is required, for appropriate behaviour must be modelled if this government is truly to change the culture around bullying. What concrete steps is the Minister of Education taking to change peoples' behaviour?

**Mr. Lukaszuk:** Mr. Speaker, behaviour must be modelled, and we all have to work as a community to eradicate this culture of bullying. Number one, we are providing our schools and our teachers and administrators with tools on how to recognize bullying. You will see that the currently tabled Bill 18 is being consulted on further with Albertans, and we are looking at legislative enhancement to allow teachers to deal with bullying in schools. But in the end all of us in this Chamber and everybody throughout Alberta can be a positive contributor to eradicating bullying simply by leading by example. As government we will be enhancing awareness through a variety of media that accesses not only children but teachers, parents, coaches, grandparents, and everybody in our community.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. As I understand it, bullying prevention is a crossministry initiative involving Education and Human Services. My question is for the Minister of Human Services. What is the government doing for ongoing bullying prevention and supports for all Albertans?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Indeed, there has been an ongoing crossministry initiative and a crossministry committee on this, led now by Human Services. We do have 15 passionate, inspiring young people on a youth advisory committee who advise us with respect to this area. They helped to create a website for youth. It's b-free.ca, which has advice and tips for youth who are experiencing bullying or are concerned about a friend. Along with the B-Free website we have a toll-free 24-hour bullying helpline, 1.888.456.2323, and two other websites for adults and children. So there are a number of things happening, but much more has to be done in this age of technology.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Hays.

#### **GreenTRIP Incentives Program**

**Mr. Kang:** Thank you, Mr. Speaker. GreenTRIP was announced more than three years ago, and only this year did the government finally begin to honour its commitment to the municipalities. The \$2 billion was committed in 2008 with no plan for transit improvements to use the full amount within 10 years. To the Minister of Transportation: is the government still planning to support transit to the tune of \$2 billion, or will it be on the chopping block like the Premier is considering doing to some of the CCS fund?

**Mr. Danyluk:** Mr. Speaker, as the hon. member knows, we're in the budget process right now, but what has been committed to GreenTRIP, to the municipalities will be honoured.

**Mr. Kang:** Mr. Speaker, to the minister again: given that of the \$2 billion promised only \$575 million has been allocated, will the minister explain why Calgary has been left out in the cold? Does this government plan to end the program before Calgary projects are approved?

**Mr. Danyluk:** Well, in fact, Calgary hasn't been left out in the cold. I want to inform the hon. member that Calgary is working on an application that we have been discussing with them, and that is in the process.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: given that the city of Edmonton was able to shuffle MSI money away from the NAIT LRT project to be replaced by the funding from GreenTRIP, will the ministry approve similar applications being considered by the city of Calgary?

**Mr. Danyluk:** I'm not exactly sure, Mr. Speaker, what the hon. member is talking about, shuffling MSI funding and moving projects over from one to the other. I think it's very clear that the applications that are in place for the GreenTRIP program, also for the MSI program go through the Ministry of Municipal Affairs. Do we work with the municipalities on their projects on a regular basis

in consultation? Of course we do because we want to make sure that the funding that is provided for municipalities is used in the best way, and they want the same goal as well.

**The Speaker:** The hon. Member for Calgary-Hays.

#### **Electricity Import Manipulation**

**Mr. Johnston:** Thank you, Mr. Speaker. Albertans were shocked to learn earlier this month that TransAlta had acted in a way that artificially increased electricity prices. Too many people feel the system is just not working. To the Minister of Energy: what happened in this case, and what impact did this have on my constituents?

**Dr. Morton:** Mr. Speaker, for 31 hours in November of last year TransAlta took certain steps that had the effect of impeding electricity imports from British Columbia. The result of that was that power pool prices in Alberta were higher than they otherwise would have been. However, I want to stress that only industrial consumers who purchased energy from the power pool in real time were impacted. Residential consumers who buy on a regulated price: their price is set one month in advance so was not affected by the temporary boost in prices.

**The Speaker:** The hon. member.

**Mr. Johnston:** Thank you. To the same minister: what is being done about this infraction of the rules?

**Dr. Morton:** Mr. Speaker, the Market Surveillance Administrator is in effect the policeman that regulates and monitors this industry. They noticed the irregularities last November. They asked TransAlta to stop and undertook an investigation. As a result of that, they found that there was a violation of the rules, and based on negotiations TransAlta has agreed to pay a penalty of \$370,000; \$245,000 of that is for, in effect, excess profit. The other \$125,000 of that is an administrative penalty.

**The Speaker:** The hon. member.

**2:40**

**Mr. Johnston:** Thank you again, Mr. Speaker. To the Minister of Energy: given that some have estimated the cost to consumers to be more than \$5 million, shouldn't the fine be higher, and can't this money be returned to those who paid the inflated prices?

**Dr. Morton:** Mr. Speaker, with respect to the second question, the legislation requires that all fines go into the general revenues, so that's a matter of legislation and is dealt with that way. With respect to the so-called \$5 million estimate, as I indicated to my Liberal friend earlier, that's based on a guess, really a guesstimate, that assumes that for the 31 hours in question all consumers were paying the real-time pool price. In fact, that's not the case. As I indicated earlier, residential consumers pay a month in advance and were not affected by that. Even industrial consumers often hedge their purchases. So in that respect, the \$5 million figure is not accurate.

**The Speaker:** Hon. members, that concludes the question-and-answer period for today. Twenty members were recognized. There were 116 questions and responses. We have a very, very busy Routine to deal with in the next 18 minutes, so we're going to go immediately to Members' Statements, and I'm going to call on the Member for Strathmore-Brooks.

## Members' Statements

(continued)

### Family Violence Prevention Month

**Mr. Doerksen:** Thank you, Mr. Speaker. I'm pleased to rise today to recognize November as Family Violence Prevention Month in Alberta. This month is a serious reminder to all of us that we can help to prevent and address family violence in our communities. This issue has devastating effects for individuals and families across the province. We know that family violence also has profound and lifelong consequences for children regardless of whether they are abused directly or a witness to it.

According to a 2008 study neglect and exposure to intimate partner violence are the most common forms of substantiated maltreatment causing children to come into care, with each issue accounting for about 34 per cent of all substantiated cases in Canada. We need to continue our efforts to protect children and support all Albertans who are struggling with the trauma of family violence and help them as they work to rebuild their lives.

The government of Alberta is working closely with families and communities to provide support for those affected by family violence. More than \$65 million is invested each year across government, including support for women's shelters, victims' support programs, safe visitation sites, public awareness and education efforts, and many other programs and services.

This spring in the Legislature we passed amendments to the Protection Against Family Violence Act with the unanimous support of all parties. These changes improved protection for those affected by family violence and came into force on November 1 of this year. These amendments hold accountable those who violate protection orders and make Alberta's penalties for such violations amongst the strongest in Canada.

Mr. Speaker, if an Albertan knows someone who is experiencing abuse in their family, I encourage them to call the family violence info line at 310-1818 for information and to connect with support or to visit [familyviolence.alberta.ca](http://familyviolence.alberta.ca). We all need to keep working to prevent family violence so Albertans can live safely in their homes and communities.

Thank you.

**The Speaker:** The hon. Member for St. Albert.

### St. Albert Sesquicentennial

**Mr. Allred:** Thank you, Mr. Speaker. This year marks the 150th anniversary of the founding of St. Albert by Albert Lacombe in 1861. As such, St. Albert is the oldest nonfortified community west of Winnipeg. St. Albert's 150th anniversary committee organized a marvellous series of programs throughout the year to celebrate this major event in the history of not just St. Albert but the province of Alberta.

The year kicked off with a parish event to mark the actual founding of St. Albert in 1861 by Father Lacombe and Bishop Taché, which also marked the establishment of the Catholic church and the Grey Nuns in St. Albert.

The kickoff for the 150th anniversary committee was the performance of *The Black Bonspiel of Wullie MacCrimmon* in the newly renovated curling rink, and thank you to the province of Alberta for a major contribution to the funding of this facility.

A major Canadian Western Bank rendezvous gala was held in the Enjoy Centre, the Hole family's new commercial and botanical complex. This and other galas were well attended, including guests such as our Lieutenant Governor, the Hon.

Donald Ethell, and Her Honour Linda Ethell as well as Premier Stelmach and Mrs. Stelmach.

Over the spring and summer St. Albert hosted a number of unique events for all ages, including a soap box derby, a performance and tour called Meet the Street, which featured various street names and the pioneers they were named after.

Traditional events such as the St. Albert Rodeo parade, the International Children's Festival, Canada Day, the farmers' market, and rockin' August as well as the 55-plus Winter Games were supplemented with the 150th anniversary activities.

The crème de la crème was the August 28 picnic, which attracted over 10,000 residents, former residents, and visitors. This event featured 10 separate venues along the Sturgeon River from Big Lake to Riverlot 56, including Grain Elevator park and the botanical gardens. These venues featured on-site artists and artistic demonstrations, aboriginal dancers, athletic and cultural events, and, of course, a large variety of different ethnic and traditional foods.

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

### Team Alberta WorldSkills Achievements

**Mr. Ouellette:** Thank you, Mr. Speaker. Today I'd like to recognize the members of Team Alberta's Fierce Four, three of whom are with us today in the members' and public galleries. These young Albertans were part of the Team Canada contingent at the recent WorldSkills competition in London, England. As you are aware, Calgary played host to the WorldSkills in 2009, and we were all witness to the incredible technical expertise and problem-solving skills of these competitors in areas like refrigeration, web design, autobody repair, and hairstyling.

Mr. Speaker, skills competitions at all levels, from the provincial to the national and all the way to the international, are events that shine a spotlight on the importance and value of apprenticeship and skilled labour in our province and around the world.

Tradespersons and skilled workers are the foundation of Alberta's economy, and these members of Team Alberta are tremendous role models for the rewards of a career in the trades. The excellence that the Fierce Four put on display for the world to see did not come without a great deal of support from the team at Skills Canada Alberta and especially from their employers.

Mr. Speaker, a tip of the hat should be extended to Marc Seabrook of Onsite Machining Solutions in Innisfail, Murray Brennan of Brennan Auto Body Repair in Stettler, John Goucher of Allied Projects in Calgary, and Chad Theriault of Millenium Mechanical Services in Leduc. These employers played a huge role in supporting these competitors and deserve their own recognition for helping these Albertans realize their goals.

It's easy to see why Alberta is making such an impact on the world stage when you combine the incredible support for these competitors and the individual drive and determination of the Fierce Four. I encourage all Albertans to learn more about skills competitions in their communities and to see first-hand the dedication of so many of their fellow Albertans.

I would like to congratulate Team Alberta, their employers, and the team at Skills Canada Alberta for all their hard work at the recent WorldSkills competition.

### Global Entrepreneurship Week

**Ms Woo-Paw:** Mr. Speaker, I rise to speak on two extraordinary Calgary events last week as part of this year's celebration of Global Entrepreneurship Week. The Canadian Youth Business Foundation organized the YOU Innovate Canada tournament,



which challenged Canadians 16 years and older to think like entrepreneurs by creating new value out of an ordinary coffee cup. Forty videos were submitted from across Alberta, including participation from six postsecondary institutions.

The community award went to a team called Something Awesome, which was comprised of Kendra Wannamaker, Nicolette Bell, Kyler Marshall, and Connor Dyck. This team also received over 11,000 online votes.

The postsecondary award went to a team called Boja, which was comprised of Breana Baker, Olivia Bohdan, Josh Holloway, and Adam Holloway. I'm pleased to note that the government of Alberta is a proud partner to this great initiative with a \$1 million contribution. Mr. Speaker, I was truly impressed and inspired by the level of social consciousness exhibited by these young people's project concepts and ideas.

Another leading-edge initiative is the Trico Charitable Foundation, dedicated to the development of social enterprise, which essentially encompasses a business operation commonly run by charities or nonprofits. Revenue raised by the business operation is reinvested into the charity to support their programs and operations. The foundation organized Enterprising Spirit: Creating Value and Social Good conference, that attracted over 150 delegates from all over Canada.

This unique conference was highlighted by the inaugural Social EnterPrize awards, annual grants to grow and sustain social enterprises, provoke innovation, and build capacity in the nonprofit sector. Awards went to Ms Caroline Arcand, executive director of Groupe Convex; the Social EnterPrize award for mature organizations was given to Potluck Café and Catering of Vancouver; and the grant for emerging organizations was given to Mission Possible of Vancouver.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

2:50

**Kyle Fundytus**

**Mr. Benito:** Thank you very much, Mr. Speaker. It is with great sadness that I rise today and comment on the terrible tragedy that killed a local minor hockey player last week. Kyle Fundytus was an aspiring young hockey player for the midget double-A South Side Athletic Club who was hit in the neck by a puck while going down to block a shot during a game. He was just 16 years old. Neck guards are mandatory in minor hockey, and Kyle was wearing one, but unfortunately that wasn't able to save him.

Tragic accidents like this one affect many different people on many levels not only at Holy Trinity high school, located in my constituency of Edmonton-Mill Woods, but also in the entire city of Edmonton and in our province who know how to appreciate the sport of hockey. Those who knew Kyle say that he was a dedicated teammate, a hard worker, and that he had an infectious passion for the game of hockey.

Our most sincere condolences go out to Kyle's family, friends, and teammates during such a difficult time.

Thank you, Mr. Speaker.

### Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Mitzel:** Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices I'm pleased to table five copies of the committee's report on the review of the Lobbyists Act dated

November 2011. Copies of this report will be distributed to all the members today.

### Introduction of Bills

**The Speaker:** The hon. Minister of Health and Wellness.

#### Bill 24

#### Health Quality Council of Alberta Act

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm pleased to rise and move first reading of Bill 24, the Health Quality Council of Alberta Act.

The proposed bill will give the Health Quality Council of Alberta expanded powers to investigate health system matters and have it report directly to the Legislative Assembly.

[Motion carried; Bill 24 read a first time]

**The Speaker:** The hon. Minister of Human Services.

#### Bill 25

#### Child and Youth Advocate Act

**Mr. Hancock:** Thank you, Mr. Speaker. It gives me great privilege to move for first reading Bill 25, the Child and Youth Advocate Act.

The act would make the Child and Youth Advocate an officer of the Legislature and set up appropriate mandates for him. It would also provide for the establishment of a council for quality assurance, clarify provisions around the so-called publication ban, and provide for greater sharing of information about children in care or children in need with caregivers and others who are associated with those children.

I would move first reading.

[Motion carried; Bill 25 read a first time]

**The Speaker:** The hon. Minister of Justice and Attorney General.

#### Bill 21

#### Election Amendment Act, 2011

**Mr. Olson:** Thank you, Mr. Speaker. I rise today to request leave to introduce for first reading Bill 21, the Election Amendment Act, 2011, which will amend the Election Act to provide for a fixed election time period and, thus, allow all of us to prepare for elections with greater certainty.

I move first reading of Bill 21.

[Motion carried; Bill 21 read a first time]

**The Speaker:** The hon. Member for Calgary-Mackay.

#### Bill 22

#### Justice and Court Statutes Amendment Act, 2011

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise today to request leave to introduce for first reading Bill 22, the Justice and Court Statutes Amendment Act, 2011.

This bill contains amendments and housekeeping changes to a number of justice statutes. The changes in Bill 22 will increase clarity, fix a few errors, improve the functioning of Alberta's courts, and increase the effectiveness of our legislation.

I move first reading of Bill 22. Thank you.

[Motion carried; Bill 22 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I'd move that Bill 22 be moved onto the Order Paper under Government Bills and Order.

[Motion carried]

**The Speaker:** The hon. Minister of Infrastructure.

### Bill 23

#### Land Assembly Project Area Amendment Act, 2011

**Mr. Johnson:** Thank you, Mr. Speaker. I request leave to introduce a bill being the Land Assembly Project Area Amendment Act, 2011.

This amendment is to empower landowners and to clear up any confusion that exists with the existing lap of legislation. It gives landowners as many options as possible when we're working with them and they're impacted by a potential major infrastructure project. It will also ensure full consultation, fair compensation, and full access to the courts.

Thank you.

[Motion carried; Bill 23 read a first time]

**The Speaker:** The hon. Minister of Transportation.

### Bill 26

#### Traffic Safety Amendment Act, 2011

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I rise today to request leave to introduce Bill 26, the Traffic Safety Amendment Act, 2011.

I'm very pleased to bring forward this very important piece of legislation. Impaired driving is something that affects all Albertans and continues to be a major safety concern for everyone on the road. This is a serious matter. Many alcohol-related collisions are preventable. This legislation focuses on improving safety on our roads by encouraging greater personal responsibility and behaviours that help save lives.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 26 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It gives me great pleasure to table the appropriate number of copies of the Child and Youth Advocate's 2010-11 annual report. This is the first report provided by this particular youth advocate, who was appointed on June 1, and if the Child and Youth Advocate Act that I've just tabled is passed, this will be the last one tabled by a minister because the Speaker will be tabling future Child and Youth Advocate reports in the House.

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Evans:** Thank you, Mr. Speaker. As deputy chair of the Premier's Council on the Status of Persons with Disabilities it is my pleasure to table the appropriate number of copies of the annual report dated 2010-2011. The council works to improve the lives of Albertans, particularly those that have disabilities. They work on behalf of all Albertans to provide the Premier and the minister for seniors and community supports with advice for this Legislature.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. I would like to table the appropriate number of copies of the 2010-2011 annual report of the Seniors Advisory Council for Alberta. The council is a vital communications link that works with Albertans and seniors' organizations to share information about the issues that are important to seniors with government.

Thank you very much.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. Today I have three tablings from constituents. The first is from Hadi Schiestl, who is a resident of Lions Village Railtown. She and a number of other residents there are asking the government to please bring forward legislation on life-lease situations.

The second tabling that I have is from constituent Kent McKay. He is very supportive of the Royal Alberta Museum, the importance of it for Edmonton. He believes that it will help to revitalize our downtown core and that it represents our centennial legacy and an embodiment of our culture and that we should stop arguing and get on with it.

The final tabling is an e-mail from Ian O'Donnell, who is the chair of the development committee for the Downtown Edmonton Community League, so the local community league. He is writing to me for provincial support for the downtown arena, recognizing the province's role in making urban centres attractive to business investment and potential residents, and notes that we need to attract and retain talent. He views amenities and attractions as an important consideration.

Thank you very much, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 7(7) says, "At 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." Well, hon. members, that's what the standing orders say. I've notified the Assembly.

3:00

### Orders of the Day

**The Speaker:** I've called Orders of the Day, which means that other things can come in, but there are some things that we have to conclude.

We have a privilege motion that hangs over from before, and I will call on the hon. Member for Edmonton-Strathcona to deal with that. We have a point of order that we have to deal with as well. We also have to deal with the provisions of Standing Order 58(1), which states that

at the commencement of every Legislature the Assembly shall elect

(b) a Deputy Chair of Committees, according to the procedure set out in Schedule A with respect to the Speaker, with all necessary modifications.

And it should be done immediately, so that matter has to be dealt with, too.

Now that we've crossed the line, Government House Leader, did you want to attract my attention?

**Mr. Hancock:** Yes, Mr. Speaker. At the appropriate time, after you've dealt with the points of order and privilege, it would be my intention to ask for the attention of the House for two unanimous consent motions, the first to deal with the election of the Deputy Chair of Committees to be dealt with at 6 o'clock this evening and the second to allow a reversion to government business briefly for

the purpose of allowing the tabling of supplementary estimates and the two associated government motions. That's what was done last fall, and it gives the opposition time. So at the appropriate time I'd request that you call on those two pieces.

**The Speaker:** Well, seeing that we're now into Orders of the Day and seeing that we're up against Standing Order 58(1) and as I've already indicated my intention to deal with the privilege motion and the point of order motion, I do believe, in terms of trying to set a schedule for this afternoon, that I would ask that the Government House Leader propose the suggestion that there be unanimous consent to do the election of the Deputy Chair of Committees at 6 o'clock tonight and see what happens.

**Mr. Hancock:** Thank you, Mr. Speaker. Then I would request unanimous consent of the House to refer to section 58(1) and establish the earliest possible time at 6 o'clock p.m., rather than adjourning at the normal adjournment hour, to deal with the election of the Deputy Chair of Committees at that time.

**The Speaker:** This requires the unanimous consent of the Assembly to deal with this matter beyond the ordinary termination time of 6 o'clock. I will ask the two questions.

[Unanimous consent denied]

**The Speaker:** Then we will deal with the election of the Deputy Chair of Committees immediately after we deal with the privilege motion and the point of order.

Edmonton-Strathcona.

### Privilege Misleading the House

**Ms Notley:** Thank you, Mr. Speaker. I'm rising in accordance with Standing Order 15(2) to raise a point of privilege, that on November 30, 2010, the Member for Edmonton-Mill Creek interfered with the ability of members of this House to fulfill their duties when as Minister of Health and Wellness he made statements about a government document regarding the source of materials contained in that document titled Alberta's Health Legislation: Moving Forward, dated July 12, 2010.

It's our view that in mischaracterizing the source of this information, he deliberately misled the House and, in so doing, interfered with the ability of several members to fulfill their duty as Members of the Legislative Assembly.

I'd like to start first with preliminary matters. Points of privilege must be raised at the earliest opportunity. I believe this was done. The Member for Edmonton-Highlands-Norwood sent a notice concerning this point of privilege to your office, Mr. Speaker, on October 24, the first day of the fall sitting. Although the statements by the Member for Edmonton-Mill Creek to which this point relates were made in the House in November and December 2010, a document which raises the question of the veracity of those statements only came into our possession just prior to the commencement of the fall sitting in October of 2011. That document was tabled in the House at the first possible opportunity on October 24, 2011. As such, it is our view that the point of privilege was raised in a timely manner and is in order.

I'd now like to address the substantive elements of the NDP opposition's point of privilege against the Member for Edmonton-Mill Creek and former Minister of Health and Wellness. In terms of the form of contempt that we believe the member's actions took, I can refer to several authorities on points of privilege relating to

deliberately misleading the House. *House of Commons Procedure and Practice*, 2nd edition, says on page 83 that "deliberately attempting to mislead the House" is considered a contempt of the House, and *Erskine May*, at page 132, states that "the Commons may treat the making of deliberately misleading statement as a contempt." I would also like to note, Mr. Speaker, that in one of your previous rulings on a point of privilege on November 7, 2007, at page 1860 in *Hansard* you said, "These purported questions of privilege allow members to allege that someone is deliberately misleading the Assembly, which is something they could not say in the ordinary course of debate under our rules of debate."

I'd now like to review the facts upon which we make this point of privilege, and it relates primarily to statements made by the member. I believe the Member for Edmonton-Mill Creek deliberately misled the House in a statement he made on November 30, 2010. The statement is found on page 1691 of *Hansard*, in which the Member for Calgary-Mountain View raised a question concerning the government document titled Alberta's Health Legislation: Moving Forward, which he described as a plan "to bring in two-tiered American-style health care." The Member for Edmonton-Mill Creek, who was Minister of Health and Wellness at the time, responded by saying:

It's a simple statement of fact that it is not a document that I authored. What it is is a document that reflects concerns, opinions, and comments from Albertans, and inasmuch as there are some things in there that we looked at and decided not to do – specifically, I went out and said that I'm not going to do this – we have to listen to what Albertans have to say.

To give further context to the minister's statements on November 30, one can also review additional statements made by the then Minister of Health and Wellness in response to further questioning from the opposition. On December 1, 2010, the Member for Edmonton-Highlands-Norwood asked a question about: "a document laying out the government's ... plan to privatize health care was leaked to opposition parties," to which the Member for Edmonton-Mill Creek responded:

There is no secret plan. There is no secret agenda. There is nothing on the table whatsoever to do with privatization. There is nothing there to do with a two-tier system. What we've made very clear and what I would ask this member to accept and understand is that there are Albertans out there who have opinions of a wide range. Whether we like them or not, whether we agree with them or not, they deserve to be heard, and all that the document reflected is what was heard.

Again, on December 2, 2010, the Member for Calgary-Mountain View asked about "the document which reveals the government's ... plan to introduce two-tiered American-style health care," and the Member for Edmonton-Mill Creek said:

Mr. Speaker, I already said that this is a departmental document that reflected views, opinions, comments, and ideas by Albertans, so you might say that it came from a variety of sources right across the province.

And here is the important part, Mr. Speaker.

All that the department did was co-ordinate all of that, put it into one document, and said: here's what Albertans said. We looked at that document, and I said that there are things in here that we can do and things that we can't do.

So the Member for Edmonton-Mill Creek, who was minister of health at the time, contended that the document was simply a reflection of opinions of Albertans that the government had gathered and that the PowerPoint dated July 12 was merely a summary of the opinions expressed by Albertans.

Now, obviously, Mr. Speaker, when the Member for Edmonton-Mill Creek made these statements at the time, members on this side of the House were understandably suspicious. If these documents merely summarized public opinion, where was the reference to the opinions we knew full well had also been expressed during the consultations, opinions calling on government to increase public funding and to increase the scope of public provision of health care to add, for instance, pharmaceutical therapy, preventative therapies, and dental care? These were also opinions held by Albertans. We knew they had been presented to the government during consultations, yet they did not appear in the so-called public opinion summary. Notwithstanding these circumstantial concerns, there was no direct evidence that the minister's statement that the document was merely a summary of Albertans' opinions was untrue.

That was the state of affairs until the point at which our offices received a second document, entitled Minister's Report, concerning the proposed Alberta health act and dated May 2010, two months before the document which was the source of the debate last fall and therefore a document that was prepared for the minister prior to the Alberta health legislation *Moving Forward* document, which is dated July 12, 2010. Mr. Speaker, I tabled this document for the information of all members on October 24, 2011.

3:10

First, let me outline why we believe this document to be relevant to the discussion of the subsequent document that's dated July 12, which was the subject of so much debate. A review of the first one, the May 2010 document, in comparison to the July document reveals that the former was clearly the source for the latter. Here are a few examples. Both documents propose that all health providers be allowed to work concurrently in both the public and the private health care systems. Both documents propose that the government regulate private insurance for publicly funded health services rather than continue to prohibit it. Both talk about the need for a process to determine which health services will be fully funded, partially funded, or unfunded.

The May and July documents bear additional similarities: both documents discuss the need for consistent approaches to designation and regulation of health facilities, both talk about flexible funding for out-of-province and out-of-country health services, and both talk about the current ban on queue-jumping and extra billing. The similarities between the two documents are such that it is reasonable to conclude that the May document is the source of the July document.

Now, the problem is that the next question becomes: well, did the May document actually arise from the opinions of Albertans? Perhaps that's what the then Minister of Health and Wellness meant when he said that the July PowerPoint was simply a summary of opinions from Albertans. Well, I would suggest that that's not the case. The appearance of the May document provides support for the fact that the July document was not merely a summary of public opinion in two ways. First and most importantly, the May document itself states that the source of the policy options contained in it, including the controversial policies that were the subject of debate in November last fall, is the ministry of health. The May 2010 document says on page 5 that "Alberta Health and Wellness has identified the elements listed below for consideration and direction."

The document goes on to list two elements, those that promote public confidence and those that "identify what services are funded and permit flexibility in how they are funded." On page 10 of the document from May the ministry writes about lifting the prohibition on private insurance for publicly funded services in

order to "provide more flexibility to Albertans and the government for the funding of health services." This policy proposal also appeared in the July document and was one of the contentious issues discussed in debate last fall.

The key issue to the point being made today, however, is the quote that precedes this statement within the May document. "Alberta Health and Wellness is considering options to regulate private insurance for health services rather than having only a prohibition in the Act." Alberta Health and Wellness is considering the options, not Albertan opinions. Clearly, again it shows what the source of this policy is.

Further down on page 10 the document addresses the issue of physician opt-in/opt-out options. Now, this is another contentious policy issue that is commonly associated with increasing the privatization of health care. Nonetheless, the ministry document suggests that midwives are allowed to opt in and out, and it's not fair that they're allowed this option and doctors are not. For the point at hand the relevant quote from the May document is this: "Alberta Health and Wellness would like to be able to apply the same conditions to all health providers." So again the source of the policy is Alberta Health and Wellness. Indeed, the document itself acknowledges that this policy shift is in clear contradiction to the prevailing public view on the subject.

Now, the second reason the appearance of the May document demonstrates that the July document did not arise from summarizing Albertans' public opinions relates to the date . . .

**The Speaker:** Hon. member, please excuse me for a second. Would you please take your seat?

Standing Order 15(1) and (2) at several occasions talks about a brief statement. The hon. member has now had nearly 15 minutes. I suppose it's subjective to determine what brief is, but to the point would be very helpful to all members as this is a private members' day, and brief usually would be several moments. If you would get to the point, that would really be helpful, I do believe, and if you could advise me as to how much more time you will require, that would help me fix in my mind the agenda for the remainder of the afternoon, which seems to be really, really plugged.

**Ms Notley:** Well, thank you, Mr. Speaker. I would say that I've got about four minutes left. I believe it's important to review the document in question in order to make the case.

**The Speaker:** You just wasted 20 seconds. I'll give you four more minutes.

**Ms Notley:** The government has embarked on two sets of consultations with Albertans on health care since the last election, one in October of 2009 and one in June of 2010. The consultation of October 2009 produced a report dated January 2010, and that report made no mention of any of the policy provisions which were included in the July 2010 document.

We don't know exactly what the public consultations were, what they heard in June of 2010. However, we do know that they occurred after the May document was written. Clearly, consultations that took place after the document was written cannot be the source of that document. Even Tories are subject to the regular rules of space and time. Given that every component of the July PowerPoint had already been carefully constructed in the May document, it is clear that the June consultations were not the source of the July PowerPoint.

In summary, we know that the document prepared for the minister in May 2010 contains a list of proposals for significant changes to the health care system which would lead to more privately funded health care, and the document states that these

proposals were identified by Alberta Health and Wellness for inclusion in either the Alberta Health Act or regulations. We also know that many of these same proposals appeared in the July 2010 government document. When members of the opposition asked the then Minister of Health and Wellness about those proposals, the minister and Member for Edmonton-Mill Creek told the House repeatedly that the document was no more than a collection of opinions.

Mr. Speaker, it's my submission that it's now a matter of applying the precedent in these cases to the facts I've just outlined. In previous rulings on points of privilege, for example November 7, 2007, you referred to the test that needs to be met, and it's outlined in *House of Commons Procedure and Practice*, page 86, footnote 128, where it states:

The following elements have to be established when it is alleged that a Member is in contempt for deliberately misleading the House: one, it must be proven that the statement was misleading; two, it must be established that the Member making the statement knew [it] at the time . . . and three, that in making the statement, the Member intended to mislead the House.

Mr. Speaker, I believe I've demonstrated the first test, that the member's statement that the July 2010 document was simply a collection of Albertans' views on the health system was misleading. The May 2010 document, that we've since introduced, including proposals for privatization, says that those proposals were identified, in fact, by Alberta Health and Wellness. The second test is also met as the May 2010 document was prepared for the member in his capacity as minister of health at the time and is directed to him, and we can assume that he received it at that time and was aware of it. Finally, the third test is also met because the May 2010 document establishes that he had been briefed on the proposals, but when he was asked by the opposition in November about the other document, he repeatedly told the House in unequivocal language that the proposals were nothing more than opinions from the general public.

This was not merely a question of not knowing the answer, Mr. Speaker. Rather, it was a question of giving the Assembly the wrong answer over and over. I submit that the member not only misled the House but that he did so deliberately to avoid taking responsibility for controversial policies for increased privatization of our public health care system that were being very seriously considered within his ministry and by his caucus.

By misleading the House, the Member for Edmonton-Mill Creek interfered with the ability of all members to do their duty. Health policy has been a top priority for Albertans, and proposals for privatization of aspects of the public health care system have been highly contentious. Albertans are concerned about this issue and see the Assembly as a key forum through which to hold the government accountable. By failing to acknowledge the actions of the ministry for which he was responsible at the time, the member gave false information to this House and thereby prevented an honest and open debate. It's a critical component of the obligations of members of this Assembly to hold the political heads of government departments accountable for the actions of those departments. When members of the House are intentionally misled about the actions of those departments, we cannot do that job.

Mr. Speaker, it is a principle of parliamentary practice that outside of making a point of privilege, it is unparliamentary and, indeed, prohibited for one member to allege that another has in any way lied or otherwise misled the House. That principle is a sound one and is premised on the collective understanding we share of the fundamentally important role that this Assembly plays in our democratic system. It is because of this role that I would suggest that members are in a position of trust, not only in relation

to their colleagues in this Legislature but in relation to all Albertans. As such, incidents of misleading each other or Albertans must be treated seriously in order to maintain the reputation of this Assembly.

Mr. Speaker, I would therefore ask that you find that a prima facie case against the Member for Edmonton-Mill Creek exists and have this matter referred to the appropriate standing committee.

3:20

**The Speaker:** Hon. members, that statement was 21 minutes in length. I heard exactly what has transpired. Now, I have one question for the hon. Member for Edmonton-Strathcona. Your text: you read from it. You must have a written text in front of you. Is this correct?

**Ms Notley:** Yes.

**The Speaker:** Did you by way of courtesy provide this to the hon. Member for Edmonton-Mill Creek, or is this the first he's heard of this?

**Ms Notley:** No. I provided the House leader with particulars. This was written by me this morning.

**The Speaker:** That's what I mean. Has the hon. Member for Edmonton-Mill Creek received a copy of your submission prior to hearing it now in the House? Just yes or no.

**Ms Notley:** Not what I just wrote. He received particulars. I believe that if the House leader for the government provided him with my particulars, he received the particulars on Friday afternoon, Mr. Speaker.

**The Speaker:** He received the text that you gave today?

**Ms Notley:** No, just the particulars, Mr. Speaker.

**The Speaker:** Okay. I just wanted to clarify in my head because there has to be a process here of fairness. So, hon. Member for Edmonton-Mill Creek, you've not heard any of this till now?

**Mr. Zwozdesky:** No.

**The Speaker:** Okay. Then I'll give you till tomorrow, if you wish, to respond. You have to have a chance to study this and to see this.

Nobody else has moved after the hon. Member for Edmonton-Strathcona made the presentation, so I gather there are just the two.

Hon. Member for Calgary-Varsity, you wish to participate in this, too?

**Mr. Chase:** Very briefly.

**The Speaker:** Okay. I'll recognize you tomorrow, prior to, and then if this goes on a third day, it goes on.

Now we're going to move on to the next one. We have a point of order. Airdrie-Chestermere.

#### **Point of Order Factual Accuracy**

**Mr. Anderson:** Thank you, Mr. Speaker. I am bringing a point of order under Standing Order 23(h), (i), (j), and (l). It is regarding the Finance minister's comment that this province has no debt. I

asked for the Blues. They are not ready yet for this, so I'll just cite from memory.

Essentially, this hon. minister said that I was factually incorrect on various issues and then proceeded to say that we as a province had no debt. The fact that he was making allegations against me that I had made some things up, made facts up: I would say that that also "imputes false and unavowed motives" to myself. It's insulting language. It also under (I) introduces a matter into debate that "offends the practices and precedents of this Assembly" in that it wasn't true because the practices of this Assembly are that you tell the truth in this Assembly and that you don't say things that don't meet that criteria.

With regard to the comment that he made, that this province has no debt, I just simply refer to the document that this Finance minister presented this morning, the second-quarter budget update. Specifically, on page 10 it lists direct borrowing for capital purposes, just in this budget, as \$1.8 billion. On page 8 it goes through the different liabilities that this government has. In accumulated debt it talks about \$828 million; liabilities for capital projects as it stands at the end of the second-quarter forecast, \$5.2 billion; other liabilities, \$7.6 billion; pension liabilities, \$9.9 billion; as well as self-supporting lending organizations. But even if you just look at liabilities for capital projects, just look at that line, clearly in the last several years the government has indeed taken on debt to the tune of, as it says right in his own second-quarter budget estimate, \$5.2 billion.

I would ask that the Finance minister correct his misstatement in that regard so that he doesn't introduce a matter into debate that offends the practices and precedents of this Assembly, which is to actually tell the truth when stating numbers like that.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Finance on this purported point of order.

**Mr. Liepert:** Mr. Speaker, I think we can fix this very easily. What I should have said is no net debt because we have substantive dollars in the sustainability fund to cover any borrowing that's out there. If it makes the member happy, we'll add "net debt" into my comments.

**An Hon. Member:** How about being honest?

**The Speaker:** Whoa, whoa. There's more debate?

You know, if people didn't debate things in the question period, we wouldn't have these issues. The purpose of question period is to ask for information, not to have a debate, so if we didn't have a debate in the questions and answers, we wouldn't have these issues.

I think this is a dispute of facts. I think this is an exchange of debate. We've heard a point raised. We've heard a clarification given. I have no doubt at all that as soon as the supplementary estimates come in here, are introduced in this fall session, we're going to have all kinds of ample opportunity to debate this. We'll hear it again ad nauseam.

We're going to move on now to the election of the Deputy Chair of Committees under Standing Order 58(1). The chair has provided to all members the process. It is in your standing orders. I'm just going to briefly deal with this matter to provide the outline again.

Basically, the process is that the Speaker calls for nominations. Individuals who are interested may be nominated. I'd ask that there be a nomination time frame of no more than a minute to two minutes. It's not expected that those who are nominated, he or she, would have to give a speech. They would be asked by me if they're prepared to accept the nomination. When we've gone through that process and we have one, two, three, four, or whatever number that

choose to do this, you have in the document attached the process for the way that the voting will occur and how you will walk to the polling station. It'll be conducted by the table officers.

I'm going to announce now that pursuant to the standing orders there will be an election for the position of Deputy Chair of Committees, and I'm now going to call for nominations from the floor.

### Election of a Deputy Chair of Committees

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Edmonton-Riverview, followed by the hon. Member for Olds-Didsbury-Three Hills.

**Mr. Quest:** Well, thank you, Mr. Speaker. I'm pleased to nominate the hon. Member for Edmonton-Mill Creek to the position of Deputy Chair of Committees. As you know, the hon. Member for Edmonton-Mill Creek served as Deputy Government House Leader in this Assembly for a total of almost 11 years, so he's intimately familiar with the rules, proceedings, and standing orders of this House. This member is in his fifth term as an elected member of this Legislature, including four ministerial portfolios. The hon. Member for Edmonton-Mill Creek has a long list of recognitions and awards, including a Queen's jubilee medal.

Mr. Speaker, the hon. Member for Edmonton-Mill Creek is an exemplary member of this Assembly who is amply qualified to hold this position, so I urge all members today to elect him as our Deputy Chair of Committees.

Thank you, Mr. Speaker.

**The Speaker:** To the hon. Member for Edmonton-Mill Creek: will you accept the nomination?

**Mr. Zwodzesky:** Yes. I accept the nomination, and I thank the hon. member for nominating me.

Thank you very much.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. It's my privilege and honour to nominate the Member for Edmonton-Centre for the position of Deputy Chair of Committees, if that's the right term. I think everybody in this Assembly knows that this member is an enormously competent parliamentarian. She's well experienced. She's been House leader of the opposition since 2003. She has a formidable knowledge, which she has frequently drawn on to display, of parliamentary procedures, and she's very hard working.

I would like to point out to all members of this Assembly, Mr. Speaker, that it is relatively common for people who occupy this position to be from the opposition caucus. The current federal Deputy Speaker and Chair of Committees of the Whole is from the opposition. There are similar situations in British Columbia, Nova Scotia, and Ontario. I think it would be, frankly, a breath of fresh air for a member from the opposition to occupy a position like this.

She is, as we all know, a committed parliamentarian, and she has shown over and over a passion for due process, for respect of the procedures, and for balance, Mr. Speaker. I think this member would be a terrific person for this position.

Thank you.

3:30

**The Speaker:** Hon. Member for Edmonton-Centre, will you accept the nomination?

**Ms Blakeman:** Yes, I happily accept the nomination. Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you very much, Mr. Speaker. It's indeed an honour and a pleasure for me to nominate the hon. Member for Rocky Mountain House to the position of Deputy Chair of Committees. He's been a trusted friend and colleague to many of us for many, many years. He served Albertans and members of this Assembly for over 30 years in such capacities as minister of environment, minister of agriculture, Minister of Sustainable Resource Development, Minister of Transportation, Minister of Infrastructure, minister of government services as well as numerous committees, too numerous to mention. He's also carried out these duties with a great degree of dedication and distinction.

He has already occupied the chair on numerous occasions when called upon to do so during the many late night sessions we've had. He has shown his abilities to carry out the duties of this position in an efficient and fair manner and has gained the respect of all members of this Assembly.

Having been in the chair myself as Deputy Speaker and Chair of Committees, I believe this member has the experience and working knowledge of the requirements of this position to serve us well. I ask all members of this Assembly to support the nomination of the hon. Member for Rocky Mountain House.

**The Speaker:** To the hon. Member for Rocky Mountain House: are you prepared to accept the nomination?

**Mr. Lund:** Thank you, Mr. Speaker. Yes, I would be only too happy and honoured to serve as Deputy Chair of Committees.

**The Speaker:** Hon. members, are there further nominations? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Mr. Speaker, it's my pleasure to nominate as Deputy Chair of Committees the hon. Member for Fort McMurray-Wood Buffalo. This hon. member has served proudly in four ministries, has been in this House for 14 years, is an extremely bright, articulate individual, full of energy. I think that it would make for a very fair debate. He's very fair minded. He would make sure that everyone had an fair opportunity to respond.

You know, for someone who's one of the leaders of this House, as the Deputy Chair of Committees is – of course, certainly serving under your direction, Mr. Speaker – I think it's great to have someone from the economic engine of Canada and Alberta in that position. I think that the Member for Fort McMurray-Wood Buffalo would be very fair minded as he oversaw the committee work. I ask all members – and I'm sure all members will be very happy and excited to have this opportunity to vote for the good Member for Fort McMurray-Wood Buffalo.

Thank you, Mr. Speaker.

**The Speaker:** To the hon. Member for Fort McMurray-Wood Buffalo: are you prepared to accept the nomination?

**Mr. Boutilier:** Mr. Speaker, I believe in fair and square, not nail 'em and jail 'em, so yes, I do.

**The Speaker:** Are there additional nominations?

Having heard, hon. members, four individuals nominated and four individuals accepted, before we move forward, now that all members know who are participating of the four who have agreed to accept the nominations, is there any desire on any member to withdraw at this point?

Well, then, we are going to prepare. We are going to move forward now. I'll call the nominations closed, and the office of the Clerk will now immediately prepare and post an alphabetical list of members' names nominated as candidates for the election to the position of Deputy Chair of Committees. In a few minutes from now ballot papers will be provided to all members. You will see the manner in which you will proceed to the election box. The boxes will be on this table. You will come down the aisles in which you sit, just go through, record it, and vote in a very secret ballot way. This process is now under way. Take a few minutes, take a little refreshment, and we'll be back.

A number have asked the question about the process: how long is this going to take? Well, we don't know, but we won't call you back to vote until 3:45, so you've got nine minutes, okay? Be back by that time. I don't know, Clerk, if we can even ring the bells a minute or so before that.

[The Assembly recessed from 3:35 p.m. to 3:45 p.m. while the lists of candidates were posted]

**The Speaker:** Hon. members, there are four ballot boxes in front on the Clerk's table. In the documentation we sent you, we indicated the manner in which people should proceed, so we'll ask the hon. Minister of Tourism, Parks and Recreation to lead that row up this way and the hon. Deputy Speaker to lead that row, and you just follow down sequentially.

[Members voted from 3:45 p.m. to 3:52 p.m.]

**The Speaker:** Have all members voted who wish to vote? No member has not availed themselves of the opportunity to vote?

Okay. Then the table officers will retire with the Sergeant-at-Arms to count the ballots, and we'll return shortly. The bell will be rung for one minute to give you one minute to get back into the Assembly. This may take up to 10 minutes or something.

[Ballots were counted from 3:52 p.m. to 4:04 p.m.]

**The Speaker:** Hon. members, the rules are such that the Clerk will ring the bells for one minute to recall members to their seats. That has been done.

When all members are seated, the Clerk will announce the number of ballots cast, the number of spoiled ballots, and the number of votes required to achieve the 50 per cent plus one majority. If one candidate receives a majority of the votes cast, the Clerk will announce the name of that member to the Assembly. If no candidate receives a majority of the votes cast, the Clerk will announce the name of the candidate having the least number of total votes cast, which will be excluded from subsequent ballots. If every candidate receives the same number of votes, no name will be excluded from the next ballot.

Subsequent ballots will be conducted in the manner prescribed and will continue until such time as a candidate is elected Deputy Chair of Committees upon having received a majority of the votes cast. At any time after the result of the first ballot has been declared but before the commencement of the second or subsequent ballot, a candidate may withdraw from the election, which will then proceed as if such member had not been nominated.

**The Clerk:** Mr. Speaker, the number of ballots cast for the position of Deputy Chair of Committees, 67; the number of spoiled ballots, zero; the number of votes required to achieve the 50 per cent plus one majority, 34. The member having received the majority of the votes cast, Mr. Zwozdesky. Mr. Zwozdesky is the Deputy Chair of Committees for the Legislative Assembly of Alberta for the 27th Legislature. [applause]

**The Speaker:** Congratulations to the new Deputy Chair of Committees.

Hon. members, we will continue the Routine for the day. I'm now going to call on the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. As I indicated to you earlier today, I have circulated to opposition House leaders an intention to bring forward a request for unanimous consent, as we did last fall at this time, to revert to government business for a short period of time this afternoon to allow for the delivery of a message from His Honour with respect to supplementary estimates, the tabling of a quarterly budget report, the tabling of the supplementary estimates, and dealing with government motions 23 and 24, of which 24 is not debatable. Just that short piece. I'd ask for the unanimous consent of the House to revert to government business to accomplish that specific piece of business.

**The Speaker:** Okay. Hon. members, there is a request for unanimous consent. On the request put forward by the hon. Government House Leader, two questions. Would all hon. members in the Assembly who agree please say yes? If you're opposed, say no.

[Unanimous consent denied]

### Motions for Returns

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

#### Occupational Cancer Rates

M17. Mr. Chase moved that an order of the Assembly do issue for a return showing a copy of the analysis by employment and immigration on occupational cancer rates referenced on page 38, note 14, of the April 2010 report of the Auditor General of Alberta.

**Mr. Chase:** Thank you very much, Mr. Speaker. I look forward to the government's response and the opportunity to respond to the response.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Unfortunately, with respect to this motion for a return I will have to advise that the government will be asking that we reject this motion for a return. It refers to a copy of the analysis by employment and immigration on occupational cancer rates referenced on page 38, note 14, of the April 2010 report of the Auditor General.

In reporting to the Auditor General, Mr. Speaker, the former department of employment and immigration made an error in citing an incorrect number from a reference. The error was corrected and explained to the Auditor General after the report was complete. In the report a footnote that reads, "Analysis by the Department" in fact refers to the number that was quoted incorrectly. As such, there is no additional information on the analysis by the department on the occupational cancer rates.

That being said, if the hon. member is interested in pursuing that particular topic with me, I would be more than happy to zero in on the type of information he is wishing to get and to work with him in terms of whether that information might be made available or not.

With respect to the specific request there is no analysis because it actually was an error in the report which was later corrected with the Auditor General.

**The Speaker:** The hon. Member for Calgary-Varsity to close the debate.

**Mr. Chase:** Yes. Thank you very much, Mr. Speaker. I appreciate the hon. House leader's offer to work with me. My request goes beyond a single number. It's how the information on occupational cancer rates was arrived at. It's the procedure that I'm looking for as opposed to a specific number.

I appreciate, for example, that a former hon. member, Richard Magnus, who represented Calgary-North Hill, did tremendous work in providing firefighters with further extension of cancer recognition. The hon. member across the floor, now the hon. Minister of Education, who was formerly the minister of employment and immigration, took what Richard Magnus had begun and further extended the occupational cancer rate information for firefighters.

4:10

Mr. Speaker, my concern is that I believe cancer rates are underreported, not necessarily deliberately, by employment and immigration. I think what happens is that as people retire, leave their jobs, we lose a tremendous amount of this information. I think that in order for us to be accurate and provide benefits for people who have suffered from cancer which resulted from the types of jobs they were doing – firefighters is an obvious one, but I've previously mentioned how first responders come into contact with a number of the carcinogens which firefighters experience.

In terms of closing debate, I will take the hon. House leader, the new Minister of Human Services, at his offer. Whatever information he can provide me with and, obviously, possibly provide this House with – I'd put it that way – on how these statistics are calculated would be very beneficial.

Thank you, Mr. Speaker.

[Motion for a Return 17 lost]

### Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair would like to call the committee to order.

#### Bill 203

#### Alberta Get Outdoors Weekend Act

**The Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Chair. It is with pleasure that I rise to open Committee of the Whole debate on Bill 203, the Alberta Get Outdoors Weekend Act.

I'd like to thank all of my colleagues from all corners of the House for sharing their thoughts and comments during second reading. Of course, that was back in the spring. I'd also like to thank all ministers in each of the related departments for their unanimous support of the bill. Considering the timing of the debate, it's important to quickly review the key components of the bill.

This act was simply created to improve the lives of Albertans since it promotes not only the importance of outdoor activities but also draws attention to the fact that living an active lifestyle contributes to overall well-being. Now, Mr. Chair, although it's not a lengthy bill at all, the message it provides is very important. In section 1 it reads: "In recognition of the importance of outdoor recreation to the people of Alberta, the second weekend of April in each year shall be known as "Alberta Get Outdoors Weekend".



This time of year provides Albertans with the perfect opportunity to get outside to enjoy all that our wonderful province has to offer. Now, the long, cold winter, that we've been rather rudely reminded of very lately, will be replaced – yes, it will – at that time of the year with warmer temperatures and longer days, and at that time there will still be snow in the mountains, so Albertans can get their last shot at their favourite winter activity. Meanwhile in the rest of the province everything is finally going to be thawing out, and this might just be the nudge that a great percentage of Albertans are going to need to finally get back outside and bike, hike, jog, golf, or visit farms or forests, waterways, ranches, parklands, mountains, and more.

Albertans, Mr. Chair, are responsible for the great success of government-recognized occasions such as Family Day and arts weekend, and I'm convinced that Alberta GO weekend will be every bit as successful. Now, I hope that colleagues are aware that in America they celebrate a similar sort of event, and there is overwhelming participation and success. In Canada, though, we would be at the front of the pack with this.

Part of the good news is that the only start-up cost is promoting the day. The rest is up to community groups and organizations, who can't wait to make this their own. As a matter of fact, Mr. Chair, asking just one time, I've had over a hundred letters of support from all sorts of groups across Alberta – municipalities, recreation and sports clubs, seniors' councils, health organizations, numerous other important groups – and the message has been consistent. The possibilities are endless.

Now, Mr. Chair, Albertans take a great deal of pride in our natural landscape, and like me they don't take it for granted. That's why it's important that we acknowledge the appreciation Albertans have for our province through legislation such as the Alberta GO weekend act. Bill 203 will also promote our internal tourism sector while encouraging Albertans to explore their pristine natural environment.

We all know that living an active lifestyle, which includes getting outdoors, can improve the overall well-being of one's body and mind, and overwhelming medical research asserts this. It's counterproductive, in my humble opinion, to just complain about addictions and type 2 diabetes and heart disease and osteoporosis, cancer, stroke, obesity, or that people of all ages are spending too much time cooped up in front of one type of screen or another. Now, Mr. Chair, I recognize that Bill 203 is not the final answer to the question as to how to ensure that Albertans become more active, but it would be a huge, important piece of the solution which complements other related government initiatives which increase active living.

Bill 203 will impact Albertans' lives on many levels. We must continue to inspire people to value and enjoy our natural heritage as well as the benefits they provide for current and future generations. I believe that this bill is in the interest of all Albertans, and I earnestly encourage and invite all members to vote in support of Bill 203. Mr. Chair, this bill passed quickly and easily in first and second readings, and I trust that all members will ensure that this will be the case, indeed, in committee.

Thank you very much, Mr. Chair.

**The Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you, Mr. Chairman. I would never want to suggest that I was opposed to anything that promoted healthy lifestyles. As the hon. member pointed out, this is just a first step, but I would like to see it taken considerably further than just suggesting that a weekend in April, the second weekend of April, be considered for fitness.

The hon. member talked about potentially getting away from statistics, but it's those statistics that provide the need and the encouragement for such an activity weekend as the member is suggesting. Alberta, well, Canada for that matter has a significant number of deaths due to heart and stroke. Childhood obesity in Alberta in particular is growing at a very frightening rate, and one of the ways to combat obesity, beyond dealing with the most important factor, which is poverty, is exercise.

As a former teacher for 34 years I promoted physical fitness by example. I'm rather pleased to say that a number of students chose to participate as opposed to were forced to participate, as the government has previously done, by mandating daily exercise. Frequently students, regardless of the season, when I taught elementary on a Friday afternoon, would choose to participate in outdoor pursuits. We would go on lengthy runs or lengthy cross-country skis, depending on what the weather conditions were. As a result, a number of my former students, who got sort of bitten at an early age, have gone on to compete in triathlons and marathons, in the TransRockies mountain bicycle race. I'm pleased that the enthusiasm that I showed in the classroom and for fitness in general carried over, but I don't believe that simply designating a day is going to have much of an effect and certainly not the desired effect.

4:20

When the government decided through Don Getty and some of the misfortunes that Don Getty's son experienced to set aside a day in February called Family Day, it was considered a holiday. It was a specific day that was set aside in recognition of the need for families to get together and enjoy each other's company. The government went beyond just mandating it. It became an Alberta provincial holiday, and it was recognized.

This particular bill, which, incidentally, I am supporting, is the lowest level of encouragement that the government could possibly provide. If the government is truly serious about increasing fitness and getting individuals involved in the process, then there are ways to do it, and that's increasing, for example, our parks and protected areas.

So many times I've called on the government, whether it's the Minister of Tourism, Parks and Recreation or the minister of the environment or the Minister of Sustainable Resource Development. I've said, "Set aside the Andy Russell I'tai Sah Kôp area, that is part of the Castle-Crown," which unfortunately is being overrun with clear-cutting. If you want to create and promote recreation, then provide parks for Albertans to recreate within. Maintain the trails so that they can hike. April, for example, is Alberta's snowiest month, so there is the possibility that some people at lower altitudes would be hiking while others at higher altitudes would be enjoying cross-country skiing, alpine skiing, climbing what may be left of icefalls.

These are all worthwhile activities, but they require more than just a verbal statement that in April the second week is get outdoors weekend. I don't see how that's going to promote a significant number of people getting involved. However, to the hon. member's credit, if it gets even a few out, then the bill has value. I want to see the next steps. I want to see the government supporting our parks and recreation. I want to see the government funding ice arenas instead of selling off part of Olympic Park for condominium development or business offices or a hotel. Put the money into improving the ski jump, improving the luge. In other words, put your money where your mouth is.

Thank you.

**The Chair:** Does any other hon. member wish to speak? The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Yes. Thank you very much, Mr. Chairman. I'm pleased to rise today in Committee of the Whole and share my comments on Bill 203, the Alberta Get Outdoors Weekend Act. Before I begin, I would like to thank the hon. Member for Calgary-Lougheed for all of his hard work he has put into drafting this particular piece of legislation. I feel that the bill provides an excellent opportunity to step back and rethink about the attitudes and approaches surrounding a very important issue, an issue that can be characterized as a healthy and active Alberta and Albertan.

Today, Mr. Chairman, I would like to focus the majority of my comments on the preamble of this particular bill; specifically, the part pertaining to the medical benefits of the act. For the record I'm referring to the initial line in the preamble. It reads: "Whereas there are significant health and lifestyle benefits associated with active living and outdoor activity."

Mr. Chairman, it is very important to understand the value of a healthy and active lifestyle along with the corresponding medical benefits. The link between physical activity and a person's health is very strong and at times can be challenging for individuals. Not only does a physically active lifestyle lead to a longer life expectancy and improve one's quality of life; it also reduces stress, which in itself is a tremendous medical benefit.

During a time when obesity rates in this province are of epidemic proportion and continue to rise exponentially, understanding the value of a healthy lifestyle is of the utmost importance, and I can tell that the hon. Member for Calgary-Lougheed strongly believes in encouraging Albertans to lead a healthy lifestyle. I certainly commend him for taking this particular approach and call to action.

Mr. Chairman, quite clearly, there are significant health and lifestyle benefits associated with active living and outdoor activity, and at times we have to prompt it so that it can move forward. That leaves little to be disputed around this particular issue. Physical activity contributes to health and wellness in a number of ways. One is that being active decreases a person's risk for cardiovascular disease, and in companion to that, it will have long-term and short-term benefits returned in terms of the investment that we make in our health and wellness for Albertans.

Physical activity also helps the body to use and become more efficient in terms of weight loss and those other conditions that would benefit in the direction of a healthy lifestyle. Studies also show that 60 per cent of Canadian adults are obese or overweight, and roughly half of Canadians are deemed to be physically inactive. That's why this is a very good direction.

Likewise, Mr. Chairman, it is estimated that becoming physically active can reduce the risk of heart attack by as much as 55 per cent by taking up and moving forward to promote and engage in a healthy lifestyle. Quite clearly, this is the link between being physically active and living a very healthy life.

Another medical benefit of a physically active lifestyle includes that it can increase your basal metabolic rate. At times, as you're getting older and with the growing population, this particular health rate has a tendency to slow down, so anything that an individual can do to up their basal metabolic rate really helps decrease your appetite and reduces adipose tissue, or body fat.

Mr. Chairman, regular exercise is a very important part of a healthy lifestyle for adults, children, and youth, and Bill 203 intends to act as that initiative to get Albertans excited about exercising regularly. People who lead an active lifestyle are less likely to get ill and more likely to live longer. Exercise not only makes you more physically fit, but it also improves your mental and physical well-being, and it's important that it become more and more a part of our lifestyle.

Mr. Chairman, to be physically active and to recognize the benefits of such does not mean that you have to work out for many hours a day. Physical activity can take many forms and should be encouraged in one's daily work routine. Walking, as an example, is a very good physical activity, one that is not expensive. If you go out to the malls, you notice that the malls have become more comfortable gathering spaces, and you see a lot of people taking up the challenge to do walking inside malls. After all, especially in Edmonton, we are a winter city. Inactivity has an adverse medical effect, which can cost not only lives, but in the end it causes a lot of expenditures on the health and wellness side for our government. As well, as we all know, the costs associated with poor health are not insignificant. It puts a strain on our health care system, and even from a corporate perspective absenteeism and other costs in our medical system are attributed to it.

4:30

The combination of a poor diet and lack of physical activity is directly linked to heart disease and cardiovascular disease. We do have a rise of type 2 diabetes in this particular province, and that's also a concern. In Canada we are also currently ranked the third highest in the world when it comes to obesity rates and the third lowest in the world when it comes to walking and other leisure activities. We can see, as demonstrated by the important criteria that are outlined in this piece of legislation, that there is a need for promoting physical activity and making it fun for all to enjoy.

Bill 203 intends to make physical activity fun. It also has several health and wellness advantages not only for an individual, but I can see that the corporate sector could also step up and engage their employee complements right across the province to be more mindful of engaging in more physical activity. Who knows? They may even stretch to promote something that would occur on a particular weekend.

Bill 203 is a reasonable step to take towards promoting healthy lifestyles across our great province. The preamble acknowledges one of the major reasons for having this bill, which is the health and lifestyle benefits associated with active living and outdoor activity. If this preamble was not included in the bill, we would be missing an important link between health benefits and living an active lifestyle.

In closing, Mr. Chairman, I would again like to stress the importance of this particular Bill 203. It maintains that the benefits of promotion and participation in the great outdoors weekend can be far reaching, and it could shift a cultural response from Albertans. This weekend has the potential to improve both the physical and mental well-being of Albertans. Such active living can lead to a longer life, reduce stress, and improve overall quality of life. After all, health and wellness are priorities for our government and should be for all Albertans as well.

I would again like to thank the hon. Member for Calgary-Lougheed for his hard work that went into drafting this particular bill. I will be in support of Bill 203, and I urge all of my hon. colleagues to do the same.

Thank you so much, Mr. Chairman.

**The Chair:** Any other hon. members? The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you very much, Mr. Chairman. I am pleased to rise today in Committee of the Whole and speak to Bill 203, the Alberta Get Outdoors Weekend Act, brought forward by the hon. Member for Calgary-Lougheed.

I would first like to thank my hon. colleague for this important piece of legislation. The bill that we are discussing today is a

meaningful way to further encourage Albertans to participate in healthy outdoor fun through the implementation of an Alberta get outdoors weekend. The objective of Bill 203 is to create a weekend every year during which Albertans are encouraged to get outside, be active, and take advantage of all that this great province has to offer. It is important that this weekend is not just a one-time event and that we, instead, implement it as an annual celebration of outdoor recreational activities in Alberta.

Today I would like to focus on section 1 of Bill 203 as it deals with the need to make the Alberta get outdoors weekend an annual one. The vision that we would like to accomplish through this bill is to see a province where citizens are much more active in the great outdoors. While it may only begin with one weekend a year, this initiative has the potential to raise awareness all year long. In other words, this bill is about creating and implementing a vision for future generations. The government of Alberta is committed to continued support of Albertans leading active, healthy lives. Specifically, this bill will help us achieve this goal because it will promote lasting health effects to the people of Alberta.

Mr. Chairman, we need to encourage Albertans to get outside and partake in an activity that they love or to try something new. As well, this is not simply about getting individuals involved. It is about involving whole communities through local events. As I see it, this bill would be a wonderful way to revitalize community spirit across the province and to create a greater sense of inclusiveness. The weekend would encourage participation by all citizens, making their lifestyles more active and healthy. Also, by making this weekend an annual event, communities would be able to plan events for their areas and advertise community and scheduled activities that could become family traditions.

In many ways we can relate this proposed weekend to Family Day in February, in which many people plan and take part in activities aimed at the whole family. This is a day that brings families together, strengthening their bonds with their community by encouraging them to participate in special events. It becomes something that people can look forward to and plan for every year. As section 1 of this bill suggests, this is something that the government of Alberta is committed to supporting. By combining this opportunity for community involvement with the promotion of outdoor physical activity, an Alberta get outdoors weekend could help families take up and maintain healthy lifestyles together.

There is at least one good example of such specialized events just south of the border. The United States has implemented National Get Outdoors Day. This annual event, which began in 2008, takes place in June and encourages all Americans to take part in healthy outdoor fun. The goal they have set for their national event is to offer opportunities for citizens to experience traditional and nontraditional types of outdoor activities. Mr. Chairman, the U.S. government is hoping to connect people back to public lands and to reconnect them with the great outdoors. By making this an annual event, various communities are able to get involved and plan specific events for their area, making it a more unique and special occasion.

A planned weekend for physical activity can go a long way in assisting Albertans with leading healthy lifestyles, which is why this government remains committed to ensuring that we have these opportunities annually, as is clearly articulated in the wording of section 1 of the bill.

I think the city of Denver is a wonderful example of what a community can do with an annual event like Get Outdoors Day. Because Get Outdoors Day is celebrated each year, Denver is able to plan elaborate community activities in advance to bring the citizens of the area out to enjoy the great outdoors. Denver incorporates a 10-kilometre sports walk, camping equipment

demonstrations, canoeing, fishing, skiing, mountain biking, and many other events, all for the enjoyment of the public. It goes beyond just the physical activities, with information sessions also offered on general wellness, nutrition, and outdoor safety.

While I believe that we are already doing a lot to encourage outdoor activity, Alberta's children and adults alike are now less connected to the outdoors than in previous generations. According to the findings from the Canadian Community Health Survey in 2004 26 per cent of Canadian children and adolescents aged two to 17 were overweight or obese. Also, the report concluded that for children aged two to 11 and for adolescents aged 12 to 17, the likelihood of being overweight or obese tends to rise as time that is spent watching TV, playing video games, or using the computer increases.

4:40

As is suggested in section 1 of this bill, one of the benefits of having an annual Alberta get outdoors weekend would be to assist in countering these negative trends by providing kids and their families with an abundance of practical and fun outdoor activities. Active living can lead to a longer life, reduce stress, and improve Albertans' quality of life, which is why I think it is such a significant issue to be brought to the forefront of public awareness.

Mr. Chairman, Alberta has spectacular scenery, diverse wildlife, and numerous recreational opportunities. We are lucky as Albertans to have this beautiful province to call home. I feel that having an annual Alberta get outdoors weekend will encourage us to take advantage of our magnificent and readily available natural beauty while also promoting significant health and lifestyle benefits through active living. By encouraging the enjoyment of many outdoor attractions, we can show Albertans how easy and fun it is to be active.

Having a yearly scheduled event will give communities the opportunity to plan events in advance that will lead to further enjoyment of Alberta's vast natural landscapes. Ultimately, the main goal of this bill is to encourage individuals to get outdoors, get some exercise, and to have fun, and I believe that Bill 203 will do just that.

Mr. Chairman, Bill 203 is a beneficial piece of legislation, and I would like to thank again the hon. Member for Calgary-Lougheed for bringing it forward.

With that, I will conclude my comments. I look forward to the remainder of the debate. Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Strathcona.

**Mr. Quest:** Well, thank you, Mr. Chairman. I'm pleased to rise today in Committee of the Whole to speak to Bill 203, the Alberta Get Outdoors Weekend Act. Debates around this act so far have been productive, and already we've learned so much about the positive effects of physical activity on our well-being, and I think those are indisputable. We've become acquainted with similar events in other jurisdictions and reacquainted with initiatives already in place in our province.

That's part of the intent of this bill, and I want to thank the hon. Member for Calgary-Lougheed for all of his efforts in raising awareness in this matter. I know physical activity and health and well-being are a big part of this member's life. He climbed a certain mountain at least a couple of times and, I think, many others and, obviously, didn't fall off. In fact, it might just be the kind of boost that we need to get us outdoors more often.

Mr. Chairman, there is a strong basis for passing this bill, and there are a number of reasons for choosing the second weekend in April for the Alberta get outdoors weekend. In fact, I think it's

great that we would establish what will likely become a great Alberta tradition. This will be my focus. As stated earlier, section 1 of Bill 203 reads: "In recognition of the importance of outdoor recreation to the people of Alberta, the second weekend of April in each year shall be known as 'Alberta Get Outdoors Weekend.'"

Mr. Chairman, the first reason that comes to mind for choosing this particular weekend is actually a question: why not? We are built to experience the outdoors, and we're eager to spend time outside. This is another excuse to do that, and it's a good one. By this time in April the snow is all but gone, hopefully much earlier. Who in Alberta is not tempted to engage in outdoor activities at that time? Not just adults, but kids are reminded at the same time that they need to get their bikes out of the garage and out of the shed, that footballs, baseball bats and balls, and soccer gear need to come out. On the second weekend in April golfers are also highly motivated – highly motivated – to hit the greens.

Mr. Chairman, the point that I'm trying to make here is that by April virtually every Albertan eagerly awaits the chance to get outdoors, so why not make the second weekend in April the official Alberta get outdoors weekend?

Another benefit of choosing this date includes the opportunity to practise both summer and winter sports. We can start to get outside, but we can still partake in winter sports. There's still some skiing going on in the mountains, but the golf courses are also starting to open up, or certainly the driving ranges. Soccer and baseball fields might not be ready, but sidewalks and bike trails and maybe even backyards are.

Mr. Chairman, walking or running on those urban parkland trails after a long winter is always a pleasure. It's an opportunity to breathe fresh air, relax, walk the dog, or spend some quality time with the family. Students can resume their favourite playground activities. Schoolchildren can go outside. It's great for a DPA and all sorts of initiatives like that to get the kids out. This bill aligns well with other learning activities that are already taking place in our classrooms, so there are many direct and indirect benefits. Kindergarten to grade 12 phys ed programs, like the DPA that we were just talking about, say that students must have the opportunity to participate in five dimensions of physical activities, which includes activities in an alternate environment, for example aquatics and outdoor sports.

I think the point is that it's a reminder that we need to get outside. We need to think about it. But we need to do more than think about; we need to actually do something about it. I think that if this raises awareness – and I'm sure it will – for Albertans to get outside and get physical, then it's certainly well worth while.

I urge all members of the Assembly to support this bill and the date chosen for the Alberta get outdoors weekend. I think April is the perfect time, so I'll be supporting this bill.

Thank you, Mr. Chair.

**The Chair:** Any other hon. members wishing to speak?

Seeing none, the chair shall now call on the bill's sponsor, the hon. Member for Calgary-Lougheed, to close the debate.

**Mr. Rodney:** Thank you very much, Mr. Chair. It is indeed a pleasure to rise once more to offer concluding remarks for Committee of the Whole debate on Bill 203, the Alberta Get Outdoors Weekend Act. I would like to thank all members that participated in committee as well as during first and second reading.

This bill will ensure that we acknowledge the importance of outdoor recreation and that we are committed to improving the mental, physical, and environmental benefits of outdoor recreation. We'll also recognize that there are significant health and lifestyle benefits associated with active living and outdoor activity.

Mr. Chair, I believe that the current wording of the bill accurately reflects the objective and the intention that was debated in second reading.

Now, Mr. Chair, a point of clarification if I may. I'm just wondering exactly how many minutes are remaining in my concluding speech.

**The Chair:** You have four more minutes.

**Mr. Rodney:** Okay. Because there have been people from around the province who have asked that I read their names in. These are organizations of all kinds that took the time to write in. I sent out one single e-mail about a year ago saying: do you like the idea or do you not?

With the time that we have remaining, these are the names. Feel free to let me know when the time is out so that we can have a vote before the end of our time span here. The town of Sylvan Lake; the town of Devon; the county of Barrhead; the town of Crossfield; the city of Leduc; Spirit River; Linda Nelson, deputy chief administrative officer; the town of Coalhurst; the town of Hinton; the village of Strome; the town of Sexsmith; NPRL manager; president of Alberta 55 plus; provincial commissioner, Girl Guides of Canada, Alberta; the town of Killam; administrative assistant, the town of Black Diamond; the village of Warburg – I see all of the members are just very curious to see if they had something from their particular constituency, but I can assure you that it's from all over the province – the village of Chauvin; Hines Creek; Youngstown; the town of Stavely; the town of Bowden; the town of Vulcan; Fort Macleod; InMotion Network; recreation and parks, Parkland county; the town of Bon Accord; Alberta Centre for Active Living; Chris Brookes, Alberta Snowmobile Association; 2010 ABA president; NWAB.

Do we still have enough time to go through the rest?

4:50

**The Chair:** You have one minute and 49 seconds.

**Mr. Rodney:** One minute. Thank you.

Lac La Biche, Rainbow Lake, Boys & Girls Clubs, Valleyview, Ever Active Schools. I don't want to run out of time completely. I'll mention the rest, if there is time, during third reading.

Mr. Chair, as you can see, there are all sorts of stakeholders, all sorts of groups from across the province. People of every age and activity level and activity style are very interested in helping to promote this.

Again, I just encourage all members to vote in favour of Bill 203. If passed, it will just take one more step forward in improving the health and well-being of Albertans.

With that, Mr. Chair, I move to adjourn debate and call the question in Committee of the Whole on private member's Bill 203, the Alberta Get Outdoors Weekend Act, 2011.

Thank you, Mr. Chair.

**The Chair:** I just want to clarify that you called for a motion to close the debate.

**Mr. Rodney:** Agreed. Close the debate. Thank you for the clarification.

**The Chair:** We have no other speakers, and the sponsor of the bill has closed the debate, so the chair shall now call the question.

[The clauses of Bill 203 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you, Mr. Chairman. I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 203.

**The Deputy Speaker:** Having heard the report by the hon. Member for Strathcona, does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

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

#### Bill 204 Justice System Monitoring Act

[Debate adjourned May 9: Mrs. Sarich speaking]

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I know my time is short, but with the allotted time I'm very pleased to speak to the private member's bill put forward by the Member for Calgary-Fish Creek, Bill 204, the Justice System Monitoring Act. I certainly congratulate the Member for Calgary-Fish Creek for the foresight and the leadership in bringing forward this private member's bill.

The act touches on one of perhaps our most cherished principles, that of accountability. I never forget who my bosses are, the people of Fort McMurray-Wood Buffalo, proud Albertans as are other members of this House. And when your bosses are upset, you listen. My bosses are very upset when it comes to the issue of some of the handling of things by this government. They have called me, and they want to know what the heck is going on relative to the issue of justice monitoring.

When we look at the cold, hard facts of the government's mismanagement, Mr. Speaker, we certainly hold some various dubious records in the Canadian court system. We are first in defendants not showing up for their court date. We're second in the length of time to complete a court case, at 270 days. The last fact concerns me perhaps the most, that 56 per cent of people in custody have not been convicted of the crime. If people are guilty, get them in front of a judge and jury. That's what my citizens are telling me and what Albertans, I know, have been telling this government. If they're not, set them free to live their lives as Albertans. Well, this government continues to fiddle, blind to the smoke and fire around them.

We are paying attention, none more so than the hon. Member for Calgary-Fish Creek. She was the Solicitor General and a proud

member under Premier Klein, pertaining to her tireless efforts in preventing the exploitation of abused children. No one in this House has done more for the victims of crime.

Ultimately, my theory is that justice delayed is certainly justice denied. It's a lot like health care in this province. To give you a small example, my constituents, seniors, were promised a long-term care facility over three years ago by the PC government. As they remain cooped up in acute-care beds on the third and fourth floors of our hospital, clearly, they made a commitment and haven't lived up to it. In fact, they still have not, if you can believe this, even broken ground on the new facility, that was announced three years ago. The fact is that they've had four to five press announcements but at this point have not even broken ground. That's a small example of what has not been working within this government.

The Justice System Monitoring Act will track very important points: the length of time from laying a charge until a concluding verdict, the total time for court hearings in a case, the length of time between reporting an offence and laying a charge, the number of delays exceeding three months, the number of prosecutions involved in each file – need I go on? – the number of adjournments granted, the number of trials that begin on their designated day, and the approximate cost of delays in terms of peace officers, prosecutors, as well as witnesses, victims, and jurors.

The way that this bill works is very simple. The ministry will have six months after the calendar year-end to present a report online providing the statistics outlined in the act. If the House is not sitting, the report must be tabled within 15 days of the next sitting. The tabled report will be referred to the relevant committee. Six months after the committee receives the data, they will report to this House. The minister will have three months after the committee report to respond. This, Mr. Speaker, is true accountability.

Now, I know that I only have a minute or so to conclude, so I will of course keep my comments relative to this, on private members' day, in the time to go. One argument that should be made, very relevant to this important point, is that old story of jurisdiction. You know, one argument that will be made . . .

**The Deputy Speaker:** Hon. member, I hesitate to interrupt you, but the time limit for consideration of this item is concluded.

### 5:00 Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Calgary-Mackay.

#### Postsecondary Student Funding Review

506. Ms Woo-Paw moved:

Be it resolved that the Legislative Assembly urge the government to review the procedures and rules that determine postsecondary student funding to ensure that student funding meets the diverse and evolving needs of students in the 21st century.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. It is a pleasure to rise today and open debate on Motion 506, which urges the government to review postsecondary student funding. I'm proposing this motion in order to express concerns that I have heard from young Albertans about the current structure of student funding.

We already have some of the best postsecondary institutions in the world, and ensuring that funding for students who attend these institutions is viable and adequate is of the utmost importance. To

be clear, I don't think a complete overhaul of our current student funding structure is necessary. The affordability framework, published in 2006, acknowledges that affordability is key to raising postsecondary participation and attainment levels. But demographics have changed in the past five years, and to respond to such changes, we must re-evaluate student funding policies. The age of students is also increasing as over half of postsecondary students are now over the age of 25. Students are also working more than ever before, with over 70 per cent of students holding a job while they continue their studies.

While these demographic shifts affect all students, I believe they especially impact individuals studying part-time. Mr. Speaker, we have over 85,000 part-time students studying at postsecondary institutions in our province. It is often the case that part-time students have full-time jobs, families, and other responsibilities that make their postsecondary commitments especially challenging.

In discussions with students and faculty members as well as members of the various postsecondary student associations, which represent well over 120,000 students, individuals raised concerns about the accessibility of funding for part-time students. Currently part-time students are unable to access the same opportunities for bursaries and scholarships as full-time students. While I understand the need to differentiate between part-time and full-time funding, I think it's important to review the funding in place so that students studying part-time have equitable access to bursaries and scholarship programs as well as adequate funds.

Indeed, student leaders raised concerns that part-time students are more likely to visit campus food banks than are full-time students. These campus food banks are often the last resource for students who are having trouble making ends meet. While I commend the Ministry of Advanced Education and Technology for programs such as the Alberta part-time bursary, I think it's important to review the range of programs within the ministry to ensure the needs of part-time students are met.

In addition to discussing part-time student funding, I also want to mention the importance of funding for those who wish to conduct part of their studies or broaden their studies in a foreign country. In the 21st century the benefits of international learning experiences are well recognized. There are also increasing opportunities for students to capitalize on in major Asian institutions such as in India and China. Our government understands the importance of competing on the global stage and contributing to the global community. In my opinion, one of the best ways to ensure that Albertans are global citizens is to provide needed supports for students who can benefit from international studies such as exposure to different cultures, an opportunity to learn or enhance a second or third language, and to learn different ways of addressing issues or solving problems. As the importance and level of interest for international studies is expected to increase, ensuring our funding criteria and assessment processes are responsive to current contexts is critical and should be achieved through a comprehensive review.

Finally, I want to briefly discuss the importance of completing a comprehensive review of student funding in the immediate future. There are about 600,000 Albertans aged 20 to 29 right now, Mr. Speaker. This figure will not be higher for at least 20 years according to the Minister of Finance's medium-growth scenario. In other words, the number of Albertans who are of the typical age for postsecondary students is at its peak right now, and these students will be the leaders and shapers of our province over the next several decades. It is therefore imperative that we take action now to ensure our policies and programs are truly responsive to the needs of the people the programs are intended to support.

Mr. Speaker, one of Alberta's most urgent issues is ensuring that we have a sufficient pool of an educated and skilled workforce. Failing to adequately support the growing number of learners who are eager to obtain an education but face barriers to achieving their goals not only hampers these learners' development and their families' well-being but also the well-being of our province.

Mr. Speaker, in summary, I think that a review of postsecondary student funding is of the utmost importance. It is imperative that this review happen sooner rather than later as the number of Albertans in their 20s is currently at its peak. Conducting such a review immediately will ensure that we maximize return on taxpayer dollars.

I also think that such a review ought to focus on the issues I have raised today: responsive and equitable funding criteria for part-time students, assistance for students wishing to study internationally, and funding that encourages diversity and inclusiveness in our postsecondary education system. I acknowledge the fact that the issues I raise today are complex. I believe that a full review of student funding, with stakeholder involvement, will help to properly address these issues.

I wish to thank the endorsement of Motion 506 from the Alberta Graduate Council, the Alberta Students' Executive Council, the Calgary Medical Students Association, the Canadian Federation of Medical Students, the Council of Alberta University Students, the medical students' association, and the Postdoctoral Association of the University of Calgary. Some of the representatives are here this afternoon in the gallery. I really appreciate your presence.

I look forward to comments from my hon. colleagues on Motion 506, and I encourage everyone to support this motion.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. I believe – am I right? – that I have five minutes to speak to this.

**The Deputy Speaker:** Ten.

**Dr. Taft:** I have 10 minutes? Okay. Thank you very much. I know many others want to participate, so I will try not to take up the full 10 minutes, but this is a very important issue.

I want to commend the hon. member for bringing this motion forward. I think the spirit is good; the approach is fine. I think the choice of wording of the motion reflects the parliamentary constraints on what we can do in a motion and what we can't do in a motion in terms of requesting funding. I do like the idea that's brought forward here of reviewing the procedures and rules that determine postsecondary student funding because I think that if we were to do that sort of a review properly, it would drive us back to some basic questions. What do we want our postsecondary system to achieve? Why do we have a postsecondary system at all? Why do we educate people?

I think that if we were to revisit those kinds of values and those kinds of questions, we would get a new appreciation for why postsecondary education is so important. I think it's clear that we support postsecondary education not just because of the knowledge and skills that are delivered or acquired but because it makes for a better society. It makes for healthier citizens. It makes for citizens who are more engaged. It also strengthens our democracy because it encourages free and open and well-informed debate on issues. So I think that if the government was to follow this motion and actually start the review where, I would suggest, every review should begin, which is around questions of why –

what are we trying to achieve? – that would be a very healthy thing.

The Member for Calgary-Mackay has covered a lot of ground in her comments. She referred to, I noticed with some interest, the value of international studies, and that's, of course, a value that goes both ways. When Albertans go and study abroad and come back home, they bring the whole world with them. They bring the language and the values and the attitudes and the knowledge that they acquired abroad back home with them, and we benefit from that. Likewise, with students who live elsewhere and come and study here, we gain from their presence here.

5:10

I say that because two doors down from the house where my wife and I live, last winter there were four students from Kazakhstan. We struck up a friendship, and I wouldn't be surprised, Mr. Speaker, if some day we go to Kazakhstan. It opened up our world to a society in central Asia about which we knew next to nothing beforehand. So that's terrific.

I think that in the end we do need to come down to specifics. We do need a government that looks hard at things like tuition costs, which, in my view, are too high and have escalated too rapidly, and at an issue that came up earlier in this Assembly today, nontuition fees, which can come out of the blue and can seem arbitrary and unfair.

I also think that we need to revisit or challenge ourselves with the gap between our very low postsecondary participation rate and our low high school completion rates and the fact that we have a highly educated general population. Of course, that can be a mystery at first glance. How can that gap be? How can we have such low graduation rates and low postsecondary participation rates and such a well-educated population? As I've said before in this Assembly, it's because people are getting trained outside of Alberta and are moving here. In fact, I know an economist who's looked specifically at the value of this to Alberta, and it's well over a billion dollars a year that we gain in a kind of informal transfer payment from people who are educated at Dalhousie or McGill or Laval or UBC or wherever and move to Alberta with all that training in place.

I think we have to ask ourselves: is having the lowest post-secondary education rate in the country the best we can do? I don't think it is. I think we need to reduce the barriers to post-secondary education so that we get that rate up to something we can actually be proud of. I think it comes down to viewing education, from K to 12 right through postgraduate, not as a cost but as an investment, and I say that very seriously, Mr. Speaker. We keep tabs on the value of our infrastructure and our roads and our transmission lines. We keep tabs on the value of our buildings and our facilities, but we completely ignore the value of having a highly educated population. That value is immense, and I suspect that it's actually measurable. That value represents our investment in ourselves, in our children, and in our future. If we understand education as an investment and not just as an expense, then I think this motion makes perfect sense. I think that if that approach infused and informed the suggestion made in this motion, it would be a great thing.

I congratulate the member for bringing this forward. I hope other members can support it, and I hope that the government pays attention if it passes in this Assembly.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It's indeed a pleasure to

rise today and speak on Motion 506. I'd like to thank the Member for Calgary-Mackay for bringing this forward. You know, the objective of the motion is, clearly, for us to look at how student funding is done today, and it is very important.

When I meet with the student organizations across the province or just students within the postsecondaries, it is always one of the issues that comes up. It's issues around loans; it's issues around grants; it's issues around bursaries; it's issues around remissions. It's all of those things rolled together because at the end of the day our education needs to be accessible, it needs to be affordable, and it needs to be of high quality. Those are the things that we ask of it, and those are the things that our students ask of it as well.

Clearly, those things don't always work very well together because sometimes to maintain high quality, of course, there is some cost to it. We in this province believe it's critically important to keep our system affordable, to keep it available to students. We also know that the cost of education continues to go up, so we're always looking for opportunities to improve the system.

I am pleased to say today that we're planning a full review of student finance. That will include everything from the access to the future fund, which helps to fund some of our matching dollars for scholarships, right through to the student loan fund and everything in between. You know, we have made some significant changes in the last few years. Our loan system, our finance system, of today doesn't look anything like it did 15 or 20 years ago. We've increased annual loan limits. We've increased living allowances. We've removed some of the silly rules around what kind of vehicles you drive, and some of that.

With this review we want to really drill down because what I think shows there is a problem is that only 30 per cent of our students take out a student loan. Only 30 per cent. I truly believe that there are students out there in Alberta today that aren't in postsecondary because either, one, they couldn't get a loan or, two, their families or themselves had a fear of going into debt, a fear of going to school and building up a debt and coming out carrying a large debt load.

Those are really legitimate fears for our students, so it is important that we review the system to ensure that the loans that they can get are easy to get, that the interest rates are low, that the payment rates are fair, that there are proper remissions available to students for a number of different reasons, that grants and bursaries – you know, we've got the Rutherford scholarship, the Jason Lang scholarship. These are wonderful projects, but the students come to me and say: we'd like more programs like that. This year we added the new opportunity for students to volunteer in the not-for-profit sector to gain valuable experience and to also gain scholarships for their next year of education. We are moving in that way, but I think we can do much, much better.

One of the areas that does keep coming up – the Member for Calgary-Mackay brought it up, and we will be reviewing it as part of this review – is around part-time students and especially graduate students. They simply either cannot get the loans that they need, or under the regulations that exist now if a graduate student gets a loan, they have to start paying back on it immediately. There is no waiting until you finish school. So it becomes very onerous or difficult. On one hand we're trying to attract graduate students, the brightest and the best, to come to Alberta to study and to be here, yet we create financing systems that don't support those graduate students.

In some provinces there is actual direct funding for graduate students. As well, there are different loan programs for graduate students. In British Columbia, for example, they even offer PNP placements for graduate students coming to study in British

Columbia. These are important things to look at as part of a holistic plan for our funding system for our young people.

Another interesting thing in Alberta: we talk about students not going from high school into postsecondaries, yet we have a very educated population. One of the ideas brought forward was that maybe people move here that are educated. That's some of it, but the average age in our postsecondary institutions is 28. Twenty-eight years of age. That means that people are leaving high school, going to work, maybe even starting a family, and then determining through that process that the job, the career, that they really want requires them to go back to school.

So on top of these important issues we need to look at ways to streamline education systems for people that are in the workplace. We're going to have to look at things like online apprenticeship training so that an apprentice that's working doesn't have to leave his home and his family, leave his job for eight weeks, travel to another community to take his apprenticeship training. We're going to look at unique things like that. Alberta consistently in apprenticeship punches well above our weight. With 10 per cent of the Canadian population, we train 20 per cent of the apprentices. Those numbers don't show up in our postsecondary numbers. We train a lot of apprentices in Alberta because we need a lot of apprentices in Alberta.

I'm very supportive of the system, but we need to make it better. We need to review this, and I thank the Member for Calgary-Mackay for bringing it forward, for inviting the students to come here and talk about it and hear about this important issue because, truly, we are going to review that system, and we are going to make it better.

Thank you.

5:20

**The Deputy Speaker:** I have a list of speakers here. After the minister there will be the members for Calgary-Varsity, Bonnyville-Cold Lake, Lesser Slave Lake, Calgary-Nose Hill, and Edmonton-Ellerslie. Is that right? Now you know your turn.

The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you, Mr. Speaker. I'd like to begin by first thanking the Member for Calgary-Mackay for bringing forward Motion 506, which states:

Be it resolved that the Legislative Assembly urge the government to review the procedures and rules that determine postsecondary student funding to ensure that student funding meets the diverse and evolving needs of students in the 21st century.

This is an extremely important discussion. I don't wish to repeat a number of the points that have been made by previous speakers, but I would like to bring forward some observations.

When it comes to postsecondary representation by elected MLAs, I find it rather interesting that four of the eight members that represent the Liberal caucus represent significant institutions in the province of Alberta. My colleague from Edmonton-Riverview is the elected representative for the University of Alberta. My colleague from Edmonton-Centre is the elected representative for Grant MacEwan, which has recently become a university. In Calgary the Southern Alberta Institute of Technology is represented by the hon. Member for Calgary-Mountain View. I'm extremely proud of the fact that for the last two terms I have been the elected representative for Calgary-Varsity, which takes its name from the University of Calgary, which is a key contributor to the Calgary-Varsity constituency.

I would like to echo the investment comments that the Member for Edmonton-Riverview made about education being an investment rather than a liability or a cost item. For every dollar

that's invested in postsecondary education we have a threefold return. That return is obvious because the person who graduates from university finds themselves in a higher earning echelon. As a result of that, we continue to receive the benefits not only of their intelligence, their intellect, but also of their economic productivity as it relates to our province's well-being.

Ralph Klein did an interesting circumstance. In the late '90s he savagely cut postsecondary funding. He decided that the way to save money was to cut at the highest level, the highest cost of postsecondary. What Mr. Klein did as well as freezing and reducing the budgets for health care was take it a step further and reduce the number of medical seats available at university. He drove doctors and nurses out of this province. From that time on we have been trying to recruit them back or provide them with an education.

Now, Ralph Klein in a bit of a yin-yang circumstance in 2003 temporarily, basically for a year, froze tuition. That was back, as I say, in 2003, and that type of freeze hasn't occurred since. The cost of tuition has steadily climbed since that time, and it makes it prohibitive for a number of students to engage in postsecondary education.

The problems with postsecondary begin with our current education system which from an aboriginal point of view sees fewer than 50 per cent of aboriginal students graduating from high school. Only 25 per cent of ESL students who enter high school and continue in their studies in a period of three to four to five years actually enter postsecondary. So we're losing out on a terrific number of individuals. We encourage immigration to this country. Then what do we do? We put up a wall. We don't provide the ESL funding support within the public system, and we discourage ESL students from pursuing postsecondary academic career choices. This has to be changed. While this is only a government motion, which is a suggested direction – I appreciate the fact – I'm hoping, that a review will actually take place.

Now, the government has made a series of bad decisions. I've mentioned one from former Premier Ralph Klein. When the decision was made – and I believe it was in 2007 – to take any discussion of tuition increases out of legislation and put it behind the closed-door regulation of whoever was the current minister of postsecondary, I believe that the democratic opportunity for students and their representatives to voice concerns was lost. It became a unilateral, omnipotent, omniscient decision by whoever was the current minister.

Similarly, we have seen a series of other poor decisions made, in my opinion. For example, decreasing the number of bursaries and grants and scholarships in favour of increasing the indebtedness of students by increasing the loan provisions I think was a very negative move. We're saying to students, "Yes, under certain special circumstances we'll let you get yourself further into debt," but the rate of forgiveness has not appreciably increased on those debts.

When it comes to recognition of doctors who receive their training outside of this country, the government reduced the number of spaces for foreign-trained doctors to upgrade from 60 to 40. Both the U of C and the U of A last year were forced to reduce the number of seats for Alberta high school graduates to pursue postsecondary medical training. This is hardly the way to go in a province where family doctors are at a great shortage.

The concerns that continue to be large for a number of students are that loans are tied to a student's family's economic circumstance rather than to the students themselves. While that separation does not exist, the problem intensifies. In other words, if a family is economically well off, the student, regardless of their relationship within that family, is penalized and not able to



potentially receive the loan that would allow them to attend the postsecondary institution or faculty of their choice.

The failure of this government to recognize how important postsecondary education is as an investment shows up every September when 25 per cent of eligible students who can afford the tuition and have received the grades are turned away. The government attempts to sort of assuage the circumstance or massage it by suggesting: well, chances are the student applied to three institutions and was turned away by two of them and was finally accepted by the third. If you look at the number of students who were turned away at the institutions, regardless of whether it's a technical or an academic or whether it's distance learning, that figure of 25 per cent rejection regularly turns up.

Another mistake the government made was its failure to follow through with its urban campus concept, and that was very evident in what could have been a university-centred East Village development. There was a plan to have Bow Valley College, Mount Royal, the University of Calgary all connected in an urban campus. [Mr. Chase's speaking time expired]

5:30

**The Deputy Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I'd like to rise today and join debate on Motion 506, brought forward by the hon. Member for Calgary-Mackay. This motion proposes a review of procedures and rules that guide postsecondary student funding. We all know how important postsecondary education is for the future of this province. We're also well aware of some of the social, academic, and financial challenges facing students when pursuing a degree, diploma, or certificate. It is our role as leaders to make sure that these obstacles, financial or otherwise, can be overcome.

Mr. Speaker, as anyone who has ever attended a postsecondary institution can attest, numerous opportunities can arise during the course of one's studies. One such opportunity is the chance to study abroad. Unfortunately, the reality is that internationalizing one's education can be expensive, and many could not afford it without financial assistance. Ensuring that Alberta students have opportunities to study abroad is very important. It helps them develop a skill that will prepare them to cope with globalizing the world. This falls in line with Alberta's international strategy. For the record Alberta's international strategy is the Alberta government's commitment to pursue global advocacy, advance Alberta's international relations, and strengthen Alberta's reputation abroad to create opportunity for Albertans.

Mr. Speaker, the list of benefits of international education is very long, so today I will only speak to some of them. One of the foremost reasons for travelling to a foreign country for a semester or two is the opportunity to learn to improve one's proficiency in a second language. As anyone who is learning a second language can confirm, only so much can be accomplished inside a classroom. Using the acquired language in day-to-day activities, on the other hand, vastly improves one's ability to speak it.

Another major reason to go abroad is the opportunity to get out of one's comfort zone and experience a different culture or way of life. It can challenge students to adopt new and diverse ways of thinking and bring fresh ideas back to Alberta. As well, understanding local cultural sensitivities is crucial to international relations at any level. Failing to do so can result in diminishing exchanges with foreign entities, preventing fruitful business relations to emerge, therefore limiting opportunities for Alberta.

Mr. Speaker, studying abroad is also a great way to meet new people, many of whom will become leaders in their own

communities and countries. In fact, as international businessmen and businesswomen can attest, forging durable relationships is the most difficult part of doing business abroad. Socializing with people informally in a university or college environment is therefore a great stepping stone for future business partnerships or scientific research exchanges.

Mr. Speaker, as I mentioned earlier, the problem with those international opportunities is not a lack of motivation on the students' part or the amount of paperwork required to make it happen. The issue for students is funding. Perhaps a number of avenues could be explored to help these students afford the added cost to their education when pursuing an exchange program. Giving them an opportunity to be part of the global community at a young age will only give them a better sense of what awaits them in the future, and what awaits them is an increasingly competitive world that generates an abundance of opportunities for those who understand how to seize them. Perhaps it's time to review our postsecondary education funding scheme to better reflect the needs of our globally minded students.

I will conclude my comments by thanking the hon. Member for Calgary-Mackay for her work on this motion. I encourage all members to continue this debate and think about what can be done to ensure that our education system continues to be the best and most accessible one in the world.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Calgary-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. I'm pleased to also support Motion 506, proposed by my colleague from Calgary-Mackay. I'd like to thank her for bringing that motion. Motion 506 encourages the government to review rules for postsecondary scholarship and bursary eligibility so that we look at the evolving needs of the student body that we have in the province today. We do need to take some action regarding the participation rate of Alberta's youth in postsecondary education and training, whether it be universities, colleges, or technical institutes. Our participation rates are too low.

Mr. Speaker, over the past number of years there's been a changing demographic in the student population. The average age of postsecondary students is on the rise. That means that a lot of students that are leaving high school are going out for other opportunities, employment opportunities perhaps, and postponing their education. There are some economic opportunities when the unemployment rate is low and when the wages are high. Sometimes it's attractive for students to leave high school and go straight into the workforce. Now, those kinds of students are of an older age, are more likely to be living on their own. They're more likely to be working to support themselves. Also, I think it's worthy to note that approximately 30 per cent of the Alberta student population study only on a part-time basis, so they may not have access to scholarships and bursary options that full-time students do.

Now, Mr. Speaker, some might argue that higher tuition fees are a barrier to increasing our participation rates, as I mentioned, which we need to work on. There's certainly some truth in that proposition. To meet the challenge of that barrier, a lot of programs are available. Our government and most institutions provide programs to help students through scholarships, but scholarships only reward those students with very high academic performance regardless of their financial need. There are also programs like bursaries, where governments and most institutions also recognize the need to support students who may not have the financial resources to pursue their postsecondary education or

training. But I would submit that these also may not be taken care of in their entirety. They may not fall within all of the academic requirements. Those that may qualify for bursaries: there are many, many thousands of students who are deprived of opportunities still by reason of unaffordability of postsecondary education and training.

In this connection I want to make a comment, and that is that the way that we award scholarships and bursaries may not correlate with the prospects of academic success in all cases. Generally speaking, postsecondary institutions are ranking their admissions based on their high school academic performance. They use this tool because it's a tool that they have available, and it's the best tool, probably, that they do have available and one of the only ones that they have available.

I had the very good fortune to work alongside a gentleman by the name of Dr. Peter Krueger, who was a very distinguished and well-respected professor and academic administrator. He explained that academic performance in high school is not a reliable predictor of academic performance in university. The reason is that these institutions are different. A high school is a different place from a university or a college or even a technical institute. There are many mediocre high school students, Mr. Speaker – mediocre students – that will make excellent university students. When they get into that academic milieu, a lot of them catch fire in the free atmosphere of a college and a university where they can pursue something that truly interests them and do something which inspires them. I believe that we have to find a way to allow those students to excel in a field of their choice.

5:40

Today, Mr. Speaker, the reality is that a lot of the departments and faculties require very, very high marks in order to gain admission: 85, 90, 95 per cent. As I said, that's used as a criterion for admission, but it's not necessarily giving us an indicator of all of those individuals who might be capable of excelling in those fields. I'm not suggesting that every department or faculty should accommodate everybody that comes along regardless of their academic standing, but I believe that we need to concentrate on having a window to allow students to enter into that postsecondary milieu, where they can gain some experience and where we can give them an opportunity to flourish.

For that reason I'm suggesting that for your first year of general studies, where you can take a sampling of a number of different courses, for example, I think that the hon. minister would be well advised to allow for another type of admission policy whereby we could allow people with a lower academic standing in high school to have an opportunity to flourish in that postsecondary environment.

My recommendation, Mr. Speaker. Allowing these very, very high academic standards to be the criterion for entry into various programs is all well and good, but we really need to look at supporting those individuals in a way that allows them financially to get into the institution. We also need to look at the marks which are required in order to get into that first year of postsecondary education. I think that if we do those two things, then our participation rates will respond accordingly, and I think we'll be on our path to going from the lower ranks, the lower echelons, of provinces in terms of our participation rate into the upper echelons.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Are there any other members wishing to join the debate?

Seeing none, I shall call on the sponsor of the motion, the hon. Member for Calgary-Mackay, to close the debate.

**Ms Woo-Paw:** Thank you very much, Mr. Speaker. I brought this motion forward to encourage a review of the procedures, criteria, and rules that guide postsecondary funding. I'd just like to say that I'm very much gratified that this motion reiterated the government of Alberta's commitment to an accessible, affordable, and high-quality postsecondary system through the Minister of Advanced Education and Technology and hearing the strong commitment and support to our students in the postsecondary system by so many members of this House. I'm also honoured to have the presence of the hon. Member for Fort Saskatchewan-Vegreville here this afternoon, and I hope that he's in support of my motion.

I'd just like to close by saying that I'm most pleased to learn from the hon. Minister of Advanced Education and Technology today that his ministry will conduct a full review of student finance, especially part-time students and graduate students. I'd just like to thank all the hon. members who shared their valuable opinions this afternoon for their participation, and I thank you for the time.

[Motion Other than Government Motion 506 carried]

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

**Mr. Denis:** Thank you very much, Mr. Speaker. Given that we have voted here, I would move that the House stand adjourned until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:45 p.m. to Tuesday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday afternoon, November 22, 2011

Issue 38

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 22, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Renew us with Your strength. Focus us in our deliberations. Challenge us in our service to the people of this great province. Amen.

Please be seated.

### Statement by the Speaker

#### Election Anniversaries

**The Speaker:** Hon. members, before we proceed, I'd like to point out to all hon. members that today is the seventh anniversary of the first election of 16 members. Congratulations to the hon. Member for Peace River, the Minister of Sustainable Resource Development; the hon. Member for Calgary-West, the Minister of Finance; the hon. Member for Calgary-Foothills; the hon. Member for Highwood; the hon. Member for Calgary-Nose Hill; the hon. Member for Calgary-Hays; the hon. Member for Cypress-Medicine Hat; the hon. Member for Stony Plain; the hon. Member for Lacombe-Ponoka; the hon. Member for Calgary-Lougheed; the hon. Member for Leduc-Beaumont-Devon; the hon. Member for Foothills-Rocky View, the Minister of Energy; the hon. Member for Calgary-Mountain View; the hon. Member for Calgary-Varsity; the hon. Member for Lethbridge-East; the hon. Member for Calgary-Currie; and the hon. Member for Calgary-Glenmore.

Today is also an anniversary in time. Please join me in wishing the hon. Member for Calgary-Varsity happy birthday.

**Mr. Hancock:** Mr. Speaker, I think you omitted one very important anniversary, November 21, 1979. Perhaps you might comment.

**The Speaker:** November 21, 1979, was a day not unlike what we have in Alberta today, very similar in the amount of snow, very similar in the temperature, and it was an anniversary for me, my first election to this esteemed Assembly. Interestingly enough, hon. members, it was in the fifth decade ago. It's been a thrill. [applause]

### Introduction of Visitors

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you. It's a pleasure for me to rise today to introduce to you and through you to members of this Assembly the mayor of Slave Lake and the reeve of the municipal district of Lesser Slave River. Mr. Speaker, they're seated in your gallery: Her Worship Mayor Karina Pillay-Kinnee of Slave Lake and Reeve Denny Garratt from the municipal district of Lesser Slave River. I'd also like to acknowledge, though he sends his regrets because he couldn't attend, Chief Roland Twinn from Sawridge First Nation. I'd ask them to rise.

Mr. Speaker, it took a community to respond to the wildfires, and it will be a community that together faces a journey through recovery. All 233 temporary housing units have been installed, and anyone who lost their home to fire should be in place this week. Leadership, teamwork, and concern for your residents means things are moving ahead quickly, and I know that the work

you are doing is helping your community become whole again. The Alberta government will continue to work alongside you in the weeks and months and years that it takes to rebuild fully. I'd ask these two members to please rise and receive the traditional warm welcome of the Assembly.

### Introduction of Guests

**The Speaker:** Hon. Minister of Municipal Affairs, you also have a school group.

**Mr. Griffiths:** Thank you very much. It's my pleasure to rise today to introduce to you and through you to members of this Assembly 25 visitors from Ryley school in Ryley, Alberta. There are 22 members in the members' gallery; they may all be there, Mr. Speaker. The students are accompanied by their teachers Wendy Butler and Fred Yachimec. They're also accompanied by a parent helper, Leanne Monteith, and D.J. Smith, the FCSS co-ordinator for the school. This grade 9 class is studying government. They've had an exceptional tour today, and I got to see them just before they came in at about a quarter after 1. They truly represent what their school's motto is, The Small School with a Big Heart. I'd ask them to rise and please receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of this Assembly a group of 12 students from the Yellowhead school in my constituency of Edmonton-Calder. With them today are teacher Brian Gizzie, Mr. Rob Eglund, Mr. Ron Stober, Mrs. Shawn Lechelt, and Mrs. Okeme. I understand that they're seated in the members' gallery, and I would ask them now all to please rise and receive the traditional warm greeting of the Assembly.

Thank you very much.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly 27 grade 6 students from Meadowlark Christian elementary school, a K to 9 school in my wonderful constituency. This school began as a private school in 1982 for committed Christian families but has grown steadily and became an alternative program offered by Edmonton public schools in 2004, offering choice within the public system. Leading this group today is their teacher, Mike Krogen, and Mrs. Loretta Strachan, Mrs. Patti Kern, and Mrs. Karen Singleton. They are seated in the gallery, and I would ask them to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I also have a second introduction. I would like to introduce to you and through you to all members of this Assembly a group of 30 grade 6 students from Belmead elementary school, also in the wonderful constituency of Edmonton-Meadowlark. Belmead is a community school of 260 that serves not only Belmead but also the Hamptons neighbourhood. They offer a very effective full-day community kindergarten program for those students, something that the Alberta Liberals have supported for a very long time. Leading this group is their teacher, Lisa Zimmer, and Ms Lyndsay Dakin and parent helpers Mrs. Mona Choukair, Mr. Ryan Carifelle, and Mrs. Stephanie Casper. They are seated in the gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. the Premier.

**Ms Redford:** Thank you very much, Mr. Speaker. It's a great honour for me to rise and introduce to you and through you to all members here in the Assembly three wonderful seniors' advocates. Luanne Whitmarsh is CEO of the Kerby Centre in Calgary. The Kerby Centre provides holistic services for adults aged 55 plus in Calgary and the surrounding area, and it provides a place where older adults can connect to meet their social, recreational, and learning needs while at the same time meet friends and make new friends and volunteer. Luanne is also a constituent of mine from Calgary-Elbow. Also with her today from SAGE, the Seniors Association of Greater Edmonton, are Mr. Roger Laing, the executive director, and the president, John Schiel. SAGE is a multiservice seniors' centre in downtown Edmonton that has been serving seniors since 1970. SAGE provides a wide range of recreation and social services for seniors. They are seated in the public gallery, and I would ask that they rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to all members of the Assembly staff here today from my department, Alberta Health and Wellness. These staff have been on a tour of the Legislature, had a photo opportunity on the Legislature steps, and they are now here to observe question period and their minister in action. Many of these employees have devoted their careers to public policy, and I want to take this opportunity to publicly commend them for that commitment. The importance of that work often goes unacknowledged. These members are seated in the members' gallery. I would ask each of them to rise as I call their name: Ms Jeanie Casault, Ms Shaughnessy Fulawka, Mme Monique Gervais Timmer, Mrs. Suzette Mackey, Mrs. Jennifer McGill, Ms Colleen Zimmel. Please join me in extending the warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. It's indeed a pleasure today to rise and introduce to you and through you to all members of this Assembly two good friends. This afternoon in the members' gallery is Mr. Doug Black. Doug is senior counsel with Fraser Milner Casgrain and a current chair of the board of governors at the University of Calgary and doing a great job there, and thanks, Doug, for that. With him is Martyn LaFrance, a recent graduate of the U of C. He is a bright young mind and a shining example of what the future holds for this province. He is also serving as EA and helping Doug in a bold, new adventure that he's undertaking. I would ask this House to rise and give them our warm welcome.

**The Speaker:** The hon. Member for Little Bow.

**Mr. McFarland:** Thank you, Mr. Speaker. Today we have a special guest from Ontario. Mr. David Rinneard is with BMO commercial banking out of Ontario. He has come out here to have some meetings with numerous different groups. David is rather unique. He actually grew up in Orillia, Ontario, but took his university education at the University of Lethbridge, which many of us are very familiar with, and he convoked down there with a bachelor of management, later going on to take his master's in business administration from Queen's University School of Business. David is currently the national manager for agriculture, responsible for many different areas in the bank's agricultural portfolio, and he's got a diverse background in

oilseeds, dairy – you name it; he's done it – and he is very familiar with southern Alberta. I had the opportunity to have lunch with him, and he met many of our colleagues here today. I would ask David in the public gallery to please stand up and receive the warm welcome of our Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly a very special guest that is here today in recognition of Mee-Yah-Noh elementary school's 50th anniversary, Ms Cheryl Johner. Ms Johner is serving her first term on the Edmonton public school board as the school board trustee for ward A. She is a very hard worker. It's an honour and privilege to work at collaborating within the ward, because we share some constituents in Edmonton-Decore. I would now ask Ms Johner to please rise to accept the warm welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Well, thank you very much, Mr. Speaker. It's indeed my pleasure to introduce through you and to members of the Assembly members of the Fort McMurray public school district who are here today, who bravely travelled highway 63. We have the chair, Jeff Thompson, along with trustees Linda Mywaart and Stephanie Blackler. I'd ask them all to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you another excellent Albertan who's been serving on an Alberta school board and who has also stepped into the provincial political arena. I'd like to ask Dave Nelson to please stand and receive the warm welcome of this Assembly. He's running in Battle River-Wainwright.

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

**Ms Ntley:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly two guests from the Parkland Institute. Founded in 1996, the Parkland Institute has initiated research and has promoted discussions on countless economic, social, cultural, and political issues important to all Albertans. The Alberta NDP would like to congratulate the institute for hosting another successful fall conference this past weekend, and we'd like to thank them for their invaluable contribution to the political research and dialogue within our province. My guests are Gordon Laxer, founding director of the Parkland Institute, who will be stepping down in January of this year after 15 years of service at the institute, and Laura Collison, administrative co-ordinator, who has been there for about a year and just finished serving as the architect, for the first time, of their very successful fall conference last weekend. I would like both Gordon and Laura to now rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there others? The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. It's an honour for me to rise today and introduce a neighbour of mine who I see up in the gallery, who is well known to the Assembly, a past president of the Progressive Conservative Party of Alberta, Ms Marg Mrazek. I would ask her to please stand, and we'll give her the warm welcome.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. I also have noticed a constituent from my constituency of Edmonton-Decore, Mr. Jim Ragsdale, who always makes a point of dropping by my constituency office. He's here today in the public gallery. I'd like him to please stand to receive the warm welcome of our Assembly.

Thank you.

### Members' Statements

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

#### 50th Anniversary of Mee-Yah-Noh Elementary School

**Mrs. Sarich:** Thank you, Mr. Speaker. On October 15, 2011, it was my honour and privilege to be part of the 50th anniversary celebration of Mee-Yah-Noh elementary school in the constituency of Edmonton-Decore. Over the course of 50 years there is no doubt that all the young people who have crossed through the doorways of this specific school have truly been the benefactors of exemplary learning opportunities and creative discoveries that unfold through innovative teaching, leadership, learning partnerships, and programming. Without exception the 50th anniversary gathering was inspiring, for it was filled with symbols, ceremony, enthusiasm, laughter, tears, and a collection of exciting stories highlighting the proud past and present successes of teachers, staff, students, parents, and the school community.

Mr. Speaker, there is a 50-year legacy of dedication to student achievement embedded in the school's namesake, Mee-Yah-Noh, a Cree word meaning a great place to be. Mee-Yah-Noh is a place where the students are truly fortunate to have great teachers at the helms of the classrooms and the school. Their focus is to ensure that the learning successes of children are filled with vibrant, everlasting, high-quality experiences and opportunities. As Dr. Seuss so aptly said: "Unless someone like you cares a whole awful lot, nothing is going to get better. It's not."

Mr. Speaker, special heartfelt thanks and congratulations to all of those from the past, present, and into the future whose tireless dedication and commitment to children makes Mee-Yah-Noh the great place to be that it truly is. The future of this dynamic school will be defined by new opportunities taken and discoveries made, and I look forward to the achievements yet to come. Mee-Yah-Noh elementary school will always be a place that will be part of children forever and of which children will be forever a part.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Public Health Inquiry

**Dr. Sherman:** Thank you, Mr. Speaker. This is also the first anniversary of me being ejected from the government caucus for standing up for Albertans.

During the leadership campaign the Premier unconditionally promised a public inquiry. She said, quote: my call for an inquiry is about finding out the truth and putting a stop to practices that go against my personal and political values. Unquote. Now she has broken her promise and is towing the party line. Why is the Premier putting her political fortunes ahead of the truth?

**Ms Redford:** Mr. Speaker, as I said yesterday, it was a wonderful day to be able to have the legislation tabled with respect to the Health Quality Council. It's going to strengthen their ability to do exactly what I would like them to do. You know, what's great about this is that they're going to do it independently, they're going to do it in public, they're going to be able to compel witnesses, protect witnesses, and it can be judge led. That's transparent, and that's the commitment. I'm very proud of that.

**Dr. Sherman:** Given that exactly a year ago today my expulsion happened for standing up for public health care, positions the Premier supported in her own leadership race – the Premier was quoted as saying that failing to hold a public inquiry for fear of harming the government's re-election chances is cynical politics; that's her quote – why was the Premier silent on health care when Albertans needed her the most, only to speak up when she needed their votes the most, only to reinvent a different public inquiry and delay the truth?

1:50

**Ms Redford:** Mr. Speaker, Albertans care about public health care. I care about public health care. This government is committed to public health care. This caucus is committed to public health care and will continue to be committed to public health care.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that several members of the government caucus who are against a public inquiry and, in fact, caused the health care crisis that we faced last year and still face today may not be seeking re-election, is delaying a public inquiry the Premier's way of avoiding the tough questions that Albertans want answered before an election?

**Ms Redford:** Mr. Speaker, I'm not quite sure I understood the question, or maybe it's that I don't understand the hon. member's reality of politics. But I'll tell you that we are committed to moving ahead on this, to answering those questions, to ensuring that the Health Quality Council will have the ability to do exactly what we want them to do in the best interests of Albertans.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

#### Fixed Election Dates

**Dr. Sherman:** Thank you, Mr. Speaker. Let me ask another question and offer another reality. The Premier's performance on keeping her promises is the same as the government's record on health care: only about 30 per cent, a failing grade. Half measures, flip-flops, and backtracking have defined this government. The Premier promised democratic reform with fixed election dates. Now she proposes fixed election seasons. Why is the Premier breaking yet another promise to Albertans?

**Ms Redford:** It is wonderful to come to the House again today for question period and to be able to see what the work of this House was yesterday: Bill 21, Election Amendment Act, 2011; Bill 23, Land Assembly Project Area Amendment Act, 2011; Bill 25, Child and Youth Advocate Act; Bill 26, Traffic Safety Amendment Act, 2011. This is a government that keeps its word, Mr. Speaker.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. The question was about fixed election seasons.

Given her work with great world leaders, the Premier must have learned the importance of true democracy. How can the Premier call her leadership open and transparent when it only seems to be about power and control, the very democracy those world leaders fought against?

**Ms Redford:** Mr. Speaker, my recollection is that within two hours of me being elected leader of this party, I heard comments from many people in the hon. opposition saying: we need to make sure we have a fall session. We have a fall session. We have legislation that represents work done by a caucus that is committed to serving Albertans. I can't think of anything more transparent than being in the House debating legislation that matters to Albertans, having question period, and knowing that any issue the opposition would like to raise, they can raise. That's transparent and accountable.

**The Speaker:** The hon. leader. Hon. leader, I've called you.

**Dr. Sherman:** Thank you, Mr. Speaker. I understand that it's question period. It would be nice if it was also answer period.

Given that this Premier seemed to be more concerned about polling than democracy and fairness, why does the Premier insist, with these fixed election seasons, on having a 50-yard head start on what is a 100-yard dash when it comes to the next election?

**Ms Redford:** Mr. Speaker, Albertans want to know there's going to be an election every four years. We think this legislation, that's before the House and can be fully debated in a fully transparent manner, represents what Albertans want to see. They want certainty. They want security. I'd suggest that if the opposition is concerned about ensuring that they have a head start, they can read the legislation to get ready for a provincial election. That's democracy.

**The Speaker:** Third Official Opposition main question. The hon. Leader of the Official Opposition.

#### Fiscal Accountability

**Dr. Sherman:** Mr. Speaker, we all want certainty and security, yet with this government we get uncertainty and insecurity. Yesterday the government painted a gloomy picture – a very gloomy picture – of a \$3.1 billion deficit, setting up yet another Conservative public relations election strategy saying no to the people. How can the Premier ask her subjects to trust the government to balance the books by 2013 when their own forecasts jump so wildly based on the math skills of whomever is sitting in the Finance minister's chair?

**Ms Redford:** Mr. Speaker, I find the hon. Leader of the Opposition's comments quite interesting. Last time I checked, this was a democracy. I don't have subjects; I have people that can choose who to vote for, and they're going to be able to do that in the next election.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. The subject that the government needs to worry about is math.

Given that the government has a history of massaging the numbers, can the minister tell us how much better the deficit will be just before the next election?

**Mr. Liepert:** Mr. Speaker, I've got news for the hon. member. What we presented yesterday was not a lot different than what was

presented and debated in this House six months ago. Our projections are that our budget deficit is . . . [interjections] If they would have allowed us to yesterday, we would've tabled these documents. They could've read them for themselves. I'll repeat: our projected deficit is what we said in the House on the budget.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that when you plug in the current oil price and the Canadian dollar figures, which are near a hundred bucks a barrel, you arrive at an actual deficit that's about a half billion dollars less than the minister claims, did the Minister of Finance intend to mislead Albertans by making the deficit look worse, or can he simply not add?

**Mr. Liepert:** Mr. Speaker, I think what this particular member has to realize is that what we're projecting is what the price of oil will be for the entire year, not what it is today. If the member just takes a look back in history, a very short two or three months ago the price of oil was about \$80 a barrel. So what we're projecting is what the average price of oil will be. Quite frankly, if it's higher at the third quarter, we'll report that it's in a better position than at second quarter.

#### Public Health Inquiry (continued)

**Mr. Anderson:** Mr. Speaker, during her leadership campaign this Premier made a clear promise to Albertans that she would call a full public inquiry into intimidation and manipulation of health workers by our government and AHS leadership and that it would happen prior to the next election. She made this the cornerstone of her leadership campaign. Well, if her word is her bond, that bond must be from Greece or Italy. To the Premier: will you apologize to Albertans for breaking your promise to conduct a public, judge-led inquiry before voters go to the polls?

**Ms Redford:** Mr. Speaker, this legislation sets out very clearly that the Health Quality Council will have full powers to call an independent inquiry. That's what Albertans want, that's what I want, and that's how we're going to serve Albertans best.

**Mr. Anderson:** Given that this Premier has now made it optional for the Health Quality Council to call a judge-led inquiry and given that she has delayed the process so that it cannot possibly be conducted before the next election and given that she has appointed a health minister who put himself at the centre of this scandal when he called the head of the college of physicians to question the mental state of the Leader of the Official Opposition, Premier, how do you expect Albertans to believe that you have anything but your party's political survival in mind when dealing with this issue?

**Ms Redford:** Mr. Speaker, there is no doubt that Albertans care about health care, and there is no doubt that they will trust this government to deliver good health care. They will also trust this government to do exactly what we committed to doing, and that was to ensure that there was a full public inquiry that would allow an independent body to get to the bottom of the information. At the end of the day what Albertans will determine going into the next election is who actually constructively delivered on their commitments.

**Mr. Anderson:** Well, then, we'll have a big Wildrose win there, Mr. Speaker. Won't we?

Here is your chance to clarify everything – everything – for all Albertans. Premier, will you commit here and now that you will call a judge-led, open to the media public inquiry into the extent of your government's and AHS's intimidation and manipulation of Alberta's health care workers to be completed prior to the next election, as you promised, so that voters can assess whether your party truly deserves four more years of unfettered power?

**Ms Redford:** Mr. Speaker, this legislation clearly sets out the commitment that we've made to ensure that Albertans will get full information with respect to what's happening with the health care system. We are fully committed to that. The legislation sets that out, and that's what Albertans want.

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

### Fixed Election Dates

*(continued)*

**Mr. Mason:** Thank you very much, Mr. Speaker. This Premier made many promises during her campaign for leadership of the Tory party. Many of these promises are barely recognizable today. One such broken promise was setting a fixed election date. Why has this Premier broken her promise to have a fixed election date, or does she believe that a date lasts three months?

2:00

**Ms Redford:** Mr. Speaker, this legislation does exactly what Albertans want it to do. What Albertans said is that they wanted certainty. What other political parties said is that they wanted to be prepared for the next election. I'd suggest that the political parties better get prepared for the next election.

**Mr. Mason:** How can this Premier talk about what Albertans want? She has no mandate.

Given that this Premier also made a promise to work with opposition parties and to encourage their input, why did she make a decision regarding election legislation without any consultation with other political parties in this Assembly whatsoever?

**Ms Redford:** Mr. Speaker, the last time I checked, the way a Legislature works is that a government puts forward legislation and then members debate the legislation. That's the point in time, just in case they'd like to know, that they're supposed to offer their input, and I'm looking forward to the debate.

**Mr. Mason:** Mr. Speaker, the arrogance from this Premier is overwhelming. Given that this Premier promised open dialogue and to accept the input, even a new role for the opposition, for her now to turn around and suggest that the only time we can have input is in an election is the height of arrogance. I've never seen anything like it before.

Given that there is no fixed election date as promised and given that there has been no consultation with opposition parties on this or any other matter, why should Albertans trust any promises this Premier makes from now on?

**Ms Redford:** Mr. Speaker, what I said was that the input is legitimate input that needs to be in the Legislature. That's why we elect members, to have public debate in the Legislature, and that's what we'll be able to do.

**The Speaker:** The hon. Member for Calgary-Currie.

### Services for the Brain Injured

**Mr. Taylor:** Thank you very much, Mr. Speaker. A number of severely brain-injured people in Calgary are being forced out of the residences that they've called home for up to 11 years because Alberta Health Services in Calgary put out an RFP this summer on all bids for the brain injured under their authority. The RFP was developed without any consultation with the personal care home operators or the families of their clients and at that time proposed to lower funding by up to 68 per cent. The RFP has since been amended five times. To the Premier: since other government programs like PDD have an ongoing consultation process in place, is it not against government practice to develop an RFP involving vulnerable people like this behind closed doors?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. The hon. member in raising the issue of brain-injured patients is not alone. Services for brain-injured Albertans have also been the subject of discussions between myself and many of my colleagues on the government side of the House. The RFP that the hon. member refers to was issued by Alberta Health Services. My understanding is quite contrary to that of the hon. member. My understanding is that the families, the residents, the operators were all involved in detailed planning for the new placements for the individual residents who are affected, and I'm satisfied that they've had appropriate input.

**Mr. Taylor:** Okay. I will ask this question, Mr. Speaker, to the health minister. Explanation, please. Why is it that Calgary chose to tender out these services, yet Edmonton just renewed its current contracts with its operators for five years? Aren't the rules supposed to be the same for the entire province?

**Mr. Horne:** Well, Mr. Speaker, I can't speak for Alberta Health Services in terms of how they managed the placement of these residents, but what I can say is that in the case of Calgary the total financial resources that are devoted to the services for these patients is actually \$800,000 greater as a result of this change. So I'm very satisfied that the appropriate degree of resources is in place to provide for their needs.

**Mr. Taylor:** Mr. Speaker, this last question of mine is for the Premier. Is the Premier aware that the parents of the affected clients had petitioned both the ministers of Health and Seniors this past August 16 to transfer support services for the brain injured from Alberta Health Services to Alberta Seniors?

**Ms Redford:** Mr. Speaker, I have consulted with both of my ministers on this. It is an issue that they have been meeting with stakeholders on, and I know they've had a meeting with the hon. member on this. I believe that they're taking those issues very seriously in terms of considering what the best options available are. But I am aware of that.

**The Speaker:** The hon. Member for Strathcona.

### Global Economic Conditions

**Mr. Quest:** Well, thank you, Mr. Speaker. The Fraser Institute released a report today called Economic Freedom of North America 2011, that lists Alberta as the most economically free jurisdiction in North America. My first question is to the Minister of Finance. Has the minister seen this report yet? If so, is it consistent with any other studies that the government has undertaken in this area?

**Mr. Liepert:** Well, Mr. Speaker, first of all, I have not seen the report, but I've seen media reports, and all I can say is that they are very encouraging. In some ways it's some of the same conclusions that we've drawn. We're pleased that the Fraser Institute, which I know some members of this House think very highly of, recognizes our efforts to make our province more competitive. We strive in this province to encourage entrepreneurialism. We recognize that there's more work to be done in the area of regulatory reform in those particular areas, and we're going to continue to work to make it even more economically free.

**The Speaker:** The hon. member.

**Mr. Quest:** Well, thank you, Mr. Speaker. My supplemental is also to the same minister. With the global economic turmoil that's going on, including markets falling and news that the U.S. has been unable to agree on a plan to reduce their deficit, we can't ignore what's going on around us. What's being done to determine the impact on Alberta?

**Mr. Liepert:** Well, you know, we don't need to do a lot of studies. All we have to do is look at the documents that I'll be tabling later this afternoon, which show that the investment from the heritage fund is about half of what we had projected in our budget just six months ago. That's primarily because of the economic situations that exist in both Europe and the United States. We have to ensure that we try to continue to create the environment for business. I think that we're not immune to what's going on in the world, but I would say that I don't think there's a better place in North America to do business today than Alberta.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My final question is to the same minister. There's been a lot of talk recently about Alberta's tax system, especially from the minister. How does Alberta sit today compared to other provinces with respect to taxation?

**Mr. Liepert:** Well, Mr. Speaker, one of the things that we did prepare, the Treasurer and myself, relative to the round-table discussions that we held throughout the province, was an analysis of our overall tax structure. What we determined was that if Alberta had the tax structure of British Columbia, Albertans would pay \$11 billion more in taxes annually. Now, British Columbia is the next closest to us. At the other end of the scale is the Quebec government, and if Alberta had the tax structure of Quebec, we'd be paying \$20 billion more in taxes than we currently are. Again, I think the Fraser Institute has recognized this, and we're appreciative of that.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Mackay.

#### **Federal Police Officers Recruitment Fund**

**Mr. MacDonald:** Thank you. Three years ago the Solicitor General received over \$42 million from the federal government to recruit much-needed police officers across the province under the police officers recruitment fund. My first question is to the Solicitor General. Can the minister please provide this House with an update on where and how much of the \$42 million has been used in the last three years under the police officers recruitment fund?

Thank you.

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. As this member is probably well aware, since 2008 we have provided 108 new

police officers here in Edmonton, 123 in Calgary. We will continue to support law enforcement in this province as part of our safe communities initiative, that the Premier started herself when she was Minister of Justice.

**Mr. MacDonald:** Again to the Solicitor General – and I'm talking specifically about the \$42 million that was provided by the federal government to hire new police officers across the province – why has \$30 million of the \$42 million of this money not been used when Alberta continues to have the second-lowest ratio of police officers to citizens in the entire country? You, sir, are not doing your job.

**Mr. Denis:** Mr. Speaker, I take umbrage with that member's comments. This is conduct unbecoming a member here.

This member knows our safe communities initiative has consistently reduced the crime rate in Alberta, and that is something that we can be proud of.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. I would request, first, that this minister read his own annual report, and he would see where this money has been left on the table. Given that the city of Edmonton, unfortunately, has a very high homicide rate, why is this federal money being left on the table instead of being used to support our hard-working police officers across this province?

Thank you.

**Mr. Denis:** Mr. Speaker, I've read this report, and I would suggest that this member opposite get a dictionary so that he can read it himself as well. The crime rate is going down. Our safe communities initiative is supporting this entire province's police officers. This is something that we can be proud of, and we can stop this partisan rhetoric.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Edmonton-Centre.

2:10

#### **Education Consultation**

**Ms Woo-Paw:** Thank you, Mr. Speaker. My question is to the Minister of Education. He announced that he wants to seek further input on the Education Act. This is in addition to the already significant outreach that was conducted as part of the drafting of the original legislation. So what were the issues with the previous consultation and the subsequent legislation?

**Mr. Lukaszuk:** Well, Mr. Speaker, there were no issues per se, as a matter of fact. My predecessor had engaged in dialogue with Albertans for quite a long time. However, I'll say to you that the Education Act, being, I would argue, the most fundamental piece of legislation any province can have, doesn't get reviewed very often. As a matter of fact, the School Act was reviewed when I completed high school. I want to be able to give students in the classroom and parents assurance that we have done everything we possibly could to make sure that this act is ready to educate our kids not for a decade but for two decades so that we graduate citizens that are ready for the world. We will take our time, and by spring the act will be tabled, and we'll debate it in the Chamber.

**Ms Woo-Paw:** My next question is to the same minister. While some Albertans will have the opportunity to provide some input on the act at the seven forums, how will this minister ensure that Albertans from all corners of the province will have an opportunity to participate in the consultation process?

**Mr. Lukaszuk:** Mr. Speaker, the member is correct. There will be seven in-person forums. We will be giving priority to students and parents and teachers to appear in person if they choose to do so. We will also be engaging a variety of technologies. So if you wish, you'll be able to twitter me. You can contact me on Facebook. You can send me an e-mail. We will have a website you can blog. Or you can do a crazy thing: get a piece of paper, pen, envelope, and a postage stamp and send me a letter. I'm asking all Albertans to get involved because education should matter to everybody, not just those who are engaged in the education system.

**The Speaker:** The hon. member.

**Ms Woo-Paw:** Thank you. With legislation as important as this I think we should consult the people who'll be impacted by it, so I would also like to hear from the minister how the young people would be consulted meaningfully.

**Mr. Lukaszuk:** Well, this is the exciting part, Mr. Speaker. I really want to hear from students. I want to know from students what in their opinion would make education more engaging. What do they expect from their education experience? What would they do if they were Minister of Education for one day? So I'll be asking the smallest little ones in grade 1 all the way to grade 12 to get engaged in this process and share with me what in their opinion would make a great education system. They will have different ways to get in touch with my office. I'm looking forward to that input, which will be, I'm sure, very meaningful.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Lesser Slave Lake.

### Residential Construction Standards

**Ms Blakeman:** Thanks very much, Mr. Speaker. The 2008 building envelope survey done by the government with the city of Calgary said that Alberta's "system of construction and inspection is not performing adequately to protect the home or condominium owner." In real terms that means that Albertans can be paying tens of thousands of dollars to fix badly built new homes and condominiums. To the Minister of Municipal Affairs: why is it that in three and a half years the government hasn't adopted a single change relative to new residential construction?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. I'd like to thank the member for asking me my first opposition question.

Mr. Speaker, we're aware of some of the challenges around the province with condominium owners and homeowners. We're reviewing the home building standards right now, and we're working on making sure that the right punitive measures are in place and the proper timelines to make sure that those who are not building appropriately are punished as opposed to those who are doing a great job around this province.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much. Well, this is a recurring theme.

Back to the same minister. Given that the government suggested in June of this year that adoption of new homeowner protection measures was imminent, like, right away, like, soon, why are condo owners and homeowners still waiting for even one of those measures to be put into place?

**Mr. Griffiths:** I'm sorry, Mr. Speaker. I can't comment on what was promised by the department earlier. I know that our department is working on it right now, and they are coming forward. We're hoping for some adoptions to the code this spring.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. As minister you're responsible for now and before.

Last question. Why hasn't this government been able to find the courage to increase the woefully inadequate Safety Codes Act fines? I mean, they're a joke. They're a cost of doing business. This department keeps reviewing and reviewing, but nothing is happening. When are we going to see it happen?

**Mr. Griffiths:** Mr. Speaker, my comment was not that I'm not responsible, but I can't comment on what exactly happened in the process at the time because I wasn't the minister.

This spring I will be bringing forward legislation that takes the six-month period when violations can be identified and fines can be levied to a three-year period because it usually takes that long for those sorts of structural challenges to be identified. We're raising the fines on the first offence from \$15,000 to \$100,000 and from \$30,000 to \$500,000, and it will punish those who are not building to code.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the hon. Member for Calgary-Fish Creek.

### High Prairie Health Care Centre

**Ms Calahasen:** Thank you, Mr. Speaker. It's been 12 years, 12 long years, since we started working on the replacement High Prairie health facility. This project has been on again, off again. Now I see some movement on the proposed site, but not many people know what's going on. My first question is to the Minister of Infrastructure. Could you please provide my constituents with an update as to what has been going on for the health facility?

**Mr. Johnson:** Certainly. Mr. Speaker, this exciting \$90 million project has been many years in the making, and I know we're committed to making it a reality for this member's community. What I can tell you is that my department has been working hard with Alberta Health and Wellness and Alberta Health Services. We'll be able to move to comprehensive design work once the functional program is complete. But what I can tell the hon. member is that there is dirt work going on; there is site preparation going on. Crews have been working hard to do the grading and installation of underground utilities and roadwork.

**Ms Calahasen:** My second question is to the minister of health given that the \$90 million facility has been allocated, and the community has been involved with doing work with the health facility. They've been working to make sure that we include the renal clinic, cancer clinic, and CT scan. Now they're being told that these are just shell spaces. My question is to the minister of health. Please tell my constituents that these are not just shell spaces but operational spaces.

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, the reality of a new hospital for Grande Prairie is, in fact, very real.

**Ms Calahasen:** High Prairie.

**Mr. Horne:** High Prairie. Excuse me.

As the hon. Minister of Infrastructure mentioned, work is already under way with respect to the design. What I'm interested in – and we're continuing to work with the community on this – is making sure that we have the programs and services we need not only for 2011 but for 20 years down the road. To that end, we'll continue to work with the hon. member in designing spaces.

**Ms Calahasen:** Well, my final question is to the same minister. And it is High Prairie. Currently, we have 42 long-term care beds and a lot of people waiting to get on the list, yet that new facility is only allotted 42 long-term care beds. We always talk about how we're meeting future needs of health care. How does this then meet the future needs of my constituents?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. What it means for the community of High Prairie and for the new High Prairie hospital, in fact, is that we need to continue to work together to complete the functional program design for the facility. Whether or not we have sufficient continuing care spaces included in the current draft of the plan is a very valid question, and it's one I'll be relying on the advice of the hon. member and her constituents for as we move ahead.

Thank you.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Calgary-*Buffalo*.

#### **Tom Baker Cancer Centre Pathology Lab**

**Mrs. Forsyth:** Thank you, Mr. Speaker. Yesterday Dr. Tony Magliocco sounded the alarm over the pending closure of cancer testing at the Tom Baker cancer centre. Not only do they express grave concerns over what might happen to Alberta cancer patients should this world-class testing facility close, but he told of what he encountered when he tried to raise these concerns. He was bullied, he was threatened, and he was told he would regret it if he didn't shut up and go along with it. To the health minister: can you assure Albertans here and now that cancer testing will not be impacted by the closure of the Tom Baker?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. I thank the hon. member for this question because I can completely assure the residents of Calgary and, in fact, all Albertans that the testing services that will be provided when this relocation is complete to Calgary Lab Services will be safe, and they will be of the highest quality. In fact, as we speak, both Mount Sinai hospital from Toronto and the Mayo Clinic from the United States are involved in the validation of the testing processes that will be used at Calgary Lab Services.

2:20

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I find that answer very interesting, so I'm going to ask the minister this: when will you table that impact study?

**Mr. Horne:** Mr. Speaker, I didn't talk about a particular study or report. My information is from Alberta Health Services with respect to the process they are following to plan for and implement the relocation of lab services.

I must say, Mr. Speaker, that I think it's unfortunate and, in fact, quite sad that members of this House would suggest to Albertans, to Calgarians that the services they are going to receive are unsafe, that patients are at risk as a result. This is not a closing; it's a relocation. It's being done with the utmost attention to detail and to the highest international quality standards that apply.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. To the health minister: given that the Tom Baker cancer centre will close – it will close, not relocate but close – in eight days and given that neither the Premier nor you or your superboard has given any assurance that cancer testing won't be impacted, will you please stop playing politics with the lives of Albertans and stop the closure of the Tom Baker cancer centre?

**Mr. Horne:** Mr. Speaker, I think the hon. member would do well to develop an ability to distinguish between politics and science and appropriate approaches to health administration. First of all, the hon. member said that the Tom Baker centre is closing. It is not closing. Lab services located at that centre today are being relocated to a larger facility, Calgary Lab Services, and being consolidated with other services on that site. The result is the opportunity to deliver more tests, increase throughput, maintain and increase quality and safety, as we always do in the health care system, and ensure that Albertans have hope of receiving their test results in a more timely fashion in the future.

Thank you.

**The Speaker:** The hon. Member for Calgary-*Buffalo*, followed by the hon. Member for Calgary-*North Hill*.

#### **Secular Public Education in Greater St. Albert**

**Mr. Hehr:** Mr. Speaker, I was present at the Alberta School Boards meeting this morning and had the opportunity to listen to the Minister of Education's comments. In his address the minister used the term "equity" and discussed applying that principle throughout the education system. When the minister spoke and used the term "equity," I immediately thought about the situation in Morinville, a situation where parents are wanting a secular school for their children but still do not have that opportunity. To the Minister of Education: why do parents in Morinville have to send their children to a school that is not a fully secularized public school?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker, for that good question. When I talk about equity, what I'm saying is that every child anywhere in Alberta, no matter where they live, deserves the same high quality of education. That doesn't always mean equality; it means equity because in some areas certain added resources need to be put in place to bring that level of education to the same level.

With reference to Morinville, Mr. Speaker, indeed there are concerns relevant to the provision of Catholic and secular education. The school board, whose trustees are duly elected by residents of that area, will have an opportunity to address that issue and resolve that issue. Hopefully, my office will not have to be involved in addressing a local issue.

**Mr. Hehr:** Well, given that the minister is in charge of this file and that that situation has been dragging on for some time and given that Morinville parents do not have a secular school of their



own and that they are forced by government inaction to send their children to a holy parade of religious teaching, does the minister consider this equitable?

**Mr. Lukaszuk:** Mr. Speaker, I have a great deal of faith in and a great deal of respect for locally elected authorities. In that area there are duly elected trustees, and I know that they have the best interests of all children in the area in mind. I know that they have the ability to sit around a table – and I will be meeting with them, by the way, within the next couple of days. They will sit down around their common table and see if they can locally arrive at a solution so that one is not superimposed by my office. Locally arrived at solutions are always better than the ones put in place by a minister.

**Mr. Hehr:** Well, Mr. Speaker, this situation has dragged on for a number of years now. When will the minister take his skates off, do the right thing, and provide a solution to this problem where Morinville children cannot go to schools that provide a secularized schooling opportunity for their parents and for their children? Enough is enough. Let's make a decision.

**Mr. Lukaszuk:** Well, Mr. Speaker, this member obviously is not well informed on the nature of the issue and the seriousness of the issue. These parents indeed are looking to a resolution, but as I said earlier, there are reasons to believe that a resolution can be found at the local level.

This is not an issue that should be politicized. There is no skating going on. We have parents who have certain rights and want to exercise them. We have trustees that have the ability and the tools to resolve that issue. We'll let them resolve it immediately. If not, my office ultimately will have to make a decision. But that's not the ultimate way of bringing peace into that part of the world.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Riverview.

### Quarterly Financial Reports

**Mr. Fawcett:** Thank you, Mr. Speaker. As was evidenced earlier this afternoon with the official opposition on the quarterly update, all my questions are to the Minister of Finance. While financial accountability is important to any government, does the requirement of a public announcement of quarterly financial results provide any real value to the Alberta public regarding the long-term fiscal position of the government?

**Mr. Liepert:** Well, Mr. Speaker, these quarterly updates have been taking place now, I think, for some 15 years. They originated because at one point in time the budget that was projected ended up being quite different a year later. I think we have to emphasize that the quarterly updates really are just a snapshot in time. I guess what I would say is that we have to ensure that we reflect from these quarterly updates the budget that was introduced, not the previous quarter, and if you follow that strategy, we're pretty much on target with the budget that we introduced here in February.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. The minister has given rise to my next question. Given that Alberta has a significantly volatile revenue stream, which is a result of reliance on nonrenewable resource revenue, does it make any sense to report publicly such short-term swings in revenue as required in the quarterly fiscal update?

**Mr. Liepert:** Well, we need to be clear, Mr. Speaker, that the quarterly reporting is actually the law of this Assembly, and I have no intention of breaking the law. So this is something that we will continue to do unless we change the law in this House. It's not my prerogative; it's this Assembly's. I guess all I could add is that our quarterly update does give Albertans a point-in-time view of what our financial situation is. I think that this is a government that's open and transparent, and we're not going to apologize for that, Mr. Speaker.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. That leads me to my last question. Will the minister commit to reviewing the overall purpose of quarterly financial updates, taking into consideration that balance between financial accountability and other consequences, intended or unintended, of the current requirements?

**Mr. Liepert:** Well, Mr. Speaker, I think we're always looking for ways to improve. I would say that if there are suggestions within this Assembly of ways to improve on this reporting, please bring them forward. But I want to go back again that our objective is to be open and transparent and ensure that there are no surprises for Albertans when the year-end financial statement comes out.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Leduc-Beaumont-Devon.

### Postsecondary Education Funding

**Dr. Taft:** Thanks, Mr. Speaker. During her leadership campaign the Premier promised new funding for postsecondary students. The harsh reality is that in the past two years Alberta students have seen millions of dollars cut from grant programs. Students, like all of us, are tired of empty promises. To the minister of advanced education: given the \$3 billion deficit and the already scarce funds in our postsecondary system where and when is the minister going to get this additional funding? Or is he going to break the Premier's promise?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'm pleased to stand up and answer that question. You're right. This Premier has spoken often about her commitment to education, to postsecondary education, and to health, and we're pleased with that. This is a very opportune time to talk. We are in budget discussions right now. We're talking about how we can fund the budget into the future. We're also looking at how we can do student finance differently to make sure that we have finances available for those students that need it most as well. So it's going to be a combination of moving forward with new funding for growth within the postsecondaries, new funding for new programs, as well as student finance options.

**Dr. Taft:** Well, Mr. Speaker, a promise is a promise. So what precise timeline and amounts can the minister give us, other than the sort of vague reassurances we just got, as to the new bursaries that the Premier promised?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. The budget will come out early in the new year, and all of those items will be included in the budget, the things that have been promised and discussed as well as some

really exciting new things that I think everyone in the House here will be pleased to see. Postsecondary students are being consulted as we speak. We're working with our postsecondaries and looking for lots of great opportunities to continue to grow chances for both rural and urban students to get the best possible education they can.

2:30

**Dr. Taft:** Well, since Alberta literally is the richest place on earth, will the minister place accessibility first and restore the millions of dollars that were cut from student grants in the last budget?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. I think you're probably referring to the access to the future, or at least as part of that, because that funding did flow through in support of grants and bursaries.

Last year we also made some changes. We removed some small grants but also increased significantly the amount of loans that were available to students because they'd asked us to increase those numbers in both how much they could borrow for living costs and all those things. We've tried to respond to what the students have asked for. The new program where students can volunteer for bursaries that will help them to gain both the experience in the not-for-profit sector and get bursaries and grants that they can use for their education is a wonderful new program that's only new this year. So I think we're doing a lot of good things for the students and for their finances

**The Speaker:** The hon. Member for Leduc-Beaumont-Devon, followed by the Member for Calgary-Varsity.

### Highway 2 Interchanges

**Mr. Rogers:** Thank you, Mr. Speaker. The Nisku-Leduc industrial area in my constituency is located just south of Edmonton and is home to some 20,000 workers who travel highway 2 daily. Congestion at the highway 19 and Airport Road interchanges is becoming very dangerous. Traffic backs up to the Blackmud Creek, and there have been many recent accidents. To the Minister of Transportation: what is your department doing to help these workers and the rest of the public stay safe on highway 2 between Edmonton and Leduc in the near term?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. In fact, we are always working on our Alberta highways to ensure that they are safer for the public. In direct answer to the hon. member I want to say to him that the current construction that we're doing on 625 is going to alleviate some of the concerns going into Leduc off highway 19. As well, in the future we're hoping to do work on highway 19 to alleviate that congestion coming from the other side.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: with the continued growth in this corridor, including Port Alberta at the Edmonton International Airport, I'm just wondering what long-term infrastructure improvements you and the department are contemplating?

**Mr. Danyluk:** Well, Mr. Speaker, in fact, that is a very congested highway, and in the future it does have to be twinned. I'm speak-

ing about highway 19. We do have a lot of traffic that comes from the Devon area into the thoroughfare of highway 2. That is a bottleneck, and we're working on it and seeing what we can do in the very near future.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Certainly, with the neighbouring communities of Leduc county, the city of Leduc, and of course Edmonton International Airport I would ask the minister whether or not he's willing to work with these entities to make sure that the planning is done properly?

**Mr. Danyluk:** Well, in fact, Mr. Speaker, as recently, I believe, as last week I had a meeting with the mayor of Leduc. Also, I'm hoping to meet with the municipality, the rural municipality, the county, and I believe we have a meeting planned with the airport commission. I have also met with the residents of the area to talk about the plans and the future plans for what we're doing as far as highway enhancement and the interchanges. I need to say to you that we very much recognize that that area is a concern, and the safety of Albertans is always our primary focus.

### Logging in the Castle Special Management Area

**Mr. Chase:** This year is the United Nations International Year of Forests. This should be a joyful occasion to celebrate our natural heritage and biodiversity. Unfortunately, Alberta reality isn't so. This government has sold out against citizens' will an ecologically significant forest treasure with the upcoming logging in the Castle area. To the Minister of SRD: given that the vast majority of Albertans are opposed to the devastating effects of clear-cutting, will the minister commit to banning this unsustainable practice from our province?

**Mr. Oberle:** Mr. Speaker, the hon. member is probably not aware or, I would say, definitely not aware that there has in fact been logging in this region for over a hundred years. I think the evidence speaks for itself. It's done in a responsible and sustainable manner.

**Mr. Chase:** To the Minister of Tourism, Parks and Recreation: given that clear-cutting will have a negative impact on local business and provincial tourism, how can the minister justify going against his own mandate, which is to promote Alberta as a tourism destination?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. That's exactly what we do, promote Alberta as a tourist destination, one of the very finest in the world. So that the hon. member understands, it's against the law in Alberta to take timber in a park.

**Mr. Chase:** And that's my next question. Thank you very much. Given that the vast majority of residents in southwest Alberta want reinforced special places protection for the Castle area, will the minister defend our natural heritage and proclaim the Andy Russell I'tai Sah Kòp wildland park?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you, Mr. Speaker. Of course, we will treat this advice that we're getting from Albertans as we always treat advice from Albertans. If it's what, in fact, they want, it's what I'm expecting they will get. We want to protect as much of

Alberta's eastern slopes as we possibly can because it's such a treasure not just to Albertans but to the rest of the world.

**The Speaker:** The hon. Member for St. Albert.

### Federal Safe Streets and Communities Act

**Mr. Allred:** Thank you very much, Mr. Speaker. In September the federal government introduced the Safe Streets and Communities Act, an omnibus crime bill aimed at targeting crime and terrorism and providing support and protection to victims of crime. My first question is to the Minister of Justice and Attorney General. Does Alberta support the changes proposed in Bill C-10?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. Alberta does support many of the changes proposed in C-10, and we've long been supportive of the changes that have been worked on in individual bills that have led to this new omnibus bill. We're supportive of changes to the Criminal Code that we feel are needed to ensure that our communities remain safe and secure. We're going to continue to work to ensure that our courts and our police and Crown prosecutors have the tools that they need to ensure safe communities. We're going to be watching this legislation with interest as it proceeds.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker, for that answer. My first supplementary question is to the same minister. Is the Alberta government in support of the mandatory minimum sentences proposed in Bill C-10?

**Mr. Olson:** Mr. Speaker, these new mandatory minimums and the proposed increases to existing mandatory minimums we think achieve much-needed consistency and predictability and an appropriate floor, particularly when it relates to crimes against children. Alberta has taken a leading role in connection with protection of children against these types of offences, and we've been prosecuting vigorously. These sentencing ranges, interestingly, that are being proposed in the new legislation actually are still below the vigorous sentences that we've been seeing in Alberta.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My last supplemental is to the Solicitor General and Minister of Public Security. Both Ontario and Quebec have stated that they are refusing to pay additional costs associated with the bill. Has the minister considered the costs associated with this bill and who will be picking up the tab?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Fighting crime does cost money, unlike what the opposition may seem to think today, and we want to be at the table with the federal government to discuss this issue. The bill has not yet been passed, but I am meeting with the federal Minister of Public Safety, Vic Toews, next month to discuss this. There are many positive things to the bill such as the modernization dealing with Internet predation as well as the changes to the Youth Criminal Justice Act that our government does see as positive. We will be discussing the financial issues behind it as well.

**The Speaker:** Hon. members, that concludes question period for today. Eighteen members were recognized; 108 questions and responses. In 30 seconds from now we'll continue with the Routine, Members' Statements.

2:40

### Members' Statements

(continued)

**The Speaker:** Hon. members, the hon. Member for Fort McMurray-Wood Buffalo.

#### Tom Baker Cancer Centre Pathology Lab

**Mr. Boutilier:** Thank you very much, Mr. Speaker. Yesterday an Alberta doctor came forward who had been the director of pathology at the Tom Baker cancer centre when he resigned after encountering threats and intimidation for opposing the closure of the cancer lab. In his expert opinion closing the lab and shutting down the world-class cancer-testing institute could have serious potential life-threatening impacts on cancer patients. He did not want a repeat of what had taken place in Newfoundland.

He tried raising his fears with everyone he could, with the government bureaucracy and superboard. He raised it with the former health minister. He raised it with the superboard chair. He even raised it with the man the Premier is going to entrust with reviewing the health care system. He was told by a superboard supervisor that he would, quote, regret it if he did not shut up and go along with the government plan. At least the new minister of health voiced his displeasure with such inexcusable behaviour. Alberta cancer patients are appalled at how this Alberta doctor was treated.

Let me pivot for a moment to my hometown of Fort McMurray. This government often speaks of the Alberta economic engine, the oil sands. The only problem is that they have no idea how to oil it for health care. We are Canada's fastest growing community, but our public school board has received only one school in the last 26 years as we have over 1,200 births a year. Maybe that's a sign of cold winters. Clearly, things such as long-term care, highway 63 delays – both of these issues speak to an irrefutable truth. A question. Is this government interested in only two things: power and holding onto it no matter who they try to intimidate along the way?

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Centennials of Edmonton-Calder Churches

**Mr. Elniski:** Thank you, Mr. Speaker. Churches are often bastions of cultural preservation and community growth. When a church celebrates a 100th anniversary, communities and congregations gather to remember the past and prepare for the great things to come. I'm pleased this afternoon to speak of not one but two such gatherings in my constituency. On October 23 St. Edmund's Catholic parish and school celebrated 100 years in Calder. On November 5 Chalmers-Castle Downs United church also celebrated its centenary.

It should come as no surprise that these two churches would still be thriving 100 years from when they were founded. After all, Mr. Speaker, Calder, or the village of North Edmonton, as it was known in those days, led the region in growth. To most of you here today, hon. members may not be aware that the first roads paved with bitumen from Fort McMurray were in Calder. Paving was done to improve the roadbed for the first streetcar line out of Edmonton. It was, in essence, the government of Alberta's first

investment in regional light-rail transit, and it played a major role in the success of both St. Ed's and Chalmers as successful congregations. St. Edmund's parish and school established itself as part of the new community of Calder growing up around the railroad. The United church opened its manse adjacently in Elm Park, a community aptly named for its vegetation.

When you think, Mr. Speaker, of the good works these two congregations have done in the last 100 years, one cannot help but be humble. I hope that we can give pause to think about the lives that have been enriched and the people who have benefited from the presence of these two institutions. Staying true to their roots and their beliefs has helped both congregations weather the passage of seasons and the changes in society. Both enjoyed fine celebrations with some reflection on the past and strong hope for the future. While I may not be here to celebrate with them in another 100 years, I do believe that they will do good work and continue the essential work that they do.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-McClung.

### Anthony Henday Drive

**Mr. Xiao:** Thank you, Mr. Speaker. I rise today to speak about the important investment that our government, with the support of the federal government and the city of Edmonton, has made in our provincial infrastructure over the past several years. Anthony Henday Drive, also known as highway 216, was first envisioned in the 1970s as Canada's first free-flowing ring road. Since then, much funding, innovation, and hard work has gone into realizing this vision. The government of Alberta has invested over \$2.2 billion into the development of this road.

Mr. Speaker, in the constituency of Edmonton-McClung three new interchanges were opened in the past few months. The Callingwood Road and Lessard overpasses were built at an investment of \$45 million, and the Cameron Heights overpass at \$25 million. These interchanges have made the everyday commute in and around Edmonton safer, more convenient, and more enjoyable. The completion of the Cameron Heights interchange means that the last set of traffic lights was officially removed from Anthony Henday Drive, enabling a continuous traffic flow, which will potentially reduce noise levels along the ring road.

Just a few kilometres north of my constituency of Edmonton-McClung the Stony Plain interchange has also opened at an investment of \$168.6 million, which has significantly improved the traffic flow on the west side of the capital region.

Mr. Speaker, our government has always been dedicated to investing in infrastructure to aid in our economic growth and to ultimately enhance the lives of Albertans. The construction of these four new interchanges on the Edmonton ring road is an excellent example of our commitment to making Alberta the best place to live, work, and drive.

**The Speaker:** The hon. Member for Calgary-North West.

### Bullying Awareness and Prevention

**Mr. Blackett:** Thank you, Mr. Speaker. Jamey Rodemeyer, age 14; Jared Benjamin High, age 13; Gary Hansen, age 16; Dawn-Marie Wesley, age 14; Megan Meier, age 13: these are young people across North America who were so tormented and traumatized by repeated bullying that they chose to end their own lives rather than open another vicious Facebook message or suffer through another day of homophobic taunting. Their deaths are

society's loss and are heartbreaking for their families and friends who loved them.

Tragically, youth are bullied every day right here in Alberta. It is senseless and unjustifiable aggression. Bullying in any form, in any place is unacceptable. So, too, is being a complicit bystander or witness without standing up to reverse it.

November 13 to 19 was national Bullying Awareness Week. This year our government supported a call to action led by passionate and courageous youth from Alberta's Prevention of Bullying Youth Committee. Children and youth in schools and communities across the province staged awareness activities, sending the message loud and clear to all Albertans that bullying is horrible, it is wrong, and it's not a normal part of growing up.

We urge all people in all communities to join in our call to action to continue to raise awareness of bullying and promote a kind, respectful, and safe society. Our actions must speak as loudly as our words. United let us take a stand against bullying, help make Alberta bully free, and save lives not just during national Bullying Awareness Week but every day.

As a reminder of this, I am pleased to note that every MLA has been provided with a Stand Up and Stop Bullying wristband. I trust many are wearing those bracelets today.

Thank you, Mr. Speaker. Let us remember.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Public Health Inquiry

**Dr. Swann:** Thank you, Mr. Speaker. Of all the responsibilities that fall to government, surely the most important is to defend, protect, and foster trust and good health among its citizens. This government has jeopardized the quality of Alberta's health care system with years of mismanagement, and in recent months there have surfaced credible and extremely troubling allegations of financial misconduct and systemic government intimidation of health care professionals who speak for their patients.

Health care professionals with impeccable credentials have stated publicly that there is a culture of fear and intimidation in public health care today, and it continues. The morale of Alberta's health care professionals is at an all-time low as bullying and payoffs erode the foundation of the health care system and of this government. For these reasons, the Official Opposition has repeatedly called for a public inquiry to unearth the truth surrounding these allegations so that we can fix and restore trust to our ailing public health care system.

For a brief moment it appeared as though the Premier recognized the urgency of holding a public inquiry under the Public Inquiries Act. During her race to become leader of the PC Party she joined our call for a public inquiry, and at the time we congratulated her for her courage. Unfortunately, she has waffled. She has refused to call a public inquiry under the Public Inquiries Act. Instead, she has decided to bring forward unprecedented, unnecessary, and costly new legislation granting more powers to the Health Quality Council. What's next? An education health quality act? It's merely a delaying tactic protecting the government from uncomfortable truths until after the next election. Is the current Public Inquiries Act inadequate? If it is, fix it. Don't create more bureaucracy and duplication.

The Premier has broken her most important promise to Albertans. So much for integrity and accountability to the public and the professionals of Alberta.

Thank you.

## 2:50      **Tabling Returns and Reports**

**The Speaker:** The hon. Member for Cypress-Medicine Hat and chair of the Legislative Offices Committee.

**Mr. Mitzel:** Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 19(5) of the Auditor General Act I would like to table five copies of the report by the Auditor General entitled Report of the Auditor General of Alberta, November 2011. Copies of this report are now being distributed to all members.

**The Speaker:** The hon. Member for Banff-Cochrane and chair of the Standing Committee on the Alberta Heritage Savings Trust Fund.

**Ms Tarchuk:** Thank you, Mr. Speaker. Pursuant to section 16(2) of the Alberta Heritage Savings Trust Fund Act and as chair of the Standing Committee on the Alberta Heritage Savings Trust Fund it is my pleasure to table the 2010-11 annual report on the fund.

Pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act I am also tabling the 2011-12 first-quarter update on the fund. Copies of these two reports have previously been distributed to members.

Finally, pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act I am pleased to table the 2011-12 second-quarter update on the fund, which was released yesterday. Copies will be distributed this afternoon.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. On behalf of the Leader of the Official Opposition I would like to table two documents that were referenced during the leader's questions today. One is copies of an FPinfomart article from the *Edmonton Journal*: Redford waves red flag at fellow Tories; Call for probe into queue-jumping allegations.

The second one was posted June 7, 2011 – I'm sorry; I don't know where – Allison Redford Calls for Public Inquiry. Both of these were referenced, so I'm tabling them on behalf of the leader.

Thank you very much.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you, Mr. Speaker. I would like to table five copies of 16 letters I have received from my constituents at St. Theresa's parish, who call upon our government of Alberta "to develop and then implement a comprehensive Child Poverty Reduction Plan that would reduce and ultimately eliminate child poverty in Alberta."

My second tabling is five copies of the third annual eagle awards of excellence for outstanding community members within the constituency of Edmonton-Mill Woods, that took place on Saturday, November 12, 2011.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I have three tablings today. The first is pursuant to section 39(3) of the Legislative Assembly Act. I wish to table with the Assembly the appropriate copies of a number of orders that were passed by the Special Standing Committee on Members' Services at its November 16, 2011, meeting. Copies of all orders tabled today will be provided to members and will be incorporated into the consolidated Members' Services orders binders and made available: constituency services

amendment order 23, which came into force on November 16, 2011; members' allowances amendment order 21, which comes into force on April 1, 2012; and constituency services amendment order 24, which comes into force on April 1, 2012.

As well, I'm pleased to table copies of a brochure entitled Page Biographies, Legislative Assembly of Alberta, 27th Legislature, Fourth Session, Fall 2011. These basically give you a background on these young people who participate with us on a daily basis.

Pursuant to section 46(2) of the Conflicts of Interest Act the chair is pleased to table with the Assembly the annual report of the Ethics Commissioner. This report covers the period April 1, 2010, to March 31, 2011.

## **Tablings to the Clerk**

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Lukaszuk, Minister of Education, school jurisdictions' audited financial statements for the year ended August 31, 2010, sections 1, 2, and 3; Speak Out, Alberta student engagement initiative year in review 2010-11.

On behalf of the hon. Mr. Olson, Minister of Justice and Attorney General, pursuant to the Legal Profession Act the Law Society of Alberta 2010 annual accountability report.

## **Privilege**

### **Misleading the House**

**The Speaker:** Hon. members, yesterday as we ended the Routine, an hon. member rose to present a case for privilege. I asked yesterday if there were additional members who wanted to participate. One member indicated yesterday that he would want to do so today. Standing Orders 15(1) and (2) talk about brief statements. I'll recognize additional participants if they wish.

The hon. Member for Calgary-Varsity.

**Mr. Chase:** Yes. Thank you, Mr. Speaker. At the heart of the point of privilege raised against the Member for Edmonton-Mill Creek, the former minister of health, is the ongoing claim by this government, which cannot be substantiated, that Albertans are supportive of a two-tier private-public health care system. This deceitful suggestion is no more true now than it was in 2003-2004, when I served as the Alberta chair of Friends of Medicare, a nonprofit, nonpartisan advocacy group for the preservation of public health care.

While the Member for Edmonton-Mill Creek is currently at the centre of this controversial whirlpool, the ripple effects touch and taint every current member of the Conservative caucus and many former members, most notably Ralph Klein, whose third way was considered unpalatable by the vast majority of Albertans. Likewise, a key factor in our last Premier's forced abdication from the throne was the mess he made along with his chosen deconstructor, the Member for Calgary-West, whose centralizing health board attempts continue to be a costly super failure.

Our most recently selected Premier has found herself caught within the whirlpool's grasp by attempting in vain to backstroke away from her . . .

**The Speaker:** Sir. Sir.

**Mr. Chase:** . . . campaign promise to call a judicial . . .

**The Speaker:** Sir. [interjection] Calgary-Varsity, please sit down. Three times I've tried to interrupt you. You weren't looking at me. You were reading your paper. What has this got to do with the

point of privilege so far? This is a point of privilege we're talking about, the most serious of all allegations that can be made against a member. It is not a time for theatrics or anything else. You come to the point of privilege, or I'm not going to allow you to participate any further.

**Mr. Chase:** Thank you. Mr. Speaker, the point of privilege is about the deception of this House putting forward the idea that Albertans support the privatization of health care as alluded to by the minister of health. That is what I am attempting to address. Under the point of privilege it has been suggested that . . .

**The Speaker:** Sorry. You may misunderstand. Sit down. This is about an individual. That's what this is about, not the government. This is about an individual, the most serious of all charges that can be brought in this Assembly, with dire penalties for all who participate. So get to the point of privilege of the member.

**Mr. Chase:** Thank you. The dream of Tommy Douglas, that was legislated into Canada's national reality by Liberal Prime Minister Lester B. Pearson, will continue to be cherished by Albertans. While today's point of privilege is primarily focused on the Member for Edmonton-Mill Creek, his Conservative caucus colleagues can no longer hide either in the shadows or, to conclude the whirlpool metaphor, the shallows.

**The Speaker:** Okay. I've given the opportunity.

Hon. Member for Edmonton-Mill Creek, tomorrow I will recognize you if you want to respond with respect to this input that we've received in this Assembly. If I'm able, I will deal with a resolution of this matter on Thursday afternoon after I've heard this and had a chance to review what is in the text.

Are there any additional members that want to participate on this before we close and give an opportunity for the Member for Edmonton-Mill Creek tomorrow?

### Orders of the Day Government Motions Evening Sittings

26. Mr. Hancock moved:  
Be it resolved that pursuant to Standing Order 4(1) beginning November 22, 2011, the Assembly shall meet on Monday, Tuesday, and Wednesday evenings for consideration of government business for the remainder of the 2011 fall sitting unless on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

**The Speaker:** Hon. members, the motion as proposed by the hon. Government House Leader is not debatable, so I'll ask the question.

[Government Motion 26 carried]

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

### 3:00 Committee Membership Changes

25. Mr. Hancock moved:  
Be it resolved that the following changes to the Standing Committee on Legislative Offices be approved: that Mr. Blackett replace Mr. Mitzel as chair, that Mr. Ouellette replace Mr. Mitzel.

[Government Motion 25 carried]

### Transmittal of Estimates

**The Speaker:** The hon. Deputy Premier and President of Treasury Board and Enterprise.

**Mr. Horner:** Mr. Speaker, I have received a certain message from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

**The Sergeant-at-Arms:** Order!

**The Speaker:** The Lieutenant Governor transmits supplementary supply estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2012, and recommends the same to the Legislative Assembly.

Please be seated.

**Mr. Liepert:** Mr. Speaker, when supplementary estimates are tabled, section 8 of the Government Accountability Act requires that a new or amended fiscal plan be tabled. Accordingly, I wish to table the 2011-12 second-quarter fiscal update, which serves as the amended fiscal plan. The 2011-12 second-quarter fiscal update has already been provided to all members and released publicly as required by the Government Accountability Act.

**The Speaker:** The hon. Deputy Premier and President of Treasury Board and Enterprise.

**Mr. Horner:** Thank you, Mr. Speaker. The quarterly fiscal update tabled by the Minister of Finance provides the framework for additional spending authority for the Legislative Assembly and for the government. I now wish to table the 2011-12 supplementary supply estimates. These will provide additional spending authority to two offices of the Legislature and nine departments of the government.

When passed, the estimates will authorize an approximate increase of \$2.4 million in expense and capital investment of the Legislative Assembly and approximate increases of \$864.9 million in expense, \$82 million in capital investment, and \$250,000 in nonbudgetary disbursements of the government. These estimates will also authorize transfers of approximately \$80.7 million of the previously approved spending authority from the Department of Treasury Board and Enterprise to five departments and an approximate transfer of \$58.4 million from expense to capital investment within the Department of Infrastructure.

### Government Motions (continued)

23. Mr. Horner moved:  
Be it resolved that the message from His Honour the Honourable the Lieutenant Governor, the 2011-12 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

**The Speaker:** Shall I call the question?

**Hon. Members:** Question.

[Government Motion 23 carried]

24. Mr. Horner moved:  
Be it resolved that pursuant to Standing Order 61(2) the number of days that Committee of Supply will be called to consider the 2011-12 supplementary supply estimates for the general revenue fund shall be one day.

[Government Motion 24 carried]

**Government Bills and Orders****Second Reading****Bill 24****Health Quality Council of Alberta Act**

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. I am very pleased to rise and introduce second reading of Bill 24, the Health Quality Council of Alberta Act.

Mr. Speaker, two key commitments of our Premier are to reposition the Health Quality Council of Alberta in a way that its independence is clear and, secondly, to provide a new mechanism for public inquiries to effectively address health system matters. This bill delivers on both commitments.

I want to begin by recognizing the important role played by the council and how that is being maintained and fostered in this bill. Mr. Speaker, the core mandate of the Health Quality Council is focused on facilitating the continuous improvement of quality of health care services in our province. The council's specific goal is to promote and improve patient safety and health service quality on a province-wide basis. To do this, the council works co-operatively with health organizations to bring a patient focus to the health system. HQCA activities involve measuring and monitoring safety and quality of care factors, identifying and recommending effective health service practices, assisting with the evaluation of strategies to improve patient safety, and surveying Albertans about their experience and satisfaction with our health care system.

The ability of the council to network and maintain positive health system relationships will continue under this bill, Mr. Speaker. In addition, the council will continue to have matters regarding patient safety and health service quality referred to it for assessment by the Minister of Health and Wellness or Alberta Health Services.

The Health Quality Council of Alberta plays an important advisory role in this regard. The ability of the Minister of Alberta Health and Wellness and Alberta Health Services to refer matters to the council has enabled an independent and expert review of emerging issues in a timely fashion. Throughout the last decade, Mr. Speaker, we have seen many examples of this fine work. This work will continue to be undertaken by the Health Quality Council. It is important, and it is valued. It is a critical component of the health system, and I note that most provinces in Canada have similar organizations in place to facilitate health system service improvements. This bill will enable the Health Quality Council to continue to work within the health system on identifying and implementing improvements to the quality of health services in our province.

Mr. Speaker, the council is also authorized to establish a quality assurance committee, which operates in accordance with section 9 of the Alberta Evidence Act. Operating in a quality assurance committee creates an evidentiary privilege over the information that the committee receives. This means that the information cannot be used in other legal or administrative proceedings.

The work done by a quality assurance committee is important in encouraging continuous quality improvement in our health system. It fosters the sharing of information and ideas and aims to create an environment that seeks out and adopts the best health services practices available. The continuing work and effectiveness of the Health Quality Council in promoting patient safety and health system improvements will depend on its ability to conduct some of its work through its own quality assurance committee. This bill makes continued provision for this.

Mr. Speaker, I've talked about what is not changing with this bill, and I want to spend a few minutes now speaking about what is changing. The Health Quality Council is currently a corporation established by cabinet regulation under section 17 of the Regional Health Authorities Act. Its members are appointed by the Minister of Health and Wellness. While the Health Quality Council has always operated independently and at arm's length from the Minister of Health and Wellness, this bill will provide a greater separation between the council and the health ministry. It does this in several ways.

The Health Quality Council of Alberta will no longer be established by cabinet regulation under the Regional Health Authorities Act. Under Bill 24 the council is continued as a corporation. Appointments to the board will no longer be made by the health minister; appointments will be made by cabinet. As well, the Health Quality Council will be required to submit an annual report to the Speaker of this Legislative Assembly – to you, Mr. Speaker – on the business and activities of the council for the preceding fiscal year, including a financial statement.

The Health Quality Council will operate in whole or in part with public funds granted to it and must demonstrate proper stewardship over those funds and accountability for its activities, including appearances before the Public Accounts Committee. In this regard, Mr. Speaker, the bill contains provisions that require the directors of the corporation to make bylaws establishing a code of conduct and an investments policy, and there are limits on the ability of the council to provide indemnities or to borrow money. As well, the bill provides for the board of the Health Quality Council to appoint a chief executive officer, establish committees, and delegate responsibilities. These are matters common to corporations and are required for the efficient conduct of business of a council.

**3:10**

Mr. Speaker, for any member of this Assembly who is truly interested in a greater degree of openness, transparency, and accountability, the provisions I have just outlined will ensure that the Health Quality Council, under its new status as proposed by this bill, delivers that.

Mr. Speaker, a new health system inquiry authority is also provided for in this bill. While this authority is very similar and imports many provisions from the Public Inquiries Act, it has some special distinctions designed to make it more functional for the purpose of looking specifically into serious health system matters. An inquiry based on this bill, like one based on the Public Inquiries Act, is initiated by cabinet. Cabinet will be responsible for determining whether or not an inquiry is in the public interest, and if so, cabinet will determine the nature, scope, and timing of the inquiry.

As you know, Mr. Speaker, a public inquiry is a significant activity not to be taken lightly, requiring a large commitment of financial and human resources. It is a very powerful tool for getting to the bottom of a matter and must be used judiciously.

One of the distinctions from a more traditional public inquiry is that in this case, when a decision is made to hold a health system inquiry, cabinet will ask the Health Quality Council to appoint one or more individuals to the panel. Subject to the agreement of the courts the appointment may be a judge and may also include individuals with expertise in health system matters. The bill also manages potential conflicts that could arise from appointments made by the Health Quality Council of Alberta. Specifically, there is a requirement that if the Health Quality Council has reviewed a matter that becomes the subject of a health system inquiry, the

inquiry must be conducted by one or more individuals with no prior involvement in the matter.

Once appointed, the panel operates independently. The panel will have the same powers, privileges, and immunities as a commissioner has under the Public Inquiries Act. Mr. Speaker, this means that the panel will have the power to summon any persons as witnesses and compel them to give evidence, to require witnesses to produce any documents that may be required in order for there to be a full investigation of the matters that are the subject of the inquiry, and while witnesses will generally have the same privileges in relation to the disclosure of information and the production of documents that a witness has in a court, such as maintaining solicitor and client privilege, the panel will have the power to compel a witness to answer questions even in the case where under an act, regulation, order, or agreement that witness would be required to not disclose certain information.

This provision covers what is often referred to as nondisclosure agreements, where a physician and employer, for example, may have parted ways and have both agreed to a settlement that includes a clause whereby neither side can disclose information contained in that agreement. Mr. Speaker, under Bill 24 both sides can be asked about the contents of those settlement agreements as part of a health system inquiry.

As you can see, the powers vested in the panel are considerable and must be applied fairly. For example, it is important for the panel to have the ability to protect personal health information from unnecessary disclosure and to protect the private interests of a person who is not directly involved in the inquiry and who would be prejudiced by a public disclosure. Therefore, Mr. Speaker, explicit provision is made for the panel to hold a hearing or part of a hearing in camera – in other words, in private – on an application being made by a person.

In deciding whether or not to go in camera, the panel must take a number of matters into consideration. These are listed in section 19 of the bill and include such factors as whether the disclosure of a medical record of a patient is likely to result in harm to the patient or to the treatment or recovery of the patient. Mr. Speaker, I think you will agree that these are matters that Albertans take very seriously.

Another factor to consider is whether the disclosure of information that is subject to a nondisclosure clause in an agreement should be in camera because to hear it in public would be injurious to the interests of justice. The basis on which the panel can hear matters in camera is similar to the Fatality Inquiries Act.

The in camera provisions are broader than under the Public Inquiries Act. As well, where the Public Inquiries Act makes it mandatory for certain matters to be heard in private, the provisions in Bill 24 leave the decision to the discretion of the panel. Matters heard in camera cannot be published or otherwise disclosed with the exception that the panel may disclose these matters in its report if the panel is satisfied that the disclosure is essential to the completeness and integrity of the report and is in the public interest. It is important to note that the bill contains provisions that prevent the panel from making any findings of legal responsibility and that prevent findings from being used or received against a person in other legal proceedings. The report emanating from a health system inquiry will be reported not to the minister or to the cabinet; it will be reported to the Legislative Assembly through the Speaker as a result of provisions in this bill. If the Assembly is not sitting, Mr. Speaker, you are under these provisions required to make the report public.

Mr. Speaker, I've spoken about various provisions of the bill and what will not change and what will change with respect to the role of the Health Quality Council. Before I close, I'd like to take

a moment to highlight the three most important reasons I believe this bill should be supported by all members of the House. First of all, as I mentioned earlier, Albertans take the matter of the protection of personal health information extremely seriously. This bill makes explicit provisions for the protection of that information under the proceedings in a public inquiry.

Secondly – and I can't emphasize this enough – the provisions of the existing Public Inquiries Act, in the case where an inquiry is called, permit cabinet to appoint the members of the panel of inquiry. Under the provisions of this bill the Health Quality Council, not members of cabinet, will have power to appoint members of the panel. Contrary to what has been erroneously reported previously, the Health Quality Council will not conduct the public inquiry. They will appoint the members of the panel, who will conduct the inquiry in accordance with the provisions in the proposed legislation.

Mr. Speaker, in consideration of the consultation that we did in the preparation of the underlying concepts for this legislation, I am confident that we have struck the right balance with what we are proposing in Bill 24. We have maintained the important role the Health Quality Council currently has in assessing public satisfaction with the health system as well as assessing patient safety concerns. We also have proposed to add important inquiry powers that are customized to the health system to protect personal information to allow the council to use its expertise and knowledge in identifying individuals to be appointed to an inquiry panel, including a judge. In addition, the bill provides for the council to report independently to the Legislative Assembly on an annual basis.

Mr. Speaker, I am very confident this legislation will serve the interests of Albertans and that it directly addresses the concerns that have been raised in this House over the last year with respect to inquiries into health system matters.

At this time I would like to move second reading of the Health Quality Council of Alberta Act, and I would also move to adjourn debate at this time. Thank you.

[Motion to adjourn debate carried]

## Bill 22

### Justice and Court Statutes Amendment Act, 2011

**The Speaker:** The hon. Member for Calgary-Mackay.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. It is my pleasure to rise today to speak to Bill 22, the Justice and Court Statutes Amendment Act, 2011. This bill contains a variety of amendments and housekeeping changes to a number of statutes. These amendments are intended to improve the effectiveness, consistency, and clarity of our legislation. I'll begin with changes to a variety of justice statutes.

This legislation contains minor amendments to the Victims Restitution and Compensation Payment Act, the Wills and Succession Act, the Administration of Estates Act, the Family Law Act, the Family Law Statutes Amendment Act, 2010, the Fatality Inquiries Act, and the Witness Security Act. The majority of the amendments in these statutes are minor in nature such as fixing typographical errors.

However, I would like to highlight several more significant amendments. The amendments to the Victims Restitution and Compensation Payment Act, for example, will expand the application of the act and make it easier and more cost-effective for the civil forfeiture office to carry out its duties under the act. This act allows the government to seize profits from crime and property



used to commit crimes such as vehicles and weapons. This action is called civil forfeiture because the application is brought in the civil courts. Currently the civil forfeiture office can seize goods from illegal acts that are contraventions of the Criminal Code and the Controlled Drugs and Substances Act. For the acts to apply to illegal acts, to the offences under provincial statutes, these statutes must be specified by regulation. Work on this regulation is currently under way.

3:20

The amendments proposed to the Victims Restitution and Compensation Payment Act will allow the act to apply to illegal acts that take place before or after the Alberta statutes specified by regulation are in force. The amendments will also permit additional persons other than a civil enforcement agency to carry out functions related to seized property. For example, the civil forfeiture office could save money by using towing or storage services.

The Wills and Succession Act updates and consolidates five pieces of legislation related to the transfer of property on death. Over the past year Justice lawyers and private practitioners have provided feedback on wording in the Wills and Succession Act that could improve the clarity and consistency of the act. These amendments respond to that feedback.

An example is in the survivorship provision. This provision governs who inherits property if two or more individuals die in circumstances where it is uncertain which of them survived the other. The law would be that people who died in these circumstances will not inherit property from each other unless their will says otherwise. As well, any property the deceased hold jointly is to be deemed to be a tenancy in common although the act does not specify it must be equal shares. Lawyers told us the Wills and Succession Act was not as clear as it could be on this point, so we have rewritten this section.

Other amendments remove redundant words, clarify transitional periods, and replace words with ones that are properly defined.

Lastly, the amendments to the Administration of Estates Act reflect that certain responsibilities, mainly aimed at avoiding duplication of grants, have been transferred from the Public Trustee's office to the clerk of the court.

Next I will discuss amendments to court statutes. The Court of Queen's Bench Act will be amended to give those appointed to the judicial office of master the option of retiring and sitting on a half-time basis. This will provide experienced masters with an option for continued service when they might otherwise retire. A provision will be added restricting masters from engaging in other employment while in office. This will reduce conflict-of-interest situations for masters.

The Justice of the Peace Act will be amended to combine the duties and jurisdictions of sitting and presiding justices of the peace into a single office. This will create more flexibility in the assignment of duties to justices of the peace. Consequential amendments will also be made to other statutes that refer to sitting and presiding justices of the peace. Provisions will be added to permit justices of the peace to be appointed to a further one-year term on an ad hoc basis after completion of the initial 10-year term and to permit part-time JPs to apply for full-time positions when they become available. This will allow experienced justices of the peace to continue serving in different capacities and will enhance the efficiency and effective functioning of the justice of the peace program.

Additionally, amendments will be made to restrict full-time justices of the peace from engaging in the practice of law and

limiting the type of law that part-time justices of the peace can practise while in office. This will ensure that justices of the peace are free from an appearance of conflict of interest or bias.

The Provincial Court Act will be amended to remove the birthday commencement date provision for part-time judicial service. This will permit a part-time judicial appointment to be made effective on any day of the year, giving the Provincial Court greater flexibility in scheduling when a judge elects to sit part-time. The act will also be amended to clarify the options available for the Court of Queen's Bench when hearing an appeal from the civil division of the Provincial Court. Specifically, the amendments will clarify that the Court of Queen's Bench is able to make a decision on the transcripts of evidence given in Provincial Court or hear the matter anew but cannot send the matter back to Provincial Court for a new trial unless there is no transcript of the evidence given in Provincial Court.

Amendments are proposed to the Proceedings Against the Crown Act which will permit commencement of proceedings against the provincial Crown in Provincial Court, civil. I refer to small claims here within the court's monetary and substantive jurisdiction. Currently claims against the provincial Crown involving \$25,000 or less must be commenced in the Court of Queen's Bench. Allowing these claims to be brought in small claims court, where the procedures are less complicated and litigants do not require the assistance of lawyers, will improve access to justice for Albertans.

The Civil Enforcement Act will also be amended to improve civil enforcement procedures and to clarify provisions. It is an offence for a person to purport to be a sheriff or display the word "sheriff" on uniforms, badges, or vehicles. Amendments will clarify that peace officers and clerks who use the title "sheriff" under the authority of other statutes are not guilty of an offence.

Amendments will be made to reduce the number of days seized property can be kept in storage before a civil enforcement agency can notify creditors that it intends to release the seized property. Amendments will also reduce the number of days of notice that must be given to creditors before seized property is released. This will help avoid unnecessary storage costs.

The length of time a garnishee summons remains in effect will be increased from one year to two years, making it consistent with the writ of enforcement and reducing renewal costs. The requirement that a creditor obtain a court order to seize property that's already under seizure by another creditor will be eliminated. This will streamline procedures and help ensure creditors do not lose right of priorities with respect to seized property.

Finally, as part of the court statutes amendments some minor consequential amendments will be made to the Builders' Lien Act. These amendments are being made to make the procedures and terminology in the act consistent with the procedures and terminology in the *Alberta Rules of Court*. The amendments substitute "court clerk" for "clerk of the court" and eliminate the requirement for the court clerk to affix the court seal on certificates.

Legal Profession Act amendments. This bill also contains two amendments to the Legal Profession Act. The first amendment deals with the process under which lawyers are disciplined for misconduct. The Law Society of Alberta is a self-governing body for Alberta's lawyers with a mandate to regulate the legal profession in the public interest. A lawyer's membership, standing, competence, and conduct are subject to the regulations of the Law Society under the Legal Profession Act. The governing body of the Law Society, the Benchers, have established a conduct process task force to examine this area. The task force determined that the current process is fair and transparent to lawyers, com-

plainants, and the public but identified opportunities to enhance efficiency and timeliness.

Proposed changes include a process to deal with minor infractions that do not engage the integrity of a lawyer, a process that will allow for alternative measures. A three-member hearing committee will not be required for every hearing. An expedited process would be available for an immediate guilty plea by a lawyer. A process would be available, when appropriate, for the appointment of non-Benchers to sit on hearing committees and the requirement that all conduct appeals go to the Benchers first, with an ultimate appeal to the Court of Appeal.

The second amendment supports mobility of lawyers between the Law Society of Alberta and the Barreau du Québec. The Law Societies of all provinces signed the Quebec mobility agreement in March 2010. Reciprocity with Quebec requires the ability to put conditions on the call to the Alberta bar by a Quebec lawyer. The amendments in this bill support mobility through this agreement. Proposed changes include a requirement that a lawyer be a member in good standing of his or her home jurisdiction and the ability to restrict a lawyer's practice areas in Alberta.

As hon. members can see, there are a great number of amendments included in Bill 22. I urge all hon. members to support these changes as they will improve the effectiveness, consistency, and clarity of our legislation.

With that, Mr. Speaker, I also move to adjourn debate on Bill 22. Thank you.

[Motion to adjourn debate carried]

3:30

### Bill 26

#### Traffic Safety Amendment Act, 2011

**The Speaker:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. Indeed, it is a pleasure to stand before you today. On November 21 the government introduced Bill 26, the Traffic Safety Amendment Act, 2011, which proposes strengthening Alberta's approach to impaired driving.

Drinking and driving imposes numerous costs and enormous costs on our society. The true cost of drinking and driving is the victims. From 2006 to 2010, Mr. Speaker, 569 people were killed and 8,350 people were injured in alcohol-related collisions. In 2010 alone 96 people were killed and 1,384 were injured. Despite increased awareness and the serious toll on society, Albertans continue to drink and drive.

Alberta's approach builds on the existing action that Alberta has in place. We already have a 24-hour suspension in the .05 to .08 range, a successful ignition interlock program, and programs designed to change behaviours. This builds on what already is there.

For example, we continue to use a blood-alcohol level of .05 to .08 as a guideline for a warn reading. That doesn't change. What we're doing is increasing the consequences on the penalty end. Another thing that doesn't change is that we are not implementing fines. All costs are associated with things like getting your licence or your vehicle back or taking a course, for example. Mr. Speaker, these costs are not borne by the taxpayer. They are paid by the offender.

What changes the most in Bill 26 is the emphasis on repeat offenders. We continue to be encouraged by the support from our traffic safety partners, all of whom want safer roads, especially as Alberta continues to grow. There is a direct consequence and prevention such as remedial courses for repeat offenders, licence suspensions, vehicle seizures, and ignition interlock devices. In

other words, this approach favours driver education, enforcement, monitoring, and addictions assessment, all designed to help change behaviours, and it introduces immediate consequences.

An appeal process will be available through the independent tribunal. The Alberta Transportation Safety Board, which consists of community members with varying backgrounds, will hear many of these appeals. These board members, who are appointed by an order in council, will hear appeals of a second and any subsequent roadside licence suspensions and vehicle seizures, licence suspensions which are given to new drivers, and licence suspensions which are given when a criminal charge has been laid. That means that if you need a vehicle for your job or you need to appeal a vehicle seizure or if you lend your vehicle to a friend or a family member and your vehicle is seized, you will have the opportunity to appeal that seizure.

Mr. Speaker, it's very important to reinforce that this is not about stopping people from enjoying social activities. This is about separating drinking and driving. We want motorists to plan ahead and make decisions that they will not regret. Driving is a privilege, and we all have the responsibility to practise safe driving. We all use Alberta roads, and we want to know that the person in the car next to us is alert, able to respond rapidly, and paying full attention to the road. Introducing a more targeted impaired driving law is another step towards making our roads safer for all of us.

Bill 26, the Traffic Safety Amendment Act, 2011, focuses on improving safety on our roads by encouraging greater personal responsibility and behaviours that save lives. I know that there are different views on this sensitive issue, and I look forward to the upcoming debate.

Thank you, Mr. Speaker. I'd like to adjourn debate.

[Motion to adjourn debate carried]

### Bill 23

#### Land Assembly Project Area Amendment Act, 2011

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. I'm privileged to rise and move second reading of Bill 23, the Land Assembly Project Area Amendment Act, 2011.

Central to Bill 23 is the clarity, fair compensation, and full access to the courts that these amendments bring to the act and the power that it brings to landowners. With these amendments property owners will have more power if their land is affected by a potential LAPAA project. Landowners can keep their land and continue farming it, they can trigger a sale at any time, they can trigger the expropriation process, they can sell to a third party or leave it to their family members in their will until the land is required, and they can have enhanced access to the courts, which is what Albertans have been telling us that they wanted. Bill 23 also clarifies the type of major transportation or water projects allowed by the LAPAA legislation, and it removes some of the penalties that Alberta landowners were telling us they saw as heavy-handed.

Mr. Speaker, at this time I'd ask you to allow me to adjourn debate on Bill 23.

[Motion to adjourn debate carried]

### Bill 25

#### Child and Youth Advocate Act

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I am pleased this afternoon to move second reading of Bill 25, the Child and Youth Advocate Act.

This piece of legislation will expand the mandate of the Child and Youth Advocate and, in keeping with our Premier's commitment, will change the reporting structure so that the advocate becomes an officer of the Legislature. Alberta was the first province to have a child advocate and has had someone in that position since 1989. Many people in Alberta are unaware of the important role and function of the advocate to ensure that the rights, interests, and viewpoints of children and youth in the child intervention system are heard. Some may question why there's a need for an advocate or why an independent advocate is necessary. Understanding the role of the advocate in individual and systemic advocacy is therefore an important part of understanding this legislation.

If we think about it, the large majority of children and youth in Alberta are fortunate to have parents, family members, or other significant adults in their life to speak up for them, whether it be in school, on a sports team, or accessing health services. Parents and families are primarily responsible for protecting their children and their children's rights, and we see great examples every day of parents who will do everything they can to ensure that their child receives what they need for their growth and development and has the opportunity to participate in and contribute to their community.

3:40

Right now for many children in the child intervention system the advocate may step in when their families or other significant people in their life are unable to advocate on their behalf. These are children and youth who are receiving child intervention services because of abuse or violence in the home or whose circumstances make it impossible for them to live at home. It can be difficult, lonely, and scary to be a child in care, especially when decisions are being made about where they live, go to school, or whether they can have relationships with family members.

As much as possible caseworkers ensure that children and youth are involved in decision-making that affects their lives, but sometimes children and youth in care want to have someone in their corner, someone whose only role is to help them voice their opinions. The advocate's focus on individual advocacy is a strength of this position, that was highlighted in the 2009 child and youth advocacy review. Last year alone the advocate's office provided advocacy services to more than 3,200 children and youth. Through this work the advocate's office is in a unique position to identify systemic issues within the child intervention system.

Within the current reporting structure in which the advocate reports to the Minister of Human Services, the advocate regularly provides feedback and reports to the minister. This includes identifying systemic issues and making recommendations for developing policy or processes to address these concerns. With this legislation the advocate's reports and recommendations and advice will not go through the ministry but will go directly to the Legislature, providing an open and transparent process and involving Albertans.

The advocate will now have the ability to make recommendations to the Legislature and to the people of Alberta as a whole through the Legislature about the services it provides to children and youth in the child intervention and the youth criminal justice systems. The advocate's reports from investigations into serious injuries and deaths will also be made public. Albertans can then be confident that the advocate is doing his job in identifying concerns

in the child intervention and youth criminal justice systems, beholden to no one but the children.

This new act will take the individual and systemic advocacy functions of the advocate and expand them to include children and youth in open and closed custody in the youth justice system. This will help to ensure that children and youth served in these systems will have access to advocacy supports so that they, too, will have someone in their corner. Because many children and youth are involved in both systems, this expanded mandate will help co-ordinate services and supports for them. The focus will be on the most vulnerable children in our province who, as I said earlier, may not have parents or other adults involved in their lives to be on their side, to advocate for them.

A key part of the legislation provides the advocate with authority to investigate critical incidents involving children and youth in the child intervention and youth criminal justice systems. Right now when a child in care is seriously injured or dies, the ministry conducts internal reviews to identify where enhancements can be made. With this act there will now be two additional mechanisms by which incidents can be investigated: by the advocate and by the council for quality assurance. The purposes of these serious review processes are not to duplicate or interfere with any police investigations or court proceedings but to identify where improvements can be made in a timely manner, identify how we can do a better job for vulnerable children.

The advocate will have a significant role as both a member of the council for quality assurance and in his capacity and authority to investigate serious incidents involving children and youth served by his office. In carrying out these investigations from a systemic perspective, the advocate will have the powers of a commissioner under the Public Inquiries Act, meaning he can compel information to assist his investigation.

The council for quality assurance will also review serious incidents and may appoint an external panel to conduct more in-depth and expert reviews of a case. The council will also make recommendations on leading practices and areas for improvement. This function of the council and related powers is one of the consequential amendments to the Child, Youth and Family Enhancement Act outlined in this new legislation.

Some additional consequential amendments to both the enhancement act and the Freedom of Information and Protection of Privacy Act will help with information sharing between service providers when planning and providing services in the best interests of children and youth. One of the things that we found, Mr. Speaker, is that it's absolutely essential that all of the people, all of the caregivers that are involved in a child's life, whether they're involved in the school system, the health system, the child protection system, wherever they are, they need to be collaborative and share the information so that they can act in the best interests of the child. While that's currently allowed, often the information doesn't get shared because people are concerned about whether it is allowed. We're making it clear. It is allowed. It is expected.

The publication ban provisions of the enhancement act, which are designed to protect the privacy of children in the child intervention system, will be clarified and simplified, thereby increasing the effectiveness of the provisions and promoting public support of and adherence to the publication ban.

Again, there are often situations where there is a public interest in an incident, and our only answer is that we cannot provide the information because of the privacy issue. This will clarify what information can be provided, what information can't be provided, and the mechanism for interested parties to go to court to ask for further information to be released. The court can then make a

thorough examination of whose interests need to be protected and whether or not the information can be released.

This past spring the Protection Against Family Violence Act was amended to add offence and penalty provisions for breaching protection orders. As we moved toward implementation on November 1, we received new information from our stakeholders, in particular the police, that we felt was important to address. The amendment with this new legislation adds the authority for police to arrest without a warrant based on reasonable grounds that a protection order has been breached; again, important for the protection of children. Family violence affects children, and it's absolutely necessary that we have all the tools in place so that the protection orders provided for under the act and now the penalty provisions for the breach of those protection orders can be enforced with respect to the ability of police to arrest someone that has breached a protection order.

Obviously, under the act now they can arrest somebody at the time of the incident if they're there, or they can go and get a warrant, which provides for a gap in time, under which there is a potential exposure to risk. We can't afford that potential exposure to risk. We can't afford it for the victims of the violence or the children if they're witnesses to the victim of violence or victims themselves. Therefore, allowing police the opportunity to arrest under reasonable probable grounds – in other words, to follow the perpetrator away from the scene and arrest them later – is an important amendment, and it fits within the mandate of what we're talking about here in terms of child protection.

All of these changes under the Child and Youth Advocate Act will increase transparency and public confidence in the child intervention system and the youth criminal justice system and provide greater protection for the children who are most vulnerable, those children at risk.

I ask for support for Bill 25 from all members of the Assembly to help enhance the outcomes and services for children and youth being served by these systems and help ensure that those children have every opportunity to maximize their potential to grow up to be full citizens of this province, contributing to their communities like we wish for our own children.

I would also move that debate be now adjourned.

[Motion to adjourn debate carried]

## **Bill 21 Election Amendment Act, 2011**

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. It's my pleasure to rise today to move second reading of Bill 21, the Election Amendment Act, 2011. This act will amend the Election Act to provide for a fixed election time period. Currently the Premier is able to choose the date of the general election, and the Premier can request that the Lieutenant Governor dissolve the Legislature and pass an order authorizing the issuance of a writ of election.

A drawback of this approach is the perception that the chosen election date is purely political. This is not the perception we want the public to have. We want to inspire an even greater confidence in our electoral system, we want Albertans to trust in the integrity and fairness of the system, and we want them to get out and vote and know that their vote counts. Better yet, we want them to get involved as candidates and volunteers. That's the primary reason why we want to create some certainty in election times.

There are a variety of other reasons for doing so as well. First, Elections Alberta or the office of the Chief Electoral Officer will

be able to administer elections in a more timely and cost-efficient manner. They will be able to secure advertising buys, recruit additional staff, and prearrange the acquisition and shipment of equipment and supplies. Knowing the approximate date in advance allows for cost savings by eliminating last-minute requests that often occur when trying to secure services. Elections planning such as preparing an up-to-date voters list through earlier enumeration, hiring and training of staff, and securing polling locations would be made simpler and more efficient.

A fixed election period also allows for more timely publication of election material for the benefit of the public and political participants. There are also many boards, agencies, and organizations that rely on the timing of certain decisions of government.

To put it simply, speculation as to when an election will be held results in uncertainty. Fixed election periods would allow the government and the public service to work within clearly established time frames. We believe that this will allow for improved governance.

3:50

Through Bill 21 two amendments to the Election Act are proposed. The first amendment allows for elections to be held every four years. This amendment would create a fixed three-month period, or window, in which a general election will be held every four years. Starting in 2012 a general election would be held between March 1, 2012, and May 31, 2012. Afterwards general elections would be held in the same three-month period, beginning on March 1 and ending on May 31, in the fourth calendar year following polling day in the most recent general election.

This made-in-Alberta approach does differ from other jurisdictions. All federal and provincial jurisdictions that have fixed elections have a specific date. For example, an election could be held on the third Monday of October.

Using a three-month window allows us to set the election date so that it does not conflict with days of cultural or religious significance, other elections, or other unforeseen circumstances. For example, religious holidays such as Easter and Passover fall within this time frame, or the province may find itself hosting a major sporting or cultural event or festival during this time.

Mr. Speaker, Albertans are a diverse and busy people. We understand the competing pressures in today's fast-paced society. We want to ensure that Albertans can participate in a provincial election, so we've tried to minimize as best we can conflicts in these busy schedules. We understand that in the fall children are back to school, new routines are being established, and harvesting of crops is under way. We are hopeful that this spring window, rather than a specific date, will allow for reasonable, limited flexibility in the setting of the election date and greater participation from Albertans.

The second amendment clarifies that the Lieutenant Governor's constitutional power to dissolve the Legislature remains intact. Removing this power from the Lieutenant Governor would, we believe, be unconstitutional. For that reason all the federal and provincial jurisdictions that have fixed election dates have a comparable provision. The political consequences of asking the Lieutenant Governor to dissolve the Legislature outside of the fixed period would discourage this from happening except when there is obvious justification for doing so, such as if there were a loss of confidence.

Some may ask: what happens if an election is called early because of the dissolution of the Legislature or on a vote of nonconfidence? The provision is drafted so that the four-year period is reset. In other words, the next election would be held in

the same three-month period, March 1 to May 31, in the fourth calendar year following polling day in the most recent general election.

The changes in Bill 21 will lead to a greater public confidence in our electoral system. They provide transparency and predictability. By knowing when an election will be held, Albertans will be able to participate more easily and effectively, whether as voters, volunteers, or candidates.

Mr. Speaker, I ask that all members support this amendment to this bill.

At this time I move second reading and ask that we adjourn debate.

[Motion to adjourn debate carried]

## Bill 24

### Health Quality Council of Alberta Act

[Adjourned debate November 22: Mr. Horne]

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great honour to stand and speak to this important bill for Albertans, Bill 24, Health Quality Council of Alberta Act. I must say it's created a lot of energy and a lot of mixed response everywhere that I've discussed this, not least in the public and among the professionals. I guess the big question about Bill 24 is why we need it beyond the obvious need to have the Health Quality Council report independently to the Legislature, something we've been championing and pushing for years. We cannot do anything but support that aspect of the bill. Unfortunately, the rest of the bill is severely flawed.

Let me begin by saying that the purpose of the Public Inquiries Act is to set out a process to conduct an official review of important public events or issues, to establish the facts and causes of the events or issues, and make recommendations to the government for improvement. It governs the review of something in the past.

[The Deputy Speaker in the chair]

The big question, then, since we've had a Public Inquiries Act here for decades is: what is the need for a separate public inquiry act for health? Has our act failed us? Is there a need in other areas besides health where there is failure of the Public Inquiries Act as it's constituted? Is mismanagement in health uniquely requiring of its own public inquiry law? To suggest that the Public Inquiries Act is inadequate to the task of investigating physician intimidation and financial misconduct is to condemn decades of public inquiries or to suggest that these issues in 2011 are somehow unique to health care and it requires its own special public inquiry act. This government is running as fast as it can away from a fully independent public inquiry before the next election. Bill 24 duplicates the powers of the Public Inquiries Act. It's costly. It's confusing for public and professionals.

Other questions arise. Should this new body investigate occupational injuries? What about mismanagement associated with cultural or mental challenges? What about poor nutrition associated with management in our supports for independence? Do we need a separate public inquiry power for mismanagement in infrastructure and environment? Clearly, we move to the ridiculous. Government's role is to restore trust and to protect the public interest. This is not taking us down that road.

What would be the impact on the regular work of the Health Quality Council of having this extra power? The Health Quality

Council is to evaluate and define quality health care and recommend measures to improve it without pointing to responsibility or blame. When individuals being interviewed or reporting to the quality council now are under the understanding that the Health Quality Council has the power to go on to investigate as part of a public inquiry, how will that affect the perceptions of health professionals who come before the Health Quality Council? What is the impact of that on their freedom, their legal rights, their ability to speak freely and openly about what needs to be fixed?

Perception is important. This minister argues for greater confidentiality of health information, another area that he feels needs special protection. Is there something more confidential here than other personal information? Can we not trust officials in the regular public inquiry around private versus public interest making that assessment? Is there reason to doubt the capacity of the usual public inquiry to assess an act on the balance of private versus public interest?

**An Hon. Member:** They don't have the ability.

**Dr. Swann:** Yes, they do. My understanding is that they do.

Nondisclosure agreements, another area where this minister says we need special powers to open them up. This exists currently under the Public Inquiries Act, as I understand it, as I've been told by legal minds in the province.

Another argument for the uniqueness of health information and health investigation is the choice of the panel members on the public inquiry, not the usual cabinet but the Health Quality Council. Does this justify creating a whole new act, just to empower another body to select the panel members for this public inquiry?

Indeed, by giving this power to the Health Quality Council in the midst of their own investigation, it raises serious questions of conflict. This body has already been investigating questions of intimidation and financial misconduct. Are we now going to say that they are going to choose the ones that are going to make the decisions in a public inquiry about what needs to be explored, what needs to be brought forward, who is going to be the best at this? Clearly, there is a conflict there. Do we really want an independent panel, or do we want something that is being influenced already from within the Department of Health and Wellness? Serious questions that I think we need to ask. Real independence would come from an independent body. Isn't that what we say we want? Well, the Health Quality Council is no longer independent. Surely, that's plain and simple to everyone who sees it.

4:00

Well, having made these arguments, I don't doubt that there is a reasonable chance that this bill will pass. If passed, it should be eminently clear that this new act should not apply to issues they have already been addressing as a Health Quality Council. Either the decision on the panel members has to be taken out of the Health Quality Council, or indeed they have to allow the regular Public Inquiries Act to investigate this set of allegations and leave the Health Quality Council to investigate future concerns. We cannot muddy the waters by having the same Health Quality Council that has been involved in investigating these issues then go on and influence the makeup of the panel that will do the new public inquiry. Surely that's evident.

Mr. Speaker, the questions that arise really beg serious answers. Quality assessment is an important role, and a continuous improvement is essential in our health care system. We must restore confidence and quality in our publicly funded health care

system, but there is no need for extra powers of public inquiry. Why is the Premier delaying? It's clear: political advantage and influence from within her caucus. The former health minister has already stated very obviously that he will not support this, and the Premier is at risk of serious splits in her caucus over such a decision. Anything to delay this inquiry.

Will the decisions be impartial? One raises serious questions about that given the background that I've indicated. Neither the government nor the Health Quality Council is seen as independent of this decision. We must as quickly as possible call a public inquiry under the Public Inquiries Act, lay that issue to rest, then go on, if it's necessary, to allow the Health Quality Council to do its work on whatever future issues arise.

There are ways to make the independence of panels as distant as possible from government. I say that if there are changes to be made in the Public Inquiries Act, why do you not fix it? What is it about 2011 and health information that allows you to justify the expense, the duplication, and the confusion that will arise out of this ill-advised and unacceptable act, which we on the opposite side will not support. Unfortunately, by lumping it together with independent reporting of the Health Quality Council, the waters are muddled.

The lack of support will be confusing, but we will be very clear with the public that this government is not interested in transparency. They fear an open and objective public inquiry, and they are doing anything possible to maintain power and control and the obscurity of the issues around health care mismanagement since the totally misguided blowing up of our health system in 2008. They are running scared, and it's very clear that this is not going to serve the public interest but only their political interests. [interjections] The heckling from the Finance minister is clearly intended to discourage all thoughtful individuals around this misguided and wasteful bill that is purely, purely political.

Thank you for the opportunity to speak, Mr. Speaker. I'll step down and let others rail against this misguided bill. Thank you.

**The Deputy Speaker:** Hon. Member for Calgary-Fish Creek, do you want to join the debate?

**Mrs. Forsyth:** I do. Thank you, Mr. Speaker. It's somewhat bittersweet for me to speak to Bill 24, the Health Quality Council of Alberta Act. On the one hand, it's great to see the Health Quality Council of Alberta granted more independence and power to continue some of the great work that they've done for patient safety and, for that matter, patient care. But, quite frankly, the reason for expanding their powers is wrong in so many ways. It's a bandage solution to a much bigger problem. It's political interference, the rot in our health care system, a broken health care system. Fortunately for us, a wonderful group of health care professionals – our doctors, nurses, LPNs, NAs: all of those people are keeping the glue to the system and keeping it fixed.

What we have here, quite frankly, is a cop-out. It's a broken promise and more of the same from the Premier, who promised change, to do things differently. Mr. Speaker, Albertans are not fooled. Albertans are not fooled because they know what they heard with their own ears. Six months ago Dr. Duckett made a serious claim. He claimed that connected insiders were getting preferential treatment in our health care system, a health system that all Albertans value for its fairness and for its equality. Albertans thought that when they got sick and needed emergency care, it wouldn't matter if they had a politician's business card. They just knew that they wanted to get there. Not only were there accusations of people jumping the lines, but they had an office and a phone number to contact just to make sure it happened.

I, quite frankly, like Albertans, was somewhat shocked and maybe not so much surprised. I couldn't believe what I was hearing. You know what, Mr. Speaker? So was the current Premier. She said, and I'm going to quote: my call for an inquiry is about finding out the truth and putting a stop to practices that go against my personal and my political values. Well, we're still waiting for the truth. We're still waiting for the Premier to call an inquiry to get to the bottom of these shocking claims.

What's not shocking to me is that the Premier now has no sense of urgency to find out the truth about rotten practices in the health care system. Her hunger for the truth has suddenly disappeared. She doesn't seem to have an appetite to do what's necessary. Albertans are scratching their heads. They're saying to themselves: what has happened? Where is this person that promised changes, promised to do things differently and to do them quite quickly? A lot of Albertans voted for the Premier when she promised an inquiry. It set her, quite frankly, apart from all of the other candidates. It was a bold step, earning the praise of many Albertans and the wrath, quite frankly, of the previous Premier. It was the decision that many made for voting for her out of respect, but now that respect has faded. It's in the past but not forgotten.

I've talked about the reaction of the average Albertan. Let's talk about the views of our hard-working front-line health care professionals. I'm not just talking about the doctors but also nurses and other health care specialists that work day in and day out to make sure Albertans have a great health care system. No one is happy with the way the government is managing the health care system, not suffering patients waiting months or years for treatments and certainly not the staff. This government has created a group of people, political refugees, now living and practising medicine. It's even more tragic because they are world-class, respected experts.

Mr. Speaker, I'm constantly on the phone with doctors, day and night, hearing their heartbreaking stories as they try to help their patients and make sure that they get the best care possible. These same doctors and these same health care professionals tell me over and over again about the need for a public inquiry: "We need to get to the bottom of this. I need the protection of a judge so people can know what is really happening in the health care system."

4:10

The government says that the Health Quality Council of Alberta Act is capable of handling the investigation of doctor intimidation. The council does have significant expertise and knowledge of the health care system, and I would agree with that. But if it was legal trouble, I have to tell you that I wouldn't call my doctor; I'd be calling my lawyer. If I had a bad cold, which I do right now, or a sore throat, I'd see my doctor. I wouldn't go to a lawyer.

The scandal is bigger than the crisis in the emergency room. This is about political interference and the intimidation of health care staff across this province. I have to point out the reason that the Health Quality Council of Alberta Act exists, its mandate. I've read its mandate, and over and over again I've read the same phrases: patient safety and health service quality. The council is an expert at matters of patient safety and health delivery. In the past they've quite frankly studied the impact of the closing of the Edmonton City Centre Airport, the health system's handling of the H1N1 pandemic in 2009, and most often satisfaction surveys of patients. They are not cut out for examining the political string pulling that happens in cabinet or government in general.

This is not a slight against the Health Quality Council. They're doctors, and they're health researchers. This is a bait and switch going on here. The government claims that the council is experienced and knowledgeable and should conduct an investiga-

tion, but the proposed legislation is clear that board members, agents, employees, or contractors of the Health Quality Council can't participate in the inquiry. What's the point of appointing the Health Quality Council when their expertise and their knowledge cannot be used? You know, Mr. Speaker, it's mind boggling.

An issue I have with the legislation in particular is that judges, legal experts are not mandatory in conducting a public inquiry. This blows my mind. The council is allowed to include a judge, but they don't have to. That's like saying it's nice to have a doctor at your surgery, but – guess what? – he doesn't have to be there. We should have the experts doing what they're trained for. If an inquiry is going to call testimony and evidence, they should have the expertise and the experience doing so. That's where the world experts come from. Doctors and health researchers don't have experience conducting public inquiries. It should be mandatory to have a judge not only on the panel but as the leader.

The Premier has insisted she won't call an inquiry because the council is currently conducting an investigation. She says she'll wait until the spring, when the final report is in, and go from there. Quite frankly, that's unbelievable. The current investigation is looking at cancer and emergency room care as well as the intimidation of doctors. The whole reason the Premier called for an inquiry was because of the alleged queue-jumping. The Health Quality Council is not looking at queue-jumping. She will not even consider an inquiry into queue-jumping until election time in 2012. That brings us to – I'm not sure if the election is going to be in March or April or May, but she said today in question period to be ready. What we have here is an abandonment of a promise by the Premier. We now have more of the same from the government under the new leadership. They bury something until after the election to avoid accountability, something that this Premier has campaigned on.

The Premier should call a full, public, judicial inquiry into queue-jumping and doctor intimidation, just like she promised in June. If she doesn't call an inquiry, she quite frankly is breaking another promise to Albertans, and we won't get to the truth, faith will not be restored, and Albertans won't have the answers they need and deserve.

**The Deputy Speaker:** We have Standing Order 29(2)(a) for five minutes of comments or questions. Any hon. member wishing to take 29(2)(a)?

If not, then the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Speaker. Before proceeding to detailed debate on Bill 24, I want to put on the record what I consider to be a continuation of dirty parliamentary tricks. Premier Klein was known for closure. He called closure more frequently within his limited reign than all previous Premiers and parliamentarians had experienced in the history of Alberta. His successor's trick, the representative for Fort Saskatchewan-Vegreville, was time allocation: limit the amount of debate; therefore, you force the opposition into a position where there is no time left in which to debate.

Now, our most recently elected Premier talked about transparency and accountability. She talked about improving communications with Albertans, but within this House, Mr. Speaker, the failure to communicate is of great concern. For example – and I don't know to what extent this will matter to Albertans, but to anybody concerned with the democratic process, hopefully, it will matter – the previous arrangement between the House leaders has come to naught because the opposition House leaders would not agree to time limits on debates. We have no idea what the agenda is, what bills are going to be discussed, when they're going to be discussed.

**The Deputy Speaker:** We are debating the bill. Please stay on the subject of the bill.

**Mr. Hancock:** Point of order.

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

#### Point of Order

#### Allegations against a Member

**Mr. Hancock:** Mr. Speaker, under Standing Order 23(h), (i), and (j) bearing on matters which would bring us into disrepute and, specifically, making allegations against a member, clearly anybody who is talking with the opposition House leaders would be the Government House Leader.

The hon. member doesn't have a clue what he is talking about. We met with the opposition House leaders as we do. We clearly identified what was going to be on the agenda as quickly as we could. We identified it in more detail for them as we could. We insisted that each minister or sponsor of a bill brief the opposition with respect to the contents of the bill, as is our normal practice, and that was done. I confirmed that that was done in each circumstance.

We made it clear in the meeting that on the first day we would be introducing all the bills so that they would be available for the opposition to see as early as possible in this short session and that on the second day they would all be moved and adjourned so that they would be available for debate on a consistent basis. We moved all of them and adjourned all of them as we said we would.

There were some that went a little bit out of the order that was on the Order Paper, but that shouldn't matter to the opposition because the point was that there was a government speaker moving and adjourning debate on them. We did that on the basis that it would accommodate the mover of the bill. But that's the only concern that the opposition might have with respect to the order of debate this afternoon. It doesn't impact their debate because it was very clear that all those bills would be moved and adjourned, and then at the end of that period of time we would go back to Bill 24, which is what we've done.

So to make allegations that we have done anything to deny democracy or otherwise compromise the opposition is false, and to suggest that we breached any agreement that we had is equally false. I ask the hon. member to retract.

**The Deputy Speaker:** Hon. member, please take your seat.

I listened to the debate here, and the subject matter is the bill that we have at hand. The hon. Government House Leader brings up a point which really is nothing about the bill but is about process. This is more like a question and answer that should be dealt with in the question period.

Please carry on debating strictly on the subject of the bill.

#### Debate Continued

**Mr. Chase:** Thank you very much. I am hoping that the lines of communication will be better opened than they currently appear to be.

Mr. Speaker, I have to suggest that I hope that courtesy will be afforded to the House leaders as to what bills are to be specifically discussed so that opposition critics are prepared at the appropriate times to be present in the House to debate. All right.

**The Deputy Speaker:** Hon. member, get back to the bill, please.

4:20

**Mr. Chase:** Aye. Here we go, Mr. Speaker. Our most recently

elected Premier has found herself caught attempting in vain to backstroke away from her key campaign promise to call a judicial public inquiry, which is the subject of Bill 24, Health Quality Council of Alberta Act, which is an end-run activity into the mess her predecessor Premier made in undermining public confidence in our universal health care system.

As recently as yesterday in her question period responses the Premier acknowledged only one of the three pillars of medicare, which is publicly funded. By failing to recognize the other two key pillars of a publicly administered and publicly delivered health care system, the Premier showed that despite her claims of being progressive, when it comes to championing public health care, she is cut from the same failed fabric as her predecessors. If the Premier and her chosen advisers, including Gary Mar's controversial health care confidant, Kelley Charlebois, thought they could distance themselves from their public health care missteps by sacrificing the former health minister, who is the subject of today's point of privilege, they are sadly mistaken.

Mr. Speaker, when it comes to Bill 24, Health Quality Council of Alberta Act, or any other piece of legislation that comes before this astute Assembly, we are judged by the company we keep. By raising a key former background third way consultant, the Member for Edmonton-Rutherford, who provided privatization advice to her two Premier predecessors and who introduced Bill 24 in the House today and is recommending and promoting it, to the position of health minister, our interim Premier has signalled that it's business as usual with the publicly funded private, for-profit health care agenda.

During next spring's 2012 election season the Premier and her caucus colleagues will hopefully be confronted by the electorate as to which master they serve, the public or the private interests. The main concern for Albertans, as it has consistently been in the past, will be the preservation and improvement of our public health care system.

Mr. Speaker, Bill 24 does nothing to improve the functioning of our health care system. As the hon. Member for Calgary-Mountain View pointed out, it at best can be considered redundant and at worst can be viewed for what it truly is, a stalling mechanism, a duplication of services. Without going into the detail that the hon. Member for Calgary-Mountain View pointed out, what we need is the type of openness and transparency that the Premier promised when she was campaigning. Now, the Premier promised that we were going to have an actual public judicial inquiry. The fact that the Premier has abandoned that circumstance is extremely troubling.

Mr. Speaker, I could not bring myself to purchase a Conservative membership card, but had I been in that position, the person I would have chosen for Conservative interim Premier would have been the Member for Battle River-Wainwright. However, the current Premier would have been my second choice. I along with a number of Albertans feel that we have had the wool pulled over our eyes because the transparency . . .

**The Deputy Speaker:** Hon. member, the bill.

**Mr. Chase:** Yes.

. . . that the Premier offered in calling for a judicial public inquiry is not present in Bill 24. You know, as the expression goes, you can put lipstick on a pig and you can attempt to turn a sow's ear into a silk purse. But that's not what's happening here. Bill 24 does not accomplish what an independent judicial public inquiry would accomplish.

Now, the major reason, as I say, for the introduction of this legislation is for stalling. The Health Quality Council has already

indicated that they won't be able to present their findings until the spring. Well, how convenient. Don't we have an election season scheduled for the spring? So any of the information, the damning information, that would come out of the Health Quality Council's findings to date will be delayed until after the election. How convenient.

The Health Quality Council of Alberta Act would not compel, for example, the Member for Calgary-West, a former health minister, or our hon. Government House Leader or our current MLA for Edmonton-Mill Creek to testify. Without the opportunity to hear from these individuals, who were directly involved in what has happened with the health system over the last number of years, Albertans are kept in the dark.

Now, I see that the former health ministers are communicating back and forth and enjoying a degree of joviality. That joviality they are currently experiencing will continue under Bill 24, Health Quality Council of Alberta Act, because they know darn well they're never going to be called to testify. They're ensuring in the proposal of Bill 24 that they don't get called. For example, the Member for Calgary-West, who is in such good spirits on my birthday, has already dismissed what the Health Quality Council might find. The prejudgment is there.

So Bill 24 is just more government mumbo-jumbo, which is part of the stalling process to make sure that even if the new government changes, this government, or if a coalition government forms in 2012 after the election, these individuals who contributed to the confusion, the establishment of the superboard, especially if defeated, may well never be called to account. This is a concern. There is no way, for example, that doctors who have been sent out of this province are going to appear before an extended version of the Health Quality Council.

Now, Mr. Speaker, I have a fair amount of faith in the interim head of the Alberta health group, Dr. Chris Eagle. But in terms of communication it seems that Dr. Chris Eagle was able to fax Don Braid of the *Calgary Herald* a nondisclosure fill-in-the-blanks agreement, but none of the doctors within Alberta Health Services were privy to that particular agreement. Just fill in what you're willing to have disclosed. Within that agreement they still can't disclose financial contract circumstances, so there's still a muzzle applied.

Bill 24, the Health Quality Council of Alberta Act, cannot achieve what an independent public inquiry under our current Public Inquiries Act would accomplish. What this government is trying to do is build the equivalent of a Trojan Horse, something that passes for legislation but really takes us nowhere. It's as hollow as the horse.

Mr. Speaker, if the Premier truly believes in transparency and accountability, Bill 24 will not get to Committee of the Whole. It will not get to the point of proclamation. It will hit the dustbin, where it deserves to be placed. True transparency and accountability will be what the Premier can run the election on. She was selected. Like the majority of people in this House who have not announced they're retiring, she has yet to be elected. I'm hoping that Albertans will demand more of this government.

4:30

The movement to have an election season, which we will discuss and debate in a further bill, is an important step. At least Albertans won't be caught by surprise. If they feel that democracy is important, hopefully they'll be given a chance to vote prior to taking on their responsibilities, whether it's seeding or taking a vacation, whatever it may be.

Bill 24, the Health Quality Council of Alberta Act, is such a shadow of what currently exists under the Public Inquiries Act.



Mr. Speaker, it's sad in one sense, but it's also offensive that with the same type of cloak and dagger, the lack of whistle-blower legislation, cover-up, preventing doctors from speaking because of disclosure agreements they previously signed, the truth will remain buried if this legislation is allowed to continue and to stall the legitimate process that a public inquiry would provide under our current Public Inquiries Act.

I appreciate, Mr. Speaker, that the heckling and joking has died down sufficiently. It does show the type of respect that should be afforded individuals within this House, whether they're members of the government or members of the opposition. The expression goes: fool me once, I am the fool; fool me twice, and it falls back on yourself.

Albertans need to be engaged. In 2008 only 41 per cent turned out. Of that 41 per cent of eligible voters 21 per cent of Albertans gave this government a major mandate. They've regretted it ever since.

**The Deputy Speaker:** Under Standing Order 29(2)(a) we have five minutes for comments or questions or clarification. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. The Member for Calgary-Varsity was talking about why he believes that it's likely that Albertans have regretted their choice since the last election. As it relates to this bill, I'm wondering if you could articulate in more detail why you think that might be their opinion.

**Mr. Chase:** Yes. By all means. The last set of Premiers rolled out a slogan of transparency and accountability. Unfortunately, it has been just that. It has been a slogan. I recall debate and question period with the former Premier, and I suggested at that time that the Premier had become so transparent that Albertans could see right through him.

Now, I had greater hopes and greater faith in our currently elected Premier. There is no doubt about her international credibility. She fought for democracy alongside Mandela. She is an educated individual. She is a lawyer. She is a mother. She has a whole series of strong qualities, and I would not suggest that one of those qualities is more important than the other.

As a former teacher, Mr. Speaker, I believe in report cards. So when it comes to restoring the money that shouldn't have been taken out of the Education account, I give her an A. When it comes to the promise she made to assist AISH individuals, it remains unfulfilled. The promise that the Premier made to call a full judicial public inquiry has not happened. So we have an A in the category of education funding, and the rest, unfortunately, are still to be evaluated. They haven't happened.

Mr. Speaker, I believe in the democratic process. I was elected under the Liberal banner, but I am not so partisan that I would not want to see every member of this House working towards a common goal, which is the betterment of Albertans' circumstance.

Bill 24 is a cloak. It's nothing to do with transparency. It's nothing to do with accountability. It's a delaying process that flies in the face of the very accountability that past Premiers have run on.

I am hoping, Mr. Speaker, that in the time that remains prior to the next election, I can see our newly selected Premier live up to her campaign promises. I want to have faith that when I retire and enjoy the company of my wife of 42 years and go out camping with my grandsons that at least for the time being the province will be in good hands, that the system will be improved, that the rights of opposition members to express their concerns without having time allotments called on them will be taken into account.

We have talented individuals on both sides of this House. If we could work together, think what could be accomplished for the province of Alberta.

Thank you, Mr. Speaker, for this opportunity to respond to the hon. Member for Edmonton-Strathcona on the need for transparency and accountability, which, unfortunately, within the seven years that I've been elected to serve the constituents of Calgary-Varsity has been missing from the procedures of this House.

**The Deputy Speaker:** Any other hon. members to join the debate?

**An Hon. Member:** Is Standing Order 29(2)(a) still available?

**The Deputy Speaker:** We have zero seconds.

On the bill, the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. It is a pleasure to be able to rise and offer my preliminary comments on Bill 24, the Health Quality Council of Alberta Act. This is an act which, of course, has received a tremendous amount of attention in the public forum, in part, I guess, because it's the foundation of our current Premier's breakout moment when she was running to be leader of the Conservative Party. Many analysts say that the moment she actually started to have a campaign that developed a bit of traction was when she broke out of the pack by departing from the groupspeak which had dominated the commentary of all previous spokespeople for the Conservative Party on the issue of whether or not we might ever consider opening the doors of secrecy which guide and determine the way in which this government functions. In so doing, she had an opportunity to move forward and to ultimately succeed in her efforts to become the leader of the Conservative Party.

The Member for Edmonton-Highlands-Norwood made a very good point today in question period, that this Premier does not actually have a mandate from Albertans because, of course, she was not elected by Albertans. But she does certainly have a mandate from those within her party. A very marginal majority of that group, not a strong majority by any means but a slim majority within the Conservative Party, appears to support the current Premier. That is because she made a promise to move forward on the issue of openness and transparency as it relates to the issue of staff and intimidation within our health care system, an issue that had generated a great deal of controversy and attracted a great deal of attention amongst concerned Albertans over the course of the last year. So be it. That was something that enough people thought would make the Premier a credible leader that they opted to select her.

**4:40**

Now we are in that process, prior to an election season, of assessing those first rounds of promises. You know, the new Premier made a number of promises to Albertans and to members of her party, and now we get to assess the degree to which those promises are being kept. I would submit to you, Mr. Speaker, that this act is clear evidence of one of many promises which are not being kept by this new Premier.

It's interesting. I remember talking with a friend at one point earlier this summer, and we were looking at the promises that were being made by both the current Premier as well as a former member of this House, who at that time was perceived to be a front-runner, Gary Mar. People were saying: "Oh, well, this candidate has promised that, and this other candidate over here has promised this other thing. Oh, isn't this important?" And I said, "Well, you know, with all due respect," even though I am myself a lawyer, "they are lawyers. So it's really important that you read

the small print in terms of what these folks are providing and what they're promising because no one is better at weaseling their way around things when they feel the need to. We should be very careful about whether that's happening here." Indeed, that appears to be exactly what is happening here.

Many people might characterize the comparison between the promises made by the current Premier and the legislation we have before us in this very abbreviated two-week übersession, that you would see, in fact, that it kind of looks a little bit like what people sometimes characterize as sharp practice. You know, you're very careful about what you say, fully knowing how you're going to get around actually implementing that which you have very intentionally left the impression that you're going to implement. That's what I see in every piece of legislation that has come forward from this Premier so far. Certainly, that's what we see today with Bill 24 and the issue of whether or not we are actually going to have a proper, full public inquiry into the issue of government members and senior staff engaging in intimidating practices with professionals and other staff who are employed within our health care system in the task of keeping Albertans safe and healthy day in and day out.

Why do I say that this act does not actually meet the elements of the promises made by the current Premier of the province? Well, she indicated to Albertans on a number of different occasions that this inquiry, or the inquiry that was forthcoming, would be led by a judge. I believe it may have even been today in question period that she said that. Maybe it was yesterday; I'm not sure. But she definitely stated on the record that this inquiry would be led by a judge. I'm looking at the act, and I see no evidence of that. In fact, what the act clearly states is that the board, the Health Quality Council, appointed by this government, is the one that makes the decision on whether or not this inquiry will be led by a judge, and that decision is made in consultation with the Chief Judge or Chief Justice of the court from which that judge would originate.

I find it quite amazing that a Premier would get up there and very clearly make promises about something that in the very legislation she's putting forward she doesn't have the authority to make promises about. They very clearly set up a piece of legislation that does not guarantee the inquiry will be led by a judge. So it's not a promise kept. It's as simple as that.

You know, we can have all of the arrogant kind of offhand comments about members of the opposition by the Premier in her responses to our questions, but the reality is that this piece of legislation does not guarantee an inquiry led by a judge – and anybody who can read the legislation can see that – yet that is what the Premier promised. So we didn't get what we were promised. It's really simple, Mr. Speaker. It's really simple.

I mean, there are other concerns about this bill as well because, of course, it gives a lot of opportunity for the inquiry, which may or may not occur at some point, some day in the future. Who knows if it'll ever actually happen? I feel fairly convinced that we won't ever see it happen. Regardless, should it happen, what we're going to see is that there is a broad range of circumstances under which this government can do what it likes to do best, and that is to keep things behind closed doors. I don't know that there is another government in the country that is as creative and as energetic and as committed to the task of giving itself the ability and the authority and the opportunity to keep stuff secret as this group.

You know, you'd think that after 40 years you'd have some level of confidence that perhaps it's possible to speak with the people of Alberta in an open and honest way and probably get re-elected, but it seems that the longer they are in government, the more concerned and paranoid they get about the idea of actually

being open and transparent. Certainly, we have a long list of criteria that anybody engaged in this inquiry can rely upon to exclude the public from ever seeing the details of the proceedings of the inquiry that may or may not at any point be led by judge.

You know, it's an interesting group of exceptions, Mr. Speaker. Some make good sense and, I think, would appeal to the common sense and the reasonability of most Albertans. We don't want to disclose details that would be harmful to patients, that would disclose medical details of patients, who are somewhat ancillary to this process. They may be part of an example of an incident that occurred where a professional was ultimately intimidated. But why disclose the particulars of the patient that was involved in that case? That's a completely reasonable exception.

Then, you know, we have some really broad-ranging exceptions as well. I mean, one of my favourite ones here is whether disclosure of any medical information, basically, would be harmful to the physical or mental condition of a third person. Now, gosh knows, these guys are pretty liberal – and I use that in the nonpartisan way – with their concerns about the mental health of people, of third parties, and indeed have taken the opportunity to express that concern in somewhat inappropriate settings. There you go. All you have to do is be worried that disclosure of the proceedings of the inquiry might possibly result in injury to the mental condition of a third person, and Bob's your uncle; let's close those doors and lock them and throw away the key.

Now, if that's not broad enough in terms of the creative opportunities that the drafters of this legislation and this cabinet in approving this legislation gave themselves to ensure that they keep everything behind closed doors, just like always, how about this one: whether the disclosure might be prejudicial to someone whose interests are not concerned in the inquiry. Well, like the Premier? I don't know. There's someone, so there's a good reason: "Well, you know, we might disclose the inquiry or the proceedings of the inquiry or the findings of the inquiry or some of the evidence brought forward in the inquiry, but it'd be prejudicial to the interests of the Premier. So you know what? We're just going to keep that door closed, keep the lock well secured, keep the guards out front, and make sure that Albertans never hear the outcome or the conduct of this particular inquiry."

You know, here's another one: where the holding of the hearing in camera would be essential in the interests of justice or would be injurious to the public interest. How do we define that? Goodness knows, these guys have used, again, a lot of legislative time and authority to run away from any kind of third-party consideration of what is the public interest. The less independent assessment we have of that particular issue, the better for these folks.

4:50

Nonetheless, it's one of those things where it can be interpreted in a number of different ways, and depending on how it's interpreted, again we end up with that fabulous, fail-safe conclusion that we always find with these guys: it's behind closed doors, and nobody hears about it. All of those decisions, all of those considerations of those criteria about all of the 47,000 different reasons why we can justify keeping this matter behind closed doors, ensuring that no one ever hears about it: all of those considerations and those conclusions are absolutely not reviewable by any court. I thought that was interesting, too.

We could appoint the Health Quality Council, you know, people that have good, strong roots and links with the Conservative Party in this province, as the current members of the Health Quality Council clearly do. Then we could ask that council to set up the panel, and they'd get, of course, to pick their folks, and once they've picked their folks, then those people get into a room, and

they have a broad array of reasons they can use to make sure that no one else ever gets inside that room.

This is exactly what people were railing against, the issue of whether or not we should have a public inquiry into the actions of this government in terms of allegations that were made about whether there was intimidation of hard-working health care workers and professionals within the system. It was that very concern that we were trying to get away from. We wanted to have this open, transparent conversation. I have lost count of the number of times I've seen the Premier in front of cameras saying: open and transparent conversation. She loves to have conversations. She loves for them to be open. She loves for them to be transparent. And she loves to say that phrase over and over again.

Yet I have to tell you that this is a bill which gives credence to the notion that you'd better read the fine print. As much as we may say that, when it comes to holding someone accountable or finding a way to actually ensure that what someone says they will do, it all comes down to what's in writing. And when you've got what's in writing, you'd better read everything. Unfortunately, in so doing, I see that this Premier has failed her promise.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments and questions. The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. Hon. member, I wonder if you could answer for me – obviously, whether to call a judge-led inquiry is now optional. There's no doubt about that. Legislation makes that clear. Hopefully, she comes through with it if she actually . . . [interjection] Well, hopefully, she suggests it, and it occurs.

But my question is regarding the timing. We have a Public Inquiries Act on the books right now. Clearly, the day after or the week after or the month after she was elected as leader of the PCs and was sworn in as Premier, she could have clearly called a judicial public inquiry under that legislation without the need of new legislation. Her government is now bringing forward a piece of, frankly, redundant legislation. She didn't need this to call the judicial public inquiry. It would appear from her comments in the media lately that the plan is now that we won't have a judicial public inquiry called until after the election, which seems to go against what she specifically said during the leadership, that this would be well under way, if not completed, by the time the election was called.

Any thoughts as to why that might be a problem?

**Ms Notley:** Well, thank you, Member for Airdrie-Chestermere. You know, it's a good question. Of course, I guess it really all comes down to politics, doesn't it? I mean, it comes down to a very, very cynical decision to serve a political interest at the expense of keeping your word. In making that promise, the Premier at the time was simply concerned about the goal right ahead of her, and that was to win her way into the 51 per cent of Tories who would vote for her. That was the focus. Then, of course, when she woke up and discovered that she'd actually managed to do that, well, you know, the chickens had come home to roost, and it was a question of, "Well, how do we do that, because now the next campaign I've got to run is one to get this group of folks re-elected," or at least some of them, the ones that supported her. I'm not sure how committed she is to the others.

Anyway, then in the midst was, you know, that deliberation about how to deal with that because obviously transparency and openness is not something that I think would be particularly helpful to this government's electoral chances.

We then had to deal with the current Minister of Finance coming out very clearly and pretty publicly directing the Premier to change her mind on this and saying that he would not have any of it, that there would be no public inquiry because he didn't want it. Apparently, much to the chagrin of many Albertans, we had actually elected two Premiers. One of them apparently had more sway than the other. All of a sudden Mr. Finance doesn't want the public inquiry to go ahead, and it's also very inconvenient to the electoral chances for this government, which become increasingly relevant as we approach hunting season or election season or theatre season or whatever it is that these guys are planning on.

The question is simply this. There was the absolute opportunity to fulfill her promise, to engage in the kind of open and honest conversation with Albertans that she's constantly talking about, to do what she said she would do, and to establish her credibility by calling a public inquiry immediately after she was elected Premier. Instead, we've got this very convoluted, distractionary process, which is clearly geared to pushing everything off until after the election.

I'm willing to make a bit of a prediction, here, that the Health Quality Council, as they have the ability to do under this legislation, will choose not to have the kind of open, transparent, judge-led inquiry that the Premier is currently trying to sell us because they have the authority to do that. But they'll make that decision after the election. The hope will be day 1, term 2 – it's a new world. Right? Or day 1, term 93, whatever it is in this Legislature. It's a new world, and that Health Quality Council can wear the fact that they're not going to move forward with the Premier's promise at that time. You know, we'll be three and a half, four years away from another election. That's the way these things work.

I suspect that that's exactly why this is structured the way it is. It's been very thoughtfully done from a very cynical perspective by a government that's very adept at using all the mechanisms of power to get their way.

**The Deputy Speaker:** On the bill, the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutillier:** Thank you very much, Mr. Speaker. Certainly, I believe that Bill 24, the Health Quality Council of Alberta Act, is a fancy title that really doesn't achieve the objective of the promise that was made by the new leader of the PC government. It really concerns me when I speak of Bill 24 because we don't want to lose sight of the fact that it's about time that we give the Health Quality Council a bigger tool box to get the job done. Now, this decision comes at a very interesting time. It's being bandied about as the solution to a pressing problem, the need for a full public judicial inquiry. That was what, in fact, the contender who now is the PC government's leader and Premier said. It's the right tool for a different job. My bosses, Albertans, are not impressed.

It's really simple, Mr. Speaker. People don't respect someone if they don't keep their promises. In fact, I looked in the dictionary at what the definition of promise is. Clearly, the actions of this government are not living up to their promise. It's so basic that anyone outside of government can understand that. The government, under its new leadership, has a very tarnished reputation. The Premier made a very big splash. In fact, it was like a tidal wave when she promised, promised, and promised. She promised something that she thought Albertans were looking for. But the word "promise" appears to have lots of wiggle room. See, the Wildrose doesn't believe in making promises. We commit. I believe commit is the difference. This government promises and doesn't live up to them. We commit, and we will deliver. We

commit to true conservative values, values of telling the truth. Okay?

5:00

It's like a \$3 dollar bill. In fact, the way the government operates today, you would almost think the Minister of Finance thinks there really are \$3 bills. Well, let me clue him in. There aren't any \$3 bills going on. In fact, even the former Treasury Board president and the former Finance minister understood there weren't \$3 bills, but this new regime and new era that the Premier talks about clearly doesn't get it.

Mr. Speaker, I think it's almost like *Groundhog Day* two. We've seen that movie with Bill Murray in it. We've seen that with fixed election dates. As I speak here today, the previous Premier made a promise to my constituents – he made that promise over three years ago – to get a long-term care facility that was so badly needed. But, oh my goodness, it's three years later, and that word “promise,” that is being introduced into what this bill is all about, clearly does not live up to that commitment. That's unfortunate. When I refer to it, as I mentioned to the then former minister of health, it's really gibberish.

The Premier promised a judicial inquiry, and now we have Bill 24, which is absolutely like a \$3 bill, where judges are optional, where, by the way, the minister of health no longer appoints; it's appointed by cabinet. Winston Churchill said: if everyone is thinking the same, then nobody is thinking. We are not at all convinced that the people that are in this cabinet are doing anything more than trying to continue to secure their job based on living up to this Premier's word “promise.” It's very unfortunate that a Premier was breaking some major health promises to my constituents, and now here it is again, déjà vu.

I had to check the calendar to make sure that I wasn't living in 2009 again. I thought that this leader was actually going to change. But, clearly, the next election will, I believe, see real change, that the Wildrose will offer, something that this government does not know.

I'm glad to see that the Minister of Finance has woken up, and I see his lip is up by his other lip, which really means that I'm getting on his nerves. Now he's putting his hands on his head because he needs to be able to breathe, to make sure that oxygen goes to the brain. I understand that medical term because, of course, he was the minister of health. Mr. Speaker, the good thing, as I say, is that I wash my ears and my Q-tips don't fall in, like the member across the way. I would like to say that I'm glad he's paying attention to every word that I'm saying. Let me remind him that there is no such thing as a \$3 bill. Now, with this minister, of course, we've seen by his voodoo math that there must be \$3 bills out there. You know what? I almost think Lloyd would be better back there, certainly, than you.

I would like to say, Mr. Speaker, that I look at the kind of things going on – queue-jumping, against everything Albertans believe in with respect to health care; a superboard supervisor yesterday saying: you will regret it if you do this – and what do we do? We lose a doctor who, of course, is someone who is trying to do good in testing at the Baker clinic, and what happens? They just intimidated him and scared him out of the province of Alberta. That's a sad reality.

I want to thank also the hon. Member for Calgary-Fish Creek, who brought this to our attention with the doctor. I think that, clearly, in my judgment, the issue of the Health Quality Council is something that does not speak of accountability. The PC word “promise” really does not have any foundation. They don't have any foundation because they just wiggle around it. We don't promise; we commit. A commitment is something. That is your

word. That is your bond. I can proudly look at myself in the mirror and say: I live up to my commitments.

**Mr. Anderson:** Their bonds are from Italy and Greece.

**Mr. Boutilier:** Yeah. As the hon. Member for Airdrie-Chestermere said, you know, their bonds are from Greece and Italy. I love Greeks, and I love Italians, but the reality of it is that we've seen how their bond markets have been going lately.

I see that the minister of whatever his ministry is – I think it's HR now – is going to be talking, and I have to remind him that this is not billable time, so he may want to hold on to his breath for another time.

But I have to ask the question: why is the government doing this? How simple is it? We have a true conservative value: live up to your commitment. The promise was made. Live up to that commitment. It's not being lived up to. It's unacceptable, and I think you're going to pay the price in the next election for that unacceptability of it. [interjection] I can see that the three-dollar bill on the other side agrees with me. He's pretending to read, which is something that I will help him out later with, but I will say . . .

**Mr. Marz:** Point of order.

**The Deputy Speaker:** Hon. member, there's a point of order on what you said.

**Mr. Boutilier:** On what grounds?

#### Point of Order Relevance

**Mr. Marz:** *Beauchesne's* 459, Mr. Speaker, relevance, repetition. I believe we are talking about Bill 24, expanding the mandate of the Health Quality Council, and I haven't heard anything from this hon. member in regard to that. He's talking about promises and \$3 bills and all sorts of other comments that I can't in my wildest imagination see relate to this bill in any way, shape, or form. Perhaps if you could admonish the hon. member to stick to the contents of the bill, I think we'd all appreciate that.

Thank you.

**Mr. Boutilier:** Thank you, Mr. Speaker. I certainly appreciate the hon. member's comments and will try to stick to the bill even with . . .

**The Deputy Speaker:** Hon. member, please. There is a rule in the House about when the Speaker stands up.

I see that you have not stayed on the discussion of the bill strictly, and the hon. member has voiced a concern. There's a point of order, so stay on the bill.

**Mr. Boutilier:** Well, thank you, Mr. Speaker. As you know, I like to be very firmly directed on the point at hand, and I will try, regardless of the chattering on the other side, to stay on the bill because that's so important. I had no intention of talking about a \$3 bill until someone prompted me on the other side.

#### Debate Continued

**Mr. Boutilier:** I am accountable to my constituents, Mr. Speaker, of Fort McMurray-Wood Buffalo when it comes to the Health Quality Council. I believe, as members of this Legislature believe, that all Albertans pay for their health care system, and we need to be accountable to it. One has to ask the question: why is the

government doing this? This all comes back to the accountability and, ultimately, the truth. The government is afraid of the truth, the very thing that this Premier promised.

Any time I hear the word "promise," I think it's most important to actually look for the word "commitment" because commitment is real as opposed to what we have heard in these promises. There are very important people that are scared of what will be found. Perhaps that's the issue. This is opportunistic and against the public interest.

[The Speaker in the chair]

We always hear the same thing from the government. Mr. Speaker, trust is earned, and we believe there is not a lot of it going around this government. By dodging a public inquiry, by avoiding having a judge, clearly we believe they're appointing their own insiders in doing this. From the fact that it's no longer the minister of health but that it's actually the cabinet, that doesn't inspire us or give confidence to the fact that this is not a judicial public inquiry.

The fact is that we have in law, that was approved in this Legislature, a judicial inquiry act. That should clearly suffice. But what happened, Mr. Speaker? I'm glad to see that the minister of HR and everything else is listening. I would like to say clearly, in my judgment: why don't we keep to the truth, the truth that this leader, this Premier, promised? Why doesn't she commit to a public inquiry? Brave doctors are coming forward. Yesterday the Member for Calgary-Fish Creek talked about the Health Quality Council and talked about the fact that a doctor was bullied, intimidated, and in fact now cancer patients are left with the unknowingness of their testing that may be going on.

5:10

Mr. Speaker, world-class doctors, trained here in Alberta, are now world travellers because the government refused to listen. The doctor yesterday clearly said that he was afraid to come forward. I believe that I do respect the work of the Health Quality Council, but you don't come to this type of a review and this type of inquiry by just coming in like kindergarten as opposed to having a full-fledged inquiry. That's concerning. They are world-class doctors and health researchers that fill a vital role in our health care system, and they make sure we receive the best and safest health care possible.

There are issues in the delivery of care. They make sure we understand the situation so it won't happen again. In order to do this, their concern is patient safety, and I applaud that. They are great at their jobs, but are we asking too much of them? Are we asking doctors to be lawyers? God forbid. I can only say that that's not their job.

This is what confuses me, Mr. Speaker. We're giving doctors more legal powers. When an inquiry is called, they don't have to appoint a judge to conduct the proceedings. That is shameful. I ask the question: isn't this strange? Shouldn't we get the right person for the job? We're asking doctors to understand the rules of evidence and testimony. That's unfair to the Health Quality Council, and quite honestly I think it's unfair to all Albertans. The right person for this job, getting to the truth of what's wrong in our health care system: it should be the exact same situation with the federal Liberal, whom I know they're very closely associated with, Paul Martin, when, in fact, he had an inquiry. But what happened? He had the inquiry. Oh, they lost the next election.

We keep hearing about the current investigation by the quality council. Alberta Health Services talks about how this is a new world, where doctors are free to advocate for their patients. They are still afraid. I want you to know that nothing could be further

from the truth. Just this week our cancer pathologist came forward and said that he contacted the Health Quality Council about intimidation and persecution in the health care system. He brought evidence and testified to the lead investigator. Nothing has been done with that evidence, Mr. Speaker. Why? Because the investigation is behind closed doors, just where this government likes to make its decisions.

Finally, Mr. Speaker, what we have here is a case of the inmates running the asylum. It makes sense in the asylum, but anyone outside with perspective can tell you: this is loony. It's time to end the bait and switch here. Creating a kangaroo court is not what Albertans expect and need from their government. I call on this government and I call on this Premier to do the right thing and live up and commit to her promise, that she is failing on to Albertans now.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity under this section.

**Mr. Chase:** Yes. Thank you very much, Mr. Speaker. Through you to the hon. House leader, I want to recognize the fact that on this very specific occasion, when he suggested I didn't know what I was talking about with regard to the agreement between the House leaders, he was completely correct. I apologize to not only the House leader but to the hon. members connected to this Assembly. For my 64th birthday/anniversary dinner I'll be eating crow.

**The Speaker:** Well, Standing Order 29(2)(a) is still available. The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Happy birthday and happy anniversary to the member.

My question is to the Member for Fort McMurray-Wood Buffalo. Again, I'm having some real consternation, umbrage, with the fact that the Premier during her leadership race promised with regard to this legislation that the health inquiry would be held and conducted prior to the next election so that voters would have an opportunity to see everything before they voted and get confidence again in the health care system and all that sort of thing. Yet I'm not seeing anything in this bill that ties her to that. In fact, it seems that this bill might just be a delay tactic since we already have a Public Inquiries Act out there, that would allow her to call this public inquiry immediately if she wanted to. But here we are. We're still debating a bill that's really unnecessary at this point to do what she said that she would do during her election campaign.

I guess my question is with regard to the timing. Do you feel that this bill is just a delay tactic, or is it something that needs to be legitimately done in order to proceed with what the Premier promised again and again and again during her election campaign and, you know, embarrassed some of her own party over during the election campaign?

**The Speaker:** Hon. Member for Fort McMurray-Wood Buffalo, would you like to respond?

**Mr. Boutilier:** Yes, I would, Mr. Speaker. In fact, that's perhaps one of the smartest questions I've heard here this afternoon. What I would like to comment on is simply this. [interjection] Sorry. Mr. Speaker, the Minister of Finance, I think it is, is interrupting my comments through the chair. Let me refocus my thoughts again so that there's not another point of order.

Mr. Speaker, I find this really quite interesting. The short answer is that, yes, it's a delay tactic. When the federal Liberal

Party, in fact, under Paul Martin as Prime Minister, decided to have a public inquiry into the sponsorship scandal, what happened was that the results came out before the federal election, and we all know what happened. They were soundly defeated.

I think the actual connection is that this government and this Premier are afraid for this information to come out because they know that it will damage every single member that's sitting as a PC in getting re-elected. That is their concern; therefore, they are more interested in what I view as two things. They're interested in power and holding on to power. I believe that, unfortunately, the situation has arisen where, in my judgment, they are actually learning from the federal Liberals. They're learning from the demise of the then Prime Minister Martin. Therefore, the new leader does not want to face that same demise. But I don't think that Albertans will be fooled by this charade because we already have an existing law, a Public Inquiries Act, that can be commenced immediately, and we can find out the results before the election is called, which, I understand, based on legislation will be called between March and May 31.

Therefore, the short answer to the question is that this is a delay tactic because they want to just keep it under the rug. They don't want more doctors and more people coming out and exposing what has taken place in this situation. In fact, the Minister of Finance was part of this charade when he was minister of health, and truly it was gibberish.

**The Speaker:** Additional speakers on this subject? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's a privilege to be in the House tonight to discuss Bill 24, the Health Quality Council of Alberta Act. It's being talked about greatly tonight as it probably will dominate at least the papers over the next few days and possibly even the next election.

If I could talk sort of about the act first. The act itself goes some way to looking into some of the allegations that have come forward in our health care system. We've had numerous doctors and health care professionals who have felt they have been intimidated by this government. They've felt they have been intimidated from doing their work to the best of their ability and from advocating for their patients to their greatest ability, and that is deeply concerning.

5:20

In fact, some of these allegations happened over the course of the last 20 years. There has been much talk about how this should be eradicated from the system, how it should be made more open and transparent, and that doctors should be able to do their work without interference of the political system and free from reprisals from the political masters who are seemingly in charge of the health care system. So that's what the bill is trying to address.

If you look at it at face flush, it does go some way to ensuring that this happens in a reasonable and forthright manner. For instance, parties can sign nondisclosure agreements. They could be protected from subsequent liability and the like. So there is some certain degree that the government has gone to in trying to see that at least some of the complaints are heard. Hopefully, some of the stones will be overturned so that we can get to the real bottom of whether this has been plaguing our medical system and whether it has interfered with its administration of public duty, which is saving lives and improving the health of Albertans. If it does do that, I am hopeful that at least some good will come out of Bill 24.

You know, another part of me was thinking about this coming

over to the House. I was informed that we don't have very long to think about this or even to discuss this as the debate has been hurried along. In fact, we really didn't have long to prepare for this. We really didn't have much time to put this together. Nevertheless, I was thinking back to growing up. I hope you will allow me a little bit of leeway on this. We all have family members from time to time – you might have an uncle or an aunt or a grandparent or someone who has gone before you – who always love to rail against politicians whatever they do. I can remember being around the dinner table as a young man, and sure enough my uncle would say: "Oh, those stupid politicians. They're doing that Hibernia. It'll never pay out. Oh, those silly politicians. They're doing this." I can remember that when seat belt legislation came about, he said that it was going to be the end of freedom here in Alberta. You know, even when we brought in the metric system, he said that it would be the end, really, of Canada as a country as we know it.

We know there are people out there who say these things and are reactionary from time to time and love to, I guess, rail against anything public servants or members of this Legislature try to do. Even when these types of people are of the opinion that everything we do in this House is duplicitous, that it is for an untold evil, to either line our pockets or to further our prestige in the community or to secure some sort of advantage, in my view, this is often wrong, and it is often wrong for good reason. I think that most times Legislatures, both federal and provincial, at least try in their own way to get things done in a reasonable fashion that does not add to this public misconception. So on that sort of memory of growing up around this relative, my comments towards this bill become a little bit more terse, a little more that I'm not quite as satisfied with this as I would be at first blush.

You know, we all know politics is difficult. We all know promises are made, and sometimes promises aren't kept. I know that sometimes situations change and opinions have to change, but in general, hopefully, these are for a good reason, the economics of the time or balanced books or needs to be readjusted. Former promises of tax cuts don't necessarily happen because the public purse needs to carry on with the business of the day, providing education or providing health care. You can understand those sorts of situations when they come. The politician when he made those statements wasn't aware of certain implications that were going to come down the pike. Situations changed, and they had to change their minds accordingly, and it wasn't easy for them. Sometimes they had to pay the price with the electorate, sometimes they didn't, but they always did these things, I think, with a view to what was right at the time. At least, that's what I hope politicians would do.

When you look more specifically at Bill 24 and what transpired over the summer in the Tory leadership campaign, you had many participants in that race who simply would not call for a public inquiry. They said: "No. I will not go down that road. I will pay the price in this race. We're going to let the chips fall where they may on that because, in my view, I don't have the ability or the support to bring this about." They made that conscious decision because I believe they could see the six months down the road, where they would not be able to fulfill that promise. In not making that promise, it may have effectively cost some of them their position as leader of the Progressive Conservative Party, Premier of this province. But they made that decision at that time, I think, looking forward to today, to what we are facing now in this Legislature.

Instead, we have a Premier who chose six months ago to go down this path. She struck the bold path of saying: I will call for a judicial public inquiry. This was made to much delight and fanfare

of many people in my community, some family members, some nephews, some teacher friends of mine. They may have gone to the polls and struck a ballot for this individual, saying: "Right on. Here is a person who's willing to go down the uneasy path of looking into this matter, of getting to the bottom of it. Maybe we have a politician who's going to do what she says."

In my view, this Premier was smart enough to know, when she made this comment some six months ago, that today she would have to either invoke a public inquiry or go back on her word. I'm not sure what happened in the interim. I assume there was some pressure put on her. But at the time she made that statement, she had to have known this day was coming. Okay? I'm hoping, at least I was at that time and am still hoping today, that she will understand that those words meant something. It's not one of those promises where the circumstances changed, Mr. Speaker. It's one of those circumstances where the tea leaves were drawn out, where she could see the future. Budgets aren't changing this effect. The timelines haven't changed. We're dealing with allegations into the public health care system. She knowingly did this to get votes, and she realized there was going to be a day to pay for this. Now we see it here.

I look at this situation as being very different from some of the ones we alluded to earlier. In other situations, say, where Mr. Bush Sr. said, "I will never raise taxes," well, guess what? He looked at the situation. The budget had changed, the economy didn't grow as much as it could, and in his good conscience he said: "I can't let the country slide further into debt. The situation has changed."

5:30

But in this situation the situation has not changed. This Premier knew what she was saying then, and she knew what she was going to have to do now, and she has chosen not to do this now. In my view, that was wrong. If it's wrong now, she shouldn't have said it earlier because, in fact, it probably propelled her to the position she is in and garnered a lot of trust.

Now, I can't tell the future. Maybe it doesn't matter. Maybe it doesn't mean a tinker's darn. Nevertheless, let's go back to my uncle, who is sitting around the kitchen table or wherever he is right now reading the paper and going through his same monologue. Maybe this person can never change anyway, Mr. Speaker. Maybe he is destined to think the worst of us at all times. He's picking up the paper there, and he's going to rail the next time I go down there, probably at Christmas sometime. "See? All you politicians are just the same. There are promises made; there are promises that weren't kept. You're all a bunch of rats and scoundrels." And this has added to his fuel.

I believe that this has caused some rancour amongst our citizenry. It's caused possibly a lack of confidence in our elected officials and, in my view, was unnecessary given that the Premier knew what she was saying then and that she knows now what she is doing. In my view, that is the trouble with this. People continue to lose their confidence in what we have before us in this House, continue to have shaken confidence in our abilities to do what is in the public good. In this case their confidence should be shaken and rightfully so.

Those are my comments. I would leave them for those to consider. In my view, the Premier should be calling for a full judicial public inquiry, like she promised, like she used to get herself elected to this honourable position. Now she should let the chips fall where they may as she knew what she was saying then, and she knew what the consequences would be today.

Thank you, Mr. Speaker, for your time. We'll go on from there.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available for five-minute exchanges.

There being none, shall I call on the hon. Member for Calgary-Glenmore, then, to participate in the debate?

**Mr. Hinman:** Thank you, Mr. Speaker. It's an honour and a privilege to rise and speak to Bill 24, the Health Quality Council of Alberta Act. I believe the title should go a little bit further, though. I believe this is nothing more than an act that's been put together for the health and the quality of the PC Party and their new Premier. It has very little to do with the Health Quality Council judicial inquiry that should be being brought forward. Again, it looks like an extension of a cover-up to me.

I just want to start off, I guess, by mentioning that it was back in March of this past spring when the former Premier called for the Health Quality Council. At that point there was a lot of debate saying that that wasn't going to do the job. The Health Quality Council was to look at the quality of delivery of health care in the province. I think that we can say that the delivery is actually pretty good. The wait times, the concerns are another issue. But what was at issue and at the root of this entire problem is the intimidation, again, as Dr. Duckett spoke out about later after being released, the priorities and the influence that government MLAs were having on the health procedures being performed here in the province.

There are two or three things that I think are unequivocal when it comes to asking Albertans on the street, and that is that the intimidation is real. There's been economic intimidation in the province. There's been intimidation in many areas, in many departments, but the one that concerns Albertans the most is the intimidation that's gone on for doctors and health care professionals, who are trying to provide service and be advocates for Albertans and who have been told: "You know, don't step out of line. Things could get iffy for you if you do." It's very, very disappointing that we are not having a full judicial inquiry.

We already have an act here in the province for judicial inquiries, and I don't think there's anybody over there on the government side that knows and understands that better than the Premier. There's no question that back in June and July, before the first report came out, the Premier, in talking to reporters, very much indicated the need for a judge and the need for a public inquiry and wanted to restore the confidence of Albertans in, I want to say, the governance of the quality of health that's being administered here in this province. This act is not going to address any of those concerns for Albertans. It's a confidence crisis that is ongoing.

We have lost health care professionals who have left the province because they've been told: you know, if you want to stay here and speak out, your future is jeopardized. There have been times, access to operating rooms and other areas, that have been brought forward, but I think the tipping point for all of this was just two days ago, when our health critic, Calgary-Fish Creek, was in contact with many physicians who have said over and over again – and even the Alberta Medical Association says that physicians will not come forward unless it's a full judicial public inquiry. Even with the Medical Association speaking out, this government has put their Q-tips in their ears and plugged them so that they don't have to hear it.

The past health minister spoke out unequivocally on the 4th of October saying that he would not support an inquiry into health care. He said that it would be a waste of time and money. But I think what it's all about is the health of the government, that it's jeopardizing their health if there was a full inquiry to be going forward.

I think our new Premier even was so naive at this point to think, because she's new in here: I'm clean from this, so I can talk about a public inquiry. But to me there's no question that the information that's coming forward is so damning that they're saying: "You know what? We can't have an open and public inquiry. We have to remain behind closed doors." This bill, Mr. Speaker, addresses that. It gives all kinds of protection, where this, I guess, kangaroo court is going to say: "Well, this is damaging. We will do this in camera." It's written in this bill to protect them. It's protection in here for a third party, and I have to ask: who is this third party? I think they're sitting over there in many spots on those benches. They are the third party that this is referring to for third-party protection in here. It is very alarming and concerning that this is the first step that this Premier wants to take in fixing the crisis in our health care. It needs to be addressed. Bill 24 simply does not address it.

It's interesting, you know. Why not make it mandatory to have a judge do the investigation here? I mean, they talk about it. You would think that it would at least be so simplistic when they're writing this to say: "Well, we won't leave it up to the minister or cabinet. We'll actually make it legislation and say that it must be a judge." But they don't even do that. They leave it vacant to say: well, at our discretion. From everything that I look at and read and hear about, this is for the protection and the health of the government, and that's disappointing.

What we're worried about is the health – and I want to say the health and the morale – of our health care professionals. It's never been a lower time for those that I speak to that have been practising health for 40 years in the province. They say that the front-line morale of those professionals providing this service is at an all-time low. They've never seen it worse. Originally, when the new superboard was put together, it was mandated in there. They were not to speak out, and they would be punished if they did. Then they said, "Oh, we'll recant that," but the punishment continued. It's just ridiculous to think that because they recanted, it's not going to happen when it continues to happen, and colleagues see this. There are a few individuals that say: "You know what? I'm not going to be part of this." They've moved on. They've left the country. These are world-class health care doctors and professionals that don't want to be here anymore. They don't have to be, but they want to be.

Again, in the case of Dr. Magliocco all I can say is thank you to someone who was willing to speak out that this government has no desire to have a full inquiry. I believe, personally, that one of the reasons why he spoke out was because of the amount of time and testimony he provided to top health care professionals and those on the Health Quality Council and to Dr. Chris Eagle, to all of those, and to Ken Hughes, the chair of the superboard. When they came out with their mid-term report in October, which I might also add, Mr. Speaker, is when this was supposed to come to a conclusion, he wasn't even mentioned – not even mentioned – in that report.

5:40

I find that astounding, that he spent over two hours and talked about it, had the e-mail to say: look, they told me that you would regret this if you speak out. He said: "Well, I guess I'll look after myself. I'll find another job." He's also said, Mr. Speaker, that he feels that in his new jurisdiction where he's at – and they've recruited him; they're excited to have him – that to put his team together, it's going to take him two years to duplicate the team that we have currently at the Tom Baker facility in lab tests.

We all know that when it comes to sports, when you have a winning team, you can't just dismantle it and move it and bring it

back together. They've spent years putting this together, yet there's no regard, and in eight more days that facility is going to be shut down and moved. They say: "Oh, you know, there's no harm. There's no danger."

What's critical in all of this is that this government has already called on the Health Quality Council to do an inquiry. It's failed – it's clear – so now they're looking at having new powers to reinstate and to call new people for a kangaroo court to look at this. They've gone to great lengths, again, as I say, in here to protect the government, to protect health ministers, to protect superboard members, to protect everyone except for the doctors, the nurses, the health care professionals, and the people of Alberta. You just have to ask: why? Why are we doing this? Then it becomes quite crystal clear. Why? Because there's an election.

We have a flexible time period, and I think the number one reason for that flexibility is, well, in case there's an economic downturn, not a climate downturn, or there's a health care downturn, not a dry season.

**Mr. MacDonald:** Scandals.

**Mr. Hinman:** A scandal. Thank you, Member for Edmonton-Gold Bar.

**Mr. MacDonald:** What scandals do you think could happen?

**Mr. Hinman:** Oh, so many. So many. The Member for Edmonton-Gold Bar is asking: what kind of scandals? It would be better to ask them. They know, as the terminology is, where the skeletons are in the closet.

Mr. Speaker, it's incredibly concerning that this government and this new Premier have come forward with a bill to say that we're going to give new powers and create a new Health Quality Council of Alberta Act to get to the root of this. I don't see any intention or desire by this government to do that. What they want to do is postpone it. This is like finding out that you've got a wisdom tooth that needs to come out, and when you think about that, you go: "Holy smokes. I've got to postpone. This is going to be painful."

I talked to one individual. The doctors for years tried to tell him: we need to take out your wisdom tooth. It was causing him migraine headaches and everything else. Because he's delayed so long, he's been told that it could give permanent damage and that he won't have sensation in his tongue, so now he puts up with the headaches because he doesn't want to lose his taste.

I think this is exactly the problem here, that they've postponed it. They had a year to have the Health Quality Council investigate and to bring forward and account for the intimidation and the bullying that's going on, and they've failed. Because of that – and it's real – they can't have an inquiry now. If they were to pull out that truth, it would cost them their life, so this is about protecting their very life going into an election. With no evidence being brought forward, like you would under a public judicial inquiry, it's just extremely disappointing. We need to do better.

This bill should not be supported. This government should not pass this bill. They should do what the Premier promised, and that is to bring forward a full judicial inquiry and to actually bring forward witnesses that are able to speak, that are truly protected and not just pushed out of the province and told: "Go practise somewhere else. We don't need you." A flippant remark by our new health minister: "Oh, no problem. We can just transfer these people over. There's nothing to worry about. We can carry on with this testing and put a new team together and have that world-class experience transferred over" when we don't even know how many are going to leave on that team. Is the government even



aware of how many of those pathologists and those working over there are leaving because they're so upset with the way their colleagues have been treated?

As Albertans are continuing to lose confidence in their quality of health care and as the health care professionals are the ones that have been asking the most for a full judicial inquiry, it's disappointing, to say the least.

A few other points that maybe we can go over. Public interest. How many times do we hear the Premier use the words "public interest"? I don't believe that the PC Party's interest is in alignment with the public interest. If it was, they would be doing something different. They're about power. They're about control. We see that they continue to want to centralize those powers, those decisions. They don't want to turn it over to a public inquiry, I very much believe, because of the damning evidence that would come forward and would be detrimental to the health of that party, even the life of that party.

Mr. Speaker, I just can't express enough my disappointment in the Premier and her solution, that she feels is for the people of Alberta, when everyone I talk to that delivers health care and those citizens that are concerned about this just shrug their shoulders. They're in disbelief. What are they doing? Why are they delaying this? Why can she pop out and spend \$107 million in days, yet she can't call a full judicial inquiry in those days? As I said earlier, I don't think there's anybody over there who understood better than herself, with the quotes that she gave to the media those months leading up to her leadership, what a full judicial inquiry was. Yet she misled the media. She misled the members of this House. She misled Albertans. It's disappointing.

The Member for Calgary-Egmont is shaking his head.

**The Speaker:** We have a point of order.

#### Point of Order Parliamentary Language

**Mr. Hancock:** Mr. Speaker, with respect to the hon. member's clear and intentional breach of the rules with respect to using unparliamentary language, I heard the words "misled" and "mislead" probably 10 times. I didn't quite start the count, so I'm not sure exactly the number of times. Mislead is not a parliamentary word. It doesn't show respect for the Legislature.

**The Speaker:** Actually, it has been used more times than necessary. The context is everything. I do believe that the hon. member also used the phrase "deliberately misled," which is even more damaging.

You've only got 22 seconds left. Can you sort of just clean it up?

**Mr. Hinman:** I appreciate that, Mr. Speaker. It does get frustrating, I guess, on this side because you hear it used so much that I forget. I mean, it's just done. It's say one thing; do another, then, I guess. It's just misspoken, misunderstood. The perception is that when you look at what the reporters recorded versus what's happened, there's a dichotomy here that cannot be brought back together.

#### Debate Continued

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

**Mr. MacDonald:** Yes, Mr. Speaker. I have a question for the hon. Member for Calgary-Glenmore. Certainly, I enjoyed his remarks on Bill 24, the Health Quality Council of Alberta Act, but I have a question regarding the regulations. The cabinet may make regulations. They have 16 ways here to write a regulation, as I see it.

I'm curious: if you thought they would table those regulations and you would have the chance to look at them, would your opinion on the bill change? Is it possible that if you saw the regulations, you may consider supporting it? There are 16 different ways here to write a regulation.

Thank you.

**The Speaker:** Hon. member, if you wish.

**Mr. Hinman:** Thank you. That's an excellent question. I guess I would say that I think if they were actually to bring forward the regulations, it would be more damaging than more supportive. I mean, what's the famous quote? The devil is in the details. The details are missing. The details are left to the whims of cabinet.

I'm very concerned that the inquiry would be regulated to death and controlled to the point of strangulation and would not function properly with the regulations that are coming out. I mean, it should be simple and clear, a full judicial inquiry. Then the inquiries act would take place, and a judge would step forward. They would have the *Rules of Court*. They'd be compelling evidence, they'd be compelling witnesses, and they would actually probably get to the root of this. But none of that, from what I have seen in here, is going to be in there other than smoke and mirrors. They speak about that they could; they might be able to if they desire to. All of the wording in there is such that you have to ask. It's so ambiguous. Oh my goodness, look at the latitude that they're giving this. There's no desire to come to a solution. If they had a desire to come to a solution, it would have come out already.

5:50

Again, in October when they came out with their report, I think the most disheartening thing for health care professionals was the fact that many of them had gone in and testified already and had spoken to the Health Quality Council, and there was very little, if any, mention of the bullying and the intimidation, which is real and is happening. We're losing professionals from the province. Are they going to come forward? Are they going to compel witnesses? No. I think they've probably got a list of who not to call. That would be in the regulations, to say: "Well, you know, don't call this or this or this area. We don't want to get into that." Again, it's about protecting the government. It's about protecting past ministers. It's about protecting the superbord. It's just wrong.

I mean, Dr. Duckett has spoken out. I think he did that with a lot of thought, carefully worded, on the manipulation and how his hands were handcuffed and how he was unable to perform the way he wanted to and was completely frustrated. That day when he put a cookie in his mouth, I believe, was because he was told: don't you speak or talk to any reporters. So what did he do? He thought: "Oh, that will be cute. I guess I'll just chew on a cookie to avoid that." I mean, Dr. Duckett was an individual that we could have used for another year, with his experience, to go through and find out what the problem is with the efficiencies in our hospitals, what the true cost is of each operation in Edmonton and Calgary and Lethbridge, to get down to the actual pennies and dimes of what the problem is. Yet he was not used for the talents that he had, and it was very disappointing.

This quality council I don't believe will even bring him in to ask him anymore. Again, the biggest problem is that they have the discretion to go in camera where they think there might be third-party harm. Third party for whom? Let's have the names of who they're worried about. The last three health ministers? The last two Premiers? Who are they needing to protect? That's the question that one has to ask.

I thank the hon. member for the questions. I think those

regulations will be more prohibitive to finding the truth than helping it.

**The Speaker:** Hon. Member for Edmonton-Gold Bar, another question?

**Mr. MacDonald:** Yes. I have another question, please, Mr. Speaker, for the hon. member. Section 17 of Bill 24 is the authority to establish a public inquiry. Are you confident that the cabinet should have that authority and that they will act in the public interest in their deliberations, whether or not a public inquiry should occur?

**Mr. Hinman:** Well, I think it's quite clear that if . . .

**The Speaker:** Alas, the time has expired.

Additional speakers? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. The object of the bill is to invest in the HQCA new health system inquiry powers and to require it to report directly to the Legislative Assembly. This is like reinventing the wheel. We have the Public Inquiries Act. I don't think we have to go this route. We should leave the mandate at whatever the Health Quality Council is supposed to do. We should leave it at that. I don't think this happened overnight because health care has been suffering for a long time, you know, since the '93 cutbacks. The problems keep piling up, piling up, piling up. I believe that in 1989 we had 13,300 acute-care beds, and two decades later we are left with 7,800 acute-care beds while the population has increased by approximately 700,000 or 800,000.

These problems didn't start overnight. With these cutbacks the front-line care providers were under a tremendous amount of stress, and the wait times kept going up and up and up. Obviously, people who were connected were probably going to get better treatment when the wait times were long.

In March the Member for Edmonton-Meadowlark, the outcast Tory, in question period raised some concerns about doctors being silenced, doctors being intimidated, and doctors being driven out of the province. Their careers were sabotaged for speaking out

about patient care. Not only doctors, Mr. Speaker; even the nurses were scared to speak out. Then Dr. Duckett revealed about the well connected getting preferential treatment, jumping the queue. That was happening under the decentralized regional system. There was queue-jumping. Albertans were kind of vaguely aware that the politically connected were getting a little better treatment. An example is when the Calgary Flames and their families got immunization while average Albertans were made to wait because of the vaccine shortage.

**Mr. MacDonald:** Did they make the playoffs?

**Mr. Kang:** I don't remember that. I don't follow hockey too much. But I'm a Calgarian, you know, so I'll support the Calgary team.

**The Speaker:** Hon. member, please, through the chair, who is quite interested in your remarks.

**Mr. Kang:** When Dr. Ciaran McNamee came out and said that he couldn't speak, the government was in a rush. They appointed the Health Quality Council inquiry. The Health Quality Council inquiry has said that lots of doctors are not coming forward to testify until they get the protection of the law, that because of the nondisclosure agreements they signed, they cannot reveal any information. In my view, the Health Quality Council of Alberta Act is not going to achieve what a full judicial public inquiry would achieve.

In June the Premier put herself apart from other leadership candidates when she agreed to hold a judicial public inquiry led by a judge, who has the power to compel evidence. That was a very bold statement on the part of the Premier. I think that because of that statement, lots of Albertans thought that, you know, she was different.

**The Speaker:** I am sorry. Hon. member, I hate to interject, but the Assembly must now adjourn. It will reconvene at 7:30 p.m. in Committee of Supply.

[The Assembly adjourned at 6 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday evening, November 22, 2011

Issue 39e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 22, 2011

### Committee of Supply

[Mr. Zwozdesky in the chair]

**The Deputy Chair:** Thank you hon. members. I'd like to call the Committee of Supply to order.

### Supplementary Supply Estimates 2011-12 General Revenue Fund

**The Deputy Chair:** The hon. Deputy Government House Leader on behalf of the hon. Deputy Premier and President of Treasury Board and Enterprise.

**Mr. Denis:** Thank you very much, Mr. Chair. Please let me be the first in this House to congratulate you on your new role as Deputy Chair of Committees. I know it was a very close election. [applause]

I'd like to move the 2011-2012 supplementary supply estimates for the general revenue fund on behalf of the President of Treasury Board and Enterprise. The estimates will provide additional spending authority to two offices of the Legislature and nine government departments. When passed, the estimates will authorize increases of about \$2.4 million in voted expense and capital investment of the Legislative Assembly, increases of about \$864.9 million in voted expense, \$82 million in voted capital investment, and \$0.3 million in voted nonbudgetary disbursements of the government.

Mr. Chair, the estimates will also authorize, when passed, transfers of approximately \$80.7 million of the previously approved spending authority between departments and a transfer of approximately \$58.4 million from expense to capital investment in the Department of Infrastructure. These estimates are consistent with the second-quarter fiscal updates, which updated the 2011-2012 fiscal plan for all government entities. The estimates will authorize increases for each of the following: the office of the Auditor General; the office of the Chief Electoral Officer; and the departments of Culture and Community Services, Education, Environment and Water, Human Services, Justice, Municipal Affairs, Sustainable Resource Development, Tourism, Parks and Recreation, and Transportation.

Finally, the estimates will also authorize transfers from the Department of Treasury Board and Enterprise to the departments as follows: Advanced Education and Technology, Agriculture and Rural Development, Infrastructure, Sustainable Resource Development, and Transportation as well as a transfer from expense to capital investment within the Department of Infrastructure.

Mr. Chair, the ministers that are responsible for these departments or the ministers who are here on their behalf will be happy to answer questions from any members from the House. Thank you, sir.

**The Deputy Chair:** Thank you. Just before we call on the first speaker, I want to just remind all members here that members may speak more than once at this stage; however, speaking time is limited to 10 minutes per occasion. I would only say that if a minister and member wish to, they can combine their total time for 20 minutes, but I would ask that you advise the chair at the beginning of your speech, hon. members, if you plan to combine your time with the minister's time. Both of you will then take and yield the floor over that combined period. I'll try and maintain a speakers list here.

Hon. Member for Edmonton-Riverview, do you wish to lead off?

### Sustainable Resource Development

**Dr. Taft:** Okay. Sure. I thought I might have opening comments from the minister.

**The Deputy Chair:** That's fine, too. Yes.

**Dr. Taft:** Then I'll respond to him.

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

**Dr. Taft:** We can take it back and forth if that's okay with the minister. Thank you.

**The Deputy Chair:** The hon. Minister for Sustainable Resource Development.

**Mr. Oberle:** Thank you. I'm pleased to appear before the House tonight to request and explain the supplementary estimate of \$280 million, which you'll note is bigger than the actual original budget estimate. As past ministers in this spot have done every time, I will explain that we budget for fires, and now for the mountain pine beetle, at a base level of known cost, which is start-up, man-up, equipment purchases. Those sorts of things establish our base budget. Beyond that, we go into emergency spending, which brings up very large supplementary estimates.

The explanation – and I'll ask the *Hansard* recorder to indulge me in this if they would use capitals and an exclamation mark – could be simply summed up in one word. It would be FIRE! As you well know, this year we had it, and I don't at all mean to make light of the horrific year that we had the fire, the huge cost to improvements to the entire town of Slave Lake and the communities everywhere and of course to our forest resources.

**Dr. Taft:** Okay. Well, I appreciate that it was an extraordinarily horrific year for fire. My struggle with this and my questions to the minister are around the recurring nature, whether it's the fires at Slave Lake or whether it's the Chisholm fire or wherever the fires are. Every year there are significant fires, and every year we come back after the fact to pay for them. I contrast that, for example, to the snow clearing budgeting process, say for the city of Edmonton, where they take an average, the best guess of what it's likely to cost to clear the snow, and they put that in the budget up front. Then sometimes they go over and there has to be a supplement, but sometimes they're under, and then they can carry that forward to the subsequent year.

It just strikes me as a peculiar way to handle the budget for fire. We'll get to the pine beetle later. It's just a genuine question of: why doesn't the government handle the budgeting process differently based on, say, the average of the previous five years or something like that because it would take some of the more dramatic swings out of this department's budget, which I'm sure is a hassle to handle. So that would my question. Any explanation from the minister? Any openness to changing that for next year? I'd welcome hearing it.

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Thank you very much, Mr. Chair. I welcome the hon. member's question. As I said, every year that I've sat in this House, the same concerns have been raised. The member, of course, understands that we're talking about orders of magnitude different from the snow removal budget of a city, and the completely unpredictable nature of it. I'll give you an example. The fact is that this year is actually a less-than-average fire year. We're 50 per cent below our annual average number of fires. All

of the damage was caused in very short order in a very few fires, and that was purely the timing of the fires, not the fact that they happened. They happened in the spring in very volatile burning conditions that we've never seen before.

I know that other jurisdictions struggle with this as well. This is the budgeting process that we've arrived at. This argument reminds me of how useful averages are in these natural resource situations. I know of three statisticians that were out hunting. They're walking down a trail, and there's a beautiful buck deer standing there. The first guy shoots and misses it two feet to the left. The second guy shoots and misses it two feet to the right. Whereupon the third guy starts jumping up and down and says: "We got it! We got it!" It's not always useful to use averages, and it certainly isn't in this case.

**Dr. Taft:** Well, we just have to agree to disagree on this one. I actually think it would be quite useful to use a different kind of budgeting process. Every year is different. Every year there are random events. There is a dry spring, or maybe there's a dry fall, or there are even winter fires. Whatever. We can be pretty sure that we're going to be spending \$100 million or \$200 million on fires every year. If we're really lucky and we don't, we can even carry that forward.

I will just once more put on the record that I think it's an odd way to handle this kind of budgeting. Although it wasn't a bad joke, I didn't hear from the minister a rationale that convinced me of why this is a sensible approach. This comes up every year, and we get the same exchange every year.

I'd like to move on, actually, to the pine beetle. I happen to have last year's sup supply estimates for Sustainable Resource Development, and it's word for word and number for number the same allocation. It says, "\$30,000,000 of emergency spending for continued ground survey and control operations to fight the mountain pine beetle infestation." I guess there are two or three questions to this. One is: again, if it's \$30 million last year, \$30 million this year, and it's probably going to be \$30 million next year, why do we keep bringing this back to sup supply as opposed to just putting it in the baseline budget?

That \$30 million is a nice round figure. I have no idea what the detailed basis of it is, but I assume it's built from the bottom up, and it probably covers research and culling and controlled fires and goodness knows what. So the first part of my question would be, perhaps: is there some reason not to put that \$30 million into next year's base budget?

7:40

The second question around the mountain pine beetle, frankly, is: how is the fight going? Let me put it that way. I was twice in the fall through the area west of Nordegg and up to Lake Louise and so on. Boy, it's a bit worrying there. In fact, probably just a week or 10 days ago I was at Chateau Lake Louise, and I looked across, and there are a number of red pine trees. I'm thinking: "Wow. Is that magnificent view from Chateau Lake Louise of the lake and the mountains and the glaciers and the trees going to look different if in three or four years the trees are all dead?"

Can you (a) tell us about the budgeting? This \$30 million: where is it going? Will we see it in next year's base budget given it has been exactly the same for the last couple of years? And (b) how is the fight going?

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Chair. I'm very pleased to respond to the member. First of all, he's right. That was the number that was presented in the budget last year. That would be indicative of

the fact that we're expecting a similar amount of work to happen this year. We do annual surveys. We have some understanding of, as he puts it, how the fight is going. I'm expecting to do a similar amount of work this year.

What I put in the budget for a proposal for next year is up to me, in consultation with my department, about the amount of work we need to do. How it goes into the budget is for the tall foreheads in the accounting group in the Treasury Board and Finance ministries. Even the Auditor General, who has reviewed our books and how we do budgeting, has made comments from time to time. So the accounting rules around it are not mine. I invite you to carry on a conversation at some point with the Finance minister and the Treasury Board President about that very thing. Our work, the \$30 million, is based on some projection of the work we need to do.

The situation in Alberta: I can inform this House that it's good and bad. We are just finishing the survey work. We are about to release a report. I believe the first of next week it'll be out. The southern part is encouraging. I have some issues in the north in the Grande Prairie region and then east to the town of Slave Lake.

My objectives for the coming year will be to do everything we can to stop the north-south movement of the beetles along the eastern slopes corridor and the east-west movement between Grande Prairie and Slave Lake. The north-south corridor along the eastern slopes is absolutely critical to us. That's a watershed for all of the prairies. The east-west movement gives them a vector into the eastern pine system of the boreal forest. There is probably no real stopping them once they get to that point, so I have some concern.

The hon. member mentioned the situation in the parks. There are indeed beetles in the parks. I am travelling to Ottawa, I hope before the end of the year, to discuss with the federal ministers of Natural Resources and Parks what their actions can be. Is there any role that Alberta can play in assisting them and in partnering with them since we have crews up and running already? I'm not completely sure what they intend there.

I do know and I need to make it very clear to the member that the federal government intends to act, but they're acting on a protected parkland basis versus the managed land basis that my department looks after, so they have different objectives and different tools. They are fully intending to use prescribed fire. I know that much.

I do intend to meet with the federal ministers to discuss what role we can play and how they can help us on our publicly managed land base as well. They have been helpful to this point. I also need to say that significant federal dollars have flowed to our province, the research resources of the Canadian Forest Service. They've done some work with industry in the utilization of mountain pine beetle killed wood, and those sorts of things. I don't in any way sling arrows at what the federal government is doing or how helpful they have been to us.

So I think that kind of covers the issue. As I said, we have a similar amount of work planned for this coming year, and that's based on surveys and survival counts and all that. I'll be releasing a full report on our work to date on the state of the mountain pine beetle I guess at the beginning of next week.

**The Deputy Chair:** The hon. member.

**Dr. Taft:** Thanks, Mr. Chairman. Is it possible for me to see if I could bring another minister in, the Minister of Finance, just specifically to SRD?

**The Deputy Chair:** Proceed.

**Dr. Taft:** Thank you. Just picking up on our debate here, I was just saying, Mr. Minister, that last year, 2010-11, the supplementary supply estimate had \$30 million “of emergency spending for continued ground survey and control operations to fight the mountain pine beetle infestation.” This year it’s exactly the same thing: \$30 million of emergency spending for exactly the same purposes. So my question would be: given that it doesn’t look like the mountain pine beetle is going to go away, should we not be at least considering taking this \$30 million from emergency funding and putting it into the standard budget? Maybe you don’t even need to answer that. I’m just putting that as a question to you in terms of how we manage our budgeting.

I think the pine beetle has gone from being a one-off kind of emergency to, sadly, probably a chronic management issue. So I’d encourage the Minister of Finance and the Minister of SRD to consider, rather than bringing \$30 million next year in sup supply, just building it into the baseline budget. I don’t know if there are issues around that that the Minister of Finance wants to address or not. I just put that idea on the table.

**Mr. Liepert:** You know, I guess it’s a question as you begin the year: what is the appropriate amount that you put in? With all due respect, we’re spending a lot of time talking about \$30 million out of – what’s our supplementary estimates? – about \$800 million. You know, when it comes to these disasters, I just don’t know how you manage to get to that point, and at the end of the day I’m not sure that it really makes that much difference.

That’s why we’re here with supplementary estimates, because inevitably there are going to be some things that you’re not going to be prepared for. When we reconcile at the end of the year, it’s all there. So it’s a matter of whether you do it up front and, potentially, not need the money and then lapse it at the end of the year, or you spend it on something else because it’s already been accounted for, or you actually make sure that the expenditures take place and are warranted and then come back to the Assembly for the approval.

**Dr. Taft:** My last question just to the Minister of SRD would be: is there spending on mountain pine beetle fighting outside of this \$30 million, or is this \$30 million the full allocated amount for the continued ground survey and control operations to fight the mountain pine beetle?

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Yes. Mr. Chair, I’m pleased to respond to that. There would be a base level of spending in there. It would not be the kind of base that would be in our fire budget, you know, the amount of equipment required in firefighting, but there are certainly staff costs, those things built into the department that we will be staffed up to address the mountain pine beetle. Beyond that, actual program spending is in the emergency.

The minister makes an excellent point. That money in my budget up front would allow the SRD ministry, if in fact it turned out to be a less-than-average year, to spend that money elsewhere. It is, in fact, better to come back to the Legislature as a supplementary estimate at the end of the year with the indication that that money was actually spent on the disaster that it was intended for.

**The Deputy Chair:** Thank you.

You have four minutes left if you wish.

If not, I’ll proceed in an alternating fashion after the lead critics have had their moment. I have Calgary-Nose Hill for a quick question and then Edmonton-Highlands-Norwood.

7:50

**Dr. Brown:** Thank you, Mr. Chairman. The Member for Edmonton-Riverview anticipated part of my question, but I would like to follow up with the minister with respect to the \$30 million, exactly what the program is with respect to spending that money. I can certainly appreciate additional money for the purposes of a survey, which would allow cutting in advance or in front of the advance of the mountain pine beetle epidemic and allow, also, some salvage operations. Could he explain what types of control are being utilized with respect to this additional money other than the survey money? Is it selective cutting and burning, of which, I understand, we’ve had a program for some years? Also, is there some measure of the efficacy of the way that that program is being utilized? Has it had success here in the past?

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Chair. I’m quite pleased to address that. Of course, we need to do surveys to determine the progress, the success of the beetle from year to year, and that’s an expensive endeavour. We do aerial and ground-level surveys.

Most of the money goes to control actions, and a very significant part of that goes to single-tree action, where trees are removed, relocated to a different place, and burned on the site. Where cutting or salvage cutting is feasible, as in the beetles in a big enough concentration and we can get reasonable access to it, we do work with the forest industry to reschedule their cutting activities and take those pine beetle-infected trees. But lots of the action is on a single-tree basis: remove the tree and burn it at another location. That work happens often with helicopters and is very expensive.

**The Deputy Chair:** Thank you.

I have Edmonton-Highlands-Norwood. Just indicate if you would like to proceed in rapid-fire, hon. member, or combine your time.

**Mr. Mason:** Sure, we can combine the time. That would be great.

**The Deputy Chair:** Okay.

**Mr. Mason:** This summer I travelled to a few communities in the wake of the Slave Lake fire where they had reception centres. Athabasca was one, and I visited other towns in the northern forest. Some of the conversations I had with local officials revolved around what we do to protect these communities from the kind of thing that happened at Slave Lake.

This may not be a supplementary estimate, but you do talk about forest protection here, so I’m going to use the opportunity to raise the question. Is there not more that we can do to protect these communities by way of building firebreaks or fire barriers around the town, anticipating that as the forest dries out a bit because of climate change, these kinds of fires are going to be more common? They’re going to be larger, they’re going to be hotter, and they’re going to be more dangerous. I’m wondering if the minister could talk a little bit about anything that has been discussed or is in the works, any plans that have been made to provide greater protection for this type of thing, which is becoming more inevitable every day. I would really hope that we would learn a lesson from what happened in Slave Lake and take steps to mitigate that kind of occurrence in the future.

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Chairman. The member is right. It's not a part of supplementary estimates.

We do run a FireSmart program, and we offer supports and grant funding to communities to deal with the urban forest interface, and we deal with country residential land practices to minimize the chance that a fire will spread into a residence or into a community. We do that work all the time. That's in our regular budget.

I want to caution the member to understand, and I will tell him that in my experience in fighting forest fires – that's how I began my career in forestry – I've never in my life seen burning conditions such as there were on that day in the Slave Lake fire. I expressed concern that morning to my son. We were watching the weather conditions in Edmonton here, the amount of wind that was blowing, and I said to him: you know, if we have a big forest fire today, somebody could get killed. I've never seen burning conditions like that. It warms my heart, at the same time, that I've also never seen a human response such as we saw that day in the fact that we safely evacuated that many people in that short a time, and we moved on.

There is no feasible fireguard system that would have stopped that fire advancing under those burning conditions on that day short of completely devegetating, including the grass, from a very large area. It was early in the spring, and any grass that was on the ground was dry. It wicked the fire just as well as the trees did.

There are some very interesting shots of that fire. One has an RCMP officer directing traffic on the road, with fireballs raining. Those were coming from the tops of trees, clumps of needles and cones being blown in from kilometres away. It's not something that you could have stopped. It was an absolutely unbelievable situation. Thank goodness we had the people in place either directly or very quickly to have a safe reaction to that and literally save lives. It really could have been horrendous. An absolutely astounding event. You know, it was just good disaster planning, good emergency planning. A lot of ministries came together, and some great people in the public service came together on that day.

**The Deputy Chair:** Thank you.

The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. I agree that there was an excellent effort following the fire. I'll actually give the government a little credit on this because I think that they did do a good job. I also think that municipalities did a great job, various organizations did a good job, and the people really came together. It was really a collective community effort the likes of which I've not seen before. I was so impressed and so proud to be an Albertan when I saw the work that had been done and the volunteers coming forward at the reception centres to help the people, even, you know, the SPCA setting up facilities to rescue animals, pets that had been left behind. It was very, very impressive and heartwarming.

I also recognize that there were special circumstances on that day. However, I didn't hear the minister say that any efforts were being made or any program put in place to protect communities. There are some communities – take, for example, Swan Hills – where the forest comes right into the community in a number of areas. It wouldn't take an extraordinary fire for that community to be put at serious risk from a forest fire. That's just one example. Again, is the ministry considering working with municipalities in order to provide at least a higher degree of protection from fires than currently exists?

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Thank you. First of all, I want to thank the hon. member very much for reminding me that it wasn't just our public service that responded on that day. Municipalities from across our province did, I agree, a fantastic job, and we couldn't have done it without their help. The number of fire trucks that rolled into Slave Lake, for example: those weren't ours; those were from municipalities across the province. An incredible response.

I did say that we run the FireSmart program and provide grants. We'll continue to do that. I've approved some grants for this year already. That is a program where we work with municipalities to identify risk and mitigation strategies. It could well be that we'll be informed by what happened in Slave Lake this year, and we'll relook at criteria. I can guarantee that. It's essential work. I didn't want to say that it's not possible to do that. It's just that on that particular day it would have been next to impossible to stop that particular fire. But that's not the average fire condition. I do agree with the member that it's very important to identify those strategies.

**The Deputy Chair:** Thank you.

I have the hon. Member for St. Albert, followed by the hon. Member for Airdrie-Chestermere.

**Mr. Allred:** Well, thank you very much, Mr. Chairman. Pardon me if I've got this wrong. I was just getting organized when the minister was speaking earlier. I understood the minister to say that he doesn't budget for disasters, but he does budget for mountain pine beetle. Then I thought I heard the hon. Member for Edmonton-Riverview indicate that you could roll over your budget from one year to the next. Is that correct? That's not my understanding of the situation, but I'd appreciate the comment on it.

8:00

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Thank you. First of all, I do budget for fires and mountain pine beetle in the regular budget. There is a base level of activity that I have to do from year to year, so that's budgeted. Then the activities as they occur come out of emergency budget, as the Member for Edmonton-Riverview correctly pointed out.

If in the event that I had that in my regular budget and I didn't spend it in a year, no, I definitely could not roll it over. That's not in keeping with our financial rules.

**The Deputy Chair:** Thank you.

The hon. member.

**Mr. Allred:** Yes. Just a supplemental. Certainly, I didn't believe you could roll over your budget, and I appreciate that.

I don't personally agree with budgeting for disasters. I agree with budgeting a certain amount for the mountain pine beetle, you know, because it's a regular occurrence as of late and certainly a certain number of fires, but I don't believe in budgeting for disasters.

My question is with regard to the mountain pine beetle and particularly the national parks. As I recall, about 30 years ago – and my memory is a little faded; I'm getting a little old – in Waterton park they had I think it was a mountain pine beetle or maybe it was a spruce beetle at that time, and the national parks' policy was, since it was a natural occurrence, to leave it alone and not do anything. Is that still the policy of the national parks as far as you're aware, Mr. Minister?

**Mr. Oberle:** No. To the best of my knowledge, it's not although each individual park has a somewhat localized management strategy. That situation occurred. It's not just the fault of the federal government. The B.C. government did it in Tweedsmuir provincial park, and the federal government had the same problem in Cape Breton Highlands national park. We've all learned a lot since, you know, those kinds of infestations have happened, and we all take a little different approach to them.

The federal government is still constrained by the fact that it is a national park, so they have certain land uses that they can allow within there, but they are actively managing it. You will have seen prescribed fire used in our national parks several times in the last few years, so they do have management strategies. We've all learned a lot since those infestations happened.

**Mr. Allred:** I have a question if I may, Mr. Chairman. I noticed in coming back from Slave Lake several months ago that a lot of the burned-out timber was just standing there. Is there no commercial use for that timber, and is it not logical to try and harvest it for some use? I expect that's probably a commercial operation, but perhaps you set policies on that.

**Mr. Oberle:** Well, we certainly try to do as much salvage logging as we possibly can. Much of the wood is damaged beyond repair immediately in that as soon as it dries out that much, it cracks, and then it's not useful for lumber. There's only so much sawmill capacity in the province to deal with all of that wood. We've done some work with pulping, but carbon, charcoal, in pulp is just about impossible to get rid of. You can't bleach it out. So it's difficult to deal with salvaged wood. We do as much as we can, recognizing that the wood has ecological benefits and that the sites will have to be reforested. We'll move forward on a sustainable basis. No, we simply cannot salvage it all.

**The Deputy Chair:** Thank you.

I have the hon. Member for Airdrie-Chestermere next if he wishes to speak. No?

Then we'll go to Calgary-Mountain View.

**Dr. Swann:** Thanks, Mr. Chair. Just a brief question about biofuel or at least the opportunity for energy from some of this damaged wood. I assume some of it, even the pulped stuff, could be used for alternate energy. I was wondering if you had any sense of where that might be going and what the potential is in our energy mix.

**Mr. Oberle:** That is definitely a possibility, and, you know, we'll look to opportunities wherever we can. There are problems with that, though, in that you can't have a biofuel industry at full capacity sitting on the ground waiting for fires to happen, and it can't be set up fast enough to deal with an emergency after it happens, so you always have a limited capacity.

There is also an economic problem in that it's a more marginal endeavour to burn biofuels for cogeneration, for example, and there's a limited distance that you can truck those fuels beyond which it's no longer economic. So there are problems. We are certainly willing to talk to anybody that's willing to discuss bioenergy or other opportunities. That's part of our salvaging program as well because there are bioenergy facilities out there, and they will be utilizing burned wood wherever we can.

**Dr. Swann:** A supplementary. I was actually referring to the pine beetle damaged wood. Are there any current existing facilities using the damaged wood?

**The Deputy Chair:** The hon. minister.

**Mr. Oberle:** Yeah. It's the same situation, maybe magnified somewhat, though, because the damage from the pine beetle is typically more dispersed than the damage from a fire. At least that's all in one place, and you could economically harvest within that area. It's harder to do with pine beetle, and with the amount of access that's required, it's difficult. But, again, we are salvage cutting in pine beetle wood as well, and all the waste from that wood and whatever other amounts we can are going to bioenergy facilities wherever we can. We're always open to talking to more people. One thing about deadwood fibre is that it's useful for a number of years for a bioenergy facility. It doesn't deteriorate like it does for its use in sawn lumber. So there's some opportunity there.

**The Deputy Chair:** Thank you.

Are there any other questions for the Minister of Sustainable Resource Development?

If not, we can proceed to the top of the list, then. Perhaps, Minister of Culture and Community Services, you may wish to address the Assembly with your request.

### Culture and Community Services

**Mrs. Klimchuk:** Thank you, Chair. Good evening and thank you for the opportunity to speak to the 2011-2012 supplementary estimates for Culture and Community Services.

As you all will know as MLAs, representing Albertans across this province, cultural facilities play an important role in the building of welcoming and inclusive communities. These facilities provide the kind of socioeconomic benefits that help sustain not only local business but the communities themselves. Our investment in cultural facilities has resulted in stronger communities and improved quality of life for all Albertans.

This year's supplementary budget estimate of \$20,683,000 is requested to provide the following funding: first, \$6,245,000 to complete the Canada Sports Hall of Fame; second, \$518,000 toward the Citadel Theatre; and third, \$3,295,000 to complete the GO community centre. This funding is offset by a transfer from the government of Canada's infrastructure stimulus fund.

An additional \$4 million is required for the construction projects at Fort Calgary, including the Hunt and Deane houses, expansion of the interpretive centre and the stockade, barracks, and parkways. A transfer from the federal government's provincial-territorial base funding program will offset this funding.

Mr. Chair, \$3,125,000 will support the development of the Ukrainian Canadian Archives and Museum of Alberta, with the funding used in the conversion of the historic Lodge Hotel in Edmonton to house the museum, archives, and library. Again, this funding will be offset by a transfer by the federal-provincial-territorial base funding program.

Lastly, an allocation of \$3,500,000 is required to meet the first year of the province's \$25 million commitment toward the construction of the Cantos national music centre.

These investments will help establish our communities and our local economies while enhancing Alberta's reputation as a cultural leader in Canada and beyond.

Thank you.

**The Deputy Chair:** Thank you.

Any comments? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. Thank you for this information on supplementary supply for Culture and Community

Services. I have to assume that each of these extra expenditures was not anticipated in the year, and that's why it wasn't budgeted for. I'd appreciate hearing a little bit about how each of these actually happened.

Thank you.

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Chair. As I indicated earlier, many of these are federal flow-through capital grants. What typically follows is that the money is put in at the provincial level, and then the federal level follows with flow-through capital grants. That's why it's an additional supplementary estimate to the budget that was presented last year.

**The Deputy Chair:** The hon. member.

**Dr. Swann:** Thanks, Mr. Chair. How does that apply, then, to the Cantos music centre?

**The Deputy Chair:** Madam Minister.

**Mrs. Klimchuk:** Thank you. The Cantos music centre: to make it clear, that is an allocation from the province for the first year of the \$25 million commitment. That would be an allocation from the province from the current funds there for that. That would not be part of the federal flow-through, so my apology there.

8:10

**The Deputy Chair:** The hon. member.

**Dr. Swann:** Thank you. I'm curious to know more about what's happened to some of the Wild Rose Foundation funding and whether that is continuing through other means and how that's being disbursed. I know it's not part of the supplementary estimates, but many of us are curious about where that money has gone and how decisions are being made.

**The Deputy Chair:** Madam Minister, the Wild Rose Foundation is not part of this, but if you wish to answer the question, I'll allow it.

**Mrs. Klimchuk:** That's fine. Just a couple of brief comments. The Wild Rose Foundation still does exist as a foundation in this department, and of course all the grants that are funded towards international development are running through the community initiatives program. Those still will continue.

**The Deputy Chair:** Thank you.

The hon. member.

**Dr. Swann:** Thank you. Perhaps the minister could make some comments about the Royal Alberta Museum and what you are anticipating there.

**The Deputy Chair:** Again, Madam Minister, the Royal Alberta Museum funding is not part of this request from what I read, but if you wish to make a brief comment, I'll allow it.

**Mrs. Klimchuk:** Thank you, Chair. I'll make one brief comment. The provincial museum is a terrific example of levels of government working together to develop something that's going to be an incredible legacy for Alberta and for Canadians. That is moving forward. We know the design-build agreement has been met. As well, there's been some excellent work with respect to moving forward on the transfer of land. So it's going to be a very exciting project for Albertans.

**The Deputy Chair:** Thank you. That was done nicely and briefly. Let's just remind ourselves that we should be focusing on what's really in the supplementary estimates.

The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Thank you, Mr. Chair. Just in looking at the supplementary estimates, in particular the Cantos national music centre, it's my understanding – and this could be incorrect; a little bit of knowledge can sometimes go in a wrong direction, so I appreciate the minister's contributions on this – that this project is supposed to start building by 2014. If I look at these payments, it looks like the provincial government is looking at making eight. Is that your strategy, to make eight payments of \$3.5 million over the course of the life of this project? Are you guys contributing? I believe the federal government has contributed \$25 million to this project, and they have put those funds into the Cantos national music centre. Isn't that granting formula contingent on you giving it relatively quickly, or am I mistaken on that?

**The Deputy Chair:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Chair. I think it's really clear to note, just speaking specifically to what's before us tonight, that the initial allocation of \$3.5 million is required to start the process going. Then the allocation will be that every year there will be money put towards that from the provincial and from the federal levels, as you said.

**Mr. Hehr:** Well, no, that's not my understanding. My understanding is that the full money is already at the national music centre from the feds. In future years are we going to see this \$3.5 million contribution come forward in supplementary estimates, then, for the time foregoing, or is this going to become a budgeted amount in the budget, where people can actually see that the Cantos music centre is going to get this money over eight years? I guess I would like some clarification. It's my understanding that the federal government has given the full grant process to them. Now that the provincial funding mechanism is here, won't that impact the Cantos music centre in some fashion?

**Mrs. Klimchuk:** Well, certainly, it is my understanding that it'll be part of the budget moving forward, but I would prefer to get back to the member on those details so that I can make sure I have the correct information for you.

**Mr. Hehr:** Thank you. I might be mistaken as well, so I'd appreciate that.

**Mrs. Klimchuk:** Okay. No problem.

**The Deputy Chair:** Thank you.

Are there any other questions for the Minister of Culture and Community Services? The hon. Member for Edmonton-*Decore*.

**Mrs. Sarich:** Yes. Thank you very much, Mr. Chair. I was wondering if I could ask a very simple question to help Albertans understand what is meant by the flow-through dollars from our federal counterparts. Also, from time to time constituents raise the issue of whether those flow-through dollars are time certain for the province of Alberta. I'm just wondering if the hon. member could shed a little bit of light on those two aspects.

**The Deputy Chair:** Madam Minister.

**Mrs. Klimchuk:** Thank you, Chair. That's a very good point. The concept of flow-through dollars, as I mentioned previously:

oftentimes the province will initiate the funding, and then the federal government follows through. That's why the flow-through dollars are there. It does give you flexibility to plan. But, also, we want to make sure that when we plan our projects, they do go ahead and the money is there. Albertans can be assured that with respect to these items for the supplementary estimates there are no concerns there whatsoever.

**The Deputy Chair:** Thank you.

Any other members wish to question the Minister of Culture and Community Spirit?

Seeing none, perhaps we could move on to Education. If the Minister of Education wishes to make a few opening comments, that would be appreciated.

### Education

**Mr. Lukaszuk:** Mr. Chairman, I'd be thrilled to do that. There are a number of reasons for supplementary estimates as requested in the documents before the House as follows. The supplementary amount of \$217,646,000 is requested to provide, and I list: \$106,683,000 for the reinstatement of operating support to public and separate school boards; \$13,100,000 for fuel costs, which, as you know, Mr. Chair, have risen significantly over a short period of time; \$3,200,000 for teachers' salaries as a result of an increase in the actual Alberta average weekly earnings, to which the salaries under the current agreement are tied, to 4.54 per cent from what was anticipated to be 4.4 per cent as included in the original budget estimate; and also \$94,346,000 for reprofiling of the Alberta school alternative procurement projects, the second phase of it, due to – and this is a good-news story – faster than anticipated construction progress, and \$70,296,000 for new school construction and modular classrooms; and, last but not least, \$317,000 for the reinstatement of operating supports to accredited private schools.

Mr. Chairman, as you know, in some cases, as well as we do with budgeting, some numbers, particularly those of average weekly earnings, are simply not predictable. They're very difficult to pinpoint a year in advance. So those differences will occur. As you also know, very much appreciated by the school boards was a recent additional injection of dollars to address some of the shall we call hot spots or pressure points within school boards throughout the province. I should note that shortly school boards will be reporting to us on how they spent these dollars. I can assure you that you will find that many of the pressures that would have been identified by students and/or parents have been addressed in a satisfactory way. The Alberta School Boards Association will tell you that the dollars were welcomed and were needed and have yielded the benefit that they were designed to address.

At this point, Mr. Chairman, I'm open to any and all questions from members of this House.

**The Deputy Chair:** Thank you.

Just before I recognize the hon. Member for Calgary-Buffalo, I'm going to assume that it'll be 20 minutes shared unless speakers advise me otherwise. It just helps us run the clock.

Proceed, hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair, and I thank the hon. minister. I know he's had a long day with the speech I heard him do this morning in front of the boards. Most of it I was actually quite receptive of. I congratulate him on that speech and the reception he got from the ASBA.

I would like to go into a little bit of the conversation. As you know, I think I asked last spring, when we were going through the

then proposed cuts – I think I only asked one question last term. It wasn't because I couldn't ask other questions. The importance of it meant that I needed to ask it every day, and that was, in my estimation, the wrong-headed cuts of approximately \$107 million to the school budget, something that threw our school boards and parents and teachers' groups into disarray for quite a while. I'm glad to see that the Premier in this instance has followed through on her promise and reinstituted that funding for the benefit of not only children but, in my view, for the benefit of the province. I would say that was kudos to the government for reinstating that money.

**8:20**

On that component of the \$106 million or \$107 million, just to be rough. In my conversation with some of the school organizations out there they indicate to me that because of the budgeting and the pulling the money in, pulling it out, and returning the money to them, additional costs and expenses and other things of that nature were incurred by the boards. Was there any consideration given to or any requests made of this government to augment some of these extra costs that occurred as a result of the giving of funds, taking of funds, and giving funds back again? Or has that discussion not happened and it's just – I know it's not seen here, so obviously it wasn't given, but was there a request made, and was there any consideration of that?

**The Deputy Chair:** The hon. minister.

**Mr. Lukaszuk:** Well, thank you, Mr. Chairman. I have to start by saying that the reason the member was not appreciative of all of my speech but only most of my speech is because he couldn't hear the remaining parts because the applause was so loud. But I will share my notes with him later so he can appreciate all of it.

Mr. Chairman, no, there were no discussions, really, with school boards relevant to any additional costs that may or may not have been incurred as a result of the in-year injection of the dollars, but I would like to remind the member that in the last year's budget we actually increased the amount of funding for Alberta Education. This was just programs, which in many cases were anticipated to lapse, so school boards knew that some of the programs within that \$107 million were lapsing.

That is not to say that they are not welcoming of these particular additional dollars to address some of the pressure points that they found within school boards. All school boards were given significant latitude in how they will spend these dollars. All school boards have identified meaningful and productive ways to allocate these dollars, and we will be hearing from them within a month or so, telling us exactly how each school board appropriated those dollars and what tangible benefit in the classroom was incurred.

To answer your question shortly: no. No discussions took place, and frankly no requests were made by school boards to offset any additional costs which may or may not have been incurred.

**The Deputy Chair:** The hon. member.

**Mr. Hehr:** Thank you, Mr. Chair. Another question I have is in regard to the expenditures for operating accredited private schools. I do note that I've asked some questions of the minister on the appropriateness of funding for accredited private schools. I think many Albertans are simply unaware of the fact that we fund private accredited schools to the tune of 70 cents on the dollar for all these schools that are operating that may or may not or, in my view, do not fit within an inclusive education system that expands equal opportunity to each and every child regardless of age, race, colour, creed, and all of that stuff – you know the drill – and then

that term “equity” that I heard in the speech earlier today. Nevertheless, just a question around this \$317,000 expenditure: is that based on the .7 formula, or 70 per cent formula, for private schools? If you could outline how that expenditure was made, that would just clarify things for me.

**Mr. Lukaszuk:** Well, Mr. Chairman, the fact that we do have private accredited schools in this province speaks to equity, actually. Each child learns differently, and each child and family have different needs and different priorities. What makes Alberta education as great as it is and renowned throughout the world to a large degree, not only because of it but to a large degree, is the fact that parents and children in Alberta have choices. They can go to Protestant schools. They can go to Catholic schools. They can go to chartered schools. They can go to Christian schools. They can go to Islamic academies. They can go to art schools and drama schools, and they can go to academic schools. The list goes on and on. That’s what makes the system so good in this province, and that’s what engages children.

A monolithic approach to education would not engage all children and by all means would not be inclusive because as different as we are on the outside, our brains are different. Children learn differently, and they require a different environment and different approach. What is important, Mr. Chair, is that no matter what school it is and who administers the school and what their focus is and what the corporate structure of the school is, they all teach Alberta curriculum, and that is one of the best curricula in the world. We actually are proud of exporting our curriculum to other countries. These children learn Alberta curriculum, but their learning is enriched by other, additional programs that are offered by either charter, private, or you name it, whatever variety of school it may be.

In the case of private schools, yes, we fund the schools based on a portion, on a percentage of what funding we allocate to public schools to recognize the fact that we pay only for instruction of Alberta curriculum. Any other additional programs that the schools deliver: the parents are on the hook for that cost. There are also some infrastructure funding differences, and that is what the number is.

I know this hon. member has issues with having nonpublic schools, having schools that may be religious or privately operated, but I would suggest to him that it is the mosaic of schools that we have that makes, overall, Alberta education better. It actually improves public schools because it creates a constructive, child-focused competition between schools, and that is important. That drives the level of education within the publicly funded system.

**Mr. Hehr:** I thank the minister for his comments. I don’t want him to think I’m antichoice. I believe we should have lots of choice in Alberta, choice for lots of stuff. This can all be accommodated through a properly funded, properly administered, publicly funded education system. I beg to differ with him on the fact that private schools make the landscape better for all students because it increases competition. That simply doesn’t bear out in research done in other jurisdictions or in our own.

Nevertheless, I thank him for his comments and the explanation that it is that private schools are being funded on a per-school grant of 70 cents on the dollar compared to the public school system and that clarification that that’s what this expenditure is for. I thank him for his time. These are my only questions in that regard.

**The Deputy Chair:** Thank you.

I have the hon. Member for Airdrie-Chestermere, and I’ll look to see who might wish to speak thereafter. Go ahead, hon. member.

**Mr. Anderson:** Thank you, Mr. Chair. First off, I’d like to on behalf of the Wildrose and our caucus agree and congratulate the minister on his comments about the importance of diversity in the schools that are permitted and the schooling options that are permitted parents in this province. It is critically important that we continue that.

There is a fallacy out there that people that go to private schools or charter schools are somehow only just, you know, the very elite and the very rich. It’s just not the case. Clearly, there are some very high-level, I guess you could say, expensive private schools out there that people who are very wealthy put their children into, but those are relatively rare. The vast majority of private schools are nonprofit. They cater to a group of parents that just feel that their child, for whatever reason – maybe they have autism or a special need or, perhaps, they are looking for a more faith-based education or something like that. Their parents feel that that’s the need that their child has.

I have several private schools in Airdrie-Chestermere. One is Airdrie Koinonia Christian school, a fantastic school. The parents sacrifice so much to put their kids in that school. It’s a nonprofit school. They do fundraisers. They’re just such a strength to our community, and the quality of the graduates that they put out is second to none.

**8:30**

There is also another school called – boy, I’m going to butcher this, hon. member – the Khalsa school. It’s just a fantastic school in Conrich, fabulous students. It obviously very much caters to the East Indian culture. Specifically, there are mostly Sikh students going there, but there are others, too. It’s just a real credit to my community. Again, it’s nonprofit. They’re not all rich parents that are sending their kids to school there. That’s not the case at all. They are sacrificing. They raise money. They work hard to have their students have the kind of cultural education that is important to that community.

So I’m glad to see that although we have disagreements on many issues, certainly school choice is not one of them with this minister and with the PC Party.

I also want to say that I agree with and support the Premier and this minister’s decision to put the \$106 million back into the public education system. That is exceptionally important. My children attend public school. Well, I only have one that’s old enough so far to be in public school but another one next year. It is just so critical that we properly fund our public education system. This is one of those priority areas. When we talk about prioritizing our spending, our education system is one of those areas where we do need to put in as many resources as we can.

It’s not like the health system, which is so overly bureaucratic and is just a black hole. There’s so much money wasted in it, not going to the front lines. In health care it’s not a matter of spending more; it’s about changing the entire management structure of the system to spend more wisely and to make it more efficient. With education that’s not really the case. It’s just a matter of getting more resources to the front lines to build more schools and to hire more teachers. So I want to congratulate him for doing that.

Now with that, I do have some questions. The first thing is that even though it is important to restore that funding, it’s also important to realize that we have a \$3 billion deficit and a \$6 billion cash shortfall that is primarily coming out of our sustainability fund as well as direct borrowing. Between those



two, that's where the \$6 billion cash shortfall is being financed. If we're going to put back \$106 million, what I would like to know is that in the first conference after her election as PC leader, the Premier alluded to finding in-budget savings, in-year savings to cover this \$106 million reinvestment of the money into the education system. So my first question to the minister is: where is this money coming from? What savings have you found in order to pay for this needed \$106 million?

**The Deputy Chair:** Thank you.

Hon. minister, before you answer, could everybody please check and see if somebody has a cellphone on vibrate? It's coming through the system here. If you do, move it off your desk, please, or turn it off completely. Thank you.

**Mr. Lukaszuk:** Well, Mr. Chair, I thank the member for his kind remarks relative to the choices that exist in Alberta. I can assure the member that this government will be committed to making sure that parents and children continue to have choices relative to schools. I agree that predominantly private schools are not for the elite of our society. I happen to have a school in my riding, the Islamic Academy, which is attended by slightly fewer than 1,000 children. I have to tell you that I would guess – this is purely intuitive – that the average income of the families who send their children to that school would be below the average in Alberta.

The fact is that to that community maintaining language predominantly and learning religious studies are important. These children do extremely well. They do instruct Alberta curriculum. There are misconceptions relative to private schools, that they happen to be elitist schools for rich kids with uniforms who get dropped off in fine, fancy vehicles by rich parents every morning. That is just simply not the case.

Now, relative to where that \$107 million was found. The member comments that education should be well funded and that the \$107 million was the right thing to do, but at the same time he's asking: where did I find \$107 million in the Ministry of Education? Basically, if I was to find \$107 million in the Ministry of Education and then put it back into the Ministry of Education, I don't think the education system would be any better off at the end of the day. So requesting that the Minister of Education first cut \$107 million just to the next day reinject it and have a big announcement is not what the Premier intended. The Premier intended to put an additional \$107 million into the system, which, obviously, the Premier, myself, and all involved in the administration of education concluded was needed at this point in time.

The member should be reminded that approximately 80 per cent of the Education budget goes into salaries. It's a very labour-intensive ministry. Obviously, teaching takes place in classrooms by teachers, and our teachers need to be paid salaries. Right off the bat 80 per cent of our budget goes into salaries. The exercise was not to carve out \$107 million just to reinject it. This was additional dollars that were found in the operations of the government of Alberta.

Now, the member will have an opportunity to debate next year's budget in the House. If he has any suggestions for where I can find savings in the Ministry of Education, I would be more than interested to hear what they are and how they can be attained. But I have to tell you one thing. I will not consider any savings and/or cuts that will negatively impact children in the classrooms. So if the member is aware of any savings that can be found that will not compromise the quality of education, I will be very interested to find out from the member what they are, and I will get on it.

**Mr. Anderson:** Okay. Well, I'm just going to assume that that was a misunderstanding and a lack of clarity on what I was asking, Minister. Surely he doesn't honestly think I was saying that he should cut \$107 million from the Ministry of Education to pay for the \$107 million.

Anyway, what I would ask is: where is that \$107 million coming from out of the government? Obviously, he doesn't know where that's coming from. Obviously, it seems pretty clear that when the PC government needs more money, they don't look for savings in-house. They just grab it out of our savings account. I thought I was providing an opportunity for the minister to explain where they found that \$107 million in the total government, but apparently he thought I meant taking it out of the Department of Education, which was clearly not my question.

He did ask for ideas on where to find savings in the future. That is a good question, and here's my suggestion. The former Education minister – before he was the health minister, before he was the Energy minister, before he was the Finance minister – signed a very irresponsible contract with the teachers that tied teachers' salary increases and, frankly, reflected the irresponsible pay increases that we as MLAs received, to the cost of the weekly wage index. A very, very irresponsible way to index our salaries; irresponsible as well to index the teachers although it's not the teachers' fault. When they see the politicians, their leaders, going ahead and giving themselves that kind of salary increase, then naturally and, I think fairly, they say: well, shouldn't we be getting the same increase?

If we don't show an example in this House of how to be reasonable with our salaries, surely we can't expect the same out of public servants. That irresponsible contract was signed, and it has led to a huge increase in the cost of wages in this province, roughly 4 and a half per cent a year or thereabouts, so about 13 per cent over the last three years. It has caused, of course, our Education budget to balloon so that instead of controlling teachers' salaries and our salaries as well to the rate of the cost of living, for example, in which case we would have only had maybe a 5 or 6 per cent increase over the last three years, we have doubled or more than doubled that increase. Because of that, with the same amount of money we haven't been able to hire as many teachers as we would have been able to with the same amount of money had we kept those costs down.

So my question to the Minister of Education is whether he is actually going to negotiate a contract with the teachers this time that adequately protects taxpayers and will actually result in us being able to hire more teachers because we're not paying them through the nose because of some irresponsible vote-buying scheme that a minister previous to you put in place. That's what I would like to know. Are you going to actually negotiate a good deal for the people of Alberta, or are you going to cave in like a cheap tent again?

8:40

**The Deputy Chair:** Hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Chair. A few corrections. A very inflammatory rhetoric, but very thin on facts. Number one, I would strongly encourage the member tonight, once we recess at 1 o'clock in the morning, to dig out his last paycheque and to realize that his wages have not been indexed to average weekly earnings for years. So I hope he's not budgeting his family budget on anticipated pay increases because he hasn't been receiving any and won't be receiving any for a while to come. To say that we are getting average weekly earnings as politicians – it's difficult for

me to take financial advice from him when he actually hasn't even examined his own paycheque.

Now, Mr. Chair, relative to teachers' salaries. This is actually good timing on behalf of the member because I will be meeting with the majority of teachers over the next few months, and I'm sure they will be interested in finding out what position the Wildrose Alliance is taking relative to our teachers.

The fact is that an agreement was negotiated in good faith by the Alberta Teachers' Association and the Alberta School Boards Association and the government of Alberta. At that point in time it was considered to be a fair pay settlement by all three parties. Our Alberta teachers are not paid exorbitant wages. They are paid more on average than teachers throughout the country, but I can tell you that the results that we're getting out of education are better than what the rest of the country gets.

I have to remind the member, because this is testimony that I am very proud of, that when the Prime Minister of the U.K. showed up over here, he highlighted Alberta education as the best education system in the entire English-speaking world, not Canadian education but Alberta education. Are we getting a return on our investment? I see spending money on education as an investment and not expenditure. Yes, we definitely are.

If that particular party wants to engage in divisive rhetoric and try to pit parents against teachers against students against school boards against ATA against government, they're free to do that. I choose to work with the school boards and the teachers and the parents in a collaborative spirit because at the end of the day there's only one thing that matters, the students in the classroom.

If you want to engage in inflammatory rhetoric where you end up pitting one against the other, only one party is going to lose, and it won't be the teachers. They have contracts. They will come to work tomorrow morning and get paid. It won't be us. It will be the children in the classroom who lose because what happens when you engage in that kind of rhetoric, as the Wildrose Alliance would have us do, is that you don't talk about education. You end up talking about politics, you end up talking about arguments, you end up talking about salaries, but you never engage in the most important conversation that we as adults, as educators should be having. That's pedagogy. That's curriculum. That's administration of education. That's making sure that we continuously remain one of the best education systems in the world.

Mr. Chair, I personally will not be drawn into that kind of inflammatory dialogue with teachers or with parents. I will stick to the request. If the member wants to know where the money comes from, well, I am here before the House, asking the House for the money. To answer the member's question, if he grants the money today to pay that \$107 million, he knows very well where the money comes from. It will be him voting either in favour of it or against it, and the money will come from the Alberta Treasury. Obviously, at the end of the day there is a finite amount of dollars that government can have, that Alberta Treasury will have, and something has to give. But we do budgeting together in the House, and that member should know where the money comes from.

**The Deputy Chair:** Hon. member, about three minutes and 18 seconds left.

**Mr. Anderson:** Well, that lack of budget and fiscal planning is the reason why we have a \$6 billion cash shortfall. The member is right; we haven't had a pay raise as MLAs for the last two years, three years, something like that. The reason is because we got a monstrous 30 per cent pay raise right after we were elected, and we all know on that side of the House and the people that used to be on that side of the House how that pay raise occurred, okay?

We know how it was decided; we know how it was told and how most of us were informed, including that member, who wasn't a minister at the time. [interjections]

I would just say, you know, that the most important thing here is that that type of stupidity, specifically by the Finance minister – his lack of proper planning, the lack of proper budgeting, selling out, constantly trying to buy votes – is the reason we are in the situation . . .

### **Chair's Ruling Decorum Relevance**

**The Deputy Chair:** Hon. members, I wonder if we could just go back to the peace and decorum we had a few minutes ago so that the Member for Airdrie-Chestermere could continue speaking.

Airdrie-Chestermere, could I remind you that we're discussing the supplementary estimates of Education; okay? If we can stay relevant, that would be appreciated. Thank you. With that, please proceed.

**Mr. Anderson:** Absolutely.

### **Debate Continued**

**Mr. Anderson:** It's ridiculous. I've said again and again that the reason we can't pay for teachers, the teachers that we need, is because of the absolutely irresponsible, liberal-minded, ridiculous contract that that Finance minister over there signed. That's the reason. Because of that irresponsibility, we're in a position here where we have a teacher shortage. He signed an irresponsible contract that the taxpayers of this province couldn't afford. That's the reason why we're here talking about giving money back. The reason we are in the position where we have to spend an extra \$107 million right now is because of that irresponsibility, and that's why we have a \$6 billion cash deficit and a \$3 billion deficit. That's why we're here in supplementary supply putting forward another money bill, because of that irresponsibility.

It's just amazing to me – and I don't blame this current minister because I have faith in him. I think he's going to do a better job this time, negotiating a deal that has some financial sanity, which is more than I can say for the Minister of Finance, who's now in charge of this entire province's finances. It should scare the living you-know-what out of every single Albertan.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

Hon. minister, you've got 15 seconds.

**Mr. Lukaszuk:** Mr. Chairman, 15 seconds is all I need. The choice is clear. You can have that party running this province, or you can have this party running this province. In the meantime I'm asking for the supplemental estimate.

Thank you.

**The Deputy Chair:** Thank you.

Hon. Member for Calgary-Fish Creek, did you wish to speak?

**Mrs. Forsyth:** Well, Mr. Chairman, you know, when you bring up a point in regard to relevance, that comment certainly did have nothing to do with the budget whatsoever.

**The Deputy Chair:** Frankly, the chair was challenged to hear any comments for the last 30 seconds. If we could just preserve the decorum, that would be much appreciated.

**Mrs. Forsyth:** Mr. Chairman, if I may, we have technology in this Legislature that works very well. Because of my hearing impairment I would encourage you to get one of these.

**The Deputy Chair:** I just asked for one, in fact. Thank you.

Are there any other members who wish to speak on the Education estimates? The hon. Member for Edmonton-Highlands-Norwood.

8:50

**Mr. Mason:** Thanks very much, Mr. Chairman. I'll get in on this increasingly interesting exchange that's been going on, and I will start with the \$106.7 million to reinstate operating support to school boards. I'll just remind some of the members opposite, including the current Minister of Education, that when the last budget was debated in the Legislature, we warned the government that this cut, not a cut exactly but this shortfall in terms of the requirements that the school boards put forward, was going to result in very serious impacts on our students, the same students that this minister is now standing up and purporting to champion. It was this minister as well as all the other members opposite that supported this budget for education at the time. They were warned and they were told by teachers, by school boards, by parents, certainly by Alberta's NDP in the Legislature that the cuts or the reduction or the shortfall of \$107 million was going to have a terrible impact, but they didn't listen. They did not listen. They passed that budget, and every Tory member stood up for it. That's all a matter of record.

The results, of course, were substantial reductions, a whole class of graduating education students that didn't get jobs. Existing people who were teachers and support staff and specialists that provided for the educational needs of special-needs children lost their jobs. Class sizes exploded, and kids were hurt. And the minister laughs when I say that kids were hurt, but I think that if he asks the parents of those children, they haven't forgotten the impact of that devastating decision on the part of the government.

People got angry. Parents were angry. Teachers were angry. Alberta's NDP organized a campaign to reinstate the funding, and this funding is exactly what I'm talking about, Mr. Chairman. I'm talking about the \$110 million. We organized a campaign to get that money back. Now, at the last minute in the Conservative leadership race, with the current Premier behind in the race, she pulled out a Hail Mary pass and threw the ball of \$110 million to reinstate the funding, a political move: shrewd, perhaps; opportunistic, definitely; coming from the heart, from a clear understanding of the needs of children, not a chance. It was a purely political move in order to accomplish what she achieved, which is her victory in that race.

Now we come down to the \$106.7 million, the roughly \$107 million. It has now been reinstated, but a lot of damage has been caused in the meantime. Just correcting it halfway through the school year does not undo the damage over the last number of months in our schools and to our children, so this government bears a heavy burden of responsibility with respect to that.

Now, I want to ask the minister because I was there for this announcement at Government House. I watched the minister and the Premier announce the reinstatement of this \$107 million. I want to get back to the hon. Member for Airdrie-Chestermere's question because he asked where the money was coming from. We got a glib non-answer from the minister that, of course, it's coming out of the treasury, but I was there, and I remember what he said at that time and what the Premier said at that time, that this money would be found from savings in the budget. In other words, they were not going to increase the budget. They were going to

find reductions across the board, not limited to his department, because I don't want him to misrepresent my question. Across the board they were going to find the \$107 million and make other cuts in order to restore the funding that they never should have cut in the first place. My question to this minister is: where will this money come from?

**Mr. Lukaszuk:** Well, Mr. Chairman, the Ministry of Education has a budget of \$6.2 billion – that's billion with a "b" – and \$106 million compared to \$6.2 billion was lapsed by way of programs that were not continued. This member would have this House believe that entire education classes of graduates did not get hired and that a bunch of teachers got fired and that a bunch of support staff got laid off and that classroom sizes exploded, and I imagine that he's going to tell us that we shut down schools and that we knocked down schools and that the education system was devastated, that it was just char and smoke, and that nothing was left of education because \$107 million was lapsed out of a \$6.2 billion budget. If that's the case, next year I'm going to run the education system on \$107 million. If you can hire all the teachers and run the whole system with \$107 million, who needs the \$6.2 billion?

Well, Mr. Chairman, that is not the reality. The reality is that, yes, that \$106 million was very important. It was addressing programs within classrooms that were impacting students, and it was deemed that it was needed to be reinstated. But when you look at the fraction of the budget that it actually is, it's a very insignificant number.

Mr. Chairman, the premise of that entire question is ridiculous, but I will go back to my initial response that I have given to the Member for Airdrie-Chestermere. The fact is that the money, obviously, will come from the treasury. The member is asking: what are we going to cut? I will expand my question by saying that if the member is of the belief that there are programs that need to be cut to find those dollars, do say so. Not to misrepresent his question, I don't assume that he wants me to cut that money out of education, but if there are other ministries that the member thinks that we should be cutting those dollars from, please do say so because we will be interested.

**The Deputy Chair:** Thank you, hon. minister.

I would again ask, please, to keep the conversations down to a minimum. If you wish to be recognized, just wave your hand, and I'll be happy to recognize you in your order.

Hon. Member for Edmonton-Highlands-Norwood, please proceed.

**Mr. Mason:** Thank you very much, Mr. Chairman. Well, I'm going to persist because I think what we just heard from the minister was an attempt to completely misrepresent the question in the first place, not the first time he's done it tonight, then a refusal to take responsibility for the impacts of those budget decisions and an attempt to dismiss them and pretend that they are trivial and minor, which I don't think we can accept – I'm glad that he's on the record saying that – and ultimately a refusal to answer the question, an attempt to try and put it back in a very crude, ham-fisted way, quite frankly, as if I am proposing that we are going to find other cuts, that I have to propose what it is to cut.

Just to cut right through it all, at the time that this minister and the Premier announced that the \$107 million would be restored to the funding, they said that this money would be found in the budget from other places. My question to the minister is: where are those reductions that correspond to this increase, or has the minister changed the game without telling anyone? I heard the

Premier say it, and now the minister is blatantly avoiding the question, refusing to answer. We can be here all night until we get an answer on this question. I'm up for it.

**Mr. Lukaszuk:** Mr. Chairman, unlike the member would suggest, I don't play games with education, and this government doesn't play games with education. If to him education is a sport, he's welcome to it, but to me it is a serious business. Frankly, I would argue that it's probably one of the most important businesses that we can carry out in this House and as government in this province.

The fact, Mr. Chairman, is that this government department by department on an ongoing basis goes through our budgets, and we try to find savings in-year if there can be any realized without negatively affecting the valuable programs that we deliver to Albertans, and our departments will continue doing that. At the end of the day, when you get your final quarter numbers, you will find out whether there were any savings found within departments. If there were, that's fine. They are reallocated or returned to Treasury.

In the meantime, Mr. Chair, I know that he will get up and scream and shout that I'm misinterpreting his question, but I don't think that he's suggesting that we don't issue that \$106 million, which, *nota bene*, has already been released. School boards have been given the go-ahead to bring the programs into the classrooms as required. I don't think he is suggesting that I not do that and not release the dollars to the classrooms until this government in some ministry or perhaps even in my ministry finds the dollars.

If that member wants that to happen, if he wants us not to release those dollars into the classrooms and have the children benefit from it right now until we find \$106 million or \$107 million in current budget spending in some ministry, say so.

9:00

**Mr. Mason:** Mr. Chairman, of course I didn't say so. The minister continually attempts to avoid answering questions by putting words in the mouths of other members. It's not what I think we expect from a responsible minister who's in charge of a multi-billion dollar budget, as he rightly says.

I think we're making a little progress, Mr. Chairman. He's now talked about reviewing his budget to find other savings, and that says that they do that on an ongoing basis. He's saying that we have to wait until the final reconciliation after this budget year is all over in order to find out where those reductions were made, and I don't think that's responsible either, Mr. Chairman.

I want to put it to the minister again. If you're going through your department looking for savings in order to contribute to this \$107 million figure, where are you making those reductions?

**Mr. Lukaszuk:** Well, I don't know if I can be any more clear to this member. Let me say this again. You know what? I give him the benefit because maybe I should sit down with the member and walk him through what we do in each portfolio on an ongoing basis. Mr. Chair, you will appreciate that as you carry on through the year, you do try to find savings everywhere you can as responsible stewards of taxpayers' dollars also in charge of the living programs. If there are ways of delivering programs at a quality that is expected by Albertans and delivering them cheaper, you always will do that because you try to deliver programs as efficiently as you possibly can.

In the last-quarter reconciliation of the year you do notice how much you managed to save by finding efficiencies within departments. At the same time, when you make an in-year announcement that you're going to inject additional dollars into a program, you don't honestly believe that for a program as

important and as vital and as time sensitive as education you're going to wait to inject those dollars until you actually realize the dollars in savings in this or some other department.

What you do is that you continuously look for savings, and you do find savings. You do realize savings. But when the time comes to inject dollars, you inject dollars. We made a decision as government to inject this additional \$107 million, and I'm sure that as we continuously look for savings in other departments, that sum or even a greater sum may be found in in-year savings in a variety of ministries.

In-year savings happen through a variety of ways. Sometimes you just find a more efficient way of delivering a program. Sometimes you find that the subscription to a program was lower than you thought it was because of ineligibility or because the program simply wasn't tapped into. Sometimes you find that certain programs just were not needed in a year. But the opposite is also the case. We just had a minister talking about natural disasters. You may have a program that gets tapped out, and you have to put additional dollars into it. That is the nature of government. You put budgets in place, but at the end of the year you try to find efficiencies.

Let the member be patient. At the end of the year when we reconcile our budget, he will see what savings were found.

**The Deputy Chair:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Chairman. I will express my appreciation to the minister for his change in tone. Instead of inciting and insulting and putting words in the mouth of people asking questions, he is actually now just down to basically not answering the question. So that's progress.

I want to pursue this a little bit. He is talking now about in-year savings. That's the language I remember the Premier using when this announcement was made. We're going to call it in-year savings. Okay. So now we're back to sort of what the Premier and the minister actually said: in-year savings. Let me ask this question of the minister. Which year are you going to find \$107 million of in-year savings? Is it the current budget year, which is coming to an end next March, or is it in-year savings next year? How much of the in-year savings are going to be found in his department – does he think he can give me an estimate? – versus other departments in the government? So let's start there, Mr. Chairman.

**The Deputy Chair:** Thank you.

Hon. minister, we have about three and a half minutes for this exchange.

**Mr. Lukaszuk:** Mr. Chairman, I never attempted to incite or insult the member in any way. If I did, I apologize.

You know, Albert Einstein, I think it was, had a definition of insanity: if you do something over and over again and you expect a different outcome, that is the definition of insanity. I would suggest to this member that if he continues asking me the same question over and over and over again, on the balance of probability he is likely to receive the same answer over and over and over again. There is a very good reason for that. It's because there is only one answer to his question.

This member seems to be more concerned with where we find the dollars in this year, in which ministry and which program will perhaps be underutilized or which program will be eliminated, which probably may not be the case, and he will have the opportunity to see that when this year's budget, not next year's but this year's, is reconciled. The actual topic that we should be discussing over here is the additional injection of the almost \$107

million into the system for programs that were deemed to be valuable and programs that needed to be topped up.

So if the member wants to ask me in a variety of ways the same question of where this money is going to be found, Mr. Chair, I have no option but to give him the same answer and speculate on what motivates him to ask the same question over and over again. What I'm wondering right now is that maybe he is not certain whether injecting that \$107 million into education was the right thing to do because he's worried that we may not find it in this year's spending. That is starting to become clear to me. If that is the case, if he thinks that we may have injected dollars that we may not be able to find later and we are being fiscally irresponsible, say so. But if he is supportive of the fact that injecting the dollars into the budget was the right thing to do, if he knows that at the end of the day the budget will be reconciled in just a couple of months and that he will have the opportunity to take the entire last-quarter report home and look through it and see what ministries realized what savings, we can sit down with him and walk him through it. I'm sure the Minister of Finance will enjoy doing that. We will do that.

Mr. Chairman, I don't see how my comments in any way are inciting the gentleman or being insulting. Ask the same question 55 times, and you are going to get the same answer. What is important is that we have to focus on the benefit of the \$107 million. This morning I met with the Alberta School Boards Association, and the member has already heard that apparently it delivered a speech that the Member for Calgary-Buffalo could not hear because it was so well received. Partly it was so well received because of that \$107 million, Mr. Chairman. The money was put in places where educators, not this government but educators, and school boards deemed appropriate. They will be reporting to this member, and he will have the benefit of seeing their report and how the money was spent in the classroom. He will see that the children have benefited from it. But if he wants to focus on which ministry in this government found that \$107 million, let him go to it.

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

Are there any other members? The Member for Airdrie-Chestermere.

9:10

**Mr. Anderson:** Absolutely. Well, let's keep going, then, because we're all just a little crazier tonight. Specifically, you're telling me, Mr. Minister, that at the first news conference after your new leader was elected, she comes out and says: we are going to return the \$107 million that we cut to education, and because we're such fiscally responsible Conservatives, we're going to find in-year savings to do that. The media asked: where are these in-year savings going to come from? She said: we're just going to find them; stay tuned.

So you bring in a supplementary estimate to get this \$107 million, and you don't even have the answer. You're so unprepared that you do not have the answer as to where that \$107 million comes from. Does it come from savings, from the sustainability fund? Did it come from the heritage fund? Did it come from your backyard? Where did it come from? Are you just taking more money, more savings, and just putting it in there without finding the in-year savings that your Premier in her first news conference, almost first words out of her mouth, said: we will find in-year savings in the current budget to pay for this \$107 million. I said: well, that's great; that's exactly what they should do.

So you ask: where? Well, how about the \$350 million we're spending on new MLA offices. Do you think that's a priority for

Albertans? Do you think \$2 billion for carbon capture and storage is a priority for Albertans? Do you really think that? Do you think that your 34 per cent cabinet salary increases were a priority for Albertans? Where does it end? I guess that if you're looking for \$107 million of in-year savings, there are plenty of places to look. You could also have gotten it from the sustainability fund. Maybe that's where you got it.

What I'm asking, Mr. Minister, I think is a very reasonable question since it was the first thing that came out of the new Premier's mouth. Or is this another flip-flop? Is she again flip-flopping, which she is doing literally once or twice a day now it seems? Did she make a promise again and not keep that promise? It sounds to me by your non-answer that she made a promise that she's not keeping. She said: yeah, I'm going to give this \$107 million back to the school boards, and I'm going to find in-year savings to do it. It sounds to me like she got half the promise right. It's kind of like with fixed elections; she kind of went halfway there, you know, but she didn't go the full length. So she's found the \$107 million, but she hasn't found it in in-year savings. Is that what you're saying, Minister? Is this just coming right out of our children's savings again? Is that what's going on?

**The Deputy Chair:** The hon. minister.

**Mr. Lukaszuk:** Thank you. The only thing that went halfway is the half-baked idea of their platform and what they're presenting here to this House right now.

If, really, the opposition wants to engage in a debate right now on whether the government did a fiscally prudent thing by injecting \$106 million, game on. Let's talk about that because that's what they seem to be focusing on. The fact is very simple, and this is not unusual. Government MLAs' offices – by the way, I should let you know, Mr. Chairman, that perhaps there's yet another memo that he hasn't read. His office, his opposition office, which will be his opposition office for many, many years to come, or maybe not his but his party's, will also be in that building. So it's not government MLA offices. It'll be opposition MLA offices unless he chooses not to vacate the Annex building. It would be unfortunate, but worse things could happen.

The fact is that they have already pawned that building 55 times over because that building is going to pay for 55 other programs that they identified with savings that could be found. I would strongly encourage them to go to the mayor of Edmonton and tell him that we should not have refurbished that building and left it vacant and paid \$600,000 per year to keep an empty building standing.

The fact, Mr. Chairman, is that this tells you about the depth of the dialogue that you get from that side. Instead of focusing on what we should be focusing on, the well-being of children in the classroom and the fact that we need to maintain valuable educational programs, the fact that we have kids with special needs that need additional help from time to time, the fact that there are pressure points that arise from time to time, and the fact that this member in his own city has pressure points in the education system that he should be focusing on instead of playing politics with education – no, that is something that they will not discuss.

They want to discuss where that \$106 million is going to come from. Well, Mr. Chairman, it's going to come from the government of Alberta. He knows very well that every ministry is looking for in-year savings, and there will be in-year savings in a variety of ministries. At the end of the day the budget will be reconciled, and the odds are that \$106 million will come from dollars currently allocated to the operations of the government of

Alberta. If he honestly wants me not to release the dollars to school boards, not to put additional help into classrooms, not to get those TAs to stay on the job until I can actually pinpoint which ministry that \$106 million is going to come from, say so.

**Mr. Anderson:** You know, this minister talks a lot about how much he cares about the children. That's great. That's awesome. I love children, I love motherhood, and I love apple pie. But you know what? I'll tell you how much I love children. I love my own children, my four boys, and I know the minister has children or has a child and, I think, another on the way. I'm not sure. Anyway, I know he cares about children as well. The fact of the matter is that I care about my children, so not only do I worry about their education, I worry about their financial future. I worry that we're going to pile upon them billions and billions of dollars in debt, deficit, liabilities, all kinds of different entitlements, and things that they're going to have pay for our irresponsibility because we couldn't figure it out, because at a hundred dollar a barrel oil, we're running a \$6 billion cash shortfall.

When oil goes down to \$50 one day or \$40 because it's not worth as much and there are alternative fuels out there that kind of lessen the demand for it, and our kids come and look – you know, they're a little bit grown up, and everyone is moving out to different areas of the world because there are no jobs in Alberta, and we haven't saved a blinking nickel so we can't pay for all these great social programs that we've built up over the years and the infrastructure. When all that happens, and they look at us and say: "What the heck was the matter with you guys? You had \$10 billion in resources, and you couldn't put a few nickels away for us? Instead you spent it all? Really?" That's what it means to care about the kids, Minister.

I care about the kids just fine. I want to make sure they get an education, and I want to make sure that the bills are paid and that we don't leave them with a mountain of liabilities and debt. If we can't balance our budget at a hundred dollar a barrel oil, then on what planet are we ever going to balance it except for the possibility that oil may one day get to \$120 or \$130? That's the problem I have, so I look at this debate as more fulsome than that. Clearly, we want education for our kids. Clearly, we want schools for our kids. But, clearly, we don't want to leave them up you-know-what creek without a paddle when it comes to the finances of this province. That's the direction we're heading in.

When the Premier comes out and she talks about being all fiscally responsible and she says that we need to make sure we give that school money back to our kids to support their education, that's great. I'm completely in favour of that. But when she says in the next sentence that we're going to do that by not increasing the deficit and we're going to do that by finding in-year savings, I take her at her word. That's what she said she'd do.

What is clear, very clear here, Mr. Chair, is that this minister has, I think, told the Assembly by his nonanswer that there was never any intention to find that \$106 million. There was never any intention. It was another promise that this former PC candidate Premier made in order to get people to vote for her. She had no intention of finding the in-year savings at all. She just wanted the votes. She promised the money. She got it. She got the votes, and she got the premiership.

**Mr. Boutilier:** Crass politics.

**Mr. Anderson:** Crass politics is right.

Obviously, we've talked through this issue with the Member for Edmonton-Highlands-Norwood, and I think I've talked about it

two or three times in this session. We've asked very nicely. I complimented the minister earlier tonight. I've tried to ask reasonable questions of him. What is clear is: there was never any intention by this Premier to find in-year savings for this money.

Am I happy that we're giving the children this money? Absolutely. I am very happy about that. But why couldn't you find money in those new MLA offices? I'll say it right here. I don't think the Wildrose has been hiding the fact that they think \$350 million for new MLA offices is not a priority for the people of Alberta. Not just for the people of Airdrie – this is not just only Airdrie. People in Airdrie don't think this is a priority. No, no. I would say the vast majority of people in the city of Edmonton, frankly, don't think that new MLA offices are more important than new schools, this funding or balancing the budget or at least trying to get closer to a balanced budget. I think that that is very clear.

**Mr. Hancock:** I wonder if the hon. member would permit a question. Do the rules provide for that?

9:20

**Mr. Anderson:** Absolutely. I have to preface my question. I have to give a preamble so that there's context to the question, so I am getting to the question.

**Mr. Mason:** You don't have to ask questions.

**Mr. Anderson:** You don't have to ask questions?

**Mr. Mason:** Did you want to ask him a question?

**Mr. Hancock:** Oh, I'd love to ask him a question.

**Mr. Boutilier:** Well, we're still waiting for an answer, Dave, on this side.

**Mr. Anderson:** We are waiting for an answer. If we get an answer, then we can ask questions again.

That's the question I have for this minister. Does he have no intention over the next period of time to find this \$107 million out of in-year savings, or is he just going to take it out of our savings? Because what it sounds like to me, according to the second-quarter update that was just released yesterday, the increased deficit is being financed by the sustainability fund.

Am I right to say that this \$107 million – it's a simple question – came out of our children's sustainability fund? Is that correct or not correct? Or did it come out from, you know, the end of the rainbow? From leprechauns? Where did it come from?

**Mr. Lukaszuk:** Mr. Chair, it was very difficult to focus on the member's question right after he told me that I have a child on the way, because I wasn't aware of that. As you may appreciate, receiving that news under circumstances like this is a little bit unnerving, but I will try to address some of the things that he may have said.

Mr. Chair, this debate really puzzles me because the question before the House is really simple. The government has made a decision, and these members across the floor will argue that they are supportive of this decision. They really want this \$107 million to go into the classroom. So the debate should be short and simple. The fact is that that was an allocation of dollars that was wisely spent to address issues that definitely needed to be addressed.

Also, a comment was made by the Premier and myself that we will find savings in-year in the operation of the government. The year is not over. There's an entire quarter ahead of us.

As I said earlier, Mr. Chair – this is probably the seventh time that I'm saying the same thing – the budget will be reconciled. They will get to see what savings were made. I'm sure certain departments will find more than \$107 million of savings within their operations. That will be the money. The dollars are not marked. The dollars are fluid, and that will be the case.

The question is not whether we find the dollars but whether we're spending the dollars wisely. I hear that these members are – at face value they'll tell you that they are supportive of spending and investing dollars in education but only at face value, theoretically speaking, because the moment you actually start spending money on education, this is the kind of rhetoric you get.

They will start telling you that spending money leads you to deficit spending, which leads you to debt, which means we're passing debt onto our next generation, and loving children actually doesn't mean spending on education right now but making sure that we don't pass debt on to them in the future. Well, Mr. Chair, you can't speak out of both sides of your mouth. If you really love children and if you profess to be supportive of education and spending on education, then you should be supportive of this expenditure.

If you profess to be proficient in understanding budgets – and this member clearly doesn't seem to be exhibiting such qualities – you should know that at the end of the next quarter the budget will be reconciled. He will be able to take a look at the reconciliation of the budget, and I'm sure that he will find more than \$106 million in year-end savings in some ministries, and then he will find that other ministries like this one and a few others have to come for supplemental spending because programs require such.

Mr. Chair, the question is simple. I think Albertans could conclude from this dialogue, rather bizarre dialogue, what the priorities of each party in this House really are. Some will actually tell you, like ours, that our priority is education and children, and we put our money where our mouth is. Some will just talk about the fact that education is their priority, but the moment you try to address issues within the education world and try to invest dollars into programs, all of a sudden that becomes an issue. That becomes deficit spending. That becomes passing debt on to our next generation, and all of a sudden that is not a wise expenditure. You can see the duplicity in what they're professing.

This is a government that will continue supporting education, that will be addressing issues and pressures from school to school. We will be addressing education in an equitable way, which means that sometimes you need to put different resources in different jurisdictions to make sure that kids throughout the entire province get an equally high level of education. And sometimes it means that you have to look at in-year savings from other ministries.

But these individuals choose to focus on something very narrow because that's all they can understand and not very well, because he hasn't even realized that he hasn't had a paycheque increase over the last years. He still thinks that he is getting his average weekly earnings increases. All they can comprehend is numbers, but you can't assess education simply by numbers, Mr. Chairman, because when you look at education, it is as much quantitative as it is qualitative.

If you want to judge by numbers and if you want to colour by numbers and if that's how you would administer education if you, God forbid, ever had a chance of getting anywhere near power, then God help us and the children that you profess that you love so much. Yes, maybe you would leave them with a massive surplus, but – you know what? – they wouldn't know what to do with it because they wouldn't have the education that they need right now to be able to deal with it later and manage this province, as they will. We are graduating some pretty darn good graduates out of

our schools that are ready for the world and will be the leaders not only in Alberta and not only in Canada but throughout the world. Why? Because education is our priority. We're putting our money where our mouth is and not engaging in dialogue that Albertans now had to be exposed to for the last half an hour, which makes no sense, no rhyme, and no reason.

By the way, if your prediction that I have a child on the way turns out to be true, I thank you for being the first one to let me know.

**The Deputy Chair:** Thank you.

Hon. member, you have two minutes and 50 seconds left in this exchange.

**Mr. Anderson:** Excellent. As we've exhausted, obviously, the intellectual capacity of this minister, I'm going to move on to somebody who I think is articulate enough to actually answer this question since she made the promise. The Premier is here. When she was first elected, the day after, she specifically stated that she would restore the \$107 million in funding for education, which was a promise that she made, indeed, during her leadership. She said that she would find in-year savings to the tune of \$107 million to fund that. So my question to the Premier is simply: where is that \$107 million going to come from? You said it was in your savings. Where is it going to come from? From the sustainability fund or from somewhere else, Madam Premier?

#### **Chair's Ruling Committee of Supply Procedures**

**The Deputy Chair:** Hon. member, I might remind you that supplementary estimates pursuant to Standing Order 59.02: the debate that's going on is between a member and the minister. A question such as you're wishing to ask might be better posed in question period or in some other format unless the Minister of Education wishes to deal with it.

We've got about a minute and 30 seconds.

#### **Debate Continued**

**Mr. Lukaszuk:** Thank you. I will gladly deal with that question, Mr. Chairman. Let me reiterate what I said earlier, and I'll try to use a different approach. When the government of Alberta and this Legislature passes a budget for a whole year, this government, which actually is the only one, I believe, in Confederation to do so, provides all Albertans with quarterly reports. The final report is the final reconciliation of the entire budget. All members are privy to looking at it, and Albertans are privy to looking at it. As the member would know, from time to time certain ministries have additional pressures, in-year pressures, because of unforeseeable circumstances, just like changes to average weekly earnings, to which we are contractually bound, or natural disasters in other ministries that need to be addressed, and we find ourselves in a position where we have to come back before the Alberta Legislature. It's the privilege of the Alberta Legislature to grant us additional dollars.

Now, other ministries on the other hand will find, as did the past ministry I was fortunate to be charged with, certain programs that are undersubscribed for one reason or another. Economic conditions in the province are good, and certain programs are simply not tapped into. Those ministries find themselves on the opposite side of the ledger, and they will end up having in-year savings. At the end of the year, Mr. Chairman, the budget is reconciled, and if there are additional dollars, those dollars are used, and they're moved from ministry to ministry.

Hopefully, that helps this member in recognizing where the dollars will come from.

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

The hon. Member for Calgary-Buffalo, followed by the hon. Member for Calgary-Glenmore, and I see that Edmonton-Highlands-Norwood is up after that. Calgary-Buffalo, please proceed.

9:30

**Mr. Hehr:** Well, now I've spent an hour listening to this riveting debate. Nevertheless, I think the question is whether it will be in-year savings or some other thing like that. Do you think we can just get your best efforts to – I think you've sort of said that you're going to provide those throughout the year or at the next budget time. That answer is good enough for me, and I think it should satisfy the rest. Is that sort of what I'm hearing, that you're going to use your best efforts to let us know whether it's in-year savings or if some other event happens? Is that the gist of it, just to clarify for everyone here and sort of to proceed along? I will not get that last hour back in my life, by the way, but, you know, I hear you.

**The Deputy Chair:** Mr. Minister, you're reminded that section 23(c) deals with needless repetition, but if you wish to repeat once more for the record . . .

**Mr. Lukaszuk:** Well, I won't. Obviously, this member understands it, and he finds it perfectly clear. It's just unfortunate that the Wildrose Alliance members are not in a position to understand that.

**The Deputy Chair:** Thank you.

Hon. Member for Calgary-Buffalo, do you have any supplementals?

**Mr. Hehr:** No further questions. I just wanted to make sure I had the parameters clear.

**The Deputy Chair:** Thank you.

Could we move on, then, to Calgary-Glenmore, please?

**Mr. Hinman:** Well, thank you, Mr. Chairman. I'm going to go back because I'm going to restate in another way what it is. To my understanding, these are supplemental supply estimates. What that means: we go through some of the other ministerial offices, and the one most important that we look at is the hazard in Slave Lake, and we understand why we're applying for new money. But the question that's eluding all of this in education is the fact that it says expenses. The reason the supplemental amount of \$217 million is requested to be provided: the first major line item is \$106 million "for the reinstatement of operating support to public and separate school boards."

Now, the problem that seems to be eluding everyone I think is very simple. The Premier promised and said that that money would come from in-year savings. Therefore, it wouldn't be in here. It's supplemental supply. So what they're saying very plainly is that it's not going to come from in-year savings. What it says is that it's going to come from in-year and be transferred over. What they're saying is that they're going to pull it out because this is all new spending, money that they're taking out of our savings account to pay for these things. It sounds like the minister is cackling over there. I don't know. Maybe he's having an egg, then, if not a child. Why would you put it in here if, in fact, it was in-year savings? It wouldn't need to be in supplemental supply in a request for the \$106 million.

**The Deputy Chair:** The Minister of Education to comment, please.

**Mr. Lukaszuk:** Well, Mr. Chair, yes. Perhaps I need to really pull back and start at the beginning, and that actually will be a benefit to these three members there for the next budgetary process because we will soon be passing a budget. When you pass a budget, you pass it ministry by ministry by ministry. Each ministry is allotted a certain amount of dollars for their operation. Money doesn't freely flow from one ministry to another, where the Minister of Education all of a sudden needs 300 extra million dollars and I pick up the phone and call my friend in another ministry and say: spot me \$300 million. Well, that maybe is how these guys would run government if they ever had a chance to get near one. Thank God that it won't be the case.

What happens is that this Legislature decides how much each ministry gets to spend on operations of their department, and when certain ministries find themselves in a situation where they need additional operating dollars, despite the fact that other ministries actually may be not utilizing all of the dollars that have been allotted to them by this Legislature, you don't just borrow money from each other between ministries and hope that at the end it's a wash and that everything works out just fine. The fact is that each minister has to come before this Legislature so that our duly elected members get to either approve a supplementary supply or not. If this member suggests that this is money up and above the entire government of Alberta, it's ludicrous, and it shows, you know, what level of understanding of the budgetary process he has.

The fact is that these are dollars just for the Ministry of Education. The Ministry of Education needs additional dollars to enhance the programs that we apparently all agree need to be enhanced. I as a minister will not be receiving dollars from other ministries. There is no free flow of dollars between ministries. This Chamber is the ultimate decision-making Chamber and decides which minister gets how much money, and if money is to be transferred from one ministry to another, it has to happen with the approval of this particular Chamber. One would hope that this member would know that because this is his second term in this Chamber. He's gone through at least seven budgets up to now, and he still thinks that money is flowing free from ministry to ministry. Well, such is not the case.

[Mr. Cao in the chair]

That is why I am standing as a minister before this Chamber, which has the ultimate authority to give me additional dollars, to inject that \$107 million for what these members on one side claim is the right way to spend money, but on the other side they are very hesitant to release the dollars. Well, if you're supportive of it, release the dollars. If you're not, then that's fine. I won't be able to release the dollars. School boards will have to find it in their current, this year's, budgets, which obviously is not what they anticipate doing. Then I will come before you in March asking for a new budget.

There is no free flow of dollars. I hope that member takes time, looks at how the budget works not only in Alberta – it's a parliamentary procedure throughout the Commonwealth – and realizes that the process he was part of for seven years, I believe, now is not working the way he may have thought it did.

**The Chair:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Chairman. Thank you, Minister. You're such a teacher. You shouldn't have given up that profess-



sion because you're doing a poor job in here, and I think that should be crystal clear for you.

Fair enough on the technicalities of it, the budgetary. That's fine. What you're putting in there, though, and what you haven't explained to any of the opposition that have been asking you a question on whether or not it's going to be in-house findings or whether you're going to rob it from our children's savings, that we supposedly had in there for a heritage savings or a sustainability fund, which isn't sustainable the way you guys spend money – it's pathetic, and it's inexcusable. I don't know how you could possibly talk to your child as they're growing up and tell them that you're running a \$6 billion cash deficit when we have a \$10 billion revenue from our resource sector. Totally unbelievable for him. I don't know how you're going to ever explain that to him. It's just appalling and unacceptable.

Let's go on to some other questions here. Can you please explain how you've failed to estimate properly the \$13 million for the student transportation? Was there a change in the way you are doing the transportation? Did you open up other areas? Why is there an extra \$13 million needed?

Again, you know, it wasn't that long ago, Mr. Chairman, just a little over four years, that this government was needing, again, to buy an election. We've just gone through a process of buying the leadership, where they went to the teachers and said: "Oh, yes. We'll sign a five-year deal. We'll even give you average weekly earnings because that's what we ourselves get." Yet they failed to calculate what that was going to cost them. They said: "Oh, we're giving you an increase, but, well, we don't want to do it on the average weekly earnings. We'll even take you to arbitration or the courts if we need to." Therefore, we have a \$3.2 million shortfall there, which we all understand.

Again, this is just poor government negotiations and failing to even honour their own contract. They have had a long history of doing that for the past seven years that I've been following this. Very disappointing. They have no respect for the rule of law. They think that they make the laws because they have a majority and that they don't need to have precedents, that it's okay to send a bad message to investments around the world saying, "Sure, we said that you could put a bid on our land" – and they bid billions of dollars back then – "and you'll pay this much royalty," and then they shred those contracts.

The Premier is taking a look. She knows about it. She went and listened to the people in downtown Calgary on the disregard for the contracts, that this government has done damage, which is part of the reason why we're running a \$6 billion cash deficit. They set us up for failure there. Very disappointing.

Again, the \$317,000 reinstated for operating support for accredited private schools: why did you cut them? Why weren't they in the original budget, and why do we need to go to supplemental supply to go back and reinstate these things? Let's have stable government, predictable government. They finally have caught on, and they think it's going to save health care because they've got five-year predictable funding, but they don't have predictable funding for education.

9:40

It's just wrong the way that they chop programs, add programs, a hundred million here, cut a hundred million, sign a five-year contract. They don't calculate it out in their so-called intense budget debates, where they put things forward. They don't have the capability of even calculating their own dealings, arguing: "Oh, that isn't what we meant. We wrote out average weekly earnings, but we didn't mean it. We meant something else, so we're not going to pay that." It's just unbelievable the hundreds of

millions of dollars that we need in these different departments other than the fact of such things as in SRD, where we had a disastrous fire. We understand that need.

Year after year when I'm in here, Mr. Chairman, we have these supplemental supplies because of the failure of the government to be able to do their budgeting and to forecast out. I don't know. They seem to think: oh, we'll cut here so that we can give it back in six months, and they'll think it's a treat. It's amazing to me. I don't know what their thought process is on how they do that.

Again, the \$94 million to provide \$24 million for the reprofiling of the Alberta school alternative procurement project. I don't know. Maybe I missed it when I was in my office listening, but why do we need to do the reprofiling of those things? The anticipated construction progress: that's the one on the supplemental page that I can understand, that things progress a little bit quicker, so we need the money in this fiscal year. Understandable. If you could perhaps answer some of those in a more professional manner, it would be appreciated.

**Mr. Lukaszuk:** Mr. Chairman, I hope that you will point out to me if or when I'm being unprofessional, and I hope that I haven't been up to now.

When I came to this Chamber with my supplemental requests, I was hoping that we would actually engage in a high-level discussion about how money could be appropriated, how we can enhance our Alberta education system with these dollars, and perhaps on how we can start planning expenditures for next year, focusing on education and on children in the schools. What I'm finding myself doing is engaging in a very low-level discussion about MLA offices in one building with seven floors and language that sometimes is really unbecoming, particularly when you're talking about education.

Also, instead of actually assuming that all members of this House would have a thorough understanding of how the budgeting of this province is done and how it's disposed of by elected members of this Legislature, I'm finding myself as a teacher again, putting on grade 6 social studies, teaching members on how the operation . . . [interjections]

**The Chair:** Hon. members, we have 20 minutes of back and forth. Now it's the minister's turn.

**Mr. Lukaszuk:** Mr. Chairman, if that's what I have to do and if the member feels that I'm a better teacher than an MLA, then that's fine. Let me go back to grade 6 curriculum social studies and do government 101 because, obviously, that will be more appropriate at this point.

What happens, Mr. Chairman, for the benefit of the members over there, is that when the minister receives the budget – obviously, the budget is based on best estimates from last year's expenditures – there are certain projections that you make.

The member really wants to know why there is an additional \$13 million for transportation. Well, let me give him an example that he can understand. Those yellow buses that pull up in front of schools – you know, the kids get on them – every so often have to pull up in front of a gas station, and you have to put fuel into those buses. The fuel that you use is called diesel, Mr. Chairman. It's not leaded, and it's not unleaded. It's a different type of a fuel. It's called diesel. That's what buses use.

Mr. Chairman, because of world global commodity costs and because of increased consumption and decreased production, supply and demand, the cost of diesel went up. When the bus pulls up in front of the gas station and the bus driver fills up the tank,

the bill that he got this year was \$13 million higher than what we anticipated because no one could predict the fact that diesel would be more expensive this year by as much as it was last year. So to answer this member's question, when you now fill up all of those buses and add it up at the end of the year, the bill for diesel was \$13 million more than what we anticipated.

There are no people in Alberta, never mind in this Chamber, that could have predicted that because the price of fuel is based on consumption and supply. It's very difficult to predict with a great deal of accuracy what the consumption will be, what the supply will be, what the interaction of the refining processes of diesel will be, what global commodity prices of oil and bitumen will be, and that resulted in an additional fuel price.

**Mr. Hancock:** We reinstated the subsidy program.

**Mr. Lukaszuk:** That's right. What also happened, Mr. Chairman – because when the bus driver shows up in front of the gas station to fuel up his bus and the bill is bigger, he can't tell the gas station owner: "Uh-oh. I don't have any money. I can't pay you for the gas." It wouldn't be good. So what we did as the government of Alberta is that we reinstated a program to subsidize the cost of fuel so that school boards can continue fuelling buses so that children can show up to school on time and get home after school. I'm not sure how I did as a grade 6 social studies teacher, but hopefully that answer went through and sunk in.

**Mr. Hinman:** Well, it's interesting. Thank heavens that the former Education minister is here because the answer, which he finally said after listening to your prolonged gibberish, was that they reinstated the fuel subsidy. A simple answer, yet you spewed out minutes... [interjections] Well, because I didn't know, but the past minister finally did, and he told him so that he'd sit down. Unbelievable what rhetoric comes out and how unprofessional it is.

I guess my question, when he wants to talk about diesel, is that I don't think this government even understands the importance of upgrading. It's interesting when you actually upgrade and produce more diesel. For decades diesel was cheaper in this province because we had a surplus. Supply and demand. Actually, one of the things, if we were to do more upgrading, is that it would drive down the price of gas and diesel here in the province because it's a commodity.

The reason we have upgraders in different locations is because once you have the diesel and the gas, it costs too much to pipe that around. That's one of the economic challenges of how much we can actually upgrade here and then have diesel and gas left over. It would drive the price down, which would be a benefit for industry here in the province. Obviously, the minister doesn't understand any of that area. Thanks to the hon. Member for Edmonton-Whitemud, who gave us the answer in a few quick seconds.

The other question that the minister failed to answer was about the \$94 million to provide \$24 million for the reprofiling of Alberta schools alternative procurement 2 program. The reason I wanted to ask about this is that one of the reasons WestJet is so successful is because they went through a procurement program for their fuel. They knew a year in advance what it was. The government is big enough. They can look after those things. Why don't they look at buying long-term contracts and locking in those prices rather than having a \$13 million hit in the pocketbook at the end and saying, "Wow; we didn't project that," and going from those angles?

They talk all the time, and we commend them when they want to underforecast the price of oil so that we don't overspend. It's

the same on the other side when they're doing the budgeting for these areas, to realize that the price of fuel can go up.

Perhaps he would like to answer on the reprofiling of Alberta schools alternative procurement 2 and why that costs so much more. Hopefully, there's a quick, simple answer. That's all we're really looking for is an expansion on the line item.

**9:50**

**Mr. Lukaszuk:** Well, Mr. Chairman, there's nothing quick and simple in education. Maybe that is the reason the member has difficulty understanding some of the concepts.

One of the attributes of Alberta Education, Mr. Chairman, is the fact that we have 62 boards administering education in a manner that is conducive to that local area. Yes, I would agree with this member that if you had centralized procurement and if you had the wisdom and the foresight that this member professes to have – if we actually hedged diesel prices, for example, years in advance, knowing that they would go up, then we would be the only ones to have the privilege of understanding what commodity prices would do – then, yes, as a result, we would end up saving dollars. But the fact is that we have 62 school boards that run fairly distinct operations. I think this member would be the first one to say that local autonomy, local decision-making is the best thing in the world since sliced bread. We do have local autonomy and local decision-making at school boards.

They have their own procurement, that this government backstops, obviously, in our annual budget as well. They buy supplies and materials that are responsive to their local needs and local jurisdictions. We as the government of Alberta also provide a variety of services to the 62 school boards. That is why the mathematics is not as simple as this man would like them to be.

**The Chair:** The 20 minutes have just been completed.

Next is the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chair.

**The Chair:** Do you want to combine the 20 minutes?

**Mr. Mason:** No.

**The Chair:** All right. So you go for 10, and then back and forth, right?

**Mr. Mason:** I've got a few things to say about how this has gone so far. You know, the minister talked about how this has been bizarre dialogue. It has been to a degree, and I think the minister has made a significant contribution to that.

It is a question of \$107 million that we're asking about, Mr. Chair, and I think that opposition members are entitled in this process to ask legitimate questions about that \$107 million, including where it is to come from, particularly when the Premier and the minister have previously said that it would be found by in-year savings. It is a legitimate question to ask where the money is coming from before we are asked to vote on it, without suggestion that by asking that question, we are asserting that we do not want to spend the \$107 million and restore it to Education. That is completely false, and that allegation or suggestion has been made repeatedly. We deserve an answer to the question of where the \$107 million is going to come from.

Now, I am going to assume, based on what we've gone through, which has wasted quite a bit of time, that the minister doesn't know. I wish he had just said so. I don't think it's appropriate to accuse people who ask a legitimate question of taking a position

that they have not taken or of trivializing the impact of the reductions that took place as a result of the original decision.

So let's move on. I want to ask a question about the P3s and the schools. There's a supplementary amount of \$94.3 million for school facilities infrastructure. Of that, \$24 million is for the reprofiling of the Alberta schools alternative procurement, ASAP 2, projects due to a faster than anticipated construction progress. That involves the construction of 10 new P3 schools in Edmonton and Calgary which are expected to open next September. The government claims that the P3 approach will save \$105 million. The government also claims that the savings on ASAP 1 will save \$97 million over 32 years.

Now, I would like the minister, if he could briefly, to outline where those savings are going to be found, why they're going to be found, and what, in fact, the reprofiling actually amounts to.

**The Chair:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Chairman. Going back to the member's initial comments, I think I have done the best I can to advise the members of this House where that \$107 million will be found. At this point if the members are asking me to pinpoint exactly where that money is going to come from – and I know this member knows very well and that, obviously, we don't need to approach this member the way we had previous speakers. The money will be found in in-year savings when the budget is reconciled. It will be found in the in-year savings of the operations of the government of Alberta.

But where will the money come from? I would have to now predict how the last quarter of the expenditures will go. I may hope that it will come from Sustainable Resource Development, but who knows? There may be a fire, and it won't. I may think that it will come from Human Services, but who knows? All of a sudden they may have a big uptake in a certain program, and it won't. I can't tell you exactly where it's going to come from, but I've said this a million times already tonight: it'll come from the reconciled budget of this year's expenditures. Period. I'm not sure how much more detailed they'll be. I know that this member will agree with that statement. The others: we'll leave them oblivious. Perhaps that's a good place for them to be.

Now to the question on infrastructure construction. You know, that is one that I'm actually personally struggling with right now, and I'm looking forward to discussing that matter with some members of the opposition. The fact is that with the current accounting structures we have in the government of Alberta, it is very difficult to build as many schools as we would like because the need for schools is outpacing our ability to build new schools. Frankly, when I met with the school boards a couple of days ago, I told them that in total we probably have too many schools in Alberta. If you could actually put them on dollies and move them around, we would probably have excess space of maybe 20 to 25 per cent. But, obviously, that can't be done.

So the question we have to ask ourselves is: are we going to continue, as WRA members would want us to do, to find the money for the building of new schools in year 1 of the budget, so that if I announce a school today in your riding, hon. member, I have to find the dollars in my budget this year? Or are we going to do what businesses do and what all Albertans do when they buy homes, where we amortize the cost of the school over the duration that we anticipate the building will serve us?

Currently our system is such that not only in Alberta but in accepted accounting standards, we have to find all the money in this year's budget. I don't care how rich this government may or may not be and I don't care how much of a surplus we may have

or how much money we have stashed away in accounts, we simply will never have enough money to build enough schools if we always have to find the dollars in this year's budget. So alternative ways of financing schools have been found, P3s. I know that the member was opposing that process. Is it ideal? Perhaps not. But it is a process that allows us to build more schools at the same time because of the fact that it allows us to amortize the cost of schools over a longer period of time.

That in itself is an asset to Albertans because we get to announce and build more schools at the same time and have more children attending schools, where they have an environment that's conducive to learning and where communities have schools where the children actually live. If there was a method – and I'm challenging the Treasury Board of our government to find a method – where we could ourselves actually finance the buildings over a period of time, that would be great. That's something that we are focusing on because at the end of the day I don't believe there is anyone in this House who doesn't want to build schools for children. We know kids need schools. The question is: how do we finance them, and how do we make it happen?

Now, the reprofiling is that when we're using third parties and they're constructing the schools on behalf of the government of Alberta, just like with building a house, the contractors want to be paid every time they reach a certain stage of construction. But when they're actually moving ahead of time, which is good because that means they'll complete the building ahead of time and kids will move into classrooms ahead of time, they want to be paid faster. So if I'm anticipating that a school will be built over a period of three years, and all of a sudden the contractor manages to build it in two years, he needs to be paid faster. I need to find the three years' worth of money that I anticipated to pay him over three years in two years. So that is the additional cost.

It's actually a good-news story because that means those projects are moving ahead of schedule, and that means they will be used by Albertans, by children, faster. But it requires the reprofiling because we need to issue the dollars to pay the contractors for their work as they are completing their work faster.

**10:00**

**Mr. Mason:** Thank you very much to the minister for that answer. I want to just take issue with one point that the minister has made, and that is that it is necessary, in his view, to have a P3 in order to amortize the cost of the capital construction of a school. Now, we know that most governments, municipal governments as well as provincial and the federal government, do borrow for their capital costs. In fact, it's the normal way of building infrastructure projects. Utilities do that, and governments do that in order to build roads and schools and other infrastructure. You do not have to have a P3 to amortize the cost of a capital project. In fact, it is the case that government can borrow money at a lower interest rate than the private sector. So savings can be found by eliminating the P3 participant, the partner, and having government finance, including self-finance, its own infrastructure projects.

I agree because, you know, I remember when I was first elected to Edmonton city council, and there was a policy in place called pay-as-you-go for capital projects. It meant that we had to pay cash for every major project we wanted to build. It was interesting that it was under Mayor Decore, who was a Liberal but actually had a very conservative approach to financing. At the same time Ralph Klein was the mayor of Calgary, and he was borrowing like crazy to build all the stuff that Calgary has, and Calgary moved ahead. Sometimes if you're prepared to borrow for infrastructure in a responsible way, including planning ahead for the retirement of the debt, the principal and the interest, then it is actually a good

way to go. But I reject the concept that you need to have a private partner in order to do that. What you need is a bank.

The question I have is how these P3s actually operate. We have had some P3 schools open in Edmonton, and there have been some maintenance issues that have arisen as a result of the structure of the P3. The maintenance is required by the private partner, which is in this case Honeywell. Technicians that are working for Honeywell are responsible for fixing mechanical equipment like boilers, and they have to report back to a private partner in Calgary for every maintenance procedure they do. They have to get their replacement parts from Calgary, all of which slows down the process. We've received a report about a public school board school where the heat was out for three weeks because of the time it took for the private partner to fix the heating system.

Now, my question relative to this is: what are the costs of doing things this way? You already have a department in the school board responsible for the maintenance of schools, but certain schools have to be maintained by a private company, and that adds lots of duplication. Particularly if the private partner is located in another city, it creates inefficiencies and higher costs and so on. I'd like to ask the minister: is he aware of this situation, and does he really think that this is the best way to build and maintain our schools?

**Mr. Lukaszuk:** Mr. Chairman, going back to the member's initial comments, in principle I would agree with the member. Unfortunately, adopted accounting standards would not agree with what the member says. It is true that it would perhaps be cheaper even though our P3 partners do benefit from our government's backstopping and ability to borrow at a lower cost – they also get to do that – but the fact is that in Alberta there are really two types of accounting for infrastructure.

The infrastructure that the government of Alberta builds and actually owns and operates – let's say like this building. We can actually amortize the cost of this building if we were to be building it today over the next 30, 40, 50 years and show one-fiftieth on every year's subsequent budget because this building shows on our ledger as a provincial asset. We own this building, so on one side it's an expenditure, and on the other side of the ledger it's an asset. It's basically transferring liquid asset dollars into a solid asset, being a piece of infrastructure. That's what happens in business accounting.

Schools are a different animal, Mr. Chairman, because the moment we construct the school, we almost symbolically, literally hand over the keys to that school to a school board, and the school board runs and operates that particular building. So it shows as an expenditure on one side of our ledger, but it doesn't show as an asset on the other, and that is why we need to find the dollars in this year's budget. Whether we borrow those dollars or not, we need to show them in this year's budget because that building ceases to be an asset that shows on a statement from the Ministry of Education. In a reconciled statement of the entire province it does.

You will find that other provinces that haven't adopted the accounting standards – but they will because all of them will be falling in line – that don't have truly reconciled budgets, their citizens actually never get to see the true picture of the budget of the province because all of the Crown corporations and utility companies and others have their own separate budgets. You never really get to see a reconciled budget of the province. In Alberta you do, but because of the fact that you do, we have that particular barrier to building schools.

That is something that we will overcome. We're working on it with the Treasury Board. Hopefully, we'll find a more innovative way of building schools that will allow us to amortize the cost over a number of years, which I would suggest to you – and I think you would agree with me – would be a sensible thing to do.

Relevant to maintenance of buildings, the P3 contracts are signed in such a manner – and they're subject to public disclosure if the member ever wanted to look at them – that maintenance of the building is built into the price of the building. Honeywell in this case is responsible for operation and maintenance of the building. At the lapsing of the particular contract, they are turning over the building in the condition of a new building, so they have to actually have an elevated level of maintenance of their buildings.

Those buildings actually are built to a somewhat higher standard than a building that we would be building because they know that after 30 years or so, whatever the amortization of that contract is, they will be returning that building to the province, and it has to be in mint shape. It is in their best interests to build it to a good standard and to maintain it as well as possible because if they don't, it will be costing them money because (a) they have to maintain it contractually and (b) they have to turn it over to us in mint condition.

**The Chair:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Chairman. I'm going to just indicate that I don't agree with the minister on a number of points, but I think we've spent plenty of time on his ministry. Given that we've got some real answers lately, I'm prepared to move on.

**The Chair:** So we conclude that session.

Any other hon. member wish to join the debate on Education?

Seeing none, then the next item would be the Minister of Environment and Water.

## Environment and Water

**Mrs. McQueen:** Thank you, Mr. Chairman. The supplementary estimates amount of \$13 million relates exclusively to the EcoTrust funds. The \$13 million represents the deferral of spending authority not used last fiscal year. In 2008-2009 Alberta received \$155.9 million under the federal government's EcoTrust for clean air and climate change program. When received, the EcoTrust funds were set up as a dedicated funding item in the government of Alberta budget process. Through the annual budget exercise, the department receives spending authority, which includes the dedicated EcoTrust funding. The EcoTrust budget is included under the climate change program. Since this funding is dedicated, any unused spending authority in any year can be deferred to a subsequent fiscal year.

**10:10**

**The Chair:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. I'm pleased to rise and raise some questions regarding the supplementary supply. It appears that the \$13 million was simply deferred, then, from a previous year. I would be interested to hear more about what the Canada EcoTrust is about, how it relates to our climate change commitment, where Climate Change Central fits into that, if that's part of this budget. I'll follow up with another question after this particular one.

Thanks.

**The Chair:** The hon. minister.

**Mrs. McQueen:** Thank you, and thank you to the member for the question. So the climate change fund with the federal dollars is a flow-through fund that comes into ours. If the funding isn't spent in a year, it is deferred into the next year's budget. A certain amount of our dollars has gone to Climate Change Central funding.

A couple of items with regard to some of the great programming that's happened with regard to climate change. I'll give you two examples of two projects, one being the Helmholtz Institute. In December 2009 \$25 million was dedicated to a unique international partnership between the University of Alberta and the Helmholtz Association of German research centres to drive innovation towards clean energy production with particular focus on the province's oil sands.

In September 2009 the University of Alberta signed a memorandum of understanding with the Helmholtz Association to establish the Alberta initiative with Helmholtz. The five-year research venture will address key challenges encountered when advancing the sustainable development of Alberta oil sands, including cleaner alternatives to tailings management, more efficient methods of reclamation, and developing renewable energy sources.

Another fine example of dollars that have gone out of this fund is to the city of Edmonton and county of Strathcona initiative. On October 1, 2009, the government of Alberta announced it would provide \$7.5 million in EcoTrust funds to support a renewable energy project that will transfer residual energy from a city of Edmonton biofuels facility to heat a neighbourhood in Strathcona county. The project will reduce greenhouse gas emissions by about 700,000 tonnes per year. An agreement has been worked on with them as well.

So that's just giving you an idea, a flavour of two of the initiatives that have gone forward with regard to some of this federal funding.

**The Chair:** The hon. member.

**Dr. Swann:** Thank you, Mr. Chair. Thank you to the minister. Could the minister speak further to the budgets for Climate Change Central, what they are doing with the money and what the future holds for supplementary support for Climate Change Central?

**Mrs. McQueen:** Some of the funding that has gone in the past to Climate Change Central really is dealing with some of the energy efficiency programs that we have. We've funded over the last three years a number of millions of dollars of projects with Climate Change Central. We're working with them right now within their current budget year to look at providing additional funds to them for the work that they've done with energy efficiency and the reductions of GHGs with regard to that.

We've worked well with them, Climate Change Central, as well as looking at other ways to become self-sustaining, and they're working with regard to that. Certainly, we've provided from the department many millions of dollars – I think about \$35 million – with regard to the last three years for Climate Change Central on energy efficiency programs.

**Dr. Swann:** Thank you. I understand they have done some remarkable things working with industry and with individuals: workplaces, individual behaviours, incentives for those things, and obviously appliances and retrofits in homes, that are getting supplemented. The rumour is that some of this will be removed in the future. I guess I was surprised to hear that there were concerns

about the effectiveness of the program when everything that I've heard from the consumer's side of it is that it's been positive. Are there plans to cut out that program or to significantly reduce its support of GHG reductions in Alberta?

**The Chair:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Chair, and thank you for the question. With regard to Climate Change Central's future funding, three years ago when they were given funding, they were given that under the condition that they look, as all programs eventually need to look, at becoming self-sustainable, at this. When I spent some time with them on that board as one of the co-chairs, that was certainly an initiative that they were looking at. How do they broaden their horizons? How do they become more sustainable?

As I said earlier in comments about Climate Change Central, we're working through a budget process right now, looking at: when we design new energy efficiency programs, would we run those through Climate Change Central for the coming year? That's what we're looking at with regard to that. We are currently designing what some of those climate change programs may look like with energy efficiency and are certainly looking towards Climate Change for that. We've met with them recently, and certainly they've done good work in that area. I know they're excited about the way that they're branching out as well. So that's where we are currently in the budget process.

**The Chair:** The hon. member.

**Dr. Swann:** Thank you. Shifting to another area of funding. I guess I'm surprised that we didn't hear about supplementary requests for things like water monitoring. It suggests that, you know, in this past year, when there has been so much international attention on our oil sands and the lack of consistent evidence-based, comprehensive monitoring of our water system, especially in the north, we're not moving very quickly on setting up that independent monitoring system that has been so needed for several years in the province. What is the plan there, and how are we going to get things moving more quickly?

**The Chair:** The hon. minister.

**Mrs. McQueen:** Thank you. I do believe that kind of question is a question more aligned for question period. The supplementary request right here is with regard to the excess dollars to transfer. If the hon. member would like to have a question at another time, at question period or sit down and chat about it, I would be more than happy to talk about the monitoring program. I think that piece is really out of scope for what we're talking about here this evening.

**Dr. Swann:** Well, I do think it's highly relevant since this department cut millions of dollars from its monitoring program in the last couple of years. How do you justify cutting funding and then asking for supplementary funding for some of these greenhouse gas reductions when monitoring is the issue of the day? When the international community is saying that they don't respect our oil and we cut back on funding for monitoring, how does that jibe with good governance?

**Mrs. McQueen:** Certainly, the request for tonight really is about a transfer of funds that wasn't expended in the last year and is transferred here. What I've said before in question period with regard to the monitoring system: we're working very hard with

regard to a federal-provincial monitoring system to move to a world-class monitoring system. As I've said in question period with regard to that is that I've had a couple of conversations with the federal minister. That conversation is moving along very nicely, and we hope to be able to stand together to have a response to Albertans and Canadians on how we're going to move that forward. We've put a lot of effort with regard to that.

We are taking forward, as well, the recommendations from the Alberta report that was put before us. I'm taking that through the government process. I'm not going to speak about the past; all I can speak about is the present. We are working very hard to make sure that in a very timely manner we are moving the monitoring system forward and that it'll be a system that will be world class and one that Albertans, Canadians will be very respectful of and will be very excited to see.

**The Chair:** Hon. Member for Calgary-Mountain View, you still have 11 minutes left.

**Dr. Swann:** Thanks, Mr. Chairman. Well, I've been very impressed with the vision of Alberta environment to establish cumulative impact assessments. While the words are there, it's pretty hard to believe that anything is happening with technical and expert decisions and monitoring systems that will actually allow us to make cumulative impact assessments, whether it be in the Fort McMurray area or in some of the other systems that were involved. I guess I'm encouraging the minister to show us the money.

10:20

If we're serious about doing this rather sophisticated and vital next phase of environmental monitoring that is based on the cumulative airshed and watershed and soil impacts of the activities in an area, we have to see more than talk for the credibility of this province and especially for our industry to actually be able to make inroads in the international markets and restore some kind of reputation. We're in serious trouble, obviously. The Keystone was to me a symptom of the failure of this government to actually embody some of the principles of good environmental stewardship, set in place standards, get the technical people that you need, and spend the money on monitoring and enforcing those standards. We are going to continue to be in a serious disadvantage with the rest of the world.

On the basis of what I am reading and hearing, there's no connection between what this government has said it's doing on environment and what it actually appears to be spending money on. I think we're at a serious phase in our development in Alberta, especially with respect to the credibility around monitoring cumulative effects, and we're losing not only the international support for what we're doing but the citizens' support in this province. You can only counter the evidence with public relations so long before people start to say: the emperor has no clothes. When I see year after year cuts to Alberta environment, the credibility is gone.

I think not only you as a minister but this whole government needs to take a serious look at what priority our independent monitoring, our standard setting, and our enforcement of those standards takes in this administration.

Thank you, Mr. Chair.

**The Chair:** The hon. minister.

**Mrs. McQueen:** Thank you, Chair. Well, I would respectfully disagree with the hon. member. I think Alberta has been very, very proactive in a lot of the work that they've done and in

particular in the areas of the oil sands. When we look at areas of cumulative effects and land-use planning and when we look at the areas of a carbon tax, I think Alberta has been very leading edge in that. But it is time – I will agree with you on this, that there are areas where we need to have continuous improvement.

What I've said and what I'm saying this evening is that we are looking at a monitoring system that will be world class, that will not only be a system that we'll do in conjunction with the federal government so that we have one system in Alberta for the oil sands area. In addition to that, the province of Alberta is looking at having a system that is province-wide. All I can say to you is stay tuned because it's going to happen, and I look forward to having other conversations with you. I think what's really important about this one is that both the federal government and the provincial government share jurisdiction in this area rather than having two different systems that may or may not contradict each other or are vying to see which system is better.

We have good systems of monitoring here in Alberta, and I think we need to be proud of that. I think we need to start talking about the positive things that are happening in this province. Other people are talking about that although you may not see it in the headlines all the time. When people come to visit Alberta, when we go to visit them, when they hear the full facts about all of the good work that happens in the Wood Buffalo region, it's really quite amazing what they have to say.

You know, I had a group out from the European delegation a couple of years ago that I took on a tour, and we made sure that they got to talk to everybody. They got to talk to the NGOs. They got to talk to the First Nations. They got to talk to the different departments. Quite frankly, then we took them up to the Wood Buffalo region and let them see first-hand the excellent work that is happening up there. Their comments to the media were very, very positive. They were actually very surprised at what they saw on the ground and what they heard from Albertans from various opinions compared to what they may have read in their media.

I, for one, am very proud of the work that we in the oil sands and the different industries that we have here in this province. Does that mean we cannot do better? Absolutely, we can do better. We can always work to strive to do better, but I think it's time that we stand up as Albertans and be proud of the work that we're doing, the leading-edge work that we're taking, and start talking about some of that as well and being proud of this province and the resources that are plentiful in this province and making sure that we have those discussions.

So, absolutely, we're going to create a monitoring system that will enhance what we're already doing. But let's not forget that we have good monitoring. We look at the Wood Buffalo area with their monitoring. We look at the biodiversity monitoring. Even with the RAMP monitoring, that's had some criticism, the Royal Society has brought up some good points.

In saying that, though, I think it is time that we have one good monitoring system between the federal government and the provincial government here. Stop duplication. Make sure that we have a system that works across the province in addition to just in the oil sands region. I think there are lots of areas in this province that we can be very, very proud of.

I, for one, like to talk about the cup that's half full and speak about those in addition to saying: let's fix the issues that arise, but let's all as members in this Assembly also start promoting Alberta for the good things that happen in this province rather than just focusing on what may be the negative. We've got many, many good stories here to talk about in Alberta; in particular, the economic region and economic engine of the province, the oil sands. We need to be having some good-news stories about that.

The hon. Member for Fort McMurray-Wood Buffalo talks about that quite often and is pretty proud when he speaks of his region. I'm pretty proud when we talk about that as a province.

Hon. member, we are going to be moving forward with this monitoring system across the province. We can do better. As we ramp up industry and development in the oil sands, we can do better. We'll have a system that people can look at.

The other part. If you look at a week or so ago, when we announced the information portal, it was very, very progressive, the work that the department did over the last two or three years. I give them a great deal of credit, and I give the past minister a great deal of credit for bringing that forward. We were happy to announce that a couple of weeks ago. That shows to Albertans the piece that our Premier has talked about, the transparency piece. All of that information was publicly available. What we've done is made sure that it's there and that it's easier for people to access. We had very, very good comments from many sectors with regard to the information portal. I say that that's one thing. In the first month on the job that's the first thing we've looked at.

We were looking at making sure that we have a good agreement with the federal government as we move forward for a federal-provincial monitoring program. I'll say one thing. We're going to do it in a very timely manner, but we're going to get it right when we do it. To me it's more important that if it takes us a little bit more time, and I do mean a little bit more time, that we do it in a fashion that is proper and that is science based and that we have all of the issues we need to do with that. The group that we had with regard to doing the provincial report, I think, has come up with excellent recommendations. We'll take that through the process, and I think that even you, hon. member, will be quite happy with the results of the monitoring program.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Chair.

**The Chair:** You want to join the 20 minutes or 10 minutes?

**Mr. Boutilier:** I welcome the dialogue.

**The Chair:** Twenty minutes then.

**Mr. Boutilier:** Thank you, Mr. Chair. As a former minister of environment I appreciate the comments that have been made by the existing minister of environment when she talks about my home. I hear so often the dialogue that goes on in this place, and as I look around, there's not one single person other than me that calls Fort McMurray home. I'm very proud.

Relative to the finances here today I have a question to the minister of environment. I'm very proud of being one of the architects behind the formation of Climate Change Central. In doing so, from what I observed in talking to a variety of mayors and councillors and people at the local level – and it's no different than the minister of environment, who also served, I know, with distinction as a mayor in Drayton Valley – one of the issues at the most recent AUMA was the issue of finances. We certainly want to avoid any duplication. There has been a very positive initiative that has been structured with the AUMA on finances relative to Climate Change Central, but it's at the local autonomy level. Specifically, Bob Hawkesworth, a former alderman in Calgary, is chairing that initiative. It's really local initiatives that have played a significant role.

I've been very impressed. I saw their project in terms of what they're doing, engaging local communities. I understand that the

minister has, I think, contributed a couple of million dollars to that project in partnership, and I actually think it was a good investment, connecting Climate Change Central even further down to the grassroots of our communities, where I see local autonomy of groups actually putting it to good work. Especially on the issue of energy efficiency they continue to look for more. I'm wondering if . . .

**10:30**

**The Chair:** Hon. member, I hesitate to interrupt you, but I just wish to announce that the minimum three hours have expired pursuant to Standing Order 61(1)(b). If you want to continue, go ahead.

**Mr. Boutilier:** Mr. Chair, I'll continue on relative to the Ministry of Environment with my nice, positive comments that I'm making to this particular minister. I would like to say that my four-year-old son breathes the air in Fort McMurray every day. I think the investment that is being made in connecting with local communities such as through partners of the AUMA is important. It's been a wise investment of dollars. Consequently, I am saying that with the supplemental estimates I do believe this is a good investment of money. Albertans will be proud of the value they're getting, especially when you're relaying that dollar back to local communities and elected officials at the local level, something that the Wildrose believes in at the local level. We don't believe in the sky down; we believe in the roots up. So I compliment the minister on that.

Now, what I would like to do is to also ask a question on Climate Change Central. In fact, rather than have a duplication, where we can continue to use that outreach within municipalities – we have over 365 municipalities – why wouldn't we tap into their energy? There is an incredible willingness in energy efficiency with them wanting to help. I think there's \$2 million or \$3 million there on energy efficiency. I see some incredibly good, positive things happening, and I compliment the minister on that. It's not often that I compliment this government on things that are going right, but to this particular minister I say: good job, and keep it going.

For my son and for anyone who talks about the oil sands and the economic engine, I just want to say that it's one thing to talk about the economic engine, as I've heard other ministers and the previous Premier talk about, but what's more important is that words are cheap, and it really comes down to the investment. The investments that are being made in my community, that I've called home for over 34 years, we commend. But I will invite and offer this. I find it interesting that there are so many ministers on the other side. They come into my home, but they never extend the courtesy. Having been the minister of environment and the mayor and a member of council for 12 years, I find that actually quite annoying. I never go into a community without talking to a member that has been elected there. But it seems that this government doesn't do that at all.

I hear the Premier. I want to say that when I taught at the University of Alberta, as a professor at the University of Alberta I would always ask Dr. Taft if I could come into the classroom each and every day. Indeed, what a pleasure it is that he gave me the green light on all occasions to be able to do that.

I want to say this to the minister. Economic engine: let's make it more than just words. This Premier and some ministers over time use the term, but the reality of it is that they bring in people from Europe. You know what? Oh, gee, they bring somebody from Europe to tell them about something that I believe ministers still do not know. I'm not saying this minister, but there are many

ministers on that side who really do not know what my home is all about and what goes on in the oil sands capital of the world, that I'm very proud to have called home for 34 years.

**The Chair:** Hon. minister, do you want to respond?

**Mrs. McQueen:** I will respond quickly and thank the hon. member for some of his positive comments. What I would say is that I do agree with you that connecting local communities is a great initiative. As we all know, Mayor Melissa Blake and her council in Wood Buffalo do outstanding work. We know that they do outstanding work there. I'm very proud of the work that they do and the work that not only the hon. member does but all of our cabinet and colleagues do. I will say that it's been an interesting initiative with the local communities. Being a past mayor and councillor, we know that, certainly, a lot of these initiatives with regard to energy efficiency can happen very effectively at the local council.

I will leave it at that.

Mr. Chairman, now that the three hours have expired, I would ask to call the question.

### Vote on Supplementary Supply Estimates 2011-12 General Revenue Fund

**The Chair:** The hon. minister has proposed calling the question. Is any hon. member opposed? Seeing none, the chair shall now call the question.

Those members in favour of each of the resolutions relating to the 2011-2012 supplementary supply estimates for the general revenue fund for the fiscal year ending March 31, 2012, please say aye.

**Some Hon. Members:** Aye.

**The Chair:** Opposed, please say no.

**Some Hon. Members:** No.

**The Chair:** The motion is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee now rise and report the supplementary estimates.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. Quest:** Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again. The following resolutions relating to the 2011-2012 supplementary supply estimates for the fiscal year ending March 31, 2012, have been approved.

Office of the Auditor General: expense and capital investment, \$975,000.

Office of the Chief Electoral Officer: expense and capital investment, \$1,400,000.

Culture and Community Services: expense, \$20,683,000.

Education: expense, \$217,646,000.

Environment and Water: expense, \$13,000,000.

Human Services: expense, \$18,250,000; capital investment, \$1,132,000.

Justice: capital investment, \$2,940,000.

Municipal Affairs: expense, \$309,890,000; capital investment, \$65,100,000.

Sustainable Resource Development: expense, \$280,000,000.

Tourism, Parks and Recreation: expense, \$5,450,000; nonbudgetary disbursements, \$250,000.

Transportation: capital investment, \$12,800,000.

The Committee of Supply has also approved the following amounts to be transferred.

Infrastructure: from expense to capital investment, \$58,420,000.

Treasury Board and Enterprise: from capital investment to expense of Advanced Education and Technology, \$13,000,000; to expense of Agriculture and Rural Development, \$25,000,000; to capital investment of Infrastructure, \$21,700,000; to capital investment of Sustainable Resource Development, \$610,000; to expense of Transportation, \$14,000,000, and to capital investment, \$6,400,000.

**The Deputy Speaker:** Having heard the report, does the Assembly concur in the report?

**Hon. Members:** Agreed.

**The Deputy Speaker:** Opposed? So ordered.

10:40

### Government Bills and Orders Second Reading

#### Bill 24

#### Health Quality Council of Alberta Act

[Debate adjourned November 22: Mr. Kang speaking]

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It is indeed a pleasure to rise and speak to Bill 24, the Health Quality Council of Alberta Act. During the recent PC leadership race the Premier made a very specific promise in order to get selected as leader of the Progressive Conservative Party. This promise set her apart from the crowd. It even got the former Premier so upset as to scold her publicly. He called her a Liberal, in fact, which got her instant attention in the media and support.

Last June in the wake of Dr. Duckett's allegations of rampant queue-jumping by those with connections to the PC Party, she said without equivocation that if elected, she would call a full, independent public inquiry. She said that those claims and others alleging intimidation of health care whistle-blowers demanded an inquiry. She said, quote: it's about what has happened in the system to ensure that we get to the bottom of this and, if there has been any of this, meaning intimidation and so forth, that we all are completely open about it. Unquote. And she added this, quote: I know that it's not something that Albertans are going to accept, and nor should they. That's why we need to have this inquiry. Unquote.

This wasn't just a media stunt either, Mr. Speaker. In September she was still talking about how absolutely urgent it was to have this public judicial inquiry because, quote, in Alberta we've had so much political interference in health care that I don't think Albertans have confidence that the system has been allowed to work. Unquote. She said at that time what the Wildrose and other opposition parties had been saying all along, and she was right at that time.

But as with so many other issues what the Premier said before she was elected as PC leader sounded great, but what she is actually doing as Premier is just as disappointing. Whether it's fixed election dates or balancing the budget or, as we heard earlier today, finding \$107 million of in-year savings or fixing the Human Rights Act to protect free speech, the list is growing every single day. This Premier is constantly – constantly – flip-flopping



on the promises that she made to Albertans and, indeed, to her own party members.

This flip-flop is maybe the most blatant, however, and has the most serious consequences. We need a truly independent and powerful body to look into the dozens of allegations of government intimidation of health care workers and political queue-jumping as well as interference with the health care system. And now we don't know if we're going to get it. We also don't know if we're going to get it before the next election, another promise that she made. She made a promise during the campaign that this public inquiry would be well under way before the next election so that voters would have all that information in front of them, openly and transparently, before they went into the ballot box and selected a member to represent them in the Legislature. She's flip-flopped on that promise by implementing this needless bill, thereby delaying the process so that we will not have this public inquiry before the next election, another broken promise.

As the Premier made perfectly clear when she was running for the PC leadership, the repeated allegations of bullying by politicians and AHS executives could not be handled by anybody but a judge. She was right about that, absolutely right about that. This needed to be done publicly so Albertans could be assured of the truth. It needed to be open so that the media could be there and could report to Albertans on what was happening so they could have their confidence restored in the health care system and those overseeing it. She emphasized that partisan considerations didn't matter. All that mattered was that Albertans' faith in the system was restored. As I said, she even said that it was so very urgent to proceed quickly so that the inquiry would be well under way by the time the next provincial election was called.

But now, Mr. Speaker, she's waffling. She's flip-flopping. I don't even know if waffling or flip-flopping are the right words because there are other words that are unparliamentary to use for what she has done. Clearly, she's breaking a promise. We'll use the parliamentary words. This is a flip-flop of the highest order. To quote today's Premier and then candidate, "It's not something that Albertans are going to accept, nor should they," meaning that this would go on without a public inquiry.

This has to stop. This Premier needs to start keeping the commitment she has made to Albertans, and it starts by keeping her promise to call an independent public judicial inquiry into the allegations of health system intimidation and interference. Earlier this month the Wildrose along with the New Democratic and the Liberal caucuses penned a joint letter to the Premier asking that she keep this promise to Albertans and laid out five criteria that the inquiry must include in order to be legitimate, effective, and in line with the Premier's aforementioned commitment to Albertans on the matter.

These five criteria are as follows. First, the inquiry must be entirely public and open to the media. We don't try extortionists or fraudsters behind closed doors. We do so publicly so that the entire legal process is open and transparent. The point of this inquiry is to restore confidence in our health system and to give health workers the confidence they need to openly advocate for their patients without fear of reprisal.

It is also about who, if anyone, was involved in the intimidation of health professionals, whether any person used their political influence to interfere with the administration of the health system, such as queue-jumping for example, and whether any such intimidation or interference adversely affected the health of patients, the health of Albertans. The inquiry will be considered an absolute sham if it is conducted behind closed doors.

The second criteria. The inquiry must be judicial, meaning that it must be presided over by a qualified judge with the power to

subpoena witnesses and evidence. It is not enough to simply appoint a panel with a judge included on it. A qualified judge should have complete authority over the entire process. He or she must have full powers of subpoena and the experience to properly weigh evidence and assess the credibility, or lack thereof, of the witnesses that come before him or her.

This is not a job for doctors. Not only are they unqualified to weigh evidence and assess witness credibility compared to a judge; they are also conflicted in that they are being asked to judge their fellow health colleagues and current political bosses, who pay them, indirectly, their salaries. The judge must also be a federally, not provincially, appointed judge with absolutely no known ties to the PC Party or the provincial government. This must be a federally appointed judge, just so that there is no appearance of influence even if there isn't.

The third criteria. The inquiry must be focused on alleged wrongdoing, intimidation, or interference by government members, officials, or surrogates with health professionals or the administration of the health system that has resulted in harm to patients, health workers leaving Alberta, unnecessary costs incurred by the health system, or health professionals being forced to stay silent as it pertains to advocating for patient care.

This inquiry is not about health quality issues such as why our ERs are overcrowded and what we can do about it. That would be a question for the Health Quality Council. That is what they are qualified to look into, health quality issues, not allegations of wrongdoing and breaches of ethics, as is being alleged in this case. The promised public inquiry is about the alleged intimidation and government interference with health care, and those are the clear criteria or the clear parameters that a judge-led inquiry or a judge-presided-over inquiry should look into.

#### 10:50

Fourth, the inquiry must be well under way or complete prior to the next election so that voters have the information they need before making a decision at the ballot box. The Premier must not delay the process in order to avoid having uncomfortable findings come out prior to her spring election call. This would be exceptionally cynical and disrespectful to Albertans, who have the right to have all relevant information in front of them before they mark their X in the ballot booth.

This is critical, this point, and it is clear to me above all things. From everything that I've gathered here in the last couple of days, through question period and so forth, the number one reason for this legislation has become quite clear. By using this legislation and this process, by extending it out, by making sure that this goes well into the spring before we have the legislation, before the Health Quality Council makes their first report, and so forth, what it does is that it allows the Premier to extend the process and not get started, in any significant way anyway, until the next election is over with.

Her plan is very simple. Her plan is to make sure that there are no uncomfortable truths that are made public prior to the next election. What an absolutely, frankly, shameful motivation that is. For someone who ran on transparency, who ran on accountability, she's starting to sound like the Member for Calgary-West.

Finally, the inquiry should be called using the Public Inquiries Act. There is no need to pass new legislation as it relates to calling the inquiry. If the Premier wants to pass additional legislation to strengthen the Health Quality Council so that it can better conduct investigations related to health quality issues, that is a good thing, and I think all opposition parties would support that. However, strengthening the Health Quality Council has nothing to do with the public inquiry we are referring to. The public inquiry deals

with alleged wrongdoing, ethical breaches, waste of tax dollars, and the buying-off of health professionals to stay silent. As mentioned, the Health Quality Council deals only with health quality/ care issues, like the reasons behind long ER wait times or dirty surgical instruments in the hospitals and how to solve such issues in the future or keep them from happening.

Delaying the inquiry in order to pass new legislation is unacceptable. It's needless. The Member for Calgary-Mountain View spoke very eloquently earlier about the fact that we have a perfectly legitimate and well-proven, well-used Public Inquiries Act. It's there. We know it works. There is no reason that the week after the new Premier got elected, she couldn't have used that legislation to call this public inquiry. Absolutely no reason. Instead, we sit here. We're now – what? – approaching two months of her being in office, and she has managed to delay, delay, delay. It is absolutely shameful. She is passing this legislation simply in order to delay the process that she could call at any time if she had any true intention of getting to the bottom of the alleged outrageous acts by government officials and AHS officials.

There is only one reason why the government would go to all these lengths to create something that meets some of the Premier's promises out of the Health Quality Council instead of just using the existing Public Inquiries Act. They have something to hide. They are not telling us something. They know that there is something there that is going to be very, very damaging to their political re-election chances, so they will hide it. It may come out a little bit right after the next election, but they're banking that if they can just hold on to that information a little longer, till after the next election, then they can spend a couple of years after that trying to repair the damage and separating themselves from their wrongdoing.

Clearly, people within her party, like the former health minister, who publicly said that he would fight her on this inquiry, have gotten to her and have explained to her how many of their careers could be ruined by a public inquiry. For someone who campaigned as an outsider who would do things differently, it sure didn't take her long to let Albertans down. I hope this Premier flip-flops again on this bill and just calls the public inquiry she promised and knew was needed before her election. She can prove to Albertans that she really is bringing renewal to this government and isn't just the newly crowned queen of the same old boys' club, but, Mr. Speaker, I won't be holding my breath.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments, questions, clarifications.

**Mr. Boutilier:** Well, I find it interesting. The Member for Airdrie-Chestermere had made some very important points and clearly indicated that, you know, this Premier and the word "promise" obviously must have a new meaning to what has gone on over there.

My question to the member, though, is this. You made reference to a former minister of health, that's been often referred to as Mr. Gibberish, but I thought it was important that there were also some very inappropriate actions being taken by the now minister of health, and as that was going on, the question is: do you perceive that potentially the perception is that there was something trying to be hidden by the actual minister of health that stands in here today, that represents under her leadership?

**Mr. Anderson:** Yes, I would. You know, one of the real issues here is the many conflicts of interest that are present. We have, for example, the former minister of health, now the current Minister

of Finance, who essentially seemed to know what the Health Quality Council was going to find even before they announced their interim report. He said: "Ah, they don't have anything. They've got nothing. There's nothing worth pursuing there." This is before the Health Quality Council even came up with their interim report. That's a questionable thing, isn't it? It's almost like the government has a pre-notion of what's going to happen.

Of course, that calls in the whole question of the independence of the Health Quality Council itself. That's the problem here. I don't blame the members of the Health Quality Council for it. I blame the government members for allowing the perception of bias or the perception of nonindependence that their comments, particularly that minister's comments, have allowed.

The other problem, of course, as you alluded to, is that the current minister of health is allegedly involved in this scandal, as we saw. One of the clearest displays in the last year and a half of this problem was, of course, when the now Leader of the Official Opposition was sitting as an independent after being kicked out of the Tory caucus. He was emotionally talking about his experiences in coming to this country and his family coming to this country and his grandfather, all these incredible stories. He was trying to relate that to why we shouldn't allow intimidation like this to occur in our country, et cetera, et cetera. He was getting slightly quivery in his voice. Apparently, the now minister of health decided that he would phone the head of the College of Physicians and Surgeons, Dr. P.J. White, and have a conversation with him about the potential mental state of the Official Opposition leader.

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

#### **Point of Order Allegations against a Member**

**Mr. Hancock:** Thank you, Mr. Speaker. Under Standing Order 23 I would ask that you call the hon. member to order. He is imputing motives to a member, making allegations against another member. He's specifically referring to the current minister of health, and he's mischaracterizing a statement that was very clearly put on the record by the now minister of health with respect to exactly what happened in the events of that evening. It's inappropriate for this hon. member to mischaracterize those statements, to make up stories, in essence, about what happened that night. What he's talking about is not the truth. The truth was put on the record at the time, and he should be called to order for making allegations against another member.

**Mr. Anderson:** I get to respond, obviously, to the point of order?

**The Deputy Speaker:** Yes.

11:00

**Mr. Anderson:** On the point of order. Mr. Speaker, I think it's very important that the House leader opposite actually describe what part of the story I just said – give me the quote – that was untrue? Let me repeat what I said. I said that the now minister of health, when the now Official Opposition leader was an independent speaking about his experiences and was getting emotional, called Dr. P.J. White, the head of physicians and surgeons, on the phone to say that he had a problem with the mental state of the Official Opposition leader. What was untrue about that statement? I actually heard the phone message, and I think most of the media has, too. What part of that was untrue?

**Mr. Hancock:** The whole of it, Mr. Speaker. The whole of it is untrue, and he can go back to the statement that was made on the record by the now minister of health at the time, which clearly explained all of the actions at that moment. All of what that member has said is a mischaracterization of what happened at the time and inappropriate to put. [interjections] It is absolutely. It is a total mischaracterization of the events of the day.

**Mr. Mason:** Mr. Speaker, I would like to speak to the purported point of order, which is brought under Standing Order 23(h), which is making allegations against another member, and (i), imputing false or unavowed motives to another member. The events of that time are well known to all of us in this House. We know that the present minister of health, who was not the minister of health at that time, during a very prolonged debate that was taking place in this Chamber, called the president of the Alberta Medical Association and expressed concern about the mental state of the now Leader of the Official Opposition, who was at the time someone who had been suspended from the Progressive Conservative caucus because he had spoken out against government health care policy.

We know that as a result of that, the president of the Medical Association called three doctors who were colleagues of the now Leader of the Official Opposition. We also know that the next day a psychiatrist from the College of Physicians & Surgeons showed up at the constituency office of the Member for Edmonton-Meadowlark, now the Leader of the Official Opposition, in order to subject him to a psychiatric evaluation to see if he was able to continue to practise medicine.

Mr. Speaker, the result of that would have been a very serious point of privilege, which we prepared and introduced. Unfortunately, it was withdrawn at the advice of the hon. Member for Edmonton-Meadowlark's lawyer. I know that the hon. member, now the minister of health . . .

**Mr. Boutilier:** He was the junior minister then.

**Mr. Mason:** No, he wasn't.

. . . had made a statement with regard to that incident in which he set out his purported motivations.

I want to just indicate that there is still a great deal of controversy about his actions at that time, which in my view should be part of the subject of any inquiry into intimidation of health care professionals. I won't judge that question, but I will say that on the face of it it is my strongly held belief that that conduct of the minister of health at that time must be part of the investigation of any public inquiry if one is ever actually called.

The hon. Member for Airdrie-Chestermere, in bringing this up and referring to it, does not, in my opinion, offend Standing Order 23(h) and (i) but is, in fact, a legitimate part of the debate around this question as it's obvious that the government is attempting to avoid just the instance that I'm setting forward.

So I would ask you with respect, Mr. Speaker, to rule against the Government House Leader's point of order because I believe it has no merit.

**The Deputy Speaker:** I heard the point of order, and I heard the defence on that, and the hon. Member for Edmonton-Highlands-Norwood expounded it further. According to my opinion, Standing Order 23(c) says, "persists in needless repetition or raises matters that have been decided during the current session." The matter you talked about has been repeated, and then it has been raised and resolved in the last session. To me that is the point of order. Don't repeat what has been raised before. Resolve it, and go on with the debate on the bill.

**Mr. Mason:** Mr. Speaker, on a point of order?

**The Deputy Speaker:** I already ruled on the point of order.

**Mr. Mason:** This is a new point of order.

**The Deputy Speaker:** A new point of order?

**Mr. Mason:** A new point of order. Absolutely.

**The Deputy Speaker:** Okay.

## Point of Order

### Explanation of Speaker's Ruling

**Mr. Mason:** Mr. Speaker, under chapter 2 of the Standing Orders, section 13(2) states that "the Speaker shall explain the reasons for any decision on the request of a Member." My request to you is to explain how you ruled that something was out of order on a point that was not raised in the original point of order.

**The Deputy Speaker:** Well, I used the standing order here, and I heard on that point of order the debate about it. It clearly says in here, "persists in needless repetition or raises matters that have been decided." Okay? That is the point I want to make on that. That is a point of order that we should pay attention to and not violate. I do not recognize a point of order on a point of order.

Carry on the debate on Bill 24.

## Debate Continued

**Mr. Anderson:** Mr. Speaker, I feel intimidated into silence. I have nothing else to say.

**The Deputy Speaker:** Any other hon. member want to join the debate on Bill 24? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise and speak briefly to Bill 24, the Health Quality Council of Alberta Act. This bill does some things. It continues the Health Quality Council. It gives it the regular powers that it has had. It clarifies things. It allows it to make bylaws. It gives the responsibilities of the directors for indemnification, borrowing, access for information, and so on. It says that the council may advise the minister and will look into things requested by the minister and at the request of the minister prepare and submit reports to the minister and so on. Those are its normal activities, and the normal reporting relationship relative to those activities is to the minister of health, whom we've just had a little conversation about during the point of order relative to his history with the broader issue.

**11:10**

But it also gives new powers to the Health Quality Council, powers that are similar to but not exactly the same as a judicial inquiry, and that's very interesting because until the Premier had promised a judicial inquiry under the inquiries act into allegations of physician intimidation, there was no thought of giving these additional powers here. So it's interesting that when the government has before it the inquiries act, that allows a clear public inquiry headed by a judge, a very clean process, she and the government did not choose to avail themselves of that act. That question has never been properly answered by this government, why they didn't just want to use the Public Inquiries Act to investigate the allegations that had come forward and to meet the

commitment made by the Premier during her run for the PC leadership.

So why, then, do we have a government that goes to all the trouble of amending a piece of legislation for the Health Quality Council to give it these similar powers when it already had those powers under another act? That's a very interesting question, Mr. Speaker, and one that this government has never been able to adequately answer.

I would submit that this creates a problem for the Health Quality Council. The Health Quality Council is closely connected to the health community. It's comprised of individuals who have history, who participate in various professions and various roles in the health system, and that's appropriate for its traditional role of trying to examine the health care system in order to make it safer and more efficient, to make it more effective, to improve it generally, and to look into serious problems in terms of the administration of the health system.

But now it's got these extra powers, and it can set up a quasi-judicial inquiry, so that brings it into conflict with its traditional role. I think it's not a good idea for several reasons but mostly because it goes from being part of the health system and integrated with it, to a degree, to being put in a position where those attributes are no longer an asset to its work and not appropriate to its mandate. The government is creating kind of a Jekyll-and-Hyde situation for the Health Quality Council. Again, it brings us back to the question of why they're doing it.

My view is, Mr. Speaker, that there are two reasons. One is delay. By initiating this legislation we hold up the process of appointing the inquiry and we ensure that the inquiry is not under way in a public way during the next election. Nobody expected a judicial inquiry appointed by this Premier to have completed its work before the next election, but its work might have been under way, and people might be testifying, and it might be embarrassing, and it might have created some negative reaction for this government. So it was better from the government's point of view to simply pass some new legislation and start later. That's one of the things.

The other thing is, Mr. Speaker, that it's not quite going to be the same, and it's certainly going to involve a group of individuals making selections, perhaps of a panel that may include a judge – the Premier said a judge-led inquiry – and a bunch of other people who have some involvement in the health system. Then it brings to bear a whole number of additional biases, filters, and opinions that prevent a clean examination. I think that it is not going to result in getting to the bottom of it. I think that's why the government is doing it here.

I'll make no apology, Mr. Speaker, for being concerned that we are going through a process of legislation by this government, a Health Quality Council that reports to the minister of health when the minister of health himself may be one of the primary witnesses of the inquiry, and he should be, in my view. How is the Health Quality Council going to structure an inquiry that would have that result without seriously compromising itself? That will in my view seriously compromise the legitimacy of the inquiry, that it may or may not call and which may or may not contain people including a judge or other individuals. The government has decided that they're going to go down this route. In my view, the only answer for this seemingly contradictory and duplicative piece of legislation is so that the government can manage the outcome of this inquiry.

Now, the present Minister of Finance, who was a notorious minister of health, has come out publicly against the inquiry, saying that it's just going to show that the allegations that have been made are just figments of Edmonton-Meadowlark's imagin-

ation. He's already prejudged it, Mr. Speaker. He's already determined that an inquiry is not needed. But that minister should also be called as a witness for this inquiry because under his watch as minister of health there were a number of senior health officials, doctors, public health officials whose positions were terminated apparently over a dispute about a public awareness campaign for a syphilis outbreak. They have signed nondisclosure agreements, which seems to be part of the standard pattern when the government runs off people that they don't agree with in the health system, people that cause them problems.

Now, I think the minister's sensibilities were offended by the fact that this campaign talked publicly about the outbreak of syphilis, but the result of cancelling that campaign, Mr. Speaker, was that the syphilis outbreak continued unchecked and we had Third World rates of syphilis in this province and babies with congenital syphilis who died. That, in my view, is the result of political interference by the former minister and should be the subject of this inquiry. But I don't think with this legislation that's ever going to happen. I know perfectly well why that minister does not want this inquiry to go ahead, because he is one of the people that should be testifying, and there would be a lot of people testifying about his actions as well.

Mr. Speaker, this legislation is a contrived way of the government attempting to control its message, to prevent damage to its reputation, to prevent the facts from coming out. This piece of legislation is part of the ongoing cover-up of this government, of their culpability in the interference in the health care system that has caused so many people to suffer so much. So I'm opposed to this particular piece of legislation and very strongly so.

I think that the Health Quality Council does very good work. It does really good work in examining procedures that take place in the health care system and in hospitals, but it is not appropriate that it should be conducting a public inquiry. It is not the body that should be handling this. It is a way for the Premier to avoid the promise that she made to Albertans when she was running for leader of the Progressive Conservative Party.

I will oppose this legislation. I think all Albertans need to ask the basic question: if there's going to be a public inquiry, then why don't we use the Public Inquiries Act, which is already there for exactly that purpose? Until the government can answer that question for Albertans, I don't think this is going to wash.

Thank you, Mr. Speaker.

**11:20**

**The Deputy Speaker:** Standing Order 29(2)(a) allows five minutes for comments and questions. The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yes. I would like to ask the hon. Member for Edmonton-Highlands-Norwood about a point he raised. It's interesting that under moving away from the Public Inquiries Act, this government indicated that the actual decision would be made by cabinet. I have to ask through the Speaker to the hon. member, you know, about the comment that has been made that the fox is in the henhouse. One has to ask the question about the role cabinet plays in this because it truly is not independent, in fact, because of the fact that someone that is brought into the controversy of the whole episode of what's going on in this review is directly involved as minister of health. Relative to the perception that it's creating for Albertans, what does he think of that?

**Mr. Mason:** As I indicated in my comments, hon. member, I think that is part of the problem. This is a body that for its routine activities responds to the minister of health, and the minister of

health, in my view, needs to be examined on his role in the intimidation of one of the members of this House. I think that it creates a conflict of interest with respect to the Health Quality Council conducting the inquiry.

**The Deputy Speaker:** Seeing no others on Standing Order 29(2)(a), the hon. Member for Edmonton-Riverview on the bill.

**Dr. Taft:** On the bill, Mr. Speaker. Much has been said, so I will keep my comments brief and to the point. I particularly commend readers to the comments made by the Member for Calgary-Mountain View as well as other members.

But this is what I would like to say. Bill 24 is unnecessary, and it's an expensive delaying tactic. It's intended to avoid accountability instead of to embrace accountability. It's a broken promise, no more, no less, on a matter that potentially involves life and death, truth and lies, insiders and outsiders, and courage and cowardice. It's a sorry and cynical mark for a new Premier to make, and it should be withdrawn.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a)?

Seeing none, any other speakers wish to join the debate?

Seeing none, the chair shall now call the question on the bill.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 11:24 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allred	Hancock	Mitzel
Benito	Johnson	Quest
Berger	Johnston	Renner
Bhullar	Leskiw	Sandhu
Brown	Liepert	Sarich
Campbell	Lukaszuk	Snelgrove
Denis	Marz	Tarchuk
Fawcett	McQueen	Weadick
Groeneveld		

Against the motion:

Anderson	Hinman	Swann
Boutillier	Mason	Taft
Totals:	For – 25	Against – 6

[Motion carried; Bill 24 read a second time]

## Bill 25

### Child and Youth Advocate Act

[Adjourned debate November 22: Mr. Hancock]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's my privilege to rise and speak to Bill 25, the Child and Youth Advocate Act, something that this caucus has been pressing for for a long time now. I'm very pleased to see a very progressive minister embrace this and move it forward into legislation. The Child and Youth Advocate is a critical role to ensure the monitoring and standards in the child and youth care system, dealing with problem issues,

injury, deaths in care, probably the most vulnerable population of all that government deals with, and now we're seeing a serious commitment, I think, to ensuring that the children, particularly those where there are some unfortunate adverse events that happen, are going to be addressed more vigorously.

The kind of ongoing monitoring and changes to the system are going to go into independent reporting to the Legislature, and there won't be the concerns that I think have been raised on a number of occasions, that it's politically difficult for a minister to be dealing with some of these reports and not be seen as having some kind of conflict of interest.

The Child and Youth Advocate has also got at his or her disposal a council for quality assurance, providing access to the advocate for incidents and referral outside that quality assurance council to even a second investigative department.

11:40

Admittedly, the Child and Youth Advocate is chosen by the cabinet, but there is now a degree of separation between the reporting requirements on these sensitive and critical issues to the Legislature, where there can be seen to be a more objective and impartial review of some of the most serious problems, injuries, and risks, a learning process for us all, in fact. We all become much better able to do the oversight and make recommendations for improvements that have to be ongoing in such a complex and challenging area as children and families at a disadvantage and in this case separated from, in some cases, parents and kin.

This process has been strengthened as a result of the changes. Indeed, there's some clarification around confidentiality and what aspects of some of these cases can be protected in privacy when they will not necessarily serve the public interest. But those that can and will serve the public interest will be made public so that there can be the learning and the changes that are needed in how we identify, how we counsel, how we work with families, and ultimately achieve greater success in terms of the health, safety, and the achievement of their human potential under very difficult circumstances.

In looking at some of these issues, it's something that I certainly will be interested in hearing more debate on and seeing more of the details relating to this bill, but at the current time I think there is a lot to be said for the changes that are being made. With that, I'll take my seat.

Thanks, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo on the bill.

**Mr. Boutillier:** Yes. Thank you. On the bill, Mr. Speaker. It is indeed a privilege to stand in this House to discuss the proposed adoption of a Child and Youth Advocate as an independent officer of this Legislature and accountable to this Legislature. I am very encouraged by this proposed bill as I, myself, like many people in here, many members, have young children. I, like everyone else, support the intention of this bill to help young people at risk in our province.

The disturbing number of deaths and injuries that have happened to children in government care is a real cause for concern for my constituents and all Albertans. With that in mind, I find it helpful that we finally have some legislation in front of us that will help the government of the day in an area where Albertans are wondering why it hasn't happened sooner. But that being the case, better late than never.

I particularly want to congratulate the government since the Wildrose were the first to indicate that we supported the advocate as an independent officer of this Legislature.

**Mr. Mason:** Point of order.

### Point of Order

#### Factual Accuracy

**Mr. Mason:** Mr. Speaker, it is sometimes necessary to rise in this place to end absurdity and to set the record straight, so I'm rising on Standing Order 23, "abusive or insulting language of a nature likely to create disorder." Given that the hon. Member for Edmonton-Strathcona has single-handedly championed this issue for years and fought to make it a provincial issue and the government has finally caved in and adopted her proposal, it is abusive and insulting to her efforts for this hon. member to claim that they had anything whatsoever to do with it.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you, Mr. Speaker. I wish to clarify that the Wildrose is the first conservative party to in fact come forward.

**The Deputy Speaker:** A point of clarification has been made, so no point of order.

Go ahead, hon. Member for Fort McMurray-Wood Buffalo, on the bill.

### Debate Continued

**Mr. Boutilier:** Thank you. After that important point of order was raised, I would like to continue on with my thoughts relative to this important initiative that we are very proud to share with other members and other parties in this House.

Mr. Speaker, clearly, we believe that my colleagues here in the Wildrose have been asking the government to do something like this for some time, and it is better late than never. We have been very consistent. I might add that being consistent is something that means you're not flip-flopping, that you're being consistent. We believe the initiative relative to this important piece of legislation on the Child and Youth Advocate being independent of the government is important, and I commend the government. As much as I will raise comments when I don't like things that the government is doing, I will commend them occasionally.

You might remember that we have also long called for a variety of situations similar to what the hon. Member for Edmonton-Strathcona had initiated as well. In terms of calling for something and the better sharing of information between public bodies, a clarification of confidentiality in regard to these cases is also very important. This is something that I believe the Member for Calgary-Fish Creek had been pushing for for a variety of reasons; for instance, for a safer communities taskforce. As you recall, the previous Justice minister wasn't quite able to get that job done, but I'm glad that the government finally decided to follow an important initiative by the Member for Calgary-Fish Creek, which I commend, to include this in the legislation as well.

With that said, Mr. Speaker, there is obviously, I think, some real promise here, where we see one of the government's biggest shortcomings being addressed. For too long it has been entirely up to the minister to decide if something gets looked into, and often the same minister has something to lose by the investigation. This is the problem with our health care system. We'll see over the next few weeks if those problems are adequately addressed, which we don't believe under Bill 24 because it's falling short of the promise that was made.

Again, I remind members that we believe in commitments, not making false promises. I will say that I know that I have my

doubts, but I will give the benefit of hearing the debate in the days and hours and weeks ahead.

One of the things that we need assurance of in debating this bill is whether it is adequately addressed in this bill. Now, on the one hand we can feel confident about this because there is an independent advocate, but then it gets muddled because there is also a child and family services council for quality assurance. So it looks like there might be a muddying of mandates here, and we want to ensure that that is rectified. Maybe this council appointed by the minister will somehow reduce the powers of the advocate, and we certainly do not want to see that happen. We'll see how the government presents its case, and we'll be watching very vigilantly and closely as this case is a work-in-progress.

It seems that it is a positive step, though, that this council will not only be activated when summoned by the minister but that, instead, the functions and powers of the council will be embedded in the Child, Youth and Family Enhancement Act. Again, we'll have to see how the government envisions this council working with the advocate's office.

Still, Mr. Speaker, I feel that this bill is clearly, I think, missing a few things that I will give friendly suggestions on at the appropriate time. Maybe the government can explain how this council and the advocate are up to the job. For instance, the Premier made a promise in light of a situation that took place not that long ago, as you know, with a youngster, a tragedy, that we know the Premier had spoken to as well. It was a tragic situation.

11:50

The Premier said in the summertime during her leadership campaign that we need a children's serious incident review team. Now, this would be modelled on the Alberta Serious Incident Response Team, that has the tools to look into police shootings and other delicate things that require independence. But that is not here explicitly, and I look forward to the government explaining how this bill is even better.

You know, this provides a great opportunity to get some of the right legislation in place, and I compliment the initiative that's in front of us. I wish I could stand more often to say that I like what is coming from across the way when it comes to legislation. But I'm pleased to say that they are listening to the conservative party that brought this up. As mentioned earlier, the Member for Edmonton-Strathcona has been a real advocate of that as well.

I might add that we're very proud that the Wildrose has a former minister of children's services, who has shown a stellar record relative to helping children and protecting children, the hon. Member for Calgary-Fish Creek.

Let me say, Mr. Speaker, that while I do think the bill is a good first step, I look forward to other comments and questions as we go forward. I want to say that we believe that Alberta used to be a leader on a lot of things, and it's time for us to catch up. It's like how we were the first province with balanced budgets, but lately we have fallen behind. Now it's other provinces like B.C. and Saskatchewan that are leading in things like accountability. [interjection] I am hearing what the member behind has mentioned to me, certainly accountability and fiscal responsibility. It's sad, I will say, in the fact of what has taken place.

We are one of the last provinces to make the advocate independent. With that in mind, Mr. Speaker, I would like to say to the government: welcome to the 21st century. We're still a bit concerned about how we can be assured that the Child and Youth Advocate won't become a political appointment who deliberately will not hold the government accountable. Sometimes it seems like every henhouse in the province has a PC fox guarding it. We know that apart from the advocate council members will be

appointed by the minister, and this perhaps could be a problem. But we are assured that the advocate will be an officer of this Legislature, that all members proudly serve in, and that means the opposition members at least get to be part of the vetting committee. Even if we're outnumbered, that's still important.

Now, without saying anything disparaging about the current advocate, this Legislature has a clause saying that the current advocate, chosen in the past by this government, will stay in the post. This seems unusual and goes against the definition of being an officer of the Legislature. We'll have to review this in the debate. I think all the opposition parties will likely question whether it wouldn't be better to let the current individual reapply for the post so Albertans are reassured the very best person is in the job.

We have seen in the past month or so, with the appointment of our new trade representative to Asia and with the new executive director of the Progressive Conservative Party, that this Premier is a very big fan of political appointments and not holding open competitions. That concerns us, and I think it concerns Albertans.

I, quite frankly, worry that our new Child and Youth Advocate could be another Gary Mar or a Kelley Charlebois, who will not stand up to this Premier when needed. We want the next person that is appointed by this Legislature to stand up for children. Again, I'm not in any way referring to the individual currently in the post. In fact, I know little about him, but that's the point. The opposition should know a lot about officers of the Legislature because they are vetted by them. The advocate must be independent, so we'll be looking for a bit more reassurance that the post won't be filled by yet another insider from the good old boys' club.

With that, Mr. Speaker, I will say that another thing that boggles my mind is that there is not any explicit mention of co-operation with aboriginal affairs and aboriginal relations. The word "aboriginal" doesn't appear anywhere in the whole document. I will say as a former minister of aboriginal relations that I think it's unfortunate because if you look at the data, it's very clear that our aboriginal children are disproportionately at risk, and we want to continue to care for all Alberta children. Why would the advocate not have the clear mandate to co-operate with aboriginal affairs, to directly help those most affected? Like a lot of things with this government, it truly does boggle the mind.

That is something that I could see helping aboriginals in and around my community of Fort McMurray and across Alberta, and

it bothers me that it's not included in this legislation. I hope that at the appropriate time some alterations could be made there in amendments.

On a final concern, I want to be assured of this, that the advocate will have the power to access cabinet documents. Whatever rules there are about going public with the information, we want to be assured that this advocate, like in British Columbia, has the ability to see how the cabinet is responding to issues that affect children, not a behind-closed-doors approach but, rather, that it is open and transparent so that all Albertans can see.

This government is notorious for its contempt for transparency, so if the British Columbia government found it inconvenient for their advocate to be snooping around for the truth inside the dome, I'm guessing that this government isn't even letting it get on the table. That is very unfortunate as well.

I look forward to the minister setting me straight down the road because I believe the minister is to be commended, in his new gigantic ministry of quite a lot of things, to not lose sight of the importance of the children. I say that as the dad of a four-year-old son.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments, questions, clarification. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I wonder if the hon. Member for Fort McMurray-Wood Buffalo would, in order to afford the hon. Member for Edmonton-Strathcona the chance to speak to this bill at second reading, move to adjourn the debate.

**Mr. Boutilier:** Sure. It would be my honour, Mr. Speaker, to move to adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. Given that this is the first full day of session since we returned to deal with government business and since we've made such good progress, I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:59 p.m. to Wednesday at 1:30 p.m.]









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, November 23, 2011

Issue 39a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Len Mitzel	Transportation
Dave Rodney	Sustainable Resource Development
Janice Sarich	Education
David Xiao	Energy

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

Anderson  
DeLong  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Development

Chair: Mrs. Jablonski  
Deputy Chair: Mr. Chase

Amery  
Blakeman  
Boutilier  
Calahasen  
Goudreau  
Groeneveld  
Lindsay  
Snelgrove  
Taylor  
Vandermeer

### Standing Committee on Education

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Hehr

Anderson  
Benito  
Brown  
Cao  
Chase  
Leskiw  
Marz  
Notley  
Sarich  
Tarchuk

### Standing Committee on Energy

Chair: Mrs. Ady  
Deputy Chair: Ms Blakeman

Hehr  
Hinman  
Jacobs  
Johnston  
Lund  
Mason  
McFarland  
Rodney  
Webber  
Xiao

### Standing Committee on Finance

Chair: Mr. Renner  
Deputy Chair: Mr. Kang

Allred  
Anderson  
Drysedale  
Fawcett  
Knight  
Mitzel  
Prins  
Sandhu  
Taft  
Taylor

### Standing Committee on Legislative Offices

Chair: Mr. Blackett  
Deputy Chair: Mr. Lund

Blakeman  
Brown  
Evans  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Ouellette  
Quest

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Elniski  
Evans  
Hehr  
Knight  
Leskiw  
Mason  
Pastoor  
Rogers

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Knight
Boutilier	Lindsay
Calahasen	McFarland
Doerksen	Sandhu
Drysedale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Snelgrove

Amery	McFarland
Boutilier	Mitzel
Brown	Notley
Calahasen	Pastoor
DeLong	Quest
Doerksen	Stelmach
Forsyth	Swann
Jacobs	Tarchuk
Knight	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Goudreau

Allred	Kang
Benito	Mason
Calahasen	Rodney
Chase	Sandhu
Elniski	Vandermeer
Fawcett	Woo-Paw
Forsyth	Xiao
Groeneveld	

### Standing Committee on Public Health and Safety

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Bhardwaj  
Blakett  
DeLong  
Doerksen  
Forsyth  
Notley  
Ouellette  
Rogers  
Swann  
Woo-Paw

### Select Special Information and Privacy Commissioner Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers



## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 23, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. We give thanks for the bounty of our province, our land, our resources, and our people. We pledge ourselves to act as good stewards on behalf of all Albertans. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Before I call on the first of those who will introduce, let me extend congratulations today to one of our members who has arrived at a certain anniversary of his birth, the hon. Member for Calgary-North Hill. Happy birthday. [applause]

The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a great privilege to rise and introduce to you and through you a few very special people, one of them the reason this job is so difficult for me and also the reason why it's so important, my 11-year-old son, Jamieson, who is here from Athabasca with his school group. I'll introduce them in a second. The other one is my father. Many of you know LeRoy Johnson, who served as MLA in this House for 11 years for Wetaskiwin-Camrose. It's a real treat to have them here today. I see they've risen, so I'd ask that you give them a good round of applause.

Mr. Speaker, I do have one other introduction. Although they're not here, I would like to introduce them. It's Jamieson's class, who are touring the Legislature right now, but they will be joining us in a little bit during question period. This is a class of 26 kids from Landing Trail intermediate school in Athabasca. The French immersion class is led by their fantastic teacher, Jennifer Jones. Melanie Opmeer, Trevor Yeaman, and Leo Chiesson are also here as parent helpers. I'd like in their absence for you to give them a warm round of applause and welcome them to the Legislature.

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. I have two introductions if the Speaker would indulge me today. The first one: it's an honour to introduce to you and through you to members of the Legislature a group of grade 6 students from Woodhaven middle school in Spruce Grove. They are part of two groups of students from the school to visit us this week. Tomorrow I'll be introducing some more of these bright, energetic students. They are accompanied by Mrs. Dalowe Dilling, Mr. Robert Coulas, and Mrs. Miranda Niebergall and by parent helper, Mr. Brent Taylor. I believe that they are in both galleries today, and I would ask that they all rise and receive the warm welcome of this Assembly.

Mr. Speaker, my second introduction today: it's an honour to introduce to you and through you to members of the Legislature Tony Rafaat and Janice Shoepp. Janice is a member of the RCMP and currently works as a school resource officer in the community policing section of the St. Albert detachment. Tony is a junior high school teacher at Sir George Simpson junior high school. Tony and Janice enjoy gardening and keep nine honeybee hives in the St. Albert area, and I was pleased to be presented with some of that honey today. While attending the St. Albert food bank annual auc-

tion back in April, Tony bid on a special tour of the Legislature, and I'm pleased that he was the highest bidder. I would also like to mention that Janice currently sits on the food bank board in St. Albert. They are seated in the members' gallery this afternoon, and I would ask that we all give them a warm welcome as they rise in the gallery.

**The Speaker:** The hon. Member for Edmonton-Mill Creek.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's always a pleasure to introduce students from one of my favourite schools in all of Alberta, Julia Kiniski. We have 36 visitors who are here observing the process today. They are joined by their teacher, Dale Mandryk; by their education assistant, Darrel Shymanski; and by parent helpers Vicky Deacon, Monica LeMoignan, and Mrs. Anna Creighton. I would ask all of these members from Julia Kiniski to please rise and receive the thunderous applause of this Assembly. Thank you for being here.

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

**Ms Notley:** Thank you, Mr. Speaker. I have two sets of introductions today. The first is a group of 33 visitors from the Academy at King Edward, a fabulous school which is just across the street from the elementary school where my kids went and go. I'm very pleased that they're able to be here today because often kids in my riding end up coming here in the morning, and I don't get to introduce them. They are accompanied today by their teachers and group leaders: Lucia Besko, Chris Giasson, and Jonathan Clarke. I would ask that all of my guests rise and receive the warm welcome of the members of this Assembly.

My second introduction today, Mr. Speaker, is two members from my constituency who are seated in the public gallery. Both Edward and Sarah are first-time visitors to the Legislature and are eager to learn more about the proceedings within this House. I would now ask my guests, Edward Davies and Sarah Grieve, to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's a very esteemed pleasure for me today to rise and introduce a large delegation of individuals here from Calgary, all associated with the Drug Awareness Foundation. The hon. Premier as well as many colleagues from both sides of the Legislature took time to meet with this group over the noon hour. I'll ask them to rise as I read their names: the man that walked across Canada to raise awareness in the fight against drugs, Mr. Balwinder Singh Kahlon, Avtar Singh Dharni, Baldev Singh Gill, Binnie Singh Grewal, Buta Singh Rehill, Harvir Singh Randev, Harcharan Parhar, Hardyal Singh Mann, Harjit Singh Saroya, Manjit Singh Suri, Mohinder Singh Judge, Mohinder Singh Kaler, Pritam Singh Kahlon, Ranbir Singh Parmar, who is the president of the Dashmesh Culture Centre, Sukhdarshan Singh, Sukhram Singh Sandhu, Surinder Singh Dyal, and Virinderjit Singh Bhatti. I ask the Assembly to give them our esteemed welcome.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. It is indeed an honour and a privilege for me to rise today to introduce to you and through you to all members of this Legislature a delegation from the city of Grande Prairie. They have joined us here today to meet with the Premier and several ministers to promote the interests of the beautiful city of Grande Prairie. The talented mayor, coun-

cillors, and city staff are proud of the strong northern community and are incredibly dedicated to representing the issues of the citizens in this outstanding area of the province.

I'd ask them to rise as I call their names: Mayor Bill Given, Councillor Lorne Radbourne, Councillor Alex Gustafson, Councillor John Croken, Councillor Dan Wong, Councillor Kevin O'Toole, and from administration Janette Ferguson. The Member for Grande Prairie-Smoky and I would like to thank this hard-working group for visiting the Legislature today, and I'd ask them to remain standing and receive the warm welcome of this Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It's truly an honour and a privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly eight guests seated in the public gallery. They are strong leaders within the Ismaili community. I would ask if they would please rise as I mention their names: Mr. Ayaz Bhanji, president, Ismaili Council for Edmonton; Mrs. Zahra Somani, honorary secretary, Ismaili Council for Edmonton; Ms. Zafira Bhaloo, deputy communications co-ordinator, Ismaili Council for Edmonton; Mr. Irfan Kherani, youth representative of the Ismaili community; Mr. Amin Valani, leadership from the Belle Rive Jamatkhana congregation; Mr. Hussein Ali Alibhai, leadership from the Belle Rive Jamatkhana congregation; Mrs. Tamizah Valji, chairman, Ismaili Tariqah and Religious Education Board for Edmonton; and Ms. Shameen Ladhani, honorary secretary, Ismaili Tariqah and Religious Education Board for Edmonton. I would now ask that the Legislative Assembly warmly give them the traditional welcome.

Thank you.

1:40

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly some good friends and supporters of mine, and those are all the delegation from the drug awareness walk under the leadership of Mr. Balwinder Kahlon; the president of the Dashmesh Culture Centre, Mr. Ranbir Singh Parmar; and Virinderjit Singh Bhatti, Amarpreet Singh, Preetinder Tah, and Sunny Banipal. Amarpreet is the former Liberal candidate in Calgary-McCall, so he knows about this business. All the members of the delegation have been around politics for a long time, and they know all about this politics business, too. They are all seated in the gallery, and I would ask them to rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. It's my honour to introduce to you and to the members of the Assembly today a young man who over the last year went through medical trauma when he was diagnosed with a brain tumor. He's only in his twenties. He and his fiancée, Lisa, and their 18-month-old son Kohen and his mom and dad are with us today to witness question period on important health care topics. I'd ask them to all rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there others? The hon. Member for Edmonton-Strathcona.

**Ms. Ntley:** Thank you, Mr. Speaker. On behalf of the Member for Edmonton-Highlands-Norwood I'm very pleased to introduce to you and through you to this Assembly my guests, who are seated in the public gallery, from Women Together Ending Poverty. Women Together Ending Poverty is a grassroots group of women who have come together to take action on poverty. They are here today to present nearly a thousand signatures they have gathered from ordinary Albertans calling on the Premier to raise the minimum wage to a living wage and to keep her promise to raise AISH benefits. I would now like to ask my guests to rise and receive the traditional warm welcome of the Assembly as I call their names: Rose Ing, Cecilia Miguel, and Jackie Carrier. I'd ask all members to join me in welcoming them to the Assembly.

## Members' Statements

**The Speaker:** The hon. Member for Calgary-North West.

### Drug Awareness Foundation Calgary

**Mr. Blackett:** Thank you, Mr. Speaker. I am pleased to rise today to recognize a great organization, the Drug Awareness Foundation Calgary, and the important work that they are doing to make a difference in our communities. This foundation, which was established in 2006 by Mr. Balwinder Singh Kahlon, has done some truly outstanding work in raising awareness about the dangers of tobacco, alcohol, and drug abuse not only within Calgary's Punjabi community but throughout Alberta and Canada.

Through campaigns, radio talk shows, community events, and youth presentations they have encouraged countless Albertans, including our children and youth, to make good decisions when it comes to drugs and alcohol. They have also provided critical support to many individuals living with addiction to help them turn their lives around.

Mr. Speaker, in addition to all of the work they have done to prevent and reduce addiction in our province, this year the Drug Awareness Foundation Calgary hosted its first ever Walk across Canada. Beginning in St. John's, Newfoundland, this April, Mr. Kahlon and his team of committed team members from our Punjabi community walked an incredible 8,000 kilometres to Victoria, B.C., to spread a message across Canada of the importance of leading a drug-free lifestyle.

Mr. Speaker, it takes a great deal of courage to undertake an event of this magnitude, and it takes a lot of heart to do it to help others. I would like to sincerely thank all of those who are involved with this inspiring organization for the valuable contribution that they are making and to encourage them to continue their important efforts because they are indeed making a difference.

**The Speaker:** The hon. Leader of the Official Opposition.

### Sikh Community Annual Blood Drive

**Dr. Sherman:** Thank you, Mr. Speaker. The Sikh faith is about truth, justice, equality, and human rights. Sikhs are renowned for their contributions to the community and their good works. So today I want to thank all Sikhs in Canada and in Alberta for the annual acts of charity that have saved over 55,000 lives in Canada alone in addition to the hundreds and thousands who fought alongside all of our warriors to defend democracy in the world wars.

Before I do that, I'd like to recognize another way that Sikhs are helping our community. Mr. Bill Kahlon is in the Legislature today. He has led a team across the country, walking to raise

awareness of the dangers of illegal drug use. Bill and his team represent a fine example of the good work Sikhs have accomplished across the nation. I'd like to thank him and his team today. Thank you, Bill.

For over 10 years thousands of Sikhs around the world have participated in an annual blood drive to memorialize the many lives lost during the wave of anti-Sikh violence that erupted after the assassination of Prime Minister Indira Gandhi. Sikhs have responded to this tragedy by giving life. Their annual blood drive has saved tens of thousands of lives since it began in 1999. Sikhs are donating blood in Edmonton and Calgary to continue this life-saving tradition. The world's Sikh community has responded to a great human tragedy with love, tolerance, charity, and hope.

This gift comes at a very opportune time, Mr. Speaker, for this month also marks the National Day of Remembrance for Road Crash Victims. As an ER doctor and former STARS doc I can tell you how vital blood is for the survivors of car wrecks. As we gather on November 23 to remember those who have lost their lives in traffic collisions, we can be grateful that Alberta's Sikh community is at this very moment giving the gift of life to Albertans who need blood transfusions, many of them traffic accident victims. How fortunate we are to have such generous souls in this province.

On behalf of the Official Opposition I thank the Alberta Sikh community for the annual drive.

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

#### **Belle Rive Jamatkhana and Centre**

**Mrs. Sarich:** Thank you, Mr. Speaker. I rose earlier to introduce and welcome to the Alberta Legislature representatives from the Edmonton Ismaili community and from the Belle Rive Jamatkhana and Centre. On August 14, 2011, it was my honour and privilege to have been invited by the Aga Khan Council for Edmonton to participate in the public tour of the Belle Rive Jamatkhana and Centre.

Mr. Speaker, the Belle Rive Jamatkhana and Centre is a place of prayer, contemplation, and gathering. It is the first purpose-built Jamatkhana in Edmonton, celebrating its 14th year of establishment and proudly serving approximately 1,000 Ismaili residents in the community. The focal point of this special place is the prayer hall, which displays outstanding Islamic architectural beauty and serves the Shia Imami Ismaili Muslim congregation of Edmonton.

The Belle Rive Jamatkhana is a collection of architectural spaces that never fail to stir the occupants deeply, whether you are in the prayer hall, the library, the classrooms for religious education, or the social hall. It is a place that is very welcoming and a wonderful addition within our local community.

Mr. Speaker, the first Ismailis arrived in Canada in the mid-1960s as part of a pool of professionals that emigrated from western Europe. The Edmonton Ismaili community consists of active and long-standing dedicated volunteers who actively lead and engage with other partners in enrichment and outreach initiatives such as the Capital City cleanup, Habitat for Humanity, the citizenship court tea, and the Eid al-Adha celebration, which is commemorated here at the Alberta Legislature.

I would like to convey my heartfelt thanks and appreciation to the Ismaili Council for Edmonton and the Ismaili community for adding immeasurably to our city and our great province.

Mr. Speaker, Alhamdulillah. Thank you.

#### **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### **Public Health Inquiry**

**Dr. Sherman:** Thank you, Mr. Speaker. The Empire of No has established its rule over Alberta with broken promises as its flag, and the Premier's subjects are worried that she's incapable of saying yes even to her own promises. Calling a public inquiry under the Public Inquiries Act is so easy, and the Premier has the sovereign power to do so with the simple wave of a hand. Is the Premier willing to say, "Yes, I will call a public inquiry today under the Public Inquiries Act"?

**Ms Redford:** Mr. Speaker, the legislation before the House clearly sets out my commitment to Albertans to have an independent public inquiry that will get to the bottom of this, judge led, which is going to allow witnesses to be compelled, and that's critical because that allows witnesses to come forward and actually be protected. This is the way forward that's going to allow Albertans to really get to the bottom of the issues that they're concerned about in health care, and I'm looking forward to the debate.

**1:50**

**Dr. Sherman:** Mr. Speaker, witnesses can already be compelled under the Public Inquiries Act. Given that the Premier has said publicly that failing to hold a public inquiry for fear of harming the government's re-election chances is cynical politics, will the Premier now explain to Albertans why her government is playing the same cynical politics that she railed against just a few months ago?

**Ms Redford:** Mr. Speaker, legislation before the House that can be publicly debated to support a public inquiry is not cynical politics. It's good legislation, it's good public policy, and it's what Albertans want.

**Dr. Sherman:** Mr. Speaker, we already have good legislation. There's no reason to pass more good legislation.

Given that two AMA presidents, a CMA president, the HSAA, many health professionals, and average Albertans have overwhelmingly endorsed a true public inquiry, why does the Premier continue to disagree with honest Albertans and avoid calling a real public inquiry? Why have you broken your promise, Madam Premier?

**Ms Redford:** Mr. Speaker, there's no disagreement with average Albertans. There's disagreement with the Leader of the Opposition.

What we need to do in this province is ensure that Albertans can have confidence in public decision-making systems, and one of the reasons we need to ensure that is because much of the commentary that comes from the Leader of the Opposition and other opposition parties undermines the independence of offices and institutions that are independent already in this province. We will strengthen those institutions so that Albertans can have confidence.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Sherman:** Mr. Speaker, ample Albertans and organizations have come forward to agree with this Leader of the Opposition.

### Mental Health Services

**Dr. Sherman:** Let's change topics here. These AHS memos from September emphatically state that there's an acute shortage of mental health professionals and a critical demand for mental health beds in the Edmonton zone. As a result, our hospitals are being forced into the inhumane decision of dumping the mentally ill onto our city streets. Will the Premier tell us why her government's policy is to kick them to the curb as opposed to caring for them?

**Ms Redford:** Mr. Speaker, there is correspondence within Alberta Health Services that is doing exactly what Alberta Health Services should do, and that's manage the health care system. I'll tell you that we on this side of the House are not going to second-guess the competent, professional management that's taking place with respect to mental health in the Edmonton zone.

**Dr. Sherman:** Mr. Speaker, these memos clearly suggest that discharging the mentally ill to the streets is the government's solution to the overcrowding problem and lack of staff. Can the Premier please tell us and all front-line staff and Albertans why mentally ill men and women are receiving compromised care or no care at all?

**Ms Redford:** Mr. Speaker, this Leader of the Opposition is jumping to conclusions that are entirely unfounded. This is communication by managers in Alberta Health Services who are capable and competent and compassionately managing the needs of Alberta mental health patients, and that's a fantastic thing.

**Dr. Sherman:** Mr. Speaker, if I have to jump to stand up for the truth, I'll jump every day. The only one jumping here is the Premier, jumping out of the way.

Given that these damning memos show that the overburdened and demoralized staff clearly could not handle the volume walking in the door, can the Premier please tell us how many mentally ill Albertans have been kicked to the curb and what happened to them afterwards?

**Ms Redford:** Mr. Speaker, the Leader of the Opposition is jumping to conclusions with respect to events that have not happened. What we know is that Alberta Health Services on a day-to-day basis has to manage volume. That's what we do in a health care system. They've done it competently, they've done it compassionately, and they've done it within their mandate to do it.

**The Speaker:** Third Official Opposition main question. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. To quote the memo, there are currently eight emergency room patients waiting for beds in this zone. "Any possible patient discharges are deeply appreciated." Coincidentally, today the Peter Lougheed reported seven cases in their emergency room waiting for beds. Alberta has 50 per cent of the psychiatric beds per thousand population of the national average. To the Premier: does the Premier see a connection between the lack of psychiatric beds and long emergency room wait times?

**Ms Redford:** Mr. Speaker, I think we have a number of challenges to face in the health care system. We've been completely honest about those. The direct correlation that the hon. member is trying to make is not an appropriate correlation, and the answer is: no, sir, I do not.

**Dr. Swann:** The current mental health plan released recently downplays the need for more psychiatric beds in Alberta. How do you suggest professionals deal with critical psychotic cases needing continuous observation and treatment if not as an in-patient?

**Ms Redford:** Mr. Speaker, I actually believe that the way patients should be dealt with is the way that Alberta Health Services is currently dealing with patients. I expect that they make clinical diagnoses, they ensure what the treatment should be, and they provide the appropriate services. These memos illustrate exactly that competency.

**Dr. Swann:** How do they do that without the appropriate services and support? How many of our most vulnerable people will die for lack of the essential mental health care? How many more?

**Ms Redford:** Mr. Speaker, this is a serious issue. We should not be playing politics with this. This is an unfair correlation that causes people to be afraid when they have no reason to be.

Thank you.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Out-of-country Health Services

**Mr. Boutilier:** Thank you very much, Mr. Speaker. This Premier has indicated she supports public health care, and I applaud her for that, as does anyone in this House. We have a policy. The policy is that if you get sick and no one in Alberta can perform the surgery, such as my constituent who has a brain tumour that, in fact, is very rare – his doctor recommended that he had to leave Alberta and Canada to get the treatment. The treatment was done. He was going blind, and he now stands up there a year later, alive and well, with his 18-month-old son. My question is to the Premier: can you give us a review of the actual review that the former minister of health was doing on this very critical case?

**The Speaker:** The hon. the Premier.

**Ms Redford:** Thank you, Mr. Speaker. I did have an opportunity over the summer to meet the hon. member's constituent and am pleased to know that progress is happening. What we need to do in this case is ensure that we're following the procedures that are in place. I understand there has been dialogue between the department of health, that actually reviews this file, and the person in particular, without going into too many details, that would allow for more information to be considered, and I'm happy to facilitate that.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you very much. Given, Mr. Speaker, the medical trauma that this family faced over a year ago – it's almost an anniversary – and, of course, now the financial burden of over \$200,000 that the family faces, they're fund raising. Obviously, what he and his family are looking for, like any other Albertan, is that if your doctor says you have to leave the country to get this new type of surgery, Alberta health services will reimburse. Is there any kind of indication of measurement to this family? They've been waiting now almost a year.

**Mr. Dallas:** Mr. Speaker, I truly feel for the whole family, but I'm very confident that the physicians and other professionals that are on the Out-of-Country Health Services Committee and also the Out-of-Country Health Services Appeal Panel have a good process in place and that they followed that process.

**Mr. Boutilier:** Mr. Speaker, in fact, that same panel the member makes reference to told the family of a teenager in Airdrie that they would not receive the funding, but they eventually did with the review by the former minister. I'm asking that the same review be done because the committee that you make reference to actually said no to my constituent as well. That simply is not acceptable to Albertans, to anyone who would face this situation. What can we do to in fact enhance this because of the pressures that this family is facing?

**Ms Redford:** Mr. Speaker, I think it is important to be sure that we're clear on the information. My understanding is that there has been the opportunity for the committee to ask the family for further information. I'm happy to take that away and try to resolve it.

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

### Legislative Workload

**Mr. Mason:** Thank you very much, Mr. Speaker. If this Premier had her way, this fall session wouldn't even be happening. Now that it is, the government is trying to force its agenda through as fast as possible, creating one of the shortest sessions in Alberta history. The government insists that the Legislature go into the wee hours to debate important bills. It's legislation by exhaustion. My question is: why does this Premier show such disrespect for the democratic institutions of this province?

2:00

**Ms Redford:** Mr. Speaker, I was in the House last night for a short time later on in the evening, and it was very important to me to see so many members of the government here willing to debate those issues. I'm pleased we're having a session. It's important to pass legislation that matters to Albertans. Our legislative agenda for the fall reflects what Albertans are concerned about, and I'm looking forward to the next two weeks of debate.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that this Premier said yesterday that openness and transparency on the part of her government were demonstrated by the fact that we have question period and that the opposition input was limited to debate on bills the government has already decided to pass, will the Premier admit that she has broken her promise for a more open and democratic and transparent government?

**Ms Redford:** Mr. Speaker, one of the fantastic things that I had the opportunity to do this summer and what I've done since I became Premier is to meet with an awful lot of school groups that come to this Legislature to learn about democracy. What they're taught is that this is a public forum where the governing party introduces legislation, and that legislation is debated on the floor of the House, and it is either passed or it's not. I think that's a great process. It's a process that children in grade 6 understand, and I certainly hope the leader of the party will understand it, too.

**Mr. Mason:** Mr. Speaker, how can this Premier claim that she's demonstrating a democracy in practice to children when debate on very critical issues is taking place past their parents' bedtime?

**Ms Redford:** Mr. Speaker, I really don't think that the hon. member wants to get into a debate with me about what democracy is or why it matters.

What I will say is that legitimate public debate in this House follows the rules of this House. We are committing to getting that legislation passed, and we're looking forward to the debate for the next two weeks.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Olds-Didsbury-Three Hills.

### Mental Health Services

(continued)

**Mr. MacDonald:** Thank you, Mr. Speaker. A memo by Alberta Health Services dated September 14, 2011, regarding bed pressures, addiction, and mental health, Edmonton zone, reads: "The Edmonton Zone is currently experiencing a critical demand for inpatient mental health beds in the region. Any possible patient discharges are deeply appreciated." Why is this government now throwing the mentally ill out on the street?

**Ms Redford:** Mr. Speaker, Alberta Health Services is competent and capable of managing our health system. Alberta Health Services communicates, I'm sure, by e-mail, BlackBerry, and memos. I don't think that it would be a surprise to any Albertan to know that on a day-to-day basis the managers in Alberta Health Services have to shuffle resources. I think that's what people do in every part of their life every day. There is no reason to believe this suggestion that there's anyone whose life is at risk as a result of the fact that Alberta Health Services is doing their job.

**Mr. MacDonald:** Mr. Speaker, if this government was competent and capable, these outstanding recommendations from the Auditor General's report, which are three years old, would have been met by now.

Given that we have this memo that indicates that you are throwing mental health patients out on the street, is this this government's idea of wait-time management for those who are mentally ill?

**Ms Redford:** Mr. Speaker, there are so many ways that I need to answer this question. The first is that it's an unfounded allegation. To draw conclusions from a two-line memo that's been written by someone who is a competent manager in Alberta Health Services I think is suspect.

The second thing I'll say is that with the report of the Auditor General what we see are substantial and solid recommendations that the government of Alberta has accepted and is implementing. Now, I'll tell you, Mr. Speaker, and I think Albertans know that sometimes, once a recommendation is made, it takes some time to implement. We are committed to responding to those reports. We did so again yesterday and will continue to.

**Mr. MacDonald:** Again, Mr. Speaker, in the Auditor General's annual report there are at least eight outstanding recommendations on how to improve mental health and mental health program delivery in this province, yet we find this government is using a memo and discharging the mentally ill onto the street. Why is this government failing again to protect the mentally ill by forcing them out onto the street because of your incompetence and your inability to manage the health care system?

**Ms Redford:** Mr. Speaker, there is nothing in that memo to support the allegations that the hon. member has made. There is no doubt that mental health is an issue that's important in public health. I'll tell you that one of the things this government has done is invested in mental health beds in the past three years under the

safe communities program, including 18 new beds in Medicine Hat. This government takes that issue seriously, and we're acting on it.

**The Speaker:** Hon. members, four of the six questions thus far have referred to a memo or memos. I hope that these memos have already been tabled or will be tabled today.

The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Centre.

#### Additional Funding for School Boards

**Mr. Marz:** Well, thank you, Mr. Speaker. In this province \$33 million is spent each and every day on our K to 12 education system. This is a very important investment, and Albertans have a lot of questions about how those dollars are being spent, particularly the 107 million additional dollars recently announced to school boards. My questions today are to the hon. Minister of Education. Much has been said about layoffs prior to this recent \$107 million cash injection. How many teachers were actually laid off prior to this announcement, and were they classroom teachers or teachers holding administrative positions or a mixture of both?

**Mr. Lukaszuk:** Well, Mr. Speaker, first of all, I choose to use the term that Albertans invest \$33 million in Alberta education every day, not spend. But you will be hearing of me announcing a 10-point plan in the next few days, and one of the points that I'm planning to address is accountability. I want to make sure that all Albertans, because education matters to all Albertans, know how they invest the money, where the money goes, and what return they get out of the investment. I suggest they get a very good return on that investment. Part of that will be the \$107 million, and I expect that school boards will be reporting on how and where they spent the money.

**The Speaker:** The hon. member.

**Mr. Marz:** Thank you, Mr. Speaker. Given that a lot of the parents are talking about these layoffs, school boards told me that not all of them will be hiring teachers this particular school year because they're already set. Is the minister confident that all of the \$107 million will be used to put more teachers in classrooms, if not this year, in the coming year?

**Mr. Lukaszuk:** Mr. Speaker, I was very clear that the expectation was upon the school boards to invest the dollars in pressure points that they have identified within their respective jurisdictions. Each school board knew at that point in time where the pressure points were, so they made decisions. They were given latitude. Some may have hired additional teachers or teaching assistants, some may have put in some extra programs, and some may have allowed for additional supports for children who need additional support. So the decisions were made at the local level. However, I am confident that they benefited the children.

**Mr. Marz:** Perhaps the minister doesn't yet have this information, but my last question is: how many teachers will be rehired this school year as a result of restoring these dollars? Because that would be good news. If he doesn't have the answer now, I'd be happy to get it at a later date.

Thank you.

**Mr. Lukaszuk:** Well, I will be sharing it, actually, very gladly with the hon. member and with the Legislature and, frankly, with all Albertans. I put a clear expectation that all schools boards

report to me how they spent that \$107 million and actually go one step further and tell us what impact that money had in each classroom in each jurisdiction. Once I get that information, I will be reporting it to the House and to Albertans accordingly.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

#### Greenhouse Gas Emission Standards

**Ms Blakeman:** Thanks very much, Mr. Speaker. This government throws out a whack of options to companies on greenhouse gas intensity emissions, allowing companies four measurements and five calculation methods, but in the end the government doesn't know what was measured, how it was measured, or how it was verified. Bottom line: Albertans don't have an accurate picture of whether emissions are getting lower. There is a total, but we don't know if it's accurate. To the minister of environment: on what information is the ministry basing its assertion that this program is working?

**The Speaker:** The hon. Minister of Environment and Water.

**Mrs. McQueen:** Thank you, Mr. Speaker, and thank you to the member for the question. First of all, I'd like to say that we support the Auditor General and the help he is giving us to fine-tune our system. It is a good system, but it's still new, and it's one that we still need to refine, but we're committed to constant improvement with that. We've worked with the Auditor General to identify some of those gaps. We're happy that his team was able to work with us, and we'll work on continuous improvements in these areas.

2:10

**Ms Blakeman:** Goodness gracious, that was a lot of talk and no information.

Back to the same minister: how does the government know if Albertans are getting value for this program?

**Mrs. McQueen:** Well, there are a number of ways that we're getting value for the program. With regard to some of the issues that the hon. member has mentioned and that the Auditor General has mentioned, it's with regard to the review of the protocols that we have. We ensure that protocols are reviewed with regard to tillage protocols and the issues that the Auditor General has raised with regard to that. Protocols will be updated by the end of this year to address those issues as well.

**Ms Blakeman:** Oh, boy. Back to the same minister: will this minister continue to employ the strategy of confusion and conflicting instructions, which makes it impossible for anyone to, one, comply and, two, confirm the results? Is any of that going to change?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. What we'll continue to do is make this system a world-leading system in North America. We will continue to refine it and make it a better system as we go on. When you look at North America, there are not places that are doing the kind of work that we are doing with reducing greenhouse gas emissions and addressing the issues that we are. And through the protocols and the review of the protocols and working with the Auditor General, we will continue to have continuous improvement. There were several protocols, and only a couple of them didn't pass the audits report.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-Varsity.

#### **Police Car Collisions**

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My questions are to the Solicitor General and Minister of Public Security. I know they're hard-working and dedicated to safe streets, but there have been 171 EPS cruisers involved in collisions so far this year. What is the reason for these high numbers from one police service?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Crime can be very dangerous, but so can fighting crime. What we need to remember is that these collisions were as a result of simply the Edmonton Police Service members doing their jobs. This is under the oversight of my department, but regularly there is an internal committee that, I understand, is doing an investigation. I have every confidence that it'll get to the bottom of it.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. To the same minister. I understand, Mr. Minister, but that doesn't answer the question of who is liable for these collisions. Who is going to be paying for this?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's my understanding that only in extreme situations should a police officer be personally liable in cases of negligence and other areas as well. It's very easy to look back and say that these things should have been done, but they make split-second decisions. My understanding is that to fix the vehicles comes out of the EPS annual budget.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question is to the same minister. Taxpayers, Mr. Minister, should not be on the hook for this. What steps are you taking to prevent this or to minimize this in the future?

**Mr. Denis:** Mr. Speaker, there is an internal process by the Edmonton Police Service. I'm looking forward to meeting with Chief Rod Knecht about this. We also have to consider that if a police officer is going to be liable for every accident resulting from a split-second decision while protecting the public, that doesn't make for good policing policy in Alberta.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Bonnyville-Cold Lake.

#### **International Trade Offices**

**Mr. Chase:** Thank you, Mr. Speaker. First, without a competitive job interview process the Premier dispatched her main political rival to Hong Kong. Then the Premier nominated her envoy to Washington with a similarly closed and opaque process. This leaves us wondering about the Premier's promise to review the province's international strategy. To the Minister of Intergovernmental, International and Aboriginal Relations: what was the point of your department's review of our international strategy last year when the new Premier has unilaterally disregarded its findings?

**Mr. Dallas:** Thanks to the hon. member for the question. Mr. Speaker, in fact we did not review all of the operations of our international offices last year, and we are, as the Premier has indicated, conducting such a review now. We're looking very carefully at our trade relationships, the locations of our offices, how those offices are resourced, and how we need to position to get the maximum benefit for Albertans.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Given the Premier's promise of transparency and accountability, will the minister defend taxpayers' dollars and commit to making international offices accountable for their expenses, which currently they are not?

**Mr. Dallas:** Mr. Speaker, all of the expenses of the ministry are accountable and transparent, and we're responsible for all of those. I'm not sure where the member is coming from on this.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. I previously asked the hon. minister to table the evaluation of money for risk in those offices. Given that many international offices have little to account for, will the minister provide to Albertans a detailed breakdown of their accomplishments, especially for trade, agriculture, and tourism? This is the second time I've asked.

**Mr. Dallas:** Mr. Speaker, I'm not entirely sure that's correct. However, we do report on an annual basis on the operations. But I have and the Premier has committed, too, that as part of this strategic review we'll carefully contemplate the outcome measurements that we're looking for, and we'll report on those measurements.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Strathcona.

#### **Counselling for Victims of Sexual Assault**

**Mrs. Leskiw:** Thank you, Mr. Speaker. My first question is to the Minister of Human Services. Both Bonnyville and Cold Lake victim services have been working together to try to obtain counselling services for victims of sexual assault for the past four years. The closest area to obtain these services is currently found in Lloydminster. This is a necessary service to have for my constituents and one that needs to be provided locally. To the minister: what is being done to address this issue in my constituency?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. It's a very important question. We work to support the important work of Sexual Assault Services right across Alberta. In 2011-12 Human Services is providing \$1.7 million in grant funding for nine sexual assault centres, including the centre that was referred to in Lloydminster and to the Association of Alberta Sexual Assault Services. Sexual assault centres have told us that their funding has allowed for greater program stability and service expansion. I understand that the association is working with people in the Bonnyville-Cold Lake area to look at how we can provide better counselling services in that area.

**Mrs. Leskiw:** My next question is to the same minister. Given that many of these victims simply cannot afford to travel to Lloydminster, why has this government not provided something closer for these people?

**Mr. Hancock:** Well, again, Mr. Speaker, that's a very important question. In times of trauma like that we need to make sure that people have access to counselling services. I'd be very happy to work with this member and with the association of assault centres and the communities to see how we can get those kinds of services into those communities. It's very important work. It's important to be able to support victims in that way.

**Mrs. Leskiw:** My last question is to the same minister. Given the incredible amount of collaboration that has occurred between the Bonnyville and Cold Lake victim services, when does this minister plan to work more closely with these organizations to ensure that these services are provided for my constituents?

**Mr. Hancock:** Well, Mr. Speaker, my understanding is that the Association of Alberta Sexual Assault Services has worked with the communities of Cold Lake and Bonnyville to provide the counselling services. We'll continue to support AASAS regarding its ongoing strategy to seek support with the broader domestic violence community. But I can assure the hon. member that I will make a priority of talking with the association, with the communities, and with her to ensure that we can resolve this issue at the earliest possible date.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-McCall.

#### Child Poverty

**Ms Notley:** Thank you, Mr. Speaker. Sunday was children's day, but so far this week is full of grim news for children in Alberta. Yesterday the respected early childhood education index rated Alberta as the second-lowest province in the country, especially for failings around child care. Today a report from the Alberta College of Social Workers and others begins with the shocking news that child poverty in Alberta has increased by 40 per cent. To the Minister of Human Services: on behalf of the first minister of broken promises can that minister tell us why this government has not yet acted on the Premier's commitment to a poverty reduction strategy, something seven other provinces have had in place for years?

**Mr. Hancock:** Well, Mr. Speaker, the Premier has acted on her promise. She has appointed a Minister of Human Services and mandated that minister to put together a social policy framework, working with other social services ministers in government to make sure that there is a comprehensive process within government to make sure that there are no gaps in service, to make sure that vulnerable children are protected and supported and that families are supported appropriately so that every Albertan can live with human dignity and so that children can have the opportunity to maximize their potential. Exactly the mandate that this minister has been given.

**Ms Notley:** Well, given that it sounds like actually no action has been taken on the poverty reduction strategy and given that 1 in 8 children under the age of six, 34,000 little children, live in poverty in Alberta and that nearly half of them live in homes where at least one person works full-time, will the minister agree to immediately undo the shame of this government having the lowest minimum wage in the country?

2:20

**Mr. Hancock:** Well, in fact, Mr. Speaker, the hon. member ought to know that the lowest minimum wage is not the only circum-

stance in this province. We have the highest personal exemptions for taxes, the lowest tax rate for individuals, and a much higher than the hon. member indicated after-tax take home for individuals. She should also know that we have the highest participation rate and the lowest unemployment rate; therefore, most families have the opportunity for a good job in this province. But we are working through Alberta Works with those families that need to improve their skills so that they can get a better income. There are very few people actually earning the minimum wage in the province, but we want to ensure that every family has the opportunity for a good job and a good income.

**Ms Notley:** Well, given that the minister doesn't understand the minimum wage, I'll ask my next question to the Minister of Municipal Affairs. Given that extensive research identifies secure, affordable housing as an essential component of dealing with the poverty experienced by these children, will this minister reverse the decision to cut funding to Edmonton and Calgary, the termination of which will see over 1,000 Alberta families out of their homes this Christmas?

**Mr. Griffiths:** Mr. Speaker, the funding that was given was block funding to municipalities over a five-year period so that they could build affordable housing. Eleven municipalities chose to use it for rent supplements. The provincial rent supplement program still exists. They don't operate on a first-come, first-served basis. They give it to the most high-needs people in each municipality. Our programs work fantastically.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Grande Prairie-Wapiti.

#### Southwest Calgary Ring Road

**Mr. Kang:** Thank you, Mr. Speaker. The failure to build the Calgary southwest ring road frustrates Calgary commuters, businesses, and truckers, and it seems like now the talks with the Tsuu T'ina Nation are on the back burner. To the Minister of Transportation. The Premier committed during the leadership campaign to either secure an agreement with the Tsuu T'ina Nation or build a road through Bragg Creek along highway 22 or 22X. Can the minister tell us what plan is going forward?

**Mr. Danyluk:** Well, Mr. Speaker, first of all, I want to say that I have been talking to the chief of the Tsuu T'ina Nation, and I will say that we've had good discussions. We met. I had some questions, and so did he, and we're going to meet in the future.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Given that the Premier stated in her first election campaign that if elected MLA, she would get the southwest ring road done and still after almost four years nothing has been done, can the minister, with a straight face, tell us: is progress being made?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. In fact, progress is being made all the time. As I said a couple of seconds ago, I had discussions with the chief of the Tsuu T'ina Nation, and we are continuing to have discussions. So is progress being made? Very much so.

**The Speaker:** The hon. member.



**Mr. Kang:** Thank you, Mr. Speaker. I think the progress being made is at a snail's pace. I think we have to speed things up, Mr. Minister.

To the Minister of Transportation again: given that Alberta Transportation's own website lists ongoing consultation of new possible roads for the ring road, none of which fulfill the Premier's campaign promise, will the minister commit to ending the Calgary southwest ring road planning study started in December 2009 or . . .

**The Speaker:** The hon. minister, please.

**Mr. Danyluk:** Well, Mr. Speaker, I need to say that when we have discussions with the Tsuu T'ina Nation, we are having discussions, progressive discussions, about the needs of the Nation as well as the needs of Calgarians and the surrounding province.

### **Twinning of Highway 43**

**Mr. Drysdale:** Mr. Speaker, this government made a commitment a number of years ago to twin highway 43 from west of Edmonton to the B.C. border. Here it is many years later, yet there are still several two-lane sections on this road. My questions are to the Minister of Transportation. Can the minister tell me when he expects his department to complete the twinning of highway 43?

**Mr. Danyluk:** Well, Mr. Speaker, we are making excellent progress. That is a 450-kilometre section of road that we have committed to paving. We have done 400 out of 435 kilometres from Edmonton to Grande Prairie. We are at the point of having only 35 kilometres left, and I can tell you that by 2013 that will be completed.

**The Speaker:** The hon. member.

**Mr. Drysdale:** Thank you, Mr. Speaker. My supplemental question is to the same minister. Some of that construction is taking place through the Sturgeon Lake Cree Nation where there were reduced speed limit signs through the construction zone. Can the minister tell me why the reduced speed limit signs are still up even though the construction season is now over?

**Mr. Danyluk:** Mr. Speaker, the construction season is not over. In fact, the 80 kilometres an hour speed limit has been put up. There is still work being done on that road. It is for the safety of travelers and also individuals that are working. When that road is done and the people aren't there and the construction isn't taking place, I'll remove the signs.

**Mr. Drysdale:** Mr. Speaker, the Grande Prairie bypass is a priority for the city as it will alleviate a lot of the traffic pressure within the city, which will improve ambulance access to the new hospital. Can the minister tell me when this project will be completed?

**Mr. Danyluk:** Well, Mr. Speaker, it sounds like a lot of things are happening in the Grande Prairie area. The eastern half of the bypass was completed in 2010. Ninety per cent of the planning and the design is under way for the other portion – we are still in the process of land acquisition – and we're continuing to work on that section.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Calgary-Bow.

### **Additional School Board Funding** (continued)

**Mr. Hinman:** Well, thank you, Mr. Speaker. Perhaps the signature promise of the Premier's leadership campaign was her promise to the teachers' union to pump \$107 million back into that

system. She promised that the money would come from in-year savings and told Albertans she would not dip into our ever-dwindling savings. Last night, however, the Education minister signalled that she may back down from that promise by refusing to say where the money will come from. To the Finance minister: is the Education minister just ill informed, or do you really not know where or how you'll pay for the Premier's education promise?

**Mr. Liepert:** Well, Mr. Speaker, there's no ill informed on this side of the House. I think there's a fair bit on the other side because what the minister clearly said – I quit counting after about 15, 20 answers, the same answer to these members last night – is that that will be accounted for when we do our year-end accounting.

**Mr. Hinman:** Mr. Speaker, it's a promise on hope and not on thought.

Again to the Finance minister: given the endless examples of this government's wasteful spending and given the litany of examples that we have suggested where that money can come from, such as eliminating the cabinet pay hikes, scrapping carbon capture, or extending infrastructure projects by one year, perhaps a meeting with our Finance critic on your budget could help you walk through and show you how to prioritize and where to find the money.

**Mr. Liepert:** Well, Mr. Speaker, I'd like to talk a little bit about the report that was released yesterday by the Fraser Institute. It talked about this province and this province's finances being in the best shape of any state or province in North America. So, you know, these particular individuals can continue to flail away at certain expenditures, but we'll have a time pretty soon when the people of Alberta will pass decision on whether we're spending money appropriately or whether these folks are focusing on something that Albertans really don't care much about.

**Mr. Hinman:** Isn't it great to brag about a deficit of \$6 billion cash. Unbelievable.

Thank you, Mr. Speaker. I'll direct this question to the other deficit twin, then, since the Finance minister doesn't seem to have a clue. To the President of the Treasury Board: given that your government continues to push back its balanced budget target date because of unbudgeted spending, will you commit here and now to find the \$107 million in this year's budget so that our savings aren't sucked dry and so that your balanced budget target isn't so far away you can't even see it?

**Mr. Horner:** Well, Mr. Speaker, it's interesting that they're trying to suggest that we have pushed out our targets. I think I answered the question quite clearly in the news scrum, at which I saw some of the hon. members diligently taking notes. They obviously must have lost them, I guess. We did say that our target was 2013-14, and we did also say, when we announced the funding for the \$107 million, that we would find that within in-year savings. The Auditor General has said, as the Fraser Institute has said, that we do the best books in the country and North America bar none. We're pretty proud of that.

**The Speaker:** The hon. Member for Calgary-Bow, followed by the hon. Member for Calgary-Buffer.

### **2:30 Canadian Energy Company Acquisition**

**Ms DeLong:** Thank you very much, Mr. Speaker. The Saskatchewan government recently blocked the sale of PotashCorp to a foreign company, citing that potash is a strategic resource. Here in Alberta Chinese-owned Sinopec has been shoring up their interest

in Alberta's energy resources, the most recent being the proposed purchase of Daylight Energy. To the Minister of Energy: will the Alberta government allow this sale to go forward?

**Dr. Morton:** Mr. Speaker, I should clarify, first of all, that the decision of whether or not a foreign company can buy a Canadian-based company when the price is over \$320 million is actually federal, not provincial. It's under the federal Investment Canada Act. The federal government makes the decision: is that in the best interests of Canada?

With respect to Alberta, though, we certainly look at what's in the best interests of Alberta. With respect to Daylight and the oil and gas industry we know that there are hundreds of foreign companies active here. It's a capital-intensive business. Many foreign companies already have a stake here. There's no precedent being set.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker, and thank you, Minister. How is this different from the sale of Potash in Saskatchewan?

**Dr. Morton:** The situation between potash in Saskatchewan and oil and gas here is quite different, as is the situation of Sask Potash. The concentration of resource in Saskatchewan is that it has most of the global supply, and there are only four or five operators there. Sask Potash has 20 per cent of total global reserves of potash. Here in Alberta Daylight produces 37,000 barrels of energy equivalent a day. That's less than 1 per cent of Alberta's total production. So there's no real parallel at all.

**The Speaker:** The hon. member.

**Ms DeLong:** No further questions.

#### Funding for Private Schools

**Mr. Hehr:** Mr. Speaker, this summer when the now Premier was stumping for her new position, she participated in an educational debate where she said the following: what I am quite concerned about right now is that we could very well see, with the continuing development of private and charter schools, the public system being a second-tier level of education, and that can't happen. To the Minister of Education: since you became minister, has the Premier had a chance to indicate to you this concern, that she previously discussed in the debate at the Alberta Teachers' Association summer meetings?

**Mr. Lukaszuk:** Well, obviously the Premier, like myself and any other parent, is concerned about making sure we have the best education possible. Every parent as a partner in education wants to make sure their children receive the best education possible.

You know what, Mr. Speaker? A little bit of bad news. I said already in this House that the Prime Minister of the U.K. just told us that Alberta has the best system of education in the entire English-speaking world, and he was referring to the public system. Yes, we do have private schools and charter schools and Christian schools and Islamic schools. The list goes on and on. Altogether that's what makes Alberta Education so great.

**Mr. Hehr:** To the same minister. Given the Premier's words can the minister explain why this government is currently subsidizing some elite private schools, some that charge parents up to \$17,000 a year, with provincial tax dollars?

**Mr. Lukaszuk:** Mr. Speaker, again, as I said, that's what makes Alberta Education so fabulous. This member would like to misrepresent private schools. As a matter of fact, the majority of private schools are not elitist. I have a private school in my riding, the Islamic Academy, where I would venture to guess that the average income of the parents could possibly be below the provincial average. We want choice for parents. We want choice for children. Children learn differently. Parents have different values and different expectations. In Alberta we offer a full buffet of education that suits everybody's needs.

**Mr. Hehr:** Given that my previous example makes it clear that in the main the average working family cannot afford private schooling, will this minister take the Premier's words to heart and look at cutting funding to private schools?

**Mr. Lukaszuk:** Mr. Speaker, the answer is simply no. Again, what this member is doing is misinterpreting what the Premier may have said. The fact is that I know of private schools – I have private schools in my riding – where, as I said earlier, the majority of children in that school are children of immigrants. The average income is probably below the provincial average. To misinterpret the reality of private schools is simply wrong. Our kids deserve choice. Our parents deserve choice. They deserve the best education possible, and they're getting it.

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Gold Bar.

#### Crime and Safe Communities

**Mr. Cao:** Thank you, Mr. Speaker. From listening to our constituents express their concerns about the police budget in Calgary and the recent incidents of shooting, my questions are to the hon. Solicitor General and Minister of Public Security. Given that safety and security are among the top priorities of our constituents and our government, what can the minister do to ensure the safety and protection of Alberta residents, particularly in Calgary?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. As I've mentioned before, since 2008 this government has provided \$12 million of funding in lieu to the city of Calgary for 123 new police officers, some of which actually patrol the member's constituency in the inner city in Calgary-Fort. But it's not just about cops on streets; it's also about attacking the root causes of crime, and that's what we're doing through our safe communities initiative.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: how can the minister be sure that the safety and protection of all communities are preserved in these tough economic times?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. During this difficult time we are continuing with police funding of \$435 million this year province-wide. Of course, that does include the member's beautiful constituency of Calgary-Fort.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: moving forward, how will the minister ensure that provincial funding does not simply top up the reduction in the municipal budget?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. That is a good question. I've mentioned before how the province has stepped up for our cities, our towns, and throughout the province in dealing with police funding. Realistically, whenever one particular municipality goes and complains about funding, it's unrealistic to expect the province to backstop it.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### Inspection of Long-term Care Facilities

**Mr. MacDonald:** Thank you very much, Mr. Speaker. A question to the Minister of Seniors, please. Why has this government failed to set uniform province-wide inspection systems for long-term care facilities six years after the office of the Auditor General demanded that it be done?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. In fact, our department does set the accommodation standards and the fees. We do inspections. Under the great leadership of the previous minister that was posted on the website so that we can all see it and enjoy it for our evening reading.

**Mr. MacDonald:** Given that last year Alberta Health Services spent over half a billion dollars on facility-based continuing care services, why again has this government failed to approve updated standards for facility-based continuing care? Your version of this is totally different from what the office of the Auditor General suggested to the media and the public yesterday.

**Mr. VanderBurg:** Again, Mr. Speaker, I'd really like to tell you that there's a great care facilities review committee. There's great work done by this ministry. Today I had an opportunity to look at the website. You know, if any of you from Edmonton are interested, there's the Dianne and Irving Kipnes Centre for Veterans, the Edmonton Chinatown Care Centre, the Edmonton General Continuing Care Centre, Extencicare Eaux Claires, Extencicare Holyrood, Good Samaritan Society. It's all public. You can read about it.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the same minister: if all of this is true, why are there so many discrepancies in the current inspection system for those facilities?

**Mr. VanderBurg:** Mr. Speaker, of course it's all true. It's all on the website. We're transparent. We have a great process and a great group of administrators to make sure that these facilities are reviewed each and every year. If a complaint comes up, we'll address it.

**The Speaker:** Hon. members, that concludes the question-and-answer period for today. Nineteen members were recognized. There were 112 questions and responses.

In 30 seconds from now we're going to continue with the Routine.

2:40

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for Edmonton-McClung.

#### Community Funding in Edmonton-McClung

**Mr. Xiao:** Thank you, Mr. Speaker. Today I would like to speak about two initiatives of the Alberta government that have made an important impact in the constituency of Edmonton-McClung over the past three and a half years, the community facility enhancement program, CFEP, and the community initiatives program, CIP. Both provide critical funding to support local organizations to improve the everyday lives of Albertans.

Since 2009 organizations in Edmonton-McClung have received an incredible \$1.6 million in funding. CFEP grants have helped almost every community league in the constituency to build or renovate their playgrounds, skating rinks, and other important facilities. Over \$200,000 in CFEP funding has been given to the Ukrainian Orthodox Church of St. Anthony to expand its cultural hall, and another \$200,000 has been provided for facility upgrades at the Jamie Platz YMCA. In addition, government of Alberta grants have helped to make a reality both the west Edmonton water spray park, an investment of \$125,000, and the Callingwood skateboard park, an investment of \$425,000.

Over the past three years 13 out of the 15 schools in my constituency have also received CIP grants to help support technology upgrades, including new computer equipment, Smart boards, and musical instruments.

Mr. Speaker, the schools and community organizations in Edmonton-McClung have been able to do so much for their communities through the aid of CFEP and CIP, for which they are most appreciative. I'm pleased that our government has been able to support their admirable community spirit and initiatives through such funding.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mackay

#### Adoption Awareness

**Ms Woo-Paw:** Thank you, Mr. Speaker. I'm pleased to rise today in recognition of Adoption Awareness Month. Each November we recognize Alberta families who have opened up their hearts and adopted children and youth, giving them a permanent, loving home of their own. This gift is something that many of us take for granted.

This month is also a time when we need to think about the children and youth in government care who are still waiting to be adopted. Alberta has approximately 200 children or youth ready and waiting to be adopted by families who will help ensure that these kids have the love and support they need to reach their full potential, something all children and youth deserve.

Alberta's adoption program does a terrific job of placing children and youth with families who really care. As a result, our program is considered by many to be one of the best in the country. In the last fiscal year 551 children or youth were placed in permanent homes, which, I'm pleased to say, more than exceeded our government's goal.

Our adoption programs take a proactive approach with initiatives such as the successful *Wednesday's Child* televised segments and its unique website that profiles Alberta children and youth available for adoption. This program also includes A Child's Hope, which is a grassroots strategy that gets people talking about the many benefits of fostering, providing kinship care, adopting or mentoring a child or youth.

Mr. Speaker, our government's involvement in adoption does not stop at the time an adoption is successfully completed. We also offer postadoption supports and services that include financial assistance through the supports for permanency program. This program provides financial support to families who adopt children in government care to help cover the costs of the child's day-to-day needs and some of the additional services the child may require.

We are also available to provide postadoption information and reunion services through the postadoption registry. To find out more . . . [Ms Woo-Paw's speaking time expired]

**The Speaker:** The hon. Member for Airdrie-Chestermere.

### Premier's Election Promises

**Mr. Anderson:** Thank you, Mr. Speaker. On October 2 this Premier surprised quite a few people, including most of those sitting on that side of the House, when she was selected leader of the PC Party by just over 37,000 PC Party members. She won that vote by a razor-thin margin of 1,600 votes over her chief opponent, Gary Mar.

How did she pull off this narrow and improbable victory? Well, quite simply, she made a whole lot of promises. She said that if PC members elected her, she would usher in an era of openness and transparency and end the era of the good old boys' club. Well, it worked, barely, but it did work. Enough people bought into the promises, and our new Premier was crowned.

What has followed, though, has been a literal tsunami of broken promises and half measures. Her promise to call a judicial public inquiry to be conducted prior to the next election, gone. Her promise to set fixed election dates turned into fixed election seasons. Her promise to find in-year savings to pay for \$107 million in education cuts, out the window. Stopping bills 50 and 36, nada. Her promise to be more democratic turned into a cancellation of the fall session and then four days to debate six highly controversial and complicated bills before they are rammed through faster and more crudely than her predecessor ever did.

One has to ask: would we have a Premier Gary Mar today if PC voters knew how many promises the current Premier would eventually break? My guess is, especially in such a close race, that Gary Mar would indeed have been our Premier today. It appears the broken-promise strategy worked and worked well. Fool me once, shame on you; fool me twice, shame on me. The bad news for this Premier is that Albertans are nobody's fools.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, before we move on, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's always an honour to rise and introduce to you and through you to all members of this Assembly individuals who wish to come and visit Edmonton. We have a couple of youth groups from Lindbrook and their leaders. They visited earlier today with the hon. members for Cardston-Taber-Warner, Calgary-Shaw, and myself and asked many pointed questions to government. I'd like to introduce them. I believe they're in the members' gallery: Dana Adams, Cristin Cahoon, Roberta Tiedemann, Samantha Woodruff, Haley Roe, Cailin

Cahoon, Sam Cahoon, Jazmin Roe, Kana Oshima, Mei Tsuboi, Betty Lou Roe, and Will McCauley. I wish to have everybody give them a warm welcome.

### Tabling Returns and Reports

**The Speaker:** The Minister of Finance.

**Mr. Liepert:** Thank you very much, Mr. Speaker. In accordance with the Gaming and Liquor Act and the Government Accountability Act I am tabling the appropriate number of copies of the 2010-11 Alberta Gaming and Liquor Commission annual report.

**The Speaker:** The hon. Member for Calgary-Centre – sorry – Edmonton-Centre, then Calgary-Buffalo.

**Ms Blakeman:** Thank you very much, Mr. Speaker. As you know how delighted and honoured I am to represent the fabulous constituency of Edmonton-Centre, I would like to provide the Assembly with the appropriate number of copies of three tablings that the Leader of the Official Opposition referred to during his questions in question period today. The first is a copy of an *Edmonton Journal* article, Emergency Waiting Times Not Improving.

The second is a copy of the Alberta Medical Association president's letter dated November 14, 2011, in which they are specifically referencing the interim report of the Health Quality Council of Alberta and in which it validates allegations of physicians being intimidated.

Finally, stapled copies of two memoranda issued by Alberta Health Services, both of them dated the 14th of September – one of them is actually timed – one referenced about critical demand for in-patient mental health beds and associated discharges, then an additional one on addiction and mental health bed pressures, that was more widely circulated. Those were referred to. There you go.

Thank you very much.

**The Speaker:** Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I have two tablings today. The first is a letter from Ms Kathryn Braun in Calgary, who has a letter addressing her concerns on Bill 50 and what it could do to the electrical system here in Alberta.

The second letter is from the Canadian Civil Liberties Association to Lauri-Ann Turnbull, board chair of the Greater St. Albert Catholic schools, asking some pointed questions about the legal basis for not providing secular schooling in that area and asking for a meeting to explain the position.

Anyway, I believe that I have the appropriate copies to be tabled as we speak.

2:50

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of a petition which contains 923 signatures gathered by Women Together Ending Poverty. The petition reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to introduce measures into the 2012 budget that: 1) increase the minimum wage to \$14.00; 2) reform Alberta Works policy and increase benefits in accordance with the living wage; and 3) increase AISH benefits in accordance with the living wage.

I have the appropriate number of copies.

Thank you.

**The Speaker:** Others? Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm sorry. I neglected to table a very important tabling, and that is from one of my constituents who is asking for help to implement a publicly funded insulin pump program for Albertans with type 1 diabetes. She notes that Alberta is one of only three provinces that don't pay for this and that "Albertans with annual incomes greater than \$15,000 face the highest out-of-pocket costs in the country."

Thank you very much, Mr. Speaker.

### **Privilege Misleading the House**

**The Speaker:** Hon. members, on October 24 the hon. Member for Edmonton-Strathcona gave notice to the House about wanting to rise on a point of privilege. We heard submissions on that date, we heard submissions on November 21, 22, and today it is the opportunity for the hon. Member for Edmonton-Mill Creek to enter his thoughts into the record.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. I've had a chance to read through the hon. member's purported point of privilege, in which she alleges that I somehow misled this Assembly. This is absolutely false and otherwise totally incorrect.

I have enormous respect for this Assembly, for all the members who sit in it, and also for the democratic process, and I feel honoured, as all members do, to be sitting here serving my constituents and all Albertans. I take my duties and my responsibilities very seriously in that regard, and I know other members do, too. Therefore, regarding the baseless claims that were made in the member's submission, I appreciate this opportunity to respond and to defend myself.

It is clear at the outset, Mr. Speaker, that the Member for Edmonton-Strathcona's point of privilege is based on a fundamental lack of understanding of government processes and is based on a misinterpretation of some of the facts. It is a known fact that the government of Alberta embarked on various information-gathering initiatives over the past several years and that this information was gathered through, by, and/or from surveys, meetings, and consultations with stakeholders and with Albertans in general. In many cases Albertans were encouraged to also submit their own comments, ideas, and opinions voluntarily, and the response was quite outstanding.

Mr. Speaker, Alberta Health and Wellness staff routinely administer surveys that support these province-wide consultations, and they also personally attend many of the consultation meetings across the province, and they also review the submissions. Thereafter it is these hard-working staff members who compile, collate, categorize, and otherwise organize that information, and then they may provide it as confidential advice to the minister for his or her consideration. It's apparent to me that that's precisely what occurred here.

In fact, on page 1 of that document, which was tabled, it clearly states under the title Issue, "The Ministry of Health and Wellness is seeking approval-in-principle of core concepts that may be reflected in a new health Act." Clearly, it is a ministry document. In other cases the information gathered may be used to inform or guide a printed report for the public such as the report from the Minister's Advisory Committee on Health, which I received last year and immediately released to the public.

In reality, we hear from the public and from stakeholders all the time regarding health care matters. With respect to the source of the information that informed the analysis of the Minister's

Advisory Committee on Health report and with respect to what appears to have been reflected in the PowerPoint that was tabled in this Assembly, the truth is that the source really was Albertans. However, I must also add that in them being the source, which is what I said, I necessarily did not agree with everything that came forward in the form of advice. In fact, in this Assembly I indicated that there were certain parts that I outright rejected.

However, I also want to make it clear that when you are reviewing the myriad of issues that comprise health care, the department may do additional research on its own, and that might include reviewing information and data from other levels of government, from other provinces and jurisdictions, and even from other countries. Therefore, I did not mischaracterize the source of the information, as the member alleges.

Moving on, Mr. Speaker, I certainly did not deliberately mislead the House through any statements that I made here. The member is challenging a statement that I made when I said that a document tabled in this House by the Member for Calgary-Mountain View, a document which he later stated was a PowerPoint dated July 12 of last year, is not a document that I authored. I did not author that document. In fact, as I indicated one year or so ago, it was created by officials in the Department of Health and Wellness. So once again I have been forthright about who wrote or compiled the document or the documents referenced by the member.

Let me also address the member's contention and/or inference that I was responsible somehow for an alleged government plan to privatize health care. Nothing could be further from the truth, Mr. Speaker. My commitment to a strong, publicly funded health care system remains steadfast, as evidenced by my own actions. Look at the historic five-year funding plan for health care that I introduced as part of our budget, a plan that guarantees for the first time in the province's history and for the first time in any province's history across Canada a commitment of 6 per cent increases to health funding in each of the first three years, followed by increases of 4.5 per cent in years 4 and 5.

Look at the five-year health action plan that I introduced, a plan that sets out a clear road map for the direction of health care in Alberta, along with 50 very specific key performance measures to publicly monitor our progress. Look at the multibillion-dollar infrastructure plans for health facilities and equipment that I coannounced in 2010 and 2011. Mr. Speaker, most of all, look at the Alberta Health Act, that I presented and defended in this Assembly last year, an act that clearly states in law our commitment, including obviously my personal commitment as a minister, to the principles of the Canada Health Act, as requested by Albertans.

When one considers these factors, I would challenge anyone to conclude, as the Member for Edmonton-Strathcona erroneously did, that somehow I had a privatization agenda in mind. Clearly, I did not, and my actions certainly prove that. It should also be noted that these plans I just referenced and all of these commitments are all public documents and that all of them support our publicly funded, single-tier health care system.

In summary, I did not fail to acknowledge the actions of my ministry, as the member alleged. In fact, on December 2, 2010, in response to Calgary-Mountain View's question in this regard, I stated, "That is a departmental document that reflected views, opinions, comments, and ideas by Albertans, so you might say that it came from a variety of sources right across the province."

Earlier, on November 30, I also said, "It is not a document that I authored," which is also true. I did not write that document.

Furthermore, the member herself acknowledged this fact just two, three days ago, when she referred to the document in question and said that it was “a document that was prepared for the minister.” Then later on in her speech on Monday, a few days ago, she again stated: “We know that the document prepared for the minister in May 2010.” Clearly, Mr. Speaker, through her own statements in this House just a few days ago she understood that the documents she was referencing were not my creation. Why she would attempt to make it sound otherwise is baffling indeed. They were, in fact, departmental documents, as I indicated and as I acknowledged.

3:00

Mr. Speaker, I did not give any false information to this House ever, which the member again incorrectly alleged. She may have a misunderstanding of some of the facts and a general lack of knowledge of government processes and so on, and I can understand that. However, the facts remain as I stated them in this House about one year ago. I believe I already elaborated on that in my comments earlier today.

Finally, I most certainly did not prevent an honest and open debate regarding health care issues, as this member has alleged. In fact, Mr. Speaker, I encouraged that kind of debate at every opportunity, and my actions in this House and outside this House, with over 1,000 meetings, would prove that to be true. For example, I introduced Alberta's first-ever Alberta Health Act last fall, and that led to a very important, very lengthy, and very significant debate about health care right in this House, a debate that I felt was both open and honest even though I may have disagreed with certain things that some opposition members may have said. As Minister of Health and Wellness I also supported the Standing Order 30 motion in this House that prompted a so-called emergency debate in this Assembly regarding health care. It doesn't get more open and honest than that.

I can certainly cite other examples where I have encouraged and supported open and honest dialogue and debate regarding health care and other issues that are important to Albertans.

In conclusion, Mr. Speaker, I wish to indicate quite emphatically that I did not make any misleading statements. There may have been some misinterpretations of some of the comments as understood by some of the members but certainly nothing that could be construed as a deliberate attempt to mislead. Therefore, I feel there is no basis to this point of privilege raised by the hon. member, but I shall await your final ruling in this respect.

Thank you.

**The Speaker:** Hon. members, it'll be my hope that I'll be able to rule on this purported point of privilege tomorrow.

Orders of the Day.

**Mr. Mason:** Mr. Speaker, may I participate in the debate?

**The Speaker:** I'm sorry. No, sir. We've concluded it.

**Mr. Mason:** Okay. Thank you.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 25

##### Child and Youth Advocate Act

[Adjourned debate November 22: Mr. Boutilier]

**The Speaker:** Before we proceed, the hon. Member for Fort

McMurray-Wood Buffalo concluded the discussion of this at second reading. He was the third member. Was the five-minute question-and-answer section applied? It was? Okay.

Hon. Member for Calgary-Buffalo, please proceed.

**Mr. Hehr:** Thank you very much, Mr. Speaker. It is always an honour to be able to speak in this House as I acknowledge the extreme privilege it is for us to be in this Legislature and to actually get to participate in the debate, the discussion, and the direction that this province goes in and continues to go in. I just note that over the course of the last number of years, I recognize the extreme privilege of being able to do that, and it is so again today.

If you look at Bill 25, the Child and Youth Advocate Act, you have to give the government credit for bringing in what looks like a very good bill that's going to help and assist many of our province's most vulnerable youth. Unfortunately, many youth in Alberta do not have the solid backing or the solid foundations that many of us here in this Legislature have been privy to, a loving family with food on the table and with parents doting over them to get to public education, skating, swimming; the whole thing. In fact, many children here in Alberta do not have the privileged an existence at all. Some may even say that it's downright disappointing, the existence of some of our youth. That was indicated today, I believe, in question period when it was highlighted that 34,000 children right now are living in poverty. That to me is something we should all be concerned about in this Legislature and we should be moving forward on.

But the Child and Youth Advocate Act can assist in some ways in dealing with youth who find themselves in turmoil, find themselves in a place of loneliness, in a place of despair. Whether that be in terms of violence in the home or even troubles with the youth criminal justice system many of these individuals have nowhere to go. You know, there are probably numerous reasons for this, some of which this Legislation can't always assist in. I understand there are limits to what a government can do to try and even the scale, so to speak, to try and give everyone an opportunity to the good life.

I noted today in the *National Post*, as it relates to the Child and Youth Advocate Act, that there could be some connections between this. The *National Post* was going through the rankings of how this province stacks up compared to other provinces in terms of support for, essentially, child daycare spaces, assisting families who are starting out and on their way. They noted that other provinces – Quebec has a \$7 a day daycare system that tends to support young families, gives people opportunities to build lives and careers as well as ensure that their children are supervised and taken care of in a fashion that's reasonable and commensurate.

I also noted that it wasn't just Quebec but the provinces of Prince Edward Island and Ontario who also scored very highly on this. In fact, if memory serves – and I just read the article three hours ago, so it should – Alberta scored towards the very bottom of this country in terms of supporting these types of programs, which they noted not only assisted families economically as it allowed them to participate in the workforce; it assisted children in their development as it gave them a place where they could be nurtured and cared for when families are pressed to earn a daily wage and to try and put food on the table.

Possibly we need as a province to move in some of that direction to try and even the scales, to try and provide for these essential services, as other jurisdictions are doing and having quite a bit of success at, that would hopefully maybe not eliminate the need for a

Child and Youth Advocate Act. I believe these situations will always exist, but it's still something to consider when we look at the number of youth in Alberta who are having difficulties and who need a service like the Child and Youth Advocate to not only protect their rights but to sometimes shepherd them through a system and a storm of life that is not necessarily their problem. It is their problem but is not necessarily caused by them directly, and they simply need that guidance and direction and that help and that hand up that governments are supposed to give people, especially the most vulnerable and even more so if the most vulnerable are our youth. We can never turn our backs on human potential.

3:10

That's what this act actually does. It assists in helping the lost, the people who are having difficulty finding their way, the people who have fallen through the cracks. In my view the government should be applauded for bringing in this act.

One of the neat things about this is that oftentimes on this side of the House we have called for an independent officer of this Legislature. That means they report directly to this House. There is no vetting of the report. There is no changing of the report. There is no politicizing of the report. The Child and Youth Advocate is prepared and able to do his work. We are allowed to see an unfettered, unpoliticized look at the good, the bad, and the ugly of what children are going through in our society. In my view, we can then get the best handle on how to assist those individuals when the storm of life is upon them.

This legislation also provides the legislative authority you need to establish the child and family services council for quality assurance and spells out its roles and functions and powers. This can be a very powerful tool. I know we were talking earlier in question period about a poverty reduction strategy and how this government is apparently going to a crossministry analysis and, I'd assume, a cross-services analysis, how this could play a role in the elimination of the poverty that was mentioned, where 1 in 6 children in this province are facing living in poverty. In my view, we have more wealth in this society, probably, than we have ever had.

The difficulty, when you think about that, is that if our society is wealthier than we've ever been, how is it that seemingly more children are living in poverty? You know, it's difficult to talk about the good old days because you always run into the question: were the good old days always that good? Nevertheless, I think if you go back in the annals of time here in Alberta, at least pre-1985, there were fewer children who were living in poverty and who were finding themselves in difficult circumstances. There seemed to be more emphasis on the public good and on our collective roles and responsibilities rather than the stockpiling of individual wealth and individual pursuits, which is something where I am hopeful that the new Premier may take us in a new direction if I may say so. I think that direction can be accomplished here. I believe that our electorate is ready for that direction and a new embracing of what it means to be an Albertan. Let's hope some of that plays out.

I think this might be sort of the tip of the iceberg. It may be one of those things that I'm hoping will signal this change in the way we have done business over the last 25 years in this province. If this does in some small way look to eradicate some of the differences and difficulties that some of our youth are facing, well then it's definitely worth it.

I know on this side of the House – and the good Member for Edmonton-Centre can correct me if I'm wrong – we've advocated for this for quite some time, long before I have been in the House.

If I have the history correct, we've been advocating for this for the last 12 to 14 years. We on this side of the House have seen this as a truly needed part of our social fabric and a recognition that things aren't always easy out there for youth.

If we look at some of the roles this youth advocate can play, one is with the criminal justice system. As you are aware, I'm a recovering lawyer, and I often found it difficult to wrangle through the rules of court and muddle through a legal file. I can only imagine the difficulties that many of our youth are facing, with difficult decisions and difficult options and always with a view to what can best assist them not only through that trial but being in front of a magistrate, a judge, who has their immediate punishment in their hand. But the youth advocate then possibly can follow up with that youth and say, "Hey, now that we're done with this, let's try and move on to the next thing," which looks for the bettering of that individual's future and the better of our society's future.

In the main I'm very happy that this act has been put forth. I applaud the minister for bringing it forth, his first bill as new Minister of Human Services. Let's hope this signals a new direction for what a future Alberta could look like, maybe with a little more emphasis on human potential and the development of that spirit and our public contributions to each other, which, from my view, would be a breath of fresh air.

Those are my initial thoughts. I look forward to taking part in this debate at a later time, and I will leave it to others to comment further on this bill, which, as stated earlier, I find is a refreshing step towards some openness, some transparency, providing this Legislature with the means to do some good on behalf of Alberta youth.

Thank you very much.

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

All right. Who should I recognize next? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yes. Thank you very much, Mr. Speaker. I'm pleased to be able to join in the discussion on second reading of Bill 25, the Child and Youth Advocate Act. I haven't had time to read through the *Hansard* comments of the minister – these bills are moving quickly through – so I apologize for that. I may ask some questions that, in fact, he answered yesterday. I just haven't been able to read the *Hansard* completely to be able to prohibit myself from asking the question again.

A few things have occurred to me as I've gone through the act, and I'll just throw those questions out to begin with and then get into a general discussion. I'm wondering why under the office of the Child and Youth Advocate there are exemptions. Certain things do not apply to the office of the Child and Youth Advocate or any employee of them, and I'm wondering why this was done. Is this a regular clause that goes into bills like this? I don't remember seeing them. I guess that's why it kind of jumped out at me, the fact that it's an exception. It says that it doesn't apply in the matters of financial administration of the Public Service Act. So if I can get an explanation about that. This may well be a standard clause. I just don't know.

The next thing that struck me as a little odd – and I think I know where this is coming from, but let me just ask the question. When it's talking about the reports that are done after an investigation of a child who is a ward of the government – and I'm sorry; that's old-fashioned language. I'm not sure what is the language that's used now. I'm just looking for what the minister was referring to, but I'll call them wards of the state or children that are under the guardianship or protection of the government. It does say that when

there is a report, the report “shall not contain any findings of legal responsibility or any conclusions of law.” I suspect this is because they’re not lawyers and it’s not court, but I’m still hoping that there is an expectation that the findings of the advocate would in fact have some finding of responsibility, if not legal at least some responsibility of where this went wrong, and also conclusions. So I understand that they can’t be legal conclusions, but I hope there are going to be conclusions. I’m just double-checking that.

3:20

This report that’s done when there’s a child who has a serious injury or a death: the name is not going to be disclosed. Again, I thought we were trying to get away from that. So I’m curious as to why it’s still in there. That was one of the big points people were talking about, that having the child advocate report to the Legislative Assembly rather than through the government process was making them more accountable; in other words, that it doesn’t get buried under a government ministry.

One of my things – and I’ve been pretty vocal about this in public and in the media – was that the name of the child shouldn’t be hidden if, in fact, the child has died while under the protection of the government. Yet I see in this clause that the report “must not disclose the name of, or any identifying information about, the child to whom the investigation relates or a parent or guardian of the child.” So exactly the same clause seems to be in there, and I don’t understand why. I thought that was going to come out.

What ends up happening is that we end up with mystery children. You know, we’re not able to put them in our consciousness as reminders that we should never do this again. We have all kinds of sayings in our society that try and remind us to not forget or that we will remember. Never forget this day. We’ve got all kinds. Today is remembrance day for motor vehicle collision victims. They’re there to make us remember these things.

When we can’t name a child, we lose them. They’re just nameless. They disappear into the system. Soon even the circumstances around their death disappear, as horrible as this is, referring to them as, you know, the hanging or the suicide. They become a “the something,” and then eventually nothing because we can’t distinguish this “the suicide” from that “the suicide,” so we refer to them by the manner of their death rather than by a name. I’m quite distressed that that seems to be the case.

You know what? Sometimes I read this legislation wrong, so perhaps I am wrong. I’m sure the minister will correct me if that’s the case.

We have the usual clauses about setting up an office and hiring people and having a budget and how they report and all of that, but I think overall this is something that people wanted. I think Albertans are very aware of our collective, our societal responsibility for vulnerable children, children that may not have the support of one or both parents or the support of a legal guardian. They’ve come into conflict with the law, or their families haven’t been able to provide for them, et cetera. They are vulnerable children, and the government has stepped in and taken over responsibility for them.

What the advocate does is provide a voice, an alternative that is nongovernment for a child to be able to go to and say, “I don’t think I’m being treated right,” or “I want to have a say in decisions that are being made that affect my life.” This is what the advocate can provide for them and, in fact, I think has provided for them all the way along. We’ve had a long history where we’ve had some really wonderful children’s advocates who have worked very hard, and this cannot be an easy job. It just can’t. You’re seeing children who really are distressed, and things have not gone well for them. This cannot be an easy job to go to Monday to

Friday 8 to 4, and I bet you this job extends beyond those hours and those days as well.

We’ve had some children’s advocates who’ve really done a great job on advocating what the government needs to change in order to better look after children that are under their guardianship, but it’s always been surrounded by a great deal of controversy. We’ve certainly heard from some past children’s advocates that the government made it almost impossible for them to do their job, or the bureaucrats working under the instructions of cabinet ministers made it very hard for them to complete their mandate. They’ve gone public with that, which in this province is particularly difficult to do. Certain individuals in positions of power in the government have an ability to make life pretty tough for people that go public on them. We’ve got another bill in front of us that’s actually dealing with exactly that issue, with the doctors feeling intimidated by people set on them by the government.

Then we started to see that the government actually started to hire children’s advocates who were pretty quiet to begin with, and we actually weren’t hearing very much and then found out, to some dismay, that there’d been a failure to file for a very long period of time. It wasn’t even possible for the public, to whom we answer, really, any public that was out there, interested group or anybody working in children’s services, that wanted to see what the government was being told about how to improve their services and where things were going wrong. The reports I read did reference how many children’s cases they’d taken for children that had been injured or how many had been in trouble with the law or how many had died and some vague references like the suicide that referenced how they died.

Even what was being brought forward in reports eventually seemed to have been minimized, and as I said, I think it was five years’ worth had not even been filed. Eventually the minister or someone caught on to the fact that they hadn’t been filed. There was a big to-do in the Assembly at the time, and that caused the most recent round of advocacy from members of this Assembly but also from people concerned about vulnerable children outside of the Assembly, advocating to the government that this particular position and the office and support surrounding it be moved out from underneath the ministry and into a position that would make it now the sixth officer that responds to the Legislative Assembly, joining, of course, the Ombudsman, the FOIP commissioner, the Auditor General, the Chief Electoral Officer, and the Ethics Commissioner. This will be the sixth one.

I, in fact, sit on that Standing Committee on Legislative Offices. Indeed, they come before us several times a year to put their business plan before us and to get approval for their budgets and to answer questions that we have for them.

So it’s been a long history to get to this point. It once again proves that if you advocate consistently and firmly long enough, you will probably manage to change the government’s mind. I’m sure that the presiding minister is very happy to be starting off his stewardship of this particular department with a good-news bill, which is what this is.

Again, I’m trying to talk and read his comments at the same. I can see him in here talking about publication bans designed to protect the privacy of the children being clarified and simplified, but again I think that there’s a certain point where it’s in the public interest to know what went wrong and what happened. There is a certain witnessing function that the public takes over government actions that is important to uphold and to provide information for.

I think that this does expand the mandate. It does, I hope, make it more transparent. Certainly, there’s been a number of provisions put forward in the act that make the entire process more transparent.



3:30

My wholehearted support of this bill is tainted by that clause that I've discovered that, again, says that the name of the child won't be published if they have died under care. I can certainly understand and would totally uphold not naming anyone or anyone attached to them if the child is still alive. They don't want to have to go to school and have all the kids or teachers saying stuff to them in the hallway. I mean, other people just don't need to know that about you. They really don't. But I think if a child has died while in government care, that's a whole different ball of wax. It should be a whole different process in which we understand that there is something to be learned and something to be witnessed, and things should probably change as a result of that. At least we have to understand why. What were the circumstances that caused that with the child?

So thank you very much for the opportunity to speak in second reading. I am very supportive of the principle of this act, and I look forward to hearing other members, hopefully some government members, speaking on how they think this act is going to affect their constituents or people that they work with.

I don't have a lot of kids in the fabulous constituency of Edmonton-Centre. Mostly my children tend to be coming from families that are new Canadians or recent refugees or immigrants, and those communities tend to take care of their own. Their children – and I'm generalizing carefully here – tend not to end up in the system, so I actually don't have very much experience with, for example, child welfare cases as compared to some other constituency offices that probably deal with them on a regular basis. We get one a year, and we sort of freak out because we can't remember who we're supposed to call to try and work our way through this. Other things? Oh, yeah. Mental health? Yeah. We deal with it all the time. But children? Not so much.

I am pleased to see the progress that has been made here. I think it's a good thing, and I hope it's a good thing. Thank you very much, Mr. Speaker.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. The hon. Government House Leader on this matter, question and answer. Proceed.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm sorry I missed the first point, so I'll have to go back and catch it. But the hon. member mentioned two points that concerned her: the section under 15(2) about no liability being found and section 15(3), I believe, about the name not being disclosed.

With respect to section 15(2), no liability to be found, I'd be interested in knowing whether the hon. member would agree that it's important that an investigation of this nature would not in any way be seen to impede or taint any criminal investigations so that liability can be found in the appropriate place.

I'd also be interested in her comments with respect to provisions of the act which allow for publication, in appropriate circumstances, after applying to a court so that the court can actually look to see who else's rights might be affected by a disclosure and whether she doesn't believe that the provision which says that the name will not be disclosed in the report is a safeguard, understanding that that particular child is dead but understanding that disclosing that child's name would disclose status with respect to the rest of the family and perhaps other children and others that might be affected. Therefore, it may be more appropriate to actually have the application process for the publication of a name in appropriate circumstances.

**Ms Blakeman:** Thanks very much to the minister for the question.

To respond to his first question – did I agree that the advocate shouldn't do anything that would impede a later legal finding or any kind of further legal process? – yes, but in a lot of cases there is no further legal process. I just don't want to see this kind of disappear into the ditch where we don't get any conclusive findings from the children's advocate. It never goes any further, so what did we learn? It's not there, right? I think there have to be some conclusions that are found by the advocate. Yes, I agree that it shouldn't impede any legal findings, but a lot of times you don't have legal findings. So how does that get balanced? I guess I'll throw that question back at the minister.

I'm not clear on the publication ban because I actually haven't been able to read enough about that to understand where it comes into play. Yes, as you know, I'm very interested in privacy rights. I'm very interested in who is holding information about whom and who else gets to see it and for how long it's kept and all the rest of that. My concern is that we fail to learn the lessons and we fail to share the lessons that we've learned if we make a child nameless. I'm hearing the difficult situation that's presented because if you go out there and say, you know, "Johnny B, who died in this manner," a number of people would be able to connect that one way or another with the Black family who had had a child die in a certain way and would be able to figure this out. Therefore, the taunts aren't transferred to the child no longer there but to siblings and parents and people associated with the family.

To be honest, if the child wasn't a ward of the government, wasn't under government care and they died in a playground mishap or disturbance or event or in a motor vehicle collision, their name would be shared. Their family is still out there, you know, with people knowing that somebody died in a certain way connected with their family, and they deal with that.

So I think we've got to weigh this very carefully, and I'm not sure if we've weighed it enough in what I'm seeing in this bill. That's my hesitation around this. I will look carefully as debate moves forward to see if it's been answered.

Just to refresh the minister's memory, the other question that I had was under section 8(3), the exemptions that are listed about the advocate: the standing committee can order that regulations under the Financial Administration Act or under the Public Service Act do not apply to the office of the Child and Youth Advocate.

**The Speaker:** Thank you very much.

Are there additional speakers on this bill? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to stand up and speak to Bill 25, the Child and Youth Advocate Act. I'm actually pleased to support this piece of legislation, but I'd like to get some clarification, and I have some questions, like the hon. Member for Edmonton-Centre, in regard to the legislation. I'm hoping that some of that we can deal with in committee because we're currently in second reading.

I'd like to say that I think this is a long overdue piece of legislation. I know as a member of the Wildrose that in our policy one of the things that we brought forward was having a child advocate and having an independent child advocate, so it was nice to see the minister bring this piece of legislation forward. I do particularly want to say that there are some things I like about the legislation; there are some things that I'm not so sure about the legislation. I think by saying that I'm not so sure, it's probably that there's more clarification needed.

[The Deputy Speaker in the chair]

I will say, though, as the former minister of children's services that it was an honour and a privilege and a pleasure for me to be able to work with the staff in the ministry of children's services. Their dedication within that ministry and what they try to do with children on a daily basis is absolutely beyond the call of duty. It's not a nice portfolio, as I'm sure any of the former ministers can attest to. The ones that seem to hit your desk as the minister are the ugly, ugly, ugly things. I think probably Albertans would be quite shocked if they knew some of the things that went on in this province and what was happening to our children in this province and what was being done to our children in this province. The dedication of the staff that work in the ministry of children's services.

3:40

I did have the privilege also, when I had the briefing with the minister – well, it was blind, actually, because it was over the phone, and I didn't have a copy of the three-column document. I know that one of the staff that was involved in the conference call is a lawyer that I've had the privilege of working with before. Her dedication to the area of children's services goes way back because, interestingly enough, she was assigned to me when the Protection of Children Involved in Prostitution Act was made Bill 1 in the Legislature by the Premier. She also showed a great deal of knowledge and a great deal of love for children in this province. I was feeling a little more comfortable knowing that Susan had actually been working on that piece of legislation, so I know that probably 70 or 80 per cent of this bill is done right.

I guess where I'm coming from is that I need to understand some things, and I'm hoping that during the debate – and I know the minister's staff is probably listening to this – they will be kind enough to provide some answers to some of the questions that I need to understand to make sure that the children in this province, under the auspices of the child advocate, will be well taken care of, and quite frankly we will have an advocate act that's probably the best in this country.

Unfortunately, I haven't had a lot of time to do research. The one thing about being a member of this opposition – and I've made this comment in the Legislature before – is that there are four of us. I have five critic positions plus one. We have limited staff. We have limited researchers. So a lot of the time my colleague from Calgary-Glenmore and I and my other colleagues that are sitting in this Legislature are spending an enormous amount of time doing our own research and, like all of the people in this Assembly, are working very, very hard to represent our constituents. But we're also trying to do five or six different critic positions, so time is very valuable in our lives.

I do know, Minister – and I know you're listening – that one of the pieces of legislation on the advocate, as I was doing research, that I quite liked and we have done some research on, that is being touted as probably one of the best pieces of legislation across this country at this particular time and having the biggest impact on children in the province, is the legislation coming out of British Columbia. We have diligently tried to go through their legislation and compare it to our legislation. There are some things that stand out, particularly in the B.C. legislation, that I think our minister needs to look at and, quite frankly, consider. He needs to be able to maybe tell me, when I look at some of the stuff that's happening in the B.C. legislation that I like – and I will apologize right now because I'm looking at a 30-page bill, and I haven't had the time to go word by word through the legislation. We will probably

have that opportunity as we move through the process, more likely into committee.

But I would like to ask the minister about part 3, Representative's Functions and General Powers, which is the advocate's responsibility. They have a part in there that talks about:

The representative is responsible for performing the following functions in accordance with this Act.

And they talk about:

- (a) support, assist, inform and advise children and their families respecting designated services, which activities include, without limitation,
- (i) providing information and advice to children and their families about how to effectively access designated services.

Not a problem. I mean, I know the advocate does that now. I can see where that is more or less included in part (ii) of the advocate's roles, functions, and general powers.

- (ii) advocating on behalf of a child receiving or eligible to receive a designated service.

No problem. I can see where that would be a fundamental responsibility of the advocate.

- (iii) supporting, promoting in communities and commenting publicly on advocacy services for children and their families with respect to designated services.

A motherhood and apple-pie statement. I'm sure it's incorporated in all the advocate's responsibilities under Bill 25.

Now, Minister, here's something that maybe you can explain to me so I can explain to the constituents of Calgary-Fish Creek and, quite frankly, Albertans. You know as well as I know that there's nothing that tears more at people's hearts than to see a child that's hurt or sick or has died in custody or care or, you know, unfortunately, an animal. I need to understand. Under the B.C. legislation they have a section that reads:

- (b) monitor, review, audit and conduct research on the provision of a designated service by a public body or director for the purpose of making recommendations to improve the effectiveness and responsiveness of that service, and comment publicly on any of these functions.

When we were looking at researching, that means that the advocate has the ability to take it upon themselves to look at any issue even though it hasn't been brought forward by the government. That's one of the strengths of the B.C. legislation and, I would suspect, one of the criticisms of the B.C. government because the advocate has that ultimate responsibility to initiate on their own and to conduct and research on anything that you're providing.

Now, Minister, I have looked through here. I have not been able to find that in any of your sections, but I'm sure that you will clarify that for me.

**Mr. Hancock:** In 9(2)(g).

**Mrs. Forsyth:** He says 9(2)(g), undertake or collaborate. Is that the one you mean, Minister? I know we're supposed to talk through the chair. The minister is trying to talk to me, Mr. Speaker, so excuse me. I see 9(2)(g) is: "Undertake or collaborate in research related to improving designated services or addressing the needs of children receiving those services." What you're suggesting is similar to what is incorporated in the B.C. legislation. I appreciate that, and I'm not going to respond till we get some more clarification on what you're saying and what the act in B.C. is suggested to say.

Minister, I'd like to ask you a couple of other things. The B.C. advocate was allowed to access cabinet documents and reports on problems and how she found out how cabinet was handling things. Are you going to give the advocate the same power? There is nowhere in this document, in your bill that allows the power of the

advocate to do that. I know that's a question where I look forward to your answer. The other question is: will the privilege aspect of information and reporting be something that protects the minister's office, or will it instead really be the removal of the barrier?

Now, the thing I see in here is more of a clarification if you don't mind, Minister. The advocate talks about raising the age of the mandate from 19 to 20, especially when you're dealing with developmental disabilities and things that have happened recently. I know that under your act you currently talk about "a person under the age of 18," including a youth who is receiving services, so that's under the age of 18. You then go on under the Child, Youth and Family Enhancement Act to "a person under the age of 22" because you've got that particular piece in your legislation that allows you to be able to access.

3:50

The last thing that I'd like to ask. One of the problems that we continually hear about is the high-risk youth who currently aren't receiving care. They're in and out of the system. They're receiving benefits under your department; then they're not; then they are. I think that's one of the areas that have to be caught. If you have a high-risk student or a high-risk child or youth, I guess, that's been in and out of the system, that's been on benefits and not having benefits – I don't see anywhere in there where you have these high-risk students. I know that the government has talked about capturing these high-risk children. If they're not receiving benefits but have been under your care, can they still be captured under the advocate?

That's about all I have to say right now, Mr. Speaker. I look forward to hearing the minister's comments. I also look forward to committee, and I'll be very interested in listening to the rest of the debate.

**The Deputy Speaker:** Under Standing Order 29(2)(a) five minutes.

Seeing none, the chair shall now recognize the hon. Member for Calgary-Bow on the bill.

**Ms DeLong:** Thank you. There's just a question I wanted to get on the record regarding the children's advocate. Section 9(1) talks about the role of the advocate. I wondered: when it talks about the rights of the children, what does it mean by the rights of the children? Could it include a child's right to access to their parents? I just wanted to get that question onto the record and hope that we can get some clarity on that.

Thank you.

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

Seeing none, on the bill the hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. The highlights of Bill 25, the Child and Youth Advocate Act, are to establish the Child and Youth Advocate as an independent officer of the Legislature; to provide legislative authority to establish the child and family services council for quality assurance and spell out its role, function, and powers; to clarify and simplify publication ban provisions; to clarify confidentiality of information; to authorize the sharing of a child's personal information in specific circumstances.

In this bill the Child and Youth Advocate will become the sixth officer of the Alberta Legislature, joining the Auditor General, the Chief Electoral Officer, the Ethics Commissioner, the Privacy Commissioner, and the Ombudsman. Also, rather than reporting to the Minister of Human Services, as the child advocate currently does, the advocate will now be an independent body, which is what we've been asking for for a long time, and will report directly to the Legislature.

The scope and authority of the advocate will also be expanded to enable the person to monitor a child's welfare, which is paramount, and undertake systemic review at his or her discretion. The advocate currently has no authority to do so. As part of an expanded mandate the advocate will also ensure that children who find themselves in the youth criminal justice system have legal counsel by either appointing or facilitating the appointment of a lawyer to represent them.

The bill also authorizes the Minister of Human Services to establish a child and family services council for quality assurance, whose role will be to identify effective practices of and recommend improvements to the child intervention system. The council will also conduct preliminary reviews which are considered necessary of serious injuries and deaths of children in the child intervention system and will refer incidents to the expert panel it appoints for further, in-depth review.

The members of the council include the chair, who will be appointed by the minister. Interestingly, the Child and Youth Advocate will also be a member by virtue of holding that office. Given that the child and family services council for quality assurance can investigate incidents where a child in care is either seriously injured or dies and that the advocate is a member of the council but is unlikely to be the chair, this raises a question as to how the advocate can function objectively and independently at the same time that he or she is a member of the council of appointees that are beholden to the minister.

The bill will also clarify and simplify publication ban provisions and clarify confidentiality of information in instances when a public body is authorized to share the child's personal information.

Section 20 specifies that all information provided by a child to the advocate and all documents and records created as a result of the confidential communications between a child and the advocate are privileged information. Documents and records of the child cannot be used as evidence in legal proceedings.

Overall, Mr. Speaker, there are some questions about the bill, but having an independent advocate, I think, will be good. For those reasons I'll support the bill.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments.

Seeing none, the hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's an honour to get up and address and ask a few questions about Bill 25, the Child and Youth Advocate Act. Very pleased to see this coming forward.

There are two roles of government, in my mind. The first one, that we often think of as we come together as citizens, is that we want government to protect our life, our freedoms, and our property, but the second and most critical part is to pass laws and legislation that protect those who can't protect themselves. To me, this is what Bill 25 comes under. We need to protect those tragic cases where our youth are not able to protect themselves. We've had a sad history here in Alberta of not responding in adequate time or in appropriate ways too often. [interjection] Edmonton-Centre, stay calm.

Some of the tragic experiences as an MLA are to see people come into our offices that are facing life crises. My hon. Member for Airdrie-Chestermere was able to help an individual who had life-threatening surgery try to get reimbursed. Again today Shane Wambolt was here, who needed life-saving surgery, and it didn't happen. These were people that were in a situation where they could go out and take it into their own hands and do something

though the government still hasn't responded in an appropriate time.

The reason why I bring those up, Mr. Speaker, is because when these tragedies hit Albertans, every one of us is vulnerable to that. There are times when government just for whatever reason gets bogged down, caught in technicalities, and doesn't seem to be able to move forward with common sense and immediate actions. When we go into our hospitals, if it's not a crisis or an emergency, often people wait for eight hours, 12 hours to get a response. When there's been an accident and they've come in on air ambulance or are critical, it's right now, and we've got some of the best in the world in response. But there are areas where we can't.

I want to talk a little bit about my struggles with Baby Elizabeth and the problems that they faced as the grandparents tried to save their grandchild from a tragic situation. They contacted the minister's office. They contacted social services and told them the problems. They went to the doctors. They went to the police. Nothing was done.

4:00

This child lost its life because of the inadequacy of our children's services here in this province. Mr. Speaker, it's wrong. The struggles that I've seen the grandparents have as they've come in and showed 42 days of trying to get and rescue their granddaughter, saying, "We will even look after them," with no response was just wrong. I hope that as we study and look at this bill, we'll realize that we need to act. It shouldn't take 42 days when a child goes in and has X-rays and has two broken limbs, and the medical people say that this is abuse, and nothing was done. It's wrong. When we have meetings that are held and questions asked but no notes kept, you have to ask: why would there be no notes kept? It just seems like all they were doing was covering themselves but not protecting those who needed to be helped.

Mr. Speaker, I apologize for getting emotional on this, but I've been with the grandparents, I've gone through this case, and it's tragic. It shouldn't have happened in Alberta, and it shouldn't happen while we're here. I hope that as we go through, we'll take the time to look at the details to make sure that we have a child advocate that can act, that you can call, and that something is done, and not go through weeks and months looking for an answer and then losing a child.

One of the concerns that I do have here – and our Premier talked about this in her leadership – is to have a serious incident review team, and I'm not sure that this is in here. One of the things that to me is critical, just like our emergency rooms, is that when someone comes in they can act and they can move now. I mean, the discussions that there were quotas, that we've taken too many children out of the home already, that we don't want to act prematurely: this is a real struggle. When we're trying to protect someone who can't protect themselves and who as a child can't even often speak for themselves, this is critical. We need to have the best people employed there. We need to give them the resources that they need so that they can act in a speedy and quick way.

As I said, Mr. Speaker, again, this legislation is all coming so fast and so quick. I appreciate the need of this coming forward, but we need to make sure that we have this right, not like some of our other bills where after three years we're still struggling to get it right.

Like I said, we need to have a response team. We need to empower the advocate so that they can actually move out and take the action that is needed. Again, sometimes we're going to

perhaps overstep, but with the tragic deaths that we've had here in this province, we can't go forward the way that we have.

With that, Mr. Speaker, at this point I'd just like to move to adjourn debate.

[Motion to adjourn debate carried]

## Bill 26

### Traffic Safety Amendment Act, 2011

[Adjourned debate November 22: Mr. Danyluk]

**The Deputy Speaker:** The hon. Member for Calgary-McCall on Bill 26.

**Mr. Kang:** Thank you, Mr. Speaker. Drinking and driving is an issue not only here in Alberta but all over the world. In my family we are victims of an accident which involved drinking. We are still feeling the pain. Although it happened in 1972, we are still feeling the pain and the suffering from that very tragic accident.

In 2008 in Alberta 22.5 per cent of drivers involved in fatal collisions were judged to be consuming alcohol prior to the crash, compared to 5.3 per cent of drivers involved in injury crashes. As people drink more, the severity of the collision increases as well. This does not only affect the vehicles on the highways and on the streets, but off-highway, too. Use of all-terrain vehicles is another source of alcohol-related deaths. Of Alberta's 100 ATV fatalities from 2002 to 2008, 39 people were found to be over the limit of .08 per cent. Those were out of the 85 who were tested.

In Alberta impaired drivers can face sanctions defined under the Criminal Code and those defined provincially by the Alberta administrative licence suspension program within the Traffic Safety Act. On the roadside an officer who has reasonable suspicion that the driver or person with the care and control of a motor vehicle has alcohol in their body may demand a roadside screening device test. Suspicion of alcohol in the body may come from physical signs, driving patterns, or statements made.

The roadside screening device doesn't measure the actual blood-alcohol level but instead gives a basic indication of whether or not the person's ability to drive is impaired by alcohol. The device indicates a pass, fail, or warning. While failing the roadside screening test is not against the law, it does give officers reasonable and probable grounds to hold a person further and demand they take a breathalyzer test. The breathalyzer is a machine which measures a person's actual blood-alcohol level. The intent of Bill 26 is to curb drinking and driving to make the roads safer.

Under the Criminal Code there are three offences: impaired driving, operating a vehicle with a blood-alcohol level over 80 milligrams of alcohol in 100 milliliters of blood, and refusal to provide a sample.

With Bill 26 we are not really aiming at repeat offenders, the drivers who are double the limit when they have their accidents. The bill is trying to change the culture – that's what the minister said – surrounding drinking and driving by lowering the limit for automatic punishment, licence suspensions and vehicle seizures, to .05 from a BAC of .08. That is going to not only affect the drivers which are under the influence of alcohol, that is going to hit Albertans who drink responsibly and who have a social drink.

4:10

According to the Canadian Restaurant and Foodservices Association, as the minister said, the hospitality industry has concerns that these proposals are not targeting those dangerous, legally impaired drivers that are responsible for alcohol-related

accidents and fatalities. Alberta accident statistics confirm that the vast majority of alcohol-related injuries and fatalities result from impaired drivers at twice the legal impaired limit of .08 and legally impaired drivers who repeatedly drink and drive. They don't support the administrative penalties targeting ordinary responsible Albertans who occasionally enjoy a social drink with family and friends or a glass of wine or beer with their meal when eating out.

I know we have this law in British Columbia. The accidents have come down within that five-month period from a 45 average in the last five years to 22.

**Ms Calahasen:** You don't even drink.

**Mr. Kang:** I drink, but I drink responsibly.

Bringing in this law will bring unintended consequences for both the hospitality industry and the government. There is the potential for people who drink responsibly and drive to be wrongfully punished without a fair and impartial hearing under the law. There are significant business, employment, and family hardships for first-time offenders, losing their vehicles for a minimum of three days when they are not legally impaired. There is the potential for someone who operates a vehicle while legally impaired to avoid a conviction under the Criminal Code. Eighty-eight per cent of B.C. licensed CRFA members lost 21 per cent of their business in liquor sales in the six months following the new penalties. That will, in turn, have job losses.

That's not to say that, you know, we are against this bill or that we are supporting this bill, but we have to find some happy medium here so that the people who have an occasional drink or who have a social drink are not punished.

According to the CRFA a survey was done and licensed Alberta CRFA members confirmed that 84 per cent of respondents, 68 per cent strongly and 16 per cent moderately, oppose Alberta introducing tougher .05 to .08 BAC administrative penalties, and 82 per cent of respondents believe that introducing tougher .05 to .08 BAC administrative penalties will have a negative impact on their business, 63 per cent say very negative and 19 per cent say somewhat negative.

CRFA members do support alternative, more effective solutions designed to get dangerous impaired drivers off the road. Their survey indicates that 88 per cent of respondents support accelerating penalties and sanctions against impaired drivers the more they are over the legal impaired .08 BAC limit; 73 per cent also support stricter graduated licensing provisions for new drivers.

Implementing these penalties for a person who enjoys a social cocktail drink, a glass of wine, or beer with dinner will result in prosecution of responsible Albertans who are a questionable safety risk while devaluing the importance of criminal court sanctions.

There is no evidence that people between the limit of .05 to .08 are responsible for fatal accidents or are responsible for all the carnage on the road. According to the stats done by the Canadian Council of Motor Transport Administrators, most driver fatalities in Canada involve a nondrinking driver. For 2008, the most recent available data, 61.3 per cent of all fatally injured drivers had a zero blood-alcohol level. Of the fatally injured drivers who had been drinking, 85 per cent exceeded the limit that's allowed under the Criminal Code, so that's a blood alcohol limit of .08. The remaining 15 per cent were within the legal limit. For all the provinces the largest proportion of drinking driver fatalities is at blood alcohol concentration levels of more than .08.

Breaking down the BAC levels further, most fatally injured drivers who were tested had BAC levels more than double the

legal limit. In Canada 22.6 per cent of fatally injured drivers had blood-alcohol levels greater than .16, with 10.3 per cent from .081 to .16. Only 2.2 per cent had blood-alcohol levels from .05 to .08. So it is only 2.2 per cent of people who have been involved in some kind of accident under the influence of alcohol. That really is a minimum, really a small number to be punishing almost everybody who is going to have a social drink or who is going to have a glass of wine with their dinner.

For the provinces this pattern also held, with only a small percent of driver fatalities in the .05 to .08 blood alcohol range. Overall in Canada a declining trend is evident with respect to the problem of impaired driving. Between 1995 and 2008 the number of people who died in motor vehicle crashes involving a drinking driver fell from 1,296 to a low of 790, a 39 per cent decline. Similarly, the percentage of alcohol-related crash fatalities decreased from 38.8 per cent in 1995 to 33.6 per cent in 2008.

According to Statistics Canada in the last two decades the number of impaired driving charges in Canada fell from 111,917 to 65,183, or by 42 per cent. The rate of impaired driving charges fell from 512 per 100,000 population aged 16 and over to 232, or by 55 per cent. At the provincial level, similar large declines in number and rate also occurred over the same period of time. More recently, following three consecutive annual increases, the rate of impaired driving charges in Canada fell 6 per cent in 2010 from the previous year.

#### 4:20

The object of the bill is to touch a main area in the subject of road safety. It greatly strengthens administrative penalties for driving while impaired, including lowering the threshold for impairment by alcohol to .05 mg alcohol per decilitre of blood from .08. It does not introduce new driving restrictions on vehicle operators within the first six months of being granted a graduated licence. These changes are proposed through a separate regulation.

The act is increasing penalties for drivers with blood alcohol over .08. Alberta currently has a mandatory ignition interlock for repeat offenders, drivers with blood-alcohol levels more than double the legal limit, and those refusing breathalyzers. Alberta now has licence suspensions but no vehicle seizures for drivers above .08.

A change to penalties laid for drivers with blood alcohol over .08: an immediate suspension, which is ongoing until criminal charges are resolved. Will this stand up in the courts? People are going to challenge it. What is happening to the principle of innocent until proven guilty? This will also clog up our court system, which is already clogged up.

The first offence: ongoing licence suspension and a three-day vehicle seizure. Second offence: ongoing licence suspension, seven-day vehicle seizure. Third offence: ongoing licence suspension, seven-day vehicle seizure. Mandatory ignition interlock after a criminal conviction over .08 limit: one year for a first offence, three years for a second offence, and five years for a third offence.

For drivers found with blood alcohol of .05 and above, the board will also be empowered to make mandatory ignition interlock use by an individual after two suspensions or disqualifications within 10 years if it so chooses or if the board receives direction to conduct a review from the minister, the courts, or the registrar.

For drivers found with blood alcohol of .05 to .08, currently Alberta rules can nail a driver for impairment when the driver provides a breath sample below .08 if they have probable cause to suspect impairment, but in reality enforcement is near absent below .08 today.

The new rules would create new easy-to-implement and legally specific charges and penalties. Drivers are not subject to Criminal Code prosecutions below the .08 limit.

The first offence is a three-day licence suspension and three-day vehicle seizure.

**The Deputy Speaker:** We will continue the debate on the bill. The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It's my pleasure today to rise and speak to this government's Bill 26, which proposes changes to the Traffic Safety Act concerning drinking and driving. The two main points are that those charged with impaired driving over .08 will have their licence suspended at least until their trial is settled, and those blowing between .05 and .08 will lose their licence and have their vehicle seized for three, 15, or 30 days.

I want to say, first off, that I appreciate and fully support the goal behind this bill. I hope every person in this Legislature understands the carnage and the pain that drinking and driving causes on our streets. Frankly, it's a plague, and it kills so many innocent people in our midst, not the least of which, of course, was the horrendous – horrendous – accident that occurred in Grande Prairie very recently. These are terrible things, and we should be doing everything that we can to eliminate intoxicated driving from out of our midst.

However, I want to be equally clear that this law, in my view, will not achieve that goal. In fact, I fear that because it will be so ineffective in doing so and will cause such a distraction to law enforcement, it may even result in the exact opposite, and I'm going to explain why.

Alberta's drinking and driving rates are higher than in most provinces, and this is unacceptable, as everyone here would agree. Clearly, with this bill the government recognizes that it needs to do a better job, and that is a good first step. Albertans do need to know that drinking and driving is not acceptable, and it is clear this government is not getting that message through as well as they should. I've often commented that I haven't been through a checkstop in at least 10 years in this province. That's a problem. That says to me that we're not doing a good enough job on our streets enforcing existing drunk driving penalties.

I'm going to explain why I think this drastic law uses the wrong tools and targets the wrong people. First, the suspension of licences until trials are over, I believe, is a legally flawed step because it presumes guilt on what is a pretty serious allegation, that of driving under the influence. This isn't a parking ticket. It's not one of those things where, you know, the car is parked in an illegal spot, and you get a parking ticket. There's a presumption that you need to pay that parking ticket. If you don't show up, you know – it's just presumed that it's a strict liability offence, as it's called, and you're going to pay the parking ticket.

This is not a parking ticket. This is much more serious than that. It is not only much more serious, the evidence surrounding whether someone is intoxicated at the wheel or not is a lot more difficult to prove. These breathalyzer tests are often not accurate. Most of the time they are, but oftentimes they're not. There are many different factors that go into proving somebody has driven under the influence. So it's not as simple and straightforward as a speeding ticket or a traffic ticket, for example. In other words, presuming someone is guilty essentially until proven innocent I don't think should be allowed in this case.

Second, it is pretty arbitrary in terms of the penalty. I feel that the penalties in this act penalize people more in parts of the province that have longer court delays than others. The Minister of Transportation admitted in the paper just the other day that it

could be two years or more before a court would even get to hear this, depending on where you are in the province. Now, even if you support this punishment for people who haven't been proven guilty yet, it just isn't fair to punish some people more simply because their local courts are more backed up.

Like most Albertans I don't have any sympathy for drunk drivers who cause death and carnage on our streets, and I do think the government needs to find ways to make punishments more intimidating. That's the key. We need to hammer, absolutely throw the book at – criminally and administratively throw the book at – those who are the problem, drunk drivers, those who are blowing over .08, those who are repeat offenders, who go out and endanger lives over and over and over again. Those are the folks that we need to crack down on hard, not the folks that are blowing between .05 and .08.

I will say, though, that tougher penalties aren't the only thing that we can do to reduce drunk driving, and they probably aren't even the most effective. I think that more education, more public service announcements in our high schools in particular, and more checkstops – most importantly, more checkstops – and enforcement of our existing laws are the first steps we should be taking. Again, I haven't been through a checkstop in over 10 years. I travel that highway 2 between Airdrie and Calgary when I'm home in the constituency many times a week, evenings and weekends, and there are just never checkstops on that road. And I know there are drunk drivers. I've seen them on the road.

4:30

The bigger concern for me in this bill is the proposed administrative penalties. Seizing the car and licence of Albertans found with a blood-alcohol level of between .05 and .08 is very troubling to me. I don't think you have to be a lawyer to see what's wrong with this one. Today I'll narrow it down to four main criticisms.

My first point is that cracking down on drivers between .05 and .08 is going after the wrong people. I'm talking about the couple who are out on a date who have a glass of wine or two or a beer or two over dinner or someone who stops for a beer or two with his pals after work on a Friday night. Let me clarify one thing. This law doesn't affect me personally because I don't drink. These are the regular folks out in Alberta who will be affected, and they shouldn't be affected. They're law-abiding citizens that present no danger to the public.

The stats that I've seen are pretty clear, and they fit with common sense. According to a 2008 report of all the drivers who have been killed on our highways, about 60 per cent of the perpetrators of the accident, the ones who caused the accident, had no alcohol in their system. Of course, that's just because, obviously, there are a lot of accidents on the streets. So 40 per cent did have alcohol in their system. The next largest group are those that were double the legal limit, so they were more than .16 over the legal limit. That's about 22 per cent of those folks who caused fatal accidents.

So 60 per cent no alcohol; 22 per cent twice the legal limit. Then it's drivers between .08 and .16. That group is around 11 per cent of all fatalities caused on the roads. Then, if you can believe it, next place are drivers with an alcohol content between .01 and .05. They equal roughly 3.5 per cent of the accidents caused on our streets by everybody. Bringing up the rear, between .05 and .08 is that group. Around 2 per cent of the fatalities on our roads are caused by people who had a blood-alcohol level of between .05 and .08. Two per cent. This sounds like a very low level of causation to me.

People who are in favour of this law point to British Columbia. They point to how the law there has cut down drinking and

driving and fatalities on the road caused by drinking and driving. Correlation, Mr. Speaker, is not causation. We should all know that by now. The administrative penalties in B.C. – and there are some differences in the legislation between B.C. and Alberta. In B.C. there's a lot of very stiff fines attached to this .05 to .08 level. Our proposed legislation here doesn't have those same fines. There are kind of indirect fines of impounding vehicles, and so forth, but there's no direct fines.

Because of that money, all of a sudden that became a cash cow. Of course, when you give politicians or police officers or police agencies, who obviously need money to do their work, when you make a cash cow out of something, guess what? Enforcement goes up. So there were more checkpoints, there was more enforcement, and because of that, yes, they caught more of the folks, not just between .05 and .08 but the people above .08. Correlation is not causation. The B.C. law did not cause a decrease in traffic deaths. The decrease in traffic deaths because of drunk driving was caused by more enforcement in the province of British Columbia, which is a good thing. That's good, but we should be able to do that in Alberta without resorting to these draconian measures.

I'm sure the government has found some different stats and studies, and I look forward to hearing about them. I do. But I don't think anyone can argue that the real danger in Alberta – I don't think there's any report that's going to be circulated here that doesn't conclude that the real problem, those who are causing by far the most carnage on our streets, are those who are blowing above the legal limit, particularly two times above the legal limit, but definitely over .08.

This is certainly what the federal government concluded. They examined a proposal recently to reduce the Criminal Code level to .05 and decided that it was actually a bad idea. They acknowledged that some people are impaired between .05 and .08 but decided that the existing laws were adequate; namely, the ability of officers to charge people with impaired driving regardless of what the hand-held breathalyzer says if the driver shows signs of impairment. That was good enough. They were not convinced that every driver between .05 and .08 deserves punishment, and neither am I. If an officer isn't sure and wants to err on the side of public safety, that's what the 24-hour suspensions are for.

I'm going to quote from today's *Calgary Herald* editorial just because I think that it brings forward some good points in an articulate way. They said:

The current 24-hour suspension is reasonable for public safety, referring to what I just talked about,

but stiff penalties for people who are not convicted of any criminal offence is going too far, especially considering that hand-held roadside testing devices can be inaccurate and their results are not even admissible in court.

That's what the *Herald* editorialist thinks. Granted, that's just one opinion, but I think it's a practical one and a true one.

The power to hand out the 24-hour suspensions makes a lot of sense. If the police feel that a person might be a little bit impaired but not enough to warrant a criminal charge, they can suspend the licence for 24 hours, get that person off the road just to make sure. They can just err on the side of public safety. They're not sure if the person is intoxicated or not, so err on the side of public safety. I think that's good. I think we already have the tools in place to deal with these folks on the border, in the red zone.

The other issue is how this law is more unfair for rural Albertans. It's easy for the Premier or any other person from a large city centre to say that if you want a glass of wine with dinner, just take public transit home or a cab home. But I know that even in Airdrie cabs are not always convenient, and in more

rural parts of Alberta they are nonexistent. My hon. colleague from Calgary-Glenmore can elaborate on this point in his comments as I know he's brought it up before.

I'd also mention the fact that the policeman on the side of the road is judge and jury on the spot. That's a problem. It's not something that I think I'm comfortable with within our legal system, to just have for such a serious offence the police officer be judge and jury.

Now, I'm going to jump to the argument that this new law will actually reduce the number of DUI charges and distract from the goal of actually getting dangerous drivers off of the road. Let me explain. I mentioned that police already have the 24-hour suspensions for those they judge to be mildly impaired or who blow between .05 and .08. They call you a cab, they fill out a one-page form, and they get back to keeping the streets safe. That's what they do now. But these mandatory seizures are going to tie them up a lot. They're going to have to babysit a person's car until the tow truck comes. Instead of 15 minutes, they're going to be tied up for an hour or two because your car needs to be taken away.

So my question would be: how many folks with a blood-alcohol level over .16 or over .08 are going to drive by this officer while he's waiting for someone's family car to get towed away? Our police are overworked as it is, and this is not a good use of their time. The .05 to .08, these people are not the problem. It's the .08s and above.

The other danger is that this penalty is strict enough that the police might start using it instead of going through with criminal charges for drunk drivers. [Mr. Anderson's speaking time expired]

**The Deputy Speaker:** Standing Order 29(2)(a). Hon. Member for Calgary-Glenmore, on Standing Order 29(2)(a)?

**Mr. Hinman:** Yes. I'd like to ask the hon. Member for Airdrie-Chestermere if perhaps he couldn't just finish what he was so eloquently sharing with us. It sounded quite pertinent.

4:40

**The Deputy Speaker:** The hon. member.

**Mr. Anderson:** Thank you, Mr. Speaker. I'm almost done.

The other danger is that this penalty is strict enough that the police might start using it instead of going through with criminal charges for drunk drivers. They might say, "Look, we've got this other way to get them; let's not go through with the full criminal charges on the problem drunk drivers," the ones that are really blowing over .08, because that's much more complicated than just taking the person's car away at .05 or .06. While there will be a bit more paperwork than the 24-hour suspensions, it will be quite swift compared to a proper criminal investigation. I fear that this easy penalty has enough teeth that not only will the innocent be overpunished but the guilty will be underpunished.

In closing, I want to repeat that certainly I – and I'll let my own caucus speak for itself – side with the Albertans who are not happy with the job this government is doing to curb or prevent drunk drivers from menacing our roads, but I'm not convinced that the legally dubious suspension until trial provision and especially the targeting of those who have blood-alcohol levels between the .05 and .08 range is the way to go. I do not feel that this law is going to reduce drunk driving. I do not feel it is effective, and I feel that it is going to target people who are simply not the problem.

It's certainly going to hurt different industries, the hospitality industry for example, as we've seen in B.C. If we were really targeting and reducing significantly the amount of deaths on our

roads because this law was effective – you know what? – the damage to the hospitality industry would probably be justified. But that's not the case. We're going to be damaging an industry, and we're not going to see any real improvement in traffic safety. That's what I fear.

I hope that the members opposite in the government would consider at least maybe putting this to an all-party committee so that we could take a look at it, so that we could get all the studies in, so that we could get all the facts in and try to come up with a solution that's actually going to make sense to the average Albertan.

With that, Mr. Speaker, I close my arguments.

**The Deputy Speaker:** Hon. Member for Edmonton-Centre, on 29(2)(a) or the bill?

**Ms Blakeman:** On the bill.

**The Deputy Speaker:** On the bill.

**Ms Blakeman:** Great. Thank you very much, Mr. Speaker. I'm pleased to be able to rise in second reading and comment on the proposals that appear under the government's Bill 26, the Traffic Safety Amendment Act, 2011, which sounds so innocuous considering the amount of to-do that is going to come out of this bill.

I just want to say from the outset that I really hope that I hear some of the government people on this. I know they always say: oh, we've already discussed this and made our decision, and that's why we don't say anything when it's in front of us. As a result I get your constituents writing to me, saying: why did so-and-so do blah, blah, blah? I have to say: I have no idea because they didn't debate. You know, what does Rocky Mountain House think about this? Or Calgary-Mackay? Or Drayton Valley, or Leduc, or Edmonton-Ellerslie? Boy, these seating plans change so fast.

**An Hon. Member:** That's because we're adding members.

**Ms Blakeman:** Yeah. Well, okay. Fair enough.

But, you know, what does the Member for Calgary-Lougheed tell his own constituents about how he feels about this bill? So I really do hope that we hear from those members and others in this debate even given the speed at which the Government House Leader would like us to clip along with this bill. You guys should be on the record with this one, so let's hear you.

I want to go back and start from the beginning. This bill actually is bookended by two pretty good ideas, which I suspect a lot of people are not aware of if they haven't actually read the act. The government talked about four things they were going to change here. One of them is not in this act at all and I gather is going to come from the regs, and that was the one about restricting or changing the number of passengers that young drivers or learner drivers or whatever they call them who are not family members – how many other people they were allowed to have in the car. I gather that they're going to do that through regs because I don't think it's in the act. That, I think, is a stellar suggestion because we do know that in having a lot of kids together in a car – and I can speak from experience – you do egg each other on and get to doing some stupid things, some stunting or talking and distractions from the road. It's a good idea to restrict that although, in fact, it's not appearing in anything to do with this bill.

What we do have in the bill are new administrative penalties around the mandatory alcohol interlocks for a period of time on the vehicles that are to be driven after current automatic suspensions are connected to Criminal Code convictions for

driving over .08. Good idea. Good move. You've done that well. Glad to see it in the bill.

There's also talk in the bill about permanent interlocks and drug testing and monitoring that could be required for drivers who have two penalties within 10 years of driving. In here it's listed as .05. I would be happy to support that if it was .08, but I'm not agreeing with it at .05. You've got two fairly good things in here and then this political quagmire that you have created for yourselves here.

A number of times I've heard the language attempting to change the culture used in connection with this bill. I guess my question is: what are you trying to change in the culture? Are you trying to get people to not drink? Are you trying to get decent, law-abiding people who have enough to drink that they're over .05 but under .08 to not drink or for people to not drive if they have any alcohol at all in their system? For that I would say: okey-dokey; then pass that law because what we have right now, the administrative penalties that are being put in place here – the reason the government has to do administrative penalties is because drinking and driving under .08 is still legal. It's a legal activity. Nothing says that you can't drive under .08, right? The government doesn't have the flexibility, I would argue, to do this. Oh. He's giving me that look, so he's sure to get up and add something to the conversation.

That's my point. If it's Criminal Code, then there are Criminal Code sanctions. And the Criminal Code is that you can't have a blood-alcohol content of .08 or above and operate a vehicle. It's not to be done. It is determined that judgment is impaired at that point. I heard some of the talk in the media conferences about, you know, how your judgment could be impaired with a blood-alcohol content of less than that. Now you're into a very interesting place. Who determines that and how? Obviously, you're not talking about a lot of drinking. You're not talking about a binge drinker here. You really are talking about the difference between one or two glasses of wine, one or two or three beers. This is not, you know, a half-sack of beer. This is not a mickey that you're drinking really quickly out behind the community league. This is a very small amount of liquor that you are talking about, a very small difference in blood-alcohol content. What this bill is actually talking about doing is increasing administrative penalties for something that is a legal activity, and that I have a problem with.

I go back and say: okay; you want to change this culture. In particular, this appears under section 12 of the bill, which is amending section 88 of the original Traffic Safety Act. [interjections] I so appreciate the support from my colleagues, but if you could take it into the hall, you might enjoy yourselves more. I wouldn't be interfering with your ability to hear each other.

Changing the culture for whom? It appears that you're trying to change the culture for law-abiding, reasonable citizens because these are the ones that are drinking those one or two glasses of wine, those one or two beers. This is really going to affect women, those nice soccer moms that vote for so many of you, generally reasonable people – right? – people who would have a drink or two with dinner, people that might stop with their buds on the way home on a Friday night and take advantage of whatever strange martini they're drinking these days.

Let me point out to you the conversation I've already heard in the media about: oh, come on; you know, any woman could drink a couple of glasses of wine, and for sure they'll be under this; it's really not going to affect them. Okay. Well, the last two nights I've been fortunate or unfortunate enough to be in establishments that serve wine, and I have been very careful to say: "Oh, really? And how much wine is in that glass?" "Oh," they say, "six ounces or nine ounces." Really. Well, I can tell you that this girl, based on



my metabolism, would be in that range. I'd probably be over that range with two nine-ounce glasses of wine. [interjection] It's a lot of wine. Exactly. How are you supposed to be telling this?

4:50

Now, we have the Government House Leader and minister for everything vulnerable in front of me here saying, "Well, if you drink at all, you just shouldn't drive." But I just don't think that's realistic. One, consuming alcohol is still a legal activity in this country. [interjection] I'll come back to that. He's making the point that kids do understand that and have designated drivers. But my argument – see, you got me off track. I'll come back to that one.

I think this is probably going to change the whole culture. I'm already telling the restaurants that I go to: I hope you can now create a four-ounce glass of wine because I won't be able to do the six-ounce or the nine-ounce glass of wine.

Okay. We're changing the culture because we're trying to not have anyone who drinks and drives on the road. I go: well, why? What is the problem here? Well, duh, it's an obvious problem. Drunk drivers kill and maim people, and they cost all of us, every taxpayer, every member of society, a whack of money through the hospitals, through the police services, through the courts, through the effect on production for their businesses, for the wear and tear on their families. It's almost endless.

Who is it that's doing the killing and maiming here? Well, you heard some statistics. I'll refer back to my colleague from Airdrie-Chestermere, who did quote you a long line of those statistics. Essentially, the people who kill and maim have blood-alcohol levels well over .08. These are the people in the .16 range, the .20 range. These are people that are really smashed, really drunk, really impaired. Okay? Not close to .08 but really, really drunk. The question is: why are they still out there?

**Mr. Hehr:** They're hammered.

**Ms Blakeman:** They're hammered, my colleague from Calgary-Buffalo says helpfully.

But my question is: so why are they still out there? Why aren't we catching them? Why are we trying to now go after soccer moms and accountants on their way home on Friday? Why are we after them and not after people that have a blood-alcohol content of .16, which is what we know really kills people? Well, it's just the way the funding has been working; there isn't quite enough funding for the police forces to be putting enough checkpoints out there, we hear. Ah, I say, so this is a question of funding and money. So the government, instead of appropriately funding the policing services so they can run enough checkpoints, which we know are effective, to be able to pick off those people that are truly drunk enough that they maim and kill – no, no – what they're going to do is put it all on all of us. This is just bad legislation. This is just bad planning. I'm sorry, but it is.

Sorry. Let me back up. You have two sections that are quite good in this bill. The section I'm talking about is 88, where they're talking about putting through administrative sanctions, losing your licence, having your vehicle impounded for three days, first offence, for a blood-alcohol content of between .05 and .08. That's what's wrong here. We don't have the funding that's going to policing to allow the checkpoints to operate and, I would argue also, just police patrolling. You know, if they're really patrolling a community that they know well, especially smaller communities and outside of Edmonton, they know who's a problem. They know where stuff is going wrong. They're able to take a better watch on people and steer people away from actually getting into their vehicle.

We know, as the minister has pointed out to me, that younger people already have the don't-drink-and-drive mentality. As a generation of parents we've just beaten that into their little heads. Good for us. For the most part, I think, they get it. They go with a group, and one of them is a designated driver. They seem as a generation – and this is a wild generalization; please forgive me for that – to travel as a pack more than we did. So you get two or three of them or four or five of them in a car, and one of them is the designated driver, who doesn't drink at all, and off they go. Good. I have no problem with that, and I have no problem, as I said, with the changes to the graduated learner licences. This would be really affecting our pages, by the way. I know they're very interested in this bill.

But that's not the way the rest of us live. I said to the minister: how often do you carpool to an event so that you can say there is a designated driver? Well, I need to be honest. Usually, I walk. I'm sharing a car with my partner, and he's also in politics. But there do come times when one of us does have the vehicle or is trying to pick up another one, and we're not able to carpool. We just can't organize things like that. Maybe the rest of you regularly carpool on your way out. Good for you. I can't do that, and I see a lot of people in this House that admit that they can't do it either.

One of the other sections that we see in section 88 that concerns me – and I want to be very careful here. I have registered for quite a time my concern with empowering people working in police service who are not as well trained as our traditional police and RCMP officers. They come under different names now, but I noticed in here that sheriffs, that we know have less training than police officers, are some of the ones that are going to be empowered to make these decisions at the roadside. They are going to be investigator, judge, and jury. They are going to be sentencers. They are going to decide whether you are in this vague range of .05 to .08. They're going to decide that you are guilty, and they're going to sentence you to lose your licence for three days.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Thank you. I was wondering if the hon. Member for Edmonton-Centre had any concluding remarks she wished to make.

**Ms Blakeman:** Thank you. Sorry. The part that I missed out of all of this is the impact on small business. I think that what the government has done here is that it has taken a really, really, really big stick to hit the wrong people and, no surprise to any of you, we are getting a great deal of conversation happening with people who own small businesses in the restaurant and hospitality industry.

Representing the fabulous constituency of Edmonton-Centre as I do, I of course have a lot of small businesspeople who run such establishments. I am on a first-name basis now with the owner of Hudsons hospitality, for example. But you know what? He has raised some darned good points, and I'm looking forward to getting some information back from him about what would be the effect of this bill on him.

We know that the businesses in B.C. lost 21 per cent of their business. They did come back up again to about 10 per cent. My question to that industry was: did it come back up again? Did it level off? Did they come back to where they were? The answer I've gotten back is: "No. It flatlined at that 10 per cent." So this will sentence our small businesspeople, our hospitality and

restaurant people out there in the beautiful town of Rocky Mountain House, to a 10 per cent loss in their business. That's a hit. That is a hit to any businessperson. Why? Because we want to not allow soccer moms to have a glass of wine or an accountant to have another beer on the way home. I say: why?

You know, the issue has been raised with me about transportation, and these are people that deal with this a lot. Some of the people that I've heard from – Devaney's pub, some of the wine cellars that I have – are frustrated because they're already having to deal with people trying to get cabs and trying to get public transit in a metropolitan city at night. So for people who want to be able to take advantage of a taxi cab, who don't travel in a pack, who don't have a designated driver but don't want to drive, what do we do? Do we say, "Don't go out at all" or "Only go where you can walk"? Well, that's just not realistic for a lot of people.

5:00

I mean, those in rural areas: I hope you get up and talk about this because what is it going to mean in a rural area? What's that going to mean in Stony Plain or Spruce Grove or for somebody living on an acreage outside of that? Are they going to be able to go out at all? What's going to happen to that small business, that mom-and-pop diner that serves wine and beer? Are they going to have to shut down when they lose 10 per cent of their business because of this?

I hope we continue to hear from people. I can certainly tell you that I have spoken directly to the people that have contacted me in my constituency, and those are the issues that they're raising. They know what it's like to try and get their patrons home at night and how difficult that is. I'm talking Edmonton-Centre here, guys. I'm not talking out there in Peace River or . . .

**An Hon. Member:** Cardston-Taber-Warner.

**Ms Blakeman:** Yeah. You guys have a lot to contribute to this conversation, and I hope you will.

I think we need to be very careful about who is going to be affected by this legislation, who's going to benefit, and who it is going to harm. We know for sure that it's going to harm our small businesspeople. Is it worth it? Is the benefit worth the harm? That's what we're juggling in this bill.

So let me hear the rest of you get up and talk about whether you think this will harm or benefit your community the way this legislation is going to work.

Thank you very much.

**The Deputy Speaker:** On the bill, the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Yes. Well, thank you, Mr. Speaker. It is always a privilege to discuss things in this Legislature, and it's no different when you look at Bill 26 here, the Traffic Safety Amendment Act, 2011. I tend to look at this in a global sense, and I'm going to try and balance this off many different perspectives that are here in this bill. I would like to start by saying that, Lord knows, drinking and driving is a problem. It's a problem in our society – throughout Canada, throughout North America, throughout the world – and the carnage and the devastation that it causes when it does happen is severe. It's heart wrenching for families. It's heart wrenching for everyone involved, and it is horrible when this happens.

I agree with the hon. members who have spoken before. I am of the view that when people are over .08, I am in favour of them increasing the penalties for those people, whether that be through administrative ways or others, to work toward strengthening those

laws and to ensure that things are done in a uniform fashion that separates criminality from things that are actually legal.

If we look at that, the law is pretty clear in the Criminal Code. We have an offence that says that .08 is the current law in this country as to what our responsibilities are before we get behind the wheel. That's the legal responsibility. There are moral arguments to the effect otherwise, and I guess we're getting into some of that debate.

I agree with the Member for Edmonton-Centre that some of this legislation is a bit of a ham-fisted approach. The way it's put in this legislation could actually be quite good. I like the idea of permanent interlocks or drug testing to monitor drivers with two penalties of driving over .08 within 10 years, if that's what the legislation says. Right now it says .05, but maybe we could see an amendment there that really hits the people who are causing some of the carnage and the concerns out there.

I believe the statistic that's been brought up is that the overwhelming majority of people who are involved in drinking-and-driving accidents, who are causing most of the damage, are blowing twice the legal limit, which is the real nub of the problem. It's not the people who are legally driving with between .05 and .08. It's the people who are driving with 1.6.

Let's talk about that. Why are we not able to do something about the people who are driving that much over the legal limit? Well, I think there are a few things at play in maybe why we aren't targeting more there or we'd have more success in lowering those rates in Alberta.

I've been long on this topic, but I'll just bring it up to remind everyone in this House that our policing numbers per capita here in Alberta are relatively grim vis-à-vis the rest of the 12 other jurisdictions in Canada. We are 11th in police per population. That is a fact. I'm not making up numbers. We all know it here. I know members on the other side get sensitive about that, but it's true.

If you correlate that, then, what our police forces are able to do in terms of checkstops, in terms of enforcing the existing rules, in terms of actually punishing people who are driving in a criminal situation, over .08, is highly compromised. That's a fact. We are not able to get a handle on drinking and driving because we don't have the enforcement capabilities out there. So if we really want to do something about this, let's get policing numbers here in Alberta up to a reasonable fashion, where we can see checkstops on the roads, where we can see enforcement.

I agree with the Member for Airdrie-Chestermere, who said he hasn't seen a checkstop in quite some time. Well, I have a feeling he's at home with his children most nights, but I through luck or not am out quite a bit on Friday or Saturday nights, and I, too, have not seen an abundance of checkstops in the last 10 years. I cannot remember the last one I went through, and I live right in downtown Calgary, near 17th Avenue, where lots of drinking occurs. I have seen zero in the last five years when I'm out. That to me is a problem.

If we can't get a handle on actually having enforcement or checkstops set up to act as a deterrent, that is the major problem here. This is window dressing compared to having that in effect. If people knew that there was going to be a checkstop out there, that there was going to be police on the streets able to enforce existing laws, that would send a significant message to our population that our government was serious about getting tough on drinking and driving, tough on the criminality of the act. Okay?

[The Speaker in the chair]

Simply put, we don't have that capacity here in Alberta. I would ask people to look at our checkstop rates that are up right now on

the Calgary and the Edmonton policing websites. If you compare the amount of checkpoints they do here compared to what they do in Ottawa or Toronto or Vancouver, other jurisdictions with larger policing numbers, we simply don't have the police force capacity to do that, which is really where we should be concentrating the message, towards that. So I challenge us to look at that. If we really want to get a handle on this, let's more adequately support our police officers. Let's actually get behind that and get those policing numbers up to a reasonable level in this province.

Let's talk about a few other things that the Member for Edmonton-Centre brought up. Cabs. Right now in Calgary we have, I believe, 1,300 licences to drive taxicabs to service a population of 1 million people, a very large city that's very difficult to transport people around, with a very large urban footprint. I know that in my community when people call a cab, it's now sometimes taking between two and three hours on a Friday night to actually get a cab. I'm not making this up. This is brought up all the time to me as an MLA. I say: go talk to Mayor Nenshi; I'm not the guy in charge of this. Nevertheless, it is one of those things that Calgary and, I'm assuming, Edmonton and other jurisdictions are facing. It provides a bit of difficulty for people who are actually trying to do the right thing.

5:10

Another thing is that our busing services and our LRTs do not run 24/7. If we are going to have this in effect and still serve alcohol in this society, actually have it as a legal activity, then we have to have some of these other systems in place. You know, one of my favourite shows is *Boardwalk Empire*, but it is not prohibition here yet. It is still a legal thing, drinking in this society. Now, it is illegal to drink and drive. I understand that, and I pointed out here where we should be going: enforcement for people over .08 and the administrative fines heavy for the people who are over that, repeat offenders, and interlocks on people who are repeat offenders and the like. And let's have some significant police presence out there to actually enforce the laws we have.

Now, we go into the aims of the act: to change the culture surrounding drinking and driving by lowering the limit from .08 to .05 and automatic punishments. That's licence suspensions and vehicle seizures. This work also requires mandatory courses for second and third offences. If we look at this, we are now making offences with some pretty severe consequences to them. I believe the act says that you lose your licence immediately, and you're not allowed to drive for three days and the like. These are fairly significant limitations on individuals who are doing a legal activity. I note that it does cause, for some, questions on the legalities of this, whether it's going to stand a Charter test, whether this can be done, and whether it should be done.

I am cognizant of that fact. I know that I've been in contact with some lawyer offices who believe that this is not in view of what civil liberties are in this province and that it actually makes people guilty before they're actually proven guilty in a court of law. That, to me, is something that we should be highly cautious about when we look at introducing penalties. There's a reason we have the rule of law. There's a reason we have innocence before you're proven guilty. We have built our society on that value, and I believe that it's a value worth, in most cases, sticking up for. So when we are going to do this, we have to look at it with a really rational eye towards what is in the best interests of the entire society.

At the same time, I look at it, and there are some significant consequences to our restaurant and hotel businesses. I understand that business is not the be-all, end-all of what's important in society. In fact, sometimes I think we go far to think that it is the

most important thing. But in this case I do have to look at the statistics coming out of British Columbia and note that there has been a significant drop-off in business for what is a law-abiding activity, for something as innocuous as people stopping by the local pub after work and having a drink. That is an issue when you look at a constituency like mine, which probably has 70 or 80 restaurants, pubs, and hotels, maybe more, and which has many of my constituents who work in the service industry in the capacity either as a waitress or as a bartender or as a server working in the hospitality industry. Clearly, this has an impact on their livelihoods. Clearly, it has an impact on the bottom line and on who people are able to hire and whether they're going to be able to stay in business.

I do know that when you look at this, you have to look overall. Overall, is this going to be more protective of society? Is it going to make a real difference in people's actual lives? Is it really going to do what we think it's going to do; I mean, reduce the risk of people dying on our streets? That's something that at this time I am still not convinced about. If I could be fully convinced in weighing out the competing interests, I'd be inclined to support this legislation. At this time I'm still not convinced. I remain to be convinced, and I'm looking forward . . . [Mr. Hehr's speaking time expired]

**The Speaker:** Thank you very much, hon. member.

Hon. members, Standing Order 29(2)(a) is available for a five-minute question-and-response time. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. A number of the speakers this afternoon have talked about things like the difficulty of somebody getting home if there are no taxis or if they live in a rural area. I'd just like to ask this hon. member if he really thinks that it's appropriate for someone who's been drinking to say, "It was okay for me to drive home because I couldn't get a taxi" or "because it was inconvenient" or whether he thinks it's more appropriate for people to think about that when they go out and not drink if they're the ones that have to drive home.

**The Speaker:** The hon. member, if you wish.

**Mr. Hehr:** Well, that's a pretty silly question, sir. Of course, you're right in that postulation. They should think about that. If they are given a choice between driving home when they would be impaired, of course they shouldn't drive. But are we really setting up a society here where, with a legally allowed thing, .08, we are going to make it criminal now to drink whatsoever? We're on the cusp here, a fine line between where that could occur in certain cases. For instance, people who are 120 pounds go out, have one glass of wine. Is having that glass of wine now going to be a criminal occurrence by this .05 to .08 sanction? We are walking a very fine line here.

I understand what the hon. member is getting at. People should, if they're driving, consider that, weigh that out, and regardless of the fact not drive, and I understand that. Nevertheless, it's not as black and white as that. Until such time as we actually understand whether this has a legitimate rate of return, shall we say, on the safety on our streets, then I remain to be convinced.

The second thing I'd point out is that right now we're having difficulty enforcing the actual people who are over .08. We see this by the repeated drinking and driving offences. We see this by people who are causing the carnage, who are blowing 1.6, 1.7. Those are the people who are killing people. The member knows that our policing numbers per population are so weak that we have difficulty enforcing right now the criminality of this. How are they

going to do the job of enforcing this, the grey area, .05 to .07, and then do the other things? It just simply looks like we're passing the buck here on dealing with the real issue.

**The Speaker:** Hon. Government House Leader, another question?  
5:20

**Mr. Hancock:** Thank you, Mr. Speaker. Obviously, the member would know, because he's a lawyer and, I think, would be familiar with this area, that criminal law is federal law, and this is obviously not criminal at all. It's administrative and within the province's purview as to who gets to have a licence. The hon. member would also, I think, understand that many of the people who are driving impaired probably don't think they are. If they thought they were impaired, they probably wouldn't drive, so going down to a .05 might encourage them to think about it.

Does the hon. member honestly believe that we should put enough police on the roads so that we can stop every impaired driver, that that's actually an effective use of resources, or does he believe that we should try and encourage people to think more clearly about whether or not they should be driving after drinking? We put up billboards all over the place to encourage people: do not drink and drive.

**Mr. Hehr:** Well, it's not an either/or answer or an all-in-one answer. I don't think that to answer that simply would give justice to the debate we're having here. I think it would be a fair proposition to say that if I had seen a checkpoint on the streets in the last 10 years, that might serve as a chill or would serve as a chill to others who are prone to drinking and driving to think about it as well. We would also, then, be hitting the people who, like the hon. member said, are over the .08 limit, who are in the criminality of this under Canadian law. I agree with that. There is also some truth in what the member is saying, and that's where he gets at the culture of drinking and driving and whether having people start to think, "Oh my goodness, am I going to be over the limit after one?" may be a good thing. But we have to look at this on balance as to what we're trying to accomplish and the harm caused.

**The Speaker:** The hon. Member for Calgary-Currie, followed by the hon. Member for Calgary-Glenmore.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I will be brief. It is a pleasure to join in the debate on Bill 26, the Traffic Safety Amendment Act, 2011. I would note that there are a lot of countries around the world that have zero tolerance for drinking and driving and at the same time often have more liberal liquor laws than we do. What we're trying to achieve here can be done, but this bill is getting a lot of push-back, and only some of it is coming from the people who own bars, and only some of it is coming from the people who spend too long in those bars and then drive home from those bars. An awful lot of this push-back is coming from very average, very normal, very sober citizens of the province of Alberta who are sincerely concerned about what this legislation may do in terms of its effect on their lives and their lifestyles. These are not people who are going to be breaking the law as it's interpreted by the Criminal Code if this bill goes through.

I think there are two issues here, and it's been very interesting to listen to the debate so far, and some very good points have been made here. There are two issues, the changes to the penalties at over .08 and the proposed penalties at .05 to .08. But no matter how you look at it, this bill seems to have been rushed into this House by a government that often drags its heels notoriously on

solutions to straightforward problems, solutions that are easy to implement, solutions that are easy to pass into law, easy to change policy around. Suddenly on this one we have this almighty rush to get it into the House in time for the fall session.

I want to be careful here, Mr. Speaker, because criticizing the overall intent of this bill is kind of like saying that you don't love your mother, that you don't like puppies, and that you think rainbows and unicorns are horrible things. There's a right way and a wrong way to do this sort of thing, and the right way, when you're talking about this kind of proposed change to people's lifestyles, this kind of proposed impact on people's lifestyles, when no Criminal Code law is being broken, is the process by which you arrive at a piece of legislation like this, before you get it to the floor of the House to debate its merits.

I have a couple of questions around that. One is for the government, and that is: what do Albertans think about the process that the government used to get to this point where they brought in this rushed and, I would argue, seriously flawed piece of legislation? That's the question that I would ask the government. The question that the government should be asking all of the people of this province, at least all the people of age to be licensed to drive or even to have a learner's permit, is this: what do Albertans think about this idea?

The process we should be going through here is asking in a broad-based conversation – and believe me, Mr. Speaker, if the government put this question out there in any kind of meaningful way, any kind of meaningful vehicle for people to communicate back to the government, they would get responses by the bucket-load on this one – what do Albertans think about the ideas expressed in the Traffic Safety Amendment Act? Have the conversation with the people of Alberta first, and then craft the bill accordingly and carefully, without rushing it. Bring it back to the Legislature – bring something like this, something similar to this, but something better than this – in the spring of 2012.

That would be my argument, Mr. Speaker, that this bill was rushed. It may very well be flawed. I think some very convincing arguments have been made here this afternoon that it is. The government needs to pull this bill, consult with the people of Alberta – I don't just mean its friends; I don't just mean police departments; I mean all the people of Alberta – and then bring something better back in the spring.

Thank you, Mr. Speaker.

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

Hon. Member for Airdrie-Chestermere, you are participating in the question-and-answer section?

**Mr. Anderson:** Yeah. Through the chair, Mr. Speaker, I'd like to ask the hon. member. He said a very interesting point, that the consultation process for this bill has been literally nonexistent. It's just kind of happened. It seemed to come out. She met with the Premier of B.C., I think, when she announced it if I'm not mistaken. She met with the Premier of B.C., and it came out, and all of a sudden we were down the path to substantially changing our drinking and driving laws in a way that will have a huge effect on our hospitality industry and just on people's lives, not so much on my life but on severely normal Albertans' lives.

**Mr. Mason:** As opposed to you.

**Mr. Anderson:** As opposed to me, as this member points out.

My question is: why would we pursue it? Do you think this government has taken the requisite amount of time, the proper amount of time to properly consult with Albertans? How would you suggest, hon. member, that the government proceed to do this

consultative process? Should it have forums? Should we refer this to an all-party committee? What would you suggest would be the right way to go ahead and do that?

**The Speaker:** The hon. member, if you wish.

**Mr. Taylor:** Thank you, Mr. Speaker. Hon. member, yes, I think this has been rushed. I don't think the proper consultation has taken place by any stretch of the imagination. I will grant that this is a better approach to tackling impaired driving or at least alcohol-impaired driving, because it doesn't really address any other forms of impairment, than what they used to do in Bulgaria in the Communist years, which was that they took you out and shot you for your second drunk-driving offence. So we should be thankful for small mercies.

**Mr. Mason:** Well, they didn't have impaired drivers, did they?

**Mr. Taylor:** The hon. Member for Edmonton-Highlands-Norwood makes the point that they didn't have an impaired driving problem. Then they didn't have many cars either, hon. member.

But back to the point here because I don't have that much time. This bill has been crafted without proper consultation, I would argue. I think that while there may be a number of ways to skin a cat on this, hon. member, there is one very, very good way that we have at our disposal in this Legislature, and that is to refer the bill to committee, as we did with the hon. Member for Calgary-Hays', if I remember the sponsor of the bill correctly, private member's bill a few years ago that sought to ban the use of hand-held cellphones in moving cars. That got referred to committee and went through a process that eventually came back to this House as the distracted driving law, that was debated in this House, passed in this House, proclaimed by the government, took effect in this province on, I believe, September 1 of this year.

5:30

I still do see the odd person driving down the highway, usually in the fast lane of the Queen Elizabeth going 70 or 75, yakking away on their cellphone, oblivious to the impact that they're having on everybody else around them, but I think there has been – and this is anecdotal, Mr. Speaker – a marked reduction in the number of people who are driving distracted.

Distracted driving, I would remind the House, is a form of impaired driving, not a form of impaired driving that this bill will address because this bill is very, very specific to wine, beer, and spirits. It doesn't address marijuana. It doesn't address sleeping pills. It doesn't address any other kind of prescription medication. It doesn't address tiredness. It doesn't address anything but the issue of alcohol impairment, not to minimize that as an important issue in our society. As I said at the outset, there are countries, not including Bulgaria in the old days, many countries around the world, many jurisdictions that take a much dimmer view of drinking and driving than we do in this province or anywhere in North America, have more liberal liquor laws than we do, and seem to manage just fine and have, sir, for decades.

We can do this or we can get closer to that if we want to go about doing it the right way, but if we're going to do it the right way, especially with something that involves human behaviour to this extent and especially a level of human behaviour that is not deemed to be illegal by the Criminal Code of Canada, then the only way this is going to succeed is with buy-in from the people of Alberta, and the way you get buy-in is to engage them in the discussion through standing committees... [Mr. Taylor's speaking time expired]

**The Speaker:** Thank you, hon. member.

I'm prepared to recognize the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Mr. Speaker, thank you very much. I'm pleased, actually, to see you in the chair because of the fact that I'm going to take us down memory lane a little. I know that you were in this Chamber in March of 2000, when I actually brought forward a private member's bill in this Legislature called the Traffic Safety Amendment Act, 2000. I'm glad to see that you do remember that.

**Ms Calahasen:** He does. He remembers everything.

**Mrs. Forsyth:** Yes. Of course.

At that particular time I happened to bring forward a private member's bill to talk about bringing it from .08 to .05, so we're going back 11 years. What the idea of the bill was was to bring the awareness of what drinking and driving can do to you in this province. At that particular time I talked about drivers who were over .05 to have a 24-hour suspension. There was great debate in that Legislature. There were great things pointed out at that particular time in regard to this particular piece, and I know the member from Vegreville-Viking will remember this because he was part of the Assembly at that particular time, and I recall having a great deal of debate with him on this particular piece of legislation.

The former RCMP commissioner at that particular time, a fellow by the name of Assistant Commissioner McDermid, was not really happy with me at that when I brought this piece of legislation forward in response to the RCMP. We had a great, great deal of discussion in caucus on this particular piece of legislation. I see some of my colleagues who've been around, and I have to tell you that it was not received with a great deal of love and support at that particular time in our caucus at all. I was a member of the Progressive Conservative Party at that time, going around and talking to my colleagues about, particularly, supporting me on this piece of legislation just to bring forward the idea and awareness of the effects of drinking and driving in this province and all of the effects and all of the tragedies that had occurred.

When I brought this piece of legislation forward, Mr. Speaker, I had actually dedicated the bill to constituents who had been killed in a tragic accident near Morley, Alberta. On behalf of them the ultimate goal on this was not to penalize .05 to .08 but, really, to make people in this province aware of the seriousness of what happens when you drink and drive. In my speaking notes one of the things that I was very adamant about was the idea of educating the public and telling people what happens when you drink and drive, the serious, serious effects of that.

I have to say, Mr. Speaker, that this particular piece of legislation died on the Order Paper. We didn't get to vote on it, but some time after that, obviously, we brought in the 24-hour suspension. I can tell you that I was then lucky enough to go into the position of Solicitor General from the years 2001 to 2004 and had the opportunity in my travels as the Solicitor General to do ride-alongs with the police and to listen to the police in this province, that were very, very concerned about the issue of drinking and driving and, I can tell you, more so about impaired driving.

I also had the opportunity when I was the Solicitor General to be at checkpoints, which I thought were very, very interesting, as we pulled suspected drunk drivers over, watched them go through blowing over .08 and then realizing the seriousness of the

situation, and at that particular time what would happen to them going through the process after they had been charged.

Mr. Speaker, it's 2011. We're 11 years later, and we have a piece of legislation that's been brought forward into this Assembly, and I question, as I've listened intently to everybody else, what consultation has been done.

In 2007, when I had the honour of chairing the safer cities task force report, I travelled the province for six months straight listening to what Albertans want. One of the number one issues was about drinking and driving, but it wasn't about .05. It was about driving over the legal limit of .08 and what as a task force or as a government, when I was chairing that task force, we were going to do about the seriousness of that particular issue.

In all good faith I tabled the legislation under the auspices of the then Premier, from Vegreville-Viking. It's interesting when you go through all of the recommendations in this particular task force report. That, I can tell you quite frankly, was accepted right across this country as one of the best reports in regard to how to tackle crime within the province.

In this report we pointed out the importance of doing some advertising and some public awareness in regard to the effects of drinking and driving and the devastating effects it can have in this province. The government accepted all of the recommendations, including a report about setting up safer communities, which we now hear the Premier talk about and brag about from her two years as Justice minister, and she brags about what they're doing now as Premier.

We've done some research, and I'm still looking for all of the public awareness advertising that was supposed to be done and was recommended that we do in regard to bringing the effects of drinking and driving to Albertans so that they can understand what's going on with drinking and driving.

5:40

I don't know if anybody recalls the terrific success that AADAC had with a TV commercial several years ago, the bowl commercial, where you had these kids puking their guts out into the toilet. It talked about drinking and driving, one of the most successful commercials done to bring drinking and driving awareness to young kids. It won numerous awards. That's the kind of impact that people need to see. As much as we don't want to see some child barfing into a toilet bowl, that is very effective in regard to telling people. It would be no different than probably showing a drunk driver smashing into a family and killing them, quite frankly, and what happens.

I think what's missing through this whole conversation is what we call the elephant in the room, so to speak. I think that elephant, quite frankly, is: what are we doing with the chronic drunk drivers in this province, that are 20 per cent of the problem, that cause 80 per cent of the work for the police in this province? This bill doesn't touch that issue at all. The people being targeted here are not Alberta's most dangerous drivers. It's the chronic abusers of alcohol that we should be targeting. People like myself or you, Mr. Speaker, if I may, that like to have a glass of wine at dinner, anyone who likes to have a glass of wine for dinner, are not the ones that we should hold responsible and, you know, that we want to have to target.

Quite frankly, Mr. Speaker, I like to have a glass of wine with dinner, but I have to tell you that I weigh a hundred pounds, and if I have a glass of wine, I can guarantee you that if I'm sitting at the table and if we were deciding that we were going to have me tested in regard to blowing, I bet you that if I had the kegger nine-ounce glass of wine, I'd be at .05 for sure. If I was sitting with the Minister of Human Services and he did the same test, I'm not

quite sure that he would reach that same alcohol level as I have, to be very honest with you.

Mr. Speaker, if the government is really serious and they really want to start targeting the chronic drunk drivers, then let's spend our time and our effort on those chronic drunk drivers. I, quite frankly, have to admit that that's what the police want. They want the ability to have checkpoints out there, having their police officers pulling people over on a Friday night that are seriously inebriated and that we have to get off the street. They don't have the time, where the minister of human resources and his wife were out for a nice quiet dinner and then are coming home, to pull them over and say: Mister, could you blow into this so we can see if you're at .05? I can tell you that our police want to take care of the chronic drunk drivers in this province, that have caused more problems and more devastation for families, wiped out four kids from Grande Prairie, kids that incited me to come in and bring forward some legislation.

What's interesting, Mr. Speaker, is when I start going through the speaking notes in *Hansard*, and I reflect back on what people say. I reflect back on – and probably the Member for Edmonton-Centre will remember the Member for Calgary-Buffer who was previously in this Legislature – a fellow by the name of Gary Dickson. I started reading through what he had to say in *Hansard*. I'll tell you, he's got it bang on. He talks about the two categories of drivers who are constantly causing the problem. These were statistics in 2000. I would like to know the government's statistics on what they have from 2000 to 2010 in regard to what is happening with the over .08 and what is happening with the .05 to .08.

Obviously, something tweaked to the government so that they thought this particular piece of legislation was so important. Seriously, as someone who stood in this Legislature in 2000 talking about the importance of looking at a 24-hour suspension, they have got to have some knowledge in regard to some statistics, even from 2000-2010 on the fatalities that have occurred from someone driving who was driving between the BAC of .05 to .08. There has to be some sort of information to make the government aware, and the seriousness to bring forward a piece of legislation . . .

**The Speaker:** Thank you, hon. member.

We're now into Standing Order 29(2)(a) should there be a member who wishes to participate.

**Mr. Anderson:** The hon. member was in the middle of eloquently speaking about this piece of legislation, and I would like to ask her to please finish her thought as I was paying rapt attention to it.

**The Speaker:** The hon. member, if you wish.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I guess, just to conclude, as someone who has, I have to tell you, struggled on this because, as I indicated to you earlier, I brought forward a bill in 2000. I wanted to see the 24-hour suspension. And you know what? There's nothing wrong with that.

If I'm driving down the street after having my mega nine-ounce glass of wine at the Keg and I get pulled over and the officer says to me, "Dear driver, you are blowing over .05, and we really think that you shouldn't be driving home, and I think it's a really good idea for you to pull over and to park your car," guess what, Mr. Speaker? I'm going to say, "Yes, sir" because he obviously thinks that maybe there is some question. On the other hand, if I'm driving home after having two of those megaglasses of wine at the Keg and I'm so inebriated, then I guess I should be off the street, and I should face the consequences of my decisions for being so

stupid to knowingly drink that much, knowing very well that I could be killing somebody on the street.

I guess what I'm asking the government is, as someone who brought this forward 10 years ago, to please show me the data that you have to say that it is important for us to start bringing it down from .08 to .05 and that we have conclusive data that shows this.

5:50

The safe communities task force was set up specifically to find out what was going on in this province, what needed to be done in regard to legislation in this province, what the hot spots in this province were as far as policing. I mean, I can show you all of the recommendations, quite frankly, why the need for the safer communities, but I can tell you that I don't recall anybody coming to me or talking to me on the safe communities task force about .08 to .05. The safe communities task force was set up to do some consultation.

They have a whack of money in the Safe Communities Secretariat. They must have the data to prove that this is something that really needs to be done over more mental health beds, more drug and alcohol beds for our kids that are suffering from drugs and alcohol. I mean, there are 27 recommendations that I think the dollars can be used for that would give us a bigger impact.

Mr. Speaker, I'm looking forward to hearing what the government has to say, and at that point I'll sit down and listen.

**The Speaker:** Other questions under this segment of Standing Order 29(2)(a)?

There being none, shall I call on the hon. Member for Edmonton-Highlands-Norwood?

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise and speak to Bill 26, the Traffic Safety Amendment Act, 2011. The genesis of this bill was apparently the meeting between our current Premier and the Premier of British Columbia just actually a few weeks ago. The Premier of British Columbia talked about the legislation that they have in that province and the impact that it has had. Based on that conversation apparently this legislation was initiated and has been brought forward.

Now, Mr. Speaker, the question of impaired driving and the sorts of things that we see there are very concerning. I think we're all justified in having a grave concern for innocent people who are injured or killed as a result of drivers whose judgment and reaction time are impaired by alcohol or by other drugs. It's a very serious thing. I want to commend the work of police services around the province and also citizens' organizations such as Mothers Against Drunk Driving, that have done such a good job in raising public awareness.

We have made steps towards dealing with this. I remember – I'm now old enough to remember – as a young person how common drinking and driving was and how different the attitudes were towards it than today. I think we have done a good job in shifting attitudes towards impaired driving. I think that any carefully thought out steps that move us towards further reductions in the incidents of drinking and driving are good and should be supported.

The question really is whether or not this is part of a careful analysis of the problem and a carefully thought out response on

the part of government. I'm afraid to say that I am concerned here that this is something that has been done more for political reasons; that is to say, to appear to be doing more without necessarily taking the best approach that minimizes the harm caused by impaired driving.

Now, it's a characteristic of Conservatives – and apologies to my friends in the Wildrose, who are really conservatives, and some of my colleagues across the way, who are conservatives, but not the Premier, who's definitely not a conservative, in saying this. Nevertheless, the Premier shares one thing in common with real conservatives, and that is that she believes one of the answers to changing public behaviour is to increase the penalties. We can see this with the federal government in Ottawa with their bill – I think it's Bill C-10 – jacking up penalties on all kinds of things because Conservatives believe that if you lock people up for longer, you will prevent the behaviour that you want to prevent. It's a very simplistic view. It's a view that's contained in part in Bill 26.

In my view, reasonable penalties with a great chance of being caught and convicted if you're guilty of the offence are a stronger deterrent. Public education is very important as well. There are a number of components that we need to take into account when we're trying to change behaviour in society that has negative consequences. Certainly, drinking and driving is one of those things.

I want to just suggest that there's a difference between increasing penalties and increasing enforcement. A number of members have talked about the fact that the most serious threat to people in terms of impaired driving comes not from the people in the category of .05 to .08 but from repeat, chronic drunk drivers whose blood-alcohol levels are much higher. That being the case, you would think that the government, if they were carefully analyzing the problem and identifying where the real source of the threat is, would identify that and would bring forward some legislation or some program to deal with that. To me, increased enforcement is, in fact, what we need to do to get the chronic, repeat drunk drivers off the road. I think the government should focus on that. That's something that's within their jurisdiction, which leads me to a second concern.

The federal government has jurisdiction over Criminal Code offences, and they have brought in Criminal Code offences making it a crime to operate a motor vehicle if your blood alcohol is .08 or higher. The provincial government is proposing bringing in administrative penalties for individuals who do not meet the threshold set in the Criminal Code. I think that that's an issue. I think that's something that we should be prepared to talk about.

The other aspect about this: like other bills this government has brought forward in the past, there are administrative penalties applied directly by law enforcement officers without the benefit of a trial taking place. A trial eventually takes place, but the penalties are imposed before, and that is a problem.

**The Speaker:** Excuse me, hon. member. You will be recognized to participate at the juncture of your speech when the Assembly next comes back to this matter, but right now the Assembly stands adjourned until 7:30 this evening.

[The Assembly adjourned at 6 p.m.]









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday evening, November 23, 2011

Issue 40e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 23, 2011

[Mr. Zwozdesky in the chair]

### Government Bills and Orders Second Reading

#### Bill 25 Child and Youth Advocate Act

[Adjourned debate November 23: Mr. Hinman]

**The Acting Speaker:** Is there anyone who wishes to speak to this? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Speaker. Through you and to all members of the astute Assembly gathered here tonight I'd like to provide a little background information for our online pay-per-view participants tonight in the WNFC bout that we're about to undergo, the Wednesday night fight club edition of the ADD, Alberta darkness democracy, debate. Our first contested bill is Bill 25, the children's advocate act. In the blue corner, weighing in at a combined weight of several thousand pounds, representing the pro/con Conservatives, the tag-team Tories, we have our wonderful individuals. Over in the red and currently orange corner we have the democratic Liberals, and I'm sure we'll be joined soon by the wild Albertans. [interjections] I'm being called for relevance.

It's important, hon. member, that those who choose to participate with us tonight, whether online or in spirit, understand the rules. I want to welcome to our square circle our newest referee. Wearing black and white and carrying the whistle for this government's activities and representing all members is the hon. member, the mighty member from Mill Creek. Without further ado, let us get the match going.

Now, the hon. member who smiled – and it's a nice way to begin – the hon. Government House Leader, yesterday mentioned that Alberta was the first jurisdiction to have a children's advocate. That's extremely worthy of note, Mr. Speaker, but also worthy of note, and what Bill 25 is all about, is that finally we're going to be the last province to have the children's advocate report directly to this astute Assembly. For that I am very grateful.

Mr. Speaker, having talked to a number of front-line workers, they have been concerned that previously the child advocate has been muffled. The feeling from front-line workers who have tried to have issues raised previously was that there was a type of whitewashing going on. Examples that came to mind that were very specific were children who had physical or mental disabilities and were placed in foster homes that did not have the understanding or capability to provide them with the greatest degree of care. The children's advocate was not able previously to do his job, and that was to advocate for all children.

Mr. Speaker, as you and the members of this House well know, the most significant portion, grossly overrepresented, of children in the system are First Nations children. Currently their participation in the new Ministry of Human Services is 67 per cent, and that participation rate for aboriginal children is slated to go as high as 70 per cent next year. So the advocacy role is extremely important. Aboriginal children or aboriginal First Nations individuals, being the fastest growing portion of the population, currently represent only 12 per cent of the population, but as I indicated, they are vastly overrepresented by the number of children who have been taken into care or custody. So I am

hoping that one of the major roles, when the restraints are taken off the child advocate, is that they will be able in good conscience to report their concerns directly to the Assembly.

Over the last 10 years over 60 children have died while in the custody of this province, Mr. Speaker. The majority of those children, again, who have died or been injured severely have been aboriginal children. I'm not suggesting that the children's advocate immediately but potentially at some point in the future be considered for a qualified First Nations' representative who has a cultural understanding of the circumstances and is able to speak for all children. It is just a thought. I don't believe in special minority provisional circumstances, as we have seen in the United States, but it would be worth considering. We definitely need to have more First Nation front-line workers in the Ministry of Human Services. That's a thought I wanted to put out.

Mr. Speaker, I am hoping, as I say, that the children's advocate will have an unfettered opportunity to report unfiltered to the Assembly. It's a difficult position in the sense that the government is the person who provides the employment and also the remuneration for this person. Hopefully, the individual that takes on this position is sufficiently strong and their integrity unquestionable so that they can stand up and reveal circumstances that have previously not been permitted.

Far too often, in the name of protecting the child's family or the child itself, even though they have been killed in the system, the details surrounding the death or injuries have been withheld. Now, Mr. Speaker, it would not be necessary for the name of the child to be revealed, but what we have currently is a two-tier information system. For a child who is injured but not a part of the provincial care system the details of their injury – even their name, their family, and their circumstance – is revealed. We learn something from that experience, which we, hopefully, going forward can prevent. This, of course, is a significant role of the children's advocate and what Bill 25 is recommending. Hopefully, that opportunity will be provided, and the children's advocate can look more closely into cases where children have been injured and provide advice going forward so that we can prevent future instances of not only death but also of injury. Currently that's not possible.

The government has hopefully turned a new page with the creation of the Ministry of Human Services, which in-house is referred to by front-line workers as the ministry of humongous services. But I am hoping that it will become a one-stop service provision place for individuals, in this case children in need.

Mr. Speaker, children have been warehoused previously in hotels. We know that there's a shortage of group homes. I'm not sure to what extent the children's advocate can change our current system. Obviously, we need greater provision for particularly troubled youth. But I'm hoping that in their advocacy, in their reporting directly to the Assembly, we will have an opportunity to participate more directly in improving the conditions of Alberta's children.

7:40

I support the direction of this legislation, Mr. Speaker. I believe the hon. House leader suggested that the position of children's advocate was first created in Alberta in 1989, and here we are basically 20 years later and finally catching up with the rest of the provinces who initially followed our example. I suppose the expression "better late than never" applies to this circumstance, and therefore I welcome the notion of the improved transparency and accountability provided by the children's advocate being able to report directly to our Assembly.

Mr. Speaker, children are among our most vulnerable. That's an obvious statement. But there are other vulnerable individuals, seniors and those on AISH, and we need to have advocates for them. We need to have the same type of independence for seniors' representatives and for the disabled. Bill 25 is a good first start, and it's a great way to kick off tonight's debate.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. Any questions or comments regarding the previous speaker? None? Okay. We'll proceed, then.

The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to stand up and support the government's Bill 25, the Child and Youth Advocate Act, 2011. I want to compliment – I'm sorry he's not here – the hon. Member for Calgary-Glenmore on his speech on this this afternoon. It was eloquent and very touching.

I just wanted to quickly give my support for it. I do have one comment on it that I am worried about, though. I guess in committee, maybe, we can get some clarification on this issue. One of the positive things that this bill does is that it makes the youth advocate specifically accountable to the Legislature as opposed to the cabinet, as opposed to the government, which is a very good step. But I am worried that if that's what we're going to do, then I think that we should make sure it is the Legislature that chooses the children's advocate under this legislation.

I don't think we should just transition the current one, who was not picked by the Legislature but picked by the government, by the minister. It's nothing against the individual. The individual might be fantastic. That's the point. We don't know. If we're going to make this person an officer of the Legislature, then I think that it's critical that they be truly accountable to the Legislature and chosen by the Legislature. We'll bring some amendments forward when we get into committee on this to see if the government is willing to entertain that possibility.

I would like to note that our party, the Wildrose, has been calling for an independent advocate reporting to the Legislature for some time. We released our policy on this a while back, and it's something that we've been pushing. Clearly, the hon. Member for Edmonton-Strathcona has been pushing it longer, and I certainly congratulate her.

**Ms Blakeman:** We had a private member's bill.

**Mr. Anderson:** I'm informed that the Alberta Liberal caucus has also been pushing this as well. That's great. This is a good-news story for them and a good-news story for everybody in the Legislature because it's long overdue. That's a very positive piece of this legislation.

We're also calling for a better sharing of information between public bodies and clarification around issues of confidentiality on issues involving children. We hope that the government will take a look at that.

There are many issues that still need to be dealt with, but we certainly believe that this is a positive step. I hope that in committee that we can really hit this one out of the park as a House by making sure that the person who becomes the Child and Youth Advocate will be someone that is chosen by this Legislature. That is really my only caveat to supporting this bill, but I will be supporting it in second reading and would hope that all members will do the same.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available should anyone wish to pose any questions or comments to the previous speaker. The hon. Member for Calgary-Mountain View on 29(2)(a).

**Dr. Swann:** Yes. Thank you, Mr. Speaker. I would appreciate the comments of the hon. member on the existence in the act of the council for quality assurance, a council appointed by the minister to review quality in child care. One of the members, I understand, would be the advocate on that council. Should there come a time when a public inquiry might be needed for children in care, what is your view of the need for an independent body, new powers to that quality assurance council? Do we need a new act to empower them to do public inquiries on children and the sensitive issues around the poor outcomes of children and families?

**Mr. Anderson:** Well, you know, I think it's clear that the Child and Youth Advocate needs to clearly have the ability to call, if the need arises, a public inquiry. I'm not really sure how that would be best conducted in legislation. We do have the Public Inquiries Act. Of course, that can only be called by the government, by cabinet. They have to call that, so I don't know if that would necessarily be the right avenue in this case.

I guess I would say that, you know, the critical thing here is that when it comes to the safety of our children, when it comes to their welfare, we have to make sure that this individual, who is essentially their protector after families have failed or after there's been a failure or a breakdown in that child's immediate family circle, is the last line of defence. This Child and Youth Advocate is really the last line of defence. So if there is a systemic issue occurring that is endangering children's lives, then I think that it's critical that they have that power, that this person has the power to call a public inquiry independently.

Now, I don't know what criteria that should include and so forth, but I look forward to hearing your comments in committee, when we get there, as to how you would see this taking shape.

Thank you for the question.

**The Acting Speaker:** Thank you.

Anyone else under Standing Order 9(2)(a)?

If not, we'll entertain any other speakers on Bill 25. The hon. Member for Edmonton-Strathcona, then.

**Ms Notley:** Yes. Thank you. It's a pleasure to be able to rise and speak to Bill 25, the Child and Youth Advocate Act. This is a very important bill, and it's one that I have devoted a great deal of time to addressing since I was first elected three and a half years ago. It raises a number of very important issues because, of course, it circumscribes some new initiatives on the part of the government to potentially enhance or give some support to what is an otherwise failing system in terms of ensuring proper attention to our children and youth in care.

7:50

My concern about the bill, though, is that – well, let me back it up a bit. You know, as an opposition member there are times when you spend a lot of time raising issues with the government, critiquing the government, raising public awareness about issues that the government would otherwise not have fully debated within the public sphere. And there are times when you question: well, how does that actually change the agenda? Does it or doesn't it? And you like to at times convince yourself that maybe the government has moved a little bit in reaction to some public opinion that you may have had a role in swaying or generating.

For the most part it's few and far between that opposition members are able to look at a piece of legislation and think: oh, well, I had a hand in ensuring that this is here. I have to say that I think that on behalf of the NDP caucus Bill 25 is probably an exception to that rule in that I think we probably did have a hand in ensuring that this bill is here by creating a sufficiently broad-ranging level of concern amongst Albertans that it became one of the issues that the newly elected Premier decided to talk about in her campaign.

It's a long overdue issue. Other provinces have had independent child and youth advocates for up to decades, and it has been really a blight on this province that we've not had an independent Child and Youth Advocate. So when I heard that this bill was coming forward, I have to say that I was incredibly encouraged and very, very pleased to see that, finally, after stating the obvious repeatedly to a point where it must have been – I can't imagine that it wasn't – somewhat embarrassing to the government, they decided to move forward on this piece of legislation.

It was then, I have to say with some profound disappointment, that I finally had the chance to sit down and read through the legislation in its entirety, and I discovered how the government had structured this new piece of legislation. I was really quite disappointed. Those folks over there like to talk about made-in-Alberta solutions, but I have long since come to the conclusion that made-in-Alberta solution is Toryspeak for "our extraspecial way of ensuring that we stay in power," and "We don't do as good a job as we could otherwise for the voters of Alberta." That's what made-in-Alberta solutions tend to mean when those guys over there talk about that. Unfortunately, Bill 25 is exactly that all over again.

Now, I know that the members over there have been around long enough to understand what the concept is of an officer of the Legislature, and I think that we've all been elected long enough to understand that an officer of the Legislature is important because they are appointed by and are accountable to this body. In theory that ensures that we actually end up with an independent person who is slightly less intimidated to speak out on issues that might embarrass the government and, in so doing, to represent and fulfill their mandate as set out in their legislation. That's why it's so important that an officer of the Legislature be selected by the Legislature. That's why I was so incredibly disappointed to discover that, no, what we have is a made-in-Alberta junior officer of the Legislature piece of legislation here.

What we're doing is that we are not having an officer of the Legislature who is selected by Legislature. No, Mr. Speaker. We are creating something which I think may or may not even be entirely constitutional. I'm not sure. We're creating an officer of the Legislature who is selected by the minister behind closed doors. Five years from now we will get an officer of the Legislature in reality, but what we're going to get right now and for the next five years is an officer of the Legislature who while they may answer to the Legislature has been and will be appointed by this government behind closed doors, by Tories, without a transparent process.

So we have no idea whether the current Child and Youth Advocate, who by virtue of, I believe, section 24 of this act will become the Child and Youth Advocate, meets the requirements of ensuring the independence and the transparency and the backbone that is required to ensure that they speak up in favour of and on behalf of some of the most voiceless Albertans that we have in the face of a 40-year-old government that's awfully darned sure of itself, that in other forums is currently being investigated for a variety of different intimidation tactics.

Instead, what we have is a career bureaucrat, from what I can tell, whose expertise arises from having faithfully served within the bureaucracy for many, many years in a different province. There is no indication that the child advocate we have now has any record of ever going against the grain, of ever standing up publicly when it's difficult, of ever risking the negative reaction of their boss or the media or anybody to whom they are accountable because it's the right thing.

There are certain people out there that have that in their background, and you can count on those people to stand up for people without a voice. But that's not the criteria that was used to select the Child and Youth Advocate that we currently have; therefore, that is not the criteria that will have been in play when the government behind closed doors at the direction of the previous minister selected this advocate. And now this advocate will be in place for five years.

What this legislation actually is doing, folks, is giving us an independent officer of the Legislature five years from now. In the meantime it's giving us a career bureaucrat who happens to have the title of independent officer of the Legislature between now and then. That sounds just really very typical of so many of the promises, the so-called promises, that this Premier has moved forward on. When you get to the fine print, you discover that it's not exactly what they're calling it. It's not exactly what they're calling it.

Yes, this new advocate, hired by the former minister of child and youth services behind closed doors with no transparency and no accountability, will now be accountable to the Legislature. But a lot of it comes down to whether they were hired for that purpose in the first place. And they were not hired for that purpose in the first place, so we have no idea whether this person is going to be able to carry on that function. We really have an unfortunate, disappointing shell of an advocate.

Now, frankly, if that issue were fixed, I could get over my other concerns that exist in the act, because I do have other concerns about what's in this act as well. If that's not fixed, I cannot support this legislation because this is not an officer of the Legislature, and this government has not fulfilled the promise that the Premier made during her campaign. It will be yet another broken promise. So if that's fixed, I can probably get over my other concerns.

Let me talk a little bit about some of the other concerns that I think also compromise this process. The first one is that the scope of authority of this new advocate – and let's talk about the advocate that we're going to have five years from now, the independent advocate that the Legislature will select in five years. That advocate even then will not have the scope of review that other child advocates have in other provinces. Their ability to engage in systemic review will be limited to those occasions where there has been a serious incident or, heaven forbid, a fatality.

That's a concern because the idea is that we are engaging in a preventative activity. Why do we have to wait for the system to go so terribly wrong that a child almost loses their life or does lose their life before this advocate will have the capacity to engage in a systemic investigation that might well alert the members of this Assembly to some emergent changes that need to be made before somebody dies or is seriously injured? I'm very concerned about the mandate that is being given and the limited nature of that mandate as it relates to other children's advocates across the country.

8:00

Another concern I have is the ministry of children and family services' version of the quality council as it currently exists. Now, it's a great idea to get together a bunch of experts to review things periodically. That's lovely. There's a certain amount of accountability there, I suppose. But, again, that group will be appointed by and subject to the direction of the minister. That group will work day in and day out with that child advocate, who will be part of that group, and that group has actually greater ability in terms of the scope of their mandate to engage in systemic investigation.

I am very concerned that we're going to have the kind of scenario where you see a tragedy like any of the ones that we probably heard discussed by members on this side of the House over the course of debate about this bill. We might find ourselves in a situation where there's a tragedy like that, and people go to the advocate and say, "Are you going to investigate it?" and the advocate is going to say: well, you know, the internal council is investigating it right now, so I don't want to interfere with that. So it's going to be used as a cover for a period of time. Then that council will write a report, and that council will be filtered through and managed by the minister's office. Then when that report is released, the advocate will say: well, you know, I'm satisfied by the report of the council; I don't think I need to do any further investigation.

This internal council structure is, again, as far as I can tell, the only one of its kind. We have not felt the need to set up a minister-appointed babysitter for our children's advocate in any other province in the country, yet we've decided here that we need to have a minister-controlled babysitter of our children's advocate, the one who five years from now may actually be truly an officer of the Legislature. I'm concerned about why that is, why it is that we just can't let the children's advocate be appointed and selected by the Legislature and then have a broader mandate and then function independently, just like the children's advocate does in other jurisdictions across the country. Why do we feel the need in Alberta to come up with a made-in-Alberta solution that undercuts the public trust that will be put into this advocate for the next five years and undercuts the independence, I would suggest, of the advocate indefinitely through the functioning of that council?

I appreciate that the government was open enough to our concerns to be interested in creating the title and creating the impression that they have created an officer of the Legislature who will stand up for children in Alberta. I just wish that they had been more committed to actually doing it, and I just wish that we didn't have to wait five years to have the real thing actually come into play.

With those comments in mind, I certainly look forward to the opportunity to engage in further debate and opportunities for amendments to this legislation in order to ensure that perhaps the government will improve it while we debate it over the course of the next few days and accept some amendments that might actually result in improvement, specifically to change the appointment process and to ensure that the mandate is expanded to match that of other children's advocates across the country.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available. Through the chair, please. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. To the Member for Edmonton-Strathcona. That's a good point, especially around the transition and the time period. Yes, I think that is fairly simply dealt with in that it could be referred through to the Legislative

Offices Committee to review the current person's resumé or something and then refer it back to the Legislative Assembly rather than just putting in a transitional clause that says that the guy that has it now is the one that's going to have it because it means that we do have five years where we have an officer that is not the same as the rest of the officers under the Legislative Assembly Act.

The question that occurs to me is that when you actually read section 2(1), the appointment of the Child and Youth Advocate, it does not refer in any way to the Legislative Offices Committee doing the recruitment and interviewing and process and the recommendation to the Legislative Assembly. That piece is missing, and that's what I was looking for in the rest of the act. When it refers to the standing committee, which clearly in this act refers to the Standing Committee on Legislative Offices, is there some clause in here that says that the committee will hire or will – what's the word I'm looking for? – vet and go through the process with the next one? It doesn't.

It refers to: "The Lieutenant Governor in Council," which is cabinet, of course, "on the recommendation of the Legislative Assembly, must appoint a Child and Youth Advocate to carry out the duties and functions set out in this Act." Does this mean, then, in the opinion of the Member for Edmonton-Strathcona that, in fact, we might never have one that goes through the same process as the other officers of the Legislature: the Chief Electoral Officer, the Ombudsman, the FOIP Commissioner, the Ethics Commissioner, and the Auditor General? To me, it looks like this is somehow coming through the Legislative Assembly, but there is no mention of the standard process from the Standing Committee on Legislative Offices. Given this Assembly, it means that it's a government appointment because the majority vote in this Assembly is always a government majority vote. That's essentially saying that as long as this thing is in play, that's how it's going to happen. So I'm wondering if the member has a comment on that.

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

**Ms Notley:** Thank you. In fact, I mean, section 2 as a whole, it's my understanding based on our researchers, mirrors the language used with respect to other officers of the Legislature in that when it says "on the recommendation of the Legislative Assembly," the Legislative Assembly has its own processes for how they make recommendations. The processes are to go through the Leg. Offices Committee and create a subcommittee and yada, yada, yada. So I think that section 2 is fine because it mirrors the sections that you would find governing other officers of the Legislature. That piece is fine.

It's section 24 that is the concern because section 24 states that the current Child and Youth Advocate will be "deemed to be" the Child and Youth Advocate, and then it talks about a term of up to five years. That's the concern, that the Child and Youth Advocate will for five years not be an independent officer of the Legislature.

I see the Government House Leader shaking his head, so presumably there will be amendments proposed to clarify that the legislation does not currently allow the current Child and Youth Advocate to remain the advocate for up to five years.

**The Acting Speaker:** Thank you.

Hon. minister, before you speak, could I just remind members that we're in the second reading of this bill, and the thrust of second reading is to discuss the principle of the bill. The clause-by-clause discussion and debate, of course, will occur in committee. I'm just reminding everyone.

The hon. minister, please.

**Mr. Hancock:** Mr. Speaker, I'm wondering if I might ask the hon. Member for Edmonton-Strathcona why she would interpret the act the way she does when I think it's very clear. There are two sections of the act that are applicable. Section 2 allows for the appointment of the advocate as an officer of the Legislature. She's quite right; that's the same type of phrase as you'll find in the Ombudsman Act or others. In other words, the Legislature itself sets this process and has a Standing Committee on Legislative Offices that does that process. So that would be done in exactly the same way.

Section 24 is a transitional provision to make sure that there's no vacancy in the office. The current advocate becomes the new advocate. Now, there's nothing that prevents the Legislature from deciding that it wants to appoint a new advocate because this advocate appointed under 24 is in place until a new advocate is appointed. I wonder why she doesn't read it that way.

**The Acting Speaker:** Thank you.

Are there other speakers to Bill 25 at second reading? Section 29(2)(a) has expired. Any other speakers?

Seeing no one, I would ask the hon. Minister of Human Services to close debate should he wish to do so.

**Mr. Hancock:** Thank you, Mr. Speaker. Very briefly, I think that this is a timely act. We've had a Child and Youth Advocate in this province for quite a number of years, but I think it is timely that the Child and Youth Advocate become an officer of the Legislature. It creates a more open and transparent process, and I believe the public will have a greater degree of confidence in a Child and Youth Advocate appointed in this way.

**8:10**

The serious incident review committee, the quality council, if you will, is a very important addition to the process to make sure that whenever there is a serious incident, we can learn from it, we can improve the process, and we can improve the system. I would disagree entirely with the hon. Member for Edmonton-Strathcona when she says that that's a babysitting committee. I think that's a very unfair characterization, unfair to the advocate because the advocate's powers are clear. The advocate clearly has an independence and authority quite separate and apart from the quality council.

To make sure that the advocate has access to everything that the quality council has, the advocate is appointed as a member of the quality council, but it clearly doesn't fetter his or her discretion or ability to deal with any issue that they wish to within the powers and authorities that they're given. So this is a very good step forward, a very important piece of work.

Again I would respond to the concept that section 24 appoints the existing advocate for five years. It does not. The act clearly puts the authority in the Legislature and, presumably, through the Legislative Offices Committee to appoint an advocate any time it wants to. The transitional provision in section 24 says that the current advocate remains the advocate until such time as the Legislature appoints an advocate.

Now, the current advocate does have a four-year contract. Apparently he started in June, as I understand it, so my hope would be that people would be reasonable about the process. The person has been asked to come to Alberta to do a job. My hope would be that he would be able to continue to do that job for the balance of his contract unless Leg. Offices, in reviewing his performance, decided that they wanted someone different. But it is entirely up to Legislative Offices to decide when and if they want to start that process. That's very clear in the act.

With those few comments I would recommend to the House that we pass the act for second reading and move quickly to establish an independent Child and Youth Advocate in Alberta, establish the quality council in Alberta, and get on with making a much, much better system for the protection of children in Alberta.

[Motion carried; Bill 25 read a second time]

## Bill 26

### Traffic Safety Amendment Act, 2011

[Adjourned debate November 23: Mr. Mason speaking]

**The Acting Speaker:** Is there anyone else who wishes to speak? We'll go to the hon. Member for Calgary-Varsity, please.

**Mr. Chase:** Thank you very much, Mr. Speaker. I appreciate the intent of Bill 26, the Traffic Safety Amendment Act, 2011, but I want to provide some caution and concern as to how the intent to save lives may catch the wrong individuals. If I were to use sort of a seafaring, ocean analogy, what we want is a gillnet rather than a dragnet approach. We want to get the specific offenders who are causing the damage, who are over the limit and causing the accidents. We don't want a dragnet approach where a soccer mom – we'll use that term – who has had a glass of wine at dinner and is driving home gets pulled over, has her car taken away and her licence suspended.

To bring another analogy to it and more of an Alberta analogy, is this bill going to serve as a clear-cutting, where the entire forest is taken down, at the .05 level? Or is it going to be applied selectively to those people, such as with our legislation on distracted driving, who come to the attention of a peace officer and, therefore, because of their distracted nature they are pulled over and dealt with? Bill 26 may be the equivalent of a sledgehammer when a watch tinker's hammer is required.

Mr. Speaker, I am concerned about how widespread this particular bill is. You've heard me speak on numerous occasions in favour of distracted driving, wanting to go beyond just the hand-held to the hands-free device because it was the mental activity that was impeded as opposed to just the physical activity, and of course impairment, obviously, is impairing a person's mental capacity and physical ability to safely operate their vehicle. But where we need more support is on the front line. We need more police officers conducting roadside checks to make sure that the individuals that cause the most danger and havoc, the ones that are driving without insurance, the ones that are blowing well over the .05 and causing the concerns, are dealt with.

The other group besides the chronic drinker and driver is the youth of Alberta. The 18- to 24-year-olds, next to the chronic drinkers and drivers, are the ones most likely to run into trouble based on poor judgment, and I'm not sure that Bill 26 provides the education element that would correct that poor judgment. I've previously spoken in this House about some of the poor judgments I made as a youth and the fact that I learned very early on, and thankfully without injury to myself or to others, that alcohol and steering wheels don't mix.

What I would like to see that currently isn't in Bill 26 is a greater education process such as the PARTY program that we see for grade 9s. I would like to see that expanded to deter young people, through an education process, from overconsumption and then getting behind the wheel. Now, the hon. Deputy Premier in debate can explain why he sort of pooh-poohed the idea of the PARTY program being extended, and I look forward to his

explanation. Mr. Speaker, we need two things to happen. We need to be proactive, and that is the education component, and then we need the appropriate enforcement.

We have, obviously, seasonal road checks, and they do capture some of the individuals. I'm thankful for that. But in order to save lives, we have to change attitudes, and changing attitudes is the hardest part of this circumstance. Initially taking away a person's car and their licence because they are at the .055 or whatever point above yet are still able to safely operate their vehicle is a concern. Also, Mr. Speaker, depending on our body size or body chemistry, our tolerance for alcohol varies. So from a human rights point of view potentially this bill is discriminatory for either a smaller built individual or, for example, a woman who is of a slight nature.

8:20

Mr. Speaker, because at a very early age – as I've explained, I'm basically a teetotaler. There is a large part of me that says: "Whatever we can do to eliminate drinking and driving, go for it. Be as punitive as possible." Even on the punitive end Bill 26 doesn't talk about demerit points; it does talk about certain licence restrictions. But just as the distracted driving law doesn't take points off your licence for your bad behaviour, this Bill 26, in its first stages, can be a momentary infringement as opposed to a proactive, permanent solution.

Now, there are some very interesting statistics that came out of B.C. that I'm sure our Premier looked at when considering this legislation, and that was that over a five-month period the number of people killed in alcohol-related circumstances dropped from 45 to 22, which is significant. What is missing is the degree to which the person was at .05 or higher when these fatalities occurred.

It seems to be, from the limited opportunity I've had to speak with emergency physicians, that this bill may be directed at the wrong people. What we need to be clearing off our roads are the unfortunate habitual drinkers and drivers. Bill 26 applies the same sort of expectation across the entire population but does not significantly focus or provide that pincer directed at the worst offenders. Yes, the repeat offenders will have the equivalent of a lock mechanism put on the car after their second offence so they have to blow before they can start their vehicle. That's important, but so much of this is after the fact. The damage has occurred.

I'm very anxious to put in the proactive part of the bill: get across the idea that drinking and driving is not only foolish; it's a critical concern. When things are done properly – I reference the PARTY program in junior high school – kids do start to get it. Mr. Speaker, you and I have kind of a common background. We know what our students are capable of. They in general have the capability, the intelligence, the understanding right at the junior high level and take it down to the elementary level. Elementary children, I know very well from my grandchildren, can give their granddad or their mom and dad a terrific scolding if they figure the behaviour that they're demonstrating is inappropriate. Deal proactively in the schools in larger community circumstances about the dangers of drinking and driving and potentially that one drink is too much.

Currently in the restaurants the portions that are served in a glass of wine are six ounces or nine ounces. You're offered that choice when you go to The Keg, for example, or any other restaurant. For a small woman or a light-framed youth that six ounces puts you over the .05.

Mr. Speaker, while I appreciate the intent, I think there have to be amendments to ensure that the scope of this act deals with the problem as opposed to just catching a whole variety of people in the net in an inappropriate fashion, a balance of a person's human rights and safety, the avoidance of carnage on our roadways.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available for any questions or comments pertaining to the previous speaker. The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. The hon. member pointed out that I was opposed to some PARTY thing or something. I have no idea what he was talking about. Frankly, I don't like to be accused of something when it's not true. I'd just ask the hon. member to clarify his remarks if he may, please.

**Mr. Chase:** Thank you very much, hon. Deputy Premier. I'm sorry. Potentially what happened is that you were caught in that larger net which I was describing. I interpreted the laughing or the joviality associated at the same time as I mentioned the PARTY program in grade 9. Potentially you were receiving a humorous anecdote from the Minister of Energy, and your joviality had nothing to do with the mention of a very good PARTY program. If you were caught up in that large net, which to me is a concern, I apologize for having caught you inappropriately.

**The Acting Speaker:** Thank you.

Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. That is truly an example of making an assumption when it isn't warranted and looking at something that isn't true and putting it on the floor of this House as a truth. I am not opposed to any of the programs that would keep our young people from drinking or driving under the influence of any of those substances that we want them to stay away from. Indeed, I've often and always told my kids: if you're going to drive, don't drink. It won't have any effect on any of these bills that we're doing because if you don't do the crime, you don't need to worry about the time.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is still available. Hon. member.

**Mr. Chase:** Thank you. I very much appreciate that clarification. I am sorry for, as I say, having miscaught you. Hopefully, as part of the magnanimous catch-and-release program, you'll accept my apology for misinterpreting your actions during the discussion of the party program.

I know you're a father. I know you care. I have similar concerns for my own family and the well-being of my grandchildren. I appreciate your clarification. Thank you for straightening out myself and this House.

**The Acting Speaker:** Thank you, hon. Member for Calgary-Varsity, for your clarification and your apology.

Are there any others under 29(2)(a)?

Seeing none, I would then ask for Calgary-Glenmore to rise and speak, please.

**Mr. Hinman:** Well, thank you very much, Mr. Speaker. I'd like to recognize you and congratulate you on your sitting there in the chair. I appreciate the efforts that you make to ensure the proceedings go forward in a fair and equitable way.

**The Acting Speaker:** Hon. member, just before you proceed, might we just interrupt you briefly to revert to the introduction of visitors quickly? Does everybody agree?

[Unanimous consent granted]

## Introduction of Guests

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Cross.

**Mrs. Fritz:** Thank you, Mr. Speaker. May I begin by saying that it's good to see you in the chair this evening.

Also, something else very special has happened. We have three young guests here in the audience. It's a pleasure to see you here as well. I just noticed that they've arrived here in the Legislature. The one person I'd like to introduce that I personally know is John Hampson, who is visiting here this evening. John, as some of you may know and recognize, worked as a summer student in the former ministry of children and youth services and was very highly regarded for the good work that he did there. Just as importantly, though, John was a very strong contributing member of the Youth Secretariat with the ministry of children and youth services. John, I welcome you, and I welcome the two other guests that are here with you this evening as well and would ask that you please rise and receive the warm welcome of the Assembly.

**The Acting Speaker:** Thank you very much, hon. members, for that courtesy.

8:30

## Government Bills and Orders Second Reading

### Bill 26

### Traffic Safety Amendment Act, 2011 (continued)

**The Acting Speaker:** Please, could we ask Calgary-Glenmore to continue with his comments?

**Mr. Hinman:** Well, thank you, Mr. Speaker. It's always nice to have visitors here in the House to watch the proceedings as they go forward.

I'd like to take this opportunity to talk about Bill 26 in second reading. I guess I'll start off by saying that I understand the intent. I think the intent is admirable, but I'm very concerned about the consequences and what we're really trying to accomplish in this bill. To read from the government's press release on the 21st of November, it says:

With 96 deaths and 1,384 injuries caused by impaired driving on Alberta roads last year, Alberta has introduced new legislation aimed at improving safety on the province's roads.

Bill 26 . . . introduced in the Alberta Legislature by Transportation Minister . . . imposes tougher sanctions on impaired drivers, especially repeat offenders.

That is excellent to that point. The problem, as the Member for Calgary-Varsity just pointed out, is that it's stated here that it's supposed to go after impaired drivers. Impaired driving, to my understanding, at this point in Canada is over the blood-alcohol level of .08, but there's a lot of content in this bill that talks about below .08. I'd like to talk a little bit about that at this point and my concerns and perhaps more especially the Albertans who have contacted me.

I just spent the last hour and 40 minutes over at the U of A talking to a class there about government, about laws, legislation. I asked them if they thought we should lower the blood-alcohol limit to .05. I thought there might be a little bit of discussion on it, but it was unanimous. They all said no. We talked a little bit about the science of it and why they thought so. The key is that the studies – and again I'll start, I guess, by saying that this really should go to committee, I believe, because we need to do more research on this. If there's something new or new evidence that

I'm not aware of, I would change my position, but my understanding, Mr. Speaker, is that .08 is the legally impaired level of driving, where the laws of the land say that you're impaired and that you're not to drive at that level. The biggest content of this bill is more about the .05 to .08, and that's a concern.

The intent. We've all heard that story that with good intentions we've paved the road to some destination that we don't want to arrive at. I feel that this is a lot of good intentions, but when we arrive at the end, we've put a lot of people at that destination that they don't want to be in when I don't think they've done anything illegal or really endangered others around them. That's the question and what the debate should be.

I was disappointed to be down in the press room this afternoon to listen to our Premier talk about this to the press. She said that she wants this passed by Christmas. What was interesting to me is that she said: we had a robust discussion in caucus. We talk about free votes, but I'm going to be amazed – I am personally going to be amazed – if there is one member, let alone 10 over there, that's going to stand up and vote against this. The Premier talked about a robust discussion and about a more honest, a more open, a more transparent government, yet I will bet they're going to be whipped, and they're all going to vote for this because they've lost that discussion in caucus, where they say that the democratic process really takes place in the province of Alberta.

Again, I look at that as another broken promise to Albertans. This isn't more open and transparent. I do hope that I am wrong on this in the next few days. Again, the velocity at which she's pushing these bills through concerns me greatly. We're not doing the research. We don't have the evidence being brought forward to say that this is what it is. If we did, I think that the federal government would be coming in with a law saying that we need to reduce the impaired level to .05, and they would present a case, but there's been no case presented. It's kind of interesting.

Again, because of the speed at which this stuff is coming forward and the size of our caucus and the funding to our caucus, we don't get to do the research that we'd like to, so sometimes we have to take things at face value. I don't have time to double-check it, but according to the stats that I've been given, Mr. Speaker, only 2 per cent – 2 per cent – of the fatally injured drivers who were tested were in that .05 to .08. So when you take these numbers that we start with, the 96 deaths and the 1,384 injuries, and go by 2 per cent, in my opinion we are running after pennies when there are gold coins rolling along the ground beside us. We're focused on these pennies when the bigger problem or the bigger opportunity is being missed.

There have been many members that have talked eloquently about the importance – and this is where it really is – of enforcing the laws that we have in our land now. I am confident that if we were to ask, there is nobody in here – we would vote unanimously – that wants drunk or impaired drivers on the road. The Minister of Education then got up and said: well, there's zero tolerance. Then let's pass the legislation if that's what our intent is, zero tolerance, but I don't believe that is the intent.

When we look at those accidents, only 40 per cent of those deaths, according to the stats that I've received, are people that were impaired at .08 or above. Forty per cent. Mr. Speaker, what that says to me is that there's a bigger problem. Though this is a big problem, there's a bigger problem with the other 60 per cent. I don't see any legislation coming forward. Perhaps this government thinks that that will all change next year because we can't drive while we're holding a cellphone. I don't know.

Again, let's look down the road and be a little bit patient before we run off and pass all these feel-good bills when we don't even know – again, our former Premier always referred to this, and I

love it – the unintended consequences. What are the unintended consequences if we were to pass this and it's enforced by this Christmas? I have a lot of friends, relatives that live out in rural Alberta. They might drive into a small town. They might be there for a hockey night with their children, have a great night. They might stay afterwards on a date, want a glass of wine, whatever else, and then they need to drive home. They're not impaired. They're within the legal limit, yet they can't afford to risk it because our government is going to pass new legislation saying, "No; that's unacceptable; we're going to confiscate your car for three days" or your vehicle, whatever it might be. Again, no judge, no jury. This is just action, the heavy hand of government stepping in and saying, "We know best" and scooping it away.

I'd even take the next step with the unintended consequences. Has there even been an economic study? Is it done by somebody competent? I question that because this government had their economic study done on raising the royalties and said the billions of dollars they're going to get. There have been many referred to, saying that if we raised to a progressive tax, we'd be able to get another \$6 billion.

**Ms Notley:** Eleven.

**Mr. Hinman:** Oh, thank you. Eleven billion dollars if we raised our progressive tax. But these people don't understand the consequences, that those people who have moved here will move away to another jurisdiction where they're not taxed so heavily.

**An Hon. Member:** Would you move?

**Mr. Hinman:** I was asked: would I move? When I was actually elected a few years earlier, some of the wealthiest individuals that I met with said: "You know what? I don't need to stay here. My money doesn't need to stay here. If they pass this, I'm leaving." I would stay here. I'm not one of these ones who's going to get, supposedly, a million dollars if you change the tax. Those people who are wealthy: they have other residences; they have other places. This one individual I talked to sold 260 properties and liquidated out and left our province because they changed that. People do move. Money and people move with the royalties, and we lost a great individual.

I always say that wealth is wonderful. If there are two individuals that I would love to have here, it's Warren Buffett and Bill Gates. Again, how many individuals are we going to lose, and how many small businesses are going to suffer? [interjection] He's free to pay more. It's interesting that people talk like that, yet they don't do it. Warren Buffett could donate a lot of money to the U.S. government if he wants to, but instead he sets up his own organization and makes sure the money is spent well. He does a better job than the government does by a long shot, in my opinion. [interjection] And he's free to run to be the President as well. There are a lot of wealthy ones down there that are interested in doing that, and I say: go for it.

8:40

Mr. Speaker, the problem with this bill is the unintended consequences. We have no idea what it is going to do to small business, what it's going to do to people, yet what we do know is that it's going to catch very few individuals or decrease, I believe, the fatalities that are on our roads and the carnage, which is what this bill is aimed to do. Again, as with this government so often, when they aim at a target – I don't know – they're cross-eyed or something because they can't even hit the target that they're purporting to shoot towards.

**Ms Blakeman:** Are you talking about blood-alcohol levels?

**Mr. Hinman:** Yes, and the small businesses that are going to suffer because the Premier wants to have this bill passed by Christmas.

**Ms Blakeman:** Okay. I got you. I'm with you totally.

**Mr. Hinman:** Great.

It's a big problem. I don't even think the economic consequences were considered. This is a feel-good bill with good intentions that is not going to accomplish what the Premier and every one of us in here really wants, and that's to reduce or to eliminate, really, drunk driving. This bill does not address that. So we have to ask ourselves: why would we pass it?

Like I say, the real acid test for me on this new open and democratic government is that I cannot believe that every one of the government members is going to be in complete concurrence with this and vote in favour. When we have our vote, I do not believe that we're going to see any discrepancy over there.

**Ms Blakeman:** How about Lac La Biche-St. Paul? How does he feel?

**Mr. Hinman:** Yes. Lac La Biche-St. Paul: I've already talked to him, and he's all excited. He is the carrier of this bill, so of course he's going to vote for it. They're all for it; trust me. We'll do a standing count.

**Mr. Horner:** Why don't we do it right now?

**Mr. Hinman:** We'll do it very shortly.

Mr. Speaker, I am very concerned. This bill should be sent to committee. We should do some research. We should have some better numbers to verify why we're wanting to expand this. I believe that this is a desperate government that is looking to be popular. I believe this is a desperate government that needs cash because they don't know how to control the spending that they have, and this is the intent of this bill.

There's no thought here of the real consequences of this bill, so I would urge members to postpone this and, again, really send this to committee. Let's do some research, and if it comes back in the spring or sometime shortly after saying: "You know what? We have a major problem. That 2 per cent that we have right now really is 60 per cent of the fatalities on our roads. We just didn't do a good enough job of collecting the data" – I'm all for lowering this. But I do believe that the .08 – there is a lot of science that went into that. Again, it's called the impaired level, and everybody who is driving is impaired to some extent or another.

**Ms Blakeman:** So this is not evidence-based decision-making.

**Mr. Hinman:** No. This is not evidence-based decision-making. This is popularity. This is a need for revenue.

I'm disappointed that the government in its haste wants to bring this forward, with the Premier saying that she wants this by Christmas. Again, all we've done is that we've changed the head of the beast, not the behaviour of the beast, which isn't good enough for Albertans.

Mr. Speaker, I hope that we'll do a little bit more research. I would love to hear if there is a robust discussion in caucus. I cannot believe that you don't want to share some of your robust thoughts with Albertans in *Hansard*. It's amazing.

**Ms Blakeman:** Cypress-Medicine Hat.



**Mr. Hinman:** I'll let you ask them all of those things.

**Ms Blakeman:** Strathmore-Brooks.

**Mr. Hinman:** Please, let me try and concentrate in my last 30 seconds.

I believe it's going to be small towns and rural Alberta that will be punished the most with this bill. I hope that rural Albertans are looking at this and realizing what this government is going to force through here in the next two weeks. It's wrong. I ask people to vote against this. I will be voting against this. I want to speak out against driving drunk. Driving with impaired abilities is not acceptable. What we need to do – and there is this in the bill – is that we need to raise the penalty and the consequences for repeat offenders and those that are drunk and stop them and get them off the road. But this bill is not going to do it, in my opinion, in the current state.

I'll sit down and hopefully hear some more robust discussion.

### Speaker's Ruling Decorum

**The Acting Speaker:** Thank you very much.

Hon. members, one of the long-standing traditions in this House, of course, is order and decorum. In fact, our Standing Order 13(1) requires the Speaker to maintain order and decorum. It seems that there was quite a bit of kibitzing going on and a lot of discussions occurring, trying to take the hon. Member for Calgary-Glenmore off his stride perhaps. Some of it was done in the spirit of joviality. I realize that. I allowed a little bit more to go on than I would normally do. I will not allow any more of it in the interest of preserving the time that is so precious to us here tonight.

### Debate Continued

**The Acting Speaker:** With that having been said, I would ask if anybody wishes to address the previous speaker under 29(2)(a).

**Dr. Swann:** Thank you, Mr. Speaker. The point is well taken.

I wonder if the member is party to the Alberta Centre for Injury Control & Research literature on blood-alcohol level. I'd be happy to send it over if you'd like to see it. Their review in 2009 suggests the following:

A compelling case exists in the literature for keeping drivers with a BAC over 0.05% off of the roads. Scientific evidence accumulated over the past 50 years indicates a direct relationship between rising BAC levels and the risk of being involved in a motor vehicle crash.

I'll jump to the punch line.

While there is a wide variation in the effects of alcohol from one individual to another, the evidence shows that driving performance begins to deteriorate significantly at 0.05% BAC. There is also a general consensus that the skills that are most important to driving are also among the most sensitive to alcohol.

A review conducted by Chamberlain and Solomon found in both lab and field studies that driving-related skills such as vision, steering, braking, vigilance, and, more importantly, information processing and divided attention deteriorate after .05.

That's just some information for you.

**Mr. Hinman:** I appreciate the study and the studiousness in bringing that forward. But then the question needs to be: why don't we make it illegal at .05? Why would we possibly want to have this grey area, where all I see is revenue and punishment, that often is

a consequence for people other than the individual who actually was impaired?

Again the numbers that I've got – and I realize there's that possibility. But if we really want to reduce the carnage on our roads, perhaps what we should do is pass legislation that nobody is allowed to drive without having – what do I want to say? – a policeman or whatever there to make sure that they're paying attention. Sixty per cent of our fatalities are not even related to blood alcohol, which is the majority of our accidents. It's people that are distracted in other areas. We're talking about 2 per cent, according to the studies that I have, of that .05 to .08.

Let's bring all this evidence together, and let's look at it so that we can make an informed decision rather than what I call a political or a revenue-driven decision or a popularity-driven one. We're not doing the research we need. Again, if we've got these other huge areas where 60 per cent of fatalities are, maybe we should be looking at that and saying: what's the problem? Maybe we shouldn't be allowing people to have multiple people in the vehicle because they're distracted when they talk.

The point that I guess I'm trying to make, hon. member, is that humans are subject to error. We have this capacity to be distracted. We are easily involved in other things. I mean, we have all these roadside signs that are up there. We have all kinds of things that can distract us, yet we seem to be focusing right now on 2 per cent out of a hundred and saying: "This is a problem. If we pass this by Christmastime, we're all going to go into the new year in a better place."

I'm very concerned about the consequences to small businesses and to those people that have been enjoying a legal substance. I have to say, Mr. Speaker, that it doesn't affect me. I was very popular in high school and university. I was always the dedicated driver, and I got my free pop. I don't drink, so I have nothing at stake in this personally other than the fact of the carnage of that person coming down the road and whether or not he's impaired.

Let's get out there and really enforce what we have. Let's get the checkpoints up. Let's enforce them and raise the punishment and the cost to those repeat offenders and those over the limit. Perhaps it should be progressive – .08, .12, .16 – and have a progressive penalty as it increases. That's where the carnage and the problem is.

8:50

**The Acting Speaker:** Thank you.

I'd love to have the Deputy Premier and then the Member for Edmonton-Centre.

**Mr. Horner:** Thank you, Mr. Speaker. As President of the Treasury Board I was acutely interested when the hon. member said that this was somehow revenue driven. As I said before, I'm very concerned about our young people on the road, but I'm also very concerned about those who, frankly, are my age and perhaps are not taking it as seriously as they should.

I do want to ask the hon. member where the revenue generation is that you speak of in this legislation because I don't see it.

**Mr. Hinman:** An excellent question. I guess sometimes we get caught up in the progressiveness of what they're going to pass. At this point it's just confiscation. I appreciate your point.

**Mr. Horner:** Progressive or not, hon. member, you mentioned revenue generation.

**Mr. Hinman:** Yeah, because this government does nothing but talk about a PST. It talks about new health care premiums. I believe there's talk of imposing a cash penalty as well.

**The Acting Speaker:** Thank you, hon. member. I regret that the time allocated for 29(2)(a) has elapsed.

Are there other speakers at second reading of Bill 26? I have Calgary-Mountain View on my list wishing to speak next, if that's the case, and then I'll recognize the Member for Fort McMurray-Wood Buffalo.

**Dr. Swann:** Thank you very much, Mr. Speaker. A really worthwhile discussion, and I'm very pleased to be a part of this. I think it's an important initiative that the government has taken on a critical issue of public health, Bill 26, the Traffic Safety Amendment Act, 2011. The primary role of government, of course, is to create the conditions for health, safety, peace, and order in society. With nearly a hundred alcohol-related deaths annually and 400 injuries, the personal loss and costs to our society are very real and very serious. There is a need to review our approach always to drinking and driving as a fundamental responsibility of government. I'm pleased to see the discussion and debate here.

I mentioned a little bit about ACICR, the Alberta Centre for Injury Control & Research. They reported in 2009 that 23 per cent of fatal collisions were associated with alcohol itself. Behaviour change is difficult, Mr. Speaker, and it encompasses a host of approaches, from education, through penalties, inconveniences, and changing cultural perceptions and cultural values.

The scientific literature, again, indicates that there is no specific threshold for impairment. Everybody metabolizes alcohol differently, and alcohol progressively impairs all of us. From the first amount of alcohol entering the blood, there is an impact on our ability to process information and to perform fine motor functions. It's just a reality. The literature indicates, for example, that after .05 very specifically we can measure changes in vision, in steering capacity, in braking response time, in personal vigilance, in information processing, and in the handling of divided attention and being able to respond.

The balance between individual freedom and community interest and security is always one of the great challenges in our democratic society. This legislation attempts to find a new balance, obviously, with greater sanctions and potentially a set of new cultural norms that might follow related to drinking and driving, not unlike the shift that I think we've seen around tobacco in the last 30 years, where there's a new intolerance, I guess, for tobacco use in our society, including in young people. We have seen the rates of tobacco use decline fairly substantially, perhaps mostly related to taxation. I think the evidence in the literature is that the cost of tobacco has had as much or more impact on smoking behaviour than anything else we've done, but so be it. We are shifting the attitudes to tobacco in public places and in private accommodations as well.

With 90 per cent of our collisions related to driver factors – inattention, fatigue, drugs, alcohol, speeding – these are individual behavioural choices. We have to decide what we can legislate without inordinate loss of individual freedom and cost. If we can do it without inordinate loss of freedom and cost, indeed, we should, even if it saves only a couple of lives a year.

The bottom line and the question I think many of the members here are asking is: will reducing the blood-alcohol limit from .08 to .05 result in fewer collisions and fewer deaths? What is the evidence? Where has it been applied? What will the negative effects be on our society if we change?

We hear concerns about potential waste of police activities and lost opportunities in areas where we could get better benefit if police were actually doing something else. We hear about the possibility of loss of income from alcohol sales. That's a concern for the businesses that sell alcohol. We hear about potential

serious disruption of people's lives by taking away their licence and their vehicle. These are real, and they have to be taken into the balance.

Where I see us headed in terms of dashboard distractions is that if we're talking about inattention as being a fundamental cause of injuries and collisions, there are a whole bunch more risks coming in our dashboards, where people can get on a GPS, they can listen to music, they can text by verbal voice command, they can communicate, obviously, in different ways with people. These are a series of distractions that all are cumulative as I would see it. So a younger driver, less used to alcohol, has other people in the car: add to that a little bit of alcohol, and to me it is simply one more factor that is going to increase the risk of injury and death.

From the point of view of measuring risks and benefits, I think there is some real argument for making this shift, one which perhaps will help to shape a new cultural attitude towards drinking and driving. Anyone who has seen, as I have, dead and injured people in vehicles has a particularly personal and passionate feeling about this whole area.

British Columbia has had in place for several years now this provision where a blood-alcohol concentration of .05 is no longer tolerated. They have seen a remarkable drop in alcohol-related deaths. Roughly 20 individuals fewer die each year on B.C. highways.

**Ms Blakeman:** Well, in that five months.

**Dr. Swann:** In a five-month period. Thank you. They looked at five-month periods through the Christmas season, to be sure. Over four years of monitoring this for the five-month period each year, there were roughly 20 fewer deaths in B.C. Now, that was coincident with the change in legislation around blood-alcohol concentration. It wasn't necessarily caused by the change in law around blood-alcohol concentration but a very powerful correlation. Twenty lives fewer lost during that period of four years.

It's likely not related entirely to that legal change but to a series of changes that may have to do, in fact, with people taking drinking and driving much more seriously because they were hearing and seeing friends – more enforcement, more personal cost associated with it, more parents getting on their kids because of the cost and inconvenience of losing their vehicles, and so on – and more people perhaps speaking up about drinking and driving. Who knows? All the factors might have been involved.

What I approach this debate with is a healthy skepticism about the impact of laws in our society but a real sense that anything that we can do as legislators to reduce the carnage, to reduce the health care costs, to reduce the disability is something that we should seriously take a look at.

I'll be listening intently to a lot of the debate and looking at any more recent research that can help us make this decision in the best long-term interests of our public.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you very much, hon. member.

Standing Order 29(2)(a) is available. The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I have just one question of the hon. member. That question very much is directed to a comment that was made that said that the rules of impaired driving have changed – I assume you meant the criminal rules – from .08 to .05. I just want to ask the hon. member if he knows what the guidelines are today for a 24-hour suspension for alcohol, in your professional capacity. I can ask you the question, or I can answer the question.

9:00

**Dr. Swann:** I'd be happy to hear the answer because I don't have the answer to that question.

**Mr. Danyluk:** Okay. Mr. Speaker, I will say to you that the guidelines are no different. The guidelines today are .05 to .08 for a 24-hour suspension when it's an alcohol-related offence. That is used today as a standard. It is used on a regular basis. Please understand that the front end of this bill is not any different from what it is today. It is the back end where the penalties are. That is the difference. A 24-hour suspension is what was being used and is being used today and what is being . . . [interjection] Sorry?

**Ms Blakeman:** Three days.

**Mr. Danyluk:** But that's the back end. The back end is that the penalty is stronger. The culture change needs to happen, but the criteria for the offence are not any different: .05 to .08; .05 to .08.

Thank you very much.

**The Acting Speaker:** Hon. Member for Calgary-Glenmore, 29(2)(a)?

**Mr. Hinman:** Yes.

**The Acting Speaker:** Proceed.

**Mr. Hinman:** Thank you. I have two questions for the hon. member, perhaps three. I appreciate his research and the thought that he's bringing forward. First of all, in that report does it have any correlation and talk about the amount of enforcement? Did it go up over those previous years, and do people know that there's more enforcement out there? Is that perhaps the reason why the offences have gone down?

I also need to comment, I guess, that the tragedies are real. My son is a co-worker of one of the gentlemen who lost their children in that tragic accident up in Grande Prairie. It's amazing how small the world is. My son was devastated by it as well. The discussion that went on in that community about the offence as the families got together were heart-wrenching as well.

The question that we need to ask here, hon. member, is: what really solves our problem? Again, we're looking at a small percentage here. What do we do to solve the problem? I just don't feel like what we're changing here has an effect. Are there many other variables that we could be looking at for this small percentage? Nobody wants the carnage; we totally understand that. Again I ask, you know: do we need safety officers to ride with us? Because that's where the biggest number of accidents are; 60 per cent are from so-called unrelated – just inattention. So does that mean we do that?

You've made mention that if we can even save just two lives, but sometimes the consequence – I do believe that there's a price because humans have that ability to make choices. We all have the choice: do we want to drink and drive? Do we punish everybody to stop, possibly, those two people, and what are the real consequences of that? I have concerns over that, to always say that if we just saved one, you know, all of a sudden the world is going to change, yet then five other people die for some other reason, and we don't always get to the root of what we're trying to do.

**The Acting Speaker:** Hon. Member for Calgary-Mountain View, is that a quick supplemental?

**Dr. Swann:** Just answering the question. Thank you. I mean that is the great debate that we're having, the balance. Let me say that

my reading of the literature suggests that only 14 per cent of alcohol-related deaths are between .05 and .08. That's a small number of deaths.

To your question, it's a small amount, and there are multiple factors in that area, no doubt, that distract and increase the risk of injury. But it's not insignificant because it appears to be 14 per cent.

**Mr. Hinman:** What is not insignificant?

**Dr. Swann:** The surveillance effect that you talked about. Is it actually the result of more surveillance contributing to the reduced death rate in B.C.? Very likely.

**The Acting Speaker:** Thank you, hon. members.

The Minister of Justice and Attorney General on second reading of Bill 26.

**Mr. Olson:** Thank you, Mr. Speaker. It's a pleasure to have a chance to make a few comments about this very important bill. Before I make my detailed comments, though, I do want to compliment all members here. This has been a very good discussion from all sides. Even though we may not agree with each other on some of the tools that we are proposing, there's no doubt that everybody has the same motivation here. Even those people who ultimately I might end up voting against I think have asked good questions, challenging questions, questions that need and deserve an answer. So I'm going to do my best to answer at least some of these.

First of all, this is obviously not easy. When you look back, we first criminalized in Canada drinking and driving back in 1921. This has been an evolutionary process. There wasn't a magic bullet then; there probably isn't a magic bullet now. There are all kinds of studies. In my job as minister I as well as a number of my colleagues have been actually bombarded by all of the studies. There is lots of information out there. We can all cite many, many studies. I'm not going to try here, although I'm very happy to share whatever I have with any colleague on any side of the House who wants it.

I would like to just summarize a few things that have come to my attention in terms of the studies. I think one of the things that the studies show is that drinking and driving is a behaviour that can be altered. Not all unattractive behaviours, undesirable behaviours are easily altered. I wouldn't say this is easily altered, but drinking and driving, the studies show, is one that can be altered. Another thing that the studies tend to show is that deterrence works. Another thing is that both punishments and treatments and, of course, education have a role. What I'm doing is repeating a number of things that have already been said, obviously. The perception of the risk of detection is very important, and swift and certain consequences are also extremely important.

There are two types of administrative actions that appear to be the most effective. One is licence suspensions. Another is action relating to the vehicle. One thing, interestingly, that the studies seem to show is that fines really don't do a whole lot.

Now, there has been a lot of talk about lowering the limit. This is actually one of my frustrations, and the Minister of Transportation has mentioned this as well. There is a lot of talk about how we're going to reduce the blood alcohol rate to .05. I'm really surprised at how many Albertans don't know that we have and have had sanctions in place, administrative sanctions, at .05 for a long time.

Now, we have to distinguish between criminal law and administrative sanctions. The Canadian Criminal Code, which the federal government has the jurisdiction over, says that it's a criminal

offence to have a blood alcohol of over .08 when you're driving. The provinces do have the right and the power and the authority to levy administrative sanctions. I've heard charges that what we are proposing is the criminalization of drinking and driving between .05 and .08. Mr. Speaker, what we are proposing doesn't involve jail. It doesn't involve a fine. It doesn't even involve demerits. What it involves is withdrawing the privilege of being able to drive as the province has the power to both give and take back.

There have been arguments about the constitutionality of what we are proposing. There are three areas of constitutionality that have been discussed in terms of these provisions. One is that we're crossing over into federal jurisdictions, so it's a constitutional jurisdictional argument. The Supreme Court of Canada and provincial courts of appeal have said that it is not crossing over into federal jurisdiction.

Another argument is that somehow a person's constitutional rights are being taken away from them because they have the right to drive. The courts have disagreed and said that that is not taking away a constitutional right. There has been some criticism in the courts relating to the B.C. solution, which is not the same as the Alberta solution. That is why we have watched carefully what has happened in B.C., and we feel very confident that the measures that we have in terms of administrative fairness are well within what's reasonable and defensible.

**9:10**

I've also heard criticism that a person – now, this is specific to over .08, and you're going to have your licence taken away until the trial. This is not for when you're between .05 and .08. This is when you have blown over .08. Remember that this is now a federal criminal offence. People who are charged with serious criminal offences sometimes spend quite a bit of time in jail until their trial. The province of Alberta has the ability and the right to withdraw the privilege to drive until that person has had their trial.

Lastly, on the issue of .05, I've heard a lot of talk about how at .05 to .08 there's really no problem. I really appreciated the comments of the member for Riverview referring to a study that suggests otherwise. [interjection] Sorry?

**Ms Blakeman:** It's Mountain View, not Riverview.

**Mr. Olson:** Sorry. Mountain View.

There are many jurisdictions who have struggled with these issues. We're not the only ones. I'm going to just give a few examples of other jurisdictions that have administrative sanctions starting at .05 and lower: British Columbia, of course; Saskatchewan, which is actually at .04; Manitoba; Ontario; Nova Scotia; the Territories; Newfoundland; New Brunswick; and Prince Edward Island. Now, I should qualify that Nova Scotia and Prince Edward Island have not yet proclaimed these measures, but they have passed them.

I want to mention a few countries that are at .05 or lower: Argentina, Australia, Austria, Belgium, Bulgaria, Costa Rica, Denmark, Finland, France, Germany, Greece, Hong Kong, Iceland, Ireland, Israel, Italy, Latvia, Luxembourg, Macedonia, Netherlands, Peru, Philippines, Portugal, Slovenia, South Africa, Spain, Switzerland, Thailand, Taiwan, and Turkey. A number of these actually are even below .05 for certain kinds of drivers. They're down to .02 or zero tolerance. Japan, Sweden, Norway, and several others have .02 limits. This is an extensive list, and I just want to suggest that all of these jurisdictions have done their own research. We are not an outlier by using the .05 as a standard to say that people are on the edge, that they're at risk. I also want to say that if we can intervene early with somebody who's at .05,

maybe we're going to stop them from being one of those people who is at 1.6 a few years down the road because we're going to force them to educate themselves, too.

With that, I want to thank everybody who has taken part in this. I think it's been a very worthwhile discussion, and I really ask all of my colleagues in the House to support this legislation.

**The Acting Speaker:** Thank you.

Under 29(2)(a) I have the Member for Airdrie-Chestermere, followed by the Minister of Transportation.

**Mr. Anderson:** Mr. Speaker, I wanted to thank the minister for his comments and also just his class in being able to agree to disagree on things and not making it personal and so forth, which is a breath of fresh air.

I would ask him, though. You just cited a lot of different studies and very legitimately so. Like you, and like apparently a lot of us here, we've been bombarded with a lot of information on this, right? It just seems to me, Minister, that for something that is going to affect people's lives to the degree that this will affect them – I mean, this will affect many people's businesses. No doubt about it. You used the example of British Columbia: lots of businesses being affected. Of course, if that's going to save a large number of lives and it's worth that effect, well then, obviously, we have to do it.

It's going to affect people's social habits and what they do. Obviously, if it's in a good way and if it's a reasonable change in behaviour, great. But for a lot of people it means that, you know, they can't take the chance of having a drink or whatever.

**An Hon. Member:** Speed it up.

**Mr. Anderson:** I'm going to take longer if you keep distracting me like this. [interjections]

My question is: since we have all this information, wouldn't it make more sense, instead of trying to ram this through in essentially a couple of days, something that changes things this much, to put it to the all-party committee? Let's get this information out there. Let's discuss it as a group. Let's figure it out. Let's have people in from industry, from MADD, from all these different stakeholder groups. Let's talk about it and make sure that we get the right balance here.

One day the Premier just kind of came out of a meeting with Christy Clark, and all of a sudden it was like: "We're going to have new legislation. This is what it's going to be." And it didn't seem that there was very much thought that went into that. So why don't we do something like that?

**The Acting Speaker:** Thank you.

Would either the Minister of Justice or the Minister of Transportation wish to respond?

**Mr. Olson:** I would like to respond. Thank you for the comments. I was appointed into this ministry last February. One of the first briefings I had was about the work being done on this legislation by three different government ministries who had been working in collaboration very hard on it for a long time. I know there has been some reaction amongst some of my colleagues about this appearing to be a knee-jerk reaction. Frankly, all you have to do is turn on the TV after any weekend, and you pretty much can hear some bad news about some sort of a very sad event somewhere in the province.

This is not about any one event, any one tragic accident. It's not about any one meeting between several Premiers. This has been in the works for a long time. I think, again, just by the long list of

other jurisdictions that are doing this, there has been lots and lots of talk. I agree that these are strong penalties, and we want them to be strong because we want to send a message.

I can remember as a young person always hearing: don't drink and drive. We seem to interpret that as: don't drink too much and drive. The safest thing is to just not drink and drive. But if you are going to drink and drive, the message is that it's your responsibility. If you go over what is a generally accepted limit, you are going to be responsible. Again, the research shows that a sanction that's immediate and has a bit of sting to it is what's going to be the deterrent.

**The Acting Speaker:** The Minister of Transportation.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. Maybe I'll just make a couple of quick points, so I let the hon. member opposite have an opportunity.

I think that there needs to be some clarity on some of the discussions you had, hon. minister, because one of the things that has been talked about is that the .05 to .08 is going to have the biggest impact on people. I want you to, again, clarify that .05 and .08 are being used now.

The second part that I would like you to clarify is that when we talk about over .08 . . .

**The Acting Speaker:** Thank you, hon. minister. I'm sorry; the time for 29(2)(a) has elapsed.

We're going to proceed with other speakers at second reading on Bill 26. On my list I have Fort McMurray-Wood Buffalo, followed by Little Bow, followed by Calgary-Varsity.

I've recognized the hon. Member for Fort McMurray-Wood Buffalo.

9:20

**Mr. Boutilier:** Are we all going to settle down now, so I can speak and get your undivided attention? And it's impolite to point.

Thank you, Mr. Speaker. I'm glad I have the floor and the attention of people.

Bill 26, the Traffic Safety Amendment Act, 2011, second reading. Mr. Speaker, I actually have consulted on this issue with people that I hang around with at the hockey arena and also at Tim Hortons doughnuts. And guess what they tell me? They want to understand why the government is moving from .08 to .05. That's the question that they're asking. To the minister who's bringing in this legislation, I will give him free advice on this particular point. That's what they're saying, and actually that's what they're saying at the farmers' market in his own constituency, that I was at last Friday between 3:30 and 5:30, the Lakeland county farmers' market. They were asking that very . . . [interjection] I didn't see you there, but I'm sure you are there occasionally. Just so you know.

Mr. Speaker, the Government House Leader has some comments.

**The Acting Speaker:** Through the chair, please, gentlemen.

**Mr. Boutilier:** Yeah. Well, that's through the chair. Can you please . . .

**The Acting Speaker:** You have the floor, hon. Member for Fort McMurray-Buffalo.

**Mr. Boutilier:** Thank you. The Member for Fort McMurray-Buffalo has the floor.

**The Acting Speaker:** Correct.

**Mr. Boutilier:** Not the Member for Edmonton-Whitemud. Okay. I'm glad that's cleared up.

**The Acting Speaker:** Carry on.

**Mr. Boutilier:** Well, Mr. Speaker, in proceeding with giving free advice to the minister bringing this legislation in, the people I talk to, the hockey moms and dads and the people that hang around in doughnut shops – I don't want to give free advertising to one particular doughnut shop. In fact, doughnuts are actually not even good for you.

My point is this. They are concerned that they, driving their families – the story that had come out was that discretion sometimes is not used properly even though many times it is. In doing so, the situation was that cars had been impounded when they were at .05, and the mom and dad could not drive their children to extracurricular activities for the next seven days, I believe it was, because of this discretion that was used by an officer of the law in British Columbia, who actually was fairly new to the position and lacked experience. Having said that, though, Mr. Speaker, this is the penalty that was invoked, and it placed quite a lot of undue burden. Clearly, they were within the legal limit, and I can say that the hockey moms and dads that were meeting with those hockey moms and dads – it was quite a discussion.

I can assure you that what was being proposed to the minister was not held in favour because B.C. and Alberta are similar even though I notice the minister has deliberately tried to say that we have learned from what B.C. has done wrong. Of course, I welcome some questions to him at a later point on what they have done wrong, and then, actually, the same position can be used in terms of what this government, I think, has been premature in presenting here.

Why you want to ram through something like this within two weeks I just don't get. It's going to upset your constituents. It is not going to make our highways any safer. I say that with a four-year-old who travels highway 63 on Fridays, when everyone else is coming out of Fort McMurray and I'm driving home with my wife and my four-year-old son. Believe me, no one is more concerned about highways, about infrastructure and transportation, or in terms of what people are doing when it comes to safety on our highways.

Mr. Speaker, I believe one of the suggestions that was sent across the way to the Attorney General has been that, quite simply, this needs to be brought to a committee because I've heard a variety of statistics being quoted by numerous members from the government and from different parties. Really, for the average Albertan they're looking at these statistics, saying: what is it that I'm to believe? So I think there is an opportunity for members of this Assembly to come together rather than something being jammed through in a two-week period, something that the PC caucus had not even talked about before your new leader had been talking about it. Now it seems like everyone likes the idea. I can tell you right now that I know everyone over there doesn't like the idea and that you are being whipped into shape to vote the way the Premier wants you to vote as opposed to what your hockey moms and dads are saying in hockey arenas and in doughnut shops across Alberta.

That creates somewhat of a dilemma for you. Who are you going to listen to? Your PC leader or your constituents, your real bosses? Just remember that you're going to be going back to your real bosses in a very short period of time. I look forward to going back to my bosses, and I'm sure some people in here are going to be looking forward to going back to their bosses with confidence.

As I speak about the farmers' markets that I've been attending and when I think of the feedback that I've been receiving, there are seriously some unproven statistics. We do not want to see anyone die on our highways because of alcohol-related accidents. What we do want, though, is greater enforcement. Greater enforcement by having more police on the highways. Greater enforcement by having more checkpoints on the highways. Clearly, I believe there is more work to be done. I don't blame the police. I want to ask the question to the government of the last 40 years: why aren't there more police on the highways? Why isn't there more enforcement? Why? Why is that? Because the question is: does this government have a commitment to enforcement? [interjection] Are we finished with the conversation so that I can continue? Just trading barbs there.

**The Acting Speaker:** Hon. member, please continue.

Edmonton-Centre, please allow him to continue freely. Thank you.

**Mr. Boutilier:** Mr. Speaker, I want to say that, clearly, the former Solicitor General and, in fact, this member over here from Airdrie-Chestermere: I know they worked very powerfully together as a team. They were an incredible team, so powerful that they actually had bulletproof vests on. I'm looking forward to the new Solicitor General putting on a bulletproof vest. In fact, I'm even willing to be the guy with the taser gun.

Because of the issue of enforcement on this issue of alcohol-related deaths, we want to ensure that enforcement is beefed up. I thank the previous Solicitor General because that was something, I know, that he was committed to. He talks to the same people I talk to, people at Tim Hortons doughnuts and people at hockey rinks and people at farmers' markets. I strongly suggest that the minister who's tabling this legislation should consider the same because it's amazing what you hear when you talk to Albertans. They're our bosses.

Right now I believe more work can be done within committee before a government tries to ram through something because of one Premier meeting another Premier in B.C. The minister knows that's exactly how it happened. In fact, I won't name the members on the other side who were 100 per cent against the piece of legislation that you have brought forward based on what the Premier has told you to bring forward.

That being the case, Mr. Speaker, I think that if we go back to committee, if we go back to do this bill right, we can better serve Albertans in the future to protect my four-year-old son and all Albertans who drive on our highways. But let's not penalize people that are on the highways today, from the moms and dads to the soccer moms and the hockey moms and dads that are out there taking their children from point A to point B.

I believe that we should take a more thoughtful, a more centred approach to this rather than this entitlement of saying: we know best, so listen to us. Why doesn't this government listen to their bosses? If you listen to your bosses, you don't even need a focus group to tell you what the right thing to do is on this particular issue. Not only that, but I know the minister would be very interested to realize how this is going to be an extremely undue pressure on people in rural Alberta. It's not like you're in downtown Calgary or Edmonton and can call a Yellow Cab within the next minute or two, by the way.

This particular piece of legislation has not been thought through clearly, just like it hadn't been thought through clearly in British Columbia, and now British Columbians are now paying the price.

9:30

Mr. Speaker, we do not want to see one death on a highway in Alberta. One death is too many. In fact, I don't ever refer to them as accidents anymore because they are all preventable. Ultimately, what I think is most important is that all of us in here follow the law when it comes to highway safety and, in fact, what takes place in Alberta. You know, my wife and I were driving back with our son last weekend on highway 63, the highway that hasn't seen any pavement in the last four years. I want to say that one thing is for certain. When I take my son driving on that highway, one thing for sure is that I'm not concerned about the driving of my wife or myself. I'm concerned about the drivers that are coming that are over .08. That should be enforced because of a checkpoint along the way.

Right now your focus is wrong-headed, okay? It's like the horse in front of the wagon. It should be where we're enforcing those on the road that are driving highway 63 today that are clearly driving at limits that are endangering my family. Spend your energy on enforcing those who are over the .08 limit rather than making people criminals that are trying to get their children from point A to point B and enjoying this quality of life that we enjoy in Alberta.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

We're going to proceed to 29(2)(a). I think, Edmonton-Centre, you had indicated that you wished to comment, and Calgary-Glenmore did as well and then the Minister of Transportation. If we could ask people to be a little bit brief, we can perhaps get all the people who wish to speak in on the roster.

**Ms Blakeman:** Thanks very much. I'm just following on a thread that has been moving through here for a while. There are some claims from the members opposite that this is nothing new, that it's been in the legislation for some time. If they're referring to the Criminal Code, fair enough, but when I look at this legislation, I see that section 88 has been replaced. In the old section 88 it clearly says under the immediate roadside sanctions section: "Where . . . a peace officer has reasonable and probable grounds," blah, blah, blah. It goes down to under section 88(2)(b)(i): "That person's blood exceeds 80 milligrams of alcohol."

In the new section that is replacing it, under section 2(b) it says: "The peace officer has reasonable . . . grounds," blah, blah, and "in such a quantity that the concentration of alcohol in that person's blood is equal to . . . 50 milligrams of alcohol." So it is a change in your legislation from what you had before specific to sanctions, which I think was the point that the minister was trying to make. When I looked in the original Traffic Safety Act, there is a 24-hour disqualification for alcohol and drugs. It doesn't specify anything until you get down to the voluntary, and again it specifies 80 milligrams. That's section 89(1)(5)(a) and (b).

I don't know if the member has any comment, but I know the minister does. If he'd like to answer that.

**The Acting Speaker:** Hon. member, just be reminded that we're talking about the principle of the bill here, not a clause-by-clause analysis.

**Ms Blakeman:** This is an important principle of this bill, and I wouldn't take this frivolously at all.

**The Acting Speaker:** Hon. member, I appreciate that, but we're citing clause by clause, and if we could focus on the purpose of

second reading in subsequent questions and focus it around principle, that would be appreciated.

The hon. Member for Fort McMurray-Wood Buffalo. [interjection]

**Mr. Boutilier:** Okay. He wants to ask a question, too, so I'll be brief.

I thank the hon. Member for Edmonton-Centre. In fact, when I'm here at my condo in Edmonton, I actually live in Edmonton-Centre, and I hear positive things about the member. [interjection] I do. With that, I can only say that the comments made by the hon. Member for Edmonton-Centre are right on the money, bull's eye, and I think that's something that the minister should take heed of.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Well, thank you. Again on some of these threads, I'd like to direct this to the hon. Member for Fort McMurray, and perhaps the Minister of Justice and Attorney General might provide some of his reports if they cover this. I believe what we're looking at here is trying to reduce the carnage on our highways. We're correlating this right now with this bill, in my mind, to go from .08 to .05. I guess I'd ask: if we look at these reports – again, I don't know – it seems to be an incredibly small world. I am familiar and close to some of the families in Magrath, where four teenagers died. No alcohol involved in that. Up in Fort McMurray four died. It was alcohol related.

My question is: when we're trying to assess and reduce the carnage, do we have any reports that have come in that show the percentage of these fatalities as age related? Is this below 21? Is it over 75? I mean, not that I want to go after any red herrings or go after another group, but we seem to be focusing on one issue. Do we, for example, put in lie detectors, where you have to get in and say: "You know what? I haven't been up for more than 18 hours before I get behind the wheel to drive." Is it fatigue? There are a lot of things that are involved in the carnage on our highways. Why are we all of a sudden focusing in on one that, it seems to me, is going to have a social and economic impact that we haven't taken the time to see the consequences of?

**The Acting Speaker:** The hon. minister – oh, sorry. Fort McMurray-Wood Buffalo, do you wish to respond?

**Mr. Boutilier:** Well, I thought I was taking questions. Yeah, I'd like to respond. I don't want him to respond for me.

**The Acting Speaker:** That's okay. Go ahead.

**Mr. Boutilier:** Thank you, Mr. Speaker. I'd love for him to respond but not at this time.

On the point that you raise, what I'd like to see the Minister of Transportation do is, in fact, have checkpoints in Alberta in a more predictable manner and, in fact, use dollars that are being wasted in here that can be used for more police officers. We don't need MLA offices, so we'll give it up, \$350 million, for more police and more enforcement to make our highways safer.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) time limits have expired.

I have at second reading on Bill 26 the hon. Member for Little Bow, followed by the hon. Member for Edmonton-Strathcona.

**Mr. McFarland:** Thank you, Mr. Speaker. Quite an interesting point of view from a lot of different places. As the representative of a large rural riding I take it very seriously that this is an oppor-

tunity to pass on not my view but the view of the constituents who have contacted our offices to date.

To begin with, I have to indicate that not one of the views was talking about anything other than .05 to .08. I don't think that in my travels and when I talk to people anyone disputed the seriousness of the incidents that happen when there's an accident with alcohol involved over .08 – I want to make that really clear on behalf of the constituents – nor is there a concern with graduated licensing. That's pretty clear, and people appreciate it.

I did find, actually, through the phone calls and the people that I've talked to, quite a range of views. I have to indicate to you that they also represent quite a cross-section of people, from a young doctor with a young family who has had emergency room experience, who grew up in one part of the province and lives in another, to a young couple that are just going to have their first family, to bank managers. You know, it's been amazing, the number of people that have called, and very few of them were owners of licensed establishments, whether it was restaurants, hotels, or anything else. There were some from community groups who represented things in small communities like the curling rinks and the legions, that are vital to many of our small communities. So this doesn't come from the point of view of a big city.

A lot of the people made a comment off the bat that this thing isn't well understood and that it reminded them much of the long gun registry question. Who is going to argue against a motherhood statement? I believe that one of the comments I had made years ago on the long gun registry, the question to the people at the time, was: if you could prevent another war or prevent another death, would you be in favour of registering a gun? Well, who is going to say no? By the same token, if you use the same argument here, would you be opposed to increasing sanctions if you could save another life? Of course. Nobody is going to say no.

With that as a background and the people that call me and some of the questions that they had – they knew that I had sponsored on two different occasions an attempt as a private member to raise the legal drinking age from 18 to 19, which didn't pass in this Assembly. Now it seems to be something that people are kind of serious about talking about. They wanted to know – and I answered some of the questions as best as I could. I believe we just had a question here earlier: what is the percentage of people involved in alcohol-related fatal accidents, and what is the age group? My recollection from my research: by and large, the largest percentage was in the 18 to 25 age group.

9:40

I'm not going into the other statistics that have been brought forward tonight because I'd be repeating, but the .05 to .08 represents about 2.2 per cent. Actually, as we speak, there's a study being done about this very issue at the University of Lethbridge.

One of the other things that concerned a lot of them was a comparison to photo radar. Although they appreciate our law enforcement personnel, they also know that sometimes you can get a young recruit who's out there and is keen and eager to do a job. On a cold winter day they like to maybe put their nose inside the cab or the window of the vehicle. If they're going to smell liquor, they might just want to have you blow.

[The Deputy Speaker in the chair]

Well, that's all well and good if you're actually legally impaired, but they're really scared to death about being able to go out as a family for a supper and have one or two drinks. They're really afraid that they're not getting the accurate, true message on how it is that we're actually going to blow. Is that one or two actually going to put you over .05?

One of the neatest suggestions, although they didn't like this idea at all, came from a mom of four kids whose kids are all in communities now where there's public transit. The mom has preached at these kids for years. "You know, if you're going to drink, don't drive." Every time they go out, she phones and says, "Are you going to drink and drive?" They say: "Mom, we're not stupid. We've got a cab, or we've got a designated driver." But in our communities there are no public transit systems, and sometimes things happen. You get carried away at the curling rink, and there's nobody to drive. Everyone that's older will remember the time when it used to be a joke – it isn't politically appropriate today to make the joke – that you drove because you were too drunk to walk. Those days, thank God, are gone, but it used to happen.

Anyway, this same mom said: if you're going to pass the legislation, it's going to have an impact on our curling rinks, on our social centres in small-town Alberta. You know, the police – it doesn't take a rocket scientist – when they come into town in a town of 300, they know that the 12 vehicles around that bar belong to Joe and Fred and Mary and everyone else. They'll wait for three, four hours and catch you. I mean, that doesn't take a lot of brainpower. So this lady said: why don't you as part of your proactive thing make the licensee provide those tubes that you blow in? You have to pardon me for my ignorance, but I haven't drank for over 28 years, so I don't have to worry. I could make money being a designated driver. She wanted to know why we couldn't as part of the regulation make it available at the bars or the licensed outlets, where you can drink, so that if people are really concerned, they pick it up and they blow. If there's no taxi, no transit, they phone a friend and have them come get them.

Those were the kinds of comments I had, Mr. Speaker. I'm really mixed on this thing because they had some good questions. I heard the Member for Calgary-Buffalo talk about how the chances of getting picked up in a city are minimal. Well, I know that because in a city of a million with limited police resources the chances are that you can drive and get away with it. But I just want to reiterate that in a small community when somebody comes in to check the local bar, the local curling rink a couple of times a year, it's like a photo radar trap, you know. It's going to be there, and they're going to be able to pick you off pretty darn easy.

I think I've elaborated enough on the comments that my constituents wanted me to pass on. I just think they came from common-sense, ordinary people that had legitimate questions, and we need to do an awful lot of good communication.

**The Deputy Speaker:** Under Standing Order 29(2)(a) the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. I just want to thank the Member for Little Bow. I've been pestering people all day and all night trying to get some of the government members to engage. Aside from the ministers, the Member for Little Bow is the first one that's actually stood up and talked about what constituents have said to him. I really appreciate you bringing that into the discussion because I want to know. I felt that there was going to be a problem with transportation in rural areas, and indeed that's some of what he's being told, so I really appreciate that. I'm wondering if the member got any reaction to the sanction for one of those people at the curling rink or one of the moms chauffeuring kids around to skating lessons, how they felt about having their car seized and their licence lifted for three days under this legislation for blowing between .05 and .08?

**Mr. McFarland:** Thank you for the question. That's the one comment I had written down here, and I meant to ask the minister because I think they wanted to have that clarified as well. They said that if you're going to have a legal sanction – I believe the words are "the administrative sanction," Minister – does the administrative mean acting on something where you're criminally liable if you're over .08, or is the administrative sanction really intended to be more like a suspension? I don't know if I'm asking it properly.

They didn't know if legally – and I believe you because you're a lawyer – asking somebody to give up their car for three days or give up their licence for three days is really an administrative sanction, or is it more appropriate to take it for a 24-hour suspension, the licence only? Can you take a chattel, I guess is what I'm saying, as an administrative sanction? Do you know where I'm heading here? I'm sorry; we're looking for people that are listening. They can't see me nodding. I'm trying to gesticulate. But that was the question, and I appreciate it because I forgot to ask it. I'm sorry.

**The Deputy Speaker:** Standing Order 29(2)(a), the hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. I'd also like to thank the hon. Member for Little Bow in sharing with his constituents. It's interesting because I put out 16,000 drops to my constituents, asking them on this and a few other of the bills coming forward. My constituent helper there, Julie Huston, just sent me an e-mail saying that a hundred per cent of the e-mails so far coming in – I haven't got the other letters back – have been against the .05 per cent.

I'm just wondering, hon. member. You've been out talking. I think most of us have. It can be somewhat discouraging when we try to reach out to get the information back, trying to, you know, understand where our constituents are. Have you actually put out a letter or e-mail or anything to try and spread the discussion a little bit farther than those that you normally come in contact with? I know being in a rural area – you hit the nail on the head. If the police come into a town of 300, everybody knows, and they know who they are. Maybe you could share a little a bit more on how you've reached out and what else you're doing.

**Mr. McFarland:** I'm a dinosaur when it comes to new technology. I don't believe in popping e-mails and twitters and all that other kind of thing. I like talking to people. For that very reason I don't get on very much with these news hour, question-of-the-day things because – what? They're going to draw the attention of people that are against something primarily, in my opinion.

I don't have an answer for you. I don't put out 16,000. I go by experience and talking to people that I think are credible and people that don't have a problem popping me an e-mail or phoning and leaving a message with our office. I don't ask their political stripe or where they live or anything. I just take their message. So I don't have an answer for you, Member.

**The Deputy Speaker:** Hon. Member for Airdrie-Chestermere, you have 25 seconds left.

**Mr. Anderson:** Yeah. Really quickly, will this have an effect on rural establishments: bars, restaurants, and so forth? Do you feel that this will have a negative impact?

**Mr. McFarland:** I can't say. I know what smoking did to our bars. We had one hotel that dropped 38 per cent on VLTs and 26 per cent on liquor.



**The Deputy Speaker:** On my list, the hon. Member for Edmonton-Strathcona on the bill.

9:50

**Ms Notley:** Thank you. There has been some really good discussion tonight about a lot of different issues on this bill, and I've been listening with a great deal of interest. I have to say that this is a bill upon which I am still personally deliberating in terms of my position on it and whether I would be supporting it or not because I think there are some good components to it. I think some of the objectives are not unreasonable, so I'm somewhat convinced by elements of it. On the flip side there are also concerns. There are also some significant concerns that have been raised by people, so I think I've changed my mind two or three times since I first started looking at it and thinking about it. I don't know that I've made up my mind yet.

I'm just going to raise some of both the positive and the negative elements of it that have struck me in my consideration and see what additional information is brought forward over the course of the debate on this bill. Probably all members of this Legislature have heard from people within the hospitality industry about their concerns with the bill. We've heard the statistics about who this bill actually would address, and with that I'm referring to that part of the bill that talks about the drop down to the .05 limit in terms of blood-alcohol level.

You know, it's interesting. We all have sort of different takes on the same statistics. I've heard some people say: well, you know, 61 per cent of accidents are not related to alcohol at all, and of the other 39 per cent 85 per cent of those are people that are well above .08 or at least above .08. That's quite true. That leaves us ultimately with this bill perhaps less but certainly at most really impacting about 6 per cent of the fatalities that we observe on our roads these days.

Some people argue that if it's only addressing 6 per cent, then it's a mallet being used to hammer in a tack. Others, though, might say: yeah, but that's 6 per cent that we're dealing with. When you're talking about fatalities, you can talk about 6 per cent or you can talk about 1 per cent. You're talking about preventing fatalities, so which is it? I suspect people will differ depending on their personal experiences in that regard. But I think it's important to understand that that really is at maximum the number of people that we're looking at dealing with through this, at least on the surface.

The other question, of course, then arises: well, if the level is at .05, will it ultimately result in more sort of self-management on the part of people such that it ultimately results in a lower number of people on the roads who exceed that .08 because they determine that there's no way they can know if they can have that one drink and be at .05, so they just opt not to drink at all, so we don't have people on the road who are in excess of .08? Perhaps that's true. It's certainly possible that bringing in that legislation might well result in more self-regulation of behaviour. I'd like to see the research in terms of what kind of impact that has.

The Member for Calgary-Mountain View brought up a couple of good points which I found quite compelling. He talked about the studies that come from the centre for injury control. I have a lot of respect for the work that is done by that body. It certainly sounded to me like there were some good points there around the merits of dropping the level to .05. Certainly, the preliminary information that we see out of B.C. is very encouraging. A 47 per cent drop is, obviously, significant. I think it's also, however, fair to say that that information is so preliminary that we can't really make any big conclusions about it yet because it's such a short

period. Again, I'm balancing this. I'm torn because there are some good pieces there.

You know, I think at the end of the day, although there are concerns by a lot of people in the hospitality industry, I do think that if the evidence is there to show that this is going to help keep people safe and this is going to reduce the frequency of people being on the roads in an impaired state, whether that be .05, whether that be .08, whether that be 1.2 – of course, some people actually can be well over .08 and not be impaired. Certainly, what we want to do is reduce the frequency of people on the road in an impaired state. We want to reduce the number of accidents, and that really does need to be our priority.

I do believe that that priority supersedes the concerns that exist in the hospitality industry. It's not above and beyond the pale that we would see certain, you know, developments in the hospitality industry. If this came into play and we really did see the 30 per cent drop in attendance or whatever, who's to say that you wouldn't see the hospitality industry banding together to come up with designated driver programs, ride-home programs, bus-home programs: all those different kinds of options that might exist if we truly had a zero tolerance regime in place? A lot of good possibilities can come from this, so I am certainly not going to dismiss it out of hand.

There are other elements of the bill, though, which do raise some concern for me. Those are the issues around the application of the administrative penalty, particularly to those who have been found to be in breach of the Criminal Code and this whole notion of basically taking away someone's car and licence for a year if they're found to be in excess of .08 with these administrative penalties. That's worrisome because, of course, I happen to also as a lawyer be kind of fond of those principles out there that people get really tired of hearing about. Nonetheless, due process is actually really important. It sometimes seems to be inconvenient in a society that generally works well, but it is something that has been developed because in so many cases societies don't always work well. Due process is a really critical element, and compromising due process is something that you should do very, very carefully. I'm worried about that section of the bill that potentially represents yet another element of limiting due process and natural justice.

This government and the current Premier, when she was previously the Attorney General, have already, I think, introduced at least two other pieces of legislation that do the same kind of thing, that presume people are guilty and then they have to prove their innocence. That's always a concern when we see legislation that does that. Certainly, that's something that's in here, and I'm not comfortable with it. It's particularly bad because, as the Attorney General knows, we have some ridiculous delays in our judicial system. We, of course, have a profound – profound – failure on the part of our legal aid system, so people who need to challenge these things are going to be put at a tremendous disadvantage for at least a year in many cases, and that often could have a huge impact on their ability to make a living and that kind of thing. So I have some concerns about that issue.

The other issue that I am concerned about with respect to this bill, I guess, is a little bit more around the politics of it. While I do not want to depart from the fact that I think there may be some good elements to the bill and I do understand that there is some sound advocacy for the notion of moving to a .05 standard, I'm a little worried that what's really going on here is that we're endeavouring to look like we're dealing with an issue in a way that costs the government purse the least. Those kinds of solutions, although politically convenient, often don't end up being the best ones.

I believe I would not be the first speaker in this House to note that Alberta, I think, right now enjoys either the lowest or the second lowest per capita number of police officers in the country. Really, as we all say, you know, you need to enforce. You need to have people there to enforce. You can have the best rules in the world, but if you don't have people to enforce, if you don't have processes for enforcement, then it really doesn't matter.

10:00

We've seen indications that the police force in our province is strained to a tremendous degree and that we have a tremendous deficit in the number of police officers that we have in this province and that, in fact, the government made grand promises to hire whole bunches of new police officers at about this point in the election cycle in the last election, and we didn't get all those police officers.

Now we have this piece of legislation, and it's going to look great on the books, but if no one enforces it, then we're basically relying on those people who probably were already self-regulating in most cases to simply self-regulate. We're not really going to bring about any change because we're not enforcing those people who don't self-regulate. Whether .05, .08, 1.2, 1.9, it doesn't matter. They're not self-regulating, and we don't have enough police officers out there to do anything about it.

I am concerned that this is a bit of a political bill designed to create the impression of law and order and safety and enforcement and all those kinds of things, but it's an impression that will never be acted on as long as we continue to underfund our policing scheme to the extent that we currently do. I would certainly not want to see the government have the pressure on them that should be there on the basis of their obligation to properly fund our policing resources and to provide adequate resources. I wouldn't want to see that pressure released because people think, "Oh, well, I guess they're doing something on law and order, so I won't talk to them about law and order because they're kind of covering that file" when really, no, they've just passed a piece of legislation that no one really expects many in the police community to ever enforce.

I'd actually be quite interested to hear from spokespeople – from police chiefs, from people within the policing world – about what their opinion is of this legislation, whether they perceive this as something that will assist them in any fashion or whether, in fact, it may create more work.

There are a lot of questions that I think still need to be answered, and as I say, I'm conflicted because I think there are some positive elements in this bill. I am a big advocate of public safety, and I do believe that if you legislate for safety, there's an element of that that flows because people tend to be law-abiding citizens, so you're more likely to bring about an improvement. I think that there are a lot of things that are compromised or jeopardized through it, so you really need to properly think it through.

I'm looking forward to hearing more information about that as well as about the consultation that has occurred with the key stakeholders, who have clearly indicated a number of concerns with the bill.

That's where I'm going to leave it for now, and I look forward to hearing more information and debate from members of the government as the debate proceeds. Thank you, Mr. Speaker.

**The Deputy Speaker:** Under Standing Order 29(2)(a), the hon. Member for Calgary-Varsity.

**Mr. Chase:** Yes. Thank you. Through the Speaker to the hon. Member for Edmonton-Strathcona, as you were speaking and

knowing that you have a legal background, I wondered about a person who was caught and who registered at .05 arguing whether or not they were impaired and whether they should have been pulled over in the first place.

Secondly, I'd like to hear your views briefly on whether you think the carrot versus the stick is a more progressive approach? You mentioned having more police officers.

Thirdly, is the stick sufficient to change behaviour? I earlier suggested demerit points off a licence rather than a 24-hour suspension.

**Ms Notley:** Well, I think the difference between blood-alcohol level and automatic penalties for blood-alcohol level versus the issue of impairment has existed in the law for a very long time, and they are two separate heads of penalty under the Criminal Code. I think that the reason that the federal Parliament originally introduced the concept of the blood-alcohol level was because the issue of proving impairment is a very difficult one in the courts. There was a public, collective decision that we needed to more actively get at people who were getting behind the wheel and driving when they were impaired. The whole process of proving impairment is complex.

Personally, I remember a case that I argued way back 15 to 20 years ago where a fellow was well over .08, but he was asking that his insurance company pay out his insurance because his insurance only disqualified him if he was impaired. We sued his insurance company, and we were successful because it was not possible for anyone to prove that he was impaired even though he blew – I can't remember – double .08 or something like that. There has always been a difference. So there is a reason for having blood-alcohol levels, because it gets at a group that you wouldn't otherwise get at.

The carrot and the stick. Well, you know, in other contexts we talk about worker safety. We talk about environmental standards. We talk about ways to get other players to behave properly. I am an advocate in those cases for ensuring that we have strong standards for employers to keep workers safe, for industry to keep our environment clean, and for enforcing those standards. This government is always keen to enforce and regulate the average citizen. They are less keen to regulate employers and industry.

However, when we're talking about employers and industry, my position generally is that sometimes the stick is what is necessary. I think there may be some relevance to that here because I think we do have a problem in Alberta. We still do have people on the roads drinking and driving, and that needs to stop.

I think there was one more question you had, the issue of demerits. I think the research is out there that demerits don't actually change behaviour in a huge way, so I think we do need to look at other ways to change behaviour. But I go back to my original point. I think that if people believe from experience that there are enough police officers out there to know that they will be caught, then that will also change behaviour. Until such time as we're able to put an adequate number of police officers onto our roads – that's probably the best bang for your buck.

That's something that this government should be working on. They've certainly made lots of noise about it for years and years, but they haven't actually followed through on it. I would say that that would be as or more effective than this. Whether it should be done in concert with this is another question altogether. But this bill should not be allowed to distract from the need for the government to put the same number of officers per capita on the road that Canadians in other parts of the country enjoy.

**The Deputy Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I very much want to compliment the hon. member when she made the comment that that should not detract from the ultimate goal, and that is to have more, if I can call it, policing, more surveillance. I know that if you look at New York City, where they decided that their downtown . . .

**The Deputy Speaker:** Hon. minister, we've run out of time for 29(2)(a).

Any other member wish to speak on the bill?

Seeing none, the chair shall now call on the Minister of Transportation to close the debate.

10:10

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I'm going to make it very short. Of course, the short aspect of it is that this is a proposal, if I can call it that, for strengthening Alberta's approach to impaired driving. It is for safer highways.

I want to say that our main concern and our main area is for individuals that are repeat offenders over the .08. If you look at the legislation, if you look at the documentation, that is where the major emphasis is put.

Mr. Speaker, this is also a complete package. It does involve the graduated licences but does not have to be in the legislation. It can be done by regulation. I think you know what some of that says.

Thirdly, Mr. Speaker, it is about a culture change, and .05 to .08 very much is about culture. It is the area. That doesn't change. It hasn't changed what the police are using today and what we are bringing forward. It is the penalties at the end that have changed. It needs to have an impact on people who are drinking and driving.

Mr. Speaker, if I can, this is about the safety of our highways. This is about the safety of Albertans.

Thank you.

**The Deputy Speaker:** The Minister of Transportation has closed the debate, so the chair shall now call the question.

[Motion carried; Bill 26 read a second time]

## Bill 21 Election Amendment Act, 2011

[Adjourned debate November 22: Mr. Olson]

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

**Ms Blakeman:** Thanks very much, Mr. Speaker, for the opportunity to speak in second reading on the Election Amendment Act, 2011. We've just had so much fun here tonight talking about different proposals that are flowing from the new Premier's campaign promises, essentially. This is another one of them, the Election Amendment Act.

Let me just take a step back. Really, why do you need fixed election dates? Who cares? Lots of people for hundreds of years managed not to have fixed election dates and have them called, essentially, by the government. I was plowing my way through a rather esoteric article, probably somebody's doctoral thesis, on sort of the history of fixed election dates, Dissolution of the Legislatures: Constitutional Change, Institutional Continuity, by Thomson Reuters Canada Limited's Doug Stoltz, bachelor of science, LLB. I'm just referencing it, but I'm not going to quote extensively, so I won't bother tabling it. He's referenced in his whole document what I've just said, that essentially there's a long history of governments being able to control when they call an election.

Really, the point of anyone asking for a fixed election date – and almost exclusively, I'll note, this tends to be called for by members of the opposition. I think the only one that actually called for it as an opposition member and then got in and did it is Gordon Campbell, and I don't know, if you asked him today, if he'd be too happy with himself for having carried through on that action.

However, the point of a fixed election is twofold. One is to provide certainty for all involved, and I'll come back to that point. The second is to curtail the government stacking the deck, being able to pick the most opportune time for the government members to get re-elected and to be re-elected into government. It's an unfair advantage, and I think the population looks at it as an unfair advantage. It's not fair ball. They're not playing on a level playing field, all of those sports metaphors that people are so fond of. But that's true. That's why people are interested in it. They want people to have a clear shot. That doesn't happen when government gets to pick the most opportune time, especially with a government that has a lot of resources, as this government does, to be able to do polling, for example, on issues or on how people are feeling about things. They can certainly manage to ascertain from those polls when they're doing really well, and that's the time to call an election. Therefore, it works best for them.

In knowing what date they're going to call, they can also take advantage of things like handing out the community facility enhancement cheques or the community improvement program cheques. The Member for Edmonton-McClung did a private member's statement this afternoon talking about how he'd managed to secure and hand out cheques to 13 of his schools for various projects. That's exactly the kind of thing that really shows him in an excellent light. If there's an election date called, well, gosh, he should be a good guy because he's managed to secure the funding for all of these groups and give credit to the government for having done that. That's exactly what I'm talking about. It was an excellent opportunity that he handed me today. Or, you know, things about building new buildings or rec centres, curling rinks, road paving, highway widening, any of those kinds of . . .

**Mr. Hinman:** Contracts with teachers.

**Ms Blakeman:** Contracts with teachers: perfect example.

Lots of ways that the government that is controlling the date can give themselves an advantage. They can make people happy and then call the election, and they're much more likely to do well from it. Again, people don't think that that's fair, and they don't believe that government should be allowed to do that. This government certainly enjoys the full benefit of calling the date.

You know, one of the things that has been brought out. I was reading through various press releases that were put out by the now Premier as she was campaigning. Oh, you're going to get so sick of this quote because you're going to hear it so often. There she was saying: "Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election" – here we go – "without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election." That's the quote from the now Premier. She very clearly understood how a government can manipulate for their advantage, and she was trying to move away from that. This is why people are going to be saying – they already are saying it, to be perfectly honest. One of the newspaper clippings I've got here is from a reporter that's talking about how she's broken all of her promises, and this is one of the ones that they specifically highlight.

We don't have a fixed election date in this legislation. I think the credit goes to the Member for Edmonton-Highlands-Norwood for the phrase "election season." It's an election season. You know, it's an election 90 days. I don't know what else happens in 90 days. It isn't one day. It's a whole series. It's 90 days of possibility, which still allows the government to pick the best date for themselves.

The whole point of having a fixed election date is that it creates certainty and takes away that extra advantage that government likes to give to itself. I admit, you know, that's pretty tempting. I can't imagine a government not taking advantage of that. That's why you have to put in legislation so that they don't and they can't take advantage of it. What the government has proposed here with this legislation does not fulfill the promise that was made or any expectation or reasonable interpretation of that promise. A fixed election date is a fixed election date, not a fixed election three months, not a fixed election season.

**10:20**

The idea that somehow the government needs flexibility to be able to do this, that somehow they need to be worried about planting seasons or farmers. I went and looked at when other people have elections. In fact, Saskatchewan and Manitoba both have fixed election dates. Saskatchewan came in in 2007 and Manitoba in 2008. Now, you want to talk about farming and planting and harvesting and all of that. Those two provinces know all about that, just as much as we do, and they managed to land on one day, in Saskatchewan the first Monday in November and in Manitoba the first Tuesday in October. So the idea that somehow we have to be flexible because of farming requirements: clearly the other major farming provinces have worked that out, and they didn't need to do this. In my mind I start to ask: what is the impairment that Alberta is having to struggle with here that they can't manage to find a fixed election date when everyone else has managed to deal with this problem?

The other flexibility issue – I'm doing air quotes here – was evidently weather. Somebody said that in a media conference. Well, in Alberta, actually, I mean, it may change frequently, but it's actually pretty steady weather, not like weather in, say, oh, Newfoundland or weather in the Northwest Territories or in P.E.I. or even in B.C. You know, compared to them we're not getting the same kind of, you know, typhoons and hurricanes and things like that. Our weather is pretty steady. It's cold. It goes down. It comes up. But all things considered, you know, we don't usually have a lot of reasons for shutting things down. We all laugh and laugh when we see the pictures on the news when it snows in Toronto and those stupid Ontarians get out there and slide into each other. I mean, we think that is so funny because they can't cope with weather. We know how to cope with winter and snow. We can also cope with summer. So what's the impairment here exactly that the government can't deal with changes in weather?

The other thing I hear is that we need a made-in-Alberta solution, which somebody else referred to today. I get goosebumps and my blood chills a bit when I hear the phrase "made-in-Alberta solution" because always it's going to mean something that doesn't bode well for Albertans. They're going to have to do something just a little bit different so that they can still get away with doing what they wanted to do before. Where else have we heard about a made-in-Alberta solution? Well, the climate change and emissions fund. We know how well that is not working. I had a question in question period today, and the minister could barely manage to – well, she didn't answer me.

Oh, we had to have a made-in-Alberta solution with a law that the government would never go into debt again. That's a made-in-

Alberta solution. Ooh. All right. How about deregulation of electricity? That was a made-in-Alberta solution as well. Gee, that sure worked well for Albertans. How about continuing to own their own bank? That's a made-in-Alberta solution. No other province still owns their own bank. Pretty handy. That was a made-in-Alberta solution. Does that work to the benefit of all Albertans? Sometimes. Let's talk West Edmonton Mall and some special deals that happened there. That usually makes everyone over there button it. So made-in-Alberta solutions really don't seem to benefit Albertans. The government certainly benefits. Well, gee, let me go back here. Wasn't that one of the two criteria that we were trying to fix in that the benefit would not go to the government? Hmm, all right. That didn't quite work.

Let's talk about certainty. How in a 90-day period, a 90-day season, a 90-day gestation period, if we want to put it that way . . .

**Mr. Hinman:** Are you talking rabbits or mice?

**Ms Blakeman:** Could be. Where's the 90 days? Somebody's pregnant for 90 days. Don't know who. Anyway, gestation period.

How exactly is certainty created, then, for someone that needs to give their boss a notice that they are going to take a leave of absence to run in an election? "Sometime in these 90 days, boss, I'm going to be leaving." How exactly does that work? Now, we want to see a good mix of our society represented in this House. How do we do that if anybody that has a regular, Monday-to-Friday, 9-to-5 job who is trying to take a leave of absence from a job they could take a leave of absence from – so who would that be? Teachers, civil servants, nurses. I'm beginning to see why the government doesn't want this. It would mean that it makes it much more difficult for someone to give notice to the school board and say: I need a leave of absence because I'm going to be a candidate in the next election. Whether it's for your side or my side doesn't matter here, but there's no certainty there.

So they're really stuck again in an almost worse position than today because we have enough scuttlebutt, enough signs. It's like reading the chicken guts, right? There are enough signs that you're getting close to an election that you actually can kind of feel it out, right? We knew last time that the election was going to be at the beginning of March. Well, I started campaigning early, you know, full bore. I was out campaigning on the first of January. I knew, we all knew it was going to be then, and it was. In some ways without it we had more certainty. Putting this in gives us less certainty.

What about someone that's going to give a retirement notice? They're going to say: "That's it. I'm going to retire completely from this position, and I'm going to be a candidate, or I'm going to be a campaign manager." That's the same thing, right? How are they supposed to give notice over a 90-day period? "Well, I'll be retiring; I'll get back to you on which of the 90 days I'm going to be retiring." Can you imagine trying to replace them somehow? "Yes, I'd like to hire you. Are you available sometime in this 90-day period to commence work when we figure out when the person can give us the 90-day notice?" Hmm, I think this didn't create certainty here at all.

We've still got a situation where the government will know the date and will be able to pick it out of the 90 days. So they'll still be able to book the billboards, to book the radio time, the TV spots, the magazine front pages, and all of that. They know when it's going to be, but nobody else does because it's a 90-day period, which is a very long period of time. It's in fact longer than the House sits, just to give a perspective for my colleagues here. Ninety days is longer than we sit in this House. That's a lot of time. I know you guys feel you sit in this House way too long, so

just imagine it being longer than that. You've got the period that we're now talking about for a fixed election date, but it's not an election date.

So can I support this legislation? No. This is a mockery of what was intended. I'm sure that very few of the hon. members opposite intended to make a joke out of this. I think they meant it to be a gesture. They meant it to be loyal to their new Premier. But it has ended up being an absolute mockery of what was intended. It creates no certainty. It actually removes certainty.

It certainly does not change the beneficial position that government has been able to work itself into. Again, I believe it actually enhances it because although we're supposed to know what's going on, the nongovernment side over here or anybody else – what are the people that are working in Elections Alberta supposed to do? Yeah, right. We're going to hire those deputy returning officers and all those poll clerks: “So, people, if you could just clear your schedule and be ready to work for us sometime in this 90-day period.” Right. How many part-time workers are able to say to you, “Yeah, I'll hang on and wait for you to come up with a date sometime in three months, in that 90-day gestation period”? An election gestation, that's what it is.

So this really is offensive, I think. You know, I'm trying to be jovial about it, but I think it is quite offensive.

**Mr. Hinman:** You're doing a good job.

**Ms Blakeman:** Of being jovial or offended?

**Mr. Hinman:** Oh, no. You're doing a good job.

**Ms Blakeman:** I think that's true; it is offensive. It was totally against what the Premier was putting out to Albertans as a way of saying: please vote for me; here are some of the things I'm going to do. She was supported, and she was put into office. Then to have this come out is a mockery of everything we do believe in or, certainly, that I believe in and my caucus on this side believes in. So I clearly won't be supporting this in principle or in any other way in second reading.

**10:30**

We will do our best to try and amend the bill in a way that might make it a bit more palatable, but given that this is one of these delightful bills that's, like, a page long – I am forever with too much stuff on my desk, and I can't find the darn bill. Here it is. Oh, look. It starts on page 1 and ends on page 1, so it's not a really long bill. I'm going to be a bit pressed on where I'm going to amend this exactly because, really, it has two sections. One is to say that no matter what happens in this act the Lieutenant Governor can still dissolve the Legislature in Her Majesty's name; and secondly, that during this period, this three-month period beginning on March 1 and ending on May 31, a general election must be held.

Actually, the general election has to be held or it has to be called? That is one question that I have on this. Can the government then call or ask the Lieutenant Governor to call, or however that actually works, an election on, say, February 1, so the election would be March 1? That actually makes this a four-month period because it is clear that it has to be held by May 31, which means that it has to be called 28 days before May 31.

**An Hon. Member:** Maybe February 29.

**Ms Blakeman:** Well, it would be three months, then. It would back up to the beginning of February and go till the end of April. All right. It's still a 90-day gestational period here.

**Mr. Hancock:** Except perhaps in a leap year.

**Ms Blakeman:** I'm so sorry. I've been corrected. Leap years would just totally mess us up here.

**Mr. Hinman:** And add to our flexibility.

**Ms Blakeman:** That's right. Maybe it does add to the flexibility with the leap years.

Really, I've been nice about this, but this act is bad, bad, bad. It really goes against a promise. I think that it is a broken promise, and I'm just disappointed in the new Premier. I thought there'd be more genuine support for her.

Thank you.

**The Deputy Speaker:** Hon. Member for Calgary-Glenmore on the bill.

**Mr. Hinman:** Okay. On the bill. Well, that's a tough act to follow, Edmonton-Centre. I think she snuck my speaking notes and took them over there. She hit the nail on the head so many times that that nail went right through the board and has come out the other side. Too bad it didn't come out there and hit them in the butt to get up and talk about this and realize: oh, I didn't realize that there were so many points that are so true. But there are. It's just one after another. This is offensive to the people of Alberta and, I truly believe, to all those people who even considered voting for this Premier as she quoted that the manipulation that goes on behind the doors is astounding.

I guess I want to focus on some of the big ones, on the selfishness side of this, just taking the opportunity to get the ads out there, to take up the air time, to take up the billboards. I mean, they have millions of dollars in the bank. They can and have in the past, I believe, actually taken up that ad time to make sure that once those chicken guts, as the hon. Member for Edmonton-Centre says, start dictating that there's an election coming forward, they have the ability to tie all these things up. That unfair advantage is truly disappointing, one would think, in a country like Canada, where the rule of law and integrity are so important. It's just so disregarded when it comes to picking an election day.

Let's look on just the tax side for the citizens. Again, the hon. Member for Edmonton-Centre just kept hitting that nail till it's gone right out of sight. All of the election workers here in the province: I mean, there's no thought for any of these individuals. The cost of tying up and trying to find places that are available. When you know that it's March 31, 2012, you can go and make deals.

I mean, what rule of law gives benefit to is certainty. When you have certainty, you can carry on business. You can attract business. All of those things are critical to having a great society, and chaos drives all of those things out. It's great if you can be the one in the position of power and create chaos for others. It's wonderful. They don't even have consideration for their own people, though, to tell them: this is the date we're going to do it.

For myself, Mr. Speaker, it was a big decision. I took a leave of absence the first time on the 14th of July and campaigned through until November 22. The chicken guts were right, and off I went. I talked to my partners and said: “Look. I need to do this, but I don't know when it's going to be.” I took the leave of absence. The government could have easily waited until the next spring. Again, with that momentum that you're trying to cover, it's extremely difficult. All of these things are disappointing. The new Premier wouldn't want to add certainty and credibility.

I mean, if you want to talk about the Alberta way, it's the old saying: my word is my bond. There is no bond here. This is like a

Greek bond; it's just on default. Why would you want to buy it? Is it the risk that you can sell it before it's not worth anything and leverage it out? It's just disappointing on so many levels that here is the one case where the Premier could have so easily given a fixed election date.

What adds insult to injury are the excuses. "Oh, we're thinking of the farmers. Not only will we tell you when the date is, we'll guarantee you a great haying season." What absurdity to think that they are putting this forward for other people. "We want to attract good people to run, so we won't tell you when we're going to start the race." It's truly incredible, the audacity, the arrogance of saying: we're setting fixed election dates. And I do love it: season. We have a winter season. We have a spring season. We have a summer season, and a fall season. Now in Alberta we have five seasons. An election season. What a benefit for Albertans. We now have a new Alberta advantage. We have five seasons in the year. What a blessing.

**Ms Blakeman:** Wow. What a selling feature.

**Mr. Hinman:** Yes. I wonder if they're going to give us an extra holiday during that time so that we can go do a few things. Election day: are you going to make it a holiday?

I mean, that's another great example. There are lots of people that want to plan their holidays, and they plan it and leave, and then all of a sudden they miss an election. There are people that will actually plan because they want to participate in the election procedure, but they don't know which month to book off work where they could actually work some time to help the candidate that they want.

**Ms Blakeman:** So lower voter turnout.

**Mr. Hinman:** Absolutely. This is an affront to Albertans, saying: "What we want to do is manipulate it, but we're very generous. We're going to go from 12 months down to three months." I don't know whether it's generous, Mr. Speaker, or just arrogance thinking that is all the time they need in order to accomplish it. They can tie up the billboards, they can tie up the radio ads, they can tie up any of the other types of media that they want to, reach out to those advertising the office space. They know all these things.

There is nothing in this bill that I can see that says: we're doing this to try and engage Albertans; we want them to participate in an election here in the province of Alberta. It's an insult to Albertans. I cannot believe all of the flopping that this new Premier wants to do. Why would you want to flop on a set election date? I just can't explain it. I truly can't other than the fact that all it was about was: I need to make enough promises to get elected, and then it really doesn't matter. I think she's going to get a rude awakening this time, that it does matter. The election is too close this time to the promises made and the promises broken. That's going to be the problem.

10:40

I'm looking forward to the next election. I'm looking forward to allowing Albertans to come out and to make their little X in the box and pick the people who they want to represent them, who will actually do that.

I'm very disappointed that I wasn't able to get a standing vote on the traffic amendment to see how many of these members – that had such a robust discussion. Again, this open and democratic and free vote. [interjection] Oh, look at that.

**Ms Blakeman:** No. Little Bow spoke.

**Mr. Hinman:** No. I said for a standing vote. I wanted everyone . . .

**Mr. Hancock:** You weren't even here to vote.

**The Deputy Speaker:** Hon. member, address the chair.

**Mr. Hinman:** Oh, yes. Thank you, Mr. Speaker, for getting me back on track. I said, no, that it takes three. There were only two of us here. We don't have the . . .

**Mr. Hancock:** You weren't here.

**Mr. Hinman:** Did you have a standing vote to show that I wasn't here?

**Mr. Hancock:** No. But I knew you weren't here.

**Mr. Hinman:** Then you should have called a standing vote there, sir. If the Government House Leader . . .

**The Deputy Speaker:** Hon. member, on the bill and through the chair.

**Mr. Hinman:** Was this on the three-dollar bill that this government wants to do it?

**The Deputy Speaker:** Hon. member, you have the floor. On the bill and through the chair.

**Mr. Hinman:** Thank you. Sometimes the temptation to respond to the Government House Leader is just too great when they have the arrogance to say that you're not here when there was no vote. I was here, present in this Assembly, when that was called. If he would have called for a vote, I was here. I would have been standing up.

**The Deputy Speaker:** On the bill, please.

**Mr. Hinman:** The point is: how many Albertans are going to be here? How many are going to plan and say, "Well, it's not going to be until April, so I won't come back until the end of March," only to be surprised that the Premier wants a March 3 election.

It's interesting. You know, I remember the last go-around. I've been fairly active in wanting what I call better government and believe that we can do much better. Many people believe that we're doing a wonderful job. I think that our potential to do better is immense. I do remember that back in January '08 Scott Hennig put out a little article. Again, the Premier at that time said: oh, we're not going to have an election till the fall, till November '08.

I was busy trying to help merge a few parties together. On the 19th of January we came to an agreement, and the Alberta Alliance and the Wildrose came together as one party, and that, hon. Member for Edmonton-Centre, I believe was the impetus for this government to say: we need to go now; we don't want to give them any more time. And they called an election. On top of that, they spent over \$1 billion in that 30-month period plus made contract agreements costing us over \$6 billion, to buy an election, in my opinion. It was very crafty of them. I'll hand it to them. When they want to play politics, they're very good at it.

I want, though, to govern. I want to have a government that is focused on governing, not playing politics. Politics for me is divide and conquer. Politics is adding chaos. It's picking out issues. It's taking the emotion out of it. Governing is rational decisions, having an open debate, putting it to committee, looking at the stats, and being able to know when a decision is going to be made. March 1, April 1, May 1? Maybe we'll have a crisis, and we'll just say: you know, we need to change this law. And they'll do that in a minute

because the polls are up. Worse than that, there's been an economic crisis, so we better postpone this election.

Mr. Speaker, not only is this an election season, a new bonus season for Albertans – the fact is that just like their law that we have to have a balanced budget, it gets changed 15 minutes before their new deficit budget, and they say that it's okay. So we can't trust this government. We can't trust them on their bills. They bring it forward with smoke and mirrors and the grandeur of a wonderful new Alberta advantage when, in fact, there is no advantage except for the governing party, except for the Premier to be able to say: now is the day to shoot the gun and say we're starting tomorrow. That's not right. This bill should be withdrawn by the Premier.

She should be just like she was when she said that there'll be no fall sitting. She was wrong, and she's just as wrong to say that we're going to have an election season sometime in the year. I guess I really look at this, Mr. Speaker, that if there's an economic crash, that this European crisis creates economic disaster here, I can fully see us coming back in the spring because of the massive deficit this government continues to accumulate on a cash basis, sucking up our sustainability fund, which again is another oxymoron. There's nothing sustainable about the way they're using up that savings account. They're spending it at a rate that one more year with the current economic situation and we're back to zero, and those deficit budgets will be deficits in the real sense and not in the fact that we can suck it out of the sustainability fund. Thank heavens that they had the boom that they did, or we'd be in more trouble than we could possibly throw a stick at.

Mr. Speaker, it's very clear that this government wants to govern with deception. They want to say that they've got a fixed date when it isn't. Like I say, if they're really serious and they want to put in a fixed date, put in a fixed date and also say that the only way it can change is through a referendum of the people and not the new law that's going to be changed 15 minutes before. We've had it in the past where there used to be recall in this province, and then when the people in power got in a little bit of trouble, they scrapped the bill.

**Ms Blakeman:** No. No. No.

**Mr. Hinman:** There are a few things that we just can't agree on, but accountability is critical in governing. Accountability in politics is . . .

**Ms Blakeman:** Don't get me started.

**Mr. Hinman:** Yes. I won't.

Mr. Speaker, what we need this government to do is to make an amendment and give us a date or withdraw the bill and say: we're sorry; we apologize for being so arrogant as to say that we're giving you a fixed election season or date. I don't know what you want you want to call it. There are a lot of different terms, but it's wrong, wrong, wrong.

We need the Premier to withdraw this bill, apologize to the people of Alberta, or come and make an amendment and give us the date so that we can start to have Elections Alberta get the facilities booked and for people to be able to realize this is when it's going to happen. Perhaps more people will jump in and say: now that I know there's a date, I can start to plan around my business to get ready to do this. They can plan their holidays. There are a lot of things. If we're thinking of Albertans, if we're trying to engage Albertans, give them a date, give them the certainty, give them that time of accountability. Then they can see that all of a sudden when the government desires to spend a billion dollars, we can do something about it.

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

Seeing none, the next speaker. Hon. Member for Edmonton-Strathcona, do you wish to speak on the bill?

**Ms Notley:** Thank you, Mr. Speaker. Yes, it is not a pleasure to rise to speak to Bill 21 because it is really, truly one of the most laughable bills that I've ever come across since I've been in this job. I remember the meeting I was at when I first heard that this bill was coming forward, and I was inquiring about the date that would be included in it. Then when I first heard that, in fact, we were talking about a 90-day period, you know, silly me, I started laughing uproariously. I chuckled to myself off and on for about 24 hours. I actually said to myself: "Oh, there's no way they would actually introduce something like that. Oh, they couldn't be that stupid." Sorry. That's probably inappropriate, and I'll apologize.

I would just think about this to myself and just chuckle at the complete inanity of somebody going out there and making a grand promise that she was going to bring in fixed election dates and instead introducing legislation that could at best only be called random election seasons. It was funny because I just didn't think that these folks could be that arrogant to actually try and pull something like this off. You know, the arrogance of this Conservative government, having been in power for longer than the government in Egypt. I think we're not quite Castro yet, but we're getting there, the 40 years of being in government. It would have been bad enough if the arrogance sort of increased each year, but it's really an exponential one. I'm quite sure that they will start challenging, you know, the time-space continuum and thinking that that doesn't apply to them either.

Truly, what we've got going on here is just an arrogance around the English language. The Premier said: I will bring you fixed election dates. Then these guys bring in a piece of legislation that calls for a moderately fixed election season, and they actually have the temerity to look at people straight in the eye and argue that the Premier has kept her promise. And I'm thinking: is there a new language that's developed just overnight? Am I missing the development of a new language? You know, at what point do we hold people accountable for what they say? I certainly hope to goodness that Albertans are coming to terms with what this legislation represents, which at its heart is a neon sign announcement that the new Premier cannot be trusted to keep a single, solitary promise.

**10:50**

I like to say that, well, you know, with her when she makes a promise, folks, be really clear to read the small print. But now I'm at the point where, well, you know what? Don't read the small print either because it may well be written in Na'vi or some long-since-departed language, and even if it isn't, they just won't adhere to the normal rules of language construction because they don't think that any of the rules apply to them. That's what Bill 21 represents. It is the clear, broad proclamation to Albertans that: "We don't think the rules apply to us, and just because I said I was going to give you fixed election dates doesn't mean that I will. But I will not, under any circumstances, even take responsibility for the fact that I'm not keeping my promise." But Albertans can see that that's what's really going on.

Now, in this particular case it goes as well to the heart of how this government operates, which is to use its influence, its power, and its tenure in a way that is designed to keep itself in power and to hold on tight to power. It's not about good governance. It's not about the public interest. It's not about the greatest benefit to the greatest number of Albertans. It's actually not even about the

greatest number of benefits to the most friendly group of Albertans anymore. This one is just raw, blatant grasping for power. That's what this bill is, and that's what this government has deteriorated to. That's what it's descended to. It's just a raw grasp for power.

When it comes to elections, you know, these guys are unmatched, I would suggest, across the country in terms of the way in which they make the rules to benefit themselves. It's not just this bill, but this bill is part of a long process.

We have election financing rules in this province, which – I suspect that if you looked at what the election financing rules were in some gold rush a hundred years ago, you would not have found them more corruptible than the current election financing rules. We have no limits on how much money powerful governments and powerful parties can spend in an election. We make sure that it is absolutely possible to buy an election in this province. Absolutely possible. No limit on how much you can spend, and that's unlike most other jurisdictions in the country. But here we want to make sure that the wealthy and the powerful are not in any way constrained in their ability to maintain, their ability to stay wealthy and stay powerful and stay in control of our democratic system or our political system here in Alberta. That's a problem, of course, when you combine that with the absence of a fixed election date.

Let me just talk a little bit about some of the practical issues that impact upon a smaller party that does not take corporate donations, that does rely on individual Albertans to finance them, that doesn't get great big, huge cheques from Enbridge and TransAlta and all these great companies that these folks are governing on behalf of but, rather, is just getting cheques from regular Albertans.

This is what happens when you have an election. You know, you try to have a campaign office. Well, do you spend \$4,000 to get that campaign office for one month, or do you spend \$12,000 to get that campaign office for three months? In the world of the Conservative Party of Alberta: "Three thousand dollars, \$12,000; it doesn't matter. We've got millions of dollars to spend on this. We're going to outspend the opposition parties 5 to 1 because we're in charge and we've got all the contacts and we've got all the power. We will never change anything to make sure that the average Albertan who does not have that money has a vote that matters as much as the average Albertan who does have that money." As a result, when you look at, "Hmm, do we spend \$12,000 renting a campaign office for three months?" sheesh, that's kind of a big portion of our budget. Well, over there in moneybags land it's not. "Who cares? It's a drop in the bucket."

For regular Albertans who are coming together as community members to try to put together a campaign based on donations out of their pockets, where they're making a decision about whether to spend a thousand dollars a month for the most expensive daycare in the country or whether they're making a decision to spend an extra \$300 this month for the most expensive electricity costs in the country, when those people have to make those kinds of decisions and then they decide how much they can give to their local candidate, the question about whether you buy a campaign office for one month or three months: it matters.

I was particularly offended by the Premier in question period when she repeatedly said: "Yep. We're going to have an election, and everybody should start getting ready. Everybody can start campaigning." Well, you know what, moneybags folks over there? Sure, you can campaign for a year. You've got the public purse. You've got the PAB. You've got a \$5 million election chest, so you can campaign forever. But there are a lot of Albertans that don't have access to that money. They'd still like a voice, and

they'd like a government that was interested in giving them a voice.

This leads to the next problem because, of course, we have a government here where we had a majority of members on a committee, who happen to be members of this Conservative government, very intentionally select a Chief Electoral Officer who made it very clear that he didn't believe that increasing the number of people who cast a ballot in this province was part of his job. We have that same Chief Electoral Officer now tell us that landlords and condominium boards who are breaking the law and keeping families who live in apartments or condominiums off the voters list are not going to be prosecuted under the elections law. Why? Because it's not his job. Well, frankly, it is his job, and that's a whole discussion for another time. Yet, again, this was a Conservative government that used their majority on that committee to make sure that someone who was absolutely not interested in letting the average Albertan have their say – cast their ballot, be part of our system – who absolutely doesn't see that as part of his job, was who they put in charge of our electoral process.

This bill is just a continuation of the same pattern: whatever they can do to ensure that they stay in power, and it doesn't matter how disconnected it is from a promise. It doesn't matter how disconnected it is from the English language. It doesn't matter how disconnected it is from the very clear record in other jurisdictions across the country that a fixed election date – and I was going to grab a dictionary just to read it out. Does anyone here have a dictionary? It would be interesting just to read out the dictionary definition of the word "date" because I'm pretty sure it talks about a day unless you're talking about taking someone out for coffee. I wouldn't put it past the Premier to make that argument as well if that helped her slide under the radar in terms of actually adhering to what she promised. I think if we had a dictionary, it would tell you that date refers to a day, yet that's not what we've got. What we have instead is a fixed election period of time within which the provincial government will, on the basis of its personal political interests, make a decision to capitalize on and enhance its own electoral success. That's what we could call it. It's kind of long, but what the heck. That's another thing that we could call it.

**11:00**

This is just really incredible. I can't imagine how there aren't a few people over there that are embarrassed by this. I've got to think that when there was a discussion about this ridiculous piece of legislation – you know, when I first heard about it, I laughed. I know I could hear the Member for Airdrie-Chestermere laughing over the phone. I think he might have almost fallen out of his chair when he heard that this was the piece of legislation that was forthcoming. I can't imagine that folks over on the other side didn't laugh. There had to be some of you over there who, when you found out about this piece of legislation, rolled your eyes and started chuckling and saying: "Really? Is this really what we're going to do? Really?" I mean, come on. There had to be. You had to know that it was just the most ridiculous idea to come out. I know that there is a bit of insight over there in a few select little rare spots. I'm pretty sure there's some insight – I'm sure there are a few of you – just a teeny bit of insight. There had to be some laughter around the ludicrousness of this.

Anyway, here we are in Alberta. Once again, unlike most other provinces in the country, we don't have a fixed election date. Interesting how municipalities are able to have a fixed election date every three years, not every four years but every three years. They have far fewer resources.



**Mr. Hancock:** Isn't it amazing how low the turnout is for municipal elections?

**Ms Notley:** Well, jeez, you know, it's really interesting. The House leader talks about the turnout for municipal elections. It's interesting. Your Chief Electoral Officer told us: "You know what? Municipalities are a great example." Why should we worry about the fact that he can't enumerate Albertans because they don't enumerate in municipal elections, and it works just fine. Presumably, you guys don't have a problem with that because that's your Chief Electoral Officer's view of municipal elections, and they work just fine.

The House leader suggests that fixed election dates are the reason why municipal turnout is so low, yet strangely they have fixed election dates in B.C. [interjection] I couldn't quite hear what the House leader was saying. I believe he's got an entertaining point there, but I can't quite hear him, unfortunately.

You know, they do have fixed election dates in several other provinces, which have about a 20 per cent higher turnout than Alberta. I think that letting people know when they can expect the election to occur actually probably increases turnout.

I was kindly provided with a note from the Member for Calgary-Mountain View, and it is a dictionary definition of the word "date." It's as follows: time stated in terms of day, month, and year; a specified day of the month. That is the dictionary definition for date. I really very much appreciate the Member for Calgary-Mountain View providing all the members of this Assembly with that valuable piece of information.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments, questions, clarification. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yeah. I'd like to thank the hon. Member for Edmonton-Strathcona. You know, you went over a lot of the different issues again and the frustration that it causes with people. Even to get your campaign volunteers it makes a difference. I'm just wondering, again because of the area that you represent, if there's a time of year where you think a fixed election date would be most appropriate for your area and if you've done any consideration on when you think a good fixed election date should be: spring, fall, winter. I'm just wondering if you had any thoughts on that.

**Ms Notley:** Well, I appreciate that question. See, the poor member there has fallen victim to Tory-speak in terms of what's happened to the language. You talked about a fixed election date, and then you said, "Spring, fall, winter," knowing, of course, just to review our definition here, that date does not refer to a season. Date is a day.

What date would be good? Well, I could say any day, a specific day, that it happened repeatedly every four years. In my particular riding it would be good in February, March, or halfway through April. After that, it's not good because I have a lot of students in my riding. As much as this government has very intentionally constructed the Election Act to create maximum confusion with respect to the rights of students to cast a ballot and notwithstanding the Chief Electoral Officer's active participation in enhancing that confusion and generally not supporting the ability of students to vote in our province, I'd like students to be able to vote, and it would be helpful if they were in school at that time because then they'd be where they're living.

I would very much not like to see an election occur any time after, essentially, the second week of April. Of course, as you know, the election season that's currently been identified by our

language-impaired friends across the way there includes a six-week option after university has finished. That was something that I believe members across the way heard from students about and chose to ignore. Nonetheless, that's my answer.

I understand there's another question, so I'll sit down.

**Mr. Hinman:** I didn't fall subject to them. What I meant was: was there a date inside one of those specific seasons? I have a time that I like. Again, it's that window where you should look at it.

Probably the most important thing for me during campaign time is the time that we can have at the door. I find that people are far more receptive when the sun is up. I know that wouldn't work as well for you, but I think that overall for Albertans to have some time in June is an excellent time. The sun is up for a long time. You can work the hours, talk to the people at the door. For me it's all about being able to meet as many people as possible during that election period. As much as there is a date, there is a period where we are able to do that, to campaign with people, engage more. I personally would love to see one in June sometime. I just was curious if that would affect you. I think they'd have a better voter turnout as well because people haven't left on holidays for the summer and everything else.

**Ms Notley:** Well, for the reasons I just outlined, I personally wouldn't support a June date out of respect for the many, many people in my riding who are university students. That is a more difficult time for them to vote.

I will say, though, that I do agree with you on the need to go out and talk to people and to be able to engage in efforts to talk to Albertans. Certainly, the clarity and the ability to enhance that would be greater if we had a date as opposed to a season. Personally, I find that the one upside to door-knocking in the dark when it's minus 25 out is that people are feeling so darn sorry for you for being there that you actually probably get more opportunities to speak to them. They feel bad closing the door in your face because you look cold, or maybe that's just me. It does work that way. But it doesn't work so well in those ridings that have more condominiums and apartments, which are big chunks of my riding as with others. We have a Chief Electoral Officer... [Ms Notley's speaking time expired]

**The Deputy Speaker:** The next hon. member on my list is the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Speaker, for this opportunity to speak. I want to give credit where credit is due. Again, repeating what the Member for Calgary-Glenmore stated with regard to credit, the Member for Edmonton-Highlands-Norwood nailed it when he talked about an election season. I thoroughly enjoyed the Member for Calgary-Glenmore's comment about the Alberta advantage, that every fourth year we have a fifth season. While sort of looking across the way at the Minister of Energy, who I know is a fond hunter, I couldn't help but think that, you know, every four years, instead of just having a hunting season, we should have a political punting season. That would make tremendous sense.

What I'm experiencing right now, what I referred to at the beginning of tonight's session as ADD, Alberta democratic darkness, is the silly season. It seems that whenever this government proposes legislation, there is a lot of silliness attached to it, and it's impossible not to talk about some of that silliness.

11:10

In my May member's statement I talked about a democratic deficit. When I examined the avian entrails, in my examination I

predicted that there was not going to be another parliamentary session prior to an election. Believe me, I took no satisfaction in having my prediction flipped when originally the newly elected Premier felt that having a fall session of parliament was not sufficiently important and cancelled it. Then very quickly, I guess, with the sober second thought of members of her caucus – at least, that's how it was attributed – all of a sudden we had a fall session back, a whole big, whopping two-day session followed by a significant time period in between, and now we have a two-week session.

I couldn't help but think in terms of my reality as a teacher for 34 years. "Kids, sometime within the next 90 days this assignment is due." Then I thought: you know, extend the teaching analogy. "Kids, there is going to be a spelling test sometime in the next 90 days. If you can accurately guess the actual day, you'll receive an extra 10 per cent."

You know, we can have hockey pools. We can have football pools. We can have a voting lottery pool. Guess the date the Conservatives are going to announce the election within these 90 days, and you get to vote twice. You know, it gets supremely ridiculous. As opposed to fixing elections, which the government has been very successful at, we're talking about fixing the date, not fixing the season.

One of the things the Premier claimed within discussions today – and the Member for Edmonton-Strathcona pointed it out – was the notion that by narrowing it down to a 90-day period, there would be, potentially, greater voter participation. "Voters, you know, I want you to get really excited. Sometime between February and the end of May we're going to have an election. Now, don't book any holidays. You farmers, keep your seeders parked because we might be having an election. Forget the weddings, no births. Time your gestation periods around the fact that we're going to have an election."

Now, if we want to increase voter turnout, I'll tell you that having a 90-day period isn't going to be the magic elixir that is going to turn people from a dismal 41 per cent turnout. Twenty-one per cent of eligible Albertans elected the government. If you think you're going to have a greater voter turnout by saying that sometime within the next 90 days we're going to have an election, you're mistaken.

If you want to enable people, give them a fixed date. Let them put it in their calendars. Let them be able to plan. If democracy is important to them, allow sufficient time before that fixed date for them to vote. If you want to really make it easy for them, facilitate the voting practice. Don't just have the poll open on a specific date and quite often in an inaccessible place from 9 in the morning until 8 at night. Do what some European countries do and have the vote allowed to take place over a three-day sitting. So instead of a 90-day session, you can vote in the week prior to, and the polls will open at 7. They'll close at 9 on Saturday, April 2, and at whatever time on Friday, April 1, although I worry about April 1 given this Alberta advantage discussion.

There are so many things that we could do to increase voter turnout. Creating a season doesn't do it. When we were talking about seasons, I couldn't help but think of what was originally a poem, and hopefully I'm quoting part of it correctly. *Desiderata*. For everything there is a season. There is a time under heaven.

**Mr. Elniski:** That's actually in the Psalms.

**Mr. Chase:** Well, it was turned into a song by the Byrds.

**Mr. Elniski:** Psalm. P-s-a-l-m.

**Mr. Chase:** Psalm. Sorry. Apparently, it comes out of Ecclesiastes.

It wasn't David that wrote it in Psalms. It wasn't somewhere between the 23rd and the 91st, both of which are dear to me. The 91st Psalm; 90 days election. There are some synchronicities happening at this 11:15 hour on Wednesday night when I didn't get to watch *Modern Family* with the members of my family because I'm here debating not a nonfixed election date but an election season.

Think in terms of business. I gave you the school example. A number of you are or are former business individuals. Some of you are currently landlords. You say to the person renting your home or your apartment: "Yes. Sometime within the next 90 days I will be around to collect the rent. Don't sweat it. You just make sure that you have the equivalent of three months' rent ready for me when I call because otherwise I'm going to evict you. Don't worry about the eviction. I'm going to evict you in 90 days."

What kind of contracts . . .

**Mr. Hinman:** Sometime in 90 days.

**Mr. Chase:** Yeah, sometime in 90 days.

I mean, even in rental agreements 90 days is not acceptable; we have 30 days. When you have an opportunity to put forward an offer on a house, you don't put it over a period of 90 days. There's a fixed time period which is considerably smaller.

We can laugh about it, this proposal that the Premier has put that turned a fixed election date into a flexible season, or we can cry about it. The reality for those of you who are intending to run again, especially if you're opposition members, is the advantage this gives the government, as so many people have pointed out, in making sure they have constituency office space booked, making sure they have their campaign people ready. You know, if you don't have the Conservative trough fund to tap into, it eliminates a whole number of regular people in terms of being able to afford to run and to represent their constituents.

Mr. Speaker, I don't want to continue what I've seen as a silly season, but the silliest thing next to the Health Quality Council being turned into a judicial public review when we already have a public review act is this idea that sometime, somewhere over a 90-day period . . .

**An Hon. Member:** When you least expect it.

**Mr. Chase:** . . . when you least expect it, you're going to be on Candid Election.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions.

Seeing none, the chair shall recognize the hon. Member for Airdrie-Chestermere.

11:20

**Mr. Anderson:** Thank you, Mr. Speaker. Let me guess. We're going to talk about broken promises again. Oh, my gosh. It seems like every bill that we have talked about is a broken promise. Some sort of a pattern is developing here.

With the introduction of Bill 21, Mr. Speaker, the Election Amendment Act, 2011, this Premier is building a brick-by-brick legacy of broken promises. It is getting very, very difficult to believe anything that is coming out of this Premier's mouth when it comes to promises. These broken promises now include what we're talking about here tonight. In addition to that, this is the same Premier who promised more democracy and transparency. She then proceeded, as her first order of business after being

elected, to cancel the fall sitting of the Legislature, then bring it back for two days, followed by a month-long vacation, followed by jamming in six controversial – somewhat controversial, some of them – and substantive bills into essentially four days of full debate. If that's more transparency and democracy, bring back the previous Premier because he was a lot more democratic than that, and that's saying something.

**Ms Blakeman:** I never thought you'd be saying that.

**Mr. Anderson:** Yeah, I never thought I would be saying that.

The other broken promises by this Premier, obviously, include her vow on national television to repeal section 3 of the Human Rights Act to protect free speech. As a human rights lawyer who spent three years as Justice minister, you'd think this promise was a pretty solid one. Then as Premier she only tells her Justice minister to assess the appropriateness of section 3, whether to amend or repeal it in the human rights legislation. Again, had she not thought it through before she made the promise? Who knows what will happen now? Who knows? She made a promise. Whether she keeps it or not, I guess – who knows if we'll ever know if she keeps it or not?

Obviously, the public health inquiry: we've talked a lot about that. She promised a full judicial public inquiry to be conducted before the next election. She promised it during the election. It was the cornerstone of her election promises, and then she changed her mind. She made the judicial part optional to the Health Quality Council, so it's an optional judicial inquiry, and she made it literally impossible for it to be held before the next election.

As I said in my comments earlier, Mr. Speaker, I highly doubt that we would have the current Premier that we have – I think that we would have as Premier Gary Mar – if she hadn't made those promises. She made those promises. It probably made a 1,600-vote difference in the election campaign that she was a part of with the PC Party, and she won based on those promises that either she had no intention of keeping, or she just made them up on the fly and didn't really think through the ramifications of them.

Her opponents, the Deputy Premier and Gary Mar and the Energy minister and so forth, tried to make promises that they generally knew they would be able to keep. I would hope that those are the promises that they made. I'm assuming the promises they made fit that criteria. Because of that, they didn't get as many votes because they kept things in perspective as to what they could do, set reasonable limits to what they could do. Maybe that's the reason.

The point is that this Premier has no credibility. She made promises she couldn't keep or that she had no intention of keeping. Because of that, she has completely lost her credibility, I think, as someone whose word can be trusted when it comes to promises that she makes during elections. Albertans are nobody's fools. There's the old saying: fool me once, shame on you; fool me twice, shame on me. Albertans are not fools. They will not be fooled again. [interjection] You should know. Your guy lost because of these broken promises. Good grief, hon. member.

Out of this long list of broken promises the easiest one to keep, and frankly the stupidest one to break because it is so easy to keep, is this promise of a fixed election date. You can't be clearer than what she said. She said that during her leadership we will have a fixed election date. Instead, she gets into power, and what does she do? I mean, this is unprecedented in North America that she does this. I did almost fall off my chair when the House leader . . .

**An Hon. Member:** What was your quote to him then?

**Mr. Anderson:** I just said: you've got to be kidding me. Honestly? You're honestly going to try to sell to Albertans, after making such a direct promise, that a fixed-election season is appropriate?

Let's review why other jurisdictions have fixed election dates and we still won't. The intention of fixed election dates, one of them anyway, is that it takes away the advantage of the sitting government over opposition parties in calling an election whenever it is most politically advantageous to them. Fixed election dates are nonpartisan in nature and place all parties on an equal playing field. They are designed to strengthen democracy, transparency, and accountability within the electoral system that we have. It allows Elections Alberta to get better prepared. It allows candidate recruitment to go better because good candidates – and, obviously, there are some good candidates that still get nominated. Who knows what kind of rock stars and fantastic genius legislative Einsteins we could have here if they actually could put a date on an election and work backwards from that so that people with real jobs, you know, could actually plan their lives in a way that they could run for office rather than kind of trying to maybe hope that they time it right for the election?

It's not like this is a new concept. We're not pushing the risky bounds here by taking a step into the dark with the fixed election dates. Eight other jurisdictions in Canada have already established fixed election dates for this very reason. Our neighbours to the west in British Columbia brought this in a decade ago, and their fixed date is the second Tuesday in May. Whoa. Hold the phone. That is pretty specific. What if there's rain? What if it's a tough spring in B.C.? They've never had any kind of flooding or storms.

**Ms Notley:** Never had that.

**Mr. Anderson:** Never had that, yet so specific.

Our neighbours to the east in Saskatchewan, the only truly conservative government in western Canada, just held their first election date, established by Premier Brad Wall, which is held on the first Monday in November. Couldn't be very cold in November in Saskatchewan, could it?

**Ms Notley:** It's very predictable.

**Mr. Anderson:** Very predictable weather in Saskatchewan.

Similar legislation exists in Manitoba. No problem in Manitoba. They never have floods or anything like that. Ontario, New Brunswick, P.E.I., Newfoundland – Newfoundland, a very stable climate – and the Northwest Territories, an extremely stable climate. In all these provinces a fixed election date singles out a specific day of the year.

Instead of committing to a common-sense legislative promise that almost every other jurisdiction in this country has recognized as good for democracy, this Premier has instead been playing fast and loose with the truth on this file since the recent leadership race for the PC Party began. On September 23 she promised PC members that she would commit to calling an election in March 2012 and every four years from that date.

You know, I remember the previous Premier. It's funny. Be careful what you wish for. The previous Premier, actually, was reasonably consistent on this. He would always say: "Look. Four years since the last one would be March 2012. Look for it at that time." You know, it's funny. I know in the Wildrose caucus we actually took him at his word. I'm quite sure that if he was still the Premier, I think he would have called it then. I think he would have. He didn't seem to have a problem with following through

with what he said he was going to do regardless of whether it was good or bad, so we kind of believed him on that.

Not this Premier. Not this Premier at all. She was more specific. She specifically said: "I will set a date. I will set a fixed election date." Then she wavered. She waffled. Now we've got this three-month window, so be careful what you wish for. It again shows that the previous Premier was far more democratic than this current Premier, which is ridiculous because that's how she was elected, on a platform of transparency and accountability and respect for democracy. So much for that.

She even specified that Albertans are supportive of the idea and made reference to the fact that many other provinces currently use the model. What model was she referring to? Is there some model that I'm not aware of in Canada that has seasonal election dates?

**Mr. Chase:** It's a made-in-Alberta model.

**Mr. Anderson:** Yeah, a made-in-Alberta model is indeed the case.

She went on to say that fixed election dates are important because Albertans, quote, don't believe any political party should have even a theoretical upper hand in managing the political agenda and then picking the election date accordingly. That is beautiful, that Albertans don't believe any political party should have even a theoretical upper hand in managing the political agenda and then picking the election date accordingly. Those are fantastic words, and they're true. She was dead on. The only problem is that she apparently forgot them the moment she said them because she flipped as soon as she was elected. That's what's so gross about this whole thing. I mean, it's gross.

11:30

You get elected on democracy and transparency. You say that you're going to do something right before an election. You've got other qualified candidates out there campaigning who are trying, I'm assuming, to tell the truth in what they're going to do. You win by 1,600 votes, which is nothing, obviously, in a province-wide race of any kind, and then you proceed to break the promises you were just elected on, including this one. Just preposterous. She has even been quoted as saying that the status quo of no election dates needs to be changed so as to deny the government "the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election."

But these bold promises of a strengthened democracy were broken mere days following her election as Premier as she began to openly muse when an election could be held in the future. An example of this was on October 5 in an online chat with the *Calgary Herald* editorial board, when saying that an election date could be – this is October 5, three days after she was elected, after she had said all those things I just talked about – after a spring sitting or maybe after a throne speech or maybe in June as, quote, sometimes the Legislature takes on a life of its own, so a date is a little unpredictable, unquote. You never know what those Legislatures might do. What happens at the Legislature stays at the Legislature. This is crazy. This is just too unpredictable, you know.

We've got to make sure we have some flexibility. Pretty soon, you know, the members of the Liberal Party are rioting, you know, and the Wildrose is holding keggers in the government's room over there. I mean, who knows? Who knows what could happen? We've got to keep the flexibility.

Instead of taking a common-sense approach and mimicking successful legislation that all parties of all partisan stripes have accepted across this country, this Premier's government instead

has decided to insist that they remain in control with regard to when they call an election.

This floating election season: we've got to have a name contest for this because there have been lots of different names. I like floating election season.

**Mr. Chase:** How about a U-pick election?

**Mr. Anderson:** A U-pick election. That's right. We should vote. What we should do is have Albertans vote on when they want to have their real election.

**Mr. Chase:** Yeah. We can have a selection election.

**Mr. Anderson:** A selection election. That's right.

The floating election season still gives the government the freedom to call the election on a date that gives them the best political advantage. The government still gets to shoot the gun to start the race when everyone else is guessing exactly when the election will start. This gives them time to buy ads, train their candidates, and organize their volunteers before opposition parties can be ready. People don't understand this.

Here's one example. When you buy ads, you have to do that in advance, obviously, if you want the best ad spots. Well, if you're the government, clearly, you can make sure that you get all the best spots because you're going to be the one that knows the exact date of the election, when it's going to start, what order, all that sort of thing. It's a huge advantage over the rest of the opposition parties, who kind of get the leftovers. That's just one example, but there are some nuts-and-bolts things that literally give the home team that kind of 1-nothing lead before the puck is dropped.

**Mr. Chase:** It's mostly nuts.

**Mr. Anderson:** Mostly nuts. That's right.

This is a shameful piece of legislation that sends the message to Albertans that they come second in the Premier's pursuit of power and the attempts to hold on to it. What other explanation is there for a Premier and a government to break such a simple, straightforward, clear promise? You certainly won't find one in any of these . . . [Mr. Anderson's speaking time expired]

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Yes. It was with deep regret that I heard the bell sound. I was inspired by the hon. Member for Airdrie-Chestermere, and I was very anxious to hear the rest of his summation.

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** All right. Thank you very much. I'll speed it up.

I want to go back to what the Government House Leader, who is here tonight, came out last week and told the public, that the PCs, the government, wanted the flexibility to form an election window. One of the reasons he gave was that there may be natural disasters to hit the province.

Despite this concern never being seriously raised in any other jurisdiction in the western world – in the western world this has not been a concern when it comes to fixed election dates. This government's bad spin is especially quite lame considering the fact that Albertans know that any threat of natural disasters in this province, whether it be forest fires or floods, doesn't really occur until May. May is the month where they'd have to hold it if they

didn't like the polls in March or April, so there is a little inconsistency there.

Even more unbelievable were the claims by the Justice minister – and I like the Justice minister – stating that a fixed election date might fall on a day of cultural or religious significance. Well, let's take a look at that excuse. Though it is important to honour and respect individuals from all religious backgrounds and traditions, it is not necessary to create a three-month election window to maintain government control over the timing of an election to avoid any cultural or religious sensitivities. You can pick a date, as all these other jurisdictions do, that allows you to make sure that that date doesn't fall on a very special holiday for other people.

If this was truly their concern, this Premier and her government might have wanted to take a closer look at the legislation for fixed election dates in Ontario, where the government must call an election every four years that lands on the first Thursday in October. She may have even had the chance to directly talk to the Ontario Premier during her visit to Toronto about how to best get around this sticky issue. The law in Ontario allows for a date to be moved forward to any of the following seven days in the case of the odd instance where a religious or culturally significant holiday is in conflict with the fixed election date. It's a simple solution for what this government seems to think is a pretty complex issue.

The Election Act already states that if 28 days after the writ is dropped is a holiday, the election would be the following day. Imagine that, the following day. Holy smokes. If this type of clear and precise amendment to the legislation seems too constrictive to the government, there are other creative ways to get around these alleged problems with a fixed election date.

Surely this government has enough brain power, enough coals burning, to muster the creativity to get around these distressing loopholes that get in the way of more open, transparent, and effective democracy for all Albertans. Otherwise, this legislation will stand in the minds of Albertans as one of the most bizarre broken promises committed by any head of government in this province's long, long history. It's shameful. It's hypocritical legislation. As the Wildrose we will be voting against it and hope that the government, when they come, will at some point in the future change the legislation to reflect what Albertans want, which is fixed election dates. If they won't, I know a few parties, specifically the one I'm with, that will.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Under 29(2)(a)?

Seeing none, the chair shall now recognize the hon. Member for Calgary-Mountain View on the bill.

**Dr. Swann:** Thank you very much, Mr. Speaker. On Bill 21, the Election Amendment Act, 2011, I'm very pleased to raise my concerns also. At the risk of repeating some of what's been said, I too am disappointed that a government that says that they honour, respect, and want to fulfill their commitment to democracy would play games with a word or, more importantly, play games with a concept which is designed to give a stronger sense of connection and engagement by citizens, a greater sense of fairness in the whole political process, that they would play games with that and talk about a 90-day period. That's a long period.

More than anything, I'd like to comment today on a government that would be serious about democracy. What would it actually do to try to strengthen democracy and give all citizens a sense that democracy is sacred, that they wanted to support it, that they wanted to make it accessible, that they wanted more involvement, not less, that they wanted people to have confidence in the

outcomes of elections because they were participated in with vigour and with enthusiasm and with the full knowledge that their vote, their participation, was going to make a difference?

**11:40**

In that context one would look at some other things besides fixed election dates that would actually build a stronger sense of democracy in this province. Heaven knows, with 40 per cent voter turnouts we do not have a strong democracy. We have, I would say, a discouraged electorate, young people that don't participate actively. In that sense we as legislators I think have to take some responsibility for a culture that has checked out of their democracy. They are not speaking a lot on public policy issues. They're not active on a lot of public policy issues. The recent Occupy movement notwithstanding, most Albertans are not actively involved in their provincial policy issues.

We have a responsibility to try to do everything we can to make the easy thing the right thing, to participate actively in the system. I therefore have to raise issues related to that which have to do with election financing, boundary distribution, easy access to polling stations, campaign financing. There are a host of issues where only once the pressure is insurmountable will this government actually make a tiny, tiny improvement in our democratic processes. We have to fight every inch of the way. Instead of a government that looks at the scope and scale of opportunities to strengthen our democracy and dives in to look at all of them and improve all of them, we have to push inch by inch to get even something as basic as a fixed election date, and that now corrupted and distorted by this period.

Public education on our democracy. How could the Chief Electoral Officer, for example, how could all of us be more actively engaged in seeing that people understand and appreciate the cost of a democracy both in personal terms and in terms of the sacrifices our forefathers have made and current military and others make to keep our democracy alive? How much is our Chief Electoral Officer investing in schools and engaging communities and looking at their opportunities for participation and debate, public forums, issues of current importance? How much is our Chief Electoral Officer involved with First Nations, engaging them in understanding how they can be part of and influential in our future as a province?

New Canadians. Surely they need encouragement and information and welcoming into the democratic processes, which may not be new to them but which almost invariably are different from where they came from.

Capturing a sense of people power, of people's influence and a sense of responsibility for our democracy, I think is at the heart of all of this. It's disappointing to see that there's so little enthusiasm on the other side for even the most basic change, which is a fixed election date.

As some of you may know, our former leader from Edmonton-Riverview has been the last two days in court still fighting over the last election and the mismanagement of the last election, some of the most basic issues that relate to people's prompt access to the poll. What's possible in terms of making polling more readily accessible on First Nations and for university students and more clear and communicated more effectively: some of those things were grossly neglected in the last election and discouraged people profoundly from getting involved in the democratic process. We intend to see the courts actually rule on this last election, 2008, and rule against this government in the very, very poor management that they demonstrated, some would say deliberate mismanagement for political purposes. That's another example of, really, a lack of commitment to our democracy.

The financing of campaigns. We've been fighting for years over the fact that corporations, unions, individuals can give up to \$30,000 in one election year. That is totally inappropriate – totally inappropriate. Corporations and unions shouldn't be paying money at all for elections. It should be individuals that are donating to campaigns. If we really want to encourage democracy and give people a sense that they, not corporate interests or unions, are controlling our government, let's get serious about campaign finance reform in this province and, in relation to that, the most recent provincial bill hamstringing municipalities in their electoral process and now throwing into disarray and disrepute the whole electoral process in municipalities because of lack of accountability around spending in municipal elections, a lack of clear guidelines and clear, enforceable directions for municipal councillors. I heard this from the chief electoral officer of Calgary. They have no idea what to enforce or how they can enforce as a result of Bill 203, passed in this Legislature in 2009.

Campaign financing is another critical issue that is inappropriately influencing elections and giving more fuel to the occupation movement, saying that we're all bought. We're all the same. We're all overly influenced by money instead of the public interest and the principles by which we think Alberta could become the best possible place in the next 50 years. That's another example.

Communications is another area. Public relations, the Public Affairs Bureau and the millions of dollars that this government puts into spinning its own message and its party message ultimately suggests a very cynical view of communications. The import of experts, messages, flashy ads, things that are really not encouraging people to believe that the truth and the facts and evidence and objectivity in the media are even possible today because so much of what we see and hear is bought by corporate dollars, in this case by public dollars being spent through the Public Affairs Bureau, manufacturing consent for yet another term by this government that's totally bent on being re-elected. Another distortion of our democracy, another contribution to cynicism and lack of engagement by our citizens.

Those are some of the issues, Mr. Speaker, that this bill brings up for me. It's a government that's not really serious, not really committed to democratic reform and renewal and engagement but will do as little as is possible to give the impression that they still believe in democracy and, frankly, are fast losing the respect, the involvement, obviously, of our citizens. Unfortunately, even our children do not have any faith in the political process in this province.

We certainly will not be supporting this. It's not progress. It's not a reflection of a genuine commitment to strengthening democracy and engaging people and ensuring that we get the best people in government, that we use the best of processes to determine nomination meetings and the best people to represent us, and that we make the voting system accessible and understandable and easy to participate in. It's another example to me of a deeply cynical government that will do almost anything to look good and to communicate nice messages and to carry on in power indefinitely.

I don't have anything more to say. It speaks for itself that the Premier committed one thing and is delivering another in a number of areas. We will continue to say what we see. This is not acceptable. This is not about the people. It's not about the long-term public interest. It's not about encouraging a healthy, living democracy. This is a dying democracy. Until we get some changes in these most fundamental parts of our democracy, we're going to see more and more of this disengagement.

Thank you, Mr. Speaker.

11:50

**The Deputy Speaker:** Standing order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you. Mr. Speaker, I'm well aware that the hon. Member for Calgary-Mountain View has travelled to former dictatorships. He and his wife worked as doctors attempting to help a public form of health care in South Africa. He also travelled to Iraq with the hope of coming up with peaceful circumstances. He's seen raw power first-hand.

My question to the hon. Member for Calgary-Mountain View. Some things the government does can be judged as foolish. Other things appear to be calculated. We know for a fact that the status quo, a low voter turnout, favours the existing regime. Do you have any comments as to whether you think this was simply a foolish act or whether there's a deliberateness to it?

**Dr. Swann:** Well, thank you to the Member for Calgary-Varsity. He and I both share a very strong commitment to public life, as I'm sure most people in this Assembly do. We have a recognition that the most profound impact on people's lives and their health isn't medical practice, isn't science; it's politics. Public policy has created the most profound changes in our societies in the way they relate to each other, in the way they transport goods and they deal with all of their resources. Governments have made the difference between life and death and the survival of cultures and the demise of cultures and species all over the planet. The impact of public policy is so profound for both the good and the ill.

When people don't take seriously their role in strengthening, in inspiring, in engaging people in this most vital role as citizens, it disturbs me. It disgusts me, frankly. The fact that we are so blessed that we can go from decade to decade and not experience huge, cataclysmic decline because we have such resources and such wealth and such technology to protect us from bad decisions doesn't relieve us of the responsibility to make this a much better, more engaged, more active, more authentic civilization, that should be leading the world in terms of democratic process and setting the highest possible standards in democratic engagement and electoral politics. Instead, we are dragging our feet and showing some of the worst dimensions of an entrenched government after 41 years that is not listening, is not really interested in thinking about the long-term public interest. It's one election to the next and using every means they have to maintain power.

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. Mr. Speaker, I'd like to make a request. We'd ask for unanimous consent to shorten the division bells to one minute, if that would be okay, on a division.

[Unanimous consent granted]

**The Deputy Speaker:** Does any other hon. member want to use 29(2)(a)?

**Mr. Chase:** Just leaving it up to the hon. Member for Calgary-Mountain View whether he wished to conclude debate or adjourn debate and call for a vote on the second stage of this questionable bill.

**Dr. Swann:** I will follow the suggestion and adjourn debate. I think we've had a lengthy discussion.

**The Deputy Speaker:** We have used the comments period under 29(2)(a) for a motion and suggestion. I don't believe that is the right timing, is it?

We should continue on the bill. Do you want to speak on the bill now that we have finished under 29(2)(a)?

Seeing none, does the minister want to close the debate before I call the question? All right. Then the chair shall call the question.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 11:56 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Ady	Fritz	Morton
Bhardwaj	Hancock	Oberle
Blackett	Horner	Olson
Calahasen	Jacobs	Prins
Campbell	Knight	Rodney
DeLong	Lund	Rogers
Doerksen	McFarland	VanderBurg
Elniski	Mitzel	Webber
Evans		

12:00

Against the motion:

Anderson	Chase	Notley
Blakeman	Hinman	Swann
Totals:	For – 25	Against – 6

[Motion carried; Bill 21 read a second time]

## Bill 22

### Justice and Court Statutes Amendment Act, 2011

[Adjourned debate November 22: Ms Woo-Paw]

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. I'm going to apologize in advance because this is a monster bill to try and work your way through. In this sort of 10-pound binder that I'm showing people are copies of all of the acts being amended by Bill 22, the Justice and Court Statutes Amendment Act, 2011. So although the government was kind enough to table the legislation on Tuesday, I just haven't had time to be able to work my way through 14 pieces of legislation to cross-check exactly what is going on.

This is going to be a painful debate here, folks, because I'm not as prepared as I usually am, but you are in a such a goldarned hurry here that I don't have time to be properly prepared. I don't like that, to be perfectly honest. I like to be prepared, and I like to be on top of stuff. It makes me very cranky when I'm not. Here's how far I have gotten in what we've done. I'm sorry. There's one other thing I just want to point out to everybody here. Prior to the changes – I think it was maybe in 2005 – to the standing orders, for an omnibus bill, which is what this is, a bill that changes more than one other existing statute, members were allocated more time to speak. If you would have had 20 minutes usually, you got 30 minutes to speak to an omnibus bill, which gave you a better chance of being able to cover some of the distance you're trying to

with these 14 different pieces of legislation. That got wiped out during one of the standing order dictates. I won't call it a negotiation because it wasn't.

So I'm now in the position of trying to put on record the position of the Official Opposition caucus on these various amendments at a rate of just over a minute per piece of legislation or statute that's been amended in this act, which is not a pleasant position to be in. And I'm angry because I'm not able to represent people as well as I should or to offer alternatives as I like to be able to do.

From the get-go here we have changes to the Administration of Estates Act. What's happening here actually does appear to be fairly minor. I have a couple of questions because what it's doing is changing the language from "clerk of the court for a judicial centre" and widening who is able to do this. So it's a much longer list. Later it talks more about a judicial centre, which has kind of got me scratching my head. Isn't a judicial centre a court? Why are we changing that language?

Now, I go back and read the *Hansard*. For those people that like to follow along – God bless them – this discussion takes the Member for Calgary-Mackay, who sponsored this bill, through her brief overview of the act. It appears in the *Hansard* of November 22, from pages 1236 through 1238 if you want to follow along at home. She appears to be saying under the Administration of Estates Act that this is about avoiding duplication of grants that have been transferred from the Public Trustee's office to the clerk of the court. One of my first questions is that I can't find the references in the initial bill and the bill that we're amending that talk about these responsibilities being the Public Trustee's responsibilities. So I'm not quite sure where she gets that it's being transferred from the Public Trustee's office to the clerk of the court. In what's being mentioned here – and I actually have the whole act, so I can look at the sort of wider context, the sections before and after – it's not referencing the Public Trustee Act. Maybe she can answer that one when we get into Committee of the Whole.

Once again, what's a judicial centre? Isn't that a court? Where is the reference that talks about the Public Trustee currently having these responsibilities that are now being transferred to the clerk and deputy clerk or acting clerk at a judicial centre? What it appears to me to be doing is taking out any of the references for notification being given to the Deputy Minister of Justice and the Deputy Attorney General. I'm just sort of swimming around in this stuff here. Sorry about that. But essentially for the administration of an estate it appears that what's happening is that they're trying to make sure that there isn't duplication of people, that if somebody else has already applied for a grant, it isn't duplicated somehow, whatever that means. Okay. So that's the administration of estates. The sponsoring member says this is minor, and I'm not too sure of that. When you take out the notifications to the Deputy Minister of Justice and the Deputy Attorney General, maybe there's a good reason for that, but it's not clear why.

Moving on here to the second one that is mentioned, which is the Builders' Lien Act, there are two sections that are dealt with. Again, it's this language, and I'm not sure what we're trying to line up with here. If someone could let me know what it is we're changing all of this language to line up with, that would be helpful. We're striking out "The clerk of the court" and substituting "A court clerk in the judicial centre." Clearly, this is supposed to line up with some other legislation. But nobody is telling me what other legislation it's supposed to line up with, so I'm going to ask the question. It says that it's consistent with the Alberta Rules of Court, which – I'm sorry – I just don't have time

to get and cross-reference to. So I'm questioning you on that because I don't have time to test it myself. The Builders' Lien Act does appear to be minor, but I'll put those couple of questions on the record.

12:10

Now we're going to move on. Yeah. There are two sections that are referenced. Oh, the seal. Sorry. Still under the Builders' Lien Act my question is: is there a legal significance to the seal? There usually is. We have a seal that belongs to the Clerk. I know that as an MLA I'm a notary public, and the seal itself is valuable because that's the stamp. If you lose it, you're in big trouble. You know, the thing that squishes the paper. This is changing that. It's saying that there doesn't have to be a seal. Where we would have had "a certificate under the seal of the clerk of the court," blah, blah, it's taking that out. Why? I'm wondering if there isn't some legal significance that's being lost here because we don't have the seal. I was led to believe the seal was important and legal and official, and now we're saying that that doesn't have to happen. It's literally striking out "under the seal of the clerk of the court" and substituting "from a court clerk."

Now, this might just be, you know: why are we going through all of this palaver and all of the paper squishing and stuff when this is strictly an administrative thing? Fair enough, but that's not what the member said in her comments, and that's all I have to go on at this point. So let me know about that. Right. Those were the two pieces in the Builder's Lien Act.

I'm moving on to the Civil Enforcement Act. Let me get the first little tab out here. Oh, right. The bloody sheriffs. Oh, I mean, the wonderful sheriffs. Let me make sure I've got the right section here. There is a change in the definition of what a sheriff is. You know, at the beginning of every act there's always that long, long, long list of definitions. The reason is that the definitions are put in if the definition is different than what you would normally expect it to be.

Oh, I'm so sorry. I truly am. I really apologize for being boring because I'm already losing some of the members on this side. I do apologize for that. I've put him to sleep, but maybe he's particular.

**An Hon. Member:** Impossible.

**Ms Blakeman:** Oh, there he is. He's back. There we go. Sorry. I didn't mean to wake you up. Honestly, you could have had a snooze there.

So this is under that definitions section, and when it appears here it's because the act needs you to understand that definition specifically and not under the sort of common usage of the language. In particular here, we're changing or adding – I'll tell you, this is going to make a very strange definition, but it's essentially saying that "sheriff" means a person designated as a sheriff by the Minister . . . to exercise the powers and carry out the duties of a sheriff under this Act." That's now what it's going to say. I don't know why that's important, but that's why it's going to say it.

The next section that we're going into is 15, a sort of subsequent amendment, I'm assuming, because as my notes say, there are so many sheriffs. It's like: there's so little time; there are so many sheriffs. What it is is that they're trying to make sure that all the new sheriffs, that this government is so fond of creating left, right, and centre – we get new sheriffs every day. Actually, in the second-last act that we did here there was yet a new designation of sheriffs being used, so it's exactly following from stuff in that. But not all of these new sheriffs have the same definition, and they get

in trouble if they're wearing the insignia or dressed up in the outfit or if it's on their business cards that they're a sheriff if they're not a sheriff under the designating act.

We've now got so many more sheriffs that they're having to put in a section saying: well, if you're designated as a sheriff under another act, you're not in trouble for having the insignia or having it on your business card or wearing the clothes. That is consequential to creating new sheriffs in other areas and in their being able to perform duties under different acts. That, to my mind, is a subsequent amendment and is perfectly fine.

I'm still under civil enforcement. Yes, I am.

When we go to the next section, this is halving the time for personal property that has been under seizure. The agency can give notice to those that have a lien on it or some claim on this seized property that the agency is going to release it, and if they want to do something with it, they have to give them notice that they want to do something with it. Is that one clear to everybody?

So they cut the time in half. It used to be that once it had been under seizure for 90 days, then the agency would give 30 days' warning of their intention to release the property. Now once they've had it under seizure for 30 days, they're going to give 15 days' notice that they're going to release the property to whoever wants to fight over it. This is not inconsequential or insignificant in that it is halving the time, but I'm also wondering if that isn't perfectly appropriate.

In the sponsoring member's discussion she said that amendments will reduce the number of days of notice that must be given to creditors before seized property is released, that this will help avoid unnecessary storage costs. My question is: for whom? Is this for the agency, or is this for the person who still owns the property, or is this for the person who wants to seize the property? If she would be so kind as to clarify who is avoiding unnecessary storage costs by halving the time, I'd be grateful. [interjection]

Okay. Off the record there you got a very precise reckoning from the Minister of Human Services and everything else department about what that was about in that it saves time for everybody because there can be a number of different people involved here, including the person whose stuff was seized, who could buy it back or pay the fine and get it, or the people who had given notice that they wanted a piece of it because they wanted their money's worth out of this same thing. Holy geez. That one sounds okay, but I'd like to know on the record what that was about.

The next section in the Civil Enforcement Act is around – oh, no. Sorry. That's still the seizure stuff. These things are out of order for me. The note I've got here is that it eliminates the need for a court order, which, again, might just be simplifying something that is unduly bureaucratic or too much red tape. I mean, sometimes we make things such a big deal, and they really don't need to be. Now, maybe that's because it's just become much more common usage, and it's not such a big deal as it used to be.

I remember when going bankrupt used to be the end of the world. It was just terrible. It was a terrible disgrace to you and everyone in your family, and people sort of tiptoed around it. Now it seems like people seem to declare bankruptcy at the tip of a hat. They're proud of it. It doesn't seem to be a problem at all. So it may just be that things have progressed and they're used commonly enough that there is no need. It's so common that it's kind of silly to keep applying to the court for an order. I don't know, and again I'm not getting a clear answer.

There is a garnishee summons here that is also – right. That one does make sense to me. There is the opportunity here – and that is in section 79 – that when a garnishee summons is in effect, it's



only good for one year, and this is going to increase it to two years. Actually, having tried to deal with that as a small landlord that was trying to chase somebody who stiffed us on the rent, that was really nice. We were trying to chase someone that was a waiter, and they just kept moving jobs, and we had to keep refiling the garnishee, so doubling it from one year to two years sounds like a good idea to me, but other people may not agree with that. Again, that is not insignificant, going from one year to two years, but it seems like that's kind of handy to me, that you don't have to keep going back and refiling that.

12:20

The section that is around – I might have missed this; I'm sorry – not needing the court order I seem to have lost.

There is a flat-out typo here as far as I can tell that appears where there's a whole long series where they keep talking about – again, this is about the garnishee – the enforcement debtor, and then all of a sudden they talk about an employment debtor. Clearly, the word “employment” is wrong. It just is flat-out wrong, and it should have been “enforcement.” I'm fine with that one. If you'd brought me that one as a miscellaneous statute, I would have been fine with it because it honestly was a typo. But a lot of times you don't bring me that; you try and do other things, so you don't get it.

Now, Court of Queen's Bench Act. We're just clipping along, just motoring, totally. Okay. Here we go. Once again we are changing a definition. The first thing that happens is that it's adding in a wider definition around masters in chambers under that section 1 definition. They're now saying a master, no “s” . . . [Ms Blakeman's speaking time expired] Oh, I can't believe I spent 20 minutes on that. Seriously. Look at this. I've talked about four acts. There are 14.

**The Deputy Speaker:** This 20 minutes are up. The next hon. member to speak on the bill is the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. Rather than trying to pick up where the hon. Member for Edmonton-Centre left off, I thought I would start at the other end, and possibly the hon. Member for Calgary-Mountain View can meet us somewhere in the middle.

Now, based on my five years of studying Latin – and that wasn't because I failed three years and had to repeat it; that was grade 9, 10, 11, 12, and 13 in an Ottawa high school – my Latin reminds me that “omni” refers to all. For example, *omnipotens* *potentis* would mean all powerful. But the “bus” part of it causes me to create a bit of an historical anachronism. Therefore, *omnibus* means all bus. Therefore, an all-bus bill means a multi-passenger bill, formerly of the Roman empire. But, of course, there was no such thing.

To try to deal with this omnibus bill, which is all containing and attempts in one single bill to cover a whole series of former acts, is very difficult. Just as the Member for Edmonton-Centre had troubles, I'm having troubles with the interpretation, especially when it gives the former information but then doesn't say what the bill is going to be changed to.

For example, I'm looking at page 37 of Bill 22. I realize that in the Committee of the Whole there is the clause-by-clause analysis, so I'm going to try and skip over some of the highlights.

Under the Witness Security Act:

Amends SA 2010 cW-12.5

14(1) The Witness Security Act is amended by this section.

(2) Section 11(3) is amended by striking out “Adult Guardianship Act” and substituting “Adult Guardianship and Trustee Act”.

Now, I recall that in previous parliamentary sessions we talked about the importance of appointing a trustee and we talked about inheritance matters and who could be the spokesperson, the representative of the executor, and so on. So I understand a little bit of that.

Then it goes on to:

(9) Section 61(2) presently reads:

(2) The Minister may make regulations prescribing an amount for the purpose of subsection 1(b)(i).

Now, whenever I see the word “may” as opposed to “shall” and whenever I see the word “regulation” as opposed to “legislation,” it makes me uncomfortable because the idea that a minister is making regulations, which he or she may or may not provide to the individuals who are affected by those unilaterally – to use another Latin term, an omniscient regulatory system concerns me. Then it concerns me further when the wiggle room is added of “may” rather than “shall.”

(10) Section 109(2) presently reads:

(2) If a deceased, during life, has transferred property to a prospective beneficiary, a person who alleges that the transfer was intended by the deceased to be an advance against, or otherwise repayable from, the prospective beneficiary's share of the estate may make an application to the Court under this section.

This is what it currently says. I consider myself to be at least a reasonably intelligent person – I graduated with a degree in education and taught for 34 years – but I understand why it is that people pay such high fees to lawyers, to my son-in-law Vivek Warriar, who is currently a partner with Bennett Jones, and to my brother Greg Chase, who is a partner with Miles Davison. I understand why they receive the salaries they do, so that they can interpret the laws correctly to their family members, in one case the father-in-law and in the other case the brother.

(11) Section 111 presently reads:

111(1) Where a testator . . .

Or a tes-tey-tor. I'm not sure whether it's a matador or a ma-tey-dor. You know, I believe in control of the English language, but this is not a term I'm familiar with. Anyway, I'm assuming it's a person who gives testimony, whether it's a tes-tey-tor or a testator or whatever.

. . . purports, by will, to give a gift of property that the testator does not own,

(a) the gift is void, and . . .

That rather makes sense, that it's illegal to give away property that you don't own. I understand that, and therefore it makes sense that the gift is void.

It goes on to say:

(b) any rights that the owner of the property has as a beneficiary under the will are not affected by the testator's purported gift.

Then it goes on to add clarification, I suppose.

(2) Nothing in subsection (1) affects the right of a testator to make a gift of property that is conditional on a disposition by the beneficiary of property that is owned by the beneficiary.

Well, I talked about Latin and five years and, you know, that I taught English, but this is a different type of very specific, clinical legalese with which myself and, I would suggest, the majority of Albertans are not familiar. Yet we're asked to grant to the government without a terrific amount of explanation that the improvements, that aren't listed, are going to be better than what we currently have.

Under the Witness Security Act,

14(1) Amends chapter W-12.5 of the Statutes of Alberta, 2010.

- (2) Section 11(3) presently reads:
- (3) If a witness or an associated person is a minor or a represented adult as defined in the Adult Guardianship Act,
- (a) the guardian of the minor or of the represented adult, as the case may be, may sign a letter of acknowledgement on his or her behalf, and
  - (b) on the signing of the letter of acknowledgement by the guardian, the witness or associated person is deemed to have signed the letter of acknowledgement.

### 12:30

Now, I understand what we're talking about by a represented adult. You know, if a person has some type of mental disability and a person is acting in a guardianship role on that behalf, it makes sense that they would be allowed to act in the best interests of the person for whom they are providing the guardianship.

Obviously, because we're notaries public and commissioners for oaths, we have to have at least a limited understanding of what it is that we're signing when people come into our constituency office for that service, which is, of course, free and therefore very popular. But when it gets into the type of detail that we're describing here, there is a terrific amount of clarification that is required.

Now, instead of skipping ahead, let's skip back a little. Wills and Succession Act, page 34: 13(1) amends chapter W-12.2 of the Statutes of Alberta, 2010.

- (2) Section 4 is amended by striking out "an application" and substituting "a contested application."

That is a very definite change in intent. One is simply an application, but now it's being changed to a contested application. Obviously, the government in its wisdom and in its legal representation and departments felt that they had to spell out the fact that it wasn't an ordinary application, that there was another party contesting the original application, so they tried to cover both circumstances, I believe.

Then we come to

- (3) Section 5(1) is repealed and the following is substituted.

I don't have the book currently that the hon. Member for Edmonton-Centre is attempting to review on the spot because of the limited time provided, but it goes on. At least I know what, in this case, although I didn't know what was in the original, is being substituted because here it is:

#### Survivorship rules

5(1) If 2 or more individuals die at the same time or in circumstances rendering it uncertain which of them survived the other or others, all rights and interests of each of the individuals with respect to property must be determined as if that individual had predeceased the other or others unless

- (a) the Court, in interpreting a will or other instrument, finds a contrary intention,
- (b) section 599 or 690 of the Insurance Act applies, or

And again we don't have attachments here as to what sections 599 or 690 of the Insurance Act refer to.

- (c) a provision of an Act provides for a different result.

Subsection (c) basically is the catch-all. It's the none-of-the-above clause.

It's pretty hard to nail something down when you then allow the escape clause. For example, in my will my wife is the direct beneficiary, and should she predecease me, our daughter is our beneficiary. If we were both to succumb at the same time, obviously neither of us could benefit from the other's estate, and it would go directly to our daughter. It's this type of complication that is being crowded. To use the bus analogy, never mind the omni part, we're having so many things put onto this double-

decker bus, and we're expected to comprehend, understand, and in the space of eight days simply say: "We take your word for it. This is good stuff." Trust us. Well, the "trust us" bit, unfortunately, doesn't work.

Rather than reading through everything else, let me come to the Victims Restitution and Compensation Payment Act. For those of you who are trying to follow my methodology here, I'm on page 32.

Amends SA 2001 cV-3.5

12(1) The Victims Restitution and Compensation Payment Act is amended by this section.

(2) Section 5(1)(a) is amended

- (a) in subclause (ii) by adding "or another person" after "civil enforcement agency";
- (b) in subclause (iv) by adding "or other person" after "civil enforcement agency."

**The Deputy Speaker:** We have Standing Order 29(2)(a) for five minutes.

Seeing none, the chair shall now recognize the hon. Member for Calgary-Mountain View on the bill.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a real honour to speak to Bill 22, the Justice and Court Statutes Amendment Act, 2011. Just a couple of comments here, building upon what the Member for Edmonton-Centre was trying so enthusiastically to present. This relates to the Court of Queen's Bench Act, section 4. It reads that section 1(b.2) is amended by adding "a half-time master in chambers, a part-time master in chambers" in relation to the amendment.

Some of the questions that I'm passing along: it looks like what we're trying to do is respect in the court system both experience and age by allowing over-60-year-olds who have completed 10 years of service to be masters in the Chamber, and where a master in the Chamber is approaching 70 years and has not attained age 70, to apply for part-time work as a Queen's Bench judge.

So what's the point here, I guess is the question. Are we trying to cut the costs by paying these folks half-time? Are we trying to keep more of the justice masters available? [interjection] It sounds like, from the House leader opposite, we're trying to hang on to experienced judges for longer and keep them going part-time. I guess the question then becomes: can they collect a pension and other benefits as well as the salary? Is it a question of double-dipping for these people, or does it mean that they are only paid one or the other? That's a question I'll leave.

### 12:40

The second has to do with the Justice of the Peace Act on page 16. Under the Fatality Inquiries Act section 7(2) – it looks like it should be section 2 – says that it's amended by striking out "voting" wherever it occurs in section 2. The implication here is that they either don't want voting members on the Fatality Review Board, or they want all members to have the same voting status. Is that really what they're saying? For example, under the revised reading:

2(5) The Lieutenant Governor in Council may designate

- (a) one voting member of the Board as chair of the Board.

Are we eliminating that chair as a voting member? That's what it implies under the revisions. That's a bit confusing. Why are we taking away voting privileges from people on the board?

In section (2) the section is amended by adding the following after clause (b):

- (b.1) "justice of the peace" means a justice of the peace who is appointed under this Act as a justice of the peace and includes an ad hoc justice of the peace.

It's difficult to know exactly what that means. Why are we giving people ad hoc powers as a justice of the peace as an improvement on a bill? Sitting and presiding is what's being eliminated? We're eliminating that by calling it an ad hoc justice of the peace? Okay.

Well, those are just some of the areas. Because we haven't had a lot of preparation time, we're just responding to a logical analysis of what we're seeing.

Mr. Speaker, that's pretty much all I have to add to the discussion tonight. I thank both the Member for Edmonton-Centre and the House leader for adding a little bit to each of those areas.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments, questions, clarification. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I just wondered if the member had noticed – I was sure that I saw this in here, but maybe I was imagining it – that there was a change that was allowing for interprovincial maintenance orders to be given more of a fair shake than they have been in the past. Now I can't find that, but I thought it was in here. I thought that was a great improvement because I know it's an area that has been a point of contention for, oh, you know, 20 years.

Anyone that has a maintenance enforcement order against them who moves to another province or, you know, moved on the breakup – so you're in Alberta trying to get a court-ordered maintenance payment out of somebody in P.E.I. They won't give it to you, so you're trying to get the P.E.I. maintenance enforcement director to chase down someone to get money for you back in Alberta. You can imagine where that ends up on the pile, as though they're really interested in chasing down a taxpayer in Prince Edward Island to get money out of them to send to Alberta. Oh, they would be thrilled.

Although we were always told, even way back when, when I was dealing with this stuff in the early '90s, that, yes, everybody treated it the same, no, they didn't. My impression was that there was something in here that was actually going to improve that, but now I can't find it. I'm just wondering if the member had noticed that.

**Dr. Swann:** Well, thank you for the question. I think that's a critical area, but I don't think I know much about that. I'll have to pass.

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

**Mr. Chase:** Yes. Thank you. We're all aware of the shell game where you keep moving the walnut shells and you try and guess where the pea is. Well, I don't know whether the Edmonton Oilers have it on their widescreen thing, but in Calgary it's the puck. Try and find where the puck is, and then somebody can win a T-shirt or a Flames jersey and so on.

Well, on page 20 I see that same circumstance. I want to see if the hon. Member for Calgary-Mountain View can find the pea.

Appointment of ad hoc justices of the peace

7.2(1) A justice of the peace appointed under section 4(1) or reappointed under section 7.1(1) may, if the justice of the peace is not disqualified under section 4(5)(a) to (e), be appointed as an ad hoc justice of the peace in accordance with this section.

Where is the pea or the puck?

**Dr. Swann:** Well, I think you've just solved my earlier problem, which was defining what an ad hoc justice was. Now I understand what an ad hoc justice is. I thank the member for his question because I now know something more than I did when I came in here.

**The Deputy Speaker:** Any other hon. member under 29(2)(a)?

Any other hon. member wish to join the debate on the bill?

Seeing none, the chair shall now call the question.

[Motion carried; Bill 22 read a second time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. We have made painful but very good progress.

**Ms Blakeman:** At times entertaining.

**Mr. Hancock:** And at times entertaining.

I would therefore move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 12:48 a.m. on Thursday to 1:30 p.m.]







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The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, November 24, 2011

Issue 40a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Fawcett  
Knight  
Mitzel  
Prins  
Sandhu  
Taft  
Taylor

### Standing Committee on Legislative Offices

Chair: Mr. Blackett  
Deputy Chair: Mr. Lund

Blakeman  
Brown  
Evans  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Ouellette  
Quest

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Elniski  
Evans  
Hehr  
Knight  
Leskiw  
Mason  
Pastoor  
Rogers

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Knight
Boutilier	Lindsay
Calahasen	McFarland
Doerksen	Sandhu
Drysdale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Snelgrove

Amery	McFarland
Boutilier	Mitzel
Brown	Notley
Calahasen	Pastoor
DeLong	Quest
Doerksen	Stelmach
Forsyth	Swann
Jacobs	Tarchuk
Knight	Taylor
Leskiw	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Goudreau

Allred	Kang
Benito	Mason
Calahasen	Rodney
Chase	Sandhu
Elniski	Vandermeer
Fawcett	Woo-Paw
Forsyth	Xiao
Groeneveld	

### Standing Committee on Public Health and Safety

Chair: Mrs. Fritz  
Deputy Chair: Ms Pastoor

Bhardwaj  
Blakett  
DeLong  
Doerksen  
Forsyth  
Notley  
Ouellette  
Rogers  
Swann  
Woo-Paw

### Select Special Information and Privacy Commissioner Search Committee

Chair: Mr. Mitzel  
Deputy Chair: Mr. Lund

Blakeman  
Hinman  
Lindsay  
Marz  
Notley  
Quest  
Rogers

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 24, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

Let us pray. As we conclude for this week our work in this Assembly, we renew our energies with thanks so that we may continue our work with the people in the constituencies we represent. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Well, thank you, Mr. Speaker. It is truly an honour for me to rise and introduce to you and through you another great group of grade 6 students from Woodhaven middle school in Spruce Grove. As you will recall, I introduced two classes yesterday of great, energetic kids and was able to have my picture taken with them in the rotunda and talk to them for a little while. The future is indeed bright in this province not only because of where we're going and our economy but also because of these kids. They are accompanied by teachers Mrs. Miranda Niebergall, Mrs. Lindsay Imeson, Mr. Robert Coulas, and Mrs. Helen Kinnie and parent helper Mrs. Connie Hendry. I believe they may be in both the public gallery and the members' gallery. Whichever ones they are in, I would ask that they now rise and receive the traditional warm welcome of this Legislature.

**The Speaker:** The hon. Minister of Culture and Community Services.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the Assembly a group of very bright individuals who are visiting the Alberta Legislature from my constituency. With us today we have 21 ESL students from NorQuest College west, who are seated, I believe, in the members' gallery. They are accompanied by their instructors: Ms Judy Carter, Ms Lesli Nessim, and Ms Debbie Stephen. As I've said many times before, I think it's so important for Albertans to visit the Legislature, especially new Albertans. I would ask them all to rise so that my colleagues may join me in giving them a warm welcome to the Alberta Legislature today.

**The Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. On behalf of the hon. Member for Sherwood Park it's my pleasure to rise before you in this Assembly today and introduce to you and through you a group of 54 outstanding grade 6 students from École Our Lady of Perpetual Help Catholic school in Sherwood Park. This is the last stop on their tour of the Legislature today, and I hope they've enjoyed their visit. These bright and energetic students are accompanied by their teachers, Sinead Doherty and Marc St. Jean, and parent volunteers Karen Gilbertson, Collette Bird, Tianda Ogilvie, Roxanne Popowich, and Melanie Martinez. They're seated in the members' gallery, and I'd ask that they please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to members of this Assembly two very special people from Fort McMurray. Many of us know very well Iris Kirschner, the president of our PC association up there, who's also very involved in the community and is a member of the local health advisory council, and her husband, our good friend Dave Kirschner, who is also a member of the Northern Alberta Development Council and has done a lot of great work for this province. They're in the Assembly today, and I'd ask them to please rise and accept the traditional warm welcome.

**The Speaker:** The hon. Member for Calgary-Fort.

**Mr. Cao:** Thank you, Mr. Speaker. It's my great pleasure today to introduce to you and through you to all members of the Assembly students from the Faculty of Law at the University of Alberta who are enrolled in the course on legislative process and legislative planning taught by the Law Clerk, Rob Reynolds, and the Chief Legislative Counsel, Peter Pagano. I have a strong feeling that some of them will one day become politicians and sit in this Chamber. They are seated in the public gallery, and I would ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. It is indeed an honour and a pleasure for me to introduce to you and through you to all members of this Assembly a hard-working delegation from the municipal district of Greenview. They've been in the city all week attending the AAMD and C convention, and they stopped by to see the Legislature in action. I'd ask them to stand as I call their names: Reeve Janis Simpkins, Councillor Bill Harder, and Councillor George Delorme. I'd ask that we give them the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. I have two introductions today. I would like to introduce to you and through you to all members of this Assembly the star member of the team who on Saturday past collaborated on the removal on my moustache as part of the Movember prostate cancer fundraising event. I'll talk more about this experience in a moment, but for now I would like to introduce Jamie Johner, a grade 7 student at Mary Butterworth school, who eagerly undertook the task of shaving my fledgling moustache under the supervision of a crowd of curlers that, of course, included her mom, public school board trustee Mrs. Cheryl Johner. Jamie and her mom are seated in the public gallery, and I would ask them both to rise now and receive the traditional warm greeting of the Assembly.

My second introduction, Mr. Speaker, is the woman who shortly after we met told me I would be much happier if I shaved the moustache I had been growing since I was 18. This is the same woman who thought it was a great idea for Jamie to shave off the one I grew for Movember: my lovely wife, Barb Grodaes. Honey, please rise and receive the traditional warm greeting of the Assembly.

Thank you.

**The Speaker:** Everything else is still in place? [laughter]

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. Today I am very pleased to introduce to you and through you to this Assembly my guests from the Indo-Canadian Women's Association. The Indo-Canadian

Women's Association's mission is to encourage and promote participation by new Canadians in social, economic, and political life in Canada. They're here today to help draw attention to International Day for the Elimination of Violence against Women, which is tomorrow, and to remind us that gender-based violence is still a widespread problem which affects all of us. One of the programs through which they're doing that work is the elimination of harmful cultural practices education and action and, through that, the promotion of a new event entitled Daughter's Day.

The Indo-Canadian Women's Association has worked hard for 30 years and the Alberta NDP is very proud to have some their members here today as our guests. I would now like to ask my guests to rise as I call their names: Jagjeet Bhardwaj, Gita Das, Sabrina Atwal, and Mahvish Parvez. I'd invite members to join me in welcoming them to the Assembly.

**The Speaker:** Are there others? The hon. Minister of Environment and Water.

**Mrs. McQueen:** Thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to members of this Assembly six outstanding leaders in the constituency of Drayton Valley-Calmar. I am pleased to have them join us here today. They are my constituents and representatives of Brazeau county council. With us today we have Reeve Wes Tweedle, CAO Ron McCullough, Councillor Anthony Heinrich, Councillor Robert Kitching, Councillor Dawn Konelsky, and Councillor Shirley Mahan. Please give them the traditional warm welcome this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

### Prostate Cancer Awareness

**Mr. Elniski:** The month of Movember is the one month a year when clean-shaven men everywhere have an excuse to grow a moustache in support of finding a cure for the most common of all male cancers, prostate cancer. While the Movember campaign is a fun and unique way to draw attention to the issue that most men would be quite content to never draw attention to, it effectively underlies the importance of the problem.

As I mentioned in my introduction, I started a moustache for Movember, and last Saturday at the fourth annual Calder Classic curling fun-spiel we graciously accepted a donation in exchange for the privilege of shaving it off. Mrs. Anna Janus, owner of my favourite bakery, the Wellington Bakery, was high bidder at the auction for the opportunity to do away with the nose broom. Sadly, Anna could not be with us here today as bakers work the kind of hours only shared by night auditors, but we know that she is here in spirit.

1:40

Mr. Speaker, this is the second year that Anna and her husband, Matt, have paid the price to help end prostate cancer. This year I must particularly applaud her choice of Jamie as her assistant. Now, this is the third year in my constituency that we have done this, and it was for me by far the least painful. Jamie was a great help and did her best to keep my need for Band-Aids to a minimum. She truly did a great job.

When it comes to prostate cancer, Mr. Speaker, we all know the statistics. Since Movember is an awareness program aimed at men, we can all feel for the other guy knowing full well that it won't happen to us. Given that it won't happen to any of the men here, there is absolutely no risk whatsoever in not taking the exam.

I urge all men as subtly as I can to accept the reality that if left untreated, this cancer can kill you, and if it doesn't, it will mess up some things that you'd likely prefer not to have messed up. Donate towards the research. Go for the exam.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Primary Care Networks

**Dr. Swann:** Thank you very much, Mr. Speaker. Ensuring access to primary care – family doctors, nurses, and other health professionals – is a key element to maintaining good health and preventing disease and injury. If every Albertan had access to primary care, we would see dramatically better health outcomes, shorter wait times in emergency rooms, and reduced cost to the taxpayer.

Primary care networks, or PCNs, were created in 2003 to increase access to primary care, to increase disease and injury prevention and manage patients with chronic disease, and to improve co-ordination and integration with other health care services and professionals and multidisciplinary teams. There are now 40 primary care networks across Alberta covering nearly 80 per cent of Albertans, helping to place thousands of unattached patients to a primary care team every year.

Unfortunately, they are still operating at the same funding per patient as in 2003. A recent two-and-a-half-year evaluation of the PCNs, funded by the public purse and mysteriously prevented from public release, found that relative to patients not served by a PCN, the PCN improved access, improved management of patients with complex medical conditions, improved co-ordination of care, and fostered the development and expansion of multidisciplinary teams, just what the health care research supports.

Edmonton's south side PCN, for example, has provided more access to geriatric care and decreased visits to the emergency room. In Wood Buffalo the number of patients seen by doctors has nearly doubled with a PCN. Spruce Grove's PCN has also reduced emergency room visits significantly.

Primary care networks work. They are not perfect, and the staff I've spoken to are committed to making them even more effective and efficient in their use of public resources. That's why they're a key component to the Alberta Liberal plan to fix the health care system.

Unfortunately, this PC government appears to be moving in the wrong direction, creating instability and hampering the potential of PCNs by underresourcing them and now floating the idea of family clinics. What our health care system needs now is stability, and what PCNs and their passionate workforce . . .

**The Speaker:** The hon. Member for Edmonton-McClung.

### Edmonton-McClung Schools

**Mr. Xiao:** Thank you, Mr. Speaker. This afternoon I feel honoured to speak to the Assembly about a very important group of institutions in the constituency of Edmonton-McClung, our schools. The constituency that I am fortunate enough to represent contains 15 schools, all of which are doing a wonderful job of preparing our children for the future.

From the Talmud Torah school, which teaches with an emphasis on Jewish culture, to the Centennial public elementary school to the Oscar Romero Catholic high school, the schools in Edmonton-McClung represent students from very diverse back-

grounds while maintaining the educational excellence we have all come to expect.

As our constituency continues to grow, the Alberta government has provided the support needed to ensure that the educational needs of our communities are met. Mr. Speaker, last September Sister Annata Brockman Catholic elementary and junior high school opened its doors to 500 students thanks to a \$23 million investment from our government. Over \$22 million has been invested into the 850-student Bessie Nichols public elementary and junior high school, which is currently under construction in the Hamptons and is set to open in 2012.

Mr. Speaker, this government recognizes that an important part of building a strong and inclusive education system is having the essential infrastructure in place. For this reason, over the past three years we have invested \$1.7 billion into the construction and the modernization of schools in Alberta. The future of our province depends upon a well-educated work force.

Thank you, Mr. Speaker.

### International Day for the Elimination of Violence against Women

**Ms Calahasen:** I rise today to encourage my colleagues and all Albertans to wear a white ribbon to recognize November 25 as International Day for the Elimination of Violence against Women. It saddens me to say that at least 1 out of every 3 women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime, with the abuser usually someone known to her.

Violence against women and girls takes many different forms and is not limited to any culture, country, or specific group of women. No one should have to be part of a violent relationship where they feel threatened or insecure, nor should any child grow up watching a parent being abused.

The White Ribbon Campaign is the largest effort in the world of men working to help end violence against women. Established in Canada in 1991, it has evolved to include men and women standing together to help address this important issue. The campaign continues until December 6, Canada's National Day of Remembrance and Action on Violence Against Women, which commemorates the tragic murder of 14 young women at l'école Polytechnique de Montréal in 1989.

Mr. Speaker, violence has tremendous consequences for our children and our families and should not be tolerated. Wearing a white ribbon is a personal pledge to never commit, condone, or remain silent about violence against women and girls. It is an important reminder that we all have a role in ending abuse. We cannot stand idly by while watching someone who suffers at the hands of another.

Eliminating violence against women is everyone's responsibility, and I encourage all Albertans to take a moment during the White Ribbon Campaign to reflect on what they can do to help support stronger families and build safer communities. Together, Mr. Speaker, we can help break the cycle of violence.

**The Speaker:** The hon. Member for Little Bow.

### Remembrance Day Service in Vulcan

**Mr. McFarland:** Thank you, Mr. Speaker. This year's Remembrance Day service put on by the Vulcan Royal Canadian Legion branch 21 was a great community effort. Along with the traditional service a group of young ladies from County Central high school and the Vulcan Community Choir offered up two songs: *In Flanders Fields* and *Peace Song*.

The highlight of the service, though, had to be the piping in of the Royal Canadian Legion colors by the Solicitor General's pipe and drum band. What an amazing sight to see coming through the doors. During the service they played a truly sensational version of *Amazing Grace* that had everyone trembling.

I would like to acknowledge a number of people who have made this pipe and drum band possible. Originally conceived, the idea was presented to former Solicitor General Harvey Cenaiko, our former colleague from Calgary-Buffalo. Then the idea was approved by our current Member for Stony Plain, who was then Solicitor General. I thank them for that initiative.

The band is made up of Pipe Major James Perry, Drum Major Simon Turner, Pipe Sergeant Greg Medley, Drum Sergeant Chric Robbins, Dick Ellsworth, Ken Knoll, Wayne LaRoche, Pat Matthews, Jim Medley, Warren Posch, Ryan Van Horlick, and Deputy Chief Chris Kluthe. These men volunteer their time and talent, taking this band across the province, Mr. Speaker. This is truly a wonderful display of their music and dedication as members of our public service. Their backgrounds: corrections, sheriffs, and RCMP.

On behalf of all of those who attended the service in Vulcan on November 11, my comrades at Vulcan Legion 21, and myself, thank you very much.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Public Health Inquiry

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier said in her emergency debate that we are not defined by our hopes and wants but by our actions. I disagree. Albertans are defined by their hopes and wants and actions, and they want a safe public health care system. By not calling a public inquiry under the Public Inquiries Act, the Premier stands in the way of the truth, improving the lives of our seniors, cancer sufferers, mentally ill, and all Albertans waiting in the waiting rooms. Does the Premier want to be defined as a flip-flopping promise breaker, or will she . . .

**The Speaker:** The hon. the Premier.

**Ms Redford:** Mr. Speaker, we are doing the right thing. We're introducing legislation that's going to allow for a public inquiry that's independent, that's judge led, that can compel witnesses. That's going to ensure that we have a strong public health care system that serves Albertans.

1:50

**Dr. Sherman:** Mr. Speaker, the Premier's answers are confusing because I have these articles saying that she promised a public inquiry, not a public relations exercise and a delay exercise as we already have the tools in place under the Public Inquiries Act to call the inquiry. Did the Premier really call for a real public inquiry, or are her comments in all of these recently tabled articles wrong?

**Ms Redford:** What we're doing as a government is entirely consistent with what I said that we would do. We are having an inquiry. It will be public. It will be independent. It can be judge led, and it can compel witnesses. Mr. Speaker, it can also ensure that a council that understands the issues related to health care is involved in the inquiry, and that's what matters to Albertans.

**Dr. Sherman:** Mr. Speaker, the only thing that's consistent here is that the government is consistently breaking its promises. Given that the Premier's promise is well documented in these articles, news reports, and even her own website, will the Premier just end the charade and the confusion and say plainly whether or not she will call a public inquiry today under the Public Inquiries Act, and if so, when?

**Ms Redford:** The only person who seems to be confused is the Leader of the Official Opposition. We have been very clear, Mr. Speaker, that the most important piece of work in this legislation is that this inquiry will be fully independent, and we've put legislation in place that I hope this House passes so that we can ensure that public health care is supported in the province.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Mental Health Services

**Dr. Sherman:** Thank you, Mr. Speaker. Here is another confusing issue. When questioned yesterday about kicking the mentally ill to the curb, the Premier said that opposition questions undermine the independence of provincial offices and institutions. Apparently, democracy under her rule is when everyone just shuts up and does what she says. Immediately after taking office, the Premier made political coronations that meddled in the ruling of a quasi-judicial body, the AUC. Isn't the Premier's interference in the regulatory process more dangerous to independence? How much more of this can Albertans expect as her reign continues?

**Ms Redford:** Well, Mr. Speaker, there's no doubt that that was a confusing question. I'll try to answer both parts of it. What I'll say is that we have a regulatory structure in this province that allows for independent decisions to be made. I respect that process and in no way interfere with that process.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. The only confusing thing is what one minister says and what the Premier says.

Given that questioning the Premier is clearly thought of as dangerous to her democracy and our democracy and our provincial institutions, doesn't the Premier think it's equally dangerous not to understand the difference between having competent management staff and giving them the resources that they need to do their job so that you don't have to kick the mentally ill Albertans, as stated in this memo, to the curb?

**Ms Redford:** Mr. Speaker, I believe we're now talking about mental health issues. Again, I'm very happy to speak about that. They're very important to Albertans. One of the issues that came up yesterday subsequent to question period was comments from a Dr. Owen Heisler, who is the medical director for Edmonton zone, who made it very clear that there has never been anyone discharged to the streets who may have had issues that needed to be dealt with around mental health and the health care system.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. It's clear that there are many psychiatrists who have been discharged out of their profession and out of this province and country.

Given that over three years ago the Auditor General recommended properly implementing the mental health plan, creating better standards, accountability, funding, planning, and

reporting of mental health services – and the list goes on and on – at a time when the Premier was in charge of SafeCom, why didn't this government take these recommendations seriously before Albertans were kicked to the curb? In light of this evidence what's the Premier and the government going to do to rectify this?

**Ms Redford:** The Auditor General's report, which has been the topic of this week, actually refers to the fact that a number of the recommendations that have been made with respect to mental health care and services for people that might have mental health care issues had been acted on in every respect. There was progress made on all of them, Mr. Speaker. I would remind the hon. House that as a government we've introduced the safe communities initiative, which has brought mental health beds to every community across this province that identified a need. In addition to that, we've seen a very active mental health plan that has begun to address these issues overall in rural communities.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

### PC Party Benefit Plan Trust

**Mr. MacDonald:** Thank you very much, Mr. Speaker. My first question is to the Premier. Is the benefit plan trust for the leader of the Progressive Conservative Party of Alberta funded from money collected by the party through the Election Finances and Contributions Disclosure Act?

### Speaker's Ruling Questions about Political Party Activity

**The Speaker:** I'm sorry. Questions dealing with political party activities are not part of the purview of the question period. [interjection] I'm sorry. That's in the rules.

**Mr. MacDonald:** That's not in the rules.

**The Speaker:** Okay.  
The hon. Member for Calgary-Glenmore.

### Provincial Tax Alternatives

**Mr. Hinman:** This week the Finance minister and the President of the Treasury Board told Albertans that they are looking for new ways to increase taxes despite record revenues. First, the Finance minister openly speculated about introducing a new sales tax and went on to talk about taxing middle-class Albertans by introducing some new form of Alberta health care premiums. Then yesterday this Premier said that nothing is off the table on the next budget and was anything but clear when questioned by the media on new taxes. Albertans would like to know, Premier: what new taxes will they have to pay under your tax-and-spend agenda?

**Ms Redford:** Mr. Speaker, yesterday when we were discussing this – we've discussed it every day in many public forums. The Minister of Finance, the President of the Treasury Board, and I have all discussed the fact that through public consultations we've been talking about what all of the revenue options are that could be available for the future.

**Mr. Hinman:** Yeah, new taxes.

This Premier has been anything but clear on how she plans on balancing the budget for 2013-14 and believes, like any good tax-and-spend Liberal, that the only way to balance the books is to tax



individual families and businesses until she can pay for everything that she wants. What type of new taxes is she planning to bring to punish Albertans with?

**Ms Redford:** Well, Mr. Speaker, that might be the simplistic approach taken by the member of this party. It's not the approach that we intend to take. We're consulting with Albertans. We're ensuring that we fully discuss with Albertans the options. In fact, I think that's an incredibly simplistic analysis of what a fiscal framework would look like.

**Mr. Hinman:** My final question is to Kim Campbell – I mean, the Premier, and it's a simple one. Given this typical doublespeak about tax hikes from the deficit twins and the Premier and given her waffling on this subject, will she state here and now that she will not raise any taxes or introduce any new fees, premiums, or taxes on Albertans? She has a spending problem, not a revenue problem. Don't take it out on our children or the families here in Alberta.

**Ms Redford:** Mr. Speaker, I'm going to listen to what Albertans are telling me about what they want the future of this province to look like. I will tell you that what Albertans are saying is that they are proud and optimistic and hopeful about the future, and they are not listening to this critical and cynical approach and simplistic approach to what a long-term fiscal plan for this province looks like.

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

#### Northern Gateway Pipeline

**Mr. Mason:** Thank you very much, Mr. Speaker. The Energy Resources Conservation Board has recently estimated that the percentage of bitumen produced in Alberta is continuing to decline and that by 2020 will be well below the government's own target. The Tories' failure to upgrade more bitumen in Alberta means a failure to invest in value-added industries and a missed opportunity to provide quality long-term jobs for Albertans. Will the Premier insist that the Northern Gateway pipeline be reconfigured so that it transports synthetic crude oil instead of bitumen as a precondition for the government of Alberta's support?

**Ms Redford:** Mr. Speaker, as we move forward with Northern Gateway, there are going to be a number of issues that the private-sector proponents are going to have to consider. What we know is that in terms of economic decisions that will be made by investors in this pipeline, they'll take a look at where we're going in terms of our economic development. This is certainly a time when we have to consider all options. At the end of the day it will be for proponents to determine what the final construction should look like.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. I've never heard such a complicated non-answer.

Given that it's more profitable for corporations to export unprocessed bitumen than synthetic crude and given that this costs Alberta investment and jobs, why won't the PC government enact policies that ensure that the export of unprocessed bitumen is less profitable than the export of synthetic crude, upgrade it right here in Alberta, and do the right thing for Alberta's working people?

2:00

**Dr. Morton:** Mr. Speaker, the leader of the fourth party knows very well that this government has undertaken to co-operate in a \$5-

billion new upgrading program that will process 40,000 barrels a day of bitumen. That will create 8,000 jobs in construction, 600 when they're operating, has the possibility of expansion to two or three times the current level, and is connected to a carbon capture and storage operation and enhanced oil recovery, which, actually, will more than pay for the project over time.

**Mr. Mason:** Sometimes things work out perfectly, Mr. Speaker.

Given that this Tory government has incurred at least \$3 billion in liabilities and contributes 75 per cent of the operating costs to the North West upgrader, why won't the government adopt a policy of increased export price for bitumen relative to synthetic crude oil and let the private sector build the upgraders and incur the risk?

**Dr. Morton:** Mr. Speaker, again, the leader of the fourth party – that party has never been noted for its in-depth understanding of how the economy works. There involves a certain amount of risk taking in any operation. Whether an operation makes money or loses money, it doesn't matter whether it's public sector or private sector. We're sharing the risk with the operators, and that's what's going to build that new upgrader.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for West Yellowhead.

#### Mental Health Services

(continued)

**Dr. Swann:** Thank you, Mr. Speaker. Alberta psychiatrists are blowing the whistle on the critical lack of mental health beds and professionals in Alberta. According to Dr. Lloyd Maybaum, a Calgary psychiatrist threatened with dismissal when he expressed concerns, quote, the planning and announcement of the new five-year mental health action plan is another brutal example of the autocratic approach that Alberta Health Services and Alberta Health and Wellness routinely adopt. To the Premier: why were psychiatrists not consulted in this plan? Is this what you call engagement?

**Ms Redford:** Mr. Speaker, everything that Alberta Health Services has done and everything that has been done in Alberta Health and Wellness is about building a system that can provide wraparound services with respect to mental health. These suggestions that certain professions have not been consulted are entirely incorrect. We have people who are part of our health care system both as private medical practitioners as well as in Alberta Health and Wellness who've been fully consulted with respect to implementation. As we move ahead, let's remember that the way that government works right now is that we introduce plans, we consult ahead of time, and then we consult during further development. My understanding with respect to mental health plans at the moment that are being undertaken by the government is that we're going to do exactly that.

**The Speaker:** The hon. member.

**Dr. Swann:** Well, thank you, Mr. Speaker. That flies in the face of the evidence.

The new mental health plan makes no indication of the critical shortage of beds. What is this so-called plan based on?

**Ms Redford:** Well, Mr. Speaker, I don't believe that a suggestion from the hon. member is proof or evidence of any particular fact. If he has further information, I'd certainly be happy to take that.

Mr. Speaker, what this mental health plan does is speak to the services that need to be available across this province for people that are dealing with those issues. Of course beds are a part of that, but one of the things that we know is that we're going to have services, some of which are in treatment and some of which are out of treatment and in the community. I will tell you as we move ahead that this suggestion that there is a critical shortage of beds is nothing more than an allegation from the opposition.

**Dr. Swann:** Well, it's clear that the Premier doesn't make a connection between shortage of psychiatric beds and ER wait times. Very unfortunate that she doesn't understand that. Will the Premier admit that such plans ignore both the evidence and the people primarily involved in mental health care and that this plan is a sham?

**Ms Redford:** Well, Mr. Speaker, there's an awful lot of people that I will take advice from about the health care system and whether or not emergency wait times and mental health care beds should be connected. I'm fortunate, I'll have to say, that one of them is not the member of the opposition because at the end of day there are many people who have opinions on the mental health care system and on the health care system. The job of government is to ensure that we have put in place practitioners and managers that understand the system intimately and understand the intricate connection between the day-to-day operations. All of these wild allegations that create fear in the health care system are not responsible.

**The Speaker:** The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-Buffalo.

#### Supply of Diesel Fuel

**Mr. Campbell:** Thank you, Mr. Speaker. For the second year in a row Albertans such as farmers, truckers, and bus companies have faced a shortage of diesel fuel. This is exactly what you wouldn't expect in a province rich in fossil fuel resources. My question is to the Minister of Energy. How could this possibly happen two years in a row, and was there any impact on essential services like fire or ambulance?

**Dr. Morton:** Mr. Speaker, the immediate or approximate causes for last month's shortage of diesel fuel were a combination of the fire at the refinery in Regina and also that the Suncor Edmonton refinery was not getting the supply of hydrogen that it needs to make the diesel. The hon. member is right. This has been a recurrent problem. The good news there is that the Alberta Economic Development Authority has made a set of recommendations analyzing the problem, and working with my colleague here, we are taking action to address the problem in the future.

**The Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. Diesel fuels our school buses, so a shortage can compromise students so they can't get to school. To the Minister of Education: what is the minister doing to ensure that this shortage and, hopefully not, future shortages do not impact the students' ability to get to school?

**Mr. Lukaszuk:** That is a good question because I'm sure that question is on the minds of many parents, particularly in rural Alberta. Mr. Speaker, I have to tell you that individual school boards have made arrangements with local diesel fuel providers. School buses are considered to be a priority in all municipalities, and I'm being told that at this point in time there are enough reserves in place to ensure that our children get to and from school safely.

**The Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. My last question is for the President of Treasury Board and Enterprise. In June of this year the Alberta Economic Development Authority submitted a report that examined the issue of fuel shortages in this province and made recommendations on how to address them. To the minister: are we acting on this report, or is it simply gathering dust on a shelf?

**The Speaker:** The hon. minister.

**Mr. Horner:** Well, thank you, Mr. Speaker. As the Minister of Energy indicated, the Alberta Economic Development Authority did produce a report, which identified three areas of concern: improving the fuel supply chain, maintaining adequate fuel inventories, and encouraging new sources of refined products. As was identified earlier in question period with the leader of the fourth party, we are doing exactly that in terms of identifying and encouraging new sources of product. In addition to that, the Minister of Energy and I are currently engaged in bringing the suppliers together so that we can have a discussion with them about those inventories and about where we need to go as it relates to the Alberta Economic Development Authority report.

#### Bitumen Royalty in Kind Program

**Mr. Hehr:** Mr. Speaker, my question is for the Minister of Energy. It just appears that the left hand of his government does not know what the right hand is doing. One minute you have a Premier saying that we believe there is an opportunity to do more upgrading in Alberta, and next we have a minister saying that upgrading in Alberta is a crapshoot. In any event, can the minister tell me: are they getting even deeper into the business of upgrading by extending the BRIK program, or are they getting out of the business of being in business?

**Dr. Morton:** Mr. Speaker, the record is very clear on this. This government is proceeding with the BRIK program with the North West upgrader. We're in the process of negotiations with North West and CNRL at the moment. This is a risk-sharing operation between CNRL and North West and the government, and as I indicated in my earlier answer, it's going to provide 8,000 jobs in construction, 600 permanent jobs, new tax base in the county, and supplies of diesel, so less chances of the recurrence of the diesel shortage that was referred to in the earlier question.

**Mr. Hehr:** Well, given that the Minister of Energy, well known for his firewall letter wherein he stated that Alberta should be pulling government out of the business of subsidizing business, can this minister assure us today that he's not going to let blind Conservative philosophy get in the way of doing what is in the best interests of the Alberta people, which may well be to have our government play a larger role in bitumen upgrading?

**Dr. Morton:** I think what I said quite clearly, Mr. Speaker, is that I fully support and am taking responsibility for advancing the North West project. In terms of a go-forward basis I agree completely with our Premier that what's needed now is a robust discussion of the various instruments that government has at its disposal to incent more upgrading. That's the discussion that will be taking place in our caucus in the coming months.

2:10

**Mr. Hehr:** Well, Mr. Speaker, it's good to talk not only to your caucus members. Given that it's always important for the Minister

of Energy to consult with industry players on something as major as bitumen upgrading in this province, can the minister share with us what views are being expressed to him about the possibility of the Alberta government being more involved in the upgrading process?

**Dr. Morton:** Mr. Speaker, as the hon. member knows full well, there is a whole spectrum of opinions on this subject. We receive all of them. There is a spectrum of opinions within our caucus. I think that if you paid close attention to what the Premier said in her remarks last night, she is inviting a full debate on what the options are. I think that's one of the marks of this new government: a full policy debate about not just choosing one option and charging down that road but discussing what the options are in advance.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Calgary-Buffalo.

### Grain Marketing

**Mr. Prins:** Thank you, Mr. Speaker. This spring our Legislature had a vigorous debate on a government motion relating to marketing choice for thousands of Alberta grain farmers. On October 18 the federal Minister of Agriculture and Agri-Food Canada, Gerry Ritz, tabled Bill C-18, Marketing Freedom for Grain Farmers Act, which will end the Canadian Wheat Board monopoly on western Canadian wheat and barley marketing on August 1, 2012. My question is to the Minister of Agriculture and Rural Development. What is this government's current position on Bill C-18 and marketing freedom for grain farmers?

**The Speaker:** The hon. minister.

**Mr. Berger:** Thank you, Mr. Speaker, and thank you for that question. The government of Alberta strongly believes and supports that wheat and barley producers should have the choice of offering their product to whatever market they should happen to choose, including the Canadian Wheat Board. So we do support this transition.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. My next question to the same minister: given that producers are already making decisions for the next crop year, what impact will this have on Alberta's wheat and barley producers?

**The Speaker:** The hon. minister.

**Mr. Berger:** Thank you, Mr. Speaker. This decision will allow individual producers to make decisions to market their crops based on market signals and to plan their spring planting around that rather than around what wouldn't have been their choices before. Selling into niche markets and establishing relationships with customers from around the world as well as at home is part of the freedom of our grain industry in Alberta.

Mr. Speaker, I can say that since 1986 I personally have not had to use the Canadian Wheat Board, and I have grown and sold grain every year. There are markets here to access.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you very much. I like that last comment a great deal.

Mr. Speaker, my final question is also for the same minister. How is the provincial government helping Alberta farmers make this final transition?

**The Speaker:** The hon. minister.

**Mr. Berger:** Thank you once again. Alberta Agriculture is working diligently with our federal counterparts as well as our industry partners here in Alberta to provide clear, transparent, and unbiased information to producers so they can make the best decisions based on their individual operations.

Mr. Speaker, this decision will open up opportunities for value-added in rural Alberta. It will bring home our young producers that have gone off to the city to go to work. This is a great opportunity. It will build rural Alberta and bring back our youth.

Thank you.

### Funding for Private Schools

**Mr. Hehr:** Mr. Speaker, government should support equality of opportunity. Equality of opportunity is the principle that whether you're born into a rich family or a poor family, you'll have the opportunity to succeed. This is a cornerstone of any democratic, equitable society. The way governments ensure equality of opportunity is through a publicly funded and delivered education system. To the Minister of Education. Given that the Premier stated that she is concerned with the continuing development of private and charter schools and that because of these the public system is at risk of being a second-tier level of education, how is the minister going to ensure that this does not happen?

**Mr. Lukaszuk:** Well, Mr. Speaker, our Premier, like me and everybody on this side of the House, we are committed to a public education system. But we are also committed to choice. The problem is what we're hearing from the other side, this member for the last three days going out of his way trying to characterize private schools as elitist and only for the rich. As a matter of fact, that's not the case. We have Sikh schools both in Edmonton and Calgary. We have Islamic academies in Edmonton. We have many private schools that do not cater to the rich, do not cater to the elite of Alberta but simply cater to parents who want to exercise choice.

**Mr. Hehr:** To the same minister: given the Premier's concerns about the continuing development of private and charter schools what is this minister doing to address this situation given that we are creating a system that divides the wealthy from the poor and the religious from the secular? Does the minister understand that this is not developing an inclusive system?

**Mr. Lukaszuk:** Well, Mr. Speaker, this member should be less concerned about the Premier's concerns and be more concerned about facts because he is as far away from facts as he possibly can be.

As you know, Mr. Speaker, it's not a secret. It's a world-known fact that Alberta education is in the ranks of the top five always and usually the top three. Finland and Korea and Alberta, not Canada but Alberta, usually are the countries considered to be the leaders in education and partly because of the fact that we have choice. I choose to send my daughter to a Catholic school system. You may choose to send your children to public. Another person can send them to a charter, and the list goes on.

**Mr. Hehr:** Given that this government divides our children by funding private schools with public funds up to \$127 million a year, will the minister cut public funding to private schools in order to act on the Premier's concerns about the continued growth of private and charter schools?

**Mr. Lukaszuk:** Again, concerned about the Premier's concerns and not concerned about the facts.

Mr. Speaker, we fund private schools only at a rate of some 70 per cent of regular funding. They build their own infrastructure. One could actually argue, if you want to use the twisted logic of the opposition, the fact that the private schools subsidize public schools because kids go to school and we don't have to pay for the infrastructure.

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, as I understood this, the hon. Member for Calgary-Buffalo asked a question of the hon. Minister of Education. The hon. Minister of Education was giving the answer, and the hon. Member for Calgary-Buffalo was yelling at somebody and not listening to him. I've got to figure this one out, okay? If I recognize you to ask a question, I hope that somebody will listen to the response. I know it's Thursday.

The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Fort McMurray-Wood Buffalo.

#### **Immigrant Nominee Program**

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. There have been many stories in the media about the federal government and the new numbers for the Alberta immigrant nominee program. My first question is to the Minister of Intergovernmental, International and Aboriginal Relations. Can the minister tell us if Alberta's AINP numbers have gone up, decreased, or stayed the same?

**Mr. Dallas:** Well, Mr. Speaker, I've heard those stories through the media as well. As far as I know, the numbers for 2012 have not been officially released.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Back to the same minister. There are many different streams when it comes to AINP. How many people can Alberta bring in permanently through this program?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you, Mr. Speaker. The federal government gives all of the provinces a number – it's a bit like a quota – and in our case the number is 5,000 that it's capped at for 2011. This means that there will be no more than 5,000 this year. Last year we nominated 5,000 workers plus their families for permanent residence, and obviously this year we'll nominate the same number.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister. There are concerns in my constituency of Edmonton-Ellerslie regarding the shortage of a skilled workforce. How can we increase our workforce of skilled workers if we're capped at 5,000 every year?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you. Mr. Speaker, 5,000 is obviously not enough for our growing economy. In fact, when I was in Ottawa last week, I had this conversation with Jason Kenney, who is the federal Minister of Citizenship, Immigration and Multiculturalism,

and I stressed Alberta's need for more workers and our concerns with the cap. As I said earlier, the numbers for 2012 have not been officially released, but together with the Minister of Human Services we continue to work with the federal government to get more than the 5,000 previously allocated.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Edmonton-Centre.

#### **Landowner Private Property Rights**

**Mr. Boutilier:** Thank you very much, Mr. Speaker. My question is to the Deputy Premier on the issue of land rights. I looked at my calendar. Actually, it says November, but I thought it might have been April Fool's Day. The reason why is that the government has just announced a task force on land rights and property owners. I have to ask the Deputy Premier: why would you think that landowners would pay attention to the government now based on the shabby work of bills 19, 24, 36, and 50? Why would they trust you today?

2:20

**Mr. Horner:** Mr. Speaker, today at the Alberta Association of Municipal Districts and Counties I had the opportunity to talk to a number of municipal leaders in our province. Actually, they appreciated the efforts that we're doing on Bill 19, which the Minister of Infrastructure is bringing forward into this House, which is actually Bill 23 on the Order Paper here, which is an excellent piece of adjustment. They've also expressed to us over the last several months some concerns that they've had with other areas of legislation and property rights.

But it goes beyond that, Mr. Speaker. It's time that we started talking about the reality of property rights, not the myths . . .

**The Speaker:** The hon. member, please. [interjection] The hon. member, please.

**Mr. Boutilier:** Thank you, Mr. Speaker. Thanks for the answer. I'll give him more time on this one.

Given the fact that landowners have said that this government hasn't been listening when it comes to the amendments on some of the bills – 19, 24, 36, and 50 – I have to ask him: why would the task force listen to you now since you didn't listen to them before?

**Mr. Horner:** Well, actually, Mr. Speaker, the consultation that went into the original land-use planning framework of the lower Athabasca and a number of the other plans across the province was based on consultation with Albertans and with landowners. I, as many members in our caucus, am a landowner. I own land in this province that I hold very dearly in my heart. It's a value that Albertans and pioneers fought in wars and settled this province to have and to hold. Nobody is taking away my property rights, and this government is going to protect Albertans' property rights.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given that nonresponse, Mr. Speaker, I will table from the *Athabasca Advocate* a member of this cabinet and this government who, in fact, spoke so poorly about landowners in the comments, saying that they are just nothing more than fearmongering. I have to ask you. He is a member of your government and cabinet, and in fact I will table what his comments were about Alberta landowners. Do you think that, actually, landowners will believe that he will listen to them?

**Mr. Horner:** Mr. Speaker, I'm not sure that I understand that last question. There was an accusation in there that was unfounded. There was naming of a member, I'm assuming, that's in there that's probably unfounded based on what I understand to be a newspaper article. Rather irresponsible of a member of this House, Mr. Speaker.

**The Speaker:** I'm sure that the document in question will be tabled at the appropriate time this afternoon.

**Mr. Boutilier:** Point of order, Mr. Speaker.

**The Speaker:** A point of order, too?

**Mr. Boutilier:** That's correct.

**The Speaker:** Oh, it has to be Thursday.

The hon. Member for Edmonton-Centre, followed by the hon. Member for Red Deer-North.

### Funding for Bedbug Infestations

**Ms Blakeman:** Thank you very much, Mr. Speaker. Bedbugs are costing my constituents living in apartments, condos, seniors' residences, and shelters huge problems and a lot of money, but because there's no disease, the Alberta government considers them pests and has not developed an income support policy for low-income Albertans, including seniors and those on AISH. Without an official policy people have to know to seek director approval for any support. It's a wicked, wicked hide-and-seek for people under stress. To the Minister of Human Services: will the minister please co-ordinate with AHS to produce a public information campaign on recognizing bedbug infestations and the need for fast treatment?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. For a moment there I thought we were going to be asked for an income support program for bedbugs.

I understand the hon. member's concerns and the issue that she's raising. It is a very important issue with respect to bedbugs this year in Alberta, as I understand it. I don't understand much more about it, and I will talk with the hon. member further about what's happening in her area and how we can assist those who are unable to afford the process themselves. It is an infestation that causes a problem we need to resolve.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you. Back to the same minister: well, Minister, given that treatment for bedbugs requires people to spend money to rewash clothes, purchase extra cleaning supplies, bags to wrap clothing, and to move and store furniture, will the minister direct his department to develop and distribute a policy on financial support for low-income seniors and AISH recipients for funding for bedbug infestations?

**Mr. Hancock:** Mr. Speaker, I'd go a little bit further than that to say that what I have indicated to people in our department is that they should use principle-based decision-making with respect to support for children and families who need support. In working with individuals who have a financial issue, they need to work through those issues with them and assist them with the right kind of support at the right time. We will be looking at our policies in that area. One of my mandates is looking at the whole social

policy framework and, within that, the context of income supports so that we're supporting people in the right way at the right time, not just with financial support but also with family support to determine how they can do better for families.

**The Speaker:** The hon. member, please.

**Ms Blakeman:** Good. Thank you again. Back to the same minister. In some cases seniors and others may be required to find overnight accommodation while their unit or their floor is treated for bedbugs. Will the minister develop and distribute a policy to cover the cost of hotel accommodation if family or friends are unable to provide short-term accommodation?

**Mr. Hancock:** Mr. Speaker, one of the things that I'm trying to establish as we move forward with the social policy framework and really look at our income support within that context is that rather than reacting to each specific instance with a new rule and regulation and a new policy, we look generically at issues to say: how do we need to support people so that they can live in human dignity, and how can we assist them to be as independent as possible? This would, in my view, fall within that purview of saying: how do we need to help people when they need help in the right way without a knee-jerk reaction of writing a new rule or a new policy?

### Support for Caregivers

**Mrs. Jablonski:** Mr. Speaker, providing care for a family member in need is a centuries-old act of kindness, love, and loyalty, and as life expectancies increase and medical treatments advance, more of us will participate in the caregiving process. Unfortunately, caregiving can create serious burnout for the caregiver if they don't get adequate support. To the Minister of Seniors: have we considered the importance of caregiver support programs, and can you tell me if government programs are currently in place?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker, and I thank the member for the important question. I think all of us can relate to caregivers' stress. I know the time when my dad was so sick, how we saw my mom even get ill and how I saw my brother and my sister get ill. Caregiver support in a community is vital, and in some communities, you know, you don't have the network that other communities have. Under my ministry we have supplemented the efforts of families and friends and community members in assisting seniors and persons with disabilities to live as independently as they can in their communities.

**The Speaker:** The hon. member, please.

**Mrs. Jablonski:** Thank you, Mr. Speaker. To the same minister: has the government considered developing caregiver support programs through initiatives such as partnerships for conferences, training courses, and a caregiver support line?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you again for that question. In fact, there are two programs in my ministry that provide funds to support caregivers. The PDD program that funds services that provide a break for primary nonpaid and paid caregivers on a temporary basis exists, and as well a special-needs assistance program provides funding for respite care for family care providers who provide care to a senior with a medical condition, sir.

**Mrs. Jablonski:** To the same minister: given that foster care programs for children have respite care available for foster parents, will the government put in place and ensure similar access to respite care programs to help prevent burnout for full-time caregivers?

**Mr. VanderBurg:** Mr. Speaker, I had the opportunity to be in Cardston a couple of weeks ago, and I saw the action of a community getting together with all their care providers and all their care agencies to find ways of supporting those caregivers in the home and outside the home. I know that this is an issue that the department of health is working on, and the ministry is taking lots of ideas right now from all the public. If any member here wants to get involved in this discussion, I'm open to this discussion.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Manning.

### Highway Maintenance

**Mr. Kang:** Thank you, Mr. Speaker. The government plans to purchase an extra \$15 million of salt, sand, and gravel for use in highway maintenance. Last year the province bought an extra \$10.4 million worth of salt, sand, and gravel above the budget of \$25 million and in 2009-10 an extra \$13.6 million worth. To the Minister of Transportation: when the department misses the set \$25 million budget consistently for three years, doesn't that mean more should be budgeted in the first place?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I would like to remind the hon. member that in Alberta the weather is very volatile, and at times we need to be prepared. We need to ensure that we do have the sand and gravel and we have the salt so that if we have a weather system that comes through, we don't leave Albertans at risk. This is about safety on our roads.

2:30

**Mr. Kang:** This is three years in a row, Mr. Speaker. Can we plan in the first place? We can put more money aside. To the minister again: given that, why is the government buying salt, sand, and gravel for highway maintenance at all when we have contracted out highway maintenance in the province?

**Mr. Danyluk:** Mr. Speaker, at the end of the day it is the expense of the government however the maintenance takes place.

I want to just make a little reference to the comment that the individual member made at the beginning. That was three years in a row we had excess or we bought more. I want to say to you that I would rather buy three years of excess sand than I would have one year of not having sand and salt.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Given that, did the government invent a time machine over the summer and now knows that this year we will use 60 per cent more salt, sand, and gravel than it predicted at budget time, or did the government's groundhog see its shadow earlier this year and predict six extra weeks of winter?

**Mr. Danyluk:** Well, Mr. Speaker, just a little on-the-side comment because if the hon. member can predict weather better than that, then he should be in a different occupation because all of the agriculture, all of the support industry, the maintenance industry that we have in this province would very much like to have that information.

Mr. Speaker, I just want to say to you that this government needs to be prepared because we need to ensure that the maintenance of our highways is maintained, and we are ready.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by the hon. Member for Calgary-Varsity.

### Anthony Henday Drive

**Mr. Sandhu:** Thank you very much, Mr. Speaker. In the past two months we have seen the opening of the northwest leg of Anthony Henday and the new interchanges on the southwest leg. This is good news for the motorists and my constituency, Edmonton-Manning. My question is to the Minister of Transportation. After the countless years when can I tell my constituents this ring road will be finished?

**Mr. Danyluk:** Well, Mr. Speaker, the Edmonton ring road is 90 per cent complete. I also want to say to you that we are looking at 2016 for the completion of the Edmonton ring road. In fact, we are now looking at three proposals that are bidding on the P3 project. I want to say also that in May 2012 we are going to make that selection, and construction will start in the summer of next year.

**The Speaker:** The hon. member.

**Mr. Sandhu:** Thank you, Mr. Speaker. To the same minister: how much is that huge project going to cost taxpayers?

**Mr. Danyluk:** Well, Mr. Speaker, there is no dollar figure yet, but I will say to you that we do have a total of 48 bridges on 27 kilometres of divided roadway, which includes nine interchanges and eight railway crossings and two flybys and two river crossings. We have invested \$2.5 billion on the ring road so far. I can't tell you what the last end is going to take. I just say to you that we are in the process of finding . . .

**The Speaker:** The hon. member.

**Mr. Sandhu:** Thank you, Mr. Speaker. To the same minister: is this the right economic time to be focusing on this construction?

**Mr. Danyluk:** Mr. Speaker, let me say to you that Alberta is very much a commodity-based province. Being a commodity-based province, we need to move product from one end of the province to another, and we have to go through the cities or around the cities, so that is very, very important. Also, we have the opportunity, when we look at the roads around the city, to be able to deal with the individuals who support the city infrastructure. So is this the right time? Yes, it is the right time.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-North West.

### Comprehensive Economic and Trade Agreement

**Mr. Chase:** Thank you, Mr. Speaker. The last few months have seen economic crises rippling through Europe, tipping the world's economy toward the verge of disaster. Italy's, Portugal's, Greece's, and Ireland's economies are spinning out of control and bringing down those closest to them. At the same time this government is participating in negotiations to bind us to this turmoil, putting our economy at risk. To the Minister of Intergovernmental, International and Aboriginal Relations: will this government step up to the Premier's promise of more transparency in government and make public the Canada-EU trade agreement negotiations it has taken part in?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you, Mr. Speaker. Actually, I will comment and appreciate the hon. member's question. The negotiations that the hon. member is referring to are negotiations between Canada and the European Union. Those negotiations have advanced through nine rounds of consultation, and at the side of the federal government all of the provinces have been closely involved. We continue to make progress on that, but no agreement has been reached at this time.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Hopefully, Albertans will have a part in setting that agreement and will be informed along with the progress.

Given that the scarcity of water is a concern for all Albertans and that many communities are worried about the sale of this resource, can the minister reassure Albertans that the sale of our water is not a part of these international negotiations?

**Mr. Dallas:** Mr. Speaker, we have always been very clear. The Premier has always been very clear. Our water is not for sale.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. With reference to the Premier's clarity, it can change at a day's notice.

To the same minister: what guarantees can the minister promise Albertans as to debt contagion from Europe after this agreement is signed?

**Mr. Dallas:** Well, Mr. Speaker, there's no relevance between this agreement and financial issues that are raging in the European economy. We trade on a best-efforts basis with any and all trading partners around the globe, so I don't see the relevance of a particular jurisdiction's financial issues.

**The Speaker:** The hon. Member for Calgary-North West.

#### **Noninstructional Postsecondary Fees**

**Mr. Blackett:** Thank you, Mr. Speaker. I understand that the minister has asked that postsecondary institutions submit their formal policies for how students will be consulted whenever a new noninstructional fee is considered. However, as recently as this morning students were tweeting about the fact that student consultations on noninstructional fees is not enough. My questions today are to the Minister of Advanced and Technology. Are you going to listen to the students and address these concerns?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. On this issue let me be perfectly clear. We do not support the use of noninstructional fees to circumvent the tuition cap for our postsecondaries in Alberta.

**Mr. Blackett:** Mr. Speaker, my next question is to the same minister. Students are concerned that consultations are really just a heads-up on an increase and not an opportunity for input. How will students provide input?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. I've made it very clear to the postsecondary institutions that I expect them to seek ongoing and meaningful input from the students if they're considering any

type of noninstructional fees. That means that the students will have the chance to ensure that fees are truly noninstructional, for real value, and the students get something in return for these fees.

**Mr. Blackett:** Mr. Speaker, my second supplemental is also to the same minister. As my colleague from Calgary-Mackay asked in this House before, why not just regulate noninstructional fees the same way as they do tuition?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. We have 21 publicly funded postsecondary institutions in this province, and these are very unique institutions. They're rural. They're urban. They cover a very wide cross-section. We don't believe one size fits all. We believe the measure of our success is finding a system that will work in each school, for each set of students, that will provide the opportunity for input and discussion around noninstructional fees.

**The Speaker:** That concludes the question-and-answer period for today. Eighteen hon. members were recognized. There were 103 questions and responses. There's a bit of business arising out of the question period that we'll deal with in the latter part of the Routine. In about 15 seconds from now we'll return to Members' Statements.

2:40

#### **Members' Statements** (continued)

**The Speaker:** The hon. Member for Edmonton-Manning.

#### **U of A Punjabi Language Program**

**Mr. Sandhu:** Thank you very much, Mr. Speaker. I'm pleased to rise today and discuss the funding effort for the Punjabi language program at the University of Alberta and what it meant for the food bank. Sikhs all over the world celebrated the birthday of Siri Guru Nanak Sahib Ji on November 10. Siri Guru Nanak Dev Ji is the founder of the Sikh faith. His birthday is a special day in the hearts of the Sikh community. To remember Guru Nanak's birthday, the Sikh community remembers his three principles. [Remarks in Punjabi] Pray to God; make honest earnings; share with who needs it most.

In recognition of this day Gurdwara Siri Guru Singh Sabha Ji, Gurdwara Nanaksar Ji, Gurdwara Millwoods Ji, Siri Guru Nanak Sikh Gurdwara Ji as well as the Punjabi media radiothon jointly made an appeal to donate to the University of Alberta's Punjabi language program and the local food bank. Keeping a language alive and well for new generations is an achievement that benefits our society. Through their efforts and donations the Sikh community have so far raised over \$41,000 for the University of Alberta.

Mr. Speaker, you will remember that the Sikh community had previously donated over \$2.4 million to the University of Alberta Mazankowski Heart Institute's healing garden in Guru Nanak's name. What is truly amazing is that this year over \$11,000 has been raised for the food bank, and that does not include the tons of dry food donated as well. I hope there is more to come.

It was a pleasure being part of the cheque presentation with the hon. Member for Edmonton-Ellerslie. Because of this fundraising effort I hope we can all see Albertans' charity and commitment to the arts.

Thank you, Mr. Speaker.

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

### Postsecondary Education Affordability

**Ms Notley:** Thank you, Mr. Speaker. Excellence in advanced education is vital to Alberta's future success and the quality of life for all of us, yet this government is pursuing policies that make access to superior education more and more difficult for many Albertans. They appear unconcerned that Alberta has the lowest enrolment in postsecondary institutions in Canada, with poor retention and graduation rates.

The high cost of education in Alberta has put it out of reach of many. Massive student debt on graduation is not something that many can consider. Differential tuition fees make some professions very tough to access, financial supports for students are disappearing, and institutions are using measures like noninstructional fees to desperately try to survive underfunding by the province. The PC government has forced postsecondary institutions between a rock and a hard place. On the one hand, they have significantly reduced funding to universities. For example, funding for the U of A and the University of Calgary was lowered by \$27 million and \$7.8 million, respectively, in 2010.

Precariously positioned, universities have come up with ways to fill their revenue gaps such as by levying huge noninstructional fees. This past year Alberta posted the largest increase in additional compulsory fees for both undergraduate and graduate students. Other students, mostly those in graduate schools, have had their tuition increased by more than 50 per cent due to ministerial approval. The high cost of postsecondary education not only limits access to those who can afford it but creates a learning environment in which youth from wealthier families gain a competitive advantage over those who do not.

If this government is truly concerned about having an educated Alberta, it must ensure improved public funding of universities, it must reduce tuition, and it must reverse student debt load. Only then will Alberta be the place where students are not limited in their opportunities to succeed, and a stronger future for all of us can be secured.

### Introduction of Bills

**The Speaker:** The hon. Deputy Premier.

#### Bill 27 Appropriation (Supplementary Supply) Act, 2011 (No. 2)

**Mr. Horner:** Thank you, Mr. Speaker. I request leave to introduce Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2), this being a money bill. His Honour the Honourable Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 27 read a first time]

### Tabling Returns and Reports

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. Two tablings today. One is from debate that occurred last evening and was raised in debate by the hon. Member for Calgary-Mountain View. He referenced it. It is a legal blood-alcohol concentration position statement from the Alberta Centre for Injury Control & Research. It's a position paper on lowering the legal blood-alcohol concentration for drivers.

The second one is copies of a letter sent by the mayor of Strathcona county, Linda Osinchuk, directed toward the Premier, in which the mayor is pointing out that the Strathcona county council unanimously resolved to prepare an application to the Alberta Utilities Commission to review and vary its decision on the critical transmission infrastructures. They're very concerned that this is a massive overbuild, and they urge the provincial government to reconsider its position.

Thank you.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you, Mr. Speaker. In question period this afternoon I indicated I would table from the *Athabasca Advocate* comments that were made by the member.

### Projected Government Business

**The Speaker:** The Official Opposition House Leader.

**Ms Blakeman:** Thanks very much, Mr. Speaker. At this time I would like under Standing Order 7(6) to ask the Government House Leader to please share with those assembled the projected government business for the week commencing November 28.

Thank you.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would anticipate that on Monday, November 28, in the evening for second reading we would deal with Bill 23, the Land Assembly Project Area Amendment Act, 2011, if it's not completed this afternoon, and in Committee of the Whole Bill 25, the Child and Youth Advocate Act, and Bill 26, the Traffic Safety Amendment Act, 2011, and as per the Order Paper.

On Tuesday, November 29, in the afternoon for second reading Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2), and in Committee of the Whole Bill 23, the Land Assembly Project Area Amendment Act, 2011, and Bill 24, the Health Quality Council of Alberta Act, and as per the Order Paper. November 29 in the evening in Committee of the Whole bills 24 and 25 and as per the Order Paper.

On Wednesday, November 30, in the afternoon in Committee of the Whole Bill 21, the Election Amendment Act, 2011; Bill 25, the Child and Youth Advocate Act; Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2); and as per the Order Paper. In the evening in Committee of the Whole bills 21, 25, and 22; third readings on bills 23, 24, 25, 26; and as per the Order Paper.

On Thursday, December 1, in the afternoon for third reading bills 21, 22, 26, 27, and as per the Order Paper.

### Speaker's Ruling Challenging the Chair

**The Speaker:** Hon. members, we have several items to deal with. First of all, I want to provide some clarification. I would draw members' attention to *House of Commons Procedure and Practice*, second edition, 2009, page 497, where there is a section that says: Role of the Speaker during Question Period.

The Speaker has implicit discretion and authority to rule out of order any question posed during Question Period if satisfied that it is in contravention of House rules of order, decorum and procedure. In ruling a question out of order, the Chair may suggest that it be rephrased in order to make it acceptable to the



House. Or, the Speaker may recognize another Member to pose the next question.

This afternoon, when the hon. Member for Edmonton-Gold Bar rose on a question, I ruled it out of order. I would draw all members' attention to *Beauchesne's* section 410(17), which clearly states that "ministers may not be questioned with respect to party responsibilities."

Then I would draw all members' attention to *House of Commons Procedure and Practice*, second edition, page 504, which states that questions should not be asked which "concern internal party matters, or party or election expenses."

2:50

To the hon. Member for Edmonton-Gold Bar, I did what I am supposed to do, and I provided two citations. As you challenged the chair and said that it is within the rules, would you by Monday let me know where the citation is, in all of the books, that says that you can do what you did? That would be important because I like to expand my education base, and I'm always open to hearing. I know exactly what *Hansard* said.

### Speaker's Ruling

#### Questions outside Government Responsibility

**The Speaker:** Number two, there was a possibility because – a number of members here today looked rather strangely at me when I allowed the question from Calgary-Varsity to proceed, a question which had to do with an agreement between Canada and the European Union. Neither the hon. Member for Calgary-Varsity or the minister in question made it absolutely clear that in order for this agreement to proceed, it needs the support of the provinces. That's one of the conditions of the European Union. I met with the European Union on this matter, and they made it very, very clear, so that's why I let that question go through.

Some people said that that appears to be ultra vires and not within the mandate of the House, but it is. It is within the Constitution of Canada, the administrative procedures in part of this country, so that's why that question was allowed.

### Speaker's Ruling

#### Unsolicited Items on Members' Desks

**The Speaker:** Number three, every time I allow members to put things on their desks, I get notes from other members saying: "Why should a pin, which shows the flags of Canada and the United States on it and has Keystone pipeline written on it, be allowed to be put on the desks of members of this Assembly? Speaker, don't you know that not everybody agrees? Don't you know that this is highly sensitive in some quarters?"

Listen, this has happened with other, previous things and at other times before. I've allowed, you know, the ribbons for prostate cancer and for other things to be put on the desks, but it seems that in way more than half of these cases I then get notes from other members saying: why is that on my desk?

Maybe the way we should approach this is that boxes can be put outside the door, as you come into the Assembly, and if members want to pick up a ribbon to support the cause of breast cancer or the cause of prostate cancer or, you know, a war against poverty, you pick it up and bring it in, and then we won't have this issue, which seems to cause heartburn for some members. You know, the greater thing is just to allow common sense to prevail, but I think we'll go with the other one.

### Privilege

#### Misleading the House

**The Speaker:** Okay. We've had a situation dealing with a question of privilege that's been around for a while. The chair has listened to the arguments presented on the purported question of privilege brought by the Member for Edmonton-Strathcona and is prepared to rule on the matter.

Notice of the purported question of privilege was provided by the Member for Edmonton-Strathcona to the Speaker's office on Monday, October 24, 2011, at 10:58 a.m., so the notice provision of Standing Order 15(2) was met. The notice was provided in the Assembly that day by the Member for Edmonton-Strathcona and was deferred until the fall sitting resumed on November 21 pursuant to standing orders 15(3) and 15(4). The chair will have some comments later on the question of whether this matter was raised at the earliest opportunity as required under Standing Order 15(6). The alleged facts giving rise to this purported question of privilege are involved, so the chair will attempt to summarize them concisely.

In essence, the Member for Edmonton-Strathcona argued on November 21 at pages 1205 to 1207 of *Alberta Hansard* for that day that the Member for Edmonton-Mill Creek deliberately misled the Assembly when he answered certain questions during question period on November 30, December 1, and December 2, 2010, almost a year ago. At that time the member was Minister of Health and Wellness. Without replicating the *Hansard* excerpt for those days, the then minister was responding to questions about a PowerPoint presentation dated July 2010 entitled Alberta's Health Legislation: Moving Forward, tabled in the Assembly on November 30, 2010, as Sessional Paper 450/2010.

At the start of the fall sitting on October 24, 2011, the Member for Edmonton-Strathcona tabled an additional document, which appears to be a briefing from the Minister of Health and Wellness dated May 2010 entitled, and I quote, Minister's Report, end quote, and which stands as Sessional Paper 486/2011. As the chair understands it, the argument is that the May 20 document was the source for the July 2010 document as opposed to the source being views of Albertans as indicated by the then minister on November 30, 2010, at page 1691 of *Alberta Hansard* for that day.

Deliberately misleading the Assembly is an extremely serious allegation, which seldom satisfies the test for constituting a prima facie question of privilege. Many of the authorities were cited by the Member for Edmonton-Strathcona, including the chair's ruling of November 7, 2007, which includes references to several leading authorities. Briefly, deliberately misleading the Assembly is a form of contempt of the Assembly, which is treated as a breach of parliamentary privilege.

The test that has been adopted in this Assembly and in the Canadian House of Commons actually originated in New Zealand. The test as articulated by David McGee, former Clerk of the House of Representatives in New Zealand, is found in the third edition of his book *Parliamentary Practices in New Zealand*, 2005, at pages 653 to 654.

There are three elements to be established when it is alleged that a member is in contempt by reason of a statement that the member has made: the statement must, in fact, have been misleading; it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and, in making it the member must have intended to mislead the House.

This test is also referred to in *House of Commons Procedure and Practice*, second edition, at page 86.

In this case and based on what the Member for Edmonton-Mill Creek said in this Assembly yesterday, the chair does not believe that any of the three components have been met. It is not clear that the statement was misleading, it has not been established that the Member for Edmonton-Mill Creek knew the statement was incorrect, and there is no evidence that he intended to mislead the Assembly.

Accordingly, the chair finds that there is no *prima facie* question of privilege, so that concludes this matter. However, with respect to timeliness the chair would like to comment on what is apparent to anyone who has followed this purported question of privilege. First, the statements that are the subject of this application were made almost a year ago. Second, the questions at that time were related to the impact of a document from July 2010. This purported question of privilege relied on what was in a government briefing document from May 2010, nearly one and a half years ago.

The chair wants to point out that an allegation of deliberately misleading the Assembly is one of the most serious matters that could be raised against a member. Allegations of this nature are seldom made out. To do so would require clear and convincing evidence. To resurrect an issue from nearly one year ago based on documents from one and a half years ago, there would have to be overwhelmingly persuasive evidence, which is clearly not the case here. Of course, the chair cannot and would not and will not restrict the ability of members to bring forward matters that affect their rights and immunities. However, the chair would ask members to carefully consider bringing forward matters that call into question the integrity of other members when the evidence is less than convincing.

The hon. Member for Fort McMurray-Wood Buffalo on a point of order.

**Mr. Boutilier:** Mr. Speaker, I was rising on the point of order relative to what the Deputy Premier had raised.

**The Speaker:** That's why I'm recognizing you.

**Mr. Boutilier:** He had raised a point of order.

**The Speaker:** No. I'm sorry.

**Mr. Boutilier:** He raised the point of order first.

**The Speaker:** Hold on. Government House Leader, did you raise a point of order?

**Mr. Hancock:** No.

**The Speaker:** No. The Government House Leader has not raised a point of order.

**Mr. Boutilier:** Mr. Speaker, since the Deputy Premier did not raise a point of order, I have no point of order.

**The Speaker:** I'm impressed with the gentlemen that we have here. Some might refer to this as an old boys' club, but let's not get carried away here on that one.

**Ms Blakeman:** And they'd be right.

**The Speaker:** I agree with you, Edmonton-Centre. I can assure you that I would never want to do that.

3:00

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 23

#### Land Assembly Project Area Amendment Act, 2011

[Adjourned debate November 22: Mr. Johnson]

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. I'm pleased and honoured to resume debate on this important piece of legislation for Albertans. When I became Minister of Infrastructure, the Premier gave me the mandate to review the Land Assembly Project Area Act to address concerns about the act that landowners were raising. The amendments I introduced in first reading Monday address those concerns. The concerns that we heard from Albertans were to give more power to property owners, to landowners.

To draw a picture of what these amendments do, I have to begin with some history. Starting in the 1970s government began purchasing land for major projects such as the Edmonton and Calgary ring roads. The process that we used for those purchases was the restricted development area regulations, which put limits, of course, on development within the area that we were looking at for those large projects. Under the RDAs landowners had very limited rights; in particular, the government was not required to notify or consult landowners. The government was also not required to make decisions within a reasonable amount of time on what land would be affected by these potential projects. Government also decided when we were going to purchase the land. In other words, we decided when the landowners were going to be compensated for their land.

Mr. Speaker, the ring roads did get built, but the process of acquiring land was not as clear as it could have been, and it gave property owners very minimal control, power, or input into the process. That's why the previous Minister of Infrastructure – actually, it was the minister previous to the previous Minister of Infrastructure – introduced the Land Assembly Project Area Act three years ago. It was intended for property owners to have a clearer process when the Alberta government needed to buy or acquire land for very large-scale, long-term projects for the province. It's important to emphasize that this act, LAPAA, as I will refer to it, does not give the government any powers or abilities that it didn't have before. The government, of course, has always had the ability to acquire land for projects like this, projects for the public good, and governments of all levels have always had the ability to restrict development through various mechanisms, including zoning at the municipal level.

The critical piece of Bill 23, of course, is that it ensures that landowners are notified, consulted, and fairly compensated for their land. There are many good aspects to LAPAA as it originally sat, but it can certainly be better, and it needs to be better. Property owners expect and deserve nothing less from their government.

We've heard a lot of comments about the legislation over the last two years from stakeholders, various groups around the province, and, most importantly, individual landowners. The four main concerns we've heard, Mr. Speaker, relate to these areas. First, there's confusion about what kinds of projects fall under this act. The second is that there were concerns about whether Albertans are going to be able to get fair compensation when a LAPAA project is considered and if they will have access to the Expropriation Act and all the heads of compensation, the principles that we use to compensate landowners

that lie within the Expropriation Act. The third is that there was concern about access to the courts, making sure that landowners have access to the courts in terms of disagreement on compensation and disagreement on enforcement orders. The fourth were concerns that Albertans raised about the penalties under the act. Some saw them as too heavy handed.

The amendments I introduced this week, Mr. Speaker, address all four of these areas and go right to the heart of the concerns that Albertans have been raising with my colleagues and I and our Premier. They meet the Premier's commitment to ensure that the three Cs are in place: consultation, compensation, and access to the courts. At the heart of Bill 23 is the government's commitment to ensuring that power is in the hands of the landowner. Our focus with these amendments is to ensure that landowners are consulted, to ensure that they are compensated fairly, and to ensure that they have full access to the courts.

By passing this act, we would be giving Albertans as many options as possible if their land is needed for a major water or transportation corridor project. The act gives landowners certainty of purchase. It ensures that the government will consult with them. It ensures that a court process is in place to handle disputes that arise over either land value or enforcement. Landowners will be protected by this legislation and the full range of legislation already in place like the Expropriation Act. The Expropriation Act has always been available to Albertans, but now it is much more clearly part of the legislation and linked within this amendment.

The amendments give the landowners the right to kick-start the expropriation, which is very significant. This important change for property owners, this reverse expropriation, or the ability to trigger, is a very important piece when we're looking at projects that may take decades to put together. Mr. Speaker, we have been listening to stakeholders and landowners for two years on this. We've heard them say that they want clarity about compensation, so the amendments ensure landowners will have access to all applicable types of compensation under the Expropriation Act. The amendments mean landowners will be able to trigger expropriation, as I said.

We've heard landowners say that they want clarity about what is an eligible project under the LAPAA legislation. Bill 23 will ensure more details about the size, scope, and character of potential projects and, maybe more importantly for some Albertans, what is not eligible as a project.

Landowners said that they wanted access to the courts. The amendments will give landowners access to a third party to determine compensation when the negotiating parties cannot reach agreement. Enforcement penalties are reduced, and the landowners, as I've said, will have increased access to the courts to contest any enforcement penalties.

[Mr. Zwozdesky in the chair]

Most of all, landowners want to be consulted during the project planning process. Landowners will be consulted during the planning process. The legislation requires it. More than that, we will be consulting with landowners and other stakeholders as we develop the regulations, which will come in coming months.

Mr. Speaker, as you can see by the proposed amendments before you, we have been listening to stakeholders, landowners, and Albertans in general. We have heard what they've said. I believe that as we move through second reading debate and Committee of the Whole, it will become evident that we have acted on what we have heard, with little things like the ability to have the first right of refusal on leasing land back when you decide to sell it for a LAPAA project and other pieces of the legislation.

Mr. Speaker, I believe that we've addressed the concerns that we've heard from Albertans, but now I am very interested to hear what my colleagues and everyone in the Assembly have to say about this act. I encourage them to support it. Thank you.

**The Acting Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I would like to start my remarks on Bill 23 with this. I would like to offer my congratulations to you, sir, on being chosen the other day for the position of Deputy Chair. I'm sure you will do a very good job. In fact, I think you are eminently qualified for it. I heard the other day that you had been refereeing a hockey game if not last week, the week before. I'm sure the hockey game would be much easier than the Legislative Assembly. I wish you very well, sir. I wish you the best. And there were no complaints about the hon. member being a hometown ref. I can assure you of that.

Now, I would like to talk about Bill 23 here. I listened to the hon. Member for Athabasca-Redwater and the explanation for the amendments, and I can't help but think of the people I met from the hon. member's constituency in the Eckville hall on the Thursday before the Easter long weekend. Eckville hall, of course, as many people know, was full of landowners from across the province. Many of them travelled for hours to attend this meeting.

In fact, the hon. Member for Lacombe-Ponoka was there. I couldn't understand why he was so anxious to leave so quickly after the meeting ended, but he did. The hon. Member for Innisfail-Sylvan Lake stayed. The hon. Member for St. Albert was there, I believe. The hon. Member for Rocky Mountain House was chairperson of the meeting. At least he was participating in the meeting. It was a very interesting meeting. I was glad I had the opportunity to attend.

3:10

**Mr. Hinman:** What about me?

**Mr. MacDonald:** Oh, I'm sorry. The hon. Member for Calgary-Glenmore was in attendance. The hon. member's leader, Ms Danielle Smith, was in attendance. The hon. Member for Fort McMurray-Wood Buffalo was there and, also, the hon. Member for Airdrie-Chestermere, without his goalie gear. He didn't have his hockey bag with him that evening, Mr. Speaker, but he certainly was following the proceedings with keen interest.

Now, I was sitting and listening to some of the comments and some of the questions and the debate. The hon. Government House Leader was there as well. There was quite an exchange between himself and another member of the legal profession, Mr. Keith Wilson. I forgot, Mr. Speaker – I apologize – that the Minister of Agriculture and Rural Development, the hon. Member for Livingstone-Macleod, was in attendance. In fact, he along with the current Minister of Energy were involved in this debate with the member of the legal profession, Mr. Keith Wilson, who had a rather unique exchange with the Government House Leader. I'm not going to bore you with the details, but if you look at YouTube, you will find it, and it has a lot of hits.

It was a very interesting meeting. I'm sitting, and I'm listening keenly to what the landowners have to say, and I thought to myself: "Well, will this government do the right thing and repeal this legislation? Is this legislation really needed?"

I followed, of course, the exchanges, like a lot of other interested political parties, over the summer between various PC leadership candidates on what they thought not only of Bill 36 but of Bill 50 as well, because they were sort of a package earlier in this term by the government. I thought that this legislation would

just be repealed. It wouldn't be fixed or amended; it would be repealed.

We had questions about this initiative right from the start. Many of our questions went unanswered during the course of the original debate, but those questions were also asked by landowners. Here we are months before the next provincial election. Property rights are certainly going to be a big issue. I was over at the AAMD and C luncheon today, and property rights, Mr. Speaker, and Bill 23 were the first topic of discussion at the table that I had the pleasure of sharing at lunch. They had many, many questions about why this government would do something like this. Why has this government lost its ability to listen? They were not satisfied that this bill was going to fix all of their concerns. They seemed to think that this was more of a public relations exercise to pretend that the issues had been addressed, and let's get on with the next election and get it over with.

I can certainly see why the hon. Member for Fort McMurray-Wood Buffalo would have questions today in question period regarding this matter because it was certainly a subject of interesting conversation. The government's approach and the new Premier's approach to this is still not satisfying many of the landowners. Now, this bill's political reason, of course, is to fulfill the hon. Premier's promises from the leadership debate. I didn't hear the word – and I could be wrong, Mr. Speaker. I could be totally wrong on this, and if I am, I will certainly stand corrected. But it's not about reforming this group of land-use bills, which have caused such significant political problems for the government. I never heard the word "reform"; I heard the word "repeal." Particularly, this one would be repealed, and we would start over. Well, I suppose you could say this is a legislative mulligan, but I wouldn't. This is certainly not starting over.

Now, across the province – and I can't stress this enough, Mr. Speaker – people took issue with this series of government initiatives. Again, it's the Easter long weekend. A lot of people have a lot of things to do. They drove from across the province to hear the debate. It was really nice, actually, to see democracy at work and to see a rather civil debate take place on a contentious issue, with anywhere between 500 and 700 people present depending on who you talked to. It was really, from my perspective, interesting to see. It was an experience I will not forget.

I also had the experience of attending a meeting this summer in the constituency of the former President of the Treasury Board, the hon. Member for Vermilion-Lloydminster. It was a fine summer evening, good moisture earlier in the summer in the growing season. Hay crops were abundant. There had been some nice drying weather, and farmers obviously had a lot of work to do to harvest their hay crop, not only harvest it but get it stored as well. At that time of the summer I didn't think any farmers could stop their harvesting activities to attend a meeting on these land rights bills. But, alas, Mr. Speaker, to my surprise, I pulled into Kitscoty and went to the hall, and the parking lot was full. It was about 9, quarter after 9 in the evening. The parking lot was full. Landowners from all over the area, including Lloydminster, took the time to attend Mr. Wilson's meeting and get informed on the real objectives of this government through this legislation.

Mr. Speaker, again, it was a sign that democracy is alive and well. This was a very well-attended meeting. People were very, very polite. When Mr. Wilson finished his PowerPoint presentation – which I would encourage all hon. members across the way to look at on the Internet. I'm sure you already have, but if you haven't, I would certainly get you the Internet address because it's well worth a look. It's well worth taking the time to go through that PowerPoint slide by slide. I'm sure if you have

any questions that if you phone Mr. Wilson, he would be delighted to answer them because he certainly has a grasp of the issue.

You know, Mr. Speaker, I shouldn't say this, but I was sitting listening to the presentation by Mr. Wilson, and I was thinking that he would make an excellent representative here in this Legislative Assembly. If he had been here, maybe he would have been able to convince the government not to pass the bill in the first place. But he's not here. He certainly was at the hall in Kitscoty, and the citizens listened with interest to what he had to say. Some of the slides that he had were of great interest.

We think about that, that on a nice summer evening when there's a lot to do on the farm, people are still willing to get their chores done as early as possible and get to a public meeting to hear how their rights as landowners may be affected if this law remains.

3:20

I can give the government some credit for backpedalling or backtracking a little bit on this, but again I thought we were going to repeal the legislation and we were going to start over.

There are standing committees. They're all-party committees of this Legislative Assembly. Mr. Speaker, we could pick any one of those committees and put them to work by going out and hearing exactly what Mr. Wilson and his group heard from citizens and bringing that information back to this Assembly and to the minister.

Now, I would be real pleased to get an opportunity to go to Drayton Valley and attend a meeting out there. I know it's a big issue out there, as does the hon. Member for Calgary-Glenmore. I don't know if his leader has had an opportunity to get out there or not. I know it's a big issue in Drayton Valley because people have phoned me and said: "What's with this crowd? What's with this government? Are they taking their right to govern for granted?" My response was: "You'll have to ask them. You'll have to ask them why they feel these bills are so necessary."

Specifically, with Bill 23, Mr. Speaker, as I understand it, the idea here is to mend an extremely controversial bill that was seen to limit, and in my view has limited, landowners' rights and controls over their land. We know there's an election coming in the next four or five months, and with this bill all the Progressive Conservative candidates – I don't know if I can say that word in here anymore after question period – in the next election, all 87 of them, will be able to say: "Oh, no. We listened. We turned around on this. Of course, we had Bill 23, which satisfied all of your concerns." I'm confident that people who attend election forums are not going to be satisfied with Bill 23.

Certainly, we hear that it's going to clarify and limit the government's restrictions on privately held land for the purposes of future development. That was seen to exist in the original act. I had a gentleman in the escalator at the Shaw Conference Centre ask me, "Is it true that this legislation can freeze activity on my land until my grandchildren have retired?" I asked him, "How old are your grandchildren?" He said: "They're very young. They're just entering elementary school." I think he had it, hon. members. He had this scoped out, as the kids would say.

Now, we also with this legislation are placing an advisory, a minimum 15-year time frame between land assembly and project construction for most projects. I understand that maybe the hon. Member for Edmonton-Centre can clarify this. Is five years only for water projects?

**Ms Blakeman:** Yeah.

**Mr. MacDonald:** Yes. Okay.

More rapid projects would continue to use conventional exploration. Certainly, whenever we're talking about land use – and here's the hon. Minister of Energy, who was one of the star participants in Eckville the Thursday before the Easter long weekend at the debate. I'm glad here's here.

Now, whenever we look at planning, you know, and long-term planning, it's very important. I would use this as an example. The B.C. government is looking at – and I could be wrong, Mr. Speaker – a rather large hydroelectricity development in and around Pouce Coupe, a little bit south down in the Peace River valley, a dam that would create a reservoir that could be up to, I think, 80 kilometres long. It's a large volume of water, which could potentially produce over 2,000 megawatts of electricity. Now, that's certainly going to affect the fine folks in the Peace River district on the Alberta side. It's going to have issues with oil sands development, with water use. At some time maybe this government is planning a run-of-the-river development around the Slave River, but this is an example of why we need to do good planning.

This House, Mr. Speaker, as you're aware, passed, I believe it was, the Dunvegan Hydro Development Act, where we could have run-of-the-river electricity generation around the Dunvegan area. Of course, if we were to put further dams on the Peace River, how would it affect that potential project, which was of course set up by an act of this Legislative Assembly? Those are examples of where planning comes into place not only in our own neighbourhoods in our own province but also with our neighbours, in this case the province of British Columbia.

I'm sure the hon. Minister of Energy is providing the opposition out there with election tips. I'm sure he is as that fixed-date election gets closer and closer. Certainly, the right to compensation and legal recourse equal to rights under expropriation with preferential leaseback offered to original owners is, as the hon. member suggested, in this bill. That certainly was an issue that many questions were focused on in Eckville.

I don't know how much time I have left, Mr. Speaker, but I would like to ask the hon. member if Mr. Wilson was consulted when this amendment was considered and drafted. If I could have a response to that question in the course of debate, I would really appreciate that.

Thank you again, Mr. Speaker. It's going to be very interesting to hear how this amendment act proceeds through the Legislative Assembly as promoted and sponsored by the Minister of Infrastructure.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The Minister of Environment and Water.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm pleased to speak today in support of the amendments the government has introduced through Bill 23, the Land Assembly Project Area Amendment Act, 2011. I want to congratulate the hon. member for bringing this forward. It's the first step, I would say, in addressing property rights.

I was very proud today when the Premier announced that I will chair and the hon. Member for Livingstone-MacLeod will vice-chair a committee to go and do exactly what the Premier committed to when she was running for leadership. That is to go and listen to Albertans with regard to issues around property taxes and concerns that they might have. I'm very much looking forward to doing that, and in particular having a conversation where I and other MLAs and members of the task force will have the opportunity to listen and to bring back to our government what

we have heard with regard to property rights in Alberta and the feelings and thoughts of Albertans. I'm very much looking forward to that.

As you know, Mr. Speaker, one of the most important responsibilities we have as elected officials is to ensure Albertans' rights are being respected. I am pleased that the amendments in this bill, introduced by our government, show that respect and give more power to landowners. Property owners deserve nothing less, and they expect nothing less from their government. These amendments are an important first step to fulfilling our Premier's commitment to addressing concerns about the rights of landowners. They offer real benefits to landowners. First, the amendments provide clarity; second, the amendments give landowners as many options as possible; and finally, the amendments give full access to all applicable categories of compensation under the Expropriation Act.

As I mentioned, clarity is a key component of the amendments. Government will be required by law to notify and consult individual property owners when a major long-term project is being considered. Government must also decide within two years which properties will be part of the project. Government must purchase an individual's property when the landowner chooses to sell. This is a transparent and open process, one that Albertans have every right to expect.

3:30

Another benefit contained in the amendments is choice. Landowners can now sell their land to the government. They can also sell their land to the government and lease it back until the project is ready to begin.

Finally, they can sell their property to a third party or leave it to family members in their will. This approach gives landowners the power to choose when to sell their land to government. If a landowner wants to sell but is not happy with the price the government is offering, the landowner will have the option to allow the courts to decide what price should be paid. This gives landowners the power to access all applicable categories of compensation for their land under the Expropriation Act as well as the courts. I am also pleased that the government will pay landowners' court costs.

As I said at the outset, Mr. Speaker, Albertans had a lot to say about the act as it currently stands, but the amendments tabled in this House by the Minister of Infrastructure provide some much-needed answers to landowners. Today I'm happy to say that the act is significantly improved. It not only reflects the concerns raised by Albertans, but it contains very real and very tangible benefits to our landowners. We listened, and with this act we are delivering.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available on Bill 23, the Land Assembly Project Area Amendment Act, 2011, pursuant to the previous speaker's comments.

**Mr. Chase:** A clarification to the hon. Member for Drayton Valley-Calmar, who is currently the Minister of Environment and Water. Did you say that yourself and, I believe, the Member for Livingstone-MacLeod had gone out and consulted, and if that is so, what was the nature of the consultation? How many public forums and meetings were held? If I am wrong, then when is this consultation planned?

**Mrs. McQueen:** Well, thank you, hon. member. What I did say was that I was very proud that the Premier announced today at the

AAMD and C that I will chair a task force, and I will have a vice-chair, the Member for Livingstone-Macleod. We will be going out to talk to Albertans with regard to property rights and to listen to them about concerns that they have on property rights. We will then report back by the end of January with regard to what we have heard and recommendations that we will bring forward to the Premier.

**The Acting Speaker:** The hon. Member for Edmonton-Gold Bar under 29(2)(a).

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. To the hon. Minister of Environment and Water. You stated that you consider these amendments a significant improvement or significantly improved. My question would be: then why was this bill passed in the first place, forced through this Legislative Assembly, and who drafted it?

Thank you.

**The Acting Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and thank you for the question. It's a great opportunity to provide some clarity. Over the summer months and over the time that the Premier was running for leadership, she had the opportunity, as did other candidates, to go out and listen to Albertans on what the issues in many aspects were. This is one issue where the hon. Premier came back and said that this is something that is a concern for landowners, that it is something that's important to them, and therefore came back to our government and said that we need to address these issues.

Certainly, the hon. member, the Minister of Infrastructure, has done a very good job at articulating within this bill, through those that drafted it, the issues and concerns that were raised and brought forward during those months in the summer, from January to now, additional areas that people have commented on. I think that just says full what the Premier said about her transparency and her listening and addressing the issues that are important to Albertans. What she heard is now being, as I said, the first step, reflected in what Albertans told her with regard to this bill. That is why it is here today, and that is why I think the amendments are very good, because those months gave us an additional opportunity to hear concerns that Albertans were raising and to bring those concerns forward in this piece of legislation.

**The Acting Speaker:** The hon. Member for Calgary-Varsity, followed by Calgary-Glenmore.

**Mr. Chase:** Thank you very much. I would ask the hon. minister if she does not believe that in proposing this legislation, Bill 23, before she and the hon. Member for Livingstone-Macleod have a chance to interact with concerned landowners, it's in fact putting the cart before the horse. This business of "trust us, and then we'll consult with you later" I have concerns with.

**The Acting Speaker:** The hon. minister, briefly, as we can get one more in if possible.

**Mrs. McQueen:** Well, thank you. What I said in my opening comments is that this is a good first step to what we are bringing forward, the step that I'll be leading with the hon. Member for Livingstone-Macleod and other MLAs. We'll be then going back and talking on a broader scale, not specific to the previous Bill 19 but on a broader scale with regard to property rights. What does that mean for Albertans? When was there a time that property

rights were working for Albertans? How can we have those kinds of conversations with Albertans?

We have the task force that will be going out. We have an opportunity where we'll be able to talk to associations and be able to talk to Albertans in different communities across the province and have the opportunity to really have a good dialogue on the broader issue of property rights. We know that it is very important for Albertans to have this discussion – it was raised with the Premier through the leadership – and very, very important for us to have a broader discussion with regard to property rights.

**The Acting Speaker:** Twenty seconds, Calgary-Glenmore.

**Mr. Hinman:** Well, it's very sad to think that, you know, the 11,000 – I'd like to go back and look at the grid on how many rural Albertans actually voted for the Premier. After two years every member on that task force literally smeared lawyer Keith Wilson. They said that we were fearmongering here in the Wildrose. It just . . .

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Varsity on Bill 23 at second.

**Mr. Chase:** Thank you. Yes. Mr. Speaker, I don't know whether you've had a chance to tune into a show that was filmed on the Tsuu T'ina reserve.

**The Acting Speaker:** Hon. member, I hesitate to interrupt, but we have a guest or two in the gallery which an hon. member has asked to introduce. If it's okay, could we revert to introductions briefly?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Acting Speaker:** The hon. Minister of Sustainable Resource Development.

**Mr. Oberle:** Thank you so much, Mr. Speaker, for this opportunity. I notice that we're joined in the gallery by three of my constituents, hard-working councillors of Mackenzie county. I'd ask them to rise as I call their names: Dicky Driedger, Eric Jorgensen, and Jacque Bateman. They're hard-working councillors in Mackenzie county, which is about as far away as you can get from here. I ask you to join me in giving them the traditional warm welcome of the Assembly.

**The Acting Speaker:** Welcome.

Thank you, hon. members, for allowing that brief introduction.

### Government Bills and Orders Second Reading

#### Bill 23

#### Land Assembly Project Area Amendment Act, 2011 (continued)

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I don't know whether you or other members of this astute Assembly have had a chance to watch an AMC channel series that was filmed out on the Tsuu T'ina reservation. It's called *Hell on Wheels*, and it's about the building of the American railroad and all the problems encountered as they pushed this railroad across America. I think

there's a resonance between that particular show and what historically might be the filming of the dispute over this particular land-use framework experience we're going through. I was thinking that a possible title might be *Transmission Towering Inferno*. We already have the very successful *CBC Heartland*. Maybe we could have a sequel, *Heartland Transmission Troubles*, because from the very beginning there have been problems.

We have had incidents of intimidation, first in terms of spying, and then following the spying scandal, that was associated with why this bill is now trying to be repaired for the second time, we also had the experience of what I would call intimidation. An octogenarian female was very concerned about being misled at one of the public hearings. It appeared that she was threatening one of the individuals. At further follow-up public hearings there was a strong armed presence of sheriffs. That could be seen as an overzealous need to protect individuals, or it might have seemed that tempers were flaring to such an extent, based on deceit previously, that they were afraid that the tempers would boil up.

3:40

I was not present at the meetings that the hon. Member for Edmonton-Gold Bar discussed at Kitscoty and other meetings on this particular transmission line. I would bet that a number of the people that were there are the same people that I had a chance to talk with about concerns over fracking in Wetaskiwin, Trochu, twice in Ponoka, in Nanton, in Drayton Valley, Ma-Me-O Beach, and Red Deer. People are very sensitive about their land, as well they should be. There has to be a balance between preserving individual rights and public good.

Now, I don't want the hon. Energy minister to feel uncomfortable as I praise him, which I have previously done with regard to the land-use framework. The hon. member has gone through various ministerial transformations and, to his credit, has always landed on his feet. I appreciate that fact because I do believe that he is a person of intelligence and integrity. My biggest regret, Mr. Speaker, is that he wasn't able to finish the job he was first assigned to, and that was when he was the Minister of Sustainable Resource Development and initiated to a large extent – and I give him full credit for the initiation process – the land-use framework.

Now, I think that at least three years have passed, possibly four, since the hon. Energy minister, the Member for Foothills-Rocky View, was given that responsibility, but he took it on with vigour. I think part of the reason he took it on with such vigour is that he is, after a fact, a man of the land. Through his connection with fish and game clubs, through his own pursuit, enjoyment of the recreational sport of hunting, which my father introduced me to and I had many enjoyable years experiencing, he has come up with the idea – and I'm sure he had help – of setting aside seven regions based on water basins.

Now here we are, as I say, four years later, possibly longer – and the hon. member can correct me – but only two of the seven basin plans have had any degree of development, and only two of the seven you could even say are at the draft stage, waiting for further approval.

It's a large concern of mine that without a plan, without the equivalent of a traffic cop directing how things go, then an awful lot of development without a sufficient amount of scientific evidence or public forums, consideration, valuing the opinions of, say, Dr. David Schindler – I don't believe that's been allowed to happen. What we're having is a series of activities, spotted throughout the province, that aren't part of a cumulative plan, so it's business exploitation as usual, and the preservation, the balance, is missing.

Now, as I mentioned before, I would like to have seen the

Member for Foothills-Rocky View allowed to complete that job. I have a degree of sympathy for a number of the ministers in this Assembly because they are so frequently changed that the opportunity to finish what they started does not occur. I do believe that they have exchangeable, tradeable talents. The hon. member who is now the Minister of Human Services has had a variety of ministerial portfolios, and I think his biggest challenge and certainly his biggest portfolio is now before him.

I am concerned about trying to fix something that is very badly broken. The expression "measure twice, cut once" applies to this. What's happened now is that this board that is trying to be mended has been cut twice. We all know from our own projects at home that at some point you realize that you've got to start again, that you've got to start over.

I know I have wasted a tremendous amount of time trying to make do with the materials I had on hand, trying to fix, trying to in some cases camouflage an error I made in a woodworking project, for example. We get so fixated on thinking that we can fix something that we do not realize that at some point you say: "Okay. Get real. You've got to get to the hardware shop, get the tools you need, get the appropriate screws because what you've done so far hasn't worked."

Now, I'm a big fan of Velcro. I'm a big fan of duct tape. I'm a big fan of binder twine. My father-in-law was a dairy farmer in the Ottawa Valley, and he, like so many other farmers, used binder twine to temporarily fix farm machinery, combines. I've used duct tape when I've been out in the wilderness in the Queen Charlottes to temporarily repair a hole in a kayak. These are great sorts of materials. Velcro I've used numerous times in designing my own sports equipment, creating cross-country ski packs and martial arts materials.

**An Hon. Member:** Relevance.

**Mr. Chase:** Yes, speaking very definitely to Bill 23. Thank you for refocusing my attention.

No amount of Velcro, no amount of duct tape, no amount of binder twine is going to put this Humpty Dumpty together again. Neither the king's horses, the king's men, nor the Member for Athabasca-Redwater can put this Humpty Dumpty bill together again. In trying to do so, all the members have accomplished is getting more egg on their faces. The yolk, Mr. Speaker, is literally on them.

Bill 23, Mr. Speaker, is a flawed attempt at gluing boards together which no longer meet. I don't know, again, for those men and women who have worked in the construction trade, but I can remember on one of my earlier jobs a foreman tried to trick me by sending me for a board stretcher. There's no such thing. It stretches the imagination that Bill 23 can be considered sufficient to repair a very damaged set of legislation.

As I mentioned earlier in the 29(2)(a) questioning to the hon. Minister of Environment and Water, how is it that we'll pass the bill? The government is calling upon opposition support and Albertans' faith to pass this flawed bill, and then they'll go out and consult. It doesn't work that way. The hon. Member for Edmonton-Gold Bar – and I'm sure the hon. Member for Calgary-Glenmore will add to what he saw and heard at these meetings, the level of distrust and anger in rural areas, which he is considerably more familiar with than I am, having spent time in the Cardston area. But this comes down to trust, Mr. Speaker, and the trust isn't there.

3:50

In previous attempts to repair the legislation – I think it's bills

19, 24, 36, and 50 – the government rejected amendments that the opposition put forward trying to repair the damage that we saw when these bills were first introduced. Unfortunately, Mr. Speaker, instead of trying to reform or rebuild something that is inherently broken, we have to start at the beginning and get the kind of consultation that the hon. Member for Edmonton-Gold Bar was suggesting. Refer it to any one of our committees. Let the committee, as we did with the minimum wage or the milk carton returns, tour the province, call together individuals, meet them where it is convenient for them or arrange for them to come to Edmonton to meet with committee members. Let's get collaboration, let's go beyond just consultation, and let's build something that Albertans can agree to.

As it is, Albertans will not accept Bill 23, the Land Assembly Project Area Amendment Act, 2011. The government is about to go into election mode within a 90-day period in the spring, and this particular piece of legislation is the equivalent of an anchor. I would suggest that they would want to clear up the problems by starting from scratch. This just doesn't do it.

Thank you, Mr. Speaker, for the opportunity to express my concerns and those that Albertans have shared with me.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. I have the hon. Member for Calgary-Glenmore, followed by the hon. Member for Rocky Mountain House.

**Mr. Hinman:** I'd like to ask the hon. member if he's aware of the comments and what the different task force members have been saying for the last two years about this Bill 19. The fearmongering that people like Keith Wilson and Danielle Smith and myself and other Wildrosers – do you think that there's any credibility at all in this task force given that for two years they've been saying that we've been fearmongering, that there's nothing wrong with these bills? Even the Government House Leader in Eckville took on Keith Wilson and said that you were wrong, yet here we are now with all of these amendments, which is exactly the presentation that Keith Wilson has been making for two years. This government is saying that we don't need any of them, and now we have a bill. Does this task force have any credibility in your mind?

**Mr. Chase:** Thank you for that question, hon. Member for Calgary-Glenmore. What the government is asking us to do is to believe that in a two-week period we can fix a problem that has been growing for more than two years. Credibility is at stake. Whatever the rules are that balance the needs of individual landowners and the collective good of Albertans, this should be a piece of legislation that stands the test of time, and I'm afraid, Mr. Speaker, this wouldn't pass any type of test.

**The Acting Speaker:** Thank you.

The hon. Member for Rocky Mountain House under Standing Order 29(2)(a).

**Mr. Lund:** Well, thank you, Mr. Speaker. The hon. member went through the horrible situation about the hearings. Some of those folks that were involved were my constituents, so I'm very familiar with it. But I was concerned when he was making the comments. What was the relevance of that to this bill?

**Mr. Chase:** Well, I would suggest that the hon. Member for Rocky Mountain House is considerably more qualified, based on his rural positioning, than I am, but I would sort of turn it around. What were your constituents telling you? Are they all standing up and saluting this project? Do they think that Bill 23 is the best

thing since sliced bread? What concerns did they express to you? Please share them. If they had none, put it on the record.

**Mr. Lund:** Mr. Speaker, I would ask the member to please show me the relationship between that project and this bill. Please tell me: what is the relationship?

**Mr. Chase:** Well, the underlying relationship, Mr. Speaker, is obviously the government that's proposing this particular legislation. It's called the Land Assembly Project Area Amendment Act, 2011. Now, we've had similar project amendment attempts – I think it was Bill 10 – and it hasn't worked. The relevance is that when you're talking about taking people's land, you've got to very carefully, as I say, balance the needs of the individuals and the collective good. That's the connection. It's connected to the land-use framework. It's governance.

**Mr. Lund:** Mr. Speaker, I would submit that perhaps you should look on page 2 of the act and rationalize the clause that says:

A project is not a public project under subsection (2)(a) if it is a project solely for the transportation or transmission of oil, gas or electricity or of a natural resource that can be used as a source of any form of energy, or of any combination of [all of these].

That was a line that was being sought by a private company, not the government. It was not the government. As a matter of fact, this bill clearly states that it couldn't be.

**Mr. Chase:** I very much appreciate your clarification. I very much want to hear from other members, especially rural members, as we did yesterday, when concerns were expressed. This is exactly why we're here, to share information that's going to benefit all Albertans. I thank the member, and he can consider me confused. I look forward to being straightened out.

**The Acting Speaker:** Thank you.

The hon. Member for Strathmore-Brooks.

**Mr. Doerksen:** Thank you, Mr. Speaker. I'm pleased to rise and speak in support of Bill 23, the Land Assembly Project Area Amendment Act, 2011. I believe the amendments that are brought forward in this bill clarify a number of concerns that have been raised by landowners. This legislation ensures government can plan for the long-term future for large-scale roadway and water reservoir infrastructure projects Albertans will need.

With these amendments the law recognizes more fully the needs, realities, and expectations of Alberta landowners. The amendments ensure landowners are consulted in a timely manner and fairly compensated, and that's important. It accounts for the varying circumstances that landowners may have – in other words, not all circumstances are the same – and this bill, I think, considers that. That's also important. Providing more options as to how landowners use their land and when and how they will sell it: I think that's also a significant aspect of importance with regard to this legislation.

Strategically balancing the law benefits landowners and Albertans in terms of future planning, focusing on carefully considering the needs of individuals while building to meet the needs of the province. This legislation helps ensure that together we continue down the right path with regard to planning for future projects in this province; that is, building Alberta's economic prosperity and planning the large-scale infrastructure requirements for today and for future generations.

A few examples. Projects like the Edmonton and Calgary ring roads and the Oldman River dam are good examples of how building large-scale public infrastructure has far-reaching benefits.



The ring roads help facilitate moving people, knowledge, services, goods, and dollars, which in turn stimulates growth. We all understand the importance of projects like these.

4:00

We also know that as Alberta continues to attract more and more Canadians and people from all around the world, we will need to stay ahead of that growth. As we continue to grow and move forward as a province, we need to do so with the entire community in mind. The infrastructure we plan and build today is crucial for the future health and growth of Alberta's communities. It's through this legislation that government is able to plan for the anticipated infrastructure needs of our communities by buying land.

Again, the Stoney Trail and Anthony Henday Drive are prime examples. Planning for these roadways began in the '70s. Forty years ago people had their future needs in sight and started accumulating land that would be needed for such roads. What it comes down to is that government's first and most important priority is to deliver what Albertans need today and will need in the future. The anticipation of future growth is extremely important. This legislation is another tool to help the provincial government plan for the long-term future of the province and ensure that Albertans have the infrastructure they need to support their quality of life as this province continues to grow.

Bill 23 sharpens this legislation's focus more strongly on benefiting and addressing the concerns of landowners. By planning with an eye to the future and by maintaining an open dialogue with landowners and Albertans, government can be sure it is developing processes, laws, and regulations that meet with Albertans' approval to facilitate the provision of the best public infrastructure we can to meet the needs of our families and of all future Albertans.

I would like to thank the Member for Athabasca-Redwater, the Minister of Infrastructure, for bringing forward this legislation and these amendments. I believe Bill 23 addresses concerns that landowners have relayed to me, specifically with regard to the development of these types of infrastructure programs.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity under 29(2)(a)?

**Mr. Chase:** Yes. Thank you. Just to make what I thought was abundantly clear, to echo, we have to have a land-use framework. That's why I've been a fan of the former Minister of SRD, the Member for Foothills-Rocky View, trying to put forward a plan. But that plan has to be done in consultation.

The hon. Member for Rocky Mountain House, I think, was drawing my attention to page 2 of the bill where it says:

Land Assembly Project Area

2(1) Subject to section 3, if the Lieutenant Governor in Council is of the opinion that one or more areas of land are required for a public project and that

(a) the land is intended to be acquired by the Crown over a period of time,

and it goes on to list a series of rules.

Now, this idea of the government by order in council – in other words the Lieutenant Governor in Council, in other words the cabinet – single-handedly making these decisions but without debate in the Legislature or, let's say, debate that is beyond a two-day session or a two-week session or subject to time restraints, that can make these unilateral decisions so frequently behind closed doors and claim that they're in the best interests of

Albertans without that consultation, is very disconcerting for me. As I've said, I want to see this done right. I'll be gone, but my grandsons, hopefully, will be enjoying Alberta for years to come, and I don't want them having to pay for transmission lines that are unnecessary. I don't want them to have to pay for government deals whereby land for ring roads, for example, was acquired and then the excess land was sold off at a penny on a dollar. Individuals who had access to government information have made killings on what taxpayer dollars paid large prices for.

To the hon. member: you're obviously enthusiastic about this piece of legislation. What forms of consultation have you had with your constituents that give you that sense of surety about this legislation?

**The Acting Speaker:** The hon. member.

**Mr. Doerksen:** Thank you, Mr. Speaker. I'm not sure you've actually seen me when I'm really enthusiastic.

**Mr. Chase:** When you're chairing committees, you're quite enthusiastic.

**Mr. Doerksen:** You're right.

I believe this legislation does address concerns that I think I've heard. I'm also a landowner, and I know that the principles of the Expropriation Act are well understood by landowners and Albertans. While nobody really likes being exposed to those situations where expropriation happens, I think people generally understand that there is a range of activities and heads of compensation and procedures that are addressed through the Expropriation Act.

One of the things that I heard was a concern with regard to what was going forward with regard to land assembly projects, that landowners wanted to be able to trigger that process of the Expropriation Act, and that's one of the things that I think is clarified in here. The other thing, part of all of that, is third-party arbitration and that sort of thing with regard to values and also the losses that landowners may experience with regard to their land being taken for large projects. Another thing is the fact that this is planning out into the future.

There were some questions about timing of a purchase and market value and how compensation would be determined. I think this legislation clarifies a lot of that. I appreciate the fact that the minister has brought it forward, because from my perspective I've heard the concerns of landowners. I'm a landowner myself, as are many others, and getting this right is extremely important. I believe this particular piece of legislation addresses that in a reasonable way. I look forward to some benefits from this because I know that even in my constituency there are some big projects that are under consideration that this legislation would address in terms of some water reservoirs and the opportunity for storage.

**The Acting Speaker:** Thank you.

Second reading of the Land Assembly Project Area Amendment Act to Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. You know, we often get up and say that it's a thrill or an honour to speak to these government bills, but this one really is. The reason is because after two years of a lot of hard work and getting it right, this government is finally following the lead of the Wildrose and individuals like Keith Wilson and landowners. So I am excited to talk about this bill because they're bringing in three, what we think are four, of the faults of this bill. And 75 per cent is an incredible hitting rate for this government, so we're pretty excited

about that. We hope that we can make one more amendment. As we pointed out, again, we think that the government has suffered enough infliction on this to think that they need to get it right.

People like Keith Wilson are really patriots to me. The amount of time and effort that he has put in to fight a tyrannical government that says that property rights aren't important is incredible, Mr. Speaker. I personally want to thank him. I also think that this government, starting with the Premier, should give a public apology to Mr. Wilson and should perhaps give him the honour of an Alberta recognition for the work that he's done for the people here.

**Mr. MacDonald:** An Order of Excellence.

**Mr. Hinman:** An Order of Excellence. Absolutely.

**The Acting Speaker:** Hon. members, I wonder if we could address the comments to the chair and not to the person speaking. Everyone will have their fair chance at speaking to this bill, I assure you.

Please, hon. member, proceed. Uninterrupted, I hope.

**Mr. Hinman:** Thank you. You'll recall that we made this effort for some time on the Alberta Land Stewardship Act. We repeatedly pointed out how little regard there was in this centralized superplan for the rights of landowners, businesses, and municipalities. The government kept trying to say that we were fearmongering, that there was no cause for alarm. They even said that we were making things up. But what's the only piece of significant legislation that came up this last spring? It wasn't the Asia bill; it was Bill 10, which made a bunch of amendments to improve the land-use framework. We still think that bill is too centralized and still doesn't give people the adequate compensation protection, but there sure were some significant changes to the bill those months before the government insisted that it was fine.

That's because over the last year good folks in rural Alberta have stopped trusting them. This spring they finally realized it, so they were scrambling to fix these horrible bills. Today they even announced a task force. They called it something like the win rural Alberta back from the Wildrose task force or something like that. Well, I have bad news for them. It's kind of like a spouse that's been lied to and neglected for so long. There is just so much resentment and mistrust there, and they think a couple of sessions with a marriage counsellor and a few bouquets of flowers will fix it up.

4:10

**An Hon. Member:** You didn't actually break all this down?

**Mr. Hinman:** Yes. You've got to be able to get it in there.

What they are doing here is admitting all along that we were right and they were wrong, that they've been misleading Albertans when they said we were just fearmongering and blowing things out of proportion.

But back to the latest bouquet of flowers, this Bill 23. This bill proposes radical amendments to the land assembly act, often referred to as Bill 19. This bill goes even further than the land-use correction bill that they did this spring. Since Bill 19 was passed, the Wildrose has been travelling the province and using every chance we've had in the House to inform Albertans about what an unnecessary and naked power grab this was by the government.

The bill came out of the government's experience in expropriating land for ring roads and other big projects over the last couple of decades, including expropriation for the power line

from Calgary to Edmonton. Because they used a heavy hand and they trampled people's rights to appeal the compensation, there were numerous court cases that arose. Judges often sided with citizens. In the Nilsson case, for example, the judge used especially incriminating language in describing how the government was going around and confiscating land. So they decided: "Well, we're just going to make a few laws that will enable us to make these things legal. If we pass a law on it, then there's nothing a landowner or a judge can do."

So we got Bill 19, which gave the cabinet the power to declare that large tracks of land are now off limits to development by landowners because the bureaucrats in Edmonton decided they might want to use it for some project in the future. Bill 19 has a lot of problems, mostly about the scope of the power it gives the cabinet and the lack of compensation rights that it grants landowners. This is a very familiar refrain that this government continues to use.

One problem was that despite the government's claim, we argued that landowners couldn't trigger expropriation if they decided to freeze this land and it was too much for them. The government said that we were wrong. Then they decided to rewrite that section anyway to grant the right to sell it any time, that we were demanding, which is a great thing. We applaud you for doing that.

We complained that only offering market value for land that usually has a business in various stages of development was an unfair limitation and that all heads of compensation should be included. The government rewrote the compensation values section to be more fair to landowners. Thank you for that.

We argued that there was not adequate recourse to the courts for landowners who were not being offered what they thought was a fair deal by this government. They said: "Sure thing. You're just fearmongering. You can trust cabinet. We would never do that to the people here." But here we are. We have a rewritten section saying that the process in the Expropriation Act that grants recourse to the courts applies. Again, the landowners of Alberta thank you for that.

Now, the Expropriation Act is important. In fact, it's where we think this process should have remained this whole time because it does a better job of protecting landowners. This is some good news, but besides the fact that this bill isn't needed and that it's still a big stick that a centralized bureaucracy can use for its big plans, there is still one more big hole. Section 10 of the original bill talks about that every person with interest in property gets a copy of the cabinet order that puts a freeze on the land. This includes not only the registrar. So there is an order on the land title but on the bank holdings, the mortgage. This is surely going to have a chilling effect on a bank. Your land will be devalued because of this strict limit on the development. When the landowner goes to remortgage his land or if he wants to change the terms of his mortgage in any way, this cabinet order surely is going to give the bank cold feet.

It's not easy to resolve this, except by repealing the bill and making the province wait to expropriate land until they have a final decision. That's still the position that we take on this because the only people who had a problem before were the government. Even with these amendments the bill is still giving the government the power to execute their behind-closed-door plans despite landowners' concerns and rights. Frédéric Bastiat eloquently stated something more along the lines of what I believe. "Life, liberty, and property do not exist because men made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place."

John Locke, another political writer, established our inimitable rights, including the rights to property, considered by many as the philosophical foundation of constitutional democracies. They came out of the British experience in 1688 and were influential in the French and American revolutions. In all of these cases there was a political fight against the ruling class for thinking that it didn't have to respect the property rights of individuals. The government cannot extinguish property rights for the sake of pursuing some executive notion on good order. They can't rescind them either, at least not without full and fair compensation. This compensation needs to be done by the courts or bodies entirely independent of the Crown. This is what it means to respect property rights.

This truth was established 800 years ago and then reinforced 300 years ago in England, but this government still hasn't learned the lesson, which it clearly demonstrated with bills 19, 24, 36, and 50. The simmering revolution across the prairies this past year finally caught this government's attention. But like James II in 1688, I am confident that no matter what amendments and task force this government throws out there, it's too late for this tired, old dynasty to keep hold on its power. Albertans need not worry, though. A government that understands and will protect their rights is ready to take over.

Mr. Speaker, there are some real concerns that I've heard when I was over there and listened to the Premier make her comments – how much time do I have left? – and say: we hear Albertans, and we understand. All we believe that they really hear – and Albertans know – is that there was a big kickback. They finally after two years realized: “You know what? Albertans aren't fools. We can't pull the wool over their eyes. We need to change the laws.”

These three amendments are very good amendments, but it's not good enough there. Again, I go back. You know, for two years they've gone around smearing Keith Wilson, saying that he was fearmongering, that he was making things up, that it wasn't clear. They owe him an apology. [interjection] The House leader is yapping at the moment, Mr. Speaker, but he's saying something much like the disrespect that he showed Mr. Wilson in Eckville when he was speaking, who gave the greatest respect and time to him. But for some reason his rhetoric likes to continue on.

It's interesting when you go out and actually talk to landowners, their concerns about what's going on. The real problem here and why these bills should just all be rescinded and we can use the Expropriation Act is because of the past behaviour of this government. It's unacceptable in rural Alberta, a place where their bond is their word. These individuals have no credibility to go back out there and all of a sudden say: we're listening; please come and tell us what it is. But if they want to save a great deal of time and money, they can just go to Mr. Wilson and say, “What is it that we need to put in here?” or, better yet, “Can this be fixed?” And he'll say: “No. Just scrap the bills. Pull them aside, and go back to what we have.”

It's a step in the right direction, but that isn't always good enough, especially when you have a government that's so infamous for backstepping. As soon as things change, turn around, they're right back at the door again demanding that they want more. They're going to take more, and they're going to spend more.

Mr. Speaker, they talk about respect. They talk about the need to ensure that these landowners now are fairly compensated. They talk about the need – again, it's in the bill, that we need to go through the courts if they're not happy. Again, it's incredible that they put in there to allow landowners to trigger the point and say:

“You know what? This isn't going to work in our interest. We need to trigger that purchase and then go through the valuations.”

**4:20**

On behalf of the landowners that have spoken to me, we thank the government for bringing forward these amendments. They are good amendments. We will be in favour of and voting for these amendments, this act, but we will be bringing forward one more amendment because of the fact of the registrar and what it does to the people that have mortgages on their land and the need to use it. We can go back through different cases. This is something that really kind of hit the tipping point when there were many service stations that closed down and the banks had mortgages on those, and all of a sudden the banks were being held responsible for the cleanup. Again, it went through court cases. It was nasty. This is still an area of concern.

I'm surprised that the government didn't listen and for some reason didn't respond to that last area of concern, but we are, like I say, very pleased with as far as they have gone. It shows that when the support is out there and the landowners rise up, there's only one thing that this government seems to recognize, and that's the fear of not getting re-elected, which we see is real and alive out there.

To finish off, I just want to say that this Premier says that she's going to consult with Albertans. They've done it for two years. All that they do is consult, and then they insult those that they consulted because they haven't listened to them. They say: “We know best. Here's what we're going to do for you.” What this government needs to do is repeal bills 19, 24, 36, and 50 and start with a clean slate.

With that, I'll sit down and take any questions that the members of the House might have.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available. The hon. Minister of Agriculture and Rural Development, followed by the hon. Member for Calgary-Varsity.

**Mr. Berger:** Thank you, Mr. Speaker. It's just interesting to listen to the hon. member across the floor. First off, I assume from his comments that he's well versed in municipal land-use bylaws, municipal planning, and all that, so I've got a couple of questions for him to lead off. I'll list them through and let him answer.

I'd like him to describe to me what is a permitted use under a land-use bylaw at the municipal level and what would be a discretionary use. I'd like some examples of both of those so I could see what actually, as he put it, is frozen here. I don't know if he really knows of what he speaks. I need the difference in those.

As well, could he cite a couple of land-use bylaws for me in zoning and what they're zoned for and what the different zonings in a land-use bylaw are and how they're changed and those types of issues? I think that, again, he's not quite sure of where he's going with this. It's all about . . .

**An Hon. Member:** Is this a pop quiz?

**Mr. Berger:** Pardon me. It's all about a little bit of grandstanding around what he's calling a property right.

Now, property right and property value are determined from within as well as from without, so what's around you has an effect on your property. The actual property right that “You can build anything you want on your property; it doesn't matter; it's your property” affects the value on the outside of that property.

I think that there are some discretionary uses and permitted uses that the hon. member may not have a full grasp of, and I'd really like to hear him put that forward to me right now.

**Mr. Hinman:** Well, Mr. Speaker, first of all, I find it fascinating that he wants to ask me those things. This goes right to the root of the problem. He's going to be co-chair of the task force, and he wants to ask me for examples. I could sit there, and if he wants to give me another 15 minutes to talk on this, I would be happy to go into more details, but I don't have it.

The truth of the matter is that this government and this task force do not understand those things. I can cite people that have had their property frozen. They're not allowed to build on that property, and it's damaged them greatly, and this government has the arrogance to say: give me some examples.

Why would I give that to them when we're going into an election? These guys are so arrogant to say, "We've got it right; we know what it is" when they've bungled it up so badly over the last three years. And they want to know if we have it right. They need to go back to their books. They've got researchers, a lot more than us. They have a lot more money in there to do the research and figure it out for themselves.

It's ridiculous, the pain and the affliction that they've caused. Then to say: where have we ever said that you can build anything that you want and not have an impact on the community? We understand zoning very well. That's all part of an important citizenship where we get along with our neighbours. Where did we ever say that we want to give the right for someone to build anything and everything they ever wanted?

This government is ridiculous. Their comments are ridiculous. They've intimidated landowners. They sent out spies. That's what started all of this landslide. It was sending out spies because they wanted to put in a power line, and they didn't go through the proper procedures. They didn't respect their own laws. They didn't respect the communities that were against these things, and they're doing the same thing, Mr. Speaker, at this time with the heartland. We had a procedure before. The only reason why they're going ahead with the heartland is because they're embarrassed to admit that they're wrong and they'd have to swallow a \$700 million bill, that should have only been \$200 million, because of what they authorized in some prestudies and to start to get ready on the assembly.

This government continues to fail to understand property rights. They're worried about zoning now. They want to ask the opposition these questions. They need to go back to their own offices. They need to go back and talk to lawyers like Keith Wilson and listen to them. [interjections] See, even now they're going to heckle him when what they should be doing, Mr. Speaker, is apologizing to him and thanking him for the work that he's done. He's a patriot here in Alberta. He deserves the Order of Excellence for what he has done for the landowners here.

He went to war against this fearmongering, bullying government that has arm twisted, sent out spies, did whatever they wanted when they wanted, and when they were challenged by the court in such cases as the Nilsson case, they said: "We need a new law to strip any land rights away from these people so they can't stop us. Why? Because we're like the Soviet Union. We know what's best. We'll take this land, we'll tell them what it's worth, and they can't take us to the courts." They've shown all of this in the last two bills that have been the amendments.

You know what? Albertans aren't fools. They do understand. They don't want to do this. "We're in trouble in rural Alberta, so therefore we'll bring an amendment." But they won't apologize.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

**Mr. Ouellette:** Well, Mr. Speaker, seeing the time of day that we're at, I don't think I'm going to start on a big, long speech here, but I do have to say that I do support Bill 23, the Land Assembly Project Area Amendment Act, 2011, because it's a very good act. The last few minutes in this House, listening to the rhetoric that was going on when we really are here trying to do the proper work that a governing body is supposed to do and look after the good people of Alberta – that's what we're here to do today, not sit and listen to somebody talk about how bad things are, fearmongering about all different sorts of things that they absolutely know is completely false. They know that what we're here to do is to protect landowners because a good percentage of our caucus are landowners. Absolutely, we are not going to do things to harm ourselves or harm any Albertans, that we're all here to represent.

Yes, Mr. Speaker. I believe that some of those people worked very hard to get here to try to represent their constituents, but when they don't understand what's going on, how can they do good representation? We've proven over 40 years – we've proven – that we've done the right thing. That's why we've been here this long, and that's why people are prepared to keep us here. They know we'll do the right thing.

Because of the time, Mr. Speaker, I will sit down today and carry on at a later time.

**The Acting Speaker:** Thank you, hon. member. I hesitate to interrupt; however, pursuant to Standing Order 4(2) and noting that it is now 4:30 p.m., I will adjourn the House until Monday at 1:30 p.m.

[The Assembly adjourned at 4:30 p.m. to Monday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday afternoon, November 28, 2011

Issue 41

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 28, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome.

On this day, as our work in this Legislature continues, let each of us pray for those whom we remember who died and those who had the courage to stand up to their oppressors during the Ukrainian famine and genocide, the Holodomor. We resolve to comfort the families, friends, and communities who have keenly felt the loss of loved ones through these acts of violence and the disregard for the sanctity of that which is most precious, life. Amen.

Hon. members, ladies and gentlemen, boys and girls, we'll be led today in the singing of our national anthem by Mr. Paul Lorieu, who is in the Speaker's gallery. I'd invite all to participate in the language of one's choice.

**Hon. Members:**

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

**The Speaker:** Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you two gentlemen in the Speaker's gallery: Mr. Peter Bidlock, along with another good friend of ours, Mr. Mike Cardinal, someone who is no stranger to this Assembly. As we all know, Mike served as an MLA for 19 years representing the constituencies of Athabasca-Lac La Biche, Athabasca-Wabasca, and Athabasca-Redwater, the constituency that I now serve. Mike held five cabinet posts during his time in elected office and was Alberta's first-ever First Nations cabinet minister. He is a true pillar of his community and certainly has left me with big shoes to fill.

Peter Bidlock is a member of the Strategic Tourism Marketing Council of Alberta and the owner of four hotels in the Edmonton area. He's an active member of his community and the province and has served as director of the Edmonton airport authority, chair of the Royal Alexandra Hospital Foundation, director of the Alberta Hotel & Lodging Association, and in many other roles. I would ask both of these gentlemen to please rise as we give them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to start three introductions today by introducing to you and through you to all members of this Assembly someone who should be familiar to many of us here, a former colleague and, we hope, someone who will serve us again. Weslyn Mather was the Alberta Liberal MLA for Edmonton-Mill Woods from 2004 to 2008 and a lifelong edu-

cator. Before entering politics, she was vice-principal at J. Percy Page high school in Mill Woods. She is here today with a group of seniors to help them voice their health care concerns to all members of this Assembly and to all Albertans. She is seated in the Speaker's gallery, and I would ask her to accept the traditional warm welcome of the Assembly.

I would also like to introduce to you and through you to all members of this Assembly some guests that are very close to my heart. In fact, they will be very close to all of our hearts once they graduate. Twenty-one years ago I graduated from the U of A medical school, and today the next generation of bright, young doctors is here to meet with us and with many members of the House. They are the future of medicine, and after meeting them this morning and listening to their concerns, I'm confident in their ability to care for all Albertans and seniors, like the ones here today, once our generation retires. They are seated in the members' gallery, and I would ask them to rise and receive the warm welcome of the Assembly as I read their names: Sheehan Chowdhury, Mila Luchak, Kevin Zuo, Max Buchko, Sarah Stonehocker, Haitham Kharrat, Amirali Surmawala, Amandy Cheung, Charley Switzer, Stephanie Lim, and Roshan Abraham.

Finally, Mr. Speaker, those seniors I spoke of. We have 10 members of a large group of Edmonton seniors concerned about health care. They're here to advocate for better health care and better care for our seniors. These seniors want to make sure that they are looked after. I ask the seniors from Mill Woods to rise and receive the traditional warm welcome of the Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Mill Creek.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's indeed a great honour for me today to introduce to you and through you to all members of the House some truly extraordinary guests who are here to help all of us commemorate the third anniversary of the Ukrainian Famine and Genocide (Holodomor) Memorial Day Act. As noted during the special commemoration that you hosted today in our rotunda, which was attended by members from all parties of this House, this particular famine and genocide is one of the worst tragedies of modern times.

I would ask these guests to rise as I call their names individually and to please remain standing until all have been introduced, and then we can salute and thank them with our accolades. I'll begin with Mr. Roman Krutysy, a visitor from Kyiv, who is head of the Kyiv Memorial Society in Ukraine and director of the Museum of Soviet Occupation of Ukraine; Mr. Jaroslaw Szweczek, president of the League of Ukrainian Canadians; Mr. Petro Dackiw, vice-president of the League of Ukrainian Canadians, and his wife, Motria Dackiw; Ms Luba Feduschak, president of the Ukrainian Canadian Congress, Edmonton branch; Mr. Steve Romaniuk, vice-president of the Ukrainian Canadian Congress, Edmonton branch, and his wife, Maria Romaniuk. I would also like to thank Ilia Simcisin and that wonderful crowd who provided the memorial borscht and bread in commemoration of this event. Hon. members, please welcome these special guests we have with us today.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's indeed a pleasure to rise today and introduce to you and through to all members of this Assembly a group of 37 students and their teacher

and an accompanying parent from St. Stanislaus school in my constituency of Edmonton-Rutherford. These students are here this week participating in School at the Legislature. St. Stanislaus is a French immersion school. I'm very proud to have them all here this afternoon. I'd ask them to please rise and receive the traditional warm welcome of our Assembly.

Thank you.

**The Speaker:** The hon. Minister of Education.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. With us today in the Assembly are some 30 students, parents, and teachers from St. Timothy school. They are in grade 6. As you know, as per the Alberta curriculum they are studying democracy and government right now in their classrooms, so coming to the Legislature is definitely a treat for them. Those fine students are accompanied by parents and teachers, and they are Mrs. Leana Perri, Miss Laura Hebert, and Miss Elaine Wu. I would ask them all to stand and receive our traditional welcome.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

1:40

**Mr. Anderson:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly 58 students from one of the greatest schools out there, George McDougall high school in Airdrie. It just so happens to be the same school that I spent some time in during my younger, more colourful years. With them today are some teachers and parents, including a former classmate of mine, who was a very good example. I didn't follow that very much, unfortunately. It's Mrs. Devon Sawby and Mrs. Stephanie Fitzgerald as well as Ms Bijal Dattani. Their parents helpers today are Mrs. Deb Bachand and Mr. Drew Siewert. They made the trek up those dangerous roads all the way from Airdrie to here, so I hope we can give them a warm welcome from the Assembly.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It's an incredible honour today to introduce to you and through you to all members of this Assembly an accomplished team of student researchers from the University of Lethbridge. These students are from the International Genetically Engineered Machine, or iGEM, competition, as it's referred to. I'd like them to rise as I introduce them. We have the VP academic and provost, Andy Hakin. We have the U of L chancellor, Shirley McClellan. We have the student supervisor, Hans-Joachim Wieden. We have student researchers Issac Ward, Justin Vigar, Jennifer Hill, Ryan Pederson, Boris Lam, Dipankar Goyal, Harland Brandon, Sutherland Dube, Dominic Mudiayi, and Dustin Smith. I would ask that they receive the warm welcome of this Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It's indeed an honour and a privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly eight individuals representing Catholic Social Services, here in recognition of their organization's 50th anniversary. I would ask the guests, that are seated in the public gallery, to rise as I mention their names: Mr. Peter Murray, the chairman of the board; Mr. Chris Leung, the chief executive officer; board members Gloria McKee, Muriel

Dunnigan, Esmeralda Agbulos, and Donna Farrell; and two long-time staff members: Mr. Marc Barylo, senior manager, and Father Brian Jayawardhana, the chaplain. I would ask that the Assembly please give them the traditional warm welcome.

Thank you.

## Members' Statements

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

### Holodomor Memorial Day

**Mrs. Leskiw:** Thank you, Mr. Speaker. [Remarks in Ukrainian] As a proud Albertan of Ukrainian heritage it is truly an honour for me to rise today to recognize the third anniversary of Bill 37, Ukrainian Famine and Genocide (Holodomor) Memorial Day Act, as introduced by my good friend and colleague from Edmonton-Mill Creek.

The Holodomor was a tragic event in Ukrainian history that occurred between the years 1932 and 1933. It was a horrific man-made famine that resulted in the death of approximately 6 million to 10 million people due to a forced starvation by the Soviet regime of the day. The Holodomor was a crime against the people of Ukraine that must never be repeated or forgotten, and it's important now more than ever that we continue to preserve the memory of those afflicted by those atrocious acts. We must also honour the determination of those who survived and their ability to recover after such tragedy.

Mr. Speaker, I believe in the importance of tying together Ukraine's past with its future. The Holodomor act seeks to do this by honouring the memory of those fallen victim to this cruel act of genocide by proclaiming that every fourth Saturday in November will be a day of remembrance for Albertans. This day helps to memorialize the victims of Holodomor and to preserve the legacy of its survivors for the more than 300,000 Ukrainian descendants living here in Alberta.

I know that the Holodomor act is very meaningful to all the members of the Assembly, and I'm so proud to be part of this very same government that passed the act three short years ago. May eternal memory be upon them. [Remarks in Ukrainian] Never again.

**The Speaker:** The hon. Leader of the Official Opposition.

### Physician Supply in Rural Alberta

**Dr. Sherman:** Thank you, Mr. Speaker. This morning I had the privilege of meeting with a dynamic group of Alberta medical students. These gifted young men and women represent the future of our health care system and our province. I was glad to have the opportunity to listen to their concerns, along with many other MLA colleagues here, and their hopes for health care in this province.

We discussed several important issues, including accessibility, not just for patients but students themselves, especially rural students. Here's what I mean. Think about the state of health care in rural Alberta. Citizens have a right to accessible quality health care, whether they live in a big city or a tiny hamlet, but right now rural Albertans often have to travel hundreds of kilometres to access important medical services.

What we need to do is start by training family doctors, nurses, paramedics, and all other health professionals right in rural Alberta: in Grande Prairie, Medicine Hat, Fort McMurray, Fort

Macleod, Camrose, you name it. We need to make this education affordable, and right now our faculties of medicine are filled. Well, Mr. Speaker, frankly, they're filled with a lot of rich kids from the big cities. Everyone with the brains and the talent and the drive should have the opportunity to attend postsecondary education, yes, even medical school, and serve the public in the health care field.

Just as patients don't always have access to our crowded system, many future fine doctors and nurses don't have access to an education. Unfortunately, there are high barriers stopping kids from reaching their full potential: high tuition fees, long distances away from home, high costs of living. We need a comprehensive strategy to lower these barriers. Young rural Albertans need opportunities. Rural Alberta needs family doctors and nurses and other health professionals. It's our collective responsibility to commit to fixing the public health care system by training Alberta kids in Alberta, especially rural Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lethbridge-East.

#### University of Lethbridge IGEM Award

**Ms Pastoor:** Thank you, Mr. Speaker. It is with great pride that I share with you today the exceptional accomplishments of a team of undergraduate students from the University of Lethbridge. At the recent International Genetically Engineered Machine, or IGEM, world jamboree held at the Massachusetts Institute of Technology near Boston the U of L proved to be the best team from Canada and made it to the sweet 16 round from a field of 66 international entries.

IGEM is the world's foremost undergraduate synthetic biology competition. Essentially, Mr. Speaker, organizers provide teams with a list of parts and ask them to design and build an entirely new genetic machine. The U of L team researched and developed a petrochemical-eating bacteria that can be used to help clean water in the oil sands tailings ponds. Their work has attracted support from several organizations, including the Oil Sands Leadership Initiative. Considering they were in competition with teams from such prestigious institutions as MIT, Harvard, Imperial College London, Tokyo Tech, and Zhejiang University in China, the U of L team certainly proved that they can hold their own with the best students and bioengineers that the world has to offer.

I would also recognize the University of Calgary's IGEM team, whose project won the best environmental project award.

Mr. Speaker, I believe these results illustrate clearly how the undergraduate experience is enriched when students have the opportunity to work with world-class researchers like Dr. H.J. Wieden, who supervised the U of L's impressive group. These results are also indicative of Alberta's postsecondary system.

Once again, Mr. Speaker, congratulations to the students on a remarkable result.

1:50

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Long-term Care for Seniors

**Dr. Sherman:** Thank you, Mr. Speaker. This government's assault on our seniors began in 2008 by cutting public long-term care beds, privatizing the delivery of home care and long-term

care, and nickelling and diming our seniors with fees to make up for a growing list of delisted services. The Premier said that allowing industry to meet seniors' needs will create more jobs, quote, unquote. The only extra jobs will be for bankers to count the profits off the backs of our seniors. To the Minister of Seniors: why is this government turning our seniors into commodities to be sold on the market to the highest bidder?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker, and thank you for that question. You know, I totally disagree with the member's comments. The aging policy framework, that I was very much involved with, dealt with the demographic change and where this new department is going with the Department of Seniors. There is nothing of more importance than the seniors for me as a new minister. I will make this commitment to you and to everybody here that seniors are not a commodity. They are a very important piece of this province, and they'll be treated that way.

**Dr. Sherman:** Mr. Speaker, I wish that were true. In fact, standing up for the seniors is what got me chucked out.

Given that the previous and current Premiers promised to add 1,000 new continuing care beds to the system without mentioning if any of them would be publicly delivered, to the minister of health: what are your marching orders from this Premier, and exactly how many of those beds will be both 100 per cent publicly funded and 100 per cent publicly delivered?

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. It is, in fact, the position of this government that we are working to offer a range of housing options for seniors across Alberta and, for those seniors who need health care, to offer a health care component that allows those seniors to age and to be served in place.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the only options are a range of private, for-profit options and given that the Premier has made a promise to increase funding to home care, which has also been overly privatized, to the Minister of Finance – yeah, you over there – how much more money will go into public home-care delivery, or is it all earmarked for private contracts and your PC privatization buddies?

**Mr. Liepert:** Well, Mr. Speaker, this member knows very well that that will be part of the budget that will be delivered in the new year.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier's maiden speech shows that this government has no clue how to fix public health care. It doesn't see the link between jammed emergency departments and ideological starvation of public home care and public long-term care. Now couples who can't afford private facilities face involuntary separation or abandonment in the hospital emergency departments. To the Minister of Finance: will you end this government's betrayal of our respected seniors and the values that Alberta was founded on and invest more in the public delivery of health care services to our seniors?

**Mr. Liepert:** Well, Mr. Speaker, I'm not sure where this member has been. This government supports seniors better than any other government in the country of Canada, and this minister here will ensure that that continues to happen.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. I know exactly where I've been. I was on the wrong side.

Given that the Premier plans to open Pandora's box by lifting the seniors' housing cap and allowing private operators to charge whatever they can get away with, will the Minister of Seniors, please – will you, please – show some mercy to middle- and lower middle-income seniors, who will be priced out of the market by the Premier's decision, and please reverse this ill-advised plan?

**Mr. VanderBurg:** Well, Mr. Speaker, I want to make sure that all people on the programs that we have today know that low-income seniors will always be guaranteed the support of this government. I was just looking at a list of recent announcements. Banff, Beaumont, Black Diamond, Calgary, Camrose, Claresholm, Edmonton, Leduc, Red Deer, Rocky View, Spruce Grove, St. Albert, Vegreville, Tofield: we're building seniors' facilities, and the Premier has made a very strong commitment that . . .

**The Speaker:** The hon. leader. [interjection] The hon. leader, please. [interjection] Third time, the hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that Albertans are waiting for action and results, not announcements, and given that the Premier's misguided quota system creates a huge crowd of second-class citizens waiting in the breadline for affordable housing and home care and the line grows every single day, doesn't the Minister of Seniors see how wrong – how wrong – it is to leave so many of our seniors without any options that they can actually afford?

**Mr. VanderBurg:** Again, Mr. Speaker, let's not feel that the public sector is the only way to resolve this issue. The private sector does have an opportunity to play a great role in this. It's the outcome that I'm interested in – the outcome. Let's talk about some of these projects that will be completed in the next 12 months: Grande Prairie, Edmonton, Peace River, Strathmore.

Mr. Speaker, we are acting on our commitments.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

### PC Party Benefit Plan Trust

**Mr. MacDonald:** Thank you. My first question is to the Minister of Justice, who is responsible for the Election Finances and Contributions Disclosure Act. Under that act are the contributions to the benefit plan trust for the former Premier eligible for tax receipts? You don't shake your head. Let him answer the question.

**Mr. Olson:** Mr. Speaker, the short answer to that question is: as I stand here right now, I don't know the answer to the question, but I'll get it.

**Mr. MacDonald:** You should.

Again to the same Minister of Justice: what is the value of the benefit plan trust of the former Premier, which is outlined on page 2 of the Premier's public disclosure statement, made pursuant, Mr. Speaker, to the Conflicts of Interest Act, an act under your authority and one which you tabled in this Assembly last week.

**Mr. Olson:** Mr. Speaker, that's information that I don't have top of mind. I'll undertake to provide the information to him.

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the Minister of Justice: why is it necessary to have a benefit plan trust for the former Premier and the former leader of the Progressive Conservative Association of Alberta when in 2008 we all received such large substantial pay increases?

**Mr. Olson:** Same answer again, Mr. Speaker.

### North West Upgrader

**Mr. Anderson:** Mr. Speaker, last week it was reported that this PC government had guaranteed \$3 billion of taxpayers' money over 30 years to the company North West Upgrading Inc. In fact, a spokesperson for Alberta Energy said that if the North West upgrader should get built and then fail to stop processing bitumen for the government, Alberta taxpayers would still have to pay the costs of building the upgrader. To the Energy minister: this sounds an awful lot like a taxpayer-backed loan guarantee to a private business venture; is this accurate?

**Dr. Morton:** Mr. Speaker, the opposition parties are always sitting over there saying: when are we going to do more upgrading in Alberta? Right? So we've undertaken a venture with North West based on a sharing of both risk and opportunity. Are there some risks on the government's side? Yes, but there's risk on the private-sector side, too. It's a variation on the P3. If the opposition parties want to see more upgrading done in Alberta, they'd better be prepared for that type of balance of risk and opportunity.

**Mr. Anderson:** I didn't know that the Alberta government was back in the business of being in business, Minister.

Minister, given this deal's obvious risk to taxpayers as well as the uncomfortable questions that arise when government funds a private company in this manner, will you immediately release to the public the signed contract between your government and North West Upgrading so that we can verify whether this is, indeed, as you say, a good deal for Alberta taxpayers or whether this is simply corporate welfare gone mad?

**Dr. Morton:** Mr. Speaker, maybe the hon. Member for Airdrie-Chestermere should tell the people of Alberta whether he thinks the government of Alberta made a big mistake back in the 1970s when it took a similar investment to get the oil sands started. We have a long history of co-operation and partnership to get ventures like this up and going. As far as the contract goes, there is a lot of information. All of the fundamental facts of the deal are on the website now. Some of the finer detail will be released as the deal goes public.

**Mr. Anderson:** Let me restate what you are saying so that you can confirm it for all Albertans. Are you saying, Minister, that your government has guaranteed \$3 billion to a private company, which has been lobbying PC MLAs for years, including while I was still in that caucus, and that taxpayers have to pay that \$3 billion even in the upgrader goes belly up, and you're now telling the people of Alberta, you know, the ones that are paying for this whole venture, that they can't be shown the contract because it has to be kept secret? Are you serious, Minister?



2:00

**Dr. Morton:** Mr. Speaker, obviously, I'm not saying that at all. Again I repeat: it's a combination of sharing risk and opportunity. I would think somebody who has legal training such as the hon. member knows that these types of take-or-pay contracts are absolutely normal in a large capital project where the investors have to be assured of the fact that the product that will be upgraded continues over a 30-year period.

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

#### **Long-term Care for Seniors** (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. This government's proposal to lift the \$40-a-day cap on long-term care fees will expose seniors and their families to gouging by the private sector. In one private facility in Alberta, photos of which I will later table, two elderly women share a small room and a bathroom with two more. Each senior pays close to \$3,000 a month for this tiny, tiny space. The question is to the Deputy Premier. Will he today rule out lifting the cap on long-term care fees, and if not, why not?

**Mr. Horner:** Mr. Speaker, I'll ask the minister to supplement, but I can tell you this. This Premier is dedicated to not only all of our seniors but to making sure that our seniors can age in place together as couples, that they can get the health care they need in the proper facility at the right order of time and in the right delivery method, where they want to be. That's what the thousand units are all about. That's what this Premier is all about.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. Well, given that this Premier's plan is to deliver long-term care facilities by the private sector, will the Deputy Premier admit that lifting the cap on accommodation is necessary in order to allow private operators to make a profit at the expense of seniors who are struggling to make ends meet?

**Mr. Horner:** Well, Mr. Speaker, as the minister stated earlier, what we want are outcomes. We want quality care. We want good, safe places for seniors to live with dignity and respect. What we want is to change the way that we've been doing things so that we can accommodate seniors across this province. That's what we want.

**Mr. Mason:** Mr. Speaker, given that this Premier and her government's privatization agenda for long-term care facilities is one that will continue to force the elderly and their families to shoulder growing financial burden in order to benefit the government's wealthy friends, will the Deputy Premier rule out raising the cap on long-term care fees today?

**Mr. Horner:** Mr. Speaker, I'll say it again. What we're after is the outcome. I'll have the Minister of Seniors talk about what that outcome is going to look like for Alberta seniors.

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. Let's get it straight. Whether you're a foundation, whether you're the Good Sam Society, whether you're a private operator, whether you're the

government of Alberta, these all play an important role in providing housing options for seniors. There is no discussion that we're going to abandon our low-income seniors. There's a policy today where we leave so many dollars in your pocket. We're not changing that.

**The Speaker:** The hon. Member for Edmonton-Riverview.

#### **Political Party Financial Benefits**

**Dr. Taft:** Thanks, Mr. Speaker. My questions are to the Minister of Justice. Will the minister bring forward amendments to the Election Finances and Contributions Disclosure Act to require registered political parties to disclose the exact value of any special allowances, reimbursements, financial trusts, or any other financial benefits granted by them to their leaders and sitting MLAs?

**Mr. Olson:** Mr. Speaker, I sense a bit of a theme here. I'm going to have to investigate this question. I'm being very honest with the member when I say that I do not have the answer for him, and I'm going to have to investigate it.

**Dr. Taft:** Well, I sense a bit of a theme in these non-answers, Mr. Speaker. We'll try again. Does the Minister of Justice admit that these kinds of special allowances and so on could easily become an end run to legislative safeguards that require full disclosure and protect against conflicts of interest?

**Mr. Olson:** Mr. Speaker, I'm not sure what the member is after here, but I will say that either of these members could have easily given me a call, talked to me. I could've prepared myself for this discussion. I would have been happy to have it with them.

**Dr. Taft:** Again to the same minister. Maybe we'll return tomorrow and get full answers from him. In the interest of open and accountable government does the Minister of Justice agree that the public has a right to know who is providing what financial benefits to their Premier and other elected officials?

**Mr. Olson:** Mr. Speaker, there is already disclosure made, and if the member wants to discuss it further with me, I'd be more than happy to meet with him.

**The Speaker:** The hon. Member for Calgary-Hays, followed by the hon. Member for Calgary-Varsity.

#### **Calgary Windstorm**

**Mr. Johnston:** Thank you, Mr. Speaker. My questions are all for the Minister of Municipal Affairs. Yesterday high winds of up to 149 kilometres per hour caused significant damage to downtown Calgary office towers and caused access to downtown to be closed by city emergency management staff. Do you think the city made the right decision to close access to downtown?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. I know that I've had some media ask me about this, too. We never question the work that local emergency officials do. It's their decision to make. They manage the situation. The province is there through the Alberta Emergency Management Agency to help in co-ordinating services and that. The local staff did an exceptional job of making sure that nobody was hurt, and we're very thankful that no one in that situation was very seriously hurt.

**Mr. Johnston:** My first supplemental: what support did the government of Alberta provide to the city yesterday?

**Mr. Griffiths:** As I started to lay out, Mr. Speaker, it was about 1 o'clock yesterday when local emergency officials stated that they were going to activate their emergency operations. At about 2 o'clock they accessed the Alberta emergency alert, which is a service provided by the Alberta Emergency Management Agency, to send out a notice that we were in an emergency situation. We also sent our management field officers out to several locations to help with co-ordinating the events. Lastly, we used the Alberta Emergency Management Agency to co-ordinate with the Department of National Defence.

**Mr. Johnston:** My final question. These emergency events can be costly. What support can the city of Calgary expect for yesterday's windstorm?

**Mr. Griffiths:** Well, Mr. Speaker, the province of Alberta runs disaster recovery plans, and they come into effect when there is a widespread disaster for a unique circumstance against uninsurable items. Now, the city is focused right now on its cleanup, which it should be, but when it comes to a full assessment, they can make an application to the province. We do typically on a DRP, if it's a widespread event and it meets all the criteria, cover the operational emergency costs for that municipality.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-Lougheed.

#### Seniors' Benefit Program

**Mr. Chase:** Thank you, Mr. Speaker. In her opening speech to this House on October 24 the Premier promised: "Couples that have loved and depended on each other for decades will no longer be split up." Yet reports have emerged of at least three senior couples in Medicine Hat driven to divorce in order to qualify for the Alberta seniors' benefits they need to pay for long-term care. To the Minister of Seniors: is this just another in a string of broken promises?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. Let me get this straight. Involuntary separation is not divorce. Whoever thinks of that as divorce and whoever thinks that this department would make anybody legally separate is foolish.

**Mr. Chase:** I suppose, Mr. Speaker, that involuntary separation is acceptable.

Given that the removal of the daily accommodation fee cap will only increase costs further, what does the minister have to say to lower income seniors driven to take such desperate measures in order to pay for long-term care: don't worry, it's involuntary?

**Mr. VanderBurg:** Mr. Speaker, just to put some further clarification into this, if a senior couple is in the unfortunate circumstance where one partner has to go into long-term care and the other partner stays at home, just pick up the phone, call our department, and we'll make sure you have an income-splitting opportunity to maximize your benefits. No form required.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Will the minister commit today to equalizing the eligibility criteria for married and unmarried recipients of the Alberta seniors' benefit?

**Mr. VanderBurg:** Again, I'll say it slower. All you have to do is pick up the phone, let me know, let our department know. We'll make sure that you can split your income halfway down the middle, that you both get maximum benefit on the seniors' benefit plan. It has been working fine. Our department has been doing this for years. People don't have trouble with it. Involuntary separation is a federal incentive to maximize the guaranteed income supplement and the old age security. We don't require a form. We don't require anything. Just notify us.

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

2:10

#### Community Spirit Program

**Mr. Rodney:** Thank you, Mr. Speaker. There have been numerous reports lately regarding pressures on nonprofit organizations due to the sluggish economy. Representatives have been telling me for some time that their demands are growing and they have to stretch their limited funds further and further, but they are close to their limits. To the Minister of Culture and Community Services. Can she please tell us: how are these groups expected to meet their challenges with limited funds that are decreasing as days go by?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We know there are challenges out there. We also know that Albertans are among the most generous donors to nonprofit and charitable organizations in Canada. We support Albertans by giving through the charitable tax credit, which is a community spirit program. Through the tax credit Albertans can receive a nonrefundable tax credit of 50 cents on every dollar they donate over \$200. Albertans should take advantage of this and donate to their favourite nonprofit group before December 31 this year.

**The Speaker:** The hon. member.

**Mr. Rodney:** Thank you, Mr. Speaker. I do have only one supplemental for the minister. I'm wondering what proof she might have that the community spirit program is having any effect in communities across the province. What kind of specific numbers might she be able to share with the House and with Albertans?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We know that many nonprofit groups have benefited from this program. Approximately \$52.9 million has been distributed to about 5,031 applicants in the past three years. For example, in the member's constituency there is a group that provides support for a learning environment for children with cancer and other serious illnesses, Jamie's preschool, which received \$50,000 from the community spirit program. So we know this is a very important program for Albertans.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-Shaw.

### Inspection of Long-term Care Facilities

**Dr. Swann:** Thank you very much, Mr. Speaker. In 2005 then Auditor General Fred Dunn found unsafe and degrading conditions in the province's long-term care facilities. Some centres used restraints without authorization. Half of the facilities visited did not ensure annual medical exams, and the majority were not following medication rules. To the minister of health: why has the minister not achieved consistent inspection and enforcement of basic service standards in the province's long-term facilities?

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, in fact, the province has made great progress since the Auditor General's report in 2005. While we have worked to ensure the appropriate application of standards, we're currently doing some of what I think is very promising work to harmonize the inspection process, that often creates a burden on both patients and families, residents and families, and staff who operate these facilities.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Well, what proportion of institutions now have achieved the standards of inspection and enforcement?

**Mr. Horne:** Mr. Speaker, the inspections are carried out on a periodic basis, as the hon. member well knows. To my knowledge, all facilities in Alberta at this time are meeting the standards that are required, both for continuing care accommodation standards and continuing care health standards. Where there are deviations or where, more often, there are recommendations for improvement, I have every confidence those are being acted upon promptly and appropriately.

**Dr. Swann:** Well, Mr. Speaker, that's not consistent with the most recent Auditor General's report. Given the string of broken promises, what confidence can Alberta seniors have that they will be cared for appropriately?

**Mr. Horne:** Well, I don't know specifically which recommendation the hon. member is referring to. What I can tell you is that the last Auditor General's report expressed satisfactory progress in most cases on the recommendations upon which we had been asked to follow up. We are not satisfied, obviously, with only a satisfactory rating. There is room for improvement. In fact, Mr. Speaker, we're attempting to create a culture of continuous quality improvement.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by the hon. Member for Edmonton-Strathcona.

### Accessibility of Medical Education

**Mrs. Ady:** Thank you, Mr. Speaker. As someone who's watching a hospital rise up in the south of Calgary, I eagerly await its opening this spring. I know one of the questions I get asked is: what about doctors? Today in the House we have several students from Alberta medical schools. They've been visiting with us as members, and they've talked to us about some of their concerns, one of them being a lack of diversity in our medical schools. It seems that medical schools in particular seem out of reach for students. My questions today are to the Minister of Advanced Education and Technology.

**The Speaker:** I think it's time for a question here.

**Mrs. Ady:** Why doesn't Alberta have specific financial supports?

**Mr. Weadick:** Well, thank you for that question. I am very pleased to see the medical students here visiting today. It's always great to get feedback from the students.

You know, we have strong supports for our students in this province. First off, the taxpayer does pick up a major portion of medical school costs, but beyond that, it does leave the students with a significant cost to attend school. So we have in place student loans with flexible payback available, and we also have bursaries in place for aboriginal students. We continue to meet with the students to look for other options.

**Mrs. Ady:** Mr. Speaker, what about our friends in rural Alberta? Are we doing things for them when it comes to doctors in rural Alberta communities?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. You know, it still is a challenge to attract doctors to rural settings. We are working to speed up the process to supply doctors into rural communities. We're increasing the number of doctors graduating. We're providing opportunities for rural clerkships and opportunities for students to get out and have an opportunity to sense what smaller communities are like to see if we can get more doctors to move into rural practices.

**Mrs. Ady:** Finally, Mr. Speaker, what that hospital also needs is medical professionals and nurses. Are we ensuring that we're going to have enough to fill these new hospital beds?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you. You know, it is important that we have all of the support staff, like practical nurses and nurses. We've expanded the programs across the province for nurses and for practical nurses. A good example is the new midwifery program at Mount Royal University, which this year had its first intake of midwives, with some of the positions protected for aboriginal midwives. This is a step forward within our medical system and will really provide an opportunity to enhance the training of these.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Riverview.

### Grain Marketing

**Ms. Notley:** Thank you. This PC government showed their antidemocratic colours today when the agriculture minister put out a press release outlining his support for Harper's decision to slash the Canadian Wheat Board's single-desk selling power. Now the PCs are thumbing their nose at the 60 per cent of wheat farmers across the prairies who voted this summer to preserve the Canadian Wheat Board. To the Deputy Premier: why has this PC government, under a Premier who has yet to face the voters herself, arrogantly ignored what a majority of farmers say they need to run their operations?

**Mr. Horner:** Well, Mr. Speaker, as someone who actually created a value-added industry in agriculture in this province, specifically not in a board grain because of the Canadian Wheat Board, I feel somewhat qualified to answer this question. We have had a number of referendums where farmers and producers have responded to the question: do you want choice? This is about

choice. Alberta has been on the record for a number of years to provide producers with choice for their products. That's democratic.

**Ms Notley:** Well, Mr. Speaker, 60 per cent of farmers voted against it just three months ago. Given that family farmers are in the fight of their lives to keep their smaller operations afloat with heavy debts, high fuel prices, and corporate farms creeping in and given that the Wheat Board has for decades allowed the small family farmer to punch above their weight in massive international markets, why is this government abandoning family farmers in small communities in their fight for survival?

**Mr. Horner:** Well, Mr. Speaker, a lot of good advertising in there for the Canadian Wheat Board, suggesting that they are the sole reason why the family farm survives today. I would suggest to you that the sole reason the family farm survives today is because of the quality of the farmer on that farm. They know where they can sell their product, and we want to give them the choice to show it.

**Ms Notley:** Well, Mr. Speaker, given that those high-quality farmers need, for instance, short branch lines and producer cars and that those will be at risk when the Canadian Wheat Board loses its single-desk selling power and given that these measures help farmers, especially in remote communities, why won't the minister admit that his government's attack on the Canadian Wheat Board isn't about offering more choices but, rather, about selling small farmers out to grain corporations?

**Mr. Horner:** Well, Mr. Speaker, I would challenge the hon. member to have a discussion with me about how you work producer cars. As someone who used to sell grain through a producer car and arrange for those producer cars, I can actually tell you that giving the producers choice and giving private enterprise and some of the other smaller co-operatives an opportunity to sell on an international stage without going through the Wheat Board might just surprise the hon. member in that we're a little smarter than she thinks we are.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Mill Woods.

#### AIMCo CEO Personal Investments

**Dr. Taft:** Mr. Speaker, my questions are to the Minister of Finance. Earlier this month the Ontario Securities Commission issued what was described as a stunning warning about the operations of real estate in a wealth management company. The top executive at AIMCo has been involved in the centre of this controversy and what is apparently his personal investment. Is the minister concerned that the top official at AIMCo, which manages some \$70 billion in money for the Alberta government, is embroiled as a director of a company under an OSC investigation?

2:20

**Mr. Liepert:** Well, Mr. Speaker, there were a lot of inflammatory words in that question, like "embroiled" and "controversy" and all of those other things, to try and make a story out of this particular incident. I was informed by the CEO of AIMCo about this unfortunate situation and have had a chance to have a look at it. I think that everything, as far as I'm concerned, the information that I have, is perfectly fine.

**Dr. Taft:** To the same minister, then: what rules are in place to govern the personal investment activities of AIMCo managers so

that conflicts of interest with their public-sector investments and other problems such as lost credibility are avoided?

**Mr. Liepert:** Well, Mr. Speaker, again, in the question the member is talking about, he used the term "lost credibility." This particular organization is recognized in the short period of time that it's been in existence as one of the premier investment organizations in the country. I had an opportunity last week to meet with the board, and I can say that we've got an outstanding board and an outstanding CEO.

**Dr. Taft:** Well, Mr. Speaker, given that before working at AIMCo, this same official managed a \$35 billion public-sector fund in Australia that was caught in a scheme that lost \$500 million in an investment that was made, according to investigations, on the basis of a Google search and a sales pitch, what oversight does this government have in place to protect Albertans' investments in AIMCo?

**Mr. Liepert:** Well, first of all, Mr. Speaker, I will look into the googling that the member did to see whether, in fact, it has any substance or not, but the organization is one that, I said earlier, is recognized internationally, and to somehow leave the impression that a particular individual within this organization can be misappropriating Albertans' funds is – actually, it borders, Mr. Speaker, on what I would say is – I'll leave it at that.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Fish Creek.

#### Child Poverty

**Mr. Benito:** Thank you very much, Mr. Speaker. Alberta is one of just three provinces that does not have a specific child poverty reduction plan in place. My constituents in Edmonton-Mill Woods are concerned about this. My first question is to the Minister of Human Services. What, in particular, is your ministry doing currently or planning to do to reduce and ultimately eliminate child poverty in Alberta?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. There are, really, essentially three elements to that. First and foremost, government policy in a number of areas addresses poverty's underlying causes, including health, unemployment, education, housing, and child care. Human Services as a department works with other departments in government and agencies to support those who need help and to assist them in acquiring the skills that they need to break the poverty cycle. Most importantly, we've been charged with developing a social policy framework for government which will look comprehensively at the issues of improving human dignity in the province.

**The Speaker:** The hon. member.

**Mr. Benito:** Thank you, Mr. Speaker. My first supplemental is to the same minister. Providing child tax benefits is one of the most effective ways to reduce child and family poverty. Can your ministry introduce a child tax benefit for low-and modest-income families?

**Mr. Hancock:** Well, Mr. Speaker, one of the things that we're doing within the department through Alberta Works is helping individuals get the skills that they need so they can raise their

income level because a tax benefit doesn't help much if you don't have income to get that tax benefit against.

We could also indicate that Alberta has one of the highest personal exemptions and the lowest personal tax rate in the country. We offer parents the Alberta family employment tax credit to help them with the costs of raising their children, and our federal partners also offer all parents the universal child care benefit and the child tax benefit. So on the tax side I think there's a lot of work happening, but we can always look at that to see if it can be more effective.

**Mr. Benito:** Again to the same minister. Alberta does provide subsidies for child care, but still many low-income families cannot afford the current fee above the subsidy. What can your ministry do to address this?

**Mr. Hancock:** Well, Mr. Speaker, currently we provide subsidies for about 20,000 children to help their parents pay for quality child care. It's just one tool that we have in place to help lower income families with child care costs as they improve their work skills or take on the higher paying jobs that will help them support their families. We do closely monitor the child care fees, and we will continue to look at this issue because we want to ensure that quality, affordable child care is a high priority and will continue to be a high priority so that Albertans can support their families.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Medicine Hat.

#### Public Health Inquiry

**Mrs. Forsyth:** Thank you, Mr. Speaker. Alberta Health Services continues to state that doctor advocacy is one of the most important ways in which health care can be improved. Under the proposed Health Quality Council of Alberta Act there is no evidence that the bullying and intimidation of our health care workers will be put to an end as the decision to call a judicial inquiry still needs to be made by either this cabinet or the Premier. My question is to the health minister. Will the health minister commit today and to all Albertans and to all health care workers to call a judge-led, independent inquiry?

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you, Mr. Speaker. Well, as you know and as the hon. member knows, this topic is the subject of a bill currently under debate in the House. I don't propose to waste a lot of the House's time delving into that today. What I will say to the hon. member is that that bill does provide for a judge-led health system inquiry.

Thank you.

**Mrs. Forsyth:** Well, Mr. Speaker, that bill also provides for them to have the panel submit when they want it, so maybe he'd like to do that.

Given that the transparency is necessary in an inquiry for Albertans to have their faith restored in the health care system, can this health minister guarantee that any type of inquiry held will be open to the media, it will be open to the public, and it will not be held behind closed doors?

**Mr. Horne:** Mr. Speaker, the answer to all three questions is yes. Once again, all those details are covered in the provisions of the bill currently under debate.

**Mrs. Forsyth:** Good. That's what it says; we can read that.

Given that this Premier talks a lot about trust and accountability, will the health minister tell Albertans whether this government will commit to calling a judge-led inquiry and have the results ready before the next election?

**Mr. Horne:** Mr. Speaker, I'm glad those details were readily available to the hon. member and that she had the benefit of reading the bill, which is under debate.

Once again, there are provisions in the bill that deal with that specific question, and the answer, again, is: the bill provides for a judge-led health system inquiry.

**The Speaker:** The hon. Member for Medicine Hat, followed by the hon. Member for Calgary-*Buffalo*.

#### Cypress Hills Provincial Park

**Mr. Renner:** Thank you, Mr. Speaker. Over the past few years area ranchers, cottage owners, and park users have become increasingly concerned about the risk of fire in the Cypress Hills provincial park. This summer many were pleased to participate in information meetings that were held to discuss the integrated forest fire and management strategy for the park. My questions are for the Minister of Tourism, Parks and Recreation. A couple of weekends ago I visited the park and was surprised to see what appears to be a fairly extensive logging operation under way south of Elkwater. Mr. Minister, is this apparent destruction of our precious forest really necessary to protect it from fire?

**The Speaker:** The hon. minister.

**Mr. Hayden:** Thank you very much, Mr. Speaker. First, let me assure the hon. member that commercial logging is not permitted in provincial parks. We're selectively removing trees to prevent fires, and it's part of our integrated forest and fire management strategy. The local residents are very aware of the efforts that we're making. The townsite and park include hundreds of cabins, campsites, a hotel, restaurants, and other tourism facilities, and an uncontrollable fire would be catastrophic in that area.

**The Speaker:** The hon. member.

**Mr. Renner:** Thank you, Mr. Speaker. To the same minister: given that the old burn area at the top of Ferguson Hill appears to be the most impacted by the tree removal program, why remove all the trees in such a wide swath next to the road rather than simply removing potential fuel and cleaning out the underbrush?

**Mr. Hayden:** Mr. Speaker, there are different methods that are used in different areas. In some areas underbrush removal is the answer, but in the area that the member is speaking about, underbrush is not the problem; the density of the forest is, so the removal will take place. Also, remediation will happen next year with new planting.

**Mr. Renner:** Given that most of the work appears to be in close proximity to the campgrounds and townsite, how can my constituents and, indeed, all Albertans be assured that the rest of this isolated forest in southeastern Alberta is protected from fire?

**Mr. Hayden:** Well, Mr. Speaker, we have of course worked very closely with SRD on fire prevention. We have mobile sprinkler systems that will ensure that we have a fast response, and we have programs and secure processes in place to be able to respond very quickly if a fire happens.

2:30

**Funding for Private Schools**

**Mr. Hehr:** During her leadership campaign the Premier openly expressed concerns that the continued development of private and charter schools placed our public education system at risk of becoming a second-tier option. Through discussions I've had with parents regarding this issue, some are choosing private schools as a result of lower class sizes. To the Minister of Education: given that most private schools have smaller class sizes, why does this government continue to subsidize these organizations with taxpayers' dollars instead of implementing the government's own Learning Commission report, that would see class sizes in the public system be smaller, a promise this government made back in 2003?

**Mr. Lukaszuk:** Mr. Speaker, this member continues to attack private schools and parents' choice for the last few days in this House already. The answer is simple. As a matter of fact, we are doing a province-wide review right now of the public education system, making sure that the public options always – always – produce the best possible education for our children. However, having said that, in this province it has always been and it will be for as long as this government is in place the situation where parents can choose what kind of a school they send their children to. There is nothing elitist about it. We simply support choice.

**Mr. Hehr:** Given that some private schools in Alberta charge parents up to \$17,000 a year and that these schools still receive a large per-student public grant, doesn't this go against the minister's own mandate to create an inclusive education system?

**Mr. Lukaszuk:** Mr. Speaker, if these parents choose to spend that kind of money on their child's education and, I would argue, not getting any better results than our children are getting in the public school system, that is their choice. Their money; their choice. But at the same time I can guarantee all Albertans that having my child in a publicly funded, not private system: she is receiving as good an education, if not better, than in a private school. I'm exercising my choice; they're exercising theirs.

**Mr. Hehr:** Given that last week the minister was lauding a private Islamic school in his community, I was wondering if the minister knew that this school's advertising campaign to attract people away from the public education system is to openly state that they do not let special-needs students enrol. Why are we funding an organization like this that clearly is not interested in supporting an inclusive educational mandate?

**Mr. Lukaszuk:** Mr. Speaker, that is offensive to the operators of these private schools. We also have a Sikh school, a Khalsa school. The fact is that private schools are mandated to accept children as long as the parents choose to put their children into those schools. We have a variety of schools, but at no point in time is the funding of public education in any way sacrificed. As a matter of fact, these children that go to private schools – those buildings are built by private dollars, which offsets some of the costs for public education.

**Peavine Métis Settlement Grade 7 Students**

**Ms Calahasen:** Mr. Speaker, I've been receiving many queries from Peavine Métis settlement parents regarding choice of educational opportunities for their children in grade 7. They have met with administration, the local school board, and the corporate board with their request and have been refused to have their children bused from Peavine to High Prairie. My question is to the Minister

of Education. Why are grade 8 students given the choice to attend school in High Prairie and allowed to ride the bus when grade 7 students do not have the same privilege? Why?

**Mr. Lukaszuk:** Well, Mr. Speaker, there is a very good answer to that. The fact is that locally the school board is developing programs year by year. Right now grade 7 is available. Next year grade 8 will be available. The year after, grade 9 will be available. As education is being made available to these parents locally in their community, the school board simply is not interested in busing children to another, distant school. Where classes are available in that grade level in their local community, parents are invited to send kids to the local school. If they choose to exercise the choice, like in the previous question, to ship far away, they have to pay the cost of shipping.

**Ms Calahasen:** Mr. Speaker, given the fact that the minister always talks about choice for parents and that the buses travelling from Peavine to High Prairie are only half-full of students, why then would Northland school division negate their use by the grade 7 students?

**Mr. Lukaszuk:** Well, Mr. Speaker, these parents who insist on having their children move to distant schools and do not want to send them to a local school are welcome to speak with Northlands school division and see if they can find an accommodating agreement. At the end of the day it's a school board decision. Yes, choice comes with cost. The fact is that if you choose to ship your children to a school that's more distant simply by the virtue of choice of not sending them to your local school, there are certain costs that come along with it. Whether the school board is willing to pick up those costs: that's the school board's decision.

**Ms Calahasen:** Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

**Gravel Extraction Management**

**Ms Blakeman:** Thank you very much, Mr. Speaker. Ground and surface water interact, and alluvial aquifers, gravel beds, are key to this interaction. These shallow-bearing gravels bind surface and groundwater into one functioning body. Now, mining of gravel is covered by municipal, for zoning, and secondly, by environment and SRD. To the Minister of Environment and Water: since aquifers are so important to water cleanliness and movement, will this minister require local governments to consider environmental concerns in their initial stages of approval?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker, and thank you to the member for the question. Certainly, we'll work with local municipalities as they work through some of these applications. Groundwater is certainly important for us. As we go through different groundwater studies in the province, that's part of it as well.

Thank you.

**Dr. Swann:** I think she said yes.

**Ms Blakeman:** No. I don't think she said anything.

Okay. To the same minister: will the minister ensure that regu-

lation of water, ground or otherwise, is not included under the new energy superboard?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you. Well, I don't believe it's called a super energy board, first and foremost. I think we're looking at having a single regulator where all three – Environment, SRD, and the ERCB – together will regulate through that process. The government of Alberta will be responsible through those departments for policy setting. The regulator then will regulate and implement the policies that we put forward.

**Ms Blakeman:** Okay. That one she answered. It's the first time out of everything I've asked her.

This question is to the Minister of SRD. Given the Auditor General has been making recommendations on reclamation, security deposits, and other issues surrounding gravel mining for years, what is the department doing to better verify quantities of aggregate mined to ensure a vigorous reclamation process and that sufficient security deposits are being collected?

**Mr. Oberle:** Well, I guess we'll continue doing what we're doing. We have no outstanding recommendations from the Auditor General's office in our department, Mr. Speaker.\*

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

#### Postsecondary Education Preparedness

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. There have been reports that Alberta students are losing out on university seats and scholarships because our standards are too tough and make it difficult for our students to compete against students from other provinces who may benefit from lower standards and grade inflation. My first question is to the Minister of Education. What processes are in place to ensure that Alberta students are not being shortchanged when it comes to scholarships and access to postsecondary seats when they graduate?

**Mr. Lukaszuk:** Mr. Speaker, this is actually a very good story. A study from Saskatchewan just showed a few days ago that for an Alberta grade 12 graduate, when she completes her first year of postsecondary education, her mark only drops by 6 per cent. That's the lowest difference in the country. In Ontario and other provinces their marks drop by as much as 20 per cent, which means that our students are ready for postsecondary education, and the mark they actually receive truly reflects their knowledge base and their understanding of curriculum.

Now, there is some twisted logic. Some are arguing that we should artificially inflate their marks so they can qualify for scholarships.

**The Speaker:** The hon. member, please.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. As a former teacher I do know we have the best education system in the province.

My next question, first supplemental, is to the Minister of Advanced Education and Technology. What is being done to make sure that Alberta students are given equal treatment by postsecondary institutions when compared to the rest of Canada?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. As you know, admission requirements are set by institutions, and they vary from program to program and from institution to institution. They set the standards there; they are not set by the ministry. More importantly, our goal is to prepare our students to succeed at postsecondary, so we give them the appropriate schooling and education so that they can be successful. We don't want young people entering postsecondaries and then dropping out of school. That's not a benefit to either of us. We want to prepare them properly and get them ready for postsecondary.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** That's it.

**The Speaker:** Hon. members, that concludes the Oral Question Period for today. Today 20 members were recognized. There were 114 questions and responses.

In 30 seconds from now we'll continue with the Routine and Members' Statements.

2:40

#### Members' Statements

(continued)

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

#### Catholic Social Services

**Mrs. Sarich:** Thank you, Mr. Speaker. This year Catholic Social Services celebrates its 50th anniversary. Since 1961 this organization has continuously worked towards its mission, to enhance human well-being in a spirit of compassion, justice, freedom, and solidarity throughout central and northeastern Alberta.

While its goals are rooted in the Catholic teachings of social justice, Catholic Social Services assists and employs individuals regardless of faith and culture. I'm certain its founder, the late Monsignor William Irwin, would be proud to know that his vision for the organization remains strong and true today.

Catholic Social Services, as an accredited organization, assists over 60,000 individuals and families, Mr. Speaker, each year through its offices in Edmonton, Bonnyville, Cold Lake, Lloydminster, Red Deer, Wainwright, and Wetaskiwin. They offer over 100 different programs, including adoption support, vocational programs for individuals with disabilities, and immigrant settlement services.

Mr. Speaker, one of the fundamental characteristics of Albertans is their capacity for reaching out to help others. Indeed, this trait is a living example of the Alberta spirit, and it is truly exemplified in this organization as it works to identify and respond to the needs of communities throughout northern Alberta.

Catholic Social Services has a large annual fundraising initiative called the Sign of Hope campaign, which raises over \$2 million each year. A remarkable 91 cents out of every dollar raised in that campaign goes directly to helping people in need. The Sign of Hope campaign is a tremendous undertaking which is supported by a strong team of community leaders who generously volunteer their time, talent, and resources.

Mr. Speaker, I am deeply moved by the impact this organization has made in assisting others over the past 50 years. I commend them for their deep compassion for those in need and for their tireless dedication to service in our communities. Their contribution is immeasurable.

Thank you.

\*See page 1458, left column, paragraph 1

**The Speaker:** The hon. Member for Cypress-Medicine-Hat.

**Mount Royal University/Medicine Hat College  
Joint University Degree Program**

**Mr. Mitzel:** Thank you, Mr. Speaker. On November 7 I had the privilege to attend the launch of a very exciting collaboration between Mount Royal University and Medicine Hat College. Together these two institutions launched a joint business administration degree, which will be offered at Medicine Hat College. Students will now be able to take the full business administration degree in Medicine Hat and at the end receive a Mount Royal degree.

I want to commend both Medicine Hat College and Mount Royal University for their enduring vision, exceptional leadership, and continued drive to help students in our community reach success. Mr. Speaker, I believe this speaks strongly to the idea that Alberta's postsecondary institutions need to collaborate and co-operate to create better opportunities for students in rural postsecondary institutions. This program is a shining example of that.

This program will do a lot for Medicine Hat: for businesses, for students, and for families. First, it will help employers in my region to have greater access to the skilled workers they're looking for. Second, it will allow more of our young people to take advantage of the educational opportunities they want right in the community they grew up in. It's good for families by allowing families to stay together while students pursue their education at home, and it reduces the financial burden that will accompany students studying away from home. Finally, Mr. Speaker, it fulfills one of the minister of advanced education's mandates, to encourage more students in rural communities to pursue a postsecondary education.

This approach will provide a framework through which the vision of Campus Alberta can be realized and be a template for other rural colleges as they seek to partner with universities across our province. This fulfills our government's commitment to working alongside our Campus Alberta partners to help institutions offer the programs students want, where and when they want them. It's our commitment to support the current and future needs of all our students, all the while building an innovative and skilled workforce for today and tomorrow.

I want to once again thank and congratulate everyone who has worked so hard to make this program a reality. Thank you.

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

**Foreign Qualifications Recognition**

**Mr. Doerksen:** Thank you, Mr. Speaker. Both government and Alberta employers often talk about an estimated labour shortage of 77,000 workers within the next decade. In fact, there's a good chance this number could rise substantially in the near future.

Mr. Speaker, as you know, immigration has been identified as an essential strategy among other initiatives that the government of Alberta has undertaken to address current and future labour market needs. The foreign qualifications recognition unit in the Human Services department has made great strides in ensuring our province benefits from new immigration and the talent it brings. The FQR's success over the past few years can be attributed to their ongoing dedication to collaboration and consultation with key stakeholders and ministries within government.

To date over \$1.3 million has been dedicated to the FQR

innovation fund. This government program allows professional regulatory organizations to bring forward funding proposals to improve delivery of services. The commitment to work together with professional regulatory organizations, postsecondary institutions, employers, settlement agencies, and other partners provides the foundation for meeting our current and future labour market needs.

Mr. Speaker, having newcomers work in occupations where they are qualified is important to workers, and it also provides a major benefit for Alberta and the economy as we try to fill these vacant positions with qualified workers. The FQR's focus on collaboration rather than legislation is just some of the recent progress that has been made by the FQR and the government of Alberta.

I look forward to reading the FQR's 2011 progress report, which will further highlight additional achievements and goals and which will be released in the coming months. I applaud the foreign qualifications recognition unit.

**The Speaker:** The hon. Member for St. Albert.

**Quilt Donations for Slave Lake Fire Victims**

**Mr. Allred:** Thank you, Mr. Speaker. Last week our colleague the hon. Member for Lesser Slave Lake paid tribute to the many good Samaritans that provided all kinds of assistance to the residents of Slave Lake during and in the aftermath of the devastating forest fire that destroyed half of their town and left thousands homeless.

This afternoon I'd like to relate a specific story about a group from Ontario and one individual in particular who took the initiative and came to the aid of Slave Lake residents. Lynne Carr, a former resident of Devon, Redwater, and Edmonton but who now lives in Oakville, Ontario, is a member of the Oakville quilters league. When they heard about the Slave Lake disaster, they set out to sew 120 quilts: large quilts, small quilts, quilts for babies – you name it – all shapes, sizes and patterns. Through the kind auspices of WestJet airlines the quilts were all shipped to Edmonton, where I picked them up along with their master organizer Lynne Carr, and in due course we set off to Slave Lake to deliver the quilts.

The ladies at the local quilt shop were ecstatic to receive such a large quantity of quilts which would fulfill their pledge to provide a quilt to every man, woman, and child who had lost their home. One box was immediately opened, and they hung them up on every wall, easel, desk, and door to display them. Little did I know it at the time, but Lynne had also arranged with some of her former nursing classmates from all across Canada to prepare quilts and ship them direct to Slave Lake, where they arrived at a later date.

Mr. Speaker, the object of this little story is that our country is so blessed by so many kind-hearted individuals that will always rally to the call when disaster strikes. My heart and the heart of the hon. Member for Lesser Slave Lake and I'm sure the hearts of all those residents of Slave Lake go out to Lynne Carr and the Oakville quilters league for their thoughtfulness and generosity in Slave Lake's time of need.

A special thanks also goes out to WestJet airlines for flying the quilts out to Edmonton at no cost.

**Presenting Reports by  
Standing and Special Committees**

**The Speaker:** The hon. Member for Cypress-Medicine Hat.



**Mr. Mitzel:** Thank you, Mr. Speaker. As chair of the Select Special Information and Privacy Commissioner Search Committee I'm pleased to table five copies of the committee's final report, dated November 28, 2011, recommending that Ms Jill Clayton be appointed the Information and Privacy Commissioner.

## 2:50                    **Tabling Returns and Reports**

**The Speaker:** The hon. Member for Edmonton-Riverview, then Calgary-Currie, then Edmonton-Strathcona.

**Dr. Taft:** Thank you, Mr. Speaker. I rise today to table the appropriate number of documents relating to one of my questions today. There are actually two. One is a letter that relates directly to the question I raised today, and the other is a news article directly related to the question I raised today.

Thank you very much.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you, Mr. Speaker. I'm tabling five copies of a letter from the mayor of Calgary expressing his support for private member's Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011, which I believe will come up for debate this afternoon.

Thank you.

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

**Ms Notley:** Thank you, Mr. Speaker. I have two tablings today. First, I'd like to table the appropriate number of copies of a newspaper editorial concerning the process and deadlines involved in the construction of a new Royal Alberta Museum.

Secondly, I'd like to table the appropriate numbers of copies of a blog, which includes information and photographs which were referred to by my colleague the Member for Edmonton-Highlands-Norwood in his questions earlier today.

**The Speaker:** Hon. members, pursuant to section 17(2) of the Lobbyists Act the chair is tabling five copies of an investigation report from the Ethics Commissioner dated November 28, 2011, with respect to activities of the Canadian Association of Petroleum Producers, an organizational lobbyist registered under the Lobbyists Act.

Are there others? The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a letter to the editor published in the *Calgary Herald*, dated November 27, 2011. The letter is written by Dr. Leland Baskin and Paula Hall. They are writing on behalf of the hundreds of staff and physicians who provide pathology lab services through Calgary Laboratory Services. The letter outlines the many benefits and quality validation procedures under way in connection with this transfer of service.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Riverview on a purported point of order.

## **Point of Order False Allegations**

**Dr. Taft:** Yes. Thank you, Mr. Speaker. The portion of the standing orders that I would cite are 23(h), (i), and (j), probably most specifically (h) and (i), and it relates to the response from the

Minister of Finance to questions I asked concerning AIMCo. These are questions I took great care in drafting. The minister, as I heard it, alleged that I claimed the official, who I had been very careful not to name, the official at AIMCo to whom I was referring, had misappropriated funds. The minister alleged that I made that claim. It's a completely false statement from the minister. If that were to be done, that would be a criminal act. I was simply asking what safeguards the government has in place.

My questions were: what rules are in place? What oversight does this government have in place? I never ever suggested and, quite frankly, even thought that there were any funds misappropriated. It's particularly disturbing coming from a Minister of Finance, who carries such responsibilities for the words he utters. I believe it's pretty clear he was making allegations against me that were completely false. He was imputing false or unavowed motives to me, which is 23(i), and frankly under 23(j) it was, I believe, abusive language of a nature likely to create disorder, and that is the reason that I called a point of order.

Thank you.

**Mr. Liepert:** Well, Mr. Speaker, I don't think there's a purported point of order here at all. What the member did – and, you know, this happens very often in this particular Assembly, and I think, frankly, it's sad because, maybe with the exception of the Member for Edmonton-Gold Bar and the Member for Calgary-Buffalo, these kinds of things seem to come regularly from members of the opposition. We use someone out there who can't stand in this Assembly and defend themselves and make implications. The implication was clearly there in that member's question. I'll have a look at the Blues tomorrow and determine whether or not there was something inappropriate, but my recollection was that there was not. It was an attempt to clear the air for this particular individual because that member left the air very fuzzy. So there was no point of order here, and I hope you rule that way.

**The Speaker:** Are there others? The hon. Deputy Government House Leader on this point.

**Mr. Denis:** Yes. Thank you for recognizing me, Mr. Speaker. I just want to add to the hon. Minister of Finance's comments here. The Member for Edmonton-Riverview had pointed out that the hon. minister had used abusive or insulting language. I've done just a quick review of *Beauchesne's* 489 and thereabouts. There's nothing that the Minister of Finance had actually indicated that was abusive towards that member or that other individual. Rather, he was simply trying to clarify the comments that were made, and I think that, if anything, he had a duty to do so as a member of this House.

**The Speaker:** From time to time there are questions of a certain nature that do provide for a considerable degree of innuendo. Without any doubt when the hon. Member for Edmonton-Riverview presented his first question, he referred to an individual as a top executive at AIMCo and then further went on as having been "involved in the centre of this controversy."

Then the Minister of Finance's responses were a lot of inflammatory words: "embroiled," "controversy". Then the hon. minister in a further answer says: "in the question the member is talking about, he used the term 'lost credibility'."

Then the hon. Member for Edmonton-Riverview goes on to say, "this same official managed a \$35 billion public-sector fund in Australia that was caught in a scheme that lost \$500 million."

Then the hon. minister went on to say:

I will look into the googling . . . to see whether, in fact, it has any substance or not, but the organization is one that, as I said

earlier, is recognized internationally, and to somehow leave the impression that a particular individual within this organization can be misappropriating Albertans' funds actually is – actually, it borders, Mr. Speaker, on what I would say is – I'll leave it at that.

I think we've had just a bit of a clearing up here in the last little exchange, and we're going to move forward with Orders of the Day.

### Orders of the Day

**The Speaker:** The hon. Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. At this time I'd ask the House for unanimous consent – is it a good time to do this, sir?

**The Speaker:** Yes, it is the most appropriate time. The hon. Minister of Seniors is requesting unanimous consent. This is an administrative matter. If I understand this correctly, the hon. minister – and you'll explain this yourself – is listed in the Order Paper on page 15 for today with respect to being the author of private member's Bill 207, Seniors' Property Tax Deferral Act. Since that act was introduced, the hon. member is no longer a private member; he's now a minister of Executive Council. I believe, sir, what you're doing is asking for unanimous consent to have the authorship of this bill transferred to another member.

**Mr. VanderBurg:** That's right.

**The Speaker:** Please stand up and say that, and then we'll see if the members agree.

**Mr. VanderBurg:** Thank you for that clarification, sir. Yes, indeed, I'd like to ask the House for unanimous consent to switch the sponsorship of private member's Bill 207, Seniors' Property Tax Deferral Act, to the MLA for Red Deer-North as this bill may be coming up for debate in the House next Monday, sir. Bill 207 would establish a property tax deferral program for seniors in Alberta.

**The Speaker:** You don't have to explain the content of the bill.

**Mr. VanderBurg:** I just want to make sure we're clear.

**The Speaker:** No, no. This is the authorship of the bill.

**Mr. VanderBurg:** Okay. Thank you.

**The Speaker:** When the draw occurred, the hon. Member for Whitecourt-St. Anne won the position to have private member's Bill 207. Since that time, he's no longer a private member. He's now become a member of Executive Council. The bill is listed as 207. Potentially it will come up for discussion and introduction next Monday. The request is: can the authorship of the bill be transferred to another member, in this case the hon. Member for Red Deer-North? So I will ask the question, just one question. Is anyone opposed? If so, say no.

[Unanimous consent granted]

**The Speaker:** The records will show that that has happened.

**Mr. VanderBurg:** Thank you.

3:00

### Public Bills and Orders Other than Government Bills and Orders Third Reading

#### Bill 203

#### Alberta Get Outdoors Weekend Act

**The Speaker:** The hon. Member for Calgary-Lougheed to move third reading of Bill 203.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to rise and move third reading of Bill 203, the Alberta Get Outdoors Weekend Act.

I would like to sincerely thank all members for the productive and thoughtful debate we've engaged in throughout the process. I truly appreciate the 100-plus organizations from across our fine province who have taken the time to officially endorse the concept of establishing the Alberta get outdoors weekend. It's been exciting to witness all the support that this bill has received over the past couple of years, as a matter of fact.

Through second reading and Committee of the Whole we better examined what this act could achieve in Alberta, and these debates offered us a long list of reasons as to how the Alberta get outdoors weekend will benefit each of us. We discussed the fact that establishing this annual event would set a great example for our residents about the importance of participating in physical activity, and I trust that we can all agree that GO weekend is an excellent way to showcase all the natural wonders that Alberta has to offer.

[The Deputy Speaker in the chair]

It will also promote additional internal tourism in our beautiful province. After all, many people who are new to Alberta and have not yet taken the time to experience our incredible backyard will have a kick-start to do exactly that. The opportunities to get outdoors in our province are so vast that even those who were born and raised here can always find new sites to discover.

Mr. Speaker, during the debate we also heard about the incredible work that countless organizations will do to promote the day which will encourage active living in Alberta. Alberta get outdoors weekend will afford these outstanding groups an invaluable venue to educate Albertans on the services and activities that they offer, and it will also provide an annual occasion for valuable collaboration between these groups.

There was also a comment on how the weekend would complement the work that our government is already doing. Programs and policies such as Healthy U and active Alberta are promoting healthy lifestyles for Albertans, and GO weekend will play a significant part in solidifying their message that physical activity is absolutely imperative for people to enjoy the best possible quality of life.

Throughout the debate we've considered how the weekend will support our government's health care goals. We've worked incredibly hard over the years to promote healthy communities, yet our entire world is facing increasing incidences of illnesses related to sedentary lifestyles. Alberta GO weekend is just one source of inspiration for Albertans to become more active, which will help to reduce the rate of obesity and heart disease and diabetes and other life-threatening illness. Again I say: it's just the start. Mr. Speaker, I trust that the relevance and importance of this weekend will become even more pronounced in the years to come as issues of lifestyle-related illnesses and rising health care costs become even more salient. People are starting to wake up to the fact that we need to shift towards a focus of prevention, and Bill 203 will play an important part in realizing that strategy.

But above all else this bill is about the quality of life for all Albertans. This is a quick, easy, inexpensive way to kick-start the process of having individuals improve things for themselves.

Mr. Speaker, getting outdoors and being active is fun, and it enhances the development of the whole person mentally, physically, emotionally, spiritually, culturally, and more. Alberta GO weekend will help Albertans to discover and often rediscover outdoor physical activities that they love. We're so fortunate to live in a place with so much natural beauty, with such a robust range of active living opportunities and with a government that's committed to excellence in health and wellness.

Our province has the written support of over 100 sport and active living organizations to create Alberta GO weekend, and it will be those organizations in partnership with the citizens of our great province who will carry this weekend forward and ensure its success.

The next step is passing Bill 203 so that we can establish this weekend officially for all of our residents to enjoy. I hope that all members will turn this little dream into a reality by simply voting in support of Bill 203, the Alberta Get Outdoors Weekend Act, as we move towards a healthier and more active Alberta together.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Calgary-Varsity on the bill.

**Mr. Chase:** Thank you very much, Mr. Speaker. I look forward to having another opportunity in third to speak to Bill 203. I am already on the record as being supportive of any piece of legislation that encourages physical activity. I have also expressed my concern that this is such a low level. This is the equivalent of putting a small seed in the ground and then hoping that that seed will sprout and action will take place and we'll have a healthy plant. [interjection] Yes. Cataract Creek is a great place to get outdoors. Unfortunately, in April it's closed off because of the upcoming elk calving, so you can't access Cataract Creek as easily.

Now, in terms of encouraging physical activity, over a period of 17 years I've played rugby, first for the University of Calgary Stags, then for the Saracens, and also at times for the Saints. Mr. Speaker, I probably would have played rugby for more years, but my wife refused to pick me up at the Foothills emergency anymore. So at that point I switched to soccer, and I played that for about 10 more years. Throughout my 34-year teaching career I participated in and coached a number of sports: wrestling for a period of 25 years. So I value the idea of getting out and getting active.

Mr. Speaker, in my community of Calgary-Varsity I believe one of the reasons I was elected was that I had been a Blizzard soccer coach for years, both indoor and outdoor. I had refereed soccer. So I get it from a very personal point of view. While my achievements fall far below the crest of Everest, which the hon. member can attest to, I did it my way, and I enjoyed doing it. I would encourage other people to get outdoors.

But my concern, Mr. Speaker, is that simply saying, "The second week of April why don't you get outdoors?" is such a low level of encouragement. To my students, to my grandsons, who, fortunately, enjoy outdoor pursuits, I encourage that kind of activity, and I don't limit it to the second week of April. Whenever we get the chance, my wife and I, when we're looking after Rohan and Kiran, we take them out to playgrounds. We take them to a variety of outdoor activities. Their favourite, I would suggest, is going camping with their grandma and grandpa. One of the places besides the Cataract Creek, that I've previously

mentioned, is the Three Sisters campground in Bow Valley. I think it's one of the grandsons' and my wife's and my favourite.

Again, simply talking about it without demonstrating it doesn't achieve the results that the hon. member is asking for. I want to encourage individuals to get out in the second week of April and every other time they get an opportunity to do so. I'm very aware, for example, of the limitations put on my personal fitness by being in this House at 1 a.m. during a two-week legislative period debating legislation. I would much rather be at home with my family at 1 in the morning, getting a good night's rest so that the following morning I could get out for my daily run, which was a large part of my teaching career. Mr. Speaker, talking about physical fitness as opposed to actually interacting in it brings me to the idea of talk being cheap.

3:10

This piece of legislation, which I support even though it's a minimal effort because there's no money or commitment to upgrade facilities attached to it, still has value. I do appreciate the hon. member bringing forward this get outdoors the second week of April, but I'm hoping that in future opportunities, if his draw turns out to produce further private member's bills, he'll talk about upgrading in parks; Cataract Creek, for example, where the trails have fallen into disrepair because of a lack of funding. I'm hoping that the hon. member will encourage members of the alpine club, for example, to follow in his footsteps carefully in the taking on of mountain climbing or ice climbing.

Mr. Speaker, just simply saying, "Psst; it's a good idea the second week of April to get out there and enjoy yourselves," isn't going to cut it.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Mr. Hayden:** Thank you, Mr. Speaker. It's a privilege to rise today and speak in favour of Bill 203, the Alberta Get Outdoors Weekend Act. I know that the hon. Member for Calgary-Lougheed worked very hard on this bill, and I commend him for his efforts. As we've all heard in the House, he's received a significant amount of positive feedback from our local communities and organizations, which is truly encouraging.

Mr. Speaker, Bill 203 is very straightforward. Its purpose is to set aside a weekend in April each year where Albertans are encouraged to get outdoors and participate in an array of activities. Of course, many Albertans are already very active in the great outdoors. However, I believe that having a particular weekend set aside as a get outdoors weekend is going to encourage even more Albertans to take advantage of the natural beauty that we have in this province and that, I might add, people come from all around the world to enjoy.

With this legislation individuals who do not often get outdoors may be more willing to check out the opportunities that Alberta's wilderness affords them. Of course, I think get outdoors weekend can be very beneficial from a health perspective also. We all know the benefits of exercise and activity, and this bill will encourage both.

I want to focus my comments today on the benefits of the bill and those benefits that it's going to bring to the tourism industry in the province. Generally speaking, we think of tourism as people coming to Alberta from other provinces and other countries. However, internal tourism is very important to us. When people stay in Alberta for their vacation rather than going to, say, British Columbia or the United States or elsewhere, we get the benefits in

our economy. Mr. Speaker, I think that Alberta provides unmatched opportunities for those looking to explore the outdoors with an active lifestyle and interactive nature.

In particular, I believe that the spring is an excellent time for Albertans to take part in a number of outdoor activities. This, of course, is when a lot of things occur. I'm talking about traditional activities such as golf, as an example, or fishing, but there are also opportunities for far more exotic activities such as rappelling in the Rockies or whitewater rafting on many of our rivers. Perhaps the best part of these activities is that they don't cost nearly as much as a vacation abroad, as an example.

For many Albertans a camping trip is just as much fun as any other vacation or more and is, obviously, much more affordable, Mr. Speaker. Rather than spending a hundred dollars per meal at a resort in another country, as an example, a hundred dollars can feed a family for an entire weekend on a camping trip. This is especially important to many Albertans with young families, who have to tighten their belt to make everything work for them.

Mr. Speaker, the best part of internal tourism is that money that would otherwise be spent elsewhere is, instead, spent right here in Alberta. There are countless businesses in our province from hotels to retail outlets and so on that rely on a steady stream of tourists to thrive. With our Canadian dollar being as strong as it is, these businesses are seeing fewer tourists from some destinations. One weekend of people staying in Alberta can and will have a positive impact on our economy.

An Alberta GO weekend would also make Albertans more aware of the excellent opportunities that exist right here within our own province. Get outdoors weekend may encourage an Alberta family to take a fishing trip to Lakeland provincial park, as an example, by Lac La Biche or a hiking trip to the Kananaskis Country or even a camping trip in Dinosaur provincial park. As many of you here today, I'm sure, have visited many of our provincial parks, you'll know that this family may be inspired to experience and take future vacations within the province.

Of course, I'm not using just these three parks as an example. I'm sure that all members in this House have their own favourite vacation destination. There's no shortage of good vacation spots, with over 480 parks in the province and over half of those where people can actually go camping. This bill encourages Albertans to get out and check out some of these fantastic vacation opportunities.

Mr. Speaker, finally, I'd like to talk about the cost of this bill, which would be, in my opinion, very small. This would not be a weekend where employers would be obliged to give their workers a day off – that could adversely affect many businesses – nor would it be a weekend where the government would have to actively partake in activities. Instead, this is a weekend to simply encourage Albertans to take advantage of the various outdoor opportunities that already exist in this beautiful province of ours. Of course, we want to ensure that Albertans are aware of the great get outdoors weekend. However, the costs of doing this are far outweighed by the benefits that the legislation will bring to our province's tourism market and to our province's economy as a whole.

Mr. Speaker, I would like to again thank the hon. member for Calgary-Lougheed for bringing forward this legislation. We truly are lucky to have a province with an abundance of natural treasures. While many Albertans are aware of these treasures, I think that the get outdoors weekend will encourage even more Albertans to explore this amazing province. I know that this could open the eyes of many residents who may be unaware of the gems that actually exist in our own backyard. It's also going to benefit our economy and our local businesses as tourism dollars will be

spent in Alberta rather than elsewhere. And it's going to allow some Albertans to save some money.

For all these reasons, I'm going to be supporting Bill 203, and I hope that other members do the same. I look forward to hearing the input from the rest of my colleagues.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's a pleasure to participate in the debate this afternoon on private member's Bill 203, Alberta Get Outdoors Weekend Act. Bill 203 would designate the second weekend in April as Alberta get outdoors weekend. Certainly, we would increase physical activity, and it would improve the quality of life for all Albertans and reduce health costs in the health care system.

Now, I was looking, Mr. Speaker, at community programs and healthy living. It's a separate element in the Department of Health and Wellness budget, element 6. It is interesting to note that it was anticipated that we would spend well over \$200 million on a number of programs to make our communities and the citizens that live in them healthier. However, \$46 million of this amount went unexpended. Now, I don't know what reasons there are for this significant amount that went unexpended, but certainly the hon. member is absolutely correct that we should do everything we can to encourage individuals to get out and get active and get healthier.

I find it ironic that with this private member's bill, which has so enthusiastically to date been supported by hon. members in this House, we can fix a date, the second weekend in April, as the Alberta get outdoors weekend but that, on the other hand, with another piece of legislation we can't have a fixed election day. We've got this two-month window, and some people think it's a three-month window, a 90-day period, but the election has to be over, as I understand it – we can start March 1.

**Mr. Denis:** Point of order, Mr. Speaker. Relevance.

**Mr. MacDonald:** What? That's ridiculous. You didn't even give a citation, hon. member.

**The Deputy Speaker:** Hon. member, we are talking about the bill, so please get back to the subject.

3:20

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I can understand why the hon. minister of the Ministry of Solicitor General is so sensitive about this issue, but it is quite ironic that we can have the second weekend in April devoted to this outdoor activity, the entire weekend, yet we have to have this window for a provincial election.

Now, certainly, we would have increased activity, as suggested by other hon. members. This activity would . . . [interjections] Mr. Speaker, this hon. gentleman is distracting me.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar has the floor.

**Mr. MacDonald:** Thank you very much. If he wants to talk, he can go outside in the government lounge and chat, and he can even e-mail and text people if he wishes, but I would appreciate it if he could remain courteous whenever I am speaking on Bill 203.

Now, while it is certainly difficult to disagree with promoting the second weekend in April as Alberta get outdoors weekend, this bill does raise a number of questions that, of course, need to be debated in this Assembly, and I think it's actually relevant that we

would be comparing this bill to a government bill that is giving us this wide-open window for a provincial election, depending upon the whim of the Premier's office and those who work in it.

First, regarding this private member's bill, the level of physical activity of Albertans is not sufficient and needs to be improved not only for the sake of Albertans themselves but – we were talking about it earlier – to reduce pressure and, hopefully, reduce costs in our public health care system. We need more than a special weekend to do that, particularly for those Albertans that would love to be more active outdoors but cannot because they are working multiple jobs or lack reliable child care or face other challenges.

Now, there have been other initiatives, private members' bills, that we have passed in this Assembly, and it's worth noting that I don't know where they are. I do know one that was to be a tax credit for tradesmen, that was introduced by the former hon. Member for Strathcona. That is resting somewhere – I don't know where; I'm totally unaware – but it can be used to reduce the cost of tools for, particularly, heavy-duty mechanics, other automobile mechanics. It was passed with great fanfare, and it was a private member's bill.

Another one is a tax credit. I don't know where the tax credit bill is that was proposed. I forget which hon. member on the government side did it, and it's hard to keep track of which bills that are debated and passed here become law and which ones sort of lay in legal limbo.

**Mr. Rodney:** Hugh, is it on physical activity?

**Mr. MacDonald:** Physical activity: that's the bill. Yes. Maybe we can get an update through the course of debate.

**Mr. Rodney:** We're waiting for proclamation.

**Mr. MacDonald:** We are waiting for proclamation on the physical activity bill. I hope, if we pass this bill, that it won't meet the same fate as the others that I referenced.

Now, this bill also reminds us of the importance of protecting and preserving our natural environment, places like Cataract Creek, very important places. The hon. Member for Calgary-Varsity spends a lot of time out around Cataract Creek, Mr. Speaker, and I understand from the hon. member that it is a very beautiful, unique place.

We can preserve our natural environment by investing in environmental protection and in our parks and protected areas. This province certainly has a lot more work to do. Efforts such as this bill do not harm, but by themselves they will certainly not solve the problem.

Now, some of the health risks associated with inactivity include premature death and disease from coronary heart disease, stroke, adult-onset diabetes, hypertension, depression, and even colon cancer.

The 2009 Alberta Survey on Physical Activity, conducted by the Alberta Centre for Active Living at the U of A, found that 41 per cent of Albertans have an inactive lifestyle – 41 per cent. That's unfortunate. I think we can do better, and if for no other reason than that, hon. members, please consider the hon. Member for Calgary-Lougheed's bill here. I think we could certainly do better.

The portion of adult Albertans who are obese increased from 16 per cent to 25 per cent between 1986 and 2004 according to a January 2010 study by Alberta Health Services. That's a significant increase, and this bill, hopefully, would reverse that trend by encouraging people to get active, get outdoors, have some fun, and see our province.

The same study also found that total costs attributable to obesity in Alberta in 2005 were approximately \$1.27 billion, and that was in budget dollars from that budget year. This figure includes, as I understand it, both direct and indirect costs.

Certainly, we all know there are a number of social benefits that flow from being active in society. They include reducing our public health care costs, as I stated earlier, improved scholastic achievement, fewer cases of employee absenteeism, and a better quality of life for each and every citizen.

Mr. Speaker, in conclusion, I would remind hon. members to please, if you can, support this private member's Bill 203. If we can have a dedicated day or a weekend, a couple of days in April, as Alberta get outdoors weekend, I would also suggest that we can have one day set aside, maybe early in May, to conduct a provincial election and take the vote that way.

Thank you.

**The Deputy Speaker:** Any hon. members on the bill? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you very much, Mr. Speaker. It's nice to be able to speak to Bill 203, Alberta Get Outdoors Weekend Act. I, like my colleagues who have spoken previously, am in support of this bill. Alberta get outdoors weekend can hopefully highlight some of those bad habits we've developed over a number of years, where we see more and more people who are not physically active and who are becoming unhealthy as a result.

We see obesity rates rising here in Alberta, yours truly included in that. We see other situations where young kids who growing up today are, due to eating habits, lack of physical activity, and the like, substantially reducing their abilities to participate later on in their lives in activities that would probably add a considerable amount of enjoyment to them. Of course, some of the health difficulties they pick up from eating habits and unhealthy living will no doubt impact our health care system. If you look at that and at the spirit of this legislation, Alberta Get Outdoors Weekend Act, we can couple that with some ideas, whether to get outdoors, get on a stationary bike, whatever it is, just do something and recognize that health is very important. It will not only add to your enjoyment of life, it will allow you to be more productive, and it will keep costs down in our society.

3:30

Not much to say other than that. It's a fairly simple bill. Much more will need to be done if this is to be successful. I think it's going to take some government initiatives on this front to really get a handle on this problem facing not only Alberta but North America and other places in the world due to our habits over the course of the last 50, 60 years, that are going to have to be reversed if we're going to live more productive, more healthy lives.

In any event, I'm in support of the bill and would encourage all members of the Assembly to support it as well. Thank you very much, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I appreciate the opportunity to join debate on Bill 203, the Alberta Get Outdoors Weekend Act. To begin with, I'd like to thank the hon. Member for Calgary-Lougheed for bringing forward this important piece of legislation. The objective of Bill 203 is to set aside the second weekend in April to encourage Albertans to participate in outdoor activities. Bill 203 would encourage people of all ages to get outdoors and enjoy the vast amount of recreational activities that

this great province has to offer. For example, families could organize walks, bike rides, kite flying, activities that give the whole family a chance to play, relax, and have fun, all while getting active. The provincial outdoor weekend would also provide an opportunity to educate our children on the health and lifestyle benefits of outdoor activities.

Mr. Speaker, it is important for every person to lead a healthy, active lifestyle, but it's especially important for all our children. Not only do children love to play, but getting regular outdoor activity as a child is a great way to help develop healthy habits that last a lifetime. Research shows that children who are more physically active and who demonstrate stronger physical literacy show greater perceptual skills and achieve higher grades in school. In addition, children who partake in healthy lifestyles benefit from higher self-esteem and self-confidence while developing greater leadership skills. These are just some of the reasons why it is so important for our government to promote a balanced lifestyle for all Alberta children.

Mr. Speaker, it's reported in the 2010 Active Healthy Kids Canada Report Card on Physical Activity for Children and Youth that only 12 per cent of Canadian kids meet the recommended guideline of at least 90 minutes a day of physical activity. It's also noted that obesity rates in children in this country have almost tripled in the last 25 years, and approximately 26 per cent of Canadian children ages two to 17 are overweight or obese. These statistics are concerning, and we should all be thinking about them. With these rising obesity rates and less time being spent on physical activity, it is more important than ever for us to teach our children about the benefits of active, healthy lifestyles. Physical activity can lead to a longer life expectancy, reduce stress, and improve a person's overall quality of life. Similarly, increased outdoor activity for children has the ability to reduce the costs and burdens on our health care system.

Prevention is our greatest tool to fight childhood obesity. Research continues to show a link between a physically active lifestyle and a healthy diet and chronic disease prevention. It is important to note that research shows that kids engage in more active play when they are outside as opposed to inside. When they play outside, they are free to be more active, and more opportunities for sports and physical activities exist, especially when compared to time spent indoors, which tends to offer more opportunities for things like watching TV and playing video games.

Canada's physical activity guide for children and youth recommends that parents limit the number of times their kids spend doing these kinds of activities. The guide suggests that children and teens be moderately active at least 90 minutes every single day and that screen time should be limited to no more than two hours to ensure that there's adequate time for active play.

Ultimately, there are many benefits that a child experiences when they play outdoors. For example, with lots of space and fresh air children are free to jump, run, swing, and climb. Outdoor play is a way to learn active skills and get better at throwing, catching, kicking, and jumping. When kids feel good about their abilities, they are more likely to be active.

Also, going outside helps children learn to interact with and understand the natural world, offers a chance for more social interaction with peers, and provides more opportunities for creativity and free play. Ultimately, the more time a child spends outdoors, the more likely a strong link between physical health and outdoor play will form, and I believe that the Alberta get outdoors weekend would be a great way to do that.

With that, I'd like to conclude my comments on Bill 203 and again would like to commend the hon. Member for Calgary-

Lougheed for his inspired idea. I support Bill 203 and think it's a step in the right direction for our province to take.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Any hon. member wish to speak?

Seeing none, the hon. Member for Edmonton-Mill Woods on the bill.

**Mr. Benito:** Thank you very much, Mr. Speaker. I am honoured to rise today to join the debate on Bill 203, the Alberta Get Outdoors Weekend Act, brought forward by the hon. Member for Calgary-Lougheed. Before I begin, I would like to commend the hon. member for his hard work and dedication in bringing forward legislation that would have such a positive impact on Albertans.

Mr. Speaker, as you know, this bill would establish a weekend each year where Albertans are encouraged to get outside and be active. This is certainly an idea worth exploring. The positive impact physical activity can have on both our mental and physical well-being has long been recognized, and given the increasing incidence of chronic diseases related to sedentary lifestyles, it is important to continue coming up with new and creative ways to improve the physical activity rate in Alberta.

Bill 203 provides a new way to promote physical activity that fits right in with all of the existing initiatives in Alberta but doesn't overlap with them. As such, I believe that an Alberta get outdoors weekend would make an excellent addition to Alberta's current active living programs. For this reason I stand today in support of Bill 203.

Mr. Speaker, in this day and age Albertans are busier than ever, and sometimes it is difficult to find time to be active. The existence of a wide range of sport and recreation activities that meet a variety of interests helps to draw Albertans towards taking part in regular physical activity. After all, when you're doing something you enjoy, physical activity is fun and not a chore. To this end, our government currently supports many organizations and programs that promote a diverse set of activities.

These initiatives range from government of Alberta policies and programs to nonprofit sport and recreation associations. One organization that comes to mind when talking about outdoor activity is the Alberta Sport, Recreation, Parks and Wildlife Foundation. This agency is doing such tremendous things in our province. Reporting to Alberta Tourism, Parks and Recreation, the foundation is one of the main vehicles through which our government promotes active living. They do everything from developing and maintaining outdoor facilities to funding a variety of sport and recreation programs.

The foundation also supports our government's health and wellness goals, guiding Albertans towards better health through physical activity and fitness. They do so by encouraging active lifestyles, promoting athletic excellence, and partnering with sports and recreation associations. Mr. Speaker, this organization makes a major contribution to the variety of physical activities available in Alberta. In fact, they currently fund over 100 provincial sport and recreation associations.

These associations offer a plethora of activities for Albertans to choose from in the pursuit of a healthier lifestyle, whether they wish to train for a biathlon, a triathlon, or just want to play some lawn bowling. Other activities these associations promote include badminton, curling, karate, rowing, yoga, and wheelchair sports among many others.

3:40

Every four years the foundation also funds and co-ordinates the

Alberta Summer and Winter Games and the Alberta 55 Plus Games. These games are invaluable to our province, fostering a sense of accomplishment in our athletes and a sense of pride in the communities that host them.

Mr. Speaker, in this single foundation we find an impressive array of active living initiatives, and there are many more. This government has done a remarkable job of fostering a diverse range of active living and health initiatives in our province. Bill 203 would add to this impressive list of government initiatives designed to encourage Albertans to be more active. An Alberta get outdoors weekend would be a great way to promote physical activity on an annual basis, and it is hoped that even more will be achieved through this bill.

An Alberta get outdoors weekend would also help us to better utilize what we already have in place, acting as a gateway to guide Albertans toward existing initiatives. For example, Alberta Health Services could take advantage of the festivities on the Alberta get outdoors weekend to promote all the valuable resources available on their Healthy U website. This website contains everything from recommendations about physical activities for people of all ages to healthy recipes to details about upcoming educational events.

Another of our innovative websites, called Active for Life, could make use of the weekend in the same way. This innovative site promotes physical literacy in families in the hopes of helping our children establish lifelong healthy habits. In addition to these provincial family-oriented programs Alberta also has localized initiatives to support other groups. Bill 203 would provide an opportunity for local health providers to promote these initiatives as well.

In Lethbridge Alberta Health Services could promote its building healthy lifestyles program, which provides free counselling and classes about healthy eating and physical activity to individuals diagnosed with chronic conditions such as asthma, diabetes, and heart disease. In Edmonton the active anytime anywhere initiative could be promoted. This is a program that provides fitness opportunities and physical education sessions to low-income older adults in Edmonton to help them improve their vitality and quality of life.

The weekend would support the work of all these programs and associations as they continue to encourage Albertans to get outdoors and be active. In fact, many of the organizations I have spoken about today have already picked up on the potential of Bill 203. As we heard from the Member for Calgary-Lougheed last week and just a few minutes ago, to date over 100 communities and active living associations have signed a letter of support for this bill. These letters demonstrate that an Alberta get outdoors weekend would be a useful tool to raise Albertans' awareness about the importance of physical activity and about the options that exist to do so.

These organizations do much to support the health and wellness goals of our government. It is important that we also support them. After all, they help Albertans to stay active year-round and will continue to do so long after the Alberta get outdoors weekend will have ended each year.

With all this in mind, I will be voting in support of Bill 203, the Alberta Get Outdoors Weekend Act, today, and I encourage all of my colleagues to do the same. Thank you, Mr. Speaker.

**The Deputy Speaker:** Any other hon. member? The hon. Minister of Advanced Education and Technology on the bill.

**Mr. Weadick:** Thank you, Mr. Speaker. It's indeed a pleasure to rise today and speak to Bill 203, the Alberta Get Outdoors Weekend Act. Before I begin, I would like to thank the hon.

Member for Calgary-Lougheed for his continued efforts in promoting physical activity. His commitment to fitness and health is an inspiration to us all.

Mr. Speaker, the intent of Bill 203 is to establish the second weekend in April every year as an opportunity for Albertans to get outdoors and enjoy the world around them. There are a number of reasons why the bill would be beneficial. On the one hand, it could promote an understanding of the natural world and encourage Albertans to take an active role in protecting our environment. On the other hand, encouraging outdoor activities promotes exploration and tourism within this wonderful province.

While I appreciate the educational and recreational value of getting outdoors, I support Bill 203 for a different reason, and that is that outdoor activity leads to healthier lifestyles. Mr. Speaker, we are facing a growing concern in health, not just in Alberta or in Canada or North America but in the entire developed world. Our sedentary lifestyles coupled with an overabundance of processed and fast foods have led to a situation where close to 50 per cent – I repeat, 50 per cent – of the population is overweight or obese. Today we are experiencing the negative effects associated with obesity. Heart disease and diabetes are on the rise, and the rates of high blood pressure, blood clotting, and strokes are growing at an alarming rate.

Mr. Speaker, the causes for this development are as numerous as are the solutions. At some levels it will always fall to personal responsibility and accountability. We as individuals are the gatekeepers of our own health, but that's not to say that there is no role for government. Rather, I believe that government should take an active role in informing people about the risks of negative health choices and should actively promote healthy activities.

One way to do this is by simply encouraging people to get outdoors. Mr. Speaker, Alberta is filled with world-class parks and recreation centres. We have mountains, beaches, forests, playing fields, and wonderful opportunities across this province. There are places that almost compel people to get out and explore, places like Writing-on-Stone, Waterton, Banff, and many other places.

Setting aside one weekend every year, a weekend where we actively encourage people to get outside, may begin to create an environment where people reflect and take accountability for their own personal health. If this weekend is marketed correctly and coupled with information on healthy lifestyles, it may begin to set a positive pattern in people's lives. After all, the hardest part of becoming fit is not losing 20 pounds, running a marathon, or reaching a particular body mass index but, rather, maintaining a constant level of health over the long term.

Mr. Speaker, in order to maintain good health, people need to develop a routine or lifestyle that includes physical activity every day. One weekend a year will not develop this routine, and to be fair, this is not the intent of the proposed bill. Instead, I believe that this bill could be a starting point on the road to good health. One weekend outside could spark a passion for the outdoors and perhaps even a lifetime commitment to fitness and personal health. The reality is that we need to help Albertans improve their health. Without action our hospitals, our long-term care centres, and health care system as a whole could become overloaded with people suffering from preventable diseases. It is not outside the scope of government to encourage activities that are beneficial to citizens or to ban activities that are harmful.

Now, some may argue that it is not our government's place to tell people how to live or what choices to make, and I agree with this. People will make their own choices when it comes to their health and the health of their families. They will make these choices with the best information available to them coupled with the freedom to choose their own lifestyles. After all, that's one of

the benefits of living in a free society. But this does not mean that our government has no role to play. I would argue that our government's role is not to ban junk food or mandate physical activity but, rather, to encourage positive lifestyle changes, not with a carrot or a stick but with information and opportunities. Ladies and gentlemen, Albertans are smart, and they will make smart choices if they have the information at hand and the ability to act on it.

3:50

Mr. Speaker, perhaps the best part of Bill 203 is that it is so broad. It does not compel people to go hiking or jogging or kayaking. It simply asks Albertans to go outside. This could be as elaborate a production as organizing a ball tournament or a simple walk around the block. It could be as physically demanding as a 30-mile hike or a laid-back canoe ride on a quiet lake. As I see it, the effectiveness of this bill is not that it demands any specific action but, rather, that it creates opportunity for people to make their own choices.

I envision a scenario where an outdoor weekend is taken up by the community at large, a situation where people gather together to plan events that bring out people from all backgrounds, cultures, and fitness levels. This bill creates, for lack of a better word, an excuse to get out and get active. The best part is that being active outside doesn't require any money or government funding. It simply involves getting outdoors to enjoy this beautiful province.

Mr. Speaker, to sum up my comments today, I would again like to state that I applaud the intention and thought behind Bill 203. I believe that passing this bill will help promote Alberta tourism, encourage environmental consideration, and connect us with our natural heritage. Without a doubt the strongest reason I have for supporting this proposed legislation is that it has the potential to promote healthy lifestyle choices. In Alberta, as in the rest of the developed world, we are facing serious health challenges, and unless we step up as individuals and take responsibility for our own health, we will be exposing ourselves to health risks and will be passing an unhealthy future to our children. Bill 203 does not overstep the boundaries of government control or impose changes on free society. It simply aims to find a balance between encouraging what is good and allowing us to make our own choices.

Mr. Speaker, I would like to again thank the hon. Member for Calgary-Lougheed for his well-thought-out bill. I will be standing in support of Bill 203 and urge all other members to join me.

Thank you.

**The Deputy Speaker:** Any other hon. members? Hon. Member for Lethbridge-East, you have about two minutes.

**Ms Pastoor:** Two minutes. Oh, okay. Fine. That's great. That's all I was going to talk anyway.

Thank you very much, Mr. Speaker. I rise today to support Bill 203, the Alberta Get Outdoors Weekend Act, brought forward by the hon. Member for Calgary-Lougheed, and I certainly thank him for that. I also believe that one of the things that we can work on for our seniors is to encourage them to get out. Often they're afraid of weather or whatever, but if this is a weekend in April, it just might be a wonderful way to start off the spring.

We also have in this province an extensive outdoor infrastructure which includes a plethora of pathways, parks, and natural heritage sites, which make recreation activities that much more accessible. In Lethbridge we have 37 kilometres of paths that go through our entire city. They go up and down through the coulees,

which I'm proud to say are really very well used. If established, an Alberta get outdoors weekend could be used as an educational tool to foster deep appreciation of Alberta's natural habitats and to raise awareness of the importance of conservation and preservation efforts.

One of the things that I would like to talk about, too, is the fact that we keep talking about the outdoors as if they're outside of cities. Most of our cities have amazing, amazing parks. If you're in Europe or in some of the other countries, their parks are utilized all the time. Families will go for picnics. They'll have ball games. They'll have soccer games. Some parks have soccer pitches. So it isn't just to get outside of the city; I think it's to get outside and be able to get the benefits of sunshine and fresh air.

I would have a caution, perhaps, from some of the things that have been coming through my office that this may put huge increased pressure on some of our campgrounds. My understanding at this point is that some of our campgrounds are already booked for the entire summer, and then other people can't use them at all. So I would use that as a caution.

For these many reasons I'll be supporting this bill today, and I urge my fellow hon. colleagues to do the same. Thank you, Mr. Speaker.

**The Deputy Speaker:** The chair notes that the bill has received 55 minutes of debate, so Standing Order 8(7)(a)(iii) now applies. I'll call on the hon. Member for Calgary-Lougheed to close the debate.

**Mr. Rodney:** Thank you, Mr. Speaker. If you could please clarify: five minutes for my remarks?

**The Deputy Speaker:** Five minutes, maximum.

**Mr. Rodney:** Thank you.

It warms my heart, Mr. Speaker, to witness the informed and energetic discussion on this bill – that's only appropriate – and I sincerely want to thank everyone from every corner of the House who has participated, not only today but in the past two years, as a matter of fact.

Bill 203 is about improving the lives of Albertans, Mr. Speaker, just like Family Day and arts weekend, but in a completely new and different way. It's about recognizing that through active living and experiencing the outdoors, Albertans can create a more balanced and healthier lifestyle, especially after a long, cold winter. As members have suggested, considering the many letters of support, when we asked them only one time for that, it's proven that Albertans do agree with this as they value the benefits that come with such endeavors.

We all know that our lives are moving much faster, faster than ever, as people look after their families and their careers and their bills and more, but this comes with a cost often of ignoring the best care that we could possibly give ourselves. Stressful lifestyles, we see, lead to a myriad of health problems. To counteract some of these effects, it's incumbent upon us to support initiatives that encourage Albertans to engage in activities that have a positive impact on their health.

Mr. Speaker, I acknowledge very readily that Bill 203 is not at all the final answer to ensure that Albertans become more active and healthy, but it will be a huge, important kick-start to the solution, which complements other government initiatives that are related to increasing active living. Bill 203 will not only encourage people to get outside and be more physically active but also provides the perfect opportunity for all sport and recreation and other organizations in our province to work together – they do it, not us – to encourage Albertans individually to be active while



promoting tourism and encouraging people to explore Alberta's pristine natural environment.

During Committee of the Whole I started to read just the names of some of the groups – and I'll continue with the time I have – that have written us wonderful letters of support, including Alberta Recreation and Parks Association, KidSport, Alberta Trailnet, University of Alberta Faculty of Physical Education and Recreation, Alberta Association of Recreation Facility Personnel, Alberta Conservation Association, AOHVA, Alberta Equestrian Federation, Alberta Amateur Baseball Council, Alberta Sailing, Alberta Soccer, Alberta Bobsleigh. And there are more: ecotourism and outdoor leadership program, Alberta Centre for Active Living, Yoga Association of Alberta, town of Castor and its recreation department, village of Ferintosh, Point Alison summer village, county of Newell, Alberta Lacrosse, village of Coutts, AVA president, Dr. Monika Schloder, Marco Gervais, and at least one of our former MLAs, Bill Purdy.

In closing, Mr. Speaker, I once again want to sincerely thank every member, all of these folks and more who've mailed in their support in the past two years, and everyone who's spoken on Bill 203 in first reading, second reading, Committee of the Whole, or third reading, this year or last. I humbly request all members here to do the one last thing that we need to do to make this official, and that's simply to vote yes as you call for the vote.

I thank you, Mr. Speaker.

[Motion carried; Bill 203 read a third time]

**4:00      Public Bills and Orders Other than  
Government Bills and Orders  
Second Reading**

**Bill 204  
Justice System Monitoring Act**

[Debate adjourned November 21: Mr. Boutilier speaking]

**The Deputy Speaker:** We have a total of 46 minutes left of debate on this bill. Hon. Member for Fort McMurray-Wood Buffalo, you have five minutes left.

**Mr. Boutilier:** Five minutes left? Thank you very much.

Mr. Speaker, indeed, it is a pleasure for me to rise and speak through you to members of the House and to all Albertans relative to this important private member's bill. The hon. Member for Calgary-Fish Creek, who served in the ministry of children's services and also as Solicitor General, clearly has an outstanding record when it comes to initiatives such as this. Her ultimate goal is to streamline the system that has been in place and that requires some major help.

One often wonders when things go in front of the justice system: does the justice system actually move quickly? Clearly, in some cases it does. In this particular case and with the motivation for this private member's bill and from her vast amount of experience as Solicitor General, clearly, contrary to comments made on the other side relative to the system – and I quote – that there have been examples of the system as very efficient, we take an attitude that not only can we do things well, but we can do things well and then some.

I frame my comments this afternoon around those powerful three words “and then some.” The enemy of excellent is just good old average. What I'm seeing more and more on the opposite side, on the government side – in the Solicitor General, in what's going on within Justice – is just average. We want more than average because Albertans are more than average citizens. They are truly

remarkable, and I want to compliment Albertans based on the input that has been provided to the Wildrose caucus and to the Member for Calgary-Fish Creek and this member, the Member for Fort McMurray-Wood Buffalo, from the oil sands capital of the world, I'm also proud to say.

In the important Keeping Communities Safe report and recommendations, that I'm holding up for everyone to look at, there are numerous examples where they say what needs to be done and what needs to be done more of. What needs to be done, clearly, is a greater streamlining of the existing system because this system does not provide the expediency that is required in our justice system.

I might also say that there have been examples by different ministers on that side who have indicated that our system is working very efficiently. Well, I'm afraid to say and to indicate to the Solicitor General and to different ministers involved in highways that it is far from perfect, and that's why I would be looking for their support for the Member for Calgary-Fish Creek and her initiative.

For instance, what needs to be done? I quote from the Keeping Communities Safe report and recommendations that have not been acted on.

11. Track and report on key indicators of the results of the criminal justice system in Alberta (e.g. use of diversion and its outcomes, delays in court proceedings, bail application results, lengths of sentences, breaches of court orders and the outcomes, guilty pleas to lesser charges, etc.)

Consistent with recommendation 10, steps should be taken [now].

That is the purpose of the Member for Calgary-Fish Creek and the initiatives she has taken. Steps need to be taken now. This, by the way, is from a government recommendation of indicators of the effectiveness of the criminal justice system in Alberta, particularly in areas where Albertans have serious concerns.

Where do Albertans have serious concerns? They have very serious concerns in delays in the process pertaining to sentences and bail. “Trends in these key indicators should be tracked and the results should be provided to the Minister of Justice.”

Contrary to the Minister of Justice indicating that things are running along tickety-boo, the fact is that they are not. The sooner the awareness that has been created by the Member for Calgary-Fish Creek and the Wildrose caucus – I am hopeful that members from all sides will support this private member's bill because I believe that Bill 204 is an important bill in terms of enhancing and helping and then some, moving away from average and moving towards excellent. I think that's where Albertans want to be as well. “Legislation should be [clearly] implemented requiring annual reports on a number of indicators including” – for instance, you asked – “the time it takes from when a charge has been laid to the eventual outcome or court decision.”

**The Deputy Speaker:** The next hon. member on my list, the hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Well, thank you, Mr. Speaker. I'm pleased today to rise and join the debate on Bill 204, the Justice System Monitoring Act. I'd like to thank the Member for Calgary-Fish Creek for providing us the opportunity to showcase all the great work being done to improve timely access to justice in Alberta. I'd also like to thank the hon. Member for Fort McMurray-Wood Buffalo for his comments on the bill.

Mr. Speaker, Bill 204 requires that Alberta Justice track various measures of efficiency in relation to our criminal justice system and present these statistics to the public annually. Many of these

statistics relate to the time that it takes for an accused individual to make his or her way through Alberta's criminal court system. This, in turn, is thought to reveal ways in which the system and access to it can be improved.

Mr. Speaker, providing Albertans with timely access to justice has always been one of this government's top priorities. In fact, the Ministry of Justice is guided by the vision of ensuring that Alberta leads the most innovative and accessible justice system in Canada. To this end, there are several initiatives already under way that aim to improve the efficiency of our system.

The court case management program, for example, was implemented to help manage criminal cases before provincial courts in Edmonton and Calgary in a more effective and efficient manner. One of the goals in this program is to ensure that Provincial Court judges and Crown prosecutors only appear in court to address the most important events such as contested bail hearings, contested motions, trials, preliminary hearings, and sentencing hearings. The program aims to delegate other court appearances of a more administrative nature such as uncontested remands or adjournments to paralegals, who would appear before justices who have the appropriate jurisdiction. The goal of this initiative is to free up time in the courts for additional cases and will ensure that all resources at our disposal are used efficiently.

In addition to these measures, the court case management program also aims to make the scheduling of trials more efficient. It also recognizes the need for more specialized courts in areas such as domestic violence and youth, much like the specialized drug court already established in our province, as a way to further streamline operations.

All of these initiatives accomplish what Bill 204 sets out to do by working to ensure that court time is used in the most efficient and effective way possible in order to ensure timely delivery of justice in Alberta. If we are already addressing potential inefficiencies, I fail to see what this legislation would do to enhance current efforts.

Another measure that has been undertaken is the Crown file ownership system. This system also aims to promote proper case management and the efficient use of Crown prosecutors' time by ensuring, wherever possible, that the responsibility for a given file is vested in only one prosecutor, who can see its progress through from start to finish. This will cut down on the amount of time each case takes to navigate through the system and to ensure that it will always be attached to a specific prosecutor, who is intimately familiar with the details of the case, thus speeding up the process.

Yet another measure undertaken by Alberta Justice is the justice innovation and modernization of services initiative, or JIMS as it's called. The goal of JIMS is to streamline the ministry's business process in order to expand its ability to provide new and innovative programs that are designed to improve access to justice in Alberta and ultimately strengthen our justice system. The multiphase initiative, which began in 2008, will eliminate wasted time by implementing new technologies that will allow the ministry to successfully address existing pressures.

Mr. Speaker, JIMS is yet another example of how Alberta Justice is working to address the issues brought forward by Bill 204. Currently we are in the JIMS readiness project phase of the initiative, which is committed to finding ways to improve the ministry's delivery of its core business. For example, in 2008 Alberta Justice began a detailed examination of its business processes, which provides the baseline information for harmonizing processes across the province. This examination also provides opportunities to optimize processes that are not effective and allows gaps in areas of overlap to be identified and corrected. In all, more than 600

opportunities for improvement were identified, and a strategy was subsequently developed that will direct all future JIMS activities.

#### 4:10

Mr. Speaker, JIMS and other initiatives that I have discussed clearly show that this government is committed to streamlining criminal justice processes and improving the overall justice system in our province. Alberta Justice has done an incredible job of identifying areas for improvement, from case management to trial scheduling to the need for new technologies. Moreover, the ministry's annual report, which is available to the public on the web, provides statistical information and performance indicators that allow us as Albertans to assess the overall functioning of Alberta's criminal justice system.

It's worth noting that in both the time to case disposition and the median elapsed time from first to last appearance indicators for provincial criminal court, Alberta is below the national average. In fact, in recent years no cases in Alberta have been dismissed because the lead time to trial was too long. Further, to the many initiatives currently under way, this government has added more judges, prosecutors, and courtroom staff in an effort to address pressures on the justice system.

Mr. Speaker, with all of the measures that have been implemented since the last provincial election, I fail to see how critics could suggest that we aren't doing enough to improve the performance of the system. I also fail to see the value in collecting some of the data this bill would require. Compiling many of these statistics would no doubt require additional resources, resources that could be better spent working towards implementing the changes prescribed by the JIMS initiative or the court case management program. Furthermore, there are a wide variety of factors that could contribute to the delay of a trial, and not all of these factors relate to the inefficiency in the court system. It would be difficult to extrapolate which delays were caused by these external factors, and as a result statistics relating to trial delays may not be representative of the actual situation within the system.

Put simply, Mr. Speaker, the Ministry of Justice and Attorney General along with Alberta Justice are already addressing many of the concerns raised by the hon. Member for Calgary-Fish Creek. They're working hard to improve court case management, to render trial scheduling more efficient, and to implement new technologies that will save both time and money.

I believe that the proposed legislation is unnecessary given the many initiatives currently under way and that it could also serve to undermine current efforts. Furthermore, our time could be much better spent working towards increasing timely access to justice for all Albertans. For these reasons I'll not be standing in support of Bill 204, and I urge my hon. colleagues in the Legislature to do the same.

With that, Mr. Speaker, I will conclude my comments and look forward to other members standing up and debating this issue.

**The Deputy Speaker:** Hon. Member for Edmonton-Gold Bar, do you wish to join the debate?

**Mr. MacDonald:** Yes, please, Mr. Speaker. I appreciate this opportunity to speak on the Justice System Monitoring Act, Bill 204, as presented by the hon. Member for Calgary-Fish Creek. Certainly, I was listening to the comments from hon. members. I know that a couple years ago we started our own statistics Alberta, which I believe was in the old employment and immigration ministry. I don't know whether it's in human resources or where it is these days, but I certainly will look.

The information that this act is suggesting we have, detailed

statistical reporting on a wide range of matters that affect the time it takes for a criminal matter to proceed through the court system, I think is noteworthy. It's certainly interesting. Whenever I looked at those statistics previously, I didn't see anything directly related to court times. Now, I may have missed it. I'm not suggesting it's not there, but I certainly did not see it. If it is not collected and not presented through – I don't want to say statistics Alberta because this government could get inflated ideas about that, so I will say the office of statistics instead.

Certainly, to collect accurate statistics to measure the performance of the criminal justice system, to disseminate the information, and require consideration in the Legislative Assembly is noteworthy. Bill 22, which is a government bill going through the Assembly at the moment, certainly is a rather large, comprehensive consolidation of a number of acts, and we are essentially in parts of it trying to measure at least the performance of the criminal justice system.

This act, as presented, would provide data on various factors that are likely to extend the time between an accused's first and last court appearances. Reporting generally results in improved performance on the matters reported upon. I certainly hope that is true. It is agreed by everyone on all sides of the House that court delays are a very, very important issue. According to the most recent Statistics Canada data – and it's up to four years old – Alberta has the second-highest mean elapsed time to complete a case in adult criminal court at 270 days. Quebec is the highest at 294 days. Now, the model for a program, in my view, to address court delays is Ontario's justice on target, or JOT, program, which requires the dedication of resources but does not require reporting at the level of detail that the hon. member is proposing.

Alberta Justice has a performance measure on this matter. If I had my way, Mr. Speaker, I think I would ban performance measures by any department in this government. I think they're a complete and utter waste of time and valuable resources. If it's a bad performance measure, it's usually taken out or it's changed so that it doesn't embarrass the government. These performance measures, of course, allow hon. members across the way to stand up and brag about how wonderful things are, but in reality those performance measures are created to suggest that things are wonderful. I would imagine that we'd save considerable money and free up a lot of resources within the civil service for more practical matters if this idea of performance measures was completely forgotten about. Of course, we all know the most important, famous performance measure that was not used was the one on royalty collection, and that, to say the least, is disappointing.

There certainly is a need for information or analysis, and it is generally agreed that justice should be administered in a timely manner. As the previous speakers have suggested, justice delayed is justice denied. So timely court proceedings are important from a range of perspectives: administration of justice, public safety, rights of the accused, rights of victims, and efficiency.

Now, Mr. Speaker, when we look at some of the significant delays in Alberta – Alberta's crime rate is higher than the national average, so the criminal court system certainly deserves attention. As I said earlier, Alberta has the second-highest mean elapsed time from first to last court appearance, a factor considered significant by the Supreme Court in the past. Several recent cases in provincial court have resulted in stays as a consequence of delay. Statistical data allows for analysis of the system.

4:20

In the time that I have, I don't think we're going to go through this sectional analysis in detail, Mr. Speaker, but I would like to

certainly encourage all hon. members of this Assembly to consider this legislation. I think it would be an improvement, and I would like to thank the hon. Member for Calgary-Fish Creek for bringing this forward.

Thank you very much.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you very much, Mr. Speaker. It is indeed a pleasure to rise today and join my colleagues in second reading debate of Bill 204.

**The Deputy Speaker:** Hon. member, have you have spoken on this bill?

**Mrs. Sarich:** No, I have not, Mr. Speaker.

**The Deputy Speaker:** According to our record here you have spoken.

**Mrs. Sarich:** I have? I'm sorry, Mr. Speaker. [interjections] So am I to proceed?

**The Deputy Speaker:** No. Please, we only speak once.

**Mrs. Sarich:** Okay. Thank you for that clarification. My mistake.

**The Deputy Speaker:** I shall now recognize the hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. It is a pleasure to join the debate on Bill 204, the Justice System Monitoring Act. I would first like to thank the hon. Member for Calgary-Fish Creek for bringing forth this legislation.

As has already been discussed, this bill proposes that the Minister of Justice and Attorney General prepare a statistical report on the justice system at the end of each calendar year. This report would have to include eight metrics that describe certain data about our justice system. These metrics would include the length of time from the laying of a charge until the final judicial determination of a matter and the approximate cost of delays in the commencement of trials, among others. While collecting detailed statistics about the justice system may help us improve the efficiency of trials, I think that we should further consult lawyers, judges, and other professionals, both inside and outside of the department, before we can make an adequate decision about the collection of statistics in our justice system.

Mr. Speaker, as we all know, our justice system is based on the principles of fairness and objectivity. We go to considerable lengths to ensure that these principles are upheld. Before we make changes to our justice system, it is imperative that we ensure that the principles of fairness and objectivity are not being compromised. There are rules as to how trials work, an exact process which they must follow. Lawyers in the department know these details, and we should consult with them on this legislation in order to carefully select which statistics ought to be tracked and published. Judges and other legal professionals throughout our province also know these details, and they would also be able to provide some insight to help us understand what data is important.

While collecting all of this data about the system may seem like a great idea, we have to be worried about any unintended consequences that this legislation may have. Legal professionals will best be able to inform us of all these unintended consequences. My point here, Mr. Speaker, is not that it's a bad idea to keep track of and publish certain statistics. My point is that

the judges and lawyers who know the justice system inside out should be consulted before we decide to pass legislation that compels the Ministry of Justice to produce an annual report with detailed statistics.

Of course, this is not to say that we should not keep track of any statistics in our system. Indeed, there are certain statistics that are published in the Ministry of Justice annual report which track the performance of the system in certain ways, such as the median number of days it takes to process a case in court from the first to the last appearance. Additionally, many indicators about the justice system in various provinces across the country are already collected by the Canadian Centre for Justice Statistics and the University of Regina.

Before we go ahead and publish the metrics that are required by Bill 204, we need to be especially careful about the consequences of publishing such data. While I understand the desire to increase the efficiency of the system, I believe that the publication of certain statistics could have undesirable consequences if we do not carefully select which statistics ought to be tracked and published. The best way we can select the relevant statistics is to work closely with the lawyers, judges, and other staff who know more about trials than we do and who know more about which statistics could potentially be problematic.

Mr. Speaker, I'm also concerned that some of the statistics that Bill 204 would force the Minister of Justice to track and publish are overly vague. For example, the bill proposes that the report would have to include statistics on the approximate cost of delays in the commencement of trials, including costs of the peace officers and prosecutorial staff and approximate costs to witnesses, victims, and jurors. I'm not doubting that these statistics would provide valuable and insightful information if available. However, I'm rather skeptical about the feasibility of collecting objective data on the cost of delays to witnesses, victims, and jurors. It seems to me that it would be rather difficult to estimate the tangible cost of delays to witnesses, victims, and jurors.

Theoretically, Mr. Speaker, to estimate the cost of such delays, we would need to know the salaries or wages of the jurors in order to calculate the opportunity cost of serving as a juror. We would also need to put a price on the cost of delays to victims, which cannot be adequately done because the cost of such delays are hard to define and measure.

Of course, the legislation asks for approximate costs for these parties, but since there's no set methodology to calculate such costs, I think that the value of such statistics would end up varying greatly depending on the methodology used, thereby rendering such statistics extraneous. Further, the legislation asks for the precise cost of delays as it relates to prosecutorial staff and peace officers, which would be time consuming to calculate, thereby increasing bureaucracy in the Justice department. So I think that this legislation is overreaching in terms of terms of the statistics it requires to be tracked and published, especially since some of these costs are not tangible. It is, of course, of the utmost importance that the trials are completed in an efficient manner as victims of crime shouldn't have their suffering prolonged by unnecessary delays in trials. Further, unnecessary delays mean that the criminals aren't brought to justice in a timely manner.

4:30

So while I thank the hon. member for bringing forth this legislation, which seeks to increase the efficiency of our justice system, I think we ought to tread carefully before we publish and track some of these statistics. There may be some unintended consequences of including some of the statistics in the report that

this legislation requires to be published, and these consequences could ultimately serve to decrease the efficiency of the justice system. Prosecutors, judges, and other stakeholders ought to be consulted before we can responsibly track and publish the statistics Bill 204 requires.

For these reasons, I will not be supporting this bill, and I encourage all other Members of this Legislative Assembly to do the same. Thank you, Mr. Speaker.

**The Deputy Speaker:** Any other hon. member wish to speak? The hon. Member for Strathmore-Brooks.

**Mr. Doerksen:** Yes. Thank you, Mr. Speaker. It's my pleasure to rise today and discuss Bill 204, the Justice System Monitoring Act, which is being brought forward by the hon. Member for Calgary-Fish Creek. The objective of this bill is to track and present various measures of efficiency in relation to the criminal justice system on an annual basis. The proposed legislation's goal is to increase access to and enhance public confidence in the administration of justice.

We can all agree that timely prosecution contributes to fair and effective processing of criminal matters. This helps foster public confidence in the integrity and effectiveness of the criminal justice system. Public confidence can sometimes be gained by publishing statistical figures, so I do understand the desire to develop a more robust monitoring system, but we need to examine if these stats will inspire public confidence, whether Albertans will believe the system is indeed fair and will deliver for our law-abiding citizens.

Mr. Speaker, it is important to recognize that the Ministry of Justice already keeps track of many of these statistics. However, not every statistic can be monitored due to factors outside the sphere of influence of the Minister of Justice. These factors include the complexity of crimes, changes to laws, procedure changes by legislation, involvement and availability of witnesses, unrepresented mentally ill accused persons as well as defence of appeals and retrials. Nonetheless, with the implementation of the resolution options policy framework we are working on mitigating these factors.

Again, I'd like to state that statistics are important, but we need to remember that our primary goal is to improve the fairness and effectiveness of our justice system. The Court of Queen's Bench, the Provincial Court, and Alberta Justice are all working together to improve the processes available to meet the needs of those who come before the courts.

Mr. Speaker, there are obvious concerns that arise when I think about what this proposed legislation would mean for Alberta; for example, additional resources needed to compile what would be required by Bill 204. I'm also concerned that this extensive data retrieval could be a costly and time-consuming procedure. So we need to ask ourselves: who would have an interest in collecting this information, and how will it help achieve our current goals and initiatives in the criminal court system?

Mr. Speaker, our government is doing all it can to create a more efficient criminal justice system. The ministry is trying to implement the resolution options policy framework in order to increase access to justice and to improve confidence in the administration of justice. All efforts are being made to work collaboratively with other divisions within the ministry: the judiciary, court field operations, the Bar, the rules committees, justice sector partners, other ministries, and other jurisdictions.

We've put measures in place to ensure that justice is administered in a sequential, orderly, and technology-intensive series of well-defined processes. For example, the JIMS initiative will improve the efficiency with which the ministry delivers

justice services and will introduce new technical systems to automate processes and support the work of the ministry. Furthermore, it focuses on eliminating wasted time and implementing modern technical systems that will improve efficiency and address new opportunities.

Mr. Speaker, I believe that when the objectives of our current initiatives are obtained, the end result will be exactly what the hon. Member for Calgary-Fish Creek is trying to achieve by the introduction of this proposed legislation, that being a more effective and efficient criminal justice court system. The only difference is the process and how we get there.

Mr. Speaker, I recognize the hon. Member for Calgary-Fish Creek's intentions with this bill. However, I do not see a need for this legislation due to the fact that Alberta is already making sufficient progress in managing our criminal court system. Bill 204, in my opinion, is therefore unnecessary, and it will only serve to impede the progress we have been making to this point. Furthermore, this bill would mean taking away elements from our already constrained resources that could be wisely invested in projects where they are really needed.

For these reasons, Mr. Speaker, I do not support Bill 204, and I urge other members to give it similar consideration. Thank you.

**The Deputy Speaker:** Any other hon. members wish to speak on the bill? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Yes. Thank you very much, Mr. Speaker. My comment . . .

**The Deputy Speaker:** Hon. member, you already spoke before.

**Mr. Chase:** Yes. I realize. I'm speaking to the process, not to the bill.

**The Deputy Speaker:** You already spoke before, according to the record.

**Mr. Chase:** Yes. Well, the reason for my standing is not to debate the bill. When the question is called, I would like to have the bell recess reduced to a minute rather than 10.

**The Deputy Speaker:** So you have a motion for the division bell if it occurs. We need unanimous consent for that motion.

[Unanimous consent denied]

**Mr. Chase:** That's unfortunate.

**The Deputy Speaker:** We will carry on with the bill. We have five minutes for closing. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Mr. Speaker, thank you very much. I have had I guess what I'm going to say is fun listening to some of the debate that I've heard from the members opposite. I guess what I would like to do, first of all, is thank my colleagues for taking the time to consider and debate Bill 204. I think what's been interesting is that members are not obliged to speak to a bill, and I appreciate those who have stood up and spoken. I appreciate their efforts.

Mr. Speaker, victims of crime and their journey for justice have been a passion of mine, and we've heard that on the floor. I've long advocated for those who are abused and, everyone knows, especially children. I've seen delays in the court system and the emotional turmoil it causes. Absolutely it breaks my heart, and I'm sure it breaks many people's hearts.

Mr. Speaker, I want to tell you that I worked hard on the safe communities task force, and I have to tell you that I was and I still am proud to have presented it to the Alberta government and, more importantly – and this is important – to the people of Alberta. My pride in the safe communities task force work is matched only by my disappointment that I have in the government. I've listened patiently to the speakers, and the message from the government seems to be: don't pass this bill; trust us instead. I have to tell you that that trust has been broken.

4:40

The safe communities report urged immediate action to make Alberta safer, yet years later, just like those in the court system and in the health care system, we're waiting for the government to finish a job that they had promised they would take care of and that they would do. The report recommended streamlining the justice process and tracking key indicators. We've seen neither from this government.

There is no better time to pass Bill 204. The Premier had the opportunity to make these proposed changes when she was Justice minister. Throughout her leadership campaign she told Albertans how important the program was. Now it's time for the Premier to take care of her unfinished business. Her time, quite frankly, is up.

The government claims they're making good progress on the justice system. Just a few days ago the Minister of Transportation said that court cases were taking up to five years to be settled. I urge them to be honest with the people of Alberta. Where are the bottlenecks? Why is it taking so long? Why the secrecy? This seems like the way this government operates on health care and education and other important files. Decisions get made behind closed doors, and the people of Alberta never seem to get the truth.

The Minister of Justice has offered some reasons why this bill just can't work. The reasons were not nearly good enough, Mr. Speaker. He stated that it's too onerous to file a report once a year and then have to respond to the legislative committee follow-up to that report as well. An annual report is not a lot to ask for an important issue.

The thing about annual reports is that the first one can sometimes take quite a bit of work, but updating it the following years gets pretty easy. I think the House should be somewhat offended that the minister thinks it's not worth the time to respond once a year to questions that the committee might have on these different subjects.

He also stated that the department is already developing a robust internal tracking system. Well, you know what? That's great. It should make updating these measures in Bill 204 that much easier. If his tracking system isn't tracking these same measures, then I wonder just exactly what he's tracking. Internal systems are important, but Albertans deserve to know some of the highlights, and only a bill like this would make sure that that happens. The thing about internal reports is that the government shares only the good news with the public.

In closing, Mr. Speaker, this bill doesn't ask a lot from the government. It brings into law what they've already promised they would do anyhow. But they've had their time to get it done, and now they need the full force of the law to make sure that it gets finished. Albertans can't wait any longer. Every wasted day is a tragedy. It's time for this Premier and this minister and this government to stand up and keep the promises that they've already made.

Thank you.

**The Deputy Speaker:** The hon. member who sponsored the bill has closed the debate. The chair shall now call the question.

[The voice vote indicated that the motion for second reading lost]

[Several members rose calling for a division. The division bell was rung at 4:44 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Forsyth	MacDonald
Boutilier	Hehr	Taylor
Chase	Hinman	

Against the motion:

Allred	Griffiths	Lindsay
Amery	Hancock	Marz
Benito	Hayden	Pastoor
Brown	Horne	Prins
Campbell	Jablonski	Sarich
Danyluk	Klimchuk	Tarchuk
Denis	Knight	Vandermeer
Drysdale	Leskiw	Xiao
Fawcett		

Totals:	For – 8	Against – 25
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[Motion for second reading of Bill 204 lost]

### Bill 205 Municipal Government (Delayed Construction) Amendment Act, 2011

**The Deputy Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I hereby move second reading of Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011.

We have very few minutes to talk about this today, and I hope that I'll be able to begin debate today and that we'll see this continue next Monday, when we can delve deeper into this bill. I'll quickly thank the hon. members of this Assembly from all parties for the interest they've shown in this bill, for their feedback, their questions, and their comments so far. Thank you for the opportunity to debate this bill in second reading, and thank you in advance for what I anticipate will be your participation in a week's time.

[The Speaker in the chair]

This is a simple and straightforward bill that seeks to serve Albertans and the best interests of the communities in which we all live by identifying a problem and providing a solution. The bill seeks to amend the Municipal Government Act to allow municipalities to better regulate construction within their own boundaries and to ensure that projects are not significantly stalled, suspended, or delayed for unreasonable lengths of time. This legislation will give municipalities clear authority to intervene when construction sites become significantly stalled, suspended, or delayed. In these cases, municipalities should hold the authority to require the owner of a delayed project to improve the appearance of a site within a specified time frame.

This bill comes as a response to a number of stalled, suspended, and delayed developments throughout the province, and it is my hope that this bill will allow municipalities to avoid similar

situations in the future. Delayed sites hamper the vitality of a community and make the community less desirable for businesses, residents, and as a destination for visitors. This bill, if approved, would allow municipalities to protect the economic and societal interests of communities existing near to such construction sites. Specific examples of past stalled development sites which have significantly hampered the vitality and growth of their surrounding communities would include the Atrium Building in downtown Lethbridge and the Mission pit in downtown Calgary.

Mr. Speaker, one can make the argument that the Municipal Government Act already provides municipalities with the authority that they need, and I'm sure some from the Ministry of Municipal Affairs would like to make that argument, but I would point out that the genesis for this bill was a request by the city to myself to make a change because they felt they did not have . . .

**The Speaker:** I hate to interrupt the hon. Member for Calgary-Currie, but the time limit for consideration of this item has now expired for today.

### 5:00 Motions Other than Government Motions

**The Speaker:** The hon. Member for St. Albert.

#### Adverse Possession

507. Mr. Allred moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation abolishing the common-law doctrine of adverse possession in Alberta and all statutory references to adverse possession in Alberta legislation.

**Mr. Allred:** Thank you, Mr. Speaker. I am pleased to rise in the Assembly today to introduce private member's Motion 507. The first thing I should do is make it clear to all members exactly what adverse possession is. Adverse possession is commonly known as squatter rights. To give you a very current example, the Occupy Edmonton group was squatting on private lands in downtown Edmonton until I believe last week, when they got evicted. If they had continued to squat on those lands continuously for 10 years, they would have had the right to go to court and claim those lands as their own. Now, we know that that occupation has now been discontinued and would never have lasted for a 10-year period, but that is what adverse possession is all about.

I recall from the 1970s a situation in the west end. Adjacent to an office where I worked there was an old fellow that lived in a shack at the rear of an industrial property who, I can only assume, was squatting. I know he was there for at least five years, but I don't know if his possession ever resulted in an adverse claim.

A more common example, an example that happens on an occasional basis, is where a landowner, either urban or rural, places their fence on a neighbour's property, likely with no ill intent. After a period of 10 years they have the right to claim that land as their own. I will speak to an example of this in a moment.

Adverse possession is part of the law of limitations, the law that places limits on when you can commence an action in court. How did this situation come into play in Alberta? Well, Mr. Speaker, a little history is in order.

Adverse possession is part of the common law in England. In 1870, when Canada purchased Rupert's Land to create the North-West Territories, the Dominion of Canada adopted the laws of England as they existed in 1870. I'm going to paraphrase a section of that law: insofar as any such act is, for any reason, inapplicable to the territories and insofar as the same are applicable to the

territories and have not been or may not hereafter be affected by any act of any law of the Parliament of Canada.

In my opinion, the foregoing exceptions stated in the 1886 North-West Territories Act amendment should have barred adverse possession from being introduced in the territories and eventually Alberta. The land tenure system is clearly different in the United Kingdom than in the North-West Territories and always has been.

English real property law is based on a system of settlement before survey, where lands occupied during the enclosure movement were defined by fences, hedges, stone walls, and ditches. This is known as a general boundary system. Ownership was based on possession rather than on grant.

In western Canada, on the other hand, the Dominion Lands Act set out a system of boundary surveys whereby the land was laid out in sections and townships prior to land grants being given out for settlement by the Crown to homesteaders based on an accurate description relative to fixed boundaries.

The system of land ownership was also vastly different. In the U.K. land ownership was based on a deed system, where an owner had to prove his ownership based on the deeds of his predecessors and title, whereas under our Torrens system a title was issued and guaranteed by the government.

Unfortunately, when the early court cases were argued in Alberta in 1911, the arguments put forward were only whether limitations law, upon which adverse possession is based, could coexist with a Torrens system of guaranteed title. The court decision was based on a case from British Honduras which had gone to the Privy Council and was decided in favour of adverse possession being allowed in Alberta despite our adoption of the Torrens system of guaranteed title.

The issue of our land tenure system being vastly different from that of the U.K. was not argued. If this issue had been argued, I would expect that the 1911 court decision may have been different, but that was not the case, and the precedent was set.

Over the years our legislation has been amended, firstly in 1921 to allow a court order upholding an adverse claim to be registered in the land titles office and directing the registrar to cancel the title of a registered owner and issue title to the adverse possessor. Subsequent to a 1948 decision of the courts whereby a landowner was unsuccessful in making an adverse claim and lost possession of buildings which had been built by mistake on a neighbour's land, an amendment was passed which allowed a person who had built on the wrong property through mistake of title to claim the lands occupied subject to payment of compensation as determined by the courts. This, Mr. Speaker, in my opinion, is a very practical remedy to some of the most common encroachment claims and has served Albertans well over the past 60 years. There is no intention in my motion to modify this procedure.

In 1960 there was a case in Calgary where an adjacent landowner had used some city-owned lots for a garden for the required period of 10 years and was successful in obtaining title to the lands through an adverse claim. The law was subsequently amended to prohibit adverse possession against lands owned by a municipality. Similarly, in 1993 there were two cases against lands owned by irrigation districts. These cases resulted in an amendment to the Irrigation Districts Act which barred adverse possession against an irrigation district.

It is clear, Mr. Speaker, that the Legislature has been responsive to remedies that create equity in our system of real property law. However, the Legislature in the 1980s appears to have overlooked the clear direction of the court in the leading Alberta Court of Appeal case of *Lutz versus Kawa*. This was a case of a fenceline dispute in the city of Edmonton where a neighbour had claimed a

wedge of land tapering from an inch at the front of the lot to 16 inches at the rear. Justice Laycraft made it very clear that where the law was unfair and created hardship and disputes between neighbours, it was only in the power of the court to uphold the law, and it was up to the Legislature to take whatever action is necessary to enact the remedies. I quote from that decision.

This case is one of special importance far beyond the value of the strip of land in dispute. A decision in favour of the plaintiff would seriously cloud the security of boundaries assumed to be inviolable under registered plans of survey or descriptions under the Torrens system. We can all take cognizance of the fact that there are countless instances in this province where fences have been erected, by eye on what was intended to be the true boundary line between adjoining properties without the assistance of a qualified surveyor, as there are also countless instances where there are no fences at all to mark the boundaries of large cultivated areas. Deviation from the true line in such cases, as in the case at bar, is almost inevitable . . . Such a result was never contemplated by statutes of limitations.

The remedy, if one is thought necessary, must also come from the Legislature.

Justice Laycraft was very much to the point in his decision. This decision may have been one of the reasons that led to the Institute of Law Research and Reform conducting a comprehensive review of limitations law in Alberta. In their 1996 Report No. 4 the institute did a very detailed analysis of the application of adverse possession in Alberta under four heads. They completely debunked the four objectives of adverse possession and thus the need to retain the doctrine in our system of land ownership in Alberta.

Report No. 4 led to considerable discussion in Alberta and across Canada about limitations and the need to standardize limitation periods across jurisdictions. There is little doubt that this led to the introduction of private member's Bill 205 by Denis Herard, MLA, in 1996, which followed the recommendations of the institute regarding limitation periods. The bill was passed and subsequently proclaimed in 1999. For one reason or another Bill 205 was silent on the issue of adverse possession, and it was assumed by many that Bill 205 did away with adverse possession in Alberta. A provision in the Land Titles Act, however, was not amended or struck out, so the issue was somewhat unclear.

This led to a further study and report No. 89 of the Alberta Law Reform Institute, the same body but a new name. This report was presumably intended to clarify the law of adverse possession in Alberta, and it recommended several amendments to clarify the same. The 2002 report did not, however, address the very clear recommendations of the 1996 report. In 2007 Bill 17 was passed, clarifying the issue of adverse possession, amending the Limitations Act, making it clear that adverse possession was still part of Alberta law.

I am now of the opinion that government needs to have a close look at the concept of adverse possession, as I have done, and abolish the doctrine once and for all. Alberta is the only province in Canada that accepts adverse possession within a guaranteed Torrens system of land registration. British Columbia, Saskatchewan, and Manitoba have legislated against adverse possession. Ontario only allows adverse possession under their registry of deeds system but not on lands once they have been brought under the Land Titles Act. Nova Scotia introduced a land titles act in 2001. Pursuant to the Nova Scotia act adverse possession will only be acknowledged for a period of 12 years from the time land is brought under the act and subsequently will be barred.

It is also worthy of note that the United Kingdom has recently adopted a land registration system . . . [Mr. Allred's speaking time expired]

**The Speaker:** I'm sorry, sir.

The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. I'm speaking in favour of the hon. Member for St. Albert's motion, which is a direction to the House to take a particular look at Alberta's laws and take it, I would suggest – I don't want to put words in the hon. Member for St. Albert's mouth – from sort of an archaic ruling on the books to a more modern realization.

5:10

I do have difficulty, though, with the example the hon. member gave in terms of adverse possession. He talked about either of the Occupy movements, whether it be in Edmonton or in Calgary, because part of adverse possession is the intent to occupy an area for 10 years. While I have difficulty with the idea of what would be considered squatting or a legal assembly, we still have a series of inalienable rights such as the right of assembly, the right of free speech, so when that sort of example is being used, I have a little bit of trouble with it.

If we go back to the origins of democracy and we go to Athens, would Plato and Socrates, when they travelled about ancient Athens and stopped with their students at a particular spot to do a lesson, have been subject to adverse possession? Of course not because they were only there for a little while, while either of the two wise men provided their explanations.

Now, if we take adverse possession and put it into an historical aspect – and we're talking about British law – I think a rather interesting argument could be made about the illegal possession of Red River land, that Louis Riel, who was an elected parliamentary representative, then found himself having to flee to the States. Now, Mr. Speaker and all members of this House, I do not believe in violence as a way of either taking property or solving property disputes, and I do not believe that the massacre that occurred at Frog Lake was a justifiable activity, nor do I believe that the temporary possession by the hostage-taker of the WCB was a legitimate act.

But it would be interesting, in looking at history and given the First Nations and the intermarriages of French-Canadians and the formation of the Métis, which now in Alberta have legitimate claim to a number of settlements in Alberta law, whether if we looked at the adverse possession aspects of it, what led to the Red River Rebellion was – we didn't have a Canada nation at that time; we were still a British colony – that we had surveyors coming out from eastern Canada without any rights staking out land areas, surveying in areas, as I say, that had been traditional hunting grounds and trading grounds for First Nations for hundreds, thousands of years. Now, in our desire to open up the west for settlement, I could see this very much as an adverse possession or an attempt to take over land in a very illegitimate fashion.

I think it's important that we remember these historical examples. At a recent remembrance at the museum of the regiments in Calgary I confronted Member of Parliament Jason Kenney for celebrating the achievements of the British soldiers that in no uncertain terms dispatched Louis Riel and his followers with Gatling guns and heavy cannons and so on at the famous Battle of Batoche. And I said that by celebrating the British army members who took part in the settling of what was considered a rebellious act, you're ignoring the contributions of the First Nations, the Métis, and the French Canadians who had occupied this land for years. So it isn't that simple. I don't believe in rewriting history, but when we're talking about adverse possession and legitimacy, then we have to take these things into account. An

example of adverse possession was the demolition of Africa town in Halifax, Nova Scotia. We have to be careful how we lay out what we consider to be right.

Mr. Speaker, an example of one of the biggest instigators that brought the North West Mounted Police as opposed to the British army out to Alberta and provided support for First Nations, for Métis, for all races was Métis Jerry Potts, whose father was a Montana trader and whose mother was Blackfoot. The reason for bringing the Mounties out was the Cypress Hills massacre, where a group of American whisky traders cornered a group of First Nations and massacred them.

The other reason for the Mounties coming out, of course, was to establish what was, in fact, our possession north of the 49th parallel. We were very concerned about competition with the States and the potential loss of Rupert's Land and British Columbia, which had been explored and competed for by American and British and French explorers. So when the North West Mounted Police came out to establish our possession, they did things in as legitimate a manner as they could. We had, as a result, Treaty 6 in northern Alberta, Treaty 7 in southern Alberta.

Unfortunately, at the time there were First Nations like the Lubicon who were not signatories to these treaties: therefore the argument of adverse possession. We have seen companies – various oil and gas-extracting and drilling companies – going into what is considered traditionally claimed Lubicon land. So are the drillers adverse possessors of land that has been inhabited by the Lubicon or the Chipewyan in the Fort Chip area? What I am saying is that while adverse possession is now more clear – and I understand why the Member for St. Albert wants to bring that clarity forward – the question of right and wrong and whose land was illegally possessed or trespassed upon is still the subject of not only historical novels but also of court proceedings.

To summarize, Mr. Speaker, historically the law has not been a black and white circumstance. It's still the subject of much debate, and I'm pleased that we have a Supreme Court that attempts to sort things out when they can't be resolved locally. But on the record the occupying movement was . . .

**The Speaker:** Thank you.

The hon. Minister of Transportation.

5:20

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I want to thank hon. members on both sides for definitely giving me a little bit of a history lesson. I want to say that I'm pleased to join the discussion on Motion 507, and I want to thank the hon. member for bringing this motion forward. My position on this is very simple. This is about a law that is outdated. You know, as members of this Assembly it's important that we continually look at ways to improve and update our provincial laws, and I urge that you support this motion. I would also like to thank the Member for St. Albert for, really, his excellent description of what this law means to individuals.

Adverse possession is a doctrine that permits the transfer of landownership from the legal owner – and I say the legal owner – for the possession of land after a specified period of time. Mr. Speaker, you heard previously where this originated and what the purpose of the law was. The purpose was very legitimate because before you had any ability to have the surveying done, it did serve a purpose for individuals who, you know, had entered some land and done some improvements to land that possibly was not utilized or possessed by anybody. But I believe that this needs to be eliminated because I would say that our lands right now are very much surveyed and well documented as far as ownership is



concerned. British Columbia, Saskatchewan, and Manitoba have made it very clear and have taken the steps to go forward, and I would say that we need to follow.

Mr. Speaker, that's all that I have to say. Well, I'm sorry. Maybe I could say a little more just for you because you gave that indication. Anyway, it does concern me that once on the land for 10 or 12 years, a landowner has only 65 days to appeal that ownership or that possession or that squatting. That isn't fair. Also, when we look at it, the legitimate landowner has to give the squatter two years to be able to take him off that land.

You know, I say to you with great regret that those are my points. I would say to you that we need to support this hon. member and also the presentation by the member opposite, that we need to update this law.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Mill Woods.

**Mr. Elniski:** Well, thank you very much, Mr. Speaker. I'm very pleased today to rise and speak to Motion 507 brought forward by my good friend the hon. Member for St. Albert. I want to thank him, first of all, for his work with this motion. As an Alberta land surveyor and a Canadian land surveyor he knows more about this particular issue than any other person I know. I know he speaks not only with authority, but he certainly speaks with a commitment and some compassion for what would be largely regarded as being fair for everyone else.

This motion, Mr. Speaker, encourages the government to end the policy of adverse possession, otherwise known as squatters' rights. For those who may be unfamiliar with squatters' rights, it's a possession of land without legal title for a period of time that is deemed sufficient to become the legal owner. It's a very nice concept, but it does present with it some problems. The basic principle of adverse possession is that an individual who operates a piece of land for a continuous length of time without complaints from the landowners should be able to claim that land after enough time has passed. This practice is grounded in the tradition of English common law and has existed in our province for nearly a century.

Adverse possession can be seen as a legitimate means of acquiring property in medieval England primarily because at the time property boundaries were marked with such landmarks as hedges, stone walls, and large trees. Naturally, such a system caused many, many disputes and land claims. Many of these disputes lasted for generations as land was passed down amongst families. The idea of adverse possession was proposed in order to ensure that an individual or family would not have property boundaries unexpectedly redrawn.

As is the case of most laws, Mr. Speaker, adverse possession is a remnant of an age and a place where such a policy was necessary in order to keep a degree of order. Clearly, the technology we have in place today allows us to much better track land titles. Nowadays we have advanced survey systems in Alberta which ensure that we are able to accurately define and record land boundaries. Under the system, which is based upon the Torrens land registration system, the government is responsible for ensuring the accuracy of land titles. If there is a dispute between two landowners due to a mistake in the land titles registry, the government must provide compensation for damages that resulted from that mistake.

Yet despite this, the policy of adverse possession continues to exist. It is indeed unfortunate that in the original adverse

possession laws in Alberta an argument was not made that the laws of England that were adopted in 1870 did not make sense in Alberta given the adoption of the Torrens system of land registration. Instead, the decision that adverse possession could coexist with a registry system was made based on the precedent set by the Privy Council decision in a case in British Honduras in the late 19th century.

Mr. Speaker, those of you who have had the privilege to travel to British Honduras, or Belize as it is known now, will understand that, certainly, the country and its history are far different from our own. It's always interesting to go back in these early cases to try to understand how we rationalize our current laws. Even in 1913 it was unlikely that a case in British Honduras, or Belize, could be relevant compared to the western Canadian context in terms of land tenure. Today, in 2011, this reasoning is even more irrelevant.

It is now up to this Assembly to rectify these laws of the past and establish laws that are reasonable for the future. This legislation has already modified the application of adverse possession in certain practical Alberta situations, and it is time that we abolish the doctrine altogether. It has been determined that abolishing adverse possession would not be administratively costly, which, of course, is an important consideration. I cannot see any reason why this doctrine needs to continue to operate in Alberta.

Mr. Speaker, I would yet again like to thank the hon. Member for Edmonton-St. Albert . . .

**An Hon. Member:** It's all in Calder.

**Mr. Elniski:** . . . for St. Albert for bringing this forward.

Yes. Thank you, hon. member. I was just briefly confused there because I thought we had actually annexed, but I understand we never quite got that off the table.

I believe the decision we have here today has been productive, and I hope that my comments about the nature of adverse possession will add to the debate. I will be supporting this motion and urge my fellow colleagues to do the same. In the meantime I look forward to hearing more input from my hon. colleagues.

Thank you, Mr. Speaker.

**The Speaker:** We'll proceed with the recognition of two additional members, but first of all, I'd like to advise the House that I've received a note from one member, the hon. Member for Calgary-Nose Hill, advising of his absence because of a potential conflict of interest, which is the appropriate way of dealing with this matter.

The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Mill Woods.

**Mr. Marz:** Thank you, Mr. Speaker, for this opportunity to speak to Motion 507 and to comment on adverse possession as it applies in Alberta. I'd like to thank the hon. Member for St. Albert for his excellent summary at the beginning of this debate of this legal doctrine and how it came to be part of our provincial laws.

It's certainly interesting to note that adverse possession still exists in Alberta after all these years. Part of the reason for this is that when issues concerning this doctrine have arisen, the Legislature has amended Alberta's laws in order to limit the scope of adverse possession. In doing so, the Legislature has established some very practical laws that benefit Albertans today. For example, in the Boyczuk versus Perry case, in which a landowner lost ownership of buildings he had mistakenly built on his neighbour's land, the Legislature passed the lasting improvements on land by mistake of title legislation

Now found in section 69 of the Law of Property Act, this law reads:

69(1) When a person at any time has made lasting improvements on land under the belief that the land was the person's own, the person or the person's assigns

- (a) are entitled to a lien on the land to the extent of the amount by which the value of the land is enhanced by the improvements, or
- (b) are entitled to or may be required to retain the land if the Court is of the opinion or requires that this should be done having regard to what is just under all circumstances of the case.

(2) The person entitled or required to retain the land shall pay any compensation that the Court may direct.

Mr. Speaker, this new legislation has eliminated the need to argue for adverse possession in many recent cases. This legislation has been adopted in several other Canadian jurisdictions.

5:30

In 1965 the city of Calgary lost several lots through adverse claims. The Legislative Assembly subsequently amended the Municipal Government Act to bar adverse claims against municipal lands. Section 609 of the Municipal Government Act now reads: "No person can acquire an estate or interest in land owned by a municipality by adverse or unauthorized possession, occupation, enjoyment or use of the land." I see no reason why individuals can't enjoy the same privileges that municipalities can, and under this act they can't. Similarly, two adverse possession claims against irrigation district lands in 1993 led to the following prohibition in the Irrigation Districts Act, section 182: "No person may acquire an estate or interest in land owned by a district by adverse or unauthorized possession, occupation, enjoyment or use of the land."

[The Deputy Speaker in the chair]

Mr. Speaker, it's clear that the doctrine of adverse possession has caused a number of problematic situations. While the Alberta Legislature justly amended provincial laws in order to prevent these situations from occurring, the doctrine of adverse possession remains in place today. I believe the Legislative Assembly did the right thing in amending these pieces of legislation.

In the leading case of Lutz versus Kawa in 1980, a dispute over a fence located 15 inches over the property line into a neighbour's yard, Court of Appeal Justice Laycraft commented:

A decision in favour of the plaintiff would seriously cloud the security of boundaries assumed to be inviolable under registered plans of survey or descriptions under the Torrens system.

He added:

There are countless instances in this province where fences have been erected, by eye on what was intended to be the true boundary line between adjoining properties without the assistance of a qualified surveyor, as there are also countless instances where there are no fences at all to mark the boundaries of large cultivated areas. Deviation from the true line in such cases, as in the case at bar, is almost inevitable.

Finally, he noted that the justice system is only responsible to interpret the laws, and if a law is deemed problematic, the remedy must come from the Legislature. Mr. Speaker, one can interpret this statement as a pretty strong indication from a respected Justice that adverse possession is no longer a viable remedy for neighbourly fence-line disputes and that it is the responsibility of the Legislature to rectify this recurring situation.

Similarly, in a 1996 report the Alberta Institute of Law Research and Reform argued that there was no need for adverse possession in Alberta. In their analysis they describe many of the

arguments that are often made in favour of adverse possession and explained why those reasons are no longer valid today. First, the report pointed out that the doctrine of adverse possession does in fact promote the productive use of land but that since most of the productive land in Alberta is now being put to use, this doctrine is no longer required to achieve this objective.

Next, the report tells us that adverse possession may help to satisfy the expectations of land purchasers, who frequently identify the boundaries of the land they wish to purchase based on physical markers such as fences. However, it argues that this reasoning alone is not sufficient to justify extinguishing land ownership due to adverse claims.

Finally, the report states that adverse possession can help to prevent unjust enrichment because if someone unknowingly builds on his neighbour's land, he has the ability to claim adverse possession and keep his buildings. However, as I spoke about earlier, section 69 of the Law of Property Act protects landowners from losing lasting improvements which have been mistakenly built over the boundaries of their land.

Mr. Speaker, the Alberta Institute of Law Research and Reform offers a number of reasons why the doctrine we are discussing today is no longer necessary or applicable in our province. As such, I'll be supporting this Motion 507 and urge all my colleagues in this House to do so.

Thank you.

**The Deputy Speaker:** Hon. Member for Edmonton-Mill Woods, do you wish to speak on the motion?

**Mr. Benito:** Thank you, Mr. Speaker. It is my pleasure to rise today to speak to Motion 507, which seeks to abolish the doctrine of adverse possession in Alberta. I would also like to thank the hon. member for putting forth this motion. His commitment to improving our land tenure system is truly commendable. I quite enjoyed his diligent description of adverse possession and how it applies in Alberta.

Mr. Speaker, today I would like to speak in support of Motion 507. Alberta has one of the finest land titles systems in the world, and I cannot help but see that adverse possession really has no place in our laws. The system we use was first introduced in South Australia in 1858 by a gentleman by the name of Robert Torrens, who had become concerned about the complexity of registering land sales at the time. As such he devised a system loosely based on the method of registering ships. This became known as the Torrens system of land registration. Since then the system has been adopted in many jurisdictions around the world. It was also adopted in Alberta, then part of the North-West Territories, in 1881 and is still in place in our province today.

The Torrens system is based on three principles: the curtain principle, the mirror principle, and the insurance principle. The curtain principle means that the property lawyer does not need to look at past titles to determine ownership, simplifying the previous process by which one had to search back approximately 40 years to ensure that the previous owner had a good title. Under the Torrens system all titles issued by the government are examined and guaranteed by the government as being true and correct. That is what the insurance principle is all about. It offers government assurance that the purchase title it issues is correct. Finally, the mirror principle provides that the current title reflects the current ownership of the land and all encumbrances that apply to it. This means that if a title is incorrect, the government must compensate the aggrieved purchaser.

Mr. Speaker, the concept of the Torrens land tenure system is that you only need to examine the current title to determine who

the owner is and if any charges have been laid against the land. The doctrine of adverse possession, however, places a cloud upon the title in that a person other than the registered owner, if in possession of the land for a period of 10 years, can make claim against all or part of that land. Herein lies the incongruity between the Alberta Torrens system of land titles and our laws of adverse possession.

Despite this inconsistency the doctrine of adverse possession was included as part of Alberta's law when we joined the Commonwealth. It was argued in the early 1900s based on the precedent from a case in British Honduras, that was appealed to the Privy Council in England, that adverse possession could coexist with the Torrens system, and ever since that time adverse possession has been enshrined in Alberta legislation.

Mr. Speaker, Alberta remains the only Torrens jurisdiction in Canada to permit adverse possession. British Columbia, Saskatchewan, and Manitoba do not allow adverse possession. Ontario, which has both a Registry Act and a Land Titles Act, does not recognize adverse possession once land is brought under the Land Titles Act, and all newly subdivided land is automatically brought under the new act. Similarly, Nova Scotia only recognizes adverse possession for 12 years after land is brought under the act. Ironically, now even the originators of adverse possession, the United Kingdom, have adopted a Land Registration Act, which also recognizes adverse possession for a period of up to 12 years after land is brought under the act. Yet in Alberta in 2011 we still recognize the antiquated doctrine of adverse possession.

Mr. Speaker, I would argue that it is time to abandon adverse possession and relegate it to the history books. As such, I urge all members to support Motion 507, introduced by the hon. Member for St. Albert.

Thank you, Mr. Speaker.

5:40

**The Deputy Speaker:** Is there any other hon. member wishing to speak on the motion?

Seeing none, the chair shall now recognize the hon. Member for St. Albert to close the debate on the motion.

**Mr. Allred:** Thank you, Mr. Speaker. I'd just like to start by clarifying a few points that were made in debate. The hon. Member for Calgary-Varsity picked up on my example of Occupy Edmonton. I clearly stated that in the Occupy Edmonton situation, that was private land, and that was subject to adverse possession. With the Occupy Calgary group, which is occupying Olympic Plaza, which is municipal land, that would not apply because of the amendment to the Municipal Government Act that was mentioned by the hon. Member for Olds-Didsbury-Three Hills.

The hon. Member for Lac La Biche-St. Paul made a comment regarding 65 days to appeal. One of the problems with adverse possession is that once the 10-year time limit runs, yes, you have 65 days to appeal, but your hands are tied. You have no claim. It's almost senseless to appeal unless there is a problem with disputing the 10 years or some of the continuous possession rights. But if the land has been occupied continuously and subject to the conditions after 10 years, your hands are tied. You're history.

Now, the hon. Member for Edmonton-Calder talked about land titles guaranteeing titles. That is absolutely correct, but just for clarification, under a land titles system the Land Titles Act guarantees titles. It does not guarantee boundaries. Boundaries are guaranteed by the survey monuments on the ground.

Just a couple of points I didn't quite get to that I'd like to make before I conclude. Alberta after all these years, with a totally different land tenure system than the United Kingdom, continues to bear the burden of this antiquated custom of legalized land theft even though the United Kingdom has seen fit to abolish it. It's also somewhat ironic that the acquisition of an easement or an interest less than fee simple is absolutely barred by virtue of the Law of Property Act. Yet adverse possession, which is the acquisition of the entire title, the fee simple, is still allowed in Alberta. That's a bit of a contradiction in our law.

In concluding this debate, it's important to note that the doctrine of adverse possession is an outdated common-law practice that has remained as an impediment to the very successful land titles system that has protected Alberta's landowners for 125 years, even before we became a province. In that time period there have only been about a hundred claims for adverse possession that have been decided in the courts, and only a very few of those have been successful. In several of the successful cases the Legislature has taken the initiative and amended the law to correct the problem caused by the adverse claim. I strongly urge the Legislature at this juncture to cure the problem once and for all.

Just to summarize, there are several reasons why the law should be abolished in Alberta. Firstly, the Alberta system of land tenure is vastly different than that of England, where the common-law doctrine came from, and even now England has seen fit to abolish adverse possession. Secondly, adverse possession is, arguably, contrary to the intent of our Torrens system of land registration. Thirdly, the Law of Property Act adequately protects parties that have erected improvements on the wrong property through mistake of title, and we do have common encroachments that happen all the time. Those can be corrected by the Law of Property Act, where there's adequate compensation for the mistake.

Fourthly, adverse possession is no longer permitted against Crown, municipal, and irrigation district lands, so it should not apply to private lands either. Fifthly, the Institute of Law Research and Reform in their 1986 study has clearly debunked the need for adverse possession. Sixthly, I guess, members of the judiciary have hinted strongly that the law needs to be changed. It is up to the Legislature to change the law. All other Canadian Torrens jurisdictions bar adverse possession. Lastly, if it makes sense to disallow prescription yet allow adverse possession to acquire the fee simple estate, that just doesn't stand up to common sense.

Mr. Speaker, just to wrap up, I think we've had a very good debate this afternoon. I thank all of my colleagues for contributing to the debate. As I indicated, I think it's time for the Legislature to take the bull by the horns and get rid of this antiquated law.

Thank you very much.

**The Deputy Speaker:** The hon. Member for St. Albert has closed the debate, so the chair shall now put the question.

[Motion Other than Government Motion 507 carried]

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I would move that this House rise and reconvene at 7:30 this evening.

[Motion carried; the Assembly adjourned at 5:46 p.m.]







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The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday evening, November 28, 2011

Issue 42e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Ray Danyluk	Minister of Transportation
Jeff Johnson	Minister of Infrastructure, Political Minister for Northern Alberta
Doug Griffiths	Minister of Municipal Affairs
Greg Weadick	Minister of Advanced Education and Technology
Jack Hayden	Minister of Tourism, Parks and Recreation
Heather Klimchuk	Minister of Culture and Community Services
Manmeet Singh Bhullar	Minister of Service Alberta, Political Minister for Calgary

### **Parliamentary Assistants**

Naresh Bhardwaj	Health and Wellness
Alana DeLong	Seniors
Arno Doerksen	Human Services
Kyle Fawcett	Treasury Board and Enterprise
Art Johnston	Executive Council
Barry McFarland	Agriculture and Rural Development
Len Mitzel	Transportation
Dave Rodney	Sustainable Resource Development
Janice Sarich	Education
David Xiao	Energy

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

Anderson  
DeLong  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Development

Chair: Mrs. Jablonski  
Deputy Chair: Mr. Chase

Amery  
Blakeman  
Boutilier  
Calahasen  
Goudreau  
Groeneveld  
Lindsay  
Snelgrove  
Taylor  
Vandermeer

### Standing Committee on Education

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Hehr

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Benito  
Brown  
Cao  
Chase  
Leskiw  
Marz  
Notley  
Sarich  
Tarchuk

### Standing Committee on Energy

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Hehr  
Hinman  
Jacobs  
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Rodney  
Webber  
Xiao

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Deputy Chair: Mr. Campbell

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Anderson  
Elniski  
Evans  
Hehr  
Knight  
Leskiw  
Mason  
Pastoor  
Rogers

### Standing Committee on Private Bills

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Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Knight
Boutilier	Lindsay
Calahasen	McFarland
Doerksen	Sandhu
Drysdale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Boutilier	Mitzel
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Calahasen	Pastoor
DeLong	Quest
Doerksen	Stelmach
Forsyth	Swann
Jacobs	Tarchuk
Knight	Taylor
Leskiw	

### Standing Committee on Public Accounts

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Benito	Mason
Calahasen	Rodney
Chase	Sandhu
Elniski	Vandermeer
Fawcett	Woo-Paw
Forsyth	Xiao
Groeneveld	

### Standing Committee on Public Health and Safety

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Bhardwaj  
Blackett  
DeLong  
Doerksen  
Forsyth  
Notley  
Ouellette  
Rogers  
Swann  
Woo-Paw

## Legislative Assembly of Alberta

7:30 p.m.

Monday, November 28, 2011

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm rising to ask leave of the Assembly to introduce guests.

[Unanimous consent granted]

### Introduction of Guests

**The Deputy Speaker:** The hon. Minister of Public Security and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a pleasure to rise this evening to introduce four esteemed colleagues of mine in the Alberta bar, one of which I happen to have worked with for a number of years. If you could just please rise as I call your names. Derek Allchurch is a senior counsel at Miller Thomson in Calgary. Analea Wayne is also with Miller Thomson and the past president of the Canadian Bar Association. In addition, we have Lyn Bromilow, the executive director of the Alberta Civil Trial Lawyers Association, and last but not least, Constantine Pefanis with the firm Pefanis Horvath, who is the president of the Alberta Civil Trial Lawyers Association. I would like to thank them for their continuing support and wisdom that they provide to me. I ask all members to please give them the traditional warm welcome of this Assembly.

### Government Bills and Orders Second Reading

#### Bill 23

#### Land Assembly Project Area Amendment Act, 2011

[Debate adjourned November 24: Mr. Ouellette speaking]

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview on the bill.

**Dr. Taft:** On Bill 23. Yes, Mr. Speaker. Thank you very much. Well, this is a continuing saga – isn't it? – a saga without a very happy ending and a saga, I think, that this bill is trying to bring to a conclusion as quietly and innocuously as possible.

Just to be clear, the bill before us right now is intended to amend a previous bill that was very controversial for this government, that stirred up a lot of concern among landowners about limitations on their rights and controls over their own land. So this legislation, which in and of itself is fairly brief, is intended to reduce or diffuse the concerns of people opposed to the existing legislation.

What this bill will do will be to add a preamble to the Land Assembly Project Area Act. The intent of the preamble is, I think, to try to give some context or try to explain away the government's intentions here. Then it makes some other substantive changes which in effect, Mr. Speaker, will really appear to make this amended act, if this amendment goes through, kind of pointless. It feels like the government has gone in a great, long circle here, and there may be a lesson here for this government. There could be a lesson if it was open to learning.

One of the issues I've heard a lot about in the last few days is the heavy-handedness of a government that's in too big a hurry to

get things done. Right now we're living through a two-week period when the government introduced at the beginning of that period six bills, and they want them all through and law in a total of eight sitting days. Well, the reason some of these are here is because the same thing was done a few years ago. Bills were introduced quickly. They were rammed through. There was very little consideration of the problems they would produce, and then the government ends up in a big controversy and ends up backpedalling like crazy through what turns out to be another rushed piece of legislation. So there's a lesson to be learned here, but I'm afraid we have students across the way, Mr. Speaker, who are not open to lifelong learning, and it's too bad because there's a lot to be learned by all of us.

Mr. Speaker, I might as well get on the record right away that I'll be standing with my caucus and not supporting this legislation. I wanted to reflect, given that it's second reading, on some of the background that I think brought about this bill. I think it's a background that goes back well over a decade. It goes back to some deeply flawed government policies to deregulate the electrical industry and to weaken some of the very good regulatory frameworks that were in place for things like transmission lines and pipeline rights-of-way and so on.

When the government in particular deregulated electricity, it actually had such a complicated and prolonged and painful birth. It went on through about five years of labour. That's something that no man and especially no woman would like to contemplate, but that's a pain that the people of Alberta went through. One of the side effects, symptoms of that pain was that all planning for transmission lines came to a halt. In fact, all planning for the electrical system as a whole came to a halt. It used to be that there was very methodical, systematic planning for generation capacity, for power plants, for transmission lines: for the whole system. It worked really well. That all got shattered in the deregulation process, so the planning ground to a halt until – guess what? – we're in a crisis, or at least we're told we're in a crisis.

Suddenly by 2008-09 the industry and others were screaming about a crisis that was brought about by this government's policies, and the crisis was that we hadn't planned and built enough transmission capacity. Suddenly the whole electrical system was in danger, and we had to ram something through, and of course there wasn't the legislative basis, Mr. Speaker, for ramming things through because it had never been needed before because things had been well planned.

The reaction, predictably, by a government that relies so often on a kind of knee-jerk response was to put together a bill that they rammed through the Legislature a couple of years ago and got themselves into an even bigger mess. It was a piece of legislation that was seen to remove many safeguards on landowners' rights and really expose landowners to extraordinary powers that were out of their control.

That led to a reaction which fuelled the rise of a new political party in Alberta, the Wildrose Alliance, which has a strong base in the interests that objected to that original bill. So what we really have here is a piece of legislation in Bill 23 which is driven by power politics. Pun intended. It's politics over electrical power, and it's politics of the raw political power nature. What we have is a government that's trying to pull the carpet out from under some of the support for the Wildrose Alliance. I don't think this particularly comes from any interest in good public policy. It doesn't come from any interest in public well-being. It comes from an interest on the other side in blocking the rise of one of their opposition parties.

Mr. Speaker, it's regrettable that we've come to this, and I guess that I would like to have to ask this government: why did they

bring forward the bill that we're amending in such a hurry if we're now bringing in amendments that weaken the position of the government to ram things through? Is our electrical system in any less desperate need than it was a few months ago? Can we suddenly allow time for due process to play itself out? Can we suddenly take the time to listen to landowners and have public hearings and so on? What's happened in the real world, outside from under the dome, to make this possible? I don't know. It just all feels like smoke and mirrors to me, political smoke and mirrors, and I'm sorry that it's come to that and that we're putting so much effort into it.

Mr. Speaker, those comments outline the approach that I'll be taking to this legislation as it moves through the Assembly. I've no doubt, given that the government in a majority, that it will get pushed through, but I think it's a vivid example of poor legislation created by a government that's been in power for 40 years and suffers the arrogance that results from that.

Thank you.

7:40

**The Deputy Speaker:** Standing order 29(2)(a) allows for five minutes for comments, questions, and clarification. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** I appreciate the remarks from the member. I guess I have a question. You know, you often refer to it as being deregulated, but it was much more oligopolized. I mean, it was never deregulated, from what I would say. It's been some time ago, as you pointed out, from 1996 to 2000. Can you maybe talk a little bit more about the process of how this was oligopolized and how there wasn't really a deregulation that came into effect?

**Dr. Taft:** Sure. The member actually puts his finger on an interesting point. The irony of so-called electricity deregulation is that the volume of regulations multiplied. In fact, one of the great challenges that came about as a result of the changes made 10 years ago now to the system was not fewer regulations but far, far more. There were binders and binders. I was actually doing some writing on this exact issue at the time. Those of us who were paying attention witnessed hundreds and hundreds of pages of incredibly complicated rules being brought in to try to create a market out of a situation and a product that is, in fact, a natural monopoly.

Now, I think the members in the Wildrose Party and the members in the Liberal caucus would disagree on how well things have worked out. I'm not sure of that. But certainly it's our view in the Alberta Liberal caucus that electricity deregulation has not served the interest of ordinary Albertans well at all, that it was a misguided policy initiative from the beginning that saw the transfer of billions of dollars of publicly paid-for assets into the hands of investors. It exposed Albertans to serious abuse, whether it was Project Stanley, which the traders at Enron used as their pilot project for some of the activities that got Enron into so much trouble. The victims of that sort of test driving of market abuse were the people of Alberta through something called Project Stanley, which the Member for Calgary-Glenmore may or may not be aware of. Then it just played out until as recently as this fall, when we have cases before the regulators and the court systems involving multimillion-dollar manipulation of the market.

I should say that this coming winter we've been warned that prices will spike again because a number of generating systems are being taken offline for maintenance, all at the same time, in the season when we have the greatest needs for power. So what happens? The price of power spikes. Well, isn't that a coinci-

dence? The price of power spikes, driven into that spike by the very companies that will benefit most from that spiking. They could have and they would have been required under a regulated system to manage their maintenance in a much different way.

I am a sharp opponent of the electrical system as it has played out in Alberta, and I think it's been to the massive disadvantage of the general population of this province.

**The Deputy Speaker:** The hon. Minister of Transportation under Standing Order 29(2)(a).

**Mr. Danyluk:** Thank you very much, Mr. Speaker. My question is very short. There's been a lot of discussion about transmission lines, the cost of electricity, and deregulation. Are we not on Bill 23, the Land Assembly Project Area Amendment Act, 2011?

**Dr. Taft:** Yes, indeed, we are.

**Mr. Danyluk:** Well, could you please tell me the relevance of what you're talking about, then? That has absolutely nothing to do with Bill 23.

**Dr. Taft:** Sure. Well, my previous question was in response to an issue from Calgary-Glenmore. But the simple fact of the matter is that we're talking about administrative structures and legislative structures that have to do ultimately with assembling land rights for things like pipelines and other rights-of-way.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo under Standing Order 29(2)(a).

**Mr. Boutilier:** Yeah. Thank you very much. My question to the hon. member is: the statements which we all understood on the Wildrose side clearly the government and the Minister of Transportation did not understand. Could you please articulate it again and speak just a bit slower so he would understand?

**The Deputy Speaker:** You don't need to. The time has run out.

On my speakers list here, the Minister of Transportation. You wish to speak on the bill?

**Mr. Danyluk:** Thank you very much, Mr. Speaker. Indeed, I do want to speak to Bill 23, the Land Assembly Project Area Amendment Act, 2011. I'm pleased to speak today about what I call the land assembly project area amendment. This is not to do with power lines. This is not to do with the price of power. This is not to do with what the hon. member opposite talked about. It very much has to do with the assembly of land for major projects into the future and not power lines or transmission lines at all.

As former Minister of Infrastructure and as a landowner I strongly support the intent of the original Land Assembly Project Area Act. The intent has always been to ensure that landowners are properly notified, consulted, and compensated when government designates land for long-term projects. Mr. Speaker, the intent was to replace the old system under the restricted development area regulations with stronger legislative protections for landowners. Also, why the legislation is stronger than what came before: we did hear that landowners still had questions about their rights to consultation, compensation, and access to the courts. As a landowner I am pleased with the amendments to this legislation. The amendments have clearly been designed to fit landowners' needs, realities, and expectations.

It accounts for the varying circumstances we all may have and it empowers landowners with many more choices and options. For example, once a landowner has been informed that their land is in an area proposed for future development, they do not have to wait

and wonder about what will happen and when. They can start the process themselves, Mr. Speaker.

The legislation gives landowners the option to begin the expropriation process whenever they choose. It makes it easier for landowners to access the courts and also ensures that government covers those costs. In triggering expropriation on their own instead of waiting until the government is ready to move forward, landowners can better plan for their own futures. Perhaps they will choose to sell now or move away into a new phase of their lives, or perhaps they will choose to lease back the land and carry on with farming until the infrastructure project begins.

Mr. Speaker, if a government offers landowners a price for their land that they are not satisfied with, they can ask a third party to decide. The Land Compensation Board or the court can decide on what price the landowner should be paid, and again government covers all the costs. Landowners can still choose not to sell until the government comes to them with an offer when a project is ready to begin. Looking at the ring road projects, we know that it could be decades from the time landowners are initially notified until the project actually begins. Within those waiting years landowners can go on with their business as usual, in fact, or they can sell their property to a third party. They can even will their land to a family member.

7:50

Mr. Speaker, this legislation ensures landowners are properly consulted and fairly compensated. The amendments ensure that we as landowners have more options and more choice. They provide us more protection while also placing greater obligations on government. With these amendments this legislation will ensure that future Albertans will benefit from the highway and water projects that they will need while also ensuring that I and my fellow landowners are treated fairly and with respect.

Mr. Speaker, I do want to assure all members of this Assembly that this does not take away any rights of landowners; in fact, it adds rights to landowners. If I can also say it, this has come a long way since the restricted development area regulations. The reason that this legislation came forward to start out with is because when we looked at the restricted development area regulations, it truly did not provide the landowners with the opportunity of choices that this bill does today and also with the amendments.

Thank you very much, Mr. Speaker, for the opportunity to speak.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments or questions. The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. I'd sure be pleased if the minister would perhaps be able to get up and explain why for the last two years they've been in denial, saying that it wouldn't affect land prices, why they said that they could appeal to the cabinet if there were any discrepancies or they weren't being treated fairly, why they said that Keith Wilson has been fearmongering and not telling the truth about these bills, yet they've brought in all of these amendments now so that you can trigger a land sale and say, "No, I want my money now up front," and they can say, "No, what the cabinet has decided here isn't good enough, and you can go to the courts." I mean, how do they flop so many times?

**An Hon. Member:** He just said it's for clarification.

**Mr. Hinman:** For clarification.

Mr. Speaker, they have hounded property owners and Keith Wilson and the Wildrose for two years. They continue to talk about

how there are no problems with this legislation, yet they brought it in. I mean, they need to apologize is what they need to do. The amendments are good, and we're grateful for them.

**The Deputy Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker, for the opportunity to answer. First of all, I want to say that the individual that the member speaks of very much – there was no what I would consider fearmongering. It was basically confusion between three different bills – Bill 50, Bill 36, and Bill 19 – at that time.

I want to say to you also that when we looked at the Land Assembly Project Area Act previously, there were a couple of things. One is the access to expropriation immediately. In the previous bill it talked about two years. We heard very clearly from the people of Alberta that they wanted to have expropriation and access to the courts immediately. That's what happened. That's what this bill does. That's what this bill says. This is about listening to Alberta landowners and ensuring that, you know, their choices are there and exemplified.

Also, Mr. Speaker, if I can, I'm very glad to hear that the member from the WRA is very much in favour of what this bill proposes, by the sounds of what he's saying. He's just saying that it didn't happen soon enough. Well, I think it did happen soon enough. What happened is that we did listen to the landowners, and we have consulted with the landowners, and we have talked to landowners.

This bill has gone a long way from where we were previously to the land assembly project area amendment. This, Mr. Speaker, is an opportunity for a landowner to have choice. It's an opportunity for a landowner to decide what he needs to decide today, or he can decide what he wants to do with his land into the future. I'm very glad to hear that the WRA very much supports that direction and that focus because that's what this government has always stood for, and that is to ensure that we listen to landowners, listen to the concerns they have, and give landowners the options that they want to have.

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. The minister seemed a little bit perplexed earlier about how this had anything to do with electrical deregulation and land accumulation. I guess I'd like to ask him, then: do you not remember in 2004 the spies that were sent out when they were trying to get the line from Edmonton to Calgary, that one 500-kV line, and would you not be willing to realize that these amendments to Bill 19 and Bill 50 were in direct response to the fact that the government failed to get that 500-kV line then, and this was the response that triggered all of that? That's what the Member for Edmonton-Riverview was referring to when he was going back in history and bringing forward this.

**Mr. Danyluk:** Well, the hon. Member for Edmonton-Riverview did not talk about that. He was talking about the electricity, the transmission lines, which was not part of the bill at all or the discussion that you had.

**The Deputy Speaker:** Is there any other hon. member wishing to speak on the bill? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to stand up and speak on Bill 23, which is the Land Assembly Project Area Amendment Act, 2011. It should really be called Replacing the Screwed-up Bill 19, Land Assembly Act. Something that this government fails to realize is that Bill 19 was the bill that we

stood up in the Legislature and spoke against over and over and over again, spoke up on behalf of what we consider, as our Member for Fort McMurray-Wood Buffalo wants to always call, our bosses.

Mr. Speaker, I find it very interesting that the government's own news release that came out on the 21st of November talks about amendments giving more power to property owners. It talks about:

Amendments introduced under Bill 23, Land Assembly Project Area Amendment Act, 2011 also clarify what types of projects fall under the Act and give property owners a clearer process when government buys land for long-term, large scale transportation projects like the ring road or water reservoirs.

It's interesting how after two years they have to clarify or clear up something that was brought to their attention when we were debating Bill 19 right here in this Legislature and, you know, we tried to bring those concerns forward on behalf of Albertans. I don't think there was one person that spoke for Bill 19, including the Minister of Transportation, that wasn't eloquently going on and on and on about how it was the best bill ever since sliced bread, and there was nothing wrong with that damn piece of legislation, and the only people that had it wrong was the opposition, being the Wildrose, and a fellow that has spent an incredible amount of time going across this province trying to clarify, and his name was Keith Wilson.

You know, Mr. Speaker, quite frankly, the best thing this Assembly could do is to repeal the Land Assembly Project Area Act, which is known as Bill 19 and, as I said, is being replaced by Bill 23. This would be a very, very simple solution to what seems to be a very complex problem.

8:00

Now, Mr. Speaker, why should it be repealed? Because landowners will still be ripped off if the government needs the land. The Expropriation Act was perfectly suitable to the task of buying land for necessary projects, and the Expropriation Act was fair because it better reflected the true value of the land. The original bill, Bill 19, had only limited projections and compensation for landowners, and they couldn't get fair compensation let alone their day in court to make sure that they were properly compensated.

Another flaw that we're finding in the proposed bill is that the power of deciding necessary projects still lies behind the closed doors of cabinet. You know, Mr. Speaker, I brought this up in question period today when I talked about the new proposed bill, whatever it is, Bill 24, the Health Quality Council of Alberta Act, and their decision-making powers behind closed doors with the cabinet. I have to tell you that my constituents have a problem any time a cabinet makes decisions behind closed doors, especially when it affects the public, and it has . . . [interjection] I hear the Education minister sort of chirping in the background. I'm sure he'll be standing up and speaking in support of Bill 23. I look forward to hearing what he has to say about that.

As I was saying, I have a problem when we start making decisions behind closed doors without the input of the public. What is really, really surprising is the fact that all of a sudden the government in their press release and their briefing note that they provided our critic is going to go back to consultation. They're going to engage the public. They're going to talk to the public. They're going to listen to what the public says. Well, where the heck were they when we were discussing Bill 19, when there was an outcry on this particular piece of legislation?

Hundreds and hundreds and hundreds of people turned up at these consultation meetings. You know, 200, 300, 400 people

were at these meetings, and the Minister of Transportation says: well, that was because there was confusion between Bill 19, Bill 36, and Bill 50. You know what? There was no confusion. The only people that were confused, actually, were the government. That's where the confusion was, and they were the ones that were trying to confuse a very educated public that was attending these meetings.

You know, it's too bad that the government insists on passing laws, and then they're going to consult later. The last time I heard, a good piece of legislation is usually based on consulting, listening to what Albertans have to say, and then they start bringing legislation forward. The Premier talks all the time about how she's going to consult on this, consult on that. They're always, always consulting after the fact, quite frankly, when it's too late. Even the Premier has to take some blame. She has sat on that cabinet since, I guess, 2008, whenever she became Justice minister, and all of a sudden all of this legislation is bad. You know, I'm still searching and I have been searching for some time to find anywhere she spoke out publicly in any of the press in regard to the royalty, Bill 50, Bill 19, Bill 36: any of the pieces of legislation.

I'm going to again listen as we are in second reading of the bill, and I'm looking forward to hearing, actually, several members of the government speak in support of the bill because I probably listened to the same members that spoke in support of Bill 19. It'll be interesting to go back into *Hansard* and see what they had to say about Bill 19, and then these same members speak up on Bill 23 and talk about Bill 23 being better than Bill 19 was. I can bet you dollars to doughnuts that after the next election we're going to come back with Bill 31, that's going to be replacing Bill 19 plus Bill 23. We'll have Bill 31, and by then we might – might – get it right.

With those short comments, Mr. Speaker, I'll sit down, and I'll listen.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Minister of Education.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Since the member accuses me of chirping, I might as well speak for the record.

A couple of questions the member obviously has issues with, the process by which decisions are made. I know that she spent a great deal of time in cabinet and did some good work as a cabinet minister in this government. I wanted to know whether she made any decisions in cabinet that she now would perceive as behind closed doors and what made those decisions righteous at that point in time and wrongful now.

I also would like to ask this member how it is possible that in that same vein her colleague the Member for Airdrie-Chestermere eloquently spoke in this Chamber in favour of the initial bill, before the amendment which is on the floor right now, but now the bill is so wrong. Can she identify the hypocrisy between making decisions then and making decisions now, how they were right then and the process was right then, and all of a sudden it is so wrong simply because she happens to be sitting on the other side of the House?

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

**Mrs. Forsyth:** With pleasure. I cannot tell you how much I'm glad he asked that question. I hope I have at least 30 minutes, but I probably only have five.

Let me tell you the difference between now, where they are, and when I was in cabinet. We listened to what Albertans had to say. We discussed it in front of the cabinet table. Now, there are some people here who've been around since when I was there. We



didn't make decisions like: let's intimidate the doctors and not do anything about it. We had an open and accountable government, quite frankly, under Premier Klein.

Mr. Speaker, when we had the wonderful Premier Stelmach come in, all hell broke out, and these guys decided that they weren't going to listen to their constituents. [interjections] I was asked the question, Mr. Speaker. I'm answering. If you thought that the question was out of order, then you should have called him first instead of me.

Mr. Speaker, the reason I left the government is that they quit listening to the people who put them there, and that's Albertans.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you, Mr. Speaker. My further question to the Member for Calgary-Fish Creek on the point: what is the role of an MLA relative to this bill when it comes to the land assembly project, and do you think that they should be apologizing to Keith Wilson, a lawyer who is famous for property rights?

**Mrs. Forsyth:** Mr. Speaker, I think that one of the things that Mr. Wilson did so well – again, I'm going to repeat this – is that he listened to Albertans. If Mr. Wilson was so wrong and if the government was so right, then we wouldn't be dealing with Bill 23. We would still be with Bill 19. Bill 23 is a screwed-up Bill 19.

**Mr. Danyluk:** Mr. Speaker, the restricted development area regulations didn't give the opportunity for government to notify. They didn't give the opportunity for individuals to buy the land sooner. They didn't give landowners options.

The hon. member talks about: she wants to repeal it. Please tell me with what that's going to protect landowners.

**Mrs. Forsyth:** The Expropriation Act. I've already said that if you were listening. Mr. Speaker, I said it twice.

**The Deputy Speaker:** Hon. Member for Calgary-Fish Creek, speak through the chair.

**Mrs. Forsyth:** I am. Mr. Speaker, I would encourage the member to read *Hansard*. Quite frankly, I said it twice in my speaking notes. It's like I said right from the beginning, they don't listen.

**Mr. Danyluk:** Mr. Speaker, you can camouflage it any way you want, as they have done. It's a simple question. If you're going to repeal it, what are you going to repeal it with? You tell me to read *Hansard*. Just tell me.

8:10

**Mrs. Forsyth:** With the Expropriation Act.

**Mr. Danyluk:** It's there already.

**Mr. Hinman:** Yes. We didn't need Bill 19. We didn't need these. [interjections]

**The Deputy Speaker:** Hon. Member for Calgary-Fish Creek, you have the floor.

**Mrs. Forsyth:** You know what? It's the funniest thing. I can hardly wait to get *Hansard* and to put this on YouTube. The Minister of Transportation just doesn't even get it now.

**The Deputy Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Mr. Hayden:** Thank you, Mr. Speaker. I am so pleased to speak today in support of Bill 23, the Land Assembly Project Area Amendment Act. [interjections]

**The Deputy Speaker:** Hon. members, please, the hon. minister has the floor.

**Mr. Hayden:** Mr. Speaker, I'm not surprised that tonight as we discuss this, the same thing happens to cause confusion and fear in people that it shouldn't be happening to. Reviewing and changing the law is what a responsible and progressive government does when better ideas come along. Occasionally better ideas come along from the opposition. It's possible, and I wait with great anticipation. This is a deeply rooted and deeply personal issue for so many people across our province.

Mr. Speaker, this is a government that has a third of their sitting members that are landowners and are directly affected by legislation such as this, unlike many others. We're talking about important rights that people are dealing with, some of the most important rights in the democratic process. It's irresponsible for people – and I think we all in this House would agree – to unnecessarily frighten people, especially senior landowners, but that has in fact happened.

The new legislation must reflect and abide by landowners' needs and concerns, and I'm happy to say that the amendments tabled here today go far beyond what happens in most other jurisdictions if not all other jurisdictions. In fact, it goes far beyond what is common practice, that many of the members in this House that have spent some time in municipal government know can take place right today.

If, in fact, this land is needed for a major transportation or water project, which is all that this can be used for, which, I must say, has not been fairly represented by some people in the province either, bringing fear over things like transmission lines, which, of course, can't even be dealt with under this legislation. This gives us an opportunity to treat people fairly and to treat people properly with land, that wasn't available to us in the past.

To go back to simply expropriation, Mr. Speaker, does not address at all the difficulties that we went through in the assembly of the land, as an example, that started in the '70s for the Calgary ring road and the Edmonton ring road. We wound up at the end of that process spending an awful lot of money on a legal process with landowners because of the confusion. The legislation came into place to correct that. The government of the day relied on the restricted development area regulations, which virtually left landowners at the mercy of the government right to the very end of the process.

Opposition members tonight suggest that that's what we should go back to, back to not letting people have the rights to make decisions and be part of that discussion process upfront on these large projects.

**Mr. Boutilier:** Point of order under 23(h), (i), and (j). This member is impugning members. He just said something that I'd ask him to retract. That is simply not true.

**The Deputy Speaker:** We can deal with it after the speech.

**Mr. Hayden:** Mr. Speaker, nor did the former process give landowners the power to choose when government should buy their land. That's what's been suggested tonight, to go back to that.

I suggest to you that what we've done now in involving landowners upfront in the process is exactly what landowners need in order to make plans. They are very sophisticated, these landowners today in Alberta and the people especially in the agri-

culture industry that I'm referring to now. That is the land base that we are talking about for the majority of these projects that we're talking about. This is a very sophisticated industry. It's very dependent on a land base. It's very dependent on packages and parcels that are the right size and the right combination for them to make a living. We are now required by law to consult with those landowners on a project so that we can find out how they're affected. This means that landowners can have input on the details of a project and how it might impact their land.

Secondly, the government must make a decision on whether the land is going to be part of that project, and they have to do it within a two-year period. This is because landowners deserve to know, and they deserve to be a part of it within a reasonable amount of time, Mr. Speaker.

Thirdly, landowners can sell their land to the government whenever they choose, and that's the important part of this. They can make a decision, and history shows that if that decision is to wait until a closer time to the project's actual completion or to when the project is being done, they can choose to wait till that time period. In the case of a larger water body we've seen historically higher land prices. Also, transportation infrastructure close to land, as is shown with our bypass roads, shows a great increase in land value. But the landowner can make that decision themselves.

Of course, most importantly, what this government has listened to is the opportunity for a landowner to trigger expropriation at the front of the process. Mr. Speaker, that's a very, very important amendment. That's an amendment that gives the landowner right up front the right, should they want to, to do what others have suggested shouldn't be available to them until just before a project starts. I don't believe that's fair.

The new act is going to give property owners choices and options respecting their land. The act does not give the government any new powers, Mr. Speaker. It gives landowners new powers. What we're discussing here today and what is shown here today is that this government listens and that this government responds to the wishes of those people.

We can't go back in time. We're a very active province with very sophisticated industries in it. We have landowners that require and deserve the property rights that we need to give them. We don't need convoluted processes that put money in the pockets of people that are not directly involved. We need proper compensation for the people that are involved, and that's what this legislation speaks to. I'm very proud of it, and I'm very pleased to stand up today in support of it. I will be supporting this bill.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) allows for five minutes of comments, questions. The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. My question to the minister is actually meant in the spirit of dialogue, where we exchange rather than debate, where we just butt heads. It also comes out in response to the point earlier from a different minister. If I'm understanding the ministers correctly, their indication or their information to the Assembly is that this doesn't have to do with things like transmission corridors and so on. Maybe that's the case, but I'm looking here at briefing slides on the Land Assembly Project Area Amendment Act, 2011, from November 2011, government of Alberta, and about – I don't know – half a dozen slides in or so it actually, if I'm reading this correctly, talks about background, what types of projects. It refers specifically to utility corridors, which I'm assuming includes transmission lines. Am I

wrong – heaven forbid – or am I misunderstanding this information, or is this information wrong? What's up?

**The Deputy Speaker:** The hon. minister.

**Mr. Hayden:** Thank you very much, Mr. Speaker, and thank you very much for a wonderful question. Absolutely, this legislation is very clear. It can only be triggered on these land purchases for a large water project like a reservoir or for a transportation corridor. It cannot be triggered for a utility corridor. But, to the hon. member, after a transportation corridor is built – obviously, planning goes into these things. If we look around throughout the history of our province, you will see telephone lines going down the ditches of the roads. You'll see power lines. It's probably in the best interests of Albertans to make use of our transportation corridors to house all those things that we possibly can. But the legislation is very clear. This cannot be used to trigger the purchase of a utility line. It cannot be used for that. The legislation is absolutely clear on that.

8:20

**The Deputy Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. Could the hon. minister maybe explain how this legislation compares to what municipalities do today on private land?

**The Deputy Speaker:** The hon. minister.

**Mr. Hayden:** Thank you very much, Mr. Speaker. That's a wonderful question. There are many members in the House tonight that have a municipal background, and every one of them has changed land-use designations in the history of their time in office, and they've done it on a weekly basis in many cases for municipalities. They've changed it from a residential to a commercial or an industrial, or they've changed it from a commercial or industrial to a residential, or they've changed it and expanded it for a transportation system. They've taken land and expropriated land and houses in order to accommodate light rail transit for the better interests of the people in their community.

In fact, Mr. Speaker, I would suggest to you that municipalities in Alberta today have far more powers to manage people's lands and use of those lands and to change the use of those lands than this provincial government does. This legislation is very, very strong in support of landowners.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. It is indeed a pleasure to ask the minister and also the former president of the Association of Municipal Districts and Counties when he is basically, if I understand him correctly, saying that the province wants a catch-up with all the incredible authority that they've given to municipalities already. Let me think about the logic of that for a moment. The province wants a catch-up in taking people's landowner rights, to catch up with the very power that they gave municipalities, when municipalities are listening in public hearings to citizens each and every day in a council meeting. You can see it on Shaw TV. This government, in determining it, will be behind closed doors in cabinet determining: no, we're not even going to listen to landowners because there is no mechanism in place to be able to achieve this.

Getting back to my most important question, does he really believe what he is saying? Keep in mind the Member for Rocky Mountain House, that hon. member who served as a reeve and

now has served as an MLA. This member understands clearly what landowner rights are all about, and he has fought hard in the PC caucus relative to that point.

**The Deputy Speaker:** We have a point of order raised by the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** I didn't raise any point.

**The Deputy Speaker:** You did.

**Mr. Boutilier:** Sorry. Yes. You know what? I want to say that at one point the hon. member – if I misinterpreted, I'd certainly look for clarity. Actually, my point is that I thought he suggested that we were misleading landowners in terms of what members were saying, but it could have been applying to all opposition members. Mr. Speaker, at this point, for the sake of brevity, I withdraw my point of order.

**The Deputy Speaker:** All right. So we have no point of order.

We will continue the debate on Bill 23. The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. Enough has been said about Bill 19, and what gave birth to Bill 19 was Bill 46. As the Member for Edmonton-Riverview and the Member for Calgary-Fish Creek put it, this bill is trying to defuse or put the fires out which were started with Bill 19 and Bill 50. Maybe we should call this bill, the Land Assembly Project Area Amendment Act, 2011, bill number one. Maybe you will be bringing in another Land Assembly Project Area Amendment Act in 2012, and we will probably be calling that one amendment act number two. Had the government gotten Bill 19 right the first time, we wouldn't be here debating this Bill 23, the Land Assembly Project Area Amendment Act, 2011.

We on this side of the House, Mr. Speaker, are not disputing. There is no doubt that we need better utility and transportation corridors in Alberta if we are to have better planning for growth and development. These corridors will play a key role, and we need them. Sure, this is going to have an impact on landowners in a variety of different ways. If the land is currently being used for agricultural purposes and a highway is going to be built across it, that will be a problem, sure, for landowners. If transmission towers are going to be built on it, the disruption will only be partial and minimal, and it will be worse only during the temporary construction. Sure, the government needs to be prepared for the utility corridors, and we should be thinking of the future in order for progress to go on.

There were some hearings. Bill 46 was brought in after the government's EUB board hired, I believe, some private investigators during the hearings, and that gave birth to Bill 46. Bill 46 in 2007 split the EUB into two parts, the Energy Resources Conservation Board and the Alberta Utilities Commission. In doing so, Bill 46 restricted the public's ability to participate in the commission's, formerly the EUB, decision-making process. It restricted the public's ability to have a public hearing with regard to a proposed transmission line, gas transmission pipeline, hydro development, or power plants.

It restricted the public's ability to hire legal counsel to represent them in public hearings and narrowed the requirement to be eligible to intervene at public hearings. It removed the funding for legal counsel who represented members of the public while intervening in public hearings. It also removed the requirement to consider whether a proposed transmission line for which approval is sought is and will be able to meet present and future public

convenience and need. This particular change was grandfathered back to 2003, so any current legal challenge is based on principles that are no longer valid.

There was a big hue and cry on this, and that brought in Bill 19. Bill 19, when we do the section analysis, caused lots of problems. It gave more powers to the government and to the minister. For instance, in section 3(1) there was a notwithstanding section allowing the LG in Council to make regulations relating to the project area that apply regardless of the legal and regulatory provisions. They included controlling the use and development and occupation of land in the project area but also giving the minister the ability to exempt land they choose from those restrictions.

That was serious power, the minister being the arbiter of landowners' activities and how those decisions were to be made. That kind of led to an impression that landowners have to be nice to the minister because of the power over land use that the minister holds.

**8:30**

This goes on. Even section 4 had problems. That was section 4(4), which ensures that while the notice is required, it isn't in any way a necessity for the regulations to have impact. In other words, even if no notice was to be given, everything could still go ahead, and that was a problem. What was the point of having a notice if it isn't integral to the process? So that showed in Bill 19 the government's contempt for landowners. If they really cared about landowners, then notification would be entirely a necessary part of the deal, and failure to notify would cause a project to fail. It's not like the notification process was even particularly difficult. Ultimately, it was a sign that the government doesn't really care about notification and landowners.

With this Bill 23 the government is trying to fix Bill 19, and they're trying to give more powers to the landowners and more clarity. But we should have done Bill 19 with more consultation with Albertans to get that right. I think, still, the government should go back to the blackboard and do it over again, repeal Bill 19 and go back to Albertans and get it right.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. Thank you very much for your comments. They are good comments. They are good comments from the aspect – and I was listening all along – that, you know, maybe there were some places that Bill 19 needed to be changed. You said that Bill 23 gave more power to the landowner, and I agree with you. But you said: go back and get it right. Is there anything that you feel as a member of the opposition that should be expanded on in what Bill 23 is right now to make it feel that you would believe it's adequate?

**Mr. Kang:** I think, Mr. Speaker, Bill 19 should be reviewed, and still maybe there's more improvement to make in this bill. We shouldn't be pushing this. There's no rush. You could have come back in the spring session and, you know, gotten it right once and for all.

**The Deputy Speaker:** Any other hon. member? Standing Order 29(2)(a) is still available.

Seeing none, we'll go back to the bill. The hon. Member for Calgary-Mountain View on the bill.

**Dr. Swann:** Thank you very much, Mr. Speaker. It is my privilege to speak to Bill 23, the Land Assembly Project Area Amendment

Act, 2011. This amendment act seeks to amend an extremely controversial bill that was seen to limit landowners' rights and controls over their land and to negate their concerns. It also addresses the apparent lack of recourse to compensation and legal consult that's equal to the rights under expropriation with a preferential leaseback offered to the original owners.

The bill's political object, of course, is to begin to fulfill the Premier's leadership promises to reform the suite of land-use bills which have caused significant political damage to this government. Let me say, Mr. Speaker, that they've had to do a lot of backpedalling since those three bills, all of which were, as the previous member has stated, hasty, lacked consultation, lacked respect for the owners of property, and didn't take into consideration some of the key aspects of concern that landowners had.

For example, Bill 19 formed the basis for the government's purchasing of land corridors for utilities and transportation as a potential solution to landowner opposition notwithstanding the previous minister's comments that this isn't designed for utility corridors. He then went on to say: well, it could be used for utility corridors but not directly, not immediately, only after further decisions are made under the cover of Bill 23 to do what amounts to the same thing.

Here are three reasons that the government felt could help them to move decisions forward. If the government owned a wide enough corridor, there would be no other landowners within the traditional, quote, consultation distance from transmission lines. With no opposition hearings could be done rapidly, and the needed transmission, in this case, could be built. The second part of their solution to the failure of the traditional process was Bill 50. Bill 50 removed the needs assessment for transmission projects the province was able to designate as critical.

Taken together, bills 19 and 50 could have led to a very streamlined public process of building transmission should the government mobilize all the resources at its disposal albeit at significant cost to the government. The strength of the provisions of these acts showed the worries of the government of paying a political price due to the possible absolute failure of the electricity system, including brownouts. The weakening economy has not reduced the likelihood of this eventuality. It's only delayed it. This act backs away from a formal process for direct government provision of corridors for private projects in the near term.

Mr. Speaker, notwithstanding some of the comments from the government side we see that this Land Assembly Project Area Act, Bill 19, which was never used – why does it need to be fixed? Why not simply eliminate it? We have an existing act for which expropriation can be used. The changes proposed limit the powers of the Land Assembly Project Area Act so much that we think it would become useless. Since the government has never shown why the bill is useful, it should be repealed.

Mr. Speaker, there are many perspectives on the responsibility of government to look at the long term to establish corridors and in the public interest develop projects, whether it be in the area of water bodies, as was indicated earlier, or transportation and utility corridors, developments in the public interest. By all means, there needs to be a balance between designating areas of the province for the public good and designating those in a way that allows for appeal, that allows for adequate compensation, that allows for proper process so that everyone feels respected in the process. This government has failed to do that. On the one hand it bends over backwards with this amendment to the point where it's going to render almost nonfunctional the ability of the Legislature or even this cabinet to carry out the public interest and make decisions in the long-term, best interests of the public.

It speaks again to the lack of long-term commitment in this government to set aside land use in a way that ensures that the long-term public interest will be served not only in terms of transportation, utilities, public infrastructure, and water bodies but also conservation areas. How is it that we are now faced with so much pressure on development that we are not moving forward on some of these issues in a timely way in the public interest? There has been so much lurching forward and pulling back because of the lack of really thoughtful approaches to planning and endorsing what I think most everyone in the Legislature has supported in terms of the land-use framework.

8:40

That has been seen as leadership in this province, setting aside and planning for the longer term public interest on our public lands, designating specific areas for development, for transportation, for recreation, and for conservation. And all we can see – all we can see – is this tremendous quagmire of legislation, confusing, blocking: first of all, going too fast and too hard without consideration of some of the key elements of the public interest and then pulling back so far that we see paralysis and the lack of any process, the lack of any progress in terms of some of these long-term public decisions. [interjection]

I guess one could argue, as I hear an hon. member saying, that everybody's upset, so it must be the right thing. Sorry. It cannot be assumed that just because everybody is upset on all sides that you are doing the right thing. The other possibility that one should consider is that you're not doing anything that serves the long-term public interest or the private interest. You're simply in a stalemate with such fear around, again, the coming election and whether you will or will not please the rural and the landowner base and therefore are willing to sacrifice significant power, significant progress, significant planning interests to this fear of upsetting various groups, in this case landowners.

So we will not be supporting this bill, Mr. Speaker. I regret that we are spending even more time and energy and public dollars once again because of hasty decisions two years ago and now an even hastier decision leading up to an election that is designed to protect the bottoms of a party that will do almost anything to stay in power at this stage.

Thank you, Mr. Speaker.

**The Deputy Speaker:** We have Standing Order 29(2)(a). The hon. Minister of Transportation.

**Mr. Danyluk:** Okay. Mr. Speaker, through you to the hon. member, I just want to make a couple of things clear if I can and ask him a question. That is, there was expropriation in place when we dealt with the restricted development areas regulations. There was expropriation in place in Bill 19. There is expropriation in place in Bill 23. Those are all common. The question, of course, becomes the choices for landowners. The first: the landowner didn't have much choice. The government basically had the option to decide when to buy and could put land in a restricted area for an extended period of time, which wasn't fair to the landowner. Bill 19 basically said: "You know what? The farmer can force the government to buy within two years."

Now what this bill says is that the farmer, in a progressive state, can have the option of purchasing the land right away. That's one of the differences. It just gives the farmer or the landowner more of an option. I mean, I know what you're saying, but if I ask you when you're looking at this bill – and that's my question – what do you see this bill doing into the future? I see another ring road possibly planned for Edmonton or Calgary or possibly, as the hon.

minister talked about, in regard to irrigation or water reservoirs. That's where I see it. I don't see it applied to anyplace else because it isn't about transmission lines. It isn't about that direction. It is about looking to the future. If I could just ask you to comment on that because I understand where you're coming from except that you're not giving the landowner any options or any rights.

**Dr. Swann:** So the minister is suggesting that by repealing Bill 19, we're not giving the landowner any options or any rights?

**Mr. Danyluk:** No, no. We're giving them more.

**Dr. Swann:** Well, I guess I see this as somewhat similar to the amendment to the land-use framework, Mr. Speaker. They're bending over backwards so far that the land-use framework is basically nonfunctional. You are paralyzed from making decisions that are in the long-term best interests of the public because you have given away so much to the appeal process and to those who have a particular private interest that you cannot exercise the powers of the long-term public interest.

Again, you can argue, as the former minister commented earlier, that this is not for utility corridors, but everybody knows after the decision is made around a road that there's an assumption that there may well be a utility corridor there. So it's somewhat disingenuous to say that utility corridors are not part of this plan because clearly they go hand in hand with transportation corridors. We remove the words "utility corridor" and everybody is supposed to assume that that's not there. That's to me a sleight of hand.

**The Deputy Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Mr. Hayden:** Thank you, Mr. Speaker. Just for clarification, is the hon. member suggesting that it's not in the best interest of landowners with Bill 23 to give them the opportunity for expropriation at the front of the process? And is the hon. member suggesting that anyone in any government anywhere would build an expensive road in order to put power lines down the side of it?

**Dr. Swann:** Well, to the second question: I can't imagine a government building a road just so they could get a power line. I guess the question really is: would a government build a road without speaking about a utility corridor when that was also part of the plan? I think that's possible.

**The Deputy Speaker:** We have 32 seconds. The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yeah. In 32 seconds, Mr. Speaker, I would say: do you feel that this government, based on their track record on property rights, truly has lost the trust of Albertans based on what's taken place?

**Dr. Swann:** Well, I think it's very clear, Mr. Speaker, to a lot of Albertans who have given up voting that the majority of Albertans have lost trust in this government. It's been reinforced, of course, in the health care system, where professionals all across the board have said that we must have a public inquiry because we don't trust this government's willingness to respect . . .

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo on the bill.

**Mr. Boutilier:** Yes. Thank you, Mr. Speaker. Bill 23, the Land Assembly Project Area Amendment Act, 2011. I first of all want to say that a gentleman who's a scholar and a legal mind, who belongs, I understand, to no political parties, has been in a tireless effort criss-crossing the province, he and his 16-year-old son, in defence of property rights. I first learned of him in the discussion of the original bills that were put forward by this government. He was so outraged with the arrogance of the government in taking away the right of property owners that he felt compelled to take action.

Like anything in life, every step that one takes, you can make a difference. I want to first of all commend this Albertan, who not only has made a difference, but he's created quite a discussion and an awareness to the point where it's made this government very uncomfortable.

Some of the amendments that have taken place pertaining to the Land Assembly Project Area Amendment Act, that's in front of us tonight, really go back in terms of history. History is a revealing, shall I say, tale in terms of what has gone on in Alberta.

First, I want to take a moment to thank Keith Wilson for his incredible sacrifice as a legal mind who has championed property rights. We would not be here discussing the legislation were it not for the hard work and dedication of this particular individual and other Albertans he has harnessed energy from, corner to corner to corner, across Alberta. It's really been like he stood up to the Goliath that is the Alberta government, but he was on the right side of right.

The Land Assembly Project Area Act remains unnecessary and burdensome on landowners. The Land Assembly Project Area Act should still be repealed as the Expropriation Act does a better job. I repeat: it does a better job. For the Member for Edmonton-Whitemud let me say that slowly: a better job than this amendment. This amendment has been nothing more than a reaction to what Albertans have been saying, that this government has not been listening to. They haven't been listening to Albertans. So this is an opportunity.

**8:50**

Now, I want to say on a positive note that Bill 23 does contain positive amendments to the original land assembly act. Of course, there's nowhere to go but up. It allows landowners to trigger expropriation of their land – that's a positive, and I want to say that I was pleased to see that – and restores access to the courts by landowners, because under the original that was not going to be allowed. Clearly, landowners and Albertans have spoken out to their government and told them: we will not accept that, or you will pay the price. So this amendment from that perspective was positive. It also, I want to say, allows landowners to sell their land beyond just market value. We also believe that is important.

The amendment that is missing in the bill is in regard to section 10 of the original bill. You may ask: what is section 10 of the original bill?

**Mr. Mason:** What is section 10?

**Mr. Boutilier:** A very good question from the Member for Edmonton-Highlands-Norwood. I'll take that question if you ask me it when the time is appropriate.

It allows the government to freeze development on property. Again, it allows the government to freeze development on property. Can you imagine? This could result in the land being devalued even further, losing value to property owners and also in the eyes of the banks. When a landowner needs to remortgage his or her land or they want to change the terms of their mortgage,

this will take away the leverage of negotiating with the banks. It's as if the government and the banks are in it together. This is very unfortunate.

I want to say tonight that – and I know the Member for Edmonton-Highlands-Norwood would clearly indicate this 40-year government being in cahoots with the banks is something that, really, we'll have to investigate further. We all know what it's like to deal with bankers, and for the most part we don't like it. You know, it's the only institution I know that goes and takes your money and gives you less than 1 per cent, but they go ahead and lend you money and charge you 10 per cent. That's bordering on legalized loansharking. So I will say that with the sad partnership that is going on there, if it wasn't for the Wildrose Party standing up for rural Albertans and putting pressure on this government, these amendments would never have come to fruition. Never come to fruition.

I'm glad to hear that the government, the Member for Edmonton-Whitemud can hear high-heel steps. I'm glad to know that. By the way, that's not your own boss; that's the boss of the Wildrose Party, Danielle Smith. She has been a champion of property rights, and what she has done in harnessing the energy is that she has spoken in every corner of this community, almost the 364 municipalities that I know the former president of the AAMD and C would recognize, as he used to represent that. [interjections] Mr. Speaker, I can see there's a lot of chirping by the Minister of Education. I welcome his questions at the appropriate time. I understand that right now he's consulting with grade 1 students on the education bill, and that's important consulting. I will say that my son had an important recommendation for you. It's called nap time. So there's a recommendation you can get for free. Okay?

Now, Mr. Speaker, what I find interesting is that it's clear that this government doesn't represent the concerns of rural Albertans. They do not represent the interests of rural Albertans; it's clear. I think that, clearly, that point will be made during the campaign, that we're all excited about, during their fixed election seasons that they're having. It's clear that this government doesn't represent the concerns of rural Albertans after introducing Bill 19, after introducing Bill 36, and also introducing Bill 50 and patronizing landowners and individuals like the scholarly and learned lawyer Keith Wilson, who doesn't belong to any political parties yet who's a huge advocate for landowner rights and who has clearly criticized these bills. In fact, he has spoken to ministers, but I think they really didn't quite understand what he was saying based on what he interpreted that Albertans were saying. I think that is something they should take heed of.

One thing that is missing from this bill, Mr. Speaker, is a resolution of the problems with banks that is related to the development freeze on land. So if the government even contemplates the future need to expropriate someone's land, they can send a notice to your bank. Albertans that are listening tonight who are landowners: what will happen with this bill is, in fact, that they send a notice to the bank saying they're going to freeze your land. Then when it comes to a remortgage, the bank can say: sorry; we're not going to loan you any more money. That is the result of what this bill is, the treatment by this government. I say to all Albertans that are watching at home tonight: this is what it could do to you. This is clearly one important point that I want to say that the Wildrose believes is missing from this bill, so let's resolve the resolution pertaining to the problems with banks related to the development freeze on land.

Maybe it was unbeknownst to this government, but in terms of what we have witnessed over the last two years as the assault of property rights, in my view, if you have to do so many things to a bill – be it Bill 19, Bill 36, Bill 50 – with all that has been going

on, it's clear that you haven't been listening to Albertans, the true bosses of Alberta. This Wildrose caucus will continue to listen to its bosses.

If you want to remortgage your property or apply for a loan with your land as collateral, the bank will not take you seriously because of the action of what this bill does.

Now, it is good that the government decided to no longer determine that the cabinet would do it behind closed doors. At one point that's exactly what the bill was. It was going to be behind closed doors, and you never had a chance to even go to court to be able to appeal. To a judge or to a lawyer, like the Member for Edmonton-Whitemud, it would be amazing to determine that you had no recourse. That's how the original bill under the Stelmach government was written. Now you're trying to basically rewrite something with amendments, yet you've ignored Albertans. That is unfortunate, Mr. Speaker.

I can say that the Wildrose will continue to work hard for rural Albertans when it comes to this important issue of protecting property rights of landowners. Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Standing Order 29(2)(a). I wanted to go back to something a bit earlier that I heard the hon. member say, and that was the big, bad banks. Really, you know, I heard echoes of the political heritage that this hon. member comes from, the Social Credit Party. I wonder if he could elaborate on ways in which the banks trample on the rights of ordinary citizens and landowners in our province.

**Mr. Boutilier:** An absolutely excellent question by the Member for Edmonton-Highlands-Norwood, and it's my pleasure to take the next four and a half minutes to respond. I will say, Mr. Speaker, that the member raised an important point, in fact, a point in history for the members on the government side. They might have forgotten how the Alberta Treasury Branches actually started. It was because of those big, bad banks in central Canada that were reaping and literally taking farmers and rural Albertans for everything that they had during, of course, the drought.

The history was rich where the leadership of the day, not a PC leadership but other leadership, decided that they would form the Alberta Treasury Branches, that we have today, that is strong and is prospering because of Albertans' support. The reason is that they actually understood because they were listening to Albertans, something this government is not doing. It truly has been a shambles what has happened. I will say that I believe that, clearly, even the member of the New Democrat Party recognizes that this is about equality of property rights for landowners, something that this government is trampling on, the rights of every single Albertan who owns land.

**The Deputy Speaker:** The hon. Member for Edmonton-Highlands-Norwood again.

9:00

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I will certainly agree with the hon. Member for Fort McMurray-Wood Buffalo that this government has certainly disregarded the rights of property owners in its legislative agenda over the past several years. I wonder if we could hear more, however, about the hon. member's support for a state bank.

**Mr. Boutilier:** Mr. Speaker, I really have no knowledge of what a state bank is. But I will say that – the New Democratic Party

apparently is interested in that – it would mean a state bank that's owned by the Alberta government. We actually have one called Alberta Treasury Branches. That is in place based on, you know, the central banks in Canada that actually had no sensitivity to Alberta families and rural Alberta farmers. Clearly, the Wildrose is sensitive to those needs being met in the agricultural industry.

I will say that we will stand up to banks when it comes to fairness for Albertans. It's something that this government should do when it comes to standing up for property rights and landowners. Anyone who owns land in Alberta needs to be fearful of this legislation, the amendments that have all gone through. It actually looks like the work of a Liberal government in Ottawa who says: we are entitled to govern. That's federal, not provincial. It's like Jean Chrétien or Pierre Trudeau saying: we are smarter than the rest of you Albertans, and we'll decide what's best for you.

Well, I was in Eckville, which is, actually, the Member for Innisfail-Sylvan Lake. Over 700 people from the community, agricultural Albertans came for it. Mr. Speaker, I was so impressed with Albertans in that area. Actually, the Minister of Energy was there. Honest to God, I think I saw a rope going around a tree from what I thought was going to happen to the representatives of the government because of the outrage of what the people in Eckville and other parts of Alberta were facing when it came to the situation.

Mr. Speaker, regarding the state bank that was made reference to – actually, the Member for Edmonton-Whitemud was there and, of course, was taken to task for interrupting the fine, learned lawyer, Keith Wilson. I remember that because I think he had to be escorted out of the building that night because of his chirping at the time.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill? The hon. Member for Edmonton-Highlands-Norwood on the bill.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, I thought of some amendments that we could make with regard to this bill. One was to rename Bill 23 to We Should Have Listened to the NDP in the First Place. I think that another amendment might rename the bill to Oops, We Made a Terrible Mistake Here. There are a number of ways that the government could rename this bill. But I think the important thing here is that the government has persisted for a couple of years now in embracing this legislation. It's not just the act that's being amended by Bill 23 but a series of pieces of legislation that really trampled on the rights of people in this province and, interestingly enough, trampled on the rights of people who are historically strong supporters of the Progressive Conservative Party.

I watched with interest, as public meetings were held around the province, the clumsy and awkward and ill-advised interventions of various government ministers as they tried to defend these bills without actually understanding them or understanding the concerns of the public. Now we've come to the point where on the cusp of an election the government is finally listening. Well, Mr. Speaker, there's a saying that says that nothing sharpens the mind like a hanging. Clearly, this government has offended a major part of its political base, and it's done so because it was prepared to trample the basic rights of people that it had claimed to uphold.

It was interesting that it was the NDP at the time when these bills were brought in that stood up and championed the rights of property owners in the province. That's something that the Conservative government should have been doing by all accounts. You know, we've been clear all along that we believe that there

should be no expropriation except in cases of urgent public need, there must be due process with respect to the rights of landowners, there should be no freezing of land for future projects, all utility projects need to be subject to full public scrutiny and a full regulatory process, power companies should not be required to pay for utility projects of for-profit companies, the protection of power consumers' interests is paramount, and, ultimately, an end to electricity deregulation, which is ultimately what's driving much of this legislation on the part of the government.

There are three pieces of legislation that need to be substantially amended or repealed, not just Bill 19; there are Bill 36, the Alberta Land Stewardship Act, and Bill 50, the Electric Statutes Amendment Act. Bill 50, in particular, gives the authority to define essential transmission infrastructure to the cabinet and does not require a public process to consider diverse input, cutting out the Alberta Utilities Commission. It identifies several major transmission line projects as being critical, including lines between Edmonton and Calgary, Edmonton and Fort McMurray, and Edmonton and Redwater-Gibbons, despite strong public opposition. And it fails to protect consumers from having the costs of massive overbuilding of transmission systems passed on by companies directly to consumers.

Mr. Speaker, it's difficult to address just Bill 23 as it amends the former Bill 19 without addressing the broader issue. This all came about as a result of some decisions that had been made in terms of building new north-south transmission lines. The different pieces of legislation that affect that had worked well in the past. Other governments had managed to use existing legislation in order to bring about the needed infrastructure development of this province and manage public concern and protect the rights and interests of affected property owners. But this government couldn't do it. It failed where previous governments had succeeded.

It failed to use the legislation that was there for them all along because of their mismanagement. We all know about the scandal that arose with the spying. The ERCB at the time employed people to spy on people who were appearing before it and, therefore, fundamentally undermined its own process. How can you expect a fair hearing from a body that's spying on you to find out what you're up to?

That completely destroyed the credibility of the process. So the government, instead of restarting the process and using the legislation that was there, decided that they're going to bring in some very, very heavy-handed legislation, and it took away the rights of property owners to a fair hearing, to fair compensation. It allowed the cabinet to ram through all kinds of changes to land use, and it allowed cabinet to ram through whatever infrastructure projects they thought were necessary without public discussion, without having due process, without letting people who were affected have their day in order to speak and to provide that input.

**9:10**

It was a very, very authoritarian, heavy-handed, and undemocratic series of legislation that was passed by this Progressive Conservative caucus, by the people – the government proved itself to not really be committed to either landowners' rights or to democratic process. The government showed themselves to be in the pockets of the big utility companies and interested in ramming through the utility projects that those companies were demanding, and not only that, Mr. Speaker, but to add insult to injury, to make the consumers of this province pay for that infrastructure, billions of dollars.

It comes down to that, as it always does in these cases: very powerful special interests with massive private profit at stake

wanting us to build them a \$17 billion transmission system and pay for it so that they can use that transmission system to sell their power to the United States or to British Columbia or wherever they want in order to make money. There is nothing wrong with that – I want to be clear, Mr. Speaker – but they should be covering those costs. If they want transmission infrastructure to enable them to export power from this province or to sell it from one end of the province to the other or to B.C. or wherever, that's fine, but don't ask us as consumers to pay for it.

Mr. Speaker, the government ran into a lot of trouble because of that heavy-handed approach, and the government realized it. I mean, you can see the backtracking. This particular bill that's before us is backpedalling. If this government were a bicycle, they would need rear-view mirrors to see where they're going because they're just in reverse on so many issues.

Now, I wish I could say that I thought that that was because the government had come to its senses, that it realized that it should protect people's rights, that it should protect democratic processes, and that it should make sure that private interests pay their own way, but unfortunately, sadly, I don't believe that to be the case. I think this government has taken a look at its future, and it didn't like what it saw. So it has changed its direction, not because they have become enlightened but because they have become frightened, Mr. Speaker.

As we move now towards an election, the government is undoing some of the things which it has done. But what's missing, Mr. Speaker, is a comprehensive approach to rectifying the mistakes of the last couple of years. That's not happening. What we see instead are selected amendments in Bill 23 to the former Bill 19 and a task force to talk to property owners.

They're very big all of a sudden about talking to people and listening to people. The hon. Minister of Education has undertaken a wonderful tour of talking to everybody about the education bill. Mr. Speaker, it is not a consistent, sincere approach that we see from the government every day. It's a last-minute realization that if they want to get re-elected, they have to appear to actually listen to Albertans. So it is a deathbed conversion rather than a clear and ongoing commitment by the government.

I want to just indicate to you that if the government had listened to the NDP in the first place, they would never have gotten into this mess.

**Mr. Hinman:** And to the Wildrose.

**Mr. Mason:** To give credit to the Wildrose, they did listen to us, and they have corrected the mistakes of their past much sooner than the government did, Mr. Speaker.

I want to just really, really indicate that the government is doing in this case too little and too late, Mr. Speaker. We do believe that there are important considerations in the building of a province. You obviously have to accommodate growth. You have to be able to get people from point A to point B. You have to make sure that our industry, our business, our farms, and our cities and towns have electricity as they grow, and there is a legitimate role for planning. There's a legitimate role for the government to undertake these things on behalf of the public interest. But when the government doesn't follow the public interest and, instead, gets hijacked by private concerns like TransAlta and other large utility companies and undertakes legislation at the expense of the rights of the ordinary people, then that government is badly off track and needs to be called to account.

That's what I think has happened, Mr. Speaker. It's not that the government has just considered what the public interest is and is acting out of the public interest. If they were, then we wouldn't

need some of the draconian legislation that they've passed: Bill 19, Bill 36, and Bill 50. But because they are not acting in the public interest, because they're acting for private interests, they need to act in an undemocratic fashion because given a choice, the public will not accept where they're going.

I think that it's the resistance of the public, the resistance of the people of Alberta that has forced this government to introduce Bill 23. It is, in my opinion, a defeat for this government and its antidemocratic direction. I think that the public, the people of Alberta, have stood up to the government and stared them down. The people of Alberta have won, and the government has lost. Mr. Speaker, I want to say very, very much that I believe that this bill is an admission, a partial admission, of defeat on the part of the government. I wish that it was a true act of contrition and a desire to really change their ways, to mend their fences, and to move on and accept the principles that they once stood for, but I don't believe it to be the case. It is an admission of failure on the part of the government, and it should be taken as such.

Thank you, Mr. Speaker.

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

**Dr. Swann:** Well, Mr. Speaker, I could be wrong, but I got the impression that this member was going to support this bill. Is that the case?

**Mr. Mason:** Mr. Speaker, I think that this bill with some amendments could be supported, but as it stands now, it does not completely address the issues that have been raised by other members. In particular, it still allows the government to freeze the land, requires them to notify banks to deprive landowners of the ability of credit, and I think that there is further work. But, clearly, I want to say that it has done some things. I think it has given full access to the compensation entitlements under the Expropriation Act, and it allows the landowners to sell their property if they're subject, but it does not deal with the ability of the landowners to access credit, and I think that's a serious flaw yet in the bill.

**The Deputy Speaker:** Any other hon. member under 29(2)(a)? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. Thank you, Mr. Speaker. I guess I'd like to first thank the hon. member for that short time when there were no Wildrose elected in the Assembly, but they were very much going around being property advocates. It was very generous of the NDP to step forward and to protect property rights for that time and to still be standing there.

**9:20**

I guess I'd have to ask the hon. member about his comments specific to property rights. In your pamphlet you recognize the importance of property rights, but I thought that that was kind of a little bit of a step to the right for you, that normally you see the collectiveness of government in taking these projects forward. I would say that it was almost you having to expand your tent to protect property rights here in the province of Alberta. Perhaps you could explain that a little bit for us.

**Mr. Mason:** Thank you for that question. If the Wildrose can support state-owned banks, then surely we in the spirit of compromise can find a way to work forward.

But, no, Mr. Speaker, to be serious and for the record, the NDP has always supported the rights of individual property owners balanced with the public good and supported due process with full



consultation and rights of appeal for landowners whose land may need to be taken in the interests of the public good.

We also think that it's very important, as I talked about earlier, that we make sure that it is actually the public interest that is being secured rather than private interests. In this case I believe the government is acting on behalf of private interests against the rights of people within the province, so we are very much against that sort of direction from any government.

**Mr. Hinman:** Just to clarify, then, I guess it's exciting to see the opposition members understanding the importance of the due process of law, understanding that the government shouldn't be able to freeze property rights for up to 20 years with them wondering where they're going to . . . [An electronic device sounded] It's the hon. minister across the way there playing with his toy. It's chirping away.

We realize that the due process of law is critical. We understand the need for and are willing to support the Expropriation Act as it is, but the one clause that we continue to have a problem over is in section 10, on the notification to the banks and what that can do to a property owner when they find out that all of a sudden this land is under consideration. It can have a major impact on that property owner or a small business or a homeowner being able to renew a mortgage that all of a sudden the bank can have great fear of.

I think it's the northern Badger case where this has implications in that banks that perhaps had a mortgage on an old service station and the government moved. . .

**The Deputy Speaker:** On the bill, the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I just rise to make some very short comments with respect to the bill just because there's been so much that's been said tonight and otherwise with respect to this matter that is so completely, for lack of a better expression, out to lunch.

The hon. Member for Edmonton-Highlands-Norwood talked about power lines and people bearing the cost of power lines. Of course, as my hon. friend the Minister of Transportation indicated earlier, this bill makes it very clear that land assemblies are not about assembling for power lines or pipelines but assembling for roadways, water projects, and those sorts of things.

One thing that should be very clear on the record is that if anybody was intending to build a power line for export of power, the cost of that line would be borne by the exporters, not by the people of Alberta. That's very clear in Alberta law. Even though it's irrelevant to this bill, I just wanted to put that on the record because the hon. member keeps bringing those sorts of arguments to the floor and misleading Albertans with respect to the effect of this act.

I've actually had the privilege of being a practising lawyer in the area of land use for a number of years. Our law firm acted for landowners within what's now known as the transportation/utility corridor, which previously was known as the greenbelt, around Edmonton. I can tell you that notwithstanding the fact that the Progressive Conservative Party and this government have been the strongest proponents of private property rights in this province for years and years and continue to be that, the process for assembling land for the Anthony Henday and for the ring road around Calgary was not a very viable or acceptable process for landowners.

First and foremost, government attempted under the environmental acts of the time to set aside a greenbelt. That was taken to court and was struck down. In fact, the transportation corridor around Edmonton was struck down three times in court because

there was no appropriate law in place which allowed the government to assemble a piece of land such as that for a transportation corridor.

Now, the hon. members opposite and particularly the hon. Member for Fort McMurray-Wood Buffalo – he should understand there's a significant amount of development in his area – should understand that you need to set aside corridors for major roadways. He says that we should leave the land assembly act out altogether and just rely on the Expropriation Act. Does the hon. member have any idea how much it would cost to expropriate developed land for a ring road? If that land had been allowed to progress without being set aside, if you will, without being sterilized, as some people would call it, for the period of time – and it was 30 years – if there hadn't been the notation on there, do you think there wouldn't have been houses built, that there wouldn't have been development on it? Then where would the ring road have been built? Further out? Would you assemble it further out?

I mean, if you're going to do land-use planning, you have to have an appropriate tool, which is this act, the Land Assembly Project Area Act, to plan the area, to designate the land, and then to appropriately deal with the landowners involved so that they can have appropriate compensation for their land at the time that it's set aside. If they wish to stay on that land, of course it's going to impact the further growth of the value of the land, but it's not going to impact the land value that's currently on it.

This whole idea about going to the banks: they keep quoting section 10 of the Land Assembly Project Area Act. Section 10 actually says that "a person who holds or acquires an estate or interest in land in a Project Area holds or acquires that estate or interest subject to this Act and the regulations," nothing about sending a notice to the bank.

In any event, it is quite appropriate that if you're going to assemble land for a public purpose, normally what you would do would be to expropriate that land at that time. If you're assembling land for a public purpose, which is planning long term into the future, then you need to have an appropriate mechanism to set aside that land and then work with the landowner to determine at the appropriate time that the landowner wants to give up the land and obtain compensation rather than moving a landowner off the land 30 years before they need to do so. That's the interest. That's why this Land Assembly Project Area Act is so important.

Now, there's been a lot of talk about people coming back because we need to fix the act. Well, to be perfectly frank, the act that was passed in the first place did what it was intended to do, and that is to provide a scheme to set aside land for future planning purposes for major projects and to appropriately compensate landowners. Confusion has been raised in people's minds as to whether it does that. What this bill, this amendment act, does is clarify those compensation processes, clarify that people do have the right to the heads of compensation under the Expropriation Act. The Expropriation Act was mentioned in the original bill. This makes it very clear that all the heads of compensation are available to them. The issue in the original act was the term "market value." That provided some confusion for some people. Well, there should be no confusion now. A landowner would be entitled, when this act is passed, to compensation on any of the heads of damage that you could get under the Expropriation Act.

Let's be perfectly clear. You cannot live in a modern, cosmopolitan province like Alberta without planning for the future, planning sensibly for urban growth, planning for where the major transportation corridors should go, and then fairly treating the landowners in that area because – and that is an unusual situation – their land is being taken for a public purpose. But in the case of these types of projects, that are being assembled for future

purposes, it's not being taken right at that moment, and that landowner shouldn't have to sit and wait to see what happens. That landowner should have the right to ask that their land be purchased at that time or to make a deal with the government to be able to stay on the land for as long as the land is not needed for the public purpose.

In any event, we should not be in a position where that land gets overgrown with all sorts of different development and then have to come back and expropriate at a much more significant level to achieve that public purpose. Good planning requires us to think further ahead than the opposition, obviously, wants to do.

9:30

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Member for Calgary-Glenmore, first.

**Mr. Hinman:** Thank you, Mr. Speaker. I appreciate the minister trying to explain the position the government is in. It was their failure to act long-term and, again, their deception of the people on what they wanted to do. The fiasco and why it failed three times in the court is because of the behaviour of this government in acquiring that land and not being honest, saying that they wanted it for environmental purposes when they didn't.

We agree and understand the importance of setting aside transportation and utility corridors. This bill, Bill 23, definitely goes a long ways in repairing much of the damage that this government has inflicted on property owners for the last two years and 30 years if we want to go back in the dilemma that this government has had in failing to plan for the future.

If we actually go back to the founding of this country, it's quite interesting that those founding fathers had the foresight to understand and see the importance of utility corridors and transportation. They actually went out and surveyed the entire country and put it on a grid. Every two miles and every mile there was a road allowance of 66 feet to allow development. So Canada started off on good terms looking forward, understanding the importance of being able to have access to property and not having to cross over private property rights.

This government failed Albertans miserably. Again, even with the southwest ring road in my area this government for 30 or 40 years has talked about it, and said: "Oh, we're looking at it. We want to do it," but they haven't taken the steps to actually secure that transportation corridor. Now we're in a position where we can't access that because the government has failed to be honest and upfront with what they're wanting to do, using behind-doors cabinet meetings, meeting with individuals from the First Nations and other areas but never having an actual plan, Mr. Speaker.

The question for the minister is: how can you stand up here in this House and act like this is the first bill that you're putting forward when this is nothing but the second and third time to attempt to make proper amendments to an extremely flawed bill? Yes, this is the best yet. You're covering all those things, but you haven't covered section 10 on the notification and section 5 of the land assembly act, and that needs to be. We'll be bringing some amendments forward on that. To get up and say that this was all part of the foresight when you literally ripped property rights right out from underneath every Albertan that was in an area where this government wanted to put a power line or a road allowance – you keep denying that has anything to do with it. I just can't for the life of me, Mr. Speaker, understand how the minister can act like this is Bill 1 and everything has been great.

**Mr. Hancock:** Well, Mr. Speaker, that just shows the hon. member doesn't have a clue really relative to the history of the whole thing.

First of all, the government of Canada 100 years ago didn't survey the whole country. We have a Torrens system in western Canada, a series of surveys in western Canada that does quarter sections and sections and that sort of thing, and it isn't a hundred years old. What is a hundred years old, well, not quite, but 40 years old at least, is our respect for private property and the individual landowner in this province.

What this bill does – and if the hon. member had been listening, clearly he would have heard me say that the Land Assembly Project Area Act in itself was a very important act in that it set aside a process, first of all, to let landowners know when there was a land assembly happening that might affect their land and an ability for them to participate in that process and, then secondly, when a land assembly area was designated, a way in which they could ensure that they were fairly and properly compensated. There was some confusion created around that. I didn't say that the confusion was caused by the Wildrose Alliance, but I could've.

This amendment act is here very clearly to clarify, to make it very, very clear, that the heads of damage under the Expropriation Act, which were always intended to be there, are there and that land assembly will only be done when it's in the interest of long-term future planning for roads and for water projects and those sorts of projects. It's absolutely important that landowners have that right, to be able to approach government and say: if you're going to set aside our land for a future project which limits our ability to develop it, we need to have the opportunity to get compensation now.

**The Deputy Speaker:** The hon. Member for Fort McMurray-Wood Buffalo. Well, we ran out of time.

The hon. Member for Airdrie-Chestermere on the bill.

**Mr. Anderson:** On the bill. Thank you, Mr. Speaker. Well, that was a riveting debate there. I thought there were some good points shared there.

I'm going to take a little bit of a different tack with regard to speaking in second reading on Bill 23.

[Mr. Zwozdesky in the chair]

I heard this mentioned earlier. There's a real habit and pattern developing here where the government really feels the need to ram bills through so quickly that I really don't think – and there was some cheering to that on the opposite side, that they like to ram bills through quickly. I don't think that they understand that in order to pass truly effective and solid legislation, there really does need to be a lot of very sober second thought given to every bill that's introduced. It's very important that we as a Legislature have that opportunity.

The example is these three land bills or four land bills if you include Bill 24: Bill 36, Bill 19, and Bill 50. They got rammed through so fast and so quickly that there were some pretty glaring, gaping holes that were there that didn't get addressed. I don't blame actually in any way, shape, or form, nor should I, having voted for one of these land bills – the Minister of Education was earlier incorrect. He was mentioning that I had spoken in favour of Bill 19. I think he meant Bill 36, which I absolutely did the first time speak in favour of.

What's not understood on that side yet I think is the reason for that, and I think they should all relate to it. These bills are often essentially delivered to caucus with a couple of days' notice to read over them. No time – oh, don't give me the puzzled look. Unbelievable. The final draft of Bill 36 was given to caucus two days before it was introduced in the Legislature. You know that. Don't look confused. Two days before.

We have no time to go to the public . . .

**The Acting Speaker:** Through the chair, please.

**Mr. Anderson:** . . . to our constituents and actually go through the bill and say: "Look, this is what's in there. These are the points that are in there. Here, take a look." There's no time to go to, you know, people that we trust, lawyers that we trust to go and say, "Take a look at this bill, and see if you're seeing anything untoward in here or a problem in that, to go to someone like a Keith Wilson or like a Stan Church or someone like that who has some background in these land bills and go through it with them top to bottom and make sure that the people of Alberta have an opportunity to look through these things and to give us feedback, to put it to a committee and let that committee bring in stakeholders and bring in experts so that we can make sure that we get the right piece of legislation passed at the end.

We didn't do this with bills 36, 19, 50. Bill 24: I was on this side of the House for that one. For those first three there was no time to do that, so mistakes are made. Obviously, mistakes are made. Clearly, with regard to Bill 36 I made a mistake. Clearly, I did not fully understand the legislation. Thankfully I was able to go to actually two seminars by two different individuals about Bill 36 and these property rights bills. I was able to talk to people in my constituency about them after the fact, and it became very clear very quickly that my judgment was completely wrong with regard to voting for and speaking for Bill 36. As I've said in this House many times, I apologized to my constituents for being hoodwinked, so to speak, for not reading that bill as carefully as I should have, and for voting for it and speaking for it.

**9:40**

I guess that's where the difference between myself and some of the other folks in this room is. I was able to make that clear decision that I'd made a mistake. There seems to be a problem with many members in this House who still to this day don't seem to think that they've made a huge mistake with regard to these land bills, including Bill 19. They still think that all these land bills were perfectly fine and perfectly necessary. The only thing was that there was a little bit of a communication problem. You know, it was always: the bills were fine; it was just that they were being misunderstood. Incredible.

When you make a mistake, admit you made a mistake. It's okay. People don't expect perfection from their politicians. Good grief, that's for sure. They do expect that when a mistake is pointed out to them and it's clearly a mistake, admit it, move on, and make the correction. Make the correction. I think that was the real problem with this government.

Now, I will say that with regard to this bill they did eventually make a correction. It has come a couple of years later, and that's fine, but they did make a correction. Better late than never is the adage. Boy, oh boy, think of what it took to get through those two years. Think of the slagging, of the character assassination that occurred by many of the members opposite on an individual, Keith Wilson, who went all over the province talking to thousands of people around the province about these bills, pointing out all four of the bills' flaws – why they were wrong, why they needed to be changed, how they needed to be changed – again and again and again, did all this work, and his character was repeatedly assassinated by this government for just stating what his opinion was on Bill 19. It is just incredible.

I mean, this individual, as much as – you know, obviously the Wildrose was speaking strongly against these bills as were the NDP and others. Had this individual not been able to go around and raise such a kerfuffle in rural Alberta, there is no doubt in my mind that none of the changes that have occurred to these land

bills would have been done. Frankly, this province and every landowner in it owe a huge debt of gratitude to that individual, Keith Wilson, and that government opposite really should give that individual an apology, a sincere apology for the way that he was treated and maligned and harassed frankly by this government.

If you were at the Eckville debate, I use harassment for a reason. He was literally harassed by certain people on the other side while giving his speech, just totally disrespectful. Yet here we are. All those things have been taken and changed. Most of the things that he pointed out about Bill 19 have been changed. That's good, and it's good that their listening. Why the character assassination? Why the assassination of character and judgment of members on this side of the House?

You know, if we could go through all the different quotes – and I'm sure one day we will – talking about how members on this side of the House were out of their minds, that we were misinterpreting every single clause, taking it out of context, fear-mongering, all these different things, for simply . . . [interjections] The member says that it's all true. Still he thinks that all of those mistakes in the legislation that were being pointed out – and, really, we were just looking at the reports with regard to Bill 50 from the University of Calgary and from IPCCAA, with regard to Bill 36 from folks such as Keith Wilson, and just repeating those criticisms. We were called just absolutely the worst names for it. It really is quite something to watch a government of 40 years. The arrogance is just breathtaking in that regard.

We were just doing our jobs, and that was to represent the landowners in our constituency and around Alberta, trying our best, trying everything we could to stop a 70-seat majority government. We did everything we could to do it, and frankly with the help of many good friends and landowners we were able to stop that government. That's a huge accomplishment for every opposition party in this House, for Keith Wilson, and for others. We were able to turn this legislation around, this piece of legislation.

Now, unfortunately, we still have a couple of other outstanding pieces, Bill 50 and Bill 36, that are still unacceptably poor pieces of legislation, that we will hopefully get to work on in the future and try to fix or, in the case of Bill 50 and Bill 36, repeal and start afresh, but at least we've slowed down the process. I think that's a huge testament to fighting tooth and nail against all odds in support of something that you believe in. So we're very happy with that, and we're grateful to have had that opportunity to defend landowners in that way.

I do have one issue with this, and it is that I think the government has basically – you know, I still would like to see us go back to the drawing board on Bill 19, go to a special committee, meet with some of the stakeholders and so forth on this and come up with a truly good piece of legislation, but if this is the way we're going to go, they've got it pretty close here.

The one issue that is still outstanding for me is section 5 of the Land Assembly Project Area Act. I'm still not understanding this, and perhaps someone can clarify it for me. It is an honest question. I'm trying to figure this out. This is after a piece of land is frozen, et cetera, whatever.

5(1) The Minister . . .

- (b) shall file a notice of the project area order and its associated regulation, together with a certified copy of the order and a certified copy of the associated regulation, with the Registrar . . .

And registrar is defined as the registrar at the land titles office. . . . and, on its being filed, the Registrar shall endorse a memorandum of the notice on each certificate of title pertaining to land within the Project Area.

That would seem to suggest to me that that will go on that specific land title, so on a person's land title. If that's the case – and this is an honest question – it would seem that that would be a situation where if someone wanted to use that land as collateral or wanted to sell it, it would devalue the property because it would be very limited in what it could be used for, and a bank wouldn't take it as collateral in some cases. I don't know.

I'm not an expert in this particular area, but I do have some worry on that end, and in full disclosure I think that that has been brought up in this House. It's been brought up by several lawyers, including Mr. Wilson, as kind of the only deficiency remaining in this bill. I would really like to see an explanation on that, perhaps an amendment on that so that we can make sure that this piece of legislation is as good as it can be prior to moving forward. That's really the only question I have with regard to a specific clause in the bill.

Again, I would like to personally and on behalf of the Wildrose Party commend Mr. Wilson. He is a fine gentleman. He truly believes in the province of Alberta and the values of liberty, the values of property ownership and respect for property ownership and how important that is to our entire system, to the rule of law, to a functioning democracy and one that respects people's rights. Although I do not believe for a second that the folks across the way were interested in using this as a way to subvert democracy or anything like that, I do think that there is a slippery slope, and the people that are in those chairs right now won't always be in those chairs. The problem is that we always have to be looking forward into the future to make sure that the laws we pass now, as well intentioned as they might be, are not used as a sword in the hands of people in the future who aren't as committed to democracy and property rights and things like that principle. So I do thank Mr. Wilson for that.

Respectfully we ask that question, and hopefully the Minister of Human Services will answer my question with regard to section 5 in the assembly project area act. I look forward to his answers.

9:50

**The Acting Speaker:** Section 29(2)(a) is available. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I wanted to just make a bit of a comment. I know that the hon. Member for Airdrie-Chestermere has indicated that this particular piece of legislation goes most of the way toward erasing the egregious clauses of Bill 19. Previously the Minister of Human Services and Government House Leader stood up and suggested that we were creating confusion and misleading the public with respect to the provisions of this bill. I want to just be on the record here that when I talked about power lines and so on, I was referring to Bill 19, the existing legislation, which this act amends.

It's clear to me – and that was the subject of my speech – that the government has realized that they've run into real trouble and have really seriously crossed many Albertans that have traditionally supported them. The point of the speech was that they have finally had a conversion at the last possible minute and that the reason we're here is for the government to correct some awful mistakes, which they could have avoided had they simply listened to the opposition and listened initially to the NDP when we pointed these things out. I want to be really clear with the minister that under Bill 19 the government could designate any land that they wanted for a public project, including things like power lines, and then give themselves the power to make regulations by cabinet, behind closed doors, around what the land would be used for and if and how any compensation would be paid.

The fact that this government could pass such legislation really, really, I think, undermines its credibility and its commitment to the basic principles that it allegedly stands for. Anyone who takes a look at this situation should not just look at the bill that is being passed now, at the last minute, but at the actions of this government over the past couple of years to really understand the lack of commitment they have to basic principles and democracy.

**The Acting Speaker:** Standing Order 29(2)(a) is still available. Does anyone else wish to speak on 29(2)(a)?

If not, then we'll look for another speaker on second reading of the Land Assembly Project Area Amendment Act. Are there any other speakers at second?

If not, the hon. member to close debate?

Are you ready for the question, then?

**Hon. Members:** Question.

[Motion carried; Bill 23 read a second time]

## Government Bills and Orders Committee of the Whole

[Mr. Zwodzesky in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

### Bill 25 Child and Youth Advocate Act

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this Bill 25? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would like to offer a few comments just as we open debate in committee with respect to Bill 25. There were a number of comments made in second reading which I wanted to very quickly address and then offer one technical amendment.

There was a question raised about the distinction between the roles of the advocate and the child and family services council for quality assurance. I think it should be clear that the council for quality assurance is intended to provide advice related to quality improvement with a focus on the child intervention system. In other words, the council should look broadly at how numerous systems interact in providing services to a child and family and investigate the incidents to determine what immediate advice should be made relative to the improvement of our processes.

The advocate provides individual advocacy services not only to children and youth receiving child intervention services but also under the Protection of Sexually Exploited Children Act and children and youth in the youth criminal justice system. The systemic review piece of the advocate's role is very important as the information gathered during the day-to-day work of the advocate provides a unique perspective in identifying areas where improvements can be made.

The advocate will have a seat on the council to ensure that the work of the council and the advocate's office is linked with ministry quality assurance's activities and that the advocate has the same information as the council to carry out his mandate. In other words, it's not intended to in any way limit the advocate but actually expand the access the advocate might have to the work of the council and to be able to build off that work if he or she feels that that's an appropriate thing to do. The fact that we're indicating that the advocate will be on the children's services quality assurance council is intended to provide access to more

information to the advocate and assist the advocate in his or her endeavours.

An external panel is called by the council, the same as the Serious Incident Response Team, as discussed by the Premier during her campaign. The quality council, actually, is that response. The quality council is to look into every serious incident and any death of a child in care or receiving services from the department. So it can set up the external panels as a serious incident response process. In other words, rather than waiting for a fatality inquiry or for a criminal process, it could set up an expert panel to have access to and to look at every aspect of the service that that child received, the protection that child was suppose to receive, and the incidents surrounding what happened to the child. This intense scrutiny on the incident at several levels allows us to be proactive in terms of identifying opportunities for improving and helping to ensure that changes to services are being made long before the court proceedings are complete.

Concerns about the current advocate staying on as an independent advocate and the length of his term were raised. I want to be very clear on this. We need to have some transition between the current office and the new office. A children's advocate was just hired after an appropriate process and came into office I believe around the beginning of June. That children's advocate has a four-year contract. The legislation provides for a transition, so the advocate who is currently in place with a four-year contract will become, when this act is passed, the children's advocate until such time as the Legislature chooses a children's advocate.

Now, I would have to admit that it would be my hope that the Legislature, through Leg. Offices, would respect the advocate's office. We've had a process, a competition. He's been selected as a result of that competition. We've brought him in from wherever he was before – I believe it was Prince George, British Columbia – and from whatever he was doing before, and it would be, in my view, not the most appropriate thing to do, just because we've now decided to make this an office of the Legislature, to in essence terminate his contract.

#### 10:00

It is clear in the act that the current children's advocate serves until a children's advocate is chosen by the Legislature, presumably under the recommendation of the Leg. Offices Committee. Now, it's also clear, however, that even if he does so, he doesn't get the five-year term that's in the act. He gets to continue his contract until his current contract is terminated, essentially, which would have to be the case.

There is a strong need, I would suggest, for consistency in the leadership in the advocate's office during the transition. The current advocate is a strong voice for children and will do a great job in his role, but again there is nothing in the legislation that prevents the Legislature from deciding to appoint a new advocate before the current advocate's contract expires.

Why the advocate's reports from investigations of serious injuries and deaths would not disclose identifying and personal information about a child? Well, the advocate's reports should and will be public. They will be tabled in the Legislature by the Speaker or the Clerk. They will be reports to the Legislature. But it's important to consider in writing public reports that disclose private information, that disclosing a child's name, even if the child has died, may disclose the status of other persons in the family or disclose the family status itself. That in itself would be a breach of their right to privacy. There are appropriate processes which can be undertaken when it's believed to be in the public interest to disclose that information. Other parts of the act help to

clarify when it's appropriate to disclose, but it wouldn't be appropriate to publish that automatically in the child advocate's report.

Does the advocate have access to cabinet information like the B.C. advocate does? It's clear in the act that the advocate has all the powers of a commissioner under the Public Inquiries Act. The Public Inquiries Act clearly sets out what information can be subpoenaed, requested, and obtained. It makes it clear that information from cabinet, which has the privilege of cabinet attached, is not automatically available but can be available in appropriate circumstances with appropriate review.

Will the privilege aspect of information reporting be something that protects the minister's office, or will it instead be really the removal of the barrier? Well, the advocate will access or compel information as needed to assist him in an investigation or as part of his day-to-day work. Again, there's not an automatic compelling of information, but it can be accessed in appropriate circumstances with appropriate review.

Is the advocate going to address concerns about the overrepresentation of aboriginal children and youth in government systems? That, Mr. Chairman, is a very important question, a very important issue. I think it's quite unacceptable that close to I believe the number is 67 per cent of children in care or being assisted by the system are aboriginal children. That's unacceptable. That's a piece that needs to be dealt with. I would hope that the advocate would lend his expertise to providing advice with respect to that, as I would hope everyone else in the system would. That's a societal issue that we absolutely have to overcome, and we will overcome it. I hope to have advice for as long as I'm in this office from every appropriate source, and the advocate is certainly one of those appropriate sources. It's not a problem that's unique to Alberta. But it's certainly a problem that we need to address.

Age of youth served up to 22 to be consistent with the Child, Youth and Family Enhancement Act or 20, as indicated in the legislation? That confuses me a little bit because I'm not sure where the reference to age 20 is. The legislation in Section 1(c)(ii) does in fact reference the age of youth served as 22, not 20.

Do former youth in care still have access to advocate services? Yes, in most cases, because youth are asking for help within designated services. If youth are asking for services that are not designated – i.e., help for applying for a student loan – then there is not support from the advocate's office, but if a youth who was in care is looking for services that are supported or designated, then clearly the advocate's office is open to them.

Can anyone contact the advocate to report a child in need of advocacy services? Well, absolutely. Of course they can.

Section 9(1) talks about the rights of children. What does it mean, and could it include the child's right to access to their parents? Well, rights include those under the United Nations rights of the child. It includes specific rights related to receiving services, such as being involved in decision-making, requesting contact with family and friends, and access to education and health care.

Can the advocate call a public inquiry? No, but the advocate has all the powers of a commissioner under the Public Inquiries Act when conducting an investigation. So, in fact, there's quite an open authority for the Child and Youth Advocate to conduct an inquiry using all of the authorities of the Public Inquiries Act and without waiting to be asked or told that he can.

Then the question is why the advocate doesn't apply in matters of financial administration under the Public Service Act. Mr. Chair, I would have to acknowledge that there was an oversight while drafting the legislation in not including the advocate in

certain parts of the Financial Administration Act. In fact, there is a reference in the consequential amendments to adding a deputy head of department, but there aren't the other corollary amendments which would be adding a department and department head.

Those are the issues that I have a concern about, so I would be moving an amendment to the act to strike out 29(3) and substitute new wording in there which makes it very clear that, like other offices of the Legislature, the Child and Youth Advocate's office is considered a department, the Child and Youth Advocate is considered a department head, and there's also a reference, as was already in the act, to a deputy head. I would ask support of the House for that amendment, just to add in two pieces which should have been there in the initial drafting and were unfortunately overlooked.

I believe that answers most of the questions that were raised in debate in the House earlier in second reading. I'd be more than happy to respond, once we've dealt with this amendment, to any comments or questions that other members of the House might have.

I believe it's being circulated, Mr. Chair, and once it's circulated, perhaps we could then deal with the amendment.

**The Deputy Chair:** Thank you. We'll just give the pages a moment to complete the circulation of amendment A1 to the Child and Youth Advocate Act.

Does everyone now have a copy of the amendment? Is there anyone who does not? Please signal.

Are there any comments on this first amendment? Hon. Member for Calgary-Mountain View, did you wish to lead off?

**Dr. Swann:** Well, thank you, Mr. Chairman. The minister has given us a very brief outline of this amendment, and I gather that the oversight was simply to include the office of the Child and Youth Advocate under the financial administration of the Child and Youth Advocate. Perhaps the minister could just say a bit more about what that means.

**The Deputy Chair:** The hon. minister.

**Mr. Hancock:** Certainly, Mr. Chair. Under the Financial Administration Act officers of the Legislature are included for financial purposes to provide for appropriate provision of spending and controls on spending, so it's appropriate, when there's a new Child and Youth Advocate established as an officer of the Legislature or an office of the Legislature, that that office be added into the sections of the Financial Administration Act which deal with that area for other leg. officers. This amendment is intended to do just that. It adds a subsection (vii) to that section 29 to include the Child and Youth Advocate and the office of the Child and Youth Advocate.

10:10

On page 23 of the bill, section 29(d) was amended by striking out "and," et cetera, and it included it in only one of the sections when it needed to actually include it in three sections. It was just a simple oversight by the drafters with respect to the number of areas where the Financial Administration Act had to be amended in order to include the office of the Child and Youth Advocate. By leaving it the way it is in the bill now, it would simply amend the area referring to a deputy head, and we also need it in the area that refers to a department head or a department. In other words, it will make it parallel with how other leg. offices are treated in the Financial Administration Act.

**The Deputy Chair:** Are there any other speakers to the amendment? Are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A1 carried]

**The Deputy Chair:** Are there any other speakers at Committee of the Whole to Bill 25? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. Well, notwithstanding the comments of the minister earlier, I want to move that Bill 25, the Child and Youth Advocate Act, be amended in section 26 by striking out subsection (4). I'll circulate these prior to making any comments.

**The Deputy Chair:** We'll give the pages a moment, then, to distribute the next amendment, which we will call A2.

Do all members now have a copy of the amendment? If not, please signal.

Let us proceed, then, hon. member.

**Dr. Swann:** Thank you, Mr. Chair. Well, since the bill is supposed to be about establishing the independence of the Child and Youth Advocate, reporting directly to the Legislature, free to review issues in the child intervention system in an unbiased and objective fashion, I guess the question is: why do we need a cabinet-appointed council for quality assurance, which the advocate is supposed to be a member of? It strikes us that if there is a real, sincere interest in the independence of the Child and Youth Advocate, the advocate should have the power to establish a quality assurance council and mandate or provide direction to that council to investigate certain areas of uncertainty or concern or redundancy and not have a council that could potentially be in conflict with the independent advocate himself or herself.

If an advocate is properly funded and staffed, we believe that a lot of the quality assurance work could be done under the auspices of the independent Child and Youth Advocate as opposed to in some ways neutering the impact or diluting the impact of the independent Child and Youth Advocate. We're suggesting that we go back to the drawing board on the council for quality assurance and ensure that they are, in fact, independent also of government.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

Hon. minister, to this amendment.

**Mr. Hancock:** Thank you, Mr. Chairman. I certainly, after a quick review of this, understand the concept the hon. member is raising. There was, as I indicated in my opening remarks, some concern about the need for both the Child and Youth Advocate and the quality council, and there was some question raised about the independence of the advocate being a member of the council, those sorts of issues. I think it's extremely important in this area of the protection of children to make sure that we have the best possible system for children, that we use every opportunity and avenue that we can to ensure that we're doing the right thing for the right reasons, that we're bending over backwards to ensure that children in care – well, all children – are protected, are dealt with appropriately.

The previous minister set up a quality assurance council in September, and it has its first meeting next week. Now, that council is set up under a ministerial order. But when I was reviewing the process moving forward with the children's advocate, I believed that we really should make that council a public council, given the strength of statute behind it. We could have brought that in with a separate act, but I think it is consistent with and supplemental to the role of the Child and Youth Advo-

cate. It doesn't in any way denigrate the Child and Youth Advocate's role. The Child and Youth Advocate's role is very clear. His authorities are very clear. Nothing that the quality council will do will interfere with the Children and Youth Advocate's authority. In fact, in my view, it will enhance the ability of the Child and Youth Advocate to have access to information.

One of the amendments that is included in this is the last amendment, which purports to amend Section 105.74 under director's duty, which says, "the director must, as soon as practicable, report the incident to the Council;" that is, "a serious injury to or the death of a child." The provision there is to add "the Child and Youth Advocate and" before "the Council." I wouldn't have any concern with that because, in fact, there is a duty to report to the Child and Youth Advocate anyway. So I think that might be surplusage. It certainly wouldn't be offensive at all, but in the context of being buried within the rest of this amendment, unfortunately, I won't be able to recommend that we accept it.

I think it's very important that this council be there, that people know and understand that we take issues seriously and need to have a thorough look at them and learn from them at the earliest possible date, and that that work can happen either adjacent to the work of the advocate, in advance of the work of the advocate if that's the advocate's desire, or in any other way. It doesn't have to inhibit and shouldn't inhibit the work of the advocate. It's important that the advocate have a collaborating role, so to have access to everything they're doing and putting him on the council *ex officio* I think is important.

The ability to have the expert review panels is extremely important. The ability to put together people who are knowledgeable in the area to look into it thoroughly I think is extremely important, and the advocate having access to their work is important. Again, it doesn't detract from the advocate. If he believes that it's not being done thoroughly or appropriately or that it needs to go further, it doesn't stop him from doing that. From my perspective, I don't believe there's any reason why we shouldn't pull out all the stops for kids.

**The Deputy Chair:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Boutilier:** Thank you very much, Mr. Chairman. The minister's comments relative to this Child and Youth Advocate Act: I can say that the Wildrose certainly agrees with him. Make a note of that. The Wildrose agrees with this minister on this topic. As a father with a son who is four years old and for any parent with a youngster we want the ultimate protection of them. I commend the government. I think that on this one they have been listening to what the Wildrose has been saying and what opposition members have been saying. I'm very pleased to say that this is reflected in the act as well as in the amendments put forward here tonight.

To that, you know, his ministry today is one that includes the previous ministry of children's services. I'm very proud to say that a member of our caucus was minister of children's services for numerous years and did an excellent job in that area and laid the foundation for much of what's going on.

He did raise one point, though, on the question of independence. Certainly, I would welcome further comments in terms of the perception of independence as opposed to how this act and the amendments are being structured.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Highlands-Norwood on the amendment.

10:20

**Mr. Mason:** Thank you. On the amendment, Mr. Chairman. I would like to speak in support of this amendment because I believe that to advance the best interests of children in government care, we need to make sure that we don't have officers and agencies of the government that are operating at crosspurposes, that are in fact operating in the same area with similar areas of responsibility and jurisdiction, because that's a formula for a lot of confusion and a lot of inadequacy in terms of effectively carrying out their respective responsibilities.

From the current bill one of the things that this amendment will change has to do with the role of the council. In section 105.73 it says:

The role of the Council is

- (a) to identify effective practices and make recommendations for the improvement of intervention services, at the direction of the Minister and in co-operation with the Department.

That's the role of the council that's created by this bill.

The functions of the advocate: section 9(2)(g) and (h) say that the advocate is to

- (g) undertake or collaborate in research relating to improving designated services or addressing the needs of children receiving those services;
- (h) provide information and advice to the Government with respect to any matter relating to the rights, interests and well-being of children.

That's essentially, Mr. Speaker, the same things, the areas of responsibility.

If you go back to the role of the council, 105.73(b) says that the role of the council is

- (b) to appoint an expert review panel to review incidents giving rise to serious injuries or deaths of children as reported by a director under section 105.74.

If you go back to the functions of the advocate in 9.2(d), the advocate is responsible to

- (d) investigate systemic issues arising from a serious injury to or the death of a child who was receiving a designated service at the time of the injury or death if, in the opinion of the Advocate, the investigation is warranted or in the public interest.

So you have the council that may under the direction of the minister investigate exactly the same incident that is being investigated by the advocate. You've set up a duality here. You've set up a redundancy that can't do anything but create confusion. And the advocate may say, "Well, I'm not going to look into this because the council is," or he or she could say, you know, "Since they've looked into it, and I don't agree with them, I'm going to come up with something different." There are all kinds of things that can go wrong. It is the role of our Assembly, I think, when we pass laws to look at them and say: "What can go wrong? If we do this, what are the consequences not necessarily likely to be, but what are the consequences potentially that arise from this?"

Potentially there is an opportunity here for a serious risk of the council and the advocate stepping on each other's feet and creating a lot of confusion. Potentially, because each thinks the other is going to act or should act, there is the potential for neither of them taking any action when they should take action.

So I think that the hon. Member for Calgary-Mountain View's amendment will improve the bill. I think it will make sure that it's cleaner, that the lines of authority are clearly identified so we know just whose responsibility it is.

I don't know why, having agreed with the hon. Member for Edmonton-Strathcona that the advocate should be an officer of the Legislature, the government then creates a council that's respon-

sible to the minister unless, you know, there's just some desire to make sure that there's somebody that can do the same thing that's accountable to the minister. So it strikes me – I could be wrong – that the government just can't let go of having control, of having somebody that's accountable to the minister doing the same thing as someone who's accountable to the Legislature. And I think that it puts them both in a very difficult position, Mr. Chair, so I would urge members, actually, to support this amendment.

Thank you.

**The Deputy Chair:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Chairman. First of all I want to say thank you to the members in the public gallery who are here at 10:30 at night, several of them, watching democracy in action, as it were. We are, for their information, right now in the committee stage debating amendments on the Child and Youth Advocate Act. I don't know if you're able to follow along or make sense of anything we're saying here.

I am also going to speak in favour of this amendment. I appreciated the comments from the Member for Edmonton-Highlands-Norwood, and I think that he's putting his finger on one aspect of an issue here, which is that we have progress on one hand, which is making the Child and Youth Advocate an independent officer of this Assembly, and then we have sort of a break in that process when we have the minister able to essentially duplicate that through appointing his or her own committee.

I can see all kinds of problems with that, as previous speakers have said. That's what energizes this amendment. I don't want to repeat what others have said, but I want to draw attention to one other concern I have, which probably comes out of best wishes or goodwill here. It's my concern that we are losing track of the front-line workers in all of this. We're up at the top, giving the minister powers to create panels and committees and so on, and we're creating an officer of the Legislature, and I'm concerned that we're losing track of where the work really happens, which is the front-line workers.

In fact, it's quite possible that by appointing not just one but two new top management levels that can create all kinds of stress at the front lines, we're going to make the front-line services even more difficult. My heart goes out to that child welfare worker who is doing the best they can with very limited resources in sometimes horrendous circumstances, as this minister knows, and then has the advocate looking over one shoulder and then a ministerial appointed committee looking over the other shoulder. I think that could be quite paralyzing, and my concern is that it's going to end up with more forms and more paperwork and more reports and inadvertently, through the best of intentions, we end up actually slowing the system down or making it even more difficult for the front-line workers to do their jobs.

I wanted to get that on the record. In our good intentions here we may inadvertently cause more problems than we solve, and I think there's double that risk by creating not just the Child and Youth Advocate but continuing with this other committee of the minister.

Goodness knows those office managers and case managers who will have – what happens to them if, for example, a Child and Youth Advocate comes down with one set of recommendations and the expert panel comes down with a different one? What then? I think we need to be very careful. Obviously, I support the Child and Youth Advocate, and I commend the minister for bringing it forward, but I am concerned that we're really taking a sideways step at best by having this second structure as well.

Thank you.

**The Deputy Chair:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I really appreciate the hon. member raising those remarks. I disagree with his conclusion. I'll make that statement right up front, but I believe that it's very important that we understand that people on the front line, the social workers and others who are engaged directly on the front line, have one of the toughest jobs imaginable. They have to make judgment calls using their skill and ability on a daily basis and deal with some particularly horrific situations and, of course, also deal with the concern that we have that government and society and community not interfere unnecessarily with a parent's rights as well.

**10:30**

There's a balance to ensure that children are protected without unduly interfering with the family but then facing some of the most horrific things you can possibly imagine happening to vulnerable children in the province. I really appreciate the hon. member raising that as a concern because I think we want to make it perfectly clear that, first of all, neither the quality council nor the advocate has a role to find liability. Liability for any incident should be found by the courts. The role of both the advocate and the council is to help improve the system, on one side, and the advocate has the further role of being able to advocate for children and for systemic change for the benefit of children.

The quality assurance council role and mandate are to review incidents and to look into situations and provide advice with respect to how we can do things better. The advocate has a broader mandate to, yes, look at serious incidents as well, with powers to investigate and the commissioner's powers, but also to advocate. I think we want to have, first and foremost, the understanding that we need to hire well-skilled people, appropriately trained people. We need to ensure that they have competent people working with them and that they have the resources necessary, and we can't be second-guessing them all the time. We have to allow them to do their job, empower them to do their job, enable them to make principled decisions, and to back them up when they do it, even in the circumstances when sometimes mistakes are made.

We do have to look at incidents and learn from them and make sure that we inform ourselves better and constantly strive to do a better job, and I think that's a very important thing to put on the table. I would not be in favour of setting up either an advocate's office or a quality assurance council if it meant that we were constantly second-guessing and riding the people who have to make these difficult decisions in the face of some of the most horrendous information you could possibly see.

**The Deputy Chair:** Thank you.

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

**Mr. Mason:** Thanks, Mr. Chairman. Just a question for the hon. Minister of Human Services. Would it not be possible to more clearly delineate and separate the functions in this legislation? What I heard the hon. minister just say is that one has a different task than the other, but it's clear for me that the language doesn't support that. The language here has them both doing very similar functions. If there are two separate functions to be carried out and one is more appropriate with a council reporting to the minister, another an independent advocate reporting to the Legislature, then can the government not come forward with some language that would clearly delineate those separate functions and make it clear that they are separate functions?



**Mr. Hancock:** Mr. Chairman, I think that those are reasonable comments, but the only concern I would raise is that the advocate has a clear independence role that must be maintained. While it's appropriate for the minister, I think, and the advocate to have discussions from time to time, it must be clear that the advocate operates under his own volition under the mandate that's given to him by the Legislature and reports to the Legislature.

There may be times in an area, which I think the council has, which is much more restricted than that of the advocate, when the minister actually wants to engage in reviews but wants to go externally from the department to do it. It's better to have sometimes external eyes looking at something, reviewing a situation, and you need to have an appropriate body to do that. My purpose in asking that to be established under the act is to make it clear that that body is there – people don't necessarily always see ministerial orders and understand, and if they didn't read the news release, you wouldn't necessarily know it was there – and to have that body established.

That is a much closer body to the ministry and one which the minister can interact with to ask it to look at certain aspects, to investigate certain areas. It's not in the purview of the minister to go to the advocate and direct the advocate's work in any way, shape, or form. It is in the purview of the minister to ask the quality assurance council to look at certain aspects. Now, they can look at other aspects on their own volition, I believe. Certainly, they have a legislated mandate here, if it's passed, to investigate serious incidents and deaths. Yes, to a certain extent that could provide for an overlap, but I think the good people on the council and the good office of the advocate working together can determine how to appropriately manage their two mandates to ensure that they're complementary, not contradictory efforts.

**Dr. Swann:** Well, I guess that's precisely the question here. With similar mandates, one identified by the minister, the other identified independently by the advocate, are we not seeing a recipe for either redundancy or conflict? Can we not be more clear by establishing the quality assurance council under the auspices of the advocate so that there isn't that double direction attempting to be given to this quality assurance council?

**Mr. Hancock:** Well, Mr. Chairman, I think we've been around this base several times now. I think, obviously, we have a clear difference of opinion. In my view, what I've asked the Legislature for is a more comprehensive set of reviews. I believe it's appropriate to take the risk that there might be a divergence of viewpoint in the benefit of making sure that we've done as thorough and complete an analysis and that we do everything we can, both internally and externally, to make sure that we have the best system possible for kids.

I have faith that good people working on these sorts of things will be able to delineate rather than duplicate their efforts, delineate what things could most appropriately be done by the quality assurance council and what things are most appropriately done by the advocate. We've clearly left the hammer in the advocate's hands to say that if he doesn't think the quality assurance council has done a thorough enough review or isn't prepared to wait for what they're doing or thinks they're going in the wrong direction, as an independent officer of the Legislature he can go on and do it himself.

The advocate clearly has the final view as to whether or not he or she needs to go further, but in most circumstances, because he's a member of the assurance council and has access to everything they're doing, they can work together to set up a more collaborative framework. I'm prepared to err on the side of doing it

twice as opposed to the side of not doing it at all or not doing it properly or thoroughly. I think it's that important.

**The Deputy Chair:** The hon. Member for Edmonton-Highlands-Norwood on the amendment.

**Mr. Mason:** Thanks very much, Mr. Chairman. I just want to say that my concern here – and I don't think the current minister would do this, but we have to anticipate for the future – is that a minister who is less guileless than this minister might, if that minister didn't like an investigation or a report done by the Legislature's children's advocate, trigger his own inquiry to find a contradictory result. It creates the opportunity for not just legitimate confusion but to potentially interfere with the independent officer of the Legislature. I really think it's unfortunate that the minister is still unwilling to accept this amendment because I certainly think it strengthens the children's advocate.

**The Deputy Chair:** Thank you.

Are there any other comments with respect to amendment A2? Are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A2 lost]

**The Deputy Chair:** We're back to Committee of the Whole, and I have the hon. Member for Edmonton-Highlands-Norwood next on my list.

**Mr. Mason:** Thank you very much, Mr. Chairman. I also have an amendment. This is my only amendment this evening to this particular act, and I'm moving it on behalf of my colleague from Edmonton-Strathcona. I will move that Bill 25, the Child and Youth Advocate Act, be amended by striking out section 24.

10:40

**The Deputy Chair:** There is an amendment being circulated. It will be amendment A3, I assume. We'll give the pages a moment to distribute it to all members.

If all members have a copy now of amendment A3 as presented by the hon. Member for Edmonton-Highlands-Norwood on behalf of Edmonton-Strathcona, then we'll proceed. If not, signal, and we'll get a copy to you.

The hon. Member for Edmonton-Highlands-Norwood on the amendment.

**Mr. Mason:** Thank you very much, Mr. Chairman. The motion eliminates section 24, and section 24 is a transitional provision. The minister addressed this in his comments earlier, but I don't agree with him, with respect. If we're going to have an independent officer of the Legislature, it ought not to be somebody who is appointed by the government. I think that it just contradicts the basic principle behind the whole piece of legislation.

Now, the hon. Member for Edmonton-Strathcona has fought long and hard for a Child and Youth Advocate that is independent of government, and we've seen over and over again, Mr. Chairman, that we need to have that strong, independent voice. It doesn't mean that the ministers and the departments have not worked very hard, to the best of their ability and sincerely and with skill, to protect children in government care. But we have seen cases where children have been injured, abused, or killed in government care, and we have seen that we haven't been able to get all of the information all of the time and get, clearly, to the bottom of it.

With something as emotional as that, it's difficult – and I understand why – to be completely objective about it when you are in part responsible for the situation that has arisen, not that you're responsible for the death. There may have been something that could have been done that wasn't done, something that was missed. All of those things happen. The advantage of having a Child and Youth Advocate who is an officer of the Legislature, as they did in every other province besides Alberta until this piece of legislation was introduced, is an important way to ensure that objectivity, that dispassionate view of a very emotional and stressful and difficult situation that could arise from time to time, that does arise from time to time. So it's important that that officer be directly responsible to the Legislature.

This transitional provision basically continues the contract that was given by the government to the person who's in that job. This has nothing to do with that person or their skills or ability. This is the principle that the Legislative Assembly, in selecting an officer, needs to have the authority to make that appointment itself. It can't really be an officer of the Legislature if it's a government appointment. Admittedly, this will disappear in four years, but that's a long time. I think we should do this right from the beginning.

Mr. Chair, I am urging members to support this amendment, which would have the effect of placing in the Assembly's hands the responsibility of conducting a search and interviews to select the person who's best suited to be an officer of the Legislature and accountable to the Legislature as opposed to someone who is hired in a position where they expect that they're going to be part of a management team within a government department. It's two different things, and the principle, I think, is important. We should take responsibility for this from the beginning so that we create a culture of independence right from the beginning, right from the get-go.

I think that pretty much concludes my comments. Thank you.

**The Deputy Chair:** Thank you.

I have the hon. Member for Calgary-Mountain View next on my list, but I don't know if it's to the amendment or if it's to Committee of the Whole in general.

**Dr. Swann:** To the amendment.

**The Deputy Chair:** To the amendment? Proceed, and then the Minister of Human Services.

**Dr. Swann:** Thank you, Mr. Chairman. I'm pleased to stand and support the amendment. I guess it's self-evident that if it's going to be independent, we should have some say in the identification of this individual.

The government has finally come to the notion that this advocate must be independent of the minister and be seen to be independent not only by the families out there but by the elected representatives, who are trying to ensure the very best conditions and the very best of assessments independent of any political influence.

Well, one has to say that even as elected members we know that our term may be short lived as a result of the decisions of Albertans, so the individual who has been already identified by the government – I see no reason why we can't begin the process that the government decided to take on in choosing the most recent child advocate. That individual could certainly be considered again in the broader context of the committee that will identify the child advocate, and everyone, I think, would feel that there was a serious commitment in the short term as well the longer term to getting independence and to addressing some of the long-standing

concerns of Albertans and members of this opposition, who have been calling for this for many, many years.

I certainly will be supporting this amendment. I hope other members will see the wisdom of setting the record clear and clean and identifying independently this child advocate so that everyone can go forward with confidence and support that new advocate. Now there's going to be second-guessing. There are going to be questions about the advocate's decisions and his independence. Let's set the record clean and clear and remove any doubt and second-guessing about this individual as far as his independence from the minister is concerned, because it's not there.

**The Deputy Chair:** Thank you.

The hon. Minister of Human Services.

**Mr. Hancock:** Well, thank you, Mr. Chairman. I certainly understand the concerns that are being brought forward by the Member for Edmonton-Highlands-Norwood on behalf of Edmonton-Strathcona and supported by the Member for Calgary-Mountain View. However, I think there are two or three points that I did mention in my opening remarks that I want to reiterate.

First and foremost, we're not talking about a five-year period. We're not talking about a four-year period. We are talking about the three and a half years that are left in the current advocate's contract. This is somebody who went through a process, a public service objective, a public service competition, to be chosen for the job and was selected from a number of applicants for that job. It's not his fault that we're now transferring the office and making it an office of the Legislature through this act.

So, first and foremost, I think that in any aspect, unless there's a good reason, a really good reason to interfere with people's lives like that, we should be conscious of the fact that people make decisions based on promises made to them. I think that there was a fair, open, honest public service competition. This isn't a political appointment. This isn't anybody's friend. This is somebody that was hired through an appropriate public service competition.

Secondly and probably more importantly, we're talking about an office that's already established and transitioning it into the Legislative office. That requires, in my view, some consistency in leadership and approach until that office is established. That could be a year. It could be six months. It could be two years, whatever it is. But there needs to be an advocate in place to help with that transition.

**10:50**

Thirdly, there's absolutely nothing in the current act which prohibits the appropriate committee of the Legislature from meeting and starting a process to select a new children's advocate. There's nothing prohibiting that. Now, personally, I don't believe that's necessary right away, but it is within the purview under this act. It is within the purview of the Leg. Offices Committee to start a process to select a children's advocate.

So there's no need for this amendment to remove the transition process because if the effect of this amendment is essentially to say that there's a vacancy as soon as the office is created and that Leg. Offices should go ahead and do the selection – well, if that's the desire, they can do it. I would counsel against it. I would suggest that it's not necessary. I would suggest you let this advocate establish, and at any time if there's any question about his independence, which I can't imagine, any question about who he reported to, any question about his ability to carry out the job, Leg. Offices has the opportunity at any time to select a new advocate. That's clear in the act, and I think it's clearly within the mandate of the Legislature to do that.

I think this is presumptuous in terms of saying that we automatically assume that this advocate is not the right person for the job and won't do a good job. It's unnecessary in terms that Leg. Offices can do that job if they want, select a new advocate. It's not helpful in terms of not allowing for someone to be in place to work with the Clerk and Leg. Offices with respect to, for example, what their budget should be for the next year and those things that need to be put in place fairly quickly and in carrying out the transition. It's unfair to the individual who's in the job now.

**The Deputy Chair:** Thank you.

The hon. Member for Calgary-Glenmore on amendment A3.

**Mr. Hinman:** Thank you, Mr. Chair. It's an honour to be able to get up at this time and discuss amendment A3. I guess in spirit I have to say that I agree with this amendment, but I guess sometimes we have to have some reality checks. It's interesting that the minister has said that, you know, well, the government has gone out and had . . .

**The Deputy Chair:** Sorry to interrupt, hon. member, but your microphone may be covered because we're not quite hearing you here.

**Mr. Hinman:** I don't think so. It's open. I don't know what else I can do. I usually am accused of speaking too loudly, not of not loudly enough. Anyway, I'll speak up a little bit more, and perhaps that will help.

The minister got up and spoke and said that it's not his fault for the contract that the government entered into. I would certainly agree with him on that fact, but he didn't go on to say whose fault it was, so I guess I'd like to point that out. It's the government's fault, and the problem here is that the government continues to put the cart ahead of the horse in so many of these pieces of legislation that it brings forward or is so concerned about fast-tracking things in the short sittings that we get this haphazard legislation that doesn't really have the openness and the accountability that Albertans would like to see.

With the amendment and with wanting it to go to a special select committee for the child advocate search, a committee I'm on, I guess I just want to point out that the majority of the members are reflected in there in how the House sits. The government has the majority of members. As much as in principle I would like to see the government do this in the proper steps, the reality is that this bill is going to go through because the government has brought it forward and they have a whip. I have yet to see in the years I've been here where a government bill gets defeated, because there isn't an open and individual vote on these things as much as the government likes to say: oh, everyone is free to vote how they feel they want to. It never happens, and it always amazes me how there's never any dissenting vote, yet we always hear of the robust discussion in caucus but no dissenting votes once we come into the House here, which I think is where that discussion really belongs.

The point on this amendment is that the government shouldn't be the one selecting the Child and Youth Advocate, yet it has. We're in the conundrum of being six months into a four-year contract and debating whether or not we want to go through the process, which I don't know will be productive because of the process that this government goes through, whether it's in the select committee or here in the House. Like I say, as much as I in spirit agree with this and that the government, I guess, had the foresight to have waited till now and even had a temporary person or something that could do it, I just don't want to upset the apple

cart now even though it's ahead of the horse and say: well, let's open the process all back up and start over. So as much as I wish the government would have gotten it right, I would rather, I guess, go along with what we've got now than to switch here next month and say that we need to start over. But that is where it should be.

With that, I'll sit down and listen to what the minister or the mover has to say on the amendment.

**The Deputy Chair:** Thank you.

Are there any other people who wish to speak to amendment A3?

If not, are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A3 lost]

**The Deputy Chair:** Back to Committee of the Whole. Did anyone else wish to speak to Bill 25 at the Committee of the Whole stage? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Mr. Chairman. I have one more amendment to present to try to strengthen this bill. Obviously, we believe that the minister and the government have moved some on this issue, and we're pleased with some aspects, especially the independence of the Child and Youth Advocate.

I'll circulate amendment 2, I will call it.

**The Deputy Chair:** It will be called amendment A4, hon. member.

**Dr. Swann:** A4. Thank you.

**The Deputy Chair:** Hon. members, we'll give the pages a moment to distribute amendment A4 as proposed by the hon. Member for Calgary-Mountain View, and then we'll get on with the debate.

Hon. members, if the circulation is complete or nearly complete, we'll proceed with the debate. If somebody hasn't yet received a copy and wishes to, please signal. Thank you.

The hon. Member for Calgary-Mountain View to continue with the debate on amendment A4.

**Dr. Swann:** Thank you, Mr. Chairman. I'm moving that Bill 25, Child and Youth Advocate Act, be amended in section 26 by striking out subsection (4). The rationale behind this, of course, is that since our amendment to remove the council for quality assurance was voted down, we propose the council's role at least be limited to providing strategic child intervention advice to the minister. We envision this looking something like the Alberta Secretariat for Action on Homelessness, which advises the minister on homelessness. The design is to minimize conflict, redundancy, or a watering down, again, of the separate but somewhat equivalent roles now of the advocate and the council.

11:00

**The Deputy Chair:** The hon. Minister of Human Services on amendment A4.

**Mr. Hancock:** Thank you, Mr. Chair. I guess it will probably go without saying that I would ask the House not to accept this amendment. By virtue of the amendment, what would in effect happen is that we would take the publicly directed process in the act for setting up a council for quality assurance and some things that the public can easily look at and see in terms of what it does, what its mandate is, what's expected of it, and how it reports in a way that is clear so that the public gets reports from it and that they do a public report, not submit a report to the minister for tabling, and that would leave the status quo.

The status quo is that we have a quality council which is appointed by ministerial order, on which the public doesn't know its mandate other than what was in the news release, doesn't understand how it reports or how it engages, and doesn't have the benefit of understanding that there is this thorough analysis by expert panels of what's going on other than from time to time, as has happened in the past, where the minister might say: well, I will have that referred to the Health Quality Council.

Here we have a publicly established, publicly reporting council with an expert opportunity to engage in review of serious incidents and deaths of children in care, to assist in improvement of the ministry's mandate and role, and to make sure that what we're doing is in the best interests of kids and that we constantly have a view for quality assurance with external eyes on it. We have that, established recently. What we have now, though, is not in the public eye, and the public doesn't have an ability to look at its role and mandate. By accepting this amendment, in my view, it wouldn't be deleting the need or the opportunity for such a council to exist. It would simply take away its public establishment and its public reporting.

**The Deputy Chair:** Thank you.

Are there any other speakers to amendment A4? If no other speakers wish to speak on A4, are you ready for the question?

**Hon. Members:** Question.

**The Deputy Chair:** The question has been called, then, on amendment A4 as proposed by the hon. Member for Calgary-Mountain View.

[Motion on amendment A4 lost]

**The Deputy Chair:** Back to Committee of the Whole in general. Are there any other speakers to Bill 25 at committee? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. Thank you, Mr. Chair. I get up with a little bit of hesitation as this has had an impact in my riding. It's one of those questions where people have come and asked: why? The Premier: one of her promises during her campaign was a children's serious incident review team. I can't help but ask, you know: is this the response to the serious incident review team, that we now have a child advocate and we are trying to mesh the two together when, in fact, we haven't addressed, I guess, the problem? That's one of the questions, you know. Is this child advocate going to go back and review some of the serious incidents and especially one of those here in the province that caused the tragic death of a young child that went through a very painful 60-day process? This government failed to respond and protect an individual that needed protection though day after day someone should have stepped in.

Again, after a one-year review of it, never has anything come of the incident with Baby Elizabeth. When the paper finally broke the story after the ruling came out that it wasn't an accident, that it was abuse that caused the death and that it was a homicide, this government now seems to be responding to that with this bill. It's a great concern for me in the way that they're addressing this. It isn't adequate, and I don't know what they're going to do, like I say, to do the serious incident review.

Just for the record, Mr. Chair, I want to go over a little bit of the process with Baby Elizabeth and the 60 days that led up to the homicide and how this government seemed to fail to respond to this very serious incident. Again, it's one of the questions in Bill 25, and I don't know if it's addressed yet – and maybe it is – the

proper sharing of information and, again, an individual who takes charge.

In early March 2010 Baby Elizabeth was taken to a drop-in clinic because she was fussy, and she was prescribed some medicine for an ear infection. Two to four days later, while babysitting, Elizabeth's paternal grandmother, Francisca, notices that the baby is in pain and asks the mother to take her to the hospital. The child is taken to the hospital, saying that her baby is fussy, and doctors discover that the baby's leg has been recently broken. The injury is recorded as a toddler fracture, which at that point, five days in, is certainly something that isn't unusual. Again, as the minister has been very eloquent in saying, we don't want to interfere, yet when the signs become evident, we need to step in.

On day 13, at a follow-up appointment with an orthopaedic surgeon, a doctor discovers that the other leg has recently been broken. No one contacts child and family services. On March 15 Elizabeth's grandparents call the social services response team with concerns about the baby's unexplained broken legs. The history on the file of the family shows that there's been a history of problems there. The family also calls Crime Stoppers to report a suspicion of abuse and neglect.

On day 14 CFSA supervisors assign the case as an emergency investigation. This is 14 days in. A CFSA assessor interviews one of Elizabeth's half-siblings at school, then interviews the mother and another child at their Forest Lawn rental home. The other caregiver is interviewed, and a safety plan is made, allowing only adults to look after the baby, not the other children in the home.

On day 15 a CFSA assessor attends the baby's medical appointment with the mother. The assessor speaks with the police child abuse unit, but with no complaint of inflicted injury no police investigation is initiated. On day 20 or 21 the assessor attempts to have the child examined by an Alberta Children's hospital child abuse specialist.

On day 22 the assessor talks with the orthopaedic surgeon, who makes a referral to the hospital's child abuse specialist. A follow-up appointment is booked for six days later. Unbelievable. Here is a child with two broken legs, they have the experts coming in, and it takes six days.

Day 28. Mother and baby attend an appointment with the child abuse specialist, where a full skeletal exam and blood work are ordered on Elizabeth. After learning of the family history, the specialist advises the CFSA assessor to call police. A detective from the police child abuse unit is assigned to the case.

Day 38 now. We've jumped 10 more days down. Skeletal examination results are received back from the hospital from the child abuse specialist.

On day 42, four days later, the specialist calls CFSA with the news that the child has two newly identified broken bones on her arms. The injuries are dated. After an internal meeting the CFSA assessor contacts the mother and the police and the child abuse detective.

**11:10**

On day 43 the CFSA assessor meets with the mother to discuss changing the safety plan so that she is Elizabeth's sole caregiver. On day 45 police detectives interview the mother and the child's older half-siblings.

On day 48 the CFSA assessor, a police detective, and a hospital child abuse specialist meet to discuss the case. No notes are recorded. This is the part, Mr. Chair, that is so frustrating to the grandparents, who initiated this. They had offered to look after this child. There was a history of abuse in the family, and the paternal grandmother said that, yes, she would look after this child. They had this meeting, and there were no notes ever kept in

that meeting. You have to ask: why? How did they have a meeting, and who were they trying to protect? This child or themselves?

This is why it's critical that we get a child advocate, so that these things can be addressed in an orderly manner and a time-efficient manner. It is so heart-wrenching for this family to have gone through 48 days at this point, with this child going from being jovial, happy, easy to get along with to crying, fussy, with multiple fractures.

On days 49 through 58 the CFSA assessor has three telephone conversations with the mother. On day 61, again, three days later, Elizabeth is found unresponsive at the home by the police. She is rushed to hospital, where she is pronounced dead at 4:41 a.m. Her death is initially recorded as accidental. An autopsy later determined that she died from asphyxia.

Mr. Chair, the story of Baby Elizabeth is unacceptable. The family is still very concerned that nothing has happened there. It's interesting that earlier the minister in speaking said that liability should be found in the courts. This family has asked and asked for an investigation, and an internal investigation has not ever produced anything on why there were no responses, on why the team didn't work. There have been allegations that they have a quota. There have been allegations that, you know, they've had other incidents.

One of the questions that the family has asked over and over again is to have a public review of this and to make it public. Again, we understand that you don't need to bring the names forward, but with the previous 10 children that have been withdrawn and taken into government custody, what were the triggering points, and what caused them to take a child into custody to protect that child? This is a clear case where, in looking back with 20/20 hindsight, you can only ask one question: why was nothing done? We need to have the comparison.

With this Bill 25 are we actually going to address and will the child advocate go back and look at something like this and find where the breakdown was, and are we going to fix the system so that we protect children in the future? There's nothing more heart-wrenching than to have one of these precious little ones that are being beaten and abused – and everybody seems to know that – yet no one takes action to do anything. It's just wrong, Mr. Chair. How can we live in a society today where we say that we're so civilized and that we're so politically correct, yet we lose the life of a precious little one like this over, it just seems like, bureaucracy, that it's not my job or that it's someone else's job, the lack of communication, not being able to bring people together immediately?

Going back to the Premier's statement that she wants a children's serious incident review team, is that another broken promise and we're just going with this new bill, or is the child advocate going to be given that job not only to be able to have a public inquiry or whatnot but to be able to bring in a serious incident review team that is serious about reviewing something in a timely manner and not letting days turn into weeks and turn into a couple of months?

Anyway, we certainly have a big hole here in this area. I hope that when this bill is passed, the new Child and Youth Advocate will look back at this, that it will be made public so that we know what triggered, what caused these problems and why there was no response. That's the hard part. I think that most people in here have seen that video in China where that little child got run over and 18 individuals walked by and didn't do anything. How callous can we become as human beings when it's not our responsibility? I'm ashamed to say that when I see what happened here – here are specialists that are all supposed to be concerned about a child, yet

60 days went by with multiple broken limbs and nothing done, Mr. Chair.

I do with all my heart hope that this bill will set it up so that in the future we respond in a quick and efficient manner. I couldn't agree more with the minister that we don't want to infringe on a family's rights, but when this type of abuse has taken place and that question is there, especially when it comes from family – this is the grandmother who looked after this child often and offered. Children's services called and said, "Would you take this child if we were to remove it?" and she said yes. Yet no action was taken when all of the signs showed that there was a problem there. Now the other three children after a year have been taken from the custody of that parent.

It's just disheartening to see something like this happening in our province, and I truly hope that Bill 25 will address that, though we have many concerns, and we're not sure that it really is going to be definitive and have that emergency response team. Again, the distance, we hope, will be presented there, that the minister won't somehow be overseeing this, as it seemed to appear in the case with Baby Elizabeth.

With that, I'll let others speak on this bill, and hopefully we'll do better in the future, Mr. Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers at Committee of the Whole for Bill 25? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I just want to indicate that despite some failures in the bill, some confusion, which have been the subject of some amendments tonight and which I regret were not accepted by the government despite their eminent good sense, this is a good change. This is, in fact, change that we have been pushing for and fighting for for a number of years. I'm pleased to see that the government has accepted and adopted the principle, which has been fought for by the hon. Member for Edmonton-Strathcona quite relentlessly, that the children's advocate should be an officer of the Legislative Assembly and not someone who is part of the management team of the minister of children's services or the minister of whatever the department is called at the time.

I think that this is a very good change. I'm looking forward to having a children's advocate that can strengthen our protection of children, that can strengthen our awareness of the issues faced by children in care and by the people who are there to enforce and protect them. I expect that this legislation will save lives, improve the quality of life of children who are in care, and make a difference for people.

I urge all members to support this legislation. Thank you.

**The Deputy Chair:** Thank you.

The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes. Thank you, Mr. Chair. I realize that there is one other question that I failed to get on the record, that, hopefully, the minister will answer. I realize I certainly have no expertise in this area, just a concern. My understanding is that B.C.'s advocate was originally able to access cabinet documents and report on problems that she found on how cabinet was handling things. Is Alberta's advocate going to be able to access those documents so that we don't have to go forward to learn? We've got incidents now that we need to go back to, that we can learn from. In this bill will the child advocate have that authority to go back and access all those records so that we can actually learn from our mistakes rather than having to repeat them in the new position that's been brought forward?

**The Deputy Chair:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. There are a number of items that the hon. member has raised in his previous comments and now in these comments, which I won't dwell on at length. Obviously, the situation with Baby Elizabeth was a very tragic situation. The least we can do is learn the most we can from that incident and make sure that we implement systemic and individual improvements to ensure that those sorts of situations don't happen again. That's the least we can do, arising out of that very tragic incident. There was, in fact, a serious incident review team put in place and a report from that serious incident review. Many of the recommendations have already been acted upon, and I hope that we can continue to learn.

11:20

The purpose of setting up the quality council and making it a statutory council as opposed to simply a ministerial order council is to make it clear that those serious incidents and deaths that happen need to be reviewed immediately, responsively, and we need to learn as much as we can. They should never happen. But let's face it; these are children at risk, and we will continue to have incidents. We need to do everything we can to find ways to improve the system so that we don't have incidents. I want to learn as much as we possibly can, and I think that process has been undertaken. There's nothing in the act which stops the advocate from using past circumstances to enhance his advocacy and look for opportunities for learning from them and to advise us as well on those circumstance.

I addressed the hon. member's concerns in my opening remarks, so I won't repeat them all. I would just asked him to go back and read that. Then if he wants to have a discussion about it at another time, I'd be more than happy to do it. But I did go through sort of a litany of the authority that the advocate has under the public commissioner's act and the opportunity that they have access to cabinet documents in that circumstance. I would indicate to the member . . . [interjection] Well, no, it doesn't have complete and unfettered access to cabinet documents. There are very few circumstances, in fact none that I'm aware of, where there is complete and unfettered access to cabinet documents. They do have the power to compel evidence and ask for information, and if it's appropriate to be released, then the decision can be made to release it.

What the hon. member indicated in his remarks was, in my view, a little bit of confusion because cabinet documents would not deal with the incidents that the hon. member is referring to. Obviously, the minister would get advice with respect to it if there is a serious incident or a death of a child in care, but under this act the information also will go to the advocate, obviously, and to the quality assurance council for their automatic review. They won't have to wait for any direction to review. [interjection] If there's information with respect to an incident with respect to a child in care, a serious incident or a death of a child in care, it automatically goes to the quality assurance council under this act and, obviously, also goes to the child's advocate, and then the appropriate investigations will automatically happen. They don't need to mine paper in order to find incidents. Those incidents are by law under this act reported to them.

**Mr. Hinman:** I appreciate the minister helping me clarify that, but the point that I was trying to make is that this information has already happened in the past. Is the new child advocate going to be able to go back and review what the minister received? I mean, to put it bluntly, Mr. Chair, the family feels that there had to have

been political interference or something because common sense says that there should have been an action. To help clarify that, it would be good to know that the child advocate can go back and look at those documents, and if there was something, they would bring it forward and show it.

It's not about going forward, as the minister has talked; it's going back. Is this child advocate going to have access to those briefings and the information that was given to the minister and if there's anything from the minister to the former child advocate, I guess, at that time?

**The Deputy Chair:** Thank you.

Hon. minister, do you wish to respond?

**Mr. Hancock:** Well, Mr. Chairman, I think that's a very troubling allegation, actually. What I would say to the hon. member is that there was a very serious incident. It begged a thorough response. It got a thorough response. There was a team appointed to investigate it, and that team investigated and reported. The Child and Youth Advocate can continue to look at that circumstance if he wishes. It's certainly in his power to do so to see that everything that can be learned from it has been learned from it.

But I would say two things to the hon. member. First and foremost, again, as I said in response to Edmonton-Riverview when I thanked him for his comments about the work that's done on the front lines, I don't think there's any front-line worker who would put up with the type of interference that the hon. member is talking about. People might have made bad calls. There may have been a failure to exchange information appropriately. Those things we need to learn from and understand. But to suggest that there was some interference in them doing their work would be sinful.

**The Deputy Chair:** Thank you.

**Mr. Hinman:** Maybe interference isn't the correct word.

Again, I haven't read that report that came out. Whether it's case overload, I mean, when you go through this case, there are just problems there that shouldn't have happened. The family is extremely disappointed in the way it was handled. Like I say, they feel that there needs to be more information given out as to how no decision was come to over 60 days, you know, just the honesty in saying, "Look, there was case overload, and they couldn't address it for 10 days though it was critical," and "Look, there are these other ones that we saved." I mean, this is a very serious, tragic incident, yet to the family's knowledge there is no explanation. Their question is: how was there not a decision made? Something went wrong, yet that's never come out. That's why looking back is so important for them to understand and to learn more and, again, to have that open vetting, I guess, Mr. Chair.

**The Deputy Chair:** Thank you.

Are there any other members who wish to speak to Bill 25 as amended?

If not, please be reminded that the committee has already voted on amendment A1 and accepted it.

[The clauses of Bill 25 as amended agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Those opposed? That's carried.

**Bill 26**  
**Traffic Safety Amendment Act, 2011**

**The Deputy Chair:** Are there any comments or questions? The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Chair. Indeed, it is my pleasure to rise to speak in support of Bill 26, the Alberta Traffic Safety Amendment Act, 2011. Let us remember what the act is intended to do. It's to make our roads safer, save lives and reduce injuries, and change behaviours. Our approach focuses on three main areas: targeting repeat offenders, building on existing penalties in .05 to .08, and tightening rules for new drivers, which will be incorporated under regulations.

I say to you, Mr. Chairman, that the toughest sanctions bar none are drivers with a blood-alcohol content of over .08. Probably the biggest change relates to licence suspensions for those over .08 until their court case is resolved. There are also big changes in the mandatory interlock. This has been proven to be successful in changing behaviours. The interlock system will be implemented for one year for the first offence, three years for the second offence, and five years for the third offence. Also included are vehicle seizures: three days for the first offence, seven days for the second offence, and seven days for the third offence.

**11:30**

Mr. Chairman, I want to also stress and suggest to you that I believe that it's very mandatory that we monitor the records of individuals for 10 years. We need to get a long-term behaviour change, and that's how we're going to try to address or partly try to address the repeat offenders. Our approach to repeat offenders favours monitoring, education, enforcement, and addictions assessment, all designed to help change behaviours. It has been proven that consequences need to be immediate and meaningful to change behaviours. In Alberta those consequences will be paid for by the driver and not the taxpayer. Also, studies show that no single approach changes behaviour, and that's why we're acting on many fronts.

As well, Mr. Chairman, one of the areas is building on existing sanctions for drivers with blood alcohol of .05 to .08. Right now these drivers are given a 24-hour suspension with no consequence for repeat offenders regardless of how many times they have committed. This legislation proposes that the first offence would be a three-day licence suspension and a three-day vehicle seizure. The second offence would be a 15-day licence suspension and a seven-day vehicle seizure and for the third offence a 30-day licence suspension and a seven-day vehicle seizure. Very importantly, on the second offence education courses kick in. Not only is this supporting the existing need and practice to keep drivers off the road at .05; it is also about prevention and early intervention.

I would suggest that the argument of roadside justice is puzzling to me because that's simply not the case. Law enforcement officers can issue a 24-hour licence suspension now. They also currently have the ability to issue penalties at the roadside; for example, a ticket for failing to stop. These are not new powers. I need to be very clear with you that the .05 to the .08 are not new powers. I would also say that if an individual gets stopped and a police officer looks at them and feels that they are impaired and they are asked to blow, what happens is that if they blow over .08, they are in a criminal act, and if they blow between .05 and .08, they will be in the newer legislation.

The penalties are not based on an officer's judgment. They are based on calibrated equipment, on the basis of a scientific reading for the same device that is used now. Anyone can ask for a second

test from a second device, Mr. Chairman. We've learned from B.C. We already have full, fair, and just opportunity for independent review.

Forty years of research, and I want to say solid research, since 1991 on .05. I'll quote three different findings: Chamberlain and Soloman; Moskowitz and Fiorentino; Howat, Sleet, and Smith. At .05 a person is simply not fit to drive. Skills deteriorate with very low levels of alcohol, as do vision, steering, braking, information processing, and divided attention. One review showed that alcohol impairs some driving skills starting at any significant departure from zero, and I stress to you, Mr. Chairman, that's "some." Also, at .05 the majority of experimental studies reported significant impairment. So .05 is a realistic statutory level at which most people's driving performance is impaired.

This one is important, Mr. Chairman. The Traffic Injury Research Foundation of Canada found that drivers with a blood-alcohol content of .05 to .08 were seven times more likely to be involved in a fatal crash than drivers with zero blood alcohol. I mean, we can't argue with those facts and those outcomes. Jurisdictions which have gone from .08 to .05 have seen 20 to 40 per cent less fatalities.

Mr. Chairman, let's be very clear. We are not criminalizing .05 to .08. It's absolutely not the case. There are no criminal charges, no fines, no demerits. The Supreme Court of Canada in 2009 acknowledged both the rights of the provinces to legislate in this area and how the carnage impacts matters within provincial jurisdiction: health, highways, vehicle insurance, and property damage.

Mr. Chairman, I want to say to you that I have met with the hosting industry. I have met with the hotel industry. We've consulted with the Restaurant and Foodservices Association. It was one party at the table. The restaurant association, in particular, had two major concerns. One of them was the 10-year monitoring. I want to say that I explained that this is how we need to get to repeat offenders. The other concern that they had is being different than B.C., and we assured them that it was very different than B.C. We have an independent appeal, a tribunal for appeal. Also, we don't have fines.

We talked to industry about working together to educate consumers. This is about safety, plain and simple. We are not advising Albertans not to drink. We're not saying that you can't have a glass of wine over the course of dinner. Our position has been clear. It is no different than what was there before, but the penalties are different. We are saying: don't drink and drive. We aren't saying the amounts. It's not different; .05 is nothing new for the customer.

Industry is an active partner in many initiatives to support safe alcohol service in Alberta's bars and restaurants. For example, to date over 140,000 Albertans working in licensed premises have been trained on responsible alcohol service, including how to identify and not serve individuals who appear intoxicated. This is mandatory training for anyone working in a licensed premise. We want people to think ahead before they make a decision that they will regret.

National and international evidence shows that monetary penalties are not effective for this offence. There are no revenues to the province. There are no fines and no demerits, as I said before.

Also, provinces cannot regulate on vehicle standards. Transport Canada does.

Mr. Chairman, our work is based on a solid, growing body of research, and whatever the numbers or configurations of statistics, all of the research tells us one thing. Impaired driving causes deaths on our roads. The research tells us how to change behav-

iours for the long term. It's swift consequences, early intervention, education, and monitoring and progressive penalties.

The changes to impaired driving involve an integrated approach, which balances enforcement with education and prevention, while maintaining a process to address appeals. Let us not lose sight of what we are trying to accomplish. We are working to prevent alcohol-related collisions and deaths, and I will not apologize for making our roads safer.

Mr. Chairman, I do have an amendment, and I believe it's at the table. I'm not sure if you're going to call it A1.

11:40

**The Deputy Chair:** Yes, hon. member, we'll call it A1 as soon as I receive it.

**Mr. Danyluk:** I can wait for a minute to have it passed around.

**The Deputy Chair:** Thank you. Here it comes.

**Mr. Danyluk:** Would you like me to speak to it, or shall we wait?

**The Deputy Chair:** Let's give it a moment to be circulated. Thank you.

**Mr. Danyluk:** Okay. No problem.

**The Deputy Chair:** Is there anyone who still wishes a copy of amendment A1?

If not, then please proceed, hon. minister.

**Mr. Danyluk:** Okay. Mr. Chairman, I would suggest that we are proposing a very minor amendment to Bill 26. Actually, it does not change the language but changes the spacing and the indentation to clarify the intent.

Mr. Chairman, Bill 26 adds subsection (6) to section 88 of the Traffic Safety Act. This subsection outlines the appeals available to drivers at roadsides. There are two possible avenues of appeal. Subsection (6)(a) is to go to the police station for a breathalyzer test on an evidentiary device, and (6)(b) is to take a second roadside breathalyzer for a second approved screening device.

The clause that begins with "the purpose of which is to show" was intended to apply to both (a) and (b). It specifies that the appeal is successful if the second test is below .05. However, it is printed as part of (b) only, so the amendment makes it clear that it applies to both appeal methods. We ask all members to support that decision, please. It's just, basically, a clerical error.

**The Deputy Chair:** Thank you, hon. minister.

Comments with respect to amendment A1? Are there any speakers to amendment A1?

**Dr. Taft:** I think we should all congratulate this minister on making what is probably the most minor amendment that we've ever seen in the history of this Assembly. I didn't know it was possible to make an amendment without even changing a word, but I guess it is. I'm okay with that.

**The Deputy Chair:** Thank you.

Are there any other speakers to amendment A1? If not, then I'll call the question if you're ready.

**Hon. Members:** Question.

[Motion on amendment A1 carried]

**The Deputy Chair:** Going back to Committee of the Whole on Bill 26, the Traffic Safety Amendment Act, the hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. It's a great pleasure to speak to Bill 26, the Traffic Safety Amendment Act, 2011, which is about proposing changes to the Traffic Safety Act. This act is about making our roads safer from drunk drivers. The main points in the bill are that drivers who will be charged over the legal limit of .08 will have their licence suspended at least until they have their say in the courts and, the second one, that drivers blowing between .05 to .08 will have their licence suspended for a first offence, as the minister pointed out, for three days, 15 days, and 30 days.

First of all, I want to say that I support the bill. As whatever will make our roads safer, save us the pain, the misery, and the carnage on our roads, I think we should all support that effort. I fully support what the minister is trying to achieve by bringing in this Bill 26.

Recently it caused lots of pain in Grande Prairie, and just the day before yesterday there were, I believe, three deaths in Beaumont. It is the innocent people, Mr. Chair, that get killed. Innocent people suffer, and the drunk drivers most of the time walk away. In my personal experience, back in 1971 I believe, I was rear-ended. I was just waiting to make a left-hand turn on 17th Avenue and 15th Street S.W. The guy was drunk. He rear-ended me, and my car was on fire. I didn't know what happened. All of a sudden other people came and pulled me out of the car. I could have been dead myself. I could have been cooked alive in the car. So I've got personal experience. We were also victims of a guy who was drunk who ran over my father's car, and he killed five people, including my father. I know the pain it causes the families. You know, it's lots of money: insurance, property, health care.

Mr. Chair, in 2008 the stats, you know, were that 60 per cent of people were not drinking and that 22.5 per cent of people were involved in fatal crashes. Yeah, we see this. Although the drinking and driving accident numbers have been coming down, still I would say that even one death by a drunk driver is one too many on the roads. In Alberta our drinking and driving accident rates have been kind of higher than in the other jurisdictions, and this is a very, very serious cause for concern. We should all as Albertans be taking very, very seriously the drunk drivers on the road. We should let Albertans know that drinking and driving will not be tolerated on our roads. It is not acceptable to be on the roads drinking and driving.

As we have seen in B.C., from the latest stats, for the year ending September 30, there were 68 alcohol-related motor vehicle deaths across B.C. They were averaging about 113 such deaths in the province in, like, the previous five years. With the new law in B.C. – we have only been talking about B.C.'s stats – it goes on to prove that the law is working. It is the enforcement part, I believe. That's why, you know, the accidents have come down. Right now our police have the power to have those 24-hour suspensions. They can suspend a licence for 24 hours. According to today's paper the VPD didn't have to hire more police officers to enforce this law. Even the Calgary police are saying that they would need to hire more officers to enforce this proposal if it becomes the law.

11:50

What I kind of struggle with, you know, is why our drinking and driving accidents are way up there when we have those 24-hour suspensions. We should have maybe better enforcement. I don't know what's happening out there. Maybe 24-hour suspensions are not being enforced that much.



When I go back to the distracted driving legislation, there were lots of accidents caused by people talking on their cell or grooming or whatever, and we were all concerned that with the distracted driving legislation, you know, lots of people would be getting tickets. The same thing with the seat belt law. But Albertans are law-abiding citizens, and whatever law or legislation we bring in, they will abide by the law.

With this legislation, too, I kind of find that I've been struggling because the stats say that only 2.2 per cent of people who have been in the limit of .05 to .08 are involved in drinking and driving accidents and that 98 per cent of Albertans who had a couple of drinks coming home from work or just a social drink have been pretty responsible drivers. You know, I'm struggling to support this legislation. Just because 2 per cent of Albertans who have been in that .05 to .08 zone, that limit, have been in accidents, we are going to be penalizing, I think, 98 per cent of Albertans who have been very responsible drivers on the roads.

The minister is saying that we are trying to change the culture. You know, if you bring in this legislation and we pass the law, then maybe it will change the culture. It remains to be seen. We make the laws, and people think: oh, I will be in trouble with the law if I break the law. Maybe it will change the culture, but I think that with this legislation we will penalizing the 98 per cent, the responsible Albertans that I was talking about.

The restaurants and the hospitality industry, too, are concerned about their business dropping and that there may be layoffs in the industry, and that may affect lots of families, too. There will have to be, you know, some kind of an adjustment period there. Who knows how much effect passing this law is going to have on the hospitality industry? I have been getting e-mails to my office from the restaurants down close to my house. My house is close to Barlow Trail, and there are lots of restaurants on Barlow Trail. They have been saying that their business will be hurt if we pass this legislation.

I don't know what the government is going to do to educate Albertans on this. I don't know how we're going to bring this awareness: it's not okay to drink and drive; be responsible. I don't know where the responsibility line is that we're going to draw. Definitely it has been proven in B.C. that it has hurt the hospitality business there. It came down 21 per cent, and it came back up 10 per cent. Whatever we do here, we should be, I think, keeping the hospitality industry in mind as well.

You know, I'm really struggling, like I said before, with this legislation, between supporting and opposing this legislation. I don't know what the government is going to do to address the concerns of the hospitality industry. The minister said that we had the consultation with the hospitality industry and that they were okay with it.

The AMA, you know, says that they are supporting this legislation. I think they claim to have 700,000 members. I'm a member of the AMA, and I never heard from them with regard to whether I am for this legislation or against this legislation.

**Dr. Swann:** That's the Motor Association, not the Medical Association.

**Mr. Kang:** No. That's the Alberta Motor Association. There was something I got in the mail.

Then the penalties. The minister said that it's not a cash cow for the government, but there will be indirect penalties for the drivers who will have their licences suspended and their cars seized. It's going to cost them maybe 500, 600 bucks just for being responsible drinking drivers. [interjection] Well, you know, people do it now. They have a drink with their dinner, and then they're driving

home, and they're not impaired. They are under the legal drinking limit. They are not legally impaired. You know, that's another problem I have. Maybe we should have the law changed, and we should drop the legal limit to .05.

Those are the issues I'm having with this. You know, there are constitutional issues. If a person is charged, his licence will be suspended until he goes before a judge. I don't know how this is going to stand up in the courts under the Charter of Rights because of the presumption of innocent until you are proven guilty. I don't know how this is going to stand up. Our courts are already clogged up, and this will put more burden on our legal system.

You know, I'm sure this bill is going to save lives. It will give the police the tools to make our roads safer. It may change the attitudes about drinking and driving although, like I said before, accidents have been coming down, and the rate of drunk-driving charges has dropped by close to two-thirds in the past 20 years. Still, too many people are dying, and Alberta has the second-highest rate of charges in the country. Those are my concerns with this bill, Mr. Minister.

I remember that before the no-smoking ban came into effect, you know, the hospitality industry was concerned that their business would suffer badly. There was a transition period. I think their business came back up. After we pass this legislation, maybe the people will be – I don't know how people are going to adjust to this new legislation about having a social drink. Those moms going to the hockey game or pops going to the hockey games or the guy who is driving home from work: they want to have a drink with their buddies on Friday or whatever.

Those are my concerns. With that, thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

The hon. Minister of Transportation wishes to comment briefly on the previous comments.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. I just want to talk about a couple of things that were mentioned, and that's the responsible drinking and driving. Please be very clear that the criteria, if I can say that, for drinking and driving of .05 to .08 have not changed. Right now you would get a 24-hour suspension. The penalties that we're asking to put in is where there would be the change, but the criteria are not any different.

**12:00**

Mr. Chairman, I want to say to you that when the hon. member talked about a cash cow, still costing people to get their vehicle back, I have to emphasize again to you that they are driving impaired. It's not as if they're not drinking and driving. They are drinking and driving, and there's a penalty in place right now.

You also made mention that we would punish 98 per cent, you know, that shouldn't be punished. Mr. Chairman, they're still drinking and driving, and they would still be under the same penalties that we have today.

You talked also about the hospitality industry. Mr. Chairman, I have met with the hospitality industry. I have met with the hospitality industry a second time. I will be very clear that the hospitality industry looked at a couple of different things. One of the concerns they had is that they thought we should leave the 24-hour suspension in and then have three other stages, so have a four-stage system. They thought that would address it.

When we met also with a group of hotels and restaurants, I mean, there was no doubt that one of their main concerns was that 10 years was too long to hold an impaired driving on your record. I think that's one of the most important parts of the bill, that we can look at repeat offenders. That is the hardest part for us, the

repeat offenders. It's so critical. We need to develop that history, and people need to know that we are serious.

I look at it that there is no excuse for drinking and driving. As I said before, I mean, I don't apologize for individuals that are drinking and driving. I truly believe that if there is anything that we can do as citizens, as parents, for our children, I think it's critical that we try to make some changes, whether the changes are in culture, whether the changes are real.

Also, Mr. Chairman, please know that there are eight other jurisdictions that we have looked at. You mentioned B.C. That's one of them. We've looked at other jurisdictions. Saskatchewan is at .04. We didn't feel that we should go to .04. We stayed the same so that if individuals understand what .05 is right now, there is no change. They don't have to learn something different. There's no change in the law, but in the penalty there is. I say to you again that the .05 to .08 is the small part. It is the repeat offenders and the .08 with the interlock system as well as the suspension of licences as well as the seizure of vehicles.

Mr. Chairman, just a last comment. You know, one comment struck me that the hon. member made, and maybe I heard it wrong. It was the discussion about impacting people. I would say to you that the impact is on families. We've seen all of that in the news. I need to stress to you again, if I can, that this is not about changing areas; it is putting more penalties in.

**The Deputy Chair:** Thank you.

Hon. Member for Calgary-Glenmore, did you wish to comment as the critic? Okay.

The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair. I appreciate the debate that we're having tonight. It's a good debate. There are some good points on both sides. But I can't help, hon. minister – and I know your intentions are good. You're a good man, and you certainly want folks to be safe on the road. I truly believe that. But this discussion is quickly turning into the same type of discussion that we as Albertans had with the federal government with regard to the long gun registry. That's what this is sounding like.

The reason I say that is because, obviously, the gun registry came out of that horrific shooting at the Polytechnique in Montreal. After that there was this outcry to do something about it: we've got to do something about it so that this heinous type of crime and this heinous happening doesn't occur again. So the federal Liberal government brought in the long gun registry. I hope that most of us or, certainly, most of the members on that side of the house – and I'm not saying that you all feel this way, but I would say that probably the majority of you do – would pretty clearly say that the long gun registry didn't keep people from being murdered or stop shooting sprees from happening in Canada.

It was an initiative that essentially targeted the wrong people. It didn't do anything to curb crime. It didn't address the problem. It was a knee-jerk reaction that had unintended consequences for people that would never cause crime. Of course, it was gun owners and taxpayers who had to foot the bill of \$2 billion for a gun registry that didn't do anything to curb crime.

These are the same arguments that I'm hearing from over there. It's the exact same argument. I know it's well intended, but this law is not going to save lives. I'm convinced that it will not save lives. It will not do anything to save lives, and I'll tell you why I say that. I absolutely am convinced that when we see these pictures, these horrendous pictures – there was another crash over the weekend with a drunk driver that killed three people. Terrible. We see what happened in Grande Prairie, the awful, tragic

circumstances and tragic ending to those poor boys' lives. Everyone in here agrees that we need to end drinking and driving as quickly as possible for this reason. But think of what you're proposing here. Is this really getting at the problem? Statistically is it really getting at the problem? Or are we doing something here that isn't going to solve the problem, and we should instead be looking at a totally different way of addressing drunk driving deaths and injuries?

I would say that we should absolutely be looking in another spot. There was a study done – hold on; I'm going to get my notes together here real quick – by the Canadian transport association. It's called the Alcohol-Crash Problem in Canada: 2008, prepared for the Canadian Council of Motor Transport Administrators and Transport Canada, which, of course, is the federal ministry, by the Traffic Injury Research Foundation. This was in December 2008 but given and presented in December 2010, so just late last year. The figures for this came from Statistics Canada, the CANSIM database and Juristat, so these are pretty ironclad statistics. This is what the statistics say, okay? For 2008 61.3 per cent of all fatally injured drivers had a zero blood-alcohol level. That makes sense. Thankfully, most people on the road are not intoxicated, so obviously there's going to be a lot of accidents that – okay. It makes sense. Of the fatally injured drivers who had been drinking, the remaining 39 per cent or so, 85 per cent exceeded the legal Criminal Code blood-alcohol limit of .08. The remaining 15 per cent were within the legal limit.

For all provinces the largest proportion of drinking driver fatalities is at blood-alcohol levels greater than .08. If you break down the BAC, blood-alcohol content, levels further, most fatally injured drivers who were tested had BAC levels more than double the legal limit. In Canada 22.6 per cent of fatally injured drivers had blood-alcohol levels greater than .16, with 10.3 per cent from .081 to .16. Get this: only 2.2 per cent had blood-alcohol levels from .05 to .08. For the provinces this pattern also held, with only a small per cent of driver fatalities in the .05 to .08 blood-alcohol level. In fact, the statistics show that more people were killed by those who blew from zero to the .05 level – more people were killed by that group – than the group from .05 to .08.

**12:10**

Now, statistics are funny things. I know that these are snapshots in time and all that sort of thing, and I understand that. But one has got to look at this and say that if all but 2 per cent of drivers were injured by people – outside of the ones that were injured by people who had a zero blood-alcohol, for the remaining. To say that such a small fraction of those were actually caused by those blowing .05 to .08, one has to question if we are trying to punish the wrong group here. One really has to question that. What are the unintended consequences?

Just like with the gun registry there are unintended consequences. There were unintended consequences for taxpayers and unintended consequences for gun owners. So too here. What are the unintended consequences? Well, (a) are we going to cause a situation where it's easier for police to use the administrative penalties under this law and then walk away from someone who maybe should be fully charged and investigated, blowing .08 and above? Police have discretion to do certain things. In those borderline cases do they use their discretion in both those administrative penalties and walk away when really they should be throwing the book? Maybe.

What about the hospitality industry, which has been devastated by the new B.C. law? I'll find it for another time up, but it's something like a 30 per cent decrease in sales for the hospitality industry in B.C.

**An Hon. Member:** Forty.

**Mr. Anderson:** It was almost 40 per cent. That's right. Think about that. That is going to cause businesses to go under. It's going to cause major economic problems for people. For what? Is it saving lives? I don't know. I don't think it will. I don't think the proof is there to say that it will save lives at all.

What about this? It's funny, you know, that people say: we've got to do something about these laws about drinking and driving. So the ministers come up with this. Well, I guess I would say that if you're looking at it, would this law have saved the lives of those boys in Grande Prairie? Would it have saved the lives of the people who got killed over the weekend? No. It wouldn't have.

You want to know what would have saved the lives of those people? If we had had greater enforcement of the existing laws, if that drunk driver had been pulled over and had blown into that gauge and it read .05 to .08, and what happened was that the police officer had taken that person's licence for 24 hours and had taken him off the road. That would have prevented it, if it was – that's if – .05 to .08, which is very unlikely. Almost certainly the person that killed these folks was way over .08, as the statistics clearly show, in which case more enforcement would have caught that person and would have charged that person with a DUI, and those individuals would have been safe. That is what likely would have occurred.

If you want to stop drunk driving, you need to enforce the existing laws that say that between .05 and .08 it's a 24-hour suspension. You take the person off the road. That is good enough for those folks because they're right on the edge. There's no doubt that as the study says, hon. minister, judgment does start to get clouded at .05. But guess what? It starts getting clouded when you turn the radio on. It starts getting clouded when it starts snowing outside. There are a hundred things that cloud your judgment. Absolutely. You should try driving with four kids if you want clouded judgment. Holy. That's clouding your judgment. That's distracting. There are lots of things that distract us. Obviously, if you're on some cough and flu medication, that can make you a little bit drowsy. There are all sorts of things that can impede our judgment.

We have to make a call as a government as to where we are going to draw the line. Where are we going to draw the line on this? Is it when our judgment is impaired this much and we're going to cast a broad net for, you know, virtually anybody who goes out for a couple of drinks after work and above? Or are we going to focus our limited resources – our limited court resources, our limited enforcement resources, all the resources we can – on the people that are killing people? Those folks are the ones blowing over .08. I think it's very clear that that's the case.

You know, again, it reminds me of the debate that I heard coming from the federal Liberal Party during the issue of the gun registry. There's no doubt that shooting sprees in colleges are heinous, terrible things – everyone can agree with that – but did the gun registry save anybody? Did it? No, it didn't. I wonder if it put anyone in jail that wouldn't otherwise have been caught. I guess we'll never know that. What we do know is that it was a law that was far too expensive, and if we had spent that money on enforcement and more police officers, we probably would have had better results.

This, I think, is actually an even starker difference than the gun registry because I don't think this will in any way, shape, or form save lives. What will save lives is putting more checkpoints up, getting police out enforcing these laws more, throwing the book at those that blow over the legal limit of .08. There are education programs that we should be looking at. There are issues that we can be working with the hospitality industry on with regard to

testing folks before they leave and so forth to help them identify that they're intoxicated and so forth. There are all kinds of different things that we can be doing that are going to have far more of an effect on saving lives than this law will. The unintended consequences to the hospitality industry are too great.

Let's just not stop there. What if somebody is blowing .05, .06 into the breathalyzer and they have their car taken from them for three days and then seven and so forth? Let's say three days. How is that person supposed to get to work? What if they weren't intoxicated at all? What if the device was faulty? We know for a fact that the devices are not always accurate. They're presumed guilty until proven innocent, essentially, so there's nothing that they can do. Their car is gone, so how do they get to work? Do they lose jobs? Do they not have the ability to go to an interview? What things happen at seven days? [interjection] There's a voice over there that seems to think: "Three days? Oh, they'd survive." Okay. Well, then, it's not a stiff penalty, so it's not a worry.

If we're going to place penalties, it should be something that's actually going to be uncomfortable for people. But why would we give it to somebody who's a perfectly law-abiding citizen, who's maybe had a glass of wine to drink, who is not a danger to anybody, is on the way home, blows .052 into the breathalyzer, and has their car taken away for three days on a Sunday evening or on a Friday or on a Thursday night or whatever after work, whenever it is? Again, are we targeting the right people? I would say that we're not.

The other unintended consequence I wanted to talk about was rural Alberta.

**Mr. Hancock:** I thought you had an amendment.

**Mr. Anderson:** I do. This is my first round, just to kind of get it all out there, and then I'll put the amendments on there.

**The Deputy Chair:** Let's keep it through the chair, gentlemen. Thank you.

**Mr. Anderson:** Okay. Rural Alberta. You can say what you want, but the fact of the matter is that in rural Alberta it is difficult, very difficult. It's not like you can just hop on the public transit and go home. You can't even do that in Airdrie, and we're 45,000 people. If you're from a smaller town, you know, it's pretty difficult to get a taxi cab or something like that. So what happens, of course, is that instead of going out for a drink with their friends – I do that a lot; I usually end up buying and not consuming, but I do go out for a drink often with friends in my constituency – they just won't bother doing it.

**12:20**

I'm not talking about getting together for a drink and getting plastered, that they're having – I don't know what would get someone plastered these days – six, seven beers, whatever, and that they're just going out the door. Well, of course, that's not who we're talking about here. We're talking about going out and buying your buddy a beer or two. Then they go out the door, and they're over the legal limit, or there is a chance they'll be over the legal limit. They just won't do it anymore. They just won't do it. How is that going to affect our hospitality industry in rural Alberta? It's not going to be a good effect.

I do have some amendments, and I will bring them forward.

**An Hon. Member:** Not now.

**Mr. Anderson:** No, not now. I'll let somebody else speak. I'll bring them another time, soon.

I want to encourage a free vote on this issue because I think that we all come from different areas. We all come from different constituencies. You know, we have members from very, very rural places. I think of the minister of tourism: very rural. [interjection] At least I remembered, Minister, which is more than I can say for your House leader there about the Minister of Transportation a few moments ago. That individual is in a very rural riding. How does he feel about this? Does he feel that this is something that he can support? Maybe it is. But he should be free to vote. The same with the Minister of Municipal Affairs and the Member for Olds-Didsbury-Three Hills and so forth. We all come from different areas, some of us very urban, like the Minister of Education. He's quite the urban socialite.

I would like to see a free vote on this issue to truly represent your constituents, to truly represent what you think is best, what, in your judgment, you think is going to be something that they're going to want and is something that's going to be for the good of Albertans. I hope that you will do that in the cabinet. To those that are not in the cabinet, you are technically private members, and I hope that you will vote your conscience on the matter and go from there.

With that, Mr. Chair, I'll take my seat. I look forward to more solid debate on this issue.

**The Deputy Chair:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. I need to start off the discussion with, you know, all of the different comments that were made in regard to what the hon. member sees as a problem: don't drink and drive. I mean, that's it in a nutshell. Don't drink and drive. We are targeting the right people, and we're targeting the right people by addressing the .08 and above. I told you what the penalties were, of course, with the mandated ignition interlock, also with the suspension of licences and also with the seizure of vehicles.

I heard the hon. Member for Fort McMurray-Wood Buffalo comment the other day about rural Alberta. You know, that brings me a concern that we segregate rural Alberta because rural Alberta may not have the taxi. Well, if you're going to drink and drive, you figure it out. You know, that's the point. The point is that you're drinking and driving. Seventy per cent of the fatal accidents that take place in rural Alberta involve alcohol. When that happens, that's partly because of the speed. I mean, you need to organize. You need to have an individual that's the designated driver.

The other point, Mr. Chairman, is that if you read the legislation, it would very specifically say – and you would read that – that we are doing educational programs. That is critical. We're doing educational programs so that people don't get into the situation of repeat offenders.

One comment that I found interesting is that they hit the .16: "Leave the .05 to the .08 even though they're impaired. Leave them alone even though they will be charged at this time for a 24-hour suspension." They have to get from .05 to .08 to get to .16 or higher. This is about the change of culture as well. That's why we're not only doing the .08 and above. That's why we're doing the graduated licences as well, making sure that there is a culture change, and it's necessary to change how people think about drinking and driving.

You're probably right. You said that the individuals that were involved in the accident could have been at .16 or that they would have been above the legal drinking limit. But you know what? If we would change the culture – you said that, in your mind, you believed that none of this would have an impact on how people do

things. I truly believe that we need to change the culture. Do you know that our kids are changing the culture? Our kids do not believe in drinking and driving. In fact, they believe in zero tolerance.

You also made mention about having four children and that you are impacted by the four children. I want to say to you: you know, if you're impacted, you're impaired. You'd better do something because you're a hazard on the road. I don't care. You put up a barrier. You do whatever you need to. But if they're distracting you, then you are not doing the job of being a parent and safe on the road. You are truly impaired. So do something different. I don't care if you put in a cage, but if that's a problem, you need to do it. [interjections]

**The Deputy Chair:** Hon. member, the chair is very interested in hearing what you have to say. Thank you.

**Mr. Danyluk:** Mr. Chairman, the next point that I want to say is that we need to look at the B.C. law and look at how the B.C. law is different than what we're doing here. There is always reference to the B.C. law. The B.C. law did a lot of things differently than what we're doing here. One, the penalties. We've heard that. Two, there was no opportunity for appeal. I want to say to you that our position is very much education, not only the education of individuals that are driving but very much education with the hosting groups. I think that's critically important.

I'm very puzzled with the long gun registration. To me, we have a record in this province that has twice as many deaths per hundred thousand people than the average of Canada. What ends up taking place is that we need to look at ways that we can change the culture, and we all have responsibility.

You mentioned the Traffic Injury Research Foundation of Canada as being the right people with the right information. Well, they very clearly say: 7.2 times more likely to be involved in a fatal crash than drivers at zero. That's drivers at .05 to .08. It's the same one that you had claimed. I'm saying here: hey, we could do everything with stats. The thing that hurts me about stats is that in five years I think it was 587 people that died in alcohol-related accidents. Also, what ended up taking place is that there were over 8,000 injured. I mean, to me that's a real stat. I stand before you and say: what can we do to make a change? We look at it in that direction.

Mr. Chairman, going back to you again, at the end of the day I need to say to you that, as was said, this may not be the whole answer. Somebody is still going to drink, somebody is still going to speed while they're drinking, and somebody is still going to kill somebody. So part of this has to be cultural change, part of this has to be a deterrent as far as penalties, and part of this has to be education. It's all of that combined together. It's not one thing that's going to change it. I'm sorry, Mr. Chairman; this is not gun registration. This is lives that are being affected every day.

12:30

**The Deputy Chair:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Calgary-Glenmore.

**Dr. Taft:** Thanks, Mr. Chairman. I'm appreciating this debate generally tonight. I want to once again read into the record the determined attendance from people in the public gallery, who I think have waited hours and hours now for this debate. Well done.

I want to start, as the Member for Calgary-McCall did, by reflecting on my own experience and my family's experience with traffic safety and alcohol. There are in my family and my wife's family at least three people who have lost their lives because of impaired driving, three different accidents. So, you know, this is

an issue that's very close to my heart, very close probably to the hearts of many people here who have had friends and family killed or maimed by impaired drivers. I can't help but bring that experience to this particular debate. That's how it goes.

I've heard much from the government side and well expressed by the minister about a shift in culture. He talked about the kids today having zero tolerance for drunk driving. I'm not sure if that's quite true, but I have no doubt that the culture has shifted. I reflect on my own life experience. The simple reality is that 35 or 40 years ago impaired driving was no big deal. It was kind of a joke. It has gradually shifted so that it's taken much more seriously. It's common now to be at a dinner party or out somewhere, and somebody will agree not to have a drink or will cut themselves off after one drink. That's a change in culture, and I'm certain that the culture will continue to change.

I do want to say to the government that one of our problems with this bill and with the previous bill is that the whole process is too hurried. This legislation was brought forward a week ago today along with five other significant bills. I know that government wants this to be law by Thursday. That's bad process. I don't care what you say. That's no way to run a Legislature. That's no way to run a Legislature, to dump six bills and try to drive them through in two weeks. What happens is that mistakes get made. We in the opposition don't have a chance to consult with stakeholders. And let's be honest. I'm not convinced that all of you on the government side have had a full chance to explore the issues and consult with stakeholders either.

So I think that fundamentally the biggest victim of this hurry is the victim of public consensus, if I can put it that way. We are not letting enough time pass for the public to come to a consensus which will legitimize this law. If I contrast it to the process through which the distracted driving law was put through, that was a piece of legislation that worked its way through many steps of motions and private members' bills and years of debate. I think it was a better bill because of it. I also think that the public finally came along and understood what was going on. I wish we were taking more time on this.

This feels like the hammer has come down from the Premier's office. She had a meeting with the Premier of B.C., got this bee in her bonnet, and bingo. A few weeks later it's going to be law. Good law or not, that's bad process. So I think that comes to the concern.

A number of questions come to mind, and some of those were brought forward by the members for Airdrie-Chestermere and for Calgary-McCall. I think an issue that I've heard from stakeholders is that perhaps we should focus instead on better enforcement of the .08 level. I can't remember the last time there was a checkstop that I encountered, for example. Some of the evidence brought forward in earlier debate makes me wonder if we shouldn't be focusing on people who are drinking more. Is the group who are at the .05 to .08 level really the problem? I don't know; maybe they are. But I'd like a little more time to figure it out. I want to make a decision and vote on this legislation based on the evidence. In the course of so little time I'm not sure the evidence is clear. It's certainly not unequivocal in my experience.

I'm also confronted with the possibility that there might be legal challenges on this, even constitutional challenges, and that may well play out. We've seen that occasionally with government legislation pushed through before. At times this government has lost, and it's because bills have been whipped through without enough consideration and enough, shall we say in this case, sober second thought.

I am also wanting to know if there were alternatives explored. What else might we do to achieve the same result through other

ways? Working with the hospitality industry, educating the public: did we look at anything else? This came up in such a hurry that I don't know that we did. I always like to have two or three options to consider when we're making a decision because you get a better decision that way. In this case it doesn't feel like we have those options.

There are a number of concerns, and I say all of those in light of my opening comments, which are that, sadly, my family has been directly affected repeatedly by drunk drivers. So my nature is to support this. I want safer roads. I find impaired driving to be one of the most appalling of crimes in many ways. Yet coming to the debate as I do with that feeling, I'm not convinced about what we have here.

Mr. Chairman, I do have an amendment that I want to bring forward. It's on behalf of the Member for Edmonton-Centre, who is not – I will stay on the correct side of the protocols.

**Mr. Hancock:** Kevin, can't we debate a little more before?

**Dr. Taft:** You know what? We'll have lots of time for debate.

There's the amendment. Mr. Chairman, I'll wait a minute for this to get handed out.

**The Deputy Chair:** Thank you. The amendment before you will be called amendment A2, as proposed by the Member for Edmonton-Riverview on behalf of the hon. Member for Edmonton-Centre. Does everyone who wishes to have a copy now have it, and may we proceed with the debate?

**Dr. Taft:** Mr. Chair, just for people's reference, the amendment relates to pages 2 and then pages 17 and 18 of the bill.

**12:40**

**The Deputy Chair:** Are we able to now proceed with the debate? Yes, we are. Thank you.

Hon. member, please proceed.

**Dr. Taft:** Thank you. I'll read the amendment into the record. I am quoting here. Ms Blakeman moved that Bill 26, Traffic Safety Amendment Act, 2011, be amended as follows. Section 5 is amended by adding the following after clause (a):

(a.1) by adding the following after clause (a)(iii):

(iv) extend a disqualification or suspension under section 88.1, provided that the disqualification or suspension shall not extend beyond the time of the disposition of the criminal charge.

Section 12 is amended in the proposed section 88.1(3) by adding "or until the expiration of a period of two years, whichever is earlier, subject to an extension of the two year period by the Board after a review under section 30" after subsection (2)(a), wherever it occurs.

I'm sure that didn't make any sense to most people here without a bit of interpretation. The intent of this amendment is to increase the constitutionality of a disqualification of persons from driving after they are charged with a Criminal Code offence for drunk driving but before the case is heard. The intent, as I understand it from the Member for Edmonton-Centre, is that this puts a time limit on how long proceedings can take and how long a vehicle suspension may occur. The amendment makes sure that should the proceedings for the Criminal Code offence continue over a long period of time, the disqualification should not extend beyond two years without a hearing by the board or four years ever. Since people have the right to justice within a reasonable time frame under the Charter, this change may actually help the law stand up in court.

I do want to note that while some of our members do not agree with the proposed law in our caucus – and we will be having a free vote in our caucus – we can at least try to fix what is here.

Essentially, what this does is put a tighter time limit on how long a disqualification occurs. Currently as the bill is proposed, a disqualification will last until the whole thing is sorted out. Well, if it takes four years or five years to sort it out, that's too long. This would put a two-year limit on that disqualification.

With those comments, I'll open it up to debate. I think I'm just about out of time anyway, Mr. Chairman.

**The Deputy Chair:** Thank you.

**Mr. Danyluk:** I would like also to have the hon. Solicitor General comment. I just need a little bit of – and I should say that the workings of this act for sure is the involvement of myself as the Minister of Transportation, the Solicitor General, and the Minister of Justice. If I can just for a minute ask one question, and that is: does the two years and the four years have any implication if the time extension is with the person who is accused? I'm not quite understanding that, okay?

**The Deputy Chair:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Okay. I'll do my best to explain. Perhaps we can continue this debate even tomorrow because you may find you like this amendment. What it would do here: let me just give you an example. I'm on page 17 of the bill right now. Subsection (3)(a) right now reads:

(3) Where

- (a) a person's operator's licence is surrendered under subsection (2)(b), that person is immediately disqualified from driving a motor vehicle in Alberta and remains so disqualified until the disposition of the criminal charge referred to in subsection (2)(a).

That's how it currently reads, and we all know how long it might take for a criminal charge to be disposed of.

What this amendment would do, Mr. Minister, would be to add after that "or until the expiration of a period of two years, whichever is earlier, subject to an extension of the two year period by the Board after a review under section 30." What we are saying is that it is not an open-ended disqualification. There is some time limit.

I am told that this actually improves the chances of the legislation withstanding a Charter challenge. Now, I'm not a lawyer, and we're not supposed to give legal opinions in this Assembly anyway. I'm just telling the minister what I've been told. I hope that made sense.

**The Deputy Chair:** Thank you.

On amendment A2, any other comments? Anyone else wishing to speak to amendment A2?

If not, is the House ready for the question?

**Hon. Members:** Question.

[Motion on amendment A2 lost]

**The Deputy Chair:** Are there other speakers? I have Calgary-Glenmore on Committee of the Whole.

**Mr. Hinman:** Committee of the Whole on Bill 26. Well, it's a pleasure to be able to get up and to address Bill 26 on behalf of the Wildrose, to speak against Bill 26 and go over a few reasons why we feel this is not in the best interests of Albertans. I would like to start off by saying, though, that the Wildrose is very concerned

with the lives of Albertans. It's easy to skew and for people to turn and say: oh, so you're against enforcement for legally impaired drivers. No, we're absolutely not.

I guess what I want to start off with, Mr. Chair, is the precedent that what Albertans and Canadians stand on is that we're innocent until proven guilty. This bill changes all of that to where you're guilty and going to pay the penalty up front, and as per the amendment that just got defeated, maybe you'd have only two years or four years before you have your day in court. That is just wrong here in the province of Alberta and here in Canada. We need to have due process and our day in court and not just be able to appeal to go to a second tester.

You know, I appreciate the Minister of Transportation's passion on this. He keeps saying: zero tolerance. Well, if that's what it is, why are we not bringing in a bill with zero tolerance? It doesn't seem to be there. Again, numbers are always interesting, and we can look at them and react.

I, too, like my Wildrose colleague from Airdrie-Chestermere, feel that this has a lot to do with what happened with the long gun registry. I want to start off, again, with what the relevance is for me, which is that that tragic day in Montreal had nothing to do with the long gun registry. That weapon that they used was already illegal and shouldn't have been there, just as when someone who is two times the legal limit for drinking is in an accident, yet we seem to be pointing at someone that owns a gun or someone who has gone out for a social drink and saying that that's the problem.

It's interesting to say that you're seven times more likely, if you're between .05 and .08, of getting in a fatal car accident, but if you look at the statistics, I think it works out that you're nine times more likely if you're from no alcohol to .05. There's more in that segment in the study than there is from .05 to .08. Maybe that's just purely because of the fact that it covers a larger range from zero to .05 as opposed to from .05 to .08, which is a smaller segment of the chart.

**12:50**

We just have problems with this in so many ways. It's perplexing why the government has brought this forward and even more perplexing why the Premier has said: I want this passed and in place before Christmas. She's broken many promises on her election platform. I don't know where this one comes from, yet she seems to be so passionate about this.

Again, there are too many Albertans that have been impacted by deaths on our highways. We've seen way too many recently. These are individuals who are often two or three times the legal limit that are causing these accidents. We need to go back and look at the actual numbers again here and ask ourselves: you know, is this a knee-jerk reaction? Is this just the old liberal parent looking out for individuals, and government can make us all safe? That's very much the "Big daddy will look after you; we'll make our citizens safe" mentality that has certainly taken over this government's thought process.

**Dr. Swann:** Do you feel the same way about seat belts?

**Mr. Hinman:** The hon. Member for Calgary-Mountain View wants to know if I feel the same way about seat belts, and I actually have a personal story on that. I was driving back from visiting my son in Grande Prairie and was somewhat dismayed at the number of people that were blowing by me. I was driving the speed limit of 110, 112 from Edmonton to Red Deer. I came over the hill, and I saw a police car down at the bottom. I thought, "Oh, great." Traffic was bad. People were just soaring. I figured some were going 140,

150 kilometres an hour, causing some danger, I felt, on the road. Yet all of these people zipped by. I looked at the police as I went by, and I was just shaking my head, you know, like: what are you doing there?

His lights came on, and he pursued me. I couldn't understand why for the life of me. This was early on when it first started. He pulled me over and gave me a ticket because I didn't have my seat belt on but had all these speeders going by. And I said: surely, with all of this going on, you think that you're going to increase the safety of Alberta drivers by pulling me over while people are zipping by, going 140 and 150 kilometres an hour? I learned by the school of hard knocks that you have to have it on.

We focus on the wrong things, and this is a classic example of focusing on the wrong things. Putting on your seat belt does not make you a safer driver. It actually says that people feel they're more invincible and drive a little crazier because they don't think they're going to get hurt. Seat belts are a good . . . [interjection] This is the same mentality. We know that seat belts are safer, but to have a policeman sitting on the side of the road looking for people that aren't wearing seat belts while people go speeding by at 20 and 30 and 40 kilometres over the speed limit is wrong. We're missing it.

This bill is wrong. It's addressing .05 to .08 when, in fact – and I shouldn't say “this bill.” This section of this bill is wrong. What we want are those that are over the legal limit. What we want are those repeat offenders. We should go after them, and we should go after them really hard. We should set the example.

I mean, we keep hearing, Mr. Chair, that Alberta has, I think, 40 per cent more accidents than other regions. Or the other regions have reduced by 40 per cent; we've only reduced by 17 per cent. And we think: oh, that's because we don't have ours at .05. No. If citizens know that there are no police and there are no tickets given for speeding, Alberta is going to be the zone where everybody is speeding.

Everybody knows that in Alberta there's very, very little enforcement on drunk driving. That's why we have a problem, Mr. Chair. It's not that we didn't lower our level like other areas. They've lowered their level, but they've increased their policing. They're out there with checkpoints. I mean, I don't think I have seen a checkpoint in probably 11 or 12 years. I remember when I was young, going to university. You know, 30 years ago we had a lot more checkpoints then. It was serious business.

When my friends went out, they always loved me because I was the designated driver. I didn't participate in the drinking. So everybody said: “Hinman, do you want to come along?” “Sure, I'll come along.” They got to do the drinking; I did the driving. We've grown up with that idea, but the fact of the matter is that if we stop giving speeding tickets, the real problem, speed, which causes more accidents, will go up. The problem is that we're not enforcing the laws we've got.

I've put out many questionnaires and on the web asking Albertans that. It's overwhelming; 95 per cent want stricter enforcement. Enact it. Do it. We're not doing anything. For some reason government seems to think: oh, if we just pass new legislation, we're doing our job. It's popular. It's the nice thing to do. But it just doesn't cut it, Mr. Chair. It's disappointing.

Again, the minister keeps getting up and stressing that this is not a cash cow. Today it isn't, Mr. Chair, but when this bill passes – because I'm confident with the Premier and her arm-twisting that it will pass here in the next few days, and it will be enacted before Christmas. Like I say, I can't understand how something like this can't go to committee and we can't do some study and we can't listen to Albertans. If we're representing Albertans, maybe we should listen to Albertans and not just say: “We know best.

We're a liberal government, and we know best. We're elitist. We know best. We don't need to consult.”

They say that they consult, but it's an insult because who do they consult? Oh, their special guests. Bring them in. We'll talk about the budget. Bring them in. We'll give out a list of people to come in that we'll consult with. It's not an open session, you know: doors will be open at the civic centre from 1 until 5 to hear from citizens. It's a very specific group that they bring in. They don't consult; they insult the average Albertan because they're not allowed to be part of the process. It's very easy for this government to open up and allow Albertans to be part of the process.

The studies that we see – again, so many have gone over them that I hate to bring them up – you know, are that in 61 per cent of the fatal accidents there is zero alcohol involvement. Zero. Sixty per cent. That's the majority. If we're so concerned – and we all are – maybe we should be analyzing that first. Is it speed? Do we need to lower the speed limits? No, I don't think so. Is it young drivers? Possibly. Is it older drivers? What are we looking at? Why are we pointing at this very small group of 2 per cent? Two per cent of the fatal accidents are from .05 to .08. Do we even ask if that's just an anomaly, if it just happens to be that there are going to be accidents and there are going to be a certain number that will fall in to each of these categories? As I said, there are actually more that fall into the category from zero to .05.

Mr. Chair, I just have to say that with the questionnaires that I've sent out and with my web page that I've got up, 95 per cent of the responses that I am getting back are saying: enforce the law that we already have. We don't need to lower it to .05. We don't need to go on this witch hunt after individuals who want to have a social drink and then drive home. I've heard from businessmen that work downtown. They like to stop in at the bar, have a couple of drinks, visit for a while and drive home. Two drinks: they're all very specific about that. They know that: two drinks to be able drive home. They won't be able to do this anymore.

This government is notorious for passing legislation and not knowing the economic consequences. This is going to have a huge impact on the hospitality industry. We know it. B.C. has shown it. I believe it's a 40 per cent drop in the hospitality industry. That's fine if that's the desire of the government, but say that. “You know what? The hospitality industry is doing too well. We don't like individuals going out and having a good time, and we want to limit that. People are just living too high and too happy, so let's reduce that and bring misery to them because that's what government likes to do, inflict misery on the citizens to know who's really in charge.”

There's no question, Mr. Chair, that it is a privilege to drive. We've passed some legislation. Again, another one that went through very quickly was the distracted driver legislation. For the overwhelming number of people that I talked to, it's not whether or not you're holding a device in your hand; it's whether or not you're talking on a device. So, again, we've kind of missed the mark on trying to create that safety. [interjection] That's what I'm saying, that we missed the mark. If you're talking on your cell phone, you're distracted whether you're holding it or not.

1:00

Anyway, the point is that this government is continuing to extend its track record of passing laws that they're proud of, yet they serve no purpose or they're actually a detriment to the people that they're trying to protect. They're protecting them from themselves, it seems. I just don't think that that's government's job. If we want to go to zero tolerance, then let's put that in the bill and say that it's zero tolerance. Let's not be wishy-washy and set up this arbitrary number where we can hopefully catch people.

Again, I want to go back to this idea that the government keeps saying that there's no cash cow here. I agree. In this bill there isn't. It's always one step at a time. Today there's no penalty, but I will bet you that when the next budget comes out in April, there'll be a penalty attached to this because they need the revenue. These guys are desperate. They don't say that they have a spending problem. These guys have a revenue problem, and they've said it over and over again. They won't commit to saying, "We're going to balance the budget," but what they will commit to is: we're looking for revenue sources; this is going to be a great one. They'll have a four-month period or whatever and see how many they're catching, and then they're going to extrapolate it out and say: we can't afford not to be putting fines out there; we'll be able to bring in \$15 million.

I need to recognize that it's awesome that in the stands we've got, I think, 11 or 12 people here. It's 1 o'clock in the morning. Obviously, this is an issue. Anybody give a thumbs-up to this bill? How many thumbs down? It's unanimous that the citizens of the province here are 100 per cent against this bill, and here we have the ministers laughing at them. That's pretty sad. [interjection] Well, I think that it's more representative than what's sitting over there. What's been discussed over there is not representative. We need to get out and listen a little bit.

Mr. Chair, I have to speak again. The Wildrose caucus is not in favour of this. This is no more than big government reaching out with their heavy hand. For what reason? I just don't know what the political motives are here. Usually you can see something in this. I really think that the biggest political motive is for them to be able to stand up and say: we're against drunk drivers. Everybody is. This isn't about being against drunk drivers. This is a setup to be able to introduce their cash cow in four months, six months, or a year from now. Once again, that's not going to be for the benefit of Albertans.

I'll sit down and to listen to other people speak against this bill. Perhaps the government is going to speak in favour of it. We'll see.

**The Deputy Chair:** The hon. House leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I needn't remind any members of the House that committee is intended for clause-by-

clause analysis of the bill, and usually that's when people deal with the clauses of the bill and bring forward amendments. I do appreciate the fact that we were able to deal with one amendment to the bill tonight. I had anticipated that there'd be others, but it appears that we're back on debating the principle of the bill as opposed to clause-by-clause analysis, and therefore I would move that in light of the hour we adjourn debate.

[Motion to adjourn debate carried]

**The Deputy Chair:** The hon. House leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee rise and report Bill 25 and report progress on Bill 26 and beg leave to sit again.

[Motion carried]

[Mr. Zwozdesky in the chair]

**Dr. Brown:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 26. The committee reports the following bill with some amendments: Bill 25. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you, hon. member.

Does the Assembly concur in the report? If it does, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Those who are opposed, please say no. That report is carried. Thank you.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 1:06 a.m. on Tuesday to 1:30 p.m.]







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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday afternoon, November 29, 2011

Issue 42a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 29, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Let us keep ever mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work let us find strength and wisdom. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. It is an honour for me to rise and introduce to you and through you to the members of the Assembly a rather large group of grade 6 students from Muriel Martin school in St. Albert. We have 82 guests in both the public and members' galleries. They are accompanied by Mrs. Rhonda Surmon, Mrs. Jody Bialowas, Mme Roxanne Arnett, Mrs. Katie Boyd, Mrs. Janine Jespersen, Mrs. Lynda Saunders, and parent helpers Mrs. Tanya Doran, Mr. Rolando Garcia, and Mrs. Cindy Gilmore. I had the opportunity to of course get my picture taken with them at the Leg. I asked them the questions I ask all the grade 6ers, and I have to say that this is a very bright group of students, and the future of Alberta is, indeed, in good hands. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Speaker. One of the many wonderful things about Edmonton-Riverview is that it contains the University of Alberta, and one of the privileges of that is being able to introduce guests who attend from that university. Today it's three guests from the University of Alberta International Centre, and I'd like to introduce them to you and through you to all members of the Assembly. They're seated in the public gallery. Their names are Jeremy Burns – you could rise as I read your name – Naoki Yonezawa, who is here visiting from Japan, and Jason Kakakaway. They are, as I said, standing in the public gallery, and I would ask all members to please give them a hearty welcome.

Thank you.

**The Speaker:** The hon. Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all Members of the Legislative Assembly valued staff members from the office of the public guardian. These dedicated staff members of my department provide decision-making supports to Albertans who no longer have the capacity to make these personal decisions. They are here today to be recognized for their important and dedicated work for vulnerable Albertans and to be recognized for receiving a Canada award for excellence, which we'll hear more about in Members' Statements. They're seated today in the public gallery, and I'd ask them all to stand to be recognized by all my colleagues here.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great honour for me to rise and introduce to you and through you to the House a friend, a Calgarian and paramedic. Pete Helfrich lived in the region and worked for Calgarians for 20 years. He is passionate about excellence in the health care system, and he's here to watch how we do the procedure of legislating. We hope to have him as the nominated candidate in Banff-Cochrane. I'll have him rise. Give him the warm welcome of the Legislature.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you the Wildrose candidate for Edmonton-Gold Bar, Linda Carlson. Prior to taking the plunge into politics, she worked as a policy analyst for Health Canada, where she reported on the Alberta health care system. Having met with Linda, I can tell you that we're lucky to have her representing us in the coming election. She brings a lot of energy that's so contagious, I know it'll catch on with the residents of Edmonton-Gold Bar. I want everyone to meet Linda, and give her the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm very delighted to introduce to you and through you to all members of the Assembly employees here today from my department of Alberta Health and Wellness. I'm particularly delighted because the group of young men and women I'm about to introduce are participating in the government of Alberta policy internship program. They're here to observe question period.

Over lunch we had the opportunity to discuss their ideas and their advice with respect to Alberta's health care system. Mr. Speaker, I want to commend each of them for their dedication to public service and for taking seriously the very important work of public policy, particularly as it relates to health care. These members are seated in the members' gallery. I'd ask each of them to rise as I call their name: Layne Douglas, John Gaye, Harpal Hothi, Brittany Wiebe, Ben Wong, Rose Geransar, Katelyn Erickson, and Matthew Robertson. I'd ask that all members join me in extending our traditional warm welcome and our thanks to these very important guests.

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

**Ms Notley:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly two guests from the constituency of the Member for Edmonton-Highlands-Norwood. Brendan Van Alstine and Ken Kirk are two hard-working volunteers who've been instrumental in the Alberta NDP's East Edmonton health centre postcard campaign. Along with other volunteers from that member's constituency they've assembled numerous signatures from people who support our call for the government of Alberta to immediately provide full funding to open the family medicine and urgent care sections of the East Edmonton health centre. I would now like to ask Brendan Van Alstine and Ken Kirk to rise and receive the traditional warm welcome of this Assembly.

### Members' Statements

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

### Public Guardian Office Award for Excellence

**Mrs. Jablonski:** Thank you, Mr. Speaker. I'm pleased to rise today to announce to all Members of this Legislative Assembly that the office of the public guardian has received a Canada award for excellence. Canada awards for excellence are awarded to both government and private-sector organizations in recognition of their pursuit and commitment to excellence. These prestigious awards are presented by Excellence Canada, an independent not-for-profit organization committed to improving organizational performance and recognizing excellence in organizations across Canada.

On behalf of this government I am pleased to applaud the office of the public guardian on receiving a silver quality award for their continued commitment to quality and to improving the lives of the vulnerable in Alberta. Winning this award in 2007 and again in 2011 means that the office of the public guardian is one of Canada's top organizations. As part of the Ministry of Seniors the office of the public guardian provides decision-making support for Albertans who are unable to make personal decisions for themselves.

The office of the public guardian plays an important role in this province. Over 2,000 represented adults rely on public guardian representatives to make personal decisions for them that best meet their needs. As well, this department has worked tirelessly since 2005 on new and enhanced legislation to replace the 30-year-old Dependent Adults Act, and on October 30, 2009, their hard work came to fruition when the Adult Guardianship and Trusteeship Act came into effect. This important piece of legislation provides Albertans with a range of decision-making options and safeguards.

The staff of the office of the public guardian and the Ministry of Seniors work hard every day to promote excellence and to improve the quality of lives for some of our most vulnerable citizens. This Canada award for excellence is truly deserving. Mr. Speaker, I would like to ask all Members of this Legislative Assembly . . .

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

### 1:40 Tom Baker Cancer Centre Pathology Lab

**Mrs. Forsyth:** Thank you, Mr. Speaker. Tomorrow the Alberta health superboard, with the full blessing of the Premier and the health minister, will shut down cancer testing at the Tom Baker cancer lab in Calgary. They will proceed despite dire warnings from the lab's former director of pathology, Dr. Tony Magliocco.

Last week Dr. Magliocco sounded the alarm over the pending closure, expressing grave fears that the PC government is setting Alberta up for a repeat of what happened in Newfoundland, where women with breast cancer died because of faulty cancer testing. He did all that he could behind the scenes to stop this closure, but his patient advocacy was met with threats, bullying, and intimidation from superboard officials. He was even told that he would regret it if he didn't shut up and go along with it.

Fed up with how he was treated and frustrated at his attempts to stand up for his patients being ignored, Dr. Magliocco resigned his position, and he has since left the province. He has taken a position at a Florida lab, where he has been asked to re-create the same test down there that our government is shutting down here.

They tell us, the government, that they have a transition plan in place, but they won't show it to us. They say that they have been validating tests at Mount Sinai in Toronto for six weeks, but they haven't.

Mr. Speaker, how many more world-class doctors will Alberta lose because this government runs them out of the province? How many more are being bullied and threatened into silence while the superboard makes decisions behind closed doors that affect patients? More importantly, how many patients won't get the care and the treatment they desperately need because their doctors are being ignored? These are the questions Albertans are asking, questions that they refuse to answer. How appalling that our government is more interested in saving its political skin than saving lives. Call the public inquiry now so that we can get answers before you call the election.

### Initiative for Welcoming and Inclusive Communities

**Mr. Benito:** Mr. Speaker, I have the honour and privilege today to share details of an exciting initiative called Come Together Alberta. Come Together Alberta is led by the Minister of Human Services. Newcomers play a significant role in the economic prosperity and social fabric of Alberta. The purpose of Come Together Alberta is to help Alberta communities find ways to ensure newcomers get support to build connections, establish roots, and feel at home within their communities.

This initiative encourages communities to plan and prepare for newcomer population growth. Of course, every community has its own unique needs. Through the Come Together Alberta initiative communities take the lead to keep those needs in focus and build upon their existing settlement and integration services.

Come Together Alberta encourages all Albertans to connect and work together to welcome newcomers into their communities. The government of Alberta is partnering with the Alberta Urban Municipalities Association to establish and promote best practices with online tools, resources, and community outreach.

I believe the Come Together Alberta initiative is vital in ensuring that we welcome and retain newcomers so all Albertans benefit from a dynamic, inclusive, and multicultural community. Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Mr. Speaker, the hon. Member for Calgary-Buffalo is going to deliver the private member's statement.

**The Speaker:** Proceed.

### Provincial Revenues

**Mr. Hehr:** Mr. Speaker, today I'd like to pay my respects to two of the hon. members on the government's side, the Minister of Municipal Affairs and the Minister of Finance. Both of these gentlemen deserve kudos for recognizing that at some point in time our province needs to address the issue of revenues. During his leadership bid the hon. Minister for Municipal Affairs pointed out that while Alberta spends \$39 billion annually, we're only taking in \$12 billion in corporate and personal taxes. A good chunk of the other money comes from nonrenewable oil and gas revenues. He recognized that this is a massive structural deficit and it can't go on forever. As the minister pointed out, we need to look at increasing revenues. The minister was brave enough to even use the T-word, taxes, as maybe they need to be higher to address this significant structural deficit.

The Minister of Finance, in his usual diplomatic manner, suggested more recently that the province might need to start collecting a provincial sales tax, and he took some flak for floating the idea. But I applaud the minister for admitting that we need to do something on the revenue side. Sure, we could cut a billion or two in legitimate

wasteful spending, but we can't cut nearly enough to make up for Alberta's structural deficit.

As people we Albertans need to start looking at our books and our desires for the future more closely. We can choose to live high on the hog now, using oil and gas revenues to pay the bills, taking a free ride, but a responsible civilization would recognize that oil and gas are finite resources and that we should be saving a significant portion of the royalties from oil and gas for future needs. The heritage trust fund should be sitting at \$100 billion, and it would be if we eliminated that structural deficit.

I confess that I don't know what the best way of increasing our revenues would be, but one way or another we need to fix our revenue problem. I applaud the two ministers I've mentioned for having the guts to raise the issue.

**The Speaker:** There has always been a courtesy under this section of the Routine called Members' Statements that members would actually listen to what other members said.

The hon. Member for Edmonton-McClung.

### Safe Communities Initiative

**Mr. Xiao:** Thank you, Mr. Speaker. Today I rise to speak about an outstanding program of our Alberta government that has made a tangible difference in my constituency of Edmonton-McClung. In 2008 the former Minister of Justice, now the Premier, launched the Alberta safe community initiative, and over the past three years this program has had significant and meaningful results in improving the safety and the security of our neighborhoods.

Mr. Speaker, as you know, my constituency is located in the west end of Edmonton, and the responding police station for our constituency is located on Edmonton's south side on 51st Avenue and 97th Street. This police station is approximately 30 kilometres away from the south end of my constituency. Due to the lack of police presence the issues of safety and security had become everyday concerns for my constituents.

Thanks to the funding for the safe community initiative in September 2009 an office was established in the centre of Edmonton-McClung, in the community of Callingwood, for the southwest division neighbourhood empowerment team. This team is now raising awareness in our community about home, apartment, and auto safety. Antibullying, park watches and patrols, youth programming, crime councils, and safety groups as well as traffic safety, graffiti removal, and community spirit events are all important aspects of this NET program.

As a result of the safe community initiative my constituents are now more secure, educated, and empowered in their personal safety.

Mr. Speaker, our government has invested over \$550 million into the safe community initiative since its inception. This is an excellent example of tax dollars well spent.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Currie.

### Impaired Driving

**Mr. Taylor:** Thank you, Mr. Speaker. Bill 26, the Traffic Safety Amendment Act, 2011, is generating a lot of correspondence to my office and, I suspect, the offices of every one of my colleagues in this House. I'm sorry to say that most of the e-mails flooding my office oppose the bill as it stands. Bar and restaurant owners are writing, protesting that this bill adversely affects their businesses. While I can empathize with that, if this bill is in the public interest, then there comes a point where you have to say:

"Look. If you can't make a go of this line of work, then you have to find another line of work."

I've always believed that when private interests and the public interest are in conflict, the public interest must prevail, although let me say again: I don't know whether this bill is in the public interest.

The constituents who are writing to my office complain that they believe Bill 26 will put them in jeopardy of draconian consequences if they have a glass of wine with dinner out or a pint of beer after a hard day's work if they get pulled over on the drive home. The other side of this coin, Mr. Speaker, is that another three young Albertans died this past weekend in a car accident in which alcohol might have been a factor.

Drinking and driving is a huge, unacceptable, and utterly preventable problem in Alberta, Mr. Speaker. As I pointed out in the House last week, there are many jurisdictions in the world that have zero tolerance, not .08 or .05 but zero tolerance, for drinking and driving and, at the same time, often have more liberal liquor laws than we do. So what we're trying to achieve can be done, and my guess is that not more than, say, 1 in 5 Albertans would disagree in principle that it should be done, but a lot of my constituents don't believe that Bill 26 is the right way to go about doing it.

I truly believe the people need a chance to weigh in on this issue. I urge the government to refer Bill 26 to an all-party committee, have the committee hold public hearings, and then bring back a revised bill for the Assembly to consider next spring.

Thank you.

### Oral Question Period

**The Speaker:** First Official Opposition main question, the hon. Leader of the Official Opposition.

### PC Leadership Race Vote Solicitation

**Dr. Sherman:** Thank you, Mr. Speaker. This fall Albertans had front-row seats to a perfect display of slimy pork-barrel politics. The chief administrator of St. Paul told voters, quote, it is imperative for future funding, unquote, that their MLA remain in cabinet. This same MLA, now the Minister of Transportation, just gave \$14 million in supplementary supply funding to his own constituency. To the Premier or Deputy Premier: was this \$14 million the price Albertans had to pay to get the right results from the PC leadership race?

1:50

**Mr. Horner:** Well, first of all, Mr. Speaker, I find the question offensive. It besmirches the integrity of the hon. minister, and I think that in order for the hon. member to ask such a question, perhaps he should come up with some verifiable proof.

**Dr. Sherman:** Mr. Speaker, the only thing offensive was the activity and the allegations made in this article from St. Paul.

Given that the Minister of Transportation provided supplementary supply funding only to his constituency – and, not surprisingly, this is the same constituency that delivered 1,400 second ballot votes to elect the Premier and 1,600 votes for the Deputy Premier – how can the Premier or her deputy claim to be any different when it's this warlord-style politics that clearly put them in their positions and they did the same by rewarding the MLA with a cabinet post?

**Mr. Horner:** Well, Mr. Speaker, I take great offence to the comments, that are basically an attack on the integrity of my office and of the Minister of Transportation's office. I would ask for a point of order on that.

**Dr. Sherman:** Mr. Speaker, Albertans take great offence at how politics are done in this great province.

Given that there are many valid projects requiring funding but only those that support the governing party get first dibs on taxpayer dollars, will the deputy put an end to this slimy pork-barrel politics that makes greasing the wheels of the PC Party a requirement for government funding?

**Mr. Horner:** Mr. Speaker, this hon. member has a history of making allegations without proof. Today is another one. The contention that a number of votes generates a lot of investment is simply not true. In the leadership race I happened to have a number of votes cast for me in a number of other ridings, including my own. That's not to say that they're going to get any special treatment from anyone in this House. It simply means that we're the governing party. We look after the priorities of all Albertans.

**The Speaker:** Second Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

#### PC Party Benefit Plan Trust

**Mr. MacDonald:** Thank you. Yesterday the Minister of Justice failed to answer questions around the PC Party benefit plan trust, which has been listed for the last four years in the member's disclosure statements pursuant to the Conflicts of Interest Act. The minister yesterday could not answer, and the president of the PC Party would not answer. To the Minister of Justice: again, what is the value of the PC Party benefit plan trust?

**Mr. Olson:** Mr. Speaker, that's not information within my purview as Minister of Justice.

**Mr. MacDonald:** I disagree. It certainly is.

Again to the same minister: given that taxpayers are subsidizing the PC Party benefit plan trust, what is the amount of money provided by taxpayers to subsidize this trust?

**Mr. Olson:** Mr. Speaker, I am responsible for the legislation. I am not responsible for the operation or administration of this act. If the member has questions, he can ask the Chief Electoral Officer, or he can ask the Conservative Party. It's not information within my purview.

**Mr. MacDonald:** Unbelievable.

Now, again to the same minister: will the minister ask the president of the PC Party, the association, to release all the details of this benefit plan trust, and why is it necessary in the first place?

**Mr. Olson:** Mr. Speaker, I'm not about to be doing the hon. member's work for him.

**The Speaker:** Government House Leader, we have a point of order? Okay.

Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. True Blue Alberta was incorporated to be the legal vehicle for fundraising and for the payment of expenses relating to the leadership campaign of the former Premier. It had no other purpose. True Blue Alberta was investigated in 2007 under the Conflicts of Interest Act. Again to the Minister of Justice: given that True Blue Alberta had no other

purpose, why did it pay taxable allowances, over \$5,000, to the former Premier and his spouse years after the leadership race was over?

**Mr. Olson:** Again, a common theme, Mr. Speaker. I am also responsible for the Conflicts of Interest Act, but I do not administer or operate everything that happens under the Conflicts of Interest Act. If he's got questions, he can talk to the Ethics Commissioner.

**Mr. MacDonald:** Again, that's unbelievable, sir, because you are responsible under the Government Organization Act for the Conflicts of Interest Act and the Election Finances and Contributions Disclosure Act. Why will you not exercise the authority under your office?

**Mr. Olson:** I'm sorry. I couldn't hear the question over all the yelling.

**Mr. MacDonald:** Again, Mr. Speaker, to the same minister, and I will speak slowly so, hopefully, he can understand. Why was it necessary to pay the former Premier and his spouse the taxable allowances from True Blue Alberta at the same time the PC Party set up a benefit trust fund?

**Mr. Olson:** Mr. Speaker, this organization I have no responsibility for, I have no information about them, and if he wants, he can ask them.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

#### Impaired Driving

**Mr. Boutilier:** Thank you very much, Mr. Speaker. The federal Liberals responded to a tragic shooting in Montreal by creating the gun registry. Although it was well intended, the gun registry did not increase public safety and trampled the freedoms of law-abiding Albertans. This government's new impaired driving law is similar. It will not save lives but will instead penalize Albertans who drink responsibly and will do nothing to crack down on drunk drivers over the .08 limit. To the transport minister: why not focus on a policy of increasing enforcement and penalties on drivers over .08 rather than passing a bill that does not address the real problem?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. First of all, as you know, this legislation is in the House at this particular time, but I would be very glad to answer the question in regard to the member's comments. That is, this bill is about safety on our roads in Alberta. This bill is about legislation that very much focuses on repeat offenders. This bill . . .

**The Speaker:** Thank you. We're not going to use question period for debating a bill that has already passed second reading and is in Committee of the Whole this afternoon.

Proceed.

**Mr. Boutilier:** Yeah. Thank you, Mr. Speaker. Given that it's clear Albertans want more time to analyze any policy change of the government, weighing the pros and the cons, the good and the bad, in terms of determining about enforcement and penalties on drivers over .08 we believe is a better solution. Will you do the right thing, Minister, and ask your caucus to refer this to a committee so all of the strength and weakness of this can be done and investigated so we can have a safer highway for all Albertans?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. This is about safer highways, and I want to say to you that the three ministries, the Ministry of Justice and also the Sol Gen and Transportation have been working on this for a number of years. We have looked at this legislation. There are eight jurisdictions in Canada that have brought forward legislation before this province . . .

**The Speaker:** As I said, we're not going to have a debate this afternoon. Question on process. Go ahead.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given the same type of federal Liberal Party rhetoric that was used on the gun registry . . .

**The Speaker:** No. That doesn't help at all.

**Mr. Boutilier:** Yeah. Okay.

**The Speaker:** There are to be no preambles. You know that.

**Mr. Boutilier:** Thank you, Mr. Speaker. Given that, since you seem unmoved by the vast majority of Albertans and many in your own caucus who do not approve of this policy change, will you at least do the democratic thing and let the Wildrose and the opposition parties have an opportunity to bring forward and fully debate proposals of stronger enforcement, of helping police make our highways even safer?

**Mr. Danyluk:** Well, Mr. Speaker, in the flavour of policy, the policy is that the opposition party, the third party, has every opportunity to discuss this bill. They had it in second reading, and it is now in Committee of the Whole. The opportunity is there.

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

#### Kyoto Climate Change Agreement

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday the federal Environment minister suggested that Canada might withdraw entirely from the Kyoto protocol. While Canada has failed to take meaningful steps to reduce greenhouse gas emissions and has missed its targets by a mile, pulling out altogether would send a terrible message to the rest of the world. My question is to the Minister of Environment and Water. Does the Alberta government support the withdrawal of Canada from the Kyoto protocol? Yes or no.

2:00

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Alberta has always said that the Kyoto protocol doesn't work for Alberta and doesn't work for Canada because it's a protocol that doesn't include all of the world's large emitters. What we say is that if there's going to be a protocol, it has to include all of the world's large emitters.

**Mr. Mason:** Mr. Speaker, given that such a withdrawal would remove international monitoring of Canada's emissions, including Alberta's oil sands, will the minister admit that this government simply wants to permit unchecked growth in carbon emissions without any accountability?

**Mrs. McQueen:** Absolutely not, Mr. Speaker. In fact, Alberta and Canada want to make sure that we have a comprehensive strategy going forward that deals with all of the global emitters and that we, in fact, with our own monitoring system here – and I'll have

the opportunity to meet with the minister. We're upping the monitoring here in Alberta. We're committed to doing more here in Alberta. We're committed to doing more as a nation but not without all the large emitters at the table.

**Mr. Mason:** Given that Alberta has the highest emissions per capita in Canada, amounting to 32 per cent of Canada's total emissions, will the minister admit that its measures, including the \$15 per tonne carbon tax, have been completely ineffective, and if not, will she please explain why Alberta's results are among the worst in the world?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. In fact, Alberta has been a leader in this area with regard to putting a price on carbon: the first in North America with regard to putting \$2 billion into carbon capture and storage, \$2 billion into GreenTRIP. Alberta is taking action and will continue to take action.

**The Speaker:** The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Calder.

#### Services for the Brain Injured

**Mr. Taylor:** Thank you, Mr. Speaker. Today I want to ask some more questions about support services for the brain injured. I want to thank the minister of health and the Minister of Seniors for meeting with me last week and for taking an obvious interest in this issue. But they've been busy, I've been busy, and we haven't had a chance to connect since late last week. Alberta Health Services, whose motto these days seems to be, "We're not happy until you're not happy," continues its relentless push to relocate clients who want to stay where they are. To the minister of health: will the minister please ask Alberta Health Services to hold off on moving any more of these clients at least until after the holidays?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. As I believe the hon. member knows based on our meeting last week, I have endeavoured to get additional information from Alberta Health Services with respect to the transition of these residents. My understanding today is that all but six of those residents have moved to their new placements. There are, in fact, additional funds that have been allocated by AHS to provide more programs and services and enhance staffing levels for these residents in their new places.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. The question turns around the kinds of services that are available in one ministry versus another. To the minister again: given that the families of these clients have asked to have support services for the brain injured transferred from AHS to Alberta Seniors and given that he, the Minister of Seniors, and I are discussing whether this might be feasible in some fashion, will the minister again ask Alberta Health Services to please delay the relocations?

**Mr. Horne:** Mr. Speaker, the hon. member does point out that in our meeting he did raise a policy issue with us, and that is the question of the appropriate program through which these services should be provided. That is a question that we have agreed to continue to discuss. The Minister of Seniors is a part of that discussion. With respect to the relocation of the residents to which

the hon. member refers, I've said before in this House and I'll say again that I've been thoroughly assured by Alberta Health Services that the appropriate staffing and programs and services are in place.

Thank you.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. To the minister of health again: since a maximum of 21 clients are involved here, given the wishes of their families and since this should be relatively easy, will the minister agree to support setting up this transfer of support services as a pilot project and instruct AHS to leave the clients in their homes while we all work out the details?

**Mr. Horne:** Well, Mr. Speaker, I'm in no position to make such a commitment on behalf of Alberta Health Services or anyone. The fact of the matter is that the new placements for these residents were determined through a request for proposals process that was administered by Alberta Health Services. The agency to which the hon. member refers did not bid as part of that process.

I want to continue to state that I'll work with the hon. member to address the policy questions that he's raised. I think it's a valid discussion. But as far as the transition of current residents, that matter is proceeding as planned.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Riverview.

### Residential Construction Safety

**Mr. Elniski:** Thank you very much, Mr. Speaker. In early November this government released the results of a topic very near and dear to my heart, that being a focus on safety inspections in residential construction. The numbers appear to be anything but spectacular. In fact, some other members of this Assembly have referred to them as extremely disappointing, and I would tend to agree. My first question is to the Minister of Human Services, responsible for occupational health and safety. Minister, what is your department doing to get a handle on these dangerous and potentially fatal situations?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. The member is absolutely right. The numbers of orders issued from this campaign were absolutely unacceptable. I'm not sure that I was shocked by the data because I think it's almost common knowledge that in that particular industry there are a lot of safety violations. We need to really get to the root of that, and we need to do that in a number of ways. One of the ways that we're attacking it is that we're meeting with the Canadian Home Builders' Association, and we have a good relationship with the Alberta Construction Safety Association, working through those associations and through employers to make sure that those sites are safe and that there is good knowledge and education about that issue.

**The Speaker:** The hon. member, please.

**Mr. Elniski:** Thank you again, Mr. Speaker. My second question is to the Minister of Advanced Education and Technology. With the heightened concern about safety in this industry, what is the government doing with regard to the training of residential construction managers?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I would agree with this member that increased training opportunities for residential construction managers is very important. We've been working with the New Home Warranty folks as well as with the Professional Home Builders Institute of Alberta to create a training program. It has worked extremely well, and we now have training available which will enhance the safety levels in this area. We also have voluntary certification for residential construction managers.

**The Speaker:** The hon. member.

**Mr. Elniski:** Thank you, Mr. Speaker. My final question is to the same minister. Given the amount of residential construction activity and its relative importance to the province, Minister, why did you go with the residential construction manager approach as opposed to designating this occupation as a trade?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Thank you, Mr. Speaker. Actually, we have designated it as a designated occupation of residential construction manager. We believe this is a very important first step forward. It will allow for that training to proceed and for certification of residential construction managers, and overall the quality of construction and training will continue to go up.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for West Yellowhead.

### PC Party Benefit Plan Trust

*(continued)*

**Dr. Taft:** Thanks, Mr. Speaker. It's time the Election Finances and Contributions Disclosure Act was amended. For example, True Blue Alberta, the company set up to support the former Premier, is 100 per cent owned by a senior partner in a law firm. This firm also receives lucrative contracts from the government. While True Blue was benefiting the Premier, the government was benefiting the sole shareholder of True Blue. To the Minister of Justice: why doesn't the government bring in legislation to limit relations like these?

**Mr. Olson:** Mr. Speaker, the Election Finances and Contributions Disclosure Act applies to everybody. It applies to all parties, and it allows parties to raise money. The activities that they undertake are to support their electoral success. Again, it applies to all parties equally. So I see no reason why we should have to make changes when we've got legislation in place that already does the job. It does provide for disclosure.

I think this whole issue is probably precipitated by disclosures that were made several weeks ago. That's nothing new. It's been done for a long time.

**Dr. Taft:** Well, let's try to improve that legislation, Mr. Justice Minister. Given that the value of government contracts paid to the firm of the sole shareholder in True Blue soared from \$780,000 in 2006 to \$1.3 million to \$1.8 million to \$2.4 million to \$2.6 million in 2010, how can Albertans know that these huge increases weren't facilitated by an inside track to the Premier's office unless there are better laws?

**Mr. Olson:** As I said just previously, Mr. Speaker, if there are issues of conflict of interest, we have an Ethics Commissioner

who polices that. This member can take it up with the Ethics Commissioner. That's the Ethics Commissioner's job.

2:10

**Dr. Taft:** Mr. Speaker, again to the same minister: given that the current governing party has a long history of arranging special funds and accounts to pay its leaders, that are exempt from legislative controls, can this minister tell the taxpayers of Alberta if there are any special funds in place to make payments to the current Premier?

**Mr. Olson:** Mr. Speaker, I do not answer for the Progressive Conservative Party of Alberta. That's not within my purview as Justice minister. I have no information. If the hon. member wants to ask the president of the Progressive Conservative Party, he can do that, just as he can ask the president of his own party about their finances. The rules that apply in this act are the same for everybody.

**The Speaker:** The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-Buffalo.

### Hydraulic Fracturing for Gas in Shale

**Mr. Campbell:** Thank you, Mr. Speaker. As I understand it, hydraulic fracturing, also called fracking, is the process of pumping fluid or gas down a well many hundreds or thousands of metres below to depths considered appropriate for natural gas production. Recently there have been calls from some jurisdictions for a ban on fracturing operations, and many of the concerns are centred around water contamination. My question is to the Minister of Energy. What is the status of hydraulic fracking in Alberta at this time?

**Dr. Morton:** Mr. Speaker, I'm happy to report that for this government and this Premier protecting water is the number one – number one – priority of this government. That's reflected in the strict regulatory regime that we have in place, run through the Energy Resources Conservation Board. The track record proves this. In the past 30 years 167,000 wells have been fracked. There's no proven record – no proven record – of any contamination of groundwater through that fracturing.

**The Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. To the same minister. He talks about stringent rules the ERCB has in place. I'm wondering if the minister could expound on some of the rules he's speaking of.

**The Speaker:** The hon. minister.

**Dr. Morton:** Thank you, Mr. Speaker. I'll just mention one – I could mention others – and that is the stringent regulations the ERCB has around cementing casing in the top 200 or 300 metres of a well. We have the strictest regulations in North America on that. That ensures that there's an impenetrable barrier in that section of the well that prevents contamination of any of the groundwater that would occur in that area. I'm happy to report that other jurisdictions have come to Alberta, looked at that, and are copying that best practice.

**The Speaker:** The hon. member.

**Mr. Campbell:** Thank you, Mr. Speaker. My second supplemental is to the Minister of Environment and Water. With the fast pace of

growth and development and the increased use of hydraulic fracturing in the province, how can Albertans be sure that the government is doing all it can to protect our groundwater?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As was indicated by the previous speaker, we've had tremendous success in Alberta over the past 60 years. We do recognize that shale gas is in its infancy, and we want to ensure that the system that has worked in the past will work as well in the future. For me it's important to protect our water resources while we are working with other ministries now to ensure that policies and regulations are in place to allow for responsible development activity in this area in the future.

### Funding for Private Schools

**Mr. Hehr:** Mr. Speaker, the Edmonton Islamic Academy openly states on their website that they will not enrol students with behavioural difficulties or students with special needs. In Airdrie the Koinonia Christian school requires a confidential pastor's report before it even considers enrolling students, and in Lethbridge a Christian school states on their website that their sole purpose is to instruct their children – and get this – in the fear of the Lord. To the Minister of Education: how can you persist in defending these exclusive and elite schools when they openly state that they do not offer inclusive educational environments?

**Mr. Lukaszuk:** Mr. Speaker, I have been very clear over the last few days to this particular member. In Alberta parents are given choice in what schools they enrol their children in. We have a public education system that offers options, which is fully paid by the taxpayers of Alberta. We're making a great investment in education. However, some parents choose to opt out and put their children either in charter or private schools at a higher cost to themselves. They pay tuition fees, registration fees, and it costs them a great deal of money. If they choose to do that, we allow for that choice to occur.

**Mr. Hehr:** Given that public money funds these institutions, will the minister change the legislation to make these schools inclusive by obligating them to enrol special-needs students and students with disabilities?

**Mr. Lukaszuk:** Mr. Speaker, it is common that taxpayers do partially fund private schools. That is correct. Alberta Education in its commitment to all children in Alberta will fund the cost of instructing the core curriculum of Alberta. However, if schools choose to deliver additional or enriched programs, be it religion or be it any other academic programming, that's what the parents are on the hook for. There is nothing elitist about it, Mr. Speaker.

**Mr. Hehr:** Well, given that the Premier has openly expressed her concern over the rise of private and chartered schools, why does this government insist on committing taxpayer dollars to institutions that are not interested in offering an open and inclusive environment?

**Mr. Lukaszuk:** Going further, Mr. Speaker, to the second part of the member's question, if there was a situation that was to arise where a parent wanted to send a child to a private school and was ready and willing to pay whatever fees the private school has and the child had disabilities and the child was refused attendance at that school purely on the basis of the child's disability, that would

be something that my office and I personally would be interested in looking into. I am not aware of such cases right now where parents are being refused enrolment simply because their child has a disability.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Calgary-Glenmore.

### Human Services Ministry Mandate

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. With the recent formation of the new Human Services ministry, some Albertans are wondering about the impact of the changes. To the Minister of Human Services: what was put in place to ensure minimal disruption in vital services to Albertans in need, and how did the ministry communicate these changes to the public?

**Mr. Hancock:** Well, Mr. Speaker, the creation of the Ministry of Human Services, first and foremost, is not about reorganizing everything in the ministry. It's about bringing together a number of elements that are continuing to exist in government, and they will continue to exist in their present form until there's intelligent redesign to do them differently. So the public is not impacted by the fact that the Ministry of Human Services was created. We still have all the programs that were there under the former children and family services, all the programs that were there under employment and immigration. We still have Alberta Works. We still have Alberta Supports.

**Ms Woo-Paw:** Well, Mr. Speaker, to the same minister: how did the expanded ministry actually improve outcomes in services to Albertans who require support?

**Mr. Hancock:** Mr. Speaker, that's really a very important question. How can we ensure that we have a comprehensive social policy framework which has outcomes identified with respect to what Albertans want as a base level and has the optimal opportunity for every Albertan to participate? By creating a comprehensive social policy framework and making sure that all program delivery is aligned, not just in Human Services but across government and in collaboration with our community, we can achieve the outcomes we want for Albertans.

**Ms Woo-Paw:** Again to the same minister: how will Albertans be involved in the development of the proposed social policy framework?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. It's absolutely important that Albertans are involved in the development of the social policy framework. We're designing that now. In terms of how we go about engaging, first and foremost, we want to engage those people who have been actively involved in supporting individuals and assisting individuals in the community. We need to work across government to make sure that there's alignment across government and input across government but also out into the private sector as well because there are many businesses which provide services to Albertans. So we need to design that process, we need to engage the community, and it needs to be a full consultative process.

### Critical Electricity Transmission Infrastructure

**Mr. Hinman:** Mr. Speaker, last month the Premier and the Energy minister did the right thing by abruptly ordering the suspension of two massive overbuilt transmission lines approved under Bill 50.

The companies building those suspended lines have already dramatically overspent their budget by more than \$500 million. This kind of runaway spending is not only allowed under Bill 50; it's encouraged. Companies are guaranteed a rate of return based on their expenditures. In other words, they're paid to spend money. To the Energy minister: have you sent a letter that prohibits these companies from spending more money at taxpayers' expense, or are you not even allowed to under Bill 50?

**Dr. Morton:** Mr. Speaker, the hon. member is speculating about things he knows nothing about. We're in the process of setting up a committee that will review Bill 50 and the AESO recommendations, and we're continuing on that plan.

**Mr. Hinman:** It's clear that he knows nothing about it.

To the same minister. We have been told that more than \$600 million has been spent on these projects when they're only authorized by AESO to spend \$100 million. Is this accurate, and if so, will the ratepayers be on the hook or these overspending companies? Be honest.

**Dr. Morton:** Mr. Speaker, he can pull out those numbers he's been told by somebody. Who has he been told by? Those speculative questions don't get answers in this Chamber.

2:20

**Mr. Hinman:** Where do they come from, then? It is unbelievable how disconnected you guys are.

Given your government's apparent death-bed conversion on the ill-advised transmission lines you know that they need to be downsized or even cancelled altogether. Will you accordingly insist that the companies immediately cancel contracts related to this overbuild so that ratepayers are only on the hook for a couple of hundred million rather than a billion plus? When is it going to stop?

**Dr. Morton:** Mr. Speaker, for the fifth or sixth or seventh time: we are proceeding with a review of the two north-south transmissions with a committee that will review all of the issues that they're concerned with.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for St. Albert.

### Registry Service Fees for Municipalities

**Mr. Kang:** Thank you, Mr. Speaker. In what can almost be described as a comedy of errors, this government imposed a \$15 motor vehicle licence information fee on municipalities and police in last year's budget, without warning, then abruptly postponed the fee's implementation until September, and then announced a further and indefinite suspension of the fee on the eve of its new implementation date. To the Minister of Service Alberta: are you presently in discussions with the municipalities and the police about the suspended fee, sir?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I'm very pleased to take my first question from the member opposite. Let me be very clear. On this side of the House we listen to our municipalities; we work with them. They raised concerns. We have cancelled the fees, and if we are to move forth with any sort of fees, we will consult with them beforehand because they are partners with us and our government.



**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. My next question: is it still your intention to reintroduce the fees in the 2012-13 budget?

**Mr. Bhullar:** Mr. Speaker, the budget is forthcoming. However, it is not the intention of my ministry to bring forth any fees without consulting with the municipalities. If the hon. member would like, he can pick up the phone and call an alderperson in Calgary or pick up the phone and call the mayor and ask if they've been consulted. If the answer is no, then my answer is no, hon. member.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister again: if the fee is absolutely off the table now, please explain how you intend to make up the forfeited revenue, and if it can be absorbed fairly easily through other means, why was it deemed a necessity in the first place?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Let me be clear. Service Alberta provides a very important service to our police services and our municipalities every single day by running that registry. There is a very significant cost to running that registry system. At present we the government of Alberta, the taxpayers of Alberta, pay for that, and we are proud to provide that service to our police services and our municipalities.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Varsity.

#### Private Registry Service Fees

**Mr. Allred:** Thank you, Mr. Speaker. The hon. Minister of Service Alberta gave such a good response to that last question that I'm going to ask him another one. Last year the cost of filing a corporate annual return was \$21 from the registry offices. This year it is \$51. That is a 243 per cent increase in a single year, and I understand that the \$30 increase is all a government increase and not a registry fee increase. My question is: what is the justification for such a huge increase to file a one-page document?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. It's Service Alberta day in the Legislature today. I'm very proud.

Mr. Speaker, the fact is that before this last year's budget there was zero fee recovered by Service Alberta. The \$21 was a fee for the registry agents. So it's an exercise in cost recovery. It's very important for me to note that our price for filing a corporate return is still 42 per cent below the national average. We are still a leader in supporting our businesses.

**The Speaker:** The hon. member.

**Mr. Allred:** Well, thank you, Mr. Speaker. My second question to the same minister: given that the promises that have been made for several years now to review the fees for registry agents have not been granted, why has the government taken this opportunity to increase their own fees so drastically?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. The fact is that the fees better reflect the cost of providing the service. It's that simple. It was a decade, ten years, since the fees went up, and the costs have more than doubled during that period of time. Alberta has competitive fees. Another example of that is that we have the lowest incorporation fees of any province in Canada.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. My final question again to the same minister: given that a registry financial analysis and fee model development report was completed in March 2011, what action has the ministry taken to address the concerns of registry agents?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I actually had a very productive and positive meeting with the agents' association yesterday. The fact is that in 1994, when the model was developed, we had 4.2 million transactions and a population of 2.6 million. Today we have a population of 3.5 million with 8.1 million transactions per year. That's nearly a 93 per cent increase. We have a very positive relationship with the association, and we as partners will ensure that Alberta has the best service for our citizens.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-North Hill.

#### Lubicon Lake First Nation

**Mr. Chase:** Thank you, Mr. Speaker. This government is all about words and promises, but inaction remains its trademark. A 2010 Amnesty International report states that the Lubicon nation in northern Alberta have "disproportionate numbers of miscarriages, stillbirths and other maternal concerns" as well as "high rates of . . . suicide." To the Minister of Intergovernmental, International and Aboriginal Relations: given these grave health problems, which include residents suffering from industrial pollution, when will the minister stand up for aboriginal rights and carry out a health investigation?

**Mr. Dallas:** Thank you for the question, hon. member. Mr. Speaker, the declaration that the member refers to is actually a declaration amongst countries around the world. Canada is a signatory to that. It's not an issue for Alberta.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. First Nation, second-class citizen, Third World treatment. How can you affirm working in collaboration with First Nation communities when the Lubicon Lake nation still do not have running water and sewage facilities in 2011?

**Mr. Dallas:** Mr. Speaker, the Lubicon people are very important to Albertans. They have some very significant challenges, that we all work together as Albertans, as Canadians to address. The Lubicon people have had negotiations over a long period of time with our federal counterparts, and those continue today.

**Mr. Chase:** Mr. Speaker, it's unfortunate that the ping-pong game with the Lubicon ball continues.

Given that in July 2011 an oil spill caused irreparable damage to the Lubicon nation's territory, how can this provincial government justify its failure to help the Lubicon rehabilitate their affected Alberta land?

**Mr. Dallas:** Well, Mr. Speaker, I suppose I could defer to one of my colleagues that could comment on the remediation work that's been done there, but I understand that that work has been completed and satisfactorily.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Calgary-Mountain View.

### Early Childhood Education

**Mr. Fawcett:** Thank you, Mr. Speaker. During the Progressive Conservative leadership race the Premier talked about implementing universal full-day kindergarten. Many people see universal full-day kindergarten as nothing more than glorified daycare, fully funded by the taxpayer with very little incremental education value for most five-year-olds. My question is to the Minister of Education. Does the minister support the implementation of universal full-day kindergarten as an expensive program when most school boards already fund full-day kindergarten available to those students who most need it?

**Mr. Lukaszuk:** Well, Mr. Speaker, this member may have more recent memories of kindergarten than I do, but I will tell you that there is a big difference between a kindergarten and daycare. Daycare is a phenomenon in North America that came about as a result of increased divorce rates and both parents working. They have no educational requirements as opposed to an early intervention program, that, indeed, was shown over time to have positive effects on a child's cognitive development.

2:30

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. Given that the government already funds half-day kindergarten, does it make sense to implement universal full-day kindergarten for all students when most evidence suggests that only a small percentage of students actually derive any educational benefit from attending full-day kindergarten versus the half-day already delivered by this government?

**Mr. Lukaszuk:** Well, Mr. Speaker, I will have to differ with this member on evidence. As a matter of fact, evidence goes as far as the early 1800s with the Montessori program and then the Head Start program in the United States, and they do show positive effects on a child's development. [interjection] However, the Member for Airdrie-Chestermere obviously didn't benefit from one of them because he can't pay attention, listening for less than 30 seconds. I will answer that question in my next supplemental.

**The Speaker:** Well, we're not going to have a debate. We're going to deal with policy.

Go ahead, sir.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. Wouldn't it make more sense to utilize resources in a more concentrated and specific way such as creating a social innovation fund targeted at early childhood development, much like the safe communities innovation fund that was implemented by this Premier as Justice minister, rather than being trapped in the old paradigm of universal programming?

**The Speaker:** Well, if it's policy you're aiming to deal with, proceed.

**Mr. Lukaszuk:** Well, Mr. Speaker, that is a fair question, and that is exactly what we're looking at. We're asking all Albertans to share with us what their view is. Do they want full-time kindergarten? Do they want part-time? Do they want it mandatory? Do they want it optional? Now is the time to discuss this, and we will probably get some good, solid answers from not only educators, not only parents, not only experts but Albertans, students and others, who now have a forum through which they can contribute on this particular issue.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-Foothills.

### Emergency Medical Services

**Dr. Swann:** Thank you, Mr. Speaker. An excellent emergency medical service in Alberta was arbitrarily ripped from municipalities to Alberta Health Services in April 2009. Alberta EMS was considered among the top 5 per cent of services in North America before the change. Alberta Health Services promised the transition would improve quality and efficiency. Well, current staff morale is at an all-time low across the province according to workers in the field. To the minister: what are the indicators that the EMS transition has been a success? What are we getting for \$219 million?

**Mr. Horne:** Well, Mr. Speaker, I don't have a lot of details at hand about the transition to which the hon. member refers. I'd be pleased to get him some more information down the road. What I can tell you is that the culture within the system and particularly among EMS providers has in my view improved considerably in the last few months.

**Dr. Swann:** Well, I would challenge the minister, then, to do a survey, as Dr. Duckett did, and actually find out what the morale is.

Given that there used to be weekly reporting of EMS response times, why have you stopped measuring response times and performance since 2009?

**Mr. Horne:** Well, Mr. Speaker, if the hon. member is referring to a performance reporting exercise undertaken by Alberta Health Services, I can certainly attempt to provide him with some information about that. The other alternative is for the hon. member to ask AHS on his own. I would submit to you that emergency medical services workers take the same tremendous pride in their work as all other partners in the health care team. Response times are among the highest indicators of their performance. As well, their integration with other members of the health care team, their ability to have input, responsibility in day-to-day decisions, which has been a focus of AHS management, is another important feature . . .

**The Speaker:** The hon. member, please.

**Dr. Swann:** Well, the minister is right. Response times are the best indicators of emergency response. Why aren't they measuring them and reporting them? Given that soaring overtime costs now in EMS have meant that Edmonton has been down as many as 10 ambulance units at a time, what assurance can the minister offer Albertans that emergency services will be there when they need them?

**Mr. Horne:** Well, Mr. Speaker, with all due respect to the hon. member, I don't have any direct knowledge that, in fact, AHS is

not reporting and monitoring response times in the system. I would be very surprised if that was the case. As I said, I'd be pleased to get him some additional information on this and provide it outside of question period.

### International Medical Graduates

**Mr. Webber:** Mr. Speaker, a couple of weeks ago in Calgary I had the opportunity to sit in on a presentation from the Alberta International Medical Graduates Association. This association represents doctors who graduated from World Health Organization accredited medical schools around the world, and they are now living here in Alberta. I was enlightened by the frustration expressed by this association on how difficult it is to get into residency programs. My first question is to the Minister of Health and Wellness. Why are there not more spaces available in medical residency programs when there are international doctors that can fill them?

**Mr. Horne:** Well, Mr. Speaker, in fact, both our medical schools are addressing residency issues at this time, and they are both working to increase their capacity. I can tell the hon. member that since 2004 the number of international medical graduates in residency training has doubled, from 21 to 42, and while that program has been growing, so has the number of domestic seats in our medical programs. All these people, of course, need residency spots, so we've been working with the universities to ensure that there are more available, but I must tell the hon. member that our first priority is to ensure domestic students can complete their medical training.

**The Speaker:** The hon. member.

**Mr. Webber:** Thank you, Mr. Speaker. My next question is to the Minister of Advanced Education and Technology. Now, assuming that these doctors are able to find residency positions here in Alberta, are there programs in place to help them with their language and their social barriers and training opportunities for them to one day serve Albertans as medical doctors?

**The Speaker:** The hon. minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. The member hits the nail on the head. Language barriers can be critically important for people within the medical field. Under the health workforce action plan there are programs available through both the University of Alberta and the University of Calgary to help international doctors to bring their language skills up to a level where they can meet the Canadian medical practice standards. We believe it's important. We'll continue to work with these partners to ensure that international doctors can get the language training so that they can meet the requirements and practise medicine here in the province.

**The Speaker:** The hon. member.

**Mr. Webber:** Okay. Again to the same minister: now, what if an international student comes to Alberta halfway through their residency program from another country? Can we accommodate them at our universities so that they can finish their program here?

**Mr. Weadick:** Well, that too is a very good question, Mr. Speaker. Some universities have articulation agreements with other schools, which makes it much easier to transfer in mid-program. For other schools there's a requirement to apply to the university of your choice, apply to the program, and then have that reviewed so that

you can see how you'd fit within the program. We want all of our medical students to be successful in their programs so that they can practise here in Alberta.

**The Speaker:** The hon. Member for Calgary-Hays.

### Health Accord Negotiations

**Mr. Johnston:** Thank you, Mr. Speaker. Last week our minister of health joined other provincial and territorial health ministers in a health summit that addressed a number of health issues facing Canadians today. My questions are all for the minister of health. The health accord with the federal government will expire in 2014. Can you please explain Alberta's position on these discussions?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. Last week, in fact, the federal, provincial, and territorial ministers did meet. While there were not detailed discussions on the 2014 health accord, we did have a very good discussion as ministers about what we thought should be the focus of that accord. We talked at length about an accord focused on population health outcomes, about improvements to the health system, and about other areas that we know are of common interest to all Canadians.

**Mr. Johnston:** During the discussions at the health ministers' meetings in Halifax were there any specifics raised around funding or terms of the next agreement?

**Mr. Horne:** Well, Mr. Speaker, a number of provinces and territories expressed some initial views on details of the future health accord, but what I would advise the hon. member is that those detailed discussions, in fact, take place among the Premiers, and Premiers will meet in January as the Council of the Federation, where they will consider those sorts of questions and others.

**Mr. Johnston:** I understand that Alberta will be joining the Health Council of Canada. Can the minister explain Alberta's rationale for joining this group?

**Mr. Horne:** Well, Mr. Speaker, I was very pleased to announce at this meeting that Alberta will in fact join the Health Council of Canada. The council was created in 2003 and is a partnership of the federal, provincial, and territorial ministers of health. Among the benefits of joining are, of course, the opportunity for Alberta to build strategic partnerships with other jurisdictions, to share some best practices, particularly some of our knowledge and experience here in Alberta with initiatives such as the electronic health record, and also to learn about what other provinces are doing. The council is also committed to reporting to Canadians on progress on issues of common interest.

**The Speaker:** Hon. members, that concludes the Oral Question Period for today. Nineteen members were recognized, 114 questions and the responses.

There is a request from the Minister of Sustainable Resource Development to amplify an answer given in the House yesterday. I will recognize him to do that, and our policy is, then, that the person that raised the original question to him will have an option to raise an additional question.

The Minister of Sustainable Resource Development.

## 2:40 Gravel Extraction Management

**Mr. Oberle:** Thank you very much, Mr. Speaker, for the opportunity to rise and clarify an answer I gave in question period yesterday. Yesterday, in addressing a question from the hon. Member for Edmonton-Centre first directed at the minister of environment and then supplementally to me regarding gravel and groundwater and concerns surrounding those, I answered the question to the hon. member by indicating that SRD has no outstanding recommendations with the Auditor General.\*

That's clearly not a fair statement of the situation, I must say, Mr. Speaker. In fact, we have three outstanding recommendations with regard to reforestation. The work in my department is implemented. We're awaiting a follow-up audit. We have four outstanding recommendations with respect to sand and gravel, the issue that the hon. member was concerned about. We've taken action on those, and we are also awaiting a follow-up audit, which probably won't happen till 2012.

Given that information, Mr. Speaker, that clearly would indicate that those are still outstanding and that I spoke incorrectly in the House. My answer was short and curt and was not fully respectful of this Chamber or of the hard-working Member for Edmonton-Centre. I apologize to this House and to that hon. member for the answer, and I hope I've clarified the situation today.

**Mr. MacDonald:** Thank you very much, Mr. Speaker, on behalf of the hon. Member for Edmonton-Centre I would like to thank the hon. Sustainable Resource Development minister for his clarification and correction today.

Thank you.

## Notices of Motions

**The Speaker:** Hon. Government House Leader, is there a motion?

**Mr. Hancock:** Yes. Thank you, Mr. Speaker. I'd like to give oral notice of two motions, the first motion reading:

Be it resolved that the following change to the Standing Committee on Privileges and Elections, Standing Orders and Printing be approved: that Mr. Zwozdesky replace Dr. Brown.

The second motion is:

Be it resolved that the Legislative Assembly concur in the Select Special Information and Privacy Commissioner Search Committee report and recommend to the Lieutenant Governor in Council that Jill Clayton be appointed Information and Privacy Commissioner for the province of Alberta for a five-year term commencing February 1, 2012.

## Tabling Returns and Reports

**Mr. Liepert:** Mr. Speaker, yesterday a question was asked by the Member for Edmonton-Riverview. Part of that question was: what rules are in place to govern the activities of AIMCo managers? I would like to table today the appropriate number of copies of the code of conduct and ethical standards of AIMCo.

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

**Mr. Hehr:** Thank you, sir. I have a few tablings today. The first one is from the Airdrie Koinonia Christian school. It shows the confidential pastor's report that parents are obliged to fill out, and one of the questions on there is whether they've accepted Christ as their Saviour.

I do note, too – this is from a school in Lethbridge currently receiving taxpayer dollars to run their school – where it says, “The

purpose of our school is to assist parents in their God-given duty to instruct their children in the fear of the Lord.”

Here is another copy of the speech of the debate from this summer from the PC leadership convention where she indicated that she was concerned about the growth of private and charter schools.

Tomorrow I will table the reference to the Islamic school that is not having disabled children or special-needs students at their school.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you, Mr. Speaker. I have five tablings today, all on the same theme. These are all pieces of correspondence from constituents regarding their opposition to Bill 26 as it stands now. I am tabling correspondence from Bob Jonathan, Vivien Jonathan, Richard Ritz, Marcie Turpin, and Janice Wood.

Thank you, Mr. Speaker.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of a petition signed by 321 Albertans asking the Legislative Assembly to pass Bill 208, the Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011, which is sponsored by me.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, we have two purported points of order.

The hon. Deputy Premier.

## Point of Order Imputing Motives

**Mr. Horner:** Thank you, Mr. Speaker. This afternoon during question period the hon. Leader of the Official Opposition I believe contravened our Standing Order 23(h),(i), and (j) by imputing the false motives of another member, in fact several members of this House, including the Premier of this government. He used allegations against a member based on a newspaper article that the hon. member had, I'm assuming, read around a town official sending an e-mail out to solicit votes, and then insinuated that by a solicitation of those votes it actually rewarded them with a \$14 million sum of money.

Mr. Speaker, I've taken the liberty of doing a very little bit of homework and have looked at our supplementary estimates. On page 61 of the supplementary estimates, transfer of voted appropriations, we find the \$14 million amount that the hon. member had referred to. That amount relates to the annexation and creation of an improvement district in the Cold Lake region, the air weapons range, which was brought up in this House. I distinctly remember it being discussed.

There was a memorandum of understanding between the various counties, an understanding regarding the adjustment of the boundaries between the city of Cold Lake, Lac La Biche, and the municipal district of Bonnyville. Included in the MOU was a provision that the government of Alberta would provide capital contributions to Lac La Biche county for infrastructure projects due to funding shortfalls arising from the MOU based on the agreement which all parties had agreed to.

Mr. Speaker, the e-mail that the hon. member referred to was dated September 22. The MOU, I believe, was signed somewhere around September 8. It's an impossibility to link the two together.

\*See page 1389, left column, paragraph 6

I believe that the hon. Leader of the Official Opposition for political reasons made and imputed false motives to the Premier, to myself, and to the current Minister of Transportation by trying to link these things together during question period. I believe that he is liable under those three sections.

Thank you.

**The Speaker:** The acting opposition House leader.

**Dr. Taft:** Yes. Thank you. That's a nice title. Thank you very much.

First of all, I want to point out to the Assembly and to the Speaker the information that the opposition leader was relying on. It was a widely reported account. It's very clear in the information what the town official in question wrote, and it's quoted at length here.

Anybody can vote how they want, however, in order to keep Ray in a ministry position, either Horner or Redford have to get in as premier. Therefore, on the next ballot we would have to vote for either Horner as our #1 pick and Alison Redford as our #2 pick.

And then it goes on.

It is imperative for future funding that Ray remains in a powerful position.

That was widely confirmed and never denied.

The nature of the question was such that after referring to this quote by the chief administrator of St. Paul, the Leader of the Opposition asked a question. I have it right here, as the Speaker does, and I'm assuming for my purposes that the Official Opposition Leader followed the script. The script was, "Was this \$14 million the price Albertans had to pay to get the right results from the PC leadership race?" Then it goes on to two more sets of questions.

Now, in the interest of harmony here I think the Deputy Premier has been able to provide some further information that he had access to concerning the timing of the MOU and the e-mail. Given that further information, I'm going to take the liberty on behalf of the opposition leader to acknowledge that correction and withdraw any offence that was offered.

Thank you, Mr. Speaker. I hope that suffices.

2:50

**The Speaker:** Hon. members, I appreciate the position put forward by the hon. Member for Edmonton-Riverview. Words such as "slimy pork-barrel politics," "warlord-style politics," "slimy pork-barrel politics" again, and "greasing" and tying it together with innuendo are totally inappropriate for utilization in the Legislative Assembly of Alberta. They violate all of our rules with respect to casting aspersions. They violate *Beauchesne*, page 409(7). They violate the *House of Commons Procedure and Practice* on page 502. I appreciate that withdrawal. There would have been a point of order. There would have been a request for withdrawal. But that's now been dealt with.

I sincerely hope that between today and tomorrow the hon. Leader of the Official Opposition will actually take some time to do some editing. He's a learned man. He's an educated man. He's a university graduate. He's educated in the English language. He knows how beautiful the English language is, how definitive the words are, how many words there are, how one can create prose to have the same effect without using real gutter phrases that take away from the dignity of this Assembly.

All right. The hon. Government House Leader.

## Point of Order

### Questions about Political Party Activity

**Mr. Hancock:** Thank you, Mr. Speaker. I rose on a point of order earlier today during question period when the hon. Member for Edmonton-Gold Bar was asking questions to the hon. Minister of Justice and Attorney General. There was a series of questions of which all, in my view, offended today the provisions of the *House of Commons Procedure and Practice*, second edition, page 503, which require that the questions address matters that are within the purview of the minister and within the administrative responsibility of the government or of the individual minister addressed, on page 502, and, on page 504, cannot concern internal party matters or party or election expenses.

There's a very important, I think, rule that we need to have understood in this House. The hon. member knows this rule because you admonished him on this rule on an earlier date with respect to a similar series of questions. He came back to the House and asked questions which he managed to frame in a way that dealt with an act which came under the purview of the Minister of Justice and Attorney General, although in my view barely, in terms of getting his questions in, but then today reverted to his old, bad habits of asking questions which were outside the rules with respect to things which came under the purview of the Minister of Justice and, indeed, things which were internal party matters.

Now, I can understand the hon. member's reason for wanting to ask some questions, but clearly he's been in this House long enough to understand the rules and understand that it's not within the Minister of Justice's purview to answer questions about things that he does not have information on at hand and to answer questions with respect to party matters. If there are questions with respect to election finances in terms of monies that have been raised, those are questions which ought to be directed to the Chief Electoral Officer, who collects financial reports and does audits as an officer of the Legislature. That's the appropriate purview. If there are questions about what should be in legislation or about policy, that might be an appropriate question for the House.

But, again, there's nothing in the election expenses and finances act which controls the spending of political parties. Every political party can utilize the funds that they raise for their appropriate political purposes, and there's nothing in the legislation which curtails that. Therefore, a question about party spending under the guise of the Election Finances and Contributions Disclosure Act is out of order.

Mr. Speaker, I think we should be definitive and clear on this point because it comes up time after time, and it's certainly coming up in this circumstance. If the hon. member has queries about something which was disclosed in a member's disclosure statement, that's a question for the Ethics Commissioner. If the hon. member has a question about legislation and length of legislation, that could go to the appropriate minister. If the hon. member has a question about how a party spends their money, quite frankly, it's none of his business.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. Certainly, I listened with interest and disbelief to that from the hon. minister. The purview of the Minister of Justice would be the first thing that I would like to address, and I would draw to the attention of the House and the hon. minister the order in council from October 12, 2011, which is issued under the authority of the Government Organization Act and comes from the President of

Executive Council. It states that “the Minister of Justice and Attorney General continues as the Minister responsible for the following enactments,” and it gives you a long list, including the Conflicts of Interest Act, which is where my questions were directed today. They were obviously directed there yesterday. I was encouraged yesterday, in my view, to seek additional information, which I was disappointed was not provided again today.

Now, the Conflicts of Interest Act is, of course, under the purview of the Minister of Justice. I have every right to ask that question. It’s only last week, Mr. Speaker, that you were pleased – pleased – and I can quote from *Hansard* if you would like. I believe in this matter I will. It’s in *Hansard* on 1233, November 22, 2011. “Pursuant to section 46(2) of the Conflicts of Interest Act the chair is pleased to table with the Assembly the annual report of the Ethics Commissioner. This report covers the period April 1, 2010, to March 31, 2011.”

This is a document that’s under the purview of the Minister of Justice. It was tabled here last week. In this report if you look at page 9, you will see the disclosure process from the Ethics Commissioner regarding private disclosure forms for all 83 members. It goes on to talk about other things, but in the time that I have, it’s these disclosure statements which were the basis of my questions today.

I also had questions relating to True Blue Alberta Ltd. and a report to the Speaker of the Legislative Assembly on the investigation by the former Ethics Commissioner into allegations involving the Premier, the former Minister of Health and Wellness, who is the current Minister of Human Services, and a former Minister of Finance. It may be a sensitive document to the hon. House leader. He’s shaking his head. This is information that was put before this House, and it’s True Blue Alberta Ltd.

True Blue was incorporated to be the legal vehicle for the fundraising and for the payment of expenses relating to the leadership campaign of the former Premier. It had no other purpose. My question today, Mr. Speaker, was: if it had no other purpose, why then was it used to have these taxable allowances paid in two separate years to the former Premier and his spouse? If I don’t have the opportunity to ask those questions in this Assembly to the minister responsible for the Conflicts of Interest Act, I don’t think democracy is well served.

Now, as for the Election Finances and Contributions Disclosure Act, if we go back, Mr. Speaker, to the order in council that was issued on October 12, 2011, by the President of Executive Council, there’s another section in here that designates – and the Minister of Justice is a very, very busy minister. There’s no doubt about that. There are a lot of statutes that are involved in this.

This is what the Government Organization Act has to say specifically about the Minister of Justice and Attorney General and the Election Finances and Contributions Disclosure Act in (2). “The Minister of Justice and Attorney General is designated as the Minister responsible for the following enactments,” and fourth on the list is the Election Finances and Contributions Disclosure Act. So the minister is clearly responsible, and he has the authority. I can’t understand why this government would be interested in abdicating responsibility and authority for those acts. Those are under the hon. gentleman’s control, and he should stand up and answer those questions.

3:00

Now, in conclusion, Mr. Speaker, I would like to point out *Beauchesne* 410(5): “The primary purpose of the Question Period is the seeking of information and calling the Government to account.” That’s my job as Official Opposition. I’m sorry if any

hon. members are offended by that, but that’s my job, and I try to do my job. Also, 410(6): “The greatest possible freedom should be given to Members consistent with the other rules and practices.” So there’s leeway here.

I really don’t think that there is a point of order here. I just can’t understand why the hon. Government House Leader would bring this matter up about True Blue Alberta. This certainly is a matter of public interest. We have a benefit plan trust that has been provided in the four years that these disclosure statements have been made. There is mention of the benefit plan trust, and in two of those disclosure statements, in two of those years, there is specific mention of these taxable allowances. If I’m reading this correctly, they are over \$5,000 in value, and taxpayers, who are subsidizing this system potentially, particularly with the PC Party benefit fund trust or whatever you want to call it, have every right – every right – to know.

I think they would want me to ask these questions. I’m sure, Mr. Speaker, that they’re very, very disappointed that we are not getting the answers that we should on behalf of taxpayers from the hon. members across the way.

Thank you.

**The Speaker:** Any additional comments to be made by anyone with respect to this?

Hon. members, there seem to be two things at play here. Will the skill with which the question is written allow the question to be asked one day that may not have been asked the day before? Last Thursday, when I intervened, I said no, that the words of the question were such that they were not warranted under the rules that we have, particularly with those dealing with internal political party matters.

I do believe that that was the correct assessment. I do believe that quotations were given by the chair, and the chair also challenged the hon. Member for Edmonton-Gold Bar, who said that he disagreed. Well, fine. He disagrees with everything, it seems. But I also asked him to come back on Monday to give me some citations. They did not arrive, so I’ll deal with that one.

Yesterday the questions were written in such a way and posed in such a way that the chair did not intervene. Today the questions were posed, and the chair did not intervene, but the Government House Leader did intervene with respect to the questions at hand. What is really odd about this is that the report in question is issued by the Ethics Commissioner, who is a legislative officer of this Assembly. The document in question is the disclosure statement that was issued on behalf of everybody – there are about three pages that define what all of us disclose – and certainly under the one of the former Premier there is a certain section in that public disclosure that basically says Progressive Conservative Party of Alberta and for the usage that has already been explained, the benefit of that.

Then the questions come today, and the hon. Member for Edmonton-Gold Bar basically says:

What is the value of the PC Party benefit plan trust?

That’s the question that was given to the Minister of Justice and Attorney General. The Minister of Justice and Attorney General said:

That’s not information within my purview as Minister of Justice.

And the hon. Member for Edmonton-Gold Bar said:

I disagree. It certainly is.

He goes on to say:

Again to the same minister: given that taxpayers are subsidizing the PC Party benefit plan trust, what is the amount of money provided by taxpayers to subsidize this trust?

The hon. Minister of Justice goes on to say:

Mr. Speaker, I am responsible for the legislation. I am not responsible for the operation or administration of this act. If the member has questions, he can ask the Chief Electoral Officer, or he can ask the Conservative Party. It's not information within my purview.

Then the hon. Member for Edmonton-Gold Bar goes on to say: Unbelievable.

Now, again to the same minister: will the minister ask the president of the PC Party, the association, to release all the details on this benefit plan trust, and why is it necessary in the first place?

The minister basically then says:

Mr. Speaker, I'm not about to be doing the hon. member's work for him,

at which point the Government House Leader said that he had a point of order.

I don't know how a minister would know what is the value of the PC Party plan trust, and I don't know how that is part of his purview as Minister of Justice, which he answered quite correctly. Despite the fact that the Member for Edmonton-Gold Bar said that he disagrees, that it certainly is, I don't know how that makes it any different.

The subject matter itself has to be dealt with someplace. We do have an Ethics Commissioner. The Ethics Commissioner issues this document, and he has this information, and all 83 of us are identified. If the expectation is that one minister of the Crown is supposed to be cognizant to know what the assets are of the hon. Member for Edmonton-Gold Bar or the hon. member for anywhere else and that he's supposed to have that at his fingertips, then that may be more, I think, than would normally be expected. Now, I think that the hon. Ethics Commissioner as an officer of the Legislative Assembly might be contacted by the hon. Member for Edmonton-Gold Bar.

If it has something to do with the act – it has to do with amendments; it has to do with policy statements of the act – okay; that's fair game. The minister has got to deal with that. But I don't know how he's supposed to have that kind of knowledge. If the expectation is that he should, then that is really quite a remarkable conclusion. If a minister is supposed to know what the Ethics Commissioner does, writes, and publishes and know every line on that document, at his fingertips, that's quite a remarkable conclusion. Quite a remarkable conclusion, how anybody would ever have that knowledge before them.

Importantly, there also is another mechanism, and it's called the Legislative Offices Committee, which is an all-party committee which all of the legislative officers have to appear before. It's all-party members that are there. They can ask the man to come in – in this case it is a man – and ask him to review this with them. We also know that if matters are referred to the office of the Ethics Commissioner or any other legislative officer, these matters should not be raised in the Assembly pending an investigation by these legislative officers.

It's one of those matters that I certainly, you know, can see the Member for Edmonton-Gold Bar – and I applaud him for his aggressive nature. He gets up in the morning, and he's looking under everything to try and find a question. He spends a lot of time trying to put it together. One day he's on it, and the next day he's coming right back again. That is his job. That is his job. Members on the government side shouldn't be overly sensitive about that type of question.

There has to be a way of dealing with this that's realistic. I just don't know how somebody can get mad at a minister because he doesn't have 249 pages of 20 lines in front of him to go through.

The 83 times three is 249 pages. And I've looked at these public disclosure statements and all you have. There are about 20 lines on each page. How is he or she supposed to have that at their fingertips at any given moment?

Let's just try and make sure we can use the words that we have, again, to basically get to seek the information that we need.

3:10

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 27

#### Appropriation (Supplementary Supply) Act, 2011 (No. 2)

**The Speaker:** The hon. Deputy Premier and President of Treasury Board and Enterprise.

**Mr. Horner:** Well, thank you, Mr. Speaker, and thank you for that eloquent dissertation and education for us on those points.

It is my pleasure to move second reading of Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2).

The supplementary amounts provided by this bill reflect the fiscal picture outlined in the second-quarter fiscal update, released on November 21. These amounts are necessary for the government to conduct business and fulfill its commitments during the current fiscal year. The additional amounts are mainly related to assistance for disasters and emergencies such as forest fires and floods as well as funding increases to core services like education, Mr. Speaker, which we all believe is extremely important. It is important to note that funding to assist Slave Lake and surrounding communities to recover from this year's devastating fire accounts for approximately \$234 million of the total supply estimates.

I urge my colleagues in this House to support this very important bill. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's a pleasure to get an opportunity to speak on the government's supplementary supply bill. Certainly, I had an opportunity – actually, it was last week – to sit in on the second-quarter update. I've been concerned for quite some time about this government's spending habits. It was very symbolic, hon. members, to witness the Deficit Twins, the Minister of Finance and the President of Treasury Board, delivering the second-quarter update. I thought to myself while I was sitting there listening to the hon. gentlemen how different it was with their first-quarter update, when we only had one minister in charge of both departments.

**Mr. Liepert:** That's a stretch.

**Mr. MacDonald:** No. I know he's tall, but it's not a stretch.

The hon. Member for Vermilion-Lloydminster, when he was President of Treasury Board, also filled in as Minister of Finance, and to my delight taxpayers didn't notice that there was one individual doing the job of two. This went on all summer long. It's no disrespect to the current Minister of Energy, who formerly had the job, but certainly taxpayers didn't notice that he had resigned and run for the Progressive Conservative leadership. So the hon. Member for Vermilion-Lloydminster was doing the work of the current two ministers.

**Mr. Liepert:** It wore him out.

**Mr. MacDonald:** No, it didn't wear him out. He's just having a rest. Whenever Muhammad Ali gets tired, he goes to the corner, too, and that's just where he is at the moment, in the corner.

Now, certainly, we look at the current relationship, and I'm not surprised whenever the Premier – and we looked at this a little earlier in the discussion on a purported point of order. It's the order in council that set up this government, and the Premier, I think, in discussion with her inner circle in the Premier's office set up the organization of government. It's quite interesting when we get to the Finance department, Mr. Speaker. I'm just going to find it here. If you'd have patience with me, I would appreciate it. It's quite interesting what they have done. It's not like they put the Minister of Finance on a leash. I think the individual is on a choke chain here.

Now, the responsibility for the following enactments is transferred to the Minister of Finance.

There's a long list, again, of statutes, and they're all important. Horse Racing Alberta has been moved into the Minister of Finance's department under his responsibility and control and authority.

It goes on here, but what I noticed – and this is a change – is that in the finance and enterprise grant regulation these powers, duties, and functions are transferred to the common responsibility of the Minister of Finance and the President of Treasury Board and Enterprise. I thought automatically that the Premier's office and the Premier were putting the Minister of Finance on a very short leash by making him go to the President of the Treasury Board to get a cheque signed because if you look at this finance and enterprise regulation, which I did, that was the authority for the Minister of Finance to cut grant cheques. But now I find it interesting that he has to ask permission from the President of the Treasury Board first.

This is a direct change from the Premier's office and the Government Organization Act. If we look at the past history of this hon. minister's spending habits, particularly in health, we'll find that there is cause for concern. If the Premier – and I'm not involved in any of these internal discussions by the Progressive Conservative Party, but certainly I can see why she would want to share that responsibility between the two individuals so that one doesn't spend wildly. There is always someone there asking the question: why?

Whenever we look at supplementary estimates – and there is a lot of money in these difficult times being requested – you have to look, Mr. Speaker, at why it is necessary for close to but not quite an additional billion dollars. Certainly, the situation in Slave Lake is a valid reason. What I do notice – and maybe I missed it – is that there is no money for Health and Wellness. The five-year plan: it's not necessary for money to be used there.

Now, there are a lot of places where there are surpluses anticipated, Mr. Speaker, with this government, and there are a lot of places where we certainly are going to have to be very, very careful with the money that we spend. We could reduce the size of government and save some money. I don't think that's going to happen. We could tighten our belts in a number of ways.

The total expenses for the opted-out and the management employees' pay increase: we could have a few more details on that, I think. That would be appropriate at this time. I know that when the hon. Speaker was talking about the officers of the Legislative Assembly, who appeared before the Leg. Offices Committee requesting additional money to meet their commitment on those employee top-ups, or employee pay increases, they made a compelling argument. The majority of those requests certainly were granted.

When we look at the money that we have in this province, we look at the royalty stream. We look at taxes. We look at transfers from the government of Canada. It certainly will be interesting, Mr. Speaker, to read in the newspapers the negotiations as they take place in a little over a year from now, negotiations on the Canada health transfer between, of course, the federal government and the provinces. The Minister of Finance – and I don't want to get off topic here. I don't want to speculate on whether or not he will be at the table, but that's a source of revenue that we've got to watch very, very closely.

3:20

The investment income: well, who knows where that's going to go? We had anticipated an additional billion dollars in investment income from the heritage savings trust fund. I don't think that is going to be realistic, but we still see this large request for supplementary supply. Regardless of what's happening in the rest of the world, we are still getting this request that's before us in this bill.

Now, the sustainability fund. It's interesting to note that the investment income from that is essentially doubling and supposedly the higher balance is doing that while the heritage savings trust fund account is going exactly in the reverse, where there is \$578 million less than was anticipated. The argument made is the weak equity markets. We've got net income from commercial operations, we've got gaming and lottery revenue, and we've got, of course, liquor revenue. The Treasury Branches: again, we have sort of a spotty record there with a reliable source of revenue. Sometimes I wonder about the Treasury Branches, but that's for another day, Mr. Speaker. Premiums, fees, and licences, and there are other small revenue streams as well. Well, they're not small. They're in the hundreds of millions of dollars, but whenever you compare them to personal and corporate income taxes and resource royalty, they're small.

We have an anticipated revenue stream of \$36.8 billion, but I'm sure there will be money left over and transferred like there is any other year, so that'll be up around \$38 billion. That's the revenue stream. But for whatever reason, we have to have this supplementary supply.

Now, one item that caught my eye in there – and it was an unrelated matter in question period today and yesterday – was gravel and sand. Gravel, sand, and salt, I believe, were the three items. I think it's a \$15 million request. I don't understand, after all the years of planning for winter road maintenance, how this would be overlooked. Did a groundhog somewhere tell this government that you don't have enough sand and salt for winter roads, and you're going to need more? You're going to need \$15 million worth of additional material to keep our roads safe.

[The Deputy Speaker in the chair]

I have a number of questions around that. We privatized these road maintenance contracts. My research indicates that certainly wasn't a good deal for taxpayers. You only have to look in public accounts to see these large sums that are annually provided to five companies. It has got to be close to \$400 million, Mr. Speaker, annually. Why can't they pay for the sand, salt, and gravel if I'm understanding this request correctly? Is the amount tendered? Can everyone across the province aggressively compete by price and delivery for these materials, or is it another way of doing business?

There are a lot of questions, certainly, with this bill. But, Mr. Speaker, we have to remember that this bill is a reflection of this government's spending habits. It's a reflection of how they budget. With that being said, I've got to repeat myself and say that



we understand there are necessary requests for disaster funding. Sometimes I think we should set that up in the budget quite differently and have that as a dedicated amount. Hopefully, it would not be needed, but if it's there, it can be used. Then if it's not used, it can be transferred back like so many hundreds of millions of dollars are done each and every year. Citizens may not realize that there is a lot of money that goes unexpended and is transferred back.

Now, last year there was over \$600 million, Mr. Speaker. People would say: "Well, how do you know that? Where is that money?" Well, it's in the consolidated financial statements which come out, and if you look in the fine print, you will see where they park – I'm going to use the word "park" – this money in another account and then they move it. They usually wait until 90 days or so go by, and they move it into the current fiscal year. I don't know why that practice goes on, but perhaps in the course of debate we can be provided with an answer to that.

If that can be done, I don't know why we couldn't look at another way of funding disasters. Would it be cheaper? I don't know, but it certainly would be more transparent, and I think we would have better accountability.

With those remarks, I appreciate the opportunity to discuss supplementary supply, and I would like to say thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I'll just take a couple of seconds to finish up. I won't take too long. I wanted to rise on behalf of the Wildrose again to note our caucus' great alarm at the size that this deficit has ballooned to. The reason it has ballooned to the \$6 billion cash shortfall that it's now at – the roughly \$3 billion accounting deficit, \$6 billion cash shortfall – is because this government is unable to find savings within its budget, to look to their programs, to look at the way that they fund their departments, and find ways to be more frugal. Instead they allow outdated programs to perpetuate. They continue to spend money on pet projects that are not priorities. We Albertans are suffering the brunt of that.

An example of this is the \$2 billion carbon capture and storage scheme. We keep hearing more and more every day about how unnecessary this scheme is and how there are so many different things that we could be doing that are far less expensive and far more effective with regard to promoting energy efficiency and so forth, things like helping the grid to be one where consumers can put energy back onto the grid in a more easy fashion and, through leveling the playing field with other forms of energy, promoting the use of natural gas for things like our vehicles and truck fleets and things like that. Those types of things are initiatives that will help consumers and will also save the government the need to fund these massive projects to the tune of \$2 billion, which, of course, contributes to our deficit. I also think to the \$3 billion that over the next 30 years is going to be given to North West Upgrading. I think: why is the government in the business of doing business? If it is a truly lucrative business, would not the private sector fill that role?

3:30

Upgrading is not an unproven science such as the oil sands were in the 1970s. Upgrading is a proven science. The companies know how to upgrade the product. They don't need government's push. If it's feasible, if it's cost-effective, if it's economically viable, the private sector will step in and will upgrade bitumen into synthetic crude. We do not need to be spending \$3 billion or promising \$3 billion of taxpayers' money and risking that kind of money.

We've seen with Gainers, we've seen with the plant in Lloydminster, and we've seen with other initiatives that the PC government has taken: where they have taken a direct stake in a company or in a project like this, we've seen the results, and it's not pretty. That's why Ralph Klein, when he was Premier, often said, you know, that the government, the PCs are not in the business of being in business. Well, that doctrine has gone out the window, and the PCs are back in the business of being in business and risking a lot of taxpayers' money because of it.

There is the \$300 million being spent on new MLA offices. I always tell that to every single door I go to in Airdrie because we have a school shortage, as other places do. Fort McMurray, Beaumont, Chestermere, and others have major school shortages, yet we're spending \$300 million on new MLA offices, and we have a \$6 billion deficit. Even the new Alberta museum: there's nothing wrong with museums; museums are good things. But, again, is that something that we need today? Is that something that we just can't survive without right now, that \$300 million for the new Alberta museum? I would say that that project can wait until our budget is back in balance, and then we can afford to pursue projects like that. That's just good common sense. It's just like the couple, the family that puts off buying the new vehicle and tries to get a couple more years out of the old one until maybe better times when they have a little bit more money in the bank account. Clearly, there's a lack of ability to prioritize by this government.

With regard to this particular supplementary supply bill one of the things that is very troubling is that the new Premier promised Albertans that she would find in-year savings, that she would find money in this year's budget to pay for the restoration of the \$107 million education cuts, which every opposition party over here opposed when they were done originally and which the Premier today voted for when she was not yet the Premier. Then four months later she reversed that. We're glad she reversed that, but she said she would do so in a fiscally responsible manner, by finding in-year savings, and she didn't do that. She found the money in our sustainability fund, took it out, and it's just going to be an extra \$107 million on top of the already massive deficit that we already have. This is yet another broken promise, another signal that this Premier is not willing to look within her government for fat that can be cut and to delay projects that can be done without for a couple more years, like the ones already spoken of.

An example is carbon capture and storage. She says, you know, that we're going to cut carbon capture and storage now. Well, we've already promised most of the money, and the amount remaining she says she's going to put into other green initiatives. Well, I don't know what those other green initiatives are, but if they're as effective as the CCS adventure, then I'm not too hopeful. So this is a problem.

There's a repetitive problem here of tax and spend. We saw it, actually, I thought, with the Liberal Member for Calgary-Buffalo, who feels that the answer to our budgetary woes is to increase our revenues in some form, whether that be through taxes or fees or whatever it is. He said that he didn't know the exact answer but that we needed to increase revenues. He applauded the Finance minister and the Municipal Affairs minister as well for bringing up the possibility of increasing revenues through things like a provincial sales tax, through restoration of the health premiums, which were essentially just a head tax as they didn't go to health care but just went straight into general revenues, or some other tax or fee increase that they're contemplating over on that side.

I doubt very highly that in the next election or before the next election, the next budget, they will propose a tax hike at that time. Highly doubtful. That would really be – sorry. Remind me to never

look at the Member for Edmonton-Highlands-Norwood in the middle of saying something.

There's absolutely no reason why we should believe that this government will not increase taxes after the next election because they are absolutely seemingly unable to get into their minds and through their heads that the problem in Alberta today with regard to our budgetary situation has nothing to do with a lack of revenues. You can argue, as the Member for Calgary-Buffalo did, that we need to be more sustainable. He wants to put more money away, a larger portion of the oil and gas revenues away, and in order to do that, he wants more sustainable taxation, as he calls it, which would give us surpluses. Then we could put that back in, and we wouldn't have to adjust our program spending or infrastructure spending. That is one way to do it.

That's not the way I think Albertans want it to be done. It's certainly not the way the Wildrose wants it to be done. The Albertans that are talking to the Wildrose – you know, there are a few of them – are saying that what they want us to do is take a very careful look at our spending, defer things that are not priorities, cut the fat out of the budget that needs to be cut, particularly in the massive middle management of the bureaucracy and so forth, cut things like executive bonuses for health executives, cut things like salary increases for politicians, and cut the MLA offices. These are the things they want us to cut.

With regard to important things like front-line staff – nurses, doctors – important infrastructure projects like the ring roads, for example, they want us to go ahead with those and focus the dollars on those issues rather than on these pet projects, which seemingly pop up every couple of months, that the PCs want to undertake.

That is what I think Albertans are telling us. If we can't balance our budget on \$100 oil – today the price of oil is about \$100 a barrel. Brent crude is over \$110, and the price in North America for west Texas is \$100. It has been at this level for a while now. This is the longest period of time we've had oil at such a high, sustained price. It shot up to about \$147 a barrel one time; that was very temporary and very quick. Frankly, it was one of the catalysts for world-wide economic recession. But that price has come down. It has been sustainably high since then, yet we still can't balance the budget. Not only can't we balance the budget on \$100 a barrel for oil, but we can't even come close to balancing the budget. A \$3 billion accounting deficit, a \$6 billion cash shortfall: this is just an absolutely massive failure on the part of this government to manage our finances appropriately.

Look at the result for our children and for our grandchildren. You know, we see all of these sovereign countries around the world in this huge debt crisis. They try to come up with all kinds of schemes. If it wasn't so serious, it would be funny to watch these left-wing politicians in absolute denial about the cause of these problems.

**Mr. Mason:** Berlusconi?

**Mr. Anderson:** Berlusconi. Absolutely. Left-wing, not Liberal.

The causes are very simple. The causes are absolute, unrelenting. Mr. Chair, the causes of the financial crisis that is in Europe and in North America right now, particularly in the United States, are politicians . . .

3:40

**An Hon. Member:** George Bush.

**Mr. Anderson:** Yes, absolutely.

. . . fiscally irresponsible politicians across the board that continue to raise spending over and over and over again, government spending, raising taxes, doing everything that they possibly could to increase the entitlement state, the social state, to the point where it

is literally impossible to sustain for any period of time. They keep wanting to find ways to sustain it just a little longer because they don't want to hold the potato. You know, it's like musical chairs. When the music stops, they don't want to be the ones without the seat.

Well, the fact is that we're past the point of no return. The only way to recover from this economic insanity that has occurred is to deleverage as a society, as individuals, certainly as governments, deleverage the massive amount of debt that has been built up and the massive amounts of entitlements that have been promised on the backs of future generations.

In this situation we as Albertans need to be leading, and this government needs to be leading. They need to be taking the bull by the horns and saying: "You know what? We need to balance the budget. We need to rein in our spending and be fiscally responsible. We need to balance the budget without raising taxes. We need to put a little of our oil and gas money away for a time when oil and gas won't be worth \$100 a barrel or \$120 a barrel."

That's what we should be doing. That's the conversation we should be having. Instead, the conversation we are having is one that was occurring across Europe for many years, which is, "Well, the only way to perpetuate the social welfare state is to raise taxes, to make ourselves uncompetitive." Guess what? Europe became uncompetitive. It became bloated. They couldn't afford all the entitlement programs. Debt, debt, debt: the only way to pay for it was more debt, more debt, more debt. Now we have them in this death spiral, essentially, where they can't get out of it. That's the problems that we face here, Mr. Speaker.

**The Deputy Speaker:** We have Standing Order 29(2)(a). Five minutes. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I can't resist asking my friend a question or so about his take on the debt crisis in Europe. I wonder if he is aware of the approach that has been taken by Iceland in response to their debt crisis. I know that the hon. member has characterized it as overspending, and he's talked about all these programs and stuff, but he hasn't really addressed the role of the banks in all of this. He hasn't really talked about whether or not the banks have some responsibility for this crisis and whether or not he actually thinks it's fair that these companies should be repaying these banks by cutting the very programs that the people depend on, programs that here in Alberta this hon. member is quick to defend, things like health care, education, and so on. Whose responsibility is it, really? Is it government's fault? Is there some private-sector involvement in terms of the banking system? And who is being asked to pay the price?

If he's not aware of what Iceland has done – they've taken a very different approach, and that's why I think you don't hear about it very much. They have basically put the bankers in jail. They have consciously defaulted on their foreign loans. They've taken a completely different approach, and they're doing just fine.

**Mr. Anderson:** The hon. member brings up a very good point. There is no doubt that it is not only governments' fault, this financial mess that we're in. There's no doubt that there was huge corporate irresponsibility, fraud, just awful things happening around the boardroom table. And what did governments do? What did they do for their buddies in the banking industry, specifically in the U.S. and in Europe? They bailed them out. They used taxpayer money to bail these banks out, and that is just as bad or worse than what has gone on with regard to governments expanding the welfare state to the point of collapse. So I would completely agree that that is a huge issue.

I think that we have to also understand, you know, what the solutions are now going forward. Is the solution to continue to perpetuate a banking industry that is clearly allowed to, certainly in the United States, run amok of any kind of proper financial disclosure and without proper regulations on the asset-backed commercial paper and so forth, that was one of the major reasons for that? Do we perpetuate that broken system by bailing those banks out, and do we perpetuate the broken welfare state by bailing it out continuously by printing money that doesn't exist – printing it, printing it, printing it – and that, hopefully, it takes us to the point where we can enjoy our retirement and that maybe our kids will have to deal with the fallout from it? No. That's not what we should be doing. We should be talking about: how do we deleverage now? How do we make our entire system, our entire social safety net as well as our economies sustainable for the long term so that we're not burdening our children?

**An Hon. Member:** Raise taxes.

**Mr. Anderson:** Well, that's one way of doing it. That's one way of doing it, raising taxes. I, respectfully, feel that raising taxes is not the way to go. I think that that's not a solution. It doesn't spur growth, it doesn't spur investment in the economy, and it hasn't worked. We've seen it in Europe. They have raised taxes. They have very high tax rates in Europe. It doesn't work because they get so high that, you know, it becomes basically an underground economy, where people don't pay taxes, where everything is done in cash. There's only so much that you can raise taxes, and the businesses that actually do follow the rules – some sure don't – find a way to move to another jurisdiction, a lower taxation jurisdiction.

Raising taxes is just simply not the solution out of this. The solution is smart, surgical austerity, that makes sure that things that are not priorities are cut first, delaying projects that are a priority but could be delayed, and focusing money on making sure that the most important things like public health care, education, seniors, and so forth are taken care of. That's how we can solve this problem, Mr. Speaker.

**Mr. Liepert:** I just wanted to take a couple of minutes to try and answer a couple of questions that were raised by the Member for Edmonton-Gold Bar. I didn't hear any questions from the most recent speaker. All I heard was the negative rhetoric that we've consistently heard in this House. You know, I think there's a direct correlation, Mr. Speaker, to negativity and their own plummeting popularity. I would say that, based on the negativity in this session, they recognize, as most Albertans do, that their popularity is at an all-time low, and I think we'll just let them continue to hang themselves here in the House.

The Member for Edmonton-Gold Bar did raise two questions. The first one was that he wanted some information around the expenditure on salting, sand, and gravel. I'm afraid I don't have that at my fingertips, but I will give the commitment to the member that we will get him that information for when the resumption of the discussion takes place.

The second question was raised around why we can't more accurately predict disasters. I would throw out the challenge, Mr. Speaker, to the member that if he can stand in this Assembly and accurately predict the disasters that are going to be happening in budget year 2012-13, I will gladly put it in the budget.

With that, I'd like to adjourn debate.

[Motion to adjourn debate carried]

3:50

## Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair shall now call the Committee of the Whole to order.

### Bill 23

#### Land Assembly Project Area Amendment Act, 2011

**The Chair:** Any questions, amendments, or comments to be offered with respect to this bill? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Yes, hon. Mr. Chair. This is a very important bill that definitely is making some improvements on the three-year boondoggle, coming up on three years, of this government failing to understand property rights, failing to recognize the need to protect property here in Alberta and wanting to move it into cabinet and just saying: trust me; trust me. We need to continue discussing what different aspects we can try to finish fixing this bill.

Like I say, it's very encouraging that the government has taken these first three steps, the first one being that when land has been designated as an area, the property owners can actually trigger the sale of that land, realizing, you know – and it's been brought up by the government – that there are times where if you can hold, the land value will go up. But there's also an economic opportunity, and if you're in a type of business and you need to grow and it's been frozen, that definitely, Mr. Chair, causes some problems in the fact that I've met several people whose property has been frozen, and they haven't been able to develop. They feel that they're not going to be fairly compensated, and they haven't been able to go through an appeal process. It's been extremely frustrating for them and caused a lot of strain on their business and their family.

The other one that's a huge improvement – and we're very appreciative of that – is the fact that a person can now with this amendment, if this bill passes, say: "You know, I'm not happy with the process that's gone through there. I want to go to the courts." They can have their due process in the courts. There the Expropriation Act takes over, and they can actually show that there is some value in their business and future growth and be compensated for that because of the freeze. That truly is an important aspect, Mr. Chair.

There are a few other concerns with the bill that at this point have not really been addressed as well as we would like. Section 10 of the original bill allows the government to freeze the development of their property, and then by doing that, they send out notification to those people who have interest in that land. That interest often is held by a bank that has a mortgage on it. When that notification goes out, the bank or the mortgageholder can get kind of antsy and say: oh, we didn't realize that this was going to be taken away. Worse than that is that all of a sudden if there are any problems, especially if these are to deal with environmental problems, the bank or that mortgageholder could actually be held responsible for the activities or the problems that have taken place on that property. The government has still failed to address this area, which we would very much like to see be addressed in a more appropriate way.

These areas, Mr. Chair, are a concern. We keep going back to the real root of this problem, and it is the bill. The minister brought up some interesting points, you know, that historically the government has failed to plan. They need a land assembly act, and

I would agree with them that it would be much to the benefit of both society and the property owners to have an act that puts forward a process where the public need is, in fact, shown. Whether we need to store more water – I think that's something that could be perhaps one of the first and most important things that this land assembly act should be looking at.

Calgary only has one real reservoir. The water flow from the glaciers is going down, yet the total amount of stream flow seems to be going up. It's over a shorter and shorter period. They've looked around the areas. Where could they do some on-stream or off-stream storage? That is the purpose of the land assembly act, to look at those types of public needs and then go through a process to get those lands to fulfill those needs. It's one area, again, where this government for years, Mr. Chair, has failed to act.

I think 1993 was the last time that we built a structure, the Oldman River dam, of any sizable amount to store water. I know that there are many studies that the government has done in the past to look at places for on-stream storage and off-stream storage. It's one of those things, Mr. Chair, that this government is spending billions of dollars on saying that we need to address the CO<sub>2</sub> problem rather than actually addressing the fact of the climate change that we're experiencing. What can we do to actually, I guess, mitigate those circumstances?

In the south there is a complete freeze or a ban on any increased water allocations. They're fully allocated. Some areas are up to 110 per cent allocated. The question is, you know: do we stop our growth, or do we realize that a huge percentage of our water is passing right through Alberta and heading out east, never to be utilized? This is a natural, renewable resource that we should be doing a much better job of capturing and enhancing our quality of life and industry and food production here in this province.

I believe that 3 per cent of the arable land here in Alberta produces 20 per cent of the food, and those are the irrigated areas of this province. I know that there are many different areas that we've looked at and have possibilities of moving that water to be utilized, to be vertically integrated in producing, for processing. It would be a huge benefit.

I mean, when you look at Europe, it's interesting. They still have vivid memories of the starvation. We just had a ceremony on Monday in commemoration of Holodomor, the starvation in Europe. That wasn't because of bad weather or not being able to produce. That was, again, an evil, corrupt government confiscating property from the people and trying to take that to destroy a region which the government was having difficulty controlling. [interjection] It's interesting that the Education minister wants to ask if that's for real when many of the acts that were taken in Europe during World War II and other times very much were brutal acts that didn't respect property rights.

There are many areas in these bills that have no respect for property rights. When you step down that trail, we can see the end results, and we don't want to go there, not even one step, here in Alberta. Yet many government members seem to pride themselves on this and say: "We know best. We'll put it in cabinet. Cabinet will make those decisions." It's just wrong, Mr. Chair. That's the last place we want those decisions to be made. What happens when cabinet makes those decisions is that they become political decisions, and political decisions are rarely in the interest of the people. They're usually more in the interest of a party in retaining and holding that power.

4:00

We have this dilemma with Bill 19, the land assembly act, which has come along, and now we're trying in Bill 23 to bring in these amendments when, in fact, we should just restore all

property rights. Again, they've asked many times: well, how do we do that? We go back to the Expropriation Act. Is there a role for a land assembly project? Yes. I think Bill 23 is addressing that in a much better way than when they started, but it's taken over two years. Thousands and thousands of Albertans have gone to meetings. They've sent letters. They've made phone calls to their MLAs. It wasn't until this new Premier came in that we're finally starting to recognize it, but then you add the insult of bringing in this bill.

The Premier says, "Well, we're going to have a task force to study property rights" when, in fact, they've received the information multiple times over. The people that have contacted our office of the Wildrose have very much said that they're insulted that this government has at this point created a task force of individuals that have spoken out against any aspect of amendments, yet these amendments have come forward. It is a little bit disappointing that they would like to go down that route and say that everything is okay.

Mr. Chair, we are disappointed, as Albertans are disappointed, in this government, their lack of respect for property rights. It was only when they finally received so much heat from property owners and those who understand property throughout this province that they brought forward this amendment. Too often it's like the Hollywood shoplifter, that when they're caught, they just say: oh, no, no; we didn't mean any of that. The question is: why did they ever do it? If they didn't mean it, why did they do it? Why did they defend it for two years and go around slandering such excellent citizens as Keith Wilson and saying that he's fearmongering, doing it for personal interest, going after the land groups that have been fighting this adamantly and having meetings, taking a lot of time and energy, and just basically mock them for their activities and say that's it's totally unnecessary?

Yet we get this bill coming in that is exactly addressing three of those concerns. One, they can trigger the buyout, which is a huge improvement, and people throughout the province are grateful for that. Two, they can go through the due process of law. Again, it's so critical that that is reinstated in here. We are grateful that that has come out in this new amendment.

It's just hard for me to understand how they wanted to bypass that for so long, to say that cabinet can make that decision. "You don't need to worry about us. Trust us." What percentage – is it 50 per cent? – say that they own land over there. A high percentage of them, Mr. Chair, declare: "We're landowners. You can trust us." The last thing I would want to do is trust them. They want to grab power and hang on to it, and they want to grab land in order to extend their dynasty in whatever way possible. Or, more pathetically, it's to be able to reward those with political connections. I still feel very strongly that PC stands more for political connections than anything about being progressive and, certainly, nothing about being conservative. It's about their political connections. It's about power. It's about control. It's just a desperate act to try and change things without ever acknowledging that they were wrong.

Probably the most disappointing point in all of this is that nobody from the government has yet to get up and apologize to Mr. Wilson and thank him and say: "I don't know how we didn't get this. I don't know why we took two years and put you through so many struggles to wake up Albertans to realize what was done." This government continued to say day in and day out: "We've done nothing wrong. This bill is there for the public good. You can count on it. We would never take your land without fairly compensating you." Yet they had no interest in what future opportunities were there. They had no problem with freezing land

for 20 years and saying that, you know, this is for the best interests of the people of Alberta when it isn't.

This government has a long, bad track record of not respecting contracts that they don't want to. I remember when the last leadership contestants all said that what they really want to do is to review the royalty revenue, which in itself could be fair, Mr. Chairman, but what they didn't want to recognize or respect was the rule of law and those contracts that were signed. They didn't say, you know, that starting in January 2009, when you bid on mineral leases, bid accordingly because this is what the new rate is going to be.

What they did was say: "We're going to go retroactive, and though you've bid on this land and you wanted to have the conditions, we're not going to respect those conditions. We're going to change those before we do anything. We're not going to respect the rule of law. We're just going to simply enact this. It's new. It's going to be retroactive, and though you bid with a formula that you thought you were going to pay royalties on, we're changing that."

Anyway, I guess, Mr. Chair, what I would like to do is move an amendment, so if we could take a minute to distribute it.

**The Chair:** We shall pause a moment for the pages to distribute the amendment.

We have distributed the amendment. The amendment is now known as A1.

The hon. Minister of Education.

#### **Point of Order Inflammatory Language**

**Mr. Lukaszuk:** Mr. Chairman, before we get to the amendment, I would like to rise on a point of order under section 23(h) of our standing orders, using language that entices, I believe it is, a disorder in the House.

The hon. Member for Calgary-Glenmore about three or four minutes ago in his comments made a statement that I was hoping initially I was mishearing. Then he repeated it several times, so without a possibility of denial he said exactly what I think I heard. I know what he said. Mr. Chairman, he compared the Alberta government's land-use policies legislation to the atrocities and genocide of Holodomor in Ukraine. What he's doing is comparing policies that we're passing in this Legislature right now to Stalin's genocide during the 1930s in Ukraine, known as Holodomor, which killed somewhere between 6 million and 10 million people. If this isn't reaching a new bottom for the Wildrose, I don't know what is.

**4:10**

This is disgusting, Mr. Chairman, because yesterday we were sitting in this Chamber with ribbons and buttons on our lapels, and they were wearing them, supposedly feeling sorry about what happened, and today they're comparing that and trivializing that event. It's a very important historical event that killed thousands upon thousands, millions of people, many relatives of Albertans who live over here right now. And he compares those atrocities that Stalin put upon Europeans and Ukrainians to what's happening in this Chamber right now.

Mr. Chairman, that member should be ashamed of himself. He should apologize not only to this Chamber but to every person of Ukrainian heritage in this province and in this country. This is a bloody shame.

**The Chair:** On the point of order, the hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** On the point of order.

**Mr. Liepert:** Stand up. Stand up.

**Mr. Hinman:** You scum-bucket. I will . . .

**Mr. Anderson:** You know what? What this really shows . . .

**Mr. Liepert:** Point of order.

**Mr. Anderson:** You can't call a point of order. Sit down, Finance Minister. If you can't follow the rules in here, sit down.

**The Chair:** The point of order.

**Mr. Anderson:** On the point of order.

You can't call a point of order on a point of order, clearly. We know that's a clear rule. He doesn't understand it. Everyone else does.

**The Chair:** All right. It's a point of order that you're talking about, hon. member, and then there's another point of order that the minister raised.

**Mr. Anderson:** On the point of order. This minister once again has sunk to an absolute new low. It is absolutely amazing to me that a minister of the Crown would stand up and blurt out such absolute obscenities as I just heard. To try to paint this member of my caucus, of the Wildrose caucus, a member of this House, in such a disparaging light is despicable. He should be absolutely ashamed of himself.

All this member was doing, all he was doing was because of the incredible – you know, we have these events at the Legislature, these commemorations of things like the Holocaust and things like what happened during the atrocities in the Ukraine and so forth. We have these commemorations in order to remember these atrocities and make sure that they never happen again.

Now, what this member was saying in that light was not saying that this government was interested in committing atrocities. He never once said that. Find it in the record. Where did he say that? He didn't say it. What he was saying is that it is absolutely imperative to a functioning democracy, absolutely imperative to a place that respects human rights, a government that respects human rights and will always uphold the rights of its citizens and protect them, to remember to protect things like property rights and to not trample on the rights of individuals. That's an important principle.

He wasn't accusing this group over here, obviously, of wanting to commit atrocities against its people. He was just saying that we've got to be ever vigilant to make sure that when we pass laws, Mr. Chair, no matter what, we think of the long-term effects of those laws. The very first law that was passed, for example, Bill 36 and Bill 19 as a part of that and Bill 50, specifically gave the government the ability under the law – it was completely unintended; I'm sure it was. They clarified it, and they even clarified it in subsequent legislation. But it gave them the right to take away people's land titles without compensation.

Was it on purpose? I don't think it was. I would be willing to bet anything that it sure was not their intent to take away people's land titles. Nonetheless, that's what was in the law. So people like Keith Wilson and people like this hon. member and others stood up against that law and said: "You know what? This is a dangerous, slippery slope we are going down, and we cannot just willy-nilly pass laws like this that could have very detrimental effects over the long term."

In summary, I just want to say that this member would never and did not say anything that was relating this government to the atrocities of Stalin, and it is despicable that this person over there has such a thin skin that he would be willing to make that accusation against a member that has clearly demonstrated with his work that he cares very much about people that have undergone those atrocities. He speaks about it regularly. He feels as passionate about it as anyone else. I would ask that that member take his remarks back and apologize to this member for insinuating such absolute stupidity. Because that's what it was. It was a stupid comment.

**The Chair:** Hon. member, we should not use such personal language with each other.

I have to make a decision here. I will wait for the Blues so that I have enough information to make a ruling on this. So that's the point of order that the hon. Minister of Education raised.

I also noticed the hon. Minister of Finance stand up on a point of order.

### Point of Order Parliamentary Language

**Mr. Liepert:** Mr. Chair, under Standing Order 11(1) I want to make sure that the member has the opportunity to withdraw the comment that he said, that was clear on this side. He used the term "scum-bucket." If he doesn't want to acknowledge it, that's fine. He has the opportunity to stand up in this House and withdraw that comment from the floor.

**The Chair:** The hon. Member for Calgary-Glenmore on the point of order.

**Mr. Hinman:** Well, we'll wait and see if it's in *Hansard*. But the fact is that people should behave honourably. If they want to behave in a manner that is described only in poor language, those are sometimes the consequences. I don't know that I said anything in *Hansard*, Mr. Chair. I was responding to him personally on the disgusting language that he was using and the accusations that he was making. [interjections] No. It's the way you're behaving, so quit behaving that way. Why don't you behave honourably, and then maybe you would be treated that way?

**The Chair:** Hon. member, you have made your point. Other hon. members heard the word, and I heard it, too, so please stand up and withdraw that word.

**Mr. Hinman:** If the chair would like me to withdraw it, I will withdraw it.

**The Chair:** Now we will go back to amendment A1. The hon. Member for Calgary-Glenmore on your amendment A1.

### Debate Continued

**Mr. Hinman:** Thank you, Mr. Chair. This is a sensitive subject. I can understand why many people are getting somewhat riled up about it.

I would like to comment, first of all, I guess, on the Deputy Premier at the function on Monday. In his speech he talked about government taking the property of those individuals and not fairly compensating them for it. Those were the words of the government member, which I totally agree with. But to realize that in Bill 36 and Bill 19 that that's the exact same wording that was in there, that is not fairly or properly compensating them for the

taking of property. That's what this issue is about because we have some members here that want to try and act like they wouldn't ever do that, when, in fact, they've passed legislation. It's truly disgusting, and what they had to say is even more disgusting, Mr. Chair. The hon. member should leave the House and go out and cool off a little bit and see if he can get his thoughts back together.

I'd like to make the amendment that Bill 23, the Land Assembly Project Area Amendment Act, 2011, be amended in the preamble in the fifth recital by replacing "appropriately compensated for their lands" with "fully compensated for their losses." This is again a critical point, which it's obvious that members over there don't understand. They sit there and want to say that they're honourable: you can trust us. Every tyrannical leader that's ever raised its ugly head to commit such atrocities to humankind has always started on that good first step: oh, we're looking after the people as a whole. Yet they don't respect that the most critical starting point is property rights. That's what they do. They don't respect the property rights. They say, "We don't need to fairly compensate them," and they go forward from there. Then they say such things as "unbelievable." It truly is unbelievable, Mr. Chair.

In the preamble it says "appropriately compensated for their lands." What does appropriately mean when you're compensating someone for their lands? This government and its members have said many, many times, if we go back through *Hansard*: oh, we'll be fair. I mean, that was the whole basis, Mr. Chair, of the royalty review, this word "fair." They wouldn't even respect the rule of law and the contracts that had been signed by those companies and individuals. They get to make this cabinet decision, and it's wrong.

What we want to see in this bill, to ensure that it really is what they're saying, is "fully compensated for their losses." That is in itself critical because in the preamble it says, "appropriately compensated for their lands." But lands have opportunities, and there are losses if you can't use that land in a way that is the best economic possibility for you. I understand and we all understand zoning. We're not going to say that you can build some nuclear reactor on that piece of property because it's your right. No. There's zoning, there's industrial, there are all of those areas. And they jump to these conclusions and seem to think that because you want to be fully . . . [Mr. Hinman's speaking time expired]

**The Chair:** Any other hon. member wishing to speak on amendment A1? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Certainly, Mr. Chairman, I can understand why the hon. member has put this amendment, that you refer to as A1, before the Assembly. Certainly, compensation and what's considered fair compensation has been an issue of significant concern in the public meetings that I have attended around this Land Assembly Project Area Act. This amendment should be given due consideration by this Assembly.

I can understand where the hon. Member for Calgary-Glenmore is coming from on this. I know the concern that landowners have with this government's initiative here. When we look at the controversy that has surrounded this legislation and this amendment act – of course, we all know, Mr. Chairman, that this is the second time we have been amending this legislation, I think, within a year. It may be 13 months. There have still been many outstanding questions presented at public meetings by concerned landowners. The right to compensation and legal recourse equal to rights under expropriation are important, and the questions that are asked by landowners, again, are significant.

The member here is anticipating that landowners would be fully compensated for their losses. There will be a discussion, certainly, around that. There will be a discussion on what is fair compensation, what current market value is. I can imagine where all of this is going.

Amendment A1 is of interest, and I would be considering supporting the amendment as it's been presented. I think it would improve this bill, and I think we should hear from other hon. members of this Assembly who may have more to add on this.

Thank you.

**The Chair:** On the amendment, the hon. Minister of Infrastructure.

**Mr. Johnson:** Mr. Chair, thank you for the opportunity to speak to the amendment and the bill in committee here. I am very encouraged to hear language from the opposition with respect to this bill and some of the language that was just said here in terms of them being very encouraged by the changes in the bill. I believe the hon. member also said that he would agree that these changes are of benefit, and he said: we are grateful for the amendments.

One thing I fail to understand a little bit, Mr. Chair, I think, is the lack of knowledge on the land planning, restrictions on land. They like to say a freezing of land. I know the hon. minister of agriculture asked the hon. member yesterday or two days ago if he could articulate the difference between a permitted or discretionary use in terms of land use and bylaw planning in municipalities, and he didn't know the answer to that.

I'm also confused by the fact that he refers to section 10 with respect to sending notices. It's not section 10 within the bill that speaks about sending notices to the registrar. It's section 5 of the act. I noticed that the hon. Member for Fort McMurray-Wood Buffalo said the same thing last night or yesterday in second reading. The hon. Member for Fort McMurray-Wood Buffalo, I believe, said that we all know what it's like to deal with bankers, and for the most part we don't like it. I don't know why he's criticizing bankers so much. He also says . . .

**The Chair:** Hon. minister, we are talking about amendment A1.

**Mr. Johnson:** I'll get to that, Mr. Chair.

The other thing I would just speak of as part of speaking to this amendment is the assertion that the opposition is the champion of property rights. I remember very vividly when we were debating Bill 26 in this House, when this caucus supported a very significant change to landowner rights, and the Wildrose caucus was nowhere to be seen in spite of commitments made by their leader.

With respect to the amendment, Mr. Chairman, I want to thank them for bringing forward ideas and possible solutions just like all Albertans have done over the last many months. Clearly, through the act, the way it's amended, the intent is to deal with the request from this opposition party and Albertans that landowners be fully compensated and that they have full access to the courts. Clearly, in the legislative piece, not in the preamble, the act points to the Expropriation Act and all the heads of compensation in the Expropriation Act. So there's not a big requirement to try and articulate those details so specifically through the preamble, which is just to put the bill in context.

My feeling, Mr. Chairman, is that when we leave the wording at "appropriately compensated for their lands," it's very wide. It's very encompassing. You know, folks that are working on these deals either through negotiation or using the heads of expropriation or going to expropriation or reverse expropriation have a very wide range that they can use in terms of establishing what kind of compensation is there for landowners. Of course we want them to be fully compensated, but essentially what we're

talking about is removing the word "appropriately" and putting in the words "compensated for losses."

I think we want to go beyond compensating people just for their losses and leave the people that need to negotiate or interpret this in the Land Compensation Board and in the courts all the latitude possible through access to the heads of compensation and the Expropriation Act and any kind of negotiations that may take place to make it appropriate and very fair and even generous for landowners.

**The Chair:** On amendment A1, the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yeah. Thank you very much, Mr. Chairman. In amendment A1 the Member for Calgary-Glenmore clearly has indicated what needs to be amended here. The Member for Athabasca-Redwater made some reference to this amendment. He made some interesting points, but I would caution government members and that member to guard against self-deception.

As I look here at the *Athabasca Advocate*, in term of comments he made relative to the situation, I find it interesting that people who are living in Athabasca right now, who own a hotel, who have invested money over many, many years – and when I drive from Fort McMurray, sometimes I move off of highway 63 because of its condition and actually drive on highway 2 through Athabasca. In speaking to folks at the coffee shop there, I find it interesting that if you own a hotel in Athabasca, you've invested your life savings, you've invested your capital, but in this particular situation they'll go ahead and give you the market value. What this ultimately means based on what the member has said is: too bad, so sad relative to the issues of fair compensation and opportunity pertaining to what is lost. So the opportunity lost is a real value when it comes on a balance sheet, but it seems like this government does not believe that. You can invest money in putting up a hotel that's sitting there for 20 years. This government comes in, and they just plow through it. They expropriate your land, and by the way you're not going to get any compensation or any value for the loss of your capital asset that has been there.

4:30

I'll speak very slowly. I understand he was confused about what was being said. We are not confused. What we are certain of is that they are confused relative to this mismatch of amendments that they have put forward, that really got it wrong from day one.

Mr. Chairman, I want to say to you that when I drive back to Fort McMurray this weekend, I'll be stopping in Athabasca again. It's very interesting to say that the people there, relative to their investment of capital on this amendment, are looking to be fully compensated for their losses. What they have put forward does not cover that. In other words: "So sad. Too bad you invested in Alberta or in Athabasca. Your life savings are just going to be lost because we're just going to compensate you for the actual market value, nothing to do with the loss and projected loss of the future."

To anyone who looks at financial statements – and I pride myself on my background in teaching this type of situation – I want to say to you that the real message to the government should be this. "You got it wrong at the very beginning. Now you're getting it wrong again with amendments and amendments and amendments and amendments and amendments and amendments."

You know, if it looks like a duck, quacks like a duck, the bottom line is that it's a bad piece of legislation. I can only say to you, Mr. Chairman, that this government should do the honourable thing and withdraw it rather than trying to jam through

the kind of amendments and the type of things that have gone on here. They should really be looking at and guarding against self-deception. The fact is that what we have witnessed here is a day and a half in session, then a three-week holiday that this government gave themselves. Then they came back. Now what are they doing? In a 10-day period they're trying to ram through pieces of legislation and amendments on something that they know they got wrong from day one.

You know, it's often said that when you're digging a hole, you have two choices: keep digging or stop digging. Clearly, this government has not stopped digging on this issue, and they will pay the price at the next provincial election.

Thank you, Mr. Chairman.

**The Chair:** On amendment A1, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Since there's no 29(2)(a), I just wanted to ask the hon. member if he could repeat his saying about ducks. As I got it, it's: if it looks like a duck and it quacks, then it's bad legislation. Is that how it goes?

**Mr. Boutilier:** Mr. Chairman, that's a very, very good question. The reason I say that is that I have a lot of experience with my four-year-old son. He actually likes ducks a lot. There have been rumours that we don't like ducks in Fort McMurray. Well, we love ducks in Fort McMurray. I will say that, in fact, the hon. member occasionally brings a duck into the House, and I'd ask him to bring in a duck if he has one. Well, there you go. He has one right here, and all the power to him.

It looks like a duck. It quacks like a duck. It means that it was legislation that actually was being driven through because of the fact that this government didn't listen to Albertans.

**The Chair:** The hon. Minister of Infrastructure on amendment A1.

**Mr. Johnson:** Thank you, Mr. Chair. Just a couple of questions for the hon. Member for Fort McMurray-Wood Buffalo. I am a little confused as well because he wants us to throw out the legislation, yet last night he said: "Bill 23 does contain positive amendments. . . It allows landowners to trigger expropriation of their land – that's a positive, and I want to say that I was pleased to see that," and he goes on to actually say a few fairly positive things about the bill. He says, "The amendment that is missing. . . is in regard to section 10 of the original bill."

Well, the amendment they've brought forward has nothing to do with section 10, of course. He did mention fair market, Mr. Chair. I'm wondering if he can point out to me in the bill anywhere that it says: fair market.

**The Chair:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yeah. Thanks very much, Mr. Chair. I empathize with the member for the confusion that he speaks of, but we are very clear in the Wildrose. Number one, we believe that when an Albertan invests in capital such as a hotel or a business in his area, where they have for the last 25 years had a successful business, and then all of a sudden the big, bad government comes in and takes over the property and says, "We'll give you market value for what's going on," they do not recognize the actual opportunity cost and what this hard-working agriculture family, if they owned the business, would lose in the future. This government is failing to recognize that, and that is fundamentally wrong.

**The Chair:** The hon. Member for Airdrie-Chestermere on amendment A1.

**Mr. Anderson:** On amendment A1. Thank you, Mr. Chair. The amendment is with regard to the preamble, of course. I think it's a good amendment. I think that it's solid. You know, appropriately compensating landowners for, essentially, expropriating their property is certainly very important. It's very serious when they're not compensated fully for their losses.

I like the language used here. Too often government-speak means something very different than what it means to the average Albertan. You know, I think of the fixed election date debacle, for example, where you had the Premier say, "We're going to have fixed election dates," and then that turned into fixed election seasons. The average human being out there would say: "A fixed election date is the same thing that's, you know, basically defined in all the other legislation around the country. It should be, clearly, on a specific day every four years." But, then, of course, we come out with these fixed election seasons. The point is that this kind of doublespeak, or Tory-speak as it's sometimes called, just frustrates people.

I think it's a very good amendment because this makes it very clear whereas the government says: we will appropriately compensate their lands. What does appropriate mean? Well, it depends on what the government feels it means. Who knows what appropriate compensation means? It could depend from year to year on who's sitting in the chair over at the Ministry of Infrastructure. I think it is good to say "fully compensated for their losses" because it will give Alberta landowners the knowledge that when their land is taken, whether it's a business loss, whether it's any kind of loss, whether it's a loss of opportunity because their land was tied up so that they couldn't move forward with a different project and so forth, they will be fully compensated by the government for those losses. Anyway, I think it's a very good thought to put into the act. I will say that I do intend on supporting this amendment because it is an improvement, clearly, from the previous legislation.

Getting back to what the hon. minister, who I have very high regard for, said earlier, he said that amending section 10 isn't in this current bill before us. I would say that that's why it's so important that he look at amending that portion. We would like to bring amendments to that effect, Mr. Chair, but apparently we're not permitted to do so because it's not in this Bill 23. We can't amend something that isn't taken up in this amending bill.

That's why we're trying to urge the government to take the opportunity to bring forward a bill that will take into account that specific situation, which is that when banks are notified under the Land Assembly Project Area Act of a person's property being frozen and so forth, then basically that will affect their ability to use that land as collateral in business ventures and so forth. That's a very serious omission that has occurred. But, as I said before, this act is a vast improvement over what the original land assembly act gave us.

4:40

I would note again and I want to congratulate in particular the Member for Calgary-Glenmore as well as Keith Wilson as well as our Wildrose and caucus leader, Danielle Smith, for being ardent, ardent supporters of landowner rights and for fighting tooth and nail from the very start. Long before the three individuals, other than the hon. Member for Calgary-Glenmore, came to this party, they were out fighting tooth and nail for landowners and making sure that they got the government's attention. Because of that, we



have this Bill 23, which is clearly a lot better than what was out there previously, so I'd like to thank those individuals.

I hope that there would be enough class on the other side – well, certainly not from some members over there but certainly from this minister – to say: “You know what? We were wrong. We blew it. That’s what happens in life sometimes, and we’re going to make up for our mistake.” If they would just say it, I think that it would gain a lot of people’s respect. They still seem to keep putting out there, “We had to do this clarifying legislation because of all the lies and so forth that were being fed by other individuals, by Keith Wilson, by opposition parties, and so forth,” which is not true. Clearly, if they were lies, they wouldn’t be amending this legislation to make it clearer and to make substantive changes, as we see.

On balance, Mr. Chair, I think that amendment A1 is a very appropriate amendment. It brings the preamble a little bit more in line with what I hope is the intent of the bill, which is to make sure that landowners are fairly and fully compensated for the losses they incur when the government comes in and expropriates their land. I think one of the most serious of government interventions other than perhaps putting somebody in jail is the expropriation of land.

When you put someone in jail, you’re taking away virtually all of their liberty. Of course, that’s why we have a system in place to, you know, try to make sure and prove beyond a reasonable doubt that we only put those who absolutely are a menace to society in jail. Just below that is the expropriation of people’s property. That’s a very serious thing, especially since it’s done not because of any bad thing that the individual or property owner did. So when we do that, we have to make sure that they are absolutely fully compensated for the taking away of that property in the interest of the public good. It does sometimes need to occur – we do need to build highways; we do need to build power lines and all these other things that the government has to do at times – but we should make sure that people are fully compensated for their losses, not just adequately.

What is adequate, clearly, has a very different meaning to this government over here and the opposition parties and, clearly, between this government and regular Albertans, as witnessed over the last two years of what has been a complete debacle with regard to upholding and respecting property rights in Alberta.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Calgary-Glenmore on A1.

**Mr. Hinman:** Yes. I’d like to start off and thank the minister for getting up and sharing his concerns. I hope to be able to answer a few of his questions but also to make a few comments.

He started off with a very profound word that has been used many, many times by this government, and that’s the intent of the preamble. Yes, the intent is there. But the whole reason, hon. member, why we’re doing these amendments or why you’ve brought forward Bill 23 is because the intent wasn’t clear enough in Bill 19, so you’ve brought it forward. The intent is critical.

Also, Mr. Chair, it’s very important that we realize that with this Land Assembly Project Area Act there are going to be those people that end up going to the court. The courts always look at the preamble because that sets the parameters for what they’re going to look at. It is critical that the preamble is right when it comes to property rights because it sets the overall parameters. A judge, in our view, could look at this and basically state: “Oh, all we need to do is compensate them for their land.” The hon.

member rightly points out that the Expropriation Act allows for greater latitude, but the question is: is that latitude in Bill 23? We’re concerned that it’s not.

This is a minor change. It doesn’t jeopardize the government’s side at all. I think that it clears the intent on what is actually happening there. So I’ll personally be shocked, Mr. Chair, if they don’t accept this friendly amendment to the bill. As he has pointed out, we have praised them for coming forward and making these three major improvements in the bill: one, we can trigger expropriations; two, they’ve restored access to the courts; and three, landowners can sell their land beyond the market value, which is in this amendment. Those are great steps forward. The whole purpose of this amendment is to ensure that that intent, what we’re trying to clarify here, is set out in the preamble of this bill. The preamble as such says, “appropriately compensated for their lands.” It does not cover the entire area that this government seems to say we want to do with the bill. This is where we’re trying to cover it.

He’s brought up that, you know, we refer to section 10. Again, the dilemma that we’re in here is that we can only speak on the bill that’s in front of us, which is an amendment to a bill, and in that bill – again, because the government has been bringing these bills forward so fast and going late at night, I’ll be the first to confess that I haven’t gone through them nearly as well as I would like to. This government doesn’t think that it’s important to go through these bills in any detail. They’re experts. That’s why we’re here doing these amendments, because of their expertise in sticking their foot in their mouth and doing it wrong, their expertise at somehow looking past the rule of law and saying, “That’s not important; cabinet will do it,” their expertise in saying: “You know what? Our intent is good. Trust us.” That’s what they’re experts at, Mr. Chair, invoking this talk of: “Trust us. Trust us.”

It’s not good enough. They cannot be trusted. So we need the time to go through these bills with a fine-tooth comb and try and make sure that it’s right. When are they going to come back and bring the amendment to Bill 19, which really needs to be done? Again, I believe it’s section 10 where it refers to all those with interest in the land. Then you revert to section 5 where the hon. member is talking about such things as banks and those who own mortgages or interest in those lands. But we can’t make any amendment because that’s not in this bill. It’s fine to say, “Well, let’s put the amendments through,” which we will agree to, but let’s make sure that the intent is fully covered in here, which it’s not. The hon. member even said, you know, that we’re going to allow the Expropriation Act, which does allow for unforeseen or, let’s say, unacquired losses yet for that opportunity, the opportunity lost, which we see all the time, especially in a society as fast growing and paced as what we have here.

I also want to say that, you know, property rights are paramount. They seem to mock me for talking about that, about how important property rights are and that they’re paramount. The property rights are where the rule of law grows from. I mean, back in June of 1215 when the Magna Carta was originally written down and signed by the king, the essence of that whole fight for freedom was the respect for property rights; you know, are they going to be entrenched? That was a turning point in what you might want to call Western Civilization, where property rights were entrenched. They were protected. You couldn’t just go and kill somebody and then seize their property anymore because it was recognized that they had ownership. That’s what this is all about: ownership.

4:50

Mr. Chair, our coat of arms says *Fortis et Liber*. We can ask ourselves: what is *liber*? I don't imagine that they even know what *liber* is. [interjection] I'm no expert on Latin, but I've had many people say that it's *liber*.

What you have is the inner bark of a tree, if you look it up in the Latin dictionary. What correlation does that have with freedom? I don't think there are any members over there that have any idea what it is. I should probably sit down and let them answer because that's what they like to do to us. They say: "Oh, what is this?" Maybe I will sit down and ask them: what's the correlation between the Latin word "*liber*" and property rights? See if any of them have the so-called knowledge of what that is.

**The Chair:** Any other hon. members wish to speak on amendment A1?

Seeing none, the chair shall now call the question.

[Motion on amendment A1 lost]

**The Chair:** The hon. Member for Calgary-Glenmore on the bill.

**Mr. Hinman:** Now we're back to Bill 23, the Land Assembly Project Area Amendment Act, 2011. Not surprised. Not being surprised, I shouldn't be disappointed that this government and their members do not know what freedom is. They can have the assignment of going home and looking that up.

I'll share a little bit about it. *Liber* is the inner bark of a tree. The reason why we go back to that is because under the early law when they had to write down the ownership, where did they write it? They wrote it down on the inner bark of a tree. That was their paper. That was their designation for ownership. Whether that was ownership of slaves, whether it was ownership of property, that was the book they kept. That's the root word for it. It also is in "*library*." It's in "*libro*," the Spanish definition for book. That's where it goes back to.

When it comes to the rule of law and writing it down and owning property, it's critical, Mr. Chair, that we get it right. This bill has made some very good improvements, which we will be voting in favour of, but amendment A1 would have cleared up the intent in the preamble to a much better degree if we would have looked at that. Like I say, it's very disappointing that these government members do not understand the importance of the rule of court. They're merely putting these amendments in there because of the pressure that they've been feeling. It's always disappointing when government or individuals act because they're pressured into doing something rather than doing it because they know it's right, setting the example and protecting those properties.

There's no question that this government does not have that respect for the rule of law. They don't have that respect for property. What they do have respect for are the voters out there. They realize that every now and then there's this check on them. If people are upset, they don't have to vote for them. As they pointed out with their other bills, Mr. Chair, they're going to set a season when there's an election coming up. There are certain areas where they've upset property owners and those in rural Alberta, but they say: "Oh, we don't have a choice here. We need to actually pass these amendments in order to ensure that we have support in the next election."

I'm proud to represent property owners throughout the province. I am proud to fight the good fight for freedom, for property rights. I think that it's critical that we continue that fight because there are other bills. Bill 50, which I spoke of earlier

today in question period, is not in the best interest of Albertans. If this government truly understood property rights and understood the process of law and the rule of law, we would have other amendments coming in for Bill 50 and Bill 36. Instead, all we have, Mr. Chair, is a task force that's going to be brought forward. We have a Premier who says: "Oh, what we're going to do is review it. We'll scrap all of the infrastructure that we previously said was critical." We know it's not, yet this government wants to continue that cloud of misinformation: "Oh, this is critical. We need to do it." It's interesting. I've heard that a lawsuit has actually been brought forward today on the heartland line, which I wish the people good luck on, to stop that line. We need to go back to a proper review.

This government truly doesn't understand the need. They're being pushed into a corner, and they're responding in a positive way because they're forced into it, yet there are no bills being brought forward on Bill 50, which is going to cost taxpayers billions of dollars. The Energy minister, when he got up today, again said that we don't know what we're talking about on the overrun of the expenses from what AESO has told those two companies that they can do.

Mr. Chair, Bill 23 is just one step of many steps that really, really need to be addressed by this government, yet they're failing to address them. We would sure like to see them take a couple of steps forward. The hon. Member for Airdrie-Chestermere talked a little bit about the penalties and the fact that this government made the amendment, which we are grateful for, to say that, you know, if you refuse to go along with the government, they're going to put them for two years in jail for fighting for your property rights. Then they sit over there and say: "Oh, no. We understand. Oh, no, we would never do anything to hurt the landowners or our citizens." Yet, it's very clear with these amendments that they're very problematic, and we need to do something about it.

We are disappointed, like I say, that this bill doesn't have the context of all of Bill 19. It's only amendments. So when it comes to the notification of people with interest in that land, that letter is going to go out to the banks. I don't know, hon. minister, how you're going to address that or acknowledge that. It's not in this amendment, so how are we to amend Bill 19 when you don't bring all that forward. That's one of the arguments on why we say that it should just be scrapped and start over.

You are going a long way forward. We're appreciative of the distance that you've gone here in Bill 23. Like I say, restoring access to the courts is critical, and Albertans are grateful for that. They're grateful that you are striking out the heavy hand of the threats of putting people in jail for wanting to fight to try and keep their property or to be fairly compensated.

Again, you've got in here to sell their land beyond just the market value, which is a huge step forward, which again is good. The problem and the root of the problem is that you don't seem to show that respect for the rule of law and property rights. By voting down that amendment – I don't understand it. What could possibly be harmful to the government or the taxpayers of this province by fully compensating someone for their losses. It's a critical point. The difference between losses or their land, your opportunities or your day, is huge. We just feel that by not taking that amendment, the intent, which you speak so eloquently about, has to be questioned. We very much want to ensure property rights. We want to assure those property owners that they'll be fully compensated. It's very easy.

This has been a long, drawn-out process. When land is frozen for future development, it really undermines people's opportunities. It's not always easy to move and to go in a new direction and say, "You know, you don't need to worry about it; we're freezing

your land, but it won't have an impact on you," when it has a major impact. We would sure like to see those changes made to recognize fully that they'll be compensated for all their losses, not just for their land.

5:00

Again, it's kind of what I would want to call a silent freeze, to say that, "Well, we'll fully compensate you for your land" when in fact they had a business that they were going to build there. You know, we hear all the time that when it comes to land, it's location, location, location. If someone happens to have a great location and they're wanting to build maybe a golf course – they've got that opportunity there, and they have investors – and then the government in its wisdom realizes that, "Well, this valley really needs to be flooded; we need to put up a dam," do they lose that economic opportunity? It's tough to ensure that that economic opportunity is going to be realized anywhere other than the courts, where they can bring their case forward, they can present it to a judge and, hopefully, be able to be fully compensated and not just be told that, "Well, that land is only good for grazing" when, in fact, it has many opportunities to be upgraded.

We just really have concerns. Albertans have concerns. We want it to be a quick, easy process where people can go forward and be compensated properly. This bill goes a good ways down there, but we sure wish that you would have accepted our amendment on the preamble to really say that your intent is what you say it is and that you want to compensate for all losses and full market value, not merely just for the price of the land, which you have there.

With that, I'll step down and see if there's anybody else who wants to address this bill.

**The Chair:** Any hon. member wish to speak on the bill?

Seeing no other hon. member wishing to speak on the bill, the chair shall now call the question.

[The clauses of Bill 23 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

## Bill 21 Election Amendment Act, 2011

**The Chair:** The hon. Member for Edmonton-Gold Bar on the bill.

**Mr. MacDonald:** Yes. Certainly, on the bill, Mr. Chairman. We're looking at the Election Amendment Act, 2011, here. Of course, on the surface this bill provides that a general election must be held between March 1 and May 31 every four years, beginning with the period March 1, 2012. This bill does not impact the powers of the Lieutenant Governor.

Now, while this bill provides some certainty for when an election will be held, it seems to me that the writ period must be within the three-month period, but it maintains a wide-open window for political posturing as to the exact date. If I'm to look at this bill, I'm led to believe that you start on March 1 and you end on May 31, but the election essentially has to be over by that time, so you really don't have that wide open a window. It's not really what the government indicates it is publicly. It's a lot more limited than that, Mr. Chairman.

The government indicates that this is a made-in-Alberta piece of legislation. However, the reality is that Alberta faces no extraordinary situations that would make an actual fixed election date impossible. Eight other provinces have managed to have fixed dates, as has the federal government, and I'm not going to get into the federal government legislation, that was passed in 2007. I think we need to once and for all make a set date, have some flexibility for the Lieutenant Governor, and leave it at that. I don't think this election date, whether it's 60 days or 90 days and you have this window – there's no need for this window.

We can have a budget. We can debate the budget. We can pass the budget. This Legislative Assembly can do a lot of things, and then if the government and the Premier are confident, they can call their election. If they're confident with their budget and with their policies and with what they have done over the last period of years, then we can certainly have an election and let the citizens decide.

One of the things that concerns me, of course, with elections is the voter turnout rate, Mr. Chairman. The voter turnout rate seems to be going down and down and down, and it's puzzling. Everyone seems to have an opinion on the government, on any government, and they should be encouraged to express their opinion. Certainly, they have opinions on the government's performance, but for some reason they don't think that their voice matters or that their voice counts. I'm disappointed in that. If we had a fixed election date, I think we could start reversing that trend. People would know in advance, barring unforeseen circumstances like a Legislative Assembly in a minority position, and then we could go that route with a fixed election date.

What would be an ideal date? Well, with the legislation that's before us, it rules out the fall season. A gentleman phoned me up and said that he didn't want the election in the fall because it was hunting season. I thought: fair enough.

**Mr. Mason:** I didn't know that Ted called you.

**Mr. MacDonald:** No, it wasn't that Ted, but it was a gentleman that likes to get out and hunt.

**Mrs. Leskiw:** Very important.

**Mr. MacDonald:** Yes, it is a very important pastime for a number of people.

He didn't want to have it in the fall. That was one constituent with one issue. Now, I never thought to ask him if he had voted in the 2004 election, which was held in the fall. It never occurred to me.

I think we can do a lot better with encouraging people to vote. Now, what would be a suitable day? Well, we could pick any number of days. The Americans have a day, they have a week where they elect their President. It seems to work quite well, but it's in the fall.

5:10

We are limited here to the springtime, and the springtime may be the best time. University students, whom we really need to encourage to vote, are perhaps back in their hometowns and in their home cities from their semester, and they're working. They're paying taxes. They're noticing the taxes they pay on their pay stubs. Perhaps they will notice the performance of this government, and they will ask questions, or they will read with interest or listen with interest to what is being proposed, not only by the government but by all parties, and they will say: "I'm going to make an effort to vote. This matters. It's important. I'm going

to make an effort to vote. When is that election day?" That would be an example.

Seniors. Someone suggested to me that this government really likes to hold the election in the middle of the winter because many seniors are down south enjoying warmer weather, and they can't vote. Many seniors are very suspicious, for good reasons, towards this government. So if we have it in March, then, hey, the seniors aren't in play.

Then there are the farmers. What is a good time of the year for farmers? Well, the fall is harvest season, and farmers are very, very busy, but they're also very, very busy tilling and planting in the spring. So what's a good time?

When we reflect on Remembrance Day, which all hon. members, I'm sure, had the occasion to do, people were willing to stand up and fight and sacrifice, in some cases, unfortunately, their lives, in order that we live in a functioning democracy. Everyone over the age of 18, if they live here for six months and they're a citizen, gets the right to vote. Out of respect to those individuals, again, we need to encourage all citizens to get out and vote.

Fixed election dates, as we know, Mr. Chairman, were one of the Premier's campaign promises during the Progressive Conservative Party leadership race. "Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election." That's a statement that the current Premier made when she was campaigning for the leadership of the Progressive Conservative Party.

Now, we are not the first Canadian jurisdiction to introduce a fixed election date, but we are the only jurisdiction that provides this three-month election window. I think we should have a look at changing that, Mr. Chairman, and I would like to at this time propose an amendment to this bill. [interjection] Yes, indeed, an amendment to Bill 21. I would take my seat and request that a page distribute this to all hon. members.

**The Chair:** The committee shall pause for the amendment to be distributed. This amendment is now known as amendment A1.

Hon. Member for Edmonton-Gold Bar, continue on your amendment.

**Mr. MacDonald:** Thank you. There is already controversy surrounding this amendment, Mr. Chairman, and hon. members who have another opinion can express that on the record.

Certainly, I'm going to read this amendment into the record: "Subject to subsection (1), a general election shall be held on May 8, 2012, and afterwards, on the second Tuesday in May in the 4th calendar year following polling day in the most recent general election." I think we should have a specific day for the general election. In this case the next one would be on May 8, 2012, and then the second Tuesday in May in the fourth calendar year following. So the second Tuesday in May would be the day that we would have the election. Now, it was a pleasure to hear the opinions of some hon. members adjacent regarding my suggestion.

In B.C. the election is to be held the second Tuesday in May every four years, with the first being held May 17, 2005.

Now, in Saskatchewan it's the first Monday in November. Saskatchewan is like Alberta. There is a lot of agricultural production; there is a lot of harvesting. But also in British Columbia there's a lot of farming activity.

Manitoba, it's interesting to note, amended their Elections Act in 2008, and the election is to be held on the first Tuesday in October every four years, with the first, of course, in October of this year. It recently happened.

In Ontario the Election Statute Law Amendment Act was passed five and a half years ago, I believe, and the election is to be held on the first Thursday in October, starting in 2007, and every four years or in the years that leave a remainder of three when divided by four. Now, this act does allow the day to be moved forward up to seven days if it conflicts with a cultural or religious holiday. That is interesting to note.

Now, in New Brunswick the election is to be held on the fourth Monday in September every four years.

In Newfoundland the House of Assembly Act and the Elections Act were amended in 2004. The legislation in Newfoundland provides that if the Premier resigns during the government's mandate, an election must be held within the year of the new Premier being sworn in. That's an interesting idea. The general election in Newfoundland is to be held on the second Tuesday of October every four years.

Now, the government here and the Premier's office suggested we have this in the spring. The rest of the country seems to, at least provincially, think that we should have this in the fall.

In P.E.I. the general election is to be held on the first Monday in October every four years, beginning in 2011. That's a jurisdiction that has significant agricultural production, and that's in the midst of harvest season. I don't think we can limit or restrict democracy because of one or more activities by a specific sector of the province.

In the Northwest Territories the general election is to be held on the first Monday in October every four years, beginning in 2007. It's interesting that the Northwest Territories decided to hold their election in October. A major motivation, as I understand it, for the fixed date was to attempt to mitigate the practical difficulties of holding an election during the winter.

Now, I have run for election four times for this Assembly, once in the fall, about this time of the year, and it was quite pleasant, actually. You didn't need the winter gear. You didn't need Sorels, you didn't need a toque, you didn't need mitts to go door-knocking.

5:20

It was a lot different than a March election. Three of the elections that I ran in as a candidate were held, of course, in March. In one election I remember, where you could only take one step off the sidewalk – the good people of Edmonton-Gold Bar are very diligent in keeping their sidewalks clean – the snow was up to your hip. You could only take one step off and put your lawn sign out. That was it. Conditions were, to say the least, quite harsh.

I suppose they're harsh for all different candidates, but in the last election in particular it was difficult for people to get out to vote. The hon. Member for Edmonton-Riverview would certainly relate to this, but I was embarrassed in the last election, which was conducted in March, to go to a polling station in the evening and find a family carrying through the snow – they were knee-deep in snow – their mother, who was confined to a wheelchair, to a polling station that didn't have disabled access. It was a school that didn't have disabled access, and it was embarrassing. I was embarrassed to see this family have to do that, but the mother really, really wanted to vote. I can appreciate their energy, but it was not the best. I think we can do better. Of course, in a May election you wouldn't have, hopefully, snow like that in this province.

Now, May is a very good time to hold an election. I think we could extend polling hours. Maybe we could have polling stations set up for two days so that individuals who are tilling and preparing their fields for seeding could have lots of opportunity to exercise their franchise. I don't think that should stop us.

I would really encourage hon. members: please, if we are committed to a fixed election date, then let's pick a date. This amendment certainly gives all the flexibility that's needed or that is necessary to do this, and I would encourage all hon. members of this Assembly to please consider making May 8, 2012, the date of the next general election in this province and afterwards on the second Tuesday in May in the fourth calendar year following. I think it's reasonable, I think it is what citizens would like, and I think it's workable for rural Albertans, for urban Albertans. I think that if we have a fixed election date, we can reverse the trend and increase those who are actually on the voters list. We can increase their participation, Mr. Chairman.

Thank you very much.

**The Chair:** On amendment A1, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I'm happy to rise and speak to this amendment being put forward by the hon. Member for Edmonton-Gold Bar. Now, this amendment improves the present act. It doesn't make it perfect, but it improves it by setting an actual date.

Actually, when I first heard of the government's intention of bringing forward a three-month fixed election period, I was a little bit taken aback, to say the least. In fact, I kind of chuckled about it because it seemed so obviously not really what the government or what the Premier promised. But, obviously, it's what the caucus decided.

The amendment at least makes a specific date, narrows it down, so it improves it. Now, it doesn't necessarily mean that it's the right date, which is the problem. The hon. member is proposing a date. It's better because it's one date instead of 90 days, but it's just a picked-out date.

I know that I or my colleague the hon. Member for Edmonton-Strathcona will be bringing forward an amendment, should this one and others not pass, that would require the Premier to consult with the opposition parties and fix a date within six months of the election for the next election four months away, within the range set out in the act.

Mr. Chair, I have to say that this government's action with respect to this really did lift the scales from my eyes with respect to how this new Premier was going to conduct herself and what the tone of this Premier and the government, the cabinet that she's appointed, was going to be. I actually had a glimmer of hope and a thought that, in fact, this would be more consultative, that the new Premier and her new cabinet would in fact change the way the government had traditionally related to the public and to the opposition parties and to this Assembly.

Those illusions were quickly shattered when I heard about this. The way I imagined this happening, Mr. Chairman, was that a government that actually wanted to involve opposition parties and show respect for the Assembly and take into account other views and other interests aside from the narrow self-interests of the Progressive Conservative Party would have done this quite a bit differently. The Premier would have talked to other opposition parties, would have had some discussions about it.

You see, the election, Mr. Chairman, is something that affects us all. The whole point of having fixed election dates is to reduce the unilateral advantage that the governing party has in the British parliamentary system that allows the government to call an election when it's ready to go, in its own interests and not necessarily in the interests of fairness and certainly not of other political parties. It gives an unfair advantage.

It's clear to me that this government does not want to give that up and is not prepared to have a conversation with other opposition parties to recognize that they also have an interest in the election, not to mention the interest that the public as a whole has in the setting of an election. You know, it's clear to me that the same sort of arrogant, unilateral, self-supporting attitude has not changed.

I will support this amendment, but should it fail, what I'd really like to do is put forward an amendment that would require the Premier to consult with other party leaders in the Assembly within six months of an election and then set the date for the next one within the parameters, the three-month parameters, that have been set out in this act.

Mr. Chair, I recognize that this issue probably doesn't have a lot of saliency outside of this place, that this would be something that Ralph Klein would have referred to as something that's under the dome, not something that the public as a whole really cares a whole lot about, but to me it is a very telling act by the new Premier. To completely exclude other parties, to refuse to answer questions put to her in question period with respect to this piece of legislation, and to impose through the force of its majority its political will on this Assembly and on the province is quintessentially how this political party, the Progressive Conservative Party, has conducted itself for the last 15 or 20 years. It's very high handed, it's not really very democratic, and it is manipulating the tools of power for its own benefit. I guess that people on the opposite side are so used to this that they really don't think that there's anything wrong with it. They think that it's the norm. They think that that's how you do politics, and maybe it is.

All I know is that I actually listened to the new Premier when she was running for the leadership of the Progressive Conservative Party and in the short period of time after she was elected, and I actually had some hope that things were going to be different and that things wouldn't be quite so arrogant and high handed as they are. But that did not come to pass, and I really do regret that, Mr. Chairman. I thought that there was actually some substance behind the words.

5:30

Even though this does provide a 90-day period for an election and really does, you know, kind of fix it and the public probably doesn't care whether it's 90 days or one day, what it says to me is that this is a broken promise. This is something that was promised and has not been delivered. It's a facsimile of what was promised. You know, I think I called it a cheap knock-off of the actual gift that was promised. It is enlightening to me at least, and I think it's going to be enlightening to lots of people in this province when they really begin to think about how much the Premier's promises are actually worth.

Mr. Chairman, having made those comments, I am prepared to support the amendment because it improves the act because it actually narrows down the 90 days to one day, but I think that what it lacks is a process by which in a mutually respectful way the various political parties are consulted with in arriving at an election day or a fixed election day. So I'll support it, but I have scant hope that it will pass.

Thank you.

**The Chair:** On amendment A1, the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutillier:** Thank you, Mr. Chair. I appreciate that. Pertaining to the amendment put forward by the hon. member, I certainly appreciate the fact that he is trying to move from a period of over

90 days to zoom in on fixed election dates like in other provinces where it's actually only one day. I do agree, to the hon. member, that his amendment is an improvement from what had taken place on the opposite side, the government, relative to what this means.

Now, I will say that on fixed election date quotes pertaining to the amendment, it was on October 5 in a *Calgary Herald* online chat, a Sunday, where it said that it would be after a spring sitting and a budget and a throne speech. This is of course coming from the other side. It said that it could be June. Sometimes the Legislature takes on a life of its own, so it is a little unpredictable.

Then on September 23, 2011, in the Canadian Press relative to the amendment the Premier said that she would commit to calling an election in March 2012, her quote, and every four years from that date. Now, she said that Albertans are supportive of the idea and that several other provinces already use the same model. Well, to be quite clear, she said also that fixed election dates are important because they understand the issues that are coming. They don't believe any political party should have, even if it is theoretical, an upper hand in managing the political agenda and then picking the date accordingly. She goes on then and is quoted on the amendment, Mr. Chairman, as saying that the status quo of no election dates needs to change so as to deny the government the behind-the-scenes deal-making and manipulation that characterizes the timing of an election.

Then again in an interview on the *Rutherford* show on QR77 and 630 CHED on October 25 she goes on again to say: when I make a commitment, I keep it; I'm not going to start making willy-nilly pronouncements when they want me to, and I hope the Legislature will be satisfied with the approach we take on fixed election dates. Fixed election dates give Albertans the opportunity to focus on issues that matter and to mobilize for an election without the behind-the-scenes deal-making and manipulation that sometimes characterizes the timing of an election, said Premier Redford.

The candidate: personally, I was very disappointed by the voter turnout in 2008 when I was elected, of course, because I think it truly failed to engage the public in the most important democratic right, voting. In some ways low turnout may indicate the lack of faith in this system, and that is a very dangerous road to travel. I'd like to reverse that trend. I think the hon. member who's put forward this amendment is actually zeroing in on something that's very important; that is, picking a date, not a season, not one month or another month or another month. It's almost like saying – can you imagine? – when you have your birthday: well, your birthday is in this season. You know, you're not born on a day; it's in the season.

Well, the bottom line, let me say, for those that are following the holiday season and the Christmas season: "Guess what? December 25 is the day, for those who are Christian, relative to an important date in history." Now, I sincerely say, Mr. Chairman, that an election date is certainly not as important as December 25, but I will say this. Why do we continue with the games? Okay. Honour the commitment that was made. Clearly, with the amendment that's being put forward, I do believe that we're beginning to zero in on something that we refer to not as an old boys' club because right now the old boys' club is alive and well for that three-month period of the season.

It's really interesting that you really have to take every word of this government and look at the true meaning of what is being said. In my judgment, that is very unfortunate because it really doesn't zoom in on the commitment and the promise that was made by this Premier when she was running for the PC leadership.

That being the case, Mr. Chairman, certainly, I believe that the date that is being put forward in the amendment is at least, if

anything, making the best out of, you know, a promise that was not delivered when this person as the head of the PC Party decided to come forward and say that she would have fixed election dates when, in actual fact, she has a fixed election season.

You know, I've seen the movie with Bill Murray called *Groundhog Day*, and I think that Chevy Chase was in *Groundhog Day* as well, but it's almost as comical as when you say you're going to have a fixed election day and here you are within a three-month period, or 90 days or 91 or 92 days. It's almost laughable. It's actually as laughable as the actual movie *Groundhog Day* because every day is repeated. Perhaps the old boys' network wants to go ahead and repeat every day so they can get everything ready for them because they know it's unavoidable. They have to go ahead and have an election.

This member has put forward, I think, an improvement from the commitment that was broken as well as the date. Now, is May the time? In the time that I have served as an alderman or a city counsellor or as a mayor or as an MLA, I don't ever actually recall campaigning in May. Certainly, it's far better than the season, you know. We all know that in March we have freezing rain going on.

**Mr. MacDonald:** The Stanley Cup playoffs.

**Mr. Boutilier:** And, of course, the Stanley Cup playoffs, that the member makes reference to. As we know now, the Stanley Cup actually goes to almost mid-June because of the length of the playoffs. Certainly, it's my hope and prayer that either Calgary or Edmonton are in the playoffs again this year, but only time will tell.

5:40

That being the case, Mr. Chair, you know, the amendment that I'm speaking to is at least a good first step, and it's certainly a better step than what has been offered in the broken promise on the other side. For that reason, I will support the amendment. But I would say that I anticipate that there will be a Speech from the Throne. After the Speech from the Throne, the Minister of Finance wants to go ahead and deliver a budget, and I think that this government will not dare to try to come back into this Assembly with a budget. What they will do is go and ask for a mandate from the people of Alberta. My goodness, how simple is that?

So why couldn't the Premier have just simply said: "We're going to have a Speech from the Throne in February. The Lieutenant Governor will go ahead with the mandate of this government of 40 years, old and tired as it is. We'll talk about democratic rights." Why couldn't she just simply say, "With the Speech from the Throne I will drop the writ and go for an election," which means sometime in February, meaning that based on the season that she's talking about, the actual election would be in March. She then, Mr. Chair, would indicate: oh, well, I said sometime between March – nowhere in the comments that have been made by the new leader did she talk about when it would be announced. Again, that's part of the old boys' network. They didn't consult with, of course, any other political party because they're interested in two things: power and holding onto power. That's rather unfortunate because it is an assault on democracy.

You can learn from the many other provinces that have fixed election dates as opposed to seasons. Only this government of 40 years thinks in terms of seasons, which means that, really, when they have a birthday, it can be over a 90-day period as opposed to a fixed date. That's unfortunate.

Let me conclude, Mr. Chair, by saying that I anticipate that in February there will be a Speech from the Throne. After the Speech

from the Throne the Minister of Finance will come up with some goodies to buy back Albertans' support, but he will not have the courage to debate all of that, his budget, in this Assembly. Ultimately, we will then, of course, go to an election.

Could they have done that in an open and transparent manner? No. They couldn't. Why? Because the old boys' network is alive and well still on this government side.

Thank you, Mr. Chair.

**The Chair:** Any other hon. member wish to speak on amendment A1? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thank you, Mr. Chairman. I rise to speak in favour of this amendment, which has been brought forward by the eminent and hon. Member for Edmonton-Gold Bar. The bill proposes that the next election "be held on May 8, 2012, and afterwards, on the second Tuesday in May in the 4th calendar year following polling day in the most recent general election."

Mr. Chairman, I thought it might be interesting to look at the significance of May 8 in history, some of the things that happened on May 8 in history, just so we, you know, really get it into our minds. Some of these are a little bit more political or less political, but they could all be read as political.

On May 8, 1921, Sweden abolished capital punishment. How about that? I bet there were a lot of politics around that. I wonder if there was even a general election? I have no idea.

May 8, 1945: a different form of politics, the most brutal kind, Canadian troops move into Amsterdam.

May 8, 1952: this could be the event that launched the career of any number of people in this Assembly because on May 8, 1952, *Mad Magazine* was launched. I bet the hon. Member for Edmonton-Highlands-Norwood was a big reader of *Mad Magazine*. I was, too.

In 1968 Catfish Hunter pitched a perfect game. That's what the Alberta Liberals are going to do in the next general election on May 8, right?

On May 8, 1970, the Beatles released what could be the theme song of the PC Party in Alberta, *Let it Be*.

In 1971 Joe Frazier defeated Muhammad Ali so he could continue. I'm just trying to bring a little levity into an afternoon session that's gotten a little grim at times, Mr. Chairman.

Like so many who have commented before me, I think the government's effort of bringing in a fixed election season is woefully inadequate. It's a silly kind of compromise, a half-hearted effort. Every other province in Canada that has a fixed election date actually has a fixed election date, municipalities in Alberta, the U.S. federal government, and on and on. There's no big science, no big trick, no big problem to having a particular date on which elections are held. It's beyond me why this government chose an election season, other than that we have some kind of riff within the Tory caucus between the Premier, who probably wanted a set date, and a lot of backbenchers who just weren't going to follow along. So – I don't know – somebody internally negotiated this silly compromise.

Mr. Chairman, it's important to note some things about fixed election dates. First of all, the starting point for all of this is that under the Charter of Rights the number one right, the very first right of Canadians is the right to vote. Okay? That's the fundamental activity of a representative democracy. If we move forward from there to protect the right to vote, well, let's think for a minute about that. What does it mean to have the right to vote? If we have the right to freedom of religion, that doesn't require the government to do anything. We can just go ahead and pray to whomever we want. We have the right to free speech. Again, it doesn't put any big onus on the government to do anything.

But think for a minute about the right to vote. You cannot have the right to vote unless the government sets up a voting structure, and it's not a meaningful right to vote unless that voting structure or that voting system works properly. Over the last 25 years or so in Canada the courts have actually ruled repeatedly on this and have expanded on what it means to have the right to vote. That's based on a much wider discourse or approach across democracy and across democratic philosophy.

In order for the right to vote to exist, the government has to put in place a meaningful voting system. What does a meaningful voting system require, Mr. Chairman? Well, it requires a whole bunch of things. It requires a place to vote. It requires a school or a community hall or a voting station somewhere. It requires people to work either as volunteers or paid staff at the voting stations and throughout the voting period, the returning officers and enumerators and so on. It requires a way to identify voters, a voters list. And it requires a system to enforce all of that and to finance all of that. In other words, a well-run election system requires an awful lot to be put in place. Those are practical challenges, Mr. Chairman.

For those practical challenges to be met when there is no fixed election date makes it much more difficult for the election apparatus to be put in place. How do you rent a hall for a polling station if you only know four weeks in advance when the vote is going to be held? It's particularly a challenge when the economy is booming. How do you recruit staff to enumerate if you're having to guess when the election is going to be held? How do you build the voters list and on and on?

I predict that the day will come when the courts in Canada actually press governments to settle on an actual fixed election date because as our understanding of what's involved in the right to vote expands, we begin to realize that a whole lot of things have to be put in place. There's only one sensible way to do that, and that's by beginning with a fixed election date.

5:50

Mr. Chairman, I think this is an important – an important – amendment. Let's just turn this around and ask ourselves: what happens if this amendment doesn't go through? If it doesn't go through, we're stuck where we may have the returning officers in each constituency, but are they able to rent an office space when they have to guess the date and the month the election is going to be held? Well, it's a lot more difficult. "Let me see, Mr. Landlord. I might need that office next month or, oh, maybe the month after or maybe the month after that. I don't have the money to rent it for all three months because I don't need it for all three months." What's the landlord's response going to be? "Well, you know, I'm not going to rent to people like that."

What about hiring enumerators or other election staff? Again, you're left with this huge uncertainty. All of that weakens the electoral system, the electoral machinery, and in turn all of that increases the risk that people's right to vote will be infringed or even denied, Mr. Chairman.

So while this seems like a fairly small amendment, I think it's of fundamental importance. I don't see the downside to this, honestly. I look across at the government. What have you got to lose here? I don't understand the government's position. When we look at so many other provinces with fixed election dates, I think this is one that is kind of embarrassingly weak from this government and mysterious.

I would urge all members to just go ahead and support this amendment, and then we'll move on. Thank you, Mr. Chairman.

**The Chair:** On amendment A1, the hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Chair. It's my pleasure to rise and speak to amendment A1 on Bill 21, the Election Amendment Act, 2011. I understand that if you're going to try and amend subsection (2) and narrow it down from a floating fixed date to a truly fixed date, you have to pick a date. I appreciated the rationale that the Member for Edmonton-Gold Bar gave for picking the date that he did. I don't see any particular flaws in that logic. I think other dates could have been chosen as well. Again, it comes back to the notion that either you are going to pick a fixed election date, or quite frankly you might as well not go through this exercise at all.

To say that you're going to have a fixed election season or a range or whatever you want to call this 90-day period is, in many respects, I think, making a mockery of the whole notion of fixed election dates, in any event. You're either in or you're out. You either go big or you stay home. There's no such thing as being a little bit pregnant, and there's no such thing as having a 90-day fixed election period.

Although I have reservations of this whole concept of trying to set fixed election dates within the context of parliamentary democracy and the constitutional conventions that surround that because as we saw in the last federal election, you can pass a, quote, unquote, law that sets a fixed election date and then turn around and break your own, quote, unquote, law when it suits your political purposes because this, quote, unquote, law is not really a law at all any more than when you're watching a car commercial on television and it claims you will get 38 miles per gallon, and then down below you see in the small print that that's the EPA, the Environmental Protection Agency, rating and that your mileage may vary. This is an exercise we're going through in making it look like we're doing something here, but it's not really committing anybody to anything.

When you have a fixed election date or a fixed election range within our system of government, within our system of democracy, you really depend on the word and the good graces of the Premier of the day, and you depend a heck of a lot on faith, Mr. Chair, for the election to actually happen on the date that was prescribed in the, quote, unquote, legislation.

Having said all that, if we're going to go through this dog-and-pony show to begin with, then I would prefer that we do it properly. I would prefer that we pick a fixed election date so that if the Premier in her wisdom or the Premier's successors in their wisdom – or perhaps the voters will show that it was a lack of wisdom – decide to violate this fixed election date that's being set, we all, the people of Alberta, can see very clearly what date they violated as opposed to: well, you know, we said it could be in March or it could be in April or it could be in May or somewhere in around there because you never know when it might snow. Gosh.

Somebody on the other side of the House actually asked somebody on this side of the House earlier this afternoon whether they had the ability to predict disasters. I would turn that question right back around on the government and ask if anybody in the government has the ability to predict what the weather is going to be on election day early enough in advance to honour or to back up – because I don't think there's much honour involved in it – the contention of the Government House Leader that: "Well we need this 90-day period because you never know. If we've had a really harsh winter, you know, maybe we want to hold the election later in 2016 as opposed to earlier in 2012 if this one turns out to be a mild winter." I don't know if this is parliamentary language, Mr. Chair, but that's just a load of hooey. It's an absolute load of hooey. We'll see if that passed parliamentary language muster or not.

I mean, it will be 2012 by the time the next election comes along. There are some of us who believe that it's about time that some serious investigation was done into the possibility of allowing the people of Alberta to vote electronically, to vote on the Internet to elect their next government. It certainly is something that needs to be tried as some kind of a pilot project at some point because, Mr. Chair, if I can do my banking online and not fear that all my money is going to be ripped off and end up in the hands of a Nigerian prince somewhere, then I can certainly trust security measures around a general election online. I see no reason why we can't go there.

Having said that – because I don't think we're going to be there in time for the next election – most people have car heaters, block heaters, in their car. Most people have a means of getting around in a snowstorm. If there's just a terrible, awful snowstorm on election day, well, that's unforeseeable 28 days out, let alone 28 months out. Sometimes that sort of stuff happens, right?

Here's the thing, Mr. Chair. We live in the province of Alberta. I live in the great city of Calgary, one of whose claims to fame is that it has snowed every month of the year in Calgary. I remember that, I believe, in 1991 – we'd have to fact check this because I'm going from memory – in Calgary the warmest day of the year was in February. It got up to 22 degrees. For Stampede parade that year in July we were all watching it wearing parkas. So you can't use weather as an excuse to have an election or not. Elections can go ahead and must go ahead and will go ahead regardless of what Mother Nature is doing on election day. These folks, prescient as they are, on the government benches, brilliant as they may be, are no better at predicting the weather than the average guy on the street.

**The Deputy Chair:** The chair hesitates to interrupt the hon. member. It's 6 o'clock. Under Standing Order 4(4) the Committee of the Whole is in recess until 7:30 p.m.

[The committee adjourned at 6 p.m.]







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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday evening, November 29, 2011

Issue 43e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Quest, Dave, Strathcona (PC)  
Redford, Alison M., QC, Calgary-Elbow (PC),  
Premier  
Renner, Rob, Medicine Hat (PC)  
Rodney, Dave, Calgary-Lougheed (PC)  
Rogers, George, Leduc-Beaumont-Devon (PC)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
Leader of the Official Opposition  
Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)  
Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Taft, Dr. Kevin, Edmonton-Riverview (AL),  
Official Opposition Deputy Whip  
Tarchuk, Janis, Banff-Cochrane (PC)  
Taylor, Dave, Calgary-Currie (AB)  
VanderBurg, George, Whitecourt-St. Anne (PC)  
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Hon. Len, Calgary-Foothills (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC)

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Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
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Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

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Alison Redford	Premier, President of Executive Council, Chair of Agenda and Priorities Committee
Doug Horner	Deputy Premier, President of Treasury Board and Enterprise
Dave Hancock	Minister of Human Services
Ted Morton	Minister of Energy
Verlyn Olson	Minister of Justice and Attorney General
Fred Horne	Minister of Health and Wellness
Ron Liepert	Minister of Finance
Thomas Lukaszuk	Minister of Education, Political Minister for Edmonton
Diana McQueen	Minister of Environment and Water
Jonathan Denis	Solicitor General and Minister of Public Security
Cal Dallas	Minister of Intergovernmental, International and Aboriginal Relations, Political Minister for Central Alberta
Evan Berger	Minister of Agriculture and Rural Development, Political Minister for Southern Alberta
Frank Oberle	Minister of Sustainable Resource Development
George VanderBurg	Minister of Seniors
Ray Danyluk	Minister of Transportation
Jeff Johnson	Minister of Infrastructure, Political Minister for Northern Alberta
Doug Griffiths	Minister of Municipal Affairs
Greg Weadick	Minister of Advanced Education and Technology
Jack Hayden	Minister of Tourism, Parks and Recreation
Heather Klimchuk	Minister of Culture and Community Services
Manmeet Singh Bhullar	Minister of Service Alberta, Political Minister for Calgary

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Naresh Bhardwaj	Health and Wellness
Alana DeLong	Seniors
Arno Doerksen	Human Services
Kyle Fawcett	Treasury Board and Enterprise
Art Johnston	Executive Council
Barry McFarland	Agriculture and Rural Development
Len Mitzel	Transportation
Dave Rodney	Sustainable Resource Development
Janice Sarich	Education
David Xiao	Energy

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Deputy Chair: Mr. Elniski

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DeLong  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Development

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Deputy Chair: Mr. Chase

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Boutilier  
Calahasen  
Goudreau  
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Lindsay  
Snelgrove  
Taylor  
Vandermeer

### Standing Committee on Education

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Deputy Chair: Mr. Hehr

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Cao  
Chase  
Leskiw  
Marz  
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Sarich  
Tarchuk

### Standing Committee on Energy

Chair: Mrs. Ady  
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Hehr  
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Rodney  
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Xiao

### Standing Committee on Finance

Chair: Mr. Renner  
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Knight  
Mitzel  
Prins  
Sandhu  
Taft  
Taylor

### Standing Committee on Legislative Offices

Chair: Mr. Blackett  
Deputy Chair: Mr. Lund

Blakeman  
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Ouellette  
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### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Campbell

Amery  
Anderson  
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Mason  
Pastoor  
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Doerksen	Sandhu
Drysdale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

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Bhardwaj  
Blackett  
DeLong  
Doerksen  
Forsyth  
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Rogers  
Swann  
Woo-Paw



## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 29, 2011

### Government Bills and Orders Committee of the Whole

[Mr. Zwozdesky in the chair]

**The Deputy Chair:** I'll call the committee to order.

#### Bill 21 Election Amendment Act, 2011

**The Deputy Chair:** Do we have some comments on this bill? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I'd move that we adjourn debate on Bill 21 and that when the committee rises, progress be reported.

[Motion to adjourn debate carried]

#### Bill 24 Health Quality Council of Alberta Act

**The Deputy Chair:** Are there any speakers at committee to this bill? The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Chair. I have a number of comments with respect to the bill arising from debate in second reading, and at the conclusion I will propose two amendments to the bill, which I understand have been or are about to be distributed.

Mr. Chair, I'll start the comments this evening just in a quick review of the purpose of the bill. As members are aware, the proposed legislation has two very important components. First, the bill delivers on this government's and the Premier's commitment to enhance the independence of the Health Quality Council of Alberta. Second, it establishes new inquiry powers that are customized to the health system.

Mr. Chair, today the Health Quality Council is established through a cabinet regulation. Bill 24 repositions the Health Quality Council so that, first, it operates under its own statute and, secondly, it reports directly to the Legislative Assembly. This is a very important next step for the Health Quality Council.

What began as a ministerial advisory committee in 1999 has grown in experience and expertise, and over the years the Health Quality Council of Alberta has garnered increasing respect for its knowledge and insight into patient safety and health quality matters. In 2006 the Health Quality Council was transformed from an advisory committee into an arm's-length corporate body operating under the Regional Health Authorities Act. With Bill 24 the council will fully stand on its own under its own statute.

Mr. Chair, Bill 24 is intended to strengthen the position of the council's work on health system improvements. The council will continue to deliver on its core mandate, which is to promote and improve patient safety and health service quality on a province-wide basis. And because of Bill 24 the council will report on this important work directly to this Assembly.

Members have spoken at length about the great work being done by the Health Quality Council. The only concern I have heard, Mr. Chair, is whether the health system inquiry powers will have an impact on the council's work. I assure you it will not. Bill 24 will enhance the independence of the council, and its work will

in no way be impeded by the inquiry powers that are also in the bill. This is because a health system inquiry will operate independently from the Health Quality Council.

Allow me to explain further. Bill 24 provides for a public inquiry that best fits the requirements of the health system. The bill is similar to the Public Inquiries Act. It provides for cabinet to call for a public inquiry into health system matters. It gives the individuals conducting the inquiry the powers, privileges, and immunities that commissioners have under the Public Inquiries Act. This means that witnesses can be compelled to attend, answer questions, and produce documents in the same manner as under the Public Inquiries Act.

Let's make certain we are clear on this point, Mr. Chair. Members have wrongly alleged that we are trying to exempt certain people from appearing before an inquiry. This is simply not the case. Evidence will come forward in a health system inquiry as it would under the Public Inquiries Act. The bill is designed to bring information forward so that an inquiry can get to the bottom of a matter.

So why do we need a new inquiry power? Given the strong similarities to the existing Public Inquiries Act, there have been several questions about why we need this new health system inquiry power or why we did not simply amend the Public Inquiries Act. These are good questions, Mr. Chair, and I appreciate the opportunity to address them.

The government is committed to having a public inquiry and to this end has incorporated the key provisions of the Public Inquiries Act into this bill. However, we are concerned that the current inquiry legislation would not be as effective in providing for a full and fair inquiry into health system matters, which is, I think, a goal for all of us in this House. For example, it may not provide for a full inquiry in regard to nondisclosure agreements. We have heard concerns that this information may not be accessible even under the Public Inquiries Act. To remove any doubt, Mr. Chair, the new inquiry provision in Bill 24 provides for information under nondisclosure provisions to come forward in an inquiry.

Fairness is also an important consideration that's been discussed in this House. Health information is not currently protected under the Public Inquiries Act. This is a very significant concern. The protection of private health information is important, and Bill 24 provides for the proper protection of this information. The bill will allow a person to make application for evidence to be heard in camera, or in private.

An application to have a matter heard in camera may or may not be granted. The individuals conducting the inquiry have to consider whether or not the circumstances merit an in camera hearing. For example, it must be first determined whether private patient information is involved or whether the information is about a third person who has no involvement in the inquiry. There is no guarantee in the act that certain matters will be heard in camera. This is different from the Public Inquiries Act, which has a mandatory provision for certain matters to be heard in private. We have not followed the Public Inquiries Act in this regard.

Some members have also questioned the in camera provisions. These questions ignore the fact that a public inquiry is a powerful and blunt instrument. Witnesses may be compelled to answer questions and produce documents on a broader basis than in a court proceeding. It is important that the bill includes basic provisions that balance the extraordinary powers of an inquiry with basic principles of fairness. For example, application may be made to hear evidence that includes a patient's medical records in private. Before the hearing goes in camera, it must be determined whether the matter involves patient information that, if made

public, may injure or harm the condition of a patient or a third person.

I was surprised to hear comments in second reading that matters must be weighed and considered before a decision is made for an inquiry to go in camera. If I understand those comments correctly, Mr. Chair, they dismiss the possibility that making a person's health information public could ever harm a third person. In regard to those comments, I give the example of people who advocate on behalf of family members who are suffering a mental illness. These advocates will tell you about the type of third-party information that may be included on a patient file and why this information needs to be protected from disclosure under the Health Information Act and the Mental Health Act.

I was also surprised to hear hon. members be so dismissive of provisions that speak to upholding justice and the public interest. As lawmakers in this Assembly it is our job to make legislation that operates fairly and that best serves the public.

Another thing that differentiates Bill 24 from the Public Inquiries Act is that the proposed bill will have the Health Quality Council of Alberta appoint one or more individuals to a panel to head the inquiry. Under the Public Inquiries Act cabinet appoints the commissioners to head the inquiry. Going in this direction, Mr. Chair, ensures that we have an opportunity for the council's tremendous knowledge and experience to be used in appointing the panel members independently.

Some members have raised concerns that this means health professionals will be appointed to the panel and then will be expected to become legal experts. This is not the case at all, Mr. Chair. Once a panel is appointed by the council, the panel will be authorized to hire its own staff resources, including lawyers to advise it. I also want to reiterate that once the panel is appointed, the council has no further role in the inquiry.

**The Deputy Chair:** Hon. minister, I hesitate to interrupt. You're talking here to Committee of the Whole in general. You have not yet tabled your amendment. Is that correct?

**Mr. Horne:** That's right, Mr. Chair. I intend to do so at the conclusion.

**The Deputy Chair:** Okay. Carry on. We had some members seeking clarification.

**Mr. Horne:** Yes. Thank you. If I could ask that the amendment be circulated.

**The Deputy Chair:** You want the amendment circulated?

**Mr. Horne:** I'll speak to the amendment at the conclusion of the remarks if that's acceptable.

**The Deputy Chair:** All right. We'll ask the pages, then, to please abide and circulate the amendment.

Please continue, hon. minister.

**Mr. Horne:** My apologies, Mr. Chair.

Once a panel is appointed by the council, the panel will be authorized to hire its own staff resources, including lawyers to advise it, and at that point, once the panel is appointed, the council has no further role in the inquiry.

Mr. Chair, in second reading the opposition has suggested that somehow the public inquiry provided for in this bill will not allow a judge to be appointed to the panel. The suggestion has been made that under the Public Inquiries Act the appointment of a

judge is automatic. The opposition has it wrong on both counts. Nowhere in the Public Inquiries Act does it say that a judge must be appointed as a commissioner. When a public inquiry is called, a judge may be appointed in accordance with court protocol. The court protocol is in place because the courts are independent. When a request is made for a judge to be appointed to an inquiry, the courts must be assured that the appointment will not impair their operation and that the matter is of sufficient importance to warrant the involvement of a judge.

7:40

Bill 24 is more specific than the Public Inquiries Act in providing for the appointment of a judge, which, as I have noted, is always subject to the approval of the courts. The amendment that I am proposing this evening and is being distributed now will clarify this matter even further.

Other questions raised during second reading were regarding potential conflicts of interest. Under the proposed bill the inquiry authority will protect against conflicts. Section 17(4) prevents the Health Quality Council from appointing anyone to an inquiry panel

who is or was

(a) a member of the board, or

(b) an agent, employee or contractor of the Council,

who has had any involvement in a matter that is the subject of the inquiry.

In addition, Section 7 requires the council to establish and implement "a code of conduct for the board and the employees of the Council." This will also guard against conflicts of interest. This proposed legislation will provide the same powers to the health inquiry panel as those under the Public Inquiries Act.

Lastly, Mr. Chair, several members opposite suggested that Bill 24 is intended to delay a public inquiry. Let me be clear. The Premier made a commitment to hold a fully independent public inquiry into health care. What Bill 24 does is make sure that the public inquiry will be effective in addressing health system issues.

I will now speak to the two amendments distributed to members this evening. The first amendment, which you should have in front of you now or very shortly, amends section 17(1), (2), and (3). This amendment makes it clear that a health system inquiry can be carried out by a judicial panel, which is one that consists only of one or more judges. It underlines this government's commitment to providing for a judicial inquiry, Mr. Chair, into current health system issues.

The second amendment is a housekeeping amendment. It simply maintains the status quo. The Public Service Employee Relations Act does not apply to the Health Quality Council under the current regulation, and this amendment simply maintains that position.

Mr. Chair, I'd just like to ask, then, how you wish me to proceed. I would respectfully ask the Chair if I could introduce both amendments and ask for them to be voted on at the same time.

**The Deputy Chair:** Hon. member, perhaps a good starting point would be for you to move the amendment formally. Then we'll have the debate on the amendment.

**Mr. Horne:** Thank you, Mr. Chair. I would move the document that has been distributed as one amendment.

**The Deputy Chair:** Thank you.

All members now have a copy of the amendment, which will be called A1.

**Ms Blakeman:** Excuse me. I would ask, under the precedents of the House and according to *Beauchesne* – I will find the citation for you – that we sever the two parts so we would be voting part A separately from section B here. We don't need to split the amendment. We just need to be able to vote on it separately, please. I don't want to have to vote against one because they're part of a whole. According to the precedents of the House I would ask they be severed for voting purposes.

**The Deputy Chair:** Actually, there is an option available. It can be voted separately, or it can be voted all in one. What are your wishes, Mr. Mover?

**Mr. Horne:** Well, Mr. Chair . . .

**Ms Blakeman:** Excuse me. This is done by a request from any member of the House. The mover does not have precedence.

**The Deputy Chair:** Are you moving it as one amendment?

**Mr. Horne:** Well, just to clarify, Mr. Chair, I am moving it as one amendment.

**The Deputy Chair:** The chair will rule that we'll proceed with it as two separate votes, then. We'll split it into two.

**Ms Blakeman:** Thank you.

**The Deputy Chair:** Are there any speakers to amendment A1, which is the first section of the amendment tabled? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Chair, for this opportunity to speak to amendment A1, which is probably the first of numerous amendments I would expect tonight. We may in the early hours of the morning see amendment A20. It may not still be on this particular Bill 24.

Mr. Chair, what I see in this proposed amendment is what I would call weasel language, ways to get out of doing anything, with words like "the Lieutenant Governor in Council where it considers." So the whole power rests with the Lieutenant Governor in Council – in other words, the cabinet; in other words, the government – "where it considers it to be in the public interest."

Well, there is a tremendous difference between public interest and government interest. Think back to this past fall, 2010, when the government was continuously pushed to call a Health Quality Council, and then it took the following spring for that recognition to happen. It wasn't the public interest that drove it; it was the government's self-survival interest. Day after day the combined opposition battered the government on its credibility.

Now, when we read further into this first part of the divided amendment A1, it talks about "may by order." Again, we have considerations with regard to the wording. As opposed to "shall," which is a definitive term, we have "may." This whole business of leaving it up to the Lieutenant Governor in Council, who may or may not "consider" as opposed to "require," is very disconcerting.

Skip down to the new Section 17(3).

The board may recommend to the Minister that one or more judges of a court in Alberta be appointed as the Panel, and if one or more judges are to be appointed, the appointments must be made by the Lieutenant Governor in Council.

Now, which word is the more important? The board "may recommend" or the appointment "must be made"?

Again, I talked about weasel. I should also be talking about wiggle. This gives the government more opportunity to change the

nature of the panel, whether it's judicially led or not. The only compulsion is that the minister may listen to the recommendations of the panel. At some point they must do something, but it's not absolutely clear.

The government frequently uses the term arm's length. That's very convenient when you're trying to pass off your own responsibility for an action. It claims that the Health Quality Council will be an independent body, yet it's the government, the Lieutenant Governor in Council, the cabinet, that appoints the members of the Health Quality Council before they get down to the point of creating their business and calling their witnesses.

Mr. Chair, this is very much like what the government has tried to do with bills 19, 24, and 50 with regard to the land assembly act. The hon. minister of health in opening debate tonight on Bill 24 in general and then referencing specifically this amendment talked about how Bill 24, which would be amended if passed with A1, is similar to the Public Inquiries Act. I can't help but think that another way you could call something similar to is counterfeit. This is a counterfeit of the Public Inquiries Act.

The Public Inquiries Act compels testimony. The Public Inquiries Act is sensitive to third-party potential for harm. The whole explanation on Bill 24, including amendment A1, is – the politest word I can come up with is suspect.

Everything this government has done in terms of trying to bury a public inquiry into wrongdoing by this government which has comprised the health of individuals, which has potentially led to – well, it has not "potentially" led to queue-jumping. The Flames hockey team: there is no doubt about their getting their flu shots earlier.

7:50

Amendment A1 doesn't make the proposed Health Quality Council of Alberta Act one bit better. I'm not sure of the hon. minister of health's intention when he put forward this amendment thinking that somehow this is the equivalent of a spoonful of sugar makes the medicine go down. Well, the medicine is bad. What we're asking for, what the public is demanding, what doctors have required is a public inquiry, not something similar to it, not a counterfeit, but the actual public inquiry under the Public Inquiries Act that currently exists in this province.

Now, again, the minister of health, in introducing and attempting to respond to concerns that the opposition members have raised, talked about this as not being a stalling device, that at some point in the future the truth would be out. But there's nothing in amendment A1 that talks about speeding up the process. There aren't any time limits provided in amendment A1. So even if we accepted amendment A1, we'd be no further ahead than we were with the original Bill 24. There is no specific date for the Health Quality Council, with its limited additional powers, to report, and the chances of this Health Quality Council reporting prior to the election that's to be called sometime within a 90-day period in the spring is very unlikely.

Should we even get more detailed reports on the preliminary concerns that the Health Quality Council raised already that were so adamantly dismissed by a former health minister, the current Minister of Finance, there is nothing in amendment A1 that would suggest that the authority that is being granted to the Health Quality Council under Bill 24, which is similar to the Public Inquiries Act but not the same as, would have any compulsion on the government to change the way it's acted. There is nothing in this amendment that would, for example, roll back the idea of a superboard. There is nothing in amendment A1 that would suggest that it's in the public's interest to have local autonomies on elected

health board members in large constituencies or representatives in rural constituencies.

The Lieutenant Governor in Council might consider having an elected health board, which we had for a nine-month period under the reign of error of former Premier Ralph Klein before he realized that the elected members of the health council were actually speaking for the members who had democratically elected them. Well, that couldn't be. Why would we consider the people who elected the council to have any authority? We can't have that. We better have a superboard instead.

Now, "may by order": again, wiggle room, room to squirm. The squirming that should be done in this House should be by this government to realize that nothing short of a public inquiry is going to get them off the hook. They can claim that amendment A1 or the whole unpalatable Bill 24 is going to be accepted by Albertans, but, Mr. Chair, the truth will be out in the next election. Albertans have been unbelievably tolerant. They've tolerated this government for 40 years. I think a lot of that tolerance stems from the fact that it started well with Premier Peter Lougheed, but what it has descended to is rather unfortunate.

There's an expression, Mr. Chairman, that relates to amendment A1 of Bill 24, and that's that you can't teach an old dog new tricks. What this government is trying to do is with a relatively young dog now in charge, teach her the old tricks.

**Mr. Hinman:** Is it a young one or a mean one?

**Mr. Chase:** I wouldn't suggest mean. At times it would appear mean-spirited, but I wouldn't go to mean, but consider may, may.

Mr. Chair, amendment A1 is just more, as the expression goes, lipstick on the pig. The only thing that should be done with this pig is to bury it under the sand, barbecue it, and at the right time resurrect it and we'll feast on it. Tonight that feast isn't going to occur. We see more of what I spoke of last Wednesday night, and that's democracy in darkness.

Mr. Chair, we find ourselves in Alberta's own version of the *Heart of Darkness*, and I'm hoping that other members of the opposition will be able to shed some light on amendment A1. There's not a whole lot to light up here, but when we're finished and we're back in the comfort of our own homes, possibly we could use this as the fuel for the fire that this paper so deservedly should be placed in.

Thank you, Mr. Chair, for this opportunity. I look forward to hearing from other members, both of the opposition but also the government, attempting to explain why amendment A1 salvages a poor piece of legislation.

**The Deputy Chair:** Hon. members, just for purposes of clarity let's be clear that what you have before you is one amendment with two parts. Members are welcome to speak to either part at this stage. When the question is called, we will vote on one part first, and then we'll vote on the other part, but it will be considered as one amendment for purposes of debate.

The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chairman. Before we proceed, could I ask the consent of the House to revert to introductions real briefly?

**The Deputy Chair:** Hon. members, we've been requested to revert to Introduction of Guests briefly. Does the House concur in that request?

[Unanimous consent granted]

## Introduction of Guests

**The Deputy Chair:** Proceed.

**Mr. Anderson:** Okay. It's my honour to introduce to you and through you, Mr. Chair, two friends, and if we could get them to stand up as their names are called. The first is Mr. Paul Nemetchek, who is the Wildrose candidate in the riding of Strathcona, not Edmonton-Strathcona, just Strathcona. The second is Ms Jackie Lovely, who is our candidate in Edmonton-Ellerslie. If we could give them a round of applause, that would be great.

Thank you.

**The Deputy Chair:** Thank you.

### Bill 24

#### Health Quality Council of Alberta Act

(continued)

**The Deputy Chair:** Are there any other speakers wishing to comment on amendment A1? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chairman. I'm pleased – I'm not so pleased, I guess, to speak on amendment A1. I find it very interesting. We're talking about Bill 24, the Health Quality Council of Alberta Act, and I believe we're in committee. We're already getting amendments from the government on a piece of legislation. They've clearly said that this particular piece of legislation is going, quite frankly, to save the health care system, taking what we consider a broken health care system, where we've got our health care professionals within the health care system being the glue to the health care system, and keeping it together.

8:00

Interestingly enough, it's 8 o'clock on Tuesday, the 29th of November, and we've had the first government amendment hit the floor as A1. It's talking about section 17(1) to (3), which the health minister wants to amend. In looking at this, I look at Bill 24 under section 3, and it clearly says:

If in the opinion of the board it is desirable that a judge of a court in Alberta be appointed to the Panel, the Minister of Justice and Attorney General shall consult with the Chief Judge or Chief Justice of that court regarding the appointment, and any appointment by the board of a judge of that court is subject to the agreement of the Chief Judge or Chief Justice of that court.

Well, Mr. Chair, quite frankly, we do not have a problem with that. What we do have a problem with is the amendment that has come before us.

Now, this is interesting, so I'm going to read this into the record: "The board may." I love that "may" and "must" that we get in government. As we all know, "must" is telling the government that they must do something, and "may" is saying: "Hmm, it's Friday. Maybe if you want to, you can do that" or "It's raining today" or, as the government talks about in the Election Amendment Act, that we might have a disaster between – what is it? – March 1 and May 30 or something.

"The board may recommend to the Minister" – now, that "Minister" is creeping in here again – "that one or more judges of a court in Alberta be appointed as the Panel, and if one or more judges are to be appointed, the appointments must be made by the Lieutenant Governor in Council." If somebody doesn't know, Mr. Chair, what the Lieutenant Governor in Council is, they'll think: that must be somebody that's pretty darn important. What they don't realize is that the Lieutenant Governor in Council is cabinet. You know because you've been there, and you agree, but I bet you

that if you and I went door-knocking in Edmonton-Mill Creek, and we said to some of your constituents, “Do you know who the Lieutenant Governor in Council is?” they’d be pretty darn impressed, but I’ll bet you dollars to doughnuts they wouldn’t know who the Lieutenant Governor in Council is.

There we have cabinet making the decisions in regard to the Health Quality Council, that the minister has been talking about and bragging about, quite frankly, about all of the things they can and cannot do. Well, let’s talk about what the Health Quality Council of Alberta can do and what they can’t do. What they can do is that they have the ability to review, and a lot of times, you know, they’re looking at where we went wrong on the H1N1, what happened in Fort Saskatchewan-Vegreville. We task them, or the previous Premier did, in regard to the independent review of the quality of care and the safety of patients requiring access to emergency departments, cancer and cancer surgery, and the role and process of physician advocacy.

Well, this particular Health Quality Council took on this job. Yes, it’s a very, very, very important job. Somewhere along the way they decided that they had to break it up into two parts. First of all, they had to look at the scope of what they were asked to do. In the first part what they wanted to do was look at the wait-list issues related to lung surgery in 2001 and the patients that had died. Then they said, “Well, gee, we’ve got to break that out to a second part, and we’re going to look specifically at the role and process of physician advocacy,” which is pretty darn simple to do.

Well, Mr. Chair, guess what? That report was supposed to be to us in the fall, and you know that as the previous health minister because you were intimately involved in this, as was the former Premier. You made promises to Albertans about taking on this role, the seriousness of this role, and that you were going to have all of that information, the first report in the spring and the final report in the fall of 2011. Fall to me is just about over – are we finished fall yet? – and we’re into winter. I can’t even remember when the first day of winter is, but I know we’re well into the fall session.

Now we’re going to bring in this report, expected early in 2012. They don’t say what early in 2012 means. It could be January; it could be February. It’s kind of like the Election Amendment Act. “We’re not sure, but we’ll make sure we bring it in when it doesn’t hurt us politically or when we don’t have some weather problems so that people can’t go to the polls and vote. We’ll bring it sometime in 2012.” That takes us back to Bill 24, the Health Quality Council of Alberta Act, this wonderful piece of legislation that hit the Legislature a week ago plus a day.

The government says that they consult, that they’ve talked to the people that have been involved in this piece of legislation. Mr. Chair, on this Bill 24 I was at the briefing. The minister wasn’t there. He was supposed to be there. He originally had us booked for 8:30 in the morning. We had to cancel that because he’s busy and, of course, doesn’t realize that everybody else might be busy, too. We postponed that meeting till I think it was 5 o’clock that night or 5:30, and on the phone was the special adviser to the minister and a couple of lawyers. But the minister wasn’t there, so the minister couldn’t be part of the briefing on this very important piece of legislation, the Health Quality Council of Alberta Act, when we were getting briefed. The minister at the time really couldn’t even provide a three-column document to help us with the briefing.

But they eloquently went on about all of the consulting that they did on this particular piece of legislation, all of the time and thoughtful process that they went through on Bill 24, and lo and behold our first government amendment hits the table. That’s even before the opposition has had the opportunity to bring forward our

three, four, five, six, seven amendments that we’re going to be proposing to help them fix the bill.

Mr. Chair, in conclusion, I would like to tell the minister, as eloquently as I can, that we will not be supporting his amendment A1. Maybe he would like to explain. I listened intently when he was speaking, and he was giving his what I consider long-winded: “Believe in me. Trust me. This is, again, a really good piece of legislation, but I’m going to bring forward my first amendment of two, and maybe if you’re smart enough or dumb enough to accept it, you’ll allow us to do both at once. So please trust us. Please accept what we’re telling you” on probably one of the most important pieces of legislation that I think is going to affect our health care workers in this province.

I will tell the minister that I have spent literally hundreds of hours talking to health care professionals on what they want to see in this legislation, including yet today two more meetings with two more doctors. In fact, we even met with CARNA, the Canadian association of registered nurses, this morning because I think it’s important to reach out to all of the health care professionals to find out what they consider is a good piece of legislation versus a bad piece of legislation.

**8:10**

I can tell you that the health care professionals in this province do not trust this government on this piece of legislation. In fact, I’m just reading the latest letter that I’ve received, and it’s a PDF version of The President’s Letter from Dr. Linda Slocombe from the AMA in regard to what they’re talking about and how they see Bill 24. What’s very cute and, I guess, to me honest is that they recognize that they’re not professionals and that they’re not lawyers, and they can only talk about what they see in this piece of legislation.

They even have suggested to the government and made some recommendations to the government and to the health minister, that I know is listening very intently, about “making the scope of the inquiry very clear, articulating who and what shall be included,” and there we go with that “shall” again, Minister; “ensuring true independence by supporting the public inquiry with appropriate budget and resources, including support staff” – and, Minister, it is important for you to listen to this – “who have never been involved with the current [Health Quality Council] review; and “being fair to those who came forward to testify with the expectation that quality assurance confidentiality protection would apply.” A public inquiry, Minister, must, not may, ensure that that protection continues.

Then, Minister, they talk about the fact that the freedom to advocate is a fundamental issue for the AMA. I don’t think anybody will dispute that. It’s so fundamentally important that we still are seeing the intimidation, the harassment, and the bullying of our health care professionals today. We clearly articulated that to you over the last week, over and over again, with the case of Dr. Tony Magliocco. We even tabled in the Legislature and provided you the intimidation that he got from Dr. Wright telling him: if you don’t agree with what you’re doing, you’ll regret it, and you’ll be sorry.

What kind of crap – and that’s the only word I can think of – is that that you would even consider or allow that to happen within our system when you have spoken in this Legislature about the fact that you think that health care professionals should have the ability to advocate on behalf of the people that they’re taking care of, which are, quite frankly, Minister, you and I? We are their patients: your mom, my mom, our kids, and your kids. If they see something wrong in the system, the ability to advocate – you know what? You said in this Legislature about the breast cancer

tissues being taken care of in Mount Sinai and that. We've now got documentation proving that that's not happening for six weeks; it just started.

Minister, for you to put in a "may," that "the board may recommend" to you, I don't think the board can recommend to you anything. Quite frankly, Minister, I have trouble accepting your word on this, and I don't know how you can expect that the board can recommend to you that one or more judges of a court in Alberta be appointed to the panel. I mean, for goodness sake, why would anybody want to recommend anything to you? You don't listen, and you don't advocate on behalf of the health care professionals, quite frankly, that you as the minister of health should be representing.

With those words, Mr. Chair, I look forward to hearing others speak about this amendment A1. I can tell you that as the health critic for the Wildrose and as the MLA for Calgary-Fish Creek and, quite frankly, as an Albertan I will not be supporting this particular amendment. I think my role as the MLA for Calgary-Fish Creek, my role as the health critic, and all of the wonderful health care professionals that I have had the honour and privilege to speak with over the last it will be two years in January – I'm not letting them down, and I will not be supporting on their behalf, on my behalf and, quite frankly, on behalf of Albertans this amendment.

**The Deputy Chair:** Thank you, hon. member.

Any other speakers? I have the hon. Member for Calgary-Mountain View and then the Member for Airdrie-Chestermere, followed by the Member for Edmonton-Strathcona.

**Dr. Swann:** Thank you very much, Mr. Chairman. I'm pleased to comment on the government's amendment to Bill 24, which, regrettably, raises the question again of independence. The whole purpose of establishing the panel under the Health Quality Council as opposed to under the government or under the cabinet, also called the Lieutenant Governor in Council, the whole purpose of this bill was to try to distance itself from any sign of influencing either the makeup or the outcome of the panel approach.

With the amendment suggesting that

the board may recommend to the Minister that one or more judges of a court . . . be appointed as the Panel, and if one or more of the judges are to be appointed, the appointments must be made by the Lieutenant Governor in Council,

it basically undermines, I think, the fairly sincere effort that I saw the minister making earlier to create an independent body, a body that was not influenced by the minister himself or his cabinet. Now we see a bit of a flip, or shall I say a flop because I can't see this side of the House supporting an amendment that takes back some of the control – particularly in such a central figure in the panel, the judge – into the hands of the government.

On the face of it, Mr. Chairman, the first amendment isn't supportable. I have no difficulty with the second. Given that, I want to circulate to the House a subamendment, which I will comment on after it's circulated, a subamendment particularly for this section. With your permission, Mr. Chairman, I'll circulate it and then talk a bit about it.

**The Deputy Chair:** Thank you. A page will retrieve the subamendment and distribute it as quickly as possible. Then we'll get on with the debate on the subamendment.

Hon. members, you have before you a subamendment as moved by the hon. Member for Calgary-Mountain View, and we will call it SA1. I'll call on the Member for Calgary-Mountain View to continue his presentation on the subamendment unless there is somebody who has not yet received a copy. If so, please signal.

It appears everyone has, hon. member, so would you proceed now with the discussion on subamendment SA1?

**8:20**

**Dr. Swann:** Thank you, Mr. Speaker. For the record Bill 24, Health Quality Council of Alberta Act, be amended as follows: in section 1 by striking out clause (e); subsection (b) by striking out sections 17 to 22 inclusive; subsection (c) in section 23 by striking out "or a member of a Panel"; subsection (d) in section 25 by striking out clause (l).

**The Deputy Chair:** Hon. member, I hesitate to interrupt, but what I have before me is A.1, followed by A.2, followed by A.3, followed by A.4. Perhaps you're reading from an earlier version. Would you mind clarifying that, and just reread your motion so that we have it correctly in the record, please?

**Dr. Swann:** Could we pause a moment just to confirm that we have the correct one?

**The Deputy Chair:** Yes, certainly.

The hon. House leader.

**Mr. Hancock:** While we're pausing to reflect on that, I'm wondering how this is a subamendment. It doesn't amend the amendment. It essentially amends three other sections and then strikes out the section being amended as well as five other sections. That's not a subamendment. That's a new amendment.

**The Deputy Chair:** Hon. House leader, what we were just discussing with the table officers is the fact that this subamendment in A.2 recommends that sections 17 to 22 inclusive be struck out, and the original amendment actually is about section 17. So one of those sections is there. The table officers have advised that, therefore, this qualifies as a subamendment.

**Mr. Hancock:** Mr. Chairman, a subamendment is an amendment which amends the amendment. This does not amend the amendment. This serves to strike out the section being amended, which is an entirely different amendment. It goes on to strike out five other sections and amend three other sections entirely unrelated to the sections being amended. The two sections in the amendment are section 17(1) to (3) and section 26. There's nothing inherently wrong with either passing or defeating this amendment and then going back and amending the bill to take out the section entirely.

**The Deputy Chair:** Just a moment. I just require five minutes with our parliamentary advisers here. Give us a moment.

Hon. members, the parliamentary legal advice on this issue is along these lines. If the original government amendment were to pass, then it would be impossible to come back and subamend any part of it. Therefore, this has to be ruled as a subamendment and allowed to proceed. So the chair is going to rule in that regard, and that's how it'll be.

Hon. member, would you like to start over with your clarification?

**Dr. Swann:** Thank you very much, Mr. Chairman. This amendment is designed to eliminate the powers of the Health Quality Council to establish an independent new public inquiry process. It essentially says, as many Albertans have raised, that we have a Public Inquiries Act. It's been working for decades in this province. It may or may not be led by a judge. It can do all the things that we have said that we wanted done under the Public Inquiries Act. The fact that this government, on the one hand, committed to a public inquiry and, on the other hand, decided to pull it out of

the Public Inquiries Act raises a lot of questions about what the motives are, what the ultimate goal is, why the Public Inquiries Act would not be sufficient when it has served the purposes across this province for decades of investigating, putting in camera those issues that are not in the public interest to be heard, establishing the terms of reference.

It smacks again of a government that is on the run, that is trying to do anything possible to avoid a fundamental inquiry into the health system because of the unfortunate facts that may be revealed. It is a desperate, unnecessary, wasteful attempt to subvert democracy, subvert the truth, and hide from Albertans the terrible mismanagement in our health care system, the recriminations and retaliations against health professionals who have tried to point out the mismanagement and the destruction in our health care system and the demoralization of health workers and who have attempted to make the kind of changes that would improve the cost-effectiveness of a system and, indeed, return it to some semblance of accountability.

May I emphasize the word accountability, Mr. Chairman? A public inquiry can call anyone, from the Premier to ministers to chief administrative officers, right down to cleaning staff, anyone in the health care system who has been affected and adversely affected by mismanagement. The Public Inquiries Act enables this. It has proven itself over many decades, and the attempts by this government to pull it out of that traditional, long-standing, respected capacity within government is testament to a desperate government who is looking, through any means, to give the impression of following through on their commitment, a Premier that has said she would call a public inquiry but got cold feet once she looked at the readiness with which the existing Public Inquiries Act could be brought into force.

This amendment, Mr. Chairman, I hope will serve to both cut through the waste of time and energy and money that's going into this establishment of a whole new judicial inquiry and bring us back to the basic question. If there is a problem in the health system, let us investigate it. Let us investigate it with the tools that we have that are time proven. Let us use the Public Inquiries Act and ensure that we get the information out there and we start to solve the problems of nonconfidence, demoralization, and lack of accountability in the system by making this information public.

There is no need to establish a whole new inquiries act in order for us to get to the bottom of this, any more than there would be a need to establish a children's services quality assurance inquiry act or an infrastructure quality inquiry act. It flies in the face of reasonable and responsible use of the public purse.

I'm hoping that we will see support for this and stop this waste of time and money and energy going into a deviation from the norm.

Thanks, Mr. Chairman.

**The Deputy Chair:** Thank you.

I have next on the list Airdrie-Chestermere but only if it's on the subamendment.

**Mr. Anderson:** No, it wasn't on the subamendment.

**The Deputy Chair:** No? You're on the amendment? Okay.

I have, then, Edmonton-Strathcona next. Are you on the subamendment or on amendment A1? Edmonton-Strathcona, you're on the amendment? Okay.

I'll be happy to recognize Calgary-Varsity, then, on subamendment SA1.

**Mr. Chase:** Thank you. I won't hold it against you, Mr. Chair, that I was your third choice tonight.

Speaking on subamendment SA1 to government amendment A1, what subamendment SA1 does is that it doesn't beat about the bush. It basically says that sections 17 through 22 inclusive aren't worth the paper that they were printed on; therefore, let's terminate those particular sections. Now, what the hon. mover of A1, the Minister of Health, suggested by putting forward amendment A1, he recognized that section 17(1) through 17(3) should be struck out. He sort of got halfway to where our subamendment SA1 is going. We're saying: forget trying to fix this unfixable circumstance, and just get rid of it.

**8:30**

Subamendment SA1 takes a very direct approach. It says: forget the Lieutenant Governor in Council making appointment.

(4) A person appointed under subsection (2) shall not include a person who is or was

(a) a member of the board.

That's not sufficient change to make this more acceptable. So subamendment SA1 says that for the sake of efficiency and for the sake of due process for the Alberta public, that has been poorly dealt with by previous health ministers and in a system that has been constantly in flux from 19 health divisions down to seven down to a single superboard – and now, again, we're trying to come up with some way of attaching all of these broken pieces.

Mr. Chair, when the government so very early into the process of introducing Bill 24 introduces an amendment, then you've got to wonder about the government's commitment to the bill. Amendment A1 didn't provide the fix. It had flexible language just as, I suppose, we have a flexible election period.

Subamendment SA1 cuts to my familial surname, Chase, and says: toss it. You can't fix it; therefore, toss it. I appreciate the direct approach that subamendment SA1 takes because it attempts, Mr. Chair, to clarify a process that is so badly damaged as to not be repairable. Jesus was able to raise Lazarus from the dead, but nothing in the way of amendments from the government or from the opposition is going to raise Bill 24. When I talk about raise, I'm using the term r-a-i-s-e. What needs to be done and what amendment SA1 attempts to do is raze, r-a-z-e, the concept of the Health Quality Council of Alberta Act.

Thank you, Mr. Speaker, for this opportunity to speak to SA1. I look forward to other individuals wanting to get to the heart of the problem by not only eliminating subsections but eliminating the act altogether.

**The Deputy Chair:** Thank you.

The hon. Member for Edmonton-Strathcona on subamendment SA1.

**Ms Notley:** Thank you. I'm pleased to be able to rise to speak to subamendment SA1, having had a chance now to look it over and have a clearer understanding of the objectives which are being pursued through this series of amendments.

What is clear to me is going on here, obviously, is that we're simply in a position where the mover, the Member for Calgary-Mountain View, is endeavouring to effectively remove all reference to the so-called public inquiry or the inquiry element of this act. Of course, were that to happen, we would be left simply with the Public Inquiries Act, which, of course, was what was always in place and which is what the Premier originally promised Albertans she would do, which was call a public inquiry under the Public Inquiries Act. So that is the sum total of the many amendments put forward by the Member for Calgary-Mountain View.

Well, why is it that the opposition appears to be so concerned about having the inquiries, particularly inquiries in relation to the functioning of our health care system and, in this specific case,

inquiries in relation to allegations of intimidation within our health care system? Why is it that the opposition is so concerned about having that matter addressed under the Public Inquiries Act rather than having it addressed through this new system that the Premier and her newly minted minister have concocted? Well, that's because the new system that the Premier and her newly minted minister have concocted does not meet the standards that were originally contemplated by everybody, including the Premier herself when she talked about the need for a public inquiry on this important issue.

This concoction is significantly different in some key areas. What are some of those key areas? Well, one of the areas that I'm concerned about is this notion of having the Health Quality Council appoint the panel that would engage in the review. You know, Mr. Chair, I'm a lawyer, and I understand that in certain areas where people become experts and develop an expertise, a fraternity develops. A sense of connections and contacts and linkages develops.

In this particular case what we have is a Health Quality Council which consists, in part, of medical professionals who are clearly connected to the government, in whom the government has a great deal of trust. Let's be clear. That trust doesn't just exist in this province on the basis of who's the most qualified and capable individual. Trust, in this province, for this government, also includes being prepared and committed, no matter what, to cover the butt of this government. That is what this government defines as being qualified to be someone who sits on a board or a commission in any kind of capacity in this province. We see that across the board in countless examples. You know, one interesting example was the report that came through the Ethics Commissioner's office a couple days ago, the most ridiculous twisting of the English language around what constitutes lobbying and what does not in order to ensure that the government is not deemed to have done anything wrong.

Throughout the system this government appoints people that they trust politically. Their qualifications for the job otherwise are secondary, and sometimes, I would say, there are cases where the government actually looks away from qualifications because they wouldn't want the person that they appoint to actually get uppity and maybe start debating with them and saying: "Well, I know we're friends. You know, we're in part of the same party, and we all want to keep each other in power, but really in the interest of best public policy this is probably not the best way to go." The minute people like that start talking, well, the government downgrades the qualifications another level for the people that they appoint to these positions because they want to make sure that these people owe them their job and are not prepared to get uppity. That's the overarching scheme through which this government appoints people.

So now we have a Health Quality Council, and it is this organization of loyal Progressive Conservative health care experts or functionaries who will then appoint the so-called panel. In this particular case we're talking about a panel that's going to investigate allegations of intimidation immediately after the Health Quality Council has itself prepared a report. This is quite silly. This is like a first-level judge being the one who appoints the person that oversees his appeal. I mean, it is one of the strangest arrangements that I think we've ever seen.

The Health Quality Council is going to come up with a lovely little sanitized report about issues of intimidation within our health care system, and then they're going to be the ones responsible for picking more loyal friends and family to engage in a review of their sanitized report. It is truly a recipe for inside deals and continued mutual handwashing. In no way is it a recipe for getting

at having a reasoned, independent, qualified, legally trained person who has a fresh set of ideas, who has no obligation otherwise to come into the system and review it. That's not what this is. This is a strange concoction put together to try and sort of meet the promises or appear to meet the promises that the Premier made while maintaining enough control of the process to ensure no one gets too embarrassed in the process.

So I'm not happy with the idea of the Health Quality Council being the body that appoints the panel. By eliminating the whole section in the bill that suggests that the Health Quality Council would be the source of the public inquiry panel members or that the public inquiry would happen through this bill, we get rid of that problem. That's what the Member for Calgary-Mountain View is attempting to do with this series of subamendments.

**8:40**

Now, there are other problems with respect to this bill and the degree to which anyone could ever suggest that this bill actually amounts to the Premier keeping her promise on the issue of a public inquiry. The Public Inquiries Act, another key element of it, talks about the issue of public disclosure of what occurs inside the hearing process. Of course, as has been discussed already, this piece of legislation is a completely different kettle of fish. This piece of legislation will ensure that it all stays behind closed doors.

You know, it's interesting because in defending that difference between this legislation and the Public Inquiries Act, the minister immediately suggested: well, it's really important to keep people's medical records secret and quiet, and we need to respect privacy. Well, I have to tell you, Mr. Chairman, I've been in this Legislature and, frankly, acting as an advocate for a number of people outside this Legislature for long enough to know that this government has long since learned the skill of using our privacy legislation not as a shield but as a sword. In this particular case the sword is being used to negate any kind of transparency or disclosure.

Interestingly, this legislation does not limit the grounds upon which the panel can scurry behind closed doors, draw the curtains, and make sure everything happens in private to simply those cases that deal with individuals' private medical records. First of all, it's not a case where we have a very limited exception, where one person comes in and says, "I'd like this discussion of my particular medical record to remain private," and on the application of that one person it remains behind closed doors. Oh no, no. The panel itself, the panel appointed by those friends of the Tories that I talked about earlier, gets to decide: well, maybe someone out there may find that this information is a bit too private, so we're going to go in camera.

It doesn't matter if that person's saying: "No, no. You know what? It's fine. Go crazy. The system has already really not worked for me. At this point I've lost all dignity, and I just want justice, so if my information has to get out there, that's fine." It doesn't matter. The panel still has the authority to say: "No. We're worried about you, so we're going to close the curtains. We're going to make sure that this stays quiet." In addition, what the panel has the ability to do is say: "There is a possibility that this could undermine the public interest, so we're going to go dark. We're going to go behind the curtains. We're going to close the curtains. We're going to close the doors behind that. We're going to throw on the padlock. We're going to tell the press to stay 20 metres away from the front door and not come close because we don't want any of this to be publicly discussed."

Now, interestingly, under the Public Inquiries Act when that kind of decision is made, the minister has to specifically certify



the particular issue which they believe needs to be kept private, and they do that. Then the public inquiry panel, when they do their report, will report on that piece that the minister specifically engaged in, demanding that it be quiet. So the minister is held responsible for specific exceptions from public disclosure of issues that would be discussed through the public inquiries process.

That's to be distinguished from this little concoction that we have here in this bill that the government is putting forward because in this bill, just to review, we have the minister who appoints their pals to the Health Quality Council, and the Health Quality Council appoints their pals to review their decisions, and then that panel of second-rate pals decides on the basis of a whole number of things whether or not they should go dark in terms of their inquiry. So we've got two layers of: we don't have to take political responsibility for this. But, just to be clear, you will.

Those folks have a long list of reasons why they can go private. Frankly, the list of reasons why they can go private is so long, I mean, it might have been a shorter list if they just outlined the circumstances under which they might still remain in the public eye. I think you would have saved paper that way if you'd just listed the very rare circumstances under which the public might still get access to this process. But you didn't. You listed a whole bunch of things in section 19, and all of them are very vague.

Then the icing on the cake, of course, is that when this panel of appointed friends and insiders appointed by other friends and insiders comes up with their reason for why to take their whole inquiry behind closed doors to ensure that the public gets no access, none of it is appealable to a judge or to a court. We've written a prohibitive clause to ensure that the courts will never get a review over this ridiculous decision that the friends of the friends of the friends of the insiders made on the basis of these very broadly written exceptions to transparency.

Again, it really, truly is an act that was constructed in order to ensure that the Premier is not compelled to actually keep her promise to Albertans, which is to ensure that there is a full, public inquiry within the meaning of the words that Albertans have come to understand based on their experience with the Public Inquiries Act as it currently exists. Instead, we have a potpourri of these other things which have a whole new set of rules which ensures that we don't get to the story the way Albertans thought they would when the Premier made her promise, which she is now not keeping.

The Public Inquiries Act also sets out that under their process, people who are affected by the issue have a positive right to testify. That's not as clear in this piece of legislation. So for people who really want to go before it, it's not clear that they get to go before it. That, too, is another concern about a significant difference between what we've created through this piece of legislation and what would be the governing sets of rules had the Premier decided to keep her promise around this issue.

This series of subamendments essentially serves to take this whole piece out of the act. What we are left with, then, is a clear set of roles and responsibilities for the Health Quality Council, which may well have some value in and of themselves. We're not saying that the Health Quality Council doesn't have something to do to keep themselves busy. There's lots of room for systemic considerations and all that kind of stuff. But clearly the Health Quality Council is not the forum through which this particular inquiry, an inquiry that generated this piece of legislation in the first place, should occur.

Previous members talked about the recent letter from the president of the AMA, and it's clear that the AMA themselves do not believe that the inquiry into physician intimidation ought to

occur through the Health Quality Council process, which is laid out in this piece of legislation. When you consider that the very set of circumstances that drove the creation of this forum, this mechanism for a so-called transparent review is itself being questioned by the very people who are at the heart of the concerns that were raised, one then also questions whether there's really sound thought and sound analysis that went into the creation of this particular forum and structure. Again, it's really not clear to me why it is that the public inquiries process would not work. It's not clear to the advocates with the AMA why the public inquiries process would not work.

I totally get it. I mean, we're talking about issues of physician intimidation. So you're talking about taking this well-connected, Tory-friendly group of people on the Health Quality Council who are all hanging out with all the other folks who over time have been, perhaps, connected to the allegations of folks that are high up in this ministry and in this department of health, and we're taking those people and having them investigate themselves and their friends.

8:50

It makes perfect sense that what people within the health care profession would really want is a completely fresh set of eyes, fresh eyes with fresh experience who can come in and apply what would be considered the reasonable person's view of the matter to the way things have been conducted within our health care system. Having a bunch of people who are up to their elbows in all these dysfunctional practices be the ones who are participating in the review isn't going to provide any sense of comfort amongst and within those who have requested the review and who've gone out on a limb in order to get us as close to this review as we have gotten so far. That's another good reason to have a different process. Instead of having a bunch of old boys review the actions of another bunch of old boys, what we really ought to be doing is providing a clean, fresh set of eyes.

That's what the foundation is behind the notion of having public inquiries. When you look at what drove the notion of creating public inquiries, it was that very idea of pulling away from all the people who were involved in the process originally and getting a fresh set of reasoned, intelligent eyes to look at it on behalf of the reasonable citizen instead of having those who are deeply enmeshed in it review the actions of others who are deeply enmeshed in it. There's nothing wrong with, say, getting a certain bit of advice periodically on what industry practice is and what's reasonable and what's not, but those people should not be driving the process. The way this is constructed right now, that's exactly who's driving the process.

It is an idea and a structure which, from a public policy point of view, is separate and apart from all the different escape hatches which exist within this legislation to keep the government safe from public scrutiny for their actions over the last many, many years, separate and apart from all that, even from within. In this particular case I think there are good public policy arguments for not having the inquiry structured this way. That's what the subamendments would achieve, were they to be passed, that we would not move forward with this particular structure.

With that, I think I've made my point for a while. I will now sit down and let other speakers have the floor.

Thank you.

**The Deputy Chair:** Thank you.

Any other speakers? The hon. Member from Edmonton-Centre on subamendment SA1, and then Airdrie-Chestermere after that.

**Ms Blakeman:** Okay. Thanks very much, Mr. Chair. I'm pleased to be able to speak in favour of subamendment SA1, which is amending the government amendment 1, which is amendment A1. Just let me put this in context again. We had the Premier, when running for the leadership, promise that there would be a public inquiry around the oft-raised issue of intimidation of doctors when they tried to advocate for their patients. So that's the setting. That issue goes back almost a decade and seems to have really reached a fever pitch sometime sort of between 2005 and 2010. In some cases we had exceptional doctors leave the province, purportedly because of this.

There was an issue there. People wanted it investigated. They wanted it done in a way that was transparent. The public inquiries process, which is available under the Public Inquiries Act, was referred to often, and the Premier, then a leadership candidate, had confirmed that that's what she was interested in and would put in place when she became Premier, which she did. Then that didn't happen, and this is where members of the opposition, members of the media, and members of the public go: well, why not? Because if that's what everybody thought was such a great idea in the first place, why isn't it a great idea anymore? And that explanation has never been forthcoming.

Second to that, I would argue that in Alberta there have been a number of – how do I put this?

**Mr. Chase:** Incestuous relationships?

**Ms Blakeman:** Well, no. I was going to say fast deals, sleights of hand that have gone on with the government, where they say one thing and give you another.

People are deeply suspicious. They don't take what the government says at face value anymore. They always look for what's behind it. Some people look for a variety of conspiracy theories behind it. This is not behaviour that was generated by the people or the media or the members of the opposition. In fact, the behaviour was generated by the choices that have been made by the government.

It was supposed to be a public inquiry; it wasn't a public inquiry. Now we have the government saying that it's going to be the Health Quality Council who will appoint another inquiry body in order to carry on this independent inquiry. Well, you can see why you've got people talking about incestuous relationships, with the government choosing a certain group of people who then choose another group of people. It does all start to either ravel together or unravel, however you wish to regard this. There's just a lack of trust here, I think, that is what ultimately is happening here.

I think that the Member for Edmonton-Strathcona did a very good job talking about the appointees to the panel and who might be appointing them. I think for the most part she's right although I will stand up and say: not always. I don't want anyone to leave this feeling that all government appointments are somehow suspect or tainted or not qualified.

I had the pleasure of working with the Advisory Council on Women's Issues. It was definitely appointed by this government or a previous incarnation of the government. Yes, every single member on there was a card-carrying Conservative Party member except for one, which was a complete accident and so funny. You wouldn't believe it. She was actually a card-carrying New Democrat, but because her family were all card-carrying Conservatives, they just assumed that the daughter would be as well. She wasn't; she was ND. We all laughed about that the whole time she was appointed to the council. See, I'm getting laughter from behind me. So it doesn't always work.

I have to say that some of these women fit the description that the Member for Edmonton-Strathcona gave, but a number of them didn't. They worked very hard. They were very diligent. Where the politics came into play – everyone agreed on the agenda that needed to be achieved. Where the disagreement came was how to achieve it, how to get there, how they were going to change something, not the fact of what needed to be changed. So I just want to say that not everyone that's appointed by government is somehow not a great person. I think sometimes they are.

Certainly, the government does want to stack the deck. If you follow the appointees, you see people get sort of recycled over and over and over and over and over again. They're serving on all these different committees, and then they get passed on to another one and then another one. You do start to realize that there is a sort of pool of – I don't know? – maybe a hundred people that get appointed to every single committee one way or another that's in this province.

My concern and why I'm in favour of this subamendment is because in striking out sections 17 to 22, which I know the Government House Leader is not in favour of – 17 is the authority to establish a hearing, 18 is the hearing section, 19 is considerations re an in camera hearing, 20 is disclosure of evidence from an in camera hearing, 21 is witnesses, and 22 is the report to the Legislative Assembly – in wiping all of that out, you are wiping out the establishment of this committee that's done by the Health Quality Council. In other words, you'd be going back to a public inquiry set-up.

Where I am particularly keen on the amendment are the sections around in camera hearings. I will say that this government is so fast to go into in camera hearings. I can't believe it. It's always done with the excuse that, well, this is somebody's job or this is somebody's pay scale or this is private in some way, shape, or form.

9:00

What I started to do in the policy field standing committees was to insist that everything would be posted online. If someone approached us and said, "Well, I'll give you this information, but you can't make it public," then we simply didn't accept it, and it would not be part of our considerations. I wanted anybody to come along after the fact or during the fact and look at what we were looking at and know how we made our decision and know that they were looking at the same information that we were. They could listen to the audio of how people presented and what they said in the public presentations. They could read any written presentations online, so they had access to exactly the same information that we did, and it should be clear why we made our decisions.

Where you get into trouble with stuff like this is having: oh, well, we were in camera. Well, now we don't know what was discussed. Further, I can tell you, from having sat on a number of these committees, that the committee itself starts to fight because there's no record made of what you do in camera. Then somebody says, "But you agreed to this." "No, I didn't. Where is that written down?" It's true, but it's not written down anywhere.

I've seen it. The committee members actually start to fight with one another because nobody can remember who was responsible for what or who had the idea first or who disagreed with it the most or whatever is the argument of the day. So what I have found with the standing policy committees is that, in fact, if you say to people, "Everything we're doing here will be public," people understand that. They will come to you with their medical stories and say, "I understand that," and go and put it up there.

What I find most often with stories that have become known in here by code names or whatever is that those individuals or their families want their medical story told. They want to make sure it never happens to anyone else again. The Lundys, where Rose Lundy had a miscarriage in an emergency ward in Calgary; the family with the boy who died of meningitis: all of those are families would happily be involved in a public inquiry because they want the information public.

So clauses 19 and 20 and 22, which we're proposing to take out through this subamendment, all deal with sections that I think people would prefer were not there. They want that information public. They want everybody to understand what happened. They want them to be able to look at it and see how decisions were made.

Thank you for the opportunity to talk in favour of subamendment SA1. I urge everyone to vote in favour of this subamendment.

**The Deputy Chair:** Thank you, hon. member.

The Member for Airdrie-Chestermere on subamendment SA1.

**Mr. Anderson:** Thank you, Mr. Chair. I'm sure our guests in the gallery must be just riveted, nailed to their seats just at the entertainment and the incredible depth of the debate and the subamendments and the amendments and everything else. This is great practice for them for their soon-to-be jobs.

**Mr. Chase:** Do you want to reconsider now?

**Mr. Anderson:** That's right. This might be a way to dissuade them from running, just being here tonight.

I'm grateful for the opportunity to stand up to debate amendment A1. As has been stated previous to this by other members of this Assembly, the gist of this amendment is essentially to get rid of anything under this legislation related to a public inquiry. I'm assuming that – and from the remarks it's clear – the meaning is that the public inquiry should be called using the Public Inquiries Act, that is already on the books, is already a piece of legislation that's just sitting there waiting to be used by any transparent and thoughtful government, which we do not have. So here we are in this conundrum.

I do get amazed at the doublespeak, though.

**The Deputy Chair:** We're on subamendment SA1.

**Mr. Anderson:** Yes. Okay. Subamendment SA1. You're right. We're discussing whether there's really relevancy at all to having a public inquiry allowed for under this bill or this special power. It's kind of a quasi-power to call an independent inquiry. I would say that it's clear to me that this subamendment is probably right on the money.

There is no doubt – the record is clear – that the new Premier repeatedly promised during her leadership race for the PC Party that she was going to call an independent, open public inquiry led by a judge, a judge-led inquiry, and that that inquiry would be conducted prior to the next election. She made this promise over and over again starting on June 8. It's right in the top of the *Calgary Herald*: "Redford calls for judicial . . . inquiry." You'll remember that that was – I won't bring the chair into this – a big deal at the time because she was essentially breaking ranks with her party and with the health minister at the time and with the Premier at the time.

She said: we need a public inquiry. She was very clear about it. When she called for it, she said that it's about what has happened in the system, to ensure that we get to the bottom of this and that if there has been any of this – meaning intimidation, queue-jumping, and all of this different stuff – that we all are completely open

about it, very open about it. She said: "I know that it's not something that Albertans are going to accept and nor should they. That's why we need to have this inquiry." June 8, 2011. That's five months ago. That's what she said then.

The *Edmonton Journal* the next day says that – and I can't mention the names – the former Premier and the current Premier, before she was the current Premier, "clash over probe. No need for medical waiting list public inquiry yet," says Premier. And what did she say? Basically the same thing, that it's getting to the point now that the only way people are going to have confidence in the health care system is to have some independent inquiry take a look at this, that she has no idea whether those suggestions are true, but it's important that we find out. So here she is talking about the need for a full judicial public inquiry. This is June 8, 2011, as well. She's promised the public inquiry.

There's more. On October 5 it talks about the current Finance minister resisting the call for a judicial public inquiry. October 26: that's a magic date because that's after October 2, which is when she was elected PC Premier, so all of a sudden these promises turn. Instead, the Premier alters the health inquiry: "opposition charges probe has been watered down."

Then the next day, October 27, she's urged to honour the health care inquiry, but doctors group is feeling "a little bit betrayed," says the doctors group.

October 29 – and this is after the nomination – the Premier says that the judge is going to lead the public inquiry. Stephen Carter, her chief of staff, says: "Any inquiry that is led by a judge and has the ability to compel evidence is a judicial inquiry. That's what we're going to have." So an inquiry that is led by a judge and has the ability to compel evidence is a judicial inquiry. That's what we're going to have, says the Premier's number one right-hand man. Left-hand man is probably more fitting.

October 30: health inquiry. "Premier repeats promise of judicial probe into medical system." It goes on.

**9:10**

Then we start to see the changes. She promises all these things, and then she brings this little beauty, Bill 24, and all of a sudden everything is changed, all those promises that she made during the leadership and after the leadership for a full judicial public inquiry before the next election because we've got to restore confidence in the system. I'm open and transparent, and you can vote for me: all those great promises. Promises are fun to make. [interjection] That's right. Promises are fun to make.

And she won. She won by 1,600 votes out of 70,000 cast, a very, very thin margin. This promise was a huge part of that leadership victory. There's no doubt about it. It was a huge part of that, maybe the most important promise that she made. There were a couple that were important, but that one was right up there. It kind of differentiated her from the pack, so to speak. How many health care workers, 30,000? I wonder how many of those folks voted for this Premier because of that promise. Well, I guess we'll find out.

So that was the promise that was made, and then we get this piece of legislation. What does it say? It talks about a public inquiry, but there are all sorts of caveats on it. The caveat on it is that it is optional whether this will be a judge-led inquiry. In fact, the government's amendment, for which this subamendment has been brought, specifically muddies the water further. If they haven't muddled it enough, they muddy it yet again.

It used to say,

If in the opinion of the board,  
meaning the Health Quality Council,

it is desirable that a judge of a court in Alberta be appointed to the Panel,  
 so if the quality council wants a judge,  
 the Minister of Justice . . . shall consult with the Chief Judge or Chief Justice of that court regarding the appointment, and any appointment by the board of a judge of that court is subject to the agreement of the Chief Judge . . .

What that is saying, basically, is that if the council wants a judge, the council is going to get a judge as long as it's agreed to by the Chief Judge or Chief Justice of that court. Okay? I'm assuming that's because of scheduling and all kinds of different reasons. The point is that the ball is in the justice's court, and they're not going to say no if the Health Quality Council comes and says: we want to under this act appoint a health system inquiry. That's what it says here now.

Then this amendment. That's bad enough because it's kind of: if in the opinion of the board. It's very murky. Maybe the board thinks they need a public inquiry; maybe they don't. Maybe it should be judge led; maybe it shouldn't. Okay.

Then they bring it, and they make it even murkier. The board may now "recommend" not: if the board decides. No. The board may now recommend – and it's just a recommendation – to the minister that one or more judges of a court in Alberta be appointed as the panel, and if one or more judges are to be appointed, the appointments must be made by the Lieutenant Governor in Council. So they're not even made by the Chief Justice; they're made by the Lieutenant Governor in Council. Okay.

All of a sudden this has become more optional. So we have a health inquiry. It is now completely optional at all to be called depending on what the Health Quality Council says. They can say, "Ah, we don't want it" or "We want it" or whatever. So that's optional. It's completely optional whether it's judge led. It's completely optional whether – and we'll get to that in some other future amendments here because we've got a couple of them. It's optional whether it is completely open to the media, whether it's completely public, and what parts can be put back behind closed doors. There are some obvious protections in here, I think, for ministers and people that they don't want publicly testifying about things of this nature. We'll get to those in other sections.

It's now optionally open, optional to the media, optional to be judge led, optional to be called at all, and there is absolutely no guarantee whatsoever – in fact, it is almost impossible because of the delay tactics of this government – that this will even be called before the next election, let alone conducted or, as the Premier said in her promise to Albertans, that it would be well under way, unquote, before the next election. That is what she said, and it was very, very misleading. That's the parliamentary way of saying it. I know there's a bunch of different words to describe what it was. Misleading.

**Ms Notley:** Not cool.

**Mr. Anderson:** Not true.

**Ms Notley:** Just not cool.

**Mr. Anderson:** Not cool. Shameful.

**Mrs. Forsyth:** Disgusting.

**Mr. Anderson:** Disgusting. There are all kinds of different ways we can call it other than the obvious word. But that's what it was.

Now we sit here, and we're going to debate this bill. Eventually, it will be rammed through by this government, and they will

optionally be in a position where they can clearly wait till after the next election. They will call some sort of silly – who knows what it will look like? Who knows who will and who won't be allowed to testify and whether it'll be open and public or whether it won't? But they'll call something just to say that they did it, and it'll probably be next to useless. At the end of the day there will be no justice for those health workers that have been scared out of the province by AHS officials and by officials of this government. And that is sad, very sad.

So here we are debating whether we should have a public health inquiry at all in this bill. I would tend to agree with regard to this amendment. I would say that the hon. Member for Calgary-Mountain View – and I think most people in this House should have a lot of respect for this gentleman and what he's brought to this Legislature and his expertise as a doctor – knows first-hand what it is like to be intimidated by government officials. He knows very much first-hand. So does the member that sits next to him, the opposition leader. It's tempting to go into that one, but I know that's raw with certain people, so in the interest of speeding it up I will not go there so that I don't get a thousand points of order called on me. That's usually what happens. Needless to say, this Official Opposition leader has been clearly intimidated, I would say, by certain individuals.

I know that in our own caucus our Justice critic, the Member for Calgary-Fish Creek, and myself and all of the members of this caucus have been approached by dozens, literally dozens, of doctors, not to mention nurses and other health care workers, who have reported incredible accounts of physician intimidation, mostly by those in AHS but often by those in the government. Yes, often by those in the government: let us just say that. They are scared to come forward.

The reason they're scared to come forward is because the government has a monopoly on the health care system, obviously, and they can't go anywhere else in Alberta, especially now that we have a centralized superboard and we don't have a variety of different health regions, where you could go to a different health region. Although, you know, the fingers, the tentacles were long even in the previous system, at least you could go to a different health region if you had a falling out in one. Well, you can't do that anymore. You're underneath the same massive, centralized bureaucracy of Alberta health, reporting to the minister of health.

There is nowhere to go but out of the province, so what do we do? We lose fantastic doctors like Dr. Magliocco. We lose them to places in the United States, as they take the expertise that they used in Canada and developed in Canada and developed in Alberta and made a great system for testing cancer patients. Now that expertise is being lost. Patients are going to suffer and possibly pass on prematurely because of that stupidity. That's the problem.

Dr. Magliocco is just one. I mean, there are literally dozens. Obviously, Dr. Maybaum, who had the unfortunate – Dr. Maybaum was interesting because of the letter he got. There are people in the government, said his superior, that if you continue to speak out about this children's hospital for children with disabilities, if you keep on speaking out about that delay, there are people in the government that want, quote, your head on a platter. Now, how are you supposed to function as a physician and advocate for your patients when you know that there is someone high up in the government who wants your, quote, head on a platter? Think about that. What kind of place do we live in that that is permitted to occur?

To the Premier's credit she said at the time that that's unacceptable. She called for the public health inquiry at the time.

9:20

**Ms Notley:** She never expected to win. Come on.

**Mr. Anderson:** That's right. Maybe she didn't expect to win. She didn't think she'd actually have to fulfill the promise, but here we go. She delayed it, and she has clearly broken her promise to Albertans and to any health care workers that voted for her and just to Albertans in general, even if they didn't vote for her. It's just a disgusting broken promise is what it is, and it really is shameful.

There's that old saying: fool me once, shame on you; fool me twice, shame on me. I just have to believe that Albertans are nobody's fools and that they are going to see this for what it is and that they are going to at some point say: "You know what? We are sick and tired of being deceived. We are sick of it. We're sick and tired of the broken promises, being told one thing on the public health inquiry, on the fixed election dates, on Bill 50 and the transmission lines through Strathcona county and other places." They're just going to say: "You know what? We're just sick of being lied to." At that point I think that the people of Alberta are going to say: "You know what? Whether we're left leaning or right leaning or centrist leaning or whatever leaning we are, we're going to find a different group of individuals to lead us."

Who knows what that will look like? But I cannot believe that Albertans, when all the facts are laid before them, are going to look at it and say: "Yeah. You know what? These folks deserve another chance." Albertans are not fools, and they will make changes when they feel that they're being deceived. That's our hope here in this province, I think, right now, and we'll have to see how it goes. The tentacles are all over the place, the PC tentacles, but those tentacles don't extend into the ballot booth.

**An Hon. Member:** Oh, sure they do.

**Mr. Anderson:** Maybe they do. I don't think they do yet. I will differ with you there. I think that in the privacy of the ballot booth, where no one can see them or intimidate them and it's just them and a pencil and a little piece of paper, they'll put an X by the individual or parties or what have you that have not intimidated them, have not disrespected them by deceiving them and so forth. I sure hope that they do.

I will be supporting this subamendment, Mr. Chair.

**The Deputy Chair:** Thank you.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that we now adjourn debate.

[Motion to adjourn debate carried]

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I'd move that the committee now rise and report Bill 23 and report progress on Bill 21 and Bill 24 and beg leave to sit again.

**The Deputy Chair:** Thank you, hon. member.

[Motion carried]

[Mr. Zwozdesky in the chair]

**Mr. Johnston:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 23. The committee reports progress on the following: bills 21 and 24. I wish to table copies of all amendments

considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report? Those who do, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** Those who do not, please say no. The report has been concurred with. Thank you.

## Government Bills and Orders

### Second Reading

#### Bill 27

### Appropriation (Supplementary Supply) Act, 2011 (No. 2)

[Adjourned debate November 29: Mr. Liepert]

**The Acting Speaker:** The hon. Deputy Premier.

**Mr. Horner:** I'm good.

**The Acting Speaker:** Are there any other speakers to this? The hon. Member for Calgary-Varsity.

**Mr. Chase:** I don't know if there's a pattern developing here, Mr. Speaker. Again I'm your third choice. Whether I'm first or third I will gladly speak to supplementary supply.

Mr. Speaker, one of the concerns I have is about how supplementary supply is arrived at. I fully appreciate that supplementary supply is there to supplement what hasn't been sufficient supply before. I have no problem at all in providing support for the residents of Slave Lake or individuals affected by the flooding of the previous spring, individuals down in Medicine Hat or Irvine. I fully understand the need to, in one case, when they were flooded, bail them out and in the case of the fires in Slave Lake to re-establish the infrastructure that was unfortunately destroyed through a fire that appears now to have been deliberately set.

Where I do have trouble, Mr. Speaker, with regard to supplementary supply, is how the various budgetary amounts are arrived at. There's been a tremendous amount of debate in this House as to what our debt, or deficit, was going to look like. The previous President of the Treasury Board – in springtime possibly he was smelling too many blossoms – suggested that our debt would be down to \$1.3 billion. Then we have a leadership campaign, a new Premier is selected as opposed to elected, and it seems that his \$1.3 billion estimate no longer held up to scrutiny, and we're back to a \$3.1 billion or \$3.4 billion deficit. If that same discrepancy and reasoning of 2 point some billion dollars is applied to the main budget and the budget estimates, what faith can we have in the supplementary supply budget?

As I say, when it comes to damage done such as the fire in Slave Lake or fires throughout the province, we know what the bill is, and obviously taxpayers, in terms of fairness, would want to see the individuals compensated for their losses. But where we get into problems, Mr. Speaker, is the guesstimating that goes forward, how much money we will need to tide us over until the spring, when at such time we may have a budget tabled in this House or we might strictly go to an election. It's very hard to tell because originally we weren't going to have a fall session, and now we're having a fall session, a two-day followed by a two-week session. When the government predicts what budget

requirements may be, it's very hard to have faith in that predictive process.

9:30

Mr. Speaker, I appreciate the fact that within supplementary supply there will be a guarantee that our constituency offices, for example, will continue to function, that the supportive members of the Legislative Assembly offices will continue to receive their paycheques, and that the civil servants, who work so diligently and who have been so decimated to such a large extent in the paying down of the debt, will continue not only to receive their salaries but, as was approved in Members' Services, the increases which they haven't seen since 2008. Supplementary supply will make sure that those paycheques continue to be sent out and that those deserving individuals are compensated for their hard work, which is much appreciated.

Mr. Speaker, I understand that so much of our budget, approximately a third of it, is determined externally because of our dependency on nonrenewable resource revenue, where prices are set outside of our domain. With the about-to-occur environmental conference in Durban our credibility both as a province and as a country is very much in question. I am concerned that our reliance on foreign investment can potentially be undermined by our failure to follow through with environmental commitments.

**Ms Blakeman:** I think it was the Liberals.

**Mr. Chase:** Yes, it was a Liberal government that committed to the Kyoto protocol, but it appears that our Minister Kent is going to backpedal as fast as he possibly can from that earlier commitment, so Alberta and our hon. Minister of Environment and Water will unfortunately be the recipient and the target of another set of fossil of the day awards.

Mr. Speaker, part of our credibility or lack thereof is our ability to set budgets and stick to them with the exception, as I say, of emergent circumstances. This supplementary supply is just another example of our government not being able to come up with a figure that is within reason and, therefore, having to go back to our taxpayer bank and ask for another bailout.

Mr. Speaker, it concerns me that the government continues to put us further into debt, whether it's borrowing money conveniently internally from the Alberta Treasury Branches or whichever institution is still willing to lend us money. We've heard concerns about the management of our wealth. A number of members in this House have brought forward their concerns that we're not saving. Peter Lougheed's notion of a heritage trust fund and putting small amounts aside as an insurance policy: that's been a dismal failure. That's part of the ongoing fiscal calculation that this government applies to supplemental supply and in this case under Bill 27's auspices.

Mr. Speaker, while the outcome of the supplementary supply vote is preordained based on the majority government, the process is flawed. I am hoping that at some point in, hopefully, the near future we'll come up with a more accurate process. When we take into account whether it's the main budget or a supplementary supply, hopefully we'll come up with more stable forms of revenue generation.

My personal preference, as opposed to a sales tax, Mr. Speaker, would be the notion that all other provinces have accepted, and that's reverting back to a progressive tax, where the expectation is not placed solely on the middle class to bail out the government but that the people who make the greatest amount of money are then required to pay their fair share.

[The Deputy Speaker in the chair]

Thank you, Mr. Speaker, for this opportunity to speak on supplementary supply, Bill 27. I look forward to our new speaker, who has been handed the torch from not failing hands he threw. I'm sure he is glad to at least have a break. The hon. Member for Calgary-Fort at 20 minutes to 10 has taken over the whistle, put on the black-and-white shirt, and I look forward to his rulings as the evening progresses and the morning dawns.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Any other hon. member wishing to speak? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. It's a pleasure to be able to rise to speak to Bill 27, the Appropriation (Supplementary Supply) Act (No. 2), wherein the government is coming to this Assembly seeking additional funds to pay for items that were not addressed or predicted in the spring, when we had our budget discussions at that time. There are a number of items that are being considered within this piece of legislation.

I want to start by laying out the position of the NDP caucus, which is that while I have no doubt there are a number of areas of government expenditure that warrant some critical review given the propensity of this government to hand out money to people, organizations, businesses that might otherwise be quite successful on their own volition, generally speaking, in this province I think we do have a problem with revenue, and we are going to continue to have unpredictable budgeting processes as long as we continue to attempt to rely solely or to too large an extent on oil and gas revenues and at the same time refuse to engage in a more long-term and sustainable revenue generation plan.

That's in two respects. I mean, I think that we actually have to look at issues around fair taxation. It might be time to look at whether having a flat tax in Alberta, that arguably costs us anywhere from \$4 billion to \$11 billion a year, is something that actually helps Albertans. Certainly, it helps very, very, very wealthy Albertans, but the majority of Albertans, I would suggest, it does not help, and since so many of them are paying out of pocket for other expenditures that the government is not making, I would suggest that globally it's not in the best interests of most Albertans.

As well, although we need to find a way to develop a more regulated way of managing the oil and gas revenues that come into this province, we also need to develop a way to collect a greater share of the revenues that are owed to us as owners of the resources. We simply have capitulated to a very effective lobby from the oil and gas industry over the last few years, and we've made decisions which have not been in the best interests of public policy and Albertans in this province.

9:40

Having said that, we're here today because the government has come to us looking for more money, and I raise those issues because it's not entirely disconnected. One of the areas where the government is seeking more funding is in the area of education. This year is the second year in a row, Mr. Speaker, where the government started out by trying to yank funds from our education system. They get all nervous because they're not able to make the budget balance, so they start looking at places to cut. Because they're very sensitive on issues of health care and because the previous Premier made a three-year funding commitment, they look to their next item, which is education.

Twice in a row they've gone to the education pot to try and find money there, and twice in a row they've changed their mind into the budget year. Now, when they do that, Mr. Speaker, they create

an absolutely unnecessary and unforgiveable level of chaos within our school system, chaos that is felt day in, day out by teachers, by kids, by parents. It's a real thing. You would think that after this many years in government, with something as important as education, where everybody says, "Oh, yeah, we all think education is so important," they would take more responsibility and deliver, with a greater sense of the public trust, on their obligation to create a first-class education system. Instead, what we have is that it's the first place they go. They've tried two years in a row to cut from that system of education, and I'm not convinced that we're not going to see that happen again.

This year the cut lasted longer. Instead of the cut being fixed in the middle of July so that we were only dealing – you know, actually, two years ago the cut was in the middle of July. They finally came around and decided to undo the cut in the middle of July, so we had an adequate amount of teachers. I won't say adequate but a similar number of teachers in our schools that we'd had in June, when school was finished. Now we had different teachers. They created huge chaos. Principals and administrators were back in the schools in the middle of the summer – they were probably already there, but they were working extra hours in the middle of the summer – trying to deal with the fact that they could rehire the people that they'd let go because of this government's incompetent, incompetent management of the education file.

That was 2010. Now we fast-forward to 2011, and they are correcting their incompetence and their desire to go after extra dollars in education. That decision wasn't made until October, so in fact we haven't undone the damage. In some schools we've undone the damage; in some schools we haven't. Every school suffered from the lack of that funding for the first two months of the school year. Then it changed in some schools, but in other schools it hasn't because they haven't been able to adjust quickly enough to make those changes. They haven't been able to find the staff in smaller communities. Those teachers moved out of the communities, so it takes longer to rehire the teachers that were fired as a result of this government's decisions.

That level of incompetence drove deeper this time, and it stuck more. We see it in a more real way in our schools. Certainly, I have two children in the education system, and I can tell you that I saw it in a way that, without question, compromised the quality of education of children that I saw day in and day out. There's no question that the government's decision to do that with that money resulted in that. I find it really frustrating that we have the supplementary supply, where the government once again a little bit farther down the road decides to undo the damage that they've done in education. They, frankly, should be quite ashamed of themselves for this level of incompetence.

Now, the fact of the matter, though, just to be clear, is that the government or the new Premier is trying to take a lot of credit for putting that money back in this time. I think it's really important for people to remember that the system as it is, even with that money returned, is not what it should be. Eight or nine years ago the Learning Commission made significant recommendations around class sizes. The government has not met those recommendations around class sizes. Class sizes are too big. They've never met the independent recommendations of the Learning Commission. For three and a half years now they have frozen funding for special-needs children, which means in the face of inflation that they're actually cutting funding for special-needs children. That affects the most vulnerable kids in our schools, and it affects all the kids in our schools. So these are things that they very intentionally do and continue to do, which are not actually fixed by the supplementary supply, and again they need to take responsibility for that.

They are looking for \$317,000 for the reinstatement of operating support to accredited private schools. Well, the Member for Calgary-Buffalo raised some very good points in question period not only today but over the course of the last few days around this government's dogged determination to subsidize the wealthy in this province, which absolutely is unacceptable to me. The minister keeps saying: we've got to pay 70 per cent of our taxpayers' dollars to facilitate what he refers to as choice. What I say is that if someone chooses to use their relative economic superiority or whatever, their relative economic wealth to buy better education for their kids than what other kids have, well, that's fine, but I don't want to subsidize it. You know why, Mr. Speaker? Because one of the fundamental components of a public education system is equality and equity. The minute we start funding mechanisms to allow people to buy their kids out of equality is the minute that the whole system starts to go down the tubes. That's why it's wrong.

Now, I've had people sometimes come to me and say: I have to put my kids into private schools because they are special-needs kids and they're not getting the support that they need in the public system. I have sympathy for those people, and I have sympathy for parents who just want the best for their kids at that moment, at that time, and they see that the public system is not able, because it's not adequately funded, to give the support that their child with a learning disability or some kind of special needs requires. So those parents choose to go to private schools. That is the kind of thing that will just happen more and more the more that we fund private schools. That 70 per cent that we are putting into those private schools ought to be reallocated to ensure that we can provide the services needed by those children and those families in our public system. To be clear, in our public system one of the tenets of public education is this notion of equal opportunity and equal quality of education.

The passionate defence of this government of certain parents to buy their way out of equality is just not something that I think our taxpayers' dollars should be supporting, certainly, within the context of us knowing that our current education system is failing so significantly so many children who are not able to buy their way out of the public system, whether that be children who struggle with not having English as their first language, an area that is a growing challenge but that we are not addressing properly within our urban centres, whether we're talking about children with special needs, or whether we're talking about other specific interests that kids have. We need to be able to address those concerns within our public system. Allowing people to buy their way out of it is like partially funding somebody who is queue-jumping looking for tests for certain diseases. That's not something that is part of the principles that underlie our system of public education.

Now, another thing that we're looking for in terms of supplementary money is \$94.3 million for faster than previously anticipated P3 construction. Now, I'm sure it's no surprise to this Assembly that the NDP caucus is opposed to P3s as a mechanism of capital investment. It is a short-term answer, and in the long term it costs more. It's yet another example of this government deferring a difficult financial obligation down the road to generations that, I guess, they won't be accountable to, you know, 25, 30 years from now. It's like buy now, pay later; that's basically what the P3 is. Not only is it economically unwise if viewed over the term of the contract of the P3, but it's also not particularly effective most immediately.

9:50

I have been advised, as I'm sure many others have, about an example of one particular P3 school in Edmonton where, as

predicted, problems surfaced with the maintenance provided by the private partner in that lovely little P3 relationship. So what happens is that the private partner is the one that's responsible for acting on the maintenance obligations. For every replacement or maintenance procedure that they do, they end up having to report back through the private operator's office in Calgary. Replacement parts have to be ordered through the private operator's office in Calgary, and the whole process is slowed down.

We've heard a report about one school where the heat was out for three weeks because of the time that it took the private partner to fix the heating system. Where there are similar issues in schools that are fully owned by public school boards, the employees of that school board are directly accountable for the prompt repair of that asset which is in the public domain. Instead, we've got this situation where, you know, we say to our kids: "Yeah, we know. It's a bit awkward to go to class with earmuffs on, but we're doing what we can to negotiate with our partners, and we've got all the lawyers at the table, and we sure hope that we get the matter resolved within a few weeks. Sorry. I wish we could serve you more directly, but really in the short term this is going to cost us a lot less." I'm not convinced that it is.

This is money that is being asked to further enhance this buy-now-pay-later strategy of school construction, that is so popular with this Conservative government, for which they will be apologizing at some point in the future.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Member for Calgary-Varsity.

**Mr. Chase:** Yes. I heard the cry for help. There is so much more to say. I'm sure there is a lot more to say about P3s, private, for-profit, and the government being in the business of being in business again. I will defer to the hon. Member for Edmonton-Strathcona to bring up some of the other serious mathematical calculations that I previously alluded to if she so desires.

**Ms Notley:** Thank you to the Member for Calgary-Varsity. There are a number of other areas that, of course, are covered by the supplementary supply bill, but the one other that I did want to simply raise is that under the immigration line item, there was a request for \$700,000 for English as an additional language. I think it was line item 17.6. I'm hoping that the minister will consider dedicating this money towards reviving the publication called English Express. That was a publication that was cut by advanced education in 2010, and it was a very cost-effective tool for English-language learners.

At the time our caucus suggested that employment and immigration take on the responsibility for maintaining that publication because it was a very low-cost yet very efficient and effective tool for assisting the many new immigrants who, as I've already alluded to, are not getting the support that they need from this government in terms of settling in in the way that is most effective not only for themselves and their families but for all community members in Alberta. The question of whether that \$700,000 might be dedicated to English Express would certainly be an interesting one, and I would hope that, if not immediately, certainly in the very near future the minister who is responsible for employment and immigration now would consider reviving that particular publication.

As I said, there are a number of other issues that are touched on through supplementary supply, but I think most of the key ones I've had an opportunity to discuss, so I appreciate the question from the member.

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

**Mr. Chase:** Thank you. I, too, appreciate the hon. Member for Edmonton-Strathcona bringing up the English Express concern. I'm just wondering if the member, of course through the chair, was aware that many of the government's own ministries provided articles for English Express to help English as a second language students better understand governance in this province.

**The Deputy Speaker:** Hon. Member for Edmonton-Strathcona if you wish.

**Ms Notley:** I wasn't aware of the degree to which government departments were contributing to the English Express, but I do know that all the research is telling us that the opportunity for developing real competency in language levels is a key element to labour market success for new immigrants and that, in fact, it takes much longer than we'd originally thought.

The English Express was a significant way to bring people into the overall Alberta community and a way to encourage their ability to develop their language and reading skills while assisting them in becoming connected with key institutions within the Alberta community in a way that would allow them to integrate and be part of our community more successfully and faster than would otherwise have been the case.

**The Deputy Speaker:** Any other hon. members? We still have time for Standing Order 29(2)(a).

Seeing none, any other hon. member wish to speak on the bill at second reading? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. It's a privilege to rise and speak to Bill 27, supplementary supply, and, I guess, make just a few brief comments to perhaps add a little balance to what the hon. Member for Edmonton-Strathcona had to say. The first and most important thing about what this is is balancing the budget. We can look at Europe right now, and we can look at the States, and we can look around at most of what we call the western democracies. The problem that they're facing is one of spending more than they have revenue. To listen to many in this House purport that we're an exception to the rule here, that our problem in Alberta is that we don't have enough revenue, that we're not taxing higher and looking at more new taxes – Mr. Speaker, it's just blatantly wrong. It's about balancing the budget.

There are some good things here in supplementary supply. We had Slave Lake, just terrible incidents there, but gratefully we were able to step in and help and get temporary homes and those types of things which are essential when those types of crises hit, and that's good. We have the pine beetle, which is another dilemma that we're struggling with. It's hard to budget for those areas. I guess the most important thing, Mr. Speaker, is that, you know, we were blessed and had a good little cycle there where we were able to put \$18 billion, \$19 billion into the sustainability fund, which every Albertan is grateful for, but abuse of that fund is very alarming right now.

To think that this year we have a \$6 billion cash deficit when we have record revenue is a real concern. We have to take a couple of steps back, and we can't take the simplistic attitude that the previous member just spoke about: "Oh, there's \$4 billion on the table if we just switch to a progressive tax. Oh, there's \$1.4 billion on the table if we just increase the oil and gas levies." They talk as if there's no economic consequences to raising taxes. To me it's the same as having a pack horse and saying: well, we've got a thousand pounds on that beast of burden; what difference will it make if we put on 1,500 or 2,000 or 3,000? It has a huge impact, and eventually you hit the tipping point, which many western democracies have long past hit, and they're on a down-



slide right now with record deficits. They're spending money that they'll never be able to raise.

It's interesting that the hon. Member for Edmonton-Highlands-Norwood spoke earlier today about Iceland and the fact that there was no – what would I want to say? – outside interests that wanted to bail them out, and they had to hit their economic wall and default and not pay things. That's what we need to do in a lot of these things. But for government to just continue to print money, to spend foolishly, and say, "Oh, we need to do all these things" – we need to have a reality check, Mr. Speaker.

10:00

Supplementary supply: understand the need for it. Like I said, there are some things in here that are unforeseen circumstances. Basically, they are doing this, but supplementary supply should be coming out of the sustainability fund. That's what it's there for, for these unforeseen emergencies, where we can reach in there and not have to run a deficit. I guess I want to say a cash deficit, that we are actually running fiscally responsible because we could pull it out. This government is pulling, you know, billions of dollars – billions of dollars – out of the sustainability fund and acts like that's just the normal way of doing business. They're moving their target further and further down the road when they say that they're going to balance the budget.

That just isn't acceptable to Albertans. They are required to balance their budgets, and they expect government to balance their budget. It's always interesting to see municipal governments struggle. Under law they're forced to balance their budget, and the way that they do it every year is by increasing taxes. For some reason they seem to be able to do that, whereas provincial and federal governments don't take that view. They figure that they're Big Brother, and it's okay for them to borrow or spend money that they don't have.

Mr. Speaker, it's disappointing, with the record revenue that we have and the poor planning that we see going forward here in supplementary supply – and the one that everybody, you know, likes to point their finger at, I guess, is the \$15 million for salt and gravel for our roads. Why did we fail to plan for that? There are just areas where government needs to do a better job of realizing the actual costs, realizing that there's going to be a World Cup in 2012 or that we're going to have the Olympics or whatever it is and plan for those things in advance, rather than needing to come back here in the House, go through supplementary supply, debate these things, and say: oh, they're critical.

You know, it's the old saying: failure to plan on your part or my part or our part doesn't make it necessarily an emergency. Yet with government it seems like that's what they can always fall back on: "Well, this is an emergency. These are unforeseen circumstances. Nobody could have realized that this was going to happen." Well, there are a lot of nobodies out there that do business year in and year out, who know how to balance their books, how to put money away for their retirement, for their future, and here in Alberta it should be no different.

We're very blessed. We should have the discipline of putting money into the heritage trust fund every year to develop that fund for when our resource revenues are no longer able to sustain us. That's what we want the heritage trust fund for. It's shameful to see the number of governments that are passing on a deficit and saying: "We're doing it for our children. We're spending all this money for our children." I don't think that those are the Alberta values and the Alberta way.

I'm very disappointed that we have such a large amount, you know, just shy of a billion dollars, needed in supplementary

supply. We shouldn't need to have that much. But we'll carry on and try and do better in the future.

Thanks, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Calgary-Varsity on 29(2)(a).

**Mr. Chase:** Thank you very much. I would just appreciate the hon. Member for Calgary-Glenmore providing insight on when cutting is appropriate and when supportive funding is required. An example would be what is happening in the city of Toronto. The mayor and some of the councillors that support the mayor are celebrating the fact that they're laying off 10 per cent of the civil servants working for the city, and they're also cutting back severely on services. I'm just wondering, in terms of achieving balance, the role of the sustainability fund, the role of the heritage trust fund, and where you see areas in this potential budget that could be cut and possibly should be cut.

**Mr. Hinman:** I'd like to thank the hon. Member for Calgary-Varsity for that excellent question. I'm going to use the health analogy: the health of our economy, the health of our body. We live in a land of abundance. I mean, we just have so much that's out there for us. It's easy to be guilty of, I guess I want to say, overindulgence. You know, you go out to eat, and it's easy to start putting on the extra pounds, and it's difficult to take them off.

What we have said over and over again in the Wildrose is: limit government spending to inflation plus population growth. Had we done that since 2000 I think we'd have – how many billions of dollars? – \$3 billion or \$4 billion of surplus today. What's critical on good government is not to get bloated and spend money foolishly. I mean, even through attrition in many areas we could, I guess I want to say, start that diet to get back to a feasible size. There's lots of waste in different programs. We've really hit, you know, the big ones where, for example, the government says: "Oh, it's a great economic time. Let's spend \$350 million on new MLA offices." It was a very poor decision back then. You know, they now talk about: oh, you're not just going to implode it. Well, of course not. But those are the types of things.

It's always that 20/20 hindsight. Why did we get into it? Why are we spending \$2 billion, and now the new Premier all of a sudden is taking \$500 million of that out saying, you know, that we're going to diversify it a little more on CO<sub>2</sub> sequestration? I mean, if there is anything that we want to store in this province, I would say the first priority would be H<sub>2</sub>O not CO<sub>2</sub>. We have a shortage in southern Alberta most of the year, but we have an abundance at a time where we can collect that and store it. It's no different with our money.

The bottom line is if we want to be fiscally . . .

**The Deputy Speaker:** Hon. member, speak through the chair.

**Mr. Hinman:** I thought I was, but okay. Thank you.

If we want to be fiscally responsible, we need to be looking long term, and not because we have some extra money and say: "Oh, you know, we can grow this department. We can spend more money here." It just seems like if there's money in our pockets, it's just so hot and burning that we need to spend it immediately and expand programs. I'd be the first to say that there are many programs that we do need to expand, but there are too many that have expanded that we didn't need to.

The principle to go back to is inflation plus population growth, and limit that growth and meet the demand on a year-by-year basis, rather than, "Oh, we can expand 15 per cent; oh, we can expand 20 per cent; oh, we need to catch up, you know, on our infrastructure,"

and we spend billions of dollars. That's probably my biggest concern right now, that we went through this, you know, up to 2003 where the government had drastic cuts in infrastructure, and it basically undermined that whole industry, and then all of a sudden when they had their surpluses after 2005, they wanted to spend all this money, and there was no capacity there. What's going to happen in three years after spending \$7 billion a year when all of a sudden, if we haven't come out of this economic dilemma, we've got to cut it back to reality to \$4 billion? Had we left it at that steady rate and kept a good strong industry growing and being competitive, we'd be able to continue on.

We're going to hit that wall that Iceland did because we're spending so much. We can't spend \$7 billion every year and think that it's sustainable. It isn't. Yet, for some they seem to think that someone's going to step in and take over those billions of dollars and say, "Oh, private industry is going to be healthy then," when it's actually being undermined because it's being overtaxed in a time when it needs its breaks.

Thanks for that question.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill?

Hon. Deputy Premier and President of Treasury Board, would you like to close the debate?

**Mr. Horner:** No. I'd just ask that you call the question.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 10:10 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

**10:20**

For the motion:

Allred	Horne	Ouellette
Amery	Horner	Prins
Calahasen	Jablonski	Quest
Danyluk	Johnson	Renner
Denis	Johnston	Snelgrove
Drysdale	Klimchuk	Tarchuk
Elniski	Liepert	Vandermeer
Goudreau	Lindsay	Weadick
Hancock	Mitzel	Woo-Paw
Hayden	Morton	Xiao

Against the motion:

Anderson	Chase	Notley
Blakeman	Hinman	Swann
Boutilier		

Totals:	For – 30	Against – 7
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[Motion carried; Bill 27 read a second time]

### Government Bills and Orders Committee of the Whole (continued)

[Mr. Cao in the chair]

**The Chair:** The chair shall now call the Committee of the Whole to order.

### Bill 22

#### Justice and Court Statutes Amendment Act, 2011

**The Chair:** Are there any comments or questions? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Chairman. I'm sure you are thrilled to be in the fabulous constituency of Edmonton-Centre tonight. Not everyone is feeling that way, but I do welcome everyone to my fabulous constituency.

In looking again at the various proposals that are made for changes under Bill 22, the Justice and Court Statutes Amendment Act, 2011, which is amending, I think, 14 acts: Administration of Estates Act; Civil Enforcement Act; Court of Queen's Bench Act; Family Law Act; Family Law Statutes Amendment Act, 2010; Fatality Inquiries Act; Justice of the Peace Act; Legal Profession Act; Proceedings Against the Crown Act; Provincial Court Act; Victims Restitution and Compensation Payment Act; Wills and Succession Act; Witness Security Act; and Builders' Lien Act – yeah, there are a number of them.

I had raised a number of points last time because of the process that we were involved with, that being that although the department had given a technical briefing to members of our staff and, I think, to the member of our caucus who was identified as the critic, they had not had time to write the briefing nor to communicate it to anyone else. So when I came in that night, there was no time to communicate with me, and I started going through the bill piece by piece as I am wont to do. There was some consternation and some scrambling, and the Minister of Justice offered me a separate briefing.

I do apologize to the members of his staff that had to spend time with me to give me an additional briefing. I do appreciate that from them, and they were very kind and patient and did in fact manage to allay most of my suspicions, some of them pretty simple. For example, in the Administration of Estates Act I was reading the word "grant" as a money grant, and it's intended to be a grant as in a legal authority. [interjection]

Yes, as in grant of probate. Anyway. When you put different interpretations of words into legal documents, you can certainly end up in a different direction than you thought you'd be in.

I had a question about the Civil Enforcement Act, which was: the storage costs for whom? The answer to that question is: for everyone, for anyone that was involved in any stage of that. They probably all had a piece of the storage costs, and therefore it was saving everyone money.

The Court of Queen's Bench Act, which was giving the judicial office of master the option of retiring and sitting on a half-time basis, is vehemently opposed by my colleague from Edmonton-Gold Bar. He really feels very strongly that this is not appropriate that they would be collecting a pension and be able to charge for their time. He disagrees with every aspect and piece of this.

I argued back with him and said: "Well, you know, this is no different than, say, my mother, who put in her 35 years as a teacher. She retired. She got her pension." Often people don't have a choice about whether they get their pension or not. They get it. Even if they wanted to postpone it or not take it at the time, the rules say they get it, so they get it. My mother got her pension, and she'd earned it, every penny of it, and I don't think anybody should take any of it away from her. She earned her pension, but she was in her mid-50s and still wanted to do some things and went off and did some other things and took some other contract jobs and was paid for those, as she should have been. She did the work; she should have been paid.

I made that argument back to my colleague, saying: “You know, if these masters have earned their pension, great. They should draw their pension.” If they’re indeed continuing to do work on a part-time basis, I didn’t see the difference between that and what someone else collecting a pension and doing additional work was doing.

But my colleague – and this is difficult; I don’t want to put words in his mouth – felt that this was an opportunity for some close friends of the government to be appointed to positions and to put in 10 years and then they get a full pension, and they get to go off and work at the same job and be paid for it. So he does see it as inappropriate and double-dipping, so I needed to put that on the record.

The Family Law Act was almost like a typo. It had to update the references that will be repealed with the coming into force of the Wills and Succession Act. The Family Law Statutes Amendment Act, 2010, was the act that I was referring to that people thought wasn’t in this amending bill, but it is. That is the interjurisdictional support orders. It does allow reciprocating jurisdictions to obtain and verify support orders in Alberta, and there were some typographical errors in it. So I was right about maintenance enforcement being in here, and that’s where it was.

The Fatality Inquiries Act looked alarming because it kept talking about taking out voting and voting members. It looked like they were disenfranchising someone. The fact of the matter is that they haven’t been voting members for some time. They used to have voting and nonvoting. Everybody has been a voting member for a very long period of time. They just haven’t corrected the act. The act still distinguished, and it wasn’t necessary for the act to distinguish anymore because they didn’t exist. Everybody is a voting member, so that’s fine in changing that.

10:30

Both our critic of the bill, the hon. Member for Edmonton-Gold Bar, and myself still have troubles with the Justice of the Peace Act. My comments last time earned me a sharply worded e-mail from someone in central Alberta that I didn’t know where certain pieces of my anatomy are in relation to other pieces of my anatomy. But, no, I meant what I said there. I don’t mean to be casting aspersions upon any member, but frankly justices of the peace are not trained in the same way as full law enforcement officers like city of Edmonton police officers or the RCMP. They may well be trained more particularly in one aspect, but that’s the one aspect they’re trained in.

I am very cautious about putting in more and making more and more use of justices of the peace – sorry; I’ve switched wheels there; I started talking about sheriffs, and now I’m talking about justices of the peace – and the reason is because we have more and more sheriffs being delegated jobs under new legislation, and they are taking their desire for a warrant to be issued to a justice of the peace. These things both become much more important than they used to be.

The Legal Profession Act was something requested by the Law Society of Alberta, and it is allowing for a faster process and mobility of lawyers between Alberta and Quebec, which is better.

The Proceedings Against the Crown Act: again, I missed this one. The sponsoring member did actually say small claims court, which is how most of us would refer to this, and that is no reflection on how wonderful the judges are that are in charge of the Provincial Court, civil, which is the proper name for this particular court. What this really means is that somebody could take a claim worth less than \$25,000 – if there was a claim against the government, they could take this to the Provincial Court, civil, known to the rest of us as small claims court, instead of taking it

into a higher court. It would save everybody money, time, and grief, which I think is an excellent thing, and that is why the Provincial Court, civil, also known as small claims court, is so valuable.

Removing the birthday commencement date provision from the Provincial Court Act is excellent. That kind of information should not be out there in the public realm anymore. It’s dangerous for identify theft and a number of other reasons. It also ensured that an appeal from the civil division of the Provincial Court, of which I was just speaking, if it is appealed up, then that court must make a decision. They can affirm the decision that was made, they can look at the facts and make their own decision on it, or they can in effect hear everything over again, which is a new trial. They cannot send it back. They have to make a decision.

The Victims Restitution and Compensation Payment Act: this one I’m less keen on. This is around the current minister’s, the former Justice minister’s, move to seize property believed to be derived from illegal acts. This is often property seized prior to someone actually going through court. Or maybe they never go through court, but their property has now been seized. This allows the department that’s in charge, the civil forfeiture office, to appoint others to do some of the work.

For example, if they did seize somebody’s car believing it had been used in trafficking in drugs, they had to be responsible for seizing the car, which is towing it, for storing the car, and maybe for selling it, and they had to do it all themselves out of one office. This change allows them to contract with or appoint other bodies to do that; for example, contracting with Cliff’s Towing to tow the car and, you know, with a different group to store the vehicle and with someone else to auction it. It allows them to use resources other than civil enforcement agencies to carry out functions related to this property. I still think there’s a real serious problem and a sort of step that was skipped, and I see it continuing on in some of the other acts that this government is doing, and that will show up later. Yeah, I’m not over the moon about that one.

The Wills and Succession Act looked pretty clear, and it seemed to be something that was being asked for by private practitioners asking for minor adjustments. Now, there was something in the paper today that said, “Ooh, bad, bad, bad idea” because it sets up a situation where the spouse would be entitled to basically what she or he would get during a divorce proceeding, which is half of everything, rather than perhaps what was actually put into the will. I don’t think that that is actually flowing out of this amendment under the justice statutes act, but I could be wrong because the wording looks pretty innocuous from what I’m looking at.

It talks about a contested application. Basically, it does say that a lawyer who is acting on behalf of somebody should be discussing alternative methods of resolving the problem and to inform people of collaborative processes. That doesn’t seem to be the problem that’s been mentioned in the paper today. That would put it into being a contested application. All they’re doing is saying that “every lawyer who acts on behalf of a party in [a contested application] to the Court under this Act has a duty,” blah, blah, to talk about alternative methods.

Then it goes on about repealing section 5(1), which is the one about if two or more individuals die at the same time or in circumstances where it’s hard to determine, as an example a plane crash or a car crash, who died first. Then it’s their estate that’s being willed to the second one, and if you’ve got a good lawyer, they will make you draw your will in such a way as to deal with that problem. This is setting out that all rights and interests of each of the individuals with respect to property must be determined as if that individual had predeceased the other or others unless the court, in looking at the will, believes that that’s not what the will

was looking for, that sections 599 and 690 of the Insurance Act come into play – I’m sorry, I don’t have a reference for that, and I didn’t have a chance to get a reference for that – or that a provision of an act provides for a different result. So I don’t think that’s the section that’s being talked about either.

Lastly, it’s talking about section 8, striking out “unless otherwise expressly provided” and substituting “except as expressly provided otherwise in section 23 or 25.” That’s about when this is going to come into force, so this part applies to wills made on or after the day this section comes into force, et cetera, et cetera. I don’t think that’s the one it’s talking about either. Then it’s talking about witnesses and things.

I’m not sure where someone believes that someone is going to lose – oh, wait a minute. Here it is, I bet you, section 109:

If a deceased, during life, has transferred property to a prospective beneficiary, a person who alleges that the transfer was intended by the deceased to be an advance against, or otherwise repayable from, the prospective beneficiary’s share of the estate may make an application to the Court.

They’re striking out “a person” there and making it “an applicant,” which is, again, legal terminology.

10:40

**Mr. Hinman:** It’s under section (6), section 25(2), page 36.

**Ms Blakeman:** You think that’s what it is?

**Mr. Hinman:** The following is substituted: “a former adult interdependent partner.”

**Ms Blakeman:** Well, yes, but it “does not apply in respect of an individual . . . who is a former adult interdependent partner of the testator.” That’s this government’s incredibly obtuse language for, usually, a same-sex partner but very occasionally groupings like two elderly siblings or a mother and an adult child. So it’s that, usually, same-sex partner who’s also “the spouse of the testator at the time of the testator’s death, or . . . related to the testator by blood or adoption.” That’s really just expanding the original section 25(2), which says that “subsection (1) does not apply in respect of a former adult interdependent partner who is related to the testator by blood or adoption.” I think they’re just clarifying something there, and I don’t think that it does all the dangerous things that it seems to be thinking that it does, but maybe someone else is more up to speed on that than I am.

I really appreciate the extra time and effort that the minister’s staff put into clarifying all of this for me. In final words, in the Witness Security Act it was an actual error in the name of the act, and that was fine. The Builders’ Lien Act, as I talked about at the time, was fine because it was allowing the process to be done cleaner and not being constantly sent out to another group who had to do something and bring it back to the court clerk. They could just do it all themselves. So with the exceptions of the sections that I’ve noted here, I’m perfectly in favour of proceeding with this amending act.

I will note again that it takes a heck of a long time to work your way through this stuff, and I would really appreciate it if the government would give us enough time to do this appropriately. Even when you give us a technical briefing on this, that’s not the same thing as trying to read every word that’s in there. I mean, this is a dense act. It’s 38 pages long, and trying to make that work and to make sure that you’re not making a mistake and that you’re doing your best on behalf of Albertans is no small task when you’re faced with a bill like that, amending 14 other bills. Although I’m okay with most of what’s going on in here, that was not a nice

thing to do to anybody in the opposition or any of our staff, and please don’t do it again.

Thank you very much.

**The Chair:** The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. As always, it’s a very hard act to follow when the Member for Edmonton-Centre has preceded you in the speaking order, but I want to also extend a thank you to the Minister of Human Services, who was very helpful on second reading of this bill in quietly providing clarification to us on various sections of the bill that were of difficulty to comprehend. Also, as the hon. Member for Edmonton-Centre pointed out, our appreciation to government staff within the Justice department for further clarification. That type of collaborative, co-operative effort is very much appreciated.

Mr. Chair, I especially, as well as being in the debt of the hon. Minister of Human Services and the staff of the Justice department, want to acknowledge the terrifically helpful briefing efforts of our researcher, Karin Kellogg. Karin provided me with a terrific amount of improved understanding.

The hon. members who have legal training might have noted my floundering in second reading, trying to comprehend the intricacies of the legal language. Obviously, I was having difficulty. Now, the hon. members might have misinterpreted my misunderstanding as being simply stalling, but of course that was not the case. Now that I understand so much better, as the hon. Member for Edmonton-Centre indicated, the two areas our caucus has difficulty with have to do with the Justice of the Peace Act and the Court of Queen’s Bench Act amendments.

Now, with regard to the Court of Queen’s Bench Act amendments I understand and appreciate the mentorship role that the masters in chambers provide because, in fact, in order to be a master in chambers you have to be a retired judge. Based on the amount of time the person has spent on the bench, obviously their mentorship is important.

I had a similar opportunity to provide mentorship and also a degree of continued employment in an area that I thoroughly enjoyed, as a substitute teacher. In 2003, when I retired from full-time teaching, I found myself very rapidly missing the contact with the students, so I applied to be a substitute teacher. At that time that opportunity to be a substitute teacher, which I equate with a master in chambers in terms of their part-time provision of support, was possible. But the other side of that mentorship was that if I was occupying a place on the substitute roll, then up-and-coming young teachers might not have had an opportunity to hone their teaching skills because I was taking their place.

I wonder, Mr. Chair, if the same argument could be made that for qualified lawyers who would be in line for a bench appointment, that appointment might be delayed by the half-time continuation of employment of retired judges in the form of masters in chambers. We have to look at both sides of it. We have to value the mentorship provided by individuals who are long serving and can provide mentorship, but we also have to allow for spaces for individuals to come forward.

With regard to the Justice of the Peace Act and those changes in some cases it’s worth while to facilitate the application for a warrant. Rather than getting a judge out of bed, if you can go to a justice of the peace – and there are obviously more justices of the peace available than there are judges – then potentially the facilitation of justice can be improved.

One of the concerns that is not dealt with in this bill but is dealt with in another piece of legislation – and that has to do with the Traffic Safety Amendment Act – is the positioning of peace

officers and placing them in the role of not only arresting officer but judge and jury in terms of the suspension of a licence. I'm not sure that providing all of that level of authority, that on-the-spot judgment, is necessarily a wise circumstance.

**10:50**

One other area that I would have liked to have seen included in this Bill 22, Justice and Court Statutes Amendment Act, 2011, is what I called for a number of years ago as a motion, and that was a unified family court. Unfortunately, Alberta still hasn't proceeded. What happens, particularly for children in the justice system, is that the Court of Queen's Bench deals with divorce, but there are a variety of other courts, including the Provincial Court and the juvenile court, that the young person may be bounced through. Until we have that court unification, that other provinces have preceded us in achieving, children are going to find themselves basically being bounced back and forth, as are parents trying to work out custody arrangements, because of the lack of a unified family court system.

As the hon. Member for Edmonton-Centre noted, with the clarifications provided, we are much more supportive of the intent of this omnibus bill and believe that sufficient changes have been made, notwithstanding the two areas we mentioned, the Justice of the Peace Act and the Court of Queen's Bench Act, to see this piece of legislation passed.

Thank you, Mr. Chair, for this opportunity to participate from a more knowledgeable standpoint in the Committee of the Whole on Bill 22.

**The Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Yes. Mr. Chair, I will be very, very quick and just say that I support this bill; the Wildrose caucus supports this bill. I want to commend the mover of the bill as well as the minister. These are good amendments. The one in particular that I thought was very, very good was the ability for masters to now practise part-time after they've stopped practising full-time. That's good because these masters, some of them, especially the senior ones, are incredibly qualified. They know the law inside and out, and it's good that we can keep them working even if it's just in a part-time capacity, especially given the backlogs that our court system has and various things.

I thought that that was a very good amendment, a very good change, that has been made as well as many of the others in the bill. On behalf of the Wildrose we support it moving forward.

Thanks.

**The Chair:** Others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It's a pleasure to be able to rise to speak to this bill. Like previous speakers I am a little bit concerned about how much is being jammed into it. It's sort of a theme of this little session-let, that I would refer to our currently being involved in, in that we have this little, it'sy-bitsy session, and in it we decide to ram to through a whole bunch of legislation. As part of that theme we create an omnibus bill which amends one, two, three, four, five, six, seven, eight, nine, 10, 11, 12, 13, 14 acts. That's a lot.

You know, the problem with looking at these acts, of course, is that we get assurances from the government that it's all housekeeping, but then to really know that, we have to dig through each one of the acts and look holistically at what the implications are of the change. It really is a bit of a stretch. I will say that already I've seen some summaries that were provided in the briefing notes which I think maybe don't do as good a job of explaining the

implications of what are otherwise characterized as minor amendments as well as they might.

There is a change here to the Wills and Succession Act. There are some concerns raised by this, and again it was characterized to members of the opposition as being sort of a nonevent. There are several amendments to clarify the act before its proclamation, which is expected in 2012, which substitute "a contested application" in place of "an application" and change survivorship rules where two or more individuals die at the same time.

The amendment also changes the entitlement of surviving spouses in a way which may allow a surviving spouse to receive a larger share of the estate than the deceased intended. At least, there are some lawyers who make this argument. It's interesting because this was provided to us as simple housekeeping which had no significant implications, yet it sounds as though there may be implications which go beyond the simple status quo, which certainly were not communicated to opposition members in our briefings.

Concerns have been raised that suggest that the amendment may allow a spouse to make a claim for division of property under the family law legislation. That is in particular a claim for what he or she would have been entitled to had they divorced. The spouse would be able to claim this property as well as any gift left to the spouse by the deceased. Again, I'm not entirely sure that that qualifies as minor housekeeping. It sounds to me like there's a bit of a policy decision there that ought to have been identified in the briefings that we received so that we could make a determination on that.

Again, as a member of a caucus that currently has two researchers on staff, asking us to review 14 acts in order to determine the implications of one is a little bit concerning.

Another one that jumped out at me, that I was a bit concerned about – again, I'm kind of flying blind here, so maybe it's a real concern; maybe it's not – is this whole notion of making some fairly significant changes around seizure of property under the Civil Enforcement Act. Currently the act allows seized properties to be kept in storage for at least 90 days before a civil enforcement agency, or a sheriff or bailiff or whatever they're called, gives a 30-day notice to the creditors that the property will be released. The bill reduces that period from 90 days to 45 days, and then the notice period is reduced from 30 to 15. What that appears to do – again, I'm kind of flying blind here – is that it reduces the opportunities for debtors to fix their debt and to retrieve their possessions, having paid off their debt. It makes for easier collections on the part of creditors, but it does so at the expense of the rights of those who owe money.

I mean, it's never a black-and-white situation. What we would want to know is: what's the profile of the people that are being affected by this? Are we talking about consumer collection, where you've got people who are low-income, who have gone too far into debt, who are relying on their credit cards to pay a number of bills – and this is one of those examples – so now we've given creditors greater opportunities to get at their assets faster? Or are the majority of people that are affected by this act, you know, businesses that have expensive lawyers at their disposal to delay a collection process from creditors who have long since proven their claim? We don't know what the profile is of the people that are being affected by these changes, and we certainly didn't get briefed on that, so that is a concern. The stated purpose of this change is to reduce or avoid unnecessary storage costs, but it does also appear to reduce the amount of time in which debtors can pay back money or essentially make whole the creditor.

Also, the requirement that a creditor go to the court to seize property in order to get a court order for property that's already

under seizure is being eliminated. What that appears to do is again streamline opportunities for the creditor at the expense of the debtor. The government calls this administrative streamlining, but of course it has implications for people. Given the economic upheaval that we've just been through and, you know, what we see happening in many other jurisdictions, in the U.S. and throughout Europe, I don't really know that this is the time that we want to decide that we're going to make things fast and easy for creditors. Certainly, that would not be, I think, what policy-makers would have chosen to do in the U.S. given the state of their economy. So I'm not entirely sure that making these plans now is in the best interests of average Albertans. Again, we could have used a bit more of a detailed briefing, and this ought to have been separated out from this bill with more clear explanations as to the objectives that were being pursued.

11:00

Conversely, the amount of time through which garnishee summons can be used to collect off somebody's wages has doubled. Now, in that case we clearly know who is being impacted there. The employee now has a garnishee summons on their wages for two years rather than one, and whoever it is that's collecting the money from that employee's wages has to go to court less frequently. Again, the question becomes: is this a reasonable decision to make? The government argues that the court costs are perhaps more generous to the debtor, but it also provides for less work on the part of the creditor. So there are different ways to argue this one.

When you get into processes for collecting from employees when people have run into financial difficulty, these are not administrative, housekeeping issues. These are policy choices, and this is something that ought to have been clearly separated out so that we had an opportunity to fully identify what's going on. Generally speaking, these are two examples of cases where I think that what we're really looking at are changes that are a great deal more significant than simple housekeeping.

The Legal Profession Act. I mean, I'm a lawyer, but I also know that there are a lot of people out there who feel incredibly hard done by sometimes by the conduct of their lawyers. One of the key mechanisms for keeping lawyers accountable and holding them to the standard of public trust and high regard in which, notwithstanding all the other jokes, they are generally held – you know, they have that because they're part of a professional body, and that professional body plays a very critical role in regulating the conduct of their members. What we have here are changes to the Legal Profession Act which simply say that the bench has reviewed the process and decided that there were changes needed for timeliness and efficiency. Well, really, again, that looks to me like a bit of a public policy issue.

As things stand now, the Law Society of Alberta is the primary consumer protection agency, shall we say, for people who run afoul of a shabby practice by lawyers. Certainly, that's a small minority of situations, but when it does happen, it has huge implications for people. So the Law Society is the means through which those issues are addressed. We have here a number of changes to, quote, review the process for disciplining lawyers as the bench has recommended with no particular discussion of exactly what those changes are or how they will impact either the lawyer who is the subject of the complaint or the person who has raised the complaint, the complainant. We don't know. Again, another perfect example of what I think is actually a substantive policy issue which needs further discussion which is being wrapped up in a 14-bill omnibus piece of legislation and shoved through this Legislature at 11:06 p.m. It's part of the overall theme

that this government is working on, which is to pretty much thumb their nose certainly at opposition members but, also, through them at the people of Alberta, who rely on this Assembly to have a certain amount of thoughtful debate periodically.

Those are my points, Mr. Chairman, and the concerns that I have around this piece of legislation. Although much of it may be benign, I will not be supporting it because I do not appreciate the manner in which it's been presented, and I think there are issues that require greater explanation and greater time for debate.

Thank you.

**The Chair:** Any other hon. member wish to join the debate? The hon. Member for Calgary-Mackay.

**Ms Woo-Paw:** Thank you, Mr. Chair. It's my pleasure to rise today during Committee of the Whole to speak on Bill 22. I would like to take some time to address some of the questions raised by the hon. members during second reading and also tonight during Committee of the Whole. I agree that there's a fairly involved piece of legislation within a fairly condensed process. I will try my best to respond to some of the points raised this evening.

One of the points raised is about the language changes in the Administration of Estates Act. This is one of 14 justice statutes that have proposed amendments. The Administration of Estates Act amendments reflect that certain responsibilities have been transferred from the Public Trustee's office to the court clerks. This is mainly aimed at avoiding duplication of grants, as recognized by the member this evening.

Another point that has been raised is the Civil Enforcement Act. The amendments to this act improve civil enforcement procedures and clarify provisions. For example, civil enforcement agencies holding seized property in storage will not have to wait as long to notify creditors that the property will be released. This will encourage creditors to deal with property. This amendment was recommended by civil enforcement agencies and will help avoid unnecessary storage costs initially paid by the agencies, passed on to the creditor and then, ultimately, on to the debtor.

The length of time a garnishee summons remains in effect will increase from one year to two years, reducing renewal costs and making it consistent with other means of court enforcement. The requirement that the creditor obtain a court order to seize property that's already under seizure is being eliminated, streamlining procedures and helping to ensure that creditors do not lose rights of priority with respect to seized property.

I think another point that has been raised this evening is in regard to the Court of Queen's Bench Act. The Court of Queen's Bench Act will be amended to give those appointed to the judicial office of master the option of retiring or sitting on a half-time basis. Now, this option was requested by the masters and is the same option that has been made available to Provincial Court judges since 2005. The option will be available to masters who are 60 years of age or older and who have served on the bench for at least 10 years. This option benefits masters who, after serving full-time for a considerable period of time, wish to continue serving but on a less than a full-time basis.

Now, I think these provisions essentially will help to reduce costs, provide greater flexibility to the court system, and help us to retain experience, and I think it would be a benefit to enhancing the effectiveness and efficiency of the court system.

I would like to also respond to the member's point on the Legal Profession Act. The new provision under this act is allowing for an expedited process for an immediate plea by a lawyer. With minor infractions often the lawyer is prepared to admit to their misconduct and accept a sanction. The current process does not allow for an

expedited process. The lawyer must often wait up to a year to have the matter heard by a three-member bench or committee.

**11:10**

The current process can result in delay and aggravation for the complainant and the lawyer, which may be out of proportion to the seriousness of the complaint. With an expedited settlement process resolution is more timely and better serves both the lawyer and the complainant.

Another provision is to permit the benchers, when appropriate, to appoint nonbenchers to sit on hearing committees. This will allow for more scheduling options and quicker resolution. All other Canadian law societies have the ability to use nonbenchers to hear discipline matters. Other regulated professions in Alberta allow for this. Examples are the professions regulated by the Health Professions Act and the Regulated Accounting Profession Act.

One other point I'd like to raise is the provision for the intermediary step of appeal to the benches for minor decisions. It is anticipated that this will reduce the number of appeals to the Court of Appeal on minor matters. Appeals will be dealt with in a more timely way and at less cost.

I mentioned only a few of the amendments within Bill 22, all of which will improve the functioning of Alberta's courts and increase the effectiveness of our justice and courts legislation. As I have said previously, the amendments are mostly housekeeping in nature. I'm pleased to have had the opportunity to address some of the members' concerns and points this evening.

Thank you.

**The Chair:** Is any other hon. member wishing to speak on the bill?

Seeing none, the chair shall now call the question.

[The clauses of Bill 22 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

### **Bill 21** **Election Amendment Act, 2011** *(continued)*

**The Chair:** Any comments or questions?

We have amendment A1 since the last adjournment. On amendment A1, the hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much. As you see, I am frantically trying amongst all the bits and pieces of paper and amendments to find amendment A1. As I recall – and you can certainly clarify for me, Mr. Chair, if I'm incorrect in my assumption – amendment A1 is as follows. Proposed by the hon. Member for Edmonton-Gold Bar that the Election Amendment Act, 2011, be amended in section 2 in the proposed section 38.1 by striking out subsection (2) and substituting the following:

(2) Subject to subsection (1), a general election shall be held on May 8, 2012, and afterwards, on the second Tuesday in May in the 4th calendar year following polling day in the most recent general election.

Now, this amendment does what the Premier promised in her precampaigning, that we would have no longer fixed elections but we would have a fixed election date. Taking the now-selected Premier at her word, we're making that commitment in the form

of amendment A1 that was lacking in the discussion of an election season, a 90-day period. It is our belief that for the sake of more participation in the democratic process providing of the specific type of date that other provinces have achieved and, as a result have seen greater voter turnout, is the way to proceed. The date of May 8 was selected basically because it falls within that period. In subsequent amendments to Bill 21 we will be talking about the potential of flexibility within the week surrounding the specific day but certainly not within a 90-day period.

Now, it'll be interesting, Mr. Chair – and I don't want to take up a tremendous amount of time speaking to this amendment, but I would like to listen to the government defend the indefensible in terms of explaining how a 90-day period provides for greater democratic participation and commitment in the process than a well-defined day. If this amendment were to be accepted, four years out from the May 8, 2012, date we would expect another election to be called.

The need for individuals to be able to plan, Mr. Chair, is absolutely essential. You can't run a business, you can't provide an education system without specific dates. What an election date is is basically the starting gun, the indication that the citizens of Alberta have awarded a particular party the right to be their representative and to provide the type of governance that the individuals expect to be followed through.

Mr. Chair, the abandonment of promises is of great concern. We earlier this evening debated the Health Quality Council of Alberta Act, and prior to that discussion this particular Bill 21 was adjourned before we had a chance to speak to it. Now, as I look at the clock, it is 11:18.

I thank the hon. Member for Edmonton-Gold Bar, who first introduced this amendment at some point this afternoon with the belief that by defining very specifically a day as opposed to a flexible season, the sense behind this amendment as proposed would be so overwhelming as to be grasped by every member of this astute Assembly. By proposing this amendment, he also provided an out for members of this Assembly who had trouble with the idea of a flexible election period as opposed to a defined day.

I'll look forward, as I say, Mr. Chair, to the discussion that follows on the idea that is held sacred by other provinces and that was originally held sacred during the campaign for leadership by not just the current serving Premier, but the idea of a fixed election date that was supported by a variety of the candidates who felt that as part of the improvement and transparency and accountability sticking to a defined date was important.

Thank you, Mr. Chair, for this opportunity to speak to amendment A1, that calls for the election to be held on May 8, 2012.

**The Chair:** On the bill, the hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** On the bill or on the amendment?

**The Chair:** On the amendment, A1.

**11:20**

**Mr. Anderson:** Mr. Chair, we're talking, obviously, about fixed election dates here. I applaud the amendment. I think that it's a good one. I have another one that I think is slightly more appropriate, something that I think is a little bit superior. I'll tell you that what I do like about the amendment, which is that it fixes a date. That's, I think, pretty critical to this whole process.

You have a Premier here who has once again flipped on a very key promise from her election campaign. I don't know if this promise was as key to her getting elected as, say, the promise to call a public health inquiry, but this was clearly a promise that was

part of a package of reforms that the new Premier was campaigning on to increase transparency and accountability in government.

That is why it was so disappointing to see, along with her flip-flop on calling a public health inquiry, along with her flip-flop on how she was going to essentially put a stop to all the Bill 50 transmission lines permanently and kind of go through the whole process from scratch in order to make sure that there clearly was a need identified by an independent body and so forth. Right now really all she's done is just delayed it until after the next election.

All of these different things that have happened, these flip-flops, have really spoken to one of the major character attributes of this new government, of this new Premier, and that is that what she says before an election is not necessarily what she will do after an election. In fact, whatever promises she makes during the election, you kind of have to roll the dice to see if she'll keep them.

She kept the promise to restore \$107 million in funding cuts which she voted to cut in the first place along with her government, but after that she said: yep, we will restore those cuts. She did, but she said that she would restore those cuts with in-year savings, meaning she'd find areas of fat in the government – and good grief, there are areas of fat in this government that could be cut; that is for sure – to find that \$107 million for the education system. She made that promise. She broke that promise.

We could go on and on and on about all these different promises that she has broken, and we will for as long as it takes to be heard on it. But this one: although I don't think that this is a promise that necessarily got her elected, I think it probably helped. It was a big part of her transparency reforms, as I said, that she was promising. But it is one of the most egregious. The reason why it's so egregious is because, probably even more than any of her other promises, this one was very, very specific. There was no grey area here.

You know, with the public inquiry – there was no grey area there either, come to think of it. I think her gamble is that she thinks that she can put this out there and say: "Look, I've created a venue for this public inquiry to happen; it just won't happen until after the election. It probably won't be completely open and led by a judge but probably by a panel. But I've at least made the vehicle where it's theoretically possible that it can occur."

This one, on the other hand, is just so blatant, such a blatant broken promise, such a blatant deception that it is really quite shocking. I don't understand it. It just doesn't make sense to me, the other part being that it is so simple. It's one of the simplest promises to keep. We know the election is coming up. It's not like she's going to be surprising people that there's going to be an election in the spring – we all know that's happening – so why not just set the date? I mean, we all know it's coming. It's just a matter of setting the date.

Just to make sure everyone understands what she has said in the past, on October 5 – this is a couple of days after the election; there are a whole bunch before it, too, but I'll start with this one – on an online chat at the *Calgary Herald* the new Premier said: "On Sunday I said that it would be after a spring sitting," meaning an election, "a budget and a throne speech and thought that based on the practical timing that could be June – sometimes the legislature takes on a life of its own, so it is a little unpredictable!" This is not more than two days after she was elected. She has already completely flip-flopped on the promise. Think about that.

She said: "On Sunday I said that it would be after a spring sitting, a budget and a throne speech and thought that based on the practical timing that could be June – sometimes the legislature takes on a life of its own, so it is a little unpredictable!" She's already saying June. That's not what's in the bill. She already changed from that first initial thought. Will it be after the spring

sitting? Who knows? She might call it after the throne speech. She might call it after the budget. She might call it on February 1. That's the earliest that she could. It gives new meaning to openness and transparency; that is for sure.

What's so incredible about it is that that was October 5. On October 23, so that's 12 days roughly, or less than two weeks, after her saying that on October 5, she said this to the Canadian Press. She "would commit to calling an election in March 2012 and every four years from that date. She said Albertans are supportive of the idea and that several other provinces already use the same model." So she referred to other provinces that use the same model. She said that it would be in March of 2012. She said that she would commit to it every four years after March 2012 as well.

You cannot get any clearer than those points: "March 2012 and every four years after that;" I'm going to do it like they've done in the other provinces. Every other province has a specific, the second Tuesday or third Thursday or whatever it is of X month . . .

**Mr. Boutilier:** But none of them have a season.

**Mr. Anderson:** But none of them have a season.

So she says that, and then 12 days later she says: well, I said on Sunday that "it would be after a spring sitting, a budget and a throne speech and thought that based on the practical timing that could be June – sometimes the legislature takes on a life of its own, so it is a little unpredictable!" There you have it. That is one of the quickest flip-flops. So this promise was made seven days before the election, and then four days after the election she flips on it. That is solid. That is a solid, trustworthy Premier we have there.

She said that fixed election dates are important – this is in the September 23 interview with the Canadian Press – because "they understand the issues that are coming." She's talking about Albertans. Albertans "understand the issues that are coming. They don't believe any political party should have even if it is a theoretical upper hand in managing the political agenda and then picking the date accordingly." That is just awesome. Albertans "don't believe that any political party should have even a theoretical upper hand." Not even a real one, just a theoretical one. Just the appearance of unfairness is not good enough for Albertans, according to the Premier seven days before she was elected, and then four days later she completely reverses her position on that. I honestly don't know how she expects Albertans to believe anything that she says. It's just so blatant. I mean, it's just guilty beyond a reasonable doubt.

She is quoted in that same article as saying that the status quo of no election dates needs to change so as to deny the government "the behind-the-scenes deal-making and manipulation that characterize the timing of an election."

Then on the *Rutherford* show on October 25 she stated as follows – so now we're 25 days out, and remember that on September 23 she recommits to a fixed election date, March 2012, and four years after that, just like the other provinces in its clarity. That's what she says. On October 5 she waffles and says: no; it could be after, probably sometime in June maybe; you never know; the Legislature has a life of its own. Then, of course, she gets on *Rutherford*, and you know how Dave is sometimes. He asks those direct, tough questions, trying to get an answer. This is what she says: when I make a commitment, I keep my commitment; I'm not going to start making willy-nilly pronouncements when they want me to; I hope the legislation will be satisfied with the approach we have taken on fixed elections; when I make a commitment, I keep that commitment. That's incredible.



11:30

She goes on in that same interview to say:

Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterizes the timing of an election . . . Personally, I was very disappointed by the voter turn out in 2008, when I was elected. We failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend.

Well, she certainly has done a great job of making sure Albertans can trust politicians to do what they say they will do.

Again, on November 22 – that's just a few days ago – this is what the Premier said in *Hansard* when questioned about her flip-flop, her clear deception and flip-flop on this issue.

Mr. Speaker, Albertans want to know there's going to be an election every four years. We think this legislation, that's before the House and can be fully debated in a fully transparent manner, . . .

At midnight.

. . . represents what Albertans want to see. They want certainty. They want security. I'd suggest that if the opposition is concerned about ensuring that they have a head start, they can read the legislation to get ready for a provincial election. That's democracy . . .

Mr. Speaker, this legislation does exactly what Albertans want it to do. What Albertans said is that they wanted certainty. What other political parties said is that they wanted to be prepared for the next election. I'd suggest that the political parties better get prepared for the next election.

Wow. This is the best line of that last quote.

Mr. Speaker, this legislation does exactly what Albertans want it to do. What Albertans said is that they wanted certainty.

Remember what she said on September 23, that they wanted certainty? Okay. September 23 she said that fixed election dates are important because Albertans understand the issues are coming. "They don't believe any political party should have even if it is a theoretical upper hand in managing the political agenda and then picking the date accordingly." She said that the status quo of no election dates needs to change so as to deny the government "behind-the-scenes deal-making and manipulation that . . . characterize the timing of an election."

It is an absolute failed, I mean, just a complete breakdown of trust with regard to this Premier and the people of Alberta. Now, this one was very flagrant. There are literally at least seven or eight others that have occurred in the last several weeks since she's been elected. One has to ask again: you know, fool me once, shame on you; fool me twice, shame on me. At some point I think Albertans are going to realize, when these choices are put before them in the next election – and one thing we've learned over the last little while is that elections certainly matter. If you look at what happened with the mayor of Calgary, if you look at what happened with the new Premier, if you look at what happened in the federal election, particularly in Quebec and Toronto, in the GTA, with the Conservatives, during the election those numbers changed dramatically once the facts were put before the people.

At some point I think Albertans are going to want to ask: am I going to continue to allow myself to be taken advantage of? Am I going to continue to be deceived and not punish the sitting government for that? Am I going to continue to allow this to occur? Just on principle, regardless of whether you agree with it, are you just comfortable being told one thing and then having the exact opposite occur?

My guess is that Albertans in droves will very clearly say: no, that's not acceptable. We expect to have the truth told to us, and when someone makes a promise, we expect them to keep that promise. We will see. We will see what happens. There is always, of course: rather the devil you know than the devil you don't. I'm sure, you know, that is one of the uplifting arguments the government side will make. Who knows? Maybe some people will buy into it, but I know there are thousands and thousands of Albertans across this great province that are certainly not going to take it anymore. They are not going to be deceived any longer, and they'll make their voices heard at the next election because of this kind of silliness.

Mr. Chair, I will certainly give my support to this amendment. We have, obviously, an alternative amendment, that we like a little bit better, but we will support this one. If we were to get this set election date, we would be very happy with it because it's better than nothing. It certainly would help the Premier regain some credibility with the people of Alberta, and I think that's important for her. I think it's important for us as politicians because there's a real credibility gap that's occurring every time a politician says that they're going to do something and then does the exact opposite.

**Mr. Chase:** It makes us all look bad.

**Mr. Anderson:** It really does make us all look bad.

People don't mind, you know, politicians honestly changing their mind on things as circumstances change and as new information comes to light. They understand that – they do – as long as you're honest and upright and it's not a pattern, as long as it's the exception to the rule and there are thoughtful, nonpolitical reasons behind it. But when the reasons are clearly political, when they happen in a two-week span, when they happen in order to get votes one week before an election, obviously knowing full well that it's completely optional whether you're going to keep that promise or not, that's what drives voters crazy. They can't stand it no matter what area of the world you live in, specifically Canada and specifically Alberta.

With that, Mr. Chair, I will be supporting this amendment.

**The Chair:** On the amendment, any other hon. members? The hon. Member for Edmonton-Strathcona on amendment A1.

**Ms Notley:** Yes. This is simply a brief comment on amendment A1. I think there will be more discussions around this particular section and different amendments for it. There have been some really good comments thus far about the many statements made by the Premier in her election campaign and around the merits of fixed election dates and how critical they are to the issue of ensuring fairness and why it is that she would certainly do everything she could to give us a fixed election date, only for us to then be subjected to really, truly, Mr. Chairman, what I have to say are the lamest, just truly the lamest, most tortured rationales for why we now have a fixed election season.

I've heard some tortured rationales out of folks from the other side. I mean, they really will get remarkably creative in trying to justify things that are really so clearly designed for political purposes.

**Ms Blakeman:** It's like kids, right? "I didn't break that."

**Ms Notley:** Yeah. Exactly. It's like kids. You know, they're sitting beside a broken jar of jam and are covered with jam, yet they will argue that, no, in fact aliens came in, landed their spaceship, broke the jar, covered their face with it, and then left.

They'll do it with a straight face, and that's kind of what it's like listening to these folks talk about why in Alberta, apparently, the weather here is so unique that it is absolutely essential we give ourselves the option to call the election when we're not in the middle of a weather emergency because we have no experience with that in Alberta. We need to respect Albertans enough to ensure that it is a sunny day, and of course we all know that we can predict the weather 30 days out. I mean, it truly is a tortured dance that they're doing.

**11:40**

Saskatchewan and Manitoba have been known to have weather events. Some of them might suggest that, indeed, they've had to put up with more weather events than us. But in any event, I can tell you that nobody can predict the weather 30 days out. Even if you did want to somehow deal with the untenable, intolerable weather conditions that are unique to our province, this is not the answer because you've still got to give voters 30 days' notice or 28; I'm not sure which. You've got to give voters notice, and we all know that you just can't predict the future 28 days in advance.

This has nothing to do with that. Here is the natural disaster and emergency that this legislation allows the government to address, a really bad poll. That's the natural disaster that they're worried about. They're really concerned that Environics or Angus Reid or somebody is going to come along. I mean, right now they're flying high, but, you know, we've seen polls go up and polls go down. In fact, they do go up and down in a 90-day period. We've seen that. Clearly, that is a natural disaster that they want to do everything they can to avoid, and that's why they're giving themselves the opportunity to try and schedule the election around that natural disaster.

Now, if they were prepared to do that in consultation with the opposition, maybe there'd be something to it, but, you know, I am pretty sure that that's not the plan. Anyway, a tortured, illogical, silly group of explanations coming from folks over there: as I said before, I suspect there are a good number of them that will not actually get up and speak to it because they are as embarrassed by this silliness, as they should be.

You know, it would be better for the Premier just to say: "Well, you know, I said that we'd have fixed election dates, but it's not going to happen. We'll talk about it after the next election. It's too much too soon." You know, just be honest about it. This tortured interpretation of what she said and what she didn't say just irritates people because it is so . . .

**Mr. Anderson:** Brazenly political.

**Ms Notley:** So brazenly political. Indeed.

One thing I just did want to talk about in this particular instance, on this particular amendment. I mean, I'll support the amendment in general because any date is better than the season, but I have said in the past that, personally, as a member of the opposition and one who has a number of students residing in my riding, I have suggested that we ought not to have a fixed election date that is scheduled for when students are out of school. My hope is that at some point in the future we will get a government that's actually interested in increasing voter turnout. I know this government is not the government. I'm hoping that at some point we will get a Chief Electoral Officer who believes it's his job to increase voter turnout. I certainly understand that our current Chief Electoral Officer, as selected by the majority of Conservative members on the Legislative Offices search committee, is not the Chief Electoral Officer who will make that decision.

Indeed, the Chief Electoral Officer who was quite interested about increasing voter turnout and addressing opportunities to have students vote is the one that the majority of Conservative members on the Legislative Offices Committee chose to fire three years ago. Nonetheless, someday it could happen. We could get a government that cares about democracy, we could get a government that sees that it's in their best interests to actually get people to go to the ballot box, and we could actually get a government that respects the process enough to appoint a Chief Electoral Officer on the basis of their commitment to the democratic process and improving that process in the best interest of all Albertans rather than according to the agenda of the Conservative government.

Should that happen and should we be in a position to have that situation occurring and we actually change the legislation so that we're not intentionally confusing and discouraging students from casting their ballot in this province, it would be very helpful if we did not have an election on a day where they have finished school and in some cases, maybe temporarily, are moving to other locations or being in different locations. We would want to do everything we could to increase their opportunities to vote. So I would like to see a fixed election date earlier in the spring to accommodate that.

On that basis the date that's proposed by the hon. Member for Edmonton-Gold Bar is not my first choice, but again the concept of a date, one that the Premier so eloquently argued for during her leadership campaign, is a good one, and for that reason I will support the amendment.

Thank you.

**The Chair:** Any other hon. member on amendment A1? The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Chairman. I'd just like to speak to the amendment. Albertans were promised fixed election dates; instead, we have fixed election seasons. It's important to fix the date, number one, to help the Premier maintain her promise. If the goal is to have true democracy and true representation and have a good, fair competition, it's incumbent that everybody starts the race at the same time. Many of the issues that I hear from new people who want to run for public service is that people need to take time off work. They have families. We want young people to run. We want parents to run. We want professionals to run for every party. They need to be able to get time off work, a leave of absence from work.

I can understand. On the government side you have 68 incumbents, and their work is here. They know when the elections are going to happen. They've won elections before. Some have lost elections and won again. They're fully financed, fully ready to go, and they know when the race is going to start. But for true democracy to prevail, the other political parties have many members who haven't been elected, who are new, and they deserve to have a fair and equal chance, an equal shot at getting to all their constituents.

For example, you have to rent an office. When the starting gun goes, one team knows when to rent all the office space and the billboard space. The other team has never run a race before, and they have to start hunting for office space, get their phone lines hooked up, take their leave of absence from work, arrange for daycare for their children. By the time everything is organized, the election is half over.

As you know, generally governments call elections because they know they're going to win them. The polling shows that. The government already has the advantage of having a \$38 billion

budget to play with just before an election. The government has the advantage of not only the polling, not only the budget, but the 4 and a half million dollars they've got in the bank. They've got the advantage of never having lost an election.

At the same time Albertans need to know when an election is going to happen so that they can plan their vacations around it. If they're going to be out of town, they can arrange to cast their ballots. It's incumbent on the Premier to keep her promise if she wants to be considered fair, if she wants to be considered as somebody who keeps her word. What are they afraid of? Why do they have to be afraid of keeping an election commitment? Mind you, this wasn't an election commitment; it was a commitment made during a leadership race.

Officially I thought it important to get on the record. I was quite enthused when the Premier got elected based on the commitments that she had made about fixed election dates. I have to say that I became quite disappointed when that date became a season. It could be this time or that time. They're asking people to rent offices for three months, and God knows if the election is even going to be called in that time period if they're not high enough in the polls.

11:50

So I feel it important to support the amendment from the Member for Edmonton-Gold Bar. Let's set a date. We know, especially being Liberals in Alberta, that it's tough enough to fight an election. Let's be honest. It's tough. It ain't easy. We're not the wealthiest of the bunch. We haven't won since 1917. We don't have \$4.3 million in the bank. We don't have 68 incumbents. We don't have a \$38 billion budget to play with. Come on, guys. Come on. At least set the date so that we can get our candidates prepared, ready to commit to take 30 days off to fight a race that, hey, in many parts of Alberta we don't have a chance. No, we can't finance it. But what are you scared of? The Premier said she'd set a date. Set the date, run on it, and give everybody a fair chance.

It's like the world's fastest sprinter saying: "Listen. I want to start on the 75-yard line while the other kids, who've never run a race, start at the starting line." This is Alberta. Albertans believe in fairness, but their government doesn't. So I just ask everyone on the government side to be brave, set the date, and be prepared to fight an election where you already, even if you set the date, have a 50-yard head start, on my team at least. You already have a 50-yard head start on this other team over here and maybe a 90-yard head start on the other team. What are you scared of?

Mr. Chairman, I support the amendment from the Member for Edmonton-Gold Bar, and I thank you for this opportunity. I challenge the PC caucus and the Premier and her team to remain true to their word and set an election date, not an election season.

Thank you.

**The Chair:** On amendment A1, the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Chairman. The Leader of the Official Opposition raises some very important points, the point being: quite simply, just set a date. How simple is it? I'll say it very slowly; he said it slowly: just simply set a date.

Now, I understand that the PC caucus, in light of the fact that a very small minority actually supported the Premier, who came in with this idea . . . [interjection] Well, I'm being gracious when I say that. Obviously, the majority of caucus does not support what she had purported. But now here it is, and they probably don't support the idea of the fixed election season. That being the case,

the hon. member who brings in a date of May – personally I foresee this. Soon we'll be in the Christmas season, the holidays will take place, then January. The bottom line: I understand the PCs are having their candidate school on February 10 or 11, somewhere in there, for those candidates who are running again. Of course, the Liberals and the New Democrats and the Wildrose already have their campaign school set up.

So what's going to happen in February is no different than before. It's going to be simply a Speech from the Throne, the Minister of Finance is probably going to try to add 1 and 1 together to equal 3, and then he will go forward and ultimately there will be a budget, and then the mandate will be called.

Now, it'll be done, though, to try to surprise the opposition by trying to do it in February so that it still meets the date of somewhere between March and – when is their election? Their date I think is March 1 to May 31, which is, again, as I mentioned earlier, like *Groundhog Day* 2 or *Groundhog Day* 28. Really, there's nothing fixed about it.

So I think that what is very important is to just do the right thing and, quite simply, come forward with a date. How simple can that be? It's like when you're born. You're born on a day; you're not born in a season that can fluctuate. You can't be born on 92 days of the year. The amendment at least begins to improve what was started on that side, but I think it's very important that this government not flip-flop anymore and actually come up with a date so that all Albertans know.

The Leader of the Opposition asked the question: why don't they want to do that? I'll tell you why. They don't want to do it because they want to keep the upper hand. They're interested in two things: power and keeping it. It's not, in my view, what is in the best interests of Albertans in terms of being open and transparent.

I will say that I believe in calling a date; it's as simple as that. In fact, I'll even state it to the new leader of the PC Party, the old and tired 40-year-old dynasty over there. You know, they've simply run out of ideas. They couldn't even come up with a date. It just simply had to be a season. Come up with a date, and I'll say: "Hey, good for you. You finally came up with a new idea for once." That being the case, though, new ideas have to be protected like newborn children. They have to be protected, fed, nurtured, and they need to be given an opportunity to grow.

The other provinces that actually came up with fixed election dates, not one of them has a season. It's all a date, one particular date. The reality of it is that this new leader of the PCs, the Premier, came up with this idea. The rest of the caucus didn't support it, and now they are obligated to support it. Really, they have some major explaining to do when they go back home. I don't think she won her PC leadership based on this.

The amendment put forward regarding May at least is much more open and transparent than what is being proposed by the government. Congratulations to the Member for Edmonton-Gold Bar. I congratulate him on at least being more open and transparent than what we've witnessed on the government side.

Having said that, Mr. Chair – I have spoken already once – I will say that it is my hope that the Government House Leader, who's talking to the Deputy Government House Leader – they're smiling. I think they might have come up with an idea of actually coming up with one day.

The bottom line is that there can be 68 of them, but one person can overrule them. That's just simply how their democracy works. I think what's really important is that it might be a good idea to never forget who your bosses are, and that's the people of Alberta, not the people who have a title called Premier.

Thank you, Mr. Chairman.

**The Chair:** On amendment A1, the hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Chairman. It's a pleasure to get up and to speak on Bill 21, the Election Amendment Act, 2011, and to support the hon. Member for Edmonton-Gold Bar in his amendment to actually help the Premier come forward with her idea that she so eloquently talked about during her leadership race.

The problem here, Mr. Chairman, is that the new Premier spoke many times of the importance of having a set, fixed election date. It's interesting because when she first got elected, the first thing that she did was call off the fall sitting. Again, I've never, not that I'd ever want to, had the benefit of sitting inside that PC caucus to understand the dynamics. It's one of those bewildering things for me, always being on the outside, to see how decisions are made and who's calling the shots. You kind of wonder, you know: how does it work?

I must say that from my outside observation it seems apparent that the Premier doesn't always get their way. I think it was quite evident when the first thing the newly elected Premier declared was that there would be no fall sitting. Then they had a caucus gathering, and all of a sudden we have a contracted, short fall sitting, obviously the will of the caucus because the Premier had said she didn't want one. It was good that she was listening to a few at that time who were politically astute enough to say: it's not good if we don't have a fall sitting; we can't wait until next February to present a budget. So here we are, and they brought a few bills forward.

It's interesting. I just want to read a few quotes, and there have been many from her. She was quoted as saying that the status quo of no fixed election dates needs to change so as to deny the government "the behind-the-scenes deal-making and manipulation that . . . characterize the timing of an election." She said that she doesn't like to be willy-nilly, that she likes to speak her mind. She was very much speaking her mind there. She understands it. She's only been in here four years, and she was one of those that had to make some adjustments to know when they're going to run.

**12:00**

So behind-the-scenes deal-making and manipulation characterize the timing of an election. She said that fixed election dates are important because – again, she's talking about the people – they understand the issues that are coming. They don't believe any political party should have even if it is a theoretical upper hand in managing the political agenda and then picking the date accordingly. These are quotes from our new Premier on why she said that we need to have a fixed election date.

Yet we don't have one, Mr. Chairman, and the question is: why? Once again, I think that caucus overruled her and said: "No, no, no. We haven't had to pin down an election date. It's been to our favour. We just got through by the skin of our teeth several times because we could call it at a very inopportune time for the opposition and capitalize on the current volatile political environment that we live in here in Alberta." They throw out some real boondoggles, yet time and money – it's amazing how that goes forward.

Mr. Chairman, we have a great opportunity here to bring this bill to a wrap by accepting this amendment of May 8, 2012, to set a date. As you have been aware, the government members have been silent on this amendment and silent in this House. When it's an amendment coming from the opposition, it means that they oppose it and that they won't vote for it. It's very disappointing that they don't have, I want to say, the integrity to follow their leader and do what is right and set an election date. She's tried.

Obviously, caucus has overruled her and said: not on our watch; it's not going to happen. So here we are with an election season.

I have to say that probably the number one question that I get asked by people that are thinking about running . . .

**Ms Blakeman:** It's: are you crazy?

**Mr. Hinman:** No. That's the first statement. I've never run for the Liberal Party, so they wouldn't ask me that question.

**An Hon. Member:** Oh, hey. In the spirit of bipartisanship.

**Mr. Hinman:** Well, no. That's the number one question that the hon. Member for Edmonton-Centre gets.

The number one question that I get from people that I talk to is: "When are they going to have an election? I need to plan my life around it. I can't all of a sudden just wrap things up on two days' notice." They need that certainty. They need to be able to plan in advance.

People want to know. I mean, here we are picking a date. I like this May 8. I think that the third week in June would be a better one, though. I like lots of sunshine, and late in the day you can go door-knocking. People are upbeat; they want to talk. June is a great time to go in there, but May 8 is a good time because the sun is warming the earth and warming the hearts of the people, and they're a little bit interested in talking and opening up the doors and discussing those things. I do love door-knocking. I have to confess that I'm guilty of that, that door-knocking is probably the most fun of this job, going out one on one, meeting the constituents and taking it in the ear or getting those great ideas that they have.

If they have a set election date, there are seniors that know they can plan and be back in the province. If, in fact they don't know – and many have left now to go south. They don't know whether it's going to be March 3, April 3, May 3. They don't know, so they can't plan, and they're disappointed in that. People can't plan and set their time aside and allot it so that they can participate and help and get enthused and work with an election, all of these things. If we have a set date, people can plan. When people can plan, they participate. When you just call a snap election or a snap gathering, you don't give Albertans that chance to participate and plan.

I mean, the Premier talked about it on October 5 in the *Calgary Herald*: "On Sunday I said that it would be after a spring sitting, a budget and a throne speech and thought that based on the practical timing that could be June – sometimes the legislature takes on a life of its own, so it's a little unpredictable." Well, that's what we want, to remove the unpredictability, Mr. Chairman. We need to set a date.

Amendment A1 is a great opportunity for this government to say: "You know what? We made a mistake. We didn't follow our leader. We didn't allow her to set a date, but let's fess up and say that this is the democratic thing to do. It's the right thing to do. Let's go for that." Looking at the people across the floor, it just doesn't seem like it's sinking in yet that they need to pick an election date, so we're going to have to keep hammering them on that.

Another quote:

Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation . . .

Again that same wording.

. . . that sometimes characterize the timing of an election, said Redford, the candidate.

Personally, I was very disappointed by the voter turn out in 2008, when I was elected. We failed to engage the public in our

most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend.

Well, if the Premier would like to, obviously her caucus does not want to.

It's interesting when she brings up the election of 2008. I remember that. Premier Stelmach earlier that year and late in 2007 had said that the election was going to be on a four-year basis, and it would be in November. The one in 2004 was on November 22, so at that point many Albertans were taking the then Premier at his word, that it'll be in November. But there was a funny event that happened on the 19th of January 2008. The Alberta Alliance and the Wildrose joined, and two weeks later the Premier called an election. It was a great opportunity at that point to seize the moment and run with the ball and call an election.

It's also interesting that if you look at that month before, the Canadian Taxpayers Federation, I think, tallied up that the government spent close to \$1.2 billion in January of '08, and then they called an election on February 2. So they spent \$1.2 billion for 30 days, had all these wonderful ideas, and then they called an election. Behind-the-scenes manipulation is what the Premier calls it. It's quite evident.

There are a few other interesting things that went on at that time. They told Suncor and Syncrude that they had to sign a deal by January 31 or else, by January 31, 2008. One of the two companies did sign a deal, and that's one of the things that they took to the polls to say: "Oh. Look at us. We took this big corporation on, and we won. We threatened them, and we won." They took that. They also had the teachers' union sign a deal by January 31, a five-year deal. These guys really think out loud. Five years. That goes through a whole two election cycles, and that's really good. What did they promise?

Again, I remember that in 2005, Mr. Chairman, speaking in here when they had their first budget surplus, I said: your law says that you have to pay all of your debt. At that time they had an unfunded liability in the teachers' pension plan of \$2.1 billion. I said: "You have no surplus. You owe that money. You've promised it. They've been patient from 1993. Pay your dues into that fund, and show some good faith." Would they do it? No, Mr. Chairman, they wouldn't do it.

The 8th of May could be a great day to replace this government.

**Mr. Boutilier:** Well, stay on the amendment.

**Mr. Hinman:** We are staying on it. We're talking about fixed election dates.

Fixed election dates are important. It reduces, as the Premier said, behind-the-scenes deal-making and manipulation that sometimes characterizes the timing of an election. Well, she understood that very well because there was a lot of behind-the-scenes and upfront, blatant purchasing, buying of votes, with billions of dollars at play back in 2008, when this Premier first got elected. She spoke out eloquently about it, and she said that she wants to defend democracy. Yet this government fails to set an election date after all that she's said. They sit back there like it's no big deal. It's obvious that these government members think that saying one thing and doing another is perfectly fine, that there's nothing wrong with that.

**12:10**

As I think the hon. Member for Calgary-Varsity said earlier – and maybe it was someone else; we've got lots of people talking on this – it paints all elected representatives with a bad brush when one doesn't honour their word, when they say one thing and do another thing. Again, when you look at that chart that comes

out every three or four years on who you trust the most, I think the pharmacists are one of the top-rated ones. The bottom two on the ladder: what are they? Lawyers and politicians. Then, hon. Member for Edmonton-Centre, you might ask: why are we doing this? Why do we get together?

My colleague from Calgary-Fish Creek always says: don't get off the horse to fight with the pigs. Well, sometimes the pigs have to be rounded up and put back in their pen. I believe the hon. Member for Cardston-Taber-Warner gave a good analogy about capturing pigs, about throwing out the grain for the wild pigs, and they would come. Then they'd put up one fence. Then they'd put up a second fence and then a third fence because they'd all come to the trough to eat. Then, finally, when the pigs are all in there that one day, they come and shut the gate because they've gotten used to being fenced in there. Then they're caught because they're coming to the trough and getting the free feed.

**Mr. Chase:** I think George Orwell wrote that story, *Animal Farm*.

**Mr. Hinman:** Yes, but the hon. Member for Cardston-Taber-Warner eloquently talked about that one day here in the House.

It's a problem, Mr. Chairman. That's why it's simple. Let's do the right thing here tonight. We could close this off by accepting this amendment and getting this through instead of trying to ram this through with an election season. It's going to take a season for these individuals to understand that that isn't acceptable to the opposition or to Albertans. So I just can't urge them enough to come to their senses, to show some integrity, to support their Premier and say: "Yes. We were wrong. We should have picked the dates." And then pick one.

Again, we've got enough time. If there is a special date they want, bring it forward. We in the opposition would be happy just to help you in passing a law that's good for Albertans, that's good for democracy and good for participation. That's what it's all about. We want increased participation. We want people to have faith in their elected representatives. We want them to be able to understand, you know, that they're going to be held accountable on this date. Then they can start working and pushing their politicians to accountability because they have a date. They can set that, and they can see it.

Right now what they're saying is: "Well, you know, if we have a little mishap here or something else, we might need to postpone it for a couple of months. We can spend some money. We can do some behind-the-scenes manipulation and recover from this fall." But if they set a date now, again, they can't – oh, and I guess I've got to comment on those three or four phony excuses. The first one was the weather. "Well, how could we possibly pick a date when we don't know what the weather is yet?" You know, we can't figure that out a year in advance, but we can figure it out 90 days in advance. We can pick a date, maybe March 5, and they'd say: oh, we've got 30 days of good weather; it's a good time to call an election. That was pitiful. Albertans said that.

What was the next one? "Oh, well, there are religious holidays, and they kind of float around, so I don't think we could pick a date because it might be a religious holiday." Well, there are ways to address that quite easily, to say that if, in fact, something falls there, it will go over to the next week. Very easy. Again, another pitiful excuse. As the Member for Edmonton-Strathcona says, it was lame, incredibly lame.

Then the feeble excuse: well, we've got to consider the farmers. How? The weather is so unpredictable. I mean, they could pick a date, and it could be the one good day that doesn't work. I mean, it's just pitiful the excuses that they try to come up with. As parents we've all had our children come home and give pitiful

excuses why they couldn't make it: "Oh, I lost the keys," or "I didn't see what time it was." [interjection] Yeah. I've even had some come home and say: "Oh, the weather was terrible."

Anyways, Mr. Chairman, this is a great amendment. It's a good amendment for the people of Alberta. May 8, 2012, would be a great day for the people of Alberta to know that the next election is coming. I hope that all the members here will vote in favour of this amendment. Then we can move on and fix a few more bills and make some progress.

Thank you, Mr. Chairman.

**The Chair:** Any other hon. member wish to speak on amendment A1?

**Hon. Members:** Question.

[Motion on amendment A1 lost]

**The Chair:** We are going back to the bill. The hon. Member for Edmonton-Strathcona on the bill.

**Ms Notley:** Thank you. Well, you know, we've had some good conversations tonight about why this piece of legislation is so silly. Of course, I have to compliment the Member for Airdrie-Chestermere for rolling out such an impressive bit of research, outlining all of the different statements made by the Premier in her successful attempt – I think much to her own surprise as well as that of probably 95 per cent of the people sitting across from us – to get herself elected as Premier of the province by a small group of quasi-Tories. It's interesting because from those quotes we see a lot of her alleged concern about ensuring fairness and ensuring that no party gets a leg up over another party, even if it's a theoretical leg up, that we need to convince Albertans that the process is fair. She's all about fairness and transparency, so let's do that.

In a genuine effort to assist the Premier in undoing the unfortunate discrepancy between her statements and her actions and in an invitation to the Premier to actually consider an approach that would ensure the kind of fairness that she ran upon when she was pursuing the role of leader of the Conservative Party, I have an amendment that I would like to propose and distribute to the members of the Assembly this evening.

I shall just do that and then wait for it to be distributed before I speak further.

**The Chair:** The committee shall pause a moment for the distribution of the amendment. This amendment is now known as amendment A2.

Hon. Member for Edmonton-Strathcona, please continue on amendment A2.

12:20

**Ms Notley:** Okay. Well, thank you, Mr. Chairman. I'm moving this motion on behalf of the Member for Edmonton-Highlands-Norwood. In doing that, let me begin by simply describing the motion.

The plan would be to amend section 2 in the proposed section 38.1 as follows: in subsection (2) by striking out "Subject to subsection (1)" and substituting "Subject to subsections (1) and (3)"; and then by adding the following after subsection (2). This is the key element of this amendment.

(3) Prior to March 1, 2012, the Premier shall determine the date of the next general election in consultation with the leaders of the opposition parties represented in the Legislative Assembly, and for subsequent general elections, the consultation and determination of the date shall occur no later

than 6 months following polling day in the most recent general election.

The point of this amendment is to give the Premier some assistance in keeping her promises. Through this she can keep two of her promises. Now, there was a point at which she talked about being the harbinger of transparency and consultation and respect for the Legislature, yada, yada, yada. That was the first promise. Then the second promise, of course, as has been discussed at some length already in the Legislature, in this Assembly tonight, is the promise of a fixed election date. This amendment would meet both those promises.

Just to be clear, for the current situation what it would ensure is that at some point between now and March 1, 2012 – we still would maintain the season, but what it suggests is that the season, the date within the season, has to be determined in consultation with all opposition leaders in the Legislature. Then what it does is that after that election there's a six-month window. In that six-month window, the government has to consult again with all the members of the Legislature to select a date. Then that date is set, and it is for three and a half years later. It still exists within that season, but for the course of that term everybody has roughly three years and three months to three years and six months' notice of the exact date of the election.

Now, I understand that you cannot predict the weather three years and three months in advance, nor can you predict the weather three years and six months in advance, but to review, you cannot predict the weather 28 days in advance. So in terms of addressing your weather concerns, your weather anxieties, I would suggest that this is no less effective at meeting that objective than the current plan.

Conversely, what it does do is that it provides a fixed election date for parties to be able to establish some sort of equal footing when we come to the campaign so that voters can actually make a choice based on a reasonable understanding of what each of the parties stands for as opposed to the degree to which they have been exposed to the ridiculously imbalanced ability of parties to use Public Affairs Bureau PR and/or corporate-funded 10 to 1 election financing ads. Rather, the parties would each have an opportunity to prepare in a way to provide actual policy choices to Alberta's voters. Then they could make their decisions based on that, which I know is a novel idea, but what the heck.

By doing this, this acknowledges the role of the opposition leaders within this Assembly, and as I said before, it allows the Premier to genuinely meet not just one promise but two and be the hero of the day.

I thank the Member for Edmonton-Highlands-Norwood for this unique idea. Based on all of the many conversations that have already taken place with respect to the need for a fixed election date and based on the Premier's own passionate advocacy for the need to ensure more transparency and openness and to give Albertans a strong faith in the fairness of our election process and to ensure that they have true faith in the process, this would be an opportune step forward.

I would certainly encourage members of this Assembly to consider this amendment. It's a little creative, but far be it from us to let that stop us. For the moment I will take my seat and invite other members to engage in conversation on this amendment.

Thank you.

**The Chair:** The hon. Government House Leader on amendment A2.

**Mr. Hancock:** Yes. Thank you, Mr. Chair. I think it would be a scintillating thought to engage in discussion on this amendment. We've heard so much about election seasons, and now we have an election committee, I guess. A delightful thought, to actually have

a six-month period to consult with the leaders of the opposition parties represented in the Legislature. Presumably, if we couldn't come to agreement, we could just continue to govern forever.

**An Hon. Member:** You'd love that.

**Mr. Hancock:** No. I wouldn't love that because I love elections, and I love to go back to the people. I actually enjoy being on the doorsteps and talking with people in the community about what kind of a province they'd like to have and what kind of a future they see for their children and grandchildren. I see a future for my children and grandchildren.

I'd like to see them again, and I know that if I go much later tonight, I may fall asleep on the way home. So I would move that we adjourn debate.

[Motion to adjourn debate carried]

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee now rise and report Bill 22 and report further progress on Bill 21.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 22. The committee reports progress on the following bill: Bill 21. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Having heard the report, does the Assembly concur in this report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 12:29 a.m. on Wednesday to 1:30 p.m.]









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, November 30, 2011

Issue 43a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 30, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. We confidently ask for strength and encouragement in our service to others. We ask for wisdom to guide us in making good laws and good decisions for the present and future of Alberta. Amen.

Please be seated.

### Introduction of Visitors

**Mr. Dallas:** Mr. Speaker, I rise to introduce to you and through you to all members of the Assembly the Hon. Errol McLeod, Minister of Labour and Small and Micro Enterprise Development of the Republic of Trinidad and Tobago, and his delegation: His Excellency Philip Buxo, High Commissioner of the Republic of Trinidad and Tobago to Canada, and Ms Elizabeth Sealy, chief manpower officer from the government of Trinidad and Tobago. They are here today to represent the productive relationship Alberta has with Trinidad and Tobago. We have strong cultural ties as well as partnerships in trade, industry, and education. I'm confident that this visit to our province will mark the beginning of an even stronger relationship between our two jurisdictions. They are seated in the gallery today to watch our proceedings. I now ask Minister McLeod, His Excellency, and Ms Elizabeth Sealy to please rise and receive our best wishes along with the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

**Mr. Mittel:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of the Assembly two people who are seated in your gallery. The first is Mr. Drew Hutton, who as an MLA for Edmonton-Glenora from 2001 to 2004 sat in this Assembly. He's now director of U.S. trade and investment for Intergovernmental, International and Aboriginal Relations. With him is Mr. Michael Reeves, the president of the Ports-to-Plains Trade Corridor Alliance, of which Alberta is a member. They're here this week meeting with ministers, ministry staff, and economic development agencies. I'd ask them both to rise and receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm very pleased and honoured to introduce to you and through you today 48 grade 6 students from Archbishop Joseph MacNeil school who are joining us today accompanied by their teachers Mrs. Brooke Kuntz and Mrs. Moira Lintz. They're also joined by parent helpers Conrad Bodnar and Tammy Jurijew and a student teacher, Ms Colette Tercier. Members may remember Colette as a former page in this Assembly. I've had the opportunity to meet with them very briefly. We took a picture on the steps, and they answered my questions brilliantly. They are great representatives of the constituency of Edmonton-Whitemud. I'd ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Creek.

**Mr. Zwodzesky:** Thank you very much, Mr. Speaker. It's indeed a great pleasure for me to rise and introduce to you and through you some very, very bright students from a brand new school in my riding of Edmonton-Mill Creek. The school is called A. Blair McPherson school, and it's one that I'm happy to say I supported being built. There are 60 students who are here today. They are accompanied by Mrs. Lorelei Campbell and Mr. Tom Henderson, their teachers, and by parents and helpers Mrs. Mussa, Mrs. McGowan, Mrs. Palak, Mrs. Aberle, and Mrs. Kaptzy. I would ask all of these guests to rise and please receive the warm recognition of this House.

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

**Mrs. Sarich:** Mr. Speaker, thank you. It is indeed an honour and a pleasure to rise today to introduce to you and through you to all Members of the Legislative Assembly 20 students here from Queen Elizabeth high school in the constituency of Edmonton-Decore who are new Canadians and representatives from all around the globe. They are joined today by their teacher, Mrs. Sarah Lees. The Assembly should know that Queen Elizabeth high school is celebrating 50 years of learning success, and I know that these students today are top notch, working very hard, and are future leaders. I would ask them now to please rise and accept the traditional warm welcome of the Assembly. Thank you.

**The Speaker:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I am very honoured to introduce to you and through you to members of this Assembly six individuals here today to support more administrative penalties for impaired driving. They have been advocating increased safety on our roads for a number of years, and I'm very glad that they are here today. They are from Mothers Against Drunk Driving. I want to, first of all, introduce Denise Dubyk, the national president – she's standing in your gallery – and also Louise Knox, the manager of the western provinces.

I'd also like to introduce Brenda Johnson, who is a regional director; Leila Moulder, the Edmonton chapter president; Susan Semotiuk, an Edmonton volunteer; and Jillian Phillips, who is also an Edmonton volunteer. They are now standing in the members' gallery, and I'd ask this Assembly to welcome them.

I have one more introduction, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Gabe Rohr and his daughter Cheryl Rohr. Tragedy struck the Rohr family on July 23, 1987, when Cheryl was struck by an impaired driver. Cheryl was not expected to survive this tragedy; however, through hard work and determination Cheryl is here with us today. Cheryl and her mother, Sharon, went on to form the survivors program, which brought them to many classrooms across Alberta to speak with children about the dangers of drinking and driving. I'd ask again for members of this Assembly to welcome them.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's a privilege today to introduce to you and through you to all members three members of the Calgary Foothills medical centre team. The Foothills intensive care unit recently received the prestigious 2012 intensive care unit design citation for its commitment to creating a safe and healing environment for patients and their families. This award, given out once a year, recognizes ICU designs that demon-

strate the most leading-edge approaches to caring for a hospital's sickest patients. I would ask that the three members of the Foothills medical team sitting in the gallery rise as I mention their names: Caroline Hatcher, executive director of critical care at Foothills; Dr. Paul Boiteau, department head of critical care medicine for the Calgary zone of Alberta Health Services; and Dr. David Zygun, medical director at the Foothills intensive care unit. This is an accomplishment of which we should all be very proud. I'd ask all colleagues to join me in extending our congratulations and warm welcome to these individuals.

**The Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. It's a privilege to rise today and introduce to you and through you to all members of the Assembly nine members of the Camrose Kodiaks junior A hockey team. They are Coach Boris Rybalka, Captain Rylan Wiest, Sam Jardine, Craig Bokenfohr, Jonathan Lashyn, Nolan Marshall, Kieran O'Neil, Brayden Hopfe, and Landon Kadatz. The Kodiaks have been in Camrose since 1997. In that time they've become great community contributors. They are also one of the premier teams in the Alberta Junior Hockey League and, I would suggest, all of Canadian junior hockey, having won a national championship, five Doyle Cups, and six league titles, something that the organization and the community are very proud of. I would like them to rise and offer the warm welcome of the Assembly.

One more word, Mr. Speaker. We didn't have another place for him to sit, but my special assistant, Nick Harsulla, is also a former Kodiak.

1:40

**The Speaker:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Speaker. I've been looking forward to making this introduction to you and through you for the past seven years. It's a distinct honour for me to introduce Darlynn Linn, who has made invaluable contributions to her neighbourhood, city, province, and beyond. Darlynn has been the constituency manager for Calgary-Lougheed since April of 1997. Our constituents know that once she is on the case, things will be taken care of. Dar believes that constituency assistants could not do their jobs without the wonderful staff in all departments of the LAO. She enjoys working with community organizations, including as a volunteer, and with groups such as the Calgary-Lougheed PC board. She has made countless friends, had a lot of fun, and made Alberta a better place to be all at the same time. Her late husband, David, is indeed her inspiration. Dar along with David had two fabulous children, Nathaniel and Sabrina, and they've overcome incredible obstacles together. Darlynn Linn is a wonderful friend, and I trust that all of our hon. colleagues will join me in welcoming Darlynn as she stands in our House.

Thank you.

**The Speaker:** The hon. Member for Calgary-Buffer.

**Mr. Hehr:** Thank you, Mr. Speaker. It's an honour and privilege to rise today and introduce to you and through you nine fabulous parents from Morinville who, as we are all aware, are battling for secular schools for their children in that area. Could you please rise when I call your name: Donna Hunter, Marjorie Kirsop, Gillian Schaefer Percy, Rayann Menard, Eva Scrimshaw, Stacey Buga, Carol Sparks, Jessica Logan, Colleen Moskalyk, Lara Thompson,

Tannis Caverly, and anyone else who came today. Needless to say, can we extend a warm welcome to our guests and visitors today?

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. It's my pleasure today to introduce two of my constituency office staff who braved the weather and the roads coming up from Calgary this morning to be here this afternoon. Michelle Bodnar, my constituency office manager, has been working in the Calgary-Currie office for almost two and a half years, which makes her the longest lasting constituency association manager in my history as an MLA. I think that's a good thing. Michelle comes from a background in writing and communications and is also a resident of Calgary-Currie and certainly is an indispensable help to me.

Also, with her today is Gwyneth Midgley, a long-time political activist in Calgary who recently joined our staff at the Calgary-Currie constituency office. A graduate of the University of Cambridge, she worked in London for the British Ministry of Defence before immigrating to Canada 20 years ago. She believes that the hon. the Premier bears a striking resemblance to a young Margaret Thatcher albeit we think – it remains to be proven – with a somewhat more moderate political philosophy.

If this House would please give Gwyneth and Michelle the warm traditional welcome of the Assembly. Thank you.

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

**Mr. Chase:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly a couple of powerful advocates for the disabled, one of whom has just won a key judicial review concerning the PDD appeals process. Gail Wilkinson is a parent of a young man with autism and cerebral palsy. He was diagnosed at age three, and with some support was able to complete high school and go on to university. Gail and Mary Jo Hague, also a parent of a child with autism, are fighting for the rights of disabled Albertans to be participative and productive members of Alberta society. They are seated in the gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

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

**Ms. Notley:** Mr. Speaker, today I am very pleased to introduce to you and through you to this Assembly two great guests from southeast Edmonton. Vanessa Sauvé and Justine Leszczynski are both mothers of school-aged children. Like many parents in our province, they are concerned with this government's lack of clear, long-term vision for a stable education system and, as such, were critical in organizing a rally in front of this Legislature back in June. Now along with other volunteers they have collected signatures from 654 Albertans who want to make it clear that simply reinstating funding to the education system, that was cut a few months ago, is not enough. Instead, they're calling on this government to provide sustainable and adequate long-term funding to address the needs of every student every day, without exception. I would now like to ask Vanessa and Justine to rise to receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all hon.

Members of this Legislative Assembly Dr. Josipa Petrunic. Josipa is starting as an adjunct professor of the history of mathematics and engineering at the University of Alberta. She is also an excellent researcher. She currently is writing a book on the history of thermodynamics and mathematics in Scotland. It was Scotland where she completed her PhD in 2009. Dr. Petrunic is starting a new project on the history of bitumen in engineering here in Alberta.

Josipa also studied French in the Edmonton-Gold Bar constituency, of course, at the Faculté Saint-Jean. French is one of the five languages that she can converse fluently in. She also has a degree in journalism. She worked as a reporter here in Edmonton with the *Edmonton Journal* before moving on to the *Globe and Mail*, where she received a prestigious national journalism award for an article on arts and science. Born and raised here in Alberta, Josipa is also an accomplished marathon runner. She learned to train for the marathon on the beautiful river valley trails that weave through the constituency of Edmonton-Gold Bar.

I will be very proud to stand on Monday evening at the Alberta Liberal Party nomination meeting in Edmonton-Gold Bar and nominate her as the next candidate for the Alberta Liberal Party when the general election is called. When it comes to upholding the values and the interests of Edmonton-Gold Bar, I can think of no better candidate than Josipa Petrunic. She is in the public gallery. I would now ask her to rise and receive the traditional warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

### Impaired Driving

**Mrs. Leskiw:** Thank you, Mr. Speaker. In 2010 8,500 Albertans were convicted of impaired driving. Over the past five years more than 41,000 Albertans were convicted of impaired driving, enough people to populate a small Alberta city. The number of 24-hour suspensions issued over the same time frame is shockingly similar. This is Alberta's drinking and driving record, and it is something that we as Albertans are not very proud of. After years of increased awareness about the deadly consequences and countless horrific crashes in which loved ones were lost, too many Albertans are still drinking and driving. When will this end?

We must do more to stop these drivers and their complete disregard for the lives of others and, sadly, even their own. We need to take action now. Drivers must be held accountable for the choices they make and their behaviour behind the wheel. Stronger sanctions for drinking and driving are one way to achieve that goal. We also need more education and monitoring to help change their behaviour permanently. At the same time we need to change societal attitudes towards drinking and driving. We want to develop a culture in which drinking and driving is unacceptable always and no one operates a vehicle if they feel their driving ability is impaired, regardless of how much alcohol they have consumed.

Now is the time to make our roads safer before more lives are needlessly taken and more families are left behind to grieve. Now is the time.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Political Contributions by Municipal Officials

**Dr. Sherman:** Thank you, Mr. Speaker. In yet another example of Alberta municipalities contravening the Election Finances and Contributions Disclosure Act by making illegal contributions to the PC Party, the town of Hardisty voted to send as many as six people to the Battle River-Wainwright PC Association MLA fundraising dinner. Can the Minister of Municipal Affairs tell us how many municipalities, including those in his own constituency, are making these illegal political contributions?

1:50

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. There are a lot of insinuations in that member's comments. The town of Hardisty did pass a resolution to send some, but as far as our records go, no cheque came from the municipality to our constituency association. I'd like to point out to the member as well that the Chief Electoral Officer sent a letter to every single municipality in the province just over a year ago telling them they should not send cheques, and our constituency has never accepted a cheque.

**Dr. Sherman:** Mr. Speaker, in my hand are the minutes of those meetings.

Given that this illegal activity has now spread to include some school boards such as Holy Spirit Catholic school, which sent their people to a \$250-a-plate Premier's dinner, can the Minister of Justice tell us if he is aware of this or other violations of the act and what he will do when he finds out about these issues?

**Mr. Olson:** Mr. Speaker, as I've said a number of times before, that's the job of the Chief Electoral Officer. If the member has issues regarding this type of matter, he should talk to the Chief Electoral Officer.

**Dr. Sherman:** Mr. Speaker, yet another abrogation of responsibility from the minister.

Given that town councils and school boards are so worried about protecting their funding that they feel compelled to misuse public funds, will the Minister of Justice finally direct Elections Alberta to conduct a full investigation on how many of these illegal contributions are being made and why?

**Mr. Hancock:** Point of order.

**The Speaker:** There's a point of order here.

### Speaker's Ruling

#### Referring to a Legislative Officer

**The Speaker:** I'm not sure, hon. Leader of the Official Opposition, that any member of Executive Council can direct an officer of the Legislative Assembly. So let's be very careful about the words we use here.

Minister, do you wish to say something?

### Political Contributions by Municipal Officials

(continued)

**Mr. Olson:** Well, Mr. Speaker, you took the words right out of my mouth. If this member and his friends saw me interfering like that, I'm sure I would be hearing from them. Let the Chief Electoral Officer do his job.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

#### **PC Party Benefit Plan Trust**

**Dr. Sherman:** Thank you, Mr. Speaker. Minister, forgive me for assuming that you are actually responsible.

Mr. Speaker, there has been a lot of interest this week and questions surrounding the top-up fund for the Premier's salary. Unfortunately, Albertans have received very few answers in this House. The Minister of Justice, who is responsible for the election finances act, has denied any knowledge of or responsibility for the Premier's top-up fund. As Albertan taxpayers are ultimately the ones paying to top up the Premier's salary, is the Minister of Justice able to tell us today the total value of the Premier's trust fund?

**Ms Redford:** I'm sorry. I've been out of the House the last couple of days. You can tell from my voice that I haven't been able to speak, but I'm sure glad to be back, Mr. Speaker.

I understand that there have been questions with respect to how the Progressive Conservative Party pays for expenses related to the leader. I will tell you that I believe it's important for political parties to pay for partisan activity that their leader undertakes. Our party does that. I am also aware that there are other parties represented in this House that follow the same practice, Mr. Speaker. I think it's critical that it be transparent. I think it's critical that if there are expenses related to pure political activity that they not be paid for by either the government of Alberta or the taxpayer of Alberta, and we're completely above board about that.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Premier and cabinet gave themselves a whopping pay raise just a few short years ago, can the Premier please explain why it would be necessary to top up your whopping \$215,000-a-year salary, and can you please tell us how much you're getting paid?

**Ms Redford:** Mr. Speaker, the hon. member is referring to the fact that there are expenses that are purely political that should be paid for by political parties. There have certainly been other disclosures in this House from other political parties clarifying that that is also the case for other political parties. I am sure the hon. member is not suggesting that the salary that I receive to be either a minister or a Premier should be money that's being used to pay for partisan expenses. And I would ask why, perhaps, with respect to the Official Opposition they've never declared anything.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. What I find as the Liberal leader is that the leader actually has to give the party money versus receive it from the party.

Mr. Speaker, given that Albertan taxpayers have a legal right to know how much of their public funds are used to pay the Premier, taxpayer public funds, will the Premier take some action and tell the public how much she's getting for her expenses or her top-up salary? And for the previous Premier?

**Ms Redford:** Mr. Speaker, we have a financial regulatory structure in place where all parties must disclose their party expenses. We do that as part of the normal course of events. That's part of what we deal with under the financial disclosure act, and it's a completely transparent process.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. I appreciate the hon. Premier's interest and questions and answers in this matter, but I would like to know, please: what is the difference between the Progressive Conservative Party of Alberta's leader's expense reimbursement and the benefit plan trust that has been paid to the former Premier for at least four years?

#### **Speaker's Ruling**

#### **Questions about Political Party Activity**

**The Speaker:** That would strike me as being clearly without the rules that we have, which I explained last Thursday, being a purely party matter. If the member wants to refine the question with other words, proceed. I won't bypass him today. I'll ask him to do it. Refine the question, and we'll see if it applies within the rules.

#### **PC Party Benefit Plan Trust**

*(continued)*

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier. The disclosure statement that is made pursuant to the Conflicts of Interest Act, which is a statute, a law of this province: what is the difference between the Progressive Conservative Party of Alberta's leader's expense reimbursement and the benefit plan trust that has been made available for at least four years for the former Premier? As I understand it, the PC party president indicates you're going to . . .

**The Speaker:** I'm afraid, hon. member, that isn't helpful. If you have a second question, proceed.

**Mr. MacDonald:** Again, Mr. Speaker, to the Premier. The disclosure statement that is issued by this House for all Members of this Legislative Assembly, which is pursuant to the Conflicts of Interest Act, clearly sets a difference between the leader's expense reimbursement, which you talked about in the question to the hon. opposition leader, and the benefit plan trust. They are different. What is the difference, and how much is the benefit plan trust worth?

**The Speaker:** Once again, hon. member, I'm going to give you a second chance to refine your question, to make it applicable within the rules.

**Mr. MacDonald:** Wow. I'm getting lots of chances, Mr. Speaker, and I really appreciate your generosity.

Now, again, to the Premier: how much money will you receive under the benefit plan trust that is being set up and is being subsidized by the taxpayers of this province?

**The Speaker:** Well, I think, hon. member, I'll invite you back tomorrow. Okay?

Now we'll move on to the hon. Member for Calgary-Fish Creek.

#### **Public Health Inquiry**

**Mrs. Forsyth:** Thank you, Mr. Speaker. Today is a very sad day. The cancer lab at the Tom Baker cancer centre closes its doors. After more than a decade and after serving more than 10,000 patients using research and testing developed exclusively in-house, the lab closes despite dire warnings from Dr. Tony

Magliocco. He did everything he could to stop it. Not only was he ignored; he was threatened and he was smeared for daring to speak out. My questions are to the Premier. We know that you dismiss this critical issue as a workplace disagreement. Is that how you're going to treat the countless examples of bullying and intimidation of health care professionals?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much. Well, this issue was discussed in question period previously. The questions were asked and answered. I guess what I'd like to say, Mr. Speaker, is that this recurrent theme of innuendo and rumour with allegations of physician intimidation has become quite tiresome to this government and, in fact, in our opinion, is an insult to the dignity of this House and to the people that work in our health care system.

2:00

**Mrs. Forsyth:** Mr. Speaker, that is unacceptable. He's already got his own Health Quality Council investigating intimidation, and as the minister he has the right to stand up and say that it isn't happening. What are they doing now?

**Mr. Horne:** Mr. Speaker, I'd be very happy to tell you what's unacceptable, in my view. What is unacceptable, in my view, is when I have briefings with my staff, as I did earlier today, and I discover that my staff have been accused of intimidation and collaboration with respect to bullying physicians of this province on the basis of no information, no fact. My staff are simply out there doing their job, conducting a regular billing review, and they are accused of physician intimidation. That is clearly unacceptable.

**Mrs. Forsyth:** Mr. Speaker, Albertans are not going to accept what he's saying, and the health care professionals in this province are not going to accept what he is saying.

Given how Dr. Magliocco was shamefully treated simply for advocating on behalf of his patients and given that he has stated that he would return to Alberta to testify at a judicial inquiry, will you commit immediately to having a judge-led public inquiry as you promised?

**Mr. Horne:** Mr. Speaker, what is unacceptable is what passes for a definition of intimidation in this House by the hon. members opposite. Disagreement among people in the workplace does not constitute intimidation. Staff of my ministry conducting a regular billing review under the auspices of the Alberta Health Care Insurance Act and being threatened with court action as a result of undertaking their responsibilities under law is not intimidation. What is intimidation is these continual allegations based on rumours, innuendo . . .

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

#### Proposed Mandatory Minimum Sentences

**Mr. Mason:** Thanks very much, Mr. Speaker. Bill C-10 is a federal piece of legislation that will see young Albertans put away for marijuana possession and will impose minimum sentences for a variety of other offences. Imposing lengthy minimum sentences has done little to reduce crime. The United States stands as a prime example of this. The increase in prison populations as a result will undoubtedly be significant for Alberta's criminal justice system. My question is to the Premier. Has the government determined how many more people will be incarcerated in Alberta under this

government's control as a result of Bill C-10? Has it estimated the costs that will be downloaded onto Albertans to pay for it?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Bill C-10 is actually still before Parliament, and I'm travelling in a couple of weeks to meet with the federal minister, Vic Toews, regarding this bill.

The one thing that this hon. member does not note is that Bill C-10 has many positive elements, including modernization of laws relating to Internet predators. This is something we should get behind as a government and not go and criticize it.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. The minister doesn't deal with the question, but I'd like to go back to the Premier, if I can. Given that the crime rate in Canada is the lowest in 40 years, with Alberta and B.C. recording the largest declines in Canada in 2010, and given that the parliamentary budget office has estimated the bill to provinces will be nearly \$5 billion, are the large expenditures required to support Bill C-10 in Alberta the right priority today for the government and for the province?

**Ms Redford:** Mr. Speaker, Bill C-10 is important legislation for Canada, and the reason for that is that what we know when we work with our partners in the community is that we have to ensure that we're dealing with the root causes of crime. We need to deal with social issues. We need to deal with education and health issues. The other side of that is that we can't allow people who are committing crimes to get away with those crimes.

Mr. Speaker, when I was previously in my portfolio as Minister of Justice, one of the things that we asked the federal government to do was to be very specific and very firm and very clear with respect to what sentencing would look like so that we could deal with crime as it happened.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the Premier's federal Tory cousins continue to ignore widespread and credible opposition to Bill C-10 and they continue to ram the bill through Parliament, will the Premier follow the lead of Ontario and Quebec and Newfoundland and refuse to pay for the additional costs that are being foisted upon the provinces?

**Ms Redford:** Mr. Speaker, one of the things that we know in federal-provincial relations is that sometimes we have shared jurisdiction. One of the ways that we can be most effective in ensuring that we're achieving good public policy with positive outcomes for Albertans is to work both with other provincial governments and with the federal government to ensure that we're actually having the success that we want to have.

Mr. Speaker, we're pleased with what we're seeing in C-10. We know that it's going to allow us to do what we need to do in the province provincially. It's also going to ensure that we're sharing resources in a way that's going to allow it to have the best impact it can for Albertans.

#### Electricity Prices

**Mr. Hehr:** Mr. Speaker, just in time for Christmas Alberta citizens are seeing their power rates jacked up by 48 per cent. Businesses and families alike will pay 13.5 cents per kilowatt hour, the highest regulated monthly rate ever. This makes clear

that there are continuing problems for Alberta consumers since the deregulation of the markets some 10 years ago. To the Minister of Energy. The Premier stated that if the government finds policy and structures are not working as expected, it would be time to revisit those mechanisms. Accordingly, given that it's clear the system is not working, what is this minister doing?

**Dr. Morton:** Mr. Speaker, it is true that the projected price for electricity for the month of December is going to be higher than it has been in November. Interestingly enough, November was lower than October. In the system we have the price varies from month to month, but studies have proven consistently that over time if you compare Alberta to nonhydro jurisdictions, our rates are middle of the pack and competitive.

**Mr. Hehr:** Given that consumer groups and energy experts alike have recommended many ways to this government to address this price volatility, why is this minister sitting on his hands and not acting on the Premier's concerns on behalf of Alberta's consumers?

**Dr. Morton:** Mr. Speaker, all of the solutions that the hon. member likes to point to that other provinces have been using have led to huge, huge public debt in their electrical and hydro systems. Quebec is \$36 billion in debt right now for Hydro-Québec; Ontario, \$64 billion. I'm happy to tell this Assembly that the total public debt in this province, the province of Alberta, is zero. There's no public debt on generation.

**Mr. Hehr:** Given that the only conclusion Alberta consumers can draw is that they're being royally rooked on their power bills, when will this minister sit down with the energy industry, energy experts, and academia and come up with a reasonable solution for Alberta consumers that more accurately reflects the price of producing power?

**Dr. Morton:** I indicated earlier, Mr. Speaker, that Alberta's electrical prices compared to nonhydro jurisdictions are competitive – we're middle of the pack – and unlike all these other jurisdictions the hon. member points to, there is no public debt in Alberta on power generation.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Calgary-Buffalo.

### Diabetes Supplies

**Ms Woo-Paw:** Thank you, Mr. Speaker. My constituents have informed me that about 57 per cent of people living with diabetes are unable to comply with the prescribed therapy because they cannot afford their medications, medical devices, and supplies. As a result, they face a high risk of developing complications. While research clearly indicates the health benefits of insulin pump technology, pumps and supplies remain unaffordable for most Albertans. My questions are to the Minister of Health and Wellness. Why is Alberta 1 of only 3 remaining provinces in Canada that have not made a commitment to fund insulin pump therapy?

**Mr. Horne:** Mr. Speaker, I thank the hon. member for the question because this is a topic that has been very much on my mind over the last few weeks. It is true that Alberta has programs in place for patients with type 1 diabetes. In some cases those do include insulin pumps and supplies. In fact, only four jurisdictions in the country provide complete funding for an insulin pump for

everyone with type 2 diabetes. The decision is something that is under review in my ministry right now. We need to assess the health technology and its potential benefits to Albertans.

**Ms Woo-Paw:** Well, Albertans with annual incomes greater than \$15,000 face the highest out-of-pocket costs in the country. Again to the same minister: what is the ministry doing to ensure that those with limited income have equitable access to the health services they need?

**Mr. Horne:** Well, Mr. Speaker, Albertans with very low incomes can in fact access some financial assistance through Alberta Seniors. But it is true – and I've heard a number of my colleagues mention it – that the financial burden of diabetic supplies, test strips in particular, and access to advanced technology like insulin pumps is an issue. We're looking very seriously at it right now.

**The Speaker:** The hon. member.

**Ms Woo-Paw:** Thank you. To the same minister: as I have been contacted by numerous constituents on this issue, when can Albertans expect a decision from your ministry?

**Mr. Horne:** Well, Mr. Speaker, as I said, we have a health technology assessment review under way now to evaluate the potential application of insulin pumps for all Albertans with diabetes. I expect it will take a few more months before that review is complete, and I certainly look forward to informing this House and the hon. member of the outcome of that.

Thank you.

### 2:10 Secular Public Education in Greater St. Albert

**Mr. Hehr:** Mr. Speaker, yesterday the Alberta Civil Liberties Research Centre gave Morinville mothers an award to recognize their right to fight for secular education. These parents have repeatedly asked the minister to meet with them, and he's always denied their request. To the Minister of Education: given the Premier's promise of transparency and accountability, why won't this minister make the meetings with St. Albert school boards public and include the parents in these debates?

**Mr. Lukaszuk:** Mr. Speaker, this member is wrong again. As a matter of fact, I met with the parents in a very interesting way. The parents were at the Legislature with their children, and believe it or not, we had a little bit of a picnic in the rotunda of the Legislature. I had the pleasure of chit-chatting with the mothers. I had a very good, constructive meeting with three of the school boards involved, and the school boards are now working on a resolution. I am very proud of the mothers, and so should the children be. They're advocating for education, and the school board is responding.

**Mr. Hehr:** Well, given that the children are already crammed in a small office and that the promised modular classrooms are once again delayed, when will this government assure parents in Morinville that secular education will be provided with proper infrastructure so that you can have a good picnic?

**Mr. Lukaszuk:** Well, Mr. Speaker, obviously, this member is not well apprised of what's going on. I met with the mothers, I met with the children, I met with all of the three school boards, and they're working on a resolution. As a matter of fact, yes, all children are entitled to a top-notch education, and as the member knows, we promote choice. Now he's asking for choice; yesterday he was against choice. We are promoting choice, and we will

make sure that at the end of the day these parents and children will get the education they asked for and deserve.

**Mr. Hehr:** Well, we'll get back to talking about choice another day, Mr. Speaker.

Today we're talking about picnics and the right of these people to have a secular school option. I will ask the minister: when will you commit to having a firm date established for when this mess in Morinville can actually be ended so that people can have a secular school option that they can go to, that they can be proud of sending their children to? Commit to a date.

**Mr. Lukaszuk:** Well, I am very happy that this member is such a big promoter of choice when it comes to secular education, but when it comes to religious education, he wants choice eliminated. That's good to know.

However, Mr. Speaker, I will tell you that the school boards in that area have been given about a month to find a solution that is agreeable to all parties involved. The best solutions come from the local area, not from here and definitely not with that kind of rhetoric. We will resolve this issue. We will make sure that all parties involved are satisfied.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the hon. Member for Calgary-Varsity.

#### Disaster Assistance Benefit for Slave Lake

**Ms Calahasen:** Thank you, Mr. Speaker. Many businesses in my constituency were significantly impacted by the devastating fires that occurred this summer. Approximately 20 per cent of businesses were left dealing with damage or destruction to their buildings and are stretched to the limit. My question is to the Minister of Agriculture and Rural Development. Could you please explain to my constituents what your ministry is doing to help rebuild businesses that have been affected by these fires?

**The Speaker:** The hon. minister.

**Mr. Berger:** Thank you, Mr. Speaker. I thank the member for that question. Ag Financial Services Corporation is working closely with the businesses in and around Slave Lake. In May a multimillion-dollar disaster assistance benefit was announced. This benefit provides those businesses with loans of zero per cent interest for up to two years and then financing further out. They have the ability to defer that payment as well for two years. To date 60 loans have been processed and confirmed for over \$51 million back into the Slave Lake area.

**Ms Calahasen:** To the same minister: is AFSC mostly refinancing existing loans, or are they also supporting new loans because of the businesses that have been affected?

**Mr. Berger:** Mr. Speaker, to date one-third of the loans out there are refinancing existing debt in operation of these businesses. Two-thirds of the loans are going to facilitate new construction and rebuilding. These business owners are able to address the challenges of keeping their businesses sustainable while the rebuilding takes place. Also, they're facing costs through high labour, temporary housing, and many other issues, and these loans are helping to facilitate all of those issues.

**Ms Calahasen:** Well, Mr. Speaker, there's no office in Lesser Slave Lake for AFSC. How is this going to impact the turnaround times on the loan applications if there's no office there?

**Mr. Berger:** Mr. Speaker, as the new minister responsible for AFSC through agriculture I'm very proud to inform this House and all Albertans that immediately after the fire 50 per cent of the AFSC staff from all over Alberta had moved into Slave Lake, and through temporary accommodations at the time they were operational right after the fire. In October we opened a new permanent office in Slave Lake, and the turnaround time on our loans there is now 15 days. I'm very proud of that, and we look to continue.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for St. Albert.

#### PDD Appeal Panel Decision

**Mr. Chase:** Thank you, Mr. Speaker. Last month the Court of Queen's Bench of Alberta struck down a decision of the Persons with Developmental Disabilities Appeal Panel. That decision was procedurally unfair, ruled the court, in part because the panel had relied on the evidence of an expert witness who was also a PDD employee. To the Minister of Seniors. Judicial reviews can cost as much as \$70,000. What about families that can't afford this? How are they supposed to ensure that decisions affecting the supports that their loved ones receive are made fairly?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Mr. Speaker, thank you for that question. To the member opposite: I have been made aware that the justice did in fact quash the decision of the appeal panel and has remitted it back to the appeal panel for a further decision.

Mr. Speaker, you'll have to help me on this one. The appeal panel now is going to hear that, and I think I'll be tight on my comments.

#### Speaker's Ruling Sub Judice Rule

**The Speaker:** Yes. And I would not know that. You'd have to explain to me where we are in the judicial process. If it is before the courts or any one of the stages within it, then the minister should be very, very careful in what he says, and so should the member raising the question, by the way.

**Mr. Chase:** Oh, of course, Mr. Speaker.

#### PDD Appeal Panel Decision (continued)

**Mr. Chase:** How does the minister account for such procedural irregularity given that the statement of mandate and role signed by a previous minister requires that the panel provide "a fair and unbiased mechanism" of dispute resolution?

#### Speaker's Ruling Sub Judice Rule

**The Speaker:** Well, it would strike me by the very words of that that we're within one of the processes, hon. member, so I'm going to really caution here again.

**Mr. Chase:** Mr. Speaker, this has nothing to do with the court process.

**The Speaker:** Well, I'm sorry, hon. member. You and I now have a distinct difficulty in dealing with this because I do not know where it is in the process, but you did mention appeal.

**Mr. Chase:** Mr. Speaker . . .

**The Speaker:** Hold on just a second. We're going to deal with this in an orderly fashion. I'm sure all the legal experts, including the Member for Edmonton-Riverview, will have a statement to make with respect to this.

Did you use the word "appeal" in your second question?

**Mr. Chase:** No, I didn't.

**The Speaker:** Did you use any word that says that it's under further review?

**Mr. Chase:** No. Would you like me to read it again?

**The Speaker:** Fine. I just want to be very clear here.

**Mr. Chase:** Okay.

**The Speaker:** The minister has the floor now. You raised the question.

#### **PDD Appeal Panel Decision** (continued)

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. The matter is now under the appeal of the appeal panel.

I can say very clearly that 417,000 seniors, 43,500 people on AISH, 9,400 people on PDD: all of those people I take very, very seriously. They're under the care of this minister.

I know there's a process that's under way, and I'm going to respect that process, sir.

#### **Speaker's Ruling** **Sub Judice Rule**

**The Speaker:** I just heard the minister say that it was under appeal. Is this not correct?

**Mr. VanderBurg:** Yes, sir. The justice has referred it back to the appeal panel.

**The Speaker:** Okay. Let's be very careful what we're talking about now. I will recognize the hon. Member for Calgary-Varsity for the third question. But if it is in any of the stages before the law courts, we do have a sub judice rule that we have to be cognizant of. That's all I'm advising.

#### **PDD Appeal Panel Decision** (continued)

**Mr. Chase:** I appreciate that, Mr. Speaker, your qualification. This is about government policy as opposed to court process.

Why must families in this province go to court to see that justice is done for their vulnerable loved ones?

**Mr. VanderBurg:** First of all, Mr. Speaker, I want to assure you that people who are applying for PDD go under an intense process. It's called the SIS program, or supports intensity scale. Everybody is judged fairly. We want to make sure that Albertans that apply for PDD are given the utmost respect. There is a process that each and every one has to go through.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Strathcona.

2:20

#### **Climate Change**

**Mr. Allred:** Well, thank you very much, Mr. Speaker. With the United Nations 17th annual climate change conference kicking off in Durban, South Africa, people are looking to Alberta to see where we stand regarding an international greenhouse gas reduction framework. To the Minister of Environment and Water. I've seen various people comment on what that framework should look like, including the federal Environment minister. Does Alberta support the federal government's position?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Thank you for the question. Certainly, Alberta supports Minister Kent's goal of working towards a realistic, international, comprehensive, ambitious agreement that would include all of the large major emitting countries. We do that, but we want to make sure that it focuses on technology development and that it's a comprehensive agreement throughout the global world emitters.

**The Speaker:** The hon. member

**Mr. Allred:** Thank you, Mr. Speaker. To the same minister: given that an international agreement is unlikely and since Alberta attends this international conference as part of the Canadian delegation, is Alberta's presence really necessary?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'll be there as a proud Albertan and will stand up for Alberta's interests and speak about our significant climate change achievements. We'll also be completely honest in saying that we don't have all the answers. We'll be there to share our best practices but also to learn from others.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. Again to the same minister. You say you're attending as a proud Albertan – and I appreciate that – to talk about our significant climate change achievements, but critics suggest that you're not doing enough. Can you tell me what this government is actually doing to address climate change?

**The Speaker:** Hon. minister, if you can do it in 35 seconds, proceed.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'd be very happy to talk about our achievements: operating North America's first emissions reduction program; setting mandatory targets for all large emitters; creating a regulatory offset market; putting a price on carbon; developing a clean energy technology fund, which has already collected more than \$257 million; committing \$126 million towards 27 clean energy products. We've also committed a \$2 billion investment in carbon capture and storage and \$2 billion in GreenTRIP.

**The Speaker:** If the hon. Member for Edmonton-Centre could be just a little patient, I'll recognize her two members from now.

The hon. Member for Edmonton-Strathcona.



### Access to Information

**Ms Notley:** Thank you, Mr. Speaker. Today the Information and Privacy Commissioner released a report saying that this government is on the road to making “Swiss cheese” of Alberta’s access to information by overusing paramouncy to create holes in access. The commissioner points out that this government has blocked access to information through 38 pieces of legislation and regulation, often with little or no rationale. My question to the Premier is: will she admit that this record of shredding holes in access to information is proof this government is far too secretive for Albertans to accept?

**Mr. Horner:** Mr. Speaker, I note that the hon. member didn’t read the entire quote. It said: “Left unchecked, the practice of taking other enactments out of FOIP by making them ‘paramount’ to FOIP has the potential to turn” the act – I think that what the Privacy Commissioner is doing is sending some messaging out to the next officer of this Legislature. This side of the House always respects the officers of this Legislature and will continue to work co-operatively with them.

**Ms Notley:** Well, Mr. Speaker, given that the next officer of the Legislature has no ability to deal with the 40-plus pieces of legislation that are creating this problem and given that the current commissioner says that it calls into question this Legislature’s commitment to access to information and protection of privacy for Albertans, will the Premier or the Deputy Premier agree that almost 40 acts require review to protect Albertans’ access to information and commit today to conducting that review before the next election?

**Mr. Horner:** Mr. Speaker, as I believe this document has been tabled, Albertans are free to read it at their will. Let me also quote another piece from the letter. He is “through this report, urging the next Commissioner to adopt the practice of writing the responsible Minister directly whenever a proposed regulation contains a paramouncy provision so that it can also be considered in full knowledge.” I’m sure the next Privacy Commissioner will do that.

I would also point out, Mr. Speaker, that when you review the paramouncy pieces that have been pulled from . . .

**The Speaker:** The hon. member, please.

**Ms Notley:** Well, given, Mr. Speaker, that paramouncy has been used to prevent Albertans from learning about oil sands industry testing and processing, royalty collection, insurance, and income supports or deals between health authorities and surgical facilities and given that all this information is needed for citizens to hold government accountable for their policies or for citizens to defend themselves, why does this government not understand that this information doesn’t belong to it or to the Premier or to the Deputy Premier but that it belongs to the people of Alberta and make sure that they can have access to it?

**Mr. Horner:** Mr. Speaker, the information in many cases belongs to the person. It belongs to the person that that piece of legislation might indeed be trying to protect. It belongs to the company whose livelihood may depend on the fact that that information is kept confidential. I’m sorry that the hon. member, especially with her background and training, doesn’t understand that.

**The Speaker:** Okay. Some documents were referred to in this

exchange. I trust that they’ll be tabled at the appropriate time.

The hon. Member for Edmonton-Centre, followed by the hon. Member for Red Deer-North.

### Hydraulic Fracturing for Gas in Shale

**Ms Blakeman:** Thank you so much, Mr. Speaker. Now, Alberta has more expertise in oil and gas than anywhere. When it comes to fracking, we should have the best science, regulations, and information, but we don’t. What we do have is leading scientists in the area of deep drilling and fracking stating that the studies done to date have largely lacked vigour, quality control, follow-through, and peer review. My question is to the Minister of Environment and Water. Why does the government state otherwise?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Certainly with regard to fracking, as I mentioned yesterday in the House, there is lots of work that we’re doing with other departments to make sure that when we come forward with a strategy, we have one that’s comprehensive. Alberta has a great regulatory system, over 60 years of a strategy with regard to regulating in this province. We will continue to make sure that as we move forward with fracking, we do it in a way that is responsible for Albertans.

**Ms Blakeman:** Back to the same minister, then. When occurrences of water contamination follow drilling in areas such as Rosebud, the Wildmere field, and the Campbell and Jack wells in north-central Alberta, why didn’t the government take every possible scientifically rigorous action to determine the cause and find any potential solutions?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As I told you, what we said yesterday was that we are working to make sure that before we move heavily into fracking, we’re going to work with other ministries. We’re going to have a comprehensive plan to make sure that as we regulate the fracking industry in Alberta and that continues to grow, it is done as it has been in the past with other oil and gas activities, in a very responsible manner.

**Ms Blakeman:** We’ve had fracking for 15 years, and they’re just starting to think about a policy?

Okay. To the same minister: why doesn’t this government require companies to submit their fracking fluid ingredients, not the recipe but the ingredients, so that comparisons can be made scientifically with any contaminated water? There’s a starting point. Why can’t you do that?

**Dr. Morton:** Mr. Speaker, there hasn’t been fracking going on in this province for 15 years; it’s been going on for 30 or 40 years. There are 167,000 fracking jobs in this province. There’s not one documented instance of where the fracking itself led to contamination. Not one. In fact, the New West Partnership is undertaking to pool information precisely on the question she’s looking for, where the fracking companies will actually provide information on ingredients.

**The Speaker:** Okay. The hon. Member for Red Deer-North, followed by the hon. Member for Airdrie-Chestermere.

### School Council Teleconference

**Mrs. Jablonski:** Thank you, Mr. Speaker. I understand that for the very first time in the history of this province the Minister of Education held a province-wide teleconference and spoke to 416 parents. I also understand that 370 parent-teacher associations were represented in that teleconference. To the Minister of Education: can you tell me what were the most important concerns that you heard from the participants in the teleconference?

**Mr. Lukaszuk:** Mr. Speaker, actually that was a very interesting event. We held a teleconference, and some 370 parent councils dialed in. Every parent council consists of some six, seven parents, so a large number. We assumed there could have been up to 2,000 parents on the line. Some of the issues that were brought up were the ones that we know as MLAs from our constituents: transportation, infrastructure. We did discuss PATs and had quite a split opinion on a number of issues. I will elaborate further.

2:30

**Mrs. Jablonski:** Mr. Speaker, given that this was a provincial conference attended by parents from all regions, can the minister tell me if he found that different areas had different concerns or if there were similar concerns throughout the province?

**Mr. Lukaszuk:** Well, Mr. Speaker, one of the benefits of these teleconferences – and I'm going to hold them more often and more of them – is that parents get to hear other parents from different parts of the province and see some of the similarities and even perhaps share in the ways they address issues within jurisdictions. Yes, there are trends throughout the province. It's a vibrant province, a growing province. The population shifts a lot. So in high-growth areas, no matter where they are, you will find some of the pressures that occur are similar no matter where they are.

**The Speaker:** The hon. member.

**Mrs. Jablonski:** Thank you. Given that the age of technology changes the way we do things and definitely changes the way we interact with each other, will the ability of parents and stakeholders to have direct discussions with the minister in any way diminish the roles of school boards?

**Mr. Lukaszuk:** Well, not at all, Mr. Speaker. I find us all to be partners in education. School boards play a very vital role, and so do parents and students and MLAs and others. As ministers and as policy makers in this Chamber, we can never have too much information. Hearing directly from parents and hearing directly from teachers and directly from students is just a smart thing to do, giving us more perspective, and by doing so, we'll develop much more reflective policies.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Rocky Mountain House.

### Impaired Driving Legislation

**Mr. Anderson:** Mr. Speaker, on Monday night the transport minister stated that if parents, including myself, are distracted by our children while driving, we should think about putting them in a cage or not driving with them at all. This government sure has a firm grip on the realities of life in Alberta. What Albertans wouldn't mind seeing, though, is this government caged before they pass any more bills that penalize law-abiding Albertans like Bill 26. To the minister: given that the Supreme Court today found parts of the B.C. impaired driving law that Bill 26 is modelled

after unconstitutional, will he refer this bill to an all-party committee so we can amend the law into one that actually saves lives?

**Mr. Danyluk:** Well, first of all, Mr. Speaker, let me clarify something that the hon. member had talked about. The hon. member talked about that his kids were out of control in his vehicle, and he didn't have control. I said that it is imperative that the driver of the vehicle have control of the vehicle, and there may have to be different ways that that could take place.

As well, referring to the B.C. judgment . . .

**The Speaker:** I think we'll go on to the next one because of the time.

**Mr. Anderson:** Well, that's out of control.

Given that the overwhelming majority of drunk-driving deaths on our streets are caused by drivers over the .08 limit and given that only 2 per cent of all driver-related deaths are caused by those between .05 and .08, will this minister agree that a far more effective way to end drunk driving is to dramatically increase the number of checkstops on our roads and elevate penalties for those over the .08 limit rather than targeting responsible Albertans, who just aren't the problem, Minister?

**Mr. Danyluk:** Mr. Speaker, I'm not sure how the hon. member can say that impaired driving is not a problem. [interjections] As we heard the hon. member say earlier . . .

**Mr. Anderson:** Point of order.

**The Speaker:** Please. A point of order has been raised. If you wouldn't debate the subject in the question period, we wouldn't have these points of order. Stick to policy.

Minister.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. As mentioned earlier by the hon. member, 41,000 people have been convicted of impaired driving over .08 in the last five years, and a similar number have been charged and convicted.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** These are the same arguments that the federal Liberals used on the gun registry, Minister.

Again, to the same minister. Given that almost half of your caucus and the majority of Albertans are against this legislation and given the negative economic impact this new law will have and given it will do nothing to save lives, will you please take a breath, refer this to an all-party committee, and let's come up with a drunk-driving law that will save lives and leave law-abiding Albertans alone.

**Mr. Danyluk:** Well, Mr. Speaker, in fact, I asked the hon. member to stay tuned because it is on the agenda paper tonight, and if he's there, he will hear that discussion.

**The Speaker:** The hon. Member for Rocky Mountain House, followed by the hon. Member for Calgary-Mountain View.

### LEED Standard for Buildings

**Mr. Lund:** Thank you, Mr. Speaker. The leadership in energy and environmental design rating system, known as LEED, encourages the building industry to build responsibly with the environment in mind. To the Minister of Infrastructure. I'm hearing from the forest industry that the LEED process actually discriminates against

regionally grown wood products. If this is the case, I would like to know: why do we continue to use the LEED process?

**Mr. Johnson:** Mr. Speaker, our goal is to reduce the environmental impact of our public buildings and ensure our public infrastructure is responsible and sustainable. LEED is an independent third party review that's kind of the gold standard of excellence in this regard. You achieve LEED standards through a points system, and points are awarded for a lot of different things that you can do in the building, including water usage and energy efficiency and recycled materials. In Alberta we've adopted the LEED silver as a design standard, which is that you get a maximum of 100 points in the building and you get the silver standard.

**The Speaker:** The hon. member.

**Mr. Lund:** Thank you, Mr. Speaker. To the same minister. If, in fact, this is discriminating against Alberta wood products, then I would like to know: why do we continue using it?

**Mr. Johnson:** Mr. Speaker, I thank the member for the very good question. I know it's a concern with the forestry industry, and I want to just say that many of my colleagues, and specifically the Minister of SRD, have been strong advocates for that forestry industry and on this topic. The forest industry is a critical industry to Alberta. It is true that some jurisdictions have moved towards having mandatory FSC-certified wood in their buildings. Alberta will not be making FSC wood mandatory in its buildings or with its proponents, and we actually have design guidelines that prescribe specific points to ensure regional materials so we make sure we are not going to discriminate against Alberta businesses.

**The Speaker:** The hon. member.

**Mr. Lund:** No, that's it. Thanks.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Lacombe-Ponoka.

### Primary Care Networks

**Dr. Swann:** Thank you, Mr. Speaker. A two and a half year evaluation of the primary care initiative found that relative to patients not served by a primary care network, the primary care network generated considerable benefits to patients with respect to access to a family doctor, less use of an emergency room, and greater patient satisfaction, yet we hear planning from the Premier on developing family clinics rather than decisions to strength the development of primary care networks. To the health minister: why was this costly publicly funded report kept from the public?

**Mr. Horne:** Mr. Speaker, I thank the hon. member for the question. I couldn't agree more with respect to the success we've seen in improved care for Albertans through primary care networks. I continue to work closely with PCNs and with the Alberta Medical Association to look at ways we can better support PCNs in the future. That said, family care clinics are also a part of the evolution of primary health care in Alberta. We'll have more to say about that model as it is developed, but I want to make it clear to this House that family care clinics are not a substitute for PCNs.

**The Speaker:** The hon. member, please.

**Dr. Swann:** Thank you. To the minister: what is the Premier trying to fix through her family clinic proposals and at what cost?

**Mr. Horne:** Well, Mr. Speaker, as I said, this is very much a model in development. The Premier has talked about family care clinics as an enhancement to primary health care in Alberta. Perhaps in future, as this is developed, we'll be in a position to talk a bit more. But they will emphasize the use of other health professions to support physicians, notably nurse practitioners, pharmacists, and others. We intend them to offer standard hours of service in local communities, and we intend for communities to have a role in planning a family care clinic for their community.

**Dr. Swann:** Well, that's good to know, Mr. Speaker, and all of these changes would be welcomed by the primary care networks, I'm sure.

Just how committed is the government to primary care networks if it keeps them funded at 2003 levels? What is the plan to strengthen them and help their development?

**Mr. Horne:** Mr. Speaker, certainly, financial resources are an important part of the support that's offered to primary care networks and to all practitioners in primary health care. I would direct the member to discussions that we had earlier this week wherein I explained to him the work we were doing collaboratively with PCNs and with the Alberta Medical Association to look at what we can do to better support primary care networks in the future. We're very proud of the fact that there are 41 of these networks today, serving approximately 2.8 million Albertans.

2:40

**The Speaker:** Hon. members, that concludes the question-and-answer period for today. Seventeen members were recognized; 100 questions and responses were provided.

In 30 seconds from now we'll continue with the Routine.

### Members' Statements

*(continued)*

**The Speaker:** Hon. Member for Calgary-Buffalo, it was my hope to recognize you prior to the question period, but your colleague from Edmonton-Gold Bar went on with such a lengthy campaign speech and introduction that you were precluded, so it's your shot now.

**Mr. Hehr:** I'm surprised by that, too.

### Civil Liberties Award for Morinville Mothers

**Mr. Hehr:** Mr. Speaker, parents in Morinville have been fighting for months to secure their basic rights under the Charter of Rights and Freedoms to a secular education option for their children. Thanks to Donna Hunter and other parents in the greater St. Albert region we're making progress toward securing a proper secular option for Alberta kids despite the reluctant, sluggish response from government and stubborn resistance from the entrenched faith-based school board.

Yesterday, Mr. Speaker, Mrs. Hunter along with Marjorie Kirsop, Gillian Schaefer Percy, Rayann Menard, Eva Scrimshaw, Stacey Buga, Carol Sparks, Jessica Logan, Colleen Moskalyk, Lara Thompson, and Tannis Caverly were granted a special civil liberties award from the Alberta Civil Liberties Research Centre. It's never easy to speak out against the status quo to correct an injustice, but Donna Hunter and her fellow parents have fought tenaciously for their kids. In a secular society no child should be compelled to be exposed to any religion day after day in the classroom.

I'm very pleased to offer my most sincere congratulations to Donna Hunter and the mothers of Morinville for the award, and I will continue to push the Minister of Education and the Premier to come up with a better solution than portables for secular education in the regions.

In conclusion, Mr. Speaker, I applaud all the people involved in the fight for secular schooling in Morinville.

**The Speaker:** The hon. Member for Red Deer-North. [interjections] Okay. [interjections] Okay. Let's hear from the hon. Member for Red Deer-North now.

#### **Pan-Canadian Assessment Program Award**

**Mrs. Jablonski:** Mr. Speaker, I'm very pleased to rise today and acknowledge the outstanding performance of grade 8 students in the Pan-Canadian assessment program, or PCAP. PCAP is a national standardized test that is conducted every three years. On Monday we learned Alberta's grade 8 students achieved the highest marks in the country in science and the second-highest in reading and third-highest in mathematics.

Alberta students are among the best in the country and are developing skills that will serve them well throughout life. This student success is due in part to excellent teachers, high-quality curriculum, outstanding resources, and a high-quality assessment program. Without this combination I would not be able to stand here and offer congratulations to all involved.

National testing complements Alberta's provincial assessment programs and classroom assessments. Participating in national testing gives Albertans the opportunity to see how our curriculum and students are doing in relation to other students across Canada. Sometimes we need to critically examine what we're doing, look at what other provinces are doing, and make adjustments. Albertans can be proud of how our students are doing.

If there are ways we can be even better, we should look at them, and we are looking at them. The government of Alberta is committed to the transformation of our education system for the 21st century. This is an exciting journey, and we are already starting from a very good place.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### **Democratic Reform**

**Mr. Hinman:** Thank you, Mr. Speaker. As we look across the Atlantic Ocean and monitor the economic storm which was created by a boggling amount of red ink from governments that continue to pile up debt like Greece, Italy, Spain, and France, we are reminded that we may face similar challenges in the not-too-distant future if we don't make the right choices now. Margaret Thatcher said it best. "The problem with socialism is that eventually you run out of other people's money." It suppresses the strength and freedoms of individuals and their communities. Even worse, it creates mountains of debt that our future generations will not be able to pay.

It appears our government is committed to similar policies. We are in the midst of running our fourth deficit. The spending is not sustainable. Our savings are plunging right before our eyes. Over the past week we have listened to ministers declare that they need to increase revenues from Alberta taxpayers, this after it was revealed that the government received record revenues this past

year. It is clear that this government has developed a massive spending problem coupled with poor management.

This Premier and her government have shown that they are committed to a centralized decision-making process that takes away control from individuals and communities and puts it in the hands of big government. They created the Alberta Health superboard, that has undermined our health care system as we have seen a deterioration of many of our services while spending has increased. They passed Bill 50, which gives the Premier the power to decide on billion dollar transmission lines that will punish Alberta ratepayers and trample on landowners' property rights. The Premier has shown that she is anything but conservative by pushing a tax-and-spend agenda on Albertans and infringing on the rights of free Albertans.

It's time for a government in the province that knows what the fundamental principles are to ensure a strong and free country. A constitution for a free and prosperous people must protect the life, liberty, and property of its people and respect the rule of law. These are the fundamental principles of peace, freedom, and prosperity.

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

#### **Grain Marketing**

**Mr. Prins:** Thank you, Mr. Speaker. For far too long grain producers in Alberta and western Canada have been restricted in the way that they can sell and market their wheat and barley. While farmers in eastern Canada have always enjoyed the freedom to market and sell their grain products however and to whomever they choose, western farmers were restricted to selling their wheat and barley through the Canadian Wheat Board.

Mr. Speaker, I rise today to recognize and applaud the government of Canada's decision to provide choice for western Canadian wheat and barley growers. On Monday Bill C-18, the Marketing Freedom for Grain Farmers Act, was passed in the House of Commons. This bill removes the Canadian Wheat Board's monopoly on western Canadian wheat and barley as of August 1, 2012. Grain producers will now be free to sell through the Canadian Wheat Board or to whomever they choose.

Alberta's wheat and barley producers deserve the right to freely market their own grain products. They make incredible investments and take great risks, and they deserve the same freedom to market their products as other farmers and Canadian businesses are allowed. Alberta farmers are some of the best entrepreneurs in the world, and they must be allowed to adapt and react to changing markets and new market opportunities.

Not only does the passage of Bill C-18 benefit Alberta's grain producers, Mr. Speaker, but the value-added industry will improve as well, with more direct marketing opportunities between farmers and processors. In fact, we already had a recent announcement of a \$6 million expansion to Rahr Malting in Alix in my constituency of Lacombe-Ponoka as a direct result of Bill C-18.

Marketing freedom will enable producers to participate in a competitive marketplace and maximize their returns. Alberta, Saskatchewan, and British Columbia farmers produce more than 80 per cent of the wheat and 90 per cent of all the barley in western Canada. Mr. Speaker, it's about time they were given the freedom to choose how to sell and market their products.

Thank you.

**The Speaker:** The hon. Member for Calgary-Cross.

### Secretariat for Action on Homelessness

**Mrs. Fritz:** Thank you, Mr. Speaker. Three years ago leaders in community organizations, foundations, faith-based groups, and municipalities throughout Alberta requested support and resources to assist an estimated 11,000 homeless Albertans. At that time as the minister of housing and urban affairs I was privileged to work with these outstanding community leaders and made a commitment to address the underlying causes that lead to homelessness. A 12-member secretariat was appointed to create A Plan for Alberta, Ending Homelessness in 10 Years, and I'm pleased to say that this plan was endorsed by all members of this Assembly.

Today we are seeing great results. As of March 31 this year close to 4,000 homeless Albertans have obtained permanent housing and the supports they need to help them break the cycle of homelessness, and this success rate will continue. Over 700 people have done very well with transitioning into their communities and are now living with a higher level of independence. In fact, over 80 per cent continue to remain housed. As well, shelter use in Alberta is down by 6 per cent. You can see that the plan is working, Mr. Speaker.

As the weather becomes colder, our thoughts naturally turn to those who do not have a safe and warm home to go to at the end of the day. This plan is helping people to stay warm and safe in the short term, and it is also helping them with breaking the patterns that led to their homelessness. We are on target to achieve the bold objective of ending homelessness in Alberta by 2019, and because of the 10-year plan Alberta is now recognized as a leader in Canada in its approach to addressing homelessness.

Mr. Speaker, I ask that the members of the Assembly now join me in thanking the Alberta Secretariat for Action on Homelessness. Their outstanding leadership and their commitment to the implementation of A Plan for Alberta, Ending Homelessness in 10 Years is greatly appreciated.

Thank you.

### 2:50 Presenting Petitions

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

**Ms Notley:** Thank you, Mr. Speaker. I would like to present a petition which reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to consider increasing the funding to the Ministry of Education so that sustainable and adequate funding is provided to address the needs of every student, every day, no exceptions.

The petition has 654 signatures.

Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. chair of the Legislative Offices Committee.

**Mr. Blackett:** Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices I have two tablings today of reports by the Information and Privacy Commissioner entitled Report on the Use of "Paramount" Clauses in Acts and Regulations to Override the Freedom of Information and Protection of Privacy Act and Report on the Government of Alberta's Management of Ministerial Emails. These reports are being released today by the office of the Information and Privacy Commissioner, and the

accompanying news releases are attached to each report. Copies are being distributed to all the members.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to table the second annual report of the Alberta Secretariat for Action on Homelessness. Three years ago this government made a commitment to address the underlying causes that lead to homelessness by creating and endorsing A Plan for Alberta, Ending Homelessness in 10 Years. The Alberta Secretariat for Action on Homelessness developed this plan in 2009. In the first two years of the plan thousands of homeless Albertans have been helped to reclaim lives of dignity and self-reliance. The plan has also pushed Alberta to the forefront as a national leader in ending homelessness. I table this report as a record of the great work that has been achieved under this plan to address and strengthen the lives of the homeless and to say thank you to the secretariat for homelessness as we work with them to evolve to an interagency council to involve communities in an even stronger way than they have been already in addressing this important issue for our society and community.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I have two tablings today. The first is entitled Persons With Developmental Disabilities Appeal Panel, Statement of Mandate and Roles. The second is the judicial review that I referred to in my introductions and in the preamble. When disabled children reach age 18, they frequently run into a government wall.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker, four tablings today. The first two tablings are done on behalf of the Leader of the Official Opposition. Tabling 1 is the minutes from the town of Hardisty council meeting held on February 28, 2007, in which council approves up to six persons to attend the Battle River-Wainwright PC association annual MLA dinner.

The second tabling is the agenda and minutes of a meeting of the Holy Spirit Catholic schools on September 23, 2009, in which the board approves the purchase of up to four tickets for the southern Premier's dinner on October 8, 2009.

The following two tablings are from constituents of mine. The first is an e-mail response from Doug Battaglia regarding my questions around the Alberta building envelope report. He notes that as a board member and condo owner their buildings are 11 and 12 years old, and they're still finding new issues even now.

My last tabling is from Anna Davidson, which is a copy of a letter to Minister Klimchuk explaining her delight. She wants to sing the praises of the importance of Theatre Alberta's Artstrek program and thanks the government for their support of that program.

Thank you very much.

**Dr. Taft:** Mr. Speaker, I want to table some documents that relate to an exchange in the Assembly yesterday just to ensure that protocols are followed appropriately. These are documents that relate to the exchange between the Leader of the Opposition and some cabinet ministers, and they are copies of quite an extensive article that is entitled Alberta Town Official Used Office Email to Solicit Votes in Tory Race.

Thanks, Mr. Speaker.

**The Speaker:** Hon. members, I'm pleased to table with the Assembly the appropriate copies of a release issued by my office today, November 30, 2011, announcing that the Hon. John (Jack) Major, an Albertan and former justice of the Supreme Court of Canada, will conduct an independent review of MLA compensation and benefits, and also included is the mandate for the review.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to table the appropriate number of copies of documents that were received through a FOIP request completed by the Alberta Federation of Labour regarding meetings that had not been accurately described to either the media or the Ethics Commissioner around plans between the Canadian Association of Petroleum Producers and government officials to devise a communications plan to convince Albertans that fracking is an entirely safe activity.

**The Speaker:** Okay. Hon. Government House Leader, a purported point of order.

### Point of Order

#### Allegations against Nonmembers

**Mr. Hancock:** Thank you, Mr. Speaker. Earlier today during question period in an exchange involving the hon. Leader of the Official Opposition he raised a series of questions that related to, essentially, allegations about, and I think I'm quoting when I say, quote, the misuse of public funds. End quote. In doing so, he linked his comments to creating an aspersion against people who are easily identified by the public and are not present in the Assembly.

I would suggest to you that that offends the practices of this House, particularly page 121 of *Beauchesne's Parliamentary Rules & Forms*, sixth edition, at 409(7). "A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it." It is considered to be the usual practice of this House that we do not make attacks on people who are not in this House and cannot defend themselves here.

I think it's fair to say that the questions that were raised today with respect to donations and that were supported, I would suggest, just a few moments ago by the hon. Member for Edmonton-Centre tabling documents purporting to be minutes which would allow for or approve payments – with a modicum of research the hon. members could have determined the accuracy of the aspersions that were being made. Even in that circumstance, I'm certain that it would not be appropriate for them to make aspersions against those individuals in this House.

In fact, if there are any concerns about the propriety of any person making a political donation – and there are rules about who can and who cannot make political donations. If there are any questions about the propriety of a particular action or donation, there is indeed an appropriate process to do that. The Chief Electoral Officer has the authority to investigate. The Chief Electoral Officer is an officer of this Assembly. It would be appropriate to refer any such allegation, even if they didn't want to do any further investigation on their own, to the hon. legislative officer for investigation.

Instead, what we see time after time after time, Mr. Speaker, is people taking – there was a tabling of a newspaper article today with respect to an earlier question, which again relates to allegations that are being made involving people outside of the House

who cannot speak to or defend their actions in the House and casting aspersions on their character.

Mr. Speaker, I'm always reluctant to raise points of order, but it is absolutely appropriate from time to time for us to refocus and to understand the true privilege that we have in this House to attend and to debate in an appropriate way matters that are of public importance to Alberta and, indeed, not just the opportunity but the duty of members of the opposition and private members on the government side to call government to account. Absolutely. But in doing so, there are, I think, levels of decorum that must be respected. Question period should not be used in a bullying way, and it should not be used in a way which casts aspersion on the character of members of this House or of people outside the House who are not able to defend themselves.

3:00

I would suggest the tone of questions that we've had – and it's not inappropriate to ask questions and hold government to account by any stretch, but it is quite inappropriate to do less than reasonable research into a matter and then, based on a newspaper article or even minutes that they might have read, assume that something has happened and then cast an aspersion in this House as though that was fact.

People do listen, actually, to question period, and when they hear a statement made, they may assume that it is true. That's another one of our rules, in fact, Speaker, that the question should be based on something that's accurate. It "cannot be based upon a hypothesis, cannot seek an opinion . . . must not suggest its own answer, be argumentative or make representations." That's *Beauchesne* 409(3).

There are a number of other citations I could make, Mr. Speaker, but my point is that the tone of question period is getting to be such that we are seeing day after day after day and certainly in the hon. Leader of the Opposition's questions today people ignoring the proprieties and casting aspersions on the character of members and the character of people outside the House who cannot defend themselves, which is my point of order today.

I think we really ought to consider what we're doing, who's hearing what we're doing, and what effect it might have on people's impression of this institution, of democracy itself. We want to encourage people to participate in democracy. Why would anybody participate in democracy if what they see us doing is denigrating each other, casting aspersion on each other's character, dragging down public officials without the opportunity for defence, and making statements that are based on newspaper articles and other documents which have not been investigated when there is an appropriate way to deal with those particular queries?

**The Speaker:** The hon. Opposition House Leader on this matter.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I couldn't agree more with the Government House Leader's last statements. However, persons were not named in the questions that were brought forward, and only factual references were made. As far as the citation that the member has listed in *Beauchesne*, page 121, I think he was specifically looking at 409(7): "A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it."

Now, that just didn't happen, Mr. Speaker. The exact questions that were asked talked about the town of Hardisty. Well, that is

not individual persons that have been named here. He was very clear to say that the town had voted to send as many as six people to a particular function, and that, in fact, is factual as well and is documented in the sessional papers that I tabled.

So as far as imputing motives or casting aspersions upon persons, that did not happen, particularly those who are not in the House. They weren't named.

Asking the Chief Electoral Officer to investigate: well, I suspect he already has in these instances, which is why we have the information in front of us and knew where to look.

Now, calling the government to account, Mr. Speaker, is at the core of the exchange today. Given that donations to political parties are tax receiptable, and that means that Albertans do not have the benefit of the money that would have otherwise flowed to government coffers and provided programs for Albertans, they do have a keen interest in where that forgone revenue is and what it has been used for. That is at the basis of the questions that were being asked. That is forgone revenue, in some cases as much as 75 per cent of the money that was voted to be used to purchase tickets in those two examples that were given to the Speaker. So it's perfectly within order to be questioning the government on what it did with forgone revenue, and that is what we were attempting to do.

I did actually write down and carry around with me the Speaker's request to pay particular attention to certain sections. Looking at M and M, that was concerning internal party matters, which is not part of the discussion today; election expenses, which is not part of the discussion today. But the third part that's mentioned is party expenses, which I suppose could be interpreted as part of what was being questioned today. Under 410(17) "Ministers may not be questioned with respect to party responsibilities." Well, no one did question them with respect to party responsibilities, so 410(17) is not in play here. The last reference that you used was *House of Commons Procedure and Practice*, page 497, that the Speaker can rule any question out of order, and there's no dispute about that, Mr. Speaker.

But I think what is at the heart of this is an attempt to question the government on money that would have been taxed, and those taxes would have been used to fund programs. That is for us to be questioning the government as to how that money is being used, and we were trying to find out how that money was being used and were not successful. So there is no point of order.

Thank you very much, Mr. Speaker.

**The Speaker:** Hon. members, we could have the debate forever on this particular subject, so we'll just listen very attentively to what I would like to provide by way of thoughts on this matter. I hope you'll listen attentively, anyway.

All right. The Leader of the Official Opposition:

Mr. Speaker, yet another abrogation of responsibility from the minister.

Just park that thought for a second. That's directed to the Minister of Justice and Attorney General. I intend on coming back to that statement.

Given that town councils and school boards are so worried about protecting their funding that they feel compelled to misuse public funds . . .

Misuse public funds.

. . . will the Minister of Justice finally direct Elections Alberta to conduct a full investigation on how many of these illegal contributions are being made and why?

Well, so we've got misuse of public funds and illegal contributions.

Number one, my understanding of the law that we follow in this country and in this province is that an action may be found illegal if you have been charged with something, prosecuted, gone through the courts, and a decision has been rendered that it is illegal. I am not necessarily saying that this wouldn't happen if this would have been followed, but to my knowledge no such case has existed yet in the province of Alberta.

It's very correct that persons were not mentioned, but there's a clean sweep in here of town councils and school boards, and as I understand it, there are about 350 municipalities in this province and probably, Minister of Education, you've got another hundred school boards?

**Mr. Lukaszuk:** Sixty-two.

**The Speaker:** Sixty-two. So that's over 400 times eight or nine, nearly 4,000 public servants at one level or another, I guess, that come under this wave: "are so worried about protecting their funding that they feel compelled to misuse public funds."

Then there's the interesting role of the Chief Electoral Officer. But before I get to the Chief Electoral Officer and the abrogation of responsibility from the minister, how can one conclude that because someone makes a contribution to a political party, they're actually going to get a tax receipt for it? How is there a direct connection that because you make a donation to a political party, you're going to get a tax receipt? I know many people who make donations who don't want tax receipts. I just throw that into the air of this whole discussion with respect to this.

3:10

And then there's the question of the Election Finances and Contributions Disclosure Act, the act itself, page 37, section 53. I come back to "yet another abrogation of responsibility from the minister," in this case the question to the Minister of Justice and Attorney General. Section 53 of the Election Finances and Contributions Disclosure Act reads, "No prosecution shall be instituted under this Act without the consent of the Chief Electoral Officer." So how can the minister initiate such a thing if the laws of Alberta say that no prosecution shall be instituted under this act without the consent of the Chief Electoral Officer?

I have no doubt at all that there will be additional questions with respect to this whole matter in days to come, but I do believe the following should play a role in it as well. The Legislative Assembly of Alberta has, due to its wisdom in years gone by, appointed a number of legislative officers who have been given direct responsibility to do certain things, have direct responsibility, in fact even have laws, acts, that usually govern each and every one of them. They are officers of the Legislative Assembly. If a member has a concern about another member, he may make a petition to the Ethics Commissioner. He or she may make a petition to each of the officers, and investigations can occur.

It would be really helpful if, in fact, there was, quote, an illegal act that perhaps might be drawn to the attention of the Chief Electoral Officer. If the Chief Electoral Officer investigates such and makes a suggestion that there should be a prosecution, then he would be giving that guidance to the Minister of Justice and Attorney General. But the Minister of Justice and Attorney General: if I read the law that this Assembly has passed, it says, "No prosecution shall be instituted under this Act without the consent of the Chief Electoral Officer."

I have no doubt that these kinds of questions will continue to come. I just really would like people to make better use of the words. How does one know in their question that there actually

was a misuse of public funds? There may be a suggested misuse of public funds, yes, but let's have the facts.

Yesterday or the day before we had an incredible situation where a person gets up and accuses a minister or somebody in his constituency of getting a whole big grant because somebody sent an e-mail or something. Then an explanation was given, and everyone backs off. Why even go through that heartburn? Why not just ask the question? There are only 83 of us, well, 82 excepting me. Talk to one another. Maybe even solve these things. Or does it have to be a political theatre?

Let's talk about policy, for crying out loud. Let's get some facts on the table before we proceed. The matter is finished.

The next item has to do with the hon. Member for Airdrie-Chestermere.

### Point of Order

#### Explanation of Speaker's Ruling

**Ms Blakeman:** Standing Order 13(2), Mr. Speaker.

**The Speaker:** I've explained it all.

**Ms Blakeman:** Are you refusing me the ability to question?

**The Speaker:** No, I'm not refusing. I just wish you would listen to what I said.

**Ms Blakeman:** I listened very carefully. I even took notes, Mr. Speaker.

**The Speaker:** Go ahead. Go ahead.

**Ms Blakeman:** Your rulings are always very complex, and I want to make sure that I understand exactly what you've said and how I need to proceed in the future.

Do I understand, from your references to the number of people that would be in the school board at any one time or the number of people that might be elected to municipal councils at any one time, that that means that we do not need to refer to specific persons anymore to qualify under the citations; rather, any reference to an organization that contains individuals will satisfy the Speaker?

He seemed to be saying that although there weren't names mentioned, somehow mentioning school boards – and then you went on to talk about how many individuals would be in the school boards. I understood from what was being said there that persons didn't need to be named anymore according to the citation. So I look for clarification on that.

Secondly, is the Justice minister not empowered under the government act to solve issues by changing legislation, including the Election Act and the Election Finances and Contributions Disclosure Act?

My third question is: in section 16 of the financial disclosures and contributions act it sets out what is a prohibited contribution. It does name a number of particular organizations, including prohibited corporations – that appears on page 5 of the legislation under section 1 and in a number of subs – to come up with in (1) that a prohibited corporation includes under (1)(iv) "a school board under the School Act," which would mean that contributions coming from a school board under the act to a political party would be prohibited under this section, and also a provincial corporation, which I believe is where municipalities lie.

When the Speaker wonders about how this is determined, is it not determined through the legislation that points out that it's illegal for a school board under the School Act to make a contri-

bution and also for a provincial corporation? If I could just get clarification under 13(2) on those three questions, please.

**The Speaker:** The second question you asked has nothing to do with what we talked about today, changing legislation. Of course the question is always appropriate, but that wasn't raised today in any of the discussion that we had. If a member wants to stand up and is asking a minister of the Crown if they're prepared to advocate the change of legislation, that's very much an appropriate question.

**Ms Blakeman:** I'm just looking for your clarification on your points.

**The Speaker:** No, no. You're trying to filibuster an afternoon where there's government . . .

**Ms Blakeman:** No, I'm not, sir. I'm looking for clarification from you.

**The Speaker:** Well, okay. We'll get it in writing in the next couple of days.

The hon. Member for Airdrie-Chestermere.

### Point of Order

#### Allegations against a Member

**Mr. Anderson:** Mr. Speaker, I'll keep this very brief. Standing Order 23(h) and (i) in particular: "makes allegations against another Member" and "imputes false or unavowed motives to another Member." This is with regard to the transport minister earlier today. He clearly said that I did not understand or do not feel that impaired driving was a problem. Clearly, that's not what I said, Mr. Minister.

In the question in question – and I'll be done – I said specifically:

Given that the overwhelming majority of drunk-driving deaths on our streets are caused by drivers over the .08 limit and given that only 2 per cent of all driver-related deaths are caused by those between .05 and .08, will this minister agree that a far more effective way to end drunk driving is to dramatically increase the number of checkpoints on our roads and elevate penalties for those over the .08 limit rather than targeting responsible Albertans, who just aren't the problem?

I think it's pretty clear that I do feel very strongly that impaired driving is a problem, but I differ very strongly with the government on how they're going about addressing this problem, Mr. Speaker.

**Mr. Hancock:** Mr. Speaker, I think that even from the member's argument it's pretty clear that he thinks that we should be putting more enforcement in place on the roads to deal with the impaired drivers that are over .08, but he's not so concerned about the impaired drivers that are under .08. I think that was the nature of the comment that was made by the hon. Minister of Transportation. It's clear from the discussion and the debate that's been in the House. In fact, the hon. Member for Calgary-Mountain View quoted extensively from a report which indicated that alcohol impairs the functions which are necessary for driving and that that impairment starts well below .08.

That's been the gist, actually, of the debate that's been in the House under Bill 26, about impaired driving. Clearly, the distinction here is: obviously, people are opposed to impaired driving, but the hon. member seems to think that it's more important to deal with impaired driving for those who are over .08 but not important to deal with impaired drivers who are under .08.



I think that was clearly the gist of the comments back and forth and, quite frankly, an exchange which would have been much more appropriately dealt with later on tonight as we debate Bill 26 in committee.

**The Speaker:** Are there others?

Okay. Well, we've heard what the hon. Member for Airdrie-Chestermere said, but the hon. Minister of Transportation said:

Mr. Speaker, I'm not sure how the hon. member can say that impaired driving is not a problem. As we heard the hon. member say earlier . . .

And then there was a point of order.

The point of order was raised by the hon. Member for Fort McMurray-Wood Buffalo. Is there a reason why that was done, according to the Blues? I heard the hon. Member for Airdrie-Chestermere, so there's an error in the Blues if you go and check the Blues. [interjections] Well, it doesn't make any difference. It's a moot point.

I repeat what the hon. Minister of Transportation said: "I'm not sure how the member can say that impaired driving is not a problem." Well, I see what the hon. Member for Airdrie-Chestermere said, and I think that was too quick a response from the Minister of Transportation. I'll accept that. We'll clarify it that way by accepting it but also providing another caution.

3:20

These kinds of questions, once again, are part of debate. They're not dealing with policy. If people stuck to questions of policy instead of sticking to questions of debate when there's ample opportunity in the legislative agenda to deal with this – it is scheduled, as I understand, for committee review, perhaps this afternoon, perhaps this evening. It has already cleared second reading. Is this not correct? Is it not correct that the major debate has been done?

Now we're dealing with very specific questions. We have committee assigned for that. Time is scheduled for it. This is not the purview and the purpose of question period at this point in time in the motion of a bill. If members continue to do this and members continue to deal with personalities instead of policies, we will have these little sojourns every afternoon at 3 o'clock for 10 or 15 or 20 minutes. Some people will use it to try and filibuster our Routine. We've seen this happen on previous occasions in the last couple of years in this Assembly. It's up to the chair to try and make sure that that is understood and guide it through.

There's a lot of business that has to be done. Why don't we just deal with policy for once and see if it works? Just try it to see if it works. Forget about personality, and forget about debate in the question period. It would be a novel approach.

## Orders of the Day

### Government Motions

#### Adjournment of Fall Session

27. Mr. Hancock moved:

Be it resolved that pursuant to Standing Order 3(9) the schedule for the 2011 fall sitting as outlined in the calendar published pursuant to Standing Order 3 be modified to allow for the fall sitting to be extended beyond the first Thursday in December until such time as or when the Government House Leader advises the Assembly that the business for the sitting is concluded, and at such time the Assembly stands adjourned.

**The Speaker:** Hon. members, this motion is such that it is not debatable, so I'm going to call the question.

[Government Motion 27 carried]

### Committee Membership Changes

28. Mr. Hancock moved:

Be it resolved that the following changes to the Standing Committee on Education be approved: that Ms Pastoor replace Mr. Zwozdesky, that Ms Pastoor replace Mr. Zwozdesky as chair.

**The Speaker:** This motion is debatable.

Shall I call the question?

**Hon. Members:** Question.

[Government Motion 28 carried]

### Committee Membership Change

29. Mr. Hancock moved:

Be it resolved that the following change to the Standing Committee on Privileges and Elections, Standing Orders and Printing be approved: that Mr. Zwozdesky replace Dr. Brown.

**The Speaker:** This motion is not debatable under Standing Order 52(3), so I'll call the question on the motion.

[Government Motion 29 carried]

### Information and Privacy Commissioner Appointment

30. Mr. Hancock moved:

Be it resolved that the Legislative Assembly concur in the Select Special Information and Privacy Commissioner Search Committee report and recommend to the Lieutenant Governor in Council that Jill Clayton be appointed Information and Privacy Commissioner for the province of Alberta for a five-year term commencing February 1, 2012.

**The Speaker:** This is a debatable motion. All those who wish to participate, please indicate.

[Government Motion 30 carried]

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** Hon. members, I call the Committee of the Whole to order, but before we get into business, there is an item that I want to deal with.

### Chair's Ruling Inflammatory Language

**The Chair:** Hon. members, yesterday during the Committee of the Whole consideration of Bill 23, the Land Assembly Project Area Amendment Act, 2011, the hon. Minister of Education raised a point of order concerning comments made by the hon. Member for Calgary-Glenmore. The comment exchange can be found on pages 1465 to 1468 of the *Alberta Hansard* for November 29, 2011.

At page 1466 of *Hansard* for yesterday the Member for Calgary-Glenmore references atrocities in Europe, especially the Ukrainian Holodomor, and attempts to compare them with a perceived threat to property rights in this province. He states on page 1466 that “many of the acts that were taken in Europe during World War II and other times very much were brutal acts that didn’t respect property rights.” His next sentence is, “There are many areas in these bills that have no respect for property rights.” The chair believes that the reasonable person would conclude that the member is trying to compare legislation concerning land assembly to the Holodomor although the member does not say it expressly.

It is the chair’s responsibility to rule on this matter in the committee where it occurred, as stated in Standing Order 65(2)(a) and *House of Commons Procedure and Practice*, second edition, at page 922.

In the chair’s view, comparing some of the greatest tragedies in history to the legislation concerning protections of property rights in Alberta would trivialize those horrific events. The chair can well understand that members and members of the public may find the rhetoric offensive and insensitive.

With the great privileges that we as members enjoy permitting freedom of speech in this Assembly comes great responsibility. Members have shown their respect for the victims of atrocities in Europe. It reflects on all members when one member can be viewed as trivializing those horrific events.

On my personal note here, as recently as 1954 my family suffered from the harsh Communist rule and the deadly collectivization programs. My dear grandmother died of starvation and sickness during such social re-engineering enforcement of a Communist government.

In my view, communication is to say things for others to hear and listen to. It’s not about what one says but about what others hear and feel or understand. While the chair finds it difficult, given the context in which the words of the hon. Member for Calgary-Glenmore were spoken, in this case to find a point of order, the chair will give the Member for Calgary-Glenmore an opportunity to do the honourable thing and briefly clarify his comments from yesterday should he choose to do so.

The chair would also like to note that a similar incident occurred on May 16, 2006, when a now former member during debate on a bill used terms like Nazis, Stalinism, and fascism, *Alberta Hansard* for that day, page 1633. The next day the member apologized to the Assembly and withdrew the words, *Hansard* for May 17, 2006, page 1649.

Hon. member, do you wish to make a clarification?

3:30

**Mr. Hinman:** Very much, Mr. Chairman. I sincerely apologize. If anybody would think that I would ever trivialize any of these atrocities in history, I absolutely have no intentions of that. I go to those ceremonies to remember those tragic events, and they are burned in my heart. They’re burned in my mind. I did not in any way mean to correlate the two when I was talking about property rights. It was merely a discussion on property rights. They’re paramount for our freedoms, and the atrocities that have happened are never to be trivialized. I apologize if the chair took it that way, that I was trivializing those events.

**The Chair:** Well, thank you, hon. member.

I just want to conclude by saying that in our long-respected parliamentary law-making process the committee stage of a bill is

for speaking and debating on its details; namely, the title, the preamble, and the clauses of the bill. If we all focus on this principle at the committee stage, then we will make our law-making more effective, efficient, and show respect for our constituents who elected us for the task.

With that, I want to conclude, and we will go on with the business of the day in Committee of the Whole.

## Bill 27 Appropriation (Supplementary Supply) Act, 2011 (No. 2)

**The Chair:** Hon. members, any comments or questions? The hon. Member for Edmonton-Gold-Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. We had an opportunity to discuss the supplementary supply estimates yesterday in Bill 27, and certainly I have at this point in time a number of questions not related to what we had placed on the public record yesterday. Certainly, I note with interest the changes in how supplementary estimates are presented, how the information is presented to the Assembly, how the transfers with the government reorganization are organized. I note with interest the responsibilities that are outlined in this bill that relate to it regarding the budget presentation methodology, how this again relates to the Government Organization Act and the supply votes and the estimates amounts that we are discussing.

[Mr. Zwodzesky in the chair]

Now, it’s noteworthy that we state here, Mr. Chairman:

The supply votes and estimates amounts in the 2011-12 Supplementary Estimates are consistent with the fiscal plan amounts presented in the Second Quarter Fiscal Update. The relationship between the amounts in the two reports is determined by the consolidations procedures outlined in the . . . 2011-12 Government Estimates, and the requirements of the fiscal plan basis of reporting set out in the Government Accountability Act.

Now, that’s fine, but when we look at the second-quarter fiscal update, which I had referenced, on page 10 at the very bottom is a note or, I could say, a caution.

Actual results for the first six months of 2011-12 (April 1 to September 30) are not being published in the 2011-12 Second Quarter Fiscal Update, as there was insufficient time to accurately assimilate and reconcile numbers from the old to the new ministry structure established by the October 12, 2011 government re-organization.

But here in the supplementary estimates that were presented to us last week, we have this statement that, of course, the supply votes and the estimates amounts are consistent with the fiscal plan amounts presented in the second-quarter fiscal update. Well, I certainly hope that would be the case, but when you look at the fine print, it’s not. That’s a sign of the budgeting, or the lack of proper budgeting, Mr. Chairman, that this government is famous for.

Now, with that comment I would like to move on. We can certainly see the schedule of amounts to be voted. Again, it is noteworthy that Health is not on this list. That’s an omission, as I recall, that is not a usual practice of the government. There are adjustments approved by reorganization. We have original estimates here and restated original estimates. I’m assuming that all these adjustments are being made and that they would certainly correspond with what is in the designation and transfer of responsibility regulations set out.

Have I had an opportunity to go through this and see what was taken from one department and placed in another? No, I have not. I do have confidence that if I were to do that, those amounts that are in this bill would certainly reconcile, or at least I hope they would almost reconcile – I'll use the word "almost" reconcile – with the Order in Council 440/2011, which sets all this out.

Now, again, we have the adjustments made and approved by the Treasury Board. I must confess, Mr. Chairman, I can't keep track of who's on the Treasury Board these days. I don't know who's in and who's out, but the Treasury Board is a very, very important and powerful and influential group within the government caucus.

You know, there are a lot of adjustments approved here, and again I'm going to go on the record and talk for a moment about the openness and transparency of this government and how naive I was. I thought at one point I could go to the Legislative Library downstairs and look up the Treasury Board minutes. I thought that would be a public document since it's taxpayers' money we're talking about here, and we are talking about millions and millions of dollars. I quickly found out, and I was disappointed – as the hon. Member for Calgary-Buffalo would say, I was profoundly disappointed – in this government that the Treasury Board minutes, which I can only assume, Mr. Chairman, are the details around the Treasury Board's decisions on why money is spent and why it is transferred.

**Dr. Morton:** You would be more disappointed if you saw the minutes.

**Mr. MacDonald:** I would be more disappointed, hon. member, if I saw the minutes? Are you implying that these decisions are made . . .

**Some Hon. Members:** Through the chair.

**Mr. MacDonald:** Yes. Mr. Chairman, I can only assume that these decisions are made very quickly and the minutes are very limited or sparse. If that's the case, I can understand why after four years there is an \$11 billion deficit and we have this promise that, well, it may be controlled, it may be limited, it may be restricted. I'm not so sure that this government has the discipline to do that.

I think the hon. Minister of Energy agrees with me because he had a period of time, of course, Mr. Chairman, as Minister of Finance, and it was very, very difficult. In fact, he was so frustrated with this government's ability to budget that I think he left the cabinet. Now, I could be wrong on that.

3:40

**Dr. Morton:** You're completely wrong.

**Mr. MacDonald:** I'm completely wrong on that. Okay. I stand corrected, Mr. Chairman. It could have been for other reasons.

Certainly, there are quite a number of changes here. It would be interesting, and I would read the Treasury Board minutes if I was given an opportunity to. I think there are lots of people who would. The Canadian Taxpayers Federation would probably read them sentence by sentence, minute by minute, if they were given the privilege of looking at them.

Now, I'm going to go specifically to Culture and Community Services. We see that the supplementary request here in the bill is \$20.6 million. There's \$6 million here, a little bit better, for the Canada's Sports Hall of Fame. There's \$500,000 for the Citadel Theatre, support for the GO Community Centre. I understand these amounts. I don't know if it's for all three or just the GO Centre, but the funding is offset by a transfer from the federal

government's infrastructure stimulus plan. We've got support here for Fort Calgary.

We have support for the Ukrainian Canadian Archives and Museum of Alberta, \$3.1 million. I believe that's going to be sited on the east end of Jasper Avenue on the north side of the street. I think that's the location. I'm curious why that amount couldn't have been in the original budget. But it's in there now, and I would like an explanation as to why that was added. You know, the former Premier was very fine and very proud to represent Albertans who have Ukrainian ancestry, and he has every right to be proud to be the first person of Ukrainian ancestry to be elected Premier. The gentleman worked very, very hard in the five years that he was Premier, in my view. Why that couldn't have been included in the budget from before, I don't know. This is what confuses me about this request.

Support for the Cantos national music centre, a provincial contribution towards the construction, \$3.5 million. Again, why can't we put that in the original budget estimates? Why do we need to do that at this point?

Now, the GO Community Centre, you know, was presented by the former Progressive Conservative candidate in Edmonton-Gold Bar in the last election, who campaigned on fiscal responsibility. We've got to control government spending. The same gentleman ran for mayor here, ran on keeping the airport open, I believe, was one of the main arrows in his political quiver. Now I'm surprised and disappointed to see this support for the GO Community Centre. I thought it was already constructed. I was left with the impression that it had already been paid for, but here we have this additional request for \$3.2 million. I'm surprised.

I was at a public meeting over in the constituency of Edmonton-Riverview, and many, many people, Mr. Chairman, talked about the GO Centre. They didn't think that it was a good example of urban planning. It had created issues around parking, congestion, and the overall design of it was certainly questioned. I listened with interest to these constituents from Edmonton-Riverview, who were talking to the hon. member. I listened and I thought: they are taxpayers; they are making a contribution to this community centre, and somehow they felt they weren't consulted. They weren't consulted in the design or the location. They seemed to think that this all of a sudden appeared overnight, and they didn't have the community input that they wanted. Yet we are asking them, through their taxes, to pony up another \$3.2 million to complete the GO Community Centre.

I do know people that go there to exercise and play basketball, and they think it's a great facility, and they have a good time there. It's adjacent to an LRT location.

But if we're going to practice fiscal responsibility, particularly those who are promoting these facilities, then they should abide by that. It's not long since we had budget estimates here with an additional requisition for this GO Community Centre. So these people that run around and talk about fiscal responsibility: whenever you give them a chance to act, they fail. They're back here looking for \$3 million at a time. We're going to have at least a \$3 billion deficit this year. Now, I thought, Mr. Chairman, it was going to be a lot lower, but financial situations have changed, particularly with our investment income. Who knows? But that's how it is.

People, in my view, that are promoting this GO Community Centre don't practice what they preach, and that's fiscal responsibility. If you have a budget to build something, well, then you build it, and you don't come back at a time of considerable financial uncertainty looking for more money.

The \$3 million? Well, in the constituency of Edmonton-Gold Bar \$3 million would go a long way toward school lunch programs for a

lot of the schools that need them, not only in the constituency of Edmonton-Gold Bar but in other constituencies as well. There are, unfortunately, Mr. Chairman, children going to school hungry in our fine province. I think we can do a lot better. I really, really do.

Certainly, when we move on to Education and we see the \$107 million amount for the reinstatement of operating support to public and separate school boards – we started working on this back in April. I was really proud to see Vanessa Sauvé introduced in the Assembly earlier today. She is a constituent of Edmonton-Gold Bar now with the redistribution. The hon. Deputy Chair of Committees would be her current representative, but with boundary redistribution that neighbourhood is moving into Edmonton-Gold Bar. She and her neighbours, to their credit, who saw right from the beginning the mistake that was made in not providing this additional funding where it is needed, in public education, organized a rally. It went something like this. Don't pass the ball. They really started the campaign to have funding restored.

The hon. Premier to her credit did restore the funding, but it should have been restored early so that school boards could use that money to plan for staff and for classrooms in September. This is really unfortunate. The right thing was finally done here, and this is a part of this requisition that I can certainly support.

3:50

Now, there's \$317,000 in here that I know this is going to make the hon. Member for Calgary-Buffalo's hair stand up. I can guarantee that. This is the reinstatement of operating support to accredited private schools. The hon. member was asking some very interesting questions on the role of private schools and what support they should get from the public purse. I'm listening with interest to his very good questions and to the answers that are being provided or the responses to his questions. I'm not going to give them credit by saying that they are answers. That certainly is an amount that is noteworthy.

Environment and Water. There's \$13 million for climate change, and the funding is offset by a transfer from the federal government. This is quite interesting. I'm looking forward to hearing from the Minister of Environment and Water on the conference that is being organized in South Africa. I think it's in Durban, but I'm not sure. Certainly, the travel expenses for that conference would not be included in that amount. But we will wait, and we will hear back from the hon. minister.

Now, Human Services. Wow. What a big department. It includes everything, the Workers' Compensation Board, occupational health and safety, the Labour Relations Board. There's a lot of stuff in that department. There is an \$18 million supplementary estimate here. I certainly find it quite interesting. You know, the learned gentleman across the way, from Edmonton-Whitemud: his legal skills are going to come in handy in this department. He has responsibility for a lot of different statutes that used to belong in what was children's services. You have everything from the Child and Family Services Authorities Act to the Architects Act to the Burial of the Dead Act, Employment Standards Code, Family and Community Support Services Act. [interjection] I'm sorry, sir? Yes, the Burial of the Dead Act is under your authority.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers to the Appropriation (Supplementary Supply) Act? The hon. Member for Calgary-Buffalo, followed by the hon. Member for Calgary-Glenmore.

**Mr. Hehr:** Well, thank you very much, Mr. Chair. It is indeed a privilege to follow up with a few more comments regarding the

supplementary budget that we're going through right now. It was very interesting to listen to some of the comments from the esteemed MLA for Edmonton-Gold Bar. I was particularly intrigued by his comments regarding minutes from the Treasury Board and the like.

You know, I guess one thing I'd like to sort of see in a government, maybe this government or future governments, whatever that may be, Mr. Chair, is that we could go to a system where in almost every government meeting that people are participating in there is a record. We could go on to posting these minutes in a public way in order that people can access this material. I'd almost like to see a soup-to-nuts approach, everything from ministerial meetings to the price it costs for staples in Legislative Offices. I think technology is available that would allow us to incorporate this in a relatively easy fashion, that would allow the citizens of Alberta to be able to participate more freely and to understand the decisions that are made, hopefully with their best interests at heart, and to see the actual decision-making process close up.

Oftentimes I believe the citizenry, even people on this side of the House, are one minute trying to keep a handle on some of the issues of the day, and then almost without warning, without notice, the government will go in another direction or will introduce a bill that we haven't seen coming, primarily because we haven't been informed of the process. My argument would be that if we haven't been informed of the process, I would doubt very much that the average citizen has been informed of the process and the ability to question, to take part in, and to really engage themselves in what today and tomorrow holds for Albertans. I guess that is my hope, and that was derived primarily from the hon. Member for Edmonton-Gold Bar's comments.

Also, if we look at the supplementary supply estimates – I was talking about these with my good friend from Calgary-Glenmore on the amount of detail provided in these supplementary supplies. We were both commenting on how it is rather scant of details and scant of information to actually assist us in doing our jobs. Primarily we were talking about the supplementary additions to the Education budget. Of course, if we go back, there was a decision by this government to cut educational funding by, I believe, \$107 million. I believe all members of the opposition, at least, saw this at the time as being wrong-headed, a direction that this government should not pursue. I remember all opposition parties asking for the reason and the rationale behind this, and why, if we're going to cut something, it would come from an Education budget and from programs that were apparently working very well for our children.

Nevertheless, despite our cries the government proceeded to cut. It threw many of the school boards into disarray and threw much angst into parents' lives and into children's lives. I was actually very impressed that the new Premier campaigned on this, promised to reverse those cuts, and has done so. That said, there has been, in my view, quite a lot of disruption caused at the school board level in trying to get this money into the classrooms, where it can be best used, because of this process that was followed, again, wrong-headedly by this government.

If we look to sort of the details that are provided here, I'm assuming that most of this is going back as a result of being able to reinstate those programs. Nevertheless, the detail isn't quite there. As we look at \$317,000 for the reinstatement of operating support to accredited private schools, what actually is the operating support? Of course, I could say that that might be teachers' salaries. It might be for X, Y, or Z. Simply, those are pretty broad words: operating support. We're left here on this side

of the House to ask questions on it. We don't have any details on it. It makes us very confused as to what this is actually going for.

What I would like to see is a little more detail put into the supplementary estimates requested and the reason and the rationale behind them and how it relates to the entire funding mechanism of the Alberta education system and whether it is in the public's best interest to be supporting private schools, to be funding them on a grant basis, roughly 70 per cent of the operating costs and the like, when many people question the wisdom of this. Nevertheless, it's tough to discern what this money is going for.

4:00

I also looked at some of the other expenditures coming through here. I believe it was Culture and Community Services which notes that there are significant grants to Canada's Sports Hall of Fame, the Citadel Theatre, the GO Community Centre, support for Fort Calgary, support for the Canadian archives, support for the Cantos Music Foundation. All of these are at first blush excellent projects. For instance, the Cantos Music Foundation is in my current riding. It will then be in the Deputy Speaker's riding. The Cantos Music Foundation is a wonderful project. It's going to sort of revitalize the East Village. It's going to add a lot of zip and pomp and circumstance to the whole neighbourhood and, in my view, is a very, very good project.

It was my understanding that support for the Cantos Music Foundation is going to be ongoing. It's going to be up to \$25 million over the course of the next seven or eight years. I'm not sure whether that is going to be budgeted in a different way in the upcoming years or whether this was something that should have been budgeted at the start of the year. Although that's an exciting project, Mr. Chair, it causes me concern that those details are not provided as to what taxpayers are spending the money on, what the length of the funding agreement is, and where the money will be coming from to fund these operations.

I also note – and I believe it was in Municipal Affairs; it may have been someplace else – that there's, again, a rather substantial grant to the Calgary Stampede. Lord knows, I love the Calgary Stampede. It happens in an area of town where I live, and I particularly enjoy going out to these events. Nevertheless, when we look at the timing of this announcement – I believe it happened after the former Premier resigned; I don't believe we were sitting in the Legislature – it appeared, at least from this side where I sit, that this was almost policy made on the fly. It was made with a magic wand in a backroom that said: we will give money to X, Y, and Z as a result of various reasons. And we have no idea what they were. I'm certain they were valid reasons. I'm certain they were great reasons. But at the same point in time with no opportunity to see how that transpired, with it not being in the original budget and the like, it gives me great concern.

As many members have pointed out, we have run four years of deficits. Yes, that's quite concerning considering the wealth that Alberta has in comparison to other jurisdictions. I believe that in Manitoba they have a balanced budget. I believe Newfoundland this year has a balanced budget, and some other provinces have a balanced budget. It really strikes me as odd that a place as wealthy as us – on any comparator if you compare the wealth we create in this province through the luck of having a large pool of nonrenewable resources, we should be leading in terms of being able to not only provide the citizens with the services they need and require but should be able to save.

It's just astounding to me that other jurisdictions across Canada, who are living through the exact tough economic times we are, are able to do better budgeting or budgeting that ends in better results. I'm dumbfounded by the fact that Newfoundland is running a

budget surplus this year. [interjection] The hon. minister didn't know that? I read it in the paper, so there you go. I'm telling you that I'm not making that up. They are living through the same exact economic circumstances that we are, and in my view we have to have a similar amount of resource base that they do. Maybe I'm wrong there, but by all accounts that's my understanding. So if we look at that, we have to be concerned about dollars that are going out and dollars that we're bringing in.

I gave a member's statement the other day, Mr. Chair, applauding some members of this government for actually recognizing that we haven't been able to save a dime over the last 25 years. Not a cent has gone into the Alberta heritage savings trust fund. I think those members – well, one of them here, the hon. Minister of Municipal Affairs, who ran a great campaign to become leader of his party, recognized that there was a fiscal deficit here in this province that was not going to go away unless we put a concerted effort into finding out what we use, what we do, what we budget for, and what we as Alberta citizens should contribute to what we use today.

If we merely just pay our bills by sending oil down the pike, a nonrenewable resource, well, that's akin to selling off pieces of the family farm to pay today's expenses. Simply put, I don't think that's good enough. I don't think it's a responsible position to take for stewardship of this province or for stewardship of our future. In my view, it would be a real travesty. That is one of those travesties over the last 25 years, Mr. Chair, that we have not been able to harness or secure some of this wealth for future generations, save for a rainy day or what have you.

Mr. Chair, this may be wrong, but I'll state it anyway. In my view, I believe a large part of the Alberta advantage is our oil and gas resources and the current revenue stream it brings in. I might suggest – and I would even hazard to guess I could be right on this – that after the oil and gas is gone, we will not have quite the competitive advantage that we do now. This is a one-time gift from the heavens, you may say, that we can build something for the future. Build a little for today, but let's build something for tomorrow as well, where we can have something that says: "No, we didn't flush it all down the drain. No, we didn't live all high on the hog and do it all for today." I think that would be the responsible way to go about things if you look at it at face value.

The members opposite, the Minister of Municipal Affairs and, in fact, the Minister of Finance, right now seem to have a good understanding that when you spend \$39 billion a year and you only bring in \$12 billion – that's \$6 billion in corporate and \$6 billion in personal income taxes – that, really, there is a structural deficit that cannot be replaced once the oil and gas revenues go.

It's not even just these two gentlemen who speak about it. It's the Canada West Foundation. It's the Haskayne School of Business. It's the government's own committee on the economy that I believe came back with a report that stated these things and laid it out. It's going to be painful. It's tough for you to go to the electorate and say: "My goodness. We're not doing enough right now, and we're ignoring our responsibilities to future generations." I don't know exactly what the answer to that is, but I applaud those organizations for recognizing the elephant in the room, that what we have here is simply unsustainable in the long term in terms of spending and, in fact, saving and is maybe even a revenue problem. [interjection] You've got to make a decision.

The hon. Minister of Transportation has brought up a good point. I really don't mind it if we have an honest conversation with the electorate and say: "My goodness. If you don't want to pay for public services and don't want to pay taxes, then we'll rightfully cut our spending down to X, and you will do without some public health care. You will do without some public education. You will

do without some of the things we take for granted.” I do not mind that.

**4:10**

But I don't like the fact that we simply sell off pieces of the family farm to live for today. Okay? I think that's irresponsible. I don't think it's forward thinking. I think we have a duty to my nephews, their future kids, other people in this room to do better. That's what I would like to see because otherwise we're going to look back 25 years from now if we don't do something and say: oh, my God, that's 25 more years of selling off pieces of the family farm that we're not going to get back. And some day there's going to be no more farm to sell.

Anyway, those are my comments, Mr. Chair. I really appreciate the leniency you've shown me. I tried to hopefully assemble some coherency of thought, which may or may not be reflected in the comments I just delivered. But it is the effort that counts. There we go.

**The Deputy Chair:** Thank you, hon. member.

It's the tradition to alternate with government members at this point. If there's no one from the government side or from private members on this side, we'll go to Calgary-Glenmore.

**Mr. Hinman:** Thanks, Mr. Chairman. I'll be very brief on Bill 27, the supplementary supply estimates. I gave a member's statement today. Just to be brief, we have a spending problem here in the province. We aren't doing our due diligence, planning in advance. There are some things in here, like I say, the pine beetle devastation, the Slave Lake forest disaster, that are understandable. But there are just other multiple cases in the supplementary supply where this government has failed to plan adequately going forward.

The biggest part of what the plan needs to be is: are we going to strive to do all of our due diligence to balance our budget? You know, we've got \$850 million in spending in here for supplementary supply when we have a \$6 billion cash deficit in our yearly budget. It's critical that we look at these things and realize what is sustainable. We've got this rush to build all of these structures, we've got this infrastructure, and we need to do it now, now, now. We're creating this huge need to build, yet in two or three years from now all of a sudden we're going to have no cash, and we can't spend \$7 billion a year. That's going to contract down to probably \$4 billion or less. Maybe we'll have to make a supercontraction because of the amount of money that the government is spending each fiscal year.

It's just not in the best interests long term for Albertans. We need to scrutinize this supplementary supply. I encourage the government as we go to recess for next spring that they really go through with a fine-tooth comb and say: “What do we do so that we don't have these supplementary supplies next year? What do we do to balance our budget? We've got to do more.”

The Wildrose gives every encouragement, every idea that we possibly can on areas where they can make cuts. You know, we've got the \$2 billion carbon capture, which the new Premier now says: well, we're going to take \$500 million of that out, but we're going to redirect it. It's not about reducing these things. There's just case after case where the money is being spent where what we should have is a three- or five-year infrastructure plan saying: “Yes, that's on the priority list. It's number seven. We're going to spend \$4 billion a year, and we're not sure whether it's going to be year 2 or year 3 or maybe year 4 before we get to that.”

We need to prioritize. It's critical. We need to balance our budget. We see the economic storms that are going on across the

Atlantic in Europe, and this is all because of governments who aren't being fiscally responsible. That's the problem with this supplementary supply. We're not doing our due diligence. We're not serious about the problem because we can just say: oh, it doesn't matter; we have our sustainability fund. The spending is not sustainable. They need to go through it and do a far better job of scrutinizing it. And next year let's see supplementary supply only have emergency disasters and things that were beyond our ability to forecast, not such simple things as \$15 million because we need more salt and gravel for our roads, which is just one of the ones that is somewhat amazing in the supplementary supply.

With that, Mr. Chairman, I'll sit down and see if anybody else wants to address the bill. Thank you.

**The Deputy Chair:** Are there any other speakers who wish to speak to the Appropriation (Supplementary Supply) Act? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that we adjourn debate.

[Motion to adjourn debate carried]

## Bill 21 Election Amendment Act, 2011

**The Deputy Chair:** Are there any members who wish to comment on Bill 21 at this time?

**Mr. Anderson:** We already voted on the amendment – right? – the Liberal amendment. This is on the bill?

**The Deputy Chair:** Yes, hon. member. My understanding is that we are on amendment A2.

**Mr. Anderson:** Oh, not the Liberal amendment. The ND amendment. Sorry.

All right. I'd like to speak to amendment A2 to Bill 21, which is kind of a way of determining the election dates every four years. This is how the member puts it.

Prior to March 1, 2012, the Premier shall determine the date of the next general election in consultation with the leaders of the opposition parties represented in the Legislative Assembly, and for subsequent general elections, the consultation and determination of the date shall occur no later than 6 months following polling day in the most recent general election.

Although I applaud very much the Member for Edmonton-Strathcona for her spirit of co-operation and consultation, which the Wildrose clearly would like to see more of in this House, I don't think I will be supporting this amendment simply because I think a fixed election date is a fixed election date. You don't want uncertainty.

Part of the problem with seasonal election dates or no fixed election dates at all is that there's uncertainty out there as to when it is going to be, so it makes it difficult for Elections Alberta to figure out what date to work back from in their preparations. It's difficult for the recruiting of candidates because they have jobs and things that they're doing, most of them, if they're good candidates. They have nothing to work back from with their employer, and it's very difficult for them to plan to run in the election. I don't think that having, essentially, a six-month window is the way to go in this case.

Again, I think the member is talking about consultation and how important that is. I think that for this whole bill it would be a good idea, and I agree with her that there should be consultation between the Premier and the opposition parties with regard to

picking the date that we're going to go on every four years. I think that would have been a very, very good olive branch to the Premier should the Premier really have been someone who was interested in collaborating and co-operating. But, clearly, she's not; she's done nothing of the sort since taking power.

She's been every bit as autocratic, I'd say actually far more autocratic than her predecessor, the Member for Fort Saskatchewan-Vegreville, who actually did refer bills to all-party committees and did do some things that were a little more democratic. Of course, there were issues. He certainly didn't want fixed election dates. I disagreed with him on that. But the way that this Premier has conducted herself since taking the helm has been far more autocratic than her predecessor. I think that this would have given her an opportunity to show that she was serious about being more transparent. She has not taken that opportunity at all.

That said, I like the part of this amendment which says that we should be talking and consulting on this first initial date. I like that idea a lot, but I don't think that every four years doing a consultation makes a whole lot of sense because the whole point of a fixed election date is to have that certainty, that rock-solid certainty for everybody so that all parties know, all the teams know when the puck is going to be dropped, not just one of the teams. That's very important.

4:20

I don't understand why the governing party is so afraid of picking a fixed election date. It doesn't make any sense to me. They have every advantage under the sun. They have a huge bank account, certainly larger than any of the other parties although we're certainly catching up; well, maybe. You know, we certainly have a little bit of money, the Wildrose Party, but nothing compared to the massive amount in the PC coffers. They have that advantage.

They have the advantage of incumbency, 68 MLAs. It's a huge advantage to have that name recognition and so forth, so they have the advantage there. They have the advantage of being the incumbent government, so people know the PC Party is the government. They'll recognize the brand, so brand recognition and so forth. They have the powers of government at their disposal, so they can throw around taxpayers' money any way that they want right before an election in order to secure support from those who respond to being bought with their own money. They have all sorts of advantages of incumbency and government.

But that's not good enough, apparently. They also need the ability to call an election on the day that they want without the other parties knowing. That is a huge advantage even if you're talking about a one-month window, let alone a three-month window. The reason is simple. You can plan your advertising; the other side can plan their advertising.

I would like to hear specifically from the Justice minister, who's a very honest and sincere person, in my view, why he thinks that it's fair that the PC Party or the provincial party that's in government is able to have the advantage of knowing the date so they can choose all of their advertising dates in advance. They can get all of the advertising production set forward. They can make their pamphlets and mailers and everything else because they know exactly when they're each going to be sent out. They'll be able to inform their candidates or let them know exactly when they need to be ready to go and when their paperwork needs to be filed and all that sort of thing. All of those advantages.

I know this because I was one of the folks with the advantage last election. I knew when the election date was coming, you know. [interjection] I know. It's baffling. There were rumours – rumours – a few weeks in advance, confirmed rumours a couple of

weeks in advance that that day, that weekend, it was going to be there. So, you know, as a candidate I was able to really throw it into high gear. Absolutely. I went out, looked about for sign locations, made sure I had the best sign locations on day 1. I just peppered the place and was able to get the best corners at the best intersections and so forth because I had that advantage.

My signs were ready on day 1. I had them the day before. They were ready to go. There were no problems. The reason I was able to do that is because I had the advantage. So for the first week of the campaign the only signs you saw out there were the ones with my name on them. That was it. Then slowly but surely – luckily, in our riding for the other parties, the two other candidates had run before for the Liberals and at that time for the Alberta Alliance. No, no. It was the Wildrose Alliance. I forget what it was called before. [interjection] Wildrose, anyway. Yeah, Jeff Willerton.

Anyway, the point is that the other two people had run before, so they had signs, but it still took them a good week to get them up because they were surprised by the call date. They got them up. Then, of course, for the poor guy who was running for the NDP, it was the first time he was running. You think: man, talk about a disadvantage; you're running as an NDP candidate in Airdrie-Chestermere. This is the place that voted in Myron Thompson for, you know, however many terms it was. This is a very conservative area, a very small "c" conservative area. That poor guy didn't get his signs up until literally – I don't think I saw any until about 10 days out. Not exactly a great amount of fairness to that.

You know, that's the situation that we're in, and the government thinks that that is somehow fair. It just blows me away because, clearly, it's an unfair advantage. It tries my faith in the fairness of whether some individuals over there, who I think are fair-minded indeed, are truly fair-minded and whether they do really feel that democracy is important and that everyone should be treated fairly or if that's just some lip service that they pay to that. I hope that by the end of this debate they'll prove me wrong, that they'll restore my faith and Albertans' faith in their devotion and their commitment to fairness and transparency in elections by passing a fixed election date. I certainly am not holding my breath although hope reigns eternal. That is for sure.

I guess I would wind up by saying that I don't think I can support this amendment. I don't think it creates the certainty that we need. I like the idea and the principle behind it of consultation. I certainly can support consultation for this first amendment. In some ways this would even just expand the fixed election season that the government is bringing in from three months to six months. For that reason I will not be supporting that amendment.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

Are there others? The hon. Member for Calgary-Glenmore on A2.

**Mr. Hinman:** Yes. Thank you, Mr. Chairman. I appreciate the hon. Member for Edmonton-Strathcona's intent in amendment A2, in which she's trying to bring forward the determination of an actual fixed election date.

**An Hon. Member:** On behalf of Edmonton-Highlands-Norwood.

**Mr. Hinman:** Oh. Okay. On behalf of the Member for Edmonton-Highlands-Norwood, then. I was here when it was tabled, and I didn't bother reading it. Yes, I see here, in reading it, that it's from that other member.

I appreciate the NDP bringing forward this motion, but I have to say, though, that I will not be voting in support of this motion, as much as I want fixed election dates. I appreciated the motion by

the Member for Edmonton-Gold Bar, which we had previously, A1, where we had an actual fixed election date.

The biggest problem that I see with this bill, though, is that this is a case of what I want to call big government getting bigger. To collaborate and try and bring in the four parties in this House to pick a date just seems to me something that would only create more chaos, more uncertainty as they would debate. I think the Government House Leader maybe even referred to this, that we might not be able to agree and never be able to have another election date because we couldn't agree on one.

It's very vague that way, the consultation. Again, being in opposition, there's no illusion on this side that when the government says "consultation," it has very little meaning. They can open up the door or open up a phone line and say, "Oh, we're waiting for consultation," but then being the majority, they can just go ahead and pick and say that they're in consultation. I'm somewhat amazed that, you know, on Bill 26 – I keep hearing from them that they've been consulting Albertans for two or three years, but everybody is shocked that this has come forward. Nobody knew that it was on the table and being consulted on. We really do need a fixed election date. We need it set.

I just want to read a few quotes from our Premier. Last night, when I was debating amendment A1, I kind of gave the Premier the benefit of the doubt that perhaps her caucus was overruling her on her commitment to have fixed election dates. It's amazing who you run into in the halls here and everything else. I was told: "No, no, no; it isn't caucus that's trying to do this. This is coming from the top. She doesn't want a fixed election date." You know, everybody denies that they're responsible for these types of things, so take it for what it is.

4:30

On October 5, shortly after she was elected, she started her retractions. She said in the *Calgary Herald*:

On Sunday I said that it would be after a spring sitting, a budget and a throne speech and thought that based on the practical timing that could be June – sometimes the legislature takes on a life of its own, so it is a little bit unpredictable.

That's the problem with all of this. It's a little bit unpredictable.

Going back a little bit, you know, to September 23, 2011, the Premier then said to Canadian Press that she would commit to calling an election in March 2012 and every four years from that date. She said that Albertans are supportive of the idea and that several other provinces already use this same model.

But, Mr. Chairman, one thing that is really amazing to me is her, I want to say, frank honesty when she describes the problems of not having fixed election dates. She said that fixed election dates are important because they – and she's referring to the people – understand the issues that are coming. "They don't believe any political party should have even if it is a theoretical upper hand in managing the political agenda and then picking the date accordingly." I think she was very open and frank there, yet now she's flopping and saying, "I said that, but again, well, that's just to get elected; now that I've got that position of power" – again, I'll remember the wisdom of Abraham Lincoln, that the way to truly test the character of an individual is to give them power. We are seeing the character of this Premier over and over again since she's been elected. It's that old saying: say what you need to to get elected, and then don't worry about what you said after you've been elected.

Another one. You know, on *Rutherford* on October 25 she stated: when I make a commitment, I keep my commitment; I'm not going to start making willy-nilly pronouncements when they

want me to; I hope the Legislature will be satisfied with the approach we take on fixed elections. Again, she has this lawyer ability to say that she's being clear when it could be anything but clear. Here she's saying: fixed elections. For most Albertans I think that if you were to take a poll, 99 per cent of them would say: "Oh, that's the date. It's the 8th of May. It's the 21st of June. It's, you know, the 22nd of November." Those are dates. Those are fixed dates. Yet she didn't do that. Quite hard to understand.

Here's another quote:

Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize . . . [elections].

She says:

Personally, I was very disappointed by the voter turn out in 2008, when I was elected. We failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse the trend.

Please, Madam Premier, reverse the trend. Give us a date.

There will be other amendments coming forward. I don't approve of this amendment A2. I just see government problems with more committees and trying to say: well, let's have a committee to pick a date. No. It's very easy to set a date. If she wants to do a little bit of consultation, she's certainly free to do that.

I've said before that I prefer, you know, June, maybe the third Monday in June. The reason why I like that is because everybody is still here. They haven't left for the summer. But most important for me, it's the long summer days, June 21 being the longest. There's nothing more important for me than to have those long days to be able to go door-knocking with the sun up, to meet your constituents, have a good visit with them, hear their concerns, hear their ideas.

As the Premier said, you know, we need to mobilize the people. Let's do it when we can really get out there, meet them, have a great opportunity to talk to them. The weather is usually good at that time. We don't need to worry like in March, when we can't pound our stakes into the ground or we have snowdrifts that they're put into and they melt. There are lots of different times of the year we look at when the weather can be a problem.

The Premier even, you know – I don't know what I want to say – used that as a first excuse: "Well, I can't really pick a date because I don't know what the weather is going to be like," acting like 28 days before, she could determine what the weather is going to be like. Well, she should be in another business if she can determine the weather. That has a major influence around the world and all of those other things.

Mr. Chairman, I have to say that I don't agree with this amendment. I understand the intent, and I appreciate it coming forward, but we don't need a bigger bureaucratic consultation period to pick an election date. We just need to do it, inform people, and live with that.

With that, I'll let someone else perhaps, who wants to, speak to this amendment. Thank you, Mr. Chairman.

**The Deputy Chair:** Thank you very much, hon. member.

Is there anyone else who wishes to speak to amendment A2? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you, Mr. Chairman. It's a pleasure to speak to amendment A2 to the Election Amendment Act, 2011, otherwise known as Bill 21. The hon. Member for Edmonton-Highlands-Norwood is suggesting here – and I can certainly live with this – that prior to the March 1, 2012, date the Premier shall determine the date of the next general election



in consultation with the leaders of the opposition parties represented in the Legislative Assembly, and for subsequent general elections, the consultation and determination of the date shall occur no later than 6 months following polling day in the most recent general election.

Now, certainly there was a robust discussion around the suggestion that I had made yesterday around having a fixed election date. This is notable, and it's an interesting idea that is certainly worthy of the consideration of this Assembly.

I don't know how this consultation process would work, but at one point I was astonished to hear from an hon. member in the run-up to the last provincial election that what Albertans really want is a consensus-style government, that they don't want opposition, that they want consensus-style government. I asked: what is consensus-style government? Well, we'll all work together, and we'll get along, and no one will criticize the government because criticizing the government is wrong.

I thought, you know, that in the British parliamentary system, that has developed for centuries, it seems to be quite an effective, useful way to govern. Some of the corners of the globe, as I would say, that are very stable democratically are governed in this way, where you have a government and you have an opposition. Each has a role, each has an obligation to fulfill, and there seems to be nothing the matter with that. I hope no one would suggest that this is, you know, a step towards consensus-style government because I don't think it is. To have a consultation with the leaders of the opposition parties regarding a date for a general election: I think that would be a good step.

Now, certainly, we have consultations. I will use the consultation from the Members' Services Committee. The member who is responsible for this amendment certainly didn't go to the dinner that was organized and, I believe, hosted by the chairman of the Members' Services Committee to discuss what eventually became policy today regarding MLA compensation and benefits, to undergo an independent review. When that discussion was going to occur at the Members' Services Committee, I believe, if I've got my facts correct, the day before there was a consultation. It was a dinner, but I'm sure over dinner there was going to be consultation going on about what direction the Members' Services Committee would take.

4:40

Now, the hon. Member for Calgary-Buffalo, I believe, could not make that dinner date either. No; he's shaking his head. I would use that as an example of a consultation that has occurred recently in this Assembly. Even if members for one reason or another who were on the invite list could not attend, we have deputy leaders. The hon. Member for Edmonton-Strathcona, I assume, is the deputy leader of the New Democrat caucus. We have a deputy leader of the Wildrose Alliance. We have the deputy leader of the Alberta Liberal Party here. If the leader was busy getting a party organized or speaking at a constituency nomination, one of the deputies could get to go and work on this consultation with the Premier and her designates.

Now, in conclusion, regarding amendment A2, Mr. Chairman, I certainly would urge hon. members to take this under consideration. I really don't see any harm in this. I think it would improve the process. It would improve the dialogue between all respective leaders of the parties who are present in the House.

With that, I will conclude my remarks, Mr. Chairman, and cede the floor to another hon. member.

Thank you.

**The Deputy Chair:** Thank you.

Are there others? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. It is a pleasure to speak to this amendment proposed by the member from the ND Party. In my view, the amendment as drafted and presented here to the House has some merit.

To back up a little bit and to follow some of the thoughts presented here today, I agree that the better solution would simply be to pick a firm date, a date that Albertans can see as the date of the election. Simply pick that date, a singular date. Let's stand by it, and let's all gear up towards that event.

I listened with great interest to the news clippings that were quoted regarding the Premier's comments early in her tenure here as Premier and even prior to that, when she was running for election. They seemed to pretty clearly indicate that she was going to support Albertans' desire to have a fixed election day, not a fixed election season as it has become referred to. Obviously, it's a political winner to have fixed election days. Not only is the electorate supportive of it, but I believe it also serves to give some stability to your political structure, ensures some essential fairness between the political parties, and allows for what, in my view, would possibly lead to greater voter participation.

All of these things are laudable goals. They're not only laudable; they're easily accomplished by picking one date to set now and to simply run on and then to set further elections on that same date going forward. This is really not something hard to institute. Other jurisdictions have done it, and in fact it appears to be well received by their electorate. In my view, that is really the singular course of action we should be taking in this House.

I would encourage the Premier and her staff to relook at this issue and just say: "My goodness. What's all the fuss about? Let's just pick a date here, and let's go." I think that would be the right thing to do given the Premier's comments about this in the past, given the particular advantages there could be for the electorate as well as essential fairness. That is my first view of what should happen. I believe it was probably the hon. member's view, too, even though she has proposed this amendment. Although I haven't heard her speaking on this bill to date, I would assume that she was in favour of fixed election dates. It would provide for a more open and transparent process.

What I see this amendment as is trying to make a silk purse out of a sow's ear. We're trying to take a piece of legislation that is not quite what we'd like or not quite what the Alberta people would like and that doesn't really do justice to open and democratic forums, open and democratic participation, or essential fairness when it comes to political parties trying to lead this great province.

The member of the third party drafted this bill and said: well, I'm going to try and reinstitute some of those principles into this amendment. I believe she's done some of that in this thing. It allows for consultation. It allows for parties to get together on an open and even playing field and decide jointly when an election is going to be held. It would then establish dates after the fact when an election could run and then again would follow that same process.

I'm not saying that this is as good as the first option, clearly not, but I appreciate what the member is trying to do. She's trying to instill some of that essential fairness that was originally desired by not only the Premier in her comments, or at least in her earlier comments when she was running to be the leader of the party opposite, which is currently in power, but also trying to woo the electorate to support her candidacy. Although not perfect, this amendment will go some way to restoring public confidence in the system and in some way to ensuring essential fairness.

In that view, I would encourage other members of the House to support this measure. I realize it's not a perfect measure, but I

believe it has merit. I believe it makes the bill better than it currently is, and if that's where we have to make a silk purse out of sow's ear, well, let's try and start from there. Maybe after this election is over, we can come back here, set a firm date, and stop the monkeying around. I think that would probably be the best.

Those are my comments, sir. I leave them for other members to consider. I hope to hear some government members maybe comment on the bill. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

We have under consideration amendment A2. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. I'm pleased to rise and speak in regard to amendment A2, that the hon. member brought forward. I find it interesting, to say the least. By adding a subsection he's talking about:

Prior to March 1, 2012, the Premier shall determine the date of the next general election in consultation with the leaders of the opposition parties represented in the Legislative Assembly, and for subsequent general elections, the consultation and determination of the date shall occur no later than 6 months following polling day in the most recent general election.

Mr. Chair, I've been listening to the debate on this particular bill. Bill 21, the Election Amendment Act, a bill that has – and I think I counted them – less than 150 words, actually, has caused so much discussion for such a small piece of legislation. I can tell you that I wanted to listen to the debate and hear what everyone has to say in regard to this particular amendment A2. While the idea is admirable and it would be nice to be able to sit down with all of the House leaders from the opposition parties, which would, of course, be the government, the Liberals, obviously the Wildrose, the NDP, and the Alberta Party, to talk about trying to find a date that the opposition parties would find agreeable, I think we probably would be struggling to come up with something between five different parties. I still like the idea of a fixed election date, and say, "Here, Alberta people, this is when we go to the polls. This is the date." You know that that's the date that's going to be coming forward.

4:50

I guess where everybody is struggling – and we haven't heard, that I can recall, anything from the government members. We've already put in some long nights. I always find it interesting that none of the government members have an opinion on any of the pieces of legislation that are brought forward in the Legislature. I have to say, Mr. Chair, that when I was with the government, I always admired that the opposition could get up and they could speak on any piece of legislation and speak quite eloquently, quite frankly, and seemed quite knowledgeable about any piece of legislation that they were speaking about.

It's been a big learning curve for me, coming from the government, where you have everything at your fingertips. You have millions of dollars in research. You rarely, if you're lucky, have the opportunity to speak on a piece of legislation. Whether you agree with it or you disagree with it, you kind of just sit there collecting dust and listening to what everybody else has to say, and you're thinking: I would just like to speak a little bit about this piece of legislation.

I know that there are some people over there, quite frankly, that support fixed election dates, and I know that there are people over there for sure that don't support the .05 to .08 legislation because we've had conversations with them, and I know for a fact that there are people over there on the government side that are struggling with the health quality amendment act. You know what,

Mr. Chair? It's fuel for the fire for us because we're going to be coming to an election very shortly. I know for a fact that the government is going to candidate school in February. That is a very telling thing.

I've spoken in this Legislature way back on fixed election dates and how I supported it. I still support that particular piece of legislation. Even to try and get the six parties forward, that the member from the NDP has brought forward, even to just start the process, to my mind, is better than nothing. We could at least talk about – okay, we could look like we're all going to get together and we're all going to sit and we're all going to talk about what ultimately is the most important thing, and that's what is in the best interests of Albertans.

I know we're going to be debating this legislation probably long into today or long into the night tonight. I know for a fact that we're going to bring several more amendments forward on this legislation. I know I am, and I know my colleague from Airdrie-Chestermere is going to because we think it's important to spend hours and hours and hours debating a bill that's less than 150 words. I think that's our role as opposition members, to bring forward what Albertans are telling us, quite frankly, whether we like it or we don't like it. I've been in the situation where I'm bringing forward, when I was with the government, a piece of legislation that Albertans aren't really comfortable with, yet we sit there and we sit there and we sit there, and then we all vote because we were the majority at the time. Here we are – how many of us are there? – 15 or so members, where we all stand up and vote.

Mr. Chair, I guess, when we're talking about amendment A2 – you don't need to wave a piece of paper at me. I know what I'm talking about, but thank you for reminding me. I appreciate that. Sometimes we get a little off kilter, and it's your role as the chair to just make sure that we stay on this particular amendment.

I'm going to support this, actually. I wasn't sure how I was going to feel about this. Quite frankly, I think that somewhere, somehow we need to get the process started. In our caucus we believe in free votes. That's the nice thing about free votes. I know our colleague for Airdrie-Chestermere said that he wasn't, but I think we have to start the process somewhere. This is a process that we can start. That doesn't preclude – once we pass this particular amendment, we're on a roll, and we can get a fixed date period. You know, then we can all have the same opportunity to discuss that.

Okay. We as opposition have said: "Hmm. Okay. We've got the amendment A2 from the hon. member from the NDP. We've got that ball rolling, so we're going to just keep pushing our luck. We're going to then go in and support, possibly, the amendment that the Member for Calgary-Fish Creek is going to bring forward." Having said that, Mr. Chair, I am encouraged at what has been brought forward. While it is not exactly the fixed election date that we've been looking at specifically, I think this is an opportunity to start the ball rolling, get the discussion going, and I look forward to bringing another amendment forward.

With those remarks, I'm going to sit down, and I'm going to hear who else is going to talk.

**The Deputy Chair:** Thank you.

The hon. Member for Calgary-McCall on A2.

**Mr. Kang:** Thank you, Mr. Chair. I'll just speak on A2. It's a great pleasure to stand up and speak on amendment A2, brought forward by the Member for Edmonton-Highlands-Norwood. The whole idea of Bill 21, Election Amendment Act, is to set the election date without actually setting an election date. It provides

that a general election must be held between March 1 and May 31 every four years, with the period beginning March 1, 2012.

While this bill provides some certainty when an election will be held, it seems the writ must be dropped within a three-month period, and it brings in a great deal of political positioning as to the exact date. There is still potential for a budget that could be debated in the House before an election is called, for example.

The government is touting the same old line that this is another made-in-Alberta piece of legislation, Mr. Chair. However, the reality is that Alberta faces no extraordinary situation that would make an actual fixed election date impossible. Eight other jurisdictions, eight other provinces, have fixed dates, as has the federal government. As far as I know, in India, too – the state I come from – they have fixed election dates that have been working very well. A fixed election date will create a kind of same-level playing field.

The amendment A1, which was brought – I'm talking about the previous amendment, sir – from the Member for Edmonton-Gold Bar was the best way to go, to have a fixed election date.

**The Deputy Chair:** Hon. member, A1 has been debated and defeated, so if you could tie in the points to A2, that would be much appreciated. Thank you.

**Mr. Kang:** Yes, sir. I'm coming to A2, sir.

**The Deputy Chair:** That would be much appreciated.

5:00

**Mr. Kang:** This is the best second option we have, A2, sir. At least, we will have some date that will be decided in consultation with the opposition parties. There will be some input from the opposition parties. I think the Premier is trying to give us an election season like we have a Christmas season, a fall season, or a spring season. Premier Don Getty gave us Family Day in February, and this Premier is trying to give us an election season so that she will be remembered as the Premier who gave us the election season, Mr. Chair.

In the Premier's own words she said, "Personally, I was very disappointed by the voter turn out in 2008, when I was elected. We failed to engage the public in our most democratic right." That's a right in the Charter of Rights. So the Premier said that she wanted to have fixed election dates. "In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend." That's in the Premier's words. That was then, but now the Premier has started to like this flexibility, Mr. Chair, as well.

I think this will be the second-best option, amendment A2, to have some kind of fixed election date with consultation of the opposition parties, and that will be best for everybody. I urge all the members to consider this amendment so we can have the second-best option, and I will be supporting this amendment, Mr. Chair.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak to amendment A2? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chair. I'd just like to rise and really quickly address a couple of the comments that have been made since the amendment was put into place and just clarify a little bit what the intention of the amendment is. First of all, the amendment is still very focused on achieving a fixed election date. It's true that you would not know 12 years from now the date of

the next election, but you would know no less than three and a half years ahead of the time of the election when it would be. So for the purposes of addressing a number of the concerns that underlie the rationale for fixed election dates, you would still, I think, be able to address that concern through this piece of legislation.

Conversely or in addition, what this amendment would achieve would be all those things that the Premier and those who, presumably, support her over on the other side have said that they want, which is to open up opportunities for more consultation, more transparency, and more collaborative working relationships with opposition members. Why not inject that sensibility into Alberta's election designation process? In the absence of inviting opposition leaders to participate in the process in a way which would be unique and groundbreaking in Canada in terms of its level of transparency and collaboration, in the absence of that, you still need a fixed election date.

The one thing that does frustrate me is that we have spent so much time talking about this piece of legislation. It's such a waste because this piece of legislation as it currently sits, without this amendment or some of the other amendments that we have talked about coming forward, is basically same old same old. It does nothing different from what's already in place. It allows the same imbalance. It ensures that the control and the advantage which arise from being the one to shoot off the starting gun remain firmly vested in the hands of the Conservative government. We've had all this conversation about a piece of legislation that is meaningless. All it really actually serves to do is to be a written, recorded piece of evidence of one of this Premier's first broken promises.

This amendment was brought forward in an effort to save the Premier from putting it so clearly on the record that she can't be trusted to keep a promise and, instead, to not only keep the promise but raise the bar and add an additional benefit to this process, something for which I'm sure members on the side opposite would actually be given credit were they to do it.

So a good-faith attempt to pull a win-win-win situation out of what is at this point a loss-loss-loss for the people of Alberta, the people on that side of the building, and the people who have been wasting their time printing up these pieces of paper, which at this point offer nothing new to our election-setting process here in the province of Alberta.

With that intention in mind, I do certainly urge members in this Assembly to support this amendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak to amendment A2?

If not, is the House ready for the question on this amendment?

**Hon. Members:** Question.

[Motion on amendment A2 lost]

**The Deputy Chair:** We're back to Committee of the Whole in a general sense on Bill 21, the Election Amendment Act. Are there any speakers? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks, Mr. Chairman. I'm going to be bringing forward an amendment, and I have that amendment here. I will have that amendment passed forward, and if I may, Mr. Chair . . .

**The Deputy Chair:** Just one moment, please, hon. member. Did we get the original with the rest of the copies? Hon. members, we'll refer to this as amendment A3. I see it's being circulated

now. If there's anyone who doesn't yet have a copy and wishes one before the member proceeds with her speech, please signal.

Hon. member, you may proceed, then.

**Mrs. Forsyth:** Well, thank you, Mr. Chair. I am to move that Bill 21, the Election Amendment Act, 2011, be amended in section 2 in the proposed section 38.1. Now, this isn't very, very complicated because, as I said before, we have a piece of legislation that, I think, is less than 150 words, what I referred to earlier.

It's striking out subsection (2) and substituting the following:

(2) Subject to subsection (1) and (3), a general election shall be held March 12, 2012 and on the second Monday in March in the 4th calendar year following polling day in the most recent general election.

And then it just adds the following after subsection (2):

(3) The date for any general election after March 12, 2012 may be advanced up to 7 days by the Lieutenant Governor in Council . . .

And that's cabinet.

. . . on the advice of the Chief Electoral Officer if the date of the election coincides with a religious or culturally significant holiday.

Pretty simple, actually. It's also very similar to what's happening in Ontario.

Mr. Chairman, I'm actually pleased to rise and speak on not only Bill 21, the Election Amendment Act, but I'm also pleased to rise and speak on amendment A3.

5:10

There's been a lot of chit-chat from the government that this bill is about improving the democratic process for all Albertans and that this bill will do more to improve transparency and accountability for all Albertans when it comes to elections. But when the times get tough for this government, when they have to face real scrutiny on their performance or on legislation that they are putting forward, they regress to old patterns of behaviour, where the real loser becomes the institutions of democracy. You'll understand where I'm going on this, Mr. Chair, as I speak.

There is no better evidence of this than this past week, when the Premier was faced with some difficult questions from the Member for Edmonton-Highlands-Norwood about stuffing her bills through this Legislature. She promptly responded, "Mr. Speaker, I really don't think that the hon. member wants to get into a debate with me about what democracy is or why it matters." Well, actually, Mr. Chair, that's exactly the type of debate that we want to have in this Legislature, especially when it comes to Bill 21 and especially when it comes to amendment A3. As I go through this, you'll understand why.

Now, Mr. Chair, it's commendable and it's true that the Premier has done some work overseas to improve democracy for different groups of people who may have never had the chance to vote in their life. She brags about that, and rightfully so. I say with no reservation that the people in places like South Africa and Afghanistan are better off for the work that our Canadian people have done in those places to improve democracy.

While the Premier was on the campaign trail – you know what? – I have to tell you that I was impressed by the comments made by the Premier when it came to transparency in government, especially with regard to fixed election dates. I'm going to quote: "Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election."

Well, Mr. Chair, guess what? In the Canadian Press on Friday,

September 23, this story was filed at 4:25. She wasn't the Premier then, but she was running to be the Premier. "Redford said she would commit to calling an election in March 2012 and every four years from that date. She said Albertans are supportive of the idea and that several other provinces already use the same model."

Mr. Chair, hence my amendment as the Member for Calgary-Fish Creek and, quite frankly, on behalf of my colleagues that I have the honour and privilege of sitting with, in regard to March 12, 2012. We're going to follow through with what the then Member for Calgary-Elbow said to all of the members of the PC Party and, for that matter, Albertans. The debate on a fixed election date law should have been relatively pain free. With three opposition parties in consensus that would be a good step forward to democracy. We discussed this earlier about democracy and about fixed elections.

What is frustrating, quite frankly, Mr. Chair, with what we would like to call the floating election season law that is now before us is that it's perplexing for all Albertans. It's due to the fact that while this Premier was working in Afghanistan under appointment of the United Nations, the Afghani people knew then exactly when there was going to be an election day. I guess the question is: why can't Albertans be afforded the same luxury date in the Premier's own home province? Does the Premier not understand that Albertans want to have the same democratic opportunities of not just seven other provinces in the country but also the exciting opportunities the people in Afghanistan had in their first election?

The amendment that we're bringing forward in regard to the Election Amendment Act, A3 as you have referred to it, talks specifically about having March as the election date in 2012 and every four years after that. Mr. Chair, in this Legislature we talk about consensus, and when you talk about consensus, you try and bring forward an amendment that will appease the government or get them to agree with you on something. You know that, Chair. You sat as the former health minister, and I know you had a position before that. It's about, "Here's what we have to say" and then "Here's what you have to say," and somewhere you come up the middle and say: "You know what? We agree."

When we were talking about the fixed election date, we thought, "Well, what's going to twig with the government, or what's going to twig with the Premier?" As I said earlier, we have an article: Alberta Tory Leadership Candidate Alison Redford Wants Fixed Election Dates. I'd be pleased to table that if you want me to. As I explained a little bit earlier, she talks about the fact that – and she is saying this to Albertans – she's committing to calling an election in March 2012 and every four years after that.

Mr. Chair, we have decided to bring that forward from the Wildrose and say: "Premier, this is what you said you were going to do. This is what you promised to do when you were running. We also think it's real important for you to keep that promise and not break your word and stick to a fixed election date, which you had no problem doing when you were running for the leader of the province." What we've done with amendment A3 is exactly what the Premier of this province said she would do specifically, even down to the date that she said she would do it in her article.

What I would like to do, Mr. Chair, if I may – I've moved this amendment, and I know everybody has a copy. I will look forward to actually listening to the rest of the debate. I'm especially looking forward to hearing what the government has to say and particularly looking forward with interest to hearing what the Justice minister has to say because I know that this falls under his portfolio. I know what the opposition members are going to say, and I know my opposition colleagues are looking forward to

speaking to this particular amendment. But, truly – and I alluded to it when I was speaking earlier – the government, I know, will want to have the opportunity to speak out and say why they supported this particular amendment or, for that matter, why they didn't support this amendment.

Mr. Chair, I know that we're going to be going into an election sooner rather than later. What we hear is that it's probably going to be February or March when they'll call the election and drop the writ, and we'll all be campaigning for the next 28 days.

What I love about our social media and about technology now is that you've got all this stuff, and you've got it all on YouTube. You have the opportunity, quite frankly, in a forum, at the doors, when you're talking to the people that put you here or, as the hon. Member for Fort McMurray-Wood Buffalo likes to refer to them, to our bosses, to say: gee willikers, we debated this amendment A3 in the Legislature on the 30th day of November at 20 after 5 and challenged the government to support the amendment that we've brought forward in regard to the bill and what the Premier said she would do, and the government agreed or did not agree.

I'm going to sit down. I'm going to look forward to listening to some debate from others in the Assembly at this particular time.

Thank you.

5:20

**The Deputy Chair:** Thank you.

Are there others on A3? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. Certainly, I can appreciate amendment A3. I'm not going to suggest that March is a better month than May – I would much prefer to see a fixed election date in May – but this is another attempt at getting rid of this election season and having a fixed day.

Now, A3 certainly would indicate that March 12 of next year, 2012, and on the second Monday in March in the fourth calendar year following would be an appropriate provincial election date. The hon. member is absolutely right about the commitments made publicly by the current Premier when it was stated during the Progressive Conservatives' most recent leadership race that Alberta needs fixed election dates. As part of the democratic reform platform – and we have to view this current legislation as a broken campaign promise by the current Premier – this amendment A3 allows that broken campaign promise to be fixed with a fixed election date.

According to the hon. Premier's press release – and I'm afraid I don't have the date of this, unfortunately, Mr. Chairman:

Fixed-election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election.

This is a statement from the current Premier during that Progressive Conservative Party leadership race.

Now, the current Premier goes on to state in this press release:

Personally, I was very disappointed by the voter turn out [rate] in 2008, when I was elected. We failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend.

Amendment A3 certainly allows that to happen.

If we were to adopt the date here in March that has been proposed, I think it would be an improvement over the election season that is proposed and this sort of window or wiggle room that this government always wants. Now, this amendment would,

of course, fix that broken promise, and I think it would also restore faith. We talked about this with amendment A1 probably about this time yesterday, Mr. Chairman.

Certainly, we need to reverse voting trends in this province. We need to encourage more and more people to get out to vote. I don't have the book with me here, but there are some areas of the province which have a very, very low voter turnout rate. I think that a fixed election date would certainly improve that.

The hon. members from Medicine Hat are probably very aware that 30 per cent of the eligible voters in both Medicine Hat and Cypress-Medicine Hat voted in the last election. In Fort McMurray, as I said earlier, it's even lower than that. Now we're going to have twin constituencies in Fort McMurray, and hopefully it will be a much higher voter turnout rate.

Where opposition members are elected, it's interesting to note that voter turnout rates are usually higher. The higher the voter turnout rate, the less likely there is to be a government member either elected or returned. That's a fact. You can look that up, hon. member, and you can see. I certainly hope that this is a government that's not afraid of a substantial increase in the voter turnout rate and what it would mean for their electoral success. [interjection] It could happen. If the voter turnout rate was to go way up, the number of desks on this side of the Assembly may go way up as well, so yes, hon. member, it is true. It certainly is true.

We need to do everything we can – everything we can – to increase voter turnout rates. Fixed election dates, whether it's March or whether it's May, certainly work, in my view, if we give them a chance and if we encourage people to vote. I'm not convinced we're doing that now.

I mentioned Medicine Hat. I mentioned Fort McMurray, Grande Prairie, certain areas around Edmonton, and certain areas around Calgary. It surprises me how low the voter turnout rates are. These are neighbourhoods, Mr. Chairman, where the voters have the most to gain or lose from good or bad public policy by this government.

This amendment, again, as proposed by the hon. Member for Calgary-Fish Creek, would certainly, I think, "reverse the trend" and restore faith in the election process, like the hon. Member for Calgary-Elbow originally stated during the summer. Also, it would eliminate the "behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election."

In the lead-up to the last election, Mr. Chairman, there was the controversy over the appointment of the returning officers. Again, I don't have the opportunity, I don't have the resources to have all the details with me, but certainly there were allegations made that, of course, this is not happening from Elections Alberta; this is happening from the Premier's office.

These appointments are made, of course, through order in council, and they were made from the Premier's office. There was a recommendation made by the former Chief Electoral Officer. I just did some research outside, Mr. Chairman, and I thought there were over a hundred recommendations made by the Chief Electoral Officer, but it was 180. I think it was 183, to be exact. And we all know what happened to that gentleman. His contract by the Legislative Offices Committee, which I happen to sit on, was not renewed. There was no reason, really, given, but it wasn't renewed.

5:30

We do know that there is a very, very large majority of government members on all these legislative committees, and it's real easy for government ministers, whenever they're in a bind, to say: well, go to the legislative committee, to the respective one

where you have your issue, and you can work it out there. A real large majority of government members sit there, most of the time silently, until it's time to vote. Then they vote, and the issue is quickly decided.

The point I would like to make, Mr. Chairman, is that this Assembly is where these decisions should be made. We certainly should take advice from the Chief Electoral Officer – I'm not suggesting otherwise – but when you look at the history of the advice that the office of the Chief Electoral Officer wanted to provide to this Assembly and what the government majority did with it, well, there are a lot of really sound recommendations that were made not only on the Election Act but also on the Election Finances and Contributions Disclosure Act. That's, I know, another matter. But, certainly, when you think about all the recommendations that were made and what happened to that gentleman – he was going to Winnipeg, all right, because I think that's where he came from. He was going back because his services were no longer required here, needed. The advice that he provided wasn't listened to.

Again, Mr. Chairman, in conclusion, I would like to thank the hon. member for giving this Assembly another chance to have a fixed election day, another chance for the Premier to have a change of heart and realize that the current legislation is, in reality, a broken political promise. This amendment A3 gives again an opportunity for that broken promise to be fixed. I'm hoping that a fixed election date would increase voter participation.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Amendment A3 is available, and I have the hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Well, thank you, Mr. Chairman. I am quite amazed. The opposition is doing everything in its power, making every effort to help our new Premier keep her promise, yet we have the caucus sitting on their hands over there. They've got their lips zipped. [interjection] Yes.

Anyway, I am pleased to rise and speak to amendment A3 under the Election Amendment Act, 2011, brought forward by my good colleague from Calgary-Fish Creek. Basically, to sum up what this amendment is, this is our best effort to try and guesstimate what day in March the Premier wanted when she promised back on the 23rd of September that she thinks March would be a great time to go to the polls. Now, it's interesting, even on little debates, even in a small caucus like ours, that we can all agree to disagree. I would have liked to see it a little bit later in March, but this is the date they came up with.

Like I say, we'd be thrilled to sit down and have the government bring forward an amendment on what day it is that they want. We'd be happy to support it. The feedback I'm getting from constituents and Albertans is that they would be happy to support it. Just give us a date. Just keep your promise, Madam Premier. Keep your promise. Give us a date.

Again, I think probably the most astounding thing for myself, Mr. Chair, sitting in this House and listening to our new Premier answer the odd question here and there, is when the hon. Member for Edmonton-Highlands-Norwood was asking her about democracy. She got up, and the facial expressions that she used I cannot describe. From the glare and the look at him and the finger pointing: you don't want to get into a debate about democracy with me.

Well, I can assure you, Mr. Chairman, there is nobody – nobody – on this side of the House that is intimidated by the eyes, the finger, or the words of our new Premier. In fact, we were very

disappointed in it. I would be thrilled to have a debate with her at any time on democracy, and I'd love for her to participate in this debate about picking a date for the people of Alberta to engage in the democratic process. But I think, like all of her colleagues, they're going to sit there and say nothing and do nothing and try to mitigate their promises in any way possible.

Mr. Chairman, we are doing everything we can to help her keep her promise of a fixed election date. We've gone over, you know, the purpose of fixed election dates, everything else. I guess I just want to go over a few more points again to help direct this government in being able to come up with a good bill that will serve Albertans going forward and, as the Premier was asked, to do her best to try and engage Albertans. Give them a date.

When I was sitting on committee and we heard from the election officer, he talked about the expenses. Again, I think this even came up in supplementary supply there, trying to plan, because he didn't know. Several of the leadership contestants for the PC Party had mentioned that we might have a fall election, so that puts our election officer into high gear, saying: "Oh, my goodness. We've got to rent facilities. We've got to get our people hired. We've got to get them trained." There is an incredible amount of work to organize an election.

One just has to ask, you know: when she's talking about this fixed election date, is she going to renege on her promise to have a senatorial election with that as well? All these things need to be planned. That's why we need to set an election date. We need to set what's going on in there. Are we going to elect new Senators-elect from the province of Alberta? We have a proud heritage of doing that first, back in 1989. I believe Stan Waters was the first one to be elected, and we should be following that. The Premier talked about that.

**Mr. MacDonald:** Did the Reformers have a fixed election date? I can't remember.

**Mr. Hinman:** I believe that was one of the big things that they were pushing. The Reformers had a fixed election date.

**The Deputy Chair:** Hon. members, through the chair, please. I'm not sure how senatorial elections would tie in with this, but I'm sure you'll explain briefly.

**Mr. Hinman:** Well, because that's all part of people, whether they're going to engage and be part. I mean, we don't even know the fixed election dates, and we don't know whether or not she's going to keep that promise. She mentioned that and said that. These are both what I guess I want to call a democratic process of: are we going to have a fixed election date? If so, when, and what all is going to be involved on that date? There are people that are interested in participating in that, taking her on her word. I hope that that kind of correlates.

We think that that's all part of the democratic process with a fixed election, that should be coming up sometime soon. I must say that we do appreciate having a season. That's good to know: here's the season. That is a step in the right direction. But why not take the last, too, and make it simple, even for our election officers so that they know that they can plan their holidays, so that they can do things? I mean, this adds so much chaos to the whole system that it just doesn't work.

If they want to pick where the election is going to be, they could have places scoped out, and those places might be good until March, but then all of a sudden in those places new renters come in. [interjection] I have to chuckle that there's even any heckling on this from that side, but the hon. minister of agriculture seems to think that this is not important and questions the idea. Again,

when you have deep pockets and all those things, it doesn't matter, you just pick and pay whatever you need to, but I don't think that's prudent with the taxpayers' money.

To gear up for a fall election and then have it all fall down and then he comes and says, "I need money again for next year" for, like I say, the training, the hiring – these people are paid and trying to be held for that election. I just think that out of common courtesy to those people you say, "You know, this is when we're going to have it" so that they can plan their life a little bit better rather than being on call. They're not paid a lot. It's not like we're, you know, paying them full-time wages, but we go through the training and all of those things.

5:40

There are just so many points from the government side why it is just about good governing to have a fixed election date. We do it with municipal elections, with the school boards, all of those. I mean, if the Premier really didn't mean what she said, why doesn't she bring forward legislation that gets rid of fixed election dates for municipalities? Why doesn't she bring, you know, other legislation forward and say: oh, this is democratic. Actually, she wouldn't want to discuss democracy with us because she wouldn't want to belittle us or – I don't know – shame us in our misunderstanding of what democracy is according to her expertise, I guess.

I just don't understand, Mr. Chairman, why she won't step forward and give us a set election date. It just seems to be a pattern on what she said. Again, it's always interesting, too, when an election is called. In her quote she talks about this, about the importance of a fixed election date and how people start to engage more. When they know that an election date is coming up, it mobilizes. Here it is:

Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election . . .

And then I love the next part of that.

. . . without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election.

I mean, why would she say that and then not bring forward a fixed election date? I just would love for them to get up and explain why they think that a season is an election date. I don't know of anywhere else in the world that has an election season where, "Oh, it's going to be sometime in the spring" or "It's going to be sometime in the fall." I'm not aware of that. What's their answer to that, Mr. Chairman? "Oh, this is a made-in-Alberta solution because our weather is not predictable" or "The religious holidays might interfere" or "The farmers might be busy." Unbelievable. From everybody that talks to me, this is the one election promise that they don't understand. They understand her broken promise on having a full judicial inquiry into health care because most Albertans think that there would be a lot of bad information that would come in in a full judicial inquiry. They understand that.

They don't understand why she didn't talk and promise like she did to give the \$107 million back to education, which Albertans got excited about and felt that that was a need. Nobody that's talked to me was aware of new legislation coming forward on driving under the influence, yet that's all of a sudden a democratic process. She says: oh, we've been consulting for two or three years, and this needs to be passed before December. Again, the Albertans that have been contacting myself and my office are very disappointed with the speed and the force with which this government wants to pass that bill.

It's just truly disappointing that we have to be debating this and not have the government come forward and say: "Oh, you know, you're right. I don't know why we even thought about having an

election season. Here's the date." We will continue to ask the government, you know: bring forward an amendment. We'd be happy to vote on it. It would be great for democracy here in the province. That's really what it's all about. As the Premier said,

we failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that trend.

I, too, agree with her and would love to see that trend reversed. I would love to see Albertans engaged in the next election. It would just truly be exciting to be jumping back up to new all-time highs, to 75 or 80 per cent voter turnout. It would truly be exciting and fun to be able to say that I was part of that election. We engaged Albertans, and they came out in droves. That, to me, would be something that we could all be proud of in this House after the next election, whenever that will be, sometime between the 1st of March and May 31 of next year.

I've spoken on it before. Let's switch it now from the government's pros and why it would be good and the good image that they would be sending out to Albertans on their desire to improve democracy. Now let's go to the other side, as I was mentioning last night in the wee hours, and the hon. Member for Edmonton-Centre came up with a little different answer than what I was getting. One of the biggest questions that I get is: when is the next election? People want to plan their lives around it. More importantly, for those who want to participate in it, that want to perhaps run and try to become an MLA and represent their people, it's very difficult to plan their business or their job when they don't know when that election is going to be.

I had an engineer call me that works for a pretty big company here, and he said: "Paul, I need to know when it is. I need to be able to give notice. We need to plan our work. How come the Premier won't give us a date?" I just said: "I wish I could answer. I don't know why she won't do it" other than the fact – again, I guess we do know why she doesn't. They want that advantage. They want to be able to fire that gun and get that first step out of the gate. They want to be able to rent their office space in prime locations. They want to be able to tie up billboards in prime locations. They want to have their signs ready to go and out, to be the first one out the gate. There are all kinds of advantages by not letting your competition know when we're going to actually call the election.

Just another quote from our Premier on that. She said that fixed election dates are important because

they understand the issues that are coming. They don't believe any political party should have even if it is a theoretical upper hand in managing the political agenda and then picking the date accordingly.

I've spoken before about the last election, in 2008, where this Premier got elected, and she said that she was disappointed at all the manipulation behind the scenes that went on back then: the \$1 billion spent in January of '08, before the election was called in February, the huge contracts that were signed with the teachers, and the multibillion-dollar deals that were signed by the end of January so that they could time their election just a short few days after that. I think it was February 2 or 3 they announced that it's time to go to election, just three days after they sealed the deal with the teachers.

Again, it's still very disappointing that we have a sustainability fund, yet we won't fund their pension plan. We've taken over the responsibility, saying, "Well, don't worry; we'll pay for it," but that unfunded liability could run away from us at a speed where we can't catch up. We see that in Europe they have these unfunded liabilities. Well, there are many places in the States

where municipalities and cities are declaring bankruptcy because of these unfunded liabilities. It's fundamentally and ethically wrong, I believe, that we don't put the money into those funds and say: "Here it is. We owe it to you. Manage your funds. Go forward."

These are all things where, if we would fix an election date, this manipulation can't go on or where they'd know that they're doing this. That would be a good way to improve the democratic process here in the province of Alberta. That would be a way to renew a small bit of faith in the government that they are actually trying to serve the best interests of Albertans by giving them a fixed election date. You know, make sure you're back from your holidays, or plan on this, get your work set up so that you can be engaged and can go help door-knocking or can get on the phone banks and do those things. That's what we really want to do. We want to engage Albertans.

Democracy is at its best when the highest percentage of people are coming out and voting, that they're understanding the debates. They look at the options. They have that choice. Do we want to be fiscally irresponsible? Do we want the government to go into debt? Do we want them to balance the budget? Do we want them to build more infrastructure? All of those things can and should be asked during an election. It always amazes me how often these things are not ever spoken of.

5:50

Again, Bill 26 is a classic example. For six months this government and the government members had the freedom to say what they wanted because there was no real Premier, and they were looking at speaking. Over that six months it was refreshing to hear the debate that was going on. Then they picked a new head, a new head to an old beast that says: zip your lips; do what the new head of that party wants, and don't question it.

I find it astounding that the Premier said that there was a robust discussion about driving under the influence, yet there's no robust discussion coming from the government when I know – I've had members over there tell me – that they are not in favour of this. Actually, to the credit of the Member for Little Bow, he did get up and say that it was a real concern to the constituents in his area, yet I don't think that he'll be voting against it. It will be interesting to see. He did at least speak on behalf of his constituents, and I applaud him for that. It is so important that we have elected representatives that actually will come into this House, speak while the *Hansard* is being put down, and know that they actually are representing them.

It's another thing that people come and talk to me about, and they're very disappointed and say: Paul, why don't we know what they're actually saying? It's such a great cover for a government member to say: "Oh, we had a great debate. I fought for that in caucus, but I lost. Now there's nothing I can do. I need to vote on the government side." This isn't about a government falling because a bill doesn't pass. This is about trying to pass good bills.

Once again, we will reach out to the government members and say: "Bring the amendment forward on the date that you want. We're all for it. We're here to support you. We're here to help the Premier keep her promise of a fixed election date. We want it. Albertans want it. The Premier said that she wants it. Do the right thing. Tell Albertans that here is the date."

You know what? If the problem is that she doesn't want to do it in the spring now, we're fine with that. Just give Albertans a date, whether it needs to be postponed out to the fall, whether they want March 2013. Just tell Albertans: here's what we want. Albertans want that date. They want to know that this is when the next election is. It'll be to everyone's benefit.

We'd ask that you consider that while we take a short break here to come back with an amendment that is going to be for the benefit of everyone in this House.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers to amendment A3? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chairman. It is with great pleasure that I see this other amendment from the Member for Calgary-Fish Creek trying to get a fixed election date from the fixed election season, which is being promised in this bill.

I'll go back to the article from the *Calgary Herald* of Friday, November 25. It goes on to say: Fixed Election Law a Joke. The Premier said, from the editorial, that "the change that Albertans are looking for – namely the transparency and democracy [the Premier] spoke of before winning the Tory leadership – is not what's being delivered."

Bill 21 is being questioned from all corners of Alberta. The government's bill calling for fixed election dates sometime between March and May and every four years starting in 2012 – this is like guesswork. Pick a date. Here we are trying to pick a date with this amendment, again. There was an amendment from the Member for Edmonton-Gold Bar. He was trying to pick a date. I prefer May to March.

I remember what happened the last election. If we pick a date, I think we can plan better. Last election the returning officer from Calgary-McCall was scrambling to find a place to set up her office. She called because I had my campaign office set up already because I was in real estate. She approached me and said, "Darshan, can you find me a place to rent?" I said: "You know, I will gladly give you half of my campaign office. You can come and set up your office here in my campaign office, and that will be easier for everybody because people will know where the returning officer is." She ended up finding a house in Saddle Ridge, way out. That's where she set up her office. I think we had a special ballot.

**Mr. MacDonald:** What was the voter turnout like?

**Mr. Kang:** Well, voter turnout, indeed, was very, very low. You know, I think we were two weeks into the writ before she found a place. By setting fixed election dates, the returning officers will know when the election is, and they can hire all the staff and set up their place. They will be ready for it, and they will not be scrambling at the last minute to set things right. Because she didn't have time and she didn't have a place to rent for the advanced poll, we were stuck in the basement, where people were waiting in the hallways and down the stairs for hours and hours to vote.

Setting up even for March, I think we can live with it as long as it's a fixed date. Setting up fixed dates, I think, makes it easier for everybody, the candidates and the returning officers. You know, they can rent their place, and they can set it up. It will be easier for the voters, too. It will be a level playing field for everybody. It will also fulfill the promise that the Premier made.

Here the Premier went on even further. That's October 6, 2012. She made a commitment to hold the election within 12 months. She also went on further to even have voting online, I see somewhere here. She was trying to make it easier for Albertans to vote. She was trying to encourage Albertans to vote, the right we have under the Charter. The best way to have Albertans exercise their right to vote is if we make it easier. We had a record low turnout in 2008. You know, if we encourage Albertans to come



out and vote and they know when to vote and they can plan around it, we could have better turnouts at election time.

This is only helping the Premier to keep her promise. I'll quote again. She in her own words said:

Personally, I was very disappointed by voter turn out in 2008, when I was elected. We failed to engage the public in our most important democratic right – voting. In some ways, low turnout may indicate lack of faith in the system, and that is a very dangerous road to travel. I would like to reverse that.”

By bringing in this amendment, we are trying to reverse that trend, as the Premier promised us, Mr. Chair. I urge all the

members to consider this amendment. Let's fix this once and for all so that we can get it right, so we won't have to guess when the election will be. I urge all the members to support this amendment so that we can fix this mistake.

**The Deputy Chair:** I hesitate to interrupt you, hon. Member for Calgary-McCall. However, it is 6 p.m., and according to Standing Order 4(4) we must now adjourn and reconvene in Committee of the Whole at 7:30 this evening.

[The committee adjourned at 6 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday evening, November 30, 2011

Issue 44e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 30, 2011

### Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** Please be seated.

May the chair ask for your indulgence to revert to introductions?

[Unanimous consent granted]

### Introduction of Guests

**The Chair:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Chairman. It's a pleasure for me to introduce to you and through you a person that works in my constituency office. She does a very fine job there looking after the constituents of Olds-Didsbury-Three Hills. She's seated in the members' gallery tonight. Sharyl James-Wright, would you please stand and receive the warm welcome of the Assembly.

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chairman. I'm pleased to introduce to you and through you another candidate for the Wildrose, Mr. John Corie from Edmonton-Riverview. It warms my heart, actually, to see our candidates coming out and watching us debate in the Legislature. We introduced two last night, and they ended up being here until 11 o'clock. John has joined us. He's been out door-knocking for months every night, and he said this is the first night he's taken off for a long time. He's looking forward to watching the debate in the Legislature. I'd ask John to rise and receive the warm welcome.

**The Chair:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. I'd like to reintroduce two individuals from Mothers Against Drunk Driving. Number one is a long-time friend, Louise Knox. She is, I want to say, the western Canadian manager. I'm not exactly sure of the whole title. Also, Denise Dubyk, who is the president of MADD Canada.

I would also like to introduce Trish McOrmond, who works in our ministry and has been working on the impaired driving file, as well as Shaun Hammond, who is the assistant deputy minister.

It also gives me great pleasure to introduce Don Wilson. Don is from the Alberta Motor Transport Association. As we were talking about earlier, his truck drivers have approximately 200,000 kilometres a year on the road. He's here as well supporting this bill.

I also want to introduce, if I can, Donna, who is with my office as well. There are two more introductions. I'm sorry; I can't remember the names, but I know that you're here supporting. Very important people.

Thank you very much, Mr. Chairman.

**The Chair:** Any other introductions? The hon. Minister of Environment and Water.

**Mrs. McQueen:** Well, thank you, Mr. Chairman. I'd like to help my hon. friend out and just make sure that we have the names of the fine folks that are here visiting us this evening. Today we have

Brenda Johnson and Dale Friedel with us. So please rise and receive the warm welcome of the Assembly again.

### Bill 21 Election Amendment Act, 2011

**The Chair:** The chair shall now recognize the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. When we adjourned, we were on Bill 21. I would like now to move that we adjourn debate and that when the House rises, we report progress.

[Motion to adjourn debate carried]

### Bill 26 Traffic Safety Amendment Act, 2011

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you. I'm not sure if the minister has commented publicly. I bet you there was a media conference on the effect of the decision on what you're doing in Alberta, but maybe I could just request that he consider updating us a bit so that I don't have to read this while I'm standing here.

In the meantime this has turned out to be a really interesting bill for me, mostly, I think, because I represent downtown Edmonton, so I have certainly had a number of people express their opinion fairly forcefully. I admit that a number of them are connected with the restaurant and hospitality industry. I don't think that makes their views any less pertinent or valuable although they have a certain interest in the outcome of the bill, I suppose. I want to acknowledge them because I think it's important, when we're in this House and we're representing people, that we do bring their voices to the floor.

I have heard from Vivien Jonathan, who is appalled – I'll quote this, I'll send this stuff to *Hansard*, and I'll table it all tomorrow – that as a law-abiding citizen she'd be “criminalized without breaking the criminal code of Canada – it's a travesty.” And this isn't to say, necessarily, that these people are right. I'm almost positive the minister would feel that they're wrong. But I think it's important that we understand how they're feeling because it's going to relate to what I'm going to say later.

Nathan Kyler from the Union Hall agrees with my stance – I didn't tell him to say that – but I think it's because I'm questioning the one section, which is section 12 amending section 88 in the main bill.

Joyce Ingram. Again, she doesn't indicate that she's affiliated with any particular – no. “As an Albertan I do not support the .05 limit and the penalties proposed. This bill . . . should be forwarded to a Policy Committee for further input by Albertans.” All right, Joyce.

Jonas Van Ginhoven, who works for a construction company. He would like to say that he's not against measures to reduce drunk driving, and he's also the first to admit that he's not overly well read on this subject. He really feels very strongly that “we have a problem with the enforcement of current laws and a problem with the justice system allowing repeat offenders to still be allowed to get behind the wheel.” So he would be very keen on two of the sections in Bill 26. He suggests that it's “rare that impaired drivers are caught” and asks: “Why not change the checkstop program? We need more Checkstops. Why not have police dedicated to late night surveillance of trouble areas?” So that's Jonas, and he does not have a stake in the hospitality industry.

Dan Peet. His family has been dramatically affected by impaired driving with a death in the family caused by an impaired driver, and the driver was apparently over double the legal limit of blood alcohol content. "By lowering any limits to 0.05, these same 'type' of people are still going to drive with no regard for the potential consequences. They had no regard for the law before, why would they have any regard for it after a change in the lower limit?" He believes two things will happen: "The law would effectively make people who are law abiding 'regular Joe' people who have 2, maybe 3 drinks with dinner say, criminals. This will drastically affect lives, careers, and families." "The law would tie up the courts dramatically with the new found criminals," and the law would not "dissuade anyone who previously would have driven over 0.08 from driving now."

Oh, my Lord. I have a whole whack of them here.

7:40

I think I've raised the issues brought forward by Mike Yasinski from Hudsons earlier. Of course, he has a number of statistics.

Oh, there's Jim Thornton. He is not connected. I know he's not. He fully opposes the proposed impaired driving legislation.

Okay. So that starts to give you a sense of what my life has been like recently.

I thank the members opposite who've taken the time to spend with me and outline their vision for a change in culture. I complimented the minister's staff already on what turned out not to be their speech because I think the minister ripped it up and spoke from the heart, and I felt it was very effective. I was certainly partially swayed by it and also by the Minister of Transportation.

As I said before, I really like the two pieces in the bill that are about strengthening the administrative sanctions of seizure and suspension that are available for .08 drivers. I get what you're trying to do by changing the culture, and I think you're right. I just think you're not right right now for a number of reasons. I think, having looked at a lot of this, we're not quite ready for you. That's what makes regular citizens – what did the one guy call them? – regular Joes feel like the government is looking upon them as criminals when they're not and putting them in a position where they would feel that they had done something terribly wrong when, in fact, they hadn't contravened the Criminal Code.

I get your distinction that you keep making that you do this already. I finally got it. It took you awhile. I'll admit that you tried hard to get me to understand that. But I will say to you that the culture right now is not that. The culture right now, certainly, for anybody over – this reminded me of somebody else I got a message from. Certainly for anybody, let's say, over 25 – I'm generalizing wildly here; please, forgive me – what we learned was: don't drink and drive drunk. Don't drink and drive smashed. Don't drink and drive out of control. Don't drink and drive . . . [interjection] Yes. And I get it. You guys are trying to go to: if you have one drink, do not drive. That's where you're trying to go.

But that's not where most of us are at, and that's where you're getting the push-back because we were assured when this original legislation was brought in that you shouldn't drive drunk, and now you're telling us that you shouldn't drive if you have a drink at all. That is a change in culture, and that's what is giving you the push-back because we're not ready for it. We can't figure out and don't have at hand for us all of the supports that are going to make that an easy transition. You are putting us into a very leaky boat on a very rough sea, and there are a lot of people sensing the seasickness to come, if I might stretch my analogy a little bit, and that's because of a number of things.

Let me talk about alternative forms of transit. Now, we know that this is an issue in rural Alberta. I have no idea how that's going to get dealt with. I don't live in rural Alberta. I've been pretty clear about that. I'm a city girl, and I'm a downtown girl. So I have no idea how you're supposed to get to an occasion – a party, a Legion function, whatever – if you're living in the rural area, and you know you're going to have one or two drinks, a glass of champagne, a toast. How are you supposed to get home? I don't know how you work that out because there's no transit for you at all. Unless you are literally phoning your friends and organizing some sort of designated driver situation where you're carpooling with four or five adults, I cannot imagine how you're going to do this. Does that mean that you're expected to stay home or not drink? I just don't know how you're going to organize that because there is no public transit available to you.

In most of the cities in Alberta there isn't public transit available except for in the larger cities. Even for us, I can tell you, as citizens of Edmonton we're not too thrilled with our late-night public transit system. With most of our buses the last bus is pulling out at 12 something, and I think the LRT is at about the same time. So if you're actually trying to leave a bar at 2 o'clock – and it's fair to question me about, well, really, are we trying to deal with the people that leave the bars at 2 o'clock? Do we care? They're probably beyond hope, anyway.

I'm still trying to work my way through how we do this culture change, and I think if I was in the city, I would be coming right back at you guys and going, "Okay; pony up money for an expansion of our mass transit right now, kiddos," because you are putting us in a position where we need to be providing it pronto. You guys are talking about bringing this bill into play by either this winter or next summer. I mean, cities are capable of doing this, but they're not going to do it on buttons. Honestly, I'd be coming back to you guys right away and be going, "Okay; where's the money for additional transit?"

In Edmonton we're playing around with the idea – and I think we've done a pilot project – of a night bus. For Harry Potter fans out there what we're talking about is exactly the same as the night bus. It's one or two buses that leave the central areas and go out to the bus centres in the more remote and suburban areas, and then people are expected to probably walk home from there. It runs all night long or runs into the wee hours.

Again, that's something else that can be used in the major centres. I'm close enough to walk because I'm smart enough to live in the fabulous constituency of Edmonton-Centre, but frankly a lot of my friends are not lucky enough to live in this fabulous constituency. They're in Strathcona, for example. So if they happen to be downtown, well, they can walk, but it's a heck of a walk, and they're not doing it in high heels, I'll tell you. So considerations there.

There are also still considerations about how you are going to still need increased police for all of these fabulous checkpoints that you're going to run in order to catch these people that are impaired between .05 and .08, and if you don't have enough police running the checkpoints to catch the really bad guys now, how on earth are you expecting to catch the other ones later? Again, as a municipal councillor I would be looking right back at you guys, going: "Pony up. You have stuck us with this one. Where's the money for us to be able to provide our citizens with what they are now asking for?"

I think there is also a question about the provisions in the court system that may be called upon for this kind of thing, especially – and I don't think you guys intend to take a soccer mom and her minivan and seize it for an extended period of time, but according to these provisions if she is caught in one of those situations of

blowing between .05 and .08 twice in 10 years, she would be caught in it. Then she loses her vehicle until her court case comes up. Once again, I'm looking at you – oh, the minister has got that face on, so he's going to correct me. That's good. I'm looking forward to it.

But, you know, her vehicle could be seized until she comes up in court. Well, if we can't get people through court fast enough now, how are you guys going to deal with getting even more people through the court with your anticipated change of culture and clampdown on people later? I don't think you guys want to be unfair.

7:50

Speaking of unfair, let me go on to the civil liberties portion of this. This is the bottom-line crux of it for me, the idea that you are laying sanctions upon people without due process and without an appeal process. By the time your case gets to court, you've already been punished, and that is still wrong in my books. If I let you guys do that now, what else are you going to decide you want to bring that in on? What's the next thing that appears to be reasonable in your terms to take away people's due process? And this, I think – I bet you – is where B.C. got into trouble because there is a right, a capital R right, in our Constitution that says you have the right not to be unduly subject to search and seizure. It's a right.

Now, all of us in this House know how many times someone comes into your constituency office or your office going: "Gol darn it; I have a right to raise as many smelly animals in my yard as I want to, and I don't care what the neighbour thinks" or "I have a right to subsidized housing" or "I have a right to this and a right to that." I will admit, for all of my raving, lefty leanings here, that at that point I rise to my full 5 foot 3 height and point with a severe teacherlike finger at the Constitution, which is on the wall in my office, and I say: those are your rights.

But, folks, one of the rights you are talking about contravening with this legislation is in that document. You are contravening it, and that one is the bottom line to me. [interjection] No, it's not to be subject to unreasonable search and seizure or whatever it is. I'll find it for you. If you're desperate for it, I'll get the library to send it up for me right away.

That's, at the bottom line, what's wrong. I do understand how well intentioned this is. I can look at the face of the Minister of Justice and I know he means this and he means it for good reasons, and I believe that. I've worked with him, and I believe that. I can look on the face of the Minister of Transportation, and I know he's doing this for all the right reasons. It's not a happy place for him to be, necessarily.

But, my friends, you cannot do this before you are ready, and you are trying to do this before you have allowed Alberta to get ready, before you have allowed the citizens to understand what you're trying to do here in changing that culture. As a result, you are making them feel like they have done something terribly wrong. You cannot violate those fundamental rights. You just can't. Frankly, you guys play fast and loose with that stuff a little too often for my liking, and it's my job to stand up here and say to you: "No, you can't. You've got to figure out another way to do this. You need to figure out another way to do this."

My suggestion – and I did run it by some of you, but it kind of fell flat somewhere in the well between the two of us here – was that you take section 12, which is amending section 88, out of the bill for now, go forward with the other two sections, and then work on the longer range of what you're trying to do in implementing your changed section 88 with public education programs, with enhanced policing, with enhanced legal . . .

**Mr. Hehr:** Analysis.

**Ms Blakeman:** No. Not the analysis but the actual people to do the work in the law courts. Sorry; I've missed something off that list I had in my head.

I think that's what's wrong with this. You've talked me into the importance of changing the culture, but you need to change the culture, not stand up and announce: we've decided this is different, and all of you are now going to have to do this because of our say-so. You haven't allowed this process to evolve in a natural way; you're imposing it.

Finally, I'm going to go back to where I started. Oh, that reminded me. I did have an e-mail from one person who said: hey lady, I happen to be in that age range you were talking about, and I didn't . . . [interjection] Yeah, it was fairly colloquial in the way they were talking to me. Their point was that they weren't keen on it either even though they were in that younger age range. Why do you let me get off on tangents? Then I forgot where I was going.

I'm coming back to where I started, which is the effect on the small business. On this side, in the opposition, we understand how important small- and medium-sized businesses are to the Alberta economy. They, in fact, create more jobs than the big guys. They are locally based, and the money stays here, and the paycheques stay here. Frankly, the hospitality industry doesn't escape my wrath here because they are very same ones that lobbied behind closed doors to have a two-tiered minimum wage so that they could pay their servers less money, which I still will not forgive them for.

But I am concerned about the effect that this is going to have on those local, for the most part. I haven't heard from anybody that owns, you know, restaurants outside of a given centre. Those that have written to me and said that they own four or five restaurants: they're all located in the same industry. So these are small business people, and you are going to change their economy.

Thank you very much, Mr. Chair.

**The Chair:** May we revert briefly to introductions?

[Unanimous consent granted]

### Introduction of Guests

(reversion)

**The Chair:** The hon. Minister of Agriculture and Rural Development.

**Mr. Berger:** Thank you, Mr. Chair. I would to introduce to you and to all members present here this evening Sharon Schooler from the Alberta Centre for Injury Control & Research, who's up there in the gallery, and also her daughter Hannah Grandt, who's also joining us in the gallery this evening to hear the proceedings of the House. Could I ask them to please rise and receive the warm welcome.

Thank you.

### Bill 26

#### Traffic Safety Amendment Act, 2011

(continued)

**The Chair:** The hon. Minister of Justice.

**Mr. Olson:** Thank you, Mr. Chairman. I would like to say a few words to address some of the comments made by the hon. member opposite. As I did when I started my comments a week ago, I want to thank everybody in the Assembly for their comments. I want to go out of my way again to acknowledge that everybody wants the

same thing here. We want safety on our highways. I wouldn't attribute any ill motive to anybody who's speaking on any side of this issue.

We obviously may not agree on some of the steps that we're taking, but nonetheless I feel very good about where I'm at on this and where my colleagues on this side are at. I would very much like to persuade the Member for Edmonton-Centre to see things my way. I don't know if I'll be successful, but I'm going to just say a few things to try.

I want to make a comment about the term "criminalization" because we hear that every once in a while. It's a lot of the criticism. We hear people talking about criminalization. The only way you become a criminal by impaired driving is if you blow over .08, and that's federal Criminal Code sanctions. What we are talking about here, and the only power we have in this House, is to levy administrative sanctions, and that's what we're doing. This is well within our constitutional authority to do.

I resist that characterization of some of these things, that we are criminalizing people who are between .05 and .08. We are not. We are withdrawing the right to drive, which the province of Alberta has. The province allows the licence, issues the licence, and the province can take it away under circumstances it deems appropriate.

Now, on the .05. I just need to keep on hammering away at this. I will say that I haven't read the B.C. case that just came out today, but that has been in the news. My department tells me, and I think this is on good authority, that there's nothing in that decision that impacts this legislation or what we're doing here. As a matter of fact, that decision doesn't in any way criticize the .05 standard that B.C. was using. The court's comments relate to something different, and it's not the way we do it here.

8:00

As a matter of fact, as I think has been said by a number of my colleagues, we were watching what B.C. was doing, and we could see that some of the problems they were having were with the roadside treatment and the appeal process. There was a feeling that maybe there wasn't administrative fairness there, so we have gone out of our way in this legislation to create that administrative fairness, that appeal, and the right to appeal to an independent, quasi-judicial panel. We feel as though, if anything, that B.C. case actually supports our legislation. Again, this is a preliminary look because I haven't read the case, but that's the best information I have right now.

A few other comments back to the .05. We just need to keep on hammering away at this. Point zero five has been the guide, the standard that has been used as an indicator of impairment for years in Alberta, so I find it difficult to accept this criticism that somehow now we've all of a sudden gotten tough on people. There were 7,700 people in Alberta last year who had roadside suspensions because they blew over .05. They blew a "warn," which starts at .05. If we tore up this legislation and threw it in the garbage, next year there'd probably be another 7,700 people who would be sanctioned by the province of Alberta for blowing a "warn" over .05.

The Minister of Transportation over and over and over again talks about: "There's no change on the front end. The practice is the same. What's different is the sanction." Again, I'll just repeat some of the comments that I made a week ago about studies. We can look at studies, and they show all kinds of things. We've got some people in the audience today who are living proof of some of the damage that can be done by impaired drivers, and I want to thank them for being here, by the way.

The studies show that deterrence works, that this is a behaviour that does change, that can be changed. It can be modified. Not all undesirable behaviours are easy to change. This isn't easy to change either. But deterrence works, and for a deterrent to work, it's got to be immediate, and it's got to have some bite to it. That's the purpose of this legislation. We acknowledge that it does have some bite. We don't want to be seizing people's vehicles. We want people to drive safely. We don't have fines, by the way. We don't want their money. We want them to drive safely.

I want to talk a little bit about business. As you can imagine, for the people in this caucus, the last thing we'd want to do is offend small-business people in Alberta, but there are some times when you've got to do the right thing. Safe highways aren't for sale. The argument that there's some sort of economic argument that trumps safety on the highway: I'm sorry; it just can't be that way. We are convinced that these sanctions will make a difference. They will save lives. Remember that we had 96 deaths in Alberta last year on our highways. In B.C.: a reduction of 40-plus per cent since they implemented this new process, this new procedure, their new penalties. They've been reduced by 40 per cent. I don't know what the number is.

Now, you know, I've heard the comment: well, sure, but you can't attribute all of those reductions to this new law. Possibly not. But then how is it that the people who argue that want to tell us, want to have us believe that they've had a 21 per cent reduction in business in the last year, in a post-Olympic year, I might add?

That number, the reduction in B.C., means something to us. We have gone out of our way to avoid some of the pitfalls that B.C. has with their legislation, as was, I think, supported by that court decision today. I really ask the members of the Assembly to support this legislation.

Thank you.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. I just want to go back to a couple of things that the minister has said. I get it. I understand the point about deterrence and that it has to be immediate and have bite. This may well be the point where we start to repeat ourselves because we can't convince the other person, but my point to the good members opposite is: fine, but why do you have to put that in place now, without allowing a period of time for people to understand the arguments that you're making and be able to adjust to the things they need to have to support them in this, which is increased travel options, which, by the way, would also include cabs in the cities? The city has just announced that it is going to allow an additional 100 medallions, which means a hundred more cabs on the road, but I think there's also an argument for seasonal increase in cabs in the cities. I still don't know what you're going to do in rural Alberta. You need to talk to your rural people there.

You have failed to convince me why you need to bring this into place now and why you can't either proclaim parts of this bill immediately and proclaim this one in a year and in the meantime work on increasing the capacity in the court system, the capacity of the police officers, the capacity of the public transit. That's where I'm failing to understand why you're doing this. It does look punitive to me that you're putting this in place as a deterrence – and you admit that – but it is like changing the rules of the game midpoint, and the people get caught going: I didn't get that that was what I was supposed to be doing.

You will argue, again, that you've always been doing this, but seriously most of the people I think you would stop on the street out there would not understand or know that you guys have had – the minister had two new expressions. Blowing a warrant: that

was correct, right? [interjection] I'm sorry. Blowing a warning. Diction is so important in this job. Blowing a warning, not a warrant. Thank you. He also had: safe highways are not for sale. The minister is cracking hot tonight. But you still haven't given me an argument as to why you need to do that immediately. Oh, good. The other minister is getting ready to stand up.

Two other things. You still have not addressed the fact that you are unable to deal with the chronic abusers of the system, who are killing people and creating so much of the carnage that we see now, who are blowing well over, that 2 per cent or 20 per cent or whatever it is that is responsible for 86 per cent of the deaths and maiming out there. You still have not addressed that. You're not doing it, and I don't see you doing it in this bill. That's a point that a number of people have raised, so step up. Where is that?

8:10

Lastly, I'm going to challenge those numbers out of B.C. a bit because those were the numbers – and they're impressive – from a five-month pilot project. They have not been able to give us the numbers from the end of that pilot project to now, so we don't know if they're able to maintain that level or are like the insulin/islet transfer program that we discovered here in Edmonton, the Edmonton protocol, which did such amazing things out of the gate and then we find that the effect of the protocol actually pulls back a bit and that the long-line average is quite a bit less than what we saw at the beginning.

There are all kinds of things that could have happened to those numbers. You are quoting me numbers, because I'm seeing the same numbers everywhere, from that five-month project, which went from May to February or February to May, probably May to February, which is where they got those numbers from, but they have not continued it. I still wonder if it isn't partly a surveillance effect, where people knew they were in a pilot project or that that was running and therefore they were a bit more careful, and that gives you part of the results that you're looking for.

I'm looking forward to the Minister of Transportation.

**The Chair:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. First of all, I want to say that I very much appreciate the hon. member looking for solutions. I think that's critically important. I need to just touch on a little bit, okay? I'm not quite the philosopher that others may be. I'm just going to try to answer some of the questions that you proposed as you started, and hopefully that will be helpful.

I need to repeat first of all the B.C. legislation. When our staff looked at the court case that happened in B.C., in essence it supported what we were doing because what happened was that the appeal was not successful in what we were doing, especially the .05 to the .08. The appeal was very clear. There were some challenges about .08 and above and its noncriminal aspect. Please understand that we are not touching that. We are leaving that as a criminal aspect. There was the concern there. When I look at it and our staff look at it, we look at, you know, that the appeal results were very successful as to what we were looking at. Of course, we were very interested.

One of the comments that you made very early, hon. member, is that the laws would have an effect on time in court. I would say to you that that's the time, I think, you were talking about .05 to .08. I would suggest to you that the .05 to .08 are the appeals where, if you had blown .05 to .08, you'd be able to have the appeal on another breathalyzer on the scene or else, secondly, to appeal to be able to go into a barracks, I guess I can call it, or an RCMP detachment and blow again to verify. The .05 to .08 is not a court

type of situation. In fact, if there is an appeal for the second and third convictions, it is to the Alberta transport safety board, which is an independent and quasi-judicial board. It doesn't affect the courts in that manner.

You talked about the culture. You know, I really believe and I'm very passionate that we have to change the culture. I look at impaired driving convictions over the last five years of 41,466 in this province, and I say to you: impaired convictions. That's over .08. You know, that's astronomical for . . . [interjection] You'll get your chance. So what happened? Forty-one thousand, four hundred and sixty-six.

Now, when we look at the 24-hour suspensions, the suspensions that have been given in the last four years – and you've heard the hon. minister talk about 7,700 in the last year – in the last five years it's been 42,762.

I think that one of the things that probably concerns me the most, and that's myself as a father and a grandfather, is the number of zero-tolerance suspensions in Alberta, I'd say, in the last year. Last year we still had 1,665 suspensions to people who were on probationary licences. That is a little bit scary to me. The majority of those – and I say the zero tolerance, of course – I would think would be students, so let's clarify what that category is.

A graduated licence basically is a learner's permit and probationary. A graduated licence you need to have for at least a year. Probationary you need to have for two years. When we look at the probationary licences, before you get your permanent licence: last year 1,665. I go all the way back. I mean, it was 1,487 the year before, et cetera, et cetera. To me that's a concern because that's one of the things that isn't in this House but will be looked at and taken care of in the regulations when we're looking at the graduated licence.

You've been asking the question also about, you know, .05 to .08 and that it's like a new culture. I want to say to you that this is what's been used. People are used to .05 to .08. There's nothing new. I don't know how I can tell you that there's nothing new. When we look at the statistics that we have and we see what has happened, it's not only ourselves as a province. It's eight other jurisdictions – well, I shouldn't say eight because it's really seven; Saskatchewan is using .04 to .08. It is something that the people of Alberta have been used to. It's not like waking up one morning and saying: "Whoa. Jeez, we've got this new law, and everything is different. We have to be able to get used to it."

I want to say that the discussion has been taking place. The discussion has been taking place between our three ministries for three or four years. I know the hon. minister talked about that. When he was first appointed as the Minister of Justice, that was one of the first things that was on his plate. When we look at the impact that it has on Albertans, there isn't that change. But – but; I've got to say but – the penalty is different. The penalty was 24 hours. Whatever you did, you know, if you had a .05 or a .07, that was all the same. Now the penalty is different. The first time it is three days' suspension and three days' seizure. Is that different? Yes, it is different.

When I look at it and say, "Is it important to have that change?" I still don't like the 42,000. I think you have to do something. It is a culture, and there has to be a change somehow. When I see these numbers of graduated licences or probationary licences, there's no doubt that it is a concern for me. I mean, my comment was, of course, that we've been working out the – oh, I've got to make this comment or I'll forget. Like you said you were doing, I'm forgetting, too.

You know what? We've been figuring this thing out in rural Alberta for years. Don't all of a sudden say we don't have taxis. You know, we've been figuring this out for years with our child-

ren and ourselves as designated drivers. It's not all of a sudden. We still have .05 to .08, but now that we're going to escalate the penalty from 24 hours to three and three, holy smokes, we don't have any designated drivers? The designated drivers have to be there. They have to be more prominent, and that has to be throughout the province.

8:20

Your comment was to pony up money for transportation, pony up money to support transit because we have people who are drinking and driving. To me, that's not the subject. The subject is very clear. Don't drink and drive. It's not about the responsibility of ponying up for a situation to try to address. I want to say to you, hon. member, that I'm sure that you would not stand up in front of this House – maybe you did – and say: “You know what? We're having people who are drinking and driving, so we have to have a better transit system.” That's not the solution. The solution is to try to address the individuals that are drinking and driving. That's the challenge I have.

You said we need to have more police – I think it's a quote – to catch these guys. I say to you that, you know, that's part of the importance of having a change in culture. We will never have enough policemen to catch everybody. I'm going to refer just for a second to health care. What ends up taking place in health care is that we will never have enough health care to be reactive to all of the symptoms that are happening in this province or in the country. We have to do some prevention. We have to do wellness. We have to be able to somehow convince people that being healthy is more important than having the ability to go to a doctor or to go to a hospital to receive the reaction. I think that's the point I wanted to make there. It is about the culture again.

I'm going to go back to your comment about the soccer moms. You said that it's not right that we seize a vehicle until the court case comes up for a soccer mom. Well, I want to say to you that if there's a court case coming up, that's .08 and above. So if it's .08 and above and we seize her vehicle for seven days and we don't let her have a licence until her court case, that's what it should be. If she is drinking to .08 and above, then I say to you unequivocally that she should not be on the road, okay? You know, I've had kids in sports, so I'm not too sure if I want one of the soccer moms to say, “I'll take the kids today,” and her not having the judgment if she should drink to .05 – I'm sorry; I don't want her drinking, okay? There's a little bit of responsibility.

You made comments about civil liberties. I should let the hon. minister answer these, but I'm just going to make a couple of little comments. You talked about laying sanctions without due process. I think I talked a little bit about that ability, especially the .05 to the .08, that there is that opportunity for an appeal. This is very different from what took place in B.C. I need you to understand that. B.C. really didn't have the direction of appeal or opportunity for appeal. We do. When we stand up here today and say that we have learned from other jurisdictions, you know, we have. I also said that we've been working at it for three or four years. We're looking and have looked at what others have done. Of course, B.C.'s is very new, and it's very prominent to us. But it didn't take long to see that some of the things they were doing were not where we wanted to be, especially the high penalties.

One of the more important points that you had talked about – and it's quite interesting that you make those comments from that side of the House. I'm not making any sort of comments about where you may be on that side of the House. I would say to you that on this side of the House our respect for small business is unsurpassed. I would say to you that when I talk about taxation and I talk about revenue for this province, I say that small business

and corporate business is what provides the taxation for this province. You know, someone like myself as a politician and yourself and teachers and nurses: we all provide a service. We get paid from the pot of budget, of revenue, and then we put some back. But all of our money comes from that pot.

In actuality, with the exception of maybe a little bit of licence fees, et cetera, et cetera, you know, most of our revenue comes from small business and from corporate business. That's a direct input. I truly understand that. You know, to stand up and say, “Geez, I have a concern because I'm having an impact on business,” I say: “You know what? Yes, that does affect me, but at the same time I have to look at some of the effects.” We do need to have a culture change.

I hear about what happens in B.C. All of my blood relatives are in B.C., and they talk about how it had a major effect at the beginning. Theirs was a change. It wasn't a cultural change as happens here. Theirs was a change. Those businesses are adapting. Are they back to where they were? I'm not sure, and I don't know how long it'll take. It is a cultural change. It's going to go down, and it's going to come back up. It's no different than smoking. It's no different than people saying, “Oh, can't smoke in a bar; we're going to close the bars down,” right? What happened? You know, they were able to adapt.

If I can just reiterate – because you went on a second round about why now. Why now? I think it's that we have looked at it for a long time. We have looked at, you know, what kind of impact it has on people, on families, on individuals that have had families that were injured. I know there's a lot of discussion that was had about a 2 per cent effect. Please, let me reassure you that that was 2 per cent of drivers. It didn't talk about the other people that lost their lives that were passengers. It didn't talk about the individuals that were scarred for life or that had lifelong injuries. I hate to get into statistics and interpretations. In my heart I'm a mathematician, and I love it. That's why I try to stay with the stats that are real.

Going back to my perspective as to why now, it's because we've seen the results. We've seen what other provinces are doing. We've seen what we see as a solution that would work. Also, I very much need to say to you that our leader worked on this previous to the Minister of Justice in place right now, who was part of looking at that and felt that it was important for this province and to the people. This is not the Minister of Transportation standing up and saying: we have to do this. This is three ministries that have worked together to that solution.

8:30

One last question that you had. You talked about the chronic abuser. That's a challenge. It is a real challenge. That's why, number one, we have to change the culture from the probationary licence, we have to change a little culture on the .05 to the .08, and we have to stiffen up the penalties for the repeat offenders. That's why we have the ignition interlock. Right now in order to have an interlock, you have to blow .16, double, or refuse to blow. I want to tell you that if I was thinking about – what's that saying? One beer is too much and 50 isn't enough.

**The Chair:** Hon. minister, 20 minutes is up.

The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Well, thank you. I am really enjoying the discussion that we're having here. There are things to learn, I have to say, doing research as we go and trying to follow the conversation that is still going. I really appreciate the Justice minister. We all know that we all want to improve the safety on our roads. That's

what this is about. I hope as I discuss it that that's the spirit in which it goes forward because we just want the legislation that's going to serve Albertan's interests best.

The one thing that I'm still a little bit caught off on is the number of times that both ministers have mentioned that this has been going on for three or four years. I don't know. Maybe I'm disconnected on this, but, boy, I don't remember any discussion on this going to the public and talking about this like I do, you know, the land assembly act and the transmission lines and the water. I mean, lots of those things I saw going around. I don't ever remember seeing them going around talking about lowering the drinking level from .08 to .05. I don't know. I haven't seen that discussion with the public, though you're saying that it's been in cabinet. I certainly missed it. If any of the leadership candidates talked about this, somehow I missed that when you guys were selecting a new leader. I certainly don't remember her making a promise: if I get in – as Justice minister this was a big issue for three or four years. And so boom.

The reason I'm bringing this up is because I am a little bit concerned. The Minister of Transportation says: no, we're not changing anything. You know, this is a major change. I think that if I owned a restaurant that served alcohol, I would be pretty nervous. I've gotten an awful lot of letters from those people.

Again, the hon. Member for Edmonton-Centre brings up what I think is a very valid question: why such fast implementation of this bill when you've got bills that you've never even declared? Some of them are about child safety, safe communities, the mandatory reporting of child pornography, that haven't even been implemented, which are critical to the safety of our children. I just don't quite understand the motives of saying that this has to happen so far.

To switch gears for a minute, on the positive side, though, I'm thrilled with the ignition interlock. Again, I'm going to take issue that when you say things have been reduced by 40 per cent – I don't drink, so I'm safe, but I would think that if I was a drinker and I knew that there was going to be an interlock on my vehicle, that has bite. That is a problem, to say that, oh, the reason for the bite is because we got a three-day suspension. I think if you were to bring this forward in steps, we'd find out where the bigger bite is. This is where I think the bite needs to be is at the .08. Those people literally, and no pun intended, have gotten away with murder. It's illegal. We have people that have killed others, and they get a slap on the wrist. They're back to work. So that's where the bite needs to be.

I'm grateful for the ignition interlock. I think that, yes, this is something that we can go ahead with. It serves two purposes and that is why I really like the ignition interlock. If you are a chronic drinker and you have been caught and you have that on your vehicle, you don't lose that privilege to drive the times when you need to. But you've lost that ability to go and get plastered and get in your vehicle and go home and jeopardize people's lives. I think it's a great solution. Like I say, I applaud you in bringing that forward and making it tough. It's the repeat offenders.

Again, I love doing the math, too. I love looking at that and seeing it. I use the analogy that if I was to throw a bag of coins on the ground here, and I have, let's say – I don't know – 1,800 pennies and 18 one-ounce gold coins, which ones are we going to go after? To me I'm going to go after those gold coins. To me those drunk repeat offenders are the ones where the statistics are where more people get hurt.

We keep talking about these people from .05 to .08 and talk like that's where the really significant problem is. I just haven't seen it. I haven't seen it in the stats, in the numbers. The real problem is actually those people that haven't had any drinks, but they're

causing 60 per cent of the fatalities. What are they doing? Is it cellphones? I mean, we brought in that bill. Here it is. We're going to ban hand-held cellphones. Again, I question that one because I don't think that we drive any better when we're talking hands free than we do when we've got a cellphone in our hand. I think, again, we've got a red herring there, saying, "We've passed these laws, and now we're going to be safe" when we aren't.

I'm also very concerned – and I spoke the other day about this – that we seem to be thinking that the real important thing to do is to be watching for people that are driving and, heaven forbid, don't have their seat belt on like that is a menace on the road. That's about personal safety. That's about, you know, the cost of our health care. I understand that, but the police seem to be focused – the point is that what we want to focus on are those repeat offenders.

We want to focus on those areas where we know people are drinking, and they're coming out, whether it's a football game tonight: you know, is there going to be a checkstop tonight after the Oilers game? [interjections] Really? And you don't think they drink? I talked to an individual tonight who is going there. He's planning on getting drunk. I said: how are you getting home? [interjections] I was taking the next step. Sorry. I'm trying to contract because we don't have a lot of time, and I thought you could follow me on that step. [interjection] Oh, no. We can talk all night about these things, and if they want to sidetrack me, I'm happy to sidetrack. We'll come back to it.

Again, the numbers. To change the thinking of drivers, tell me how many nights and under what events we have set up checkstops. I don't know that we're really addressing that. What we're kind of doing is setting them up at random and hoping to catch some of those 42,000 when, in fact, we know where a lot of those problems are. We don't go and focus in that area and say, "Let's zone in on these football games, let's zone in on a hockey game, let's zone in on the bars on the weekends" if that's the problem that we're after.

Again, what I want to stress the most is that we're changing several sanctions, and now we're going to jump to this conclusion that, oh, it's 40 per cent. I find it quite fascinating that we know the number of deaths in Alberta, but in B.C. – again, this is where statistics are always fun, and we use them to spin our little side – it's a 40 per cent reduction. Well, how many? We don't know, but it's a 40 per cent reduction. I'd like to know the actual numbers.

I mean, it drives me crazy when you listen to the people promoting the stock market or something that say: it's down 30 or up 30. Just tell me where it is. You know, is oil at \$97.50? I'll remember that for the next day. To say that it's down \$3, and you've missed it for three days is not significant. Maybe it went up to \$110, and now it's \$107, and you're doing great.

It's the same with these things. Let's just actually use the numbers and not the percentages. When people use percentages, usually to me there is a reason. They're trying to protect their position and showing this huge move when, in fact, there isn't one. You know what? If they had 10 people last year that they caught and now it's down to six, that's a 40 per cent reduction, but they only changed four. Why wouldn't they say that we reduced them by four? Because it doesn't sound very impressive. So we definitely have some struggles there.

#### 8:40

Small businesses. I think one of the important things that we need to do is respect the rule of law and not have it all of a sudden changed at short notice. The businesses know that it's .08. Albertans know that you're legally impaired at .08. Again, I'll ask if maybe one of the two ministers can answer this because I don't

have a lot of experience in this area. My understanding is that if you are stopped at a roadside checkstop and you blow, let's say, .06, the officers at this point have the discretion to bring someone out and walk the line, touch their nose, and then they actually do an assessment to see whether or not a person is impaired, and then they would put a 24-hour freeze on the vehicle. I don't know. If someone could elaborate on that, I would appreciate it.

I think there's a big change in that, where now if you're .05, it's going to be a three-day suspension of your licence and your vehicle. I think that's very different. I think that's going to have the biggest difference on those restaurants and bars where people before felt safe. They could have one drink, two drinks over a couple of hours, have a visit with their colleagues, go home from work, and they weren't intoxicated. They were able to drive safely. I don't know. I'd like a little bit more information on that if that would be possible.

Sorry. I've just got to go over my notes a little bit here as well. We have the numbers, but again sometimes I'm reading, so I don't always get them correct. Was it roughly 42,000? I guess it's 41,466. If I don't use the right numbers, you'll say I wasn't listening. Those were the actual ones that got caught, went through the process, and were guilty in Alberta last year? Was it 41,466 that were charged?

**Mr. Danyluk:** Impaired convictions.

**Mr. Hinman:** Convictions. Thank you. Yes. Okay.

**Ms Blakeman:** Then there were 7,700 suspensions.

**Mr. Hinman:** Yes. That's interesting to me that the difference in the numbers there is such a small amount: 7,500. You know, that's less than – what? – 7 per cent of the people.

**Mr. Danyluk:** Forty-one thousand four hundred and sixty-six convictions in five years.

**Mr. Hinman:** In five years? That's not in one year?

**Mr. Danyluk:** No, no. Five years.

**Mr. Hinman:** Okay. You see, that's what I'd missed.

**Mr. Danyluk:** Okay. And 42,762 24-hour suspensions in five years. Last year was the 7,756 suspensions and 8,500 and something impaired convictions.

**Mr. Hinman:** Okay. Thank you. Because I thought that you were saying that was per year and I thought: wow; that's a big jump in numbers there.

**Mr. Danyluk:** No. They're very close.

**Mr. Hinman:** That makes a little more sense. Thanks for clarifying that.

Again, I guess, what I'm most pleased about this bill is what we're doing with the ignition interlock. I really think that we need to hit and focus on that. I'd love to see that we'd move the bill in that area.

The hon. Member for Edmonton-Centre, I couldn't agree with her more on the timing and what I want to call the lead time to say: "You know what? In six months we're going to implement this," and let people kind of adjust to this. I think there's going to be a boom in the business of selling those little \$5 blowers so Albertans can get educated. I think Albertans will go out and get educated, but let's give them a little bit of time.

We always have that leeway in so many of the bills that we change. The cellphone ban: I think there was a six-month time before we implemented that, then they gave warnings for the first month after that. Yet it seems like this isn't going to be such. In those other ones all that was was a \$150 fine or something. Here we're talking about the fact that you're going to lose your licence and you're going to lose your vehicle. I really think in all fairness there should be a little bit of time for people to adapt and not just immediately slap this down.

Again, I want to go back and reiterate absolutely. Do we want impaired people on the road? No. With the comments and the evidence and the reports that the government is talking about, I have to ask the question: are they doing research at lowering the legal limit to .05 federally? Are you pushing? I mean, you talk about all the discussion you've been having. Is there a discussion at the federal level of changing it to .05? I'd like to know because I don't think that we're in the know in these discussions that you say you've been having for two or three years. If you're having these things, it just makes sense to me that federally we should be looking at changing that.

I can't help but think that, you know, if it's zero tolerance that we want, then why aren't we passing a zero-tolerance law and just making that leap or saying: "Look. This is going to be staged. You know, for six months we're going to have leeway. Then it's going to be .05, and then from .05 we're going to go to zero tolerance. If you're caught with a blood-alcohol level, you're not going to have the privilege of driving."

Then we get to the anomaly of those people with – whether it's, you know, *Helicobacter* or something in their stomach producing that or yeast. What are the anomalies, the percentages of individuals, whether they're on cough medicine or in those other areas? Is there a crossover on that? The minister is smiling over there. I'm sorry. I don't have experience or time to research these things.

**Mr. Hancock:** You're into some junk science now.

**Mr. Hinman:** No. I'm asking the question. You're the ones with the junk science. You're passing the legislation. Junk. Unbelievable.

**The Chair:** Hon. member, speak through the chair.

**Mr. Hinman:** Thank you, Mr. Chair. I appreciate the redirection on that.

Anyway, I guess I'll wait to hear a few of the responses on that, and we can continue with this dialogue and, hopefully, pass the best bill possible here in the next few days.

**Mrs. Leskiw:** Mr. Chair, all I can say is that it's about time. I've been wanting this law to be introduced since the first day I came into the Legislature. I wanted it to be part of my private member's bill, and I worked very hard on my fellow colleagues to address this issue. But it wasn't to be. The only one I was really convinced was on my side was at that time our Minister of Justice, who is now the hon. Premier. She was also on my side when I tried to bring this legislation in.

Twenty-four hours is not good enough. It's not good enough. When I brought this in, it was shortly after a family of four from Kehewin got killed by a drunk driver. Two of the students in the car were former students of mine. It got me mad enough that I wanted to pursue this law, and I didn't give up on it. I'm glad, finally, that I can thank my colleagues and this government, that finally had the guts to bring this law forward.

You talked about chronic people who have over .08. If we would have checkstopped them at .05 and seized their vehicle



three times and then six times and then whatever, maybe by the second time they got their car seized, they might have learned their lesson. Twenty-four hours is not good enough. Twenty-four hours? They probably need 24 hours to sleep off their hangover, so 24 hours isn't enough.

The bottom line, as we've been saying, is no drinking and driving. It means no drinking and driving. How much more clear can that be? No drinking and driving. It is something that I instilled in my own children even though I did not believe that children under 18 should be drinking. They knew the consequences if they got caught drinking before they were 18, that they would have a heavy price to pay. If, by chance, they broke that house rule, they knew that their parents were a telephone call away, that I would rather drive and pick them up and give them heck for drinking to begin with at a later date.

**8:50**

My son was always a designated driver in high school. He put on kilometres. I'm from rural Alberta. In our family my husband and I always decide who's the designated driver before we go out to an event. It hasn't changed in our 36 years of marriage. In fact, I swear he married me because he had a full-time designated driver at his disposal.

**An Hon. Member:** What if you don't?

**Mrs. Leskiw:** It never has happened. We've always had a designated driver.

Parents tell kids that they should phone. We teach kids that you don't drink and drive. Now we're worried about: oh, gee; the person is going to have their vehicle taken away for a couple of days.

I'm going to give you another example from a constituent. In fact, she's angry. Her son got hit by a driver, who got his vehicle suspended for 24 hours, then got his licence back for 21 days in order for him to put his life together and decide what he had to do. The constituent's son, though, lost a complete semester of school because he had to go to therapy. He missed a whole semester of university. Yet the person who hit him, well, gee whiz, you know: we need to give him 21 days in order for him to put his life together and decide what other alternate modes of transportation he should have. Where's the justice? He's the one that drank and drove, hit my constituent's son, who lost a semester of school. But we're feeling sorry for the guy that was drinking and driving, was stupid enough to get behind the wheel and drive and hurt somebody.

Ladies and gentlemen, we're talking about lives. You don't drink and drive. Bottom line. Who cares about: "Oh, you know, we've got to change attitudes"? We've been trying to change attitudes for a long time. People don't learn unless you smack a strong enough deterrent that they will learn. I learned that in my 36 years of teaching. Slapping them on the hand and telling them that they had a detention after school didn't work. But if you told them they were going to miss their basketball practice or they couldn't play their game, it hurt. They knew better than to tick me off and break the rules in the classroom.

The bottom line is that I applaud my government for this. I don't apologize for sticking up for this particular law. It's something that I've wanted done right from day one when I got elected.

Thank you, Mr. Minister, and thank you, colleagues. We finally have the guts to say: this is the right thing to do. Thank you very much.

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chairman. It gives me a great deal of pleasure to stand up and speak in regard to Bill 26, the Alberta Traffic Safety Amendment Act, 2011. I have to tell you that it's even more exciting to get up and speak after a friend from Bonnyville-Cold Lake. I think that's what we've been trying to say for the last two weeks, that if someone from the government would get up and speak about the legislation, whether they support it or whether they don't, it really kind of wakes up the Assembly. For her to get up and speak in regard to the legislation, quite frankly, I think is very, very courageous. I'm looking forward to continuing debate as we motor along with everyone else getting up with equal passion or not so much passion in regard to some of the legislation that they support.

I have to tell you, Mr. Chair, that I happened to be sitting beside this particular individual when she did come into the Legislature and talk about her passion in regard to how she felt about drinking and driving. I also remember her frustration at not being able to convince the government members about how important this legislation was. You know, how quickly things change.

Here's what I'd like from the Justice minister and from the Transportation minister. Both of these ministers and possibly the group up there, the MADD people, and some other names – because I did go onto the MADD website today. I know that I've talked to some of the MADD people in the past, when I brought forward the legislation in 2000 in regard to talking about drinking and driving and the .05 that I spoke about in the Legislature last week and my passion about that.

In my research today, I went onto the MADD website. I was looking for some statistics and some details in regard to what they found regarding moving it from .08 to .05 and to provide some information on some suggestions on the research that they've developed over the period of time. I know that when I was doing my private member's bill in 2000, I reached out to them. There was a fellow there by the name of Andy Murie that I spoke with at that particular time. I'm not even sure if Andy is still around. He and I had a great deal of conversation that was very instrumental in helping me when I brought forward my private member's bill that year, Bill 210, the Traffic Safety Amendment Act, 2000. So we're going way back in time.

At that particular time all I wanted to do was that if you blew a .05 to .08, to have the 24-hour suspension. Well, guess what? We have that 24-hour suspension right now, and it has turned out, as the Minister for Transportation created it, that it has caught thousands of people when they've been pulled over and they're blowing that .05. So my question to the Justice minister is – because I've heard over and over again that this has been a passion with government for the last three or four years. Well, I've got to tell you that when I was sitting in that government, I don't remember talking about it – period – in caucus, at any caucus discussions. The first time it came to light again was when the Member for Bonnyville-Cold Lake and I were sitting for hours in the back row in the Legislature, talking about private members' bills and things like that, and at no time – I'm a meticulous note taker. I will tell you that I have gone through my notes from when I was with the government, and I couldn't find any discussion on anything about .05 or .08 at any time.

Mr. Justice Minister, I'm going to ask you as the Justice minister and the minister responsible for the Safe Communities Secretariat: what studies have you done under your secretariat to talk about the .05 and .08? What action has the Safe Communities Secretariat under your purview and your ministry – and that's the former minister, the Member for Calgary-Elbow. What social media have you used to target the 18- to 24-year-olds, which was recommended by the safer cities community task force? It was one

of the major recommendations to target drinking and driving and drugs, for that matter, in this province. It was one of the top recommendations from the safer cities community task force. I brought that up last week: the recommendations that were accepted, quite frankly, from the previous Premier about hitting people between the eyes in regard to advertising and the effects, especially between 18 and 24, which is one of the areas where we have some serious problems with drinking and driving. I'd like you to table that in the Legislature if you can, please.

I know when I was with the government, the secretariat was established to be able to look at the hot spots in the province, what the serious issues in the province were. We recommended in 2007 under the safer cities task force – we talked about that consistent research has to be done, and that's one of the reasons why we asked the government at that particular time to set up a secretariat so that we had this consistent research. I'm accepting the fact that because we've gone from .05 to .08, you would have some consistent research and you can show us that you've got some advertising, hit-you-in-the-face kind of advertising that's going to resonate with our 18- to 24-year-olds, so that we know.

9:00

I'd also like to just talk a little bit more, Minister, and maybe you can talk to your Solicitor General and Minister of Public Security – and I know the former Solicitor General is here – about what you've done at FPTs in regard to talking to your federal-provincial-territorial ministers in regard to the sanctions when we're talking about blowing over .08, the Criminal Code offence, and how you've tightened that up. Are we going to extend the length of time that we're going to incarcerate these serious, chronic offenders? If you could provide that detail for us, what you're doing at those federal-provincial-territorial meetings.

Now, I know the Minister of Transportation talked about the policing issue. He spoke very passionately when we talked about wanting more police, and he referred to health care: you're never going to have more. Well, I think it's really important that people in this province understand that our policing ratio in this province is the second-lowest in Canada and has been a problem for some time.

Now, the government will mix in their sheriffs, and I want it on the record that I love the sheriffs in this province. I think the sheriffs do an incredible amount of good work in this province. So if we're looking at changing the .05 to the .08, what scope are you going to change for the sheriffs in this province? Are they going to be able to provide on-scene – if they pull over a suspected impaired driver, instead of having to call a Mountie, are they going to be allowed to do that? We're talking about .05, so maybe the Justice minister can tell me now. If a sheriff pulls you over, he has to call the RCMP. I know it talks about peace officers in the legislation. Will these sheriffs be allowed to administer the roadside test and be able to say to someone in a rural community: I'm sorry, but you've blown over .05 so we're going to suspend?

Quite frankly, Minister of Justice, you do not have enough police officers to be able to do that. I have to tell you that the majority of people that I've talked to – and I've got to refer back to what Edmonton-Centre has said. I'm sure every member in this Assembly has been inundated with phone calls and e-mails that they are getting not only from their own constituents but from across the province. I'm trying to remember the last time that I had so many calls and e-mails from, quite frankly, very upset people about this legislation.

Our role as an MLA is to bring forward the concerns of our constituents. Minister, I need to tell you that my BlackBerry is still getting e-mails on this particular piece of legislation, and I'm

struggling at this point in time to try and find one that supports the legislation. I've been around long enough that I know we have our silent majority, but I can also tell you I've been around long enough: when constituents and Albertans are upset, that's when they pick up the phone and let you know. Otherwise, they are merrily, you know, quite content.

I have kept my web page up for just about two years since I crossed the floor. I do an article in my web page every month called What's On Your Mind, where we track every phone call, every e-mail, every letter, every person that drops into my constituency office, and, for that matter, every constituent that stops me when I'm trying to buy my groceries or go to the dry cleaners to discuss what's on their mind. I can tell you that I'm going back, and what's on people's minds, quite frankly, is health care, education, and seniors. It has been over and over and over. In my last newsletter I just said, "See the previous month" because it hadn't changed.

If the minister can provide the data in regard to why they want to change and if the minister of health can talk about what the health department is going to do in regard to what the Minister of Transportation talked about, and that's prevention and wellness, and if we have so many of these drivers out on the road that have a drinking problem, how many more dollars are going to go into the likes of AADAC and all of those things? And, Minister of Transportation, they have had no increase for that.

When we talk about the suspension or disqualification, they're required to take a mandatory education program required by the registrar. Maybe either the Justice minister or the Minister of Transportation – or possibly we have to talk to the Minister of Education – can explain to us exactly what the mandatory education program is and who is going to deliver the mandatory education program so I have an understanding of that.

Lots of questions, Minister of Justice. I'm especially interested in the sheriffs, the expansion of their scope of practice. Will they be allowed to administer the roadside breathalyzer? As someone who drives down highway 2 all the time, I can tell you that I see a lot of sheriffs on the highway. Fortunately, I haven't had to have a one-on-one visit with them for some time. I learned my lesson once already, and the officer was very nice as he handed me my ticket, reminding me exactly what the speed limit was on highway 2.

I'm not one of these people that has to be hammered over the head a lot. I learned my lesson well from one mistake. I was quite embarrassed by the fact that he knew who I was, which even made it more embarrassing, quite frankly. I just said to him: "Please, just give me my ticket. I'm sorry. I'm not going to give you any excuses because I'm sure you've heard every excuse in the world. I just want to get home. Just give me my ticket."

MADD, I'm sure, will provide us the studies that they have in regard to what they've found over the last 10 years since I brought forward the .05 24-hour suspension. I know that they have to have tons and tons of material, so I look forward to that.

We have actually asked the AMA, the Alberta Motor Association, for their latest study, and we still haven't received that. I find that quite odd that I haven't received that as a member of the AMA for the last 27 years. But they did some big survey, and I asked my researcher to get that information, but we haven't gotten that.

What the government is going to do on their prevention and wellness and how much money is going to go in health to deal with that: if you have problems with people that are driving and they're drinking, then they have to be able to access some help for that. The sheriffs: are they going to have their scope of practice changed so that when they're pulling somebody over on the rural roads, they're allowed to do that?

9:10

The Minister of Transportation mentioned the huge increase in the number of impaired drivers. If we have this huge number of impaired drivers, then what exactly are we doing to address that? I know it's under the Criminal Code. I've been around long enough to realize that if you're charged for impaired driving and you're charged under the Criminal Code, it's a criminal offence. I'm not sure if it was the Justice minister or the Minister of Transportation that talked about the ability to have an administrative charge provincially. It was in the Criminal Code. I think they were pointing that out to the Member for Edmonton-Centre because they thought that she was quite confused. You know, knowing the Member for Edmonton-Centre – I'm not sure if I was right or wrong – it's very difficult to confuse the Member for Edmonton-Centre in regard to . . .

**Mr. Hehr:** Anything.

**Mrs. Forsyth:** Right. You know, love her or hate her, she's a pretty good parliamentarian and . . .

**Mr. Hinman:** She does her homework.

**Mrs. Forsyth:** She does her homework. I learned that extremely well when we did the FOIP review. I've got to say that I don't think there's anyone in this Legislature, probably, that could debate her on FOIP. I would just suggest to them that they throw in their hats then and now and don't even bother debating on FOIP. We had long hours of conversation.

I understand that we have the administrative penalty on the .05, and it's good because if we go back in time to the PCHIP legislation, the Protection of Children Involved in Prostitution Act, there are two charges that you can go under. You can go under the Criminal Code, or you could have gone under the provincial legislation. At that particular time the idea was to see which charge would stick better with the Crown, if you could get it under the Criminal Code or you could at least get a fine under the provincial administration.

With those comments, we have lots more. We have amendments that we're going to bring in for it. If the Justice minister and the Transportation minister and, for that matter, the health minister can answer the questions that I've asked, I look forward to the answers.

**Mr. Olson:** Mr. Chairman, I would describe that as an omnibus question. I tried to take notes and make note of as many of them as I could. I'll try to answer as many of them as I can.

Getting back to the Criminal Code offence of driving over .08, the information that I have is that there are about 1,100 alcohol-related deaths caused by, you know, criminal offences. That's the largest cause of criminal death in Canada, probably by at least 2 to 1. I understand that the MADD website says maybe somewhere between 1,300 and 1,500 or 1,600 deaths. The latest figure I have is around 1,100, so over a thousand deaths, anyway, compared to about 500 to 600 murders in the last couple of years that StatsCan has records for them.

This is just to underscore the fact that this is a serious criminal offence. I'm also addressing the issue that was raised by Edmonton-Centre about rights and having your rights taken away and so on. Keep in mind that the suspension that we're talking about, where you lose your licence until your trial, only happens if you've been charged, if you're over .08. This is a serious criminal offence. I would suggest that a provincial sanction that withdraws your licence in those circumstances is quite reasonable given the

seriousness of the offence and given the fact that many people who are charged with serious criminal offences actually do time in jail until they get to their trial. That's an argument to the reasonability of being able to withdraw the privilege to drive in those circumstances.

I want to just make a point about rural driving. I also live in a rural area, and I think that, you know, there are lots of challenges about living in rural Alberta. There are lots of amenities that aren't handy. We choose to live there. We love it there. There are way more benefits than there are disadvantages. Frankly, I'm sorry, but I just don't accept that as a great argument against this legislation, and I would just note that Saskatchewan, which is far more sparsely populated than Alberta, has a .04 threshold.

In terms of repeat offenders I think there was a question: what are we doing about the repeat offenders? I think it is important that we have these escalating sanctions. That's a very important part of this and the 10-year look back. That is one of the problems with the current regime, as good as it is. The 24-hour roadside suspension, you know, is good, but one of the problems with it is that – and I think it's been mentioned here before – you could go out on a bender every weekend, have your licence suspended for 24 hours, and there's no record of it. There's no escalation of the sanction. Again, deterrence is something I'm interested in, and that is not a good deterrent.

There was a question, you know, about: why haven't we discussed this before? I look up and I see the MADD representatives, and I think they must just be rolling their eyes. We haven't been discussing this? This has been out in the public domain for a long, long time. These people have been working very hard, and many other people have been talking about it.

A question was asked as far as what my department has been doing, and I will address the questions that came from the hon. member about safe communities, too. All I can say is that shortly after I was sworn in, in February, one of the first briefings I had was about this. I concur with the Minister of Transportation that this is something that these departments have been working on for some time. So it's been out in the public domain. The government has been working on it. I don't really get that there's some sort of argument that because it wasn't dominating a caucus discussion last spring or something or a year ago, somehow this is now illegitimate legislation. The point is that lots of work has been done on this for a long, long time.

On safe communities, first of all, I want to commend the hon. member for her work. I know that safe communities is near and dear to her heart, and she was a big part of the beginning of that and a big part of the report. I feel as though I have big shoes to fill following her work and then the previous Minister of Justice, now the Premier. There have been numerous programs that were initiated because of the work on that safe communities task force. There's \$60 million in the safe communities innovation fund funding 88 different projects. Many of those are under way. Some of them are starting to get into their third year of programming. I could talk for the rest of the evening about safe communities.

In terms of a specific example of something to do with impaired driving, I ask the hon. member to remember that the safe communities initiative is a partnership of nine different government departments, and it wouldn't necessarily be the Department of Justice that might have been involved in a program like that. It could be the Ministry of Transportation. It could be the Solicitor General. It could be children and youth services. It could be health. There have been lots of initiatives. I will certainly be happy to look into that and try to get some information for the member in terms of what's being done. But there are many, many

initiatives that dealt with youth at risk, mental health, addictions, gang prevention, family violence, and on and on the list goes.

There was a question about whether it's been discussed at FPT, federal-provincial-territorial, meetings. Well, I haven't been to one yet. There hasn't been one since I was sworn in. There is one coming up in Charlottetown in January. I know that the Solicitor General is going to Ottawa within the week and is going to be talking to his counterpart there. So these conversations are going on. The question was asked: are we talking to the feds about this? I'm always open to talking to the feds about changes, increasing the sanctions.

9:20

Now, one of the questions was: would the feds be considering a reduction of their threshold from .08? It's my understanding that it used to be .1; it was reduced. So .08 isn't necessarily some magical number. It's a number that was chosen some time ago. I understand that there was some talk in about 2009 about perhaps reducing that Criminal Code threshold, but it's my understanding that at that time at least the federal government decided not to and said that it probably was more appropriate for provincial administrative sanctions to deal with those, which is what we're doing now.

In terms of the sheriffs I would refer the hon. member to the definitions section. Section 39 defines a peace officer as defined in section 87.1. Then section 87.1 says, and I'm paraphrasing now: in sections 88, 88.1 and 90 – and those are the sections dealing with these sanctions – “peace officer” means a police officer as defined in the Police Act; a person appointed under the Peace Officer Act as a peace officer for the purposes of those sanction sections who has been authorized under the Peace Officer Act to use the title of sheriff, has satisfied any applicable terms and conditions under the Peace Officer Act, and has been designated by the Solicitor General and Minister of Public Security as qualified to enforce those sections.

So there is room there, but it's not going to be that every sheriff on the highway all of a sudden is going to be running roadside tests. This is something that's enabling, and I would prefer that the Solicitor General answer those questions in more detail.

I think there was a question about chronic drunks, and I think I referred to that when I said that that's the purpose of the escalating sanctions and the 10-year look back.

Maybe I'll take my seat and let others speak. Thank you.

**The Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I want to raise a number of points and have the ministers respond, hopefully, to them. The first one is the decision of the British Columbia Supreme Court today. Now, we've had the Minister of Justice say that he has not reviewed the decision but that his staff has. I'm certainly not a lawyer, but I did look at the decision today, and in my bus driver's opinion, I think that the government should show a little more caution before dismissing it as something that's potentially going to affect it.

The judgment differentiates between provisions in the B.C. act that apply to people who are over .08 and people who are between .05 and .08. It has accepted what's there for .05 to .08, but it's not on the basis of the amount of blood alcohol. It's on the basis of whether or not sanctions are imposed without a fair opportunity to basically have your day in court. Well, let me just see if I can find it here: “The driver does not have the opportunity, even after the prohibition comes into force, to challenge whether he or she was in fact over 0.08 or whether there were problems with the ASD” –

and I think that's the breathalyzer – “that may have led to an inaccurate reading.”

I think that as a Legislature, as legislators we are entitled to some analysis of the British Columbia Supreme Court decision before we're asked to vote on this piece of legislation. It may well be that the B.C. decision doesn't impact this legislation at all. I don't know that. Nobody knows that. The Justice minister himself is only taking the word of his staff. I guess he's entitled to rely on their professional opinion. But I think that it raises a troubling problem, and that is the inappropriate speed with which this legislation is being dispatched. From its announced conception – and it has some substantial social shifts that are envisaged by this legislation – there has been very little time to consider all of the points. That's my first point.

I think we as legislators are entitled to have an opportunity to get legal advice. I think that the government should provide their legal advice relative to the British Columbia case. It may be that things that are struck down in the B.C. legislation don't appear in our legislation, but it also might be that there are things in our legislation that aren't in the B.C. legislation that could also potentially run afoul of section 8 of the Charter or other provisions. That's the first thing.

The second thing is whether or not the minister feels that in light of the B.C. decision a reference of this legislation to the courts might be in order. I think that if we're passing legislation, we should make sure that it is constitutional and will not be struck down.

There are some things that the Criminal Trial Lawyers Association has said relative to this. It says that it could, given the congestion in the courts, take up to at least a year before it goes to trial. In section 88.1(1) on page 17, people must live without a licence until they prove themselves innocent or have the criminal charge resolved, it says: “That person is immediately disqualified from driving a motor vehicle in Alberta and remains so disqualified until the disposition of the criminal charge referred to in subsection (2)(a).” The Criminal Trial Lawyers Association points out that with the courts badly backed up, it could take at least a year to get to trial, and it argues that the legislation is designed to force people to plead guilty even if they're innocent just so that they can get their licence back more quickly. So it offends the principle of due process. I am concerned about some of those aspects.

9:30

The other thing that's been raised here – and it's not an argument against this legislation. This legislation might be a good thing regardless of the fact that it may not be the most effective thing that the government could do now to deal with the problem of impaired driving. Others have asked the question: why don't we do things to target people who have the potential to do significantly more harm because they're driving with significantly more blood alcohol? That's a question.

I am just going on anecdotal evidence. We've tried to look at the number of checkpoints that have been operated in Alberta over the last number of years, and we've also been trying to find information on the number of checkpoints operated in British Columbia before and after their legislation was enacted. Reliable statistics: well, we haven't found them if they exist. So some of it is anecdotal, but it certainly appears that in conjunction with the British Columbia legislation there was a significant increase in enforcement activities in that province, which contributed substantially to the success of the program. Now, this government hasn't talked about that.

On an anecdotal basis there have not been as many checkstops in Alberta as there were going back a number of years. To me, that's a significant thing. There are two things that can create more deterrence. One is that you can increase the penalties, or you can increase the risk of getting caught. You could do both.

I heard the minister talk about the application of the .05 now and that this is something which pre-exists so is no big deal. I don't usually do my research by reading newspaper columnists, but as we are moving very quickly through a number of acts, we are struggling to continue to do a good job as opposition, so I hope the minister will forgive me for reading from Don Braid's column today in the *Calgary Herald*. I would like to have his opinion on whether or not Mr. Braid accurately presents the situation.

He says that the government keeps saying that

the .05 marker for licence seizures is already in place. Not much will change, they insist, except for tougher penalties. We've heard this line from several ministers in the past week.

It's a soothing approach – but completely untrue.

The current legislation (Section 89 of the Traffic Safety Act) makes no mention whatsoever of .05.

It merely gives officers the power to suspend licences for 24 hours if they feel a person's ability to drive is affected by "alcohol, drug or other substance."

Our leaders nonetheless insist that .05 is law; they also say police use it as a standard for seizing licences.

If so, there's a big problem. The current law also says that if a driver voluntarily asks for a breath test and blows under .08 – the federal standard – police must immediately return the licence "and the disqualification from driving is terminated."

So there is a test; but it's .08, not .05.

Despite the story the ministers keep telling, the coming measures are actually radical changes to existing law.

If that saves lives, wonderful. Most people want firm action against drunk driving.

I agree with that. Absolutely, Mr. Chair.

So those are some of the concerns. I absolutely think that we need more study of the B.C. decision, and we need as legislators clear evidence and clear legal opinions with regard to the constitutionality of this law. I'd like the minister to address the question of whether a legal reference on the legislation might be in order, and I would like his response to the issues that are raised by the Criminal Trial Lawyers Association and whether or not Mr. Braid's assessment of the existing law is actually correct.

Thank you.

**The Chair:** Hon. minister, would you like to comment?

**Mr. Olson:** Thank you. I'd like to thank the hon. member for his comments. Good questions. I'll try to answer them.

First of all, he's right about the B.C. decision; I haven't read it. My department has been in touch with officials in B.C. and the B.C. Attorney General's department. I've been getting e-mail tonight. They are very happy with that decision. The only negative for B.C. in this decision relates to charges over .08 and the feeling that there wasn't the necessary administrative fairness in terms of the appeal process and so on.

I don't know if this is permitted, but I can read from an e-mail that says that the judgment was critical of provisions applying to those over .08 as the results in those cases were not confirmed by a separate breathalyzer test, as would be the case if a criminal charge was laid. That is not something that applies in Alberta. We have, as has been mentioned, a number of built-in protections for people in terms of appeal, requiring a second test, and so on.

I don't want to comment too much on the B.C. case anyway because I wouldn't be at all surprised if there is an appeal some-

where along the way, and then there could be another appeal, so this could go on for a long time. I am not willing to sit and wait for that appeal process to go through. I don't think it's a good enough argument to just put a stop – I mean, at any given time any legislation we pass could be challenged by somebody somewhere, and that would completely paralyze the workings of this Legislature.

My understanding is that there are three likely constitutional arguments. One argument is that we are overstepping our authority and encroaching onto federal jurisdiction. We are very confident that these sanctions are reasonable and that they are well within the authority of the province of Alberta, the jurisdiction of the province of Alberta to levy.

Another argument might be that there's some sort of constitutional right to drive. Well, there isn't, as far as we've been able to determine. We would certainly argue that that's not a constitutional right.

The one place where there could be a constitutional argument would be on the lack of administrative fairness, and I think that's probably what we're seeing in B.C. We watched B.C. We looked at their legislation, and we saw that that was an area that we needed to address and beef up, and we did. That's reflected in this legislation in terms of the appeal process. I guess I would say that we can't give any guarantee that somebody isn't going to challenge us on this, but we're ready and willing to meet that kind of a challenge.

As far as Mr. Braid, with all due respect to Mr. Braid, I'm not going to rely on him for legal analysis and legal advice. He is referring to section 89(5) of the legislation. First of all, I should back up a step. Section 89 in the Traffic Safety Act is talking about impairment. For example, I'm a diabetic. I could be pulled over and have a roadside suspension if I'm driving impaired. So this is a section that's broader than just alcohol. It also talks about drug impairment.

I would invite you to talk to, for example, the Edmonton city police and ask them what their procedure is. I think they will tell you that if a person blows a "warn" – that's .05 and up – that is the proof of the impairment as far as they're concerned, so that's where the roadside suspension kicks in. That's why we say that there's really no change, because that's what they're doing now. If we pass this legislation, they're going to keep on doing that, but there will be more sanctions.

Again, I would encourage members to talk to police agencies and ask them, but it's my understanding that in every agency across the province that's the way they do it.

I hope I've answered the member's questions.

9:40

**The Chair:** Hon. Member for Calgary-Varsity, you wish to speak?

**Mr. Chase:** Thank you very much, Mr. Chairman. I'm going to try and provide a balanced approach to Bill 26, the Traffic Safety Amendment Act, 2011.

I just wanted to share with the hon. Member for Edmonton-Centre my extensive knowledge of recreational life in a rural setting. I'm looking directly at the hon. Member for Rocky Mountain House because it was in Rocky Mountain House where I had my first experience with rural varieties of entertainment. I wish I could remember the name of my foreman at Alberta Gas Trunk Line, but the gentleman – I think his first name was Al – was referred to as the one-armed bandit. I don't know if you're familiar with this gentleman.

Anyway, he was my first foreman, and I was very fortunate that I was able to get a job in Rocky Mountain House. I had thought

that it was actually a resort town, so I brought along my swimming trunks and tennis racquet. I was all set to have a wonderful recreational summer while not working for Alberta Gas Trunk Line, but that wasn't quite the case.

Anyway, I was 19 at the time, not that far off from being 20, and my mother wept profusely as I straddled my 200-CC Lambretta and headed off down the highway to seek adventure, feeling very much like Peter Fonda in the famous road movie.

**Ms Blakeman:** On a 200-CC? Your imagination is vast.

**Mr. Chase:** Yes. Well, as members have noted, I had a wonderful imagination. I only rode that . . .

**An Hon. Member:** Relevance?

**Mr. Chase:** Yes. The relevance is entertainment in a rural setting, and I will get to the challenges associated with alcohol in rural settings.

As I say, I quickly learned that, unlike Peter Fonda, who had a significantly larger CC vehicle, I practically froze. The advantage of the Lambretta was that because of the sort of open space you could literally spin around on the seat. You could sort of go for a walk while you were driving down the highway, and you weren't fast enough to cause any terribly serious damage.

Getting to the point of the alcohol and the rural experience, in Rocky Mountain House the hangout that I recall was a dairy bar. Mr. Chair, the girls in Rocky Mountain House must have felt like they were contestants in a beauty pageant. There were so very few girls that the attention they received from the individuals working in the Rocky Mountain House area, whether they were like myself, working for Alberta Gas Trunk Line, or, more likely, working on the rigs — part of the entertainment was that there would be one poor young lady walking along the sidewalk, and there would be four cars sort of bumping along beside her, taking turns in passing each other and trying to come up with the best line that would possibly encourage that young lady to accompany them.

Of course, you can imagine being the fifth in line with your Lambretta, trying to encourage someone to hop on the back.

**The Chair:** Hon. member, we are speaking on Bill 26.

**Mr. Chase:** Yes. Right. And the dangers of alcohol. I want to relate it to the lack of public transportation in rural settings. [interjections] Pardon? Sorry.

Anyway, Mr. Chair, I'm attempting to be as focused as I can be. The hon. member, the Minister of Transportation, talked about alternative transportation in rural settings, that just because you didn't necessarily have a bus or a taxi circumstance, you could still manage to get to entertainment in a safe fashion. I don't know whether the hon. Minister of Transportation had sons or daughters or a combination of both, but I know from my daughter's point of view that double-dating with daddy was not high on her sort of entertainment enjoyment circumstance. I realize that you can certainly say under these certain circumstances: if you wish to go out to the high school dance or whatever, the only way you're going to get there is in my vehicle, and I'll see you at 12 o'clock when the dance is over. That doesn't always work.

Mr. Chair, what I found was that as glorious a resort town as Rocky Mountain House was and is, the entertainment options were very limited. The hangout that I experienced in terms of being alcohol related was Crimson Lake. Crimson Lake looked really great in the pictures, I must add.

**Ms Blakeman:** But the leeches are big as cucumbers.

**Mr. Chase:** That's right. The Member for Edmonton-Centre knows that it's a great place for triathlon training because when you hop off the dock, you have to outspeed the leeches.

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** I have listened intently to this hon. member for some period of time now, and I have yet to find anything that relates to blood alcohol levels, .05, or anything that's in Bill 26.

The hon. member is entertaining; there's no doubt. He may well have met his wife driving whatever vehicle he was talking about down the streets of Rocky Mountain House, but we are actually here on some very serious business. I'd ask you to ask that hon. member to address his mind to the bill.

**The Chair:** Hon. members, the principle of Committee of the Whole is to talk about the title of the bill, the preamble of the bill, and clauses in the bill.

Please, back to the bill.

**Mr. Chase:** Yes. Speaking to Bill 26, the Traffic Safety Amendment Act, 2011, I realize that I'm being somewhat lighthearted in my approach, but where I'm coming from is the dangers associated without having a variety of safety measures such as public transportation, such as entertainment that is beyond a 12-pack or a six-pack.

I witnessed first-hand the effects of alcohol on others because, as I say, I was basically a teetotaler. I recall, for example, after a fairly significant drinking incident at Crimson Lake fights breaking out and the Mounties being called, and I'm carrying the loser in one of the fights back to the car to try and get him home safely. Likewise, Mr. Chairman, the rig workers, the roughnecks, many just engineering students in their first or second year of university. Their primary form of entertainment was heading to Sylvan Lake on a Friday night, and drinking was a large part of that entertainment. I was extremely worried about some of those young men who drank till 11:30, as much as they could, and then proceeded to go to work at midnight for the graveyard shift on oil rigs.

So in trying to give you the relevance, I agree with the legislation that would prevent people from getting up on an oil rig when they're impaired, never mind intoxicated. Mr. Chair, hopefully, you'll see the relevance. Again, I'm talking about rural circumstances.

9:50

In 1968 I had an opportunity to again work for Alberta Gas Trunk Line but this time in Fort Macleod. I enjoyed the experience in Fort Macleod. Again, Fort Macleod instead of a dairy bar had one step up. It had an A & W, and it still does. But I found that the major entertainment in Rocky Mountain House among the teenagers to slightly above was going back up and down the highway as quickly and loudly as they possibly could, then heading off into the countryside somewhere with a case of beer or whatever, and that was the major form of entertainment.

The point I'm trying to make is that in rural Alberta, I would suggest, there is a greater tendency to consume alcohol beverages because the possibilities of . . . [interjections]

**Ms Blakeman:** Okay. Now you're in trouble.

**Mr. Chase:** Well, I may be in trouble, but my perception based on my youthful years in rural Alberta is that there were fewer choices in terms of recreational opportunities, in terms of movie theatres; therefore, my limited experience in rural Alberta saw a fair amount of entertainment associated with drinking.

Bill 26 is addressing the concerns of impairment. Again, in rural settings once you're out of town, your main form of commuting is the highway. You add speed to alcohol impairment, and you've got a recipe for death. That's what Bill 26 is talking about.

Now, I personally am supportive of the majority of what Bill 26, the Traffic Safety Amendment Act, 2011, states. I have previously stated, and I will not go into great detail, that the one flaw is the dragnet approach, where one particular law catches everything and whether or not you're impaired at .05, you're still guilty. I understand that there have to be standards, and I understand that the measurement of .05 is a whole lot easier to judge than whether or not a person is impaired. But there has to be a balance in the legislation.

With previous legislation this government has been very slow to act. The distracted driving cellphone business comes to mind. In 2001 the hon. Member for Edmonton-Riverview attempted to eliminate hand-held cellphones while driving. That went nowhere. I tried it in 2005. Again it went nowhere. The hon. individual from Calgary-Hays gradually, over a two-year period, brought it successfully into the Legislature, leaving out the hands-free aspect of it. The hands free, the mental activity associated, the impairment of being involved in a conversation over the phone or looking at your dash and the information that's coming up on a GPS device: those unfortunately weren't taken into account. The time period for that to come into law was 10 years.

I agree with the hon. Minister for Transportation, and I agree with the hon. Minister for Justice that it's about time we got legislation that would save lives on the books. I think that if a member of the opposition had tried as speedy a process in terms of getting this through over a two-week period, they probably would have been ridiculed. They would have been accused of being members of a nanny state in terms of how much supervision, how much change in people's attitudes are necessary.

Well, Mr. Chair, with regard to the nanny state, I'm all for the government having responsibilities in terms of looking after individuals and acting in their best interests, whether it's funding for education, whether it's a decent allowance for AISH, whether it's treating individuals with PDD with respect. That's the role, I believe, that the government should have, and if people consider that to be a nanny attitude, well, so be it. I'm all for that type of supervision.

I am all for police on the streets. I'm not so sure about the surveillance cameras on every block because the surveillance cameras occur after the fact. They maybe prevent crime because they're out there, but the thing is that somebody has to react to that camera image if it's being monitored and then get out. What I'm concerned about is what other members have brought up, and that's the education process of this bill.

Now, a previous Traffic Safety Amendment Act, brought forward by Richard Magnus, resulted in Alberta adopting what a number of other provinces had done, and that's the doubling of fines; for example, in construction zones. That was a strong piece of legislation protecting 4-H individuals out collecting debris along the highways, protecting ambulance drivers, tow truck drivers. It forced people, because there was a significant sting to it in the form of a fine, to smarten up. I have no doubt that partly because of that fine, partly because of the education, partly because of the enforcement people changed their driving habits.

I know, having gone up and down highway 2 so many times, that when there are police at the side of the road or there are people with the orange bags doing cleanup, there is, for the most part, a better attitude. People do slow down.

Now, what hasn't been mentioned under Bill 26, the Traffic Safety Amendment Act, is how this information is going to be communicated to the general population so they see it as important and also feel its effects if they transgress. The discussion with regard to .05 to .08 previously being on the books and subject to discretion has been one of the contested points as to the degree of discretion. The hon. Member for Calgary-Fish Creek brought up what type of extended training sheriffs would receive that would bring them up to the level of the RCMP in terms of being able to conduct the tests that would determine the .05 or higher. It's the whole package.

I would look very forward to possibly the Minister of Transportation or the Minister of Justice – because I think the Minister of Justice is primarily the person driving this bill. Pardon me. It's the Minister for Transportation that's driving it. Also, the Minister for Justice has spoken very well in terms of why it's necessary. I would like to hear from the Minister of Transportation – and I'll take my chair shortly – on how we are going to get the message out besides simply suspending licences. What's the education program? Will there be any commitment to greater enforcement of this? Obviously, without enforcement attitudes aren't going to change. Then is there consideration of a fine?

10:00

**The Chair:** The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Chairman. I need to make a couple of comments. The first one is on the question about greater enforcement. I think the hon. Justice minister answered that partially in regard to the definition of a peace officer and what we're hoping to accomplish with this legislation.

The other point that I wanted to make was on your questions at the end about the communications. If you ask my staff how I feel about communications, I think there are three most important parts that I look at as far as being a minister. That's communication, communication, and communication. I think this is going to be very critical for us to do for the public to understand, also to work with the hosting industry. I say the hosting industry being, you know, a number of different associations. I mean, we did meet with the hosting industry and different associations.

It is critical that people understand what we're trying to accomplish. It is critical that people know where the targets are. You know, you're not going to have a change in culture if you don't have education, and that's why it was imperative that when we looked at the .05 to the .08, education was part of it. Education was a major part of it in the change of culture.

Also very important as far as communication are the probationary licences. I say that's very important, but most of those individuals are way ahead of us. You know, I talked to the youth. Those numbers that I gave you scare me, but at the same time I talked to a group in my constituency. It just happened to be 3A girls provincial volleyball finals in my constituency. I was very amazed and, I would say, heartened by what they do and what they believe has to happen. We're not going to get everybody, but I think the more education we have, the more peer pressure we have, the more focus we have in that direction is absolutely critical.

I just wanted to make, if I could, a couple of comments in regard to the hon. member who is just leaving, just for a second, and that was on her comments about not hearing.

**An Hon. Member:** They're all leaving.

**Mr. Danyluk:** Yeah, so we're going to do it this way. How about that? I just wanted to make a couple of comments that since I have

been a Member of this Legislative Assembly, we've always had discussions in regard to impaired driving: when we've talked Transportation budgets, when we've talked about photoradar, when we've had different ministers of Justice, when we've talked about the distracted driving and what implications it has. There has been that discussion because you always have to balance.

The hon. Member for Bonnyville-Cold Lake was talking about her private member's bill. You know, I want to say that her discussion of her private member's bill elevated the discussion. It elevated the discussion in our caucus about the importance of trying to have safer highways. Of course, that's combining that with interchanges and with all kinds of different directions and avenues.

One of the interesting points I can remember is the discussion about impaired driving wherein our previous Premier was the Minister of Transportation a number of years ago during the BSE. What ended happening was that he spoke to us as a caucus and said: "You know what? These are the challenges we have in BSE and in saving lives." He said: "If this is strictly about saving lives, we need to address the safety aspect. We need to address the transportation or highway aspect, and I will tell you right now that it'll save more lives."

My point, Mr. Chairman, is that we have looked in many different directions. I will just close now.

**The Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. I will say this. I've been very encouraged and actually excited by the level of discussion in the House tonight. I appreciate the two hon. ministers adding to my learning curve, adding to my understanding of this bill, and moving me quite a ways forward from where I was in the reading of the bill. A lot of that has been primarily in the statistics that the hon. Minister of Transportation has cited, the explanation of how the law intertwines with other legislation and the provinces, a little bit of my learning on my own and reviewing some portion of the B.C. case. It has moved my understanding of the issue further, where I'm more compelled to accept the government's argument on this bill. That said, you know, can it be better? Can we do some other things? Should we consider it more fully? Those are some of the questions I have.

I must talk about another issue in order to really make us get tough on drunk driving and send a message to those in society who are clearly causing much carnage, much misery, much heartbreak as happens. I know as I am a victim of spinal cord injury. Many of my brothers and sisters in the situation I am in, who are a result of either, unfortunately, being involved in a drinking-and-driving accident themselves or being a victim of a drinking-and-driving accident, never recover, whether that's physically or emotionally, from that aspect. I understand that the effort is there to try and move forward on this issue. I applaud the government, at least, for that effort.

Now, if you remember, when I talked about this in first reading, I was concerned about some of the civil liberties aspects and the rush to judgments on that front. Having taken some time here earlier today to look into the B.C. decision, it looks to me as if there are some parallels with the B.C. legislation that will enable much of this legislation to go through on our side. It appears that the B.C. legislators had no trouble with their sanctions on administrative penalties in between .05 and .08. The trouble was with some of the rights infringements that occurred after .08. I've been told by the hon. Minister of Justice that our bill was highly cognizant of these challenges and was drafted accordingly.

10:10

Even with that, I am somewhat concerned with the fact that admittedly even here tonight, although apparently this has been discussed a great deal on the other side of the House, it has not been brought up a whole bunch since my time in the Legislature. In fact, tonight has been a very engaged discussion. I've heard some of the other people, especially the hon. leader of the third party, who brought up some salient points on whether there is some opportunity to review this further. Is there an opportunity for this to go to an all-party committee to really see if we've got this worked out, to discuss it further, and to go from there?

It is on those fronts that I would suggest that we look into those things and, I think, assure this House that we are moving in the right direction. It doesn't look like that is going to happen, Mr. Chair, but that would have been my preference, to discuss some of the things that we had brought up to continue not only our learning curve here but the education piece and allow Alberta citizens to weigh in on what is in fact happening. Those are some of my comments.

I also, you know, did some review, and it may help some other people in the room. Well, maybe I just like it when we sort of talk about the Oakes test and some of those things that arise out of this. We do have a Charter of Rights and Freedoms, but it is subject to limits. Essentially what we're trying to craft is legislation that not only respects the Charter but understands that there are real, pressing concerns out there in society and that sometimes governments need to do things.

I'll just say this. It's from a court case: Canada (Attorney General) versus JTI-Macdonald Corp., 2007, Supreme Court of Canada 30, at page 33. It is referenced in the British Columbia case.

This engages what in law is known as the proportionality [test]. Most modern constitutions recognize that rights are not absolute and can be limited if this is necessary to achieve an important objective and if the limit is appropriately tailored, or proportionate . . . This Court in Oakes set out a test of proportionality that mirrors the elements of this idea of proportionality – first, the law must serve an important purpose, and second, the means it uses to attain this purpose must be proportionate. Proportionality in turn involves rational connection between the means and the objective, minimal impairment and proportionality of effects.

As Justice Dickson said in Oakes:

There are, in my view, three important components of a proportionality test. First, the measures adopted must be carefully designed to achieve the objective in question. They must not be arbitrary, unfair or based on irrational considerations. In short, they must be rationally connected to the objective. Second, the means, even if rationally connected to the objective in this first sense, should impair "as little as possible" the right or freedom in question . . . Third, there must be a proportionality between the effects of the measures which are responsible for limiting the Charter right or freedom, and the objective which has been identified as of "sufficient importance."

Well, I think we can all agree here that drinking and driving is of sufficient importance for us to engage in this debate here and for the government to look at crafting laws that limit this societal scourge. That's fair and clear.

What I'm concerned about here – and this may be why some of the comments made by the leader of the third party were very important, that it may be a reference test or that maybe an all-party committee will work – is the proportionality of this. I look at our sanctions in the .05 to .08 range and on the first offence – and the hon. Minister of Justice probably considered this – three days for



the first suspension, that you lose your car for three days in the case of your first suspension, 15 days in cases of second suspension . . .

**Bill 27**  
**Appropriation (Supplementary Supply)**  
**Act, 2011 (No. 2)**

**The Chair:** Hon. Member for Calgary-Buffalo, I hesitate to interrupt you, but pursuant to Standing Order 64(4) I must now put the question proposing the approval of the appropriation bill referred to the Committee of the Whole. The question is: does the committee approve the following bill, Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2)?

[Motion carried]

**The Chair:** Hon. members, pursuant to Standing Order 64(4) the committee shall now rise immediately and report.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 27. The committee reports progress on the following bills: Bill 21 and Bill 26. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Having heard the report, those in favour of the report, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. So ordered.

**Government Bills and Orders**  
**Committee of the Whole**  
*(continued)*

[Mr. Cao in the chair]

**The Chair:** The committee will continue now.

**Bill 24**  
**Health Quality Council of Alberta Act**

**The Chair:** Any comments? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yes. I would like to confirm where we are in this debate. My understanding is that we are under a government amendment, amendment A1, and in fact are debating a subamendment put on the floor by somebody.

**The Chair:** According to our records we are still on subamendment SA1, moved by the hon. Member for Calgary-Mountain View.

10:20

**Ms Blakeman:** Okey-dokey. That's what I was checking. Thanks very much, Mr. Chairman.

Okay. This issue or this subamendment, in fact, was around trying to take out all of the references to a public inquiry. I spoke to this before. Section 1 is amended by striking out clause (e), striking out the inquiry.

Sections 17 to 22 inclusive are those sections that discuss and give authority for hearings. Section 17 is authority to establish an inquiry, section 18 is hearings, section 19 is in camera, section 20 is disclosure, section 21 is witnesses, and section 22 is reports to the Legislative Assembly. Then section 23 is excluding a member of the panel, and section 25 is very similar to that.

What we're trying to do there is make sure that the inquiries would be conducted as an inquiry under the Public Inquiries Act. Part of the issue that is important in this section is the issue around the ability to go in camera. Members opposite have raised my concerns on the record, which are numerous, around personal privacy. The government appears to be wanting to give itself the ability to go in camera to protect people's personal medical information if that, in fact, would become a point under the inquiry.

What I want to argue back is that there are two sides to this. One is that I think it's really important that the public is able to look at the information of any government committee, or inquiry committee in this case, and be able to look at the same evidence and reports and submissions that the committee or inquiry or panel did to understand how the committee came to its final ruling.

I have always insisted and have brought forward a motion in each of the standing committees, policy field committees, when we are examining, reviewing an act, for example, or reviewing something that's put before the committee, that both the in-person submissions but also the written submissions are to be posted to the public website. If someone says, "No, I don't want my thing to be posted to the website," then the answer is: thank you, but we won't be using your submission as part of our considerations in rendering a decision.

What I'm trying to say there is that I think it's really important that what we do is available publicly and holds that transparency part in it so that any member of the media or the opposition or the public could look at something and read the same things and go: "Okay. I get it. I understand why they came to that decision."

The other side of that is the personal privacy of medical information. We here are talking about a situation of such magnitude that it is requiring either an inquiry under the Public Inquiries Act or, in the case of what's being contemplated under Bill 24, the creation and establishment of an inquiry-like panel under the auspices of the Health Quality Council. If we are dealing with a health issue that is that critical, my experience has been that people that bring forward medical information there want the information to be shared. They want to use their personal medical information or the medical information of a loved one as part of the educational process in moving forward a particular change in how we do things or as part of an inquiry.

I think that yesterday I got cut off, but I had started to talk about some of the well-known medical issues – let me group it under that – that this Assembly has dealt with over the years and that have in fact resulted in some of the fatality inquiries that we've had. Certainly, a really good example of this was Rose and Rick Lundy, where Rose Lundy had suffered a miscarriage in the ER in one of the Calgary hospitals and hadn't received what both of them felt was a dignified response to her medical treatment.

That one wasn't going to result in a whole bunch of huge changes. It did result in, particularly, Rick participating in some patient concerns committees that were around changing how people would be dealt with in ERs. But there's a perfect example of someone who wanted to take their personal medical information and use it as part of a process to change public policy.

I would submit to members of this House that that's exactly what I would be expecting to have happen under Bill 24 or, in fact, under a public inquiry under the Public Inquiries Act. People are saying: "There's a problem in the system. Here's an example

of how it affected me. Here's what happened to me. Here's my story. Here's my personal medical information." That information gets shared, and it's part of what somebody feels others need to know as a way of changing the public policy. [interjection] Yeah, I'm coming to that.

The minister of the department of human everything – I'm sorry; that one won't stick in my head – of Human Services is saying that you can't say that that's the way it's going to be with everybody. As I'm constantly told by my colleagues on the other side, you know, this is about balance, and this is about finding the best way through this.

I think we do have to say that this has to be a transparent process, and therefore everything will be published or will be available, and two, we want you to bring your stories forward if you're trying to change public policy. I'm really struggling with the idea that someone could bring forward personal medical information in private, the committee would meet in private, in camera – that's what that is; it's out of the eye of the public – and make a decision that would change public policy, and nobody would be able to know why.

If I'm going to be held at fault, I'm going to be held at fault because I'm depending on people willingly participating in a public process, but I think that's important. Nowhere in here am I saying – and do not accuse me of this because it's not true; it's not what I'm saying – that anyone would be forced or would be outed with their private medical information in order to participate in this process. That's not what I'm saying. But I am expecting that people that are going to come forward here are going to be willing to have that discussed in a public way. The bottom line: if they're not willing to, you know, can privacy be offered to them? I'd really have to question why, because I'm really concerned about a lack of transparency here.

No, I'm not willing to force them into outing their personal medical information if they really don't want that to happen, but I'm also struggling to think of where that would be likely to happen, and I just have not run across that. Maybe my life has been very narrow, but I've done a lot of work in health information, in protection of personal information, and in the FOIP Act, and I'm just not running across that. People that want to change public policy are more than willing to discuss that.

That's what's being anticipated under the amendment brought forward by the Member for Calgary Mountain-View, and I definitely am in favour of that.

I'm going to let others speak to this amendment as part of this process.

**10:30**

Really, what we're attempting to do here from the Official Opposition is to make this act better. The government has the votes to pass anything they want to, and if they're quite determined to do it, they're going to do it. You know, some days I walk up the hill to this building to do good, and some days I walk up the hill to this building to try and have the government do a little less bad. With Bill 24, I'm trying to have the government do a little less bad.

I am one of the people that believe that a certain thing was promised by the Premier and that we are getting a different version of that, and I have yet to receive a compelling argument from government as to why they refuse to give us what was promised and why we've had a replacement put in front of us.

I will leave it at that and thank the Speaker for the opportunity to speak to members.

**The Chair:** The hon. member for Calgary-Varsity on the subamendment.

**Mr. Chase:** Yes. Thank you very much. Specifically to subamendment SA1. When the hon. Member for Edmonton-Strathcona was speaking about the process under which the Health Quality Council was formed, I could not help but think – and again, Mr. Chair, hopefully the Government House Leader will provide a little bit of leeway.

I flashed right back to my childhood in terms of how you pick people, in terms of inclusion, in terms of insider responsibilities. The song, Mr. Chair, that creates the activity here . . .

**Mr. Mason:** Don't sing.

**Mr. Chase:** I will not sing. I will simply quote the way the process works, okay? It made me think of the children's game the Farmer in the Dell. You know,

Hi-ho, the derry-o,  
The farmer in the dell  
The farmer takes a wife

and so on. Think of it as a game. The Conservative Party picks the Premier, okay? The Premier picks the cabinet. The cabinet picks the Health Quality Council. But in the children's game what happens, Mr. Chair . . .

**Mr. Mason:** They all fall down.

**Mr. Chase:** No. That's Ring Around the Rosy.

In the children's game what happens, Mr. Chair, is that the circle expands. But the problem that SA1 brings to Bill 24 is that instead of the circle of authority expanding, what happens is that, in fact, it contracts. We get a smaller, smaller, smaller circle, very much like what happened with the superboard, where the Premier has such control of the activity that any chance of transparency or accountability on the part of the Health Quality Council is lost because it is so closely directed by either the Premier, whether it's himself or herself, or by the Lieutenant Governor in Council, which is the cabinet. They consider: this may happen, or this may not.

As the hon. Member for Edmonton-Centre pointed out, the quickness to run in camera is a very legitimate concern. I don't want to attempt to repeat what the hon. Member for Edmonton-Centre stated, but what she did emphasize was the importance of transparency and accountability. People who voluntarily come before the Health Quality Council or, our preference, the public inquiry do so, for the most part, because they have a story to tell. Unfortunately, doctors who have disclosure statements or who are not permitted to talk about the financial remunerations are less likely, obviously, to come forward.

There are enough doctors and nurses, medical workers within the system, Mr. Chair, who have experienced the types of intimidation or the compromised work ability to deliver services. For example, even if we weren't able to get Dr. McNamee to come back, there would still be a storyline there of people willing to testify if they had the protection that the Public Inquiries Act provides. What amendment SA1, presented by the hon. Member for Calgary-Mountain View, points out is that rather than having a counterfeit process, a quasi-judicial attempt at the equivalence of a public inquiry, we should actually have the public inquiry and do it properly.

Mr. Chairman, we've heard several times, and you'll hear it raised again tonight, whether it's in amendment SA1 or when we eventually get back to the government's amendment A1, which was found to be so unsatisfactory as to require subamendments to be brought forward, that we're continually trying to fix something that is so broken that it can't be fixed. And until this government shows the same type of enthusiasm that we just experienced over the Traffic Safety Amendment Act, 2011, and sees the urgency in

terms of saving considerably more lives than in our wildest hopes we could save with the .05 to .08 – we're talking about front-line circumstances. We're talking about emergency room operations. We're talking about cancer. We're talking about thoracic surgery. We're talking about circumstances where people's lives on a daily basis are being compromised because physicians are not able to deliver the services that they need to deliver.

Now, the government cannot just simply be enthusiastic about speeding up a particular process within a two-week period, talking about the Traffic Safety Amendment Act, and "Let's get this thing going. We're going to save lives." Well, I'll tell you that the way to save lives is to have a whistle-blower type of protection such as a Public Inquiries Act would result in, in terms of the summation and advice going forward, so that health care providers have the freedom to bring out the complications, the restrictions that they're experiencing, the intimidation. Amendment SA1 says, Mr. Chairman, that simply trying to create something that looks like a public inquiry but doesn't have the authority of a public inquiry is not going to work.

Mr. Chairman, again, I can't help – because we're jumping back and forth between bills. How can the government be so dramatically swift in seeking justice with impaired driving but be so foot-dragging when it comes to the delivery of critical health services? When is the government going to address the fact that seniors who don't want to be in acute-care beds are there? How long is it going to take? Two years, and the superboard cost us \$1.3 billion more than the old system. The Health Quality Council will not deliver its first significant report until sometime in the spring, and then this new invention of the Health Quality Council will have 120 days to release its findings. How many compromised health circumstances are we going to have in that time period? You can't talk about alcohol impairment in one sense and then fail to talk about medical impairment. That is why we have been calling for a public inquiry into the impairment that our health system is currently experiencing.

10:40

Mr. Chair, I appreciate the fact that the government has uncharacteristically extended our sitting. I'm not sure why it was necessary to cram things into two days and then into two weeks and have us on a nightly basis as well as a daily basis showing up to debate things with such pressure and such speed, the majority of which occurs at night. If we're going to be thoughtful about the process, if we're going to correct circumstances, like amendment SA1 attempts to do, then there has to be a sufficient amount of discussion time. The potential of accepting amendments, whether it's the government's amendments or opposition's amendments or subamendments – the whole point is trying to improve the system. Again, it seems to be absolutely critical that we do things in a very speedy sense, whether or not we get it right, as opposed to having opportunities to think things through.

Now, Mr. Chair, the last thing I would want to do is further delay this process in the case of Bill 24 by sending it to committee. The facts are out there. They've been revealed over the last number of years. We've seen doctors forced out of the province. We've seen others leave because they could not endure the interference that they were experiencing in terms of delivering their health services. Premier Klein drove so many of our nurses out of the province with the deep cuts. So the last thing I want to do is prolong the status quo, and the only way we can get beyond the status quo is to create the type of transparency and accountability that the Premier spoke of when she talked about a public inquiry. This counterfeit operation that Bill 24 is suggesting does not achieve that.

Mr. Chair, I don't wish to take up more time talking about SA1, but speed is of the essence. We're going to have another election go by before any significant changes in policy occur. Without a public inquiry that compels testimony, we're not going to see an improvement. The cover-up, the cloak and dagger, the debating in darkness, unfortunately, will continue.

Thank you, Mr. Chair, for the opportunity to speak.

**The Speaker:** The hon. Member for Calgary-Fish Creek on subamendment SA1.

**Mrs. Forsyth:** Well, Mr. Chair, it's November 30, the time is 10:45, and here we are debating SA1, an opposition amendment for the Health Quality Council of Alberta Act. The longer I'm here, the more frightened I get, to be very honest with you. When I sit in the Assembly after the last – I guess we had two days in October and four days last week, six; we're on our ninth day. I look at some of the things. It's frightening, quite frankly. I think Albertans, actually, should be very concerned with what's going on.

I'm going to start off with the question that I asked the minister in question period today. I talked about today being a very sad day, and I talked about the cancer lab at the Tom Baker cancer centre closing its doors. I went on about how after more than a decade and after serving more than 10,000 patients using research and testing developed exclusively, the in-house lab closed despite dire warnings from Dr. Tony Magliocco. He did everything he could to stop it. Not only was he ignored; he was threatened. He was smeared for daring to speak out.

My questions were to the Premier, and the Premier didn't want to answer, so the health minister did. I said:

We know that you dismiss this critical issue as a workplace disagreement. Is that how you're going to treat the countless examples of bullying and intimidation of health care professionals?

Mr. Chair, I have to tell you that the answer that I got from the minister blew me away. I can't think of any other way. I said to my colleague: what did he say? The response back from him was something that we're going to actually post to the public. We're going to actually talk to the Health Quality Council. We're also going to talk to the College of Physicians & Surgeons and the AMA. He says:

Thank you very much. Well, this issue was discussed in question period previously. The questions were asked and answered.

Minister of health, I really hope you're paying attention here. I know you're pretending to read, but I know you're also listening.

I guess what I'd like to say, Mr. Speaker, is that this recurrent theme of innuendo and rumour with allegations of physician intimidation has become quite tiresome to this government and, in fact, in our opinion, is an insult to the dignity of this House and to the people that work in our health care system.

Why that is so shocking to me, quite frankly, Mr. Chair, is that we currently have the Health Quality Council investigating the cancer scares and the intimidation and bullying of physicians. The first report came out, and they said: no; we've got to divide that into two things because we're too overwhelmed to be able to deal with this, so we're going to put the cancer stuff over here, and we're going to deal with the physician intimidation over here.

The same council, the Health Quality Council, in their June 29 news release talks about this being so important that, as I explained earlier, they're going to break it into two segments. They have so much work to do, and they've done all this. "The complex nature of the review has proved challenging and the timeline for completing the report has shifted slightly. The next progress report will be issued in late autumn 2011."

They came out with their report October 27, their interim progress report on independent review. They talk about the quality of care and safety of patients requiring emergency department care and cancer surgery in that report. They talk about the findings to date on some of the things on the emergency. They talk about the role and process of physician advocacy in patient safety and health service quality. They talk about the intimidation and the bullying of the health care physicians, and this minister has the audacity to say in this Legislature that they're tired of the innuendo and the rumours of allegations of physician intimidation, and he's become quite tired of it. Does anybody understand what a dumb or stupid answer that is?

10:50

In this Legislature, when we have got a Health Quality Council investigating and that has been investigating since last March, to top it off – and I have to make sure I have the right word here; I'm trying to think of a ladylike term – he has the gall to bring forward the Health Quality Council of Alberta Act, Bill 24, and tell everybody in this Legislature that this bill is going to solve all the problems for all the physicians and that they're going to take care of everything. The same minister in question period talks about the fact that he's tired of the innuendoes and rumours and allegations of the physician intimidation and that the government is tired of it. Mr. Chair, I hate to sound repetitious, but that is an unbelievable answer by the minister.

Then he goes on. Quite frankly, I'm shocked. I said: "Mr. Speaker, that is unacceptable. He's already got his own Health Quality Council investigating intimidation, and as the minister he has the right to stand up and say that it isn't happening. What are they doing now?" I'm not sure what he was smoking or what he was doing on his next answer, but he comes out here and he starts talking about the bullying of his staff.

Well, we have no idea who is bullying the staff. I can tell you that it isn't any of us. If he has, as he says, proof that any one of us, as far as the four MLAs, or any one of our staff has been bullying his staff, well, Minister, guess what? Show it to us. [interjection] If you have something to say, minister of inter-governmental affairs, stand up and speak. We'd be more than pleased to listen to you, quite frankly. You know what? Chair, I'm going to sit down because the minister of intergovernmental affairs: his lips are moving, and I'm sure he wants to stand up and speak about the Health Quality Council. I'd be more than willing to let him use the rest of my time if he would like to speak. He has all of a sudden become busy again.

I'm going on to talk to the minister about health care. He goes off again in regard to "staff of my ministry conducting a regular billing review under the hospices of the Alberta Health Care Insurance Act." How the heck does that have anything to do with the question? We're talking about physician intimidation. We're talking about bullying. He is off somewhere in never-never land talking about "conducting a regular billing review under the hospices of the Alberta Health Care Insurance Act," and we've got this: "and being threatened with court action as a result of undertaking their responsibilities under law is not intimidation."

What is intimidation is these continued allegations – and here we go again, Minister – to the people that you're supposed to be representing, the health care professionals in this province, and you're saying that it's rumours; it's innuendoes. You know what? Dear doctors that we're negotiating your AMA contract with in good faith: we don't believe a word you're saying, not one single word. Minister, you know what? You cooked your goose on that one.

Then we go to the introduction of his bill, and he's going to tell us all the wonderful things about the amendments and what he is going to do. I love this. This one is wonderful. This is the minister speaking. "The government is committed to having a public inquiry and to this end has incorporated the key provisions of the Public Inquiries Act into this bill." Now, get this, Mr. Chair. We have to listen to this. "However, we are concerned that the current inquiry legislation would not be as effective in providing for a full and fair inquiry into health system matters, which is, I think, a goal for all of us in this House." I'm thinking: wow.

The process that you were previously doing, that you're doing right now, isn't being done fairly? I'm not sure, really. I'm not sure what we mean by this. I'm especially not very sure after listening to his responses in question period today. I, quite frankly, have every intention of sharing this with the doctors that have come to us. I'm sure Dr. Parks will be real impressed with this as will Dr. Maybaum, some of the wonderful emergency physicians that have spoken out against this government, Dr. Parks especially.

The subamendment that the opposition is bringing is saying: okay; well, we don't believe you either. So we're going to take sections 17 to 22 inclusively, and we're going to say: we don't believe what you're saying to us about when you talk about the health systems inquiries.

Let's just go into the Public Inquiries Act, which is a good piece of legislation. We've seen that the last two provincial inquiries were Newfoundland and New Brunswick. We tried to bring that to the minister's attention in regard to the issues that Dr. Magliocco had brought forward in regard to the closure of the Tom Baker cancer laboratory and the breast cancer tissues, what happened, and the cancer treatments with the hormone receptors and all of the problems that they had in Newfoundland with the positive and negative testing on the breast cancers. Both of them were done under their public inquiries acts.

Having said that, I am prepared as the health critic for the Wildrose and the Calgary-Fish Creek MLA – my colleagues can certainly speak for themselves. The fact of the matter is that we will be supporting the subamendment brought forward. We're going to continue to discuss and debate this legislation because the more that the minister opens his mouth, the more information that we're getting, which is good for us because of the fact that the minute that the answers came out of his mouth today, our phones and my e-mails went crazy because there was significant disgust from the health care professionals that, believe it or not, are watching what's happening in this Legislature and our question period. When you talk about bullying and talk about intimidation, what was displayed in the Legislature today was absolutely nothing more than shocking and disgusting.

With that, I'll sit down, and I'll let others speak in regard to the amendment.

**The Chair:** Hon. Member for Calgary-Glenmore, you wish to speak?

**Mr. Hinman:** I sure do.

**The Chair:** On subamendment SA1.

11:00

**Mr. Hinman:** Subamendment SA1. I would like to stand and speak in favour of this amendment. I think that it really sums everything up. What we have here with Bill 24 is the Health Quality Council of Alberta Act, which is trying to create powers and new provisions to investigate the bullying and intimidation that's been going on for some time here in the province with the

doctors that have come forward, which the government continues to deny at length with an incredible amount of gall, in my opinion, and they use the pathetic explanation of: oh, it's just workplace disagreements. I think it's a lot deeper than that.

I appreciate immensely the hon. Member for Calgary-Fish Creek and the hours that she has spent with the different doctors. I haven't been as involved as I was prior years going back. But the intimidation is real.

Subamendment SA1 does what needs to be done, and that's to keep the Health Quality Council of Alberta doing what its job is, and that job is to have great insight into patient safety and health quality matters. But that isn't what the problem is in the province. Yes, you know, we've had some problems when it comes to such things as sterilization of equipment, other areas, and people being held in emergency rooms longer than they should, not seeing a doctor. That's the job and the expertise of the Health Quality Council.

To now take those individuals that are experts – so we're told, and so they've been selected – on looking at our health system here in the province and seeing where there are problems and making some improvements and recommendations to those areas and ask them what we're asking them to do: this is the problem and the gall of this government. What on earth does that expertise have to do with rooting out and discovering the bullying and the intimidation that's going on? Like, they're going to do something.

I was shocked that we got the new health minister that we did. With what went on prior to that in this province and the behaviour and the actions that he took, I wouldn't have accepted the position. It's obvious that what we have is the fox that still has feathers in his mouth from going after the last victim, saying, "Oh, I will go around and check and see if there's anything bizarre going on," as he's still trying to spit the feathers out of his mouth. He can't talk because there are so many feathers in his mouth.

Mr. Chairman, this amendment is critical. Let's keep the Health Quality Council doing what it has been doing, and let's go to the Public Inquiries Act, which does serve this country and this province well, and do a proper investigation. When we have problems in the police force or there are allegations coming forward in the city of Calgary, they don't go to the north section and say: will someone over here please come and investigate here? They don't even really like to go to Edmonton and stay in their own province. They'll usually go outside of the jurisdiction and bring in new people to investigate so that they have it at arm's length.

This is so incestuous it's ridiculous, the groups that they're getting there and saying: oh, we're going to investigate it. I mean, we've got the letters where they say: "You know what? If you speak out against this, you'll regret it. This will be detrimental to your career." Yet they say: oh, this is a workplace disagreement. It's just amazing.

The minister should offer his resignation. They should call a full public inquiry, a judicial inquiry, and do the proper investigation. This isn't about quality health. This isn't about whether or not the equipment is in good shape. This is behaviour that's unbecoming inside the health care system. This superboard has been a super disaster. They started off right from the get-go saying: you do not speak outside; you talk to your superiors. They gave the protocol of who you spoke to, and they held the hammer of silence over them saying: don't speak out. Then six months later, nine months later, after people who then had spoken out were ostracized, lost their privileges and other things, set the example that if you speak out, you will pay the price, they say: "Oh, my goodness. What a big misunderstanding. We want them to speak out."

Supposedly they put their gun back in the holster and said: go ahead and speak out. But every time someone has attempted to,

that hammer has come down. Then they expect doctors, nurses, even the maintenance workers – I've spoken to one maintenance worker who was so tired after trying and trying to make a difference with the problems that he left, and he said: "I don't know why I didn't leave five years earlier. Why did I put up and struggle for so long?" He is so happy to be out, doing maintenance work for a public firm and says: "It's just wonderful, Paul, to be there. I don't know why I hung in as long as I did."

The morale: we know how poor it is. This government thinks that all of those people that are working in health care are going to jump for joy because the Health Quality Council is going to appoint the new group that's going to do the public inquiry? I mean, he has the nerve to say in his opening remarks on Bill 24 that "we are concerned that the current inquiry legislation would not be as effective in providing for a full and fair inquiry into health system matters." It's not about the health system matters. It's about the behaviour of the people at the top. It's the behaviour of the individuals and the intimidation and the e-mails that go on.

Then he says that he thinks that's the goal of this House. I mean, to go on and say: "To remove any doubt, Mr. Chair, the new inquiry provision in Bill 24 provides for information under nondisclosure provisions to come forward in an inquiry." I think that under the Public Inquiries Act that is clear. Again, because this government is bringing so many bills so fast and going so late at night, we can't always do the verification that we'd like, but we will get to that and find out here in the next day or two whether or not that is correct. I believe that to be incorrect, Mr. Chair.

This is different from the Public Inquiries Act with a mandatory provision for certain matters to be heard in private. I think we're going to find hypocrisy here that this new act allows way more things to be held in private. That's not what we need. We need the open, honest reporting. I think public inquiries are very, very capable and that judges are capable of realizing what needs to be kept private and what can be made public. In the bill it talks about third parties, affecting them. Even though someone on their own wants to come forward, a third party could object and say: oh, I don't think that that's good for you.

What subamendment SA1 does is that it rips everything out of Bill 24 that tries to mimic and fraudulently put forward that it was going to be a public inquiry. It puts it back to where the Health Quality Council is looking after the health quality of the province and looking after those things that are important. Is the hospital running efficiently? Are people waiting too long in the emergency rooms? That's what the Health Quality Council is about. Is the reporting not correct? Are there problems, you know, in the electronic data that are not being put forward? Those are the things that the Health Quality Council are experts at reviewing and looking at.

Dr. Magliocco went to the Health Quality Council and testified for two hours, and when the report came out there was nothing at all about the intimidation going on, like it didn't exist. What was the wording? There was one sentence that said that it appeared that there may be a problem about intimidation inside the system. That's it. They've been going at it for months – months – now. Is it nine months? And what do we have as a result? Next to nothing. Just some papers that talk . . .

**11:10**

**An Hon. Member:** Feathers.

**Mr. Hinman:** Some feathers. Feathers, and more feathers. I don't think there are very many feathered beds anymore in the hospitals because of allergies, but there's sure a lot of feathers and chickens involved in this government that won't get to the root of the

problem and be honest with Albertans, and that's extremely disappointing.

This government needs to do the right thing, and that is put some pressure on their leader and say, "You know what? Maybe we're going to take a few hits here." But after debating as long as they did and they're so worried about the safety on the road, I think they should be worrying about the quality and the safety in our health care system and not about their hides and saying: "We need to cover this up. We've got to make sure that this doesn't get out."

That's all that I see and that I hear people talking about, that this is about sterilizing all of the reports that are coming out and taking out anything bad and filtering it through and making sure that they put out a report and say: "All is well. We've gone through it. All those expert doctors, the best in the world that were here in Alberta and that have gone, we're grateful that they ran and left the province because they were the root of the problem. Now that we've purged all of these people that were advocates for their patients, we have a great system here going forward, and there's not going to be any more problems."

We need a full public inquiry under the Public Inquiries Act. We don't need this government and this health minister coming up with some cheap copy saying: oh, this is going to serve the health quality way better. When you look at what went on in Newfoundland and New Brunswick, both of those inquiries – I think it was in 2007 and 2008 – were done with a full judicial public inquiry under their public inquiry act, and they did a good job. You don't hire the police in your own force to investigate the police in your force when allegations are being brought forward. This is wrong. It's not going to work, and we need this government to admit it, scrap this bill, and call a full public inquiry. There's nothing else that's going to do any better than that.

I've sent out a questionnaire and put up a questionnaire on my website. Again, the one member will appreciate this. They just sent me the percentages, that 76 per cent of the people that responded said that they want a full judicial inquiry and nothing short of that. I believe it's 129 responses that I've received so far. It's overwhelming.

If this government was to actually go out and ask and be honest, the people of Alberta not only want but they deserve a full public inquiry under the Public Inquiries Act, not some phony lookalike that's concocted to put up smoke and mirrors and say, "We're going through the process; trust us; trust us," when in the last nine months they haven't been able to uncover anything. I don't think that these individuals are going to be able to appoint special experts in this area when they seem to be far more focused, which the Health Quality Council should be, on the quality delivery of health care.

Once again, Mr. Chair, that isn't the problem that we're trying to address. That isn't what's causing the low morale with our awesome workers in health care. It's not because of faulty equipment. It's not because of the working conditions or anything else to do with actually performing services for the people of Alberta. This is about intimidation. This is about when a doctor, a nurse, or a maintenance worker comes and says, "This needs to be changed; this isn't working right," and they're told to get back in their place. "Do you want to lose privileges? You don't understand. If something like that needed to be fixed, we would have already fixed it." It's inadequate. It's not going to serve the purpose.

We hope that all members in this Assembly will realize the importance of this amendment SA1 and that it will get voted in the affirmative and that we'll let the Health Quality Council go on being the Health Quality Council. The government can call a

judicial public inquiry – and we can start on one tomorrow – which would be the right and the honourable thing to do. Our new Premier could take one step in trying to reclaim some credibility and start honouring her promises, that she made when she was running to become the next Premier, when she spoke out many, many times that we need a judicial inquiry here. Again, just like the set election dates, how she changes these things – it's amazing to me why she would do that.

But bottom line: this isn't good enough. It's not acceptable. We need to strip out those sections that say we're going to have a public inquiry underneath the control of the Health Quality Council. We need this decision to be judge led. It really should be federal. It has nothing to do with the provincial area. Better yet, we need to be bringing in experts from outside the province that will actually have the knowledge and the expertise to find out what's causing the problems in our health care system.

With that, I'll see if there is anybody else that wants to speak on this amendment. Thank you, Mr. Chair.

**The Chair:** On the subamendment, the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Mr. Chair, if I may just have special permission to make a couple introductions first in the Assembly.

**The Chair:** Shall we revert to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Chair:** The hon. Member for Calgary-Fish Creek, an introduction.

**Mrs. Forsyth:** I'm going to speak to the subamendment, Mr. Chair, but I seriously need to make some introductions. It just proves what a little caucus can do and how dedicated their staff is. It's 20 after eleven, and we actually have staff in the Annex doing double duty, but we've also got some people that are here to watch and have been working very hard. I'm going to start with Brock Harrison, who is our communications director. Then we've got Ryan Hastman, who is the director for the party side who's here watching; and lastly, Bill Bewick, who is our head of research. They need to be acknowledged by us because they're still here because we're here. We double shift, and we do a lot of work. Quite frankly, without these guys we wouldn't be able to function, so I'll just ask them to rise and receive the warm welcome of the Assembly.

### Bill 24 Health Quality Council of Alberta Act (continued)

**The Chair:** On subamendment SA1, continue.

**Mrs. Forsyth:** Thank you, Mr. Chair. I'm actually sitting here with bated breath due to the fact that I've been waiting for members of the government to speak up on the Health Quality Council act because I really believe it's an important act, and I think it's important that we understand how the government feels and where they are on this particular issue.

I'm especially interested to see how the government feels, actually, after – before the hon. Member for Calgary-Glenmore I just brought up the reaction that I got in the House today from question period. You know, I always try and say to the staff or

even to my children, for that matter, that once you've made a mistake – they know that I never get mad because we allow mistakes to happen, and that's how you learn. You learn from your mistakes.

You know, when you've been around long enough, you've got a whole bunch of mistakes in the back of your mind, and you're going to say: no, I'm not going to do that again. I brought that up when we were talking about the drinking and driving legislation. I shared my story of my speedy trip home one day on highway 2 and meeting a wonderful police officer at the time and the embarrassment that caused me as the former Solicitor General and the MLA for Calgary-Fish Creek. I just said: give me my ticket, and I'll go merrily on my way, and I'm sorry. So you learn by that.

11:20

What isn't being learned by the government is the stupidity of the mistakes they continually make over and over again on the Health Quality Council. Mr. Chair, I've been around here a long time, honestly. I've been here since 1993. I'm going to go home after, and I'm going to lay in bed, and I'm going to think: when was the last time I honestly heard a minister answer with such a stupid answer? You know how David Letterman has the top 10, and they start from 10 and they go all the way up to 1? I think he's going to be number 1 on the top 10 – and I don't watch David Letterman – stupid answers or whatever David Letterman calls it.

You wonder why I keep repeating this, Mr. Chair. I don't want you to call on me because you're going to say: the Member for Calgary-Fish Creek has to stick to the amendment SA1. I can see he's looking at his book, so I hope he's not going to call me on a point.

The whole crunch of the answer from the minister today stems from what we're trying to achieve with subamendment SA1, what we're trying to do with all of the amendments we're going to bring forward on this particular piece of legislation, and what we're trying to achieve under Bill 24. He really thinks that he's going to BS Albertans on this particular bill. For a minister of the Crown, when he has got a health inquiry going on that has been going on since March – we had our initial report in March, and then we had our second report in June, and then we had our third report in October that indicates clearly that Dr. John Cowell on TV, on radio, and on paper says: Albertans, ladies and gentlemen, we have a serious problem with physician intimidation, bullying, and harassment in this province.

I keep my little bullying bracelet on my desk, Mr. Chair, for a reason. I think the government should come up with one that says: stand up and stop bullying of our health care professionals in this province. They should have a 1-888 number just so that they can call the government and report the physician intimidation and bullying. They'd probably have a heck of a good fundraiser if they sold these bracelets because they'd probably make a whack of money. Then the doctors wouldn't have to try and go through all of the government: for this number press this, and for this number press this. They can just call the 1-888-I'm-a-doctor-being-bullied number, and I'm going to report it to you just for the fun of it and see what you can do about it.

Mr. Chair, we're going to continue to stand up in this Legislature, whether it's 11:30 at night or 1:30 at night, on behalf of the people who put us here, my constituents in Calgary-Fish Creek, Albertans, and we're going to be here, quite frankly, on behalf of the health care professionals. I'm really looking forward to the response that we're going to see from the AMA president, Dr. Slocombe, who in her last newsletter, that was dated November 28, scrutinized Bill 24. She indicates very clearly in here that

while she's not a lawyer – and I've met Dr. Slocombe, and she's a very, very, very bright lady. She delivers babies. She stood up and said: I'm going to be the president of the AMA, and I'm going to stick up for and represent the doctors that I'm going to be representing and tell what it's like.

We don't need to be reminded that the last AMA president was Dr. Patrick White, and that was the minister of health's friend. He phoned him at 12:30 at night, and it's like we were in a spy movie. "Hey, guess what? I've got a report that the Member for Edmonton-Meadowlark, that doc that's talking about all that physician intimidation, well, he's nuttier than a fruitcake. So maybe we should do something about that." He's now the minister of health. The same bozo that picks up the phone and calls Dr. White is the same person that stands in this Legislature and says that we are blowing smoke and making things up about all of the physician intimidation.

[Mr. Zwodzesky in the chair]

Having said that, I've already spoken twice on SA1. Again we're going to talk about the fact that what the opposition members are doing in this particular piece of legislation, sections 17 to 22 inclusively, is saying: okay; we don't believe what the government is saying and all of the rhetoric that they're speaking about on the health system's inquiries in Bill 24, so what we're going to is that we'll just go into the Public Inquiries Act. I think people don't need to be reminded that the last time we had the Public Inquiry Act, I think it was called the Code report – oh, Mr. Chair, welcome. Bright and fresh, I see.

**The Deputy Chair:** You bet.

**Mrs. Forsyth:** Us not so bright and fresh, but you, sir, bright and fresh and smiley.

So we're going to support this amendment, and we're going to bring forward some more amendments after that. We will hope that through this – I know my colleague for Airdrie-Chestermere is anxious to get up and speak and probably a little disappointed that his Oilers lost in a shootout, unfortunately. I'm sure the boys up there got their money's worth at a good game tonight. We were trying to run back and forth and check that score out.

Mr. Chair, having said that, I'm going to encourage all members – and when I say all members of the Assembly that means the PC government, and they're all very, very busy; I don't know what they're busy doing, but they're busy – to support this. Well, not you, Minister, because you're just sitting there very quietly. The Member for Edmonton-Whitemud is just very quiet. I'm looking forward to him standing up and speaking on this piece of legislation. He's been around as long as I have, and I know that he can be very passionate about things that he believes in because he happened to be the Justice minister when I was Solicitor General. I've been around him when he's been very passionate about a particular issue. I can see that he's excited about this bill and that he wants to stand up and speak about this bill. I can see the adrenalin.

Having said that, I'll leave it to the next person.

**The Deputy Chair:** Thank you.

We're on amendment SA1. Other speakers? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Yes, SA1. Thank you, Mr. Chair. It's great to be here and have the opportunity to debate this bill and this amendment.

**Mr. Mason:** You had a nap, didn't you?

**Mr. Anderson:** Oh, yes, I had a nap. Actually, I did not. I took some time to go to Vegreville. Vegreville is a good place to be sometimes.

**Mrs. Forsyth:** You didn't bring me my egg.

**Mr. Anderson:** No, but there's Tim Hortons coffee out in the room. So for anybody in the opposition, go out there and get that.

On SA1. Obviously, the point of Bill 24 is very clear. It is a delay tactic. The majority of this bill is written to delay what the Premier promised during her election campaign, which was a full judicial public inquiry completely open to the media – no one would be exempt – into the fear and intimidation that doctors and many health care workers are clearly feeling from AHS officials and, in some cases, from members of the government.

**11:30**

The Premier made it very clear in her leadership race – she made it an absolute pillar of her platform – that she would call a full independent public inquiry prior to the next election. So the reason we're here today debating into the night is because of a broken promise by the Premier.

We have a Public Inquiries Act. The Public Inquiries Act gives full authority for the Premier or for the Executive Council to call a public inquiry. That is all she has to do. She just has to write the note and stamp it, deliver it, and off we go. We have a public inquiry. She could do it tomorrow.

So if the question is, "Why are we here at 11:30 and probably later tonight and into next week" and so forth, if that's what we're doing, and it looks like we are, that's the reason. That's the reason. It's because we have a Premier – and I don't even want to blame them entirely because I know most of the government members over there supported a different individual for the leadership, so I'm not going to even blame them at this point. I am going to blame the person who made the promise. The person who made the promise made it very clear that she was going to call a full public inquiry before the next election. That was enough, I am sure, positive, to get her the 1,600 extra votes that she needed to win that election.

Right now the Premier of this province, if she had not made that promise that she broke, would probably be Gary Mar. I've got to tell you that if I'm the guy who voted for someone other than the Premier, I would be pretty incensed right now about having that promise broken. I'd be furious. She makes a promise that she can't keep or that she doesn't plan to keep. She can keep it, but she doesn't plan to keep it. She makes the promise and then just blatantly breaks it. It's just exceptionally disappointing. I couldn't imagine being someone who had supported another candidate over there seeing that. That almost certainly made a 1,600-vote difference in the end result along with her fixed election date promise and along with a whole bunch of other promises that she made and didn't keep so far, but this one most of all.

You know, the attempt here is to put into the Health Quality Council of Alberta Act the ability of the Health Quality Council to optionally request a public inquiry into issues affecting health quality and health-related matters. It's completely optional. It's optional whether it's a judge-led inquiry – and we'll get to that – but the amendment to 17 in this act basically makes it completely optional. The council actually recommends that they use a judge for a health inquiry, but they can only make a recommendation to the executive that it be a judge, and the Executive Council, meaning the government, doesn't need to approve that recommendation or doesn't need to agree with it.

Let's review. That means that it's completely optional whether it's a judge-led inquiry. It's completely optional whether it's open to the media or whether the minister or somebody else can just go outside or go behind closed doors and be questioned, and that's it. And it won't be held before the next election. So somehow she got out of all three of the promises that she made. That is pretty misleading on the part of the Premier to make that promise and have no intention of keeping it.

So, absolutely, I would love to support this amendment because what it would do is that it would clearly take these powers of public inquiry, or kind of quasi-public inquiry, away from the Health Quality Council and out of this bill because it's not needed. It's clearly not needed. The good parts of this bill – there are some good parts to Bill 24. One is that all of a sudden the Health Quality Council is responsible to the Legislature as opposed to the government. That's a good change, so this amendment keeps that change. But the change that it doesn't keep is this business about giving the Health Quality Council the opportunity to call a health inquiry, which is clearly not the right move. The right move is to do exactly what the Premier promised she would do, which was to call a public inquiry under the Public Inquiries Act.

You know, we've talked with many different doctors. I'll tell you: the Member for Calgary-Fish Creek has talked to I don't know how many health professionals over the last two years since we've been with the Wildrose, and there really is a culture of intimidation out there. You know, that culture of intimidation was made very clear – actually, it was about a year ago today, I think. It was about a year ago today, I think, that the opposition leader – was it Tuesday?

**Mr. Chase:** November 22.

**Mr. Anderson:** Oh, November 22. It's a little over a week and a year ago today that we witnessed some of this.

You know, I don't know what the intentions of the health minister on that day were. I have no idea of the intentions, whether he was well intended or whether he was not, but I'll tell you what the end result was. The end result was that we had a situation where we had a member in this Chamber, a doctor who was standing giving a speech, giving a couple of speeches in an all-night session about health care in this province. He was going on at length about the need for, well, various things, but the end result being that he was worried about this ER crisis and patient care. His father, of course, who has since passed away, at that time was suffering greatly and had some problems in the ER. He was waxing, obviously, a little bit emotionally about that, as you would think one might be in a situation like that.

This health minister decided that he would give a call in the middle of the night to Doctor P.J. White, the head of the AMA, and decided that he would – we don't know exactly the details of that conversation; I, therefore, won't speculate. The end result was that the opposition leader received a call from a colleague who said – and I listened to the phone message, actually listened to it that night and have listened to it two or three times since. On that phone message it was made very clear – well, the Official Opposition leader was told by that individual that Dr. P.J. White, head of the AMA, had been called by the now health minister.

**The Deputy Chair:** Hon. member, the subamendment is what we have under discussion.

**Mr. Anderson:** Absolutely. This is part of that health inquiry that I'm assuming they would look into. I'm trying to say why it's so critical that we have a public inquiry and not just what this amendment talks about, this kind of quasi-inquiry. I'm trying to



explain the importance of getting that out, of being able to freely subpoena folks like the health minister and being able to make sure that it's a judge that subpoenas people like that to get the full story out there. They need to talk to everybody involved. Maybe it's me. Because I listened to the call on the day of, maybe I need to be subpoenaed and go before the public health inquiry on that. Who knows? I don't know. I don't know what the judge would want to look at.

11:40

The point is that we had a situation in which that member was called by his friend, and it was told to him that Dr. P.J. White had called him and was concerned. His words were: concerned about your mental state. This is part of the inquiry that will need to take place under this amendment. If we get this out, we can have a public inquiry about this.

Anyway, to make a long story short, the next day representatives from the College of Physicians and Surgeons showed up at the Leader of the Opposition's member's office to talk to him about his mental state.

**Mr. Mason:** To do an evaluation.

**Mr. Anderson:** To do an evaluation of his mental state. And, of course, when that happens, if the evaluation doesn't go well, the insinuation is that the member would have lost his licence to practise medicine.

Like I said very clearly, I don't know the intentions of the now health minister. Maybe he was, as he says, completely just looking out for a friend or something like that. Maybe that's true. I don't know. But the end result was that the Leader of the Official Opposition certainly, I know, felt very intimidated, felt essentially under attack. It was really troubling for him.

This was a very public example, and it was just one example. It was one of those few examples that you see out in the public because most of this stuff doesn't happen as publicly as that one did. That should raise alarm bells. If that's what's happening now, if that's what happened a year ago, you know that this sort of thing is happening out there. And if it's not necessarily always going to involve at the time the deputy or the parliamentary assistant to the health minister, it could have involved other people.

We know of the case of Dr. Maybaum, of course, where he spoke out because he was advocating for a wing of the children's hospital that dealt specifically with children with developmental disabilities, and it wasn't going to get funded as promised for some reason. I forget why. Anyway, Dr. Maybaum was advocating very vocally for this.

In a letter that he supplied to the *Calgary Herald* that was public – it was made public; it was tabled in this Legislature. In that letter he showed an e-mail from his superior, at the time the Calgary health region, that said that he needed to stop advocating – basically, he needed to shut up about this new children's wing because there were people, quote, high up in the government that want your head on a platter.

Now, I don't know what high up in the government means there. Did it mean the health minister at that time? Did it mean the head of the Calgary health region? Who did it mean? Who knows who it meant? [interjections] That's right; high up in the government. That's right. Maybe that's what it meant, too.

The point is that there were people high up in the government, according to this senior officer at Calgary health region, that said: wanted Dr. Maybaum's head on a platter. This is one of the best physicians in the city. How on earth – how can one not feel intimi-

dated? It's not like Dr. Maybaum can just go and say: "You know what? I'm going to stop working for the Calgary health region. If they're going to treat me like that, I'm out of here." Well, he could do that, but he'd have to leave the province. He'd have to leave.

I guess the big point here is that if we're going to have a Health Quality Council of Alberta Act that allows for this, we do not need what this is calling for. What's in the Health Quality Council of Alberta Act seems to be calling for . . .

**Mr. Hinman:** Indiana Jones.

**Mr. Anderson:** The Member for Calgary-Glenmore is exceptionally excited about Indiana Jones, apparently, and I've lost my train of thought. I've lost my train of thought.

My point is: how are we supposed to attract world-class physicians and retain world-class physicians in this province when they are treated this way? Whether it's Dr. Magliocco, who speaks out about the Tom Baker cancer lab being closed, which is now officially closed – he speaks out and says: look at the special expertise here; it is going to be devastating if we lose this. Devastating. He's told – what was the quote? – basically, to shut up and not say anything or he would regret it. If he kept speaking out about that, he would regret it.

I don't understand how that health minister, if he was really interested in getting to the bottom of this mess, can sit there and say, "Okay; well, we're so interested in getting to the bottom of this mess that we're going to pass a bill that is going to delay the process, essentially indefinitely, until after the next election," so that we don't have to deal with this before the election. Then it's going to be optionally led by a judge. It's going to be optionally open to the public. Only certain people are going to be compelled to testify but not others when it's not in the public interest, whatever that means.

I say that I have to question the motives of this bill because why would you need a Health Quality Council act? Why do you need this act if you have a Public Inquiries Act already? It's ready to go. We could call it tomorrow. We could get to the bottom of this. We could subpoena who we needed to subpoena. Not we; the judge could. The judge could do it in an independent fashion, and he could subpoena . . . [interjection] That's right. He could talk to Dr. P.J. White and see what he knew. Put him under oath and figure out what happened with what we just talked about earlier but also with all the health problems. He could talk to the now Minister of Finance, who was health minister before that, and the now Minister of Human Services, who was health minister before that, and the Member for Sherwood Park, who was health minister at one time before that, and so forth, and another health minister that we won't bring into the debate because he's sitting over there.

The point is that we could get these folks to come out and let us know what happened in the system, their staff members and the Leader of the Official Opposition and all the folks that have any knowledge of what's happened to cause this culture of fear and intimidation, so that we can get to the bottom of it. But I fear that if we don't pass this subamendment and then don't use the Public Inquiries Act to get to this information, we are going to not get to the bottom of this, and we certainly won't get to the bottom of this before the next election. I feel that the members opposite, specifically on that front bench, have a duty, especially given that they serve a Premier that made a promise, a clear promise to Albertans that she would get to the bottom of this before the next election so that they had the information that Albertans needed to make a proper choice, to see if their interests in health care have been protected by this government.

She made a promise, and she has failed to deliver. She has every ability right now to call this, and instead she's using this act to get around her promise. It is despicable that she has chosen to do that. I've got to say that at least the other member, Gary Mar, who probably would have been the Premier today – I don't think he would have done that. I think he would have kept his promises.

**The Deputy Chair:** Thank you, hon. member.

We're on subamendment SA1. Are there other speakers to the subamendment? Hon. Government House Leader, proceed.

11:50

**Mr. Hancock:** Thank you, Mr. Chairman. I've been listening attentively all evening. What I've heard is members, first of all, complaining that they don't have the time to debate and then being absolutely and completely repetitive. I don't know how many times I've heard the hon. Member for Airdrie-Chestermere talk about exactly the same things. In fact, I think he's probably reading the same speech because it's almost word for word what he said the other day, this afternoon. I mean, it's over and over again.

I don't see the point. There's nothing new being brought forward. In fact, most of the debate isn't even on the subamendment. Therefore, Mr. Chairman, I would move that we adjourn debate.

[Motion to adjourn debate carried]

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I'd move that the committee rise and report progress on Bill 24. And I do hope that *Hansard* can write "progress" in the quite appropriate way.

[Motion carried]

[Mr. Zwozdesky in the chair]

**The Acting Speaker:** The hon. Member for Leduc-Beaumont-Devon.

**Mr. Rogers:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on Bill 24. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Thank you. So ordered.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:52 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Thursday, December 1, 2011

Issue 44a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Anderson  
DeLong  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Development

Chair: Mrs. Jablonski  
Deputy Chair: Mr. Chase

Amery  
Blakeman  
Boutilier  
Calahasen  
Goudreau  
Groeneveld  
Lindsay  
Snelgrove  
Taylor  
Vandermeer

### Standing Committee on Education

Chair: Ms Pastoor  
Deputy Chair: Mr. Hehr

Anderson  
Benito  
Brown  
Cao  
Chase  
Leskiw  
Marz  
Notley  
Sarich  
Tarchuk

### Standing Committee on Energy

Chair: Mrs. Ady  
Deputy Chair: Ms Blakeman

Hehr  
Hinman  
Jacobs  
Johnston  
Lund  
Mason  
McFarland  
Rodney  
Webber  
Xiao

### Standing Committee on Finance

Chair: Mr. Renner  
Deputy Chair: Mr. Kang

Allred  
Anderson  
Drysdale  
Fawcett  
Knight  
Mitzel  
Prins  
Sandhu  
Taft  
Taylor

### Standing Committee on Legislative Offices

Chair: Mr. Blackett  
Deputy Chair: Mr. Lund

Blakeman  
Brown  
Evans  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Ouellette  
Quest

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Elniski  
Evans  
Hehr  
Knight  
Leskiw  
Mason  
Pastoor  
Rogers

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Knight
Boutilier	Lindsay
Calahasen	McFarland
Doerksen	Sandhu
Drysdale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Snelgrove

Amery	Mitzel
Boutilier	Notley
Calahasen	Pastoor
DeLong	Quest
Doerksen	Stelmach
Forsyth	Swann
Jacobs	Tarchuk
Knight	Taylor
Leskiw	Zwozdesky
McFarland	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Goudreau

Allred	Kang
Benito	Mason
Calahasen	Rodney
Chase	Sandhu
Elniski	Vandermeer
Fawcett	Woo-Paw
Forsyth	Xiao
Groeneveld	

### Standing Committee on Public Health and Safety

Chair: Mrs. Fritz  
Deputy Chair: Ms Pastoor

Bhardwaj  
Blackett  
DeLong  
Doerksen  
Forsyth  
Notley  
Ouellette  
Rogers  
Swann  
Woo-Paw



## Legislative Assembly of Alberta

1:30 p.m.

Thursday, December 1, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Guide us all in our deliberations and debate that we may determine courses of action which will be to the enduring benefit of our province of Alberta. Amen.

Please be seated.

### Introduction of Guests

**Mr. Cao:** Hon. members, I would like to take this opportunity to recognize a group of individuals in the galleries today who play a key role in the democratic process in our province of Alberta. The staff who work in our constituency offices often provide a first point of contact for our constituents and represent our offices and this Assembly. These special individuals are here today participating in the winter constituency employee seminar, which provides an opportunity for them to network with other LAO staff and obtain an overview of the numerous programs and services available through the LAO. Each year the service and contribution of these individuals is celebrated with the employee recognition dinner, which the Speaker will be hosting this evening. Today over 70 constituency office employees are here with us from all corners of the province, and I would like them to now please rise and receive the warmest welcome and recognition from the House.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my honour today to bring two introductions. First, I'd like to introduce to you and through you to all members of the Assembly three representatives of the Edmonton YWCA Rose Campaign. The Rose Campaign is a national advocacy campaign to end violence against women and girls. It takes its name from the original rose button, created almost 20 years ago to commemorate the 14 young women who were tragically murdered on December 6, 1989, at École Polytechnique in Montréal. Each year December 6 marks Canada's National Day of Remembrance and Action on Violence against Women. On this day and every day we need to acknowledge the horrible harm that violence does to our families, communities, and society and take a stand against violence and abuse. By wearing a rose button, Canadians can help raise awareness about violence against women and show their support.

I'd ask these three guests to rise as I call their names: Amanda Vella, president of the YWCA Edmonton; Julianna Charchun, vice president and chair of the advocacy committee of YWCA Edmonton; and Jackie Foord, chief executive officer of YWCA Edmonton. Please give these women the traditional warm welcome. In accordance with your directions the rose buttons are available at the doors for members, and I would ask them to proudly wear them.

Mr. Speaker, I'm also pleased to introduce to you and through you to all members of the Assembly four young community leaders from Alberta's Youth Advisory Panel. These enthusiastic and inspiring youth provide our government with valuable advice that helps shape programs that make a difference for Albertans. I'm excited to meet with all 18 panel members in the new year

along with the newly appointed Youth Secretariat chair, the hon. Member for Calgary-Mackay, who is incredibly passionate about Alberta's youth and deeply committed to reinvigorating the panel's important role in shaping social policy. We look forward to hearing the panel's perspectives, learning from their experiences, and working to promote their innovative ideas for creating positive change.

With us today: Nicole Baker is working towards a bachelor of science degree and mentors young women about pursuing postsecondary education and careers in science. Samantha Sperber is in her second year of a bachelor of science degree at Grant MacEwan University. She plans to transfer to the doctor of optometry program and one day help improve the visual health of people in developing nations. Joseph Kubelka is a political science and business student at Grant MacEwan University. He's passionate about governance and volunteering, evidenced by his participation on the student council, the UN Club, and the Academic Policies Committee. Loryn Marcellus studies business administration at NAIT. He's a strong advocate for at-risk youth, serving as chairperson of a committee dedicated to ending youth homelessness in Fort McMurray. Nicole, Samantha, Joseph, and Loryn, please rise and receive the traditional warm welcome and thank you from this Assembly.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly staff here today from the Mental Health Patient Advocate Office. The Mental Health Patient Advocate Office is the only provincial investigative body in Canada created specifically to look into complaints and concerns from or relating to persons under certificates in mental health facilities or under community treatment orders. The advocate office works to promote and protect the rights of mental health patients and those acting on their behalf by ensuring that they are informed about their rights under the Mental Health Act. The office is a valued resource to patients, families, and health care providers and helps Albertans navigate the mental health system by providing referrals and links to all other programs and oversight bodies.

Mr. Speaker, I would ask that each guest rise as I say their name: Fay Orr, Mental Health Patient Advocate of Alberta; from Fay's office, Carol Robertson Baker, Beverly Slusarchuk, Ryan Bielby, and Ronda Gauthier. I'd ask all hon. members to join me in welcoming these guests.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly the future MLA for Stony Plain. His name is Arlin Biffert. He's a bright, young individual who works in public relations. More importantly, he has been knocking on doors for the better part of the year, listening to the constituents of Stony Plain. He wants to improve the lives of the First Nation groups and all of those who live in Stony Plain with better health care, better education, better opportunities for men and women in his future constituency. He's accompanied by Wade Izzard, another hard-working, young volunteer who has been getting to the doors with him. I ask all members of the Assembly to give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. I do indeed have an introduction today on behalf of the hon. Member for St. Albert. It's an honour to introduce to you and through you to the members of the Assembly Mr. Liam Connelly, a resident of St. Albert. Mr. Connelly instructs a business course at Concordia University College. He wanted his students to have a chance to see government at work, tour the Legislature Building, and to visit the library as well and see for themselves what a great Alberta treasure they have. With him today are some of his students. They are Drew Koning, Margaret Batty, Matt Jones, Chris Aloy Mora, John Panas, and Cara Kahlke. They are all seated in the members' gallery this afternoon. I would ask that they rise and we give them a warm Alberta Legislature welcome.

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. It's no surprise to members of the Assembly that I have been bringing the views of a number of my constituents into the Legislature during the debate on Bill 26, the Traffic Safety Amendment Act. A number of those people are small- and medium-sized business owners in the hospitality sector that are in my fabulous constituency of Edmonton-Centre. I know that a number of them have joined us today. I'm just not sure how many and which ones actually came. Rather than introduce them by name, I'm going to ask that any people that are here representing that hospitality sector and concerned about their livelihood and the effects of Bill 26 on their livelihood, please rise and accept the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Hello, Mr. Speaker. I'd like to introduce to you and through you to this House a great Albertan and a great business leader in Calgary, Mr. Chris Challis. Chris is the former president and CEO of Phoenix Oilfield Hauling, a public company, and also the former president and CEO of EnQuest Energy Services, also a public company. He's a great Scout leader, and he's on the board of the Tuscany Residents Association. He's married with two kids, speaks fluent French, German, and English, and is the Wildrose candidate for Calgary-North West. If he could stand and receive the warm applause of this Assembly, that would be great.

1:40

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

**Mr. Mason:** Thanks, Mr. Speaker. Today I'm very pleased to introduce to you and through you to the Assembly two special guests. Our first guest is Amee Barber, who is a PhD student in political science at the University of Alberta. She works now for the Alberta NDP caucus as a research officer and has been with us for several months, and we're very, very pleased to have her on our team. Sitting next to her is her grandmother, Dorothy Ritchie, who is a leading member of the Women's Royal Canadian Naval Service, that is the WRENS, and served in the Second World War. I would like now to ask Amee and Dorothy to rise and receive the traditional warm welcome of our Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Mackay.

### Youth Secretariat

**Ms Woo-Paw:** Thank you, Mr. Speaker. Alberta is home to thousands of inspiring and talented children and youth whose enthusiasm, new ideas, and leadership in their communities help make our province to be a better place to live every day. Youth are Alberta's future, but they are also our present. There are no limits to what we can learn from our young people when we truly listen to their opinions and experiences and when we work side by side with them to find solutions to challenges we face together as a society.

Mr. Speaker, I'm so honoured that the hon. Minister of Human Services has given me the opportunity to serve as the new chair of Alberta's Youth Secretariat. As chair it is going to be my duty to help ensure young people continue to play an important role in contributing to social policy in effecting positive changes and in creating the vibrant and prosperous Alberta that they envision for their future children and grandchildren.

Mr. Speaker, in the new year I will have my first opportunity to meet with members of Alberta's Youth Advisory Panel, 18 young Albertans between the ages of 15 and 22 who provide advice to our government about programs and services that help young people. Created in 2000, the panel has made key contributions in the development of the Alberta mentoring partnership, Alberta's gang reduction strategy, the Premier's Council for Economic Strategy, and Inspiring Education: A Dialogue with Albertans.

I look forward to meeting with these inspiring young leaders, hearing their ideas, drawing from their experiences, and reporting back to this House through the hon. Minister of Human Services to highlight their contributions to our province.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

### Fundraising for Leadership Campaigns

**Mr. MacDonald:** Thank you very much. There is still no legislation in Alberta governing fundraising rules for political leadership campaigns. This has allowed some practices that many consider unethical. Over the course of the last few days I've attempted on behalf of concerned taxpayers to find out just how much taxpayer subsidized cash our Premiers have received and are receiving from the PC Party through the benefit plan trust scheme.

The government has evaded these questions, but a little digging reveals some troubling facts. True Blue Alberta was set up in 2005 as a legal vehicle for raising money and paying expenses for the former Premier's leadership campaign. According to a 2007 investigative report by the Ethics Commissioner True Blue Alberta had no other purpose than this. Yet according to the member disclosure statements of the former Premier under the category of Income, Other he received taxable allowances of at least \$5,000 from True Blue Alberta in 2008. His spouse received taxable allowances of at least \$5,000 in 2008 and '09.

If True Blue Alberta had no other purpose than fundraising and reimbursement for the 2006 leadership campaign, why were these individuals still being paid two and three years later? Where did this money come from, and why, interestingly enough, does a corporate registry search show annual returns are outstanding for True Blue Alberta for the last five years even though they are paying out taxable allowances during that time?

My job as a member of the Legislature is to ask questions, sometimes tough, uncomfortable questions. I'd submit that the current Premier and the ministers responsible for the laws

governing these issues are compelled to and should answer my questions.

Thank you.

**The Speaker:** The hon. Member for Sherwood Park.

### International Day of Persons with Disabilities

**Ms Evans:** Thank you, Mr. Speaker. This Saturday, December 3, is International Day of Persons with Disabilities, a day of celebration both here in Alberta and around the world. It is a day committed to celebrating the lives of persons with disabilities and those who support them.

In 1992 International Day of Persons with Disabilities was proclaimed by the United Nations as a way to promote understanding of disability issues and the rights of persons with disabilities. Mr. Speaker, nearly 15 per cent of Albertans over the age of five have one or more disabilities.

This year International Day of Persons with Disabilities will be celebrated across the province with special events and presentations of awards from the Premier's Council on the Status of Persons with Disabilities, of which I am proud to be a part. Presenting these awards helps us realize the positive impact persons with disabilities have on every aspect of the political, social, economic, and cultural life in our communities.

This year's awards are: an award of excellence in public awareness for Janine Halayko and John Collier for the You Can Ride Two program in Edmonton, an award of excellence in employment for Champions Career Centre in Calgary, an award of excellence in education for Sandra Hukalo of St. Gabriel school in Edmonton, an award of excellence in community for the Medicine Hat accessible playground initiative, and the Dr. Gary McPherson leadership award for Dr. David Legg in Cochrane.

Increasing awareness of the issues that affect the lives of persons with disabilities is an important first step in removing barriers in society and in our communities. December 3 also provides a great opportunity to learn more about the need in our communities for people to be included because they're part of our society and who also have a disability. They have so much to offer.

Mr. Speaker, as part of our efforts to promote this day, I invite all members to participate in their community.

**The Speaker:** The hon. Member for Edmonton-Manning.

### Human Rights Day

**Mr. Sandhu:** Thank you, Mr. Speaker. I rise today to discuss international Human Rights Day. For the last 63 years the international community has recognized December 10 as international Human Rights Day. It commemorates the day in 1948 that the United Nations general assembly adopted the universal declaration of human rights.

The declaration arose directly from the experiences of the Second World War and represents the first global expression of rights to which all human beings are entitled. Since that time this declaration has become the most translated document in modern history. It's available in more than 360 languages, and new translations are still being added.

The declaration set out for the first time in history fundamental human rights to be universally protected and provided a common standard of achievement for all peoples and all nations. It has enabled remarkable progress in human rights and has inspired human rights frameworks across the globe, including Alberta's human rights legislation, the Alberta Human Rights Act.

The United Nations office of the high commissioner for human rights has proclaimed this year's theme for Human Rights Day: Celebrate Human Rights. It pays tribute to all human rights defenders and encourages others to get involved in the global human rights movement.

December 10 is a day to reflect on the meaning, importance, and need for human rights and to recognize the work of human rights defenders world-wide, who act to end discrimination. Progress is made by the people, Mr. Speaker, and each one of us has the potential to make a difference. On December 10 I encourage all Albertans to do just that.

### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### Public Health Inquiry

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier decided to appoint a judge to review MLA pay, and, presto, in just two weeks a Supreme Court justice miraculously appeared. Yet we have been asking for a judge . . .

### Speaker's Ruling MLA Compensation Review

**The Speaker:** Hon. member, please sit down. You're absolutely wrong, and that question is out of order. The Speaker of the Legislative Assembly appointed the panel as per the direction of the Members' Services Committee.

Go on to your next question.

1:50

### Public Health Inquiry (continued)

**Dr. Sherman:** Yet we have been asking for a judge to lead a public inquiry under the Public Inquiries Act into what are incredibly serious problems in our public health care system, some of which are actually life-threatening. What's more, we've been asking for this for more than one year. What does the Premier see in MLA pay that is so much more important than saving Albertans' lives and protecting our public health care system?

**The Speaker:** Second question. Go on.

**Mr. Horner:** Well, thank you, Mr. Speaker. Thank you for the clarity around who actually appointed the judge to the MLA review.

It's a singular review versus something that we want to have as an ongoing protection for Albertans around the health care system. The Health Quality Council has been investigating issues as they related to the allegations that have been brought forward, in fact, by this member, again without a lot of proof. Again, we have a piece of legislation in front of this House which will allow a judge-appointed inquiry to be held.

**The Speaker:** The second supplemental on that first set, leader.

**Dr. Sherman:** Can the Premier simply tell us why it's more important for MLAs to get a pay raise than to keep her promise to conduct a public inquiry into the financial mismanagement of AHS, cancer deaths, the ER crisis, and physician intimidation?

**Mr. Horner:** Well, Mr. Speaker, as you very well know and will probably admonish the hon. member, this government doesn't

give MLAs pay raises. The Members' Services Committee does that in consultation and in an open and public process. I think that it's almost shameful the amount of politicizing this hon. member has made of some very serious allegations which we take very seriously and will move to investigate.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### PC Party Benefit Plan Trust

**Dr. Sherman:** Thank you, Mr. Speaker. What's really a shame is that it's been a sad week for democracy in this province as Albertans have witnessed government stonewalling at its finest. First, the Minister of Justice refused to answer very basic questions regarding taxpayer funds used to top up the Premier's salary. Now the Premier has jumped into the act by intentionally confusing the issue in this House.

**Mr. Hancock:** Point of order, Mr. Speaker.

**Dr. Sherman:** Will the Premier be honest and tell Albertans how much taxpayers' money is being used by the PC Party to top up her salary?

**Mr. Horner:** Mr. Speaker, the hon. member is trying to mislead Albertans by stating that these are taxpayer dollars. The actual fact is that these are donations to the Progressive Conservative Party. They are listed in the members' disclosures, and I note that the unelected leader of the Wildrose Party gets paid by her party. I note that even members' disclosure statements for the hon. leader of the fourth party, the NDP, have made disclosure in which his party reimburses him for expenses, a perfectly legitimate thing to do. [interjections]

**The Speaker:** We have another point of order.  
The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. These are donations that are tax receipted, and the hon. leader of the Wildrose Party at least disclosed what she's getting paid.

Given that the Premier, who is leader of the PC Party, can at any time she wishes inquire about her party's use of tax-credited public funds, will the Premier agree to release all the details regarding the PC Party benefit plan trust that uses taxpayer dollars to top up her \$300,000-a-year salary? [interjections]

**The Speaker:** A third point of order.  
The hon. Deputy Premier.

**Mr. Horner:** Mr. Speaker, the hon. leader should really utilize the resources that are available to him in this House because the reality is that we all disclose the revenue which we receive, and the former Premier and this current Premier will follow those rules and did follow those rules. In fact, the members' public disclosure statements listed the amounts, which is where they got their research from. It was based on a public disclosure that will continue to be done as per the rules of this House.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that Alberta's Premier is already the highest paid in the land and given that many Albertan families – Albertans with PDD, Albertans on AISH, and seniors on fixed incomes – are struggling just to put food on the table this Christmas, can the Premier please tell the people of

Alberta and the people on AISH why they're still waiting for the \$400-a-month increase in benefits that she promised them, when all this taxpayer money is going to top up her \$300,000-a-year salary and benefits.

**Mr. Horner:** Mr. Speaker, the hon. leader should really do his homework. He should actually present facts in the Legislature. He's good at doing the innuendo. He's good at doing the politicizing of some very serious issues.

Mr. Speaker, all of the revenue or income that we receive as Members of the Legislative Assembly and from other sources as part of the rules are in the members' disclosure statements. The Premier and I and you and he, I hope, although he doesn't list any expenses reimbursed to him by his party, which is odd – that's what we would do as Members of this Legislative Assembly.

**The Speaker:** Hon. members, from what I can discern from these first two sets of questions, we have three points of order arising thereof.

The Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you, Mr. Speaker. To the Minister of Justice: why are the Premier and the Minister of Justice refusing to answer this very important question? How much money in tax credits is being used to finance the PC Party's benefit plan trust for the Premier?

**Mr. Olson:** Mr. Speaker, our party is committed to openness and transparency. That's why we have this legislation. That's why we use it. It's working well. We have no plans to change it. Everybody has to make disclosure. Again, I say that it's working well.

**Mr. MacDonald:** It's working well for some.

**The Speaker:** Member, question please.

**Mr. MacDonald:** Now, again to the same minister: how much money will the Premier receive under the PC Party's benefit plan trust that is being set up now and is being subsidized by the taxpayers of this province through the political tax credit process?

**Mr. Olson:** Mr. Speaker, as I said, the legislation is working well. I don't need to know how much money his party is paying his leader. I don't know if it is. It's not for me to find out, and it's certainly not for me to disclose. Every party can disclose it if they wish. I know the third party discloses it. That's fine. Others disclose it. All leaders have to show what they're receiving. It's being done now. It's fully open and transparent.

**Mr. MacDonald:** To the same minister: if this is all working so well, why did a standing committee of this Assembly compel or order the Minister of Justice and Attorney General to bring back to that committee a detailed discussion paper to include issues about how the legislation around this is working, how it is to be implemented, and how it is to be recommended? If this is working so well, why was this recommendation made to your department?

**Mr. Olson:** Mr. Speaker, we're always open to improving legislation. But if there are concerns about political contributions, that's what the independent Chief Electoral Officer is for. So if somebody wants to raise some issues about impropriety, let them speak to the independent Chief Electoral Officer.

**The Speaker:** The hon. Member for Calgary-Glenmore.

### Critical Electricity Transmission Infrastructure

**Mr. Hinman:** Thank you, Mr. Speaker. Last Tuesday the Energy minister refused to confirm that the cost overruns for the three transmission lines under Bill 50 have reached half a billion dollars. He avoided saying what the government was doing about it and said that we are just speculating. Now we've heard that the spending is over \$1 billion, all of which falls on Alberta ratepayers if the minister continues to deny and delay. To the Energy minister: are you still going to say that we're speculating when you know that this is the truth?

**Dr. Morton:** Mr. Speaker, how would I know that that's the truth when the source of their information is: we've heard. That's a terrific source.

What I can tell the Assembly is that we continue to work with the review, respecting the independence of the AUC. We look forward to appointing a review committee next week.

**Mr. Hinman:** Well, this is the problem about misleading the public. We have the documents here, and we will table them.

Given that I have a copy of the newest monthly report from the Transmission Facility Cost Monitoring Committee, showing that these companies have now spent \$1.03 billion on three projects, and given that these power line companies have a guaranteed rate of return on their approved capital investments, will the minister please inform this House on whether they have a guarantee of \$103 million to AESO, or have you and your cabinet, behind closed doors because of Bill 50, authorized the \$1.03 billion that's been spent 10-fold?

**Dr. Morton:** Mr. Speaker, I'm quite confident that when these documents are tabled, the word "spent" will not appear in those documents.

2:00

**Mr. Hinman:** It's disgusting that this government doesn't stick up for the taxpayers.

**The Speaker:** Okay. Let's ask the question, please.

**Mr. Hinman:** Sure. Given that the Alberta ratepayers need you to act now in their interest, not in your party's interest, and given that a lot of this spending is on contracts that could still be cancelled, will the minister and the Premier set aside their pride and do the right thing and tell these companies that Albertans will not fund the billion-dollar overspending and that they should cancel all their contracts until your review of those lines is completed? You've given them authorization.

**Dr. Morton:** Mr. Speaker, for months we've listened to the members of the third party talk about the sanctity of contracts and property rights. Now they're running around saying: let's cancel contracts. They'd better make up their mind.

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

### Electricity Prices

**Mr. Mason:** Thank you very much, Mr. Speaker. Since deregulation electricity rates have continued to rise for the average Albertan. In December about 70 per cent of residential users in Alberta will pay 13 and a half cents per kilowatt hour, the highest monthly rate since 2002. Will the Minister of Energy admit that deregulation is a failure that allows large corporations to gouge homeowners and small businesses, and will he undertake to

reregulate power rates in this province in order to protect those consumers?

**Dr. Morton:** I know this will come as a surprise, Mr. Speaker, but no, I will not say yes to the hon. member's allegations. What I will say yes to is that when fairly compared, the electricity rates in this province compare middle of the pack with other nonhydro-based markets. I'm also happy to repeat – I don't know; they must never listen to the answers we give – that unlike Quebec with a \$36 billion debt or Ontario with a \$62 billion debt, there is a zero-dollars debt in this province for generation.

**Mr. Mason:** Mr. Speaker, will this minister admit that since power companies in Alberta are private, there is an equivalent amount of private debt that is still supported by the ratepayers of this province through their electricity bills? Will he admit to this House that he is using a complete red herring in order to confuse the matter so that he can get out of answering the question of why the people of Alberta are experiencing extremely high electricity rates that just keep going up?

**Dr. Morton:** Mr. Speaker, the red herrings and the confusion are coming from that side, not this side.

As I repeat yet again – yet again – in Alberta, fairly compared to nonhydro jurisdictions, the cost of electricity is middle of the pack.

**Mr. Mason:** Will the minister admit that power rates in Alberta are higher than they need to be? Will he admit that the power rates in this province are too high and that they're going higher, and will he admit that deregulation and this government's single-minded, ideological bent on privatization and deregulation has caused this situation and that government is to blame and no one else?

**Dr. Morton:** Mr. Speaker, I think it's quite evident from that question that the single-minded ideology, the anti free-market ideology, is on that side of the aisle, not this side.

### True Blue Alberta Ltd.

**Dr. Taft:** Mr. Speaker, despite the comments from the Minister of Justice it is time the Conflicts of Interest Act was amended. For example, True Blue Alberta, the company set up to support the former Premier, is 100 per cent owned by Allan Farmer, a senior partner in the law firm Reynolds Mirth Richards & Farmer. This firm also receives lucrative government contracts. So while True Blue is benefiting the Premier, the government is benefiting the sole shareholder in True Blue. To the Minister of Justice: why doesn't government policy define this as a conflict of interest?

**Mr. Olson:** Mr. Speaker, we do believe in transparency and openness. This legislation provides for that. Every member of this Assembly has to provide information and disclosure about what they receive. I don't know what more I can say than that. It's obvious that the disclosure is there, so this member is beating a dead horse.

**Dr. Taft:** Well, again to the same minister: given that the value of government contracts paid to this law firm, which is closely linked and, in fact, partly owned by the sole shareholder in True Blue, soared from \$780,000 in 2006 to \$1.3 million to \$1.8 million to \$2.4 million to \$2.6 million in 2010, how can Albertans know that these huge increases weren't facilitated by an inside track to the

Premier's office unless there really are stricter controls on leadership funds?

**Mr. Olson:** Mr. Speaker, I'm not going to answer for private business and how they make their money. This organization is not within the purview of the Justice minister. If there are problems with electoral impropriety, then we have a Chief Electoral Officer to whom people can complain.

**Dr. Taft:** Well, Mr. Speaker, to the same minister. The laws are clearly inadequate, and a committee of this Legislature has found it that way. Given that the Standing Committee on Public Safety and Services formally requested that the Minister of Justice – that's you – prepare a discussion paper on leadership disclosure legislation more than a year ago, why has the minister stalled on this request?

**Mr. Olson:** Mr. Speaker, there was a report that was received. It is being considered, and it is being worked on.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Calgary-Buffalo.

### Builders' Liens

**Mr. Quest:** Thank you, Mr. Speaker. I've spoken with a number of home builders, and they've all said that the Builders' Lien Act is not fair to home builders. I've been told that builders' liens stop construction on work sites, and they're also reported on the builder's credit rating. My question is to the Minister of Service Alberta. Given that liens have the effect of stopping construction, why does the government also allow liens to be reported against the credit ratings of construction companies? Is this not punishing the builders twice, Minister?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Builders' liens are actually registered against the property. The government does not apply them to a builder's credit rating. However, a credit agency may in fact look at that particular lien against a property and make their own decision. So, hon. member, yes, it may be applied against a builder; however, the government has no specific role in that.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. The first supplemental to the same minister: given that this act is now 30 years old, when will the minister review and update this act to fairly represent and balance the need of the builders, subcontractors, and homeowners?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. We are always willing to engage with stakeholders to see how we can make our policies, our procedures, and our legislation better. I would be happy to meet with stakeholders, hon. member, and if there are specific stakeholders that bring forward valid concerns, I would be happy to move forth and possibly review the act.

**The Speaker:** The hon. member.

**Mr. Quest:** Thanks, Mr. Speaker. What types of checks and balances do we currently have to protect the builders from receiving liens when a subcontractor is actually the one that's at fault?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. We have protections in place to protect builders and the public from frivolous liens. If the registering of an invalid lien causes damage to a property holder, section 40 of the legislation makes them civilly liable. I'll say that my department and our investigations unit would be willing to work with folks to see if, in fact, there have been frivolous and vexatious liens that have been placed on people. Quite frankly, that could result in criminal charges of perjury.

### Regulated Rate Option for Electricity

**Mr. Hehr:** Mr. Speaker, Albertans see electricity prices spike, and we hear that the minister is not happy about it. But what does he do about it? Nothing at all. The minister could make simple changes to the regulated rate option to protect consumers without distorting his beloved market, but he refuses. This reminds me of a famous queen saying, "Let them eat cake" when the peasants were short on bread. If the minister is not happy and homeowners and small businesses aren't happy, why does he refuse to act?

**The Speaker:** The hon. minister.

**Dr. Morton:** Well, of course, Mr. Speaker, we are acting. It's the reason that we're reviewing the AESO proposals for two new north-south lines. One of the concerns on that is the cost and the pass-along costs both to commercial users and residential users. To say that we're not acting is absolutely not true.

**Mr. Hehr:** Well, given that Sheldon Fulton of the Industrial Power Consumers Association of Alberta has suggested two changes to help consumers without harming the market the minister loves so much, will the minister consider the suggestion of a change to the economic withholding-of-power rule and allow utilities to sign power purchasing agreements beyond 45 days on behalf of regulated-rate customers?

2:10

**Dr. Morton:** Mr. Speaker, I guess most of us know that the opposition usually gets the material for their questions out of the morning newspapers, which is obviously the case this morning. The article that I know is the source of this has some confusion in it. There are two different electrical markets. There is the residential market and the wholesale market. Some of the comments by the individual he referred to apply to the wholesale market but not to the retail residential market.

**Mr. Hehr:** Mr. Speaker, I also heard that the minister wasn't happy about this from the paper. Hopefully, that was correct.

Given that the minister is not happy, that I'm not happy, our constituents aren't happy, and even industry groups aren't happy, will the minister in this House commit that by this time next year the regulated option will be changed to even out the peaks and valleys for families and small businesses so that our province isn't once again visited by the electricity Grinch at Christmas.

**Dr. Morton:** Mr. Speaker, finally we find something we agree upon. He's not happy with higher prices. I'm not happy with higher prices. I suspect nobody is happy with higher prices. We all like lower prices. What we're happy about is that we have a province with zero – zero – public debt on electricity whereas other provinces have tens of billions of dollars of debt.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Calgary-Mountain View.

### Gasoline Prices

**Mr. Prins:** Well, thank you, Mr. Speaker. My questions are also for the Minister of Energy. Most Albertans drive a vehicle for personal use or for agricultural purposes or for commercial reasons. We all have to pay for gasoline regardless of the price. With all the volatility in the marketplace and the constant shift in supply and demand it can be challenging to keep up with the price changes. To the minister: where does Alberta currently rank in terms of gasoline and diesel fuel prices across the country?

**The Speaker:** The hon. minister.

**Dr. Morton:** Well, thank you, Mr. Speaker. What an appropriate question to come after all of these other ridiculous questions from the other side.

Lo and behold, the price of gasoline in Alberta this week is lower than in any other province. That darn free market: it just keeps pushing the price lower.

**Mr. Prins:** To the same minister. It seems that Alberta is blessed with an abundance of oil and refineries, yet for the past several months prices have been above and sometimes well above a dollar a litre for gas. Why is it that when the resource is literally beneath our feet, the prices are so high?

**Dr. Morton:** Well, it's that darn free market again. That darn free market. Refineries here do buy oil at North American or global prices. When the price goes up globally or in North America, the price of oil goes up here, too. But might I remind the Assembly that higher oil prices mean higher royalties. It means more jobs, and of course it keeps the gas tax in Alberta the lowest of any province in Canada.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you. I'm glad that prices of fuel are going down a little bit. Will the government ever consider regulating gasoline prices, similar to that which other provinces do, if we see the prices go higher again?

**The Speaker:** The hon. minister.

**Dr. Morton:** Yes. Will the government consider regulating the price of gas? Well, the gentleman with his hand up in the back row there obviously would like that approach, government regulation. The answer on this side is no. There are currently five provinces that do regulate it. Studies show that their prices are no lower than the others. What regulation gets you is less volatility but not lower prices, so this government has absolutely no plans to interfere in the marketplace when it comes to gasoline prices.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Rocky Mountain House.

### Emergency Medical Services

**Dr. Swann:** Thank you very much, Mr. Speaker. Emergency medical services is the canary in the mine of the health care system. EMS workers have never had lower morale than since their mismanaged takeover by Alberta Health Services in 2009. Disturbing reports of serious delays in response, potentially preventable deaths along with frequent red alerts – a red alert is when no ambulance is available in the city – undermine safety as well as prevent professional morale from improving. To the minister: will the minister table in this House the cost of the

transition of the EMS services to Alberta Health Services? What is the annual budget for EMS in the province?

**Mr. Horne:** Well, Mr. Speaker, as I've indicated to the hon. member, I don't have that information at hand with me today.

I'm not aware of a serious morale problem among EMS workers, generally, in the province. I am aware that there have been a number of changes in the last two years which have resulted in the consolidation and in some cases the change of operator in specific communities. As I've told the hon. member, I'll be pleased to get whatever information I can and provide it to him either through question period or outside the House.

**Dr. Swann:** Indeed, we did raise this question earlier. Since the minister's shallow reassurances what has he actually found out about the dire straits in emergency medical services?

**Mr. Horne:** Mr. Speaker, we don't conduct reviews of operations in the health care system in my ministry by asking questions about dire straits. What we do is attempt to communicate on a regular basis with stakeholders both through Alberta Health Services and externally. We collect data where we can, and we provide that data in a forum that allows us to continuously improve the system. As I said, I'd be pleased to get the hon. member any information that I can and provide it to him.

**Dr. Swann:** Mr. Speaker, given that the Airdrie city council recently passed a motion and has been forced to keep its fire department responding to EMS calls because Alberta Health Services ambulances cannot meet the demand – I'm tabling their document today: 196 calls in six months; 50 per cent of the time the fire department arrives before the EMS team – will the minister admit that the EMS system is broken?

**Mr. Horne:** Mr. Speaker, what I will do is that I'd be pleased to consider the information that the hon. member is going to table today. I will take it at face value. I will investigate, and I will reply to him.

Thank you.

**The Speaker:** The hon. Member for Rocky Mountain House, followed by the hon. Member for Fort McMurray-Wood Buffalo.

### LEED Standard for Buildings

**Mr. Lund:** Thank you, Mr. Speaker. Yesterday I asked questions relative to the leadership in energy and environmental design rating system, known as LEED, and whether it discriminated against regionally grown wood. To the Minister of Sustainable Resource Development: could you please assure me that this process is not discriminating against locally produced forest products through government contracts?

**Mr. Oberle:** Well, I thank the hon. member for his question, Mr. Speaker, and for his concern in this area. The LEED standard really demonstrates excellence in modern business practices. The LEED standard does in fact allow for the use of locally sourced wood. It provides points for the use of locally sourced wood, presumably because of the reduced carbon impact associated with the lower transportation distances. The province adheres to LEED, but this does not conflict with our desire to use locally sourced wood. We will do that wherever we can.

**Mr. Lund:** Well, to the same minister: why is it that the industry is required to use certified wood?

**Mr. Oberle:** Mr. Speaker, in fact, the industry is not required to use certified wood. The LEED standard does give points for FSC certification, not for other schemes which we think are also legitimate certification schemes. But it also gives points for the use of locally sourced wood, regionally developed wood. Whether or not industry wants to certify is individual choice according to their own market conditions. We encourage industry to make that choice. The FSC is interpreted, not required in the LEED standard.

**The Speaker:** The hon. member.

**Mr. Lund:** Thank you, Mr. Speaker. My second supplemental is to the same minister. Given the economic pressures facing Alberta's forest industry over the past half decade or so, are you contemplating any other measures that will help strengthen this sector in the future?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. Yes, indeed we are. These are tough times for the industry. The lumber and OSB prices are tied to the U.S. housing market, and that is in dire straits right now. I believe the future is bright for the forest industry. We are working with them on market development and new product development, and we'll continue to do that.

Mr. Speaker, this is Alberta wood cut from sustainably managed forests. It supports 18,000 Alberta workers and their families. We will stand behind this industry locally, nationally, and internationally.

**The Speaker:** The hon. Member for Airdrie-Chestermere, I take it.

### Impaired Driving Legislation

**Mr. Anderson:** Mr. Speaker, in 2007 the now Solicitor General was contacted by an individual who had given a roadside breath sample of over .08. The Solicitor General testified as a witness for the defence that this person's Charter rights had been violated during this process, which, if true, would have allowed this driving-impaired friend of his to walk. To the Solicitor General: given that the new impaired driving law presumes someone who blows between .05 and .08 is guilty until proven innocent, why would you help defend the Charter rights of your friend, who blew above .08, but not the rights of those who blow below the legal limit? Kind of inconsistent, don't you think?

2:20

**Mr. Denis:** Mr. Speaker, this member is a lawyer and, for all of the six months that he did practice, I'm sure he knows that it's inappropriate to bring up private legal matters here. He also is incorrect in the fact that this drunk driving legislation does not presume people guilty. Rather, there are two levels of appeal process. If he'd read the legislation – I'm sure he's able to – I'm sure he'd see that as well.

**Mr. Anderson:** Given that the Solicitor General, by testifying for his friend who blew over .08, clearly understands the police time and resources that get tied up when we enforce our drinking and driving laws in court, doesn't the minister think that instead of using these scarce resources on pursuing those below the legal limit, we should instead be spending police time and resources on the drivers over .08, who are the ones actually killing and maiming people on our streets? Go after the right people, Solicitor General.

**Mr. Denis:** Mr. Speaker, two weeks ago I took a drinking test with the Calgary Police Service, in which I drank four glasses of alcohol within 45 minutes. Going to .10, I wasn't able to drive, and when I fell below .08, I still didn't feel able to drive. Perhaps this member should take this test himself.

**Mr. Anderson:** Well, your actions speak louder than your words, Mr. Minister.

Given that the real solution to eliminating drinking and driving is clearly stiffer penalties and more enforcement of existing impaired driving laws for those who are over the .08 limit and given that you have a better chance of seeing a sasquatch in Alberta than you do a checkstop, outside of Christmas, will the minister please commit to actually doing something that will save lives, like increasing the number of checkstops on our streets, and send this new impaired driving bill to an all-party committee so that we can amend the law into one that actually saves lives? Your bill does not save lives, sir.

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. This member, unfortunately, is incorrect. If he actually just refers to Robert Remington's article in the *Herald*, it focuses on the fact that 20 per cent of all traffic fatalities involving alcohol were of drivers between .05 and .08. And you know what, Mr. Speaker? We have checkstops, and it is downright insulting to our police officers in this province to say that they're not enforcing the law.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Calgary-East.

### Labour Relations Code Review

**Mr. Chase:** Thank you, Mr. Speaker. The government recently had two Edmonton lawyers quietly conduct a review of the Labour Relations Code at the urging of a coalition of antiunion employers in the construction sector. It was reported that the findings of that review were supposed to be provided to the relevant minister by the end of October. I take umbrage with the term "relevant." It's "appropriate." To the Minister of Human Services: can he confirm receipt of that report and advise this Assembly on its principle finding?

**Mr. Hancock:** Mr. Speaker, I'm offended that he doesn't consider me to be relevant anymore. I've just about had 15 years in this Assembly, next March 12, and I've always considered myself to be relevant if not always on point.

To answer his question: I haven't received it yet. I had a meeting arranged to meet with the two gentlemen in question. It turned out to be on a day when I was going to attend a Remembrance Day ceremony at a school in my riding, so we postponed the meeting. I anticipate meeting those two gentlemen, actually, Monday of next week.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you very much, Mr. Speaker. To the same minister – and I do appreciate his relevance, and I know he considers me irrelevant – will he table the report in this Assembly so that Albertans can draw their own conclusions as to the validity of its claims and the objectivity of its authors?

**Mr. Hancock:** Mr. Speaker, I can't make a commitment to table any report right now. What I'm anticipating is some advice to a minister with respect to a number of questions with respect to



productivity issues that may or may not be raised in the labour code. I have no idea at this point in time whether any action will be taken relative to that. If action is taken relative to issues that have been raised by any party in respect to productivity issues relative to the labour code, there will be a full discussion with the affected parties.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. To the hon. Minister of Human Services: can you provide us with any type of a timeline when this report might be tabled or discussed in committee? Before the election? After?

**Mr. Hancock:** What I can tell the hon. member is that I have just actually received today the first report that the two gentlemen were engaged to produce on MERFing, and I have anticipation of perhaps even reading that today. Once I read it and determine whether or not the policy that was put in place by this government with respect to MERFing is actually effective or not, I will be able to bring forward some changes if we need to with respect to MERFing.

With respect to the brief that was presented by Merit Contractors and others relative to productivity, that was one that bore looking into. We looked into it, and when I get the report, I'll advise the hon. member what we're going to do with it.

**The Speaker:** The hon. Member for Calgary-East, followed by the hon. Member for Calgary-Buffalo.

#### **Peter Lougheed Centre Emergency Services**

**Mr. Amery:** Thank you, Mr. Speaker. The delay in the construction of the new addition to the Peter Lougheed hospital caused a delay in relocating the lab to the new building, which, in turn, created a space problem at the emergency department. My questions are to the hon. Minister of Health and Wellness. Could the minister advise as to when the construction will be completed and the lab will be moved to the new area?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. There are a few facts here that need to be clarified. There has not, in fact, been a delay in relocating the laboratory at the Peter Lougheed Centre. There is shelled-in space available at the centre for the move to occur sometime in the future, but at the moment this is not an approved capital project and, as such, has not been identified by Alberta Health Services. The timing for the approval of this project as well as other projects is obviously dependent on the availability of provincial capital funds, although government has made a considerable capital investment in the Peter Lougheed over the past two years, investing approximately \$285 million in capital funding.

**The Speaker:** The hon. member, please.

**Mr. Amery:** Thank you, Mr. Speaker. Once the lab has moved, the emergency department is scheduled to expand. When will this expansion occur to ensure that the emergency department can better accommodate the needs of my constituents and all other patients?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. Appreciating the concerns of the hon. member's constituents, I need to point out once again that the expansion of the emergency department at the Peter Lougheed is not yet an approved capital project. There is not presently a time frame for that approval.

Again, we've made a considerable investment in improved emergency services in Calgary. Within the next three years people can expect a new emergency department to be opened at the Rockyview general hospital, and urgent care services will be opened at the Sheldon Chumir health centre in downtown Calgary.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. Again to the same minister: since the emergency room at the Peter Lougheed hospital is not large enough to accommodate the growth in northeast Calgary, would the minister consider adding the emergent care services to the east Calgary health centre similar to the Sheldon Chumir and the south centre clinic?

**The Speaker:** Go ahead, hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. While I can't make a specific commitment with respect to the east Calgary health centre, I can tell the hon. member that the availability of emergency room services in Calgary is a major concern for myself and my ministry. We will look at northeast Calgary on a global basis, determine the impact of the opening of the other emergency room facilities I just mentioned, and then be in a position to talk with the hon. member about what else, if anything, may be needed in his specific community.

#### **Funding for Private Schools**

**Mr. Hehr:** Mr. Speaker, yesterday the Minister of Education indicated that I was against choice in private schools. I want to make it clear that I am all for choice in private schools. In a free society if people do not wish to go to the public education system, go nuts. Go to a private school. Just don't ask the taxpayer to fund your adventure.

To the Minister of Education: given that the Webber Academy only accepts students in the 75th percentile and charges parents up to \$16,000 a year – and this is just one of so many examples – why are we using taxpayer dollars to subsidize these elite private schools?

**Mr. Lukaszuk:** Well, Mr. Speaker, I have to start by saying that calling the thousands of parents who choose to send their kids to private school nuts is simply inappropriate. I hope that the member withdraws that statement.

Having said that, Mr. Speaker, we pride ourselves in choice in this province, and if these parents choose to send their children to private school, pay the tuition or the fees that are associated with it, they can do that. The fact is that the Alberta government does not fully fund private schools nor do we contribute to the infrastructure for private schools.

**Mr. Hehr:** Given that many private schools charge large tuitions and make children take, essentially, IQ tests to establish a baseline of the type of student they want, clearly eliminating those students they don't feel are up to their calibre, why are we funding these institutions whose sole interests are to provide education to only a very specific segment of the population?

2:30

**Mr. Lukaszuk:** Mr. Speaker, again incorrect. There are at least a dozen private schools that actually focus and specialize in children with learning disabilities and other disabilities. There are schools that are focusing on gifted children. There are schools that are focusing on kids with sports abilities or interests. There are schools that are focusing on religious or linguistic requirements. There is a vast array of choices, and that's what we pride ourselves on. These parents are neither nuts, nor are their choices limited.

**Mr. Hehr:** Given the Premier's concern for the rise of private and charter schools and given that private schools have smaller class sizes while charging parents astronomical fees, when will the minister implement the Learning Commission's recommendations on class sizes in our public education system, a promise that is eight years overdue?

**Mr. Lukaszuk:** Mr. Speaker, we're working with all school boards on meeting the guidelines that have been put in the Maskell report on classroom sizes. As a matter of fact, the Premier has very recently, just a few weeks ago, announced an additional \$107 million that was intended to go into classrooms and alleviate some of the pressures.

We are now working through our budgeting process, and I can tell you, Mr. Speaker, that both school boards and parents and this government are working on creating the best environment for children to learn in.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Centre.

#### Education Concerns in Lethbridge

**Ms Pastoor:** Thank you, Mr. Speaker. We're very proud of our schools in Lethbridge, but I have some concerns that I've heard from my constituents regarding the future of the education system in Lethbridge. To the Minister of Education: how will the minister ensure that the people of the Lethbridge have a voice in the future of education in Lethbridge and, in fact, Alberta?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. We are currently holding a number of education forums today. This morning I actually opened one up in Calgary that some 300 parents, teachers, students were in. We will be heading to Lethbridge. I know the hon. member will be joining me, and we will be speaking with a large number of educators, parents, students, grandparents, and community leaders in Lethbridge. Also, there will be speak-outs led by students in Lethbridge, and we're using Twitter, Facebook, e-mail, phone lines, you name it. You can even send us a letter.

**Ms Pastoor:** Thank you to the minister for that answer. There are lots of people that actually don't use Twitter, believe it or not.

Another concern that I've had raised is: how will the local Lethbridge school boards not be left out of the current Education Act consultation process? How will the minister address these concerns? I really don't think they want to twitter.

**Mr. Lukaszuk:** Mr. Speaker, they won't have to twitter if they choose not to. They can use any means.

With school boards I pride myself on developing a really good relationship. I will be meeting personally with the school boards in the area. I'm meeting with school boards zone by zone right now,

so both of the school boards in Lethbridge will have the ability to sit down with me one-on-one and have a good conversation about the success and challenges that they may be experiencing.

Also, Mr. Speaker, we're meeting with parents, and I have to tell you that I had some 1,800 parents on the telephone line just two days ago, and some of them were from Lethbridge.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Speaker. The final question to the same minister: given that in Lethbridge our public and private boards work together with our city and have shared high school building facilities in addition to a public library which separates them, will the minister be looking at this model, that we're so proud of, when you visit?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Yes. You know, this is an experience that extends from my home to work. I always tell my three-year-old daughter: share, share, share. The message is to everybody, all the stakeholders. Sharing is great because it maximizes some taxpayers' investment in education. At the end of the day we have to focus on children, so wherever there are synergies between school boards, the private sector, and others, I strongly encourage the concept of sharing.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Ellerslie.

#### Climate Change

**Ms Blakeman:** Thank you, Mr. Speaker. The reality of this government's climate change initiatives is quite different from what the minister has painted: an emission reduction strategy that won't see reduction until 2020 at the earliest, a \$15 carbon tax when experts insist that a tax has to be \$75 to \$150 to make a difference, and we have no plan to increase even that \$15. We ask only the largest emitters, not all emitters, to reduce intensity, not emissions. Mandatory targets for large emitters are twice as weak as the federal ones. To the minister of the environment: how does any of this show us as a world leader?

**The Speaker:** The hon. Minister of Environment and Water.

**Mrs. McQueen:** Thank you, Mr. Speaker. Again, I'll say to the hon. member and to all in the House that Alberta is a leader with regard to this. We were the first to do this. What we have continued to say and what we've said in the House before and this week is that Alberta is committed to taking more action on this file, but Alberta is also making sure that when we do, as with Canada, all the large global emitters are part of that solution.

**Ms Blakeman:** Well, Mr. Speaker, how can the minister claim that this government supports federal climate change goals when Canada will never reach its emission reduction targets with Alberta's plan in the mix?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. What Canada and Alberta have both said with regard to that is that we are committed to having a common-sense plan that will reduce our emissions and meet those emissions, but it's got to be a common-sense plan that has real direction and has all large global emitters at the table. Canada is 2 per cent of global emissions. The oil sands are one-

tenth of 1 per cent. Between the United States and China that makes up 40 per cent of the GHGs. We have to have a global plan.

**Ms Blakeman:** Well, that's not leadership.

Back to the same minister: given that a decade of government resistance and inaction on health impacts has resulted in just barely signing a letter of intent, how will the minister respond when asked about health impacts from development in communities such as Fort Chip?

**Mrs. McQueen:** I'm very happy to answer that question, Mr. Speaker. With regard to some discussions that I've brought forward in this House and discussions that I've had with the federal Environment minister, Minister Kent, we are working on a first-class monitoring system. We'll be meeting and having some time together with regard to that, and when we're in South Africa, we'll have some time. I would like to say to the hon. member and to this House and to all Albertans: "Stay tuned. That will be coming very shortly."

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

### Provincial Diploma Examinations

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. A study conducted by a University of Saskatchewan researcher concluded that, on average, Alberta high school graduates are best prepared for postsecondary experience, with a substantially smaller reduction in their grades as compared to their peers from other provinces. That's good, but there are a lot of questions. To the Minister of Education: what is the process for developing your provincial diploma exams, and how do we ensure that these exams are fairly testing our students' cognitive skills so that our students have a fair chance at postsecondary institutions?

**Mr. Lukaszuk:** Well, Mr. Speaker, for those who have a degree in education, they would know that there is a whole subset of skills in developing a test. There are experts within the Ministry of Education that develop tests, and these tests are designed to test not only the curriculum but in grade 12 the students' ability. That study that came from the University of Saskatchewan is another positive report card for Alberta because it shows that not only are our kids attaining the information that they should according to curriculum, but once tested, they are at par, and their mark only drops by 6 per cent.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Given that so much of a high school graduate's grade hinges upon a diploma exam worth 50 per cent of a student's grade, is the minister completely confident that that exam is balanced, constructed soundly, and completely reflective of the curriculum objectives?

**Mr. Lukaszuk:** Well, Mr. Speaker, a twofold answer. I am confident that the exam is doing what it is designed to do because now this study from Saskatchewan again reconfirmed that our students, once they receive a mark, let's say 70 per cent, actually have earned 70 per cent, and it shows in postsecondary education. In some provinces their mark drops by as much as 20 per cent. But on whether the balance should be 50-50 or 40-60 or another combination, I'm always open to this discussion.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. A final question to the same minister. The fact remains that 80 per cent from Ontario is considered by many postsecondary institutions the same as 80 per cent from Alberta. What will the minister do to encourage his other provincial counterparts so that we have consistent standards across the country?

**Mr. Lukaszuk:** Mr. Speaker, as you know, education is exclusively a provincial area of competence, but there is a national table at which all education ministers meet. At the next table I will be bringing this topic forward and encouraging other provinces to look at the Alberta experience and to adjust their testing practices to make sure that they don't artificially inflate their graduates' marks and so that we have a level playing field.

**The Speaker:** Hon. members, that concludes the question-and-response period for today. There were 18 members recognized, with 108 questions and responses. In 30 seconds from now we will continue with the Routine.

2:40

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Edmonton Southside Primary Care Network

**Mr. Benito:** Thank you very much, Mr. Speaker. It's a pleasure to rise today to recognize the Edmonton Southside primary care network. Located in my constituency of Edmonton-Mill Woods, the Edmonton Southside primary care network, or PCN as it's also known, was first opened in 2005. For six years now the Edmonton Southside PCN has allowed my constituents in Mill Woods to receive professional and compassionate primary care health services locally. The approximately 138 family physicians and 53 nurses, dietitians, and other health specialists have also provided care for patients with chronic diseases and mental health issues.

Mr. Speaker, evidence shows that PCNs are altering the health care landscape in our province through positive changes in the delivery of primary care. Among them, increased patient screening for disease and illness have seen significant increases. Specific to this Edmonton Southside PCN, the annual average number of patient visits to the geriatric care program has risen from 2.8 to nearly 3.4 in recent years.

Primary care networks are contributing to the improvements across the entire health system. However, the impact of any one network still remains uniquely local. I can tell you that the positive impact that the Edmonton Southside primary care network has had in my community has been amazing, Mr. Speaker.

Thank you very much.

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

### Support for the Homeless

**Ms Notley:** Thank you, Mr. Speaker. The self-congratulatory communication from this government regarding its record on homelessness is both shameless and shameful. In fact, the government's milquetoast efforts to date will leave tens of thousands of Albertans either without homes at all or living in dangerous, unhealthy, insecure, or overly expensive homes. By talking only about the 10-year plan to end homelessness, the government distracts people from their inaction on the many other facets of what is truly required to address the overall crisis in

housing in Alberta. Moreover, even that plan includes only about one-third of the resources this government's own task force stated were necessary to get the job done.

At noon today a new piece of public art was dedicated beside Edmonton city hall. Sculptors Keith Turnbull and Ritchie Velthuis worked with over 20 artists who have experienced housing problems. This sculpture is intended to get us thinking about how to end homelessness in this wealthy province.

There is a tremendous shortage of affordable, secure housing in this province. Most of the dollars for construction of affordable housing come from federal government transfers, and even as that work goes on, the overall number of affordable spaces decreases as private developers continue converting affordable units to luxury homes for the wealthy, with no government action taken to discourage this trend.

Earlier this fall I raised the crisis being faced by 1,300 Alberta families who are about to lose their rent supplement. The minister responded by saying that they would be covered under the other rent subsidy programs. What he didn't say is that those other rent subsidy programs already have wait-lists thousands of families long and many years long, wait-lists to receive money, Mr. Speaker. The reality is that those people who will be moved to a wait-list will no longer receive the supplement, and they will lose their homes, and the minister does not even have the courage to be straight with Albertans about this decision.

Without action to address other issues such as more low-income rental housing, programs to access near-market housing for others, and good support services for those needing more than just a physical space, there will always be more people becoming homeless than leaving it. We are a rich province, Mr. Speaker, and we can afford more than meagre funding and rich public relations strategies. Housing and homes are a basic human right, and it's about time this government started acting that way.

**The Speaker:** The hon. Member for Edmonton-Calder.

### Intercultural Dialogue

**Mr. Elniski:** Thank you, Mr. Speaker. Last evening along with the MLAs for Edmonton-Decore and Edmonton-McClung I attended the Harmony Dialogue Group Intercultural Dialogue Institute friendship dinner. The Intercultural Dialogue Institute was founded by Turkish scholar Fethullah Gülen and is dedicated to the promotion of understanding amongst the various cultures, religions, and ethnicities.

Its cornerstone is the belief that civilization is far more than bricks, mortar, science, or technology. It is an undertaking to give value to common interests. A civilized world where a person or group is not threatened by others or threatening to others is profoundly common and remarkably rare. We easily accept the familiar; we have a harder time accepting the unknown. We seek an answer or a personal truth and then look for others who share what we've found or believe. We are not solitary animals, so this makes sense.

The challenge, Mr. Speaker, is to accept that differing or contradictory beliefs do not take away from your own beliefs, that you cannot give away more than you receive, and the acceptance of others' thoughts and opinions does not threaten or diminish. Recognition of and respect for another's rights is at the basis of the philosophy of Gülen and the Intercultural Dialogue Institute. They show a genuine commitment to civilization.

They are bold in their approach and they have good reason to be.

Türkiye, the land of Rumi, is a land of Divine love . . . where diverse faiths and cultures have lived in peace for a millennia: it is a land of dialogue and tolerance, it is the land of Abraham – spiritual forefather of Judaism, Christianity and Islam.

Our hosts came from the cradle of civilization, Mr. Speaker, and this is why they treat it with such profound seriousness. Their message, like many messages, is often lost in the white noise of our world, but they believe us to be more familiar than we may know so long as we are prepared to give each other a chance, certainly a civilized message often lost in times like these.

Thank you, Mr. Speaker.

### Notices of Motions

**The Speaker:** First of all, the hon. Member for Edmonton-Highlands-Norwood on a notice of motion.

**Mr. Mason:** Thank you very much, Mr. Speaker. Later today I intend to introduce a question of privilege pursuant to Standing Order 15(2). I provided written notice to your office of my intention to raise this matter, which I will do later today, with respect to "the government's consistent use of late-evening sittings this fall," which, in our view, "interferes with the ability of members of the House to fulfill their duties."

**The Speaker:** Such notice will be circulated at the appropriate time.

The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, December 5, 2011, Motion for a Return 21 will be accepted, and motions for returns 18, 19, 20, and 22 will be dealt with.

Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my privilege today to table the appropriate number of copies of a letter to the hon. Member for Calgary-Varsity. Attached to it is a report called *Cancer in Alberta: A Regional Picture 2006*. You'll recall that the other day in the House the hon. member had raised Motion for a Return 17, and we rejected the motion because it related to an analysis done with respect to a particular part of a report, and that report was inaccurate. I'm now providing the hon. member with the information he was actually wanting to get, which wasn't quite what was in the question.

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you, Mr. Speaker. I'm very pleased today to table the requisite number of copies of the 2010-2011 annual report of the Alberta Mental Health Patient Advocate office. This report highlights the key accomplishments and issues addressed by the organization. It also profiles individuals affected by mental health concerns and key individuals in the mental health system. As we work to continue to increase our focus on mental health, I would encourage all hon. members to take an opportunity to read this most important report.

Thank you.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, do you have a tabling as well?

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. I would like to table the appropriate number of copies of an online news story concerning the valuation by Forbes of the Edmonton Oilers. The proposed downtown arena, according to Forbes, would be worth an extra \$20 million in revenue per season for the Edmonton Oilers.

I would also like to table a web page from Forbes concerning the valuation of the Oilers.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Riverview.

2:50

**Dr. Taft:** Thank you, Mr. Speaker. I'm tabling correspondence received from Marina Elena Tungland and Anna Muze, who own and operate the Il Forno restaurant, one of the really wonderful businesses in my constituency. The correspondence concerns Bill 26. I'll very briefly quote from the letter.

We also feel that the Alberta government needs to take a much closer look at the negative results observed in British Columbia. This would in turn require a longer period of time to dissect this issue. If after proper consideration and time, the Alberta government chooses to implement these changes, we suggest there be a strong educational component to the message being delivered to the public."

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I have five copies of the Provincial Court judgment which I referenced today in question period, where the Solicitor General on behalf of the defence is testifying as to the breach of Charter rights of an individual who had blown over .08.

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

**Mr. Chase:** Thank you, Mr. Speaker. I'm tabling an e-mail from Gail Wilkinson, who I introduced to this Assembly through you yesterday, asking what the Seniors minister is going to do to fix the PDD appeal process, that was found unfair by the Court of Queen's Bench. Among the questions Gail asks is, "Why is it that families are having to spend their retirement savings to go to court to prove that government processes are unfair?"

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** Thank you, Mr. Speaker. I'd like to table three reports that have been submitted to the Transmission Facility Cost Monitoring Committee: one, the western Alberta transmission line; two, the heartland transmission project; and the third is the east DC project. These show that these companies have had an overrun in spending and have now spent \$1.03 billion when they've been authorized only at \$103 million.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I have four tablings today. The first is research, a sheet that I have done on the Alberta PC Party constituency association annual expenses between 2006 and '10, and it is noteworthy that Edmonton-

Whitemud, Barrhead-Morinville-Westlock, and quite a number of constituencies here have expenses that are significant. For the five years in total it's over 7 and a half million dollars. I won't bore you with the complete list.

I've also done the ND Party as well, and it's available for all to see. The New Democrats have over the five years spent \$142,000 on annual association expenses.

The Alberta Liberal Party constituency association for the same time period had total constituency expenses of \$302,000. That's very interesting reading. I didn't do the Wildrose Alliance because, of course, they're just getting started.

**The Speaker:** Okay. Let's get on with the tabling. It's not a debate.

**Mr. MacDonald:** My last tabling is a letter dated September 9, 2011, to the former Alberta employment and immigration minister regarding the Workers' Compensation Board 2010 special dividend to Alberta employers.

Thank you very much.

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

**Ms Blakeman:** Thank you very much. Four tablings today. The first is five sets, the appropriate number of copies, of various letters and phone messages that I referred to during the debate on Bill 26 last night: Mike Yasinski, Jim Thornton, Dan Peet, Jonas Van Ginhoven, Joyce Ingram, Nathan Kyler, Vivien Jonathan. These were all people that wrote to me, and I referenced them during the speech last night.

The second tabling I have today is from Inger Bartram, who's a resident at Lions Village Railtown. She is urging the government to produce legislation on life-lease contracts, please.

The third tabling that I have is a report, Mr. Speaker, from myself to you that I'm tabling on behalf of citizens that wrote to my office with regard to the future of Catholic education in Alberta. The message they wish me to convey is: "As one of your constituents, I ask you to ensure that the constitutional guarantee of Catholic Education in Alberta is preserved in the new Education Act." They look to me to include in this legislation "the right of Catholic schools to be governed . . . by elected Catholics." My report includes all of the names of those people that wrote to me on that subject.

Thank you very much, Mr. Speaker.

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

**Mr. Hehr:** Thank you, Mr. Speaker, I have three tablings today, all with the correct number of copies. The first is a letter that I wrote to the hon. Minister of Energy regarding further questions we had on the incremental exchange program. You will recall that we had some information regarding that program that we want to clarify. In our view, we'd like some further clarification on that.

A second thing. I did make an error the other day in a tabling from a Lethbridge private school; I stated the wrong website. It's dot-org, not dot-ca. Needless to say, I have the correct Lethbridge website now referencing what, in fact, they say on their website.

My third tabling is from two concerned citizens, Gina Shimoda and Dimitria Fields. They're concerned about Wi-Fi wiring in our schools. They have a very interesting package of materials that suggest there may be better ways for us to be going about providing Internet services for our children in school.

Thank you very much, Mr. Speaker.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk. On behalf of the hon. Mr. Berger, the Minister of Agriculture and Rural Development, pursuant to the Farm Implement Act the 2010-2011 Farmers' Advocate office annual report and Farm Implement Board financial statements.

### Projected Government Business

**The Speaker:** The hon. Official Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Under Standing Order 7(6) I would ask the Government House Leader to now share with us the projected government business for the week commencing December 5.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I anticipate that when we adjourn this afternoon, we'll adjourn to Monday, December 5. In the afternoon, of course, it will be private members' business; in the evening we would anticipate being in Committee of the Whole on bills 21, 24, and 26 and as per the Order Paper.

Tuesday, December 6, in the afternoon Committee of the Whole on the same three bills – 21, 24, and 26 – and as per the Order Paper; that would continue into the evening in committee and then third reading on the remaining bills, being bills 21, 22, 23, 24, 25, and 26, and as per the Order Paper.

We would anticipate bills 21, 22, 23, 24, 25, and 26 remaining in third reading until completed Wednesday afternoon, Wednesday evening, and Thursday afternoon.

**The Speaker:** Hon. members, we have four additional matters to deal with. It seems to be a daily event now. We have a point of order; I'll recognize the Government House Leader for that, first. Then we'll have another point of order, and I'll recognize the hon. Member for Edmonton-Highlands-Norwood to proceed. Then we'll have another point of order with the hon. Government House Leader. Then we'll have a point of privilege application by the hon. Member for Edmonton-Highlands-Norwood.

Because this, I'm sure, will take a considerable amount of time, the normal opportunity for members to access a refreshment drink, water or tea or something like that, please proceed now before me even having called Orders of the Day because I do expect that we'll have a leisurely afternoon now.

Hon. Government House Leader, please, your first application.

### Point of Order

#### Factual Accuracy

#### Questions about Political Party Activity

**Mr. Hancock:** Thank you, Mr. Speaker. In the interest of time I'll try to be brief. I rise under 23(h), (i), and (j) with respect to an exchange with respect to one of the questions raised by the hon. Opposition House Leader, but it carries on a matter that's been present in the House for the last two or three days. In particular I refer to the use of the words "taxpayers' dollars" when describing payments that they were asking about, payments from the party to past Premiers and, I think, to the current Premier.

3:00

Now, first of all, it should be clear from the context of the question that the hon. member was violating rule 410(17) on page

122 of *Beauchesne*, sixth edition, which prohibits questions with respect to party matters, and you've ruled on that before. Indeed, my second point of order deals specifically with that question of party matters.

But in this point of order I want to particularly draw your attention and the House's attention to *Erskine May Parliamentary Practice*, 22nd edition, page 297, halfway down the page, where it refers to factual basis:

The facts on which a question is based may be set out as briefly as practicable within the framework of a question, provided that the Member asking it makes himself responsible for their accuracy, but extracts from newspapers or books, and paraphrases of or quotations . . . are not admissible. Where the facts are of sufficient moment the Speaker has required prima facie proof of their authenticity.

I would suggest to you, Mr. Speaker, that it's obvious on the face of it that the hon. member was using the term "taxpayers' dollars" when he knew or at least ought to have known that he wasn't in fact talking about taxpayers' dollars. He was talking about political party funds, which, as I've mentioned earlier, he shouldn't have been talking about in any event. If he wants to investigate party funds and party fundraising, as we discussed in the House the other day, he has a perfectly valid way of doing that through the Chief Electoral Officer, an officer of this Legislature.

He repeatedly refers to taxpayers' dollars. By doing so, Mr. Speaker, and knowing that he's not talking, in fact, about taxpayers' dollars – he's talking about party dollars – he is actually leaving the wrong impression with the public. He's giving the wrong idea. He's giving the public the idea that they're paying taxes to a government and that the only people who can spend taxpayers' dollars is the government with the approval of this Legislature. That, in fact, even on the basis of his question was not what he was talking about.

The hon. member should know that. He has a duty to be factual in the basis of his questions. He has a duty to make sure under this rule that the facts may be set out provided that the member makes himself responsible for their accuracy. I would suggest that we have seen that rule violated time after time after time, and in this particular situation it's particularly egregious.

**The Speaker:** The hon. Opposition House Leader.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm sorry. Government House Leader, could you give me the page number for *Erskine May* again?

**Mr. Hancock:** Page 297.

**Ms Blakeman:** What edition are you looking at?

**Mr. Hancock:** The 22nd.

**Ms Blakeman:** Oh. I've got the 23rd. Okay. Mine is showing "extraordinary adjournments," which probably isn't what you're trying to tell me. I'm sorry. I'm at a loss as to actually responding to what you have there. I have a newer version than you do.

I think this is a really interesting point, Mr. Speaker, because we have had a number of exchanges and understandings or misunderstandings on language around the money that is donated to political parties by Albertans; therefore, those Albertans are eligible for and, one assumes, receive a tax receipt as a result. Depending on the amount of money that is donated, that individual would receive a tax receipt in which they are not taxed on a specific portion of that money. For example, if they are under the allocation of the 75 per cent tax receipt, if they donated \$100, then they would not be taxed on \$75 of the \$100.

Now, that revenue that would have come to government to spend on government programs is no longer going to do that. It stays with the individual. As a result, citizens have lost that money from going into programs. So it's forgone revenue; it's forgone money. That tax-receipted money is forgone revenue into government coffers and, therefore, not available to citizens. But that money donated is going into party business, so they are intrinsically attached. It's very difficult to pull this out without a long-winded explanation, a question which, of course, the Speaker would never allow. So the shorthand that has been adopted is "taxpayers' money."

Now, I can certainly advise the Leader of the Official Opposition and I will undertake to advise the Leader of the Official Opposition that using the phrase "taxpayers' money" is confusing, and we should seek another brief choice of words that would convey the longer description that I have given as to exactly what this money is. It is money that would have come to government coffers but for being donated to political parties. Therefore, because it's forgone revenue, as the Auditor General has told us many times, there should be an evaluation of whether that forgone revenue achieved its purpose. That is the transparency that we seek. Did it achieve its purpose? That's why the questions are directed as to how the party is using that particular section of money. The rest of the money is not our interest, but that money is in particular.

I will certainly undertake to advise the leader that the phrase "taxpayers' money" is creating confusion and that he should avoid it in the future. We will seek another descriptive term to describe that particular exchange of financial interests.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Gold Bar, your House leader has spoken.

**Mr. MacDonald:** Yes, and I have something to add on this matter, Mr. Speaker, as well.

**The Speaker:** Citation, please.

**Mr. MacDonald:** Yes, certainly. After hearing from the hon. Government House Leader and his concerns around 504 . . .

**The Speaker:** Page 504 of what document, please?

**Mr. MacDonald:** *House of Commons Procedure and Practice*, sir.

**The Speaker:** Proceed.

**Mr. MacDonald:** Yes. Okay. Now, when we look at the annual financial statement under the Election Finances and Contributions Disclosure Act for the Progressive Conservative Association of Alberta, you will find a lot of financial details but none clearly outlining what the hon. Leader of the Official Opposition was looking for. But if you flip over to the second page – and this is done on an annual basis. I have the last five or six years of the Progressive Conservative Party's annual financial statements. You will see where the documents to be attached to this financial statement include the Auditor's report, which is required by the Election Finances and Contributions Disclosure Act, copies of all official receipts issued for the calendar year. That's where this matter of tax dollars or tax credits certainly comes into play with official receipts because that is what the tax credit is based on. The tax credit is significant. It could be up to \$5 million in taxes that is

not collected as a result of this tax receipt, the issuance of an official tax receipt.

Now, there's a reconciliation of official receipts here, a list of contributors over \$375, detailed lists of transfers received and transfers paid. There's a lot of information provided here, and there's a lot of information that supports the idea that we're getting less tax dollars because of these official receipts and these contributions made. So I really don't think there is an issue here.

In conclusion, Mr. Speaker, whenever we look at the private disclosure statements that were discussed in the hon. leader's question, as I heard it, certainly there is direct reference made to the Progressive Conservative Party of Alberta leader's expense reimbursement and the benefit plan trust.

Thank you.

**The Speaker:** Thank you very much for that illusive explanation. When I asked the hon. Member for Edmonton-Gold Bar what citation, he said page 504. I read page 502 and it says, "Furthermore, a question should not . . ." Then 504 says: ". . . concern internal party matters, or party or election expenses." So I have no idea what the citation has to do with what has just been stated.

The hon. Minister of Sustainable Resource Development.

3:10

**Mr. Oberle:** Thank you, Mr. Speaker. It's really quite a simple matter we're dealing with here, and the hon. House leader, the hon. Member for Edmonton-Centre, zeroed right in on it. There is not a single dime of taxpayers' money in the party coffers. Those donations come from individuals. Now, if they want to argue that we shouldn't provide tax credits, that's another argument. The fact of the matter is that there are no taxpayer dollars within the party coffers.

Taxpayer dollars arrive in the government's general revenue fund, and they are spent in accordance with approval of this Legislature and accounted for in the annual reports and audits by the Auditor General. You will notice that not one line of our annual report or of the Auditor General's report refers to anything about party expenditures because there is a very clear separation between party funds and taxpayer dollars. That is the very point of order that the hon. House leader brought up, Mr. Speaker.

**The Speaker:** Are there others?

Well, first of all, Government House Leader, you intertwine point of order 1 with point of order 3, which we haven't heard from. Can I assume that both are one and same?

**Mr. Hancock:** Sure. Why not?

**The Speaker:** For the sake of brevity and the sake of dealing with this matter, they're both the same.

**Mr. Hancock:** Well, the second one, Mr. Speaker, was to do with PC Party matters, but you've ruled on that over and over again.

**The Speaker:** Okay. Point of order 3 doesn't exist, so we're going to deal with point of order 1. We've heard from several members, including the Opposition House Leader, who basically said that there's need for some review of the appropriate terms or words or usage, which seems to be the major concern in the item raised by the Government House Leader.

Look. Clarification is an important thing. It would just really be wonderful, though, if we'd ever get back to a question period where we actually deal with policy. That would be just a wonderful approach, that we would deal with policy. Anyway. Okay. That

one's dealt with.

The hon. Member for Edmonton-Highlands-Norwood.

### Point of Order Clarification

**Mr. Mason:** Thank you very much, Mr. Speaker. During question period in response to a question the Deputy Premier referred to questions of expenses of other party leaders. The question was in reference to suggestions made by the Leader of the Official Opposition that the Premier had received payments from the Progressive Conservative Party through a third organization.

The Deputy Premier – and I don't have the Blues, but my recollection is that he. . .

**The Speaker:** I'll help you, hon. member, if you sit down. Then I'll help you.

**Mr. Mason:** Okay.

**The Speaker:** The hon. Deputy Premier said something about somebody else, and then he said: "I note that even members' disclosure statements for the hon. leader of the fourth party, the NDP, has made disclosure in which his party reimburses him for expenses, a perfectly legitimate thing to do." At that point in time the hon. Member for Edmonton-Highlands-Norwood rose. I presume it has to do with that.

**Mr. Mason:** Well, then, Mr. Speaker, I don't think I have a point of order because what I thought I heard – and I appreciate your doing that – was that I was getting payments in the same way that the Premier was getting payments, and that is like a salary, which is absolutely untrue. Any expenses that I claim are extremely modest and extremely intermittent. I just want to set the record straight.

I misheard the hon. member, and I raised a point of order inappropriately. I'll apologize and sit down.

**Mr. Horner:** Mr. Speaker, just for clarity for the House, the point that I was making was exactly that. The leader of the New Democratic Party receives reimbursement for expenses from his party, his association, which he rightfully and legitimately – and good on him for doing it – puts in his disclosure statement the same way that our leader does. That's what I was suggesting. It is the same, and that's what I was saying. Well done.

**The Speaker:** Okay. So that's clear, too, now. Everybody is cool? What an adolescent expression that is. Everybody is happy? Okay.

Now, hon. Member for Edmonton-Highlands-Norwood, your purported point of privilege, which all members should pay careful attention to.

### Privilege Late-evening Sitings

**Mr. Mason:** Thank you very much, Mr. Speaker. I appreciate that. Pursuant to Standing Order 15(2) this morning I provided written notice to the Speaker of my intention to raise a matter of privilege in this Assembly today. In my view, the government is interfering with the ability of members of the Assembly to fulfill their duties by continuing the daily sessions well into the night and well past the traditional hours of this Assembly.

Mr. Speaker, I believe that it's the earliest opportunity for me to make a motion of privilege on this matter. This is a question of judgment. Perhaps on the first day we could have assumed that the

government was going to continue the process of driving its legislative agenda late into the evening at the expense of the members of the Assembly. But in my judgment, the completion of two weeks of this Assembly, last night being the fifth night that we proceeded past midnight or close to midnight in the agenda, at the beginning of the session was the point at which I felt that I needed to stand up and raise the question of whether or not the government's actions are in fact interfering with members of this Assembly's ability to do their job.

Mr. Speaker, although Government Motion 26, which allows evening sittings, was adopted on November 22, it is the consistency with which the government has adjourned the House late in a sitting of short duration that is the basis of my argument.

*Maingot* at page 13 states that

if someone improperly interferes with the parliamentary work of a Member of Parliament – i.e. any of the Member's activities that have a connection with a proceeding in Parliament – in such a case that is a matter involving parliamentary privilege.

*Beauchesne's* 92, on page 25, makes the same point.

Mr. Speaker, this is clearly a matter related to the parliamentary work of members of this House, and I believe it is a matter which constitutes improper interference. I believe that the late adjournments we have seen in this session are extraordinary and constitute improper interference with the ability of members of this House to carry out their duties. In the past we have seen the government bring forward a motion for evening sittings towards the end of a sitting. That is normal, and that is not the question that I'm referring to. In this fall sitting notice of such motion was placed on the Order Paper the first day following the long November break, and Government Motion 26 was moved and adopted on the second day, November 22.

Mr. Speaker, in and of itself the motion for evening sittings is not extraordinary. However, it is the use that the government has made of that motion since it was passed that is extraordinary. What we usually see with evening sittings is the House sitting until 10 p.m. or maybe a little bit later. Later adjournment times have in the past only been used by the government in response to opposition tactics to lengthen debates such as filibustering. This is quite different. This is the government introducing this at the beginning and continuing the practice even though normal debate and progress were being made with respect to the bills.

Mr. Speaker, this fall we've seen the consistent use of very late adjournment times, the effect of which is to push the government's legislative agenda through in a very short time. This has a number of effects. It has some impacts with respect to the ability to do our job in that you have a compressed sitting, first of all, which means fewer question periods and fewer opportunities to hold the government to account. It means that opposition members are prevented from properly researching and discussing with constituents and other citizens the impact of the bills that they are expected to debate in this House. It means that the quality of the debate, therefore, is substantially lowered. It means that small caucuses become overstretched and are unable to respond as well as they should to the debate on the government's legislative agenda.

The debate becomes compressed, and it reduces the ability of the citizens of this province to accurately understand what is happening in their Legislature. Their ability to learn about the bills that are put forward is constrained, and this hampers the ability of the opposition to consider all points of view on the proposed legislation.

Mr. Speaker, we've also seen the government bring forward a number of amendments to its own bills, which indicates that they



have not had sufficient time to ensure that their proposed legislation is well thought out.

3:20

Mr. Speaker, I know that the government is going to say: the opposition wanted the fall session, demanded the fall session, and now they don't want to do the work. I want to strongly suggest that it was this government's initial intention to cancel the fall session altogether, and until it was brought to their attention by yourself that the Legislature had already passed a motion setting the date for its return, they were prepared to do that.

It was the government's decision to meet for the first two days and then adjourn for nearly a month in order to return with a number of bills. It is the government's decision to withdraw the legislation that could have been considered by this Assembly during that time, including the Education Act and a number of private member bills, including Bill 208, which I would have loved very much to debate. That's my bill with respect to public health care in the province.

The government had options, and the government made clear decisions with respect to how it wanted this fall session to proceed. In the end they chose a lengthy adjournment, leaving very short time in order to debate the bills. They chose the bills that would be brought forward, and they determined the amount of time that would be available in order to consider those bills.

Those are all decisions made by the government. In no way does that obligate, in my view, the opposition to work relentlessly overtime hours in order to accommodate that to the point that members become tired, exhausted. In fact, I would submit that members often late at night considering these bills are impaired in their ability to function as a Legislature. I've seen it, Mr. Speaker. I have seen the results of these long hours on the debate: members sleeping and members getting involved in acrimonious discussions that aren't very productive and that don't further the public interest.

Mr. Speaker, the government has made a great deal of its legislation with respect to impairment of drivers who have blood-alcohol content of .05 to .08, and that is a legitimate subject of debate. Nevertheless, what we do in this House is consider legislation that affects millions of Albertans. The things that we do in this place affect how much people pay for electricity, how much they pay for tuition. It affects what they have to pay for insurance. It affects the quality of their health care system. It affects the quality of their schools for their children. It affects their ability to have representation in court. In other words, it's extremely important and affects the daily lives of millions of Albertans in many, many different ways.

For the government to expect very tired opposition members and, for that matter, very tired government members to debate key pieces of legislation for long periods of time late at night, which may impair their abilities to make those decisions, is in fact a violation, in my opinion, of the rights of the people in this Assembly, who are elected to represent their public.

This is clearly a government strategy to wear down the opposition. Repeated late evenings are leaving members of the House deprived of sleep and not doing a good job scrutinizing the legislation. The government is forcing us to debate bills – well, I can shorten it up, Mr. Speaker. I think you're sending me some signals in that regard.

**The Speaker:** Well, we're talking about a brief thing, really about 10 minutes, but we are a little beyond that now.

**Mr. Mason:** Yeah. Okay. Well, Mr. Speaker, I'll just conclude. Given the manner in which the government has been pushing its legislative agenda through the House and the effect that this has had on the ability of members to fulfill their duties, I would ask you to find that a *prima facie* case of breach of privilege exists. Nothing is more important. There are rules as well with respect to nothing in the standing orders or the rules of the Assembly can be considered with respect to a breach of privilege.

It's my submission, Mr. Speaker, that it is not the rules of the House that are at question in this privilege but the decisions made by the government in the use of those rules that have in fact prevented members of this Assembly from doing a proper job on behalf of the people who elected them, and therefore a *prima facie* case of privilege exists.

Thank you, Mr. Speaker.

**Ms Blakeman:** I'd like to support the Member for Edmonton-Highlands-Norwood's privilege motion. I'll just give a few examples of why I think his bringing this privilege motion forward is important.

I like to do a good job. That's important to me. Whether other people know I've done a good job or not is less important, but I like to be prepared and on top of my material and be aware of what others have said in the House and not repeat questions that have already been asked and answered. That's why I read *Hansard*, so that I don't do that. I haven't been able to do that this entire session. I caused the Minister of Justice's staff to have to give me an additional briefing because I raised so many questions in debate. Although a technical briefing had been given to our research staff, they had not had the time to be able to give that briefing to the critic, and he had not been able to brief the rest of us. So we all came in here essentially blind even though there had been an attempt to have us at least be aware.

Mr. Speaker, I'm still going to do the job of analyzing exactly what's being proposed and comparing the bill with the legislation as well as looking at what the government has told us. That's my job, and I was not able to do that in this sitting. We have sat five nights and now, likely, more nights next week, most times for a six-hour time span, which is the equivalent of two afternoon sittings. We've essentially, by sitting in the nights, put in an extra three weeks of time, which we should have just done during the day because there are only so many hours in a day, and we are all expected to keep up our constituency work. I, particularly when I'm in the House, like to be able to take the time to get feedback from my constituents. I was able to do it with only one bill this time. I haven't been able to do a feedback loop on the other bills that are in front of us.

We have all been in a position in the opposition of having to prioritize how our time is spent and, as a result, have had to edit out some of the jobs that we normally would have done while we were in session: invited more people into the gallery, for example, done more private members' statements, raised additional points during debate. I, too, have noticed that this particular government's strategy at this time has had an effect on my ability to both complete work as a member of the opposition and also to do a good job doing that work. I resent that, frankly. I like to do a good job, and I don't like being put in the position of not being able to do that. So I will support the point of privilege that has been raised.

**The Speaker:** Are there other members that wish to participate briefly on this subject?

**Mr. Chase:** Yes. Extremely briefly, Mr. Speaker. The effect is not only on Members of this Legislative Assembly. There's a ripple effect. It affects our researchers, it affects our support staff, and it affects our families. It's not fair.

**The Speaker:** Others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I will be very brief. I think that one of the things that happens when we are here at 12:30 or 1 o'clock in the morning discussing bills – serious bills like Bill 26, serious bills like Bill 25, some of those kinds of initiatives which clearly have engaged the interest and the intellectual investment of Albertans – and when we're debating at that time is that it's not only a question of how tired we are, which other members have identified impinges on our ability to do our best job, or what it does to the ability of Albertans to engage, but ultimately, to me, it appears as though it's almost a sense of unprofessionalism, that we deal with issues that are so important so late.

3:30

I think that it reflects very poorly on the import of the work that we do here in this Assembly. I think that in sending a message to Albertans that that's what we think about the Assembly, that it's an inconvenient impediment for government to get through as quickly as possible, we undermine this institution to Albertans and, in so doing, therefore interfere with our ability as individual members to do our job the best way we can. So I think that's an additional element that I would like to have considered.

As well, the federal House of Commons often sits well into December. The proposal was given very early on that we just begin this process by going well into December and that we could have then engaged in normal hours and that would have ensured quality of debate. So it's not one of these things that was unavoidable.

Having been here myself and having observed members on both sides of the House struggling to focus, to stay awake, to make the best arguments possible: it's a problem. Many members of this Assembly have young families, have children, and quite frankly having to engage in these hours also interferes with our ability to meet our obligations at home and to meet our obligations to the people of this province and to our colleagues in this Assembly.

For all those reasons, I think the hours that have been insisted upon by the majority members of this Assembly have interfered collectively with all of our abilities to function as well as we can as members of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Airdrie-Chestermere, briefly please, and then Calgary-Currie, and then we're going to ask the Government House Leader for a comment on this, and then we're going to have to move forward.

**Mr. Anderson:** Very good, Mr. Speaker. I'd like to stand and on behalf of the Wildrose caucus just quickly say that we support this motion brought forward by the Member for Edmonton-Highlands-Norwood. We feel very strongly that one of the – you know, I have noticed that the Government House Leader from time to time will express frustration that we take so long in going through some of the amendments. Two days ago, when we were looking over the Health Quality Council of Alberta Act, there was a lot of running around chaotically, and unfortunately I feel kind of guilty in that we were putting so much tremendous pressure on counsel to come up with amendments and subamendments and so forth essentially on a minute-to-minute basis as things were changing so fast.

Again, it is so difficult to adequately prepare when we have stuffed so many bills into such a constrained period of time. Although I do understand that the government wants to get things done and get on with things – and I respect that – as an opposition we need to have the time to prepare to facilitate an actual constructive discussion rather than being forced into a situation where we're, you know, into the night and trying desperately to figure out not only what's in these bills but to get feedback from constituents and do a thousand other things in what should have clearly been a three-month process, not a three-week process.

So on behalf of the Wildrose caucus I certainly would like to support this member's motion.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you, Mr. Speaker. I, too, will be supporting the motion for privilege . . .

**The Speaker:** It's not a motion. It's a statement on privilege. Go ahead.

**Mr. Taylor:** . . . put forward by the hon. Member for Edmonton-Highlands-Norwood. Frankly, I agree with everything that the speakers thus far on this point of privilege have had to say, and I want to add this. Whether by design or by default – and I certainly would hope that it's by default – the effect of having these repeatedly very long, late-into-the-night sittings to deal with legislation that may be rushed to begin with, that may be not properly thought through on that side of the House, as we're seeing some evidence of by virtue of amendments that correct typos in the original bills and things like that, has the effect of holding the people we serve, the people of Alberta, to contempt.

This is important work that we do in here. There are important roles for everyone in this House. There is an important role for the opposition to play and an important function for the opposition to fulfill in holding the government to account, not just so that the opposition can try and make the government's lives miserable but so that we can, working together, produce better laws on the floor of this Assembly on behalf of the people of Alberta.

It takes time to prepare things properly. We are not taking the proper time. We are putting ourselves under too much stress, and we are going to screw this up monumentally, Mr. Speaker, if we don't change our ways.

Thank you.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Members of this House on all sides have put in yeoman service over the last two weeks. In fact, I would suggest they've put in yeoman service for much longer than the two weeks because the work of the House depends on work being done before we get here, and it certainly depends on us being able to consult our constituents. Some of us have additional roles and obligations, whether it's as an opposition House leader or a member of cabinet, that require additional hours.

We get paid at a level of senior executives. Sometimes we wonder if we're getting paid an appropriate amount on a per-hour basis. Nonetheless, that's the nature of the job, and I would suggest to you that senior executives work hard. When people complain about executive compensation, often they have no idea of the level of responsibility or the time that people put into their jobs. Anybody who's earning more than a hundred thousand dollars a year, if they think they're going to work a 40-hour

workweek – I haven't met one yet. When you're earning over a hundred thousand dollars a year, you're working long hours.

When I was in the private sector, I worked long hours, not every day of the year but when the job needed to be done, I needed to be there, and the people who worked with me needed to be there. When I was closing a corporate deal of large magnitude, we worked to get it done. We did the work in the period of time it needed to be done, and sometimes it was two weeks or three weeks of long hours; sometimes it was well into the night. That was what we did because that was the job, and we were being paid well to do the job.

Members on this side of the House have families. I know personally: my wife has a career, and it's not convenient for her when I come home late at night and leave early in the morning because it's disruptive to her, but she understands that that's the nature of my job. It doesn't happen every day. She'd like it to happen less, but that's the nature of the job.

Members opposite complain about jamming substantive business into a short session. It was only a month and a half ago when members opposite were concerned that there wasn't going to be a fall session, and they were calling on the Premier to have a fall session. The Premier had indicated that maybe we wouldn't have a fall session. The House could have been prorogued, and we could have gone without a fall session. That was an option.

I believe I'm quoting, well, not quoting but paraphrasing perhaps, the hon. member who raised this point of privilege that it was necessary to have the government come to the Legislature to deal with issues on education funding, the judicial inquiry, and fixed election dates. We have seven bills before us. One of them is supplementary estimates, and a substantial portion of the supplementary estimates is education funding, exactly what the hon. member wanted to have this fall in the House. He got what he wanted.

He wanted a judicial inquiry. The Health Quality Council of Alberta Act sets the framework for the appropriate authorities for the Health Quality Council to do its work independently and to hold a public inquiry with appropriate parameters with respect to the protection of patient information, exactly what the hon. member wanted debated in this House. He wants a different type of inquiry, but he wanted a judicial inquiry.

Fixed election dates. There's a bill before the House that deals with the issue of when we should hold elections. It's not a big bill, Mr. Speaker. It's a one-page bill. It deals with a very simple, straightforward issue: fixed election dates. It's not hard to comprehend. It's not hard to research. It's not hard to understand. In fact, the hon. member for years has been putting forward debate on this issue. He needs very little, I would suggest, preparation and very little discussion. It's a matter of putting the opinion on the table. It's not a matter of putting the opinion on the table over and over and over again. It's a matter of putting the opinion on the table.

Now, it's not up to me to determine how the opposition wishes to debate any particular bill, but I can say that if one goes and reads *Hansard*, the length of the debate could be shortened if it wasn't so repetitive. In fact, the Member for Airdrie-Chestermere has made almost the identical statements with respect to matters which aren't actually even a part of the Health Quality Council act at least three times that I can think of.

3:40

Mr. Speaker, I can say that because I've been here for virtually all of the hours, not quite all of the hours but virtually all of the hours, that the House has been in session this fall, and I will be here for the rest of them. I'm doing my job. I'm also doing my job

as Minister of Human Services, and I'm also doing my job as a member of Agenda and Priorities, and I'm also doing my job as the Member for Edmonton-Whitemud. These are important jobs, and I can do them, and I can do them well. Sometimes it's tough, and sometimes we do it with a little bit less sleep than one might like to have, but we can do it. We're doing it this fall because it's important work, and we're doing it this fall because members of the opposition believed that it was important that we be here in the Legislature doing these jobs.

Seven bills, Mr. Speaker. Seven very straightforward, relatively simple bills. Important, straightforward, but simple. The first bill is the Appropriation (Supplementary Supply) Act, 2011. I don't think I need to go into that too much. It has two points – I'll wrap it up very quickly – two points in the appropriations bill that really were the bulk of the spending: Slave Lake, education funding. The opposition wanted to be here to talk about education funding, and they can get back to it in about five minutes or less, depending on how long I continue, which will be short, and on how long you continue.

The second bill is fixed election dates. It's about a two-line bill, and it's very easy to understand. It's a very simple concept. It doesn't take much work.

The third bill, the Health Quality Council of Alberta Act, I've dealt with already. There are really two main portions to it: improving the authorities and the powers and the independence of the Health Quality Council and giving it the powers of a public inquiry with some mandate around how they keep important information that should not be made public separate so that they can hear from a full variety of witnesses. I won't debate that one.

The Child and Youth Advocate Act, really, has two simple concepts in it. There are actually five concepts in it, but they're not hard to comprehend. Full briefings were provided.

The Traffic Safety Amendment Act, 2011, again, is not hard to comprehend. We've dealt with over and over and over again exactly the same concept: whether there should be the sanctions that we're proposing with respect to over .05 instead of just the criminal sanctions at over .08. Most of the debate, I would suggest, has centred around whether or not there should be more enforcement of the .08 and not on the tenets of the bill.

I can tell you, Mr. Speaker, that if you were to read the bills, which I'm sure you have, you'd agree with me that there are seven bills, very simple concepts, very substantively important, not hard to comprehend, full briefings to the opposition. We proposed to proceed with the break, which was necessary to prepare these bills, because the new Premier wanted to put forward the new agenda. It takes time to develop the bills and to draft them, so there was a need to start later than normal. But there was a full signalling as fast as possible about what was going to be the subject of the session, full briefings on the subject of the session. Very simple concepts and, yes, some night sittings, which go until midnight or a little bit later.

It's not usual to have five night sittings or six night sittings, but we have had lots of night sittings in the 14 and some years that I've been in this Legislature. Some of them have gone all night. Sometimes we've had several nights. We used to sit as a matter of routine during the evening, and we used to go quite late as part of those sittings. In fact, it was not unusual to adjourn at or around 12 o'clock.

Mr. Speaker, I understand the concern the opposition members have. Certainly, in terms of quality of life we'd all like to have evenings where we could go home to our families. We would all like to have an easier opportunity to do the job. We'd all like more resources, quite frankly. I wouldn't mind having about double the resources I've got to be able to do all the jobs that I've got to do.

The fact of the matter is that we've got a tough job. We asked for the job, and we're here doing the job, and it's what the public expects us to do. It's not unusual for senior executives, people who are paid at the senior executive level, to work hard from time to time and to put in long hours to get the job done.

**The Speaker:** I've asked the question previously about who wanted to participate.

Hon. members, I am prepared to rule on the purported question of privilege brought by the Member for Edmonton-Highlands-Norwood. Notice of this particular question of privilege application was received in my office at 11:07 this morning, so the requirements of Standing Order 15(2) have been met.

As the chair understands the submissions made by the member and others, he and they are arguing that his and their ability to perform their duties as members has been hindered by the late-night sittings of the Assembly. I must state that the argument put forward by the member is rather unique as I do not recall hearing a similar question of privilege in the 32 years that I've served in this Assembly as a member. I found it of considerable interest when it arrived on my desk this morning.

On the issue raised by the member, the chair agrees that there have been evening sittings of the Assembly. For instance, the Votes and Proceedings for yesterday, November 30, 2011, indicated that the Assembly adjourned at 11:52 p.m., and I've noted the times of adjournment on the other previous four occasions during this fall sitting.

Hon. members, Standing Order 10 in your Standing Orders is clear. "Every Member is bound to attend the service of the Assembly..." but there are still some other words as well, though. It says, "...unless notification has been given to the Speaker in accordance with the rules of the Assembly." We are bound to be here by our own rules. The Canadian House of Commons has a similar standing order as discussed in the *House of Commons Procedure and Practice*, 2nd edition, page 213.

Under our Standing Order 3 sittings of the Assembly conclude at 6 p.m. Monday to Wednesday and at 4:30 p.m. on Thursday. The standing orders provide for the possibility of a government motion for meetings of the Assembly on Monday, Tuesday, and Wednesday evenings. Some discussion has occurred in recent years about evening sittings, what length they might take and how frequent they might be. The government brought forward Government Motion 26, which provided for evening sittings on Mondays, Tuesdays, and Wednesdays for the remainder of the fall sitting. The motion was approved by this Assembly on November 22, 2011. Accordingly, the Assembly passed a motion to sit three evenings a week for the remainder of the fall sitting as permitted by the standing order.

In order to find a *prima facie* question of privilege, the chair would have to find that the decision of the Assembly to have night sittings was somehow a violation of the member's rights and immunities. The chair cannot imagine how sittings of the Assembly could be found to violate a member's rights. In doing so, the chair would have to find that Government Motion 26 and perhaps the standing order somehow violated the member's privileges as they allow for evening sittings.

I wish to acknowledge, however, that an opportunity was given to the hon. Member for Edmonton-Highlands-Norwood and other members to express their views and, perhaps, some frustration with respect to the hours currently under way in this fall sitting. But there is no *prima facie* question of privilege. That, in essence, concludes the matter.

I would like to add several additional statements. Many other parliaments count evening sittings as separate days of sitting. So

when we say that we sit 70 days a year but sit 30 evenings per year as well, in their jurisdiction, their nomenclature, that would be 100 days a year. We sell ourselves short in this Assembly by counting an afternoon sitting and an evening sitting as only one, and we must be very, very careful with that definition when members meet with parliamentarians from other jurisdictions in the country of Canada.

Number two. I listened very attentively to what the members were saying here in this discussion. I know that I've had many, many other discussions with other members. I actually implore you, before we return in the spring, to basically take a good look at this question because the question of fatigue is an important one. The question of clarity of mind is an important one. The question of family is an important one. The question of travel is an important one.

We all know, within all of the groups that members may belong to, that there are some who say: "Well, listen. If we could be here a few days shorter, that's better, so can't we just sit a few hours longer?" But I would suspect that most would conclude that the brain probably functions best earlier in the day rather than later in the day. I'm just guessing out loud on this one. I can't quantifiably say that for certain, but I would suspect that the more time there is to think and to read and to be prepared, the better off we all are as legislators in the province of Alberta.

The matter is now concluded.

3:50

## Orders of the Day

### Government Bills and Orders

#### Third Reading

#### Bill 27

#### Appropriation (Supplementary Supply) Act, 2011 (No. 2)

**The Speaker:** The hon. Government House Leader on behalf of.

**Mr. Hancock:** Thank you, Mr. Speaker. I move Bill 27 for third reading.

**The Speaker:** The hon. Member for Edmonton-Riverview on third reading of Bill 27.

**Dr. Taft:** Yes. Thank you, Mr. Speaker. Actually, my...

**The Speaker:** I'm sorry. Hon. member, could I just, please, beg your indulgence?

**Dr. Taft:** Sure.

**The Speaker:** One hon. member has had a number of guests here for a period of time while we've dealt with this other matter. Could we revert briefly to the Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(reversion)

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

**Mr. Vandermeer:** Thank you, Mr. Speaker. It's my great pleasure to introduce to you a gentleman who has kept us safe in this building for many, many years in the past, who has now retired and who resides in the beautiful constituency of Edmonton-Manning, just a short walk away from where a former Premier of this province, Ernest Manning, used to live. His name is Nick

Kutash. He is accompanied by his wife, Genevieve, and I'm going to assume that it's his two grandsons, Ryley and Brody. I'd ask them to rise and receive a very warm welcome.

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

**Mr. Prins:** Thank you very much, Mr. Speaker. It gives me also a great honour and a pleasure to introduce to you and through you to all members and all Albertans a great friend of mine, Dr. Cliff Soper. Dr. Soper is the former dean of health sciences at Red Deer College. He is a councillor for the Lacombe county. He was a colleague of mine for many years there and encouraged me to run for MLA at some time. He's currently the president of the Lacombe-Ponoka PC Association. He's here visiting today and watching us do the wonderful work of government. I'd like him to stand and receive the warm welcome of this Assembly.

### Government Bills and Orders

#### Third Reading

##### Bill 27

#### Appropriation (Supplementary Supply)

##### Act, 2011 (No. 2)

(continued)

**The Speaker:** I'm sorry. Now the hon. Member for Edmonton-Riverview.

**Dr. Taft:** All right. Thank you, Mr. Speaker. You know, I just need to clarify. Do I have 10 minutes or 15 at this point?

**The Speaker:** Under our rules you have up to 20 minutes according to Standing Order 29(2)(a).

**Dr. Taft:** Yes. Thank you.

I heard a groan from the government members, so I'll try not to take full advantage of that time, but I do want to speak. I do need to get some comments on record.

Actually, it's interesting, Mr. Speaker, I don't want to belabour the previous discussion that occurred on the point of privilege, but one of the challenges I've had in addressing the issues around this bill are the time constraints. In particular, when we have all of this legislation, all of the background and so on, dumped on us at once, it's easy for important details to get lost. A particular detail in this bill came to my attention today. I wish it had come to my attention in second reading because I would have brought forward an amendment, but there was just simply too big a rush with all the bills coming forward.

[Mr. Zwozdesky in the chair]

The particular detail I'm referring to – and I would invite the minister of advanced education to follow along with my comments – is on page 26 of the supplementary supply estimates 2011-12. This is, I think, the attached schedule. On page 26 it provides some detail for the amounts we're voting on today. This one in particular is for Culture and Community Services. I need to raise a concern about a specific amount of money in here for a project that is actually going into my constituency, Mr. Speaker, and which causes me some torn feelings. That project is the GO Community Centre.

In this allotment today there is a further \$3.295 million being voted on for the GO Community Centre. Certainly, the GO Community Centre provides wonderful opportunities for basket

ball players and volleyball players and the Ortona Gymnastics Club and various others to undertake their activities. I'm a big fan of physical activity and sports and so on, but this particular project raises some serious questions, Mr. Speaker, and I need to get those on the record because we're today voting over \$3 million for this.

I will start by just noting that my understanding from documents and comments I have seen is that the GO Centre was originally envisioned to go into the Mill Woods area of Edmonton – the Deputy Speaker may well be aware of that – and that there were particular challenges around the GO Centre meeting some of the zoning and design requirements under municipal government. Somebody got the bright idea that we could put it on the south campus of the university. The south campus is exempt from any of those limits, so there is no requirement around parking or design or other issues. [interjections] I hope the ministers or government members who are objecting feel free to speak up later.

In any case, I do have documentation that this was originally intended for Mill Woods, and then it was suddenly plopped down into the south campus. Whatever the reasons for that were, the fact of the matter is that under legislation the University of Alberta, unlike any other postsecondary institution in central or northern Alberta, is exempt from any zoning controls under the Municipal Government Act: parking, traffic, design, anything like that. That has created problems because the entire consultation process around the GO Centre development, which is a massive development – I think people need to understand that the GO Centre is, I think, about three times the size of the Butterdome on the U of A main campus. It was put into my constituency without any due respect or due consultation with my constituents.

So what's happened is that it opened this fall, September, to big fanfare, and suddenly the neighbours in one of my neighbourhoods, Lendrum, are waking up to significantly increased traffic, parking and congestion issues, and everything that's related to that. They had no reasonable opportunity for any input into that. That raises tough questions.

Now, Mr. Speaker, I want to draw particular attention to a document that, it may well be, very few members of this Assembly have seen. This is the memorandum of understanding and intent between GO Community Centre and the governors of the University of Alberta dated February 11, 2008. This was obtained through a FOIP request. I would like to draw attention to article 3, guiding principles, paragraph 3.01(c)(ii). I would hope the ministers are paying attention to this. This memorandum of agreement says

- (c) The business case for the [GO Community Centre] as well as the final design and site layout for the [GO Community Centre] shall . . .

And I quote exactly here, Mr. Speaker.

- (ii) have the broad support of the neighbouring community (with whom close collaboration must be established throughout the design and development phase).

This is the legally binding memorandum of understanding between the GO Community Centre and the governors of the University of Alberta.

Mr. Speaker, I can tell you unequivocally and I tell the government members, particularly the Edmonton caucus, that the residents of the neighbourhoods living around south campus feel, and I think they are fully justified, that that requirement was utterly ignored, that in fact there was no meaningful effort put in by either the GO Community Centre or the University of Alberta to fulfill that requirement. And sadly for my constituents – they've sought legal advice on this – because they are not signatories to

this agreement, even though their interests are at stake, they have no say. So the university can sign a nice piece of paper with wonderful intentions, but if they don't enforce it, my constituents are on the hook, and they do feel on the hook.

4:00

The problem here in the bigger picture is that it has poisoned relations between the south campus neighbourhoods and the university. I also think it reflects very poorly on both parties that they would sign an agreement like this – this is a very extensive, multimillion-dollar agreement, which is the basis for the funding we're discussing today – and then ignore one of the fundamental principles in that agreement.

This agreement also goes on to raise other issues which I think are important to get on the record here. Section 2.02, actually, of the June 28, 2010, GO Centre venture agreement obligates the university to provide "sufficient parking and parking infrastructure in relative proximity to the GO Centre to accommodate the needs of users of the GO Centre."

Now, I want to refer you to another document here, Mr. Speaker, and I refer all members to this. This is a University of Alberta commentary, Friday, February 11, 2011, written by the vice-president of facilities and operations. Here's what he says: "While we [the university] do not currently control the decisions around the capital project, including final design and financial decisions, we continue to provide input and suggestions." What we have here – in fact, this same document refers to the GO Centre as a private initiative and so on – is the university agreeing to provide sufficient parking and parking infrastructure near the GO Centre to meet the needs of the GO Centre when the GO Centre isn't even a university project. The university doesn't own the GO Centre. I have concerns with that.

It goes on to say in section 2.03 of the GO Centre venture agreement, June 28, 2010: "In addition, the University shall on an ongoing basis during the Term [of eight years] . . . provide free parking in relative proximity to the GO Centre for users of the GO Centre."

Then it goes on, and this is where I think it goes even further astray. Why are we spending millions of dollars on beach volleyball? Well, you may wonder, Mr. Speaker. Section 10.01 of this same venture agreement – I hope the minister is listening here, Mr. Minister – is that "the University agrees that it will use commercially reasonable efforts respecting the setting aside of land in relative proximity to the GO Centre Building to accommodate sixteen (16) beach volleyball courts." Now, we have a multimillion-dollar agreement involving a university that's committing the university to use commercially reasonable efforts to establish 16 beach volleyball courts. Are we losing focus here, folks? Why is a university doing that? Why are we as a Legislature putting tens of millions of dollars into this kind of a facility?

Then it goes on. It addresses alcohol sales, revenue related to alcohol sales at events involving varsity sports, and it goes on and on for pages.

I have questions. I wish we'd had time to debate those questions. Sadly, this memorandum of understanding and the GO Centre venture agreement were not made public, to my knowledge, until they were uncovered through a FOIP request.

I also feel like we should set higher standards for the kinds of facilities we're financing. One of the things I have heard repeatedly from my constituents and from urban planners and from architects and engineers is that the GO Centre as a structure is a disappointment, to put it mildly. I've heard some rather over-the-top descriptions of it from my constituents, Mr. Speaker, but I

think anybody looking at it is going to understand that it's essentially a big-box steel warehouse building with massive blank walls. I mean, we're talking about blank walls that are two or three storeys high, stretching for 50, 60, 70 metres. That's not good design. We need to aim higher than that. Then this facility is surrounded by acres of asphalt paving.

I won't name names in here, but I will tell you that a very prominent member of the Edmonton community has expressed concern that the south campus, when it's going in this direction, is in danger of becoming the South Edmonton Common of recreation facilities because in addition to the GO Centre we have the university wanting twin arenas, a new field house, three parkades, and so on. Essentially, what we're going to get are thousands and thousands of cars a day descending on the south campus, parking there, using these faceless facilities, and then driving away, generating significant traffic and congestion and, I think, most sadly and most disturbingly, Mr. Speaker, falling short of what we could achieve.

This is maybe where I'd like to aim for this Assembly. We need to understand that the south campus lands, over 600 acres of greenfield lands, are a breathtaking opportunity for this city and this university and this province to do something extraordinary. I've worked very hard with my constituents so that they don't get into a NIMBY mentality of just leaving it as a farmer's field. This was the university farm. They understand that having 600 acres of greenfield land already served by an LRT, in the centre of a city, adjacent to mature neighbourhoods does provide an opportunity for extraordinary achievement here, and building huge steel warehouse structures surrounded by asphalt parking lots is not good enough.

If we want the U of A to be a top 20 university – I do – then let's have a top 20 south campus. Let's follow the lead of the city of Edmonton, Mr. Speaker, and invite a competition of the world's greatest urban planners to look at the south campus lands and come forward with their ideas and do something extraordinary because we could – we could – elevate this university and this city and this province to something extraordinary. Spending \$3.29 million further on this facility – I mean, we have no choice. But what I would challenge this government to do now is to draw the line. Don't do this again. Get the university administrators to think bigger, think better.

I'm concerned, frankly, from the information I've heard directly from the GO Centre builders, that it doesn't even meet LEED standards. So here we have the U of A partnering with the Helmholtz Institute in Germany, with various other international organizations who are leading the world in environmental sustainability, and we're putting up buildings that don't meet LEED standards.

I'm also concerned about the ongoing financial viability of this facility. The GO Centre hasn't been open three months, and they're already applying for CFEP funding. In fact, I received a copy of the application before it even opened. How is this thing going to sustain itself? And if it doesn't, where does it end up? It ends up in the control of the university. I'm not convinced that there's wise long-term planning here.

Mr. Speaker, I needed to get those comments on the record. I'm sure I'll hear static from the operators of the GO Centre and from university administrators, but my challenge to them and to all of us is to aim higher. Do something extraordinary here. Hold a global competition just like the city of Edmonton did. Bring in the world's best designers, and let's do something great.

Thank you.

**The Acting Speaker:** Thank you.

Hon. members, there was a request to revert to Introduction of Guests by a particular member. I realize that the guests have left, but I'd ask the hon. minister if he wants to just read them into the record with the permission of the Assembly.

[Unanimous consent granted]

### **Introduction of Guests** (*reversion*)

**Mr. Oberle:** Well, thank you so much, Mr. Speaker. I'd be very honoured to do that. Present in the gallery just moments ago were some constituents of mine: Real Arsenault, who is general manager of Manning Diversified Forest Products, and his lovely wife, Kim. Kim, of course, is the brains behind the wildly successful cancer fundraiser that was held in Manning the other night. If their family is anything like mine, she's also the brains behind Real, I'm sure. Accompanying them was Bambi Morton – and the same, for sure, goes there – and Lauren Mendis, who is a constituent of the hon. Minister of Energy and currently works in his office, a recent graduate of Dalhousie University. I'd like the Assembly to give them the warm traditional welcome.

### **4:10 Government Bills and Orders** **Third Reading** **Bill 27** **Appropriation (Supplementary Supply)** **Act, 2011 (No. 2)** (*continued*)

**The Acting Speaker:** Hon. members, we are in third reading on Bill 27. We have a few minutes left. Are there any other speakers to this important bill? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. Thank you, Mr. Speaker. I had an opportunity to speak to this to some extent in Committee of Supply, but there were some additional points that occurred to me for further consideration after that time. I thought today might be an opportunity to raise some of those concerns or questions in the ever-so-naïve hope that someone might respond to the questions with some answers. Nonetheless, I'll just go through some of the issues that we had with respect to what was identified with respect to supplementary supply.

I note that one of the additions is this \$13 million to the ministry of environment, primarily for the Canada ecotrust for clean air and climate change initiative, \$3.2 million of which was for operating expenses, and \$9.7 million was in capital grants. No question that that little organization appears to have engaged in some useful work around doing some environmental renewable energy efforts closer to the ground, particularly some of the stuff that they've done in relation to Okotoks. I'm just wondering why it is that this federal funding initiative has triggered the need for supplementary estimates and why it is that we would not have

known that this money was coming to us. What exactly is going on there?

Certainly, we have a bit of a history with this government in terms of a lack of communication between the provincial government and the federal government around dollars, the most profound and public of which was the really quite disconcerting breakdown in communications around the Royal Alberta Museum. One sometimes does wonder who's doing what in our government and in the federal government that little items like an extra \$90 million were the subject of confusion. Always a concern when people are confused about those amounts of money.

One of the areas that is seeking additional money is, again, Municipal Affairs, an additional \$20.2 million for affordable housing development that, I understand, is offset by a transfer from CMHC. Again, I'm sort of unclear as to how this operates within the budget, if that's sort of an additional revenue piece, too, or what exactly is going on. I'm obviously not getting the whole piece here. It does raise an interesting question, of course, on the issue of affordable housing. [interjection] One minute left? Why only one minute left?

**The Acting Speaker:** Standing Order 64(5) requires us to call the question at 4:15 today.

**Ms Notley:** Well, then, I would just suggest that what we need to do is actually have this additional money going into Municipal Affairs assist the minister in finding the extra \$2 million to \$4 million that it would cost to ensure that the 1,300 Alberta families who are on the verge of losing their homes as a result of the end of a rent supplement program, that I believe is now the responsibility of the Minister of Municipal Affairs – rather than making misleading statements that they would be able to get in line behind a greater number of people and that somehow that answers their . . .

**The Acting Speaker:** I hesitate to interrupt the hon. member, but in accordance with Standing Order 64(5) the chair is required to put the question to the House on the appropriation bill as it sits on the Order Paper for third reading.

[Motion carried; Bill 27 read a third time]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the fact that we have only 15 minutes left before the normal adjournment hour, it wouldn't be prudent to start another bill, and in light of the interests of all members to get in a little bit of extra reading time and rest, I would move that we adjourn until 1:30 p.m. on Monday, December 5, pursuant to a government motion which was passed earlier this week.

[Motion carried; the Assembly adjourned at 4:16 p.m. to Monday at 1:30 p.m.]





## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to December 01, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

### **1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft.), 553-62 (Mar. 24 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 862-73 (Apr. 26 eve., passed)

Third Reading -- 1063-69 (May 10 aft., passed on division)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 cA-44.5]

### **2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c4]

### **3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c3]

### **4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 858-60 (Apr. 26 aft.), 861-62 (Apr. 26 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29, with exceptions; SA 2011 c7]

### **5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 797-99 (Apr. 20 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 cN-6.5]

### **6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 799-801 (Apr. 20 eve., passed)

Third Reading -- 1035 (May 9 eve., passed)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c14]

- 7        Corrections Amendment Act, 2011 (Oberle)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 801 (Apr. 20 eve., passed)  
Third Reading -- 1035 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c10]
- 8\*       Missing Persons Act (VanderBurg)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 1024-35 (May 9 eve., passed with amendments)  
Third Reading -- 1058-61 (May 10 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 cM-18.5]
- 9        Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 113 (Mar. 1 aft., passed)  
Second Reading -- 185-86 (Mar. 3 aft., passed)  
Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)  
Third Reading -- 305-08 (Mar. 10 aft., passed)  
Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]
- 10       Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 877-85 (Apr. 26 eve.), 910-17 (Apr. 27 aft.), 919-37 (Apr. 27 eve.), 937-46 (Apr. 27 eve., passed)  
Third Reading -- 1071-89 (May 10 eve., passed on division)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c9]
- 11\*      Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft.), 552-53 (Mar. 24 aft.), 618-27 (Apr. 12 aft.), 661-62 (Apr. 13 aft.), 790-97 (Apr. 20 eve., passed)  
Committee of the Whole -- 826-27 (Apr. 21 aft.), 873-77 (Apr. 26 eve., passed with amendments)  
Third Reading -- 1035-36 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c12]
- 12       Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft.), 675-79 (Apr. 14 aft., passed)  
Committee of the Whole -- 802-04 (Apr. 20 eve., passed)  
Third Reading -- 1036-38 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c8]
- 13       Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)  
Royal Assent -- 328 (Mar. 18 outside of House sitting) [Comes into force March 18, 2011; SA 2011; c2]
- 14       Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft.), 679-680 (Apr. 14 aft., passed)  
Committee of the Whole -- 804 (Apr. 20 eve., passed)  
Third Reading -- 1038 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c16]
- 15\*      Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft.), 680-684 (Apr. 14 aft., passed)  
Committee of the Whole -- 827-28 (Apr. 21 aft.), 853-58 (Apr. 26 aft.), 1013-24 (May 9 eve., passed with amendments)  
Third Reading -- 1061-63 (May 10 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c15]

- 16 Energy Statutes Amendment Act, 2011 (McQueen)**  
First Reading -- 482 (Mar. 22 aft.)  
Second Reading -- 552 (Mar. 24 aft.), 820-26 (Apr. 21 aft.), 852-53 (Apr. 26 aft.), 969-70 (Apr. 28 aft.), 1009-12 (May 9 eve., passed)  
Committee of the Whole -- 1069-70 (May 10 aft.), 1071 (May 10 eve., passed)  
Third Reading -- 1112-17 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c11]
- 17 Appropriation Act, 2011 (\$) (Snelgrove)**  
First Reading -- 818 (Apr. 21 aft., passed)  
Second Reading -- 841-52 (Apr. 26 aft., passed on division)  
Committee of the Whole -- 904-10 (Apr. 27 aft.), 937 (Apr. 27 eve., passed)  
Third Reading -- 967-69 (Apr. 28 aft.), 970-71 (Apr. 28 aft., passed on division)  
Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29; SA 2011 c5]
- 18 Education Act (Hancock)**  
First Reading -- 898 (Apr. 27 aft., passed)  
Second Reading -- 965-67 (Apr. 28 aft., adjourned)
- 19 Miscellaneous Statutes Amendment Act, 2011 (Olson)**  
First Reading -- 989 (May 9 aft., passed)  
Second Reading -- 1053 (May 10 aft., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c13]
- 20 Workers' Compensation Amendment Act, 2011 (Lukaszuk)**  
First Reading -- 1052 (May 10 aft., passed)  
Second Reading -- 1053-56 (May 10 aft., passed)  
Committee of the Whole -- 1107-11 (May 11 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c17]
- 21 Election Amendment Act, 2011 (Olson)**  
First Reading -- 1203 (Nov. 21 aft., passed)  
Second Reading -- 1240-41 (Nov. 22 aft.), 1337-49 (Nov. 23 eve., passed on division)  
Committee of the Whole -- 1473-78 (Nov. 29 aft.), 1479,1501-09 (Nov. 29 eve.), 1532-43 (Nov. 30 aft.), 1545 (Nov. 30 eve., adjourned, amendments introduced)
- 22 Justice and Court Statutes Amendment Act, 2011 (Woo-Paw)**  
First Reading -- 1203-04 (Nov. 21 aft., passed)  
Second Reading -- 1236-38 (Nov. 22 aft.), 1349-53 (Nov. 23 eve., passed)  
Committee of the Whole -- 1496-1501 (Nov. 29 eve., passed)
- 23 Land Assembly Project Area Amendment Act, 2011 (Johnson)**  
First Reading -- 1204 (Nov. 21 aft., passed)  
Second Reading -- 1238 (Nov. 22 aft.), 1368-78 (Nov. 24 aft.), 1411-26 (Nov. 28 eve., passed)  
Committee of the Whole -- 1465-73 (Nov. 29 aft.), (Nov. 29 eve., passed)
- 24 Health Quality Council of Alberta Act (Horne)**  
First Reading -- 1203 (Nov. 21 aft., passed)  
Second Reading -- 1235-36 (Nov. 22 aft.), 1241-54 (Nov. 22 aft.), 1278-83 (Nov. 22 eve., passed on division)  
Committee of the Whole -- 1479-91 (Nov. 29 eve.), 1561-70 (Nov. 30 eve., adjourned, amendments introduced)
- 25\* Child and Youth Advocate Act (Hancock)**  
First Reading -- 1203 (Nov. 21 aft., passed)  
Second Reading -- 1238-40 (Nov. 22 aft.), 1283-85 (Nov. 22 eve.), 1300-06 (Nov. 23 aft.), 1319-23 (Nov. 23 eve., passed)  
Committee of the Whole -- 1426-37 (Nov. 28 eve., passed with amendments)
- 26\* Traffic Safety Amendment Act, 2011 (Danyluk)**  
First Reading -- 1204 (Nov. 21 aft., passed)  
Second Reading -- 1238 (Nov. 22 aft.), 1306-17 (Nov. 23 aft.), 1323-37 (Nov. 23 eve., passed)  
Committee of the Whole -- 1437-46 (Nov. 28 eve.), 1545-61 (Nov. 30 eve., adjourned, amendments agreed to)

- 27 Appropriation (Supplementary Supply) Act, 2011 (No. 2) (\$) (Horner)**  
 First Reading -- 1366 (Nov. 24 aft., passed)  
 Second Reading -- 1461-65 (Nov. 29 aft.), 1491-96 (Nov. 29 eve., passed on division)  
 Committee of the Whole -- 1528-32 (Nov. 30 aft.), 1561 (Nov. 30 eve., passed)  
 Third Reading -- 1590-93 (Dec. 1 aft., passed)  
 Royal Assent -- (Dec. 1 outside of House sitting)
- 201\* Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
 First Reading -- 55 (Feb. 24 aft., passed)  
 Second Reading -- 73-86 (Feb. 28 aft., passed)  
 Committee of the Whole -- 464-68 (Mar. 21 aft.), 579-88 (Apr. 11 aft., passed with amendments)  
 Third Reading -- 704-05 (Apr. 18 aft., passed)  
 Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 c6]
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
 First Reading -- 55 (Feb. 24 aft., passed)  
 Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203 Alberta Get Outdoors Weekend Act (Rodney)**  
 First Reading -- 152 (Mar. 2 aft., passed)  
 Second Reading -- 588-89 (Apr. 11 aft.), 705-10 (Apr. 18 aft., passed)  
 Committee of the Whole -- 1210-15 (Nov. 21 aft., passed)  
 Third Reading -- 1392-99 (Nov. 28 aft., passed)
- 204 Justice System Monitoring Act (Forsyth)**  
 First Reading -- 304 (Mar. 10 aft., passed)  
 Second Reading -- 992-1001 (May 9 aft.), 1215 (Nov. 21 aft.), 1399-1404 (Nov. 28 aft., defeated on division)
- 205 Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
 First Reading -- 362 (Mar. 15 aft., passed)  
 Second Reading -- 1404 (Nov. 28 aft., adjourned)
- 207 Seniors' Property Tax Deferral Act (Jablonski)**  
 First Reading -- 989 (May 9 aft., passed)
- 208 Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011 (Mason)**  
 First Reading -- 1105 (May 11 aft., passed)
- 209 Tailings Ponds Reclamation Statutes Amendment Act, 2011 (Blakeman)**  
 First Reading -- 1105-06 (May 11 aft., passed)
- Pr1 Alberta Association of Municipal Districts and Counties Amendment Act, 2011 (Rogers)**  
 First Reading -- 550 (Mar. 24 aft., passed)  
 Second Reading -- 1012-13 (May 9 eve., passed)  
 Committee of the Whole -- 1057 (May 10 aft., passed)  
 Third Reading -- 1117 (May 11 aft., passed)  
 Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]
- Pr2 Galt Scholarship Fund Transfer Act (Pastoor)**  
 First Reading -- 507 (Mar. 23 aft., passed)  
 Second Reading -- 1013 (May 9 eve., passed)  
 Committee of the Whole -- 1057 (May 10 aft., passed)  
 Third Reading -- 1117 (May 11 aft., passed)  
 Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]
- Pr3 Auburn Bay Residents Association Tax Exemption Act (Johnston)**  
 First Reading -- 515 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)
- Pr4 Cranston Residents Association Tax Exemption Act (Johnston)**  
 First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)
- Pr5 New Brighton Residents Association Tax Exemption Act (Johnston)**  
 First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr6      Tuscany Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr7      Hull Child and Family Services Amendment Act, 2011 (Rodney)**

First Reading -- 516 (Mar. 23 aft., passed)

Second Reading -- 1013 (May 9 eve., passed)

Committee of the Whole -- 1057-58 (May 10 aft., passed)

Third Reading -- 1117 (May 11 aft., passed)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday afternoon, December 5, 2011

Issue 45

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
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Zwozdesky, Gene, Edmonton-Mill Creek, Deputy Chair of Committees

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Forsyth, Heather, Calgary-Fish Creek (W),  
Wildrose Opposition Whip  
Fritz, Hon. Yvonne, Calgary-Cross (PC)  
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)  
Griffiths, Doug, Battle River-Wainwright (PC)  
Groeneveld, George, Highwood (PC)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
Government House Leader  
Hayden, Hon. Jack, Drumheller-Stettler (PC)  
Hehr, Kent, Calgary-Buffalo (AL),  
Official Opposition Deputy Leader  
Hinman, Paul, Calgary-Glenmore (W),  
Wildrose Opposition Deputy Leader  
Horne, Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-Sturgeon-St. Albert (PC)  
Jablonski, Hon. Mary Anne, Red Deer-North (PC)  
Jacobs, Broyce, Cardston-Taber-Warner (PC)  
Johnson, Jeff, Athabasca-Redwater (PC)  
Johnston, Art, Calgary-Hays (PC)

Kang, Darshan S., Calgary-McCall (AL),  
Official Opposition Whip  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Knight, Hon. Mel, Grande Prairie-Smoky (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Liepert, Hon. Ron, Calgary-West (PC)  
Lindsay, Fred, Stony Plain (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC),  
Deputy Government House Leader  
Lund, Ty, Rocky Mountain House (PC)  
MacDonald, Hugh, Edmonton-Gold Bar (AL)  
Marz, Richard, Olds-Didsbury-Three Hills (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
Leader of the ND Opposition  
McFarland, Barry, Little Bow (PC)  
McQueen, Diana, Drayton Valley-Calmar (PC)  
Mitzel, Len, Cypress-Medicine Hat (PC)  
Morton, F.L., Foothills-Rocky View (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
ND Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC),  
Deputy Government House Leader  
Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Prins, Ray, Lacombe-Ponoka (PC)  
Quest, Dave, Strathcona (PC)  
Redford, Alison M., QC, Calgary-Elbow (PC),  
Premier  
Renner, Rob, Medicine Hat (PC)  
Rodney, Dave, Calgary-Lougheed (PC)  
Rogers, George, Leduc-Beaumont-Devon (PC)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
Leader of the Official Opposition  
Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)  
Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Taft, Dr. Kevin, Edmonton-Riverview (AL),  
Official Opposition Deputy Whip  
Tarchuk, Janis, Banff-Cochrane (PC)  
Taylor, Dave, Calgary-Currie (AB)  
VanderBurg, George, Whitecourt-St. Anne (PC)  
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Hon. Len, Calgary-Foothills (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC)

## Officers and Officials of the Legislative Assembly

Clerk	W.J. David McNeil	Committee Research Co-ordinator	Philip Massolin
Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/		Assistant Sergeant-at-Arms	Gordon H. Munk
Director of House Services	Shannon Dean	Managing Editor of <i>Alberta Hansard</i>	Liz Sim
Parliamentary Counsel	Stephanie LeBlanc		

## Party standings:

Progressive Conservative: 68      Alberta Liberal: 8      Wildrose Alliance: 4      New Democrat: 2      Alberta: 1

### **Executive Council**

Alison Redford	Premier, President of Executive Council, Chair of Agenda and Priorities Committee
Doug Horner	Deputy Premier, President of Treasury Board and Enterprise
Dave Hancock	Minister of Human Services
Ted Morton	Minister of Energy
Verlyn Olson	Minister of Justice and Attorney General
Fred Horne	Minister of Health and Wellness
Ron Liepert	Minister of Finance
Thomas Lukaszuk	Minister of Education, Political Minister for Edmonton
Diana McQueen	Minister of Environment and Water
Jonathan Denis	Solicitor General and Minister of Public Security
Cal Dallas	Minister of Intergovernmental, International and Aboriginal Relations, Political Minister for Central Alberta
Evan Berger	Minister of Agriculture and Rural Development, Political Minister for Southern Alberta
Frank Oberle	Minister of Sustainable Resource Development
George VanderBurg	Minister of Seniors
Ray Danyluk	Minister of Transportation
Jeff Johnson	Minister of Infrastructure, Political Minister for Northern Alberta
Doug Griffiths	Minister of Municipal Affairs
Greg Weadick	Minister of Advanced Education and Technology
Jack Hayden	Minister of Tourism, Parks and Recreation
Heather Klimchuk	Minister of Culture and Community Services
Manmeet Singh Bhullar	Minister of Service Alberta, Political Minister for Calgary

### **Parliamentary Assistants**

Naresh Bhardwaj	Health and Wellness
Alana DeLong	Seniors
Arno Doerksen	Human Services
Kyle Fawcett	Treasury Board and Enterprise
Art Johnston	Executive Council
Barry McFarland	Agriculture and Rural Development
Len Mitzel	Transportation
Dave Rodney	Sustainable Resource Development
Janice Sarich	Education
David Xiao	Energy

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Ms Tarchuk  
Deputy Chair: Mr. Elniski

Anderson  
DeLong  
Groeneveld  
Johnston  
MacDonald  
Quest  
Taft

### Standing Committee on Community Development

Chair: Mrs. Jablonski  
Deputy Chair: Mr. Chase

Amery  
Blakeman  
Boutilier  
Calahasen  
Goudreau  
Groeneveld  
Lindsay  
Snelgrove  
Taylor  
Vandermeer

### Standing Committee on Education

Chair: Ms Pastoor  
Deputy Chair: Mr. Hehr

Anderson  
Benito  
Brown  
Cao  
Chase  
Leskiw  
Marz  
Notley  
Sarich  
Tarchuk

### Standing Committee on Energy

Chair: Mrs. Ady  
Deputy Chair: Ms Blakeman

Hehr  
Hinman  
Jacobs  
Johnston  
Lund  
Mason  
McFarland  
Rodney  
Webber  
Xiao

### Standing Committee on Finance

Chair: Mr. Renner  
Deputy Chair: Mr. Kang

Allred  
Anderson  
Drysdale  
Fawcett  
Knight  
Mitzel  
Prins  
Sandhu  
Taft  
Taylor

### Standing Committee on Legislative Offices

Chair: Mr. Blackett  
Deputy Chair: Mr. Lund

Blakeman  
Brown  
Evans  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Ouellette  
Quest

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Elniski  
Evans  
Hehr  
Knight  
Leskiw  
Mason  
Pastoor  
Rogers

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Knight
Boutilier	Lindsay
Calahasen	McFarland
Doerksen	Sandhu
Drysdale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Snelgrove

Amery	Mitzel
Boutilier	Notley
Calahasen	Pastoor
DeLong	Quest
Doerksen	Stelmach
Forsyth	Swann
Jacobs	Tarchuk
Knight	Taylor
Leskiw	Zwozdesky
McFarland	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Goudreau

Allred	Kang
Benito	Mason
Calahasen	Rodney
Chase	Sandhu
Elniski	Vandermeer
Fawcett	Woo-Paw
Forsyth	Xiao
Groeneveld	

### Standing Committee on Public Health and Safety

Chair: Mrs. Fritz  
Deputy Chair: Ms Pastoor

Bhardwaj  
Blakett  
DeLong  
Doerksen  
Forsyth  
Notley  
Ouellette  
Rogers  
Swann  
Woo-Paw

## Legislative Assembly of Alberta

1:30 p.m.

Monday, December 5, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. Welcome back.

Let us pray. At the beginning of this week we ask for renewed strength in the awareness of our duty and privilege as members of the Legislature. We ask for the protection of this Assembly and also the province we are elected to serve. Amen.

Hon. members, ladies and gentlemen, and boys and girls, we will now be led in the singing of our national anthem by Mr. Paul Lorieau, who is in the Speaker's gallery. I would ask that all join in in the language of one's choice.

### Hon. Members:

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

**The Speaker:** Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of this Assembly Mr. Urs Strausak, the consul general of Switzerland. This is Mr. Strausak's first visit to Alberta since being named consul general in May. Perhaps this may come as a surprise to some Albertans, but the Swiss helped shape our province's history. The Swiss provided much-needed mountaineering expertise in the early 1900s to help establish one of Alberta's greatest treasures, our Rocky Mountains. The towns of Stettler and Blumenau were also founded by the Swiss at the turn of the century. Today Alberta continues to have positive trade, education, and cultural relations with Switzerland, which we look forward to growing in the years to come. I would now invite Mr. Strausak to please rise and receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Minister of Culture and Community Services.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. To you and through you to all members of this Assembly I would like to introduce a group of very bright individuals who are visiting the Alberta Legislature from the Edmonton-Glenora constituency. We have with us today 27 elementary students from St. Vincent Catholic elementary school, who are seated in the members' gallery. I had the privilege of taking a picture with them, and they are accompanied by their instructors. As I've said many times before, we usually have grade 6 students with us. Today we have grade 3 students, so it is wonderful to have them here. I'd ask them to all

rise so that my colleagues may join me in giving them a warm welcome to the Legislature.

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

**Mr. Prins:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members 10 students from the Countryside Christian school in Edberg. They are in grade 8. They're accompanied by their teacher, Mr. Justin Thiessen, and Mrs. Monica Thiessen. Many of these students were here last year to observe the Legislature, but they were unable to watch the proceedings, so they've come back especially to watch us today. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all hon. Members of the Legislative Assembly a visiting class from Mother Teresa Catholic school. There are 20 visitors: 18 students and two adults. The group is led by Melissa Guzzo, the teacher, and also educational assistant Ms Caren Robertson. This grade 6 class is very excited to be participating in the School at the Leg. this week. Mother Teresa is another fine example of the quality education that's provided by our separate school board in this city. They're in the public gallery, and I would now ask them to please rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you to members of this Assembly a good friend of mine who is also a constituent. We grew up together in Camrose. He now lives in Athabasca and runs an oil field construction company in northern Alberta. I'd ask Darryl Andres to stand and receive the traditional warm welcome of this Assembly.

I have one other introduction, Mr. Speaker, to you and through you to members of this Assembly, a group of very special folks from my ministry, the Infrastructure capital projects staff, who have recently been recognized with a very prestigious national award, the Canadian award for quality, at the silver level. Excellence Canada awards government and private-sector organizations in recognition of their pursuit and commitment to excellence in performance improvement. These recipients were also recently mentioned in the past week's *Financial Post*. They do a fantastic job in a very busy ministry.

They're seated in the gallery, and I'd ask them to rise as I say their names. We have Assistant Deputy Minister Diane Dalgleish, Rory Mauricio, Sandi Ausmus, Richard Knutton, June Sadiq, Allan Foo, Brian Oakley, Elise Nelson, Gordon Stead, Kathryn Perepelecta, Tony Figueiredo, Rafique Khan, Wayne Fournier, and Tessia Williams. I'd ask the Assembly to please thank them with our traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Mill Creek.

**Mr. Zwozdesky:** Thank you very much, Mr. Speaker. It's always a great pleasure to introduce to you and through you to all members of the Assembly some of my outstanding constituency members from Mill Creek, whose purpose I will elaborate on shortly. I will call their names and ask each of them to rise as I do so, and then we can greet them all together: Mr. Anuvir Bhullar,

president and founder of Green Scholars of Alberta; Mr. Varinder Bhullar, Anuvir's father and secretary of Green Scholars of Alberta; Mrs. Arvinder Bhullar, a charter member of Green Scholars of Alberta and Anuvir's mother; and finally, Anuvir's grandfather, who is a strong supporter of Green Scholars of Alberta, Mr. Mohinder Bhullar. I would ask the Assembly to please greet my four guests with the usual accolades. Thank you for being here.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Well, thank you very much, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of this Assembly an exceptional young lady from St. Vincent school in the Edmonton-Glenora constituency, Miss Julia Bowen. With Julia today is her mom, Mrs. Miranda Bowen; her dad, Brian Leach; and her aunt, Crystal Bowen. I'd ask them to rise and receive the traditional warm greeting of the Assembly.

Thank you.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It is a pleasure to introduce to you and through you to all Members of the Legislative Assembly eight guests here representing the Edmonton Catholic school board district and the Ukrainian Catholic eparchy of Edmonton. Edmonton Catholic schools continues a tremendous legacy here in the city of Edmonton of enriching Catholic education today that has existed since 1888. My guests are here today in recognition of Edmonton Catholic schools' first annual Holodomor Memorial Day, which occurred on November 25.

As I mention their names, I would ask them to please rise. The guests include His Excellency Most Reverend Bishop David Motiuk from the Ukrainian Catholic eparchy of Edmonton; Mrs. Debbie Engel, board chair and trustee for ward 74; Mrs. Becky Kallal, vice-chair and trustee for ward 71; Mrs. Joan Carr, superintendent of schools; Mr. Boris Radyo, assistant superintendent; Mrs. Debbie Rowley, principal, Austin O'Brien high school; Mrs. Danielle Fortier, principal, École Frère Antoine elementary school; and Mr. Taras Podilsky, principal, St. Martin elementary school. I would now ask that the Assembly please give them the traditional warm welcome.

Thank you.

1:40

**Mr. Anderson:** Mr. Speaker, it is my pleasure to introduce to you and through you to all members of this Assembly three new staff members for the Wildrose caucus – if they could please stand as their names are called – Lianne Bell, Evan Menzies, and Brad Tennant. We are very happy to have them onboard. Lianne is joining us as our new project officer. Evan is the assistant director of communications and is doing an excellent job in that role, and Brad has come onboard to be the Legislative assistant for myself and the Member for Calgary-Fish Creek. I would ask them to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to the Assembly a constituent of mine who has just had published a very interesting book entitled *Dismissed*. The book is about her trials and tribulations as a victim of our electronic gaming machines. This courageous woman has laid her life out for everyone to see, describing her battle with VLTs, the crack cocaine of gambling,

and her fight with the bureaucracy to understand the real figures behind our government's gambling addiction. My guest is seated in the members' gallery. I'd ask Gisele Jubinville and her husband, Len, to please stand and be recognized by the Assembly.

**The Speaker:** Are there others?

Then, hon. members, would you join with me in wishing a happy, happy birthday to the hon. Member for Lesser Slave Lake.

## Members' Statements

**The Speaker:** The hon. Member for Edmonton-Mill Creek.

## Green Scholars of Alberta

**Mr. Zwodzesky:** Thank you very much, Mr. Speaker. It's always such an honour to rise and recognize the truly outstanding accomplishments of our constituents and particularly so when those constituents are youth. Today my accolades are in support of a very new and very important not-for-profit group called Green Scholars of Alberta. This group was founded by my constituent Mr. Anuvir Bhullar, who I introduced earlier. He's a grade 12 honour student at Old Scona academic high school here in Edmonton.

Anuvir created the Green Scholars of Alberta in honour of his grandmother, Rajinder Kaur Bhullar, who passed away very recently from cancer. Soon after her funeral and along with the hon. Member for Edmonton-Ellerslie we attended the special tribute in the Mill Creek ravine which culminated in the planting of a small tree that we hope will live forever in honour of Mrs. Bhullar. The connection, Mr. Speaker, is that Mrs. Rajinder Bhullar may very well have contracted her cancer because of the improper use of field pesticides in her native country, India.

As a result of this, the Green Scholars of Alberta was established to increase everyone's environmental awareness in our own communities. Green Scholars of Alberta wants all of us not only to be cognizant of our environment but also to practise more environmentally friendly lifestyles and habits. They also want us to follow the three environmental Rs: reduce, reuse, and recycle. These simple but effective strategies will help us to protect and preserve our precious environment, an environment that responsible citizens know we are only borrowing for a short time from our children and from future generations.

I fully support the Green Scholars of Alberta, and I would like to add two more Rs for implementation. First, let's rethink our own daily habits and how they impact our environment, and second, let's reinforce the positive messages that our youth are espousing on behalf of our environment. I would ask everyone here to please visit their website and/or to contact them directly by e-mail at [greenscholars.alberta@gmail.com](mailto:greenscholars.alberta@gmail.com).

Mr. Speaker, young, concerned youth such as Anuvir deserve our full attention, our encouragement, and our full support. [Remarks in Punjabi] One hundred thousand congratulations. [As submitted]

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

## How Alberta's Grinch Stole Christmas

**Mr. Chase:** Thank you, Mr. Speaker. With only 20 shopping days left Alberta's Grinch has a mixed bag of presents for her subjected. Very quickly after assuming the provincial throne, she gave us hope by releasing the teachers held hostage by the current minister of inhuman services. While smiles were temporarily restored to the children's faces, the same cannot be said for their

parents about to receive a shocking 48 per cent increase in their power bills this month.

The biggest grin is on the faces of TransAlta Utilities, who, inspired by Enron's electricity market manipulation, scored over \$4 million at Alberta ratepayers' expense. This is just the first small installment of the gift that keeps on giving courtesy of the government's transmission overbuilt contract commitments to export electricity.

While the Grinch wouldn't consider a judge to lead a public inquiry into health, by her royal decree the chair of Members' Services appointed one to review MLA salaries and benefits.

Instead of the promised \$400 monthly increases to their benefits, AISH recipients will only find empty IOUs in their stockings this Christmas. The saddest expressions will be on the faces of long-term care residents and their families, who found themselves sold out to the highest building bidder by the Grinch when she took the cap off their residence fees and turned seniors into marketable commodities. Persons with developmental disabilities together with injured workers who qualify for but do not receive benefits owed to them by workmen's compensation and those thousands of Albertans who, like farm workers, don't even qualify for benefits or safe workplaces will be experiencing an especially blue Christmas this year.

While visions of clear-cuts and outages,  
Dance in our troubled heads,  
We'll recall the broken promises of  
The Grinch we've all come to dread.

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

#### Edmonton Catholic Schools Holodomor Memorial Day

**Mrs. Sarich:** Thank you, Mr. Speaker. Upon the recommendation of His Excellency Most Reverend Bishop David Motiuk of the Ukrainian Catholic eparchy of Edmonton the Board of Trustees of Edmonton Catholic schools on May 31, 2011, unanimously supported and declared in perpetuity that the last Friday in November will be dedicated as the Holodomor Ukrainian Famine and Genocide Memorial Day within the school district. Many Albertans and Canadians know that the Holodomor was a genocidal famine engineered by the Soviet Union in 1932-33 to attack and murder millions of people in Ukraine and to destroy the religious, political, and cultural identity of a Ukrainian nation.

Mr. Speaker, the impact of the decision by the Edmonton Catholic school board demonstrates leadership by acknowledging the historical importance and tragedy of the Holodomor and its significance to more than 300,000 Canadians of Ukrainian origin who live in our great province of Alberta. In addition, it affirms a commitment to social justice issues while underscoring a mission to awaken and educate the social consciousness of children and youth to have a shared determination to work for a more socially just world.

Mr. Speaker, the Holodomor is a mandatory topic of study in the Alberta curriculum, and Edmonton Catholic schools is collaborating with the Alberta branch of the National Holodomor Education Committee to create educational resources that will supplement the Alberta social studies program of studies. Also, Edmonton Catholic schools has made a commitment to develop and align the appropriate additional education resources for elementary and junior high schools, which will be made available across the province.

On November 25, 2011, 38,000 staff and students in the Edmonton Catholic school district recognized the first annual Holodomor Ukrainian Famine and Genocide Memorial Day. Mr. Speaker, I would like to wholeheartedly commend the Edmonton

Catholic school board and the district for their role of leadership in that effort and to give thanks for adding immeasurably to the education of children and youth in the city and in our great province.

*Truly, the remembrance of the Holodomor will never be forgotten through the public words spoken in the hallways and classrooms within Edmonton Catholic schools.*

*Thank you, Mr. Speaker.\**

#### Oral Question Period

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### Public Health Inquiry

**Dr. Sherman:** Thank you, Mr. Speaker. Last week you rightly corrected me when you said that a review of MLA pay came after you received a request from the Premier. The Members' Services Committee met and just two weeks later appointed a retired Supreme Court judge to investigate MLA pay. Why won't the Premier take out a pen and write a letter requesting a public inquiry into critical problems, many life-threatening critical problems, in our public health care system?

**Ms Redford:** Mr. Speaker, I think we've had a very successful session of the Legislature this fall, where we've introduced legislation that's mattered to Albertans. One of those pieces of legislation will do exactly what the hon. member has asked for.

**Dr. Sherman:** Mr. Speaker, it may accomplish what we want after a nice, long delay tactic.

Given that the Premier returned \$107 million in education dollars, which we all support in this House, and given that the Premier also suspended two huge transmission lines, is the Premier honestly telling Albertans that she can do all of that with the stroke of her pen, but she's unable to keep her main campaign promise to Albertans to immediately call a public inquiry under the Public Inquiries Act?

1:50

**Ms Redford:** Mr. Speaker, I appreciate the comments of the hon. Leader of the Opposition because what he has illustrated is that this government, since this party assumed new leadership, is keeping its commitment to Albertans. We will continue to do that. I hope that the opposition, in the spirit of that, will ensure that this legislation passes because we want to keep those commitments, and we will.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. The only thing that's changed is that they've become better at stonewalling.

Given that absolutely nothing can change the fact that health care workers just don't trust the government to run a fair review process – the same government that brought in the code of conduct, the same government that was firing nurses when we needed them, the same government that wrecked the system, and the same government that created a culture of fear and intimidation – and that the Premier promised a process Albertans and these health care workers would trust, what is she trying to protect her government from by breaking this promise?

**Ms Redford:** Mr. Speaker, it is important for Albertans to be able to trust the health care system. One of the reasons they're going to be able to do that is because we are going to have an independent

\* The text in italics exceeded the time limit and was not read in the House.

public inquiry that's going to ensure that information that Albertans want will be available. At the end of the day what Albertans want to know is that this is a system that they can rely on. I have confidence that through this process we will have kept our commitment to Albertans, we will find out what Albertans want to know about the health care system, and we'll be able to move on and trust and respect the professionals running the system.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. The Premier is correct in that you can absolutely rely on front-line health care workers to care for you, but you can't rely on the government.

#### **PC Party Benefit Plan Trust**

**Dr. Sherman:** A change of pace. The game of he said, she said playing out between the Premier and the PC Party president last week regarding the PC Party top-up to the Premier's \$300,000 salary and benefit plan has Albertans confused. When asked about the salary top-up scheme, the PC Party president said that there's a lump sum and that if there's any excess, it has to be accounted for by the leader. Will the Premier stop ducking the issue and tell . . .

**The Speaker:** The hon. Premier.

**Ms Redford:** Mr. Speaker, I think the leader is confused because where we are is that there were comments made last week, as I understand it, with respect to what previous arrangements may have been. I was very clear on Friday that I believe there are certain expenses related to the work of the leader of the Progressive Conservative Party that it would be inappropriate for government to pay for. That is for party donors to pay for. I have not received any funds. If I do, I will publicly disclose them.

**Dr. Sherman:** Given that the Premier will receive a salary top-up, as confirmed by the PC Party president, will the Premier tell us what the party paid the previous Premier as his top-up?

**Ms Redford:** Mr. Speaker, the hon. Leader of the Opposition is making a suggestion as to what I will or won't do. I think I've been very clear that if I receive any funds with respect to the party, they will be disclosed, and it hasn't happened.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that Alberta's Premier is already the highest paid in the land and given that many Albertans on AISH and many seniors on fixed incomes are struggling just to put food on their table this Christmas, can the Premier please tell Albertans on AISH why they still have to wait for those \$400 benefits that she promised them when she's getting so rich on her own plan? It's sort of like the Grinch who stole Christmas.

**Ms Redford:** Mr. Speaker, this is a situation where what the hon. leader is trying to connect are a number of issues that are going to raise fear and uncertainty in people's minds. This is a province that cares about vulnerable people. When I ran to be leader of this party and to become Premier of this province, I was committed to ensuring that we are able to deal with those AISH issues. We are going to deal with those, and these unconnected situations aren't fair for public policy discussions.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you, Mr. Speaker. Again to the Premier: how much has been paid out in income to top up the Premier's salary in the last four years by the Progressive Conservative Party through the leader's benefit plan trust scheme?

#### **Speaker's Ruling**

#### **Questions about Political Party Activity**

**The Speaker:** Before we have another point of order on this matter, you know that that's an internal party – I ruled this type of question out several days ago. I gave citations from the statutes that we follow, from the rules that we follow.

Go on to your second question, please.

#### **PC Party Benefit Plan Trust**

*(continued)*

**Mr. MacDonald:** Thank you very much. I will try that, Mr. Speaker.

Again to the Premier: why does the Premier feel it is none – absolutely none – of the taxpayers' business to know how big the subsidy is that they provide through tax credits, through the Election Finances and Contributions Disclosure Act, to the leader's benefit plan trust scheme?

**Ms Redford:** Mr. Speaker, this is a situation that I have no information about.

**Mr. MacDonald:** Mr. Speaker, that surprises me.

Now, again to the Premier: why release publicly \$1.1 million worth of expenditures in another Progressive Conservative trust that is not listed in their financial statements – we can force this information from this government and from the party – yet you still refuse to release all the details on the leader's benefit plan trust scheme now?

**The Speaker:** The hon. the Premier?

#### **Impaired Driving Legislation**

**Mr. Anderson:** Mr. Speaker, everyone in this Legislature wants to see an end to the loss of life caused by drunk driving, but Bill 26, the Premier's new impaired driving law, does not do that. It diverts already limited police enforcement resources at law-abiding Albertans below the .08 legal limit while ignoring those over the limit, who are 15 times more likely to cause a fatal accident. Furthermore, the Premier has no elected mandate from the people of Alberta to pass this law. To the Premier: will you do the democratic thing and put Bill 26 on ice for now and wait until after the next election before pursuing it further so Albertans can have their say on the matter?

**Mr. Denis:** Mr. Speaker, I want to say again to this Assembly that this member's comments are simply insulting to the police in this province. The police in this province are enforcing the existing laws, with 42,000 24-hour suspensions over the last five years. This member knows the answer, and he can stop the grandstanding.

**Mr. Anderson:** God forbid. That isn't . . .

**The Speaker:** Okay. Let's get on with the question.



**Mr. Anderson:** To the Premier: given that Bill 26, like the former federal Liberal gun registry, will not save lives but will, rather, penalize law-abiding Albertans and given that this new Premier has no elected mandate from the people of Alberta and given that she is unwilling to take a breath on ramming this bill down the throats of Albertans before the next election without any citizen input, will she at least commit to this House that she will allow her caucus members a completely free vote on this issue given that dozens of them do not support this bill and neither do Albertans?

**Ms Redford:** Mr. Speaker, the hon. member has raised a number of assumptions which I actually don't agree with. I do believe that this legislation is going to save lives. I do believe that it's going to allow police to enforce the law. In fact, through provincial legislation it is possible right now for people who blow over .05 or who are affected by alcohol and not able to operate equipment or vehicles to actually be penalized. So this assumption that people are, quote, law abiding at the moment is a false assumption. It's not the purpose of this legislation. What this legislation will do is make roads safer for Alberta families.

**Mr. Anderson:** More checkpoints will save lives, Premier, not Bill 26.

Given that you promised more respect for the democratic process during your leadership campaign and given that you have allowed this Assembly only six days thus far to debate seven contentious pieces of legislation, mostly while Albertans were sleeping, will this Premier instruct her House leader to allow the opposition to finish debating all of their prepared amendments, or will you chicken out and cut off debate with closure on this and other bills so you can take an early Christmas vacation?

**The Speaker:** "Chicken out" is not exactly appropriate parliamentary language. As a matter of fact, it's more schoolyard language.

Hon. Premier, do you want to comment?

**Ms Redford:** Mr. Speaker, we have a legislative session going on with respect to legislation that matters to Albertans. We as a government are committed to passing this legislation because it's legislation that reflects the values of Albertans, and we'll continue to do that in this session.

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

### Electricity Prices

**Mr. Mason:** Thank you very much, Mr. Speaker. Alberta is Canada's only deregulated electricity market, and prices have been climbing steadily. Power prices are unstable but moving steadily upwards. They jumped from \$32 per megawatt hour in May to \$126 per megawatt hour in August and are now close to double what they were a year ago. My question is to the Premier. Will the Premier please tell Albertans what measures her government will implement to stabilize and reduce power prices for Alberta consumers?

**Ms Redford:** Mr. Speaker, the cost of electricity to consumers, whether they be residential consumers or industrial consumers, is key to our competitiveness. As a government we believe that critical to that is a deregulated system, and we'll continue with that.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that last week the Energy minister defended higher power prices as the price of a free market, will the Premier tell the House whether or

not Doctor Dogmatic's statements last week represent official government policy?

**The Speaker:** This Assembly is unaware of who Doctor Dogmatic is.

Hon. Premier, I don't know. If you want to respond, go ahead.

**Ms Redford:** Mr. Speaker, the government policy is the government policy; it hasn't changed.

2:00

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. That's progress.

Given that power prices under deregulation have enriched large power producers at the expense of consumers and given that this government has stood by and done nothing while Albertans have been gouged, will this Premier admit that deregulation of Alberta's power industry has failed consumers? Will she commit to ending electricity deregulation, and if not, why not?

**Ms Redford:** Mr. Speaker, we've gone through extensive discussions in this House over a number of years with respect to regulation of the market, and in terms of where we are as Albertans, we're proud of the fact that we have a market that's working. We understand that sometimes that creates stress both for domestic consumers and for industrial consumers, but at the end of the day the most important thing that we need to do is make sure that we have an economically free environment in order for both consumers and industrial users to be able to access electricity when they need it. It's important for competitiveness, and we'll stay on that track.

### PC Party Benefit Plan Trust

(continued)

**Mr. Hehr:** Mr. Speaker, Albertans have seen how this government rewards its friends. In public disclosures under the Conflicts of Interest Act we see that members of the Conservative caucus, the former Premier in fact, create corporations so that they can take unlimited fundraising contributions that are not reported to the public. Those same corporations then cut a cheque to the former Premier and his wife. To the Justice minister: why does the government not regard this as a potential conflict of interest?

**Mr. Olson:** Mr. Speaker, I wouldn't have thought I would have to explain this to this hon. member. There's a difference between a Justice minister doing his job and an independent officer of the Legislature such as the Ethics Commissioner doing his job. The Ethics Commissioner is the one who oversees disclosures. We have 100 per cent compliance with disclosures in this Assembly, which I think everybody should be pleased with and proud of. The hon. member should just talk to the Ethics Commissioner if he has questions.

**Mr. Hehr:** Given that the Justice minister's job is to amend the Conflicts of Interest Act – and the minister seems to have rejected this – to stop the practices of unlimited leadership donations, why doesn't the minister learn from the example of True Blue Alberta, a corporation set up by Allan Farmer of the law firm Reynolds Mirth Richards & Farmer, which continued to pay taxable allowances to the former Premier and his wife years after the leadership race, and propose an overhaul to this act?

**Mr. Olson:** Mr. Speaker, I'm not going to get involved in internal, private corporate business. I'm also not responsible for party

reporting. That is the job of the Chief Electoral Officer. Also, the work of the Ethics Commissioner and the Chief Electoral Officer has been beyond reproach.

**Mr. Hehr:** Given that this reeks to the highest heaven and True Blue's controlling shareholder, Allan Farmer, is a partner in a law firm whose government contracts grew from \$780,000 in 2006 to \$1.3 million to \$1.8 million to \$2.4 million and to \$2.6 million in 2010 at the same time that the Premier and his wife were getting taxable allowances from True Blue, in what universe does this not sound the alarm bells of potential conflict of interest? Why doesn't he amend the act right now so that this doesn't continue?

**Mr. Olson:** Mr. Speaker, I have a couple of things to say about that. First of all, you only get legal work with the government of Alberta if you have one thing, and that's expertise and professional competence. There is no such thing as political competence.

The second thing I want to say is that this member and his colleagues are really proving my point. They're rattling off this information. Where did they get it? It's publicly disclosed.

**The Speaker:** The hon. Member for Calgary-Mackay, followed by the hon. Member for Edmonton-Meadowlark.

### Grow Ops

**Ms Woo-Paw:** Thank you, Mr. Speaker. Calgary-Mackay constituents have brought to my attention that homes that were used as grow ops in our communities have been left unfit for habitation for the past two years, which, as you can imagine, poses various safety and health concerns for my constituents. To the Minister of Municipal Affairs: what standards must be met to deem a home unfit for habitation, and why do we tolerate having properties in such a state for such a long period of time in our communities?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. Municipal authorities can deem a house unfit for human habitation based on whether or not there's heat provided, based on sanitation, whether or not the building is structurally sound, or whether or not they're considered a health or safety risk to the occupants.

Mr. Speaker, returning the home to a fit condition is purely the responsibility of the homeowners. Municipalities can get involved if they have a bylaw that talks about unsightly premises, but really it's the responsibility of homeowners to keep their homes fit.

**Ms Woo-Paw:** To the same minister. The health and well-being of residents around the grow-op areas are still not protected. What is it that our government is doing to ensure . . .

**The Speaker:** Via the Speaker, please, hon. member.  
The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. I understand and, in fact, this entire government understands the concerns that people have for having safe communities. That's why this province is very supportive of the safe communities initiative that it has undertaken. Our department is working with Justice in the lead and with the Solicitor General, Health and Wellness, Energy, and Service Alberta on policies for building homes back to fit standards and to make sure that we continue to work towards building safer communities.

**The Speaker:** The hon. member.

**Ms Woo-Paw:** Thank you. To the Solicitor General and Minister of Public Security: what is your ministry doing to ensure that the publication of grow-op locations does not inadvertently cause personal safety issues for innocent residents such as home invasions when criminals target the publicized seized grow-op properties?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. The member raises an appropriate point about publication. Our department and our police officials do a review when, in fact, a grow op is identified.

I just want to complement the Minister of Municipal Affairs' earlier answer. I think it's very important that we also educate people that when they consume an illicit substance, they're contributing to the supply chain. It's not a victimless crime.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Red Deer-North.

### Emergency Medical Service Delays

**Dr. Sherman:** Thank you, Mr. Speaker. The barometer of our health system is our emergency rooms. The Health Quality Council says that ERs throughout Alberta are at their breaking point. In fact, things are so bad that the length of stay numbers on the AHS website were at 22 per cent at the Royal Alex and the Grey Nuns hospital just last week. In the face of all this evidence the Minister of Health and Wellness still claims that the number of people waiting on the ER stretchers is the lowest it's been in years. Will the minister stop treating this issue as a PR problem and acknowledge that he played a major role in causing the crisis when he helped close down the Villa Caritas long-term care facility?

**Mr. Horne:** Mr. Speaker, well, there are a number of things to respond to in that question. First of all, I have made no such claim that ER wait times are the best they've been in years. We're in fact working very hard on the basis of some very ambitious targets to improve the flow of patients, particularly for those who are admitted to hospital and have to wait in the emergency room. The target for that is an eight-hour target. With respect to the system overall, we are moving aggressively on continuing care, the expansion of home care, and other measures to improve patient flow.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. An eight-hour target that after billions of dollars spent on the system we're meeting only 22 per cent of the time.

Given that the decision to close beds at Alberta Hospital Edmonton and to deport complex mental health patients to a long-term care facility like Villa Caritas caused the ER crisis and delays in care and a few potential catastrophes, why has the Minister of Justice not called a public fatality review into the death at Villa Caritas and that of Shayne Hay, people who lost hope after waiting for care?

**Mr. Olson:** Mr. Speaker, there is a clear procedure for fatality inquiries. The chief medical officer makes a recommendation to the fatality inquiries board. They make a recommendation to me. I've received no such recommendation.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. The chief medical officer works in the Ministry of Health and Wellness. Will the Minister of Health and Wellness ask the chief medical officer to make a recommendation to the Justice minister to do a public fatality inquiry into the deaths that happened to Shayne Hay and the patient in the Villa Caritas, patients who were already in care? Untimely and unnatural deaths.

**Mr. Horne:** Mr. Speaker, I have no way to verify the information that the hon. member is presenting with respect to those two fatalities.\* What I can tell the hon. member and what I'm sure he knows is that Villa Caritas is, in fact, part of the continuing care system in the Edmonton zone. It provides continuing care for hard-to-serve patients with advanced mental illness such as Alzheimer's disease and other forms of dementia and plays a major role in stabilizing those patients so that they can return to an appropriate community placement.

**The Speaker:** The hon. Member for Red Deer-North, followed by the hon. Member for Calgary-Mountain View.

## 2:10 Support for Home Care

**Mrs. Jablonski:** Thank you, Mr. Speaker. Alberta has over 410,000 citizens who are 65 years of age and older. In less than 20 years the number of seniors in Alberta will double. Population projections estimate that by 2031 1 in 5 Albertans will be a senior. It's essential that we have planning in place now that recognizes the needs of seniors. Continuing care spaces are a very important part of this planning and so is home care. My question is to the Minister of Health and Wellness. What are the plans to provide adequate home care for the increasing number of seniors who will require supports to remain in their own homes?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. Well, there are, in fact, many plans under way to expand the availability of home care. Currently in Alberta we spend approximately \$400 million per year to provide home care to about 107,000 Albertans. I'm really glad the hon. member raises this question because we do need to be looking at what more we can do to serve people already in the community but also to assist those who through a fall or another mishap have ended up in hospital and are capable of returning home with the appropriate support.

**The Speaker:** The hon. member, please.

**Mrs. Jablonski:** Thank you. To the minister of advanced education from one of my constituents in Red Deer-North, who states that she's very grateful for home care supports that her husband receives. However, they want to know what certification home care support workers in Alberta are required to have and what training programs are available.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It's true. Health care aides do provide a very vital role in providing health care within our system. Our partners at Alberta Health and Wellness create curriculum around the programming for Alberta health care aides, and then that's provided through our institutions under licensing from Alberta Health and Wellness. To make it even easier, Alberta Health and Wellness also offers grants to people that would like to take this programming to make sure that we

have enough health care aides available for the programs that we have available.

**Mrs. Jablonski:** To the Minister of Seniors. Given that the government of Alberta supports wellness and independence and understands the benefits of seniors staying in their own homes for as long as possible, are there any programs that provide medical equipment and supplies needed to assist in the care of seniors who require supports, and are they affordable?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you for that question. Of course we care about seniors. I work hard and this government works hard to make sure that there are programs available for seniors to remain in their own homes. There's a program called aids to daily living. We invest \$124 million into this program. It serves about 85,000 Albertans, of which 67 per cent are seniors.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-East.

## Pathology Testing Services

**Dr. Swann:** Thank you, Mr. Speaker. Laboratory pathologists in Alberta are overloaded and afraid to speak. Calgary Lab Services have two pending investigations from the Health Quality Council, the Rockyview general hospital and the Baker cancer centre, both about poor-quality diagnoses. This means preventable suffering and death for some Albertans and wasted public dollars. Pathologists have been raising concerns for years, but unfortunately the management of AHS has ignored and intimidated them. Small wonder pathologists are in short supply, overworked, and bound to make mistakes.

**The Speaker:** The hon. minister, please.

**Mr. Horne:** Mr. Speaker, well, I thank the hon. member for the question. Just to clarify, the review that is under way in Calgary is with respect to the processing of laboratory specimens at Calgary Lab Services.

With respect to the question around the culture of the system in which the pathologists perform, the hon. member has raised an important issue. Pathologists, like all physicians, need to feel the proper level of support both materially and within the workplace generally. I have every confidence that the Health Quality Council will look into this dimension as part of the review.

**The Speaker:** The hon. member.

**Dr. Swann:** Thanks, Mr. Speaker. Well, given that Calgary Lab Services has recorded a \$16 million deficit this year, what is the nature of the contractual relationship between Alberta Health Services and Calgary Lab Services?

**Mr. Horne:** Mr. Speaker, Calgary Lab Services is a wholly owned subsidiary of Alberta Health Services.

**The Speaker:** The hon. member, please.

**Dr. Swann:** Thank you. It's my understanding that three members of the Alberta Health Services executive are also on the board of Calgary Lab Services and, therefore, make decisions regarding budgets and contracts. Is this not a conflict of interest?

**Mr. Horne:** Well, Mr. Speaker, I'm not in a position to stand here

\*See page 1661, right column, paragraph 5

and say what is or is not a conflict of interest. What I am in a position to say is that the terms of reference for the section 14 review that the member refers to are sufficiently broad. That issue, if it is an issue, would be addressed as well.

**The Speaker:** The hon. Member for Calgary-East, followed by the hon. Member for Edmonton-Strathcona.

#### **Assured Income for the Severely Handicapped**

**Mr. Amery:** Thank you, Mr. Speaker. Currently AISH recipients receive \$1,188 per month. This amount of money hardly makes ends meet when it's spent on rent, food, utilities, clothing, transportation, and other necessities. The Premier made a commitment during the leadership campaign to increase that allowance by \$400 a month. Could the minister responsible for AISH update my constituents and all AISH recipients on the proposed increase?

**Mr. VanderBurg:** Thank you for that question. Mr. Speaker, this government is committed to making sure that our most vulnerable are protected and that we have good programs in place. We have 43,500 people on the AISH program today. My commitment is, sir, to make it a better program.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. To the same minister: can the minister advise my constituents and all AISH recipients on the amount of that increase, when it will be implemented, and if it will be retroactive so that they can budget accordingly?

**Mr. VanderBurg:** Thank you again for that question. Mr. Speaker, we heard the Premier earlier in question period, and I heard her very clearly. I do expect that in the next budget year there will be an increase. Sir, it cannot be retroactive to this year. There's just no money in my budget for it.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. My next question to the Minister of Finance: can the minister update us on the budget process so AISH recipients would know when to expect that increase?

**Mr. Liepert:** Well, Mr. Speaker, I'm happy to do that. First of all, I'd like to say that there has probably not been a budget delivered in this House in history that has had as much public consultation as what has gone into this particular budget. The President of the Treasury Board and I held a series of round-tables. In fact, I apologize. I was late for the House today because there were a number of meetings in Calgary this morning on budget input. It will be all of that budget input – I think we've got some 5,500 online responses, now – that will determine the budget that will be delivered in all likelihood in this House in mid-February.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Riverview.

#### **Hydraulic Fracturing for Gas in Shale**

**Ms Notley:** Thank you, Mr. Speaker. Leaked government documents show the PCs are working directly with the Canadian Association of Petroleum Producers to sell Albertans on fracking even as other jurisdictions are more responsibly taking the time to study its safety. Without these documents Albertans would not

know that government officials and oil and gas lobbyists are colluding to manipulate public opinion. My question is to the Premier. Will she today commit that all further discussions with oil industry representatives about fracking will occur in public and will also include landowners and environmentalists with expertise in the protection of our water supply?

**Mr. Horner:** Well, Mr. Speaker, I'm not at my fingertips privy to the advisory meetings and schedule that the Minister of Energy will be undertaking in the course of the next months, weeks, and over the course of the next year or so but certainly would take the question under advisement and have the minister respond at the appropriate time.

**Ms Notley:** Well, given that even the province of B.C.'s Oil and Gas Commission concluded that fracking operations in proximity to one another and to other wells can and do result in unforeseen contamination and given that Alberta has at least half a million oil and gas wells that stand to contribute to this risk, why won't the Premier stop shilling for oil and start seriously assessing the threats to our water supply through a public, transparent, science-based review?

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. I'd have to say that I and, I believe, the minister would probably take exception to some of the statements that were in that preamble to her second question. But, again, I will take that under advisement to the appropriate minister and receive the response.

**Ms Notley:** Well, Mr. Speaker, given that the Ethics Commissioner's illogical decision included a finding that the government had approached CAPP based in part on an interview with Alberta environment staff and given that documents released last week clearly show that this information is false, can the Premier explain why the government officials are not providing full or truthful information to the lobbyist registrar?

**Mr. Horner:** Mr. Speaker, the question was somewhat borderline inflammatory. I don't believe that the Ethics Commissioner is illogical at all. I believe that the Ethics Commissioner is a valued and respected member of the committee of this Legislature, and I believe he's doing a fine job.

#### **Speaker's Ruling Referring to an Officer of the Legislature**

**The Speaker:** That is a rather disturbing comment to be made about an officer of the Legislative Assembly. There has to be a process for dealing with these matters. We can't have it both ways. We can't have independent officers created that report to the Legislative Assembly and then have members attack their work without due course of attention. Quite frankly, hon. member, did you say: illogical conclusion? You did say that. I'm going to give you some opportunity to think about withdrawing that. I'll recognize you at the end of question period.

The hon. Member for Edmonton-Riverview, followed by the hon. Member for St. Albert.

#### **2:20 Misuse of Electronic Health Records**

**Dr. Taft:** Mr. Speaker, last week's report by the Privacy Commissioner into violations of privacy of personal electronic health records is deeply troubling to anyone who has read it. It's

clear there is a significant risk of widespread abuses and intrusions into people's personal medical information. To the minister of health: hospital staff obtained lab results and diagnostic imaging reports unlawfully by using co-workers' accounts to log on to patient health records. How widespread are such violations?

**Mr. Horne:** Mr. Speaker, I have no information that has been presented to me to suggest that this is a widespread problem. That said, I will express my wholehearted agreement with the hon. member that the incident that was reported on by the Privacy Commissioner is a disturbing one.

I take some heart in the fact that this issue was detected quickly, that our audit and assurance procedures are such that we can identify when someone inappropriately uses health information. I'm sure the investigation that's under way now will come forward with additional recommendations to help secure that information from similar misuse.

**Dr. Taft:** Mr. Speaker, the reason to be concerned that it's widespread is that the report states, "It is common practice, at least at this . . . emergency department, for staff to simply use whoever's Netcare account is currently logged in and available," and that in this one case 12 different accounts were used. Has this minister launched action to safeguard the most personal of personal information?

**Mr. Horne:** Mr. Speaker, the report also stated the fact that the emergency department was so busy meant that the security for access to the computer had not always had an opportunity to kick in prior to someone else walking by and perhaps having an opportunity to use that same computer. I believe the recommendation suggested ways in which this could be addressed, and I know Alberta Health Services is focused on doing that right now.

**Dr. Taft:** Mr. Speaker, given that emergency departments across this province are at least as busy as this one, we need to suspect that this practice is widespread. Given that 21 breaches were investigated at just this one emergency department, how does this minister know, if he's not going to look, that this case is not just the tip of an iceberg of privacy violations at emergency and other departments all around the province?

**Mr. Horne:** Well, Mr. Speaker, speaking of logic, the premise of the hon. member's question would have us believe that the desire to inappropriately access health information on the part of health care workers is widespread. I don't believe that's true. I believe the appropriate recommendations have been made by the Information and Privacy Commissioner. I will look for assurance from Alberta Health Services that they are taking corrective measures.

Thank you.

**The Speaker:** The hon. Member for St. Albert, followed by the hon. Member for Calgary-Fish Creek.

#### Reporting of Gaming Revenue

**Mr. Allred:** Thank you very much, Mr. Speaker. I'd like to direct my questions this afternoon to the Minister of Finance. The electronic gaming machines that we have in our casinos, bars, and racetracks have been called the crack cocaine of gambling because of their tendency to incent players to continue to play in anticipation of winning a big jackpot. What programs does the Alberta Gaming and Liquor Commission have in place to advise players of the true cost of gambling?

**Mr. Liepert:** Well, Mr. Speaker, first of all, let me say that the words that were used in the preamble are not mine. They are either the member's or someone else's. We have a number of programs relative to what the Alberta Gaming and Liquor Commission and other departments of government offer. The problem is around how the question was phrased around the true cost of gambling. The large majority of those who play our machines are very responsible. It's entertainment. There are, however, those who have serious problems, and there are a number of programs in place that I don't have the time in this 45 seconds to outline.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker, and thank you for that response. Given that the AGLC claims that the player return is 92 per cent but the accounting system includes prizes earned in the revenue and expenditure figures as opposed to the actual cash put in the machines by players and the actual cash taken out and given that the AGLC supports a policy of openness and transparency, does the minister support this form of deceptive accounting that actually produces a player return of only 69 per cent?

**Mr. Liepert:** Well, Mr. Speaker, there were a couple of words in there that are troublesome. Deceptive accounting is not something that we practise either at the AGLC or within the government of Alberta.

Let me explain why the numbers differ. It is correct that on average 92 per cent of dollars that are played are returned to the player. However, if that player turns around and reinvests that 92 cents on the dollar, obviously, when that payout comes at 92 per cent of the 92 cents, it's no longer going to be 92 cents.

**The Speaker:** The hon. member.

**Mr. Allred:** Thank you, Mr. Speaker. I'm not sure I understood that. Nevertheless, given that the AGLC claims to have made a profit of \$1.4 billion last year from gaming operations and given that most of this profit is at the expense of so-called problem gamblers, is the actual profit from electronic gaming machines worth the considerable cost to society for financial problems, bankruptcies, health care, suicides, and family disruption?

**The Speaker:** It's an opinion if you wish to give it.

**Mr. Liepert:** Mr. Speaker, clearly, it's an opinion, but let me try and answer it this way. First of all, we have a number of situations in the province where addictions are an issue, whether it's in alcoholism or in smoking. I guess there are a whole other number of things that I won't go into. There are programs to address these particular issues, and one of the things the government is not going to implement is prohibition.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Edmonton-Calder.

#### Pathology Testing Services (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. Over the past year this government has presided over a health care system that Albertans and health workers continue to lose faith in. When doctors are being bullied and intimidated for advocating on behalf of their patients, they have a health minister that blows off these concerns as a mere workplace disagreement filled with rumours and innuendo. Now a new crisis with cancer testing is emerging under this health minister's watch. Given Alberta Health Services has

been warned about the rapid changes affecting pathology practices in Alberta since this summer, what has the health minister done to fix the problem?

**Mr. Horne:** Well, Mr. Speaker, there are a number of things there. I guess, first of all, I would be the first to say that I do not believe we have a crisis in pathology testing in this province, and I hope that all Albertans would take note of that. Alarming the public is the last thing, I believe, that we should be doing. With respect to what's being done about the concerns that have been raised both in Calgary and in Edmonton at the Royal Alexandra hospital, Alberta Health Services has asked for a review, a quality assurance review, by the Health Quality Council, which is currently under way. I have every confidence it will give us the information we need.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that under this health minister the Health Quality Council has now announced two reviews of the handling of cancer testing, at the Rockyview and now the Royal Alex, will the health minister admit that there's a problem with pathology testing in this province and that the lives of cancer patients could be at risk?

**Mr. Horne:** Mr. Speaker, the two situations are entirely different, as I think the hon. member knows. The questions surrounding the procedures at Calgary Lab Services have to do with the processing of anatomical pathology specimens in the laboratory. The review that's under way at the Royal Alexandra hospital has to do with the possible misreads of a number of samples by one pathologist in a fixed period of time, and that pathologist is no longer practising with Alberta Health Services.

**Mrs. Forsyth:** Given that this government ignored the warnings about closing the Tom Baker cancer lab for the last two years, will the health minister continue to ignore the concerns of health professionals in this province, or will he finally admit that there's only one way to stop crisis after crisis in our health care system and call a judge-led inquiry?

**Mr. Horne:** Mr. Speaker, once again, I don't want Albertans to get the impression as a result of this exchange that this government believes that there is any crisis in pathology testing in Alberta. What I would say is that for this hon. member and for any other member of this House that is in possession of information that they think is relevant to this review, I would urge that member to contact the Health Quality Council without delay and support the process under way.

2:30

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-McCall.

**Mr. Elniski:** Thank you very much, Mr. Speaker. In keeping with the theme, less than one week after the Movember prostate cancer fundraising event ended, I was shocked and surprised to hear about the misdiagnosis of many men who had prostate biopsies read at the Royal Alexandra hospital. It's hard to imagine in this day and age and with the technology and expertise that we have that something like this could happen. My question is to the Minister of Health and Wellness. How were so many men misdiagnosed?

**Mr. Horne:** Well, Mr. Speaker, we don't know the answer to that question. As the hon. member mentioned, this circumstance is

with respect to the practice of a single pathologist over the period from July to October of 2011. There are 159 prostate biopsies that are under review at the moment. My understanding is that all but about a half-dozen of those patients have already been contacted by Alberta Health Services.

**The Speaker:** The hon. member, please.

**Mr. Elniski:** Thank you, Mr. Speaker. To the same minister. We've heard that because of the centralization of lab services we may have lost the expertise that was available in some of our specialized labs. Are these errors a result of the consolidation of services?

**Mr. Horne:** Well, it will be up to the Health Quality Council in the course of this review to determine to what extent, if any, the centralization of lab services played a role. I haven't had any information presented to me to suggest that at this point. It's incorrect, Mr. Speaker, to say that the Tom Baker testing centre was closed. It is being relocated to Calgary Lab Services.

**Mr. Elniski:** Finally, to the same minister, Mr. Speaker. This has created a great deal of concern and in some cases grief for many of the men who had recent biopsies, who may or may not be awaiting calls to tell them that, in fact, they have cancer. What are you doing to ensure that it never happens again?

**Mr. Horne:** Well, Mr. Speaker, it does create a great deal of concern, and our sympathy and our thoughts are with the 159 people that are going to be receiving these phone calls. That said, I think Albertans should take some confidence in that our system is strong enough to allow such errors to be detected on a timely basis and for the appropriate review to be undertaken. I'm sure we'll have the answers shortly.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for West Yellowhead.

### Highway Maintenance

**Mr. Kang:** Thank you, Mr. Speaker. Albertans count on being able to travel our highways to get to work, visit family, go shopping, and get to medical appointments, yet too often in winter we see our provincial highways behaving more like skating rinks than modern roads. To the Minister of Transportation: does the minister honestly believe that what we saw on the highways this weekend is the best we can do with our current resources?

**The Speaker:** The hon. minister. An opinion.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. There's a little bit of irony because last week the hon. member asked me a question on how come we were wanting to have more sand and more salt in reserve for our highways, and today he is worried about the ice. Let me make it very clear that the safety of our highways is number one. It is critical to ensure that individuals that are travelling on those highways are confident in our highways, and we're trying to do the best that we can.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Where was the salt and sand when people were slipping and sliding all over the place on the highways?

To the minister again: given that almost all highway maintenance in Alberta is contracted out, can the minister give the House

assurance that contractors don't have incentive to keep plows and sanders off the road until the last possible moment to increase their profits?

**Mr. Danyluk:** Well, first of all, we do have a highway maintenance network, that's divided throughout the province into different maintenance crews. Mr. Speaker, I want to say to you that they are on duty 24 hours a day if necessary, if the situation arises. We do everything that we possibly can to ensure that the highways are sanded, that the roads are bladed, and that the safety of Albertans is our paramount concern.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. I travelled on the highway on Saturday, and I only saw one sand truck on the highway coming to Red Deer and one going back.

To the minister again: given that Albertans continue to be disappointed in the response to the snow on the highways, can you really say, sir, that your department is meeting Albertans' expectations?

**Mr. Danyluk:** Well, Mr. Speaker, I'm not exactly sure what distance the hon. member travelled to see the one sand truck, but I will tell you that if there is ice on our roads and if there is a safety concern on our roads, we will be there, and we will be sanding, and we will be clearing the roads.

**The Speaker:** The hon. Member for West Yellowhead.

#### Gas Line on Highway 40 Bridge Construction

**Mr. Campbell:** Thank you, Mr. Speaker. This government invests in critical highway infrastructure, including construction upgrades to bridge structures across the province. It would make sense for the province to make the most of these investments and allow utilities such as natural gas to cross rivers at the same time. My question to the Minister of Transportation: why is the province discouraging gas crossing on provincial bridges, at considerable cost to gas co-ops?

**Mr. Danyluk:** Well, Mr. Speaker, first of all, we work with municipalities and utility companies to include utilities on our bridges. I want to say to you that if we were in a utopic world, or the perfect world, we wouldn't like to see gas lines on our bridges because it does provide some hazard if they are on the bridges.

First of all, our primary concern is to ensure that we have the ultimate safety that we possibly can, but we do make exceptions, Mr. Speaker.

**The Speaker:** The hon. member, please.

**Mr. Campbell:** Thank you, Mr. Speaker. My first and final supplemental to the same minister. The current bridge across the Athabasca on highway 40 has a gas line secured to it and has caused no problems for the last three decades. The minister is considering a new bridge over the Athabasca north of Hinton, and I'm asking whether the new or refurbished bridge will have a gas line attached to it.

**Mr. Danyluk:** Well, Mr. Speaker, in fact, we are working with the Yellowhead Gas Co-op, and we are looking and they are looking at an alternative. I want to assure you that if there are no alternatives, we will work with Yellowhead Gas, as we do throughout the province, try to alleviate the concerns, try to make sure that, you know, gas is provided where necessary, and try to

make it as safe as possible. We are working with those companies, and we'll try to make it possible.

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

#### PDD Appeal Panel

**Mr. Chase:** Thank you, Mr. Speaker. Last week we heard that a decision of the Persons with Developmental Disabilities Appeal Panel was quashed by Alberta's Court of Queen's Bench in part because the panel relied on evidence of an insider, an "expert witness," who is also a PDD program employee. To the Minister of Seniors. Supposedly, panel members are recruited through "an open, competency-based process." How does the minister explain such apparent lack of competence on the part of those charged with making decisions impacting the crucial supports and services vulnerable Albertans receive?

**Mr. VanderBurg:** Mr. Speaker, I take very seriously the work that I do and that the department undertakes on behalf of vulnerable Albertans. I take exception that anybody would question the mainly volunteer base of our appeal panels. We recruit experts from all across the province to ensure that we have the right people with the right training to make the right decisions.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you, Mr. Speaker. When children move to age 18, they run into a wall in PDD. It's a regular occurrence. What requirements are currently in place to ensure that panel members possess the considerable expertise necessary to determine eligibility for PDD supports and services?

**Mr. VanderBurg:** Mr. Speaker, once again, I do recognize that there is an issue, you know, when you're a youth under 18 versus someone who's over 18 served in our department. It's our intent and that of the members of the appeal panel to make sure they know the case that they're dealing with in front of them. Our staff prepare and do lots of homework before they hear these appeals, sir.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Will the minister save other families \$70,000 in legal fees and undertake today to tighten the recruitment process for panel members to ensure that the most qualified people are in place?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. Once again, I have to tell the member opposite that we do everything possible to recruit the right people to do the right job with the right training. These people are very valued members of our department and serve the needs of Albertans in an honourable way.

Thank you, sir.

**The Speaker:** Hon. members, that concludes the question-and-response period for today. Nineteen members were recognized; 111 questions and the responses were provided. In 30 seconds from now we will continue the Routine.

2:40

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for West Yellowhead.

### Jasper National Park Dark Sky Preserve

**Mr. Campbell:** Thank you, Mr. Speaker. Alberta is one of the most beautiful, scenic, pristine places to live in the world. Everywhere we look, there is picturesque scenery, but one natural surrounding that we often forget to appreciate is the biggest one of all, the sky, and oftentimes this is because the bright city lights make it difficult to see anything above the street lights. However, this is not the case everywhere in Alberta. In fact, I'm proud to say that Jasper national park has just been named the world's largest dark sky preserve.

This is an international honour that brings great pride not only to astronomy enthusiasts but to Albertans in general. At 11,228 square kilometres, Jasper national park provides the perfect venue for sky gazing. Because it's such a natural landscape rather free of artificial light pollution, people visit the park for unimpeded views of the stars and planets. In fact, the first Jasper Dark Sky Festival recently brought in people from all over the world, and I encourage everyone to get out to next year's event from October 12 to October 14.

Mr. Speaker, the importance of darkness also goes beyond stargazing. We need natural darkness to reduce stress and promote a healthy lifestyle. However, it is estimated that 85 per cent of the world's population lives in urban areas without access to darkness. So when I hear things like Jasper national park is the world's largest dark sky preserve, it reminds me that Alberta is the best place to live and offers such an exceptional quality of life.

I hope that many of you will get out and attend the annual Jasper in January festival, held from the 13th to 29th of that month, and take part in the dark skies wolf howl or canyon crawl, two great events to get outside at night and explore the park.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder.

### Julia Bowen

**Mr. Elniski:** Thank you very much, Mr. Speaker. Once in a while we come across an organization or an individual that really stands apart. In late October I attended the 2011 Women's Conference for the Alberta Regional Council of Carpenters and Allied Workers. The highlight of the conference was a speech given by Miss Julia Bowen, the grade 4 student I introduced earlier. Rather than paraphrase Julia's words, I would like to read her speech to this Assembly.

I think the women's movement is a big part of history and world changes, especially how it has changed lives.

Students in school learn a little information in social class when they are in grades 2 and 3.

Even today men are still making more than women.

If we didn't talk about it in school, the women's movement would've been forgotten, and men may have been the only ones working.

I'm helping in the conference because I enjoy presenting, and I'd like to learn more about women's history.

I'm thinking this could definitely help with my future.

It took long and hard work for the women's movement to settle in.

I am proud to be here, and I hope this'll help my presentation skills and that I might soon be able to make my own version of this conference.

Plus, this might help with essays or projects.

Anyways, it did take hard work for people like you who have a non-traditional job, and you should be proud because of all the people in the world, you achieved something someone wouldn't do every day.

I thank you because when I grow up I can be whatever I choose. Know that this will change the world forever.

You did something that'll change and help the world, and I thank you for this effort and the goals you've achieved.

Mr. Speaker, at the tender age of eight Julia speaks well beyond her years and delivers a message that makes us all proud to know that such bright and talented and committed young people are ready to take the stage. Julia and I had an opportunity earlier today to meet a role model who shows young ladies like her that they can be whatever they choose to be, our own Premier.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mackay.

### International Volunteer Day

**Ms Woo-Paw:** Thank you, Mr. Speaker. December 5 marks International Volunteer Day, a day that is of special significance to all Albertans for in some way every Albertan has been touched by the selflessness of our volunteers. The dedication and commitment of our volunteers is seen in every community in this province as they work to enhance the quality of life for their friends, neighbours, and often those they will never even know. Many of those served by the efforts of volunteers are among the most vulnerable of our citizens.

Mr. Speaker, volunteers are, quite frankly, the backbone of communities across this province. These individuals and the organizations they help support provide many of the programs and services that simply would not be available to our citizens without these everyday heroes.

We must also remember the many Albertans who have stepped up, leaving their friends and family and all that they know to travel to trouble spots around the globe to lend their talents to those in need. In doing so, they enhance the reputation of our province and our nation.

Mr. Speaker, our volunteers are driven not by the desire for recognition or praise but by a sense of duty and a sense of compassion. Earlier today the hon. Minister of Culture and Community Services presented the 2011 stars of Alberta award to six outstanding Alberta volunteers. Stars of Alberta is one of the ways the Alberta government is recognizing and paying tribute not just to those who have been selected for an award but to those who day in and day out are making the lives of all Albertans just that much better.

Mr. Speaker, I would like to ask all members and all Albertans to take the time today and every day to remember and to thank our volunteers, exemplary Albertans one and all. Thank you.

**The Speaker:** The hon. Member for Calgary-Lougheed.

### World Sledge Hockey Challenge

**Mr. Rodney:** Thank you, Mr. Speaker. This weekend at the new Athletic and Ice Complex at Canada Olympic Park in Calgary our national sledge hockey team once again proved why our country is so well respected on the ice. On Saturday night Canada beat the 2010 Paralympic champions from the United States by a resounding score of 4 to 1 to claim the 2011 World Sledge Hockey Challenge title.

This world-class event saw teams from all over the planet come together here in Alberta to decide who was the best. Canada played incredibly well. They did not lose a single game all week. The group showcased their amazing ability to work together, and their huge win clearly demonstrated their fine teamwork.

Sledge hockey is an exciting sport which is gaining momentum



in Canada. It offers a wonderful opportunity to recognize the abilities and talents of people with so-called disabilities. I think our MLA hockey team would be in tough if we ever had the chance to face off against the Canadian team.

The sport was actually developed back in the early 1960s in Sweden at a rehabilitation centre, and it is currently one of the most popular sports in the Paralympic Games for many good reasons. Sledge hockey is always on the leading edge of sport development, both in terms of equipment design and team membership. In fact, mixed teams of male and female athletes were allowed to compete together for the first time at the Vancouver Winter Olympics.

The hon. Member for Sherwood Park reminded me this morning that fostering and promoting open and inclusive communities is paramount to a healthy and balanced society. Sports like sledge hockey do exactly that. This sport is innovative, disciplined, and inclusive. It gives every person, regardless of physical status, the ability to experience our country's national pastime.

Congratulations to the Canadian sledge hockey team for taking home the 2011 title. You certainly did us proud again.

Thank you, Mr. Speaker.

### Notices of Motions

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

**Mr. Hancock:** Thank you, Mr. Speaker. I rise to give oral notice of three motions. The first motion reads:

Be it resolved that when further consideration of Bill 21, Election Amendment Act, 2011, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

The second motion, Mr. Speaker, is:

Be it resolved that when further consideration of Bill 24, Health Quality Council of Alberta Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

The third motion, Mr. Speaker, is:

Be it resolved that when further consideration of Bill 26, Traffic Safety Amendment Act, 2011, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Marz:** Thank you, Mr. Speaker. I would like to table an appropriate number of copies of a 25-page report entitled CCMTA Road Safety Report Series: Alcohol-Crash Problem in Canada, 2008, prepared for the Canadian Council of Motor Transport Administrators' Standing Committee on Road Safety Research and Policies and Transport Canada by the Traffic Injury Research Foundation of Canada and dated December 2010.

2:50

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you, Mr. Speaker. I wish to table the requisite

number of copies of a document entitled Protocol on the Appointment of Judges to Commissions of Inquiry, which has been developed by the Canadian Judicial Council. This document was developed for the purpose of providing information and guidance to governments and others on the process for appointing judges to lead public inquiries. This will be useful background information in connection with government-proposed amendments to Bill 24.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. I'd like to table the requisite number of copies of documentation I received from the Edmonton Catholic school board regarding the establishment of their district's Holodomor (Ukrainian Famine Genocide) Memorial Day, to be commemorated on the last Friday in November in perpetuity.

**The Speaker:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. I have five tablings, each with the requisite five copies, of letters and donations that I have sent to food banks to keep the issue of indexing AISH payments in the public as I have done for the last five years. Certainly, I'm pleased to say that the Premier has moved the payment increase issue forward in a very positive way, but as long as the process for future payments . . .

**The Speaker:** This is tablings now, not speech-making.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I have two tablings. The first is the appropriate number of copies of an opinion piece questioning the costs that will be downloaded on provincial and municipal governments by Bill C-10.

The second one is the appropriate number of copies of a report released today by the Parkland Institute entitled Alternative Water Futures in Alberta. The author, Trudeau scholar Jeremy Schmidt, notes that . . .

**The Speaker:** Okay. The same qualification as that for the last member. It's tablings, not speech-making.

The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you very much, Mr. Speaker. I am tabling the Amnesty International report entitled Canada, 20 Years' Denial of Recommendations Made by the United Nations Human Rights Committee and the Continuing Impact on the Lubicon Cree, which I referenced last week.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you. I rise to table copies of letters from a constituent concerning Bill 26, and this is to follow up comments I made in the Assembly last Thursday.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I won't make a speech. I'm tabling two documents. The first one is information I received regarding motions for return 6 and 7 as amended on April 11, 2011. I appreciate this information from the Minister of Energy.

My second tabling is with respect to Motion for a Return 8 as amended on April 11, 2011, and it's from the Minister of Energy as well.

Thank you.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Dr. Morton, Minister of Energy, returns to orders of the Assembly Motion for a Return 6, Motion for a Return 7, and Motion for a Return 8, asked for by Mr. MacDonald on April 11, 2011; response to Written Question 1, asked for by Ms Blakeman on March 21, 2011; and response to Written Question 8, asked for by Mr. Hehr on April 11, 2011.

On behalf of the hon. Mr. Olson, Minister of Justice and Attorney General, Alberta Human Rights Commission annual report 2010-11.

On behalf of the hon. Mrs. Klimchuk, Minister of Culture and Community Services, pursuant to the Alberta Foundation for the Arts Act Alberta Foundation for the Arts 2010-11 annual report; pursuant to the Historical Resources Act the historic resources fund 2010-11 annual report and the Alberta Historical Resources Foundation 2010-11 annual report; and pursuant to the Wild Rose Foundation Act the Wild Rose Foundation annual report 2010-11.

### Speaker's Ruling Referring to an Officer of the Legislature

**The Speaker:** Hon. Member for Edmonton-Strathcona, that was serious, what happened this afternoon. Do you want to rethink it? Do you want to withdraw your words? How do you want to deal with it?

**Ms Notley:** Well, Mr. Speaker, I'm not sure. I would like some clarification because I was commenting on a report that was tabled in this Legislature, and I wasn't sure if your previous comment suggested that I was commenting on an individual. The question was framed to characterize a report, and the question was about that characterization as a result of action taken by . . .

**The Speaker:** Hon. member, please. I'm going to read the words. "Well, Mr. Speaker, given that the Ethics Commissioner's illogical decision . . ." That's, I believe, a criticism of an officer of the Legislative Assembly. There's nothing in those words that I gave you that talked about a report.

**Ms Notley:** Mr. Speaker, the remainder of the question went on to talk about why it was illogical as a result of information that was improperly given to the commissioner by an official of the government, and it was . . .

**The Speaker:** Perhaps I'll be good enough, then, hon. member, to bring you and other members of the Assembly up to date with respect to a matter such as this. This has been raised in this Legislative Assembly on previous occasions and viewed as a very, very serious breach of the rules of the Legislative Assembly of Alberta. Breaches of parliamentary references are found in *Beauchesne's* at paragraphs 493(3) and 493(4). It has been stated time and time again that great care should be given when making statements about persons outside the House who are unable to reply and, further, when they are individuals of esteem such as an officer of the Legislative Assembly.

The hon. member might also look at the *House of Commons Procedure and Practice* at pages 616 and 617.

I would like to draw hon. members' attention to an event that occurred in this Assembly on April 25, 2005. Hon. members are free to read *Hansards* of events in past Assemblies as they sit in the Assembly. The books are all here. Regarding comments made at that time about another officer of the Assembly, on April 25, 2005, a rather lengthy ruling was given. I quote from page 988:

If there is any doubt after reading those authorities, it is the chair's view that the officers of the Legislature in the province of Alberta occupy positions of "high official status," as the term is used in *Beauchesne* 493(3), similar to judges and senior public servants even though they are not specifically mentioned. To be absolutely clear, this chair will not tolerate personal attacks against officers of the Legislature.

Further, on that same day, in the response, then:

There will be a vigilance. I will not allow people who are officers of this Assembly to be chastised in this Assembly.

I'm sorry, hon. member. What you said this afternoon fits the bill. So I would just ask you to withdraw the words and declare your intent to avoid such usage in the future.

**Ms Notley:** Well, at your direction, Mr. Speaker, I will withdraw the words that were characterizing a decision that was rendered by the officer and tabled in the House.

**The Speaker:** No. You see, hon. member, you and I are going to have an interesting debate. Consider me the judge in the court and you one of the attorneys in front.

**Mr. Chase:** There's no jury.

**The Speaker:** Yes. In this case there isn't. This is a professional thing, 2 to 2, and the hon. Member for Calgary-Varsity, actually, is not part of it.

We're not going to debate because it's not about the report. It's very clear what it says, hon. member. It says, "Given that the Ethics Commissioner's illogical decision . . ." I mean, it's the Ethics Commissioner that you are talking about. You're not talking about anybody else.

I'm going to give you one more opportunity to do the honourable thing, and then I will tell you what the sanction will be if you don't do it.

**Ms Notley:** Well, Mr. Speaker, I withdraw my statement about the Ethics Commissioner's decision, which apparently is also a comment about the Ethics Commissioner.

**The Speaker:** Thank you. And in future you, as all members, will not do this. Period. This is just not fair. If we're going to have independent officers of the Legislative Assembly, then we have to accept the credibility that they provide or have a motion brought to the Assembly to censor and end any association with those individuals. We can't have it both ways. That's just fair, good parliamentary process.

## Orders of the Day

### Motions for Returns

[The Clerk read the following motion for a return, which had been accepted]

#### University of Calgary Budget

M21. Dr. Taft:

A return showing a copy of all internal documents that show the Ministry of Advanced Education and Technology's rationale for approving a deficit budget for the University of Calgary in the 2010-11 fiscal year.

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

3:00

#### Child Abuse Investigations

M18. Mr. Chase moved that an order of the Assembly do issue for a

return showing copies of any documentation or policies on how cases of reported child abuse of children under the care of the province are investigated, showing what organizations carry out the investigation and what oversight there is of the investigation process.

**Mr. Chase:** Thank you very much, Mr. Speaker. I'll look forward – well, that may not be true. I may not look forward to the reasons it was rejected, but I'll look forward to arguing my case.

**The Speaker:** The hon. Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm rising on behalf of the hon. Minister of Human Services to respond to Motion for a Return 18, made by the Member for Calgary-Varsity, who actually made me laugh today. The hon. minister has accepted his motion with an amendment to clarify the source of the documentation or policies referenced in this motion. As you'll see in your handout, the words "Ministry of Human Services," have been added so it now reads:

... copies of any Ministry of Human Services documentation or policies on how cases of reported child abuse of children under the care of the province are investigated, showing what organizations carry out the investigation and what oversight there is of the investigation process.

Mr. Speaker, the ministry's response will include only the documents that are related to the ministry's investigative process to avoid any confusion with documents from any other ministries such as Justice and Attorney General's fatality inquiries or other judicial process.

Mr. Speaker, this is a small tweak to the wording that provides the clarity needed about the documents and policies that are referenced in this motion. I understand the requested information will be provided to this member within the requisite time frame.

Thank you.

**The Speaker:** So, hon. member, there's an amendment.

**Mr. Chase:** I'm absolutely thrilled with it, Mr. Speaker. Please pass on my thanks to the appropriate minister for being so relevant on this particular issue.

**The Speaker:** Should I call the question, then?

**Hon. Members:** Question.

[Motion on amendment carried]

**The Speaker:** Okay, hon. Member for Calgary-Varsity, do you want to move your motion as amended, or shall I just call the question?

**Mr. Chase:** If you'd like to speed up the process, the question.

[Motion for a Return 18 as amended carried]

**The Speaker:** The hon. Member for Edmonton-Gold Bar on behalf.

### Oil and Gas Sector Incentives

M19. Mr. MacDonald moved on behalf of Mr. Hehr that an order of the Assembly do issue for a return showing a copy of all reports, studies, financial forecasts, or materials prepared for the Ministry of Energy regarding stimulus and incentives in the oil and gas sector between January 1, 2008, and February 20, 2011.

**Mr. MacDonald:** You betcha. I'm very pleased that it's due today.

Certainly, this has been a program that has generated a lot of interest. To get the information that has been requested by the hon. Member for Calgary-Buffalo, I think, would be, to say the least, terrific and in the interest of taxpayers throughout the province.

Now, this issue has come up in a lot of forums, in a lot of different ways, Mr. Speaker. Certainly, we heard earlier in the summer a series of questions that went through the media regarding this package and how effective it was. I listened with interest at that time, and it was suggested to me as chairperson of the Public Accounts Committee that it would be an issue we should deal with, but as the hon. Solicitor General would certainly know, the Public Accounts Committee had dealt with this, albeit in a series of questions that were proposed by the hon. Member for Calgary-McCall. He asked the hon. member at a meeting with the Department of Energy officials just how successful this program was and how many jobs it actually did create. There was a senior official from the department who admitted on the public record that he had no idea how many jobs this had created. That certainly was an issue this summer when it was discussed.

We do know that it's a fairly significant program. We know that in 2009-10 \$1.1 billion was issued in drilling stimulus initiatives. The following year, 2010-11, there was \$730 million plus, and in the forecast for 2010-11 – and I'm looking at the fiscal plan here from last spring's budget – there was an additional \$1.6 billion.

At a time when we're having record deficits, at a time when no one could publicly determine how many, if any, real jobs had been created, there was roughly \$3 billion in drilling stimulus provided to both the oil and the gas sectors. It was provided to the oil sector at a time when prices were really quite healthy and there was a lot of activity going on. The same cannot be said about natural gas. Whether this program was a good idea or a bad idea or whether we'll need a similar program in the future at some time, that's another question.

The hon. Member for Calgary-Buffalo has every right to ask for all reports, studies, and financial forecasts, and if the information is provided, I'm going to look forward, as the Finance critic, to reading it. Thank you.

**The Speaker:** The hon. Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I am rising to advise that the House rejects this motion for a return. When we look at the wording of this motion, it states, "all reports, studies, financial forecasts, or materials prepared for the Ministry of Energy." This could conceivably mean anything and everything provided by anyone for the Ministry of Energy on the topic of stimulus incentives. As we know, the rules do not allow for a fishing expedition. The scope of this wording is, in fact, too broad; it's not specific. By complying with it in this form, we could end up releasing proprietary, confidential information, so I would respectfully advise all members to reject this motion.

**The Speaker:** Shall I call the question? That'll close the debate.

**Mr. MacDonald:** Yes, Mr. Speaker. I think, with no disrespect, that this is showing contempt to the taxpayers of this province, who spent \$3 billion on this incentive program, this stimulus program, \$3 billion, at a time in the history of this province that we racked up \$11 billion in deficits.

We were talking earlier this afternoon about AISH payments and about how we perhaps could in next year's budget have an increase for recipients or clients of AISH. Maybe we could help out seniors in the next budget. Yet when we request information regarding this \$3 billion program which some would say was unnecessary and some would say that they have no idea – and these are government

officials – how many, if any, jobs were created as a result of this, the hon. member dares to say on the public record to taxpayers that the hon. Member for Calgary-Buffalo is simply on a fishing expedition. I think that's cavalier, I think it's disrespectful of the taxpayers, and it's certainly a reflection on why we have racked up \$11 billion in deficits in the last four years with an attitude like that.

This question is certainly in order. I'm very, very disappointed that the hon. member would reject it in the first place and then suggest it's just a fishing expedition when the total program cost at least \$3 billion over its life since it was initiated until the time it concluded at the start of this fiscal year. I'm disappointed in the government's rejection of this Motion for a Return 19, and I'm very, very disappointed in the attitude that has been displayed towards taxpayers in this province by this rejection.

Thank you.

[Motion for a Return 19 lost]

### 3:10 Electricity Grid Expansion

M20. Mr. Hehr moved that an order of the Assembly do issue for a return showing copies of all financial forecasts, economic trend reporting, and any recommendations that were prepared by the Ministry of Energy regarding electricity grid expansion for the fiscal periods 2011-2020.

**Mr. Hehr:** First off, I'd like to thank the Member for Edmonton-Gold Bar for handling my duties very ably while I was out using the washroom. I thank him for that.

The nature of this ask is quite simple. We are going down a path here where the government has put forward proposals and solutions to, apparently, some of our electricity needs. These entail a large expansion of our transmission system and will hopefully bring some peace and some relative stability to our electricity markets, that has been sorely missing for some time.

But at the same time, we on this side of the House feel it's necessary to get these reports because there are other people out there, other groups – utility advocates, the people who use power, our industrial users who use our power – who are concerned that this is a massive overbuild. Those are their words, not mine, Mr. Speaker.

Because there is so much conjecture, so many people who are questioning the need and the necessity of this process, in my view it would be imperative for us, the Official Opposition, to have a look at these financial forecasts and economic trend reporting and recommendations that were prepared for the Minister of Energy in order that we can look at the information that he has to base his decision on, and then we can inform these people that the Minister of Energy is perfectly correct; we do need these materials, and here is why.

Right now we are left listening to competing groups, all with varying interests. We know the Minister of Energy only has one interest at heart, and that would be the people of Alberta. We are confident that his reports would give us peace in that matter, would alleviate our concerns. It would allow us to quietly or even loudly back his decision to go forward with what some people are calling a massive expansion of our electricity grid. So we're merely looking for the same information that the minister has and that he's based his decision on so we can support him in this endeavour to bring electricity to our great province.

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm rising again

today on behalf of the hon. Minister of Energy. The Alberta Electric System Operator is responsible for the information that the member is requesting. AESO does have the economic planning and operation of our provincial electricity grid. They provide the analysis, input, and long-term forecasting. If the Member for Calgary-Buffalo is interested in this information, the Minister of Energy suggests that he look at AESO's website and examine the long-term planning and analysis or even consider contacting them directly. In fact, the minister has also indicated to me that he'd be happy to provide the member with a contact name to assist them with this request.

But in response to this motion for a return the minister would urge all members to reject it. Thank you.

**The Speaker:** Hon. Member for Calgary-Buffalo, if I recognize you, that concludes the debate.

**Mr. Hehr:** Mr. Speaker, I'm highly surprised at that answer. Are we on this side of the House supposed to assume that the Minister of Energy has not been given any financial forecasts, economic trending, or any recommendations prepared by the Ministry of Energy in this regard, that it has all come from the AESO? That answer seems to me totally, to use the word, false. I would assume that the Ministry of Energy has been provided numerous reports, numerous economic trend reporting, and many recommendations in regard to this. I find that answer really surprising, to say the least.

Really, if the true answer is that the Minister of Energy has not been provided any of this information, I would fall out of my chair, and I've got side rails on. Okay? If that is the truth, you know, I think that's one thing. If the answer is that some of these reports have been provided to the hon. minister, he has the right to say, "No, we will not provide that report." I highly doubt the claim that no reports have been made. In fact, if that was the case, I'd really ask what the Ministry of Energy is doing on behalf of the Alberta people.

[Motion for a Return 20 lost]

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

### National Securities Regulation

M22. Mr. MacDonald moved that an order of the Assembly do issue for a return showing a copy of all reports, studies, financial forecasts, or material prepared for the Ministry of Finance and Enterprise regarding the discussion concerning the potential creation of a national securities regulator.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. This has been an issue that has been debated across this country, province by province, and in Ottawa for quite some time. I am certain that information of this nature exists. I do know from looking at the Minister of Finance's website that there are references to various reports, studies, and forecasts. It's a very, very important matter. We have, of course, our own Securities Commission, located in Calgary. In fact, they have their own chapter in the Minister of Finance's annual report. It's an interesting read for members of this Assembly, as it is for the general public.

I would note – and this is in no reflection going back to Motion for a Return 20 – that we would be using an electrical market or an electric system. Well, I would be very generous in calling it a market. But we have a day-ahead market for electricity prices in this province; we have a futures market. These are all under the umbrella of the Securities Commission. I, for one, would hate to see the Securities Commission leave Calgary and move, say, to Toronto or to Ottawa as a national body. I can't imagine what that would do to

our electricity market as it's known now. For the record I don't consider it to be a market. If it's anything, it's a fixed market, but it's not an open, competitive market. So I want to make that perfectly clear.

A national securities regulatory body: you have various opinions on this. I don't see any reason why we would want to close an office in Calgary and move everything to, say, Ottawa or Toronto, which has been suggested by some. I think that as the economy in western Canada grows and expands as we develop more and more resources, there will be more and more need for an Alberta Securities Commission and a regulatory body located here. I think some of the smaller resource companies use it quite effectively for capital requirements. So there are reasons why we should have it, but I would be very interested, Mr. Speaker, in what exactly the ministry of finance and enterprise has surrounding these discussions that have been going on for years.

I certainly would appreciate the information, and if it was to be provided, I'm not saying that I'm going to read it during Christmas week, but I would commit to reading it before the 21st of December. Thank you.

3:20

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm not sure what's going on in that caucus, but three of their members have made me laugh out loud today – in good humour, I must say.

The Member for Edmonton-Gold Bar is asking for copies of "reports, studies, financial forecasts, or material prepared for the Ministry of Finance," specifically those regarding "the potential creation of a national securities regulator." Much of the information being requested by the member is already publicly available, and this includes without limitation reports, studies or other evidence, and submissions filed with the Supreme Court of Canada for the federal reference. The court's record also includes filings made in the two provincial references and the decisions of these courts. The member and the general public can also access a webcast of the two-day hearing on the Supreme Court of Canada's website. Any other materials prepared for Alberta Finance are subject to either confidentiality or legal privilege restrictions.

To sum up, the member's motion asks for information that is either publicly available already or, on the other side, information that cannot be provided for reasons of legal privilege or confidentiality. I'm sure that the Member for Calgary-Edmonton is going to appreciate those as well, given his background. For these reasons, I recommend that this motion be rejected today.

**The Speaker:** Shall I call the question?

[Motion for a Return 22 lost]

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

### Bill 205

## Municipal Government (Delayed Construction) Amendment Act, 2011

[Debate adjourned November 28: Mr. Taylor speaking]

**The Speaker:** Hon. members, the chair will recognize the hon. Member for Calgary-Currie to continue. The hon. member has seven minutes remaining in his speaking time, and there's a total

of 117 minutes of debate remaining should the members choose to go that far. The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. When time expired last week, I was acknowledging that one can make the argument that the Municipal Government Act already provides municipalities with the authority to intervene when construction sites become significantly stalled, suspended, or delayed.

In the case of stalled developments posing a danger to public safety, there doesn't seem to be much argument that it does. Municipalities may issue orders requiring the owner to eliminate the danger to public safety, remove or demolish the structure, fill in the excavation or the hole, and level the site. In a stalled development dangers to public safety are pretty clear and quantifiable. Shorings, which hold back the land when a basement or an underground parkade, for instance, is excavated, will start to break down over time, allowing the land that they're holding back to cave in. That's dangerous and measurable. City engineers can monitor the condition of those shorings on a regular basis. When they begin to break down, the engineers can measure that, identify it, quantify it, and issue the appropriate order, most likely to fill in the excavation. You can't really argue that point.

When delayed developments are merely unsightly, however, no matter how much of an eyesore they are by any common-sense consensus definition, the MGA as it is currently worded seems somewhat less certain about how much authority a municipality really has to step in on behalf of the neighbouring residents and businesses in order that something be done about it.

This, Mr. Speaker, I believe, is the crux of the matter. If we at the provincial level argue that our laws give municipalities sufficient authority to address a particular issue and the municipalities argue that our laws do not, then we're at a bit of an impasse. The neighbours complain to the city. The city refuses to act, citing insufficient authority. The neighbours turn to their MLA, who in turn inquires of the appropriate people within the provincial government, only to be told that the city does have the requisite authority. And we're back to square one. Who wins? Well, I'm not certain anybody does, but I can tell you for certain who loses: the neighbours, the surrounding businesses, and the community as a whole.

[Mr. Zwodzesky in the chair]

Mr. Speaker, a brief lesson in the ongoing history of stalled developments. There is a place in Calgary-Currie on 4th Street SW in Mission known none too affectionately as the pit. The good news is that the owner of the site just last week began construction of a long, long awaited development at that location. The pit celebrated its 10th anniversary this summer. Perhaps I should have said: marked its 10th anniversary. That's more appropriate; it was hardly a celebration.

Ten years of partial completion. Ten years as a hole in the ground mostly filled with what will become the development's underground parkade. Most of the concrete for that parkade was poured before the original developer went belly up. Ten years of ugly plywood construction hoarding covered in peeling paint and various posted bills running the length of an entire block along a street that once was and, hopefully, soon will be again one of the most vibrant shopping and dining destinations in Calgary's inner city. For 10 years apartment and condo dwellers have gazed down on this eyesore from their balconies. People can't really see much of anything from street level except the hoarding crowding the sidewalk, making you feel as though it might push you out into traffic. It hardly makes for a pleasant stroll.

Along that stretch of 4th Street in recent years we've seen a lot of empty storefronts. It's the broken-window theory on a bigger

scale. When vandals break a window and the owner doesn't replace it, it sends a message that people don't really care about their neighbourhood. When a development is stalled in mid-construction for months or years, it sends a similar message, and shoppers and diners go elsewhere.

About 15 months ago I attended a meeting at city hall in Calgary with the ward alderman, community representatives, the city solicitor, and senior officials from the city engineering and planning departments to discuss the pit, and I was told what the community had already been told, that the city of Calgary did not feel that it had sufficient authority under the Municipal Government Act to move against the owner and require it to improve the appearance of the site. Were the city to try under the existing provisions of the MGA, I was told, it would end up in court in a fight that the city might very well lose and which would cost a lot of taxpayers' money in any event.

I asked the city solicitor to help me draft a private member's bill that would rectify the situation. He did so. I brought the wording to Parliamentary Counsel, who put it into the language of this Assembly. I took that back to the city solicitor and asked if our wording met his test. He said that it did, and this is the bill that you have before you today. This bill, if approved, will give local governments clear authority to deal with what is absolutely, incontrovertibly a local problem. It's a local problem that local residents should be able to ask their local government to solve and to hold their local government accountable for solving it.

The government of Alberta has no particular interest, Mr. Speaker, in somebody's hole in the ground. Yet these holes and pits and partially-built parkades and building superstructures sticking unfinished as much as three stories above ground and partially built townhouse complexes and subdivisions are local problems in local communities all over Alberta. The pit at age 10 is a mere child compared to the granddaddy of them all, a development in Lethbridge that's been stalled for 30 years.

In the course of researching this bill we've discovered stalled developments in Two Hills, Sylvan Lake, Bon Accord, elsewhere in Calgary, Edmonton, Sundre, and Medicine Hat. The town of Irricana tells us that it has no control over any undeveloped land or partially developed land within its limits. It's all owned by developers who sought to build and either ran out of money or time or the will to finish what they started.

Mr. Speaker, this bill does not seek to expropriate property or to cancel development permits or to keep developers from building. This bill understands that business conditions in Alberta can change dramatically from the time a development permit is granted to the time the development is completed. It does not force a developer to continue building when it makes no economic sense or to prevent him from resuming construction when conditions improve, but it does give the municipality the clear authority to say that you just can't delay building the unfinished project indefinitely without giving the enjoyment of the space back to the surrounding community so that you're not hampering its vitality and making it less desirable for businesses, residents, and as a destination for visitors.

This bill will give municipalities certainty and confidence to act on behalf of their citizens in the interests of strong, safe, and attractive communities, and it will give the citizens a clear path to understand who to hold accountable for this.

Thank you, Mr. Speaker. I look forward to the rest of the debate.

**The Acting Speaker:** Thank you, hon. member.

The hon. Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have examined this bill for quite some time. Actually, it first came to my attention when the Member for Calgary-Currie came to me. I know he's got several of my fridge magnets. I have to say that the first duty of an MLA, of course, is to listen to his or her constituents, and I'm happy to do that to the Member for Calgary-Currie.

I do think that the member has done, actually, quite a good job on this particular bill. The bill proposes to amend the Municipal Government Act in order to clarify the power that municipalities in the province have when dealing with delayed or stalled construction projects. Specifically, getting on to the details, this bill would amend sections 541(a), 546(1), 546(2), and 550(1) to direct references to delayed construction developments as situations where the municipality can intervene.

3:30

Now, pursuant to the member's legislation as he has proposed, municipalities would have the authority to require the owner of a delayed project to improve the appearance of the site within a specified time frame or to remove any structures and level the site.

From discussions that I've had with this member, the motivation behind Bill 205 is to improve the overall safety and appearance of our communities. I'd also have to say that it has something to do with property values. When you have a construction site that has been delayed, it can often attract crime as has been the case in this member's constituency. There have been issues regarding crime in that particular area. It has become an eyesore, and it may be a negative drag on people's property values nearby, I would say, through no fault of their own.

Mr. Speaker, the Municipal Government Act as it exists today along with the Safety Codes Act currently contain provisions that would allow municipalities in Alberta to address delayed construction projects within their boundaries. I think it's fairly clear. However, Bill 205 may have the potential to strengthen and clarify the actions that municipalities may take to deal with extended construction delays in their jurisdictions. This could be done at the discretion of the municipality on an individual or site-by-site basis and would be up to the local municipality to do. That's the key. It's not the province actually coming in to tell the municipality what to do. Rather, we're just empowering the municipality to have these particular options.

[The Deputy Speaker in the chair]

Now, Mr. Speaker, as we all know, the economic situation can change at any time, particularly in this province, with very little advance notice. We don't have to look too far into the history books to see what a drastic effect changing economic circumstances can have on the construction of the development centre, particularly, in that member's constituency, which has a lot of high-cost-per-square-foot properties.

Now that we are well on the road to economic recovery, circumstances for Alberta businesses have improved. Construction companies are able to continue with their projects as planned. But at this point, Bill 205 does not seem unreasonable to me at all; in fact, just the opposite. There are many reasons why a construction project or development could be stalled or delayed, not the least of which could be for financial reasons. We don't want to punish the neighbouring businesses and the neighbouring residents in the event that that happens. I can only imagine how many calls this member has gotten from neighbouring residents of the so-called pit on 4th Street. Many people have, in fact, even called me, and it's nowhere near my own constituency.

At the same time, it's important that municipalities have a process, a mechanism through which they can motivate private

companies to continue their work when possible without leaving eyesores, construction sites inactive for months on end or, in fact, 10 years on end, as this member has mentioned.

Now, we cannot predict how economic circumstances over the life of a construction project might change. I think it's important to find the right balance between strengthening a municipality's powers to manage local construction projects and providing a productive business environment. The key, again, Mr. Speaker, is that this bill has absolutely no intention of specifically handcuffing local municipalities but, rather, just empowering them and giving them the tools to deal with a situation such as in this member's constituency.

I believe that this legislation, if properly implemented and enforced, could improve development in Alberta communities. As well, if done properly, Bill 205 could give municipalities a greater ability to oversee the activities that are taking place in their respective jurisdictions.

By developing some of these responsibilities, our government will have more time to improve programs and legislation at a provincial level. In addition, Bill 205 could have the effect of speeding up the construction process in Alberta, meaning that our cities and towns could actually develop more quickly but also in a more responsible and more sustainable manner. One of government's priorities, after all, is to make Alberta the best place to live, work, and raise a family. A part of that is ensuring that our streets are presentable and aesthetically pleasing for visitors and residents.

Also, specifically dealing with my current ministry, Mr. Speaker, we have to encourage community safety. I know that that particular site in the member's constituency on 4th Street has become a real cesspool of crime. There has been drug trafficking there, there has been prostitution there, and probably some other crimes that we don't know about as well, and that doesn't build a solid community in Calgary or anywhere else in this province.

I want to say that I think municipalities themselves have a big role to play in this whole process. Another way that our government can ensure that Alberta remains the best jurisdiction in Canada is by creating a favourable business climate for entrepreneurs and by giving them the best possible chance for success. After having weathered the recent economic storm and emerged in the strongest financial position of any jurisdiction in North America, there is a strong argument to be made that our current legislation is working, but at the same time Bill 205 could help development happen more quickly in our province by incenting construction companies to complete projects on time. In a sense, the bill could potentially enhance our current legislation and, again, empower municipalities to make appropriate decisions when, unfortunately, there are construction stalls or there are construction delays.

Mr. Speaker, I would like to thank the hon. member again for bringing forward this piece of legislation. I do think it's an important discussion we need to continue having.

I wanted to mention as well that in my previous ministry of housing and urban affairs we dealt with some projects that progressed slowly and raised concerns in the local community. Bill 205, I think, is really a good, fresh start, and I do think as a government in the future we may want to look at adopting some of the principles, in fact, under Bill 205. I can also tell you that as the previous minister of housing many people consulted me about that particular area.

We have to remember that if we don't have a process like this, who ends up paying? Well, the neighbouring businesses could end up paying for this. The neighbouring people who live there may end up paying for this through decreased property values. At the

end of the day if the taxpayer is the one that has to actually go in and step up to the plate and actually improve these particular sites, well, all of us end up paying for it through increased taxes.

I don't think that's right, Mr. Speaker. I think that we need a process in place where, in the event that someone does decide to go into a construction project, we have to know that they have a responsibility to the community. That responsibility is that in the event that there is some sort of stall in construction for a long and protracted period, well – you know what? – that particular developer has to step up because it's not just their particular property. It's the entire community's. We end up paying for it through increased crime costs and also, as I mentioned, the property externalities as well. In an economics textbook, going back to first-year university, I recall something called an external diseconomy, and that, in fact, is what this member is seeking to remedy.

I also know that this member has spoken to several members of city council who have voiced their support as well. I thank him for doing his homework in that respect because it looks like the local city council wants this bill passed as well.

I want to say that I will be supporting this bill as it goes forward. Occasionally the opposition does come up with some good ideas, Mr. Speaker, and this is one of them. I know that this is a free vote in our caucus, and I would encourage all members on all sides of the House and all parties to consider supporting this bill because it does address a significant issue in Calgary and Edmonton but also throughout the entire province.

Thank you very much. I'll take my seat.

**The Deputy Speaker:** The hon. Member for Calgary-Buffalo on the bill.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. It is a privilege, as always, to rise and discuss this piece of legislation. To start, I will be supporting this piece of legislation because it's a good, forward-looking bill that addresses concerns in an area that has been dealing with an unfortunate situation for some lengthy period of time. As the hon. Member for Calgary-Currie indicated, this pit has been in the area for 10 years, and I believe this legislation will propose a solution that allows local governments and local communities to address situations like this, where properties have been purchased, development started and, for one reason or another, do not get finished.

As the members before me have said, we understand that sometimes a project that starts out doesn't get finished. Either the economics have changed, the time frame has changed, or the like. Nevertheless, that developer or that individual or the local government should have the ability to offer solutions to a community that finds this distasteful and finds this unnecessary. In fact, this impacts many things, as was said earlier. It impacts the property values, impacts the crime that's going on in that community, impacts businesses that are unable to develop and flourish, and, overall, it brings down the quality of life in that community.

3:40

We all know that this bill, Bill 205, attempts to address the MGA, the Municipal Government Act. The MGA is enabling legislation that allows for prescriptive rules on how our local communities govern themselves. I believe that the MGA, if altered in this way, would be strengthened to allow local communities to do things for themselves as they see fit. That's the direction we want the MGA to play, to allow for prescriptive remedies that allow for local decision-making and allow for people at the local

government level to deal with the situation and address the problem.

What this bill does is seek to find that balance and find that ability to allow for constituents and people who like to go to their local councillor to discuss the situation and have that local councillor bring the information before their civic body and address a situation that has caused a great deal of concern. It sounds like all over this province, not only the Beltline in Calgary but, I believe, from Three Hills to Trochu to Lloydminster to Hardisty to Hanna to Hussar, they could all use the MGA being amended in this fashion. If they do not have a problem like this now, they may at some time have a situation like this in the future. That's why I believe this bill works. That's why I'm supportive of it.

I can also say that I have a little bit of a personal interest, although this is not economic or anything of that nature for then it would be a conflict for me to speak. I spend quite a bit of time in that neighbourhood. I go for coffee at the Purple Perk restaurant, which is near the pit. I go for the odd beverage at Earls or the other pubs in the neighbourhood. I have even seen the hon. Solicitor General in the neighbourhood, enjoying the various shops and the various locales and the various restaurants and the various pubs.

It is truly a remarkable community that has a livability to it but also has a sense of thriving businesses. This is being lost a little bit, to a certain extent, with the pit. It has caused many members of the community to become very angered that they have been unable to deal with this local situation.

I would like to applaud the Member for Calgary-Currie for diligently working with his community on this issue. He's taken their matters to heart and put it forward in a bill. He hasn't just proposed a solution; he's acted on their suggestions so that people have an ability, hopefully, to deal with this concern going forward.

I, like the Solicitor General and the Member for Calgary-Currie, am supportive of this bill. I'd encourage all members to support it. It's a very good bill, and I think that if they looked at it from that perspective, their communities could use it, and it would come into play to alleviate some angst all over Alberta.

Thank you very much, Mr. Speaker. We'll leave it at that.

**The Deputy Speaker:** On my list here I have the hon. members for Edmonton-McClung, Edmonton-Decore, and Strathcona.

**Mr. Xiao:** Thank you, Mr. Speaker. It is a pleasure to rise today to join my honourable colleagues in the debate of Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011, sponsored by the Member for Calgary-Currie.

I would first like to thank the hon. Member for Calgary-Currie for bringing forward this legislation. After all, municipalities are at the heart of our province, and it is imperative that we do everything we can to ensure that our municipalities stay as vibrant as they already are. I commend the hon. member for proposing a solution to an issue that is, you know, prevalent in some municipalities, the issue of delayed construction sites that are unsightly, dangerous, or both.

This legislation would amend four sections of the Municipal Government Act: 541(a), 546(1), 546(2), and 550(1). It amends these sections in order to give municipalities the explicit authority to regulate construction sites and projects that are significantly delayed or otherwise halted. Mr. Speaker, I think that all members would agree that it is important for municipalities to have the ability to force the cleanup of construction sites that are dangerous or unsightly. After all, there are few things that are more detrimental to the beauty of a municipality than a project that has

been stalled indefinitely. As well, we want to minimize the risk of accidents or injuries that may occur around abandoned construction sites, nor do we want to put workers in adjacent construction sites at risk of falling debris from construction whose completion has been delayed.

That being said, Mr. Speaker, I also think it is important to acknowledge the fact that the province ought to give ways to municipalities in certain jurisdictional matters. Our government understands the importance of decision-making at the local level, and I believe that the Municipal Government Act is one of the most important laws that we have in our province. Through the Municipal Government Act municipalities already have some authority to regulate and deal with construction that has been delayed. This is something that must be taken into consideration as we debate the merits of Bill 205.

We have some of the best municipalities in the world. Counties, towns, and cities in Alberta have a unique character that is emphasized by their cleanliness, safety, and diversity. The Municipal Government Act is an important piece of legislation that properly balances authority that should be delegated to the local level with authority that should be delegated to the province, and the act helps municipalities maintain strong and healthy communities.

Mr. Speaker, the Municipal Government Act is a lengthy piece of legislation, and it takes some time to find the sections of the act that are relevant to the particular issue of delayed construction. First, I want to talk about section 546(0.1)(1) of the act, which begins by stating: "If, in the opinion of a designated officer, a structure, excavation or hole is dangerous to public safety or property, because of its unsightly condition, is detrimental to the surrounding area, the designated officer may . . ." The section goes on to state that a designated officer can require the owner of such a site to do a number of things such as level the site, eliminate any danger to public safety caused by the site, and improve the appearance of the site.

For those of you who are wondering what a designated officer is, it is an individual appointed by a municipality who has the power to oversee certain jurisdictional matters. The city auditor for Edmonton, for example, is a designated officer who has the power to oversee certain issues of an accounting nature.

Mr. Speaker, this section is an important one, and I encourage all members to read it in its entirety in order to fully understand its scope. In my opinion, this section gives municipalities the authority to handle construction sites that are delayed or otherwise unsightly, so I'm not totally convinced that the amendment the hon. Member for Calgary-Currie proposes will give municipalities any additional powers with regard to managing construction projects.

3:50

Another point I want to make, Mr. Speaker, is that the local problems ought to be solved by municipalities. Of course, this does not mean we are dissolved of any responsibilities when it comes to regulating the actions that municipalities can take, but it does mean that once we give municipal governments sufficient authority to solve a problem, we should allow them to derive a solution. Indeed, municipalities such as the county of Strathcona have used the power bestowed upon them by the Municipal Government Act to pass bylaws that deal with dangerous or unsightly premises.

In the case of the county of Strathcona the relevant bylaw is 80-2007. This bylaw allows a designated officer to issue an order to improve an unsightly or dangerous premise by demolishing the structure or filling in the excavation and leveling the site. I believe



that bylaws passed at the local level such as Bylaw 80-2007 in Strathcona are the best way to solve the problem of delayed construction sites. By allowing municipalities to take care of the issues at the local level, we are limiting bureaucracy and respecting the right of the municipalities to govern as they wish.

In summary, Mr. Speaker, the issue of delayed construction sites, which are undoubtedly an eyesore, is certainly an important one. However, I think that the Municipal Government Act already gives a great deal of authority to municipalities to deal with this issue. In particular, section 546(0.1)(1) as it currently reads gives municipalities a range of options to deal with construction sites that a designated officer determines are either dangerous or unsightly. Furthermore, other sections of the Municipal Government Act allow municipalities to make bylaws respecting the cleanup of delayed construction sites as has been done in the county of Strathcona.

Given the power that municipalities have under this section, I wonder whether the changes proposed in Bill 205 would make any tangible difference in the ability to deal with construction delays. However, Mr. Speaker, this is an interesting idea, so I'm looking forward to hearing what others have to say on this matter.

I would once again like to thank the hon. Member for Calgary-Currie for bringing forth this piece of legislation, and I commend him for expressing concern about an issue that is impacting some of our municipalities. Thank you, Mr. Speaker.

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

**Mrs. Sarich:** Thank you very much, Mr. Speaker. I am very pleased today to rise and speak on Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011. I first would like to thank the hon. Member for Calgary-Currie for providing the Legislature with the opportunity to speak on this particular issue of delayed construction sites within the province of Alberta and, more specifically, to have the opportunity to speak on this. I would like the Member for Calgary-Currie to know that although our calendars didn't line up to have a face-to-face discussion about the proposal, I have given thoughtful and serious consideration to the proposals that we are discussing this afternoon.

Bill 205, Mr. Speaker, would amend several sections of the Municipal Government Act with the intent of providing municipalities across the province with clear authority to deal appropriately with delayed construction sites. I'd like to say that this is very appropriate timing because it's my understanding that the Municipal Government Act is moving forward for a review. So the subject matter under discussion is very appropriate because of the other review of the MGA.

Mr. Speaker, any construction project that is significantly stalled, delayed, or suspended for an unreasonable length of time would be subject to interference from the municipality. It falls under their responsibility. If a designated officer feels that a significant delay has occurred in the construction of a development, the officer may issue written orders to the owner of the project, requiring improvements to the appearance or demolition and levelling at the particular site. In the instance that the site contains an excavation or hole, the owner would be required to fill in the excavation and level the site.

Mr. Speaker, I respect what the hon. member is aiming to accomplish with this particular amendment. Delayed construction sites can from time to time be an eyesore and a source of frustration for residents in the local community or in areas where they occur, and I understand that. However, municipalities know that they have the authority to resolve these issues. I have heard

that in some instances within municipalities across the province perhaps there is a bit of confusion around natural person power. The authority is granted by the current Municipal Government Act. However, I think what is being asked for is some clarity, and certainly this particular amendment is providing just that. As stated in the act, municipalities are able to issue orders regarding structures, excavations, or holes considered unsightly or dangerous to public safety. The act also refers to structures, holes, or excavations that are determined to be detrimental to the surrounding area. These areas are clearly under the jurisdiction of the municipality in which it resides.

The hon. member has used a construction site in Calgary that has remained as an open excavation for nine years as an example of a stalled project, which is a very good example for consideration. It's my understanding that local residents in the area have been quite frustrated about the goings-on of that particular delay, while construction has been on and off again. I understand that. I would imagine that a site such as this, that has been delayed for nine years, could be classified as detrimental to the surrounding area, Mr. Speaker. Therefore, the municipality should have reasonable authority to address the matter.

However, at times there are always extra questions raised. I can't say for sure whether the municipality is using the current legislation to the fullest extent to resolve the issue. But, you know, as a government we have to listen, always consider other aspects, and try to help and intervene where possible. I think that the intent of this particular amendment is certainly going in that direction and is allowing for further considerations by the government.

Mr. Speaker, as I had touched upon, municipalities hold the power to regulate construction sites so long as they are detrimental or unsightly in the opinion of the designated officer. However, as we can see, at least one site has gone for over nine years without being completed or considered by the municipality. It concerns me, in particular, that definitive action hasn't been taken. If I may quote, the Supreme Court of Canada has said, "Lawmaking and implementation are often best achieved at a level of government that is not only effective, but also closest to the citizens affected and thus [should be] most responsive to their needs." I believe that this quote really is germane and says it perfectly. The current legislation that we have in place grants municipalities the power to deal with this particular issue, yet they have until now not dealt with the issue, and there should be further considerations regarding the current piece of legislation.

4:00

At this point, Mr. Speaker, I have to say that I want the Member for Calgary-Currie to know that I support the direction of this amendment, and I would be encouraging all members of the Legislature to give it serious further consideration, given that the Municipal Government Act is under consideration for review in that process they've just started and that this amendment fits quite nicely into that review process.

I, therefore, would be supporting these directions. Thank you, Mr. Speaker.

**The Deputy Speaker:** Does any other hon. member wish to speak? The hon. Member for Strathcona.

**Mr. Quest:** Thank you, Mr. Speaker. I'll keep my comments brief. I do appreciate the opportunity to spend a few minutes to speak about Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011. I know that the Member for Calgary-Currie has done a great deal of work on this bill and has had extensive consultations, as he has said, with some of the

municipalities. We know that they do have the authority under the Municipal Government Act and their own bylaws to deal with these delayed construction sites.

Having said that, I think that after listening to the comments – and I'm not going to repeat them – of the members for Calgary-Egmont, Edmonton-McClung, and Edmonton-Decore, I just would like to say that I think the hon. Member for Calgary-Currie has done a good job on this bill. So I will be supporting Bill 205, and I would urge all other members of our Assembly to do so.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I appreciate the opportunity to rise and speak for just a moment on this important issue. I'd like to thank the Member for Calgary-Currie for bringing forward Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011. I had the privilege of serving on Lethbridge city council for nine years, and I can honestly tell you that some of the most difficult decisions that we had to make were around issues like this, around issues with properties where construction may have been delayed or stopped.

You've heard from the member here about a project called the Atrium Building. Now, the Atrium Building in Lethbridge has gone on something longer than 30 years. I don't even know the exact amount of time because I can't remember far enough back, but it was many, many years ago. It might even be closer to 40 years ago that that building was started. It's in the middle of the downtown. Three floors were poured in concrete, and then the building sat. Mr. Speaker, that building has sat for three or four generations. It has been boarded and unboarded. It has had people in it, playing there. It has been unsafe. I know from my time on city council that trying to deal with these kinds of issues was so difficult.

Mr. Speaker, I commend the member. I had an opportunity to sit and meet with the Member for Calgary-Currie and talk about this issue. I went back to my community and talked to my council about the issue, and they strongly supported just a word from the government to say that they have the authority to do this. "We know that within the Municipal Government Act it appears that we may have the authority to do this, but we would like that clarified. We'd like to know that when these issues come up, we as municipalities can and will be able to deal with them."

On behalf of my community and on behalf of communities across the province I would ask members of this Assembly to please consider supporting this legislation. During the review of the Municipal Government Act I believe it will assist in some direction to the minister and it will allow him to move forward and see direction in municipalities, where they can deal with these important issues around unsightly premises, construction sites that have been delayed, and, ultimately, buildings that have never been completed.

Mr. Speaker, I thank you for the opportunity. I again compliment the Member for Calgary-Currie for the time and commitment he's put into this bill. We've met at least twice on it, and I know he's phoned me a number of times. I do appreciate his dedication.

Thank you so much.

**The Deputy Speaker:** The hon. Member for Rocky Mountain House.

**Mr. Lund:** Thank you, Mr. Speaker. I, too, want to congratulate the hon. Member for Calgary-Currie for bringing this forward

because, certainly, it clarifies what a municipality has currently. It leaves no doubt.

The hon. member in his speech mentioned the fact that Sundre was one of the places where there was a problem. Unfortunately, this doesn't go quite far enough to solve the problem in Sundre, where a developer started doing a bunch of work and because it was a subdivision, he took deposits from some of the people that were going to be residents of the area, and then the company went broke. Well, now, of course, the municipality is sitting there with some holes in the ground, some infrastructure like water and sewer pipes partially completed. It's really, quite frankly, quite a mess, but even worse is that the people that made the down payments have lost their money. So while this is good – it's a good start – there would need to be some other kind of remedy to solve the kind of problem that is in the town of Sundre.

Once again, I'll be supporting this. I think it's a good move in the right direction. Certainly, as we move forward and do the review on the Municipal Government Act, this will be a good foundation to deal with that type of issue.

Thank you.

**The Deputy Speaker:** Any other hon. member wishing to speak on the bill? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. I'd also like to take the opportunity to rise and speak briefly on Bill 207. Again, with many of the other members I'd like to offer my compliments to the Member for Calgary-Currie, who certainly, I think, pretty much must have spent his summer meeting with every member of the Legislature, trying to get their support for this bill. I know that that takes a lot of work. It was certainly something that mattered a lot to him, to do something to assist the members of his community.

I think it's an issue. I mean, many members have already outlined the fact that the current authority under the Municipal Government Act may be unclear in terms of whether municipalities can assert this type of authority with derelict developers when that opportunity exists. It seems to me that the public policy issue here is that this clearly relates to communities. It relates to the economic health of communities. It relates to the ability of people on the ground to improve the environment within which they live and also the local economy within which they live. So it's really important that the government that is closest to those issues have the ability to respond to members of the community who would rightly raise issues with them about it when there are problems.

It seems to me that there is certainly nothing that can be negatively . . .

**An Hon. Member:** Perceived.

**Ms Notley:** . . . perceived – thank you – or any sort of negative consequence to this bill. It certainly would clarify authority in a way that I think most members of this House believe it ought to be clarified. So that's very useful.

It's interesting, of course, that it appears as though there are really a number of members on both sides of the House that support this bill, so it really is quite unfortunate that we're probably only going to get the bill to second reading with the number of weeks that we've had sitting in the House this year. We're at Bill 207, and I'm afraid that Bill 207 will not . . .

**An Hon. Member:** Bill 205.

**Ms Notley:** Oh, sorry. Bill 205. My goodness, we've only gotten to Bill 205 of the private members' bills.

Where we have something that I think everyone can agree is an indication of good public policy, it's unfortunate that we're not able to have enough weeks in the Assembly to actually get it all the way through so that it would become law. Nonetheless, hopefully members of the government will have due regard to the points raised here and the general appearance of consensus on the issue and move forward to bring in this kind of legislation when the opportunity next arises. Certainly, our caucus would support that.

Thank you.

**The Deputy Speaker:** Any other hon. member wishing to speak on Bill 205?

Seeing none, the chair shall now call on the hon. Member for Calgary-Currie. You have five minutes to close the debate.

**Mr. Taylor:** Thank you, Mr. Speaker. This is a simple, straightforward piece of legislation. It was specifically designed that way so that it would minimize unforeseen consequences. There are always problems with that happening, potentially, and the simpler, I think, and more straightforward you make a piece of legislation – and this one, in essence, really focuses in on one section, section 546 of the Municipal Government Act – the less chance you have of those unforeseen consequences.

I want to thank members on all sides of the House for speaking in support of this bill. I do believe that it is a good piece of legislation in that it gives clear authority to local governments to solve local problems. I think that's in the interests of all Albertans. I thank everyone in the House for speaking to this bill.

4:10

**The Deputy Speaker:** The hon. Member for Calgary-Currie has closed the debate. The chair shall now call the question.

[Motion carried; Bill 205 read a second time]

### Bill 207 Seniors' Property Tax Deferral Act

**The Deputy Speaker:** The hon. Member for Red Deer-North, please.

**Mrs. Jablonski:** Thank you, Mr. Speaker. It gives me great pleasure to rise today and begin second reading debate on Bill 207, the Seniors' Property Tax Deferral Act.

Mr. Speaker, I'm bringing this piece of legislation forward because I believe that it could have a significant, positive effect on senior citizens in Alberta. Bill 207 would provide a fiscal benefit to the hundreds of thousands of seniors living in this province. This would be accomplished through a program that would give seniors the option to defer a portion or all of their residential property taxes. Through introduction by a member of the Executive Council, Bill 207 would grant seniors the opportunity to reallocate money that would normally be paid for property taxes into other areas of their lives.

Of course, certain requirements would need to be met by any senior wishing to take advantage of this program. In order to be eligible for the deferment, the applicant must have lived in this province for at least one year and have at least 25 per cent equity in their home. This is a deferral program, Mr. Speaker, not a grant. These taxes will be paid back in full, with interest, on the sale of the property, the death of the owner, or at any time the property holder wishes.

This bill could help a lot of people in this province. The number of seniors in Alberta grows every year, and it will continue to

grow for many years to come. We currently have over 400,000 seniors living here, and this number is expected to double within the next 20 years.

It is of utmost importance that we take the proper steps to ensure that these citizens are comfortable and able to spend their latter years in a manner that best suits them. For many seniors continuing to live in their own home provides them with comfort. By allowing those who are eligible to defer their property taxes, we will be allowing them to keep more of their money in their pockets and to spend it on other priorities. They will be able to use this money on things like utility bills, groceries, medications, upkeep on their homes, and anything else they might need.

Costs of living are rising. This can lead to financial troubles for anyone living on a fixed income but even more so for an individual who may not be able to attain extra income. Seniors don't often have the options that many Albertans do, and that's to look for a higher paying job when times are tough. Whether it's a pension, government transfers, or some other income that they're relying on, the point is that it's often their only option. They don't have the opportunity to apply for a more lucrative pension or negotiate a raise with their boss. Their income is fixed.

Mr. Speaker, this is a government that looks after Albertans. Over the past 40 years we have introduced, implemented, and improved countless programs to lend Albertans a hand when they need it. For example, we have the education property tax assistance program, the affordable supportive living initiative, and the Alberta seniors' benefit, all of which help seniors in this province. The education property tax assistance program has given senior homeowners an annual rebate on the education portion of their property taxes since 2004. For low- and moderate-income seniors or those requiring supportive accommodation along with health and personal care services, we have the affordable supportive living initiative. Some individuals may also be eligible for the Alberta seniors' benefit. This program is based on income, and the amount of the benefit depends on other factors such as the applicant's type of accommodation and marital status.

These are all valuable programs that provide a great benefit to those who meet the requirements, but we can do more, Mr. Speaker. We can allow seniors to defer their property taxes so that they can use this money for immediate necessities. Alberta would not be the first province to introduce such a program. British Columbia currently offers the property tax deferment program. This program allows seniors or persons with disabilities to defer their annual property taxes on their home provided they meet certain criteria. The criteria they set forth are similar to what Bill 207 would require. A few of the B.C. requirements stipulate that a person must be the registered owner of the house, be 55 years or older or a surviving spouse or a person with disabilities, have lived in the province for at least a year, and have a minimum of 25 per cent equity in their home. Like Bill 207 the B.C. program charges interest on the deferrals for as long as the owner chooses to defer the taxes. The deferred taxes must be fully repaid with interest before the home can be sold or upon the death of the agreement holder.

Other provinces have property tax relief programs in place as well. Ontario, Quebec, Nova Scotia, P.E.I., and several other jurisdictions in Canada provide their own variations of seniors' property tax assistance.

Bill 207 is also in stride with Alberta's continuing care strategy, known as aging in the right place. Part of this strategy is to provide Albertans with more options for home-care services and alternatives to strictly facility-based care. By allowing more seniors in need of these services to age in their homes, we will be helping to make this continuing care plan a reality. More seniors

will be able to explore options they may not otherwise have available to them should they be forced to leave their homes for financial reasons.

Mr. Speaker, Bill 207 has a lot of potential. It has the potential to help seniors stay in their homes despite facing increased costs of home ownership and basic costs of living. I've listened to my constituents and the seniors in this province. They want to spend as much time in their homes as possible. Bill 207 would be a step in the right direction.

Seniors enrich our communities, our neighborhoods, and all of our lives. I believe that we should do anything we can to assist these valuable members of our society. That's why I'm in favour of Bill 207 and strongly urge every member of this House to support the seniors' property tax deferral program.

Thank you.

**The Deputy Speaker:** Any other hon. member wish to speak on the bill? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. A pleasure to stand and speak to Bill 207, a very progressive piece of legislation that, of course, the opposition party has been pressing for for a number of years and that, obviously, many other provinces embraced some years ago, including for people with disabilities, which I gather isn't the case in this case. [interjection] They are also included in this bill, the hon. member mentioned. That's good. That's progress

Especially in Alberta, you know, the question of property taxes is a big one and perhaps more so in urban areas than rural areas since the property taxes in rural areas have been frozen since about 1984, I understand, and the property taxes in urban areas have gone up something like 500 per cent over that period of time. So there are real questions among Albertans about just how seniors, particularly, can afford the urban hit that they're getting on property taxes, which has been so significant.

Mr. Speaker, I'm into prevention, as many people know. To ensure that seniors have adequate resources to work with to feed themselves, to transport themselves, to maintain a quality of living, to actually maintain some extra supports in their home based on their own income is critically important to health: mental health, physical health, social health. To be able to sustain themselves in their own homes is so fundamental to health that I think it's a very important thing that we recognize that the public purse can afford deferral of property taxes. Especially for those for whom the education system is hardly relevant anymore, it seems to make a lot of sense to have deferral of tax such as many other provinces have supported.

4:20

It's reasonable criteria that citizens have to be in the province for over a year and have to have something like 25 per cent or more equity in the house. These are some measure of security that there will be continuity and follow-through and the ability to deal with these taxes when the time comes.

Mr. Speaker, the Alberta Liberal caucus has been supporting this initiative for many years, and it was part of our policy platform in the '08 election. We certainly support this and feel that it will make a significant difference to seniors and their well-being, their sense of security, and their ability to meet some of the basic needs in their preferred place of residence. I'm pleased to say that at least from this vantage point – and a lot remains to be decided in terms of the details of how this is implemented – from what we have seen so far, I'm impressed that we're moving in the right direction.

Seniors deserve this. They helped create this province. In many cases they have over a lifetime contributed such a substantial amount to our province both in terms of their work and also in terms of their finances and have improved quality of life in this province. We should be making every effort to ensure that they can stay with dignity. Many of them have great difficulty asking for help.

This will anticipate some of the issues that many seniors are facing with the rapid inflation and cost of living that's happened in the last decade in this province. As I say, particularly in the cities, where the market value assessment has shot through the roof on many of the properties, urban seniors are spending so much more than their rural counterparts in terms of property tax. Of course, this has to be taken into consideration at some point and some protection given for these seniors to ensure their optimal well-being.

I look forward with interest to hearing the rest of the debate. These are positive indications, and I'm encouraged by this direction. Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Calgary-Lougheed.

**Mr. Rodney:** Thank you very much, Mr. Speaker. I rise today to debate Bill 207, the Seniors' Property Tax Deferral Act. Like so many of my colleagues that I've spoken with in the past about this, I'm so pleased that the hon. Member for Red Deer-North has brought this bill forward. It concerns, obviously, a rapidly growing segment of Alberta's population. Our most experienced Albertans, of course, are seniors.

Mr. Speaker, upon introduction of this bill the hon. member rightly pointed out that while the Alberta seniors' population is currently at 400,000 citizens or so, it is expected to rise to well over 600,000 people as early as the year 2020. That translates into a more than 50 per cent jump in less than a decade. Needless to say, that's an enormous change in very little time. This trend is not about to recede as the baby boom generation, those who were born between 1946 and 1965, continues to age.

Now, Mr. Speaker, like the generations before them our seniors generally have no desire to move upon retirement. They want to maintain the high quality of life that they've enjoyed throughout their lives, and I can't think of anything more normal than this deeply entrenched human desire. As we all know, the comfort of a home, especially one we have lived in for so long, is unparalleled. It is only natural to want to stay there for as long as possible, and many seniors do.

For some, especially those who are on a fixed income, moving can rapidly become the only possible solution to financial hardship. I know that this is the problem that the hon. Member for Red Deer-North wanted to tackle when she initiated and introduced this bill. Indeed, Bill 207 brings forth a potential solution to this financial predicament by giving senior individuals the option to defer their annual property taxes if certain criteria are met.

While such a program would be a novelty in Alberta, that's not the case in many other jurisdictions as has been pointed out. As an example, B.C., our provincial neighbour, is facing similar challenges, and like Alberta they're also looking for ways to maintain and improve their senior population's quality of life. Today I'd like to speak just a little about our friends to the west and what they've done with their property tax deferral program, a program akin to the one that the hon. member seeks to implement right here in Alberta.

Mr. Speaker, B.C.'s property tax deferral program has been in place for some time already, and it does allow seniors and persons

with disabilities to defer their annual property taxes on their home if they meet certain requirements, which are well defined, I might add, and I believe that they should be. Obviously, the person must be the registered owner of the home, must be 55 years of age or older, a surviving spouse, or a person with disabilities as defined in the act, which in B.C. is the regulation of the Land Tax Deferment Act. In addition, several other criteria must be met such as Canadian citizenship, B.C. residency, and minimum equity and insurance requirements.

Certain financial restrictions also apply. For example, if a person's application is approved, a \$60 administration fee will be charged, and interest, the rate of which is set every six months, is also applicable. This ensures that other taxpayers aren't covering the costs associated with those taking advantage of the program, and that seems only fair. At the moment the interest rate for B.C.'s property tax deferral program is 1 per cent for the period covering April 1 to September 30, 2011. In B.C., Mr. Speaker, deferred taxes must be fully repaid with interest in these instances: one, before the home can be legally transferred to a new owner other than directly to the surviving spouse, that is; or, two, upon the death of the agreement holder or holders. A senior or a person with disabilities may repay all or part of the deferred taxes, fees, and interest at any time without penalty. That's a distinction worth noting.

Now, Mr. Speaker, I think it's important to mention that B.C. recently implemented two other similar programs but with higher interest rates, which are at 3 per cent each. The first such program, which has since been terminated, was called the financial hardship program. It was offered in 2009 and 2010 at the height of the worst recession Canada had experienced in over 50 years. Given that B.C.'s economy has now largely recovered, it's no longer available. But I suspect that it helped many families along the way. In speaking with a number of friends, especially on Vancouver Island, I know that to be the case.

The other initiative is called the property tax deferment program for families with children. That just started last year. It's a new option, obviously, available to assist families during those years when household costs can be the highest. I know many of us can relate to that. It's more of a loan program that allows families to defer all or part of the annual property taxes on their home for the 2010 and following tax years. Of course, like the regular property tax deferral program certain criteria have to be met in order to be eligible. Again, like the regular property tax deferral program it's meant to give families in need some financial flexibility. It is not and should not be seen as a way to avoid one's tax responsibilities indefinitely.

Now, these tax deferral programs appear to be working well given that they've been in place for a while now. Similarly, the fact that B.C. has implemented more than one such program is surely an indication of success.

Mr. Speaker, supporting our most vulnerable is the intent behind Bill 207, the Seniors' Property Tax Deferral Act. As I mentioned before, it targets a large, growing segment of our population. Given that seniors are among the most at risk when it comes to financial hardship, certain ones specifically, it makes a lot of sense to alleviate, if only temporarily, their financial burden so that they can enjoy their retirement, that they've worked their whole life for.

4:30

I know that this bill was introduced for all the right reasons. I also think that further debate would be worth while on this subject because what works in B.C. won't necessarily work here in Alberta. At the very least, we have to set our own parameters, a

made-in-Alberta solution, so that such a program would suit the specific needs of the elderly population and the fiscal capacity of our taxpayers. Ultimately, one of my biggest concerns is that some individuals might become overreliant on such deferral programs and might overextend themselves by pushing back something that may be inevitable in the long run.

But let me be clear, Mr. Speaker. None of my concerns are insurmountable. In fact, overall I know that this is a good bill, especially considering the history of the author. For this reason I'd like to commend the hon. Member for Red Deer-North for her great work on this matter, and I encourage my colleagues from all sides of the House and everyone in the Assembly to continue this debate as I believe it will ultimately serve our experienced Albertans, our seniors, that we owe great respect and thanks to.

I thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker, for this opportunity to speak on Bill 207, the Seniors' Property Tax Deferral Act. This is certainly an interesting private member's bill. I appreciate the opportunity to speak, and I also appreciate the hon. Member for Whitecourt-St. Anne's interest in this matter.

There have been many proposals to help seniors out with their property taxes. There have been many, many different plans discussed over the years that I've been here on: what's the best way of helping out? For some seniors who are retired for a while, of course, their pensionable income gets eroded because of cost-of-living increases, tax increases, power bills. There are a number of pressures on the disposable income of seniors, and this is one way of helping them. The city of Edmonton has a program. It's a rather modest program, but it's a little bit of a help. There's no denying that.

Whenever we look at what's going to happen with the review of the Municipal Government Act, at how property taxes are going to be affected by that — as I understand it, there is a review of the Municipal Government Act going on now; another hon. member referred to it in the discussion and debate on the last private member's bill that was before us this afternoon. The Municipal Government Act provides the legislative framework, as hon. members are aware, for Alberta's system of municipal government, including the property tax system. The review that is to take place over the next couple of years will include public consultations. I know the Minister of Finance is very proud of the recent public consultations behind closed doors that he held. Certainly, this would be an area of interest.

This bill I could certainly support to defer tax requests or tax payments until a number of issues could be addressed or settled. I have no problem with that. Certainly, hon. members have talked about what happens in British Columbia. In British Columbia there are also exemptions from the education portion of the property tax for seniors. That would be a broader discussion, Mr. Speaker. Property tax in this province, as we know, is made up of two different areas, the municipal property tax and, of course, the provincial education property tax. What we're talking about here is the municipal property tax or that portion of the requisition.

Now, we collect over \$1.6 billion in education property tax across the province on residential and farm property and nonresidential property, and the total tax bill for property taxes is significantly higher than that. I think it's in excess of — and I could be corrected on this — \$4 billion or better. I certainly would like to know from the hon. Member for Whitecourt-St. Anne: how much does the hon. member anticipate that this program would defer? How exactly would this affect the entire property tax requisition

or collection, as they would say? I'm just interested in a few more details than have been provided to date on this.

It doesn't seem like a bad idea. It would certainly give seniors one more option, and it's a good option. I certainly would like to see this come into force. I would like to see it passed by this Assembly and become the law of the province.

I would like to know how we would administer this, how much that would cost, and who is going to administer it. These are questions, I suspect, that the hon. member has a quick answer and a correct answer for. Certainly, Mr. Speaker, Bill 207, as I understand it, would be one more option, a good option, for seniors in this province, and I think it's time that we consider that.

Before I conclude, Mr. Speaker, I would like to remind hon. members that we don't have an aging population in this province. I know it's easy for some hon. members of this House to stand up, particularly on the government side, and blame seniors for health care costs and the escalation of those costs, but we all know that there's between 10 and 11 per cent of the total population over 65. British Columbia and Saskatchewan have a larger number of seniors than we have, and they seem to be able to control and manage their health care costs much, much better than we can in this province.

The three youngest cities, according to the census of metropolitan areas from Stats Canada, again, are Saskatoon, followed by Edmonton, followed by Calgary. In Edmonton and Calgary the average age is around 36 years, the same age as the Solicitor General. I'm sure the minister of seniors and community supports would like to be that age again.

**Mr. VanderBurg:** Agreed.

**Mr. MacDonald:** Yes.

Mr. Speaker, if you look at the Alberta Health Services annual report, you will see where for the last three years there have been over 50,000 babies born in Alberta hospitals. We don't have an aging population, and it's unfair for some on the government side to blame the mismanagement in Alberta Health Services and in health care for this population increase, supposedly, in seniors. Only 10, 11 per cent of the population is currently over 65, and they're not driving up health care costs. It's this policy or this ideology of this government that, in my view, is the problem.

This bill does give our seniors one more option, one more choice. If they want to defer their property taxes and we have a system that's in place to do that that's not cumbersome, well, then let's do it.

Thank you very much.

4:40

**The Deputy Speaker:** The hon. Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. First of all, I want to thank the Member for Red Deer-North for carrying on her commitment to the seniors of Alberta. It's an interesting way that this bill has progressed in the Legislature. It's one of a kind in all of Canada. There's never been a private member that's been able to pass a bill to a previous minister and that member that sponsored the bill be the new minister. It's a real tag team that we have in the Legislature working together on this important piece of legislation.

Mr. Speaker, the previous member talked a lot about having another option for seniors and went on to talk about the health care issues. Let's get it very straight and very clear that this bill is all about keeping seniors in their homes longer. Right now a lot of our investments in our own personal portfolios have gone south, and if we can give the opportunity for seniors today in Alberta to

be able to pull some of the equity out of their homes by having a tax deferral program, it's a great option.

I go back to when my mom was alive. In Whitecourt her little 750-square-foot house had a small property tax from the town of Whitecourt for \$1,200. It wasn't a lot of money by the standard of a lot of homes, but it was \$1,200 that she had to budget her hundred dollars a month for, and she was proud to do that. Many times I worried that mom's budget was so close that she wasn't buying the groceries and making the expenditures that she needed to make to keep independent and stay in her home. My brother and my sister and I would often tell her: "Well, mom, don't worry about it. We'll pay your taxes for you." But, no, our seniors wanted to be independent, and they didn't want help from others. I know that if a program like this had existed, mom would have taken advantage of it, and she would have deferred her property taxes, but being independent and wanting to do things on her own, she said: "No. You know, I can manage my own funds, and I can pay my own bills. You kids don't have to pay my bills."

She made her way, and I know her friends made their way, especially those single widows. There was quite a group of them that lived in their own homes and were proud to live in their own homes. But I listened intently to their conversations, and if there had been a government program, I know that they would have taken part in it.

The previous member talked a bit about expenditures. This will cost the government some money to set up, but eventually, you know, with a low, modest interest rate charged to the applicant, this program will carry itself, and this program over time will prove to be one of the most valuable programs we have to keep seniors in their own homes, to keep them independent. I think that it will be very, very well received. I know that it was a slow start-up in British Columbia, but a year and a year and a year come on, and more and more people sign on to this program.

As the new Minister of Seniors I am excited about this bill. I'm excited that it finally got to this point in the Legislature. I know it has wide support from members on both sides of the House, and I'm proud that we can talk about a bill that we all are excited about.

Mr. Speaker, once again, I want to say a thank you to the previous Minister of Seniors. I'm excited that she's excited about this bill, and I'm excited that all of you here are going to be supportive of this bill in the vote.

Thank you, sir.

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

**Ms Notley:** Well, thank you. It's a pleasure to be able to rise to speak on this bill, and I'll only do so briefly. It is a bill that includes in it some worthwhile components that, obviously, will in certain circumstances represent a hand and a level of support to seniors in our province. While it's certainly not close to being part of the kind of comprehensive seniors' support system that our caucus has been calling for for some time, it is a small, small step in that direction or a direction towards helping seniors in some small way.

When I first got elected I met with a lot of seniors quite regularly, and they were always very keen to remind me at the very outset about how they had lost their education tax exemption under Ralph Klein and they had all banded together and supported the need for the province to make serious cuts and for citizens in the province to sustain serious cuts as we all sort of worked together in order to balance the budget. Many of them at the time were supportive of those kinds of cuts.

What has happened, of course, is that up until fairly recently the budget was balanced. In the meantime we've been slowly reducing corporate taxes per cent by per cent by per cent each year. We've actually reduced the royalties that we collect from oil and gas producers in this province over the course of the last two or three years. So we've reduced taxes for the wealthy and for major corporations.

We've given back to them, Mr. Speaker, but we have not yet ever given back to seniors in the way that they believe they were promised back when former Premier Klein talked the majority of Albertans into believing they needed to tolerate grand and substantial cuts to our social support systems in this province to the extent that we are still recovering from those cuts and still feeling the symptoms of those very thoughtless cuts 20 years later. It has to be sort of looked at within that context, that that's what's happened here.

When you also consider that it's being done in the context of a Premier who has basically announced that she's going to take the cap off of long-term care fees so that if these seniors should be in a position that they are compelled to leave the house, that they may have lived in with any luck for 10, 20, 30 years after they retired, to go to a place where they need more support, those seniors will be paying much more than they were before. In the words of this Premier: seniors who have money should pay their fair share, and then we'll have, you know, little sort of special subsidies for those at the very, very, very lowest of the income rate.

Basically, what we're going to find is that in many cases these seniors will go to sell their houses in order to finance their transition to one of these now ridiculously expensive seniors' homes, which have been allowed to develop under the plan of this government to have the private sector develop our seniors' care regime and to do so with almost no limits on how much they can charge, and then, of course, they will have to first pay back the government for the property taxes that they didn't pay, that they used to not have to pay before Ralph Klein got into power. Yes, I know it was a long time ago that Ralph Klein was in power, but I hate to break it: this is the same government. We are still dealing with the downfall of those decisions 20 years later. Even though it is 20 years later, it's the same government, so the responsibility for those policies still rests at the feet of this government.

When you put it all together, what you do see is a wealth shift from seniors to the government and then through the government to the wealthy and to large corporations within this province. That's the situation that they're going to create. They will be asking seniors to fund far greater and greater levels of their own care as we go forward. That's clearly the plan of the new Premier. She has been very open that she thinks that's the model that we should use.

4:50

While this will be of some assistance in allowing seniors to manage those increased pressures and those increased demands on their relatively smaller pocketbooks, it is still just that. It's something done in the context of a government that refuses to look at the wealthier Albertans who've been benefiting for decades from an ill-thought-out flat tax and refuses to look at a royalty regime which is, without question, the lowest in the developed world, that leaves the most in the pockets of multinational oil and gas companies at the expense of Albertans and in this particular case, in this example, at the expense of Alberta seniors.

I do believe that both the original mover of the bill and the current mover of the bill are doing what they can to provide some assistance to seniors, but I think it's important historically to

examine the context in which this is happening. While those particular members were not part of the decisions which took so much from seniors in the '90s and restructured our tax system so that lower and middle-income Albertans are paying more taxes than wealthy Albertans and large corporations, overall this is within that context, and it should be seen as such.

I appreciate the members for what I think are their best intentions. Of course, I would certainly never vote against a bill that would give some assistance to seniors, but I think we can do more, and I think we can do better. I think we need to reverse the long-term trends that this government has been leading at the expense of Alberta's families over at least a couple of decades now.

Thank you.

**The Deputy Speaker:** Any other hon. member wish to speak? The hon. Member for Edmonton-Mill Woods.

**Mr. Benito:** Thank you very much, Mr. Speaker. It is a privilege to be able to rise today and speak to Bill 207, the Seniors' Property Tax Deferral Act, which is being brought forward by the hon. Member for Red Deer-North. First of all, I would like to thank the hon. Member for Red Deer-North for all the hard work she put into this bill.

Mr. Speaker, Bill 207 provides an opportunity to help some of our most treasured citizens: seniors. We all know how valuable seniors are and have been to our communities and to our province. Because of this, defending and protecting their interests is always a priority, and I can assure you that our government takes great pride in looking out for our seniors. The objective of this bill is to establish a property tax deferral program where Alberta seniors can defer all or a portion of their residential property taxes and can pay them back any time.

It is very important to remember that seniors have played such an important role in making our province and our country what they are today. As they age, they should both be helped and recognized for the many contributions they have made. Bill 207 could go a long way toward helping meet this outcome. Mr. Speaker, quite simply, our population is aging, and our government is already preparing for that reality.

On a personal note, I am in full support of those initiatives that help make the lives of our seniors better. The bigger question, perhaps, is whether or not Bill 207 and its financial implication of allowing seniors to defer their property taxes will truly accomplish this. I believe that this issue is a very worthwhile one to be discussing today.

[The Speaker in the chair]

With that, I would like to conclude my comments on Bill 207. I fully support this. Once again I would like to thank the hon. Member for Red Deer-North for her work on this piece of legislation and for bringing it before us today.

Thank you very much, Mr. Speaker, and I look forward to the remainder of the debate.

**Mrs. Ady:** Mr. Speaker, I'll just be very brief. I also want to support this bill. As I look at my husband's grandparents, who lived in their home 70 years and were able to be very healthy and happy there but saw their taxes rise and the value of their home rise to the point where they were having a difficult time affording it, I think this is the right way and the right motion.

**The Speaker:** Are there additional speakers?

**Mr. Xiao:** Yes, Mr. Speaker. I also just want to add my voice in support of this bill. There are a lot of seniors in my riding. Especially those seniors who have lost their spouses, have been living in the house for decades, and are living on a fixed income: I think this would relieve the financial pressure on those seniors. We have a lot of seniors we call house poor because of the escalating values of the house. The house is worth a lot of money, but the income has still not changed.

I'd like to add my voice to the support of the bill. Thank you.

**The Speaker:** Additional speakers?

Shall I call on the Member for Red Deer-North then to close the debate?

**Mrs. Jablonski:** Thank you, Mr. Speaker. I'm very pleased to hear other members in our Assembly supporting this bill. I think this is a very good option that we could put forward for our seniors, so I would just ask everyone to support this bill.

I look forward to having that vote now, Mr. Speaker.

[Motion carried; Bill 207 read a second time]

**Mr. Denis:** Mr. Speaker, it's three minutes to 5. Of course, 5 o'clock is when we will be discussing the private member's motion. I would ask for unanimous consent of the House so that we could begin this now.

**The Speaker:** Is anyone opposed? If so, say no.

[Unanimous consent granted]

## Motions Other than Government Motions

### Statement by the Speaker

#### Anticipation and Possible Duplication of Private Member's Motion 508 and Bill 23

**The Speaker:** The clock for 60 minutes will begin now. Prior to doing that, hon. members, my attention has been drawn to a similarity between Motion other than a Government Motion 508 and Bill 23, the Land Assembly Project Area Amendment Act, 2011, which is currently before the Assembly at third reading.

The issue arises because of the principle that the Assembly should not consider the same question twice in the same session and that the motion would violate the rule against anticipation found in Standing Order 23(e) and referred to in *Beauchesne*, sixth edition, paragraphs 512, 513, and 566(7). In short, the precedent is that a bill supersedes a motion on the same subject.

The chair notes that in recent years there has been a tendency to be more lenient when it comes to applying these rules to private members' business. The chair addressed this issue on May 1, 2006, at page 1150 of *Alberta Hansard* for that day with respect to a private member's motion on fixed election dates and a private member's bill on the same subject, and allowed the motion to proceed.

In this case, while the motion is on the same subject, the specific issues addressed in the motion differ from those in Bill 23. For instance, Motion 508 refers to amendments to the provincial constitution, and there is nothing in the bill on this subject. Also, the motion calls for the repeal of certain acts, but the bill does not repeal the statutes. The chair is not clear as to whether compensation for all forms of property loss are covered in the bill.

As noted in the chair's May 1, 2006, ruling, there is a tendency, not just in Alberta, to be more lenient in allowing private members

to present their motions. An analogy is presented in *House of Commons Procedure and Practice*, second edition, at page 560.

An exception has been allowed, however, in the case of an opposition motion on a supply day related to the subject matter of a bill already before the House. Under the normal application of the rule, the Chair would refuse the motion because it ranks as inferior to a bill. The Speaker has nonetheless ruled that the opposition prerogative in the use of an allotted day is very broad and ought to be interfered with only on the clearest and most certain of procedural grounds.

On April 26, 2005, at page 1034 of *Alberta Hansard* for that day, the chair ruled a private member's motion out of order that dealt with the same subject as a private member's bill that had received third reading the previous day. In this case, Bill 23 has not received third reading.

As stated many times in this Assembly, the chair interprets the rules to give private members the greatest possible latitude in presenting their motions and bills. The process for private members' motions is such that the draw was held in June of 2010, the motion was submitted in early 2011, and it is coming before the Assembly now. The originating member had no idea that Bill 23 would be on the horizon when his name was drawn or when he submitted his motion. The chair has always supported giving private members the greatest leeway consistent with the rules and will do so again.

In this case, the chair notes that there may be certain points that are similar between the motion and Bill 23. This is not a time during which members get another opportunity to debate the principles of Bill 23, which have already been approved by this Assembly with second reading approval. Accordingly, if members choose to debate the provisions of the bill during debate on this motion, they will be reminded that this is not appropriate and should refrain from discussing the bill and address the motion. In other words, we're dealing now with Motion 508, not with Bill 23.

The hon. Member for Fort McMurray-Wood Buffalo.

5:00

### Property Loss Compensation

508. Mr. Boutilier moved on behalf of Mr. Hinman:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to repeal the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act and entrench property rights in the constitution of Alberta to ensure all forms of property loss are compensated fairly, with recourse to courts.

**Mr. Boutilier:** Yeah. Thank you very much, Mr. Speaker. I think your words are wise words.

As mentioned, I know the Member for Calgary-Glenmore certainly appreciates the opportunity for Motion 508. He's very disappointed that at this time he's not able to speak, but certainly later on he perhaps will.

This issue is very dear to my heart. It calls for the repeal of Bill 19 and Bill 36 as was mentioned a few moments ago. The core of the land-use framework, certainly, is believed to be somewhat disastrous. It is clear that citizens of Alberta view this as flawed and also unnecessary.

Now, I know the government has spent quite a bit of time in the last couple of years bringing things forward. I know that the government is trying to fix a variety of issues. I'm not expecting, you know, members of the House to wholeheartedly come and support this. But I want to say to members from all sides that just because we've spent a lot of time on a particular bill doesn't mean it ultimately has to be used. A wise man doesn't just work hard; he works smart. When I say man, of course, that implies man or



woman. We in today's society want to work smart. I don't see much of the former or the latter.

If you want to show Albertans that you're listening, I think it's so important that repealing specific initiatives of the government is, certainly, a good way to go, particularly Bill 19 and Bill 36. This Motion 508 obviously recognizes that it went too far. Thanks to Albertans as a whole and people like the learned Albertan Keith Wilson, certainly a very prolific legal mind, who have continued to pressure people when it comes to getting it right. The motion is really intended in the spirit of getting it right.

The changes that the government has made are just simply not enough. The only things that makes the changes to Bill 19 worth supporting – and this is a positive – are the places where you say that it is subject to the Expropriation Act. Well, that's exactly what we told you to do. The Expropriation Act has the protections for landowners, and that should be all you really need.

Sometimes in public office there's a tendency to overcomplicate things, and Motion 508 is really an example of: let's just keep it simple. We have an Expropriation Act in play that will satisfy and protect the needs of landowners, and nothing more should have to be done. So just go a step further in repealing the act and let the already existing Alberta act, the Expropriation Act, do its job. It's simple. It's not complicated based on what has taken place over the last few years. Maybe make some alterations for long-term projects if you need to do so.

The Land Assembly Project Area Act still has too much centralization to it. It's a common trend of the government. We've seen that when we lost the local health authorities that are now being run by an Alberta Health Services superboard, when in actual fact it's another example of centralization.

We believe in from the roots up. The Wildrose caucus believes in from the roots up. We believe Motion 508 is from the roots up, listening to Albertans and people like Keith Wilson, as opposed to from the sky down. The sky down is a more centralized approach, a centralized approach that is losing touch with the community as a whole.

I believe that if we go forward, it lets the ministry come up with all of these big plans for future projects, and hundreds of Alberta landowners have these big restrictions put on their land because 20 years down the road the bureaucrats or the public officials of that time in Edmonton might want to do a project in this area. I'm all for planning ahead. In fact, my mantra is: not only do we want to be down the road; we want to be around the corner. But when you go around the corner, you don't want to hit a brick wall or be in an alleyway, where there is nothing but a dumpster.

We believe that Motion 508 is an important motion in terms of gathering evidence and gathering data from Albertans. I would humbly say that government members may want to really carefully listen to what Albertans are saying relative to this regarding repealing existing legislation. I'm all for planning, but I think there has to be a better way to do it.

Now, I know that as we reviewed this situation out there – I've sat, of course, on the government side at a cabinet table. They had a hassle putting the land for the ring roads together, so they said: hey; let's just put through a law that makes this a lot easier for us. That is wrong. What it means is that you're not listening to the grassroots. Rather, you're taking the easier way, from a centralized approach, from the sky down. I believe that approach is wrong. The government had to pretend for years that it was a green space that they were protecting around Edmonton and Calgary so that they could use environmental laws to secure the transportation and utility corridors. Between that type of trickery and these overcentralized laws, Mr. Speaker, there has to be a better way, and that is the purpose of this motion.

The same can be said times 10 when it comes to the Land Stewardship Act. This bill gives radical powers to the cabinet to shape whole regions. It really dismisses local capital at the local level. As you all know, under the Municipal Government Act local authorities certainly have greater capital in understanding what goes on at the local level than some bureaucrat in Edmonton under their centralized domain.

I know as well as anyone that in the so-called lower Athabasca region, which starts at Lac La Biche and Cold Lake and comes through the north end of the Wood Buffalo region, that I'm very proud to have formed with my council when we formed the first regional council of Wood Buffalo 15 years ago on April 1 – the limited knowledge of centralized planners from within the bureaucracy of ministries and government. It is beyond belief how little they know. That is certainly something that is very troubling.

This flawed plan, I believe, will affect me and my wife and our four-year-old son in my own backyard, you know, where I play with my son.

Wise men say that a failure to plan is a plan to fail, but sometimes the worst plans have the best intentions and are done with purpose. I think that this originally was an oversight. They thought they were doing what was best for Albertans. Obviously, what has transpired if you look – history is such a good teacher – over the past couple of years is that it's been clear that this is flawed.

You can't possibly see the harm. At first, no one disagreed. Isn't it ironic how a powerful government, that doesn't listen from the roots up, was surrounded by what I refer to as yes-men? But one man did stand up against this government, this Goliath, as I refer to it. His name wasn't David; it was Keith Wilson. I applaud this Albertan for all that he has done. He's travelled this province tirelessly like a marathon runner, with his 16-year-old son. He doesn't belong to any political parties, and he is doing it for the right reason because he feels he is on the right side of right. You know, it is certainly a good feeling to be on the right side.

5:10

**The Speaker:** Thank you, hon. member.

Could the chair get some indication of how many members might wish to participate to try and work them all in? Okay. We'll go, then, to the hon. Member for Edmonton-Mill Woods, then the hon. Member for Calgary-Mountain View, then the hon. Member for Airdrie-Chestermere.

**Mr. Benito:** Thank you very much, Mr. Speaker. I am pleased to rise today to speak to Motion 508 brought forward by the hon. Member for Calgary-Glenmore. Like the rest of my colleagues I appreciate the hon. member's interest in land-use planning, and as always I feel privileged to join the debate on such an important issue. Today I would like to address, in particular, the part of this motion that would urge the government to repeal the Alberta Land Stewardship Act and the Land Assembly Project Area Act. I would like to share a point of view that I think reflects the perspective of the majority of people in our province.

Mr. Speaker, I cannot stress enough the importance of properly managing Alberta's precious resources. Our vast mineral, hydrocarbon, land, and water resources have been a boon to this province for well over a century, and it would be unfortunate if future generations of Albertans were not to enjoy the same benefits that we do. In this day and age governments around the world understand that effective land-use planning and land stewardship are critical to ensuring the sustainability of our resources, especially in fast-growth areas like Alberta.

Indeed, Alberta is undergoing tremendous demographic changes as our economic and industrial output grows. In fact, between 1996 and 2006 Alberta's population growth rate was more than 10 per cent, double the national average of 5 per cent. This is largely for the best. Growth has brought many advantages to the people of our province. One only needs to look at our very high standard of living, one of the highest in the world, in fact, to see how we all benefit from this economic and demographic expansion. Because of growth our largest cities are becoming more multicultural and international. Demographic and economic change also brings new ideas, technologies, and perspectives to Alberta. This is all great news for our province, especially in the context of the global economy.

But, Mr. Speaker, the fact is that while our population and industrial base continue to expand, our provincial boundaries do not. This is the challenge our government sought to resolve when we introduced our new and enhanced land-use planning framework, including the Alberta Land Stewardship Act and the Land Assembly Project Area Act. As time has gone on, we have been able to see how this legislation fits in with landowners' and government's objectives.

In response to this feedback small amendments have been made to fine-tune this important piece of legislation, helping to ensure our land-use framework will meet the needs of Albertans now and in the future. In passing Bill 10, the Alberta Land Stewardship Amendment Act, 2011, residents directly affected by the regional plans can request a review of that plan. The amendments also make it even more clear that property and other rights will continue to be respected and that the Alberta Land Stewardship Act does not limit any existing rights to compensation or appeal. Instead, the act gives our province a long-term plan to ensure that our precious natural resources are managed in a responsible way. If we repeal this legislation, we will effectively be passing on the burden of managing our resources to the next generation of Albertans.

Mr. Speaker, it is to be expected that implementing a modern land-use planning framework will require some changes in the way we approach land development. Our government and our residents recognize that need, and together we continue to move forward in improving our land stewardship, first with bills 19 and 36 and now with bills 10 and 23. In fact, it seems that it is only the hon. Member for Calgary-Glenmore and his hon. colleagues who do not recognize the need to protect and responsibly manage our landscape.

Mr. Speaker, finding the most effective way to manage our land use requires extensive consultation with stakeholders and Albertans. After all, this is an extremely important issue that affects every one of us. This government has already done a great deal in this regard, and under the leadership of our new Premier we are ramping up this consultation even more. In fact, just last month a brand new property rights task force was established, with the objective of talking with Albertans about property rights to find out what is important to them.

Finally and very importantly, maintaining straightforward and groundbreaking land-use legislation is for the benefit of all Albertans. For example, the Alberta Land Stewardship Act creates new conservation and stewardship tools to protect natural heritage sites and landscapes, and the Alberta Land Assembly Project Area Act helps us to plan for the long-term success of the province by enabling the government to buy land for large-scale, long-term transportation and water management projects like ring roads and reservoirs.

What this act also does is outline for Albertans the procedure they may follow to sell their lands to the province, helping them to

be aware of their rights to compensation and mediation. Ultimately, Mr. Speaker – and I hope the hon. Member for Calgary-Glenmore would recognize this – the end goal of the land-use planning framework is to maintain and improve Albertans' quality of life. It is also about upholding our values and projecting them to the world. Alberta is a beautiful, innovative, democratic, energetic, and environmentally sensitive province. Let's make sure we and the rest of the world continue to view us that way.

Mr. Speaker, after what I just said, I hope that the hon. member recognizes the necessity of modernizing our land-use planning framework. Failing to do so would inhibit growth in our province in the long term and would likely affect the quality of life of our children and grandchildren. This government is determined not to let that happen. I can say with confidence that we will not repeal this legislation, like the hon. Member for Calgary-Glenmore proposes. This would not be in the best interests of our province or our residents.

I would once again like to thank the hon. member for his work on this matter, but I will be voting against this motion, and I encourage all others in this Assembly to also vote against it, to reject the hon. member's backward vision for our province, and to join our new Premier in building Alberta tomorrow.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Airdrie-Chestermere and then the hon. Member for Edmonton-Calder.

**Dr. Swann:** Thank you very much, Mr. Speaker. A pleasure to rise to speak to the private member's motion, Motion 508, intent on repealing the Land Stewardship Act and the Land Assembly Project Area Act.

I must say that I do have some sympathy with the spirit of this motion, having watched as this government in the '80s, I think it was, destroyed the regional planning councils, councils that were designed specifically to help us deal with longer term planning issues – the rural-urban and the interface between rural and urban planning – a seriously regressive step that we're still paying a huge price for today in terms of conservation opportunities, water management, and, of course, better land-use planning in the province. We're now playing catch-up some 20 years later, and it's unfortunate that we have come to this.

5:20

I will say that the government has been attempting through public hearings over the past number of years to address some of these issues and running up against some serious conflicts, as one would expect, and it's the reason why we need a thoughtful and trusted government that's dealing with the long-term public interest, that's reflecting in its hearings, in its processes, and in its legislation a trust and an integrity that people will honour and participate in actively.

Unfortunately, as we saw in some of the hearings, there was suspicion, there was undermining, and there was even the planting of people in the hearings that, evidence shows, were trying to undermine the public input, undermine the due process, and subvert especially the issues around a utility corridor in the past couple of years. This was blown wide open and raised again some serious questions around the processes, the integrity, the ability of the government to build a sense of listening and trust within the community. It has therefore been accused, and rightly so, of subverting the public hearing process around the power line issue.

It forced it back into the public domain and forced it back now into the position where they're trying to change the legislation that they brought in and fix what perhaps was not so egregious before seeing the lack of direction and the lack of authentic public consultation but since then has thrown a lot of this into disrepute and serious distrust issues.

Along with that is, I guess, an awareness in Alberta of the growing sense of power and control in a government that's had 40 years to consolidate power, to build very close ties with vested interests, to maintain financial pathways to their party and to their decisions around commissions and agencies and all the different elected officials that sustain a government that's lost touch with the people, lost touch with what is an authentic consultation process, and truly undermined the trust of a lot of Albertans in some of these most central areas that government needs to have trust in.

If they're going to take land, if they're going to plan for the future, if they're going to benefit some and cost others, they need trust. They need the ability to say to people: "We are thinking about the long-term well-being of the province. We're thinking about the management of our water. We're thinking about both industrial and commercial and individual citizens' well-being into the future." We're seeing this erode over time because of some of the efforts in a number of ministries, not only Infrastructure but the cabinet itself, increasingly centralizing power and control and making decisions on the basis of what looks like a vested interest or, at least, not listening to the public input and in some cases subverting the public interest.

While I have a lot of support for governments making decisions for the long term, planning ahead, having a vision for how this property called Alberta is going to be managed, how we're going to ensure lasting, good decisions in terms of our public transportation, our waterways, our residential developments, our parks, our protected areas, and utility corridors, all of these, we have to as government be able to make those decisions in the long-term public interest and show in a transparent way what the bigger plan is. It's for that reason, in fact, that I and many in our caucus supported Bill 36, the Alberta Land Stewardship Act. It showed some planning, some vision, some willingness to look at the river systems as key to all development that occurs in the province and ensured that we brought to bear the regional interests, the public interest, the public input into those plans. I am one who supported that Bill 36 as progressive legislation and would prefer to not see that repealed.

I think I can support some of the concerns around the Land Assembly Project Area Act, Bill 19, and its rather draconian efforts to not only, as they call it, sterilize a property for years – limit the development on that property, limit the compensation for that individual for that planned expropriation – but also limit their ability to appeal and the due process of the courts in that.

In some ways we're seeing before us in the Legislature a willingness to deal with some of those shortcomings, but I guess that, from my perspective, the government has come to this place, come to this impasse because of a failure to do the right thing for Albertans in the process of establishing these acts. Now we're trying to deal piecemeal with various concerns around them.

This particular motion, while it touches a lot of heartfelt issues in Alberta and has a lot of support across especially rural Alberta, where many of the biggest impacts may be felt, I think it touches on the very heart of what government is there to do for people, and that is to build a sense of trust, to establish a process where people feel they can participate in a meaningful way, where there's a process of appeal and recourse to the courts where people

feel they have been wronged, and it gives people a sense of confidence that we have a bigger plan and that we're moving in that direction in the best interests of our long-term well-being.

While I have some reservations about this motion and, specifically, in relation to lumping the two acts together – I think there are some positive features of Bill 36 – I can certainly concur that Bill 19, the land assembly act, is fraught with problems, the most fundamental of which is the loss of trust that this government has experienced as a result of its ways and means of going forward in land-use development in this province; in particular, their lack of consideration for property rights and due process.

I will be interested in listening further to the debate, and I look forward to making my decision. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Calder, then the hon. Member for Calgary-Fish Creek, and then Strathcona.

**Mr. Anderson:** Thank you, Mr. Speaker. It is my pleasure to rise and speak in favour of the Member for Calgary-Glenmore's motion. I know this issue, of course, is very important to him and to all Albertans, certainly, in rural Alberta. He has certainly been a passionate advocate of property rights and should be commended for that.

His motion reads:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to repeal the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act and entrench property rights in the constitution of Alberta to ensure all forms of property loss are compensated fairly, with recourse to courts.

This is a straightforward proposal. Clearly, it presupposes that we will be passing a constitution in Alberta, which is something that is certainly one of the policies of the Wildrose, in order to better enshrine the individual rights and property rights of Albertans in our great province. This, generally, is a straightforward proposal.

The government rushed through some pretty major pieces of legislation in 2009, not even giving their own MLAs much of a chance to review them and raise many questions at all, specifically with regard to Bill 36. The folks at the cabinet table thought they could get away with three quick bills that would centralize power, but they've realized now that they can't. What's changed? Well, by the end of 2009 the Wildrose had come onto the scene in a big way with our first MLA, Paul Hinman, and the election of our new leader, Danielle Smith.

5:30

**An Hon. Member:** Order.

**Mr. Anderson:** Oh, sorry. My bad. The Member for Calgary-Glenmore. You're absolutely correct.

One thing these two great Albertans have in common is a passion for property rights. From the end of 2009 until the end of 2010 the growing numbers of Wildrose MLAs and supporters did their best to ensure that every Albertan knew about the big power grab behind these bills. It worked, and the PC government has been backpedalling ever since.

This motion doesn't mention Bill 50, the power line bill, which I had a motion earlier in the year regarding, but I'll say a few words about how it is similar to others at the end of this if there's time. The motion does call for repeal of bills 36 and 19, also known as the Land Stewardship Act and the Land Assembly Project Area Act. These two pieces of legislation put a tremendous amount of power in the hands of cabinet and the provincial bureaucracy.

Bill 19 was about giving the ministry sweeping powers to write up cabinet orders and put restrictions on land the government might want to use in the future for a big project. Because they hadn't committed to it yet and weren't actually kicking you off your land, they didn't need to use the Expropriation Act, which has pretty good protections for landowners. Instead, they gave you a short window after the announcement to decide if you wanted to sell. If you didn't, you'd have to live indefinitely with whatever restrictions the government put on your land until they decided whether or not to expropriate your land. Good luck selling or remortgaging a piece of land that the government has said you can't develop or make improvements on.

Why would they do this? Well, they were finding it a real hassle to negotiate with landowners whenever they wanted to secure the land for a big project, so they wrote this law in such a way that government had lots of power and landowners didn't. Problem solved, for the government that is. But that's where the problem actually started. This bill was such a naked power grab and showed so little respect for landowners that a few activists like Keith Wilson along with a surging new party were able to easily explain how offensive this bill was to landowners. Boy, did it ever take root.

After two years of this government insisting over and over that there was nothing wrong with these bills, denying and deflecting and accusing people of fearmongering and so forth, this fall we're looking at Bill 23, which makes major amendments to Bill 19. While most of the amendments to this bill we feel are good, they don't fix everything, but of course, with deference to the Speaker, I'll move on from speaking too much about Bill 23 today.

The amendments that are good work because they put most of the compensation clauses under the Expropriation Act. We said from the beginning that the Expropriation Act is what these activities should take place under. If you need to make a few changes to the Expropriation Act for long-term proposed projects, well, then that's a discussion that we should have, but you don't need to override it with the land assembly act. We said that Bill 19 was unnecessary then, and after going through these amendments this fall, we are even more sure of it now.

This is not the first time this government has tried one of these quickie bills that centralize power and then had to backtrack after the good people of Alberta caught wind of what they were up to. In fact, this spring the only legislation of any note was Bill 10, which similarly had some pretty major amendments to the Alberta Land Stewardship Act, or Bill 36.

This one followed a similar pattern. The government came under attack when people realized what it meant. The government insisted over and over that it was just fearmongering by critics and that there was nothing to be concerned about, nothing at all, except that they realized that nobody, especially in rural Alberta, was believing them. They knew that Keith Wilson, the Wildrose, and other critics were right. Again, it was easy to persuade Albertans because the legislation was so one-sided in favour of the government over landowners that it was perfectly clear what the government was up to.

So they sheepishly brought forward Bill 10 this spring to try and answer these concerns. But unlike Bill 19, which they were able to approve by cutting big chunks of it under the Expropriation Act, this one was a lot harder to fix, and they are still a long, long way from fixing it. There is still a huge stick the cabinet wields over landowners and municipalities when it comes to regional planning, and there is still inadequate compensation for those affected by centralized decisions.

Nothing is more fundamental to economic growth than a respect for property. When the government can take your land rights away

on a whim or even with the noblest project in mind and not compensate you fully, it makes people very jittery, and so it should. People investing money like to know that there is stability in the place where they are investing. Economic trends are difficult enough to predict, but what gave Alberta an advantage over other jurisdictions was that people used to have faith that our government respected our property rights among other principles. This government lately has severely undermined this reputation. The attempts to amend these bills this year prove that this government only respects property if hundreds of thousands of Albertans catch them in the act of taking them away and get angry at them. Then they all of a sudden are the huge defenders of property rights.

The way this government can admit they were wrong, the only way for this new Premier to really break with the past, is to repeal these bills, every single one of them. They are not necessary. As with the Expropriation Act for land the government needs to take for big public projects in Bill 19, we had acts in place for Bill 36 that managed the balance between growth and environmental and sustainability concerns.

The Water Act, for example, combined with other acts related to the environment ministry have adequate provisions for protecting our watersheds. If they need improvement, then we can improve them. We don't need a whole separate act. It's been working for decades. In fact, this avenue for allocating water use is superior for a number of reasons. For one thing it combines the local knowledge of capacity and needs with the best scientific awareness of ecological needs in the environmental department. These combine to produce something reliable and consistent, namely water licensing. Bill 36 overrides all of that with the stroke of a pen of the central planners in the ministers' offices. Water licences are suddenly of uncertain worth under this bill because the SRD minister is now empowered to extinguish or – pardon me; there was a change to the wording – rescind those water licence rights.

We recognize that there is a need for some greater regional planning, but the premise of this bill was wrong from the start. We need to go back to the drawing board and develop a truly regional planning process, not a centralized provincial planning process. The process that the Wildrose advocates for would see regional representatives at the table consulting and actually making the decisions in co-operation with neighbouring regions. Consultation is not enough. The decisions need to be made at the regional table, not at the cabinet table.

Besides the fact that most things were functioning pretty well before these bills, there's another reason we know they aren't necessary; namely, that no other province has these two twin towers of central government planning. Other provinces have rivers and ecosystems, other provinces have big industry, other provinces have growth, but other provinces use a balanced approach to managing these things. Other provinces think that it's inappropriate to have this much power concentrated in one body, namely cabinet. Other provinces would have the humility to know that this would be a dangerous power grab that could get them thrown out of office.

Other provinces respect the fact that competing business and residential and environmental needs have to be worked out one by one and that it can't always be just easy to do. It's not easy because there are two groups with legitimate aims, the landowner trying to make the most of his land and the government trying to manage a bigger picture. That's why there needs to be a third party to settle the disputes when the two can't come to an agreement.

This government, though, always thinks that it knows best, so it doesn't like third parties with any kind of power or influence or authority over it. This government views the rights and claims of individuals and local governments as nuisances to be eliminated as far as possible.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Motion 508, brought forward by the hon. Member for Calgary-Glenmore. Before I begin, I would like to thank the member for the work that he has put into this motion. Motion 508 urges the government of Alberta to repeal the Land Stewardship Act and the Land Assembly Project Area Act.

This is a very serious issue we are dealing with here today. While I am well aware of the concerns that some people have had towards our current structure of land-use planning, to repeal these pieces of legislation would be an irresponsible decision and one that I cannot support. Land-use planning is essential to the sustainable development of our province. It provides the opportunity to make sound decisions in regard to Alberta's future environmental, economic, and social needs. Mr. Speaker, land-use planning is a complex process and one that will undoubtedly run into obstacles along the way.

With that being said, it is the responsibility of our government to overcome these hurdles to deliver this much-needed framework. As we all know, the major issue of concern regarding land-use planning is property rights. Some Albertans believe that the Alberta Land Stewardship Act, or ALSA, as it is often referred to, enables the Alberta government to set the agenda for all land use in Alberta, including private land, taking away the rights of landowners.

5:40

Although some would have Albertans believe this, I can tell you that this is absolutely not the case. What ALSA actually does, Mr. Speaker, is defend property rights. However, some confusion remains about how the act functions and what it really brings to Albertans, and this is why the government created Bill 10, the Alberta Land Stewardship Amendment Act, 2011, which clarifies the intent of ALSA and shows Albertans that Bill 36 respects all existing compensation and property rights. Bill 10 provides Albertans with a clear and concise affirmation that their property rights are not in jeopardy.

Now, Mr. Speaker, will additional changes need to be made as we continue to improve our land-use planning process? Without question. Alberta and the world, for that matter, are constantly changing, and we need to adapt accordingly. This government will continue to consult, amend, and review the planning process in order to ensure that we get it done right. But to have the Member for Calgary-Glenmore say that we should abolish all legislation for land-use planning is not only short-sighted; it would also be irresponsible governance. By repealing these two pieces of legislation, the hon. member would remove some of the strongest property rights protection we have in place today.

[The Deputy Speaker in the chair]

Mr. Speaker, the Land Stewardship Act and the Land Assembly Project Area Act were established to protect Albertans, not only by clearly outlining their rights to review compensation and access to the courts but also by helping to ensure that the resources and natural beauty of their home province are managed in the best possible way. I am very curious as to how the Member for Calgary-Glenmore would handle this situation in 20 years, when

our population reaches 5 million and our land has been managed haphazardly from plot to plot, or in 40 years, when our population is expected to reach 6 million and we do not have the ability to meet all of our needs. I would like to hear him explain how this would be better for the people of Alberta.

Through this entire land-use planning process our government will continue to make adjustments for a stronger framework, but the fact of the matter is that this legislation is necessary to ensure a prosperous and sustainable future for Albertans. Our province is growing, and our land is facing increasing land pressures and conflicts, and without the strong leadership in land-use planning that our government has demonstrated, those conflicts could lead to much bigger problems. Mr. Speaker, as we heard last week in the debate on adverse possession, our province and all of western Canada has a history of excellent land stewardship and planning. Our land-use framework will continue this tradition well into the future. This legislation is taking us down the right track, and we will be better off because of it now and in the future.

Once again, I would like to thank the hon. member for his work on this issue; however, I will not be supporting the motion. Repealing these important pieces of legislation would not improve the property rights of Albertans and will have a significant negative long-term effect on our province's success. As such, I strongly encourage all others in this Assembly to vote against it.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. Member for Calgary-Fish Creek, you indicated you wish to speak on it.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I appreciate the opportunity to speak to this motion put forward by my caucus colleague the Member for Calgary-Glenmore. I'm a strong supporter of private motions, and I've always seized the opportunity to put forward my ideas, whether I was in government or whether I wasn't in government. Private motions are important because they are on the leading edge. They are on the frontier of where our Legislature is going. In this case this motion is a reminder of what should have been done in the first place, repealing bad land-use legislation.

Mr. Speaker, as a mom of two boys and a fairly rambunctious staff I tell them that if they make a mistake, apologize, fix it, and don't do it again. Quite frankly, this is a lesson that this government hasn't learned. We've seen time and again the stubbornness of the government and its refusal to see the error of its ways. It's really easy: apologize and fix the mistake.

The original mistake here was the land-use legislation. It can't be stated clearly enough that bills 19 and 36 were a mistake from the start. Since they were passed, this government has spent their time backtracking and amending and applying Band-Aids to stop the bleeding that this has caused. This is a case of: keep it simple, stupid. The simple solution would have been to repeal the bad legislation and keep what was working reasonably well in place.

Bill 36 was amended in the spring. Its changes, while welcome, were just not good enough. There were tiny, teeny changes made, but it really was like putting lipstick on a pig. Yes, the pig looked better, Mr. Speaker, but it's still a pig. The original Bill 36 allowed the government to "extinguish" someone's property rights. Bill 10 switched out the word for "rescind."

To introduce another metaphor, this is like shuffling the chairs on the deck of a sinking ship. The land stewardship legislation is flawed to a serious degree. Recourse to the courts is still not a viable option for landowners. That is a fundamental right of Albertans. Cutting people off from public avenues is just what this government does.

Alberta's retiring FOIP commissioner released his final report last week. He cautioned the government on its obsession with secrecy. With bill after bill in the House FOIP exceptions are placed to put the government behind the public eye. It seems like this government is more comfortable in the shadows, avoiding the light of day.

Bill 36, the Alberta Land Stewardship Act, is in essence a trump card, a flawed trump card that is even scarier and more tragic than first imagined. In my opinion, the ultimate trump card is the people and their rights, not the prerogative of the cabinet to rule Alberta as it sees fit, without consultation and without consideration. With such dangerous powers held in the hands of so few, the only sensible, simple solution is to rescind this legislation, the only good use of the word in land-use parlance.

An amendment to Bill 19 is being debated currently in this House. I said it once, and I'll say it again. Bill 23 should be called "replacing the screwed-up Bill 19 act," but I have to give some credit where it is due. Bill 23 mostly moves in the right direction of allowing landowners access to the courts.

The government likes to save face, rather than admit wrongdoing, by saying that the newest legislation clarifies any misunderstandings about the land-use framework. There is no misunderstanding or lack of clarity on the part of landowners here. It was clear the whole time how wrong the land-use legislation was. The only people who misunderstood what was going on, quite frankly, were the government. They had no idea how upset people were and how wrong the laws were until Keith Wilson started warning Albertans. When Keith began getting through the propaganda and connecting with Albertans, that's when cabinet should have started to pay attention.

But did they? No. They're like one of my boys was when he was a child. They plugged their ears and started yelling more loudly. We saw this when landowners had information meetings explaining the situation. Cabinet ministers would come to the event and then start heckling when someone made a criticism. This behaviour, quite frankly, is unacceptable. I would expect more from a minister of the Crown.

I would like to quote what I said in the debate on Bill 23 in the House last week. "Quite frankly, the best thing this Assembly could do is to repeal the Land Assembly Project Area Act . . . This would be a very, very simple solution to what seems to be a very complex problem."

I still feel the same way. Every session this Legislature debates land-use legislation because this government continues to go about this in the wrong way. There is no way of fixing something that is fundamentally, at the core, wrong. Landowners are still going to be ripped off by this government as the laws of the land say: if something isn't broken, don't fix it.

The Expropriation Act was the law of the land and has worked well for Albertans for a very long time. As I mentioned earlier, this cabinet likes its decisions made when it closes its doors. The necessity for large projects with large price tags is not run through one of Alberta's independent commissions tasked with the public interest, but it is decided in secret by a small, select group of people.

Mr. Speaker, this is not grassroots like the Alberta I know but, quite frankly, elitism. Elitism to me is thinking that only a few people know what the right thing to do is and not listening otherwise. That's the way this government behaves, quite frankly, and why I am no longer part of it.

This behaviour, like the game of Whac-A-Mole, is popping up again with the Health Quality Council act. Key decisions will be made in secret, behind closed doors, with no accountability.

Albertans expect better from their government. They expect humility and accountability and, quite frankly, an open attitude.

5:50

As to the last part of the motion, the entrenchment of property rights in the constitution, we need the Alberta government to do better. The Alberta Bill of Rights has protection for property rights, the only such province in the country to do so. While there is protection in the Alberta Bill of Rights for property rights, it is just a bill; it's not a constitution with court protection.

Mr. Speaker, I hope this motion motivates this House to take property rights more seriously. I also hope that this government decides to be more open and accountable in a real, substantial way rather than pretending to be listening to Albertans.

**The Deputy Speaker:** Other hon. members wishing to speak on the motion? The hon. Member for Strathcona.

**Mr. Quest:** Sure. Thank you, Mr. Speaker. I'm pleased to rise today and share my thoughts on Motion 508, brought forward by the Member for Calgary-Glenmore. We all know this motion urges the government to repeal the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act. As well, it would entrench property rights into the constitution of Alberta and make sure that all forms of property loss are compensated for.

Mr. Speaker, my colleagues and I are committed to the protection of Albertans' property rights. It's one of the reasons we passed these two important pieces of legislation in the first place. The other main reason is that we wanted to ensure the protection and preservation of our natural environment. Both are of equal importance, and I believe our main objective should not be to deny one or the other but to strike a careful balance between the two.

The Alberta Land Stewardship Act, ALSA, and the Land Assembly Project Area Act, LAPAA, have certainly moved our province in this direction. With both of these acts along with the recent and proposed amendments Albertans' rights to private property compensation and access to the courts are stronger than ever, so much so that to repeal them would be a step backwards.

Mr. Speaker, as I mentioned before, Motion 508 calls for property rights to be entrenched in the Alberta constitution to guarantee that all forms of property loss are compensated fairly. However, this issue is already covered under the two pieces of legislation that this motion wishes to repeal. For example, ALSA makes our province the first jurisdiction in Canada to compensate landowners whose property values are affected by conservation restrictions under regional plans. Section 19 of that act ensures Albertans have the right to appeal decisions by municipalities, provincial departments, and boards, further protecting their rights.

In addition, under LAPAA if a purchase price cannot be agreed upon, the landowner has the option to ask for an independent third party to determine the price. Repealing these acts would remove these and other protections, Mr. Speaker.

A concern some landowners have is that their property can be taken away from them without any compensation or consultation, but I can reassure you and the people of Alberta that this is certainly not the case. Their property won't be unjustly taken from them because under our current legislation this is simply not possible. Under the Land Assembly Project Area Act residents of Alberta are notified well in advance and consulted when their land is being considered as part of an area project. This law has been put into place to protect property owners from a long-drawn-out decision-making process. In effect, there are a number of protections that these laws afford Albertans.

Mr. Speaker, as a final point, I feel that Motion 508 is not only redundant as we already have strong property rights entrenched in our legislation, but this motion would also be counterproductive and even harmful as it leaves gaps in the recourse options available to Albertans when it comes to selling their land to our government. In addition, it would take away from our much-needed framework to ensure Alberta's land use is sustainable.

We can reassure Albertans that we are committed to our environment but not at their expense. It's necessary to work to create an appropriate balance. Along the way we surely will learn better ways about striking the right balance and will adapt our approach accordingly.

Mr. Speaker, our government is well aware that Albertans deserve to have safeguards in place to meet their needs. We believe in giving them the best possible protections for both their land and their right to live in a beautiful, healthy, and sustainable province.

I'd once again like to thank the Member for Calgary-Glenmore for his work on this matter, but I do not believe that repealing the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act is the right thing to do. I strongly encourage all of my colleagues to vote against this motion, Mr. Speaker.

**The Deputy Speaker:** The 55 minutes for the motion is terminated, so I shall call the question.

[Motion Other than Government Motion 508 lost]

**The Deputy Speaker:** Hon. Deputy Government House Leader, before I call on you, I would like to ask unanimous consent to revert to a brief introduction of guests.

[Unanimous consent granted]

### **Introduction of Guests**

*(reversion)*

**The Deputy Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Berger:** Thank you, Mr. Speaker. It gives me great pleasure to rise and introduce to you and to all members of the Assembly the one who makes it possible for me to be here in Edmonton, the one who looks after the land, the cattle, and our children while I'm not at home, my better half, my wife, Laurie. I'd ask the Assembly to please give her the warm welcome.

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

**Mr. Denis:** Thank you, Mr. Deputy Speaker. I rise actually to make a motion, now that it is three minutes to 6, that the House stand adjourned until 7:30.

[Motion carried; the Assembly adjourned at 5:57 p.m.]









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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Monday evening, December 5, 2011

Issue 46e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Taylor, Dave, Calgary-Currie (AB)  
VanderBurg, George, Whitecourt-St. Anne (PC)  
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Hon. Len, Calgary-Foothills (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC)

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Rogers  
Swann  
Woo-Paw



## Legislative Assembly of Alberta

7:30 p.m.

Monday, December 5, 2011

### Government Bills and Orders Committee of the Whole

[Mr. Zwozdesky in the chair]

#### Bill 26 Traffic Safety Amendment Act, 2011

**The Deputy Chair:** Hon. members, I have four speakers who have so far indicated they wish to speak. If you wish to speak, please let me know, and I'll add you to the list.

We'll start with the hon. Member for Olds-Didsbury-Three Hills, please.

**Mr. Marz:** Thank you, Mr. Chair. I'm pleased to stand and record my comments into *Hansard* tonight. Much has been said about this bill so far. I'd like to add my comments as well. I'd like to start off by saying, probably like everyone else here, we've had some friends or relatives, loved ones, who have suffered death in car crashes, and it's always a traumatic experience. For anybody that's been in that situation, I'd like to give my deep regrets for the losses that they've encountered.

It's a very emotional issue, this particular bill. Whether loved ones have died in car crashes or traffic accidents caused by speeding, driving without due care and attention, distracted driving, carelessness, driving under the influence of either alcohol or drugs, the results are all the same; you don't come home. That creates a very traumatic and sudden loss for everybody else that's left behind. It's a little different than someone that's dying of an illness, where you almost have time to adjust to it. The sudden shock of having somebody today and not tomorrow is quite a thing to adjust to.

In my 31 years of public life as an elected official I have talked to a lot of families that have suffered these kinds of losses, and in many cases some of them were very close friends of mine; some were acquaintances. In a rural constituency such as mine you tend to know almost everybody, so when there's a tragedy like that, you are well aware of it. In most of those cases people are looking for some reason behind this. They're trying to make sense of this loss. In many cases they think: well, you know, I just don't feel comfortable having my child being involved in this, especially if there is some blame assessed because they went through a stop sign or whatever.

There's always some reason to go to government and try to make things better, like put up another stop sign or put up another set of speed bumps. I've even been told: instead of the speed ridges, they should be speed bumps like in a mall. You know, at about 40 clicks you'd probably be launched and go right over the whole intersection or end up in the ditch. People don't look at the unintended consequences of their proposed solutions, and there are unintended consequences no matter how good it is.

People in the middle of the day still continue to drive into trains, in front of trucks, drive too fast for the condition of the road. Some people drive with medical conditions when they're told not to. Even when the doctor has advised that registry or Transportation should take their licence away, they drive anyway. I had someone tell me just a week ago: sure glad we're getting rid of you because you took my husband's licence away, but we drove for the last 10 years anyway. I explained: "Well, I didn't take your husband's licence away. I don't have that authority. Neither can I

give it back." But there was no convincing her. I took her husband's licence away, in her mind, and she's very angry about it. And they drove for 10 years anyway. It was a medical condition that could have caused serious damage or death to themselves plus anybody else on the road at the time.

I've also been told that some people have sleep disorders where they just fall asleep during a discussion or if they get bored with it and possibly while they're driving. If they don't report that to a doctor, you know, they continue to drive. I've encountered a number of seniors where it's a very traumatic thing when their licence is taken away from them and they're told they can't drive anymore. The one fellow was trying to get me to get him his licence back. I said, "Well, I can't do that, but I'd be happy to give you a ride home" because he was at the coffee shop. He said: "You don't need to do that." I said: "Well, how did you get here?" He said: "Well, I just got a new truck." So he was driving anyway and creating a danger to himself and others on the road.

I'm wondering. If we can use the confiscation for three days for an offence for this particular .05 to .08 and that's going to get people's attention, why wouldn't it get people's attention for speeding? A good many of us drive highway 2 or other busy highways. If I asked for a show of hands on how many drive 110 kilometres an hour in a 110-kilometre an hour zone, I probably wouldn't get much uptake in honest answers. People are speeding probably 10, 20, maybe 30 kilometres an hour over.

We know speed kills. It was even mentioned, I believe, by the Minister of Transportation that most of the accidents are in rural Alberta. Of course they would be. It's not because rural Albertans drive any much differently than urban Albertans, but whether you're an urban or a rural Albertan, you drive the highways, and the highways have much higher speed limits. A sudden stop at high speeds kills people. We all know that people drive too fast. We should try to get their attention.

Distracted driving: the same. I was going to a funeral in Red Deer on Friday, and between Olds and Red Deer a third tractor-trailer unit was in the meridian. A police car had signalled everybody to get in the right-hand lane to get by this so they could do their work. Black ice and very windy conditions: it was very slippery. Well, one guy decided he would try to get ahead of the lineup. So he pulls out back about a quarter of a mile, charges up, and is taking a video of the accident scene with his BlackBerry, going too fast, and he almost hit the police car. He just got stopped before he did that. I guess that would be distracted driving, driving too fast for the conditions, a number of factors. Usually, when there's a death, it can be a number of factors, not just one.

Now we get back to families wanting us to do something. They always want us to do something to make it better. Once we do something, I don't know if they feel it takes the blame away from their family member that was involved in it, that went through an intersection and T-boned somebody and killed them in the middle of the day with no alcohol involved, or what. I don't know. If we put a four-way stop or an overpass at every intersection where a fatal accident was caused, I don't think the coffers of the province could handle that, nor would it do anything but slow traffic down to a crawl.

I tabled earlier today the report Alcohol-Crash Problem in Canada, 2008. That report was finished in December of last year, so I would suspect it's one of the most recent reports that's out. It's a national report. I'm not sure if the ministries that are defending this bill have had an opportunity to study it or if their experts have looked at it. It's 225 pages, and I haven't had a chance to get through it all, but certain things have been said and certain statistics have been stated to support this bill.

There are some interesting things in this particular report. For instance, it's been said by the B.C. government that in the first seven months of their legislation fatal accidents involving alcohol were reduced by 45 per cent. I think last week the minister extrapolated that to a year, had some more recent stats that said that it was 40 per cent over the year. I'm not sure why B.C. published seven months. Probably they were more favourable statistics to back up their legislation and claim success over that.

It's interesting to note that in the report I tabled today, actually – and if you haven't got a copy of it, you can make notes; on page 54 there's a graph for British Columbia between '95 and 2007 – deaths involving a drinking driver were on the decline. It went from a high of 149 to a low of 125, which is a 16 to 17 per cent reduction right there. That was, basically, in one year. If you go from the absolute high to the absolute low, instead of 149 to 125, it's 160 to 125. So you'd have just over a 20 per cent reduction. If those were the same numbers when B.C. was claiming the 30 per cent, there's 20 per cent right there.

7:40

It was also argued by someone that there were job losses of 21 per cent in the hospitality industry in British Columbia as a result of this legislation. I believe it was the Minister of Justice that said that you can't really attribute all of those job losses to the legislation because it was a post-Olympic year. Well, would it be fair to attribute the total reduction in deaths due to alcohol in a post-Olympic year when the Olympic year was probably the biggest international party this country has hosted since the '88 Olympics? So there are a number of factors that I would contest when people are saying that there's a 40 per cent reduction in deaths over the course of the year attributed solely to this legislation.

It's interesting to note also in the report that nationally 86.7 per cent of drivers in fatal accidents are tested for blood-alcohol content. Provincially in Alberta it's 96.8 per cent, 10.1 per cent more. You would think that by Alberta testing more than the national average, our numbers would probably be relatively higher. Just for interest's sake, B.C., when I looked it up in the report, is at 87 per cent. So they're pretty close to the national average.

What does this all break down to? Well, among those fatally injured drivers who were tested, 61.3 per cent showed no evidence of alcohol. That leaves 38.7 per cent that had been drinking. Of those that had been drinking, 3.6 per cent had a blood-alcohol level of .01 to .049 – you can write this down if you want to; it's easier to look at – 2.2 per cent had a blood alcohol of .05 to .08; 10.3 per cent had a blood alcohol of .081 to .16; and over .16, 22.6 per cent. By far the over .08 and over .16 are the greatest numbers. But we continue to hear that we're going after the high-risk group. Looking at these numbers, .05 to .08 is the lowest risk group.

Nationally no evidence of alcohol is 61.3; in Alberta it's 61.1. So it's pretty close to the same. Nationally in the .01 to .049, 3.6 per cent compares to Alberta's 3.4 per cent, a .2 per cent difference. From .05 to .08: the province of Alberta is 2.3 per cent compared nationally to 2.2. But in Alberta over .08 is 11.7 per cent, which is a bit higher than 10.3. In the highest category of .16 we're at 21.8 per cent compared nationally to 22.6, so we're under there. I have a hard time believing that going after the 2.3 per cent that constitutes the .05 to .08 is going to have a tremendous effect on the outcomes that are being stated about this bill.

If you look at Alberta's figures on page 70 of that report that I tabled, there's another graph that shows between '95 and 2008, similar to B.C., a decline in fatalities – you could draw a line across the top, and there have been ups and downs just like B.C. –

a decline trending right throughout that whole particular time, with the odd spike up in one or two years and, of course, some spikes down as well. I'm not sure what that is, but I don't think it can be attributed to any legislation here because we didn't have any.

The 45 per cent over the seven months that B.C. claimed amounted to 30 fatalities. This graph shows that in Alberta we've seen drops of, actually, 57 in a time period from one year to the next and no legislation to attribute that to. Basically, the last 10, 15 years both B.C. and Alberta fatal injury accidents have been in decline in a general sense.

The unintended consequences of this I'm starting to hear more and more about, the job losses, as I've already stated, but another one – and I know my time is running out here. I did receive one that was in favour of the bill, but he was in favour for a number of reasons. Primarily, it would increase his business in the towing business. He was concerned for the towing companies. The Alberta government is not paying the rates that they were, the same rates that they were for 25 years. A lot of these old junkers aren't being claimed because the charges are more than they're worth, leaving the tow truck drivers holding the bag for some money. They figure the best thing to do with some of these cars is just abandon them and let the province worry about them because they're not paying the rates. If this bill passes, I can probably expect to hear from that industry saying that we need to adjust the rates up, so there would be some increased costs going on there.

There are just too many questions, Mr. Chairman, and too little time to study all of this. I mean, we've been going quite late, and I understand there is time allocation on this bill introduced today, so there's only another hour after tonight to discuss this. I don't think this bill is near close enough.

A lot of my constituents – it went from 94 per cent a week ago to 98 per cent opposed to this bill – feel that they haven't had enough time. The Minister of Transportation said that three ministries have been working on this for four years. I'm amazed that in those four years somebody didn't come up with the idea of doing a public consultation so that our hospitality industry could have some input into this and maybe the tow truck drivers and everybody else that this might affect.

With that, I see my time is getting pretty close to being up. I'll take my seat and maybe speak again. In closing, in case I don't, I won't be supporting this bill.

**The Deputy Chair:** Thank you, hon. member.

I have the hon. Member for Edmonton-Riverview, followed by Calgary-Lougheed, followed by Calgary-McCall, followed by the Solicitor General and Minister of Public Security, followed by the hon. Member for Calgary-Fish Creek.

**Dr. Taft:** Thanks, Mr. Chairman. I appreciate the debate this bill has had in this Assembly, including the comments we just heard from the Member for Olds-Didsbury-Mountain View.

**Some Hon. Members:** Three Hills.

**Dr. Taft:** Olds-Didsbury-Three Hills, which contains the county of Mountain View – isn't that right? – or the municipality of Mountain View. [interjections] Anyway, I won't waste time on that.

7:50

This bill has received pretty good debate, and actually there has been some good discussion. I think we all recognize there are legitimate issues in play here. I think a lot of the concerns come

back to the rush with which the government is pushing this legislation through. It was introduced two weeks ago today, I believe, and, you know, it's going to be the law, by all likelihood, the day after tomorrow. In our view, that is too rapid a process for good legislation to be brought through.

There are all kinds of people and groups that need to be consulted. We think there's a risk of legal issues cropping up with this, and we saw that risk played out in B.C. just last week. So we are concerned, Mr. Chairman, that while the spirit or the intent of this bill is good, when it's put through this quickly, mistakes are going to be made. Our preference would be that the bill be referred to a legislative committee, that consultation with all the stakeholders would occur in a proper manner, and that it would come back next spring tweaked and adjusted to address those concerns and also, frankly, to allow public consensus to develop around the issues in this bill.

We saw that process play out over a number of years concerning the distracted driving/cellphone legislation. That legislation ultimately got implemented and, as far as I can tell, has been implemented quite successfully, but that's because the public had time to get onboard and to understand it. We haven't had that process here.

Recognizing that this legislation is very likely to go forward, I am moving an amendment on behalf of the Member for Edmonton-Centre that is intended to help this legislation withstand a Charter challenge should it come down to that. I would like to propose an amendment, Mr. Chairman. I've got copies here, which we shall distribute, and I'll give a moment for the pages to do that. Thank you.

I'm glad to see that the Justice minister and the Transportation minister are here because we would like to co-ordinate with them on the issues that we're trying to address through this amendment. I'll just wait a moment, Mr. Chairman.

**The Deputy Chair:** Thank you. We'll get the pages to circulate this.

Just while they're circulating it, I see we have some guests in the gallery. I'll just tell you that we are now in between two stages of debate. Between second reading and third reading there is an informal session, so to speak, called Committee of the Whole, during which time members are allowed to sit in other members' chairs and talk with other members. They are enjoying a cup of coffee perhaps or something else.

While those are being distributed, might we revert to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

**The Deputy Chair:** You have the approval to revert and do some introductions with the agreement of the hon. Member for Edmonton-Riverview. Is that all right with you, sir?

**Dr. Taft:** Yes. Thank you.

**The Deputy Chair:** Okay. Proceed while we're distributing the amendment.

**Mr. Anderson:** Thank you, Mr. Chair. I want to introduce to you and through you to members of this Assembly a great Edmon-tonian, Mr. Ian Crawford, who is running for the Wildrose Party in Edmonton-Whitemud. I'm sure he'll give that MLA all that he can handle. If we could all give him the warm welcome of this Assembly, that would be great.

Thanks.

**The Deputy Chair:** Thank you very much, and thank you, members, and thank you, hon. Member for Edmonton-Riverview.

### Bill 26

#### Traffic Safety Amendment Act, 2011

(continued)

**The Deputy Chair:** I believe everyone has a copy of the amendment as presented by the Member for Edmonton-Riverview, and we will refer to this as amendment A3.

Proceed, hon. member.

**Dr. Taft:** Thank you. I just want to check, Mr. Chairman, that I didn't lose three or four minutes in that process.

**The Deputy Chair:** No. You still have over 17 minutes.

**Dr. Taft:** Is that all? Okay. I'll try to limit myself.

All right. One of the concerns with Bill 26 that has been raised is that it's open to various legal challenges, whether that's due to overlaps with federal jurisdiction in the Criminal Code or whether it's due to other concerns such as those around delayed or slow administration of justice. Canadians do have the right to a reasonably timely access to justice.

This amendment is proposed in the most constructive spirit possible. I'll just give you a little background on it, but first I'd better read the amendment into the record, Mr. Chairman. I am doing this on behalf of the Member for Edmonton-Centre, who will move that Bill 26, the Traffic Safety Amendment Act, 2011, be amended in section 12 in the proposed section 88.1 by (a) in subsection (3) adding "or until the expiration of a period of 18 months, whichever is earlier, subject to an extension under subsection (5)" after "subsection 2(a)" wherever it occurs – we will explain to you in a minute what this means – and secondly, (b), by adding the following after subsection (4):

(5) The Registrar may extend a disqualification or suspension under this section by periods of one year or less, but a disqualification or suspension shall not

(a) exceed 54 months, or

(b) extend beyond the time of the disposition of the criminal charge.

That, Mr. Chairman, is the proposed amendment.

Now, I would ask particularly the Minister of Transportation and, I guess, the Minister of Justice just to listen to my comments carefully because this amendment was developed, as I said earlier, in a spirit of improving the drafted bill and helping it withstand what could easily be some legal challenges. This amendment changes the way administrative licence suspensions and disqualifications are implemented for drivers found to be operating a motor vehicle with a blood-alcohol content where criminal charges are laid; that is, above .08.

The current bill proposes an indefinite suspension until criminal charges are disposed of, and we think, Mr. Chairman, that that could be a problem because an indefinite suspension is indefinite. It could go on for years and years and years while other issues are being played out. That could mean all kinds of implications for somebody who in the end is found innocent. One of the things that the courts in Canada have ruled is that Canadians have a right to reasonably timely administration of justice.

This amendment seeks to change that indefinite suspension to a definite period, that of 18 months. I think it's very important for the Transportation minister and the Justice minister to note that 18 months can be extended for three additional years by application of the registrar. As in the bill, the initial suspension can be appealed to the board. In addition to that, however, extensions can

be appealed as well. So there are appeal mechanisms in this, which are also important, I believe, for pre-empting legal challenges. If a law is applied and there is no appeal process, then the courts are, I understand, inclined to say: "Well, that's not a very good law. Everybody has a right to at least one appeal."

As in the law, the suspension ends automatically when the driver is found either guilty or innocent of the criminal charge. In the amendment the definite time period of the suspension and the allowance of additional appeals upon extension both seek – and again I draw the Minister of Justice's attention to this – to decrease the likelihood of a successful Charter challenge on the basis of the law straying into the jurisdiction of criminal law and on the basis of arbitrariness.

I just want to comment briefly on the issues of drifting into or straying into the jurisdiction of criminal law, which is not the jurisdiction of this Assembly. If we pass through this Legislature a law that is seen to have criminal-like penalties without the basis of the Criminal Code, then we are likely overstepping our jurisdiction, and the courts will rule against us.

Last week the opposition caucus proposed a similar amendment, but it was defeated. In the interim there have been some discussions between our caucus and the government ministers responsible for this bill. I'm not sure that they've been convinced of the wisdom of this amendment, but we'll find out in a minute, when we vote on this. The Assembly, as we all know, cannot consider the same amendment twice, so on the advice of Parliamentary Council this new amendment, which I've just introduced, seeks to implement a similar procedure through different and, we think, better means.

**8:00**

Just some quick points, and then I'll take my seat. The amendment replaces indefinite licence suspensions for people charged criminally with 18-month suspensions, extendable to a maximum of four and a half years. We think it's important that the indefinite suspensions be given some definite definition or else they run the risk of being challenged in the courts.

Again, another quick point. It allows for new appeals to the board after 18 months and in one-year increments following.

Finally, it attempts to make the proposed bill more compliant with the Charter of Rights. Our position and our advice is that indefinite suspensions could both be considered arbitrary and an intrusion on the federal jurisdiction of criminal law.

That all sounded pretty technical, and I'm not a lawyer, Mr. Chairman. That probably shows since there are a couple of lawyers in the Assembly, more than that, actually. But I can tell you that the intent here is to make this a more effective piece of legislation. There have been times historically when this Assembly has passed legislation that has been challenged under the Charter and has lost. There's no point in that. Agree with a bill or not, there's no point in passing legislation that runs a significant risk of getting shot down by the Supreme Court.

With those comments, Mr. Chairman, I shall take my seat and see where the debate goes. Thank you.

**The Deputy Chair:** Are there any other speakers on amendment A3? The hon. Member for Calgary-Varsity, please.

**Mr. Chase:** Thank you very much, Mr. Chair, for this opportunity to speak. Just as it takes a fair amount of gumption to follow the hon. Member for Edmonton-Centre, the same could be applied to following the astute Member for Edmonton-Riverview, but I will do my best and attempt not to repeat.

The axis, or central point, of this amendment has to do with, as the hon. member mentioned, the length of suspension. To refresh people's minds, it (a) amends subsection (3) by adding "or until the expiration of a period of 18 months, whichever is earlier, subject to an extension under subsection (5)" after subsection 2(a), wherever it occurs. In other words, as the hon. Member for Edmonton-Riverview so eloquently pointed out, there has to be a timeline for this extension. It cannot just run ad infinitum. There has to be a recognition.

Within subset (b) by adding the following after subsection (4):

(5) The Registrar may extend a disqualification or suspension under this section by periods of one year or less, but a disqualification or suspension shall not

(a) exceed 54 months, or

(b) extend beyond the time of the disposition of the criminal charge.

Now, one of the unfortunate circumstances about justice in Alberta is the old axiom: justice delayed is justice denied. Granted, for a person that would potentially be caught under Bill 26, Traffic Safety Amendment, 2011, they could be caught at a .05 level. They could then have their licence suspended for a particular day, and then as the bill now reads, they could again at some later point have their licence and vehicle suspended. The more frequently – you'd think they'd eventually get the message – this occurs, the worse their case gets, and the due process of the law may not occur for some time. Though the person wasn't impaired technically speaking, they did blow over the .05 category.

It's that concern that the amendment, moved on behalf of the hon. Member for Edmonton-Centre by the hon. Member for Edmonton-Riverview, has tried to point out. There have to be limits. Mr. Chair, I'm hoping that the government can see the wisdom of the limits. The hon. Member for Edmonton-Riverview has already pointed out that B.C. ran into trouble with their similar bill, that the Alberta government has basically cloned and is hoping not to face the same challenges. Instead of being concerned about those challenges, if this amendment were to be adopted, the court, I think, would look on it more favourably because a definite period of time would be set out in law. Anything that improves the law and sets precedents for judges to work from, I think is to the benefit not only of the justice system but to the Albertans charged, who should not have to wait forever for their cases to be heard, particularly in a .05 scenario.

As has been pointed out, and without further adieu, Mr. Chair, I believe this is what I would consider a friendly amendment to strengthen the intention of Bill 26, which is to save Albertans' lives.

Thank you very much, Mr. Chair, for this opportunity to speak on behalf of the amendment. I'm hoping that this House will see its intent and support it.

**The Deputy Chair:** Thank you.

Are there any other members who wish to speak to amendment A3 as brought forward by the Member for Edmonton-Riverview on behalf of the Member for Edmonton-Centre? The hon. Minister of Justice.

**Mr. Olson:** Thank you, Mr. Chair. I do appreciate the opportunity to make a few comments in response to this amendment. I want to first of all thank the members opposite for their diligence in preparing this. It's obvious that they've given it some time, but I'm sorry to say that I still have some difficulty with it.

This will just be a brief few comments. I want to say that the sanctions that we are taking here are related to traffic safety, and

they are administrative. They are not criminal in their nature, and these are not intended to be penalties. We are tying the licensing to the determination of whether or not a criminal offence has been committed because that's the way we determine whether or not, ultimately, the person who is being charged is a safety risk on our highways.

It's not a lot different, though, I wouldn't think, than other examples of people who commit offences and end up, perhaps, in jail for a time. Again, we're talking only about criminal offences here. We're not talking about anything to do with under .08. We're only talking about over .08, which is a serious criminal offence. This isn't specifically addressing the amendment but generally to this debate. We feel as though sometimes the criminal offence of drinking and driving, the over .08, isn't taken as seriously as some other criminal offences even though it is the most prevalent cause of criminal death in Alberta.

As to the amendment itself I just want to stress that we are not talking about a punishment. We are talking about withdrawing the right to drive, which is clearly provincial responsibility. If a person has been charged with a very serious criminal offence, then the province of Alberta has the right to withdraw that privilege of driving until there has been an ultimate determination of whether or not this person has proven that they are not a risk on the highway.

This is all about traffic safety. That's really all I have to say on this amendment. Thank you.

8:10

**The Deputy Chair:** Thank you, hon. minister.

Are there other comments to amendment A3? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. I guess, first of all, I want to thank the Member for Olds-Didsbury-Three Hills for speaking in regard to Bill 26, the Alberta Traffic Safety Amendment Act, 2011. I think, quite frankly, it was a pleasure to hear him speaking on what truly his bosses, as the member for Fort McMurray-Wood Buffalo always refers to his constituents, are saying. Obviously, he gets it. He's been listening to what people have to tell him and what his constituency has to tell him. It sounds like he's done as much research, quite frankly, as we have on this bill. It was quite refreshing to finally have someone wake up over there and speak from their heart and speak on behalf of their constituents. Seriously, Member, I really have a lot of respect for you for having the courage to speak up. I know the Education minister is making a few sounds, so I'm sure he's going to stand up and speak on behalf of his constituents. I look forward to hearing what he has to say.

On that, I'm going to speak. I see your hand signal. You know, Chair, you've only been in that chair – what? – maybe two weeks now, but you're doing fairly well. One of the things about being hearing impaired is that hearing impaired people tend to learn a lot of sign language, and they learn very quickly. So I get this. I'll have to teach you some more of the sign language I've learned as I've lost my hearing. I appreciate that you and I can communicate that way because if you were speaking to me, I probably couldn't hear you.

On the amendment, I guess. I listened to the Justice minister, and I was listening to him very intently. I still get confused, quite frankly, when I hear the government speak because they talk about the Criminal Code, that we're all very well aware of. I mean, I sat in the Solicitor General's chair for four years, and I know what's included in the Criminal Code. I know that impaired driving is a

Criminal Code offence. I'm also well aware under provincial legislation of what can be considered a provincial offence.

I have spoken already in this Legislature in regard to the Protection of Children Involved in Prostitution Act, that I brought forward, and we had the charges under the Criminal Code but also had the ability to make charges under the provincial legislation. The police would go in, and they'd weigh what they thought they'd get the charge under. If it was under a Criminal Code offence – which, obviously, they wanted because then you have a criminal record versus under a provincial charge, where you don't have a record.

In reading what the member has brought forward, she's talked about section 88.1 of Bill 26, which I've read, and she talks about subsection (3), where she wants to add, "or until the expiration of a period of 18 months, whichever is earlier, subject to an extension under subsection (5)" after subsection 2(a) wherever it occurs.

Legislation can be quite confusing, and we tend to complicate a lot of things. I'm trying to figure out exactly what the Justice minister was saying when he was responding to the amendment. I still don't quite understand what he was trying to say. He talked a bit about going back to the bill and trying to again tell everybody the difference here between a Criminal Code and an administrative code. I'm still trying to understand from the Justice minister, or even the Minister of Transportation can speak up – yes, the Minister of Transportation is the one that's responsible for Bill 26 – on what exactly he does not like about this particular amendment. Is there some confusion where he thinks this is confused between the Criminal Code and what they're trying to do on a provincial level?

Then it goes on by adding after subsection (4):

- (5) the Registrar may extend a disqualification or suspension under this section by periods of one year or less, but a disqualification or suspension shall not
  - (a) exceed 54 months, or
  - (b) extend beyond the time of the disposition of the criminal charge.

I guess what I need to understand, Mr. Chair, is why the government doesn't like this particular piece of legislation, why they don't support amendment A3. I know the Justice minister is a lawyer. I know the Solicitor General is a lawyer. I'm not a lawyer, so I would really like, actually, for either of them or the Minister of Transportation – he stood in this Legislature a couple of times throwing figures back and forth in regard to all of the 24-hour suspensions they've done in regard to the legislation. I'm going to be asking him more questions about that, when they have somebody's licence suspended for 24 hours. He reeled out a lot of numbers, so I'm going to be speaking to him to get some answers on that.

If I could, Mr. Chair, I'd really like to hear from the Justice minister or the Solicitor General or the Minister of Transportation what they specifically don't like about this amendment.

**The Deputy Chair:** Thank you, hon. member.

Would you like to respond, hon. Minister of Justice, and we'll come back to you in a moment.

**Mr. Olson:** Thank you. I'll try to be a little more clear this time. My apologies if I didn't make myself well understood. What's important to reinforce over and over and over again is that this is an administrative action taken to withdraw the right to drive. That's something that's clearly within provincial responsibility. If you think about it, it's also important that that administrative action be tied to something like the outcome of a criminal trial. If

we disengage it from that, so now you've just got some sort of suspension, then maybe you are getting closer to something that looks like a criminal sanction.

This is not a criminal sanction. This is the withdrawal of a licence that the province has the right to give and to take away. It's a question of traffic safety. That's the reason why I don't feel that I can support this. I acknowledge the rationale that went into the amendment, but I don't think that I can support it for the reasons I've given. I think it's very important that we make it clear that this withdrawal of the right to drive will be tied to something.

The other thing I would just mention is that if this amendment did pass, I'm not really clear on what terms or criteria the traffic safety board would use to decide: should it be extended or should it be shortened? Where would the criteria be? That's another thing that I have a problem with in this amendment.

**The Deputy Chair:** Thank you.

Hon. members, we are debating amendment A3 to the Traffic Safety Amendment Act. I don't have any other speakers on the amendment. Are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A3 lost]

**The Deputy Chair:** We're back to the main discussion at committee stage. I have the hon. Member for Calgary-Lougheed next on my list.

Proceed, hon. member.

8:20

**Mr. Rodney:** Thank you very much, Mr. Chair. It is indeed an honour to rise tonight to speak to Bill 26, the Traffic Safety Amendment Act. I have to tell you that I'm very pleased this bill is being debated, and in certain ways – and my family understands this – I've been waiting for more than half my life to make this short speech, since my cousin died in a car crash. I'm equally pleased with the quality of the discussions that we've had so far, from first to second reading and now Committee of the Whole.

Mr. Chair, I'd first like to reiterate that the fundamental purpose of this bill is plain, and it's simple. It is to save the lives of Albertans. Like most people across this province I've known far too many people who've died in car accidents due to drinking and driving, and I want that to stop. My constituents share this feeling. Many of them tell me that the so-called silent majority want this legislation, and they want it to have teeth. They want it to have a focus encouraging greater personal responsibility behind the wheel. If members or those out in the public were to google YouTube and Your Alberta, they would find a number of short videos from Albertans, impaired driving stakeholders, that give short testimonials on how this bill will positively affect Albertans' behaviour and ultimately save lives and families. If you think my language is or will be colourful, wait until you see some of those.

These people and my constituents and others have been telling me for a long, long time that certain progress has been made in recent years in this regard, and it's somewhat encouraging. But they tell me that more must be done, and they tell me that a little slap on the wrist is not enough. They know that last year alone there were at least 96 deaths – at least 96 deaths – and 1,384 injuries or more caused by impaired drivers on Alberta roads. Even detractors to the bill, I'm sure, will not counter this.

Mr. Chairman, these numbers alone, to me, indicate that the need to change this behaviour is obvious. It's very clear. Arguments about how this might negatively affect business simply don't hold a candle to this, and I dare say that they're not true.

The second point I'd like to make is that Alberta is not changing the level at which criminal sanctions will be applied as defined in the federal Criminal Code. The legal blood-alcohol content threshold remains at .08. Instead, Mr. Chair, we're strengthening our penalties for drivers who exceed these limits, but we also want Alberta drivers to keep the .05 blood-alcohol rate in mind before they make the decision to drive. In fact, we want them to remember that a .05 blood-alcohol rate is scientifically proven to be unsafe. People are impaired at that point.

Now, this is nothing new. Alberta already has administrative sanctions in place for drivers who fall in the .05 to .08 range. For example, Alberta currently can suspend for a 24-hour period drivers who are suspected of being under the influence. Just as society evolves, so does research, and we know that a driver, in fact, is impaired at .05, as I've mentioned.

Now, having chaired AADAC in the past, as you have, Mr. Chair, we know this is not new information. We're simply adjusting our approach based on evidence that impaired driving remains a serious, persistent problem for our citizens. Based on this evidence, the province is simply adapting and doing what it can to meet the safety standards that our friends and neighbours in Alberta want and deserve. Therefore, using the same example, the new rules would specify increasing sanctions such as a three-day licence suspension and a three-day vehicle seizure for a first offence.

Mr. Chairman, these are some of those teeth that I was referring to that Albertans have been asking me to ask this House to have this legislation enact. I hope and they hope that this will encourage more Albertans to not just be aware. That's not enough. They need to alter their driving habits for each and every one of us and all of our loved ones.

Mr. Chairman, our province is not unique in strengthening traffic safety standards. In fact, I hate to say it, but once again we're close to last when it comes to adopting such legislation. We're proud to be a leader in so many respects, but sadly this is not one of them. I can refer to laws in Ontario and B.C. and Saskatchewan as just three examples. As a matter of fact, Saskatchewan has implemented an even lower sanctionable rate of .04, and many countries around the world have even more strict rules in place, as our Minister of Justice outlined very well in second reading. Many of my constituents have read his speech. They were on the nay side; now they are completely on the yea side. Study after study in jurisdictions around the planet have demonstrated that no single approach – no single approach – to addressing impaired driving is as effective as a multifaceted approach such as the one that we're now considering.

Colleagues, we all know that this may be threatening for some Albertans right now. In the past our legislation involving things like smoke-free places, seat belts, distracted driving – there are more – were threatening for certain citizens as well, but over time our citizens have come to recognize that in each case legislation was extremely important, and it saved lives. In each case it has simply become part of our daily reality.

Mr. Chair, Bill 26 is designed to and will save lives. It will require a small culture shift, but it's well worth it. I truly believe Albertans are ready for this. I'm sure they don't want even one more person to die on Alberta roads due to drinking and driving either, and they know, as we do, that this is 100 per cent avoidable. This is just one of the reasons that I will vote strongly in favour of this legislation, and I encourage everyone in this Assembly to join me in voting yes to this. I trust colleagues will not be afraid of this legislation. I trust Albertans will not be afraid. Instead, I trust they'll be proud of it, and I believe that in the test

of time they will be. I know that our kids already are, and they're waiting for us to do the right thing.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

The hon. Solicitor General and minister responsible for Public Security.

**Mr. Denis:** Thank you very much, Mr. Chair. It's a pleasure to rise and join the debate on Bill 26 in Committee of the Whole, particularly as this is my first speech in the House as Solicitor General. As we are in Committee of the Whole, I'm going to focus most of my comments on just dealing with amendment section 11, which is 87.1 as well as 88, and that deals with the .05 legislation.

Before I do that, though, I do want to share with this House some stories that I have received about drunk driving. The Member for Calgary-Lougheed mentioned earlier that last year 96 deaths and 1,384 injuries on Alberta's roads involved drunk drivers. I would challenge everyone in this Assembly to ask around, and I'm sure everybody has. I want to thank the past speakers from the Liberals, the NDP, and the Wildrose as well as from the government caucus. One of the things in this that I was most shocked by is the number of people who have been affected by drunk driving. I put this on my Facebook and my Twitter. I asked around. That's why I was talking about .05 as well.

I just want to share a couple of stories as they deal with this. We all know about statistics, but it puts a human side on it. I was contacted by a gentleman named Mike, who is a restaurant owner in Calgary. He was driving in downtown Calgary on June 8, 2009, right by the courthouse, ironically. A driver ran a red light. He swerved to miss him and in doing so, he crashed into the pillars right in front of the courthouse. The drunk driver took off. The police later apprehended the driver. Not only was he driving under the influence, but they found that this was the driver's second offence of driving drunk, which is particularly of relevance in dealing with the section on escalating penalties in this bill.

Mike was left with many injuries – broken shoulder, cheek, wrists – and is still in treatment to this day. Interestingly enough, Mike operates a restaurant. When I spoke to him about this legislation, I thought he was calling about a negative reaction to one of the particular sections here, but he was actually in favour of it.

The second story comes right from my own staff, my administrative assistant, Shannon Clarke. On Christmas Eve 2001 she was stopped at a red light at 105th Street and 97th Avenue in Edmonton. Suddenly, without any warning, she was rear-ended. The cops later estimated that the person hit her at 50 to 60 kilometres per hour. The vehicle was so badly damaged that she had to crawl out of the window. Back at the police station it was apparent the driver, unfortunately, had been drinking although the amount of alcohol in his system was not determined. Shannon suffered severe muscular injuries, TMJ issues, and to this day has pain in her knees as a result of the accident.

8:30

Now, Mr. Chair, the third and final story I'll mention was also on Christmas Eve but in 1997. When I was driving from Calgary to Regina just across the Saskatchewan border on highway 1 – it used to be two lanes – right by Piapot, incidentally, close to our family's homestead, I saw a driver trying to pass me. I quickly saw that there wasn't enough time to do so. I pulled over, but the driver hit the oncoming vehicle head-on at full highway speed. After I crossed highway 1 on foot, I noticed that there were many beer cans. I remember it was Extra Old Stock beer. I felt the

bottom of one of them, and it was moist. Clearly, this driver had been drinking. Later the RCs called me and told me that the driver received six months in jail for drunk driving.

Now, I've also received information. Randy Shapiro has sent me an e-mail regarding his drunk-driving issue. My seamstress, Renee, has as well. I won't belabour the point, but the point is that there were three different people – one in Calgary, one in Edmonton, and one in a rural area – all affected by drunk driving, which is what this bill seeks to address.

These are on top of the single and often multiple fatalities related to drunk driving. Many families and friends are all too familiar with recent crashes in Grande Prairie and Calgary and this past weekend in Beaumont, where alcohol is believed to be a factor. Three young men are dead, and perhaps all too telling, the RCMP stopped another impaired driver while dealing with this particular incident.

Where does this take us, Mr. Chair? I would say again that what we need is a made-in-Alberta solution. We need a rather thoughtful, proactive, and preventative approach to changing behaviour. I don't think that it's necessary to impose fines like other provinces have. It's not a money-raising issue, and nowhere do you find that in the bill. This is a traffic safety issue. This is about changing driver behaviour for the better, as the Member for Calgary-Lougheed noted as well. It's a balance between enforcement and education. It's about making our roads safer and targeting high-risk groups such as repeat offenders and new drivers.

It's very important to note that our current legislation, section 89 of the Traffic Safety Act, allows for 24-hour suspensions, actually, at any levels, but every police district which I spoke to indicated to me that they only enforce this above .05. The limits would remain at .05 and .08.

At this time I just wanted to share a couple of thoughts. The .05 legislation is not something that is new or is really, really out there at all. Australia has .05. France has .05. Germany has .05. Greece has .05. Italy has .05. Japan has .03, even; Norway .02; and Poland .02. I just wanted to mention that as well.

We had three different ministries working on this one. I want to assure this Assembly that none of these sections here represent a knee-jerk reaction. This is in response to, unfortunately, persistently high levels of drunk-driving fatalities and injuries in this province. Police, in fact, are enforcing the existing laws, but the current penalties that they have are simply not working. To those who have said that police are not enforcing existing laws, the Minister of Transportation has pointed out 42,000 24-hour suspensions in the last five years. In addition, an article from the *Calgary Sun* this weekend quotes RCMP Sergeant Tim Taniguchi – I hope I got the name right – who says that one 1 out of 22 drivers on the roads at night is impaired. That is quite a telling statement as well.

The new driver with any alcohol under this new section will get a 30-day licence suspension and a seven-day vehicle seizure. It's particularly important to note that most new drivers are under 18. I was 16 when I got my driver's licence. At that time I was not legally allowed to consume alcohol anyway. That still is the case, and that is addressed in the sections of the bill. People who blow between .05 and .08: they'll get a three-day licence suspension and a three-day vehicle seizure.

What's more important here, Mr. Chair: it will deal with the fact that currently we do not have any escalating penalties whatsoever. A person can get a 24-hour suspension on Monday, on Wednesday, on Friday. I'd be willing to bet that out of those 42,000 24-hour suspensions, many are repeat suspensions. Under the new legislation there is an escalation in the penalties as well.

Many people have said that we should target people well over .08. I'd say that I'd have to agree with that. The legislation brings in ignition locks, which is the interlock system mandatory even for first offenders over .08, and the licence suspensions that remain until criminal charges are resolved. It also involves education and planning ahead and impact courses.

Mr. Chair, Alberta's traffic sheriffs, which fall under my department, will support the legislation. They will be able to use roadside alcohol screening devices. They will be able to take readings while waiting for the police to arrive. They will issue sanctions for people in the .05 to .08 range. This type of co-ordinated law enforcement and integrated peace officer service will help make enforcement more effective.

Now, some critics have said that the proposal gives the police too much power, and that is a valid consideration. We don't want to make the police judge, jury, and executioner. That's not the case. In this system everyone has the right to challenge the results. You can ask for a second test right back at the police station. There is also an appeal process to the Alberta Transportation Safety Board. This is a fully independent and quasi-judicial body. The police already give out tickets at the roadside for things such as speeding. And, yes, I may have received a couple of those in my life.

We can also already issue immediate suspensions and readings from scientifically approved devices. Officers train in accordance with the alcohol testing committee and the Alberta breath test committee and use devices that are rigorously checked, maintained, and recalibrated. They already use devices that convict drunk drivers.

B.C.'s appeal process or lack thereof has been criticized. We shall deal with it in a bit, but Alberta's legislation is not modelled after B.C.'s. We have a made-in-Alberta piece of legislation here as well. There was an article, actually, two weeks ago by Robert Remington, in the *Calgary Herald*, which indicates about an appeal process – and I'll just quote from the article briefly.

Albertans who have been given roadside suspensions can appeal to the Traffic Safety Board, a quasi-judicial body with members chosen through a qualification process and governed by a code of conduct. If a suspension is overturned, any fines, fees, towing, or impoundment costs must be returned. At the roadside, drivers can also request a second test or demand a breathalyzer. At the appeal board, they can demand proof of accuracy and certification of hand-held testing devices.

None of these provisions were in the B.C. legislation.

Critics often say that people can't enjoy a drink with a meal or after work before driving. Factually this is incorrect. I'm not after the person who has a glass of wine or a beer or a cocktail with dinner. The legislation is not about stopping responsible Albertans enjoying themselves. We're just asking people to know their limits and stick to them. Plan ahead.

I wanted to mention as well, two weeks ago I attended the Calgary Police Service alcohol unit, where I drank several alcoholic beverages and then took a breathalyzer. I'm 185 pounds. It took four drinks in 45 minutes. That's pretty hard-core drinking. In fact, some suggested that I was back in university again. When I fell below .08 I did not feel like I should be driving, and I was driven home by a friend. Above .08 I didn't feel like I should be driving, and when I was just still above .05, I didn't feel like I should be driving either. I would challenge members of the government and of the opposition to take this test if they are at all interested. I'm sure the Calgary Police Service or their local police force would allow for it.

I'm asking people to be responsible. Designate a driver. If you're unsure, get a cab. Take public transit.

I want to address as well that some businesses say that Bill 26 will hit their profits, particularly people in the hospitality industry. Mr. Chairman, I'm going to tell you: that's not the intention of this bill. There are similar laws passed all over the world. Earlier I showed a comparison of places like Japan with .03, Norway with .02, and Sweden with .02, which in my opinion goes too far. There are still thriving hospitality industries in all of those jurisdictions.

There has been also some criticism of sanctions for people who blow between .05 and .08. Driving at .08 is not responsible, in my opinion. Particular statistics as indicated in Remington's article: 20 per cent of traffic fatalities involving alcohol were of people who had .05 to .08. He cites a University of Western Ontario study indicating that that's 300 deaths between 1998 and the present. Mr. Chairman, that's not acceptable.

What happens is that over .05 a person's chances of a collision increase significantly. Hundreds of Albertans are needlessly killed, not to mention all those injured by people with alcohol in their system above .05 but below .08. I put to this Assembly: it's a disservice to families to suggest that tougher penalties are not needed. The federal government, in fact, in 2009 recommended that provinces strengthen their penalties. The evidence shows immediate consequences changes behaviour. Education and enforcement may prevent drivers blowing over .08 or even .05 along the road.

I also want to mention that we are not out of step with other countries, but we are also not out of step with other provinces. Every province except Quebec has .05 legislation. Saskatchewan actually has .04. I say as someone from Saskatchewan that there's probably not as much to run into there as there is here as well. In Alberta the current roadside penalty, as I mentioned, is 24 hours. This is weaker than any of the other jurisdictions that I mentioned. It does not escalate for repeat offenders. As you've heard, this legislation will change that. It will bring Alberta in line with other provinces. I mention that although we have not modelled ourselves after B.C., we cannot ignore their particular experience in bringing down the amount of traffic fatalities involving alcohol.

#### 8:40

The penalties above .05 do not involve a criminal charge, do not involve jail time but, rather, the withdrawal of the privilege of being able to drive. The Member for Edmonton-Riverview and I were exchanging a glance earlier. I think we agree that driving is not a right, but it's a privilege in our society. The courts have also ruled in this respect as well.

About 80 per cent of traffic-related deaths involving alcohol are caused by people above .08, meaning again that the remaining 20 per cent are below .08, which this bill's detractors, unfortunately, do ignore for whatever reason. Again, I have taken a breathalyzer below .08. I did not feel I should be driving. Unlike B.C. the drivers will continue to face charges above .08. If they blow over .08, they lose their licence until after the criminal issue has been dealt with.

In Alberta people charged with serious offences are often remanded. It follows that if you have the right to withdraw a driving privilege and if you abuse it, you lose it.

In conclusion, I just want to make a couple more analogies. When my father and I used to come to Alberta when I was a kid, we would drive to visit family. He and I would often laugh at the time that there was no seat belt law. The Member for Calgary-Lougheed mentioned that, unfortunately, we're not leading the pack here. We're at the bottom of the pack here given the fact that almost every jurisdiction in Canada has similar blood-alcohol limits as well.



I do want to mention another thing as well. I do think a way that we can actually decrease the amount of drunk drivers on the road, although this is municipal jurisdiction, is that we should encourage the municipalities to open up more taxi licences. I think there need to be more taxis available to people on the road. Just this weekend a friend and I were heading out and couldn't get a cab. That's something that we may consider. I understand the Frontier Centre for Public Policy has written something about the number of taxis being low in a lot of jurisdictions, including Alberta.

We must act to prevent tragedies, especially the needless deaths that I've mentioned already. Interestingly enough, though, Mr. Chair, I do often solicit things through my Facebook, and I did receive an interesting comment last night from a defence lawyer who's from Goderich, Ontario. He indicated to me:

As a criminal defence lawyer, I can tell the social drinker that they have nothing to fear by this legislation. The whole notion that "I guess I shouldn't have had that second glass of wine" is

Something else I won't say.

To blow over .05 after a three hour soiree a man would have had to have at least five drinks and a woman probably four. No innocent sipper is going to get nailed by this legislation. I charge 5,000 bucks. A cab is \$20. Even after 10 drinks you should be able to do that math.

Interesting thoughts from a defence lawyer, which I've never been. At the same time, this defence lawyer, I think, does have a point as well.

The last thing I just did want to mention as well is just dealing with a recent B.C. decision on this particular matter, which is *Sivia v. B.C.* If you go to the second-last page, just in the summary here, the legislation really seems to strengthen the resolve of this government. I will just mention the one thing that the court did throw out, which was, again, the lack of an appeal process. B.C. didn't have an appeal process. I have to agree with the court; that was wrong. We do have an appeal process here. Most importantly, the court upheld this when it said:

The . . . legislation does not create an "offence" as that term is used in section 11(d) of the Charter. Therefore, the legislation does not trigger the application of s. 11(d) of the Charter and it is not necessary to address whether the [legislation] . . . violates the presumption of innocence.

That's what the court really had to say there as well.

I also just wanted to thank the Edmonton Police Service, particularly Arleen Yakeley, for sending me a letter thanking me for steps moving towards Bill 26. We have almost universal support, if not fully universal support, in this province from our local police services as well as the RCMP detachment here as well. The police are the people who are enforcing this on a daily basis, and I take their recommendation here very seriously, as should we all. The concept of drunk driving is very serious, and I think members in favour and members opposed to this legislation would agree on that much.

I'll just close by saying that I think that any one of us could be the next victim of a drunk driver with 1 in 22 people at night being impaired. We have to take this seriously, and I want to thank all members from all parties, all sides of this for doing so.

Thank you.

**The Deputy Chair:** Thank you.

I have the hon. Member for Calgary-Fish Creek on the main debate in Committee of the Whole at this time if you wish to proceed, followed by Calgary-Varsity, and I believe I have Fort McMurray-Wood Buffalo after that.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Chair. I'm tired, honestly, after listening to the Solicitor General because he was speaking so fast that it was very difficult to try and write everything down and try and catch everything he was trying to say.

One of the frustrations I have, quite frankly, as the MLA for Calgary-Fish Creek and a member of the Wildrose is how the government tries to confuse the issue. There is no question, Mr. Chair, that our party – and I can speak for the Liberals, and I can speak for the NDPs. None of us like the idea of people that are driving when they're drunk. There's no question. I mean, when you start weaving and start talking about what Bill 26 is doing and all of a sudden we don't support legislation that has got a BAC over .08: it's absolutely foolish. There is no question – and I can probably speak for everybody in this Legislature – that we all believe that one of the top priorities for the government is . . .

**Mr. Anderson:** Should be.

**Mrs. Forsyth:** . . . should be to crack down on drunk driving. When you're talking about cracking down on drunk driving, I would like the Solicitor General to explain how many checkpoints are going to be increased. We have – what? – one in Calgary right now.

**Mr. Denis:** They already are.

**Mrs. Forsyth:** Well, Minister, you talk about how serious you are about the issue of drunk driving. When you want to catch drunk drivers, guess what you do? You have checkpoints. It's real easy.

**Mr. Denis:** We do.

**Mrs. Forsyth:** How many, Minister? One? Two? [interjections]

**The Deputy Chair:** Keep it at a high level.

**Mrs. Forsyth:** Then the minister talks about the fact that we don't support the police in the province. Mr. Chairman, I was the Solicitor General. I know what an incredible job the police do in this province day in and day out. I bet you if I spoke to the police, one-on-one, that instead of pulling people over and taking the time to see if they're blowing .05 to .08, they'd much rather be after the pedophiles that are hanging around the park, people involved in child pornography, organized crime, a thousand and one other things.

What the Solicitor General doesn't mention in all the times he's spoken is that Alberta has the second-lowest ratio of police in the country. I think the lowest one is Prince Edward Island. Then they start confusing the issue by throwing in the sheriffs and a bunch of other things. Police officer to police officer we have the second-lowest ratio in the country. I think that's real important. There's no question, absolutely no question, that the police and the peace officers, including the sheriffs and, for that matter, quite frankly, anybody that wears a uniform in this province, does an incredible job in very, very difficult situations.

I, too, Mr. Chair, can rattle off as well as the minister can about – and he spoke in regard to the Facebook messages that he got. Every single person that he referred to was impacted by someone who was legally impaired under the Criminal Code. He talked about the 80 per cent of deaths on the highway that were due to impaired driving, and the other 20 per cent he alluded to had something to do with drinking and driving. He talked about the 42,000 people that have over the last five years been pulled over with 24-hour suspensions.

Well, this question is to the Minister of Transportation. Minister, I'd like to see a breakdown of those 24-hour suspensions and those numbers you have in regard to how many of those suspensions occurred in rural Alberta. I think that's important because what we're hearing is that our RCMP in this province don't have the manpower, don't have the amount of people. So please tell us, of the 42,000 over the five years how many of those were pulled over in rural Alberta. I'd like to see how many. You know, you have all the stats, so tell us how many were pulled over in Calgary, how many were pulled over in Edmonton. Give me some ideas of some of your high areas. In Fort McMurray where we have – how many in the aboriginal communities were pulled over in those 24-hour suspensions. I know we have some problems. On some of the roads there have been horrendous accidents outside of Lethbridge, some of those things.

8:50

I still have not had an answer from the government, and I'm still waiting in regard to what they're going to do and how they're going to deliver the educational program that is mentioned in this legislation. So if the Minister of Education is here – I don't know if it falls under him as the Minister of Education. The minister of advanced education is also here. The minister of health may even want to say if it's coming under the health component, if something like AADAC is going to be able to deliver that particular service.

There are so many questions. We've just recently learned that in B.C. – and I've got my number somewhere. Oh, yes. Here it is. The B.C. police force announced on Friday – and I'm not sure what Friday – that they are recalling a total of 2,200 roadside breathalyzer devices to have them adjusted after learning there is a chance they could lead to invalid roadside suspensions. What are you going to do about that? I know when you start reading all the information that you have on the breathalyzers, they talk about the calibre and things like that that have to be adjusted.

The Solicitor General mentioned the fact that he's going to have the sheriffs pull over. Of course, we all know that the sheriffs don't have the authority right now under the act to do a breathalyzer, which means those same sheriffs that pull these people over for a roadside breathalyzer test will have to wait for an RCMP officer. It says clearly under peace officer, when it talks about the peace officer definition – it has the authority under the section of the act. I know that right now they do not have the authority to do a breathalyzer. Are we going to extend the scope of practice for the sheriffs? I know the sheriffs that I've spoken to obviously want their scope of practice extended. They would like to be able to do the breathalyzers and all of those things. So what are we going to do about that, Minister?

They talk in the act – and it's been mentioned here – in regard to the prevention and wellness that they're going to do under this particular piece of legislation, so I'd like to hear from the government about what they're exactly going to do under prevention and wellness? You know, it's all very well to bring forward a piece of legislation. This is a fairly large bill, and it's got lots of things in it, lots of fairly significant things.

You know, for us to pass a piece of legislation without being able to get the answers that I think are important in regard to: are you, Minister, going to increase your police force? If you want the police to start suspending drivers that are blowing over .05 to .08, are you going to increase the number of police officers or, for that matter, RCMP officers in this province so that they can be taken away from the work that they should be doing in regard to organized crime? I mentioned child pornography. There isn't a day that we don't open up the paper when we hear about another

child pornography ring busted. Are you going to increase the ICE team? All of those things are what I think truly, really, resonate with Albertans, quite frankly. We hear about organized crime, the gang violence, so we'd like to know that.

I've already asked you about the sheriffs. Are you going to extend their scope of practice? What are you going to do about the educational component? What type of breathalyzers are you going to be using when you talk about roadside breathalyzers? We've had lots of information about breathalyzers: what breathalyzers work, what breathalyzers don't work. You alluded to I think it was an Alco breathalyzer.

It's all well and good for the minister to tell us that he had the opportunity to go and sit and have three or four drinks to find out exactly where he was on the scale of impairment. Most Albertans don't have that opportunity to be able to play that game. I mean, quite frankly, Minister, I can have a glass of wine with dinner, and I'm fine. It depends on what I've eaten. It depends on what kind of day I've had. I can go out and have another glass of wine, and if I haven't had anything to eat, I can be tipsy real quick. Then I know what I shouldn't be doing, and that, quite frankly, is driving.

You know what? I have to give credit where credit is due, and that credit is to Albertans. I think that most of them are pretty sharp that way. I think what we're missing here are the chronic, repeat offenders that we really need to focus on. I don't see anywhere in this legislation a plan of attack about what you're going to do about the chronic, repeat offenders in this province. I'd like to hear – I know both you and the Justice minister go to FPTs, which are your federal-provincial-territorial meetings – what plan you have to talk to your federal-provincial-territorial counterparts. I know the former Solicitor General had attended FPTs. It would be nice to see if that was one of the items on the agenda. As the Member for Olds-Didsbury-Three Hills alluded to, in four years you would think you would have a plan of attack.

As I explained, when I was in the caucus the first time I even heard any discussion about the .05 was when I had the opportunity to sit beside my colleague from Bonnyville-Cold Lake, who was asking about bringing it forward in a private member's bill. As the Member for Olds-Didsbury-Three Hills has said, if you've had something about this in the plans for the last four years, I would think that you would be able to stand in the Legislature and tell us about the education plan that you have. All of the questions that we've asked previously – quite frankly, I stood up a few minutes earlier and congratulated the Member for Olds-Didsbury-Three Hills. Gutsy, by far, for standing up and bringing forward what his constituents have told him.

I can tell you that Calgary-Fish Creek has been inundated with phone calls. I had my first support for this legislation today. It was my very first call I had. When we pursued it further: don't live in the riding, just wanted to let us know. We're very, very careful about making sure that we're representing the constituents of Calgary-Fish Creek.

Every month I write on my website an article called What's on Your Mind. You can go back on my website probably for two years, and it's always been health, education, seniors. Once in awhile it might be education, health, and seniors, or, you know, we'll throw in something that's been a hot issue. Guess what was tied with number one in November? Justice. And guess what that justice issue was? On the .05 to .08 legislation, and 99 per cent of the phone calls that we got do not support this legislation.

I'm going to say what I've said before. I'm going to get this on the record because I know the Solicitor General is going to be door-knocking when the next campaign comes, and he's going to be saying to people: that darned Wildrose supports drunk drivers.

So I want to put it on the record, on the record right now, that the Wildrose – he's making funny faces because he thinks he's cute.

**Mr. Denis:** No. I'm not making funny faces.

**Mrs. Forsyth:** Yes, you were. [interjection] You can speak up later. We do not support drunk drivers.

I can speak on behalf of Calgary-Fish Creek, and I can also speak on behalf of the Wildrose. What we would like the government to do is target the chronic, repeat drunk drivers. We would like the Solicitor General to get more police officers in the province and let them do the job that they should be doing, which is targeting organized crime, pedophiles, child pornography. We would like the Solicitor General to have more checkpoints out. We would like the Solicitor General to provide more support to the police in this province instead of telling them: "Well, this is what you're going to be doing. You're going to now be pulling people over and making sure that they may or may not be blowing over .05." We would like the government to be able to answer the questions that we've asked.

The Minister of Transportation I'm sure is going to provide those – he talks over and over again about the 42,000 24-hour suspensions over the last five years. Well, Minister, provide us with a breakdown. Who would benefit more than us on the breakdown is the police. So if you've got a high percentage of 24-hour suspensions we'll say in – pick a town or pick a city or anywhere because I don't want to be accused of picking on rural Alberta or picking on Edmonton or picking on Calgary. That will certainly indicate to you where we have a problem with people that are driving over the limit of .05. Then we can target as per the – I can't even remember the task force I chaired – Keeping Communities Safe report and recommendations. There was a very strong recommendation in there to target the areas. I'm sure the Justice minister's Safe Communities Secretariat would be able to provide us that information.

9:00

With those comments, Mr. Chair, I appreciate you telling me my time is winding down. I want to emphasize once again that the Wildrose would like to see the government of Alberta target the chronic, repeat offenders. We need to target the 20 per cent of the population, no matter what it is, whether it's involved in drinking and driving, B and Es, all of that, that causes 80 per cent of the problems in this province. We would like the Solicitor General to bring in more police instead of being the second lowest in the country police officer to police officer. At least, raise them up a couple of notches so that they can do their job instead of taxing them. There are a whole bunch of things that we'd like the government to do, but I think I'll have the opportunity to be able to speak some more because I know we're in committee. I'll continue to bring forward the issues that, quite frankly, the police and Albertans, for that matter, have told me about. I guess the two people that are important at this point in time in the debate on this legislation are Albertans and the police officers that have to do this.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

I have the hon. Member for Calgary-Varsity, followed by Fort McMurray-Wood Buffalo.

**Mr. Chase:** Thank you, Mr. Chair. In my offering of a pre-Christmas present to all members of this House, I'm going to be as uncharacteristically short as I possibly can be. I am going to try

and provide, in addition to my concerns, questions which I hope the Solicitor General, the Justice minister, or possibly the Minister of Transportation can answer.

I and my Liberal caucus colleagues are supportive of legislation that will reduce carnage on the roads related to overconsumption of alcohol. However, Mr. Chair, legislation alone does not save lives. It's legislation in combination with enforcement that saves lives. As the hon. Member for Calgary-Fish Creek pointed out, Alberta has, if not the second lowest – I'm fairly confident of her figures – one of the lowest numbers of police officers per capita. In order to make this legislation have an impact and take drunks off the roads, you've got to have checkpoints. You've got to have people in place.

Now, one of my questions has to do with the implementation strategy surrounding Bill 26. I'm aware, for example, that with the land assembly strategy the idea is: pass the bill, and then have the hon. Minister of Environment and Water go with the hon. Member for Livingstone-Macleod and consult the public. I refer to it as the cart-before-the-horse strategy. I realize that the government members have provided some statistical information from not only B.C. but from some of the other provinces, and they've noted countries that have below the .05.

With regard to the implementation strategy costs are associated. I would appreciate anyone from the government side who can give me an idea of the costs of the effective implementation of this bill. I believe, Mr. Chair, that health and safety are worthy of investment. We have recently debated the supplementary supply bill, and I do not recall any line items directly related to the implementation of this particular bill. For this bill to be successful, there will have to be dollars set aside for public education. There will have to be dollars set aside for the hiring of judges, the increased hiring of enforcement officers, and the training of existing sheriffs so that they can be brought up to the standard of the RCMP.

I note that within this legislation there seems to be a fear of fining. This legislation has to be paid for, but I think the government is a little bit shy of being accused of the cash cow argument, of this just simply being a money grabber as opposed to an impairment preventer. I would encourage the government, when they finally get this legislation right – that, in my personal opinion, won't happen until after a committee has had a chance to bring forward witnesses and make the appropriate amendments and changes that will see this thing fly through the courts unchallenged.

In addition to the amount of money that is required – and even a ballpark figure would be appreciated – I would appreciate it, again, if the Minister of Transportation or the Minister of Justice or the Solicitor General can lay out a tentative timeline for bringing Bill 26 into complete action so that we can say that as of, you know, February 2012 we hope to reduce deaths related to impaired driving by such and such a percentage. I look forward to a timeline, and I look forward to attaching dollars to this bill because without the timeline, without the dollars the accountability portion of this legislation is missing.

I thank the hon. chair for this opportunity to discuss how we can reduce the carnage associated with impaired driving, and I'm hoping that any of the three hon. ministers who are present can answer the questions with regard to cost of implementation and also a timeline for implementation.

Thank you, Mr. Chair, and I look forward to their responses.

**The Deputy Chair:** Thank you.

I have the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Chair. I also thank the Member for Calgary-Varsity and the Member for Calgary-Fish Creek, who spoke very well and who are very informed about the facts.

Alberta accident statistics confirm that a vast majority of alcohol-related injuries and fatalities result from impaired drivers at twice the legal impaired limit of .08. The question that has to be asked is based on the statistics that only 2.2 per cent had blood-alcohol levels from .05 to .08. That's only – I repeat – 2.2 per cent of people who have been involved in some kind of accident.

The question is: what about the other 97.8 per cent? That's the fundamental question to the Solicitor General, the Justice minister, and the Transportation minister. Why are you ignoring the 97.8 per cent of people that are creating the majority of the accidents? What are you doing? You're going after the 2.2 per cent, the soccer mom or the mother and father who go out and have a drink of wine after work. Great. Their car ends up potentially being towed for three days to seven days. It's wrong-headed. Why are you ignoring the 97.8 per cent that are creating accidents and that are causing deaths on our highways?

An even more direct question is this: why are you trying to ram this piece of legislation through? Why, unlike other parliaments and Legislatures across Canada, don't you refer this to committee, where the proper statistical analysis, the proper review of it from other provinces is done? It seems to be that this government wants to shoot first and ask questions later, and that's so typical of the number of bills that I've seen in this Legislature. I'm glad I'm not part of that government today because they shoot first and ask questions later.

Well, this is the opportunity to get it right the first time. The question is: why doesn't the Solicitor General or the Justice minister or the Transportation minister refer this to committee? You can learn something, certainly, from what's taking place in other provinces and from what's taking place in the federal Parliament relative to this issue when it comes to a proper review, a proper analysis statistically, collecting input from stakeholders relative to: what is a good law relative to this? This may be the start of a good law, but right now it is full of holes.

**9:10**

What are you doing? The Government House Leader is invoking closure. Why are you invoking closure? "We want to ram things through because we're not interested in hearing what Albertans have to say. We're not interested in what anyone else thinks because – didn't you know? – we're a 40-year-old government, and we're entitled to govern." That's the attitude of this government.

The Solicitor General should be listening carefully. Rather than shooting first and asking questions later, why don't you just get the bill right in the beginning? What we are willing to do is work at the committee level with opposition members and with this government to get it right for all Albertans. Rather than ignoring the other 97.8 per cent of Albertans, what are you doing? You're focusing in on 2.2 per cent of Albertans and forgetting about the 97.8 per cent of Albertans that have played a role and have created the majority of accidents because they are over .08. Why don't you get it right, turn your head and squeeze it around so it's not crossthreaded, and actually send it to committee? Send it to committee. And who knows? We may actually come back into this Legislature in the months ahead with a good law.

Right now this law rates right up there with what the law was when it came to the land-use framework. I see members on the other side who saw that. In fact, I had the pleasure of being in Eckville when that took place, and I can only say to you: Albertans sent the government loud and clear messages that night. I'm glad to see

that the Member for Livingstone-Macleod is still there because I think that night they had a rope around a tree waiting for him and the Member for Foothills-Rocky View. I remember that night. You may forget about it, but I'll tell you that you should guard against self-deception because, let me tell you, self-deception is going to come home to roost when the next provincial election is.

Solicitor General, on all of the laws that were put forward where you shoot first and ask questions later, why don't you for once try to get it right the first time? How simple is it to try to get it right the first time?

Mr. Chair, I would humbly submit that this member and the members of the Wildrose caucus, who are astutely listening to Albertans – Albertans are saying, "We want the government to take this law, put it in a washing machine, and go to a committee so it can be cleaned and so that it can be done right" rather than what we see in front of us. What we see in front of us is really nothing more than a bunch of legislation that was, like, drafted by kindergarten children as opposed to mature lawmakers that actually have given it thought, who have studied it. But what do they do? The Government House Leader this afternoon invoked closure to ram through bills. Isn't democracy just beautiful in Alberta?

Mr. Chairman, I can only say to you that this type of arrogance is unacceptable. This is a bad law. It'll be proven to be a bad law, just like the land-use framework was a bad law, and then it came in with about a hundred amendments. I don't know many; I lost track. You know, after you do one amendment, then two, then three, then four, you might maybe figure it out that: gee, maybe we got it wrong. Well, you got it wrong. Why? Because you're not listening to Albertans, and that's the difference between us and the government. In the Wildrose caucus we're listening to our bosses, unlike you people, who seem to think that: oh, well, they'll just listen to what we do and what we say because we're the government, that is entitled to govern.

Mr. Chair, I can only say to you that this bill is wrong. I humbly submit to the Transportation minister and to the Justice minister and to the Solicitor General: refer this to committee so it can be done right. I'm quite prepared as a member to work with members of government and opposition to get the bill right. Let's just do it right the first time rather than this ramming it through with closure to shut down and to run and hide. You're even afraid now to debate in this House because you're invoking closure. What does that speak about democracy in this province, especially on such an important bill as this? [interjections] I can only say that I think colleagues around here are saying: shame on you.

Therefore, the fact that you are violating the democracy of this Legislature by not going to committee, by not being willing to study it – it must be so beautiful to be perceived to be so bright on the other side that they don't have to study anything. They don't have to in fact do any statistical analysis.

Well, I can only say to you that if you've ever seen *The Beverly Hillbillies*, then you might have heard of Jethro Bodine. Let me tell you right now that I think it's Jethro Bodine who actually might have drafted this legislation because that's how poor it is.

Let's get it back to the committee. We'll actually get a bill together, study it, beef it up, and put some real meat on the bones as opposed to going after 2.2 per cent of the population rather than the 97.8 per cent that you're missing. This is wrong-headed, and clearly it's a wrong bill. Let's study it and get it to committee.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you.

I understood the hon. Solicitor General may have wanted to go next.

**Mr. Denis:** I actually just wanted to ask the consent of the House to go to Bill 21, after which we can go to the Member for Airdrie-Chestermere's amendment.

**The Deputy Chair:** Well, we'll decide that at the appropriate time. In the meantime, are you putting a motion to adjourn debate?

**Mr. Denis:** On Bill 26. I would like to go to Bill 21, Mr. Chair.

**The Deputy Chair:** Those are two different things, hon. member. If you are rising to adjourn debate, you have the floor. You can certainly move that we adjourn debate on this particular bill.

**Mr. Denis:** I would move that we adjourn debate on Bill 26.

[Motion to adjourn debate carried]

### **Bill 21 Election Amendment Act, 2011**

**The Deputy Chair:** Are there any speakers at committee stage to this bill? The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Anderson:** Mr. Chair, if you could clarify, are we on an amendment right now, or are we on the bill right now?

**The Deputy Chair:** We are on amendment A3, and amendment A3 is the one that was moved by the hon. Member for Calgary-Fish Creek, I believe.

**Mr. Anderson:** Okay. I have amendment A2, but I do not have amendment A3 in front of me, which is unfortunate. You know what? If we're on amendment A3, Mr. Chair, I'll just take my seat and let someone else speak to it.

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

The chair recognizes the hon. Member for Edmonton-Highlands-Norwood, followed by the Member for Calgary-Fish Creek.

**Mr. Mason:** Thank you. Mr. Chairman, I'm finding it difficult to follow the hon. Deputy Government House Leader's blindingly fast moves here tonight. Could we be reminded about what A3 is? I'm trying to find it.

**The Deputy Chair:** Hon. member, amendment A3 was moved by the hon. Member for Calgary-Fish Creek. I'd be happy to get a page to take a photocopy and provide it to you while we recognize another speaker if you wish.

**Mr. Mason:** That would be wonderful. Please.

**The Deputy Chair:** This deals with striking out subsection (2) in the proposed section 38.1, and it further deals with adding something after subsection (2) respecting a fixed date of March 12.

I'll recognize Calgary-Fish Creek, who might elucidate somewhat on that, and then we'll come back to you, hon. member.

Please proceed.

**Mrs. Forsyth:** Mr. Chairman, thank you. I will tell you that amendment A3 was proposed by me. The first section is:

A general election shall be held March 12, 2012 and on the second Monday in March in the 4th calendar year following polling day in the most recent general election.

What we're suggesting is that we're going to have a fixed election date in March and every four years after.

The other subsection is:

The date for any general election after March 12, 2012 may be advanced up to 7 days by the Lieutenant Governor in Council, which is cabinet,

on the advice of the Chief Electoral Officer if the date of the election coincides with a religious or culturally significant holiday."

What we were doing there is that we were mirroring that after another fixed election day, and I think it was in Ontario. For example, March sometimes could include an Easter holiday, so we wanted to make sure that we were covered.

**9:20**

Mr. Chair, I think, more importantly than anything, the reason why I decided to bring this amendment A3 forward was the fact that the Premier is quoted and has been quoted in the Canadian Press. I'll quote it again so that it's in the record, so that when we go to the polls in March or April or May or June, whenever she decides to call it, sometime – we really don't have a fixed election date, so it could be February, March, April. It could go from now till, actually, 2013, when you have to have the election under the five-year mandate. Anyhow, Redford said, and I'm quoting . . .

**Some Hon. Members:** The Premier.

**Mrs. Forsyth:** "Redford said she would commit to calling an election in March . . ." The Premier.

I'm quoting. Can I not use the name if I'm quoting?

**The Deputy Chair:** Well, it's not the best of parliamentary procedure. It's been done before, as you know. We prefer that you not.

**Mrs. Forsyth:** The Member for Calgary-Elbow. How's that? Good? Thank you.

"[She] said she would commit to calling an election in March 2012 and every four years from that date. She said Albertans are supportive of the idea and that several other provinces already use the same model."

I have to tell you, Mr. Chair, I was quite excited when I read that, actually, because that came out on Friday, September 23. I thought: "Hmm. Maybe we have got someone." I've been a supporter of fixed elections for as long as I can remember. I haven't had the opportunity to get our researchers to check because they're so busy, but it seems to me that we did speak about this particular legislation many years ago when I first stood in this Legislature. I spoke for that then, and I'm still speaking for it now.

I was quite excited by the fact that finally this Premier that talks about how much she's going to change democracy and she's going to change the way things are done in this Legislature – I thought: "You know what? I think that's something that I'm going to support about her." When people ask me about the Premier, I was saying after I heard that: she believes in fixed elections.

As I indicated in my previous speaking notes, when the Premier was taking a question from, I believe it was, Edmonton-Highlands-Norwood, she said, "Mr. Speaker, I really don't think that the hon. member," referring to Edmonton-Highlands-Norwood, "wants to get into a debate with me about democracy or why it matters." Well, guess what? We do want to get into a debate. We do want to find out what she really considers democracy and what she really doesn't consider democracy. I mean, after all, this is the Premier that, when she was with Joe Clark, was sent over to Afghanistan, and as I said in this Legislature, even the people of Afghanistan knew when they were going to be voting on their first election.

**Mr. Mason:** They even knew the outcome.

**Mrs. Forsyth:** You know, Mr. Chair, we have a sense of humour. You've got to love my NDP colleague from Edmonton-Highlands-Norwood. He's got the most wicked sense of humour. As I explained before, it's just been a real pleasure sitting in this corner because you get to know a lot about people, and he has got just the greatest sense of humour.

Anyhow, back to the bill and the amendment. This Bill 21: I count it as less than 150 words. These 150 words in this bill are supposed to be about democracy. Mr. Chair, they're not about democracy at all. Democracy is when you go over to Afghanistan and you allow the people to vote, and they know a date, as does the United States of America. They know when they go. The Ukraine: they know. Venezuela, Kenya, Mali, Mexico, Iceland, France. [interjections] The Education minister thinks democracy is really funny. They all have election dates, Minister of Education.

**The Deputy Chair:** Hon. members, the hon. Member for Calgary-Fish Creek has the floor. The chair is struggling a bit to hear her over some of the other comments.

Please, hon. Member for Calgary-Fish Creek, if you would continue.

**Mrs. Forsyth:** Well, maybe you'd like to speak to the Minister of Education.

Seven provinces have fixed elections, so why don't we focus on that?

**Some Hon. Members:** Eight.

**Mrs. Forsyth:** Eight. And Alberta doesn't, hence amendment A3. What we're trying to do is that we're going to give the Premier an easy way out. The amendment talks about having the election in March. It's amazing how you can talk when you want a job, and then all of a sudden you get the job, and you don't want to talk about it anymore. You know, people are starting to ask about all of the broken promises, and since we have to stick to one piece of legislation, we'll talk about the Election Amendment Act.

The quotes in the paper are in regard to how she was going to have fixed elections and how they were going to be March 2012 and every four years after because – and this is good, Mr. Chair – that's what the people of Alberta want. They want a fixed election date. She's going to have it March 12 and every four years after that, and she's going to follow the same model as several other provinces. I could read this article verbatim because she talks about fixed elections. She talks about democracy. You know, it just goes on. She talks about electronic voting so disabled residents, those in isolated areas, and those travelling abroad can cast a ballot. And she favours more power to her caucus. Well, the first time we've seen more power to her caucus was when the Member for Olds-Didsbury-Three Hills stood up and spoke.

Mr. Chair, I am going to once again ask the government members that are here to speak on behalf of their constituents and, for that matter, on what the Premier actually said. I keep repeating that over and over and over again because I want that on the record. Once we start campaigning, we're going to be posting these YouTube's, so we'll look forward to some of the other members speaking. I know the Solicitor General wants to get up and tell everybody what he thinks about fixed elections. We're anxious for him to get up and speak on that because I think that it's important the residents of Calgary-Acadia have that information come election time and that we can be able to hear what he has to say.

With that, Mr. Chair, I'm going to once again talk about encouraging members of the Legislature to support amendment A3, which is very simple and talks about a March 2012 election

and every four years after and even builds in the seven days in regard to a religious holiday if that happens to come up. I encourage everybody to support that amendment.

**The Deputy Chair:** Thank you.

The hon. Member for Edmonton-Highlands-Norwood, followed by the hon. Member for Calgary-Varsity.

**Mr. Mason:** Thank you very much, Mr. Chairman. I'm rising to speak in favour of the amendment that is now before us. It's not ideal, from my point of view, but it certainly has the advantage of fulfilling the Premier's campaign promise for a fixed election day. It's beyond me how a fixed election day can last 90 days, but that's what the Premier has managed to arrive at.

**9:30**

What I find difficult about this is that it arbitrarily picks a day. The amendment that I made, which was not passed, unfortunately, talked about a consultative process. I think what's key here and what I think the act misses and which this one misses as well is that there's more than one political party in this province. I know that for some opposite that's hard to believe, but there is more than one political party. In fact, four of them are represented in this Legislature.

**Dr. Taft:** Five.

**Mr. Mason:** Five of them. Oh yeah, they're still around for the time being.

So there are five, which is probably more than in many, many years have been represented in the Legislature.

**Dr. Taft:** It might be the most ever.

**Mr. Mason:** It may be the most ever. That would be an interesting fact. Maybe when the Speaker does his moments in parliamentary history, he might want to address that at some point, hon. Member for Edmonton-Riverview.

The point is that there needs to be some consultation. There should have been consultation on this act, Mr. Chairman. There absolutely should have been some consultation. I was actually surprised. After being in this place for nearly 12 years, I don't consider myself to be a neophyte or particularly naive about how things are done. In fact, I was hopeful that the Premier was actually going to talk to the other political parties about the election. That didn't happen.

It may be ingrained in our political history. It may be ingrained in the British parliamentary system in the way that it's developed, the sort of sense that it is the advice of the government to the monarch or the advice to the monarch's representative that determines whether or not a government has the confidence of the House and whether or not there should be an election. That has evolved in that system to the point where, essentially, the Premier or the Prime Minister, the head of the government, has almost complete control over election timing. That's not always how it's been, but certainly that's how the British parliamentary system, including here in Alberta, has developed over the past few centuries. And it's that that people are starting to challenge. It's that that people are talking about when they say that it should no longer be the case that one person has complete and unrestricted control over election timing other than having to have an election every five years at a minimum.

So having taken the step that other provinces have taken and moved towards fixed election dates, the government fell short here, Mr. Chairman, and refused to go to an exact date, and they

refused to consult with other political parties. I think that that's just wrong. I think there's something fundamental that we have to address in this House when it comes to talking about election dates; it's that it should not be entirely in the purview of the governing party. It affects lots of people. So we set the rules of the game by consultation with all of the participants, not just one person gets to set the rules of the game and then, you know, amazingly manages to win most of the games.

I think that that whole mindset that exists here, that it is really in the realm of the government to make these decisions, is what we need to challenge and what needs to go. So this amendment at least narrows it down to one date, and it is at least being debated in the Legislature, so that is progress, Mr. Chairman. That's why I'm prepared to support it. But it does not negate the disappointment that I feel when I look at how this Premier is carrying out her mandate, which, of course, only comes from the Progressive Conservative Party, not from Albertans at this stage at least, to bring in fixed election legislation. She's failed to do that.

You know, Mr. Chairman, it's a good thing that this Premier didn't promise Albertans a chicken in every pot because we would have ended up with a pigeon in every refrigerator. That would have been in her view keeping the promise that she'd made. It's not quite what was promised. What was delivered is not what was promised.

Mr. Chairman, I think that March 12 is as good a day as any other. The second Monday in March seems to work, and I like the clause in here, clause (b), that allows the date to be shifted on the advice of the Chief Electoral Officer if the election date "coincides with a religious or culturally significant holiday." I think that's a good piece to add in here.

On balance, Mr. Chairman, I think that it is a good amendment to a bill that is disappointing and that has fallen short, and for that reason I will support it. Thank you.

**The Deputy Chair:** Thank you.

The hon. Member for Calgary-Varsity on the amendment.

**Mr. Chase:** Thank you, Mr. Chair. I'm looking forward to having an opportunity to speak to amendment A3. I want to begin by thanking the Member for Calgary-Fish Creek for not only attempting to save the government's face but their butt as well. Now, A3 proposes March 12, 2012, as the first of our designated election days and thereafter every four years. The thoughtfulness of the hon. Member for Calgary-Fish Creek is very expansive in that she's allowed what I would call a week's wiggle room for government to cover potential religious holiday complications and considerations. Not only has she defined a day, but she's defined a week.

I know that the hon. Member for Edmonton-Highlands-Norwood had a little bit of difficulty around this particular date, but I believe his colleague the hon. Member for Edmonton-Strathcona, based on her discussions, would like the idea of this election date occurring in March as opposed to May because I know that the hon. Member for Edmonton-Strathcona was concerned about the number of students living in the area and was concerned that had the election been held in May as we'd originally proposed, there was the potential of students being left out of the process. We know, Mr. Chair, that the 18- to 24-year-old group is the least represented when it comes to voting.

Thirdly, hon. Chair, I want to talk very briefly about the law of unintended consequences. The Premier and her advisers, in proposing this electoral season, provided the opposition with the possibility of 91 amendments. The reason I say 91 amendments is that the period covered would include leap year. I think that

possibly in addition to amendment A3 we should have an amendment A4 that would be very logical. That would be to have the fixed election date every February 29 because the consequence would be that it would naturally occur every four years and the chances of it interfering with religious holidays or other events would be greatly reduced.

Lastly, Mr. Chair, in recognition of our current season maybe the government could adjust their election anthem accordingly: 'tis the season to be voting, fa la la la la la la la.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers? The hon. Member for Airdrie-Chestermere on the amendment.

9:40

**Mr. Anderson:** That was riveting, riveting stuff. It's always great when we get the music going in here.

I'm going to obviously stand up and support this amendment because I'm in favour of fixed election dates. I feel that this probably in a lot of ways, I think, is the most egregious broken promise that the Premier has made. What is so frustrating about it, Mr. Chair, is that this is such an easy promise to keep. She made it right before a leadership selection where she was elected leader based on a platform of transparency and accountability. I just don't understand why she couldn't follow through with such an easy, clear promise that she had made. I don't understand. There are members opposite there that know – you know, they have enough integrity to know that this was dishonesty with Albertans. That's what it was. Everyone in this Chamber knows it, yet here we go. We're going to ram through a very silly piece of legislation that doesn't do anything.

Good grief. Even the previous Premier, who certainly to my knowledge is not a fan of fixed election dates, said that, yes, it will most likely be in March 2012, four years after the last one. He said that all along. I'm assuming he would have kept that promise. For this Premier to be that blatantly misleading to the public just says all I need to know about how much her word is worth, which is nothing.

It's sad, too, because new leaders, when they're chosen, get a completely clean slate in front of them. It's a white piece of paper, right? They can define who they are, and they can define what kind of leader they are, and they can define how they've changed things from scratch. One of the first things that she does is this. You know, first, she cancels the session; that's another issue. She cancels the session, recalls it for a couple of days, takes a month off, then comes back, and all that stuff. Now she's invoking closure on all this.

I guess that, technically, during the leadership she never promised to have a full fall session. She didn't make that promise. It was kind of implied because, you know, she talked about democracy, transparency, and respect for the legislative process. That kind of implied that you'd have some respect for the legislative process this year instead of this joke that has been the last two weeks and this final couple of days where we ram through legislation like it just means nothing. It's just incredible.

**The Deputy Chair:** Hon. member, we're debating the amendment, please. Casting possible aspersions on the work of the House may not get you there, so please stick to the amendment. Thank you.

**Mr. Anderson:** So the amendment, as we know, calls for a fixed election date, which is a promise that this leader made during her leadership election. She made that promise several times. We've

read into the record many instances from the newspapers and direct quotes from her that she would clearly set a fixed election date. She even mused about it being in March of 2012 – not mused, but really kind of just said: it's four years after the last one, which was in March 2008, so this one will be in March 2012. Then she comes back with this piece of rubbish, and that's what this bill is.

I find it ironic, Mr. Chair, that we can pass Bill 203, the Alberta Get Outdoors Weekend Act and that we can have a fixed date on that. The Alberta Get Outdoors Weekend Act: we think that's important enough to have a fixed date. But for the most fundamental pillar of our democracy, which is voting, for some reason this Premier thinks that it's acceptable to give her government the hand up on opposition parties and on the democratic process. It is absolutely shameful. She has with that move as well as several others completely undermined her own credibility in this Legislature and in this House and in the minds of Albertans, and of course the party that goes with it are those that vote with her in doing this.

I hope that some will stand up and say: you know what – what's she going to do? I mean, you're supposedly independent MLAs that can do what you think is in the best interests of your constituency or do what's right.

You know, she claims – I've heard her say many times that she was wrong for kicking out the Member for Fort McMurray-Wood Buffalo for standing up for his constituents. Well, okay. Good. If that's the way she feels, if you trust her so much, then why don't you stand up and vote against this bill, that you know clearly, many of you over there, is wrong? It is wrong. This is a joke. Name a jurisdiction in North America that allows for fixed election seasons. It's insane. I mean, it's just dumb. That's what it is. If there was any precedent for it, but there's not. It's just such a slap in the face to the people of Alberta and to the democratic process. It just says: "Ha, ha. Fooled you. Guess what? I'm going to go do something completely opposite to what I just said. I'm going to call a fixed election season, so we still can have a couple of weeks, two or three weeks' head start whenever we feel it's in our best interest."

I tell you that this is one of those things. You know, not necessarily everyone in the province of Alberta wants a fixed election date. That's not what I'm arguing. There are some that say that they don't care if there is one or not. But I'll tell you what every Albertan should be concerned about, whether they agree with fixed election dates or don't agree with fixed election dates, is being deceived, blatantly being told something and then the opposite occurring right after, days after the election. If that doesn't make Albertans mad or distrustful, then who knows what will? And you do feel it. You do feel the current of: we don't know if we can trust it. They want to. That's the thing about Albertans. I think we can all testify to this. They so want to give people the benefit of the doubt. They so do. It's just natural. They're so optimistic, and they're so bright about the future no matter what the times, it seems, that they want to give people the benefit of the doubt.

I'll tell you that regardless of her past leanings or associations with whatever leaders or whatever party she was involved with federally and so forth, even with that, I still think Albertans are like: "You know what? Let's see what she can do. Let's give her the benefit of the doubt. Let's see if she's going to be honest." All they really want is honesty. All they want is honesty. You know, they don't mind if you're wrong about something. Just say that you're wrong or just say what you're going to do and do it. If you realize that you've made a mistake, say you're wrong and change it. Whatever.

The point is that they just want honesty, and this was just so blatantly dishonest. It's very frustrating because, you know, you want to think the best of people. I know Albertans want to think the best of people on this with this Premier. But now they have cause with this bill as well as others, this bill being the most blatant of dishonest things that this new Premier has done with regard to the people of Alberta: telling them one thing and doing another.

I absolutely will be supporting this amendment. March 12, you know, is as good a date as any. As the hon. Member for Edmonton-Highlands-Norwood said: it's as good a day as any.

I also think it's very important that you give that couple of days of flexibility to the Chief Electoral Officer. You know, if it falls on a holiday of significant importance or cultural importance, et cetera, we can shift it one or two days. That doesn't make a difference, but three months is just a joke. This Premier should be totally ashamed. I really do wish that that Premier would have the guts to stand and defend this bill. I just wish that she would have the guts to stand and debate this bill with us in this House. It's very disappointing that I have not heard from the member to this point on this bill. It seems like she's running and hiding, that she doesn't want to take responsibility for her actions when she doesn't stand and debate this bill.

9:50

So I'll be supporting the amendment, Mr. Chair. I hope everyone will support this amendment in this House. Let's set this date. Let's get it done. Let's not be a joke when it comes to democracy and comes to, you know, this Premier's word. Let's make an honest lady out of this Premier when it comes to fixed election dates and her promises.

Thank you, Mr. Chair.

**The Deputy Chair:** I don't have any other speakers to amendment A3. If there are no others, I'd ask if you're ready for the question.

**Hon. Members:** Question.

[Motion on amendment A3 lost]

**The Deputy Chair:** We're now back to committee. Are there any other speakers at the committee stage?

**Mr. Anderson:** Well, we've already talked, Mr. Chair, a lot about our feelings on this, so I'm not going to belabour it much further. But I do want to propose this amendment because I promised to do so for a constituent of mine who had some very clear ideas of what he thought would be the best way to proceed. I'm doing this for him.

**The Deputy Chair:** Thank you. Hon. member, we'll just wait for the pages to bring the amendment to the committee desk here.

We're going to call this amendment A4. I'll assume that everyone who wishes to now has a copy of the amendment.

The hon. Member for Airdrie-Chestermere on amendment A4 as presented by yourself.

**Mr. Anderson:** Yeah. Amendment A4. I move that Bill 21, the Election Amendment Act, 2011, be amended in section 2 in the proposed section 38.1 by striking out subsection (2) and substituting the following:

(2) Subject to subsection (1) and (3), a general election shall be held April 16, 2012 and on the third Monday in April in the 4th calendar year following polling day in the most recent general election.



And (b) by adding the following after subsection (2):

(3) The date for any general election after April 16, 2012 may be advanced up to 7 days by the Lieutenant Governor in Council on the advice of the Chief Electoral Officer if the date of the election coincides with a religious or culturally significant holiday.

Clearly, this is very similar to the last amendment, Mr. Chair, so I'm not going to spend a lot of time on it, and I don't expect any other members will. The reason this constituent proffered this idea, or proposed this idea, was simply because – well, there were a couple of things. He thought that it would be important every year for there to be enough time at the beginning of the year to pass a budget, to put a budget forward. He thought that, you know, by the time we came back to work on February 1 or thereabouts, not much later than that, maybe even a couple of days earlier, in late January, if we had this law, we would have enough time to get through at least the budget and make sure that there was money in the coffers, so to speak.

One of the problems that you can have with calling it too early during the budget process – and we may run into this problem this year. I don't know what the Premier has in mind. I don't know what the Premier is doing because she didn't set a fixed election. Ideally, what one would do in this case, I think, is that you would come back, and you would pass a budget. In this case let's say that we come back on February 10, and the Premier does a throne speech, and she – I don't know – puts out a budget, a proposed budget, and then drops the writ. Then all of a sudden all of those consultations that were done for the six months prior to the writ period, in the caucus and with stakeholders and so forth, are essentially lost if the government of the day is defeated.

So you're asking a new government to come in, if a new government was to come in, and essentially start the budget process all from scratch, which takes time if you're going to do it right. By the time you get the consultations and everything fixed, you know, go through everything and get a budget, it's probably going to be, assuming that the election period was, say, from February 15 to March 15 or thereabouts, into May or June before you even get the budget passed, which would be well into the next budget year. So you'd have to be bringing all kinds of huge supplementary supply bills, which I don't think are necessarily a good thing except in the case of real emergencies.

The point that this constituent was making, that I'm making, is that the fixed election date ought to be long enough away from the start of the new year so that the government of the day can bring in a budget, pass the budget, go through the proper process for that, and then go to the polls. It gives the public a very clear idea of what the government's priorities are because they've just passed a budget. They can't hide from their record. They can't cover their tracks, so to speak, of what their priorities are. Their priorities are what's in the budget. So they can campaign on what they've done for that budget year, and if they've done a good job, the people of Alberta will give them another term. If they've done a poor job and another party is voted into government, that party will have then, again, a full year to develop the next budget, with proper consultation and so forth.

That way, you know, we're not running around passing supplementary supply bills just to essentially keep the lights on and keep the health care system going and all that sort of thing, which is not the way to do things. Clearly, you want to make sure that you've got a good amount of time to go over estimates and to go through each departmental budget with a little bit of thoroughness to make sure you're doing a good job.

It's a little bit later than my colleague proposed. It's about a month and a half or thereabouts later, but I think that would give

us a little bit of extra time to make sure that we get a budget, that we're not running out of money.

Again, I go back to the specific argument that this clearly was a promise made by the Premier. I would ask her and her caucus to please comply with her promise in that regard. She made the promise. I think the vast majority of the folks in this room know full well that it is the right thing to do, that a fixed election date is the democratic and honest thing to do for this Premier.

I would hope that, Mr. Chairman, in the interests of democracy, fairness, transparency, and all those wonderful things that we seem to hear from the other side from time to time – but actions speak louder than words. They haven't walked the walk. They've just continued to talk the talk, and that's not good enough for the people of Alberta. It's certainly not good enough for the people of Airdrie-Chestermere, who I'm honoured to represent.

Thank you, Mr. Chair.

**The Deputy Chair:** Hon. member, thank you also for indicating that this amendment A4 is virtually identical to the one we've just had significant debate on, A3, other than the date. So let's keep that in mind as we move forward.

The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you, Mr. Chair. Speaking extremely briefly to amendment A4, this is one, as you've noted, of 91 possible amendments. What this date, April 16, does suggest is that for the convenience of university students, while they would potentially be writing final exams, if polling stations were provided for their convenience in easily found locations on their campuses, I think the university students between exams could be encouraged to take the time to vote for their candidate. Also, speaking of university students, if they had the choice to vote for the candidate who represented them where they went to school and where their lives were terrifically impacted, they would appreciate having that choice as opposed to making arrangements to vote at some other location far from where they currently were attending school, possibly in remote corners of rural Alberta.

10:00

The April 16 date is another positive possibility. Mr. Chairman, other than the symbolic choice of April 1, which, of course, is April Fool's Day, I would suggest that any date selected within this election season would be preferable to the entire season. I'm sorry, Mr. Chair, but I don't have a song that goes with April 16.

Thank you.

**The Deputy Chair:** Well, it may be a good thing because I used to adjudicate song contests, hon. member. You may not have liked my ruling. However, I appreciate the spirit.

The hon. Member for Calgary-Fish Creek on A4. Proceed.

**Mrs. Forsyth:** Well, Mr. Chair, I'll stand up and speak. A3, with the March date, was voted down by the government, so I'm going to stand up and speak in support, obviously, of amendment A4, which is that "a general election shall be held April 16, 2012 and on the third Monday in April in the 4th calendar year following polling day in the most recent general election." My colleague from Airdrie-Chestermere has also included the same subsection as I did in A3, about the seven days that the Chief Electoral Officer has if it should coincide with a religious or, actually, culturally significant holiday.

I guess we could probably spend hours and hours in the Legislature debating dates. If we go back, actually, to the bill, we have the Premier's "I'm not sure when I'm going to call an election, but it may be between these dates" bill, where she talks about from

March 1, 2012, and ending on May 31. Amendment A3 was March, amendment A4 is April, and possibly the opposition will bring forward an amendment for May, and then we've covered March, April, and May. We've covered all three months that are included in this bill. I think the government might like one of those months, hopefully, so that we can kind of track them down from the three months to the one month so that we can get the government in regard to a fixed election date.

We have talked over and over and over again in regard to all the countries in the world that have fixed election dates. We've talked about the eight provinces in Canada that have a fixed election date. I know that Alberta is very proud of what I would consider going it alone. We like to be innovative. We like to do things differently. We like to be what I would consider leading edge. I think that if we go back to the speech, to when the Premier was speaking – it was supposed to be on the state of Alberta, and I think it was on the economy. We had to have a special concession in the Legislature to have this. It was more a Speech from the Throne and didn't even talk about anything else that we were going to talk about when we were supposed to be talking about the economy. I think that's what it was.

One of the things that the Premier has bragged about consistently and talked about is how she believes in democracy, how she had no hesitation about mentioning in the past her work that she did in Afghanistan. I've alluded to the fact that even for the first vote the Afghanistan people knew what date they were going to vote. Even though the Member for Edmonton-Highlands-Norwood said that they knew what the vote was going to be, they still had the opportunity to have a fixed date for an election, their very first election.

I guess what somebody has to ask is: what happens when you're charged with running the province and you become the head of the government and you start backing down from your principles? That's where I scratch my head. You talked about being the leader of the province. You were running for leader of the province, and you talked about fixed election dates. You talked about the Health Quality Council and the independent judicial inquiry. You know, there have been so many broken promises already in such a small period of time that it's hard for me to even keep up. The only promise that I think, quite frankly, has been kept is the \$107 million on education, and that's sort of a half-assed truth. We wanted to know where the money was coming from. We know the money has gone into education, and quite frankly we're very pleased. It's the same money that was taken out of education. [interjection]

You know, we have this continuous echo in the background from the Minister of Education. He has not got the fortitude to stand up and speak in this Legislature, but he can certainly chirp better than any bird I know can chirp, continuously. I'm hard of hearing, Mr. Chairman, and I can hear him, and I haven't even got my hearing aids in, for goodness' sake. There's probably a good reason for that, to be honest with you.

I was talking about her half-promises, and that was on the \$107 million that she promised would go back to the schools. A wonderful, wonderful idea, but I still don't know where the money is coming from.

Mr. Chair, on the A4 amendment I guess what I'm trying to get to is that the promises that are made are not the promises that are kept. It seems that once she becomes the head of the government, the Premier of this province, everything else changes. "We've just decided, Albertans, that – you know what? – I'm not going to keep my promises anymore."

I'm going to encourage the government again to support A4. We've done the March election: defeated by the government. I'm sure this April amendment will also be defeated by the govern-

ment. Maybe we'll hurriedly put an amendment out for May, and then in that way we've covered every month in her three-month period. You can pick the best one out of the three, quite frankly. It gives the government options.

On that note, Mr. Chair, I'm going to encourage the government members to support this amendment. I will say thank you and sit down.

**The Deputy Chair:** Thank you.

Is the House ready for the question on A4, then?

**Hon. Members:** Question.

[Motion on amendment A4 lost]

**The Deputy Chair:** Are there any other speakers in Committee of the Whole in general with respect to Bill 21, the Election Amendment Act, 2011?

10:10

**Mr. Mason:** Mr. Chairman, when I was an elementary student, there was a little poem on the back of our scribbles that would help us remember how many days there were in each month, and I think that the Premier and the government members need a little poem to help them remember how many days there are in a day. I've composed a little ditty for the members opposite to assist them in considering how to vote on this bill. It's called *How Many Days in a Day*?

Thirty days hath April.

The others have 31 except for February alone,  
Which has 28 clear except each leap year.

Thus, the promised election date has 90 days  
Except for 91 each leap year.

Thank you, Mr. Chairman.

**The Deputy Chair:** Thank you.

Is the committee ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 21 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Those opposed? That is carried.

## Bill 24

### Health Quality Council of Alberta Act

**The Deputy Chair:** Are there any speakers at Committee of the Whole to this bill, or is there an amendment here? We are on subamendment A1. Are there any speakers to subamendment A1? The hon. Member for Calgary-Varsity.

**Mr. Chase:** I apologize, Mr. Chair. I thought you were asking for amendments to be made, and I hopped to it. I've previously spoken to A1.

**The Deputy Chair:** Thank you for that clarification. Sorry that I didn't spot that it was subamendment A1 quickly enough, but that is, in fact, what it is. It is a subamendment that was brought forward on November 29. Are there any other speakers to subamendment A1?

Is the Assembly ready for the question on this subamendment?

**Hon. Members:** Question.

[Motion on subamendment SA1 lost]

**The Deputy Chair:** We are now going back to the main amendment, which I believe is called amendment A1, moved on November 29. Any speakers to this amendment?

Is the Assembly ready for the question, then? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** We're moving quite quickly here, so I just need to get a clarification that A1 is the government amendment that was brought forward, if I'm not mistaken, by the minister.

**The Deputy Chair:** I'm sorry. Just a moment. We're in the middle of a vote here, hon. member. Are you wishing to clarify something prior to the vote?

**Mrs. Forsyth:** Yes. I just want to get a clarification, if I may, that the one you're speaking of, A1, is the one that was brought forward by the minister.

**The Deputy Chair:** Yes. In fact, that's just what I was asking Parliamentary Counsel here to find for me. It was moved on November 29 by the hon. Minister of Health and Wellness, and it's A1.

[Motion on amendment A1 carried]

**The Deputy Chair:** We are now back to the main discussion during Committee of the Whole on Bill 24, the Health Quality Council of Alberta Act. Any speakers? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Just to be absolutely certain, Mr. Chair, I think you mean Bill 24 as amended by A1.

**The Deputy Chair:** Yes. Correct.

**Mr. Chase:** Thank you. Mr. Chair, I would like to present an amendment to Bill 24. I will have the pages bring it to you so that it can be circulated, and then we'll discuss this proposed amendment.

**The Deputy Chair:** Thank you.

Hon. members, we will await the arrival of the original and then have the pages distribute copies to everyone. We will appoint this as amendment A2.

I shall assume that everyone now has a copy of amendment A2 to Bill 24. If anyone doesn't and still wishes to receive one, would you please signal? Otherwise, hon. Member for Calgary-Varsity, if you would proceed and tell us if this is on your own behalf or on someone else's behalf that you're moving it, we would appreciate it.

**Mr. Chase:** Thank you. Mr. Chair, I am moving amendment A2 on behalf of the hon. Member for Calgary-Mountain View, who is the Liberal health critic. The hon. member moves amendment A2 to amend Bill 24 as amended by A1 as follows: (a) in section 18 by striking out the words "unless the Panel determines, in accordance with section 19, that the hearing or part of a hearing is to be held in camera"; and (b) by striking out sections 19, 20, and 22(4).

Mr. Chair, the reason for this particular amendment is that if left unamended – and I'm including amendment A1 when I say unamended – these sections provide that all or part of a health system inquiry may be heard in private upon application to the panel. This is the first of a series of amendments that I'll be

proposing that, at the very least, if the government will not consider what the Premier promised, a judicial public inquiry, then by accepting these amendments, the transparency and accountability will be provided such that whenever the panel runs into some degree of problems, they can't scurry through the door, close the door behind them, and have in camera discussions.

Mr. Chair, the Premier talked in her campaign for the position of Premier about the importance of transparency and accountability. We've talked at length about the current intimidation that medical practitioners, whether they be nurses, orderlies, or doctors, are experiencing. Unless they have what this amendment is calling for, the right to in some cases have their comments shared publicly, their concerns shared publicly as opposed to in camera or behind closed doors – and they're especially concerned about the people who have made their life so miserable and in some cases forced them to leave the province due to intimidation – and to have those statements recorded in public so that the public can in fact be the jury. The importance of the public acting in that jury position and deciding whether or not the best interests of Albertans, in terms of their health management, has been taken into account is an extremely important factor.

**10:20**

As I say, in this particular amendment – and I will not go into considerably greater detail given the lateness of the hour. It's 20 minutes past 10 on Monday night, and we have a series of amendments that call for this type of clarity and transparency, A2 being the first of the series. So I'll look forward to other members participating in the debate. If we have to go with the Health Quality Council, a counterfeit to the Public Inquiries Act, at least let's have that group accountable for their actions.

Thank you, Mr. Chair.

**The Deputy Chair:** Thank you, Calgary-Varsity.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, Mr. Chair, this is an interesting amendment. I think probably we had the discussion, I guess, last Thursday, when the Member for Edmonton-Highlands-Norwood brought up the fact that – you know, it's late into the night, 20 after 10, and all of the sudden you're getting all of these amendments thrown at you. As a member of the opposition you talk about being prepared and ready to speak on these amendments with virtually nothing in your hand, where the government can sit there and not really do anything about that.

I'm trying to look hurriedly into our Public Inquiries Act to find out just exactly what happens under the Public Inquiries Act, how they deal with hearings that are in camera versus out of camera. I'm going to suggest that I'm going to support this amendment because, as the Member for Calgary-Varsity has said, it's important that we have an open and transparent inquiry.

The Premier has talked about the fact that she wants everything to be open and transparent, how to establish a public inquiry, and all of the sudden that's all left in the hands of cabinet. So I would suggest that, you know, the talk about the fact that if it's an opinion of the board, et cetera, things like that, again, leave it in the hands of whether or not they should have a judge.

Then we go to the health system's inquiry under Bill 24, to the amendment A2 that the member has brought forward, and it talks about the hearings.

A hearing that is part of an inquiry is open to the public unless the Panel determines, in accordance with section 19, that the hearing or a part of the hearing is to be held in camera.

That's the part that the member is suggesting should be taken out.

Then it goes on: by striking out sections 19, 20 and 22(4).

Under considerations re in camera hearing it goes:

- 19(1) Where an application is made to the Panel to hold a hearing or a part of it in camera, the Panel shall weigh and consider the following matters, as applicable, before deciding to hold the hearing or any part of it in camera.

I think this is important to get on the record, Mr. Chair, as boring as it may seem. Albertans are very, very busy people, and a lot of them don't have time to read the legislation word for word or even to understand it. What they do understand, though, is whether we'll be able to tell them what is contained in this particular piece of legislation or not.

It goes on.

- (a) the private interests of a patient or person or, where the patient or person is deceased, of the patient's or person's next of kin.

I'm not sure exactly what relevance that has.

And then it goes on.

- (b) whether disclosure of all or part of the diagnosis, medical records or information of a patient or person is likely to result in harm to the patient or person or to the treatment or recovery of the patient or person.

So it goes on with, you know, disclosing medical detail and things. I guess that what my gut is telling me is that when you've gone this far and you're going into a full, transparent, judicial inquiry, it's important to keep the evidence open so the public can understand exactly what is happening. I always found from previous meetings I've been to – and I've been on a lot of boards previously appointed by the government and other work that I've done – that when all of a sudden you're going in camera, people always wonder what happens, like: "What are they talking about? What is it that they don't want the public to know when they go in camera? What exactly is happening?"

Having said that, I am going to be supporting amendment A2. I always rationalize or try and understand what exactly is behind what the government is trying to achieve, and under that section I can't really understand what the government is trying to achieve or if they're trying to achieve anything, to be very honest with you. Having said that, I am going to look forward to some more amendments that the member has said they're bringing forward. We're also going to be bringing amendments forward, and it will

give me the opportunity to do some research on what is being proposed versus what's incorporated in the Public Inquiries Act.

With that, I will sit down, and I will look forward to more debate.

**The Deputy Chair:** Thank you, hon. member.

I'm pleased to recognize the hon. Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you, Mr. Chair. It's late, and I see a lot of ties undone here. I would therefore move that we adjourn debate.

**The Deputy Chair:** On amendment A2.

[Motion to adjourn debate carried]

**Mr. Denis:** Mr. Chair, I'd move that the committee rise and report progress on bills 24 and 26.

[Motion carried]

[Mr. Zwodzesky in the chair]

**Mr. Quest:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 21. The committee reports progress on the following bills: Bill 26, Bill 24. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you, hon. member.

Does the Assembly concur in the report presented?

**Hon. Members:** Concur.

**The Acting Speaker:** Are there any opposed? Accordingly, the report has been so ordered.

The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I would move that this House stand adjourned until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:29 p.m. to Tuesday at 1:30 p.m.]





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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday afternoon, December 6, 2011

Issue 46a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, December 6, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon and welcome.

On this day let each of us pray in our own way for the innocent victims of violence. Life is precious. When it is lost, all of us are impacted.

Today we join with Legislatures across Canada in honour of the National Day of Remembrance and Action on Violence against Women. This day of remembrance marks the anniversary of the 1989 massacre of 14 women students at l'École Polytechnique in Montreal. Hon. members, please join with me in observing one minute of silence.

Thank you. Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to all members of the House a person who needs no introduction. Mr. Bob Maskell served in this House as the representative for Edmonton-Meadowlark and served us very well. Bob is probably just as well known in Edmonton for his service to the education community, having been the principal, I believe, of Jasper Place high school and then Victoria school of the arts, and he took that school into what some describe as the Juilliard of the North. Bob also has served us very well both in terms of connections between Alberta and China and in working within Alberta with our aboriginal peoples and aboriginal communities. I'd ask Bob Maskell to rise and receive the traditional warm welcome and thank you of the House.

### Introduction of Guests

**The Speaker:** The hon. Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you very much. I rise with privilege to introduce to you and through you three guests in the members' gallery. Wendy Rodgers, who is the executive assistant to the Member for Calgary-Shaw, and her husband, Mark Meters, are joined by their friend visiting us from Bavaria, Germany, George Stretz. George is an air traffic controller at the Munich Airport. Mr. Speaker, through you I'd like to say auf Deutsch, in German . . . [Remarks in German] Please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. I have two introductions today. The first is a young lady, a university student specializing in poli-sci and international relations and up until recently my constituency assistant, Miss Natasha Soles. Natasha has an exceptional level of political acumen, and she comes by it naturally as her parents Katie and Ian are amongst my and others in this Assembly's strongest supporters. With her today is my CPC assistant, Mr. Benjamyn McKay. I would ask them both to rise and receive the traditional warm greeting of the Assembly.

My second introduction today, Mr. Speaker, is Ms Jill Didow, the executive director of the Realtors Community Foundation. Jill, whose love of community, of humanity is exceeded only by the love of her dogs, is the topic of my member's statement today. Jill, would you please rise also and receive the traditional greeting of the Assembly.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'd like to introduce through you and to you another Wildrose candidate that has joined us in the Legislature. This candidate is looking forward, actually, to the next election. We've been honoured over the last two weeks to have our nominated candidates join us in the Legislature as we debate legislation during the afternoon and long into the evenings. I'd like to introduce Rick Newcombe, who's the candidate for Edmonton-Meadowlark. I'll ask him to rise and receive a warm welcome.

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

**Ms Notley:** Thank you, Mr. Speaker. I have two sets of introductions today. First, I'm pleased to introduce to you and through you to this Assembly guests who have had a key role in the creation of an important new work of public art in Edmonton. Keith Turnbull was the co-ordinator and lead artist for a project of the Edmonton Coalition on Housing and Homelessness to honour the lives of the thousands of people who struggle to have decent homes in Edmonton and to challenge all of us to work to end the unnecessary shame of homelessness. Linda Dumont was one of the 20 artists who created tiles that cover this structure, each showing a personal experience of homelessness. Many of these artists are people who know the problems of homelessness from personal experience. With Keith is his spouse, Kathy Turnbull. I would like to ask Keith, Kathy, and Linda to rise now to receive the warm welcome of this Assembly.

I'd also like to introduce to you and through you to this Assembly a new addition to the Alberta NDP team. Adrienne King is familiar with the Legislature, having worked as a library page some years ago. Since then she has completed a BA in English at Concordia University College here in Edmonton as well as a master's degree in English literature at McGill University in Montreal. Today is her first official day as the executive assistant to the leader of the NDP opposition. I'd now like to ask Adrienne to rise and receive the traditional warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Realtors Community Foundation

**Mr. Elniski:** Thank you, Mr. Speaker. Certainly, this is the season of heroes, when ordinary people leap tall buildings in single bounds and become more powerful than speeding locomotives. One particular group, however, who make very little noise about what they do but who do it every day is the Realtors Community Foundation.

I came upon this foundation shortly after being elected when its executive director, my constituent Ms Jill Didow, invited me to one of their celebrations, and since then, Mr. Speaker, Jill and I have had the opportunity to drive Smart cars full of diapers through West Edmonton Mall, buy large quantities of wine at fixed silent auctions, and participate in a number of other events

as the Edmonton realtors show their collective commitment to the community.

Jill and her team at the Realtors Community Foundation provide support to charities working with shelter, homelessness, hunger, crime prevention, and other special projects. Since 1986 this foundation has contributed over \$2.8 million to the community.

Some 30 groups are served by the foundation, and in 2010 they received \$300,000 in support. Groups like the ALS Society, Habitat for Humanity, the Lurana Shelter, Our House Addiction Recovery Centre, the seniors' outreach centre, and the Youth Emergency Shelter, to name but a few: they all share in the generosity of Edmonton's realtor community. Projects have ranged from the replacement of windows at a rehabilitation centre to new furniture in a women's shelter. Realtors donate a portion of their sales to support these practical, pragmatic, and – my favourite part – largely bureaucracy-free projects.

I like this group not only because my wife is a realtor but because this foundation makes a difference where you can see it the most. The mandate of this foundation is that their funds be used for 75 per cent shelter, 15 per cent crime prevention, and 10 per cent special needs.

This is a group, Mr. Speaker, who quite simply put their money where their mouths are by investing in the very things that allow people to improve their lot in life. That is what makes them heroes every day.

Thank you.

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

#### Public Health Inquiry

**Mrs. Forsyth:** Thank you, Mr. Speaker. Since April the Alberta Medical Association along with Alberta physicians have been monitoring negotiations with this government before their current eight-year agreement expires in March. The Premier spent her leadership campaign talking about the importance of consulting with Albertans, but recent reports show that the negotiations between the government and the AMA have stalled, leaving funding for our physicians and our health care system up in the air. This government needs to get to work and commit to getting back to the negotiation table with the AMA so as to settle on a contract before the next election.

This government also needs to listen to the concerns of the AMA and place a renewed emphasis on primary care networks. The Wildrose believes that primary care networks are the next important step in fixing the health care system. PCNs do a superior job of treating patients with chronic conditions like diabetes. They also offer services like dietitians' advice, physical therapy, or a host of other health care services in a seamless way. Studies show that the PCNs divert patients from our overcrowded emergency rooms and hospital wards.

1:40

The conversations on PCNs and how to improve health care in our province will not take place if the government continues to brush aside the concerns of physician intimidation as mere workplace disagreements. With the culture and bullying prevalent in our health care system, it simply isn't right for the government to hold these negotiations over the heads of our health care workers and the AMA.

It's time for the health minister to understand that this isn't a workplace issue; it's a management issue stemming from the government level. It's no longer possible for the health care professionals in this province, who hold the entire system

together, to trust this government. It's time for this Premier to finally fulfill at least one of her promises and call a full judicial independent public inquiry so Albertans have the answers before the next election.

**The Speaker:** The hon. Member for Calgary-Fort.

#### Alberta Export Awards

**Mr. Cao:** Thank you, Mr. Speaker. I'm pleased to rise today to acknowledge the winners of the 2011 Alberta export awards. It is a privilege for our government to be a proud sponsor of the Alberta export awards, which commends and celebrates the achievements of export leaders in our province. I recently attended the awards along with my colleagues the hon. Member for Edmonton-Ellerslie and the Minister of Intergovernmental, International and Aboriginal Relations.

It takes clever people and talent-filled companies to open doors to create demand and markets for Alberta products throughout the world. It is successful exporters that help to generate wealth for our province and strengthen our economy through their ability to adapt, evolve business practices, and compete on a global scale.

Mr. Speaker, Alberta presently is the second-largest exporting province in Canada, with \$78 billion in exports to other countries last year alone. One of the goals of the Alberta government is to continuously create, maintain, and build on friendly trade relationships. I believe that along with trade comes mutual benefits, respect, understanding, and peace.

Kudu Industries in my constituency won the title of exporter of the year. Other award recipients include Roswell Wake-Air Enterprises, Thermo Design Engineering, McCoy Corporation, FLYHT AeroMechanical Services, Axia NetMedia Corporation, and WMode Inc. The student award went to Michelle Cheng of the University of Calgary. The leadership award went to Norman Leach of Norman Leach & Associates.

I wish all of us to say thanks to Alberta exporters. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Manning.

#### Our Lady Queen of Peace Ranch

**Mr. Sandhu:** Thank you, Mr. Speaker. I rise today to talk about Our Lady Queen of Peace Ranch. Three years ago OLQP opened a ranch for children financially or emotionally challenged and for those requiring special education.

For the last two years they have hosted a family Christmas party. This year's party took place on November 26, with over 1,000 kids in attendance. Each of them received a gift from Santa and a bag of winter clothes. Over 150 volunteers helped make the day a success, and I would like to thank them for their commitment and hard work. With tractor rides, a petting zoo, face painting, and other family activities it is a day for the children to remember.

I was honoured to present this organization with a \$10,000 cheque on behalf of the government. The Doherty family made this ranch possible, donating most of the 72.5 hectares of land the camp occupies. Over the years they have donated an additional \$30 million to the ranch. They are a modest and humble family as they do not like to see their name on any signage or donor lists. It was an honour spending a few hours with them. The family said that their business was a success because of the community, so it was only right to share and give back to the community. The *Edmonton Journal* wrote a great article on the OLQP Ranch, and I encourage you to read the copy provided to you.

I am proud that this ranch is in the Edmonton-Manning constituency. I hope business owners will look to the Doherty family as an example on how to give back to those in need, and I hope we will take a moment to give to charity this holiday season. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

#### **Lakeland Centre for FASD**

**Mrs. Leskiw:** Thank you, Mr. Speaker. Fetal alcohol spectrum disorder, or FASD, is an umbrella term used to refer to a set of birth defects caused by prenatal alcohol exposure. It is a critical disability in Alberta, affecting at least 1 per cent of the population.

Since 1994 the Lakeland area, which includes the communities of Cold Lake, Bonnyville, St. Paul, Lac La Biche, Smoky Lake, seven First Nations, four Métis settlements, one military base, and surrounding towns, has been working on better understanding the disability of FASD. The Lakeland Centre for FASD, based in Cold Lake, is an incredible example of the community collaboration that has taken place to establish and ensure that accurate information about FASD is readily available and that effective prevention, diagnosis, and support services are offered in the Lakeland area.

Mr. Speaker, this centre was the first FASD diagnostic clinic in Alberta and the first clinic to diagnose adults with FASD in Canada. It continues to be the only agency to deliver wraparound support to families, serving women with addictions, children, families, and adults. Serving approximately 400 individuals each year, the Lakeland Centre for FASD has diagnosed about 500 individuals since opening in 2000. The centre also provides training on all aspects of FASD to about 2500 individuals each year in addition to all grade 9 students as a part of the prevent alcohol and risk-related trauma in youth program. The centre has been instrumental in reducing the stigma of this disability and has increased the level of awareness surrounding FASD in our area.

By beginning to develop new and innovative services, including the development of a nine-bed residential alcohol and drug treatment centre for pregnant women, I am confident that the centre will continue to address the needs of those affected by FASD.

Mr. Speaker, this government has been very supportive of this centre.

#### **Private-sector Spending on Health Care**

**Dr. Taft:** Mr. Speaker, there's a lot of misinformation and misunderstanding about spending on health care in Canada. If we as MLAs are to make good decisions, we need to be well informed. A few weeks ago one MLA compared Canada to North Korea for not allowing private health care. So I went to the nonpartisan, highly respected Canadian Institute for Health Information to conduct some due diligence. It turns out that the claims about Canada's public and private spending on health care are loaded with myths that need to be busted big time.

Here are a few facts from the Canadian Institute for Health Information. Canada ranks sixth in the world for combined private and public spending on health care in the middle of a large pack of developed countries. But when we look at public-sector-only spending, Canada ranks number 11 as a per cent of GDP and number 8 per capita.

Here's the zinger, Mr. Speaker. When we look at private-sector spending on health, Canada ranks number 4 in the world as a per cent of GDP. When measured per capita, Canada's private-sector spending on health care is third highest in the world. This is the

exact quote from the report. "Canada, with private-sector per person spending of US\$1,282, is among the top three countries with the highest per capita health spending funded by the private sector." Canada ranks only behind the U.S. and Switzerland for having the largest private health care sectors in the world on a per capita basis. This covers drugs, equipment, physio, dental, home care, long-term care, and on and on.

So let's look past the myths and ignorance when we discuss health funding in this Assembly and stick closer to the evidence. Thank you.

#### **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

#### **Alberta Human Rights and Citizenship Commission**

**Dr. Sherman:** Thank you, Mr. Speaker. Just last week the hon. Member for Edmonton-Manning, a member of a proud visible minority group, read a member's statement about the importance of Human Rights Day. Premiers Lougheed and Klein understood this and strengthened human rights in Alberta. But in the mandate letter to the Minister of Justice this Premier ordered him to assess the appropriateness of amending or repealing section 3 of the Alberta Human Rights Act. To the Premier: what are you trying to achieve? Do you want to dissolve the Alberta Human Rights Commission? Yes or no?

1:50

**Ms Redford:** Mr. Speaker, the most interesting part of the hon. Leader of the Opposition's question is highlighted by the fact that the letter I wrote with respect to the Human Rights Commission went to the Minister of Justice. One of the things that I'm very pleased that we've been able to do in this very short time is to move the Human Rights Commission, which is a very important part of institutions in Alberta, from where it was sitting, in the department of culture and community spirit, into the Department of Justice. We believe that this is a commission that matters to Albertans, that will protect human rights, and it should appropriately be in the Department of Justice.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that access to affordable legal representation is already a major problem for low-income Albertans, many of whom are single mothers, seniors, the mentally and medically ill, the indigenous peoples, visible minorities, and new Canadians, by moving the Human Rights Commission under the Justice department, are you planning to put this under the Criminal Code of Canada and send them to the court systems?

**Ms Redford:** Mr. Speaker, the Human Rights Commission has legislation that both constitutes the Human Rights Commission and that we observe with respect to protecting human rights in Alberta. The fact that we're managing the processes around the Human Rights Commission through the Department of Justice has absolutely nothing to do with changes with respect to the Criminal Code. It's a question that doesn't make sense.

**Dr. Sherman:** Mr. Speaker, what's not making sense is this government, clearly.

To the Premier. You asked the Minister of Justice to assess the appropriateness of amending or repealing section 3 of the Alberta

Human Rights Act. That was the question. Is that your plan, to repeal it?

**Ms Redford:** Mr. Speaker, the letter was quite clear. This is an issue that matters to Albertans. It's important for us to consult with Albertans on this to make sure that we know how Albertans feel about this. It's very important for us to know that the intention must be to review or to consider what to do with it next.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It appears they have taken the Wildrose policy on this.

#### Federal Transfer Payments for Health

**Dr. Sherman:** Every year Ottawa shortchanges Albertans by over \$900 million in health transfers even though we pay more per person to federal coffers than any province. Thousands of hard-working Alberta seniors want to stay in their homes, but they can't. If they need long-term care, there's nothing there for them but a long waiting line. Instead of talking about increasing premiums and taxes, nickelling and diming our seniors, our working families, and our students, why won't the Premier fight for Albertans and shake down Ottawa for money that it owes us?

**Ms Redford:** Mr. Speaker, one of the things that we've been talking about as government and that the Minister of Seniors has been very involved in in the last two months is ensuring that we're putting in place a sustainable long-term care plan that's going to allow for seniors to continue to have a high quality of life. That's what Albertans want. We know that as a province in this country we do make transfer payments to Canada. We're proud of that because we believe that we have to be proud citizens and proud partners in Confederation. We'll be able to deal with our issues, we'll do it well, and we'll ensure that people have strong publicly funded health care and good long-term care.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that our seniors are for sale or rent in this province – they are paying more than ever, they're having to get divorced, and you're removing the cap on seniors' living – and given that the Premier's friendship with the Prime Minister is well known, why can't you just pick up the phone and demand the billions of dollars Albertans are owed from your friends in Ottawa?

**Ms Redford:** Mr. Speaker, these characterizations of what's happening in Alberta seniors' communities are entirely inappropriate. What we know is that Alberta seniors want to have choices with respect to accommodation, and they want to make sure that they're continuing to be able to be provided with public health care support. We're going to make sure that that happens within our own borders.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Mr. Speaker, thank you. I understand that this is question period and not answer period. All we're asking for is a collection call, a collection call to Ottawa, Madam Premier, not a collection call to our seniors and working families. Why won't you unleash your horde of lawyers and sue the federal government for the money they owe us? Premier Lougheed would do it. Why can't you?

**Ms Redford:** Mr. Speaker, I'm not going to speculate on what anyone else may or may not do. What I do know is that as a partner in Confederation, we have to have a relationship with other provinces in this country and with the federal government. I'll tell you that the approach that this hon. member is suggesting does nothing to support Confederation or Alberta's place in it.

**The Speaker:** Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

#### PC Party Benefit Plan Trust

**Mr. MacDonald:** Thank you. The president of the PC Party reported last week that the party pays its leader an income above and beyond expenses. My first question is to the Premier. What is the leader's benefit plan trust, and how much will it top up the Premier's current total compensation package from Alberta taxpayers?

**Ms Redford:** Mr. Speaker, I've already answered this question. I have repeatedly said in this House – last week, this week, and press availability yesterday – that I am receiving no such payments.

**Mr. MacDonald:** Again to the Premier, Mr. Speaker: when will the Premier promise to taxpayers to release all the details on this leader's benefit plan trust that is being negotiated for her from the party and all of the details as well on the leader's benefit plan trust that was paid to the former Premier for the last four years?

**Ms Redford:** Mr. Speaker, whatever situation may have existed before, I have no information on it. I'm not going to be providing any information because I have no information with respect to that. As I've said over and over publicly, inside this House and outside this House, I do believe that there are expenses related to being leader of the party that are appropriate for the party to pay through party donations and not through taxpayers' dollars, and if that happens, then I will fully disclose that. It has not yet happened.

**Mr. MacDonald:** Again, Mr. Speaker, we're not talking about the expenses that are valid. What we're talking about, and this is my question again to the Premier: why does the Premier feel it is necessary to hide the details of the leader's benefit plan trust from the taxpayers, who are already paying the Premier over . . .

**The Speaker:** Okay. There could have been interjections, but the Premier chose to respond to those first two questions. But when you start talking about "hiding," I think we're going overboard here.

Premier, if you want to supplement an answer or add an answer, go ahead. If not, we'll move on.

**Ms Redford:** Mr. Speaker, I will say exactly what I said last week, yesterday in the House, and outside the House. There is no information for me to be disclosing because there is no information that I have.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

#### Impaired Driving Legislation

**Mr. Boutilier:** Thank you very much, Mr. Speaker. We all know that the federal Liberal gun registry had good intentions after the '89 shooting in Montreal, but it failed Albertans and Canadians.



The gun registry criminalized law-abiding Albertans. And here we go again, heading down the track with the ill-advised impaired driving policy, going after soccer moms and dads and a couple who are having a glass of wine, who are well below .08, rather than going after the 98 per cent that are killing people on our highways. To the Premier: why aren't you going after the 98 per cent that are killing Albertans?

**Ms Redford:** Mr. Speaker, it's very clear in this legislation that what we're doing is adding penalties to circumstances that already are against provincial legislation. At this point in time if a person is affected by impairment, under legislation, under the Traffic Safety Act they are already breaking the law. There are penalties attached to that. So this assumption that this legislation will in any way impact law-abiding citizens is incorrect.

**The Speaker:** The hon. member.

**Mr. Boutilier:** Thank you. Given that the Premier has talked about a change in culture and listening to caucus members who don't support your policy, why wouldn't you be going after the 98 per cent that are causing so many accidents and who are well over .08? Why wouldn't we go after them first rather than the 2 per cent, the hockey moms and dads?

**Ms Redford:** Mr. Speaker, regardless of what a person may do in their life, regardless of where a person may be volunteering, if there are people that are having their operation of a motor vehicle affected by alcohol, then they are at this point not following the rules. There is right now a test and provincial legislation that ensures that people can be penalized. What we're doing is introducing legislation that does, granted, have further consequences. We believe that's important in terms of changing the culture of drinking and driving.

**Mr. Boutilier:** Mr. Speaker, we want to save lives. To the Premier: will you refer this to committee, to go after the 98 per cent of Albertans who are killing other Albertans rather than the 2 per cent that your own caucus doesn't support?

**Ms Redford:** Mr. Speaker, referring legislation to committee is not going to save lives on Alberta roads. This legislation will save lives on Alberta roads.

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

2:00

#### Mental Health Services

**Ms Notley:** Thank you, Mr. Speaker. In the past few days two reports have given troubling insight into the difficult circumstances of people with mental illness seeking a good quality of life. Despite couching it in cautious language, the reports of the Auditor General and the Mental Health Patient Advocate office cannot hide the chronic failure of this government to care for Albertans with mental illnesses. To the Premier: will you admit that the record of the PC government has created a crisis that requires immediate resources and not another four years of bureaucratic planning?

**Ms Redford:** Mr. Speaker, we know that in society in general and, certainly, in Alberta in the past 15 to 20 years we have a better understanding with respect to mental health and the importance of having wraparound services available for people that are dealing with mental health issues. Through the safe communities agenda, through the work that's been done in Alberta Health and Wellness and Alberta Health Services, added resources

for mental health beds, we are addressing those issues, and we are addressing them in a proactive way.

**Ms Notley:** Well, notwithstanding that, given that the mental health advocate says that right now the number one issue she's still seeing is people in much-needed hospital beds when they could and should be in the community and the lack of places and support services in the community for them and given that she reports how acute-care hospital capacity is chronically overwhelmed by this failure, why won't the Premier admit it's time to get beyond plans for plans followed by more round-tables for more plans and actually take action on behalf of these people?

**Ms Redford:** Mr. Speaker, this government doesn't have plans and round-tables. What this government has is action. We have been very clear that mental health matters to Albertans, that it matters to this government. We will continue to put resources into this. We will continue to work with the mental health advocate. We will always strive to do better. But you should also know that we have really accomplished a tremendous amount in the past 10 years, particularly in the past three, and we'll continue to do that.

**Ms Notley:** Well, Mr. Speaker, given that it's been four years, almost a full term in office, since the Auditor General alerted this government to the crisis in supports for people with mental illness and given that even though he's now telling us there have been virtually no improvements since that time and that AHS is saying there will be no action until at least 2014, will the Premier first apologize to Albertans being hurt by this continued indifference; and second, will she commit to having AHS move that date up significantly?

**Mr. Horne:** Well, Mr. Speaker, I don't know where the hon. member is getting the information to suggest that no action will be taken until 2014. That's absolutely not the case. Mental health like other health sectors represents a variety of needs to be addressed. As the Premier said, we've focused extensively on wraparound services in schools. We are working to improve early identification of children and youth who may have mental health issues. We have a lot of work to continue to do with housing, providing a high level of support there for people living with chronic illness.

**The Speaker:** The hon. Member for Calgary-Currie.

#### Impaired Driving Legislation (continued)

**Mr. Taylor:** Thank you, Mr. Speaker. In light of Bill 26, the Traffic Safety Amendment Act, 2011, the hospitality industry is calling on the provincial government for help in extending late-night public transit services and cab availability. Now, while I understand that taxi licensing is under municipal jurisdiction, I am wondering if the province will help the industry out with the public transit piece of the puzzle. To the Minister of Transportation: will the minister commit extra funding for late-night transit service in Edmonton and Calgary to help patrons of the service industry adapt to this bill?

**Mr. Danyluk:** Well, Mr. Speaker, in fact, we have talked to the hosting associations and the restaurant associations about the availability of public transit and taxis. It's not only about that availability; it's about how we can work with those associations to support individuals that are impaired and give them the flexibility to have a safe ride home.

**The Speaker:** The hon. member.

**Mr. Taylor:** Thank you, Mr. Speaker. To the Premier: given that yesterday the Premier had promised a civic education campaign on the new blood-alcohol limits, will the Premier commit to not enforcing this bill once it passes the House until this education campaign is completed?

**Ms Redford:** Mr. Speaker, it's very important that when we introduce new legislation Albertans understand how it will impact them. It's going to be important once this legislation is passed to make sure that we have a deliberate plan with respect to the drafting of the regulations and the ultimate proclamation, and of course that will have to include a very extensive public education campaign.

**Mr. Taylor:** This all sounds like a lot of work. This all sounds to me, given that this bill is being rammed through this short session without much time for debate or contemplation and given that the hospitality industry is also calling for a delay in passing the bill until more consultation can take place, that the Member for Fort McMurray-Wood Buffalo was right. Will the government pull this bill and refer it to committee for further review and bring it back in the spring?

**Ms Redford:** Mr. Speaker, it was very interesting to consult with our Minister of Transportation today with respect to some of the concerns that people have had with respect to it. What I have heard over and over again from Albertans, whether they're in the hospitality industry or otherwise, is that they are completely supportive of the objectives that we're trying to achieve, they're completely supportive of what we're trying to do to protect families on roads, and that the legislation is the appropriate legislation. We will work with industry, and we will work with communities and Albertans to ensure that the impacts are very clear and that people understand the consequences as we move forward.

**The Speaker:** The hon. Member for Calgary-Lougheed, followed by the hon. Member for Edmonton-Riverview.

**Mr. Rodney:** Thank you, Mr. Speaker. Bill 26 is before this House, and I'm well aware that question period is not to be used for debate on a bill, so this is about process rather than substance of legislation. My question: when does the Minister of Transportation expect that the provisions will be implemented if Bill 26 is passed?

**Mr. Danyluk:** Well, Mr. Speaker, I don't have the exact time of when it'll be in effect. I can say to you that from the beginning of this bill coming forward, I have talked about how the most important aspect has been the repeat offender in the .08 and above level. I want to say to you that we are going to bring those areas forward first and ensure that those .08 and above . . .

**The Speaker:** The hon. member, please.

**Mr. Rodney:** Thank you, Mr. Speaker. To the same minister – I could tell that he wasn't quite done – on a related topic what is the expected timeline for implementation around provisions for .05 to .08?

**Mr. Danyluk:** Mr. Speaker, there's no doubt that that's going to take a little bit longer. We are bringing forward a new tracking system, and we need to ensure that the process is in place and working. I also want to say that our system is very much different

than what B.C. has. We need to ensure that there are fair and consistent appeals and that they are consistent from Grande Prairie to Medicine Hat to Red Deer.

**The Speaker:** It's not inappropriate for a couple of members to just go to the lounge outside and relax a bit and then return later if they wish to, but in the meantime being overly excited is really not that much in order.

The hon. member.

**Mr. Rodney:** Thank you, Mr. Speaker. Again to the same minister. I understand that you met with concerned business owners today. I'm wondering what you can tell us regarding plans to address their concerns around the legislation that is currently in place at this time.

**Mr. Danyluk:** Well, Mr. Speaker, in fact, we did meet with business owners of the restaurant industry, of the hosting industry, and our direction was very clear. We talked about what was necessary for an education program and how we could work together with them to ensure that the message was clear so that their patrons and Albertans understood and also how we could bring forward the message that the present .05 level is the same level that has been in place for 12 years, how we could get this message to the patrons of their businesses.

#### Financial Contributions to Members

**Dr. Taft:** Mr. Speaker, my questions will be to the Minister of Justice. The previous two Premiers received payments and benefits that raise serious concerns about the risk of conflict of interest; the case of True Blue, for example, a company solely set up to pay the former Premier. To the minister: is there any government policy or legislation that prohibits or restricts interest groups or corporations or individuals from paying money or other benefits to a Premier of this province that are in addition to the Premier's salary and party benefits?

2:10

**Mr. Olson:** Mr. Speaker, again, we've been answering these questions for a week, a week and a half now. I can explain, if the hon. member needs me to explain again, that we have things such as the Conflicts of Interest Act. We have a Chief Electoral Officer, who's an independent officer of the Assembly. We have an Ethics Commissioner, who's an independent officer of the Assembly. We have a Lobbyists Act. We have all kinds of provisions for disclosure. Our government is fully compliant. This Premier is fully compliant. I don't think anything more needs to be said.

**Dr. Taft:** Well, Mr. Speaker, given that there are holes in the legislation as big as this Assembly, let me ask this: as long as these payments are generically disclosed with no detail other than being, quote, over \$5,000 per year, is there any limit on the value or nature or source of these potential payments?

**Mr. Olson:** Mr. Speaker, again, we've got the legislation there. It provides for full disclosure. No more needs to be said.

**Dr. Taft:** Mr. Speaker, I don't think this minister knows his own legislation. Is there any government policy or law that prevents a shell company being established, collecting unknown sums of money from unknown sources and paying these to a Premier of Alberta in such a manner that their specific source and value are never known to the public? It certainly seems to be what's happening.

**Mr. Olson:** Mr. Speaker, with respect, I'm trying to be polite here. This member first of all didn't know that a report had been filed and a discussion paper filed with the standing committee on leadership finances. He also doesn't seem to know what the legislation says. I've explained to him generally what the legislation is, but I'm not going to sit here and read it to him.

I also want to make a little point about private business. It is not the responsibility of this minister to look into private business.

**Mr. MacDonald:** Point of order.

**Mr. Olson:** This member has offended my department by suggesting that lawyers are somehow unethically appointed. There is only one way a lawyer gets appointed by this government, and that is if they are professionally competent and have professional expertise. This member should be ashamed of himself for . . .

### Speaker's Ruling Legal Opinions

**The Speaker:** There was an interjection there for a point of order. If it has anything to do with providing a legal opinion, that will not be dealt with by the chair because *Beauchesne* 408 clearly says that members in asking oral questions will not ask a question that requires an answer involving a legal opinion.

The hon. Member for Sherwood Park, followed by the hon. Member for Calgary-Buffalo.

### Automobile Theft

**Ms Evans:** Thank you very much, Mr. Speaker. Yesterday the people of the capital region and throughout Alberta said farewell to Ken Haywood, former entrepreneur, philanthropist, and president of Kentwood Ford. In the years following his service as a businessman, he undertook a mission to stop auto theft in Canada, and he was very diligent in visiting all the Legislatures in the country to try and get governments to generally recognize that we could do better. My first question, today, is to the Solicitor General. In fact, how effective have we been in Alberta in reducing the incidents of auto theft?

**The Speaker:** The hon. Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. In 2008 there were 22,000 instances of auto theft in Alberta. This has gone down to about 15,000 in 2010. I want to give the police credit for actually doing their job, enforcing the existing laws, and getting auto theft down.

**The Speaker:** The hon. member.

**Ms Evans:** Thank you, Mr. Speaker. To the Minister of Service Alberta: what can the consumer expect in terms of prevention of buying any kind of car that has been stolen or was stolen and resold either at a used car mart or, in fact, as a new car from an auto dealer?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. We are committed to protecting hard-working consumers. Something that the government of Alberta has done is create the Alberta Motor Vehicle Industry Council to protect vehicle consumers. I'm very proud to inform this House that AMVIC is in fact establishing a consumer protection fund for consumers affected by stolen

vehicles or vehicle misrepresentations. This fund will be active January 1, 2012.

**Ms Evans:** Mr. Speaker, Mr. Haywood in his time as an entrepreneur, in fact, was privy to receiving under improper circumstances some 30 vehicles that were sold to him as vehicles that were worthy of selling as a dealer. That really provoked him going further. We've heard about consumers' protection. What protection is there for dealers who might try to get those vehicles?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I have in fact heard that at that particular time Mr. Haywood himself, actually, made it right for all of those consumers, so we applaud that. We applaud entrepreneurs in this province that are willing to take bold action to protect consumers.

Mr. Speaker, as I've indicated, AMVIC is establishing this particular consumer protection fund. It's something that I think will affect all Albertans in a very positive way.

### Incremental Ethane Extraction Program

**Mr. Hehr:** The Premier promised full public disclosure about changes to the incremental ethane extraction program, eventually approved by cabinet, but documents obtained clearly show that government staffers were writing press releases with industry prior to the approval. The information provided is a document showing that a closed-door meeting of the Alberta Competitiveness Council was held on March 8. Given that we do not know which, if any, of the industry players were in attendance, we still don't know if any companies were given an unfair advantage. Will the Minister of Energy release the attendance record of the meeting?

**Dr. Morton:** Mr. Speaker, I'd be happy to release the attendance at that meeting. In fact, I would refer the hon. member to slide 5 of the slide deck there, that lists members and also makes it very clear that it's anticipated the government is going to change the policy. All this talk a few weeks ago about secret deals and inside deals – there was no inside deal. There's no secret. All industry players were fully advised of what the policy was that was coming.

**Mr. Hehr:** Well, I'll ask a follow-up to the hon. minister. Are the names of the companies who were in attendance at this meeting listed on slide 5?

**Dr. Morton:** Slide 5 makes it very clear what the forthcoming policy is. Whether the names of the companies are on slide 5 or not, I'm not sure. I have a list of everybody who was at the meeting. I'm happy to make it available to the hon. member.

**Mr. Hehr:** Well, I thank him for that. I wrote him a letter on November 14 on this. The Premier promised full disclosure, and I'd appreciate that information as soon as we can get it, all the industry players who were at this said meeting on March 8, to really clear the air and set us straight on this matter.

Thank you, Mr. Minister.

**Dr. Morton:** He's most welcome.

**The Speaker:** The hon. Member for Strathcona, followed by the hon. Member for Airdrie-Chestermere.

### Red Tape Reduction Task Force

**Mr. Quest:** Well, thank you, Mr. Speaker. Last Friday the government announced a new task force to help cut red tape for small businesses, which we all know have an essential role in our provincial economy thriving. Over the years there have been a number of attempts to streamline paperwork and processes that can inhibit small-business growth in Alberta, yet a lot more work still needs to be done. As a former small businessperson I can certainly attest to that. My question for the President of the Treasury Board is: how is this new task force going to differ from what's been done in the past, and are we going to get it right this time?

**The Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Well, thank you, Mr. Speaker. I thank the hon. member for the question. He's absolutely correct. The government has done a lot of work over the last number of years to ensure that our regulatory system is as efficient and effective as possible. I'm very pleased to report that Alberta is regarded as one of the best places in Canada to invest and to create business. We have among the lowest numbers of regulations, but more can always be done. This isn't about the number of regulations that we have. This is about assessing the quality of those regulations and the impact that those regulations have on small business. We want to do everything we can to . . .

**The Speaker:** The hon. member, please.

**Mr. Quest:** Well, thanks, Mr. Speaker. Good intentions for the task force, but how will Albertans really know that this committee isn't just going to waste a lot of time and taxpayer dollars while accomplishing very little?

**Mr. Horner:** Mr. Speaker, the task force is very focused. It's going to be very tight timelines. The task force has to consult with business leaders across the province, and they have to prepare their final report by March of next year. Once that report is completed and has gone through the government review process that we have as a standard operating procedure, then we will be making that public.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. I'm sure that Alberta business owners, then, will be pleased to hear government is doing its best to cut through this excessive red tape. But what about the clients and the customers of these businesses? What assurances do we have that businesses aren't simply going to be given free rein to do as they please? What's the balance going to be?

2:20

**Mr. Horner:** Well, Mr. Speaker, it's a good question. As I said before, the task force is about the quality of those regulations, not the number. It's about the assessment of whether or not those regulations make sense and whether they should be enforced. It's about having a competitive regulatory structure that is also ensuring that it's fair, efficient, and effective, and that's exactly what we intend to do.

### Sexual Harassment Video

**Mr. Anderson:** Mr. Speaker, last week a teacher at a school in St. Albert showed a group of 11- and 12-year-old students a spoof sexual harassment video that is so explicitly vulgar and sexual that

one has to be over 18 to view it on the Internet. In response to a parent complaint the teacher reportedly said that kids say these things all the time on the playground, and it was just awkward for the kids to hear those things in the classroom. Wow, what a great role model for our kids. To the Deputy Premier and MLA for Spruce Grove-Sturgeon-St. Albert: why has his government been silent on this issue, and what is it doing to ensure that this kind of garbage is not shown to our children in school?

**Mr. Horner:** Well, Mr. Speaker, I and many residents of my constituency were as interested in what the school board would have to say on this issue as I'm sure the hon. member is. I also happen to know that the school board, the duly elected officials for that jurisdiction, are looking into the matter, and an investigation is under way.

**Mr. Anderson:** Given that Alberta parents would like to know they can send their children to school without them being subjected to something out of a red-light district and given that this teacher clearly has the judgment of a piece of furniture and shouldn't be allowed to teach any students without close supervision, if at all, and given that the school in question won't disclose what steps have been taken to discipline this so-called teacher, will this minister commit to telling Alberta parents what is being done to discipline this teacher so that we can be satisfied that this government and its Education minister take this type of disgusting display seriously?

**Mr. Horner:** Well, Mr. Speaker, I'm sure that through that statement we can all tell that the hon. member is very passionate about this, as am I. But I think perhaps some of those comments might go a bit too far.

Mr. Speaker, the school board is actively engaged in that investigation. They are responsible to those parents and to those parents that lodged the complaint. I expect that they will be getting their answer.

**Mr. Anderson:** Too far? I wonder which part was too far for you.

Given that I have had many parents from across Alberta bring to my attention that their young children are being exposed to explicitly sexual and explicitly violent books and movies in our schools and, worse, given that in almost every case parents haven't even been given a notice of such material nor the option to opt their child out, will the Deputy Premier get his Education minister to start doing his job and let us know what is being done to ensure that only age-appropriate material is being shown to our children and, if there is any grey area in this regard, that parents are given notice and the right to opt their children out of it? This is not appropriate for our children.

**Mr. Horner:** Mr. Speaker, I believe that I would agree with the hon. member. From what I understand from the reports that I have seen, it was inappropriate for this to happen in a classroom. I am also comfortable and confident, being one of the MLAs for the area, that the school board is doing their proper investigation.

Mr. Speaker, I will take under advisement the balance of that question for the Minister of Education to consider.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by the hon. Member for Lacombe-Ponoka.

### Fort Chipewyan Health Study

**Mr. Chase:** Thank you, Mr. Speaker. After almost a half-century of oil sands development impacts the Department of Health and

Wellness finally announced on September 29 of this year a community health investigation into Fort McKay. This assessment comes years after the disturbing AHS reports on cancer rates in Fort Chipewyan, a report that only resulted yet again in inaction on this government's part. To the minister of health: what are the specific timelines for the promised Fort McKay community health assessment?

**Mr. Horne:** Mr. Speaker, I don't have the specific timelines on hand with me in the Chamber. I'd be happy to get back to the hon. member on that. I can report to the House that the process is proceeding as intended, that the atmosphere is collaborative, and that I have every hope that we will achieve the objectives that were set in that agreement.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Again to the health minister. Given the recent tragic suicides and drug-related shootings that have affected Alberta's First Nation communities, will the health assessment cover mental health and addictions?

**Mr. Horne:** Mr. Speaker, I believe the intention of the exercise is to cover as broad a subset of the health sector as possible. The factors that the hon. member raises are important factors in the analysis of any health issue. I have every confidence, as I said, that this review will address a comprehensive . . .

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Again to the minister, Mr. Speaker: given that residents in Fort Chip have been suffering from higher than average cancer rates, which were first revealed by Dr. John O'Connor, when will the minister order a community health assessment for the Fort Chip community?

**Mr. Horne:** Well, Mr. Speaker, the data that the hon. member refers to has been reported widely in the media. My concern, as with the situation in Fort McKay, is that we're able to work collaboratively with the community and arrive at a plan, an approach that will work for all people involved. I have every expectation that we will be able to do what we have done in Fort McKay eventually with the citizens of Fort Chipewyan.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Calgary-McCall.

### Country of Origin Labelling

**Mr. Prins:** Thank you, Mr. Speaker. Many of my constituents are livestock producers, and I continue to hear their concerns over mandatory country of origin labelling and its negative impact on beef and pork producers on our side of the border. Recently the WTO trade dispute panel ruled in Canada's favour on a WTO challenge to this rule. My question is for the Minister of Agriculture and Rural Development. Could he tell us: what is the status of that trade challenge at this point?

**The Speaker:** The hon. minister.

**Mr. Berger:** Thank you, Mr. Speaker. On behalf of all of Alberta's producers I'm happy to say that the World Trade Organization ruled in Canada's favour. This is great news for Canada but even greater news for Alberta as Alberta makes up close to 50 per cent of the beef trade within Canada. MCOOL, as it's referred to, has created artificial barriers throughout North

America, and it is a trade disruption. I want to thank the federal government for their action in getting this dismantled.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. Again to the same minister: what happens if the U.S. refuses to comply with this ruling?

**Mr. Berger:** Mr. Speaker, the U.S. could appeal, or they could comply. It's not my job to presuppose what their action will be. What I can say is that it's not normal for the World Trade Organization to be overruled on these matters. So I do believe we are on the path to opening up our borders and no MCOOL ruling on the U.S. trade.

**The Speaker:** The hon. member.

**Mr. Prins:** Thank you, Mr. Speaker. My final question is to the same minister. With many thousands of farmers in Alberta producing over 5 and a half million head of cattle and over 1 and a half million head of hogs per year, what else can we do to help these farmers and the livestock and meat industry succeed in this type of trade climate?

**Mr. Berger:** Mr. Speaker, I would say on behalf of Alberta Agriculture that we are not sitting idly by. We are active in markets over in South Korea and China as well as India right now, trying to open those doors. I do believe we will have some of those open by the end of the year in South Korea. These actions just prove the point that we cannot solely rely on one market for either our agriculture or our energy. We have to diversify beyond the U.S. market.

**The Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Calgary-Fort.

### Twinning of Highway 63

**Mr. Kang:** Thank you, Mr. Speaker. As the snow falls and the air gets cold, that doesn't mean that work on expanding our highways stops. Planning for next construction season continues and budgets are made. You know what else doesn't stop? Unnecessary deaths due to roads being dangerously over capacity. To the Minister of Transportation: will the minister tell this House the target year when the twinning of Highway 63 south of Fort Mac will be completed and why progress on this 350 kilometres long project has been slow?

**The Speaker:** The hon. minister.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. I'm very glad to be able to answer the hon. member's question. This government is continually looking at upgrading roads in Alberta, whether it's four-laning highways, whether it's ensuring that this province, which is a commodity-based province, has the accessibility of moving its product to market. Highway 63 is exactly that highway, and we are continually working on that highway to ensure its safety.

**Mr. Kang:** That is very slow progress, Mr. Speaker.

To the minister again. Given that according to the government's documents only 36 kilometres of highway 63 south of Fort McMurray are scheduled to be twinned by 2014 and that, as we know, this dangerous highway constrains our economy and is a contributing factor in far too many accidents, does the minister find this pace of development acceptable?

**Mr. Danyluk:** Well, Mr. Speaker, I'm not sure if the hon. member has ever been in Fort McMurray. I want to say to him that there are overpasses; there are roads that are being built; there are interchanges that are being built; there are bridges that are being built. We have a budget that we are adhering to, and if the hon. member suggests that we should take some of the funding away from the ring road in Calgary, then what will happen is that we will very much try to increase that road.

2:30

**Mr. Kang:** That's a ridiculous suggestion, Mr. Speaker.

To the minister again. Given that the government is planning to twin just over 10 per cent of highway 63 south of Fort McMurray by the end of 2014 – that is 10 per cent in five years, Mr. Speaker – will the government accelerate construction so that the project can be completed before the middle of the century?

**Mr. Danyluk:** Mr. Speaker, first of all, we are very much working on the north-south corridor. We're working on the Canamex highway. We're working, as I said before, on the corridors from Fort McMurray to Edmonton. There are over, I believe, 30,000 miles of road in this province, and we are working very hard to ensure that this province is treated equitably and that this province . . .

**The Speaker:** The hon. Member for Calgary-Fort, followed by the hon. Member for Calgary-Mountain View.

#### Health Services for Immigrants

**Mr. Cao:** Thank you, Mr. Speaker. Several constituents have brought to my attention that the married spouses of Canadian citizens living in Alberta are required to prove their intention to immigrate before receiving Alberta health care coverage, but Canada Immigration does not even issue an acknowledgement of receiving immigrant applications, and their processing takes one or two years. To the hon. Minister of Health and Wellness: what proof does Alberta Health Services require from permanent residents of Alberta for their spouses waiting for the immigration process?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker, and thank you to the hon. member for the question. I know that this is something that a number of us have encountered as MLAs in discussion with our constituents. Newcomers to Canada who are legally married spouses of Canadian citizens and have applied for permanent immigration status may be eligible for coverage under our Alberta health care insurance plan. These newcomers may be covered if they can provide the following documentation: confirmation of permanent residence – a permanent residence card, an active work study, or, under special circumstances, a visitor permit for Alberta – or a designation as a convention refugee with accompanying documentation. They must also prove residency and identity.

**The Speaker:** The hon. member.

**Mr. Cao:** Well, thank you, Mr. Speaker. That is a very good list of documents. Still my constituents show me that those who claim to have refugee status receive health care coverage immediately. Can the minister now look into a similar provision for Canadian citizens' spouses who are living right here in Alberta and are still waiting for the long process of immigration?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. That is, indeed, a long list of requirements. With respect to spouses resettled refugees and refugee claimants are covered by federal government health insurance. As mentioned in the answer to the earlier question, newcomers of Canadian citizens are eligible for Alberta health care coverage if they can provide the required documentation that I listed.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. Again, I just want to emphasize that my constituents told me that they have provided all the documents, but they are still being told that they don't have the intention, that basically there's no proof that they want to be permanent here.

Thank you.

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. I'm advised by my department that for those situations to which the hon. member refers, our Alberta health care insurance plan may provide coverage to individuals who have a legal right to be in Canada, make Alberta their permanent home, and are present in Alberta for at least six months. Our health care insurance plan, however, cannot accept the immigration application documentation as proof of legal entitlement to be in Canada. In order to process an application for Alberta health care insurance plan coverage, the applicant has to provide the same three things.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Little Bow.

#### Farm Worker Exemptions from Labour Legislation

**Dr. Swann:** Thank you, Mr. Speaker. It's now exactly one year since two farm workers were electrocuted on the job east of Edmonton. No occupational health service, no fatality review has been done, nor were they done on the two other electrocutions in the past four years on farms. The Fatality Review Board refused an appeal for a fatality review stating that, quote, it was not in the public interest. End quote. To the agriculture minister: given that the Premier supported extending occupational health and safety standards to paid farm workers during her leadership campaign, when will the minister bring equal treatment of paid farm workers and save lives?

**The Speaker:** The hon. minister.

**Mr. Berger:** Thank you, Mr. Speaker. Last March, I believe it was, the former minister struck a task force, a committee made up of 15 prominent Alberta farm and industry workers, who are currently going through a consultation process and will be bringing back recommendations to me by the end of the year.

**Dr. Swann:** Well, Mr. Speaker, we don't need committees; we need action. This has been decades of scandalous mistreatment of paid farm workers.

To the Justice minister: how can you allow even one electrical death in four years without an investigation?

**Mr. Olson:** Mr. Speaker, Justice prosecutes. We don't investigate.

**Dr. Swann:** Then to the Minister of Human Services: given that child labour in Alberta is completely unregulated in agriculture and that children are killed and injured each year working in the

same industry, will the minister commit to legislation in Alberta related to child farm labour standards in 2012?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. We have a tradition in this province of family farms and of families working on farms, and that's one of the issues that makes it very difficult with respect to legislation. Legislation with respect to hiring outside workers would be an interesting piece, but with respect to the farm I think all of us who have any rural background know and understand that everybody on the farm pitches in to help.

Now, what's really important is that we have a culture of safety in this province. Whether you're on the farm or off the farm, whether you're at the work site or anywhere else, people want to come home to their families safely. Regardless of where the work is being done, there needs to be a culture of safety, and there needs to be education to ensure that there is a culture of safety.

**The Speaker:** The hon. Member for Little Bow.

### Grass Fires in Southern Alberta

**Mr. McFarland:** Thank you, Mr. Speaker. On November 27 grass fires driven by winds in excess of a hundred kilometres an hour tore through areas west and south of Lethbridge. There's been a lot of speculation as to the cause of the fires. My question is to the Minister of Municipal Affairs. I'd like to know if a determination has in fact been made as to the cause of these fires.

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. The provincial fire commissioner's office was asked by the county of Lethbridge and the Blood Indian First Nations to help them do an investigation and prepare a report on the fire. I know that once the report is complete, it goes to those municipalities, who decide what they're going to do with it from there. So it would be inappropriate to speculate yet as we don't have enough information on what caused the fires.

**Mr. McFarland:** Mr. Speaker, knowing that fires can be very costly to municipalities and to volunteer fire departments that respond, I would like to know if, in fact, the fires and the costs associated are the responsibility of the municipalities or the individual or individuals that may have caused them.

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. We know that fires, since we've seen quite a few in the last couple of years, can be very costly. To begin with, the costs of the fires are the burden of the municipality since they're responsible for the fire services. But the province of Alberta does have a disaster recovery plan, so if there is devastation that is widespread, that is unique, and that hits uninsurable items, a municipality could apply to the province, if they qualify under those criteria, to recover the costs.

**Mr. McFarland:** Mr. Speaker, would the individual or individuals who caused a fire and, as a result, had surrounding volunteer fire departments respond to protect themselves be responsible for the cost of the responding departments that came out?

**Mr. Griffiths:** Mr. Speaker, that's an excellent question. If an individual receives a fire permit,\* then they're not personally

responsible if the fire gets away from them because they've gone through all of the proper protocols to have the fire. But if they don't go through a permitting process, they can be on the hook. I believe it's section 9(3) of the Forest and Prairie Protection Act or somewhere in that area that could hold the individual responsible for causing the fire.

**The Speaker:** Hon. members, that concludes the question-and-answer period for today. Eighteen members were recognized; 108 questions and responses were given.

We have a request from the Minister of Health and Wellness to supplement an answer given previously.

2:40

### Fatality Inquiry

**Mr. Horne:** Yes. Mr. Speaker, yesterday the hon. Leader of the Official Opposition asked me a question with respect to two cases. Specifically, the question was whether or not these cases were the subject of a fatality inquiry. I simply want to add to my answer from yesterday, having been informed after question period that the two individuals named by the hon. Leader of the Opposition are cases that are, in fact, the subject of a fatality inquiry at the present time.\*

**The Speaker:** Hon. Leader of the Official Opposition, you may ask one question.

**Dr. Sherman:** Mr. Speaker, I would like to thank the hon. minister for answering that question.

Thank you.

**The Speaker:** Hon. members, I'm going to call on the hon. Deputy Speaker now to undertake a special Christmas recognition for our pages.

### Page Recognition

**Mr. Cao:** Thank you, Mr. Speaker. Hon. members, each day of session we are served by the tireless efforts of our pages. Daily, often late at night, they show patience and understanding in our many work demands. On behalf of all members of this Assembly we would like to give each page a small Christmas gift to say thank you and also wish each and every one a Merry Christmas.

These gifts are from the personal contribution of each of the hon. members. I would ask the Speaker's page, Ellen McClure, to receive her gift and to distribute the other gifts from all of us. I now call on the hon. Deputy Chair of Committees to present the gift to Ellen McClure, and I ask all members to join me in showing our appreciation and recognition of our pages. [applause]

**The Speaker:** In 30 seconds from now we will continue the Routine.

### Presenting Petitions

**The Speaker:** Hon. Member for Calgary-Buffalo, you have a petition today?

**Mr. Hehr:** Yes, I do. Thank you very much, sir. I have a petition signed by approximately 300 to 400 Albertans urging the government to make amendments to Bill 26, the Traffic Safety Amendment Act, 2011, "that remove all administrative penalties for individuals operating a motorized vehicle with a blood alcohol concentration between 50 milligrams and 80 milligrams." I believe it's in order, sir.

\*See page 1724, left column, paragraph 8

\*See page 1601, left column, paragraph 2

## Tabling Returns and Reports

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is my privilege today to table for the benefit of the House the appropriate number of copies of the annual report 2011 for Alberta's Promise. Creating and supporting positive outcomes for children and youth in Alberta has always been a cornerstone of Alberta's Promise. Since 2003 the little red wagon has been the symbol of our organization, with the saying which so appropriately illustrates the impact we have on the world around us: "The little red wagon is a symbol of childhood, a helpful means for pulling the occasionally heavy load of life and a place to keep dreams, with a handle so an adult can help out from time to time."

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. I rise to table five copies of a newspaper article from the *St. Albert Gazette* of November 23, 2011. I'll be referencing this article in third reading later today in debate on Bill 23.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Speaker. I have a number of letters to table today. The first is a letter that I had written on April 19, 2011, to the hon. Minister of Health of Wellness regarding the closure of the Grey Nuns community hospital therapeutic warm-water pool.

My second tabling is a letter that I received from the hon. Minister of Health and Wellness at the time, the current Member for Edmonton-Mill Creek, and this is a response to my request regarding the Grey Nuns community hospital therapeutic warm-water pool.

The third tabling I have is a further letter on this matter dated September 29, 2011, including a detailed list of the management consulting fees that were paid out by Alberta Health and Wellness in 2010-11.

The last tabling I have is a letter dated November 15, 2011, from the hon. Member for Edmonton-Rutherford, the current minister of health, regarding the same matter.

I appreciate that there could be some progress made. Thanks.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I'm tabling five copies of a letter from an EMS worker who confirms that almost on a daily basis in Edmonton now there's a red alert, meaning that there's no ambulance available to respond, and lamenting the fact that the current process is to pull in rural ambulances to serve the city under these circumstances, leaving the rural areas abandoned of an ambulance.

Thanks, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Speaker. I am tabling the appropriate number of copies of a report from the Canadian Institute for Health Information which relates specifically to my private member's statement today as well as copies of a letter I received from Don Thompson a couple of weeks ago. Mr. Thompson expresses his concern about exporting bitumen and crude oil rather than building a comprehensive petrochemical industry here in Alberta.

Thank you.

**The Speaker:** The hon. Member for Calgary-Currie.

**Mr. Taylor:** Thank you very much, Mr. Speaker. I have three tablings today, all letters from constituents, all expressing concerns about Bill 26 and its changes to blood-alcohol levels and various other points in the bill. One of those letters, from Richard Waller, also touches on the issue of public transit and taxi service, that I referred to earlier today in my questions.

Thank you, Mr. Speaker.

**Mr. Denis:** Mr. Speaker, I referred to a number of tablings last night, and I'll be brief pursuant to your direction yesterday because there are five. The first I table today is a letter dated December 2 from the chair of the Edmonton Police Commission expressing support for Bill 26.

The second is a table of international blood-alcohol limits.

The third is an article by Robert Remington from the *Calgary Herald*, November 26, about the 300 people who have died since 1998, regarding people over .05 who have driven.

There's also an article I'm tabling from the December 4 *Calgary Sun* quoting RCMP statistics that 1 in 22 people after nightfall are, in fact, impaired.

Lastly, I'm tabling a decision of a court in British Columbia, *Sivia v. B.C.*, which upholds the province's right to impose administrative penalties for drunk driving.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Denis, Solicitor General and Minister of Public Security, the Alberta Law Enforcement Review Board 2010 annual report.

On behalf of the hon. Mr. Horner, President of Treasury Board and Enterprise, pursuant to the Conflicts of Interest Act the report of selected payments to the members and former Members of the Legislative Assembly and persons directly associated with Members of the Legislative Assembly for the year ended March 31, 2011.

On behalf of the hon. Mr. Danyluk, Minister of Transportation, return to order of the Assembly on Motion for a Return 1, asked for by Mr. Kang on March 21, 2011.

**The Speaker:** The hon. Member for Edmonton-Gold Bar. Point of order, citations, et cetera.

## Point of Order

### Questions outside Government Responsibility

**Mr. MacDonald:** Yes. Thank you very much, Mr. Speaker. I rise this afternoon under Standing Order 23(h) and also (l). I would also like to point out *Beauchesne's* 409(6), which indicates that "a question must be within the administrative competence of the Government. The Minister to whom the question is directed is responsible to the House for his or her present Ministry and not for any decisions taken in a previous portfolio."

2:50

Certainly, when my colleague the hon. Member for Edmonton-Riverview was again talking to the Minister of Justice regarding the matter of True Blue Alberta Ltd. and their role in taxable allowances that have been provided to the former Premier over a period of one year and to the Premier's spouse for two years, there was quite a general discussion about this. I certainly would argue



that these questions are within the administrative competence of the government.

I would like to point out – and you, Mr. Speaker, I must say, encouraged me yesterday to do some additional reading, which I did – your concern about the lack of respect for legislative officers here. I thought I would look through the report that was made and some of the recommendations that were made to the Legislative Assembly by the former Chief Electoral Officer, Mr. Gibson. Certainly, it is interesting to note what the gentleman points out, and I'm going to quote. This is for the Election Act, and I'll also get to the Election Finances and Contributions Disclosure Act in a moment.

The Chief Electoral Officer must consent to any prosecution under the Act. Currently, a prosecution cannot commence more than two years following the date of commission of the alleged offence.

This restricts the pursuit of justice in situations where the offence is not identified well within the two-year timeframe. It requires that the alleged offence is detected or reported, the matter investigated, and sufficient time is available for the Chief Electoral Officer to form an opinion that prosecution is warranted before the matter is referred to Alberta Justice and Attorney General. At this point, the Minister of Justice may very well want to conduct a further examination.

Now, I know it was in another question later on in question period that the hon. Justice minister said – I believe the quote was: doesn't investigate, just prosecutes. But this would lead me to believe that the Minister of Justice on occasion can investigate further.

If the Minister of Justice were to conduct a further investigation of the matter before deciding whether or not to proceed . . .

**The Speaker:** Hon. member, please. I'm very, very pleased that you've done a lot of research, but we should have done the research on the subject at hand today in the question period.

**Mr. MacDonald:** This is not at hand?

**The Speaker:** You see, I read the Blues, and I see where the hon. Member for Edmonton-Gold Bar interjected on a point of order. It has nothing to do with what the hon. member is talking about right now. Somehow the point of order has to relate to the matter. You raised a point of order at a certain juncture today as a result of certain words that were used, and they have nothing to do with what the hon. member is talking about. Relevance is one of those things that's important, too.

If you could bring it right back to where you – shall I repeat the words that caused you to rise?

**Mr. MacDonald:** You can.

**The Speaker:** It would probably help you, wouldn't it? I wouldn't want you to be carrying on in a variation.

**Mr. MacDonald:** No.

**The Speaker:** Here's what the hon. Minister of Justice and Attorney General said that caused the hon. Member for Edmonton-Gold Bar to rise. We'll stay within that segment. It says:

Mr. Speaker, with respect, I'm trying to be polite here. The member first of all didn't know that a report had been filed and a discussion paper filed with the standing committee on leadership finances. He also doesn't seem to know what the legislation says. I've explained to him generally what the legislation is, but I'm not going to sit here and read it to him.

I also want to make a little point about private business. It is not the responsibility of this minister to look into private business.

At that point the hon. Member for Edmonton-Gold Bar rose on a point of order. This is the subject at hand here, not the benefit of all your research.

**Mr. MacDonald:** And I can appreciate that, Mr. Speaker – I really do – but what I'm trying to get at here is that the Minister of Justice does have the administrative authority to investigate these matters. It's quite a broad discussion between an office of the Legislative Assembly and the ministry and what the authority is of that ministry. For the minister to suggest that they have no authority to deal with these matters that were a part of question period today is wrong, and I would submit that that certainly is within the administrative competence of the government and a private interest. This is a matter of payments that were supposedly just for expenses during election campaigns.

**The Speaker:** Once again, I must bring up the question of relevance because the report in question that the hon. member wants to talk about, which had nothing to do with the question this afternoon, has in fact been considered by the Legislative Offices Committee. I think we're just going to move on. Is that okay?

**Mr. MacDonald:** That's fine.

**The Speaker:** Okay. Well, I'm glad that it is.

## Orders of the Day

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

**Mr. Hancock:** Mr. Speaker, might I ask for the unanimous consent of the House to allow the Deputy Government House Leader to move Government Motion 34 and Government Motion 35, which are on the Order Paper but not available until tomorrow? We'd prefer that they be moved today with the consideration of the House. The two motions essentially deal with membership on committees, in fact putting members of the Liberal opposition on the committees and replacing a member who is now a member of the government side.

**The Speaker:** The question is a request for unanimous consent to allow for consideration of government motions 34 and 35.

[Unanimous consent granted]

## Government Motions

### Committee Membership Change

34. Mr. Denis moved:  
Be it resolved that the following change to the Special Standing Committee on Members' Services be approved: that Mr. MacDonald replace Ms Pastoor.

**The Speaker:** This is not a debatable motion, so I'll call the question.

[Government Motion 34 carried]

### Committee Membership Changes

35. Mr. Denis moved:  
Be it resolved that the following changes to the Standing Committee on Public Health and Safety be approved: that

Dr. Taft replace Ms Pastoor, that Dr. Taft replace Ms Pastoor as deputy chair.

**The Speaker:** Interestingly enough, this motion is debatable if anybody chooses to debate it. If not, then I'll call the question.

[Government Motion 35 carried]

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

#### Time Allocation on Bill 24

32. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 24, Health Quality Council of Alberta Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Hancock:** Thank you, Mr. Speaker. Just very briefly, time allocation is quite an appropriate . . . [interjections]

**The Speaker:** Okay. Please. Just a second. You two fellows have been out here for the last few minutes. You walk in, and you start yelling. Go back out, okay? When we're finished, you come back in.

**Mr. Boutilier:** I'm entitled to be here, Mr. Speaker.

**Mr. Anderson:** Take your whistle off for a second.

**The Speaker:** Hey, hey. [interjections] I'm giving you an opportunity. [interjections] Okay. This is the game. I've seen it before. The boys want to be evicted. You know what?

**Mr. Anderson:** What?

**The Speaker:** You may not get your wish.  
The Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. They don't play well in the sandbox.

My point was, Mr. Speaker, that time allocation is an appropriate tool for the use of government in moving legislation forward. As everyone knows, bills can stay in Committee of the Whole for interminable lengths of time because members may speak more than once in committee. In this particular case, the bill has been in committee for a considerable length of time.

3:00

We can see a pattern developing in the committee in which the speeches are repetitive. They're going over and over the same topics again and again. Committee is for line-by-line analysis of a bill. It is an opportunity to bring forward amendments. We have seen some amendments, and we've dealt with those amendments. With one further hour of time there will be an opportunity to bring forward any further salient points that members of the House want to bring forward, but we do need to deal with the bill.

**The Speaker:** Standing Order 21(3) is very clear. Who shall I recognize on behalf? The hon. Member for Calgary-Varsity.

**Mr. Chase:** Thank you, Mr. Speaker. When the hon. House leader brought forward time constraint announcements yesterday, you might have heard my first response, and that was: hickory dickory dock, the minister struck the clock. Well, I should have said that the minister stopped the clock. By so doing, he stopped the

democratic process, and that is what this government motion is all about.

Now, Mr. Speaker, possibly it has to do with the amount of time I've spent reading bedtime stories to my grandsons, Kiran and Rohan. Possibly it's my feeling of longing to be back with them during the evenings as opposed to spending until 1 o'clock of the following morning debating the government's inappropriate legislation, but the idea that we wouldn't be allowed to debate amendments that are designed to improve government legislation, which I must admit is very difficult to achieve given how flawed a number of the bills are, and to have the hon. Government House Leader refer to this as repetitive: I have great concerns.

Mr. Speaker, I had a very good conversation with the hon. House leader last Wednesday following midnight, and I said to the minister how pleased I was that the government had extended the time period basically by a week to give greater thoughtful debate to this. I thanked the minister for that allowance. Then when I came back on Monday, as we all do, we found that the time rug has been pulled out from underneath our feet again.

I had really hoped that this promise of transparency and accountability would be, at least, if not the only promise kept, the second promise kept. The first promise was restoring the money to education. But, Mr. Speaker, it's the same old same old, and that really worries me. What we have here – and again going back to my grandsons – is that we have the story of Little Red Ridingford, who promised transparency and accountability and then blew the whistle on the time allotment for debate.

Mr. Speaker, a variety of individuals have reported on the lack of democratic change. I truly feel betrayed because I felt that the newly selected Premier would honour what had been proposed in the campaign, and that was increased transparency and accountability, and instead we get more of the same. This is unacceptable. This government has taken for granted the fact that they have been in power for 40 years. The abuse of that power, rather than being recognized, has been heightened. Allowing insufficient time for debate, pushing debate into the wee hours of the morning night after night after night, deliberately grinding down the opposition's ability to speak on behalf of the constituents who elected them or the constituents throughout Alberta is the lowest form of democracy.

Mr. Speaker, two weeks ago I commented on the government suffering from ADD, Alberta Democracy in Darkness. Well, yesterday they reached new heights. The parliamentary patient's prognosis has worsened. We've gone from ADD to ADHD, Alberta Democracy Has Died.

Thank you, Mr. Speaker.

[The voice vote indicated that Government Motion 32 carried]

[Several members rose calling for a division. The division bell was rung at 3:06 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Allred	Fritz	Leskiw
Amery	Goudreau	Liepert
Berger	Griffiths	Mitzel
Bhullar	Groeneveld	Ouellette
Brown	Hancock	Prins
Campbell	Horne	Rogers
Cao	Horner	Sandhu
Danyluk	Jablonski	Vandermeer
DeLong	Jacobs	Weadick
Denis	Johnson	Woo-Paw

Drysdale	Klimchuk	Zwozdesky
Fawcett	Knight	
Against the motion:		
Anderson	Kang	Sherman
Boutilier	MacDonald	Swann
Chase	Notley	Taft
Forsyth		
Totals:	For – 35	Against – 10
[Government Motion 32 carried]		

#### Time Allocation on Bill 26

33. Mr. Hancock moved:  
Be it resolved that when further consideration of Bill 26, Traffic Safety Amendment Act, 2011, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

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

**Mr. Hancock:** Thank you, Mr. Speaker. On the previous motion we had comments with respect to the death of democracy, and I really do need to address that concept. Democracy is not about people engaging in repetitive discussion, on and on and on. Democracy and debate in this Legislature really ought to be about bringing light to a subject, informing, bringing forward alternatives, pointing out potential problems or errors.

We've now had in Committee of the Whole five hours and 47 minutes of debate. We have dealt with a couple of amendments, but there have been many periods of time when there has been no amendment on the floor. It's just been continuing debate on the principle of the bill, which is the subject of debate in second reading, not committee. Again, it's not my place to judge the opposition's debating points or whether or not they're making sense. That's not up to me. That's up to the people who follow us on television and in the news media. The fact of the matter is that we have had five hours and 47 minutes of debate in committee. We are exceedingly repetitive in the discussion at this stage.

3:20

These are very simple bills, and this bill is a very simple one. It's a question of whether or not we should increase the administrative penalties for impaired drivers who, in the vernacular, blow a warning, over .05, and, of course, increase administrative penalties for those who blow a criminal sanction at over .08. That's what the bill is about. It's very straightforward. If there were appropriate amendments, they could be brought forward, but in nine hours and 46 minutes of total debate on the bill so far, five hours and 47 minutes in committee, we're not doing what the committee needs to be doing. We seem to have moved past that and back into the principle.

I would suggest that we end the debate in Committee of the Whole and move to third reading, where we can hear the wrap-up, if you will, with respect to those very points that have been made over and over again.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much. Certainly, this is the third closure motion that the hon. Government House Leader has provided on the Order Paper. Now, this is undemocratic. This is a major piece of legislation, Bill 26, and to suggest that less than

six hours in Committee of the Whole is all that's needed – hon. members may be taxing the patience of the Government House Leader. He may feel that their comments are repetitive, but each and every member, regardless of what side of the House they are on, Mr. Speaker, has almost a duty or an obligation to speak out.

**Mr. Liepert:** And be repetitive?

**Mr. MacDonald:** No. I can't say that about the government members, about them being repetitive, because so few of them participate in the discussion and in the debate. I couldn't judge that, hon. Member for Calgary-West.

The opposition has limited resources. We have other places to be. We have other research projects on the go. We have other bills to research and to try to prepare debate and discussion on. It's unfair. It is undemocratic to suggest here with Government Motion 33 as well as 32 and 31 – it's clear that this government wants to exit the Legislative Assembly regardless of what the discussion is. It's got better things to do.

Now, how important is Bill 26? Well, Mr. Speaker, the hon. Member for Calgary-Lougheed asked a question today to the Minister of Transportation, in fact three questions, regarding Bill 26. I sat and I listened to the exchange. It was quite interesting, and I thought to myself: if it's such an urgent matter for question period, why is the government now wanting to invoke closure and shut down all discussion after 60 minutes in Committee of the Whole?

It's, again, undemocratic. It is disrespectful of this parliamentary institution. I think the government should be very, very nervous. We have a new Premier, and we have a new cabinet, yet we still have the same old practices. "We're tired of being in here. Let's bring down the closure hammer. Let's silence the opposition."

It would be fine, Mr. Speaker, if we had good legislation, but whenever we look at the amendments of recent legislation that's coming before us, whether it's on the land assembly act or any of the other property rights bills, we seem to be coming back very quickly with this legislation for amendments. The people read it, and they don't like it. Maybe we should spend more time in here discussing bills in committee, and the government wouldn't have the problem of coming back with amendments six months, eight months later. I'm sure the hon. Member for Innisfail-Sylvan Lake agrees with me completely. I'm sure he does.

Mr. Speaker, with Bill 26 there are many things that have yet to be discussed. The role of the police: should we have more check-stops? Would that be a better way to deal with this problem of drunk drivers and chronic, repeat offenders? Perhaps we should look at our liquor stores, the number of liquor stores we have in the province and where they're located. The Solicitor General is shaking his head over there. Those would be two suggestions.

Advertising of liquor. We haven't had a chance to have a good, thorough discussion on the advertising of liquor. We curtailed the advertising of tobacco products but not liquor. The targeted advertising towards young people, who, oddly enough, get their licence and drive: have we been effective in our education programs in high school to ensure that if people are of legal age and they are drinking, there is a designated driver?

**The Speaker:** Thank you, hon. member.

[The voice vote indicated that Government Motion 33 carried]

[Several members rose calling for a division. The division bell was rung at 3:26 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Allred	Goudreau	Liepert
Amery	Griffiths	McFarland
Bhullar	Groeneveld	Mitzel
Campbell	Hancock	Ouellette
Cao	Horne	Pastoor
Danyluk	Horner	Prins
DeLong	Jablonski	Rogers
Denis	Jacobs	Sandhu
Drysdale	Johnson	Vandermeer
Fawcett	Klimchuk	Woo-Paw
Fritz	Leskiw	Zwozdesky

Against the motion:

Anderson	Kang	Sherman
Chase	MacDonald	Swann
Forsyth	Notley	Taft

Totals: For – 33 Against – 9

[Government Motion 33 carried]

### 3:40 Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

**The Chair:** The chair shall now call the Committee of the Whole to order.

#### Bill 24 Health Quality Council of Alberta Act

**The Chair:** We are on amendment A2. Are there any comments or questions offered on amendment A2? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Thank you very much, Mr. Chairman. Amendment A2 to the Health Quality Council of Alberta Act, moved by the hon. Member for Calgary-Mountain View, suggests that “unless the Panel determines, in accordance with section 19, that the hearing or part of a hearing is to be held in camera” just be eliminated. In camera meetings . . .

**Dr. Swann:** Hardly public.

**Mr. MacDonald:** They’re not public. It’s not that they’re hardly public; they’re not public. What could be more important with the Health Quality Council than having public meetings?

Now, a lot of people don’t know about the Health Quality Council – they’re beginning to understand a little bit about the council – but it’s an important organization. The Health Quality Council is supposedly a self-reporting organization. The Health Quality Council is a group that, certainly, meets on a regular basis.

The Health Quality Council of Alberta was established on July 1, 2006, under the Alberta Regional Health Authorities Act. The Health Quality Council is considered not-for-profit under the Income Tax Act and is exempt from payment of any income tax. The quality council is engaged in promoting and improving patient safety and health services across the province.

Now, it’s interesting to note that the Health Quality Council has a commitment with John W. Cowell Consulting Ltd. to receive executive oversight. It has a board – and I want to get to that in a minute – but it has hired this distinguished doctor to provide executive oversight. Now, the value of that commitment as of

March 31, 2011, is \$38,000 per month and extends until September of 2013.

It’s interesting. This board would be appointed, of course, by the government, and included on the board is a former government member of this Assembly, the hon. Member for Calgary-Bow, I believe, Mr. Chairman, Bonnie Laing. There are a few other noteworthy appointments on the board, and of course then you have this staff complement. This organization has a budget of roughly, I think, \$4 million, and about 10 per cent of it is, you know, one individual’s salary.

That’s the basis of the Health Quality Council. It reports publicly in the annual report for Alberta Health and Wellness. So why would we not have consideration of the hon. member’s amendment? The hon. member has a lot of amendments to this proposed legislation. I suspect that the hon. Member for Calgary-Fish Creek has amendments as well and maybe the hon. member from the fourth party.

We have essentially 60 minutes to deal with these amendments. That is most unfortunate with this government’s track record of drafting legislation and doing so much behind closed doors, making so many decisions, executive decisions, behind closed doors instead of in public. The hon. Member for Calgary-Mountain View is going to help them out by saying: no, I want you to break this habit of having these supposedly in camera meetings.

No one knows what’s going on. No one has a right to know. People certainly should have a right to know. Even these children up here, who are going to be taxpayers in the not-that-distant future, will also at some point be very interested, Mr. Chairman, in the quality of health care that’s delivered in this province by mini-organizations, including the guidance from the Health Quality Council of Alberta.

I would ask that all hon. members please consider supporting amendment A2 because this amendment would essentially break this government of its very, very bad habit of doing everything behind closed doors. You’re in trouble with half of rural Alberta because you want to make all of these secret cabinet decisions on people’s property. You want to make decisions on where transmission lines should be sited and just pass the bill on to consumers 100 per cent. This tendency to do everything in secrecy behind closed doors has to be stopped. The hon. member’s amendment gives you that opportunity, and I would ask you respectfully to please vote for A2.

I’m not going to speak any longer because there are a lot of members with a lot of amendments, and it’s really unfortunate and draconian that we only have 50 minutes.

**The Chair:** The hon. Member for Calgary-Mountain View on amendment A2.

**Dr. Swann:** Thank you very much, Mr. Chairman. I think it’s timely that these young people came into the Legislature just as we’re talking about whether we should give the government permission to hold a public inquiry behind closed doors so that, in fact, the cameras and the media and other members of the public cannot hear what’s being said.

**Mr. MacDonald:** So it’s a private inquiry, not a public inquiry.

**Dr. Swann:** It should actually be called a private inquiry.

This is a new bill that the government is putting forward called the Health Quality Council of Alberta Act. They want to give special powers to the current committee that looks at the quality of health care. When there are serious allegations or serious pro-

blems in the health system, they actually want to move it into a true public inquiry where everyone can hear what's going on with intimidation of doctors, loss of quality in the service, long wait times, emergency medical services having difficulty providing ambulances in time for people perhaps because of mismanagement in the system. This quality council is supposed to hold a public inquiry so that everyone can hear the evidence. Is it a problem, or isn't it a problem?

Well, this particular bill wants to give the power to put that whole inquiry into a closed room where the public cannot actually have access to that information, where they will hear the information – even a judge might hear the information – from doctors, nurses, and patients that the system is working in this way or it's not working in that way and changes need to be made, but we won't necessarily know about it because the government wants to have the choice of making certain information public and keeping certain information private.

We're saying that that's not good enough if we are in a democracy, if we really believe that people have a right to know what's happening with their tax dollars in the health care system, and if we really want to honour the health professionals who are saying: "There's a real problem in our health care system. Money is being misspent. Doctors and nurses and other health workers are being intimidated and bullied to not speak about the problems." We want that to go to a public inquiry, but we don't want that public inquiry, then, to be able to say: no, this particular evidence we're going to keep private. We want to do away with that option for this Health Quality Council Act.

3:50

We're basically asking the members of the government to acknowledge that a public inquiry should be a public inquiry. The media should be there, and the public who want to come and hear the evidence from both sides. A judge makes his comments about what he's hearing. That really should stay public. I guess we're all hoping that the government will have a change of heart, that they will stop this movement towards keeping information secret from the public because it's embarrassing. It's embarrassing for the government to know that these problems are happening and that they want to keep it behind closed doors. We're saying: help us to make this amendment so that everything said in the public inquiry is public. That's why it is called a public inquiry. Don't pick and choose what you want the public to hear. Make sure that it's all open to the public.

That's basically what this amendment is designed to do: to ask the government to change its mind and keep everything public. I hope the members here will support this amendment by voting yea when we come to the vote.

Thank you, Mr. Chairman.

**The Chair:** Hon. members, may I request your consent to briefly revert to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Chair:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Chair. It gives me great pleasure to introduce to you and through you to members of this Assembly about 60 constituents that have joined us here this afternoon. These are folks who gave a lot of their time during the recent

leadership race to man the polls. We ran seven polls in our constituency for the leadership race. These are folks that have come in from all over northern Alberta just to have dinner with us here tonight, meet the Premier, and tour the Legislature. They're led by the president of our PC Association, Carol Lund, and the deputy returning officer for our leadership contest, Kathy Yurdiga. I don't see her, but I think she's there. I'd ask you all to stand up, please, and we'll give you the traditional warm welcome of the Assembly.

### Bill 24 Health Quality Council of Alberta Act (continued)

**The Chair:** The next hon. member speaking on amendment A2 is the hon. Member for Calgary-Cross.

**Mrs. Fritz:** Thank you, Mr. Chairman. I am pleased to rise and speak to amendment A2 that was introduced, I think, just earlier. I am taking into consideration what the previous speaker mentioned when I speak to this. We did hear allegations, as you said, hon. member, of physician intimidation and bullying. Those are claims the Health Quality Council is currently investigating. The allegations, I believe, have been taken very seriously, hon. member, especially if intimidation is affecting people's livelihoods. Like many Albertans the government wants to see details of the final HQCA's report.

In speaking to this amendment, I think it's important that you consider that we are providing an option to look into the health system matter that requires a broader public inquiry process. I know you'd be very supportive of this in that it does protect patient privacy, it provides similar inquiry powers to the Public Inquiries Act, and, importantly, it can be led by a judge. That's why the act itself overall is so important.

Now, the Premier and the Minister of Health and Wellness made it very clear that they are committed to an independent public inquiry into the health system matters. The legislation that's before us now will allow us to do that though a process that takes into consideration important factors: protecting confidential patient information, providing the ability for the panel appointed to head the inquiry to subpoena witnesses and compel evidence, and allowing for the examination of information contained in nondisclosure agreements. It enhances the independence of the Health Quality Council of Alberta, and it also establishes that new inquiry powers are specific to the health care system. I think we should take that all into consideration with this amendment. Powers through the compelling of testimony and the subpoenaing of witnesses can get to the facts of the issue, Mr. Chairman.

Currently the HQCA is established, as you know, through a cabinet regulation, but the bill in its entirety changes that cabinet regulation process because under this bill the HQCA is going to operate under its own statute and report directly to this Legislative Assembly. That's an important part of the evolution of the HQCA. One of the things that the bill does as well is that it strengthens the position of the HQCA's work on the health system improvements to allow the council to fully stand on its own under its own statute. The council will continue to deliver on its core mandate of promoting and improving patient safety and health service quality on a province-wide basis, and because of Bill 24 it will also report on that important work directly back to the Assembly.

I want to reiterate to you, Mr. Chair, that the new inquiry powers under the bill will not have an impact on the council's

work, and that's because a health system inquiry will operate independently from the HQCA. What the bill does is to use the HQCA's tremendous knowledge and experience in appointing the panel members. I know that that's what a part of A2 is about and what you're concerned about. Once the panel is appointed by the HQCA, the panel will be authorized to hire its own staff resources, including lawyers, to advise it. At this point, the HQCA will have absolutely no further role in the inquiry.

Another point I wanted to raise as well, that may make sense in regard to this A2, is that under the proposed bill the inquiry authority will guard against conflicts of interest. That's because if you look back to the bill at section 17(4), it prevents the HQCA from appointing anyone to the inquiry panel

who is or was

(a) a member of the board, or

(b) an agent, employee or contractor of the Council,

who has had any involvement in a matter that is the subject of the inquiry.

That's a critical piece of this with the principle of what the bill is about.

Also, Bill 24 will provide for a public inquiry that's best suited for the requirements of the health care system, and it will have similarities to the Public Inquiries Act. I know you've evaluated that as well as this amendment has been brought forward. It provides for cabinet to call for a public inquiry into health system matters. It gives individuals conducting the inquiry the powers, the privileges, the immunities that commissioners have under the Public Inquiries Act. It means that witnesses can be compelled to attend, answer questions, and produce documents in the same manner as under the Public Inquiries Act. The bill overall is designed to bring information forward so that an inquiry can get to the bottom of a matter. It is not trying to exempt certain people from appearing before an inquiry, as some members believe, Mr. Chairman.

I've emphasized the similarities between Bill 24 and the Public Inquiries Act, how that affects this amendment as well, but I also want to speak to some of the important differences. The differences were highlighted about why we could not just amend the Public Inquiries Act and that if we could, perhaps the members wouldn't have a need for amendments like A2 to be brought forward. But we couldn't amend that Public Inquiries Act. First of all, the current inquiry legislation would not be effective in providing for a full and fair inquiry into health system matters. For example, it may not provide for a full inquiry in regard to nondisclosure agreements. Information about those agreements may not be accessible under the Public Inquiries Act. To remove any doubt, Mr. Chairman, and to ensure all necessary information can come forward, the new inquiry provision in that bill as a total provides for information under nondisclosure provisions to come forward in an inquiry.

Fairness about this is an important consideration. I know that you're looking for the amendment, you know, to ensure that fairness is there. It is an important consideration. We do want to ensure that we are protecting health information, information not currently protected under the Public Inquiries Act. Bill 24 as a whole provides for the proper protection of the information.

The proposed legislation also allows a person to make an application for evidence to be heard in camera or in private. The application to have a matter heard in camera may or may not be granted as the individuals conducting the inquiry have to consider whether or not the circumstances merit an in camera hearing. That's the difference. When I go back to the Public Inquiries Act, that would not have met what you've brought forward in A2. The Public Inquiries Act has a mandatory provision for certain matters

to be heard in private, and we've not followed that act in this regard. Members have to, I think, remember that a public inquiry is a very powerful instrument and that witnesses may be compelled to answer questions and produce documents on a broader basis than in a court proceeding.

4:00

Something else I'd like to speak to in regard to this amendment is who sits on the panel under the proposed legislation. Some members have suggested that the public inquiry provided for in the proposed bill will not allow a judge, for example, to be appointed to the panel. There's been an assumption by some, I believe, as I was listening to the debate, that under the Public Inquiries Act the appointment of the judge is automatic. That is wrong on both counts, Mr. Chairman, because nowhere in the Public Inquiries Act does it say that a judge may be appointed as a commissioner. When a public inquiry is called, a judge may be appointed in accordance with court protocol. The court protocol has been tabled previously by the minister and is in place because the courts are independent.

The court protocol provides information and guidance on the process for appointing judges to lead a public inquiry. It's been adopted by the Canadian Judicial Council to help ensure that the judiciary can continue to serve the public interest when asked to sit on a public inquiry while at the same time maintaining public respect and confidence for the judicial office and the independence of the judiciary.

Bill 24 as a whole – I go back to that – is more specific than the Public Inquiries Act in providing for the appointment of a judge, which is always subject to the approval of the courts.

Mr. Chair, I know that the hon. Minister of Health and Wellness introduced amendment A1 to the Committee of the Whole, and I know that he's appreciative and thanks the hon. members for supporting amendment A1, but I know it's A2 that we have before us. Please remember that part of amendment A1 made it clear that the health system inquiry can be carried out by a judicial panel, which is one that consists only of one or more judges. It underlines the commitment to providing for a judicial inquiry into current health system issues while respecting the existing court protocol.

Mr. Chairman, as we've said earlier, the Premier did make a commitment to hold an independent public inquiry into health care, and the overall bill, I believe, enhances the HQCA's independence. It sets the stage for the public inquiry into health system matters, and Bill 24 makes sure the public inquiry will be effective in addressing health system issues in a fair, clear, and objective manner.

I believe that the bill will meet public expectations for openness and accountability. In looking at amendment A2, I won't be supporting that amendment because, as I tried to show you in the comments that I've made, I believe that the bill is all encompassing.

Thank you.

**The Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chairman. It's a pleasure to rise and speak to amendment A2. I want to begin by thanking the Member for Calgary-Mountain View for bringing forward this important amendment. This amendment essentially goes to the heart of what is so fundamentally flawed about this piece of legislation. We have a Premier who made a promise to the people of this province that she would appoint and ensure that we had a judicially led public inquiry.

I know it seems almost obvious, but let me just highlight one element of that promise. The word is “public,” and implied in that is transparent and open for Albertans to see. What this amendment does is that it proposes to remove from the legislation those elements of this bill which completely contradict the promise made by the Premier in her run for election. Those are the elements of this bill that would give this government a long, unending, extremely difficult to interpret but very easy to apply, heavy-handed mechanism through which to make sure the inquiry that might occur occurs behind closed doors.

Now, Mr. Chairman, this is hardly a new action by this government. This government is all about keeping things behind closed doors. Forty years old, and they’ve become exceptionally skilled at ensuring that everything stays behind closed doors, where they believe that that is necessary, and this bill is no exception to that.

The Premier promised a public inquiry except – and here’s the fine print that she did not tell Albertans about when she was running to become leader of this governing party – where “the private interests of a patient or person or, where the patient or person is deceased, of the patient’s or person’s next of kin” might be put at risk or whether disclosure of all or part of the medical records could result in an injury or harm to the mental condition of a third person.

Let’s just be clear. Mental condition: what if it makes the Premier stressed out? What if disclosing pieces of information through this public inquiry causes anxiety for the minister of health? Well, the way this bill is written, they would be perfectly entitled to ensure that the whole darn thing goes behind closed doors. There’s the kind of thing that Albertans really and truly did not vote for, really and truly did not believe was going to be what this Premier delivered and, quite honestly, really and truly, I believe, as a matter of common sense don’t think forms the foundation of what most people would understand to be a public inquiry.

Another one: where “the holding of the hearing in camera is essential in the interests of justice or would be injurious to the public interest.” Well, how do we define public interest, Mr. Chairman? Is that defined by the re-election chances of the governing party? Is that the kind of thing that we need to be sure that we protect so that we carry on with the inquiry behind closed doors? I don’t know. But certainly that’s what this legislation says, and there’s nothing to suggest that that isn’t how it would be interpreted.

Here’s the kicker, Mr. Chairman. If they happen to interpret it that way, if they happen to decide that the public interest is not served by embarrassing the government, if they happen to decide that the public interest is not served by demonstrating that Alberta Health Services has in fact been engaging in a 25-year-long process of intimidation, should any of those things happen, we don’t get to appeal it to a more reasonable, objective forum to have that particular decision measured against the expectations of a reasonable group of Albertans. Oh, no, no. The other thing that this bill does is that it makes darn sure that these highly discretionary decisions around keeping everything secret are not ever going to be appealed to a court.

These two sections in particular, 18 and 19 – there are other sections as well – that the Member for Calgary-Mountain View is proposing to remove from the bill, at this point exist within the bill to essentially gut and render meaningless, meaningless, Mr. Chairman, the so-called promise made by our Premier when she was a candidate for the purposes of becoming leader of the PC Party and, as a result, Premier of the province. It’s a broken promise, and this legislation makes darn sure that that promise

stays broken, and it makes sure that Albertans have no recourse when that happens.

I’d just like to thank the Member for Calgary-Mountain View again for attempting to have the bill corrected and improved to remove this gutting mechanism. I certainly will be voting in favour of it and certainly also wish that we’d have a much longer period of time within which to properly debate this piece of legislation.

Thank you.

**The Chair:** The hon. Government House Leader.

**4:10**

**Mr. Hancock:** Thank you, Mr. Chairman. I can’t help but respond to some of the suggestions that have been made by the hon. Member for Edmonton-Strathcona. You’d think we were participating in the theatre of the absurd. You appoint an independent panel. There’s been a lot of discussion around how a judge might be appointed. In fact, amendment A1 to the bill made it clear that we were abiding by the protocols with respect to the appointment of a judge of whatever court, whether it’s Provincial Court, Court of Queen’s Bench, or Court of Appeal, that there needs to be a consultation, and then there needs to be an appointment by Lieutenant Governor in Council.

To have a judge lead a panel, either a panel chosen independently by the Health Quality Council or a judge that’s been at the request of the Health Quality Council selected by the court and appointed by Lieutenant Governor in Council, and then to suggest that you would read these mechanisms in 19(1) about when an inquiry should go in camera as to say that it would go in camera because of the mental state of the Premier is absolutely absurd.

What the hon. member doesn’t recognize is that in order to ensure a full, complete, and open inquiry that the public will have some trust and faith in, you want to make sure that every potential witness has the opportunity to appear before that inquiry and be comfortable that sometimes their private health information – and this is why it’s different, and this is why this bill is so important. This bill will allow for all of the elements of a public inquiry under the Public Inquiries Act but does take into account that in this particular area of health sometimes matters are personal. Sometimes people will want to appear before a public inquiry, a panel, or an individual judge or otherwise and give evidence with respect to what they think is important to the inquiry, but they may not want to appear if it means disclosing their personal health records and their personal health situation.

However, the decision as to whether or not that happens is not up to government. It’s up to the appointed inquiry panel, whether that’s a judge or otherwise. So the hon. member’s submissions that some of these would be done in some nefarious manner is absolutely absurd, Mr. Chairman.

That’s one of the reasons why this act is so important. A public inquiry can be set up in circumstances where the Health Quality Council believes it’s necessary. It has powers of subpoena. It has powers to compel evidence. It has powers to ensure that everybody that needs to come before the panel comes before the panel. But it also has the ability for people who may or may not be known to the panel to volunteer to come forward and give evidence. We want to make sure that everyone has the capacity to do it and is encouraged to do it. In order to do that, you do need to have some provisions where the panel itself can say, on application, that this should be held in camera because it affects the personal interests of the person coming forward that are private interests and perhaps are private health matters.

That's what this section is set up to do. That's why this amendment being proposed by the hon. Member for Calgary-Mountain View is so wrong-headed. [interjections]

**The Chair:** The hon. Member for Calgary-Fish Creek now on the amendment.

**Mrs. Forsyth:** Thank you, Mr. Chair. The government has finally woken up.

The Government House Leader talked about democracy. I think he said – I forget how many hours; I didn't write it down – that we've debated this particular piece of legislation for five hours and 37 minutes.

**Mr. MacDonald:** Five hours and 40 minutes in committee.

**Mrs. Forsyth:** Okay. So I'm three minutes out. Five hours and 40 minutes in committee.

In his statements he was talking about how important it was to bring closure. He talked about bringing closure in because of the fact that the conversations were getting a little repetitive last night. [interjection] Yes, you did. Check *Hansard*. I don't know what he said. We'll have to check *Hansard* on exactly what was discussed.

Now we're into closure. We've got one hour of time to debate what I consider probably one of the most critical pieces of legislation before us. Last night when we were debating, the chair at that particular time was very conscientious, actually, about making sure that all the members spoke on amendment A2. We had a very eloquent speech from the Member for Calgary-Cross that maybe in her 10 minutes of speaking talked about amendment A2 but gave a rundown in regard to the whole legislation and what was right about the bill, what was wrong with the bill, and then all of a sudden brought in A2 in every five minutes without you making any comments in regard to staying on the amendment.

Mr. Chair, you know, I sometimes feel like I'm in a boxing match over the last day and a half because it's duck and weave. We continue to stand up and bring forward what we think are important amendments in this Legislature. I'm going to take a different approach. I'm going to give the government what they want. That particular thing in government is that they only want to deal with their amendments. We dealt with their first amendment. I think it's quite funny that this is one of the most contentious and critical pieces of legislation brought forward into this Legislature, and we hadn't even started, but we had a government amendment brought forward, which we called A1, which shows to me that there wasn't a lot of thought process in regard to this piece of legislation.

Mr. Chair, I've been on the government side, and I have to tell you that I've sat on the Leg. committee where we go through legislation line by line. It's at that particular time that you catch what should be right and what should be wrong on that particular piece of legislation. Obviously, something was missed in this because of A1 brought forward.

The Member for Calgary-Mountain View has now brought forward an amendment, that we're going to be calling A2. He talks about section 18 striking out "unless the Panel determines, in accordance . . ." I asked the Government House Leader, actually, why he thought this particular piece of legislation should stay in. He talked about the mental health of a patient. He talked about the fact that patient confidentiality is important. I'm not going to argue with him on that. I mean, it's also contained in the Public Inquiries Act that they have the ability.

Having said that and having said that we know we're going to lose this amendment – and I know that the Liberals have some more amendments they want to bring forward, as I do – I am

going to pass on my speaking time. I don't know how long I have to speak, but I do want to make something very clear, and I will be bringing this up in third reading. We're not going to win this fight. I know we're not because there are 15 of us and we have a huge government, that's mostly asleep except for once in a while. It's like that Whac-A-Mole when they pop themselves up.

Given that, I'm going to put this on the table. Very clearly, Mr. Chair, in this legislation it says that the government has the ability to "set out the nature and scope of the inquiry, including the date by which the report and recommendations, if any, of the Panel must be submitted." Now, that I like. So what I'm going to suggest – we know all about the physician intimidation. We know all about the bullying that's going on in this province. I've fought that. We showed that clearly when we found out that physicians were being intimidated.

With that, I'm going to challenge the government because they seem to move very quickly when they want to move quickly and very slowly when they want to move slowly. We've seen how quickly they can by dropping – what? – seven pieces of legislation into the Legislature and then have about nine days of debate, including having us go on and on into the late hours of the night. I'm going to challenge the government because I know how quickly they work. Clearly in the legislation it tells them that they can set out the nature and the scope of the inquiry, including the day by which the report and recommendations have to be done. I'm going to challenge the government on that. I would like to see them have the date for the inquiry before the next election.

On that, I'm going to call the vote on amendment A2.

**The Chair:** Any other hon. member wish to speak on amendment A2?

Seeing none, the chair shall now call the vote on amendment A2.

[Motion on amendment A2 lost]

**The Chair:** The hon. Member for Calgary-Mountain View.

4:20

**Dr. Swann:** Thank you very much, Mr. Speaker. I wanted to put forward another amendment. In fact, what I would intend to do is put forward the amendment and then read into the record several other amendments if that's permissible, just so the other amendments are on the record, and then go back to this amendment. Is that permissible?

**The Chair:** First of all, probably since you introduced, you let the pages distribute the amendment that you introduced, the amendment now known as A3. If you want to go ahead, go ahead.

**Dr. Swann:** Thank you. Bill 24, Health Quality Council of Alberta Act, is amended as follows: section 1 is amended by adding the following after clause (i): "(j) 'Standing Committee' means the Standing Committee on Legislative Offices."

Section 17 is amended in subsection (1): (a) by striking out "Lieutenant Governor in Council" and substituting "Standing Committee," (b) by striking out "and" at the end of clause (a), and (c) by striking out clause (b); in subsection (2) by striking out "The board shall, pursuant to [an order under] subsection (1)(b) and" and substituting "The Standing Committee shall"; finally, in subsection (3) by striking out "board" wherever it occurs and substituting "Standing Committee."

Mr. Chairman, before we go on to those amendments, I'd like to just read into the record. Because of time allocation we're not going to get to the four other amendments. In respect to the other parties so that they can present their amendments, I'd like to read



into the record a second amendment: move that Bill 24, Health Quality Council of Alberta Act, be amended in section 19 by striking out subsection (2). This allows for a judicial review of the panel's decision.

The third amendment I'd like to introduce and read into the record now is: move that Bill 24, Health Quality Council of Alberta Act, be amended in section 17 by striking out subsection (3) and substituting the following: (3) at least one of the persons appointed to a panel under this section shall be a judge of a court in Alberta.

The final amendment that I would like to read into the record: move that Bill 24, Health Quality Council of Alberta Act, be amended in section 7 by striking out section (3). This would further enhance the Health Quality Council of Alberta independence from government interference.

Sorry; there's one following amendment that I want to read into the record, Mr. Chairman: Bill 24, Health Quality Council of Alberta Act, be amended in section 4 by striking out subsection (7). This amendment would enhance the independence of the Health Quality Council of Alberta Act by requiring the appointment of only board members . . .

**The Chair:** Hon. member, may I interrupt you a bit here. We looked at the amendment that you just introduced, amendment A3, and we found that your amendment is addressing the amendment that has already been carried as amendment A1. So your amendment A3: I have to rule it out of order. You have a chance to introduce another amendment.

**Dr. Swann:** Very good, Mr. Chair. I apologize for that. The second had to do with section 19, striking out subsection (2).

**The Chair:** We will pass around the second amendment that you introduced. Hopefully, it'll be in order.

**Dr. Swann:** Thank you, Mr. Chair. I'll go back to it and read it into the record so that it's clear which one we're dealing with: move that Bill 24, Health Quality Council of Alberta Act, be amended in section 19 by striking out subsection (2).

In the unamended form the bill prohibits any appeal of a decision made by the panel that all or part of the health system inquiry be heard in private. By removing subsection 19(2), our amendment allows for a judicial review of the panel decision. A decision to hold all or part of the purported public inquiry behind closed doors should be at least subject to review by the courts.

Thank you, Mr. Speaker.

**The Chair:** The amendment that the hon. Member for Calgary-Mountain View has introduced is now known as amendment A4, okay? Amendment A3 was out of order, so he introduced amendment A4. So let's speak on amendment A4.

The Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Chairman. I'd like to speak to the amendment that's currently being brought forward by the hon. Member for Calgary-Mountain View referring to Bill 24, the Health Quality Council of Alberta Act. This is one of the most important issues before Albertans today. It's about honesty, integrity, and trust, trust in our health care system. The issues that the Health Quality Council is looking into and needs to look into, that all Albertans need answers to are the issues that I actually brought forward to the House over the past year in addition to issues that other members from this House have brought forward, that the hon. Member for Calgary-Mountain View brought

forward, and that many physicians and health care workers and nurses brought forward in public.

Mr. Chairman, I'm going to give you facts. Four days after the election the hon. Member for Calgary-West and the deputy minister and the hon. Member for Edmonton-Whitemud and the current health minister received an e-mail, a FOIPable e-mail, with 322 cases collected in a short period of time in one ER department at the U of A hospital of multiple delays in care, near-catastrophic delays in care. The minister of health: what was his decision? What was the Premier's decision? The Premier during the election, on a two-page PC letterhead, in a letter that the Member for Edmonton-Whitemud and the Member for Edmonton-Rutherford helped write, that the Premier signed: to build 600 long-term care beds.

**Mr. Liepert:** You said it has to do with the patients.

**Dr. Sherman:** It all has to do with this, hon. Member for Calgary-West.

So these issues were brought forward. How did the government react? They said: we're going to do this; we're going to do this. The day after the election the hon. Member for Calgary-West was appointed health minister. His duty was to look into these issues. What did he do? He fired all the managers of the system. He brought in their code of conduct to silence all health care staff. He didn't perform his duty, and Albertans suffered unnecessarily. The system went unchecked.

What else did he do? He started closing down long-term care beds. The relevance is that the system was brought to the edge of a potentially catastrophic collapse, according to Dr. Paul Parks. He brought in the code of conduct. The minister of the Crown needs to be brought before a court of law to answer questions of why, when legitimate issues were brought forward, he brought silence to Albertans.

Then, yes, the e-mail was leaked that on October 8 another e-mail was sent to the Premier and the subsequent minister, the hon. Member for Edmonton-Mill Creek. They got the e-mail with the same 322 cases. What did the government move to do? Delay, delay, delay. On the day that the Dr. Ciaran McNamee story broke about the cancer deaths – on that day – they finally relented and called a review. On that day, within the hour. Coincidence? I think not. This is why, Mr. Chairman, the people who need to be put on a public stand are the ministers over there. They cannot be given the authority and the ability to decide where and when they're going to call this inquiry.

#### **Point of Order Allegations against a Member**

**Mr. Denis:** I'm rising just on a point of order under 23(h), (i), and (j). This member is making strong allegations against a member of this government. I think he needs to tone it down a little bit.

**The Chair:** Hon. member, we are talking about amendment A4 of the Health Quality Council of Alberta Act.

4:30

**Dr. Sherman:** Thank you, Mr. Chairperson. This is why it's so important that these members . . .

**Mr. Anderson:** Sir, I stood up on a point of order. I wasn't recognized.

**The Chair:** I'm sorry. I didn't see you. You have a point of order?

## Point of Order Decorum

**Mr. Anderson:** Also under 23(h), (i), and (j) from the standing orders, Mr. Chair. I'm having a hard time listening to this member talk while the Member for Calgary-West continually, over and over again, consistently interrupts. I can't hear anything that's being said. What this member has shown is just a complete inability to shut his mouth. It's really tough to understand. They've already shut off debate with less than one hour, and now this member won't shut his mouth. Maybe he could show a little bit of humility for once in his life – maybe he can – and just be quiet so that this member can actually speak for the short time that this wonderful government has graced us with in opposition.

Thank you, Mr. Chair.

**The Chair:** Hon. members, the Leader of the Official Opposition has the floor. The chair would like to listen to him.

## Debate Continued

**Dr. Sherman:** Mr. Chairperson, thank you. This is why these meetings cannot happen in camera. The hon. Member for Edmonton-Rutherford, the current minister of health, the previous minister of health from Edmonton-Mill Creek, the minister of health previous to him from Calgary-West, and the previous, previous, previous minister of health from Edmonton-Whitemud need to be put on a stand to answer questions. They were given warnings from front-line staff on issues pertaining to public safety. They chose to ignore them. Instead, they started closing beds and firing staff, and they caused a potential catastrophic crisis.

Mr. Chairperson, my father died waiting for care. He died in an emergency department waiting for care, from lack of decisions. If my father died waiting for care, I know many other Albertans suffered unnecessarily and died waiting for care.

That minister wants to pass their code of conduct. He centralized health care in one board, so health care staff that speak up get railroaded out of this province because of these people and their phone calls to managers, the same managers whom they appointed, who helped them restructure the cabinet.

Secondly, the other issue pertaining to the cancer deaths. Evidence and fact: Dr. Ciaran McNamee presented to caucus years ago, begging for resources. Many of those members of caucus are still here on that side. He begged for resources so that cancer patients could get surgeries. He begged. They cut surgeries by more than 25 per cent. Many of those members that he begged to are now in cabinet.

Guess what? They tried to railroad Dr. Ciaran McNamee. He sued. It's on the public record. But guess what? He's at Harvard in the top thoracic team on the planet. He sued because allegations were made about his ability to practise medicine. When he sued, there was a settlement. Mr. Chairperson, we all know that when you sue, you either quit and give up, or you go to court because nobody gives up, or there's a settlement.

There is something wrong and something that stank on the other side, where they acknowledged, "We have guilt," but they signed a nondisclosure agreement. They signed a nondisclosure agreement, which means that nobody can talk.

Guess what? I met a member of the Alberta Health Services Board in Grande Prairie. There was another doctor that got railroaded, Dr. Tim Winton. That member of the board says that he's seeing how much Dr. Tim Winton is getting paid for his contractual arrangement, that we don't have the answers to from

this government. If the member of the board knows it, common reason would assume that the chairman of the board of AHS would know what the payment is to Dr. Tim Winton to buy his silence, to force him out of his medical career.

**An Hon. Member:** Relevance.

**Dr. Sherman:** The relevance is that that same chairperson of Alberta Health Services took a week off and helped this current Premier with her cabinet picking. That's why we need this open, on camera, on the public record. The file for Dr. Ciaran McNamee is sealed in a law firm. It's sealed. It's sitting in a law firm. Why was it settled? What was said during discovery? It is sitting in a law firm. There is a lawyer who just happens to help the Premier with her cabinet arrangements and transition cabinet. It happens to be her ex-spouse, who happens to be running the law firm.

Dr. Ciaran McNamee's file is sealed. This is why first the Premier said: we'll call a public inquiry. We want to know: does cabinet know the details of the deals with the Dr. McNamee case and the Dr. Winton case? Mr. Chair, it stinks. The chairperson of Alberta Health Services was so close to this government. He took a week off his job to help them redesign their cabinet, as did a certain lawyer who's extraordinarily close to the leader of the government who helped to redesign the government. The question is: did the Premier see what's in that secret file and that's why she's flip-flopping and that's why she's delaying? That's a question. We need the answers, and we need the answers in a court of law on a public stand.

Did somebody in the government see what's rotten in the state of – well, it's actually not Denmark – Alberta, the province of Alberta?

Thank you, Mr. Chair.

**The Chair:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Chairman. I had a hard time sitting still listening to the hon. Leader of the Opposition talking about the allegations he made last November and the case against Dr. McNamee. All of the tablings that he made last November: I took the liberty of pulling them out, and I reviewed some of those cases.

Mr. Chairman, I must say that I was disgusted in reading those cases and comparing them with the allegations. Those cases really were about a bunch of doctors calling each other names. It was absolutely disgusting. This member used those as allegations to say that there were firings, et cetera. Well, there may have been firings – I don't know – but those cases that he referred to were nothing but disputes between doctors calling each other names.

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair. Well, how much time do we have left before the hour is over?

**The Chair:** You have a couple of minutes.

**Mr. Anderson:** Two minutes? Well, two minutes is the time I have to wrap up something on this issue in Committee of the Whole. I've just got to say how absolutely disgusted I am with the arrogance and the inability of the leadership on that side – I don't want to tar everybody with the same brush – the leadership of the PC caucus on that side, who have repeatedly, over and over and over again, sat here in this House and restricted our ability to debate this issue, have closed debate on this issue, have shown

again and again a willingness to deceive the public on this issue by saying that they're going to call a public inquiry and then going through this ridiculous process that we've gone through on this Bill 24, which isn't going to result in a public inquiry being called before the next election.

This is just a shameful display, and now they're going to lengths – some of them are even starting to blame doctors for using this public inquiry as a way to get at each other. What an absolute joke. It just amazes me. If you've got nothing to hide, call the public inquiry. If you've got nothing to hide, call it. Call it. There are enough allegations out there from Dr. Maybaum, that there are government officials that want his head on a platter. He has the letter. We can go through Dr. Magliocco saying: you'll regret this if you complain about this anymore.

If it's just doctors, fine. Then call the public inquiry, and let's figure that out if that's the case. Or maybe it's not. Maybe there are things like what happened with the now minister of health a year ago, when he came out and, clearly, in the middle of the night called the head of the AMA about the mental state of the Official Opposition Leader.

4:40

**The Chair:** Hon. member, the time allocated has terminated.

The chair shall now call the question on amendment A4.

[Motion on amendment A4 lost]

**The Chair:** The chair shall now call the question on the bill itself, Bill 24, the Health Quality Council of Alberta Act.

[The clauses of Bill 24 as amended agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed?

[The voice vote indicated that the request to report Bill 24 carried]

[Several members rose calling for a division. The division bell was rung at 4:41 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Cao in the chair]

For:

Allred	Griffiths	Liepert
Amery	Groeneveld	Marz
Bhullar	Hancock	Mitzel
Campbell	Horne	Ouellette
Danyluk	Horner	Pastoor
DeLong	Jablonski	Prins
Denis	Jacobs	Rogers
Drysdale	Johnson	Sandhu
Fawcett	Klimchuk	Vandermeer
Fritz	Knight	Woo-Paw
Goudreau	Leskiw	

Against:

Anderson	Forsyth	Notley
Boutilier	Kang	Sherman
Chase	MacDonald	Swann

Totals: For – 32 Against – 9

[Request to report Bill 24 carried]

## Bill 26

### Traffic Safety Amendment Act, 2011

**The Chair:** Are there any comments or questions? The hon. Member for Edmonton-Gold Bar.

**Mr. MacDonald:** Yes. Thank you very much, Mr. Chairman. Certainly, we had an opportunity to discuss Bill 26 when the closure motion was debated earlier this afternoon. There's a lot to be said about this legislation. I'm still getting feedback. I'm still getting letters. I'm getting phone calls from citizens regarding this legislation and e-mails from drivers and from people who work in the hospitality industry.

It's worth noting that the hon. Member for Olds-Didsbury-Three Hills has also expressed concern about this bill. The hon. member, I think, is correct. On Monday evening, I believe, if we have a look at *Hansard*, we can see the hon. member's comments. As I understand it, he certainly will be questioning this bill further.

Now, Bill 26, the Traffic Safety Amendment Act, 2011: we do know the powers that it provides if it goes through. I think we need to have another look at this. The hon. Member for Calgary-McCall has suggested to me that we refer this to a standing committee. There are a lot of questions here that need to be addressed.

We can certainly provide caution to this Assembly after what happened with a court decision in British Columbia last week, even though just a portion of that legislation, which is very similar, if not identical, to what we're discussing here this afternoon, was questioned in the courts. For that reason, it would be a good idea to let an all-party committee of this Legislative Assembly have a look at this before the next provincial election is called.

We could also examine at that committee our laws around liquor advertising. Maybe we should change them as well. Maybe we could look at changing the drinking age. Maybe it should go up one year. Maybe it should go up two years. Perhaps we could also have a look at the number of liquor stores in this province and where they're located and their hours of operation.

I saw in the newspaper today a story regarding Bill 26. Then on the back of that section, I believe, was at least a full-page ad advertising wines and spirits. I'm certainly not opposed to that form of advertising, but perhaps it's time, if we're sincere in making our streets and roads safer, that we have a look at these issues.

We do know that Alberta has the second-lowest number of police officers per capita. If we look at it on a 100,000 population, we have the second-lowest number of police officers in the country. Perhaps we could hire more police officers, and perhaps we could have more checkpoints. I have no problem with more checkpoints. If we're going to enforce the law, let's put the boots on the street and put them to work.

One more thing. I know there are a lot of hon. members who in this short period of time have comments on this legislation, but there is one more thing, Mr. Chairman, that I think we should study, and that is the education programs that we're providing to high school students as they learn to operate motor vehicles and are licensed to operate that motor vehicle. What sort of drunk-driving programs are we providing to those people? I know the AMA has an excellent program for young drivers, but could we do more? Could we put the fear of life-and-death situations into those young drivers? Perhaps we should look at that.

There is not an individual in this province who wants to get a knock on their door or have their doorbell rung late at night by a police officer standing there with very, very bad news regarding a traffic fatality. I think we can make our roads and our streets safe.

We can do a lot to reduce even further the number of cases of drunk driving. We've got to go after the chronic, repeat offenders. While what's suggested in this bill is notable, I think there are different ways and better ways of dealing with it.

5:00

I'm going to cede the floor to another hon. colleague, but I would certainly ask members to please have a look at the comments on Monday from the hon. Member for Olds-Didsbury-Three Hills and give this bill perhaps a good, close look. Let's have a committee of this Assembly scrutinize it and have public consultations with everyone, including the hospitality industry and Mothers Against Drunk Driving. Everyone. Hear them out, and then make the decision on this bill.

Thank you.

**The Chair:** The hon. Minister of Transportation.

**Mr. Danyluk:** Well, thank you very much, Mr. Chairman. I'm glad to stand and speak and maybe answer some questions. First of all, I want to say that impaired driving is preventable, and Alberta will pursue co-ordinated actions that are proven to change behaviors when taken together. This legislation has sparked some important conversations around the province, and I encourage everyone to keep talking: keep talking to your friends, keep talking in the community, keep talking to your family.

Mr. Chairman, Alberta's new comprehensive impaired driving legislation aims to keep drivers who drink from getting behind the wheel by changing behaviors through enforcement balanced with education – and I'll talk about that a little bit later – prevention, and monitoring. In the coming months the government will work with partners to run a public education and awareness campaign to help Albertans prepare for the new law.

I did meet with businesses today, this morning, in fact – I have met with businesses and associations previously – and I would say that the discussion that we had was very fruitful as far as the future of this legislation. I say to you that the discussion very much revolved around education, making sure that people are very aware of what the consequences of drinking and driving are. I can also say, Mr. Chairman, that what did happen is that the businesses, restaurants, and local establishments very much agreed that drinking and driving should not take place. It's important that people understand what the legislation is going to bring forward. I want to maybe make a couple of comments. You know, the new legislation focuses on creating safer communities and roads. An estimated 22 per cent – and I stress that again, 22 per cent – of all fatal collisions in Alberta last year involved drivers who had consumed some alcohol. Alcohol-related collisions resulted in 569 fatalities and 8,535 injuries over the last five years in Alberta.

Mr. Chairman, I just want to make possibly a couple comments because there's been a lot of discussion about .05 to .08. First of all, I need to be very clear. The clearness that I need to talk about is that .05 to .08 is an impairment. It is an impairment with a penalty of a 24-hour suspension. This is not new. This has been in place for 12 years. I hear members of the opposition talk about how this is something new that people need to get used to. Well, are the penalties new? Yes, but . . . [interjection] You know, the hon. member, maybe the interim leader of the WRA, talks about having some decorum in the House, and I just want to say to you: would you give the government some of the same, please?

I say to you, if I can, that the .05 to .08 is impairment, and the penalty, as I said a couple of seconds ago, is a 24-hour suspension.

The .08 and above is a criminal offence, and a criminal offence is addressed by a court of law.

Now, if I talk about the .05 – and maybe we need to clarify again that the .05 has been in place for 12 years. I need to bring forward to you the information about blood-alcohol content levels which affect individuals. It was gathered from a variety of sources, including the National Highway Traffic Safety Administration, the National Institute on Alcohol Abuse and Alcoholism, the American Medical Association, and the National Commission against Drunk Driving. Mr. Chairman, first of all, what I want to bring forward is that according to them if you had a blood-alcohol concentration of .02, you'd have some loss in judgment, you'd have some relaxation, you'd have a slight body warmth, you'd have an altered mood, and the effects on driving would be a decline in visible functions, rapid tracking of a moving target, and a decline in the ability to perform two tasks at the same time. I'm just saying that it's the divided attention.

When we look at .05, there's exaggerated behaviour, you may have loss of small muscle control – for example, focusing of the eyes – impaired judgment, usually a good feeling, lowered alertness, a release of inhibitions, reduced co-ordination, reduced ability to track moving objects, and also difficulty in steering, and a reduced response to emergency driving situations. Now, Mr. Chairman, I'm going through this very clearly because the opposition suggests that there is no impairment or that that impairment should not be used.

Let's go to .08 and above. Muscle co-ordination becomes poor, balance, speech, vision, reaction time, hearing; it's harder to detect danger; judgment, self-control, reasoning, and memory are impaired; concentration, short memory loss, speed control, reduced information processing capacity; for example, signal detection, visual search, impaired perception. Mr. Chairman, I can go on to .1 and above, but I would suggest to you that this is common knowledge and is being used as impairment.

Mr. Chairman, I want to stress to everyone in this room that this is a serious issue. There are people's lives that are at stake. There are families that are at risk. I know that there are some members opposite that continually or consistently persist in offering information that isn't correct, really at the expense of the citizens of this province.

5:10

I would also say to you that I think it's important to note that we're not changing legislation and looking at legislation for the sake of having legislation. We're looking at three areas. The first area, the area that we believe is critically important to start with, is the repeat offenders, the .08 and above. I can suggest to you, Mr. Chairman, in five years of impaired driving convictions: 4,100 and 466 convicted.

As we go on to talk about .05, I mean, I'll be the first to admit that we need to change the culture. We need to change the deterrent of driving impaired, and I will refer to .05 to .08 as impairment. Mr. Chairman, the statistic that we have for the immediate 24-hour suspensions is 42,762. That is a concern. That is a concern of impairment.

One of the statistics that really brings some concern to me is the number of zero alcohol tolerance suspensions initiated in Alberta, and that's 1,665 last year. We have the stats, and they are increasing. Mr. Chairman, I guess I can say that they're increasing because maybe our population is getting larger. I don't have those statistics as to where that's coming from. But I can say that we believe what has to happen is that we have to look at the three aspects. We have to look at graduated licences – that's part of regulation, and we will deal with that; that's part of this number

here – we have to deal with the zero to .05, and we also have to deal with the .08.

I want to have some discussion that there's significant evidence that shows that drinking with a blood-alcohol level of .05 dramatically increases the risk of being involved in an accident. As a matter of fact, you're 7.2 times more likely to get in a fatal car accident at the level of .05 than if you had a zero content.

Mr. Chairman, we don't believe that fines are the solution. Our legislation does not include fines or demerit points. Driver education and enforcement are central to Alberta's approach. Impaired driving is very much connected to social behaviour. The focus of Alberta's impaired driving legislation is really about traffic safety. Police officers have long been able to issue fines and penalties on the roadside, such as speeding tickets or licence suspensions. I also want to mention that every Canadian jurisdiction other than Quebec already gives 24-hour roadside suspensions to drivers suspected of being impaired.

I know there was some discussion about the B.C. legislation and how we needed to look at what B.C. was doing. I want to say to you that the B.C. legislation, in fact, supported what we're doing because when all of these areas were appealed, really, the only one that was overturned was the above .08 not being a Criminal Code infraction. I mean, that's simplistic for me to say that, but in essence that's what it was, and that really was one aspect that was challenged. I say to you that we have not changed that; .08 is still going to be maintained as a criminal code.

If I can just go through, you know, some of the focuses and directions that we're doing. Maybe I should first of all, Mr. Chairman, talk a little bit about the questions that were asked by the hon. member from the opposition. His questions, of course, talked about the drinking age. There's no doubt that drinking age is not part of this legislation. It has been talked about. It has been talked about as to how it works and if it would make a difference, but I say that it's just not in our proposal right now.

The study of the education programs to provide high school programs. Well, ladies and gentlemen, I want to say to you that when we had discussions with the businesses this morning, we very much talked – and we have talked previously – about communication and working together to make sure that the education programs we do have and are going to bring forward are going to be in conjunction with each other. I mean, our purpose and their purpose are the same, and that's to have fewer people drinking and driving. That's what it is at the end of the day.

Also, in the discussion that was brought forward by the hon. Member for Innisfail-Sylvan Lake, he talked a lot about the ability to get transit or the ability to get a taxi. I want to say that that is an issue, and it's something that we do need to deal with. Now, how do we do it? It's not so hard to do it during the festive season, when we have the Red Nose program and we have, I believe, the candy cane program, where everybody is looking at that as a major focus, but we need to talk about what happens for the 11 other months of the year and how we can deal with the transportation.

The hon. member talked about the AMA having a good program and good progress on a program. You're absolutely right. We met with the AMA. They have a couple of different programs. We even talked about the availability of programs and what programs they could develop.

I found it a little bit interesting when the hon. member talked about putting the fear of life and death into individuals with graduated licences. I don't want to say that I want to put the fear of life and death. In actuality, we need to put the fear of reality into people who are driving, especially people who are driving impaired.

The comment that we need to address chronic abusers is very much part of where I believe this legislation needs to go. You asked me: where is this legislation going, and how are we going to deal with the individuals that are chronic repeaters, that are individuals that have .08 and above? Well, I'll say to you right now that if you blew today, what would happen is that you would blow. You'd lose your licence for a day or so. Then you get seven days to put your house in order. Then you have a 90-day suspension, and then you get your licence back, and you're able to deal with your charge in the courts.

5:20

The change that we are proposing to make is that that would not happen. If you lost your licence, we have enough faith in the breathalyzers, which have been upheld in courts, that what would take place is that you would lose your licence until the courts dealt with your charges. The second part is that on a first offence you would lose your vehicle. There would be a vehicle seizure for three days, on the second offence for seven days, on the third offence for seven days.

Ladies and gentlemen, let me be very clear that when we're looking at impaired driving at .08, I do not apologize for seizing vehicles. I think it's critically important to change, if I can call it, the minds of individuals. We're also looking at a mandatory ignition interlock. If you get charged on the first charge, you will have to use an ignition interlock for one year. [Mr. Danyluk's speaking time expired]

**The Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Chair. We have 15 minutes or 20? What is it?

**The Chair:** Twenty.

**Mr. Anderson:** It's 20 minutes. That's what I thought. Holy smoke. It's amazing how many great ideas the members in the government have when they've limited debate to one hour. Then all of a sudden they all want to stand up and take their full 20 minutes. It's just inspiring, just absolutely inspiring.

You know, when the Transportation minister was talking earlier – we had a little bit of a debate in a previous session – he talked about, you know, if my four children are in the back of my van or my truck and they were distracting me from driving, maybe I should think about doing something about it like maybe putting them in a cage and so forth. I'm assuming that was in jest. I sure hope it was.

The problem is that this member doesn't realize: what line are you going to draw? Where's the line that you're going to draw going forward for people who are distracted or driving impaired? What? Is it going to be pretty soon that we're not going to let senior citizens drive – is that the next plan? – because their hearing has decreased and their sight has decreased a little bit and they don't have the same reaction time that they did, that clearly it's reduced? Is that the next step? We're going to tell senior citizens they can't drive as soon as they show that their reaction time comes down a little bit?

Where do we draw the line here? Do we not allow 18-year-olds, 21-year-olds, et cetera, because they have a record of crashing their cars more often than the rest of us do, so we're going to raise the age of driving to 22 or 24 or 26? Where does the line stop for you with regard to public safety?

I'll tell you that what it does for me is this. If we're interested in making sure there are zero deaths ever in this world, well, I guess there are ways to do that. We'd better get rid of cars. We'd better

get rid of airplanes. We'd better get rid of any kind of greasy food. We'd better find a way to get rid of bad weather. There are about a hundred different things. I mean, what are we going to do? As a government and as a society we have to pick the things that we are going to do, the steps that we're going to take that are going to make the most impact in saving lives and are going to be things that are reasonable balances, reasonable restrictions on society for the better public good and to keep people safe.

If our goal is to make sure that the only people on the road are people that have the co-ordination of an Olympian or of a male in his prime or a female in their prime and that for everyone else, if they have any problems, if they have any disability, or if they have any problem whatsoever and their reaction time is decreased, we're not going to let them drive, well, then, let's start making a list.

Let's just tell the seniors right now: "Sorry. Once you're 50 or 55, the reaction time goes down. You're out." Okay? Is that where we're going? The reason we make laws is to make sure that we have a good, solid balance of making sure that when we do pass a law, it is truly going to make a difference for a large number of people with regard to public safety.

That is why the studies that have been done have concentrated on this issue of: who is causing the accidents in society? Who is causing the problem? Who is killing people on our streets? The evidence is absolutely clear. There is no equivocation. It is the folks on our roads who are over the .08 legal limit. That is why the legal limit is .08. The statistics clearly show that if you take a look at all of the accidents on our roads, only 2 per cent of folks blow between .05 and .08. Two per cent. Meanwhile 15 times that many people – 15 times – blow over .08.

Yet this government comes in with this bill, rams it through the Legislature with almost no discussion on it, with almost no ability for the public to even comprehend what's going on, before they even have an opinion on it. Just get it through. I mean, literally, a week of discussion. What have we had? Maybe a few days in the Legislature to talk about this. Maybe. This bill gets rammed through, and at what cost? Is it going to save lives? No, it's not going to save lives. What's going to save lives are increased checkpoints.

If you want to make sure that people who are dangerous to our society are taken off the street, then what you do, clearly, is make sure to enforce the existing laws to ensure that the people that are statistically actually causing the vast majority of deaths, which are those over the .08 limit, are taken off the street as much as possible, so that people change their behaviour to know that if you get caught at .08 and above, you're going to get hammered, that you're going to get absolutely taken to the cleaners with regard to various administrative penalties and criminal penalties. If that's what you want to do, if you put that in place, then you would actually cut down on the deaths caused by drunk driving.

This bill does nothing for that. In fact, it has the opposite effect, and that's the problem. What's going to happen here is that hundreds of thousands of dollars in police resources are going to be targeted at people in the .05 to .08 zone. That's what's going to happen. They're going to be targeting those folks. Meanwhile while those folks are stopped at the side of the road and getting processed and all things are happening, the .08 guys are going to drive by scot-free. That's going to happen.

If you want to cut down on drunk driving, increase enforcement. Increase checkpoints. Honestly, you've got a better chance of seeing a sasquatch in the province of Alberta than you do a blinking checkpoint if it's not December. There are sightings every so often. "Oh, look; a checkpoint." I have lived in Airdrie for 20 years. I have not gone through a checkpoint once in those 20 years.

That's ridiculous. If you want to help cut down the deaths from drunk driving, get your checkpoints up. Stop blowing our money on things like \$2 billion for carbon capture and storage, stop blowing \$350 million on new MLA offices, and start spending your money on things that matter: increased enforcement, policing, schools, increased checkpoints, things like that.

There have been members over there who said that somehow we're dissing the cops because we're saying that you've got a better chance of seeing a sasquatch here than you do a checkpoint. It has nothing to do with the police. It has to do with the lack of resources that they have. If this government was interested in actually doing something about deaths on the roads, they would increase enforcement, which means giving more money to our police forces to increase checkpoints. That would be one way to do it. But then to pass this and target exactly the wrong group of people, people who go on a date with their spouse and have a drink with dinner or those people who have a couple of beers after work with their buddies before they go home from a tough week at work – we're going to target those folks because they're a danger? They're not a danger. If they were a danger, the raw data would show that they were a danger compared to these other groups. We're going to pass a bill that does nothing to improve public safety. It just is another erosion of individual rights and liberties.

5:30

Look, I'm not concerned. I don't drink. As you well know, I don't drink, so this isn't about me. But there are people out there, the vast majority, I would say, of Albertans, that enjoy a little bit of a beverage over a meal or after work with a buddy or what have you. Why are we swooping in and targeting that group of people instead of targeting the dim-wits that are getting absolutely hammered and then going home? They know they're not going to get stopped because there are no blinking checkpoints unless it's December, and then there are a few. It's just absolutely incredible.

Mr. Chair, the other thing I don't understand about what has happened here is the idea that we are going to pass such a profoundly important piece of legislation, that will make a lot of changes in Alberta with regard to its effect on, say, the hospitality industry, on what we do for socialization and how we do it. You're going to pass this. It's going to change how we use our police forces and our law enforcement activities and so forth, their resources.

We're going to change this big law, and what does this government do? This PC bunch comes into this Legislature two weeks ago with a new bill, that no one has ever even heard of, after a meeting that the new Premier had with her Liberal counterpart in B.C., Christy Clark. They come walking in here with a new piece of legislation, that no one has even talked about, throw it on the table, and then they give us roughly about five or six days for debate on this and seven other bills – it's not like we were just debating this – with no time to bring in stakeholders to hear their testimony, the testimony of folks like MADD and the police service.

Obviously, we would want to hear from the police service and MADD and all those folks, from the hospitality industry, from civil rights groups, from different constitutional experts, and from just regular Albertans so that we could have time in our constituencies to go back and listen. Maybe if you would go back into your constituency and listen, you would find out what the Member for Olds-Didsbury-Three Hills or the Member for Little Bow have been getting. You all know it. I'm assuming their ridings and Airdrie-Chestermere and Calgary-Fish Creek and, I know, Calgary-Glenmore and Fort McMurray-Wood Buffalo – I

can't speak for the others – have been getting, clearly, that the vast majority of people responding to this bill are not in favour of it.

But in typical Tory fashion: “We know best. We know best. Just take it. We know what we're talking about. You guys are just a little behind the curve, you regular Albertans. The PCs know best. We know what's best for you, Alberta. Here you go.” Now we have a piece of legislation that we have absolutely – there has been virtually no public consultation on this, no consultation with experts. This bill is a piece of garbage. It's not worth the paper that it's printed on, and it's not going to do anything to save lives.

What's so frustrating about it is that the intentions of the bill are fine. The intentions of the bill are good. The intentions of the bill, the objectives of the bill, are the same for all of us. We all want the same thing, decreased deaths and injuries, et cetera, from impaired drivers. That's the goal. You know what? Everyone in this House wants that, and there's no doubt about it.

It's just like the federal gun registry; that's what this is. The same silliness that went into the federal gun registry is going into this bill right now. The federal gun registry was a response to what happened in Montreal, a terrible shooting in the late 80s, in '89 I think it was, in the École Polytechnique school in Montreal, a terrible, terrible situation, awful, a mass shooting. Many, many, many, many women, I think over a dozen women, were killed in that shooting, so of course people were mad, and they should have been mad. It was awful.

What did the federal Liberals do at the time under Jean Chrétien? Well, they imposed this federal gun registry. This was going to change everything. This was going to save lives. It was going to increase public safety. We were going to get the bad guys and everything with this gun registry. About 20 years later what has that gun registry gotten us? Nothing. We spent billions of dollars, certainly over \$2 billion, probably more, on it. We didn't protect anybody's life. It was a complete waste of time. It's trampled on the rights of law-abiding gun owners, particularly in rural Alberta, particularly, I would say, disproportionately in Alberta, where we certainly have a different culture and we appreciate things like hunting and things like that. Our citizens, a lot of us, anyway, are very much into the outdoors and hunting and using our long guns to hunt and so forth. The point is that it trampled on those people's rights.

It was like talking to a brick wall with regard to the federal Liberals to try to explain to them that criminals don't register their guns. In other words, this registry is not going to help. It's not even going to help you solve crimes, let alone prevent them, because people who shoot people don't register their guns and say: look, I'm going to use this gun that I've registered to shoot someone. That's not how it works. That's why the federal gun registry was a joke, and everyone knows it. Finally, it's getting repealed by the federal government right now after all that wasted time and effort and money.

That's what this is. This is a waste, an absolute waste. The federal gun registry was to improve public safety, to cut down the number of deaths. The goal of Bill 26: improve public safety, cut down the number of deaths caused by impaired drivers. If that's the goal, then you would think that the bill would want to actually do something that will accomplish that goal. This bill doesn't do anything at all.

What will do something with regard to saving lives is putting more checkstops in place, maybe diverting resources that may be going to our men and women in law enforcement – our chiefs of police and so forth – going to them and saying: “You know what we really need? This is a scourge on our society. We really need to up the enforcement here. What can we do to help? Is it a matter of more resources? Can we divert traffic enforcement officers?

Maybe we can have the sheriffs do a little bit more, do some checkstops themselves instead of just checking for speeding and so forth?” Maybe that's what we want to do. I don't know. But shouldn't we have that conversation with them? I would think so.

If we wanted to save lives, that's what we would do. It doesn't matter if you lower the limit to .05 or .01 or leave it at .08 or nothing or what you do. If you don't enforce the law on your books, then who cares about passing it? So this is the problem with this bill. This is really our version of the federal gun registry, a do-nothing amendment.

Then the unintended consequences. Just like the federal gun registry, the unintended consequences were massive amounts of taxpayer money wasted and trampling on the rights of law-abiding gun owners. This is our very own gun registry. It has unintended consequences, too. The unintended consequences here are that not only do we not get the public safety that we want, but we divert precious resources that the police could be using to apprehend those who are over the .08 limit, and they start enforcing it on the .05 to .08ers, who aren't killing people. That's one unintended consequence. So it could actually have the opposite effect to what was intended, which was to save lives.

Another unintended consequence is that it's going to change the way that Albertans socialize. There are a lot of people that aren't going to take a chance now, when they go out and drink or when they go out to the restaurant, to have a drink of wine or two over dinner, where it's right on the edge there, .03, .04, you know. Clearly, I've driven in many cars with somebody who has had a drink or two, and they're perfectly lucid, perfectly able to operate the vehicle. They're not drunk in any way, shape, or form, but they have had a glass of wine or two over their dinner, over the period of a couple of hours. What will happen is that they'll be scared of losing their car without any kind of way to appeal it, with no practical way of appealing it, anyway. They won't want to do that anymore, so they just won't even bother going and doing it.

5:40

It will change that. It will cause those folks who actually want to go out and have a drink of wine over dinner or a couple of beers with their buddies after a long week of work – that will have to end. Of course, the unintended consequence there is on the hospitality industry, so there are jobs. People have jobs in the hospitality industry. We've seen in B.C. that that industry was severely hurt by the similar law that they had in B.C. A lot of folks are going to be out of work because of this. There will be a lot fewer incomes going into their businesses and so forth, and there we go.

There's another unintended consequence. Those police resources we could be using on enforcing .05 to .08; we could be using them on things like education programs. We could be talking right now about things like talking to the cities about increasing the amount of C-Trains and public transit in the evening after happy hour, after last call, and so forth.

That is why this bill is wrong. It has got to be voted down.

**The Chair:** Does the Minister of Transportation wish to speak?

**Mr. Danyluk:** Thank you very much. I'm just going to make a couple of brief comments. Of course, there's one thing that I find very interesting. When time is so precious, how come so much time is spent on the long gun/rifle law?

I want to make sure that I correct some of the direction that has been brought forward by the member from the third party. He continually talks about the 2 per cent, and I would very much like

him to look at the statistics that he is using. The 2 per cent is basically 50 per cent of the individuals that were driving and tested.

Mr. Chairman, the other point that I would like to say is that that 2 per cent were drivers that were impaired and lost their life. It does not take into account the people that were in the vehicle. It does not take into account the people that were injured. It does not take into account the people that were killed that were in other cars that this individual hit.

The other point that I want to say is that I do not apologize for taking care of even that 2 per cent. All of us can stand around as legislators and say: "Well, you know what? Only 2 per cent of the homicides are because of stabbing. Let's not worry about the 2 per cent of the homicides because that 2 per cent of the homicides were done by stabbing, so that's inconsequential to what matters." Mr. Chairman, I will say to you that everyone's life is important and especially to the families of those individuals.

Mr. Chairman, the other point. I know the member occasionally talks about my comment about cages. I would suggest to you – and you can check *Hansard* – that that individual talked about being distracted. We have laws, and those laws prohibit individuals from driving when they are distracted. I would suggest again, if I could, that if the individual is distracted in the vehicle, he or she should look at ways to try to curtail that. It was suggested that he needed a little help, and I was willing to offer it.

I also just want to finish because I will not rise again in Committee of the Whole. I just need to say that, you know, when we talk about balance and who's causing accidents, I very much believe that we need to look at all that are causing the accidents and try to look at changing that culture and try to look at changing what is happening to families and to individuals. I will also say that when the hon. member talked about "Take a chance," Mr. Chairman, we are dealing with families. We are dealing with individuals. First of all, we are working with the associations and with individual and groups, businesses, to try to do the best education that we possibly can because the businesses and this government have the same goal, and that is ensuring that if someone leaves their home, they come back to their home without being killed or injured.

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Chair. I appreciate the time, and I know it's short. I would like to ask the Minister of Transportation – he's talked over and over again about the 42,762 roadside suspensions that they've had over the last five years – what has the government done to address those 42,762 roadside suspensions? How have they targeted those drivers, and what have they done to help?

I ask the minister, and I've asked him at least three times: of those 42,762 roadside suspensions – and I know that he has these numbers at his fingers because when I was Solicitor General, I knew what they were – what percentage of those suspensions were in, say, for example, Calgary or Edmonton? What percentage of those suspensions were in rural Alberta? Under the Safe Communities Secretariat it was very clear in the recommendations to target hot spots. You should know under those roadside suspensions if there was a higher percentage in Calgary, for example. How have you targeted those? How have you increased the checkpoints, and how many checkpoints do you currently have up and running in Calgary? Are you going to be giving the police forces more money to have more checkpoints?

We've mentioned that 20 per cent of the repeat chronic offenders are causing 80 per cent of the problems, so I'd like to

know what you're doing about that. You encourage people to keep talking about the seriousness of this. Minister, if you want to encourage people to keep talking, why are you so adamant about having this bill pass and putting closure forward? I think one of the things that's important if you want people to talk – and I can tell you that they're certainly talking about this particular piece of legislation – is to put the bill into committee. Let's have a full discussion.

That's what the Premier continues to talk about, and we've got her on record about how she's going to consult with Albertans. In fact, she says, "We need to change how we make decisions. We must make time and processes available for consulting with Albertans before we pass laws." What consultation was done before we're passing this law? Then she goes on to say, "[This] doesn't mean every Albertan will agree with every decision, but there will be time to learn about the issue and weigh in."

You know what, Minister? Albertans haven't had the time to weigh in on this decision. They get a piece of legislation handed to them and have had absolutely no time. She talks about: "We need to change how the Legislature and the MLAs operate. More free votes so MLAs can reflect constituents' views" – and that goes back to the bill – and "more time between proposing and voting on legislation."

You know, we need to have some frank discussion. We need to be able to have the opportunity for Albertans to weigh in, and that's exactly what the Premier has said. I want to find out from the Minister of Transportation or the Minister of Justice or the Solicitor General or even, you know, the health minister about the consistent research that has been done under the safe communities. What research has been done on the .05 legislation? What is the government doing to develop and implement a targeted social marketing campaign to counter excessive drinking and, for that matter, the use of drugs? You didn't really mention education. I'd like to know: when you stopped these 42,762 roadside suspensions, what education component did you provide to these individuals?

5:50

More or less, I'm going to talk briefly. I don't know how much time I have, Chair.

You've talked about the 12 years that the .05-.08 legislation has been around. I really need to emphasize the facts, so what have you done to address it? What have you done, in the 12 years that we have had these 24-hour roadside suspensions, to target it, and what are you going to be doing in regard to the chronic abusers, and how are you going to address that? I think what we really need to do when you have chronic, repeat offenders – are you going to be specifically adding more police in the province? I mentioned last night that we have the second-lowest police population in the country. How do you expect, when you have such a low percentage of police, that you're going to address targeting the .05 to .08 legislation?

The minister has talked about and we've mentioned that the police need more tools in the tool box. There is no question about that. I think when you talk about more tools in the tool box, that means you need to have more police officers on the road. You need to have stronger criminal charges. You need to talk about the repeat, chronic offenders. It was mentioned briefly in regard to: how are we going to transport these people home? I got an e-mail from a rural constituent that said that they can't even get – I'm not sure what it's called in rural Alberta – Operation Red Nose or something. They haven't even been able to get any of that to get a ride home. We've heard about the transportation and the long cab



rides. You even alluded to the fact that we know that Christmas is a busy season.

I guess, for us, what we want to do is have on the record that we believe that impaired driving is a serious offence. There's no question about all of the lives that have been lost. I think what we need to do is address how you are going to deal with that. Have you brought that forward to your federal-provincial-territorial meetings? I know when I was Solicitor General, the Member for Edmonton-Whitemud and I, when we went to these federal-provincial-territorial meetings, always had a plan of attack on what we were going to bring forward at FPTs. He was very passionate about raising the age of consent when he was the Minister of Justice, so maybe on record we could see what the previous Minister of Transportation brought forward to his FPTs or, for that matter, the Solicitor General and the Justice minister, because usually they put out a communication package where they talk about what they're bringing forward and what they're addressing.

I know that we have gone back for the last four years, and I can tell you that over the last four years it was never on the federal-provincial-territorial communication package that either the previous Solicitor General or the previous Justice minister or the previous Transportation minister was actually bringing forward any of that to their federal-provincial-territorial partners to see how to address . . . [Mrs. Forsyth's speaking time expired]

**The Chair:** Hon. member, the time allocated for the debate in committee has ended. The chair will now call the question.

[The clauses of Bill 26 as amended agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

[The voice vote indicated that the request to report Bill 26 carried]

[Several members rose calling for a division. The division bell was rung at 5:56 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Cao in the chair]

For:

Amery	Groeneveld	Leskiw
Bhullar	Hancock	Liepert
Campbell	Horne	Mitzel
Danyluk	Horner	Pastoor
DeLong	Jablonski	Prins
Denis	Jacobs	Sandhu
Drysdale	Johnson	Vandermeer
Fawcett	Klimchuk	Weadick
Goudreau	Knight	Woo-Paw
Griffiths		

Against:

Anderson	Forsyth	Marz
Boutilier	Kang	Sherman
Chase	MacDonald	

Totals:	For – 28	Against – 8
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[Request to report Bill 26 carried]

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I'd move that the committee rise and report bills 24 and 26.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. Goudreau:** Mr. Speaker, the committee of the Whole has had under consideration certain bills. The Committee reports the following bills with some amendments: Bill 24 and Bill 26. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Having heard the report, those in favour, please say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, please say no. Carried.

**Mr. Hancock:** Mr. Speaker, I'd move that we adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 6:09 p.m.]



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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Tuesday evening, December 6, 2011

Issue 47e

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, December 6, 2011

[The Speaker in the chair]

### Government Bills and Orders Third Reading

#### Bill 25 Child and Youth Advocate Act

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is truly a privilege and an honour to move Bill 25, the Child and Youth Advocate Act, for third reading.

It's a real honour for me to bring forward the first bill under the Ministry of Human Services and to have that first bill be the implementation of our Premier's promise, our Premier's guidance to make the Child and Youth Advocate an independent officer of the Legislature to give Albertans the assurance that there will be someone who's there to advocate specifically on behalf of children with no other obligation other than, of course, to report to the Legislature.

I think the Premier's direction is a sound one. I know that many people in this House have advocated in the past for this move to happen, and I really am pleased to have the privilege of bringing forward the bill that creates that opportunity and establishes the office of the Child and Youth Advocate as an office of this Legislature. It's a very important step forward for Alberta and Albertans.

I think we do well in terms of the protection of children in this province and the emphasis that we put on ensuring that every child has the opportunity to succeed, but we also need to be able to have clear, open, and frank discussion about what's not working well and what needs to be improved, and we need to have that independent oversight, I believe, to give assurance that we're looking at every aspect. So I'm very, very pleased to be able to bring forward a bill which establishes that office of the Child and Youth Advocate as an office of the Legislature.

The bill does have several other very important points, which I want to quickly dwell on as well. The council for quality assurance has been established as a committee and is now being established by act with a mandate set up which is very clear. It's role is

- (a) to identify effective practices and make recommendations for the improvement of intervention services, at the direction of the Minister and in co-operation with the Department;
- (b) to appoint an expert review panel to review incidents giving rise to serious injuries or deaths of children as reported by a director . . .

The quality council has the ability to set up expert panels, to move quickly in any area of this nature to do investigations, and to be able to very clearly establish if change needs to be made.

I want to say, Mr. Speaker, that we have very, very many people in this province working for this department and working for agencies who work hard to support children to make sure that they're cared for, that they're protected when they're in danger or at risk. Most of the time that work is done very well. People make difficult decisions at difficult times. They sometimes have to operate based on the information that they have. I would really like to do a shout-out, a thank you to those people who are at the front end of the system who are working very hard on a day-to-day basis for the protection of our children.

This quality council should not be seen as looking over their shoulders all of the time in order to criticize or find what's wrong or find liability or blame. It really is about continuing quality assurance, making sure that we're constantly looking at what we're doing to find out how we can do things better, what areas we're missing. What areas do we need more skill sets in? What do we need to do better in terms of information sharing? What are all of those areas?

The combination of having a children's advocate who's unfettered by any responsibility to report to a department and has a clear line of report to the Legislature, a clear obligation to act on behalf of children, and a quality assurance council who does work with the ministry to look at every aspect of serious incidents or deaths and any other area that they might be asked to look at to constantly ensure that Alberta has leading-edge child care and child protection: those two pieces are the key parts of the act.

There are several other pieces to the act, again all directed at the protection of children or the assurance to Albertans. The first is the publication ban piece, and that's really a piece that's set out to clear up when information about a seized child can be published. There has been some lack of clarity around that, so we wanted to clarify the section of the act which made clear what could be published and when and when someone could go to court and ask for publication. It's important that it not be a blanket statement of publication, or a blanket permission to publish, because of course there are others whose private information perhaps should be protected. That could be a judgment call, and that judgment call should be, as it is set out here, in the hands of the court. Clarity around that is important, and we believe that this bill brings clarity on that topic.

The other piece that's important for the proper protection of children, the proper establishment of a structure which will ensure that every child has the opportunity to grow and succeed, is the piece which makes it clear that notwithstanding the fact that we have a clear concern about the protection of personal privacy, it's absolutely essential for members of government, government agencies, school boards, and others who are dealing with the health, education, and safety of a child to work together collaboratively, to share information appropriately.

I know there are concerns around what's appropriate and what's inappropriate. But I'll tell you, Mr. Speaker, when it really is inappropriate is when people keep a child's information to themselves when they need to share it with others who are working together collaboratively in the best interests of the education, safety, health, and protection of that child. I've seen situations. I've had personal information brought to me about situations where not only the child involved but other children are put at risk when information is not appropriately shared.

We want to make it clear. This is not something that's new. This is information sharing which for the most part is allowed under the Freedom of Information and Protection of Privacy Act. There seems to be a tendency to keep information rather than to share it, when you know that if you don't share it, you can't get into trouble, and if you do share it inappropriately, you could get into trouble. We want to make it perfectly clear. If you're working collaboratively with government, government agencies, and others for the health, education, and safety of a child, it is appropriate to share information.

The fifth piece in the act is an amendment to the Protection Against Family Violence Act, which essentially puts in place the ability for police to use an arrest warrant where there have been reasonable and probable grounds to believe that there's been a breach of a protection order. This is something which just further enhances the safety of not just victims but also children in the

home if they're not the victims or if they're indirectly the victims. Where there has been a purported breach of a protection order, the police arrive, and if the perpetrator has left the scene, they can follow and arrest on reasonable and probable grounds.

This is something, in my view, which we should have done when we brought the amendments in earlier, but it was believed that going to get a warrant was the appropriate process. In discussion with police before this was proclaimed on November 1, it became clear that it would be even better protection for victims and for children if police had that arrest procedure. There is still the provision of the courts to settle any disputes with respect to the situation, but protection of children and protection of victims is of paramount concern, and therefore the amendment is recommended.

Again, Mr. Speaker, I'm absolutely pleased and proud to be able to bring forward Bill 25, the Child and Youth Advocate Act, on behalf of our Premier and this government to show Albertans how important it is to us that not only do we have an appropriate child care protection process in this province so that children can be protected, the most vulnerable among our society can be protected when they need it, but Albertans can know that they are being protected and know that when something goes wrong, it will be appropriately investigated, appropriately learned from, and our system will get even better.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm pleased to rise and speak to third reading of Bill 25, the Child and Youth Advocate Act. I want to commend the government. I think they have done some good things here, especially with respect to the Child and Youth Advocate reporting to the Legislature. We applaud that. We think that's an important change that has been pressed for on a number of fronts for a number of years, and it is the right thing to do. If child protection and independence of the advocate is forefront in this and speaking independently on behalf of the child is important, then it has to be reporting to the Legislature, not to the minister.

7:40

We had suggested a number of amendments we felt would make the bill stronger. They were rejected, but in balance the benefits to the child, the benefits to the system I hope – and I'm thinking specifically of First Nations and the tremendous extra demands that they have on the child and family service unit – will be better addressed as a result of some of these changes. We'll be watching very closely. I think many Albertans, many Canadians are looking for ways to ensure that the disadvantages and vulnerability of First Nations children are addressed more conscientiously, more compassionately, more consistently, and some of the changes that we see in this bill are encouraging in that respect.

I look forward to working with the minister, and we will be supporting this bill. Thank you, Mr. Speaker.

**The Speaker:** Additional speakers? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Thank you, Mr. Speaker. I just want to take this opportunity to build on the comments that the minister made, which I think reflected a constructive exchange we had at an earlier stage of the bill, and that was around the importance of the staff, the value of the staff, particularly the child welfare staff, but all of the staff.

Many years ago – I'm reluctant to say how many, but it's 30 years or so ago – I actually worked for a while doing policy and evaluation research in the Edmonton region of social services and worked very closely with child welfare workers and managers, income support workers, various facilities, the Youth Development Centre, and so on. I had no idea, Mr. Speaker, how awful the lives of some children are in Alberta and around the world and the kind of torment and abuse – indeed, in some cases I think the word “torture” wouldn't be too much to say to describe the way that some children in Alberta are treated by their family, by others in their circle. These can be as young as infants.

We have as a society taken a stance and a position that that's wrong, as we rightly should, and that we will protect those children. Just as we ask people to sign up and go off and protect our freedoms and our lives by going to Afghanistan or Libya or wherever and make a terrific sacrifice, we also ask social workers and others to go into sometimes dangerous and ugly and frightening domestic situations, often accompanied by police officers, and then to work with those families and to work and rescue those children. It is often thankless, painful, dreadful work that we ask of these people.

I wanted to just remind all those who are assembled here tonight that while we're in here, you know, having this debate, there are people out there working on behalf of this government and on behalf of the people of Alberta as we speak right now, stepping into households across this province to try to save the deeply damaged lives of innocent children. Undoubtedly there are any number of children right now in crisis put up in temporary shelters in hotels or in emergency foster care or other facilities. As we sit here comfortable and engaged at this very high level of debate, that kind of intimate, front-line action is being carried out. Those duties and compassion are being fulfilled at our behest by people we should not forget.

I think the role of the children's advocate has always been a good one but will be considerably better because of the bill we're going to pass tonight. I just hope that the kinds of issues that we all want to see resolved are actually somehow addressed and improved a little bit by what we're saying here and what we're doing here tonight because they have been intransigent problems.

Mr. Speaker, a name that comes to my mind is Richard Cardinal, a famous case from 25 years ago or more, a Métis boy who hanged himself out of desperation. The tremendous controversies that flared up when a man named Bob Bogle was minister of children's services: those reflected not so much on Mr. Bogle but on the terrible conditions that too many of our citizens live in. Those problems are still out there today. I would hope and dream that what we're doing here tonight moves us a little bit toward improving and resolving some of those problems.

Thank you.

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

Hon. Member for Calgary-Buffalo, do you want to participate in the debate or question?

**Mr. Hehr:** The debate, please.

**The Speaker:** Please proceed, then.

**Mr. Hehr:** Well, thank you, Mr. Speaker. As always, it's a privilege to rise to discuss this bill. I'll be brief because it's awfully difficult to follow the comments made by the hon. member who just spoke. His words are always very wise and very poignant as to what we often advocate, what are our better angels, how we should look at some of the situations here in Alberta. It's not always easy for a lot of people out there, and I think his words

resonated very profoundly and deeply with me and, I hope, with many members of this House.

In speaking directly to the bill, I think it's a good bill. I hope it moves the chains forward a small measure in providing some solace from the storm, shall we say, that many of our youth find themselves in, some desperately trying situations. To have the guidance of the children's advocate can go some way in improving their lives, allowing them to sort through a mess of problems largely out of their control.

In that way I'm glad that the government has brought this bill forward, and I hope it serves the people of Alberta well, a realization by us here that we need to ensure that Alberta is a place not only for the wealthy but for its most poor and that opportunities are going to exist for people in trying circumstances.

On that note, I support the government in this measure, and I applaud them for their efforts in this regard. Thank you very much, Mr. Speaker.

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

Additional speakers? The hon. Member for Edmonton-Strathcona on the debate?

**Ms Notley:** On the debate, yes.

**The Speaker:** Proceed.

**Ms Notley:** I will be brief. This is a bill which is a long time coming, probably – I don't know – 15, 20 years at least, and certainly pursuing an objective which our caucus has made a fairly major priority over the last several years, believing that it's important to inject as much transparency and accountability as possible into the job of protecting the interests of Alberta's most vulnerable children and families in the province.

I will admit that, originally, when the bill came forward, I was somewhat conflicted about it because as I've indicated before, it does, in my view, fall short of immediately implementing the process of a true officer of the Legislature in that, typically, that title is associated with somebody who has been selected by members of this Assembly through whatever process the Assembly has deemed appropriate. Obviously, that's not the case here. We will be elevating to the position of officer of the Legislature somebody who has been selected by the minister in a very closed-door process without us really having any idea who applied for the position, what the alternatives were, what their qualifications were.

7:50

As well, the person that was hired to be the children's advocate – i.e., someone who reported through the minister and to the minister and was very much accountable to the minister for a limited scope of responsibilities – even though that person might have been who the minister deemed to be the most competent for the position at the time for that particular position, wouldn't necessarily have the same skills and qualifications necessary to fulfill the broader mandate and authority provided through this legislation and to bring the same level of independence that is anticipated by this legislation. In essence, we're in a situation where for a period of time we will have someone in this role who will not have been through the same process as every other officer of the Legislature.

It's a bit of a delayed introduction, shall we say, of the public policy objectives that our caucus has been seeking over many years, but there's no question that eventually this officer, the children's advocate, will ultimately be selected through the same process as other officers of the Legislature. So when that happens, we will at

that point have achieved the true objectives that our caucus has been seeking. Short of the government undoing that in subsequent legislation, this legislation promises that we will at some point in the hopefully not-too-far future have gone the full distance to ensure fully independent and transparent accountability by this government in their very important job of taking care of the best interests of Alberta's most vulnerable children and families.

With those notes in mind, I do appreciate that we have finally gotten there. It's been a lot of work. I think that we can all look forward to an improved sense of oversight over the course of the next few years, and probably members on both sides of the House will appreciate that improvement as we collectively try to ensure that we do the best job possible for this particular group of Albertans.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. Fort McMurray-Wood Buffalo under Standing order 29(2)(a)?

**Mr. Boutilier:** Yeah.

**The Speaker:** Proceed.

**Mr. Boutilier:** Thank you, Mr. Speaker. A question to the hon. member. I want to say that the hon. Member for Edmonton-Strathcona clearly has been, without question, a leader on this file, and I'm very proud to say to her: very important and good work for those of us who have young children. As you know, the law that was passed in British Columbia – of course, there were some issues raised pertaining to what is secretive within cabinet, the issue being that the child advocate should be able to get information from cabinet ministers such as the minister of children's services. That is something that the government pushed back on. Having that type information being open and transparent to Albertans: how important is that?

**The Speaker:** Hon. Member for Edmonton-Strathcona, do you wish to respond?

**Ms Notley:** Well, I do. I thank the Member for Fort McMurray-Wood Buffalo for raising that point. I think that probably the children's advocate in B.C. had the right idea when she was pursuing that level of transparency in order to even further enhance the accountability of government to the citizens of British Columbia for the progress they make in the job that they've taken on in protecting children and families in that province. I suspect that that children's advocate was making a very good and compelling case.

Certainly, this legislation as it is does not match the existing legislation in B.C. in terms of some of the components that we would have liked to have seen. Without question, it doesn't include the children's advocate's ability to access information that would otherwise be privy to the cabinet. That is unfortunate. On the flip side, it certainly does represent quite a major step forward from where we are today, which was, you know, being in the position of being the only province in the country that didn't have an independent children's advocate.

So we're moving forward with this legislation. We have places we can probably go further as well, but it's a partial step forward, and it's one that will make a difference, I think, in the lives of Alberta's children and their families. So for that reason we will be supporting the bill.

**The Speaker:** Are there additional questions?

Are there additional speakers? The hon. Member for Fort McMurray-Wood Buffalo on the debate.

**Mr. Boutilier:** Yes. Thank you very much, Mr. Speaker. It's certainly a privilege to stand in the House and talk about something, this government bill, that I do believe is a positive step forward. I do believe that it is a move in the correct direction, and I commend the minister from Edmonton-Whitemud for bringing this forward. I think it is important, and I think it is a step in the right direction. I'm also encouraged, I can say. Anyone with young children – my wife and I, our four-year-old son – and I'm sure everyone in this House supports the intention of this bill to help young people at risk in our province. The Child and Youth Advocate has an important role: to protect our most vulnerable, those without a voice, who are, truly, our children.

That said, Mr. Speaker, obviously, over the past year or two it has been rather unfortunate, the number of situations that have occurred in Alberta. Of course, these are disturbing to all Albertans in terms of the number of deaths and injuries that have happened to children in government care. Obviously, I'm sure all of my colleagues from all sides of the House would agree that one death is too many when losing the life of a child. With that in mind, I find it helpful, though, that we finally have a piece of legislation that will help the government in an area where Albertans are wondering, you know, if the government is up to the job, but we have to remain confident and hopeful that our children will be protected.

You also know, Mr. Speaker, that this is something that my colleagues in the Wildrose caucus have been asking the government to do for quite some time. Of course, the Member for Calgary-Fish Creek was a member on the opposite side as a minister of children's services and did an absolutely excellent job during her time. Even then as a minister I know that she talked about wanting to bring forward this type of legislation. I know she is equally pleased as a colleague in the Wildrose caucus about this coming forward.

Mr. Speaker, I do believe that in order for us to achieve important legislative changes, we in the Wildrose caucus think that the government listening to Albertans is a key, grassroots approach that is so important.

Now, the Wildrose caucus has been very consistent, though, I might add, in the fact that we always believed that this was an important initiative. We've been consistent in calling for Alberta to catch up to other provinces and to make the Child and Youth Advocate independent of the government. Finally, here in third reading this may soon become law, and the Wildrose caucus believes that this is very important.

You might also remember that we have long called for the government to do other things that are included in the bill such as calling for better sharing of information between public bodies and a clarification of confidentiality in regard to these cases. This is something that, again, the Member for Calgary-Fish Creek has been pushing for since the safe communities task force. The previous Justice minister wasn't able to get this done, but I'm glad that the government finally decided to follow our lead and include this in the legislation as well.

With that said, Mr. Speaker, there is real promise here that we will see one of the government's biggest shortcomings being addressed, and we're pleased for that change. We're pleased that the government actually listened to the Wildrose caucus. For too long it has been entirely up to the minister to decide if something gets looked at or not. Often the same minister has something to lose by an investigation. This really has been the fundamental problem with our health care system, and we'll all see over the next few weeks if these problems are adequately addressed in Bill 24. I know I do have my doubts, but I will always remain hopeful.

One of the things that we need assurance of in debating this bill is whether it's adequately addressed in the bill.

**8:00**

On the one hand, we would feel confident about this because there is an independent advocate, but then it gets muddled because there is also a child and family services council for quality assurance. The scope of other child advocates is much greater than that being proposed by this government, so it looks like there may be a muddling of mandates here. Of course, we would like to see that streamlined, and maybe this council appointed by the minister will somehow reduce the powers of the advocate. We'll see how the government presents its case in the future before we will render a decision and a verdict on his progress.

It seems to me, though, that it's a positive step in the right direction that this council will not only be activated when summoned by the minister, but instead the functions and powers of the council will be embedded in the Child, Youth and Family Enhancement Act. That, I believe, is so important because any minister then will be guided by what is in the act as opposed to having that independent decision-making on their own. It means that this Alberta Legislature will be directing the minister on what should or should not be done. I think that is a strength of the act.

Perhaps this person also may be a bureaucrat with no experience in dealing with children or a political appointment. Of course, that's concerning to us. You know, there are some deputy ministers and bureaucrats that do a very good job and are well trained, but what we've seen over the last period of time is that you had to be a friend of the chief of staff to become a deputy minister. As I look at the deputy ministers today, we can see that some have very limited experience while others have a vast amount of experience. We all can determine the ones that were appointed by Ron Glen and those who were not. But this act puts the authority to the Legislative Offices Committee to appoint as it pleases.

Mr. Speaker, I feel that the bill is missing something, but maybe the government can explain how this council and advocate are up to the job. I remain optimistic that they will be up to the job because the Premier made a promise in light of the particular tragedy that took place just over a year ago, and we know that the Premier will never break a promise or flip-flop on anything. Why do we wait until something goes horribly wrong before we act? We want to see this government being proactive rather than reactive on, certainly, the plight of children being at risk.

The Premier said during the summer in her leadership campaign that we need a children's serious incident review team. This would be modelled on the Alberta serious incident review team that has the tools to look into police shootings and other delicate things that require independence. That is so important. But that is not explained explicitly here, and I look forward to the minister explaining how this bill is even better. What we don't have yet is another promise that may not be lived up to. Hopefully, that's not the case.

As we go forward, let me say, Mr. Speaker, that I do think that the bill is a good step forward. There are a few other concerns that we have, but I do believe that it is a step in the right direction. For that, I say to the minister responsible, the Member for Edmonton-Whitemud, that I think that, like the Wildrose caucus, he is listening to Albertans and Alberta families, and that is so important for him to do. When you do that, you actually get good legislation, which we are prepared to support in third reading tonight. We will not be supporting some of the rushed and rammed-through legislation that really requires a lot more work. We want to get it right the first time rather than the second or third

or fourth or fifth, which has been the track record of this government on many bills that have really not served Albertans well.

With that, Mr. Speaker, I'll take my seat. Thank you.

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

Additional speakers? The hon. minister to conclude the debate.

**Mr. Hancock:** Thank you, Mr. Speaker. I just want to reiterate that we have hundreds if not thousands of people in this province who work every day to protect our children, and for that I say thank you.

We have now a mechanism through an independent Child and Youth Advocate to make the system even stronger by constantly advocating for children, beholden to no one but the children, and a quality assurance council that can help us continue to make the system better.

[Motion carried; Bill 25 read a third time]

### Bill 26

#### Traffic Safety Amendment Act, 2011

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

**Mr. Hancock:** Thank you, Mr. Speaker. It's a privilege to move Bill 26 on behalf of the hon. Minister of Transportation. There has been a considerable amount of debate in this House with respect to Bill 26 over the last few weeks, but I think there are several things that are irrefutable. The first is that drinking and driving do not mix. There should be a singular message to Albertans, the same message that we as Albertans have given our children over the years, and that is: if you're going to drink, don't drive. That's a very important message. It shouldn't be a mixed message. This bill helps to enhance that message to Albertans and helps to enhance the safety of our families not just on the roads but near the roads, anywhere where they could be affected by someone whose ability to drive has been impaired by alcohol.

There's been lots of discussion, Mr. Speaker, about the fact that it's criminal to drink and drive if you're over .08. But it's also against the law to drive while you're impaired. It's very clear that impairment starts a lot earlier than .08, and that has been the law in this province and in all the other provinces for a long time. Some have used the term of 12 years.

Over .05 the medical evidence as presented by the hon. Member for Calgary-Mountain View is clear. Those skills that you need, those senses that you need to be able to drive are impaired as early as .05, and some would suggest even earlier.

But for me, Mr. Speaker, this is a very simple matter. If you drink, don't drive. That's what we've told our children. They get it. The people who haven't been getting it are we adults, those of us who have had a social drink and who still consider that we can make an appropriate judgment call after our ability to make that judgment call has been impaired.

There have been a lot of suggestions that there aren't very many accidents caused by people over .05. What that denies, Mr. Speaker, is the fact that a lot of people who are driving don't think they are impaired, and if we can bring that judgment call down to an earlier level so that people make that judgment call much earlier in the evening, we can save lives. We can save accidents. We can save people from hurt and pain and suffering, from losing a child, losing a loved one. That's important for Albertans. That's what this legislation will do.

It's important legislation. The concept that we shouldn't be passing this legislation, Mr. Speaker, because it will be bad for

people's business: that one really gets to me. The fact of the matter is that people should not be building a business on selling excess alcohol to individuals who will then put others in danger. Good practitioners and good businesses already have and for years have had designated driver programs. Good businesses have always promoted not drinking and driving, and I would suggest that good businesses will continue to do business with people like myself and others who do enjoy going out for a social evening and understand that when they go out for a social evening, drinking and driving do not mix.

There's been a lot of discussion in this House, Mr. Speaker, about using resources appropriately. Well, I'd suggest to you that that really begs the argument because our police are out on the roads. Now, you can't have a policeman standing beside every impaired person or every person that's coming out of a bar. But our police are out on the roads. They're doing the checkpoints. They're testing people for impairment. It's not going to take significantly more resources for them, when they're running the checkpoints already, when they're testing people for impairment already to say to them, "Well, you're not criminally impaired, but we still believe you're impaired." They used to be able to give a 24-hour suspension. They'll still be able to do that, but they can also use the tougher penalties, which the evidence shows we need because people are not getting the message.

It's a very straightforward bill, Mr. Speaker, a bill which will make Albertans safer, which will help with what we want to accomplish, and that is every Albertan having the opportunity to go home safely to their families at the end of the day. Thank you, Mr. Speaker.

I would move third reading.

8:10

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills. You're the first up.

**Mr. Marz:** Thank you, Mr. Speaker. I wasn't going to speak on this bill again. I hadn't anticipated it, but I was prompted by the last remarks in committee by the hon. Minister of Transportation and again now by the Government House Leader. When the Minister of Transportation last spoke, he offered answers. The more answers he offered, the more confused I became. He talked about public awareness to start with – I'll kind of go through it in the order that he talked about it – for a couple of months that would be allowed so Albertans could get in tune with this and educated about it. But it seems that there's no time for public consultation, and part of public consultation is that it would be a great tool for educating people, and it would also be a great tool for educating us more on what we are doing for people instead of to people.

I kind of resent the defence that – there's always an inference that if you don't support this bill the way it's written, you must support drunk driving. Nothing could be further from the truth.

I'm glad that the minister met with businesses today. I've been meeting with businesses since I first heard about this, and I've given them the government websites and told them to consult with their association and keep in touch and talk to any other business owners they know so they could get educated about this bill and give me some feedback. They've been doing that. You know, we've had four years, apparently, that this has been studied without a consultation offered in that time, but we want to rush this through.

Twenty-two per cent of fatal accidents involved alcohol was what the minister said, but he didn't offer a breakdown of how

much of that 22 per cent was in the .01 to .049 and the .05 to .08 and those categories over that. I would be interested to know what those answers are because I think that's important to the case. Also, that tells me 78 per cent didn't consume alcohol at all, and if we've got penalties that are being offered to prevent the 22 per cent here, it would probably also work in the 78 per cent that don't drink but have other infractions. Perhaps taking their vehicle away for three days would get their attention, and they'd stop speeding and driving without due care and attention and a whole bunch of other things.

Now, it's been said in the defence of the bill that .05 to .08 is scientifically proven, and there were some references offered to studies. I'm not sure if they were tabled in the House. I haven't seen any yet. I haven't had a chance to go through those studies.

It's also been said that this .05 to .08 has been in place for 12 years, and the hon. Government House Leader just offered that it's been the law for the last 12 years. Well, I've been looking for the last couple of weeks for this law.

**Mr. Hancock:** You don't listen too closely, Richard.

**Mr. Marz:** You did say it was the law, I believe. [interjections]

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills has the floor.

**Mr. Marz:** The highway traffic act doesn't contain it that I can find, but if the ministers could provide me with where it's found in regulation, I would appreciate that. Even if it's not in regulation, is it in an internal police policy? If it's a law – and it's been said that we've been doing this for 12 years, .05 to .08. It's the law for 12 years. That was what was said. It's got to be written somewhere. Is it a memo from the Solicitor General? Is it an internal police document? Are police making policy for Albertans now in these categories? That would concern me.

The minister also stated that information that's been offered on this debate by others is not correct. I would like to know if the minister feels that the information contained in *Alcohol-Crash Problem in Canada, 2008*, prepared for the Canadian Council of Motor Transport Administrators Standing Committee on Road Safety Research and Policies and for Transport Canada, is incorrect. That's information I offered, and I haven't seen a lot of uptake on that particular report.

My constituents are concerned about why there seems to be such a rush in pushing this through. I know it's been asserted that, you know, if we don't get this done right away, it's going to cost a life. That's an assumption I haven't accepted, that this bill is actually going to prevent something in the next few days if we get it passed here today. I think a little bit of public consultation would maybe have a chance of improving the bill, helping Albertans understand it. Perhaps we should go to .01 or zero. Maybe it should be zero tolerance. Maybe Albertans will tell us that. I agree that if you drive, you shouldn't drink. Maybe we're falling short here because it's been said by the defenders of the bill that you shouldn't drink and drive at all.

When I met with a member of MADD in my office a number of weeks ago, I asked the questions: "What is the absolute solution for your organization? Is .05 to .08 and confiscating a vehicle for three days going to be the measure of success for your lobbying group? What happens if it is? Are you going to continue to operate and continue to raise funds, and if so, what are you going to do with those funds?" Or are we going to be back here a year from now or three years from now or four years from now saying: well, maybe .03 is the new standard, and there's a study out that shows that impairment starts at .03. I'd just as soon get it all done right

rather than go through this time and time again and create a lot of disruption in the hospitality industry in the process of doing it. Let's be up front with it and perhaps go ahead with it now.

I also asked: if we do get down to zero and maybe confiscate your vehicle altogether and you never get it back, would that be the measure of success? I never got an answer. I think these are legitimate questions for a lobby group that lobbies government on a regular basis and for any lobby group. We should ask: what is the standard you want us to go to, and let's talk about that in the public with the public in a consultative process to see if the public would accept such a thing.

I haven't been convinced by any of the statements on the defence of this bill that have been made since I last spoke. With that, Mr. Speaker, because the time is short, I will allow for others to stand and speak.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. Is it 29(2)(a)?

**The Speaker:** No.

**Mr. Anderson:** On Bill 26. Alberta's drunk-driving rate is higher, clearly, than in most provinces, and this is unacceptable, and everyone in this Chamber knows that. Clearly, with this bill the government recognized that it needs to do a better job of cutting drunk-driving rates. Albertans all need to know that drinking and driving is not acceptable and will be punished if someone is impaired, and this government, in response to knowing they need to put this message through, has passed this bill.

It is true that the government has not done enough to this point to curb drunk driving, but Bill 26 is not the answer. The Wildrose has said repeatedly, over and over again, and will continue to say that more checkpoints are the answer, that better enforcement and education are the answer. This draconian piece of legislation is not the answer. More police, more checkpoints, more education: that is what Albertans are telling not just the Wildrose but are telling their PC MLAs, are clearly telling other MLAs in this Assembly who have spoken. The way that this is being approached is not the answer.

**8:20**

The Wildrose would also note that Alberta is 11th out of 12 provinces and territories for police officers per capita. That sounds like a more probable cause for our drinking and driving rates being higher than other provinces than people having a glass of wine or two with their dinner. We would again say that if you want to stop drinking and driving, put more checkpoints out on the road, give us more police, and give our people more police in their communities. That is what will not only lead to safer streets and safer communities, one of the major parts of it, but also will help put an end to drunk driving.

This bill proposes to suspend the licence of people who blow over .08 for as long as it takes for their trial to be resolved. As many people know, trials take at least six to nine months in most of the provinces. For someone who ends up being proven not guilty, that's not fair. It's not appropriate. Then for people in places with backed-up courts, places like Fort McMurray for example, or for those whose trials are delayed for reasons out of their control, the suspension can last a lot longer. Sometimes, as the Minister of Transportation himself has admitted, that can take longer than two years.

That's why we had an amendment to limit the suspension to three months if the trial took longer. This reflects the current practice. The difference was that we would insist on an interlock-

type alcohol sensing device in order to get your car back during that suspension time. While everyone has sympathy for those falsely accused, most Albertans do not have much sympathy for those who drive when they are over .08. It's wrong. We need to crack down on those folks, and we've made it clear on how we would do so.

I would like to note some of the reasons why we think this bill is flawed. First of all, Bill 26 will result in scarce police resources being expended targeting the wrong group of individuals, the people that are not causing the drunk-driving deaths in our province. That's not appropriate.

Secondly, there is no due process. The policeman on the side of the road takes your car and licence for three days or 15 or 30, depending on what the situation is, with no trial. All he uses is a hand-held breathalyzer, often proven to be faulty, and that evidence is not admissible in court. Currently breathalyzers don't say what you blow if it's over .05. It's just yellow for .05 to .1, and this leaves no discretion for the officers.

Like the federal gun registry, as I said, this targets the wrong group. People with blood-alcohol content that is double the legal limit are usually the ones that cause the fatalities. The numbers of fatalities from .05 to .08 are quite low. I find it incredible that the Human Services minister seems to imply that in the Wildrose and from some of the opposition comments, because there are some deaths that are caused by .05 to .08 people and because we're saying that we shouldn't target that group, therefore we're in favour of more deaths on the road. Clearly, that's not the case.

In a perfect world we might have all the resources at our disposal and all the police that we need and all the education programs that are needed and so forth. Maybe we would be able to get rid of 100 per cent of drunk-driving deaths. But we don't live in that ideal world, Mr. Speaker. We live in a world where 98 per cent of folks – or let's put it this way – where 15 times as many people are killed by those over the .08 limit than by those in the .05 to .08 group. Why would we not concentrate on that group? You have to be able to expend the scarce resources that you have on the biggest part of the problem.

If we learned anything from the gun registry, that was it. The federal Chrétien Liberal government went after the wrong group of people. It did not get results. It did not prevent any deaths. It had very few results of actually apprehending people after the fact that wouldn't have otherwise been apprehended. It was a complete waste of money and time and effort and so forth, and it diverted resources and cash and things away from higher priorities.

Why is this law going to be any different? It won't be any different. [interjection] Well, it may not divert the cash of government. There was a comment over there that this isn't going to cost anything. Well, guess what it is going to cost? It's going to cost the jobs of people in the hospitality industry. It's going to cost the ability of Albertans to go out for an hour and have a glass or two of wine over a steak dinner. He's shaking his head over there. That's coming from a full adult male that, obviously, is not going to blow over the .05 limit with two glasses of wine over a steak dinner, but that doesn't apply to every single person. There are, of course, people that have less body weight and so forth and other factors who won't be able to. You're restricting that group of people from going out and enjoying themselves, and you're doing it for what reason? To save lives? No, you're not saving lives. That's the problem. There are unintended consequences, and it's wrong.

We'll go over the stats once more. Of all the groups on the road, 60 per cent of those responsible for deaths have no alcohol in their blood at all. That's speeding, unsafe driving, all those sorts of things. If that's the case, why don't we just put the speed limit to – what? – 30? We can treat all of our highways like a playground

zone, and then in that way we could reduce even more deaths because most of the deaths are coming from that group, clearly. But, of course, that would be ridiculous, wouldn't it? We don't do that. Why? I guess, according to the logic that I've heard from the members opposite, we should be doing that. All of our highways should be at 30 kilometres an hour, right? But we don't do that because it's silly. It doesn't make any common sense. The cost to life in Alberta, the cost to people being able to drive and commute and so forth, the economic costs, the societal costs, the recreational costs, et cetera, would be so great that we don't do that, yet we're doing it here. I think that's hypocritical.

Sixty per cent of folks, no alcohol at all; over .16 blood-alcohol limit, 22 per cent; from .08 to .16, 10 per cent; from .01 to .05, so less than .05 to .08, 4 per cent; .05 to .08, 2 per cent. For some reason we are deciding to spend time and resources – police resources, effort, education, et cetera – all this money, on educating about this new law, on targeting the group that is, clearly, nowhere close to being the group that is causing the most deaths on our highways and our roads. It does not make any sense, Mr. Speaker.

I would say, too – and I hearken back to this – that this law unfairly penalizes rural Albertans. I was amazed that a member, the Transportation minister, who's from rural Alberta, got up and said, "You can't stigmatize rural Albertans because, you know, they're under the same laws," blah, blah, blah. That's not the point. The point is that in rural Alberta, if you try to get a taxi, try to get public transit in many of the places, you're not going to get them. What happens is that folks won't even go out. They won't go to their local restaurant to have some wine over dinner and so forth. They just won't bother doing it because it's too dangerous for them to do it. I guess that if that's what you're after, if that's what you're all about, then great.

I want to note this. The Human Services minister earlier said: well, we want the message to get through that there's going to be no drinking and driving. Okay. That's very great. So no one is going to go out for dinner anymore and have even a single drink and drive, whatever that's supposed to mean. Well, just yesterday in the *Calgary Herald*, in the Don Braid article about an MP who was pulled over for a DUI and so forth, the Education minister said right to Don Braid that he had a drink and that then he went home half an hour later. Of course, that wouldn't legally intoxicate him, clearly, but that's what he said. So the message isn't even getting through to your Education minister, apparently.

#### 8:30

Of course, your Education minister was acting responsibly. He had a drink. Who knows what his blood alcohol was? Maybe it was .03, .04. I don't know. He had one drink, and he went home. He was able to drive. He was perfectly capable. He went home safely. But the people the people that got pulled over by that checkstop that was there outside that event, which is good as it is the Christmas season – there are more, as we said. They pulled over a lot of folks and kept our roads safer that night because of that checkstop.

That whole story argues for what the Wildrose is saying, that checkstops are the way to go, more enforcement is the way to go, not doing this silly law that isn't even getting the message across to the Education minister, apparently. And why? Because the message is silly. It's a silly message.

The message should be what it's been for a long time now. If you're over the legal limit of .08, you shouldn't be driving. I would say that people in society now have a very, very good knowledge of what .08 looks like and feels like and so forth. They've been conditioning themselves for years now on what that means to them and their body type and so forth. They do it. The

ones that don't follow it are the ones out there killing people, the ones over .08. So why are we not focusing on that group? Clearly, we should be.

In closing, Mr. Speaker, I would just say this. This bill was not on anybody's radar up until just recently, up until the last few weeks, and it has been rammed through without any respect for democracy, without any respect for the people of Alberta, to give them a say, to let them have true input into this over an extended period of time even if it was just two or three months, for crying out loud. Let the people of Alberta give their feedback to their MLAs. Let's bring in the chiefs of police, MADD, the hospitality industry, just regular, common-sense Albertans, severely normal Albertans, have them in, talk to them in our communities and see what they have to say and get the feedback so that we can all come back here and act like responsible representatives of the people that actually elected us and vote in their best interests.

After we get that input back, if they want this law, if they think this law is just the cat's meow and is going to solve all our problems or a lot of our problems or whatever on this issue, well then, yeah. Then we can hold our heads up high, and we can come in here and vote on it knowing that we've at least respected the opinions of Alberta, respected them enough not to ram this through in late-night sittings over a couple weeks' period. It's just such an absurd way to run a democracy. It's just incredible. It's very disrespectful to the people of Alberta, who deserve better than this type of hodgepodge, reactionary, legislate-on-the-fly group of individuals that they have in government right now.

Mr. Speaker, I would say that this is going to have a negative effect on this province. Unfortunately, the unintended consequence not only is economic, but it's also going to hurt regular Albertans.

Thank you.

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

**Mr. Denis:** I just wanted to rise and thank the member for his passionate comments. While we do have a difference of opinion, I know that he is doing what he believes is best, as am I. I do have a question for him, though. Standing Order 23(g) prohibits a reference "to any matter pending in a court or before a judge for judicial determination." I'm wondering why this member has referred to the matter dealing with a certain Member of Parliament who has now been charged with failing to blow.

**Mr. Anderson:** I certainly did not. I would ask the member to refer to the *Hansard* where I referred to anything before a court. I said that what was reported in the paper is that a Member of Parliament was pulled over by a police officer for a DUI and that, as per that same article, the Education minister said that he had had an alcoholic beverage, one, and had driven home. And that was fine. That's not before the courts. So I haven't said anything that would fit that criteria, and I'm not really sure what this member is getting at.

I will say, in maybe expanding a little bit upon that question, that it is important that we as members of the Assembly set an example. It is important that we do that. That's why I alluded earlier to the Education minister. I'm getting confusing messages, and Albertans are getting confusing messages from this government. The Human Services minister is saying, as is the Transportation minister – I heard him in his press conference the other day – that if you drink even just one drink, don't drive. That's the message from the government. Then a couple of days later the Education minister is in there taking a drink and driving home. Was he impaired? I would say: almost a hundred per cent

certainly not. Completely legal, doing what he's allowed to do under the law. No problem. But the point is that the Education minister clearly isn't getting the message.

### Speaker's Ruling

#### Referring to an Absent Member

**The Speaker:** Excuse me, hon. member, please. The Minister of Education is not here. It makes me feel very uncomfortable when one member says that some other member said something, and the other member is not here to challenge it at all. It's very difficult. You can go down a very slippery slope and get in a lot of trouble. So deal with policy. That would be much better.

**Mr. Anderson:** Fair enough. Fair enough. So I won't do the Education minister. I will do the Solicitor General since he's here.

### Debate Continued

**Mr. Anderson:** It's important, as I said, to follow the example. As I said earlier in question period a few days ago, that's why I didn't understand. The Solicitor General is constantly talking about the need for this law and the important message that's being sent.

**Mrs. Forsyth:** Is he going to increase his policing?

**Mr. Anderson:** That's right. The question I would have for the minister is: first of all, why on earth aren't there more police officers and checkpoints on our streets?

**Mr. Boutilier:** Which falls under his ministry.

**Mr. Anderson:** Which falls under his ministry.

Why are we second to last in Canada in the ratio of police officers per capita? Why is it easier to see a sasquatch in Alberta than it is to see a checkpoint at any time outside of December?

I'm really having trouble understanding why the Solicitor General is so impassioned about Bill 26 when, clearly, what he should be doing is being passionate about putting more officers on our streets, increasing the numbers of checkpoints . . .

**Mrs. Forsyth:** Increasing the scope of practice of sheriffs.

**Mr. Anderson:** . . . increasing the scope of practice and training for sheriffs . . .

**Mr. Boutilier:** Which we support.

**Mr. Anderson:** . . . which the Wildrose completely supports, so that they can do more checkpoints and so forth.

I would submit, Mr. Speaker, that these are the things that I think will very much improve traffic safety and are some things that I hope, I truly hope, the Solicitor General will take into his heart and say that Bill 26, which he thinks is a decent bill – I think it's not worth the paper it's printed on. At the very least if this will turn his attention to actually increasing the number of officers, increasing the number of checkpoints, then you know what? Maybe this is a good thing because maybe he'll want to prove so badly that Bill 26 works that he'll actually increase checkpoints in order to prove his point even though, of course, that would mean it would be more enforcement that clearly was cutting down on civilian deaths.

**The Speaker:** Hon. Member for Calgary-Bow, you caught my eye, but I think the hon. Member for Calgary-North Hill caught it before you.



Before we do that, might we revert briefly to the introduction of visitors?

[Unanimous consent granted]

### Introduction of Guests

**The Speaker:** I would ask the hon. Member for Bonnyville-Cold Lake on behalf of the hon. Member for Innisfail-Sylvan Lake to proceed.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly a very distinguished gentleman from my constituency of Bonnyville-Cold Lake, my predecessor and good friend Denis Ducharme, who was our MLA for 11 years. He must really miss this place and these evening sessions, so he came to join us to show his support. I would ask him to rise and would ask you to please join me in giving him the traditional warm welcome of the Assembly.

8:40

### Government Bills and Orders Third Reading

#### Bill 26

#### Traffic Safety Amendment Act, 2011

(continued)

**The Speaker:** How many others have caught my attention with respect to this? Okay. I've got the Deputy Premier and the hon. Member for Calgary-Mountain View.

Proceed, please, hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. This has been a very interesting debate. I have to admit that part of what I'm going to speak about today actually exhibits democracy at its finest despite what members of the opposition have to say.

The fact is that this is a very personal issue. I know that every time I see or hear on the news about a person that has lost their life because of a traffic accident, particularly those later at night – you know, I once had somebody tell me that nothing good happens after midnight, and that typically tends to be true – I hold my breath hoping that, you know, it's not somebody that I know. Fortunately for me, I've never been in that situation. I always breathe a sigh of relief when I do find out that it's no one that I know. I say that with some care and attention, knowing that there are some people out there that do have family and loved ones that have lost people. These are some of the most inexcusable deaths we have in our society. There's no doubt about that.

I want to thank the hon. Solicitor General for his reference earlier to keep me in line with the standing orders, but I do want to admit that the recent, I guess, what I would consider bizarre confluence of events that have happened over the last couple of days have really shone a light on this issue and have actually forced me to have a change of opinion on this piece of legislation. Many of my caucus members will probably remember that I was very much against this when we discussed this in caucus, probably for many of the same reasons that many of the opposition members have outlined.

[Mr. Zwozdesky in the chair]

For some reason when I was driving up to Edmonton today after spending the evening in Calgary at a community event last night and thinking about everything that's happened, you know, I reflected on what is happening out there. We as individual members of society sometimes put ourselves in some very bad posi-

tions without even knowing it, and we allow ourselves to be blinded to the facts of reality. The facts of reality are this, and this is what the bill does: the science is clear – it's not debatable; it's clear – that at .05 every individual faces some sort of impairment in their abilities. If that's the case, if we're all standing up here and saying that we don't think people should drive impaired, then what's the problem with this piece of legislation? To me that's what this is about.

What is very confusing in this whole debate is also the fact that right now it has become very obvious – and I will be the first to admit that I didn't even know before this debate started coming online that you could actually get your licence suspended for 24 hours for blowing over .05. This is nothing new. We shouldn't be talking about how new this is. We should be talking about how maybe there has been a bit of a failure in communicating that that has been the case for the last 12 years. But now it is explicitly the case. It's being explicitly put in this legislation for those purposes, and that's where we're at now.

As I mentioned before, the science is quite, quite clear on this. If the hon. members don't believe that putting this reference to .05 into this act is the right thing to do, then they really don't have an issue with the government; they have an issue with the scientists, and I would believe that they should maybe take that up with the science community. I know the Member for Airdrie-Chestermere kept referencing that this was the PC government telling Albertans what to do. Well, I would suggest that he might want to go and have a conversation with the scientists. They might know just a little bit more about the actual science behind impairment than he does.

One of the things that I do take issue with in some of the speeches of the members on this side – and this has been part of the problem that I've seen throughout this whole debate. In a lot of the conversations that I've had with my constituents, the feedback that I've gotten is that they're opposed to this because they're saying, "You're making me a criminal or a bad guy because I can't go out and have a glass of wine with my dinner," or "I can't have a beer with my burger or a beer at the hockey game and drive home." The fact is that that's not true. As much as I appreciate the Minister of Human Services' stance, you know, of "Let's be clear; we don't want any mixed messages; you do not have a drink and drive," if that was the case, if you wanted to make that very clear, it wouldn't be .05. It would be zero. Period.

My point is that I do know that I can go out and have two drinks over dinner and probably drive home and be fine. In fact, I want to share a personal experience with the members of this Assembly that I did have about two years ago when I went and visited my father, who was working in Arizona. He and I and a couple of other family members went out for dinner to a nice Mexican restaurant. I had two margaritas with my dinner. We were coming home. I pulled out of the parking lot. Of course, I didn't know my way around the town. I'm driving. I go to turn left at the lights, and my father says, "No, no; it's the next set of lights," so I get back into the straight-ahead lane, and of course there's a state trooper behind me. He pulls me over, asks if I've been drinking. I said I had two drinks. Of course, I go through the rigmarole. The fact is that when it came down to it, I didn't even register on their blower thing or whatever. But it was certainly a lesson. [interjections] I know that's probably not the technical term. Okay. The breathalyzer.

The point is that it's become very clear to me, and this is something that I've sort of adopted in my life as what it is: two drinks, and I'm okay. Anything more than that – it's not one more; it's two drinks for me. People have to go and ask themselves some tough questions and do some research about whether that might be

appropriate for their body type or the activity that they're doing during that day. But for me, generally I'm okay.

What happens is that we have a culture – and I know the ministers have talked about changing the culture – where at two drinks we feel fine, so we say: aw, one more. I know everybody around here has done that, right? Then one more turns into one more, and before you know it, you've actually only thought you had one more, and you think it's okay to drive home. That's when we put ourselves in those very difficult situations, right? We know. The science has said that at .05 you are impaired. The bottom line is that when it comes to the safety of our children on our streets, if that's what it is, that should be the law.

The final thing that I just want to address. I know that some of the conversation that I've gotten in my office around this is that this bill makes the police the judge, jury, and executioner on this. Well, I think this bill has a very clever clause in it that allows the person that's pulled over to be able to go and be tested on another device, taken to a detachment or a police station to blow into one of the more reliable devices that are used and are admissible in court. I would have to say that if we don't trust those, what's the point of even addressing this issue, whether it's at .05 or .08? If we don't trust the science behind those, what's the point? The point is that we are giving every citizen that is found in this situation the opportunity to be able, I would say, to be found guilty or not guilty on a scientific piece of machinery that is much better than anything any judge, jury, or executioner can provide. So I think that there is some protection in there for people.

8:50

Just to conclude this evening, I started off by saying that I think this has been a good exercise in democracy. For me, listening to the debate that's happened in this Legislature, listening to the debate that's happened outside of this Legislature, the information that's come to my constituency office on behalf of constituents has actually forced me to change my original position on this because I've gotten more information and done some self-reflection about what this really means today in our society. To say that we haven't had enough time or there hasn't been enough debate or there isn't enough information out there, frankly, means that I think you're being lazy – okay? – and that you're not listening.

I can respect that some might have a certain disposition on this. I certainly do. I've always said to my constituents that I will probably come toward issues with a certain disposition, and it might take a considerable amount to talk me out of that, but at least as your representative I need to be open to compelling reasons, and strong rationale has to convince me that my original position is not the right one. In this case, Mr. Speaker, that has happened for me. I could tell you and my wife will tell you that that usually doesn't happen. You can't usually talk me out of very much.

To conclude, Mr. Speaker, I just want to say one thing. I did make this point in caucus during our discussions, and I want to make it in the Legislature. I think that it brings in a number of pieces that a number of members of this Legislature have brought up, that this is one piece of the pie in dealing with this issue of impaired driving that we have in our province. The other pieces, obviously, are increased enforcement. Yes, I would like to see, like the Member for Airdrie-Chestermere, us put more emphasis and more resources into checkpoints. I think that would be a positive. I think this Premier is very open to that. I would like to see us embark on an educational campaign that really engages people in what the whole science around this is and what it means to be impaired and how you should reflect personally on what your limitations are.

Finally, obviously, the alternative transportation methods are a challenge. I've always had a big issue with the lack of availability of cabs in the city of Calgary. It's a huge issue. I know that's not our issue, but I think that as a society collectively this is something we need to do. If we piece this piece of legislation with the three other things that I've just mentioned, I think we as a society will come to a greater understanding of what we need to do to deal with this issue, and we might actually see progress.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available. I have the Solicitor General and Minister of Public Security.

**Mr. Denis:** Thank you very much, Mr. Speaker. I just wanted to add a couple of things. I know that was a very good speech from the Member for Calgary-North Hill. It reminds me of having several drinks with him many times over the years but not driving.

He did mention the current penalties for .05. I just wanted to point out where those come from. If you refer to section 89 of the Traffic Safety Act, subsection (1) says:

If a peace officer . . .

I said peace officer, not police officer.

. . . reasonably suspects that the driver of a motor vehicle has consumed alcohol or otherwise introduced into the driver's body any alcohol, drug or other substance in such a quantity so as to affect the driver's physical or mental ability, the peace officer may require the driver to surrender the driver's operator's licence to the peace officer.

Subsection (4) then talks about the 24 hours.

Mr. Speaker, to me the text of this indicates that a peace officer can actually force someone to surrender their licence for 24 hours with any alcohol in their system. Well, I thought it was rather interesting, so I went and called the Calgary police, I called the Edmonton police, and I called the RCMP division here, and every one of them told me that they do not enforce that below .05. It is not a memorandum from my department. It is, rather, their own policy below .05.

I think it's a matter of good public policy that we actually want to set an objective standard as to where the science is, as my friend the Attorney General has mentioned, and that, Mr. Speaker, is at .05.

I mentioned earlier the Robert Remington article, which references a study from the University of Western Ontario indicating that 20 per cent of traffic fatalities and injuries happen between .05 and .08. That's 300 fatalities from 1998 to present. Mr. Speaker, someone has got to stand up for this amount. It may only be 20 per cent, but that's a significant amount. Guess what? Everyone else, any one of us, is the other guy. We can't presume that this is just going to happen to the other guy. It may happen to anybody, including ourselves.

I'll say, in conclusion, the one thing that really has educated me here. I have just been shocked with the amount of people in my social circle, in my family who have talked about their experiences with drunk drivers as someone who has been hit or even in my case as someone who has witnessed an accident. It's much more widespread than we think. Let's clamp down on it, Mr. Speaker. We're not going to increase the blood-alcohol level, but we are going to increase the penalties as that is what's warranted.

**The Acting Speaker:** Thank you.

**Mr. Fawcett:** I want to thank the hon. Solicitor General for that information about that particular piece. As I mentioned, I did not know that. I don't think many Albertans knew that. I think that

because of this debate they now do, and I think our roads are going to be a lot safer because of that, Mr. Speaker.

**The Acting Speaker:** Thank you.

**Mr. Anderson:** On 29(2)(a). I appreciate the comments from the hon. member, and I believe they are heartfelt although, of course, I disagree with them, but that's the nature of democracy.

You just said, hon. member, that you changed your mind recently, and you went through the change of mind that you had. Now, obviously, you're someone who's elected. It's your job to be informed and to do research and to figure these things out and to have an informed opinion when you vote. Most Albertans haven't had anywhere near the time to even assess this new law. So I would say that if you just barely changed your mind and here we are voting on it tonight, don't you think that it would be more democratic to get your message out there to Albertans in an election campaign, for example, explain your reasoning, inundate them with all the studies in the world that you think prove your point, and then let them decide in an election whether they agree with you on this?

This wasn't run on in any campaign previously. It wasn't run on by the new Premier in her recent leadership campaign. She just decided that this is going to be the way we go, and Albertans are kind of like: "Okay. Why weren't we informed that this is what we were voting for or that this is what we were electing?" and so forth. Why don't we give Albertans the same amount of time that you've had to make a decision about changing your mind? Then at the end of the day maybe you'll be able to convince Albertans to be on your side. Why not give them the time?

**The Acting Speaker:** Thank you.

I have Calgary-Bow next, but you have 30 seconds left.

**Mr. Fawcett:** Yeah. I just wanted to respond to the hon. Member for Airdrie-Chestermere and say that I think maybe one of the reasons I changed my mind is because, I mean, this debate is coming to a conclusion, and I was forced to reflect on what my position truly meant and, moving forward, whether I was able to live with that decision. You know, in all honesty, the fact is that I could easily have seen myself in the position that other people were in.

**The Acting Speaker:** Thank you.

I have the Deputy Premier, followed by Calgary-Mountain View, followed by the Solicitor General, followed by Calgary-Fish Creek, followed by Calgary-Bow, followed by Calgary-Buffalo, followed by Edmonton-Strathcona.

**Mr. Horner:** Okay. Mr. Speaker, I will be very brief because I must compliment the hon. Member for Calgary . . . [interjection] I'm sorry. Mr. Speaker, do I have the floor?

**The Acting Speaker:** Yes, you have the floor. I've been given a list by the previous Speaker, and I'm just following it. If we need to make adjustments, we will, but at the moment, Deputy Premier, you have the floor.

**Mr. Horner:** Thank you very much, Mr. Speaker. I was going to say that I was very, very impressed with . . .

**Mrs. Forsyth:** Point of order.

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

## Point of Order Speaking Order

**Mrs. Forsyth:** Yes, Mr. Speaker. Just a clarification. The Speaker maybe can clarify this. I understand that when we're debating, you have a government member and then a member of the opposition and then a government member and then a member of the opposition. So we just had a government member speak, and now you're going to yet another government member. Maybe you could clarify. The last time I checked, the Member for Calgary-North Hill was a member of the government. We're going on to another member of the government, and we're in third reading.

**The Acting Speaker:** Yes. Hon. member, just to be clear, I've inherited a list, and I'm following it, but that is normally the procedure. I don't believe anybody had indicated they had wanted to speak immediately after Calgary-North Hill other than the Deputy Premier, so he's been recognized. Then we'll go to Calgary-Mountain View, which is an opposition member. Then we'll go to the Solicitor General, who is a government member. Then we'll come to you, hon. member, as a member of the opposition. Then we'll go to the government member from Calgary-Bow. Then we'll go to Calgary-Buffalo, who's a member of the opposition. Then we'll go to the third party, which is Edmonton-Strathcona, and that's as far as my list goes for now. [interjections] Excuse me. Hon. member, please take a seat.

That is the order, and that is how we will proceed. The Deputy Premier has the floor. He has indicated he'll be brief, and then we'll get back on with things. I'll add the other members to the list as they arise.

The Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. I appreciate the clarity of that ruling. It is your prerogative.

9:00

## Debate Continued

**Mr. Horner:** I did want to say that my speech is going to be brief. I want to commend the hon. Member for Calgary-North Hill for a very eloquent and well-thought-out speech on this issue. The only thing that I wanted to bring, to ensure that it was on the record for my constituents, Mr. Speaker, was the fact that I did have an opportunity to consult with Albertans on this, and it was called a leadership race.

Now, the hon. Member for Airdrie-Chestermere says: oh, this just came out of the blue at some point in time. Mr. Speaker, he's wrong. During the time that I was on the leadership campaign trail, if you will, as well as our Premier as well as a number of other members of our caucus and outside, we had numerous occasions to talk to people about what we should do to make our streets safer, what we should do to make our families safer, what we should do to encourage people and, in fact, strengthen the rules around impairment, impaired driving on our roads. We talked about increasing the fines for speeding. We talked about . . .

**Mrs. Forsyth:** I'm sure you'll bring them forward, too.

**Mr. Horner:** There may be other items, hon. member, that I will bring forward from the leadership campaign. You'll just have to wait and see. The longer you chitter and chatter, the longer I'm going to stand here, hon. member, and the longer it'll be for you. [interjections]

**The Acting Speaker:** Hon. members, please take your chairs. We are doing very well. Progress is being made. The Deputy Premier has the floor.

**Mr. Horner:** I apologize, Mr. Speaker, for being drawn down to their level, and I will not do it again.

Mr. Speaker, part of the thing that I heard during those consultations and during those discussions was that there were a number of young people in Alberta that told me that we needed to catch up, that we needed to get with the rest of the crowd. They understand what it means to have a designated driver. They understand what it means to drink responsibly before you get behind the wheel.

I think that doing what we are doing today is nothing more than that. We are encouraging Albertans to be responsible about their drinking if they are going to be behind the wheel, just as we would around speed limits and other traffic violations that we have.

Some young people that I'm acquainted with – actually, one of them lost their licence not that long ago, but it wasn't for impaired driving; it was for speeding. We took his licence away. Why is it that speeding is a lesser infraction, evidently, to the hon. members than being impaired behind the wheel? I disagree, Mr. Speaker. I believe that being impaired behind the wheel is a serious infraction, and it should have a penalty, and it should be something that people would remember.

I also took the opportunity, as I'm sure all the hon. members in this House have done, of talking to constituents, going to their board meetings, and having a chat with them and asking them what they think. Mr. Speaker, I can tell you that at a meeting of constituents of mine, who, yes, are a part of my association, they unanimously said that this was the right thing to do. I didn't have one person tell me that it was the wrong thing to do. That's listening to your constituents, and that's why I stand fully in favour of the legislation that we have before this House.

I think, Mr. Speaker, that this is about giving our officers on the street another tool in their tool box, and we should support this as it's the right thing to do. Thank you.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available. Are there any speakers?

**Mr. Anderson:** I would just ask the Deputy Premier: is there anything that you could give me – it would be just fantastic to know if there's any literature or anything, any campaign platform that you used during your leadership or, more appropriately, that the Premier used during her leadership that you could show us where you promised that you would bring this legislation in. Then we could verify the righteousness of your statement there.

**Mr. Horner:** Well, Mr. Speaker, I did not say that this was part of my platform. I said that through the summertime and the spring in the consultations that I was in, talking to Albertans across this province, I did hear about this. We did talk about this. It's unfortunate that the hon. member didn't attend some of the forums that we were at where some of the questions came up. Perhaps he would have learned something about what Albertans are truly looking for. It isn't their platform.

**The Acting Speaker:** Thank you.

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

Seeing none, we'll move on to the main discussion. I'm pleased to recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a pleasure to rise in third to speak to this important bill, Bill 26, Traffic Safety Amendment Act. I must say that I was impressed with the presen-

tation early on in this session and the importance of safety and saving lives and the good intentions of this government. The Minister of Transportation argued passionately for getting a cultural shift in Alberta and reducing the alcohol and driving connection.

The evidence is pretty strong that over .08 there are significant deaths and injuries associated. The evidence below .08 is less stringent. In fact, without significant changes over the last 20 years, we've seen the number of drunk driving deaths drop by half. It's not clear how much of that is a cultural change, how much of it is due to penalties, how much of it is due to more public awareness, and how much of it is due to the fact that .08 was criminalized many years ago. What we do see is the importance of raising in the minds of young people, especially young drivers, the connection and the importance of not drinking and driving.

My experience of this discussion has been very helpful. It's raised my level of awareness about the .05 to .08 contentions. What we haven't heard much about is what this means in terms of – we heard some expressions of the experience in B.C., where for the last 11 months they have had this new law in place, and they've seen a drop in deaths. What isn't clear, again, is how much of that reduction in deaths is due to greater awareness, better public education, more police on the streets, and more checkpoints. We need to know more about what it is that's contributing to the reduction in deaths on highways and to what extent the new law and the actions, the administrative penalties between .05 and .08, are in fact responsible, since we know that a small percentage of those deaths on the highway are associated with .05 to .08.

There are some concerns about this. The pace at which we've had to deal with this along with some of the other bills has meant that we simply haven't seen the world research. We simply haven't heard from experts. We haven't even heard from Albertans to a wide extent on the extent to which this is going to impact their lives both positively and negatively, increase the burden on the courts, increase the number of police engaged in aspects of their work that is going to take them away from other perhaps more urgent, more important work in reducing injury and death and crime on our streets.

Mr. Speaker, I don't want to prolong the discussion here tonight. But I feel a very strong sense of a rush to legislate here. There's no question that we all understand the seriousness of drinking and driving. We all want to see a reduction in injuries and deaths. We all want to recognize the importance of our lawmakers and that penalties do have a role to play in this. The research from our own Alberta Centre for Injury Control & Research says: "Several reviews of the evaluation literature look at the effectiveness of lowering [blood-alcohol concentration] limits as a means of curbing drinking and driving and . . . reducing alcohol-related crashes, injuries and deaths. The conclusions reached range from showing substantial benefit to no benefit at all." The Traffic Injury Research Foundation has also reviewed major studies and did not find compelling evidence of a consistent and strong impact from these particular administrative penalties.

I'm not saying that it's a bad bill, Mr. Speaker, but I am saying that we need to refer this to a committee. We need to have a more timely, thoughtful discussion. We need to hear from police. We need to hear from researchers. We need to hear from the public. We want to see what the world literature suggests is the right way. Should we, in fact, forget about this particular area and instead of administrative penalties criminalize over .05? Let's do it once and for all.

**An Hon. Member:** We don't have the option to criminalize it.

**Dr. Swann:** Well, let's look at the evidence. Let's hear from the experts. Let's understand what the impact is going to be on our police force. Are we actually going to be spending more time in courts, more time with police dealing with all the paperwork and the people and the frustration and the people who are now losing their jobs or losing significant income because of this and not having their transportation?

9:10

I don't think we have had enough time, honestly, to really reflect on the costs as well as the benefits of this. I have an impression in my mind – and I think our caucus do – that this would reduce injuries and deaths, but it's only an impression. The literature that I've just quoted isn't conclusive that increasing administrative penalties for .05 to .08 has actually had that impact. We're not quite sure whether it's more police, whether it's a cultural shift, whether it's more education. What is it that's actually making this reduction that we see in B.C.?

I and some of my colleagues, at least, are believing very strongly that because of the haste and because of the lack of opportunity for real wide debate, including input from our police forces themselves, we need to refer this to committee and have a good, thorough discussion and bring this forward again with a new sense of certainty and confidence and evidence that we need to make this kind of a change.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

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

Yes? Government House Leader.

**Mr. Hancock:** I know you have a list, but I'm wondering: I believe I have the agreement of House leaders to request unanimous consent of the House in the event of bells being required for votes this evening, that we revert to a one-minute bell. I'd ask for unanimous consent of the House for that.

[Unanimous consent granted]

**The Acting Speaker:** So be it. That is how we shall proceed. Thank you.

Standing Order 29(2)(a).

Seeing no speakers to that, I will go on to the next speaker. It was to be the Solicitor General. He has ceded his spot. I will therefore call on the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm not sure how I feel about rising on third reading on Bill 26, the Alberta Traffic Safety Amendment Act, 2011, but I have listened very, very intently over the last, I think, 12 days since we started this particular debate on this particular piece of legislation. I'm not sure if you were here when we first started the debate on Bill 26, but I'm just going to go back a little bit and reflect on the fact that I think it's important to get the message out that I had struggled to begin with on this particular piece of legislation.

I brought that up in the Legislature because of the fact that I had brought forward on March 1, 2000, a private member's bill called the Traffic Safety Amendment Act, 2000. What the bill was about was encouraging the government to do something about the .05 blood-alcohol content and two key things: to make people aware of the blood-alcohol content and to educate the public about the importance of not drinking and driving, the huge effect that impaired driving has in this province, and what happens when you drink and drive.

You know, when you hear the government say that the Wildrose is not supporting this particular bill and doesn't care about people who are drinking and driving, that's the furthest thing from the truth. I would ask anybody to go back into *Hansard* and read what was discussed then and what we were trying to accomplish at that particular time. Mr. Speaker, guess what it was? It was a 24-hour suspension.

Look where we are now. We're in the year 2011, and we've heard over and over again the Minister of Transportation telling us that over the last five years – so that goes back to 2005 – they've had 42,762 roadside suspensions. The Minister of Transportation also talked about this not being new; it's been around for 12 years. Well, guess what? It came from the bill that I brought forward in this Legislature in 2000 trying to get the public aware of the effects of drinking and driving and the 24-hour suspension.

More importantly, Mr. Speaker, when I was speaking in the Legislature, albeit I was on the government side, I talked about the importance of education. How do we educate the public? Keep repeating it. In regard to the safe communities task force, which I had the opportunity to chair when I was in government, again we talked about the effects of drinking and driving in this province; we talked about the fact that it was important to have public awareness education for the public.

Well, guess what, Mr. Speaker? If you wanted to rate the government from the good old days when we had the report card, guess where they would be? It would be a big F because they haven't done any of the education component that, yet again, is contained in Bill 26. We've repeatedly asked the Transportation minister a couple of things since the debate of this bill. One was: what education programs do you have currently in place? That's all we want to know. What education programs, Minister of Transportation, do you have currently in place that are going to educate the public and the 42,762 people that over the last five years you have had roadside suspensions for? You have not answered that question, Minister, so I'm accepting the fact that you've done nothing. Silence is sometimes golden. You haven't gotten up and spoken whereas you've gotten up repeatedly to throw these figures at us, these numbers, but you still have not answered the education component. What were you doing, and what happened to the 42,762 roadside suspensions? What education did you give them?

Another question, Mr. Speaker. We've asked for the data on where these roadside suspensions occurred. Did we have a huge percentage of roadside suspensions in Calgary? Did we have a whole bunch of roadside suspensions in Olds or Didsbury? Maybe we had them in Rocky Mountain House, or maybe we had them in Medicine Hat. We've asked for those particular data because, reflecting back on the safe community task force, the recommendation was for the Safe Communities Secretariat to spend the time and deal with the hot spots in this province. If we have a huge increase of roadside suspensions in Calgary, then we know that we have a serious problem with the issue of drinking and driving between .05 and .08 in the city of Calgary, and we'd better damned well do something about it.

You know, it's important for us to reiterate, and we have reiterated it over and over and over again, that Alberta has the second-lowest police ratio in the country. We've asked the Solicitor General over and over again if he is going to increase the police ratio in this province. You tell the police or there is all this general discussion that we're going to start, you know, looking at pulling people over who blow somewhere between .05 and .08, and – guess what? – they're going to do it. Guess what those officers are going to be doing? They're going to be called away from somewhere else where maybe they should be looking after child

pornography or they should be going after the pedophiles. How about organized crime? Huge, huge problem in the city of Edmonton. So we're going to take police officers off the road and off the street doing their job, and we want them to focus on .05 to .08.

Let's just for a minute talk about the sheriffs. They do a wonderful job in this province. It was probably one of the most creative things that came out of the government side. I can't take any credit. It was the former Solicitor General from Calgary-Buffalo that came up with the very, very innovative idea of adding the sheriff component to the policing to be able to help some of the police.

9:20

I mean, I've spoken in this Legislature about my encounter with the police in this province on a quick drive one time from Edmonton to Calgary and the embarrassment of being pulled over and handed a ticket for speeding, which, quite frankly, is breaking the law. But they do a wonderful job, and we see them all the time on highway 2. Are we going to extend their mandate and provide them with the ability to provide the breathalyzer test themselves to a driver that they suspect is impaired? I don't know if you know, Mr. Speaker, but they have to call an RCMP officer to administer that. Did you know that?

We've talked about: how are we going to target the chronic, repeat offenders in this province, 20 per cent of the population causing 80 per cent of the problems in this province. I talked about that in the safe communities task force when I brought that forward, talked about the need for consistent research. The Member for Spruce Grove-Sturgeon-St. Albert talks about that while he was running for the leadership, he heard this during a debate, things like that. He may have; I don't want to argue with him. He also talked about the fact that he heard about higher fines for speeders, those who are breaking the law. Well, I'm looking forward to him bringing that legislation forward also because, you know, people will converse and talk at any sort of debate.

I mean, I've been in many debates in my political history. Just because one or two people, 1 per cent of the population, bring it up, it doesn't mean that it has to be immediate law. The Member for Calgary-Mountain View talked about the fact – you know what? If this bill is so right and it's so important, there are lots of questions that need to be answered, quite frankly, in this bill. So let's put it into a committee and let them discuss with Albertans. Let them, as the Member for Calgary-North Hill brought up, bring the scientists to the table.

Let's really talk about the breathalyzers and the problems with the calibration when you're trying to give these tests. It's just been brought up that in B.C. – and I don't have any of that data in front of us – there are 2,100 tests that are in question right now. It's been interesting for me all the research that I've had to do in regard to the breathalyzers and how they use the instruments and how they have to make sure that their calibration is right, et cetera, things like that.

I guess, Mr. Speaker, change is good, but let's make sure that the changes are the right changes. I don't think there's anyone in this province that doesn't believe that impaired driving is a serious offence and has to be taken seriously in this province. We talked about the tools that law enforcement needs. They definitely need more checkstops, alluded to in regard to somebody that was stopped recently. Well, you know what, Mr. Speaker? We always, always, always see more checkstops during Christmas. There was an advertisement on TV just probably, I don't know, maybe a week ago, talking about the checkstop program that goes. I know they do that. I am the former Solicitor General. We also do more checkstops one week every year in about October, I think it is,

when we have Crime Prevention Week. I've been on those checkstops as the former Solicitor General when we launched crime prevention and know that they have more checkstops out.

If we're really seriously, seriously serious about the issue of drinking and driving, let's get more police in the field, more boots, as they say, on the highway. Let's talk about the expansion of the sheriffs and their mandate and allowing them to provide the breathalyzers, do the breathalyzers. I mean, they're great guys; they do great work. We see them around the Legislature, and we always feel safe with them here, having them around us. I know I've talked to tons of sheriffs and really appreciate all the work that they're doing.

Let's develop and implement a targeted social marketing campaign to counter excess drinking, not only drinking but drugs. Nowhere in this legislation does it talk about the impairment of somebody smoking a joint. Nowhere do we talk about that. And you want to talk about reaction if you've been smoking a couple of joints, what it does to you. Dropping cocaine, taking meth, shooting heroin: all of that kind of stuff needs to be addressed. It's the whole issue of drinking and driving and drugs.

I guess, as they say, this is the last kick at the cat. We want Albertans to know that we're serious about drinking and driving. We want Albertans to know that we believe we've got to target the 20 per cent of the offenders that are causing 80 per cent of the problems. We want people to know that impaired driving is preventable. We want to encourage the government to tell us about their education program. We want to encourage the government to give us the numbers on their roadside suspensions. I guess, lastly, Mr. Speaker, we want to encourage the government to do it right. I can guarantee you, dollars to doughnuts, that we'll be back next session with an amendment on this legislation because something wasn't right in it.

So on behalf of Albertans who have called us – and we've had tons and tons of calls on this – we're putting your issues forward, as you've asked us to do, and I hope the government takes a sober second thought on this.

**The Acting Speaker:** Thank you.

Standing order 29(2)(a) is available. The hon. Minister of Transportation.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. I'd definitely like to at least attempt to answer a couple questions that the member opposite has. First of all, I need to say that since she has been the minister, there has been a substantive number of police added to Alberta. That has been supported by this government. Also, I need to tell you that there have been initiatives like the safe communities initiative that works with communities, works with the government, works with different ministries, especially Justice, that addresses and looks at the concerns of the safety in communities. Part of that is the alcohol aspect.

Mr. Speaker, also I want to say that when this government looks at the challenges of drinking and driving, or impaired driving, we very much look at all aspects, all aspects of course being, you know, photoradar, drivers being distracted. We look at all different avenues that we could try to add safety for Albertans as they travel our highways, as they are in their communities. The hon. Minister of Justice has done so much work in ensuring that our communities through different initiatives are safe.

I would also tell the member opposite that in regard to advertisement, Mr. Speaker, we do advertise at any type of different event, weekends, whether it be the November long weekend, whether it be the May long weekend, whether it be the festive season, whether it be the first day of the summer holidays. We do

that on a regular basis. We isolate the directions and avenues to try to encourage people to not drink and drive. This has been going on for many years and continues to go on.

9:30

As well, Mr. Speaker, I do want to mention that the member opposite suggested we have not talked about the education program that we have in place. We have a continual education program. As well, if you looked at the documentation for the .05 to .07, on the second offence it is compulsory to take a course that's called Planning Ahead. The second course for the third offence is an Impact course. That's an educational course that affects the individuals that have been driving impaired. Hopefully, those courses will encourage those individuals not to drive impaired.

Mr. Speaker, it's very clear also that, as I talked this afternoon about working with the hosting industry and the restaurant industry as well as the hotel industry, we need to do the education together as a government and as those associations to be the most effective. We all have the same goals, we all have the same wishes as far as drinking and driving.

Lastly, Mr. Speaker, I'd like to say that the member opposite has asked for research numbers in regard to the 24-hour suspension. I can say to you and say to her that throughout the time that this has been documented, for the last seven years . . .

**The Acting Speaker:** Thank you. Hon. minister, I hesitate to interrupt, but the time is up.

I now go to Calgary-Bow on third reading of Bill 26, the Traffic Safety Amendment Act.

**Ms DeLong:** Thank you very much, Mr. Speaker. I did just want to say a few words. There seems to be very little problem in terms of the opposition in terms of the added penalties on the over .08. All of the concern seems to be around the .05 to .08 area.

You know, what we've been talking about is a cultural shift. I think "cultural shift" is a little bit vague. As there are some people here who actually don't even drink, I thought that maybe we could talk a little bit more about how one actually ends up in a car at over .08. To be able to get in a car at .08, you have to go through a period of being .05 to .08.

Now, we've also been talking a little bit about how, you know, you're impaired between .05 and .08. Well, when I was growing up, one of the things that my mum always talked about was good judgment. Good judgment. Well, not only do you become impaired between .05 and .08; your good judgment isn't usually what could in any way be called good judgment. There are many people who go out for drinks after work or with a group, and their idea is: well, I'm just going to have a couple of drinks and then drive home. A great plan – a great plan – until you start getting up around that .05 area, where you no longer have good judgment. You're thinking: well, I can get all the way up to .08 and still drive home. But if you are just thinking in terms of "Well, I'm just going to up to .05 and then drive home," you're not going to be going through that period of lack of good judgment.

Even though you guys have been looking at the statistics and the statistics show that between .05 and .08 there are not that many deaths, just please think about what drinking is all about, what it's actually like to have a few drinks, okay? What happens is that you get up into that area, and you've had your couple of drinks. Then you just go to that one more, and you're into the three drinks. Then you think: "I can have another drink and drive home. That's no problem. I'm fine. Why not have another one?"

Yeah. Okay. Fine. I'm going to drive home. No problem." I mean, that is the real reality. That's what we're really dealing with here.

It is not the number of accidents in the .05 to .08. It's that when you're aiming for .08, you're going to go right over. If you aim for .05, you're still in an area where you've got mostly good judgment left, and you've got a chance that you're going to quit at that point and not drive drunk. But if you are aiming for .08, you're going to go over, and that's where the problem is. That's why you end up with so many fewer deaths. It's not because people, you know, when they're .05 to .08, don't have so many accidents; it's because you don't end up with so many people driving at .08. That's what actually happens.

I ask you to look at this again. Those statistics are totally misleading because what we're looking at is the number of people that are over .08, and your judgment between .05 and .08 is not good enough to stop you from going on into the .08.

I ask you to please look at this again and to please support this bill.

**The Acting Speaker:** Thank you.

Hon. members, Standing Order 29(2)(a) is available.

Seeing no speakers under 29(2)(a), we'll go on to the next speaker at main, and that is Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It is, as always, a privilege to rise and discuss this bill. I will say at the outset that I have enjoyed the level of debate that has happened around this issue. It has brought some thoughts to my mind, some more clarity to my mind, and has moved me a long way to see the government's side of this issue. I think that if you look back to my comments at first reading, I was thinking that this was not necessarily the best piece of legislation, and I saw that from a point of not looking at a lot of the materials. I have learned a great deal in this debate.

That said, there is a sense, like my hon. colleague from Calgary-Mountain View has presented, that this has been somewhat rushed. There hasn't been a full discussion with the Alberta people, a full discussion in this House because of the rushed nature of our sittings, and that to me is somewhat disappointing because I was enjoying the level of debate and the learning that I was undertaking in looking at this issue.

I must comment. We do have to bring up the fact that the .08 level is right now the criminal legal limit in this country. If we look at the statistics on who is in fact causing the problems on the road, it is largely the people over .08. In my view, the strongest way to send a message to this group of people would be to have a step-up in our checkstop program. It has been brought up in this House and in this debate that we are currently the 11th out of 12 provinces in terms of police officers on the streets. Clearly, this number indicates that we are not doing our best in terms of being able to actually police and crack down on those individuals who are driving at .08. Common sense tells us that, that we simply cannot do as good a job as other provinces are on this matter.

9:40

I was looking at the Calgary police website. Did you know that they only have a part-time unit devoted to checkstops? That's right, Mr. Speaker, a part-time unit devoted to checkstops. What does it say if we're only supplying our police officers with those types of resources such that they can provide a part-time checkstop program?

To me, that speaks volumes about this government's commitment to policing over the last number of years and I think has maybe led to us not having the proper numbers for enforcement and to us not having as safe streets as we could. I think that's an

issue that not only this government but future governments have to seriously take a look at and work towards improving because the statistics are clear. The vast majority of people causing problems on our street are the people over .08.

I also appreciate the information that's been brought forward on the .05 to .08. This information, at least the evidence from, I believe, the medical practitioners, has indicated that your driving becomes impaired at this level. I have no reason to disagree with this evidence as presented. It's scientific. It shows that reaction time is slowed, and obviously this doesn't help your driving capabilities.

That said, as the hon. Solicitor General pointed out, we do currently have laws on the books that deal with that. I believe the regulation allows for us to give a 24-hour suspension to those individuals whom a police officer deems to be under alcohol or drugs or the like. In some cases this law is a little bit just enforcing that principle that our police officers have been doing in the main for the last 12 years. It is providing them with some remedies that are reflective of other provinces, reflective of other jurisdictions, and that may or may not be constitutional.

I know that during this debate we've seen the B.C. Legislature administrative penalties dealing with those over .08 come into question. Although the Justice minister assures me that this will not be the case in Alberta, there's a saying that methinks the Justice minister protests too much. I don't think he can fully guarantee me that this is not going to be challenged and struck down in court.

Now, I agree with him that that's no reason to disagree that a government cannot move on these types of issues. I'm fully aware that governments could and should move when they believe it's in the best interests of their people. In this situation I also recognize that there is a sense out there – I note that the Criminal Trial Lawyers vociferously disagree with what the minister is saying.

Only time will tell. There will be a court challenge to this, and then we'll see whether we'll have to amend this law, whether we have to go through the rankle and the angst and the back-to-the-drawing-board approach that that looks at.

Noting the limited time of debate – or maybe it's because we've had late sittings and then some afternoon sittings and the like – I was getting to some of my questions that didn't quite get on the record. I know that our laws here are significantly changed in the .05 to .08 range in the fact that the first time you get caught blowing in this range, you lose your car for three days. I believe the second time it's 15 days, and the third time it's 30 days.

I haven't looked at all of the other provinces, at whether their legislation is similar to this, but I made comments in second reading that we have a balance in this country, where governments are allowed to make laws as long as they're reasonable, they're proportional, and actually have some reason for interfering with your freedom of rights under the Charter of freedoms.

I do have some concerns – I know other provinces are doing these laws – about whether our law significantly differs from those. I have not had an opportunity to see the research done on this and a cross-comparative analysis of what other jurisdictions are doing. I know the B.C. court case indicated only things over .08. I haven't been assured that our laws are being properly tailored to meet the legislative agenda of this government on the .05 to .08.

There are some questions out there that remain for me. I believe that this is being rushed through to meet a political end. I believe the Premier saw this as an opportunity to look forceful, to move an agenda item and something she could pass through the House that, hopefully, resonated with Albertans. I'm certain they've done the polling on this. They think it's a political winner. You know, that's not always the right reason to ram something through in a big hurry.

We have a good process for this stuff, and I think that showed pretty well with the distracted driving legislation, where it went to an all-party committee, and they came up with what I thought was a pretty darn good bill. I think in the main that would be a position that I could live with, for I am compelled, like I said earlier, by some of the evidence presented to me by the government, especially that people are impaired after .05. This concerns me. If this is truly in the best interests of Alberta, if we're balancing all things out, looking at all sides and whether it will send a message and, you know, eliminate some drunk driving on the roads, it may well be a good thing.

For all those reasons, I remain firmly still being challenged, okay? I was getting there. I really was getting there, to be able to support the government on this issue, but I still needed some more help learning and understanding it and talking it through. I think rushing it through in this session has been a bit of disservice to this House as well as to Albertans in general, yet I hope that someday we may revisit it. If not, I hope it does do what the government says it's going to do and protects Alberta citizens.

Yeah. That's it. I'm sort of on the fence here, but thank you for allowing me to make those comments. We'll go from there, but those are my comments tonight.

**The Acting Speaker:** Thank you, hon. member.

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

Seeing no speakers for that stage, I will then call on the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to finally get a chance to get up and speak to this issue. I want to start by thanking all the members who've engaged in this debate up to this point in terms of the many, many good points that they've put forward. I mean that with respect to members on both sides of the House because I really do believe that there have been some very compelling arguments made by people on both sides of the House.

I have to say that almost all of what the Member for Calgary-Buffalo just said replicates my own feelings on this matter. Indeed, our caucus has gone back and forth at some length on the issue of how we would respond to this piece of legislation and how we would ultimately vote. I agree quite a bit, actually, with one of the comments made by the Member for Calgary-Buffalo in that he said that, you know, it's interesting to sort of look at the context or the impetus for this piece of legislation. It is clearly a political piece of legislation. It is absolutely something that I think the government polled on, and it's all about sort of reaching out to their apparent new universe of voters that they've decided they're going to shift to as they get ready for the next election. I think it is a very political decision.

It's interesting because earlier today we had a conversation in the Legislature about the issue of ensuring that farm workers were treated safely and the unacceptable level of deaths that occur every year to farm workers who are not covered by any safety legislation: whether that should be addressed. That is a genuine question of public safety, yet because of the politics around that one this government remains stuck in a position which, frankly, is untenable, I think, for those on the other side who, you know, give the matter any consideration. It definitely runs contrary to issues of public safety, but from a political point of view it's convenient to maintain that current position. So it's important for everyone to understand that there's a bit of that going on here.

9:50

Having said that, we have in our caucus gone through quite a bit of backing and forthing around some of the issues on both sides of



this debate. There have been some really, really good points made by those who are opposed to this legislation moving forward. There have been some very articulate arguments by those in the legal community as well as members in this House that speak to the concerns around the due process that is absent with the introduction of a new form of administrative penalty for those who are in the .05 range and above and the effect of that. Those are very compelling arguments.

There is also, of course, the concern that with the act being restructured the way this act is going to be, police may ultimately choose to simply enforce the administrative part of it and that they will not necessarily, because of the practice, be as rigorous in enforcing the Criminal Code element of bad behaviour as it relates to driving when one is over .08. So we actually get into a situation where we may be penalizing the serious offenders, as a result of practice issues, less aggressively than we would have otherwise. I think that's a really important issue to be concerned about.

The other concern that I think many people have articulated which is also really important is the fact that in Alberta we do have the second lowest number of police officers per capita of any jurisdiction in Canada. What we're looking to do here is significantly increase their enforcement obligations, and we're doing that without ever having followed up on previous promises to significantly increase the number of police officers in this province. I think a lot of people have talked about the decreasing incidence of checkpoints across the province. So it's a concern. It's a concern that this is being used as a way to look as though they're dealing with law and order issues without actually having to spend the money to hire the extra police officers that, frankly, they should be hiring.

There's also a concern about whether the enforcement of this new legislation will actually divert very limited resources away from enforcement of those more serious offenders, regardless of whether we're talking simply about drinking and driving or whether we're talking about other offences, and over to enforcing particularly the .05 to .08.

Those are, without question, very, very significant concerns, and I appreciate and respect those members of this Assembly who have raised those issues because they are important ones.

There have also been issues raised with respect to the potential impact on the hospitality industry if this law comes into place. I am less convinced by those particular arguments primarily because of what we observed through the debate around smoking in bars and restaurants. There was a time when we were told that banning smoking in those environments would be the death of the hospitality industry. There's no question that there was a period of time when there was revenue loss, but that recovered eventually. Actually, it recovered more quickly than people had anticipated. What I think it showed was that, you know, people like to go out, and people like to get together in rooms with other people and buy alcohol together, whether food is involved or not, and they'll make the changes necessary in order to do that. That's certainly what we found out with the impact of smoking on the financial success of the hospitality industry. So I'm slightly less convinced by that issue.

Having said that, though, I will say that I will do everything I can to support their call for support from the Ministry of Transportation and any other relevant areas of government to support increases in public transit where possible or more funding or support for Operation Red Nose and those kinds of things. I think that a lot of representatives of the hospitality industry have made that case to the government. We certainly will support the case that they're making in that regard, particularly as we go forward with the implementation of this piece of legislation.

Ultimately, there were also some very compelling arguments made with respect to supporting this piece of legislation. I talked to a lot of people in my riding about this issue, and I was getting to the point where I was almost annoying them by asking them their opinion. We'd be doing something altogether different, and I'd say: "Well, what are your thoughts about this idea? What do you think?" Although many people said: "Yeah. I get your point about the fact that we don't have enough enforcement, and there aren't enough police officers out there and all that kind of stuff. But wouldn't it be the case that with the introduction of the .05 blood-alcohol limit people would self-police more effectively if that was the new limit? Is it the case, really, that the two solutions to this problem that we all agree exist are mutually exclusive? So, yes, the government needs to invest in more police officers, but by changing this law, are the two mutually exclusive? Does this law not also bring about a change in behaviour that may well improve public safety?"

So that was a good point that people made to me on more than one occasion when I was looking for their opinion within my constituency. I think that there has also been a lot of research from other jurisdictions that also supports the move to the .05 blood-alcohol limit. We've talked a lot about: "Well, gee. We've seen some preliminary results from B.C., and that's not really clear yet, so we need to have more time to consider it." But I think the fact of the matter is that we've actually seen results in most other jurisdictions, and we simply don't need to wait for B.C.'s results because, of course, Alberta is only one of two remaining provinces in the country that aren't already dealing with this .05 blood-alcohol limit.

The research shows, not only here in Canada but in other jurisdictions, that dropping the allowable blood-alcohol limit not only has an impact on people in that .05 to .08 range but that in fact it does have an impact on the behaviour of those who would have otherwise been at the .08 or above level. That's important to know. There is a positive effect on public safety from this particular piece of legislation, and that's what the research tends to support.

We've also seen research that suggests that driving performance is in fact affected when people are at the .05 to .08 level. A lot of that research has been completed since people initially established the .08 level. That's because the ability to measure has improved and all that kind of stuff. The scientific foundation upon which the .08 level was first established has moved since then, so that's why you see jurisdictions across the world moving to .05.

There is research suggesting that safe driving skills are themselves most vulnerable to impairment. It takes just a small amount of impairment to impact on safe driving skills, again showing the potential positive effect on public safety of this piece of legislation.

#### 10:00

Finally, the other point that I would indicate is that we've seen recommendations coming from the federal standing committee on this issue that talked about the use of administrative penalties in comparison to the Criminal Code. I think that although there was a lack of consensus about what the impact would be on the criminal justice system were you to drop to the .05 in our Criminal Code – I believe there was a lack of consensus, so the committee didn't recommend that – there appeared to be strong consensus that across the board we should be looking at administrative penalties for that area between .05 and .08.

All of this balancing back and forth ultimately leads us to several conclusions. This is not a piece of legislation that is either completely good or completely bad. There are problems within

this legislation. It is being rammed through very quickly. The use of time allocation has made that go even faster than it should have. There has not been adequate consultation with Albertans.

Having said that, this government is so cautious usually on moving forward with major issues that impact public safety and public health that we have sort of, kind of reached the conclusion that we are concerned about throwing the baby out with the bath water. Because we see this as being a somewhat politically linked initiative on the part of this government, if it doesn't happen now, we're a little concerned that it will die. If it gets referred to a committee, the whole thing will just fade away in political machinations.

We don't want to be responsible for answering to people who are the relatives or friends or family of those two or three people in Alberta that the statistics show us die every year as a result of alcohol impairment below the .08 level.

**Mr. Denis:** More than two or three.

**Ms Notley:** It's my rough calculation that there were 91 or 96 or something last year, and I believe it was about 6 per cent under .08.

Either way, the point that I'm making is that those lives, although not as many as 90, are as important to their friends and their family as the full 90. We need to do whatever we can to protect those lives as well, and I think there's clearly enough research to suggest that this piece of legislation will do that.

After much deliberation and much debate we have concluded that, with all of the various flaws notwithstanding, our caucus will in fact be voting in favour of this piece of legislation. Thank you.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a) is available. Anyone under 29(2)(a)?

Seeing no one for 29(2)(a), we'll move on to the next speaker, and I'll call on the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. It's indeed a pleasure to rise tonight to speak in third reading in terms of this Bill 26, the impaired driving bill. I would like to acknowledge first and foremost the comments made earlier by the Member for Olds-Didsbury-Three Hills, who, of course, indicated that he thought this law was not ready at this time and that there were still more questions to be answered. In his wisdom he indicated that it should be referred, in my recollection of his comments according to *Hansard*, back to answer the questions to get the bill right the first time.

I will say that under the former Minister of Transportation, the Member for Innisfail-Sylvan Lake, clearly this type of legislation, that is ill thought out, is something that never ever took place under his watch even though it is taking place under this now new Transportation minister. I will say that he was wise enough never to allow such an unprepared bill, a bill that was still incomplete, a bill that was not completed with the proper due diligence that a bill that comes to the people of Alberta should ever see. What I am pleased about is that he had the wisdom to know not to bring such a bill to this House. I wish the same could be said for the existing Transportation minister.

What's really interesting is that it's so important to listen to what Albertans are saying, and what Albertans are saying is: "We do not support drunk driving. What we want is to go after where 98 per cent of the deaths are caused, by people who drink over the .08 limit and are sometimes double over the limit of .08. That's who we should be going after." I'm quite certain the former Minister of Transportation was going after them, but this Transportation minister is going after soccer moms and hockey moms and dads or a couple that are going out to have a glass of wine and

are well below .08. Why would we not be going after not the 2 per cent but the 98 per cent so that we can have an even greater change in the culture in terms of getting drunk drivers off the highway?

Mr. Speaker, in my humble opinion, based on what citizens have said to me, they are saying that the new Transportation minister is wrong-headed in where he's pointing his direction. He should be pointing it towards the 98 per cent that are killing people on highways, that are well over the .08, as opposed to the 2 per cent that are well under .08 and are driving our highways and not causing the accidents that the 98 per cent are causing. Let's go after them. Really, in my view, this is not thought out.

What's even more concerning, as the Member for Edmonton-Strathcona mentioned, is the rush and the progress of just ramming it through. [Music was heard in the Chamber] In light of the fact that I'm hearing messages coming out, those messages are: do not – do not – pass in third reading this bill. Let's make it even stronger. Let's make it even safer.

**Mr. Anderson:** It was very ominous music, wasn't it?

**Mr. Boutilier:** If I could avoid the other commentary, especially from the member.

Let's get the bill right. I have a four-year-old son. Many of the families here, all of us, want our loved ones to be safe. But let's point our direction at the 98 per cent who are drunk drivers over .08, who are drunk and killing people, as opposed to the 2 per cent who are below .05 and .08. Let's take the right approach and get this bill right. I will be the first to stand and support the bill if the Minister of Transportation were to introduce a bill that made sense as opposed to going after something that, in fact, is going after the wrong people and ignoring the true killers on our highways, which is the 98 per cent of drunk drivers well over the .08.

I thank you, Mr. Speaker, for your time and members for listening to both my words and the music tonight.

**The Acting Speaker:** Thank you.

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

Seeing no speakers wishing to take up 29(2)(a), I'll call on the next hon. member, Edmonton-Riverview.

**Dr. Taft:** Thanks, Mr. Speaker. I'll keep my comments brief. I think there are just too many unknowns with this bill for me to support it. I think the intent is good, but we have heard far too many doubts and questions and concerns to rush it through in two weeks. I think all the issues have been well aired in the debate. I just want to have it on the record that I would like this bill to come back in the spring after referral to a committee. I can't support it in its current form.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any people wishing to speak under 29(2)(a)?

If not, are there any other speakers in general to third reading?

Seeing no speakers, I would ask the hon. Minister of Transportation if he wishes to rise and thereby close debate. The hon. Minister of Transportation.

**Mr. Danyluk:** Well, thank you very much, Mr. Speaker. This has been a good debate, not only a good debate in this House but a good debate with Albertans. I say to you that weeks ago, when I first met with the different associations to talk about the focus and the direction that this bill was taking, we had good discussion about what we wanted to see. As late as this morning we had those discussions again.

10:10

Mr. Speaker, this bill really looks at two areas. The first area, of course, is the .08 and above. The .08 and above is in the Criminal Code. All that this bill does – I shouldn't say that because it does have, I hope, a major impact – is address more administrative penalties. Also, the aspect of the .05, which is really the same as it has been, addresses a situation where we look at penalties that are increased.

Mr. Speaker, I'm going to make it very short. You've heard it all before. This is about saving lives, this is about the safety of Albertans when they travel on our roads and highways, and this is about the security of someone travelling on our roads and not being injured or killed on our highways by impaired drivers.

Thank you very much, Mr. Speaker, for the time and opportunity.

**The Acting Speaker:** Thank you very much, hon. minister and hon. members.

We have now concluded third reading on the Traffic Safety Amendment Act, Bill 26, following some, by my calculation, 12 or 13 hours of important discussion and debate. I would now assume that the House is ready for the question.

**Hon. Members:** Question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 10:12 p.m.]

[One minute having elapsed, the Assembly divided]

[Mr. Zwozdesky in the chair]

For the motion:

Amery	Groeneveld	Mitzel
Bhullar	Hancock	Notley
Campbell	Horne	Olson
Danyluk	Horner	Prins
DeLong	Jablonski	Redford
Denis	Johnson	Renner
Drysdale	Klimchuk	Sandhu
Fawcett	Knight	Vandermeer
Goudreau	Leskiw	Weadick
Griffiths	Liepert	Woo-Paw

Against the motion:

Anderson	Hehr	Swann
Boutilier	Marz	Taft
Forsyth		

Totals:	For – 30	Against – 7
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[Motion carried; Bill 26 read a third time]

## Bill 24

### Health Quality Council of Alberta Act

**The Acting Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. I rise this evening to move third reading of Bill 24, the Health Quality Council of Alberta Act.

Mr. Speaker, I'm very pleased that we are able to move promptly on this legislation. I recognize that the debate was a rigorous debate and it was a heated debate, but I am pleased that we are able to move forward on the legislation because the bill provides action on two important priorities of this government.

I am proud that we are enabling the Health Quality Council of Alberta to take the next step in its growth as an organization serving Albertans. The council has made a significant contribution to quality improvements in Alberta's health care system and is renowned nationally for its work. By repositioning the Health Quality Council of Alberta from a regulation under the Regional Health Authorities Act to a stand-alone statute, I am confident that we are enabling the council to continue playing a predominant role in our health system.

The Health Quality Council will report on its work directly to the Legislative Assembly. This puts the council in a stronger position to advance efforts in the health system toward the continuous improvement of patient safety and health service quality. Bill 24 assures Albertans that this government is committed to putting patients first and providing them with the care that they need and that they deserve.

10:20

Mr. Speaker, I am also pleased that Bill 24 lives up to the government's commitment to have an effective public inquiry into health system matters. Our commitment to a public inquiry has been unwavering, and I regret that Albertans have been subject to suggestions to the contrary throughout the debate. Bill 24 adheres strictly to the court protocol that I tabled to enable the appointment of a judge or judges to lead a public inquiry. The health system inquiry provided for by Bill 24 will be a full-fledged public inquiry in every respect. The inquiry panel will have the authority to compel witnesses to attend and answer questions, to require the production of documents, and to hear evidence about matters such as nondisclosure statements, which have been the subject of debate in this House.

While a public inquiry is a powerful tool and a blunt instrument to get to the heart of a matter, Bill 24 provides that the health system inquiry will also be fair. The inquiry panel will have the discretion to protect a patient's private health information from unnecessary disclosure. There are reasonable protections for third parties who are not of concern to the inquiry. I have to emphasize, Mr. Speaker, that these protections operate in accordance with the principles of fairness and the interests of justice.

Mr. Speaker, Albertans are a fair-minded people, and they want a public inquiry that is equally fair-minded. Bill 24 provides for a public inquiry that they can have confidence in. This government believes that the inquiry is going to serve an important purpose in our health system now and in the future and is an important aspect of public accountability with respect to our health care system.

Mr. Speaker, just in closing, I would say that while there has been heated debate, particularly in Committee of the Whole, over this bill, I want to thank all members of the House who have taken the time to participate in the debate. Whether you are concerned with advancing an inquiry further to allegations that have been made over the last year with respect to our health care system or whether you are concerned with the possibility of the need for a similar exercise in the future to answer important questions about our health care system, I believe that the provisions in this bill will deliver to Albertans a fair and open airing of the issues that may be of concern to them.

I would like to thank hon. members for their support of this bill, and I look forward to hearing the balance of the debate in third reading. Thank you.

**The Acting Speaker:** Thank you, hon. minister.

The Official Opposition critic has asked the Member for Edmonton-Riverview to speak in his stead, so I'll recognize him next, followed by Calgary-Fish Creek.

**Dr. Taft:** Thanks, Mr. Speaker. I won't prolong this. Obviously, we will have to agree to disagree. I actually find this bill quite disappointing. I think it's all politics. It's an unnecessary and expensive delaying tactic. The Premier made a promise to call a public inquiry. This is an elegant manoeuvre to avoid that promise until after the next election, and I think that's disappointing.

Governments are frightened of public inquiries. We don't have to look very far. Look at the federal Liberal consequences from the Gomery inquiry. Look at the consequences for the government here in this party under Premier Getty back in the late 1980s in the Code inquiry. Public inquiries are frightening, and it's because they do lay bare the operations of government in controversial areas. So it's the most natural thing in the world for a government to try to avoid one, and that's what we're watching here.

I'm obviously going to oppose this, Mr. Speaker. I expected more. Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, Mr. Speaker, thank you. As the Member for Calgary-Fish Creek, an MLA, and the health critic I feel it's my democratic duty to stand up and speak on third reading of Bill 24. I think it's a privilege and an honour to speak in this House and debate future laws of the land. We as members of this Legislature are entrusted with a sacred obligation to the people of Alberta. Quite frankly, I'm disappointed with what I've seen from the government members. I can tell you that what I've heard from the government members on this bill is, quite frankly, nothing.

Aside from the minister introducing his bill and amendments, we heard from I think it was one government member, the Member for Calgary-Cross. The rest of the government has been silent. There are 68 government members, and the opposition, actually, has been doing all of the debating, bringing forward the amendments and bringing the voice for the health care professionals, who are the glue in keeping a broken health care system together. In all honesty, Mr. Speaker, I find this insulting – and I have to repeat that: insulting – to the people of Alberta. Why haven't the government members found the time to speak about the number one priority of Albertans? The number one priority of Albertans is health care.

There are a few possible answers to that one for me, Mr. Speaker. The first one would be that they are maybe under a gag order or a don't talk, don't debate order to not say anything. How ironic that while the Health Quality Council investigates political intimidation of health professionals, political professionals are intimidated into saying nothing about health care. Isn't it interesting how it appears that a Premier who ran on a platform of openness and accountability has maybe silenced her caucus colleagues on such a vital issue? Maybe the members just don't care. Maybe they think it doesn't matter what happens in this House and in the health care system.

Is this legislation perfect just the way it is, like a unique snowflake? Hardly, Mr. Speaker. As soon as this bill entered Committee of the Whole, the minister tabled an amendment. I'm going to move on from here. Maybe the government members will join in on doing their job. Who knows? Stranger things have happened.

I find this bill to be a Band-Aid solution to a fatal problem. Our health system is in serious trouble. Doctors are being intimidated. Pathology test after pathology test is being reviewed. In the midst of all of this, Alberta Health Services just closed the cancer lab at the Tom Baker cancer centre. World-renowned experts are being

fired, let go, or their contracts aren't being renewed. It's unbelievable.

When I questioned the minister on intimidation in the system, something that the Health Quality Council is currently investigating, he lashed out, calling the testimonies of doctors innuendo. What is the word that pops into my mind? Quite frankly, Mr. Speaker, it's disgusting. I've shown proof of e-mails to Dr. Tony Magliocco being told by Alberta Health Service officials that he would regret it. I was absolutely stunned by the minister's response. He has managed to insult every physician that has been brave enough to come forward.

For this reason, I think the Health Quality Council is not up to the job of conducting an inquiry into queue jumping and political intimidation in the health care system. We need a full, public, independent, judge-led inquiry. Mr. Speaker, you know who else agrees with me on that? The Member for Calgary-Elbow, the Premier. You know who doesn't agree with me? The Premier. Funny enough, they're the same person. What has changed? The Member for Calgary-Elbow actually won her leadership contest and is now in the Premier's office. The saying goes that power can go to your head. I'm not going to attribute this to any particular member of this House, but quite frankly someone got lost on the way.

The whole debate is ironic in another way for me because we're debating the Health Quality Council of Alberta Act when we should be reading – we should be reading – the final report from the Health Quality Council. The final report has been delayed until sometime in the new year. We could have started and finished a general election by then.

Now, Mr. Speaker, my caucus will tell you that I'm a forgiving person on most days. I've consulted in the past with those with addiction problems, and I know how important it is to relieve the guilt of past mistakes. It's an important step to a better life. But to be forgiven, you must admit that you've made a mistake. Time and again mistakes get made by this government, and – you know what? – there's no recognition. There's just this collective amnesia, just living in the present, not worrying and remembering the past, even when confronted. I'd like to see a little humility.

**10:30**

When asked in the media about the Premier's promise, her chief of staff was adamant that the inquiry would be led by a judge. There are no prescriptions here that ensure a judge will lead an inquiry into the health system. What we are left with is the government's word. To be honest, you can't take that to the bank. Flip-flop after flip-flop has flown since the new Premier took office. "Trust me," quite frankly, doesn't inspire confidence in Albertans right now, Mr. Speaker.

What will inspire confidence? What will return the sense of trust that people have in the health system? A public inquiry. The doctor's prescription: a dose of truth with, maybe, a pinch of honesty. Mr. Speaker, at the end of the day Albertans want to believe in this province again. Health professionals want to believe again in their government and the health care system that they use and they take and pay for.

Now, back on the topic of trust, Mr. Speaker, the government won't call a public inquiry because they think the Health Quality Council is capable of appointing the panel to investigate this issue. The government seems to be saying that they trust the council to do a good job and make good recommendations.

Earlier this year the Health Quality Council at the previous Premier's direction investigated the closure of the Edmonton city airport. It seemed like a matter of putting something off to a committee so the government didn't have to deal with it. Well, the

council did come back with recommendations, nearly a couple of dozen. The consequences of closure were made clear, and the government had to take action to mitigate the impact of critical air flights. I haven't seen any action by this government on any of the council's recommendations on that issue.

I wonder to myself, Mr. Speaker: what's the point of asking a council to investigate something only, quite frankly, to ignore their findings? This is my real concern with the health council investigating intimidation and other health issues. How do you know if the results will be taken seriously? Will they be acted on? How can we trust this government to fulfill its promises?

At the end of the day, Mr. Speaker, all we can rely on in this world is our own sense of hope. I hope for the best. I hope this government gets this legislation right, and ultimately I hope this government heals the health system that we so dearly care for.

The minister mentioned in his debate their unwavering commitment to this legislation. He talked about the fact that Albertans are fair people. There's no question about that. There are no better people in this country than Albertans.

Mr. Speaker, Albertans want a public inquiry, so I'm going to challenge the minister. Under his legislation, Bill 24, that we know by the end of the day will pass, under 17(1)(a) it clearly sets out: "set out the nature and scope of the inquiry, including," Minister, "the date by which the report and recommendations, if any, of the Panel must be submitted under section 22."

Minister, if you want to be fair and you want to be open and you want to be transparent and you want to commit to Albertans like you have said in this Legislature, then our challenge to you as far as the Wildrose and, for that matter, from Albertans is to have that report submitted before the next election.

**The Acting Speaker:** Thank you.

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

Seeing no speakers for 29(2)(a), I will call on the Member for Edmonton-Strathcona, followed by the Government House Leader, followed by Calgary-Mountain View, followed by Airdrie-Chestermere, followed by Calgary-Buffalo. That's it for now.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. Mr. Speaker, I'll be brief on this. I think we've talked about it at some length previously. The bottom line is that the Premier, when she ran to be leader of the Conservative Party, promised a full, public, judicially led inquiry. Instead of doing that, this legislation was introduced. This legislation does not provide for what the Premier promised.

This legislation sets up a situation where a group of people who will themselves have been tasked with, in many cases, investigating the very issues that would subsequently be sort of inquired into will be the group that decides whether their very work will be reviewed by a judge or not and will decide whether the people that review their very work will be independent or not. That whole process is remarkably open to unfortunate bad judgment and decisions that will bring into disrepute the true independence of the panel.

As well, the panel, as we talked about earlier, will have countless opportunities to go in camera, not just for the intensely private, embarrassing public health care issues that speakers opposite have suggested were the necessary protections for individual Albertans but for anything where the panel thinks the public interest might possibly be jeopardized should they not go in camera. There are broad-ranging criteria that the panel, which is appointed through a less than perfect process, can use to go in camera.

This is not what the Premier promised. This is not what Albertans said they care about. This is not a guarantee of a proper public inquiry. It is, as the Member for Edmonton-Riverview put it, actually an elegant strategic move to avoid subjecting the Premier or this government to a true public inquiry or the true results of her promise being kept. For that reason, we will be voting against this bill, as we have at all other stages.

**The Acting Speaker:** Thank you.

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

Seeing no speakers for 29(2)(a), I will go to the Minister of Human Services and Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'll be very brief. I just wanted to respond to some of the comments that were made in third reading by the Member for Calgary-Fish Creek. That member, of any member of the opposition, ought to know, having participated both as a member of Executive Council and as a member of government caucus, the number of opportunities that members have to participate in developing both policy and legislation. For her to have the temerity to indicate to this House what the duty of members of this House are in terms of speaking in this House is really above and beyond the call.

The fact of the matter is that any member is free to speak in this House, but if every member spoke in this House on every bill, you would never ever finish any bill. If every member of the more than 304 members of the House of Commons spoke on every bill, no bills would ever pass.

The fact of the matter is that in any decent caucus there is an assignment of responsibilities. Some people carry a bill. It may be a minister. It may be a government member. They speak to those bills, and others may participate as they are moved to do so. But there is not a necessity for a member to participate in order to do their job because, by my count, they may have as many as seven different opportunities as a member of caucus to participate in the development of policy and in the development of a bill.

Once a caucus decision has been made, then it is expected that members of Executive Council will support a bill and that members of government caucus, of course, could choose to support the bill if they wish to do so. But if they wish to retain their voice in any discussions, obviously, you have to respect the decision of caucus. The hon. member knows that. So for her to suggest that government members do not care about a bill because they're not speaking in the House when the House, as she well knows, is the opportunity primarily for members of the opposition, who have not had that opportunity to participate in the development of a bill, to bring an external view, if you will, another view to a bill – sometimes we've actually seen in this House times when opposition has come forward with a good amendment to a bill that has been accepted by the House.

Most often the amendments are really ones of philosophy or differences of viewpoint and are not accepted, but it is an opportunity in this House to have that final say, and bringing it to this House is the apex of the system, which requires all the rest of the work to be done. To suggest that no work is being done because you can't see it being done here is absolutely false.

**10:40**

Now, with respect to the Premier's promises this bill is public inquiry plus. What this bill does is not only have the Health Quality Council file an annual report with the Legislature, which then can be dealt with by a Legislature committee and, therefore, has an openness and a transparency to the Health Quality Council

and its reports, but it also provides for the empanelling of a commissioner with all of the powers under a public inquiry. In fact, in section 17(5): "In conducting an inquiry . . . the Panel has all the powers, privileges and immunities of a commissioner under the Public Inquiries Act." So it's a process with full public inquiry power.

**The Acting Speaker:** Hon. Member for Fort McMurray-Wood Buffalo, please. The hon. minister has the floor. If you'd like to be added to the speakers list, I'd be more than happy to put you down.

**Mr. Boutilier:** Yeah, please do.

**The Acting Speaker:** Thank you.  
Hon. minister, please continue.

**Mr. Hancock:** The pieces that make it a public inquiry plus are in subsection (7)(a), which adds a provision that says that no person who is required to furnish information or to produce documents, et cetera, et cetera, can refuse to do so on a ground relevant to the inquiry that requires the person to maintain secrecy or not to disclose any matter. In other words, there's an additional clarification of the powers of a public inquiry officer or commissioner under the act.

Hearings have to be public unless they meet the requirements to go in camera. This is again a plus, not a minus. It's a plus. What it does is encourage everybody who has relevant information to come forward and participate in an inquiry. They know that they can ask the inquiry, if it deals with their personal information or any of the items disclosed in 19(1)(a), (b), (c), (d), (e), (f), or (g) – the panel, not the individual, can make a decision to go in camera on request if there is information as set out in that, which is very important for full disclosure. It's very important to encourage people, particularly in the health system, to come forward but letting them know that under appropriate circumstances information that would be harmful to them or to others can be heard by the commission but held in private.

I would suggest, Mr. Speaker, that this not only fulfills the Premier's promise of having the opportunity for a full public inquiry – it can be a judge-led inquiry if so desired but with all the authorities of an inquiry under the Public Inquiries Act with additional protections built in to ensure a full and complete review.

Mr. Speaker, I would commend this bill to the Legislature and ask for its support.

**The Acting Speaker:** Thank you.  
Standing Order 29(2)(a) is available.

**Mr. Anderson:** A very vigorous debate from the House leader. There was obviously a massive nerve hit there.

I guess my question to the member. He talks about, you know, how caucus was widely consulted and so forth on this matter and all the opportunities that members of the House have to debate on this. You know, there was a story just came over the line about the Member for Vermilion-Lloydminster. He felt that he wasn't consulted at all and felt that his caucus had no real consultation, anyway, with regard to the previous bill that we talked about, the drunk-driving bill. I know that in the time that I did spend over on that side, I felt that the way we developed legislation, at that time anyway, did not allow private members . . .

**Mr. Boutilier:** Or ministers.

**Mr. Anderson:** I don't know about ministers. I can't speak for that.

. . . certainly private MLAs, to have virtually any real say in the development process of any bills. I could point to a hundred examples, which I won't do because we're not talking about that.

I guess I would wonder. If the Member for Vermilion-Lloydminster is saying that he wasn't properly consulted on a previous bill and Albertans clearly are saying that they haven't been consulted on many of these bills, including this one, who exactly are you consulting with if you're not consulting with your caucus? Is it just in cabinet? Where is the information coming from? Your own members are saying that they're not being consulted. Are they lying? Is that hon. member lying about the lack of consultation? Just maybe clarify for me.

**Mr. Hancock:** Well, I hesitate to suggest who might be lying in this circumstance, Mr. Speaker. I think that members of the House on our side would understand who might fit that designation.

What the hon. member talks about is not having any input on bills, but I can remember a vigorous debate that he participated in in caucus on one bill. He and I were on opposite sides of it. His side happened to be successful, and that bill went forward. I would suggest that he was a major part of that particular piece of that particular legislation being successful. Then he turned around and said: I have no input into bills in this caucus and will leave. So I'll let members of the public and members of the Legislature make their view as to who has the veracity in this.

I wasn't participating because a nerve was touched; I was participating because there were some inaccurate, in my view, statements put on the record about how bills come forward and what the expectations of members are and what the bill actually does. I thought it was appropriate in third reading to take a very small moment of time and correct those inaccuracies.

**The Acting Speaker:** Thank you.

The Member for Fort McMurray-Wood Buffalo next. Just before you go, hon. member, let's be very careful about referring to members who are not able to speak out perhaps right at this particular time and who may not be here.

**Mr. Boutilier:** Thank you very much, Mr. Speaker, and I appreciate the comment.

Speaking about the nerve that the Member for Calgary-Fish Creek hit with the Member for Edmonton-Whitemud, I have to ask him – there have been rumours relative to the fact that the Premier's transition team person, who, in fact, was the head of the superboard, said that we can't have a public inquiry because all of the skeletons will come out of the closet. Is that true?

**Mr. Hancock:** Mr. Speaker, it's not our job in this House to deal in rumour and innuendo. I know the hon. member opposite and his friends like to deal with rumour and innuendo. In fact, I think half the time they make up the rumour and innuendo. But that's what it is: rumour and innuendo. And it doesn't really bear any further comment.

**Mrs. Forsyth:** You know what, Mr. Speaker? I have a really simple question, actually. The government talks about consulting, so my question is to the health minister. I would like him to tell us who they consulted with on bill 24, and I would like to know specifically what physicians they consulted with. Did they talk to the AMA? I can quite frankly tell you that all of the people that I have spoken to have told me that they haven't been consulted. [interjection] Yes, you have to answer. It even goes to the mental health of . . .

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Mountain View is next on the list, followed by Airdrie-Chestermere, followed by Calgary-Buffalo, followed by Fort McMurray-Wood Buffalo.

**Dr. Swann:** Thank you, Mr. Speaker. The question around this bill – I think we've been dancing around it for some time, Bill 24, Health Quality Council of Alberta Act – is really one of trust. The question is about restoring public trust in a health care system that has been profoundly undermined, disrupted, and in many cases, if not broken, is on the verge of catastrophic collapse, as a number of physicians in the province have indicated.

We've seen a history of the failure of management in some areas but also a clear attempt in the past to privatize the payer system in our health care system and, ultimately, in 2008 the creation of one health employer in the province with no transition plan, resulting in a huge disruption of the complex services from prevention programs through early intervention programs, mental health, addictions, children, pregnant women, seniors, long-term care. All of this without a transition plan – it has created such suffering – and without consultation with the very people that are trained and provide the front-line services, all of this on top of decisions made over a decade ago to blow up and sell off our hospitals, leaving us with much less in-patient capacity for all forms of in-patient needs than we've ever had in our history relative to patient population.

10:50

We're dealing with a profound loss of trust in a system that is designed to care for people in a trusting environment. We're dealing with a system in which if you don't please the managers, you leave the province. Whether you're an EMS worker, a pathologist, a nurse, a lab technician, a licensed practical nurse, if you don't please your boss, you look for another job in another province. You leave your home, your family, your extended family in some cases. You move to another province. That's the nature in which we are seeing such profound loss of morale, I would say the lowest morale in the history of our province in health care. I've heard it from EMS workers. I've heard it from physicians. I've heard it from a number of nurses, though not nearly from as many nurses as I have from others.

This bill is trying to address, I think, the question of loss of trust. We've pushed and pushed and pushed to get even the Health Quality Council to examine some of the key issues that the government has known about for years, at least since 2007: emergency room frustrations and a loss of quality of care and cancer care, wait-lists that have seen queue-jumping or bumping, or undue delays due to interference.

[The Deputy Speaker in the chair]

We've seen prominent physicians, the only people in the system with any sense of power to challenge what's going on: even that profession has been cowed into silence, by and large. A few members, men and women, have been silenced and in some cases moved off and paid a severance package or something with a nondisclosure clause such that it's very clear to all the health workers in this province that it's unsafe to speak the truth to this power. It's unsafe professionally. It's unsafe socially. It's unsafe economically. Frankly, the terrible ethical dilemma that it puts people in hasn't fully been appreciated by this government. Nurses and doctors take oaths to act in the interests of their patients and only in the interests of their patients, and here they're forced into a situation where if they do so, they lose their job. If

they don't do it, they lose their sense of who they are and their professional ethics.

This act is really designed to try to deal with the damage that has been done over this decade of mismanagement and privatization and the communication of that in various direct and indirect ways, both in directly proposing it, as former Premier Klein did, but in also denying it as in the current administration. There's confusion. There are mixed agendas, and there's incompetence and mismanagement.

This is an attempt, instead of going to a public inquiry, to create a new body called the Health Quality Council association of Alberta as a new, fresh, independent public inquiry. It raises serious questions, troubling questions of trust. Does that mean that our public inquiry system is broken in this province, that decades of public inquiries really haven't gotten at the heart of some of the issues that we think they need to? Does it mean that only under this new act are we getting to the heart of protecting confidentiality and keeping certain things in camera, that we couldn't otherwise do? I think not. I think that to say so is to say that we need other kinds of inquiries for different types of problems, whether it's environmental violations or infrastructure violations.

It's very difficult for us on this side of the House to believe that this is anything but an ill-advised attempt to delay, to deny justice. Certainly, I can tell you from the professionals I've talked to that there's no sense that this is an attempt to honour their concerns, to respect their fear, to understand the distrust and broken relationships that have occurred over the last decade, really. This is an attempt to avoid, to deny, and to create the image but not the reality of a serious commitment to understanding what the problems in the system are and to hold accountable those people that actually created the problems and have been promoted, not fired, in the very system that they have been abusing and those professionals that they've been abusing and silencing. That's the part that is so galling for many in the system.

Mr. Speaker, it goes without saying that we simply cannot support this attempt to send some kind of a reassuring message and restore trust and restore accountability to a system that has been so clearly mismanaged, in which those who have most mismanaged have been promoted, including the present Minister of Finance, who actually orchestrated the biggest blow-up and destruction of our health care system in the last 25 years. How can we believe in this government when they have done such a terrible job in managing our most sacred trust to Albertans?

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a)?

Seeing none, the chair shall now recognize the hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I, too, will be brief. I want to recognize and thank the hon. Member for Calgary-Mountain View, a doctor, clearly someone who has had the misfortune of being a part, essentially, of that culture of intimidation that exists there. Yet he stands in this Legislature. He decided to leave his career, essentially, and take part in the democratic process. You know, obviously, we're in different parties and don't agree on everything, but I very much respect the fact that he's fighting for those doctors and those colleagues of his that, no doubt in my mind after talking with so many of them for the last two years, have been bullied, intimidated in every way, shape, and form from a variety of different levels of government. I really do appreciate that.

I hope that one day we can see this public inquiry go forward in a true fashion, a judge-led inquiry, presided over by a judge, not

some panel, by a judge with full powers of subpoena and no get-out-of-testifying-free cards for any of those ministers, former ministers, public officials, deputy ministers, anybody involved. What has happened over this last decade and a half needs to be exposed. If there is nothing to hide, then surely the government shouldn't fear having the public inquiry before the next election.

The members for Fort McMurray-Wood Buffalo and Calgary-Fish Creek have brought this to my attention. I've read it before, but it's a good reminder. I'm going to quote something here from an article in the *Calgary Herald*.

We need to change how we make decisions. We must make time and processes available for consulting with Albertans before we pass laws. That doesn't mean every Albertan will agree with every decision, but there will be time to learn about the issue and weigh in.

We need to change how the Legislature and MLAs operate. More free votes so MLAs can reflect constituents' views. More time between proposing and voting on legislation. More collaboration among departments so that initiatives mesh in achieving goals.

And it goes on.

The author of this article is the new Premier. She wrote this article on August 22, 2011. Again:

We need to change how we make decisions. We must make time and processes available for consulting with Albertans before we pass laws. That doesn't mean every Albertan will agree with every decision, but there will be time to learn about the issue and weigh in.

We need to change how the Legislature and MLAs operate.

Absolute rubbish. If she meant one word of this, one word, we would not be doing what we are doing right now, which is ramming through a piece of completely unnecessary legislation without any consultation.

11:00

She promised a public inquiry into various things – the alleged queue-jumping, intimidation of health officials, and a variety of things – on the record. She promised it before the next election, that it would be conducted prior to the next election so Albertans would have answers. She promised more transparency, more consultation. What did we get? We got this joke. That's what this is. It's a joke. It's a disgusting joke. She should be ashamed, and anybody who supports this charade – that's what this is. This is a charade. Anybody who supports this charade should be ashamed.

We have a Public Inquiries Act. It is very clear. It is very easy to use. It's not something you use all the time, obviously, but it's very simple. There's legislation. It can be activated at any time by the Executive Council, led by the Premier. It's simple. It's straightforward. It gets the job done. Instead, we sit here with this bill that's a charade, that will not change a thing other than make it possible for this process to be delayed even further, until after the next election.

Well, at some point, I think, Albertans are going to say – and, granted, a lot of Albertans are busy, and they're not paying attention right now to what's going on in politics. It's the Christmas season coming up and so forth. But they will pay attention when the election is called, and these things will be reminded to them. At some point they're going to say: "You know what? I'm pretty much sick and tired of this. I'm sick and tired of these guys promising things and then going back on those promises. I'm sick of being lied to." That's what they're going to say. There's a gag reflex level that I think at some point has been breached, and as soon as it's all brought together for Albertans,

they're going to say: "You know what? We can't trust a blinking thing that these guys say. They just simply can't be trusted."

They're going to go into an election – and I hope it's wrong. I hope that the Solicitor General or the Human Services minister or the Health minister is going to be able to stand up and say: "You know what, Member for Airdrie-Chestermere? You're wrong. This is what we're going to do. We're going to call this public inquiry. We're going to do it before the election. In fact, we're going to do it the minute this is passed. In less than an hour we're going to call this public inquiry. We're going to make sure it's done before the election, and then you're going to look like the fool." I hope they do that. Prove me wrong.

Or are you going to go into the election, and are we going to be able to say – and you really want to campaign on this. We're going to be able to hold this up and say: "You know that public inquiry that your Premier talked about before the next election? They didn't do it. They're going to do it after the next election. You can trust them. You know how they say they're going to balance the budget? We know we're in deficit right now. Guess what? After the election we'll balance that budget. We're not going to raise taxes. You can trust us. We haven't told the truth on anything so far, but you can trust us. But after the election, don't worry. We won't raise your taxes. Really, we won't. There's no need for more revenue. We'll get our house in order just by being smart with our budgetary decisions." Do you really think that Albertans are going to buy that? I sure hope not. I sure hope for the sake of this province that people will take a long look at this and say: this is unacceptable.

They've got many options other than that governing party. They have the Liberal option, they have, obviously, the New Democratic option, and they, of course, have the Wildrose option. That option will be put in front of them and promises will be made, and I guess at some point Albertans are going to have to decide who they trust.

This piece of legislation, Bill 24, is a farce. It's a disappointment. I'll tell you that there are doctors and more who are going to be coming forward. There is going to be one bomb after another for this government. It's going to get bad again for them. But they're going to find out as the weeks go by here that their treatment of the doctors in this matter, their treatment of the health workers, their treatment of these good folks in our province is going to be the end of their domination. If they had just treated them fairly, they were willing to forgive, and they were willing to forget. They were willing to just have this public inquiry, get it all out in the open and move forward.

Instead, it's been swept under the rug, and we are to the point where nothing is going to be found out before the next election. Nothing. What a disgraceful, distasteful thing to do, to insult the intelligence of Albertans so much, to think that Albertans are dumb enough to actually believe that they won't do anything before the next election. "Just trust us. Don't worry. After the next election, we'll take care of it all." Yeah, right. I don't think so.

With that, Mr. Speaker, I will absolutely not support this bill, and I call on the Premier of this province to keep her promise, to keep her word. If she doesn't on this, if we don't have a full public inquiry conducted prior to the next election, she cannot be trusted on anything that she says prior to or during the election because she broke her word on this.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a). Is any hon. member wishing to take that option? The hon. Member for Calgary-Mountain View.



**Dr. Swann:** Thank you, Mr. Speaker. I appreciate very much the comments of the Member for Airdrie-Chestermere. I hear the emphasis on professionals, physicians and nurses and others. I guess the bottom line is that patients are suffering as a result of this. That is what really needs to be kept at the centre of this discussion. If we don't restore trust, then we don't restore confidence in patients and professionals to work together to solve problems to get the system back on track. Everyone is just pulling away because they don't believe that it actually is going to change for the better and that trust is going to be restored. Does the member agree that the public themselves are the ones that are suffering as a result of this?

**Mr. Anderson:** Absolutely I do. I think that what people in Alberta will say at the end of the day – I mean, you have this government saying that this health inquiry is being used as a way for doctors to intimidate other doctors or intimidate their superiors and so forth. I'll tell you what. We've all had doctors. I sure as heck trust my doctor more than most of the politicians that I've met in this Assembly or anywhere else, for that matter. I think we all should. I think most people do. Certainly, most Albertans are going to take the word of doctors over the word of politicians who are not being honest with them.

I think that's important because doctors are all saying exactly what you said, hon. member, that this is about patient care. They are advocating for their patients, and that's what's at the heart of this is that doctors are advocating for their patients, and they're being stonewalled. They're being intimidated in some cases out of the province. They're being intimidated into silence in other cases. There is a culture of silence and intimidation. I mean, how many doctors have you spoken to, hon. member, and as a caucus have we spoken to that would love to come out with some of the most incredible stories and reports of intimidation that you could imagine, yet they can't. Why can't they? Because they're afraid of getting fired or getting blacklisted and so forth.

**Mrs. Forsyth:** And they have a health minister that says that it's a workplace issue.

**Mr. Anderson:** Right. They have a health minister that says that it's a workplace issue.

We have to allow doctors to advocate for their patients. I will tell you that this health minister over there can be as offended as he would like to be, but the fact of the matter is that if he would just spend one day listening to some of the doctors that have come to us and have talked with us, if he was able to be a fly on the wall, I think he would be amazed – I'm hopeful that he would be amazed with surprise – at the depth to which this culture of intimidation has sunk. And he would do something about it. I hope he would do something about it – that's my hope – because that would be in his heart. Maybe he's not getting the story; I don't know. But it is clear as day that it's happening.

**11:10**

We need to open up the files and open up the contracts and open up everything that is right now silencing these pieces of information from coming forward. The only way to do that is a full public inquiry. It will exonerate the folks on that side of the House and their staff and so forth that are not involved. It will exonerate those folks, but it will condemn, and rightfully condemn, those folks that are involved, and there are folks involved. Only a public inquiry is going to be able to legitimately come up with who those folks are, and those folks should be removed from the health system so that they're not in a position to

hurt the health and safety of Albertans or intimidate doctors as we go forward.

**The Deputy Speaker:** Any other hon. member on 29(2)(a)?

Seeing none, the chair shall now recognize the hon. Member for Calgary-Buffalo on the bill.

**Mr. Hehr:** Thank you Mr. Speaker. I'll be brief. The Premier promised a judge-led public inquiry. Anything else is crap. That's sort of all I have to say on the bill.

Thank you.

**The Deputy Speaker:** That's it? All right. Standing Order 29(2)(a) is still available.

Seeing none, the chair shall now recognize the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Speaker. I appreciate all the comments from all sides tonight, especially the Member for Airdrie-Chestermere and the Member for Calgary-Fish Creek, from the Wildrose caucus, on this issue.

I listened intently to what the minister of health said when he did his preamble on third reading, and I noticed that he had mentioned the word "judge" numerous times, yet nowhere in the legislation does it say that they will appoint a judge, which is very disheartening. As I look at that, it reminds me of a couple of weeks ago, when I indicated that the minister of health was like the fox in the henhouse. Not only was he the fox in the henhouse; he actually had feathers in his mouth when it came to some of the things that he was actually saying relative to the issue.

My point, though, and what is most important, is this. I believe tonight that the seriousness of this issue is like Watergate and that we still haven't found Deep Throat. But let me tell you: we will. And you know how we will? Because the doctors, all of them who are involved, are the deep throats. The minister of health may be laughing now. He wouldn't be laughing so because he might have heard of the Saturday night . . .

**The Deputy Speaker:** Hon. member, speak through the chair.

**Mr. Boutilier:** Yeah, through the chair. The minister of health might be laughing, through the chair, but it is not so funny. It is not so funny. Perhaps if he looks at the history of Watergate, when Deep Throat did come out, it was like the doctors who do want to speak out with the independence of being able to be free rather than being intimidated or bullied by the government. I can assure you that this will make Watergate look like something smaller than what it was because of what has taken place. I sincerely say that because there are deep throats among doctors and nurses who do want to speak out, and they will, as the Member for Calgary-Mountain View said, for the betterment of their patients and for citizens of Alberta, who deserve the best health care they can get.

I can only say that, obviously, through the chair, the minister of health could not, I guess, be able to say that there will be a judge appointed for this independent judicial inquiry because there is none. I guess he couldn't say it because there were, quite simply Mr. Speaker, too many feathers in his mouth.

That being the case, I will not be supporting this charade that is going on here tonight. Thank you, Mr. Speaker.

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

Seeing none, any other hon. member wishing to speak on the bill?

Seeing none, the chair shall call on the Minister of Health and Wellness to close the debate.

**Mr. Horne:** Thank you very much, Mr. Speaker. I want to take the opportunity to respond to a number of points that were raised in third reading. I'll try to be as brief as possible. First of all, the remarks of the last hon. member with respect to the appointment of a judge. If the hon. member had taken the trouble to read the bill, he would see that there is an explicit provision that provides for cabinet to request the appointment of a judge or judges to serve as the panel to conduct a public inquiry. And when asked in Committee of the Whole as to why this provision was requested in the form of an amendment, I referred to a document entitled Protocol on the Appointment of Judges to Commissions of Inquiry. If the hon. member took the trouble to check the Public Inquiries Act, he would see that the appointment of judges to commissions of inquiry is done by cabinet in consultation with the court in accordance with this protocol.

Contrary to how the hon. members may wish the system to work, Mr. Speaker, the fact of the matter is that cabinet, when it wishes to appoint a judge to perform a public duty such as serve on a commission of inquiry, is bound to consult with the court in the course of requesting that participation. This amendment made explicit reference to the process outlined in the protocol. It, in fact, strengthens the opportunity for the Health Quality Council to request cabinet to appoint a judge to conduct the inquiries. That is the sum total of the debate on that matter, Mr. Speaker.

With respect to the questions raised about consultation, I remind the hon. Member for Calgary-Fish Creek that I, in fact, did consult with the Alberta Medical Association in the preparation of this legislation. They issued a President's Letter with respect to that discussion, which I believe the hon. member quoted in the course of debate during question period over the last couple of weeks. They expressed on numerous points agreement or support for provisions that are in this legislation. Consultation was held with many groups, Mr. Speaker, not the least of which was my own caucus, which I'm very pleased to stand here and say fully supports the bill and holds it forth as evidence of fulfillment of the Premier's commitment to conduct a full and independent inquiry into this matter.

One of the last things I'd say, Mr. Speaker, and it's a topic that has been very conveniently ignored by all members opposite as part of their insistence, is that there is a full review of this matter under way currently by the Health Quality Council of Alberta. We've heard through the interim reports from the council that dozens and dozens of physicians and other health professionals have taken the opportunity to be interviewed by the Health Quality Council. They have participated in good faith. I know that members of this House have been in touch with the Health Quality Council and presented information to them that concerned them.

I only hope that any hon. member who is standing here this evening voicing objection to this bill and who has claimed to have information and evidence to support some of these allegations has also taken the personal responsibility of contacting the Health Quality Council and presenting that information. I only hope that is the case, Mr. Speaker, and unfortunately that is something we will never know unless the member voluntarily discloses that information.

The last thing I'd say, Mr. Speaker. I'd refer to the remarks of the hon. Member for Calgary-Mountain View because I think he came closest of all to identifying the very important principle that high-performing health care systems are built around a culture, and that's a just and trusting culture, that's a culture where physicians and all health professionals feel free to fulfill their duty to advocate on behalf of their patients. Despite some of the personal attacks and other remarks that I've sat here and listened to over the last several weeks, I would like to believe that all hon.

members of this House share that commitment to create the culture that allows for physicians and health professionals to advocate on behalf of their patients.

The hon. member talked about the change in the organization of the delivery system that took place in the last few years. I certainly don't mind as minister saying that that was, in fact, a massive change, one of the largest reorganizations in any province in Canada, certainly, that I'm aware of. And while this government stands behind that decision and while we believe we are providing evidence to this House on a regular basis of the benefits of that decision in the form of better access and quality of health services to Albertans, I want to also acknowledge as minister that a change of that magnitude does not come without a cost, and it often can come at a cost to the people who deliver care.

I think if anything, in my tenure and the tenure of previous ministers, we have demonstrated consistently that we want the input, we want the advice, and we want the opportunity for health professionals to take responsibility and accountability in making decisions that directly affect their ability to deliver care to their patients.

This bill, in summary, Mr. Speaker, not only delivers on the Premier's commitment; it creates a reasonable process with the proper safeguards such as protecting confidential patient information to ensure that these matters that have been alleged here in this House and, heaven forbid, future matters that may be alleged by members opposite have the opportunity to be reviewed in a full and fair manner through the process stipulated under Bill 24.

With that, Mr. Speaker, I'd ask for the support of all members in the passage of this bill.

**The Deputy Speaker:** The hon. Minister of Health and Wellness has closed the debate.

The chair shall now call the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 11:20 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Amery	Griffiths	Mitzel
Bhullar	Hancock	Olson
Campbell	Horne	Ouellette
Danyluk	Horner	Prins
DeLong	Jablonski	Renner
Denis	Johnson	Sandhu
Drysdale	Klimchuk	Vandermeer
Fawcett	Leskiw	Weadick
Goudreau	Liepert	Woo-Paw

Against the motion:

Anderson	Hehr	Swann
Boutilier	Notley	Taft
Forsyth		

Totals:	For – 27	Against – 7
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[Motion carried; Bill 24 read a third time]

### Bill 23

#### Land Assembly Project Area Amendment Act, 2011

**The Deputy Speaker:** The hon. Minister of Infrastructure.

**Mr. Johnson:** Thank you, Mr. Speaker. I'm pleased to rise and move third reading of Bill 23, the Land Assembly Project Area Amendment Act, 2011.

Bill 23 delivers on our Premier's promise to ensure landowners in our province are consulted, fairly compensated, fully compensated, and have access to the courts if their land is needed for a major infrastructure project.

Mr. Speaker, governments of all levels have always had the ability to restrict development. This law does not give government any new powers. It's about giving Albertan landowners more certainty and, more importantly, more rights, protections, and options when they're working with the government when their land is required for the public good. That's our government's commitment to landowners.

Mr. Speaker, let's be clear about one thing. The suggestion that this law is not needed or should be repealed would in fact diminish landowner rights within Alberta. Under the previous process of restricted development area regulations, that have been used for the last 40 years to establish land for the ring roads and transportation/utility corridors, the government was not required to consult landowners or to be transparent with Albertans about their plans for the future. The government was not required to make decisions within a reasonable amount of time on what land is or is not going to be impacted. The government was the only one legally that could initiate the purchase of the land.

Our government thinks landowners deserve better. Under this law landowners will now have the right to be notified and consulted if their land is needed for a major infrastructure project. The government will be required to decide within two years if that land will be part of a project or not. Once land is designated as part of a project, rather than waiting on government timelines, landowners can initiate the sale either by negotiation or by using the powers that we have given them of reverse expropriation. If they choose to sell their land, landowners will have the first right to lease their land back from the government if they want to continue farming or living on it until the project begins and their land is required.

Mr. Speaker, since we've introduced these amendments, I've heard many positive comments from landowners across Alberta, from the legal community, from municipal leaders, and even from the opposition. Earlier today I tabled an article from the *St. Albert Gazette* in which the Wildrose critic for this legislation and my ministry, the Member for Calgary-Glenmore, was quoted as saying, "having access to the courts is a great move forward, being able to declare when they want to sell their land is another important one." During second reading debate that same member said: "We thank the government for bringing forward these amendments. They are good amendments. We will be in favour of and voting for these amendments." I do appreciate the support from the Wildrose Party on this.

During debate on Bill 23 one issue was raised with respect to the wording of the preamble, an amendment which was proposed but not passed in Committee of the Whole. Mr. Speaker, I want to make it clear that in the preamble and in the bill our intent has been clear. The legislation ensures that landowners will have full compensation. It clarifies that landowners also have the ability to access the courts or the Land Compensation Board if they do not agree with the compensation component, and it's now absolutely crystal clear that the courts and the Land Compensation Board can compensate landowners for any applicable losses under the heads of compensation for their specific losses in things like severance, disturbance, or business losses.

A second issue that was raised during committee that I need to respond to, Mr. Speaker, is the impact of this legislation on a

landowner's standing with their bank or lending institution and how a notice on title could affect that. We take all concerns that Albertans bring forward to us very seriously and have given this fair consideration, but the fact of the matter is that the notice is just about transparency to all potential landowners, buyers, and sellers. This is not a new process. Actually, it's decades old. It was the existing process with the restricted development area regulations, so this legislation did not change that.

**11:30**

Mr. Speaker, during the entire history of the ring roads and the transportation/utility corridors dating back nearly four decades, 40 years, numerous landowners with a wide variety of circumstances received financing and were refinanced by their banks or credit unions or other institutions. I'm not aware of any cases where banks called loans on landowners within those transportation/utility corridors with respect to their land being designated as part of a restricted development area. If the opposition has examples of those, I'm very eager to learn of those, and we will take them under fair consideration.

We've also checked with various lending institutions who advise us that this is not a process that will negatively impact landowners or their ability to loan money to landowners. As a matter of fact, the Agriculture Financial Services Corporation reviewed the proposed legislation, and what they told us is that AFSC would not see notifications registered on title as an abnormal impediment in considering financing to an applicant, whether it's agriculture or business. The legislation provides mechanisms to ensure that property value is not negatively affected and, therefore, would not impair AFSC security in such land.

What's also important to understand, Mr. Speaker, is that this legislation will give a landowner a guaranteed purchase from the Crown, and the timing of that purchase will be solely in the hands of the landowner. I can tell you as a former businessman that that's a level of certainty and liquidity that adds security and should not be seen as a negative but a positive.

Mr. Speaker, we've addressed Albertans' concerns in these amendments. We will continue to listen to Albertans on legislation and this legislation in particular during the development of the regulations in the coming months.

I'd like to close, Mr. Speaker, by just reiterating that I'm a fourth-generation Albertan. I grew up in a rural community. Several of my extended family still farm. I continue to live and raise my family in a rural community. I operated a small business for many years with rural customers throughout the province. I know how important the land is to my family, my friends, my colleagues, my customers, and my constituents. I know how important the land is to all the members of this Assembly, many who own land, including myself, many who actively still farm their land, including the member sitting beside me.

Our government stands firmly beside landowners. This legislation clarifies what is a LAPAA project and the fact that utility projects, pipeline projects, and transmission line projects do not qualify. It takes significant steps to ensure full compensation, it guarantees access to the courts, and it removes the heavy-handed penalties that were in the legislation previously. It meets the promise that our Premier made to landowners in this province to have full compensation, full consultation, and guaranteed access to the courts.

I encourage all members of the Assembly to support this bill, Mr. Speaker. It's a good bill for Alberta.

**The Deputy Speaker:** Any other hon. member wish to speak? The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. I would like to applaud this minister for his comments today. They were very informative. I very much appreciate that he took the time to look into the matter of the banking institution concern that was raised by several members in our caucus. There may still be work to do on that front, but I do appreciate that he took the time in that regard.

I also want to thank the minister for bringing this bill. It is a good bill. It certainly helps undo much of the damage, if not all of the damage, that the original Bill 19, the Land Assembly Project Area Act, did. He should be commended for bringing that forward. Many of the members over there have interests in land, and I do not doubt their love of the land or their love of rural Alberta and so forth. I was raised for most of my life on an acreage out in the Balzac area, and I have the same feelings about the importance of life in rural Alberta.

I think that some things do need to be said, though, tonight. I want to take a moment and thank Keith Wilson again for the incredible efforts that he made. I do give credit to the minister for bringing it forward, but make no mistake: this bill is the product of the efforts of a few individuals that stood up against the big blue machine. One of those guys was Keith Wilson. This is a huge victory – a huge victory – for him on behalf of Albertans.

I'd also like to congratulate and I think we should congratulate Danielle Smith, the leader of the Wildrose, who's been an outspoken property rights advocate for years before she even got into politics. She was one of the first ones on this. She's been a very outspoken advocate on this, just right from the get-go seized upon this issue as something that was wrong, Bill 19 being that issue.

Also, the Member for Calgary-Glenmore, as he did with the royalties and as he's done many times before, was one of the first elected people to rise and speak against these property rights bills that have come through.

I'm glad that the government is starting to listen. The Wildrose will certainly claim this as a victory for landowners and as a victory of why we have opposition in government, why it's important to have opposition. The government doesn't know all of the answers, and sometimes they do get it wrong. In fact, a lot of times they get it wrong. It's important that there's opposition here that, when they do get it wrong, can push back hard enough and is a legitimate threat to their hold on power that they listen.

In this case that has happened. There was a huge amount of sagging support in rural Alberta for this PC Party and PC government. They knew that it was a legitimate threat, so they listened a little bit more acutely than they otherwise would have. I think that's a good thing. That's what democracy is. It's not something to be ashamed of: the fact that you get something wrong the first go-round. It's better late than never. It's always good to get it right the first time and to do proper due diligence, which was not done in this case. But this has been undone before too much damage could have occurred under the original Bill 19.

I thank the governing party for listening in this respect on Bill 23. It just so happened that the right thing as well as the politically advantageous thing were the same thing this go-round. It was not the case for health care, not the case for fixed election dates, not the case for the other bills that we've been talking about tonight, where the political interest and doing the right thing are not in the same category.

With that, I will on behalf of the Wildrose say that Bill 23 is acceptable. We will vote in support of it.

But we do note and will hold to that Bill 24, Bill 50, and Bill 36 are still on the books, not the bills but the acts that they represent, and each one of those bills needs to be repealed. That is what rural Albertans are telling all of you, and they're telling us that as well. They need to be repealed. We need to start from scratch. Bill 24 is

a joke. It should just be repealed and scrapped and never looked at again. But with Bill 50, with regard to transmission, and Bill 36: let's scrap those bills and start over again and actually consult with Albertans on what needs to happen going forward instead of leaving those bills on the books right now. If you do that, you will have repaired the damage that these very poor land bills have caused. Although Bill 50, in particular, will come with a huge price tag because a lot of money has already been spent, it's better to turn it around now than to waste billions more. It's better to lose a few hundred million than several billion, so let's scrap that one as well and start from the beginning.

Thank you, Mr. Speaker.

11:40

**The Deputy Speaker:** Any other hon. members wish to join the debate on Bill 23?

Seeing none, the chair shall now call on the minister to close the debate.

**Mr. Johnson:** Question.

**The Deputy Speaker:** All right. The chair shall now call the question on the bill.

[Motion carried; Bill 23 read a third time]

## Bill 21

### Election Amendment Act, 2011

**The Deputy Speaker:** The hon. Minister of Justice and Attorney General.

**Mr. Olson:** Thank you, Mr. Speaker. I am pleased to rise this evening to move third reading of Bill 21, the Election Amendment Act, 2011.

Mr. Speaker, this important piece of legislation will create certainty for Albertans. We want Albertans to get involved in the democratic process as voters, as volunteers, and as candidates, and this legislation will provide them with both the certainty and the needed flexibility to do so. This act will provide for a fixed election time period for general elections to be held every four years. Starting in 2012, a general election would be held between March 1, 2012, and May 31, 2012. Afterwards, general elections would be held in this same three-month period in the fourth calendar year following polling day in the most recent general election.

The second amendment clarifies that the Lieutenant Governor's constitutional power to dissolve the Legislature stays intact. Removing this power of the Lieutenant Governor would be unconstitutional in our opinion. Our legislation is a made-in-Alberta solution. It does differ from other jurisdictions, but it's reasonable and common sense. We trust that Alberta's approach to this legislation will provide the additional flexibility that's needed to result in a greater public participation in our general elections.

Mr. Speaker, I encourage all hon. members to support this legislation. Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Yes. Thank you. I appreciated the comments from the Minister of Justice, but I'm sure he'll be dismayed to know that I can't support this bill.

**Mr. Denis:** No. I'm shocked.

**Dr. Taft:** You're shocked and appalled.

**Mr. Denis:** I just said shocked, not appalled.

**Dr. Taft:** Not appalled.

I'd like to get a few comments on the record as we wrap up here. There is no doubt, as the minister said, that this is a made-in-Alberta solution. I can't imagine anybody, any other government anywhere taking this approach of having an election season, as it's been called, rather than an election day. It isn't common sense in our view over here although it is over there. I think it's another disappointing position taken by this new Premier and by this government when a much more obvious and effective solution was right at hand.

Mr. Speaker, one of the rare pleasures I have in this Assembly is working with the Member for Edmonton-Gold Bar, who we all know has a one-of-a-kind sort of mind, and I say that in the full sense of the term. I've never met a guy like the Member for Edmonton-Gold Bar. He constantly sprinkles his wisdom and knowledge into the lives of the Alberta Liberal caucus and those of all of us.

Now, I'm holding a document here, Mr. Speaker, which is typical of documents that fill the office of the Member for Edmonton-Gold Bar. The remarkable gift he has is to go through countless thousands of pages of material and make notes and put stickies on them and so on, like he has with this document, and then months later, in a different conversation or a different context, be able to go exactly to that page and that document and say: well, lookit, this relates to that debate.

He has done that yet again this evening. In fact, he left me a note at the top of page 67 of the report on the March 3, 2008, provincial general election of the 27th Legislative Assembly, which is the report filed by the Chief Electoral Officer. It's a report I have for other purposes spent some time with, but I had completely forgotten about this page. Not the Member for Edmonton-Gold Bar. He's written on the top of page 67: good stuff for third reading on Bill 21. He's right, and I'm just going to take a moment here because what's written here by the Chief Electoral Officer gives a little insight into why I feel this bill falls short.

The title of this section of the Chief Electoral Officer's report is Establishment of a Fixed Election Date. The second paragraph – well, actually I'll start at the beginning. It goes:

The current practice of establishing an election date through Order in Council causes significant challenges to electors, election officers, political participants and other stakeholders.

Then he goes on to itemize some of those challenges. While those challenges will be, in all fairness, reduced by this legislation, they will not be eliminated, and they could be eliminated just like that.

Here's what the Chief Electoral Officer wrote:

From a management perspective, a fixed election date would be advantageous for administration of the event . . . With a known date for employment, a commitment of the approximately 15,000 staff required during the election could also be confirmed.

Now, Mr. Speaker, this is an interesting point.

An election called late in the week can incur costly overtime charges for weekend installation of telephone lines, and delivery of equipment, supplies and furniture for the 83 returning offices throughout the province.

We're all wanting to save money. Choosing one date for an election would save money. Why don't we do it?

Then he goes on further down. I won't read every word on the page because it is getting late.

**Mr. Denis:** Thank you.

**Dr. Taft:** You're welcome, Mr. Solicitor General.

It does say here, again quoting from page 67, that

fixed provincial election dates would offer many benefits to voters and to Elections Alberta in preparing for and administering these events. Knowing the date in advance:

- would enable voters to better plan for their attendance at the polls to vote on election day or at an advance poll,
- would enable voters to better plan and prepare for absentee voting,
- would permit Elections Alberta to confirm the availability of Returning Officers and their key staff,
- would enable Returning Officers to commit to dates for office and polling place rental, allowing them to secure the locations well in advance,
- may enable Returning Officers to select better locations for their returning offices and polling places and to better negotiate lease rates for such space,
- may enable Returning Officers to better negotiate rental rates for returning office furniture and furnishings, and . . .

Mr. Speaker, you'll be glad to know that this is the last point I'm going to read.

- would enable Elections Alberta to reserve telephone, cellular and fax numbers in advance for more timely publication of this information for the benefit of the public and political participants.

The Chief Electoral Officer actually goes on for hundreds of more words, Mr. Speaker, but I will not subject everybody to those. The point I'm trying to make is that we should have had the guts in this Assembly to choose one date and pass that through the Legislature. Almost every other province in the country has now done that. Municipalities in Alberta have done that for decades. I don't know why we can't. I have not heard one reason – not one reason – why we can't.

I think this bill falls short on third reading, as in the earlier stages. I just can't support it.

Thank you.

**11:50**

**The Deputy Speaker:** The hon. Member for Calgary-North Hill.

**Mr. Fawcett:** Thank you, Mr. Speaker. I just wanted to speak briefly to the bill because I want to commend the Premier for her leadership on this particular issue. I think it takes a lot of guts, courage, and determination to change what has been a practice in this province for a hundred years. From what the hon. Member for Edmonton-Riverview just read out, you would wonder how elections even happened in this province for the last hundred years, but they did. You know, the world didn't come to an end, like many of the opposition parties would like to claim.

One of the things that I just wanted to focus on is what the intention of this bill is, in my opinion, and that has to do with being fair and transparent with citizens, being fair and transparent with those that are putting forward their name to run for public office, and being fair and transparent to political parties, that are a big part of our democratic institutions.

The reason why it's fair, Mr. Speaker – you know, I think we're splitting fine ends if you say: well, you need to pick a day over a three-month period. I think that with some of the biggest proponents of fixed election dates, their biggest concerns have been with manipulation of the political process as far as the timing of the election. For example, I think there were lots of complaints about a government that is three and a half years into its mandate. "Things are going quite well. The poll numbers are looking good. Why risk going another six months? We're going to call an election." You know, I think that, generally, reasonably, a lot of people would say: yes, that's probably unfair, a very unfair

advantage to the governing party. This bill prevents that from happening.

I can think of millions of other scenarios. Look at the scenario right now. We have a Premier that has just come off a leadership victory. She's been very clear that she is committed in legislation, by law, to go to the polls within a three-month period. I think that's a very strong statement for a Premier that has just taken office. She could not do anything and maybe wait and see how the spring goes, maybe wait till the fall, maybe wait till next spring – that's what the law is right now – but this Premier has made a commitment to not do that because she believes in transparency and fairness to Albertans.

My last comment, Mr. Speaker, is the same thing. These are the types of things that this government has considered when bringing this in. I know that members over there will remember it. It was a former member of this House who left to pursue an opportunity in federal politics. He became leader of the Canadian Alliance party federally, and as soon as he became Leader of the Official Opposition, I think three and a half years into a mandate, the then Prime Minister, Jean Chrétien, called a snap election. That Leader of the Official Opposition could barely even get into his office, and he was into a campaign. That was unfair manipulation of the election process, that I think was unfair to all Canadians.

Again, this bill will not let that happen, Mr. Speaker. It's fair, it's honest, and the last point is that it provides flexibility. We don't know what's going to happen four years from now, okay? We don't know. Maybe we had a great opportunity for a royal visit. Maybe they scheduled that during an election, and they skip over coming to Alberta because they don't want to get involved in the political shenanigans that go on during an election.

Mr. Speaker, this provides the intent of what most proponents of fixed election dates want – that manipulation of the timing of election, going out to five years, cutting it short at three and a half years – with the flexibility to be able to use some common sense on a four-year planning cycle.

Thank you, Mr. Speaker.

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

Seeing none, then the chair shall now recognize the hon. Member for Airdrie-Chestermere on the bill.

**Mr. Anderson:** I have no idea how someone could honestly with integrity stand up in this House and defend a Premier who made a specific promise to call an election in March of 2012 and then every four years thereafter and to set fixed election legislation that is exactly the same as the other fixed election legislation in other provinces, modelled after that, and then goes and completely breaks her promise not more than a couple of weeks after her selection as leader. That you can stand up and somehow defend that kind of deceit is just unbelievable. I don't know. I would expect better from that member and from other members.

This isn't like, you know, a difference of opinion. This was a promise that was made and a promise that was completely broken. It was deliberate, it was blatant, and it was wrong. I think that Albertans are and should be completely disgusted with what happened here.

**Mr. Liepert:** We'll see.

**Mr. Anderson:** Yeah, we will see. We will see whether they are in the next election or not. Wisdom from the Member for Calgary-West. We will see in the next election whether Albertans will put up with these lies and deceit. That's what they are.

Mr. Speaker, here's the problem. There is not a single jurisdiction in North America that . . .

**The Deputy Speaker:** Hon. Government House Leader, you have a point of order?

### Point of Order Parliamentary Language

**Mr. Hancock:** Yes, under Standing Order 23(h), (i), (j). I know it's late. I know that we'd like to complete the day and go home to our families safely, but there are things that can't be permitted in this House and that is unparliamentary language. We have a duty to treat each other with dignity and respect if we want the institution of parliament to be treated with dignity and respect. We're talking about an electoral act. The purpose of bringing it forward is to encourage public participation in the electoral system, to encourage the public to have some respect for the concept of government. They don't have to like us. They don't have to agree with us. We can have respectful discourse, but we should not be using terms like "lies and deceit" in reference to any individual member of the House or, quite frankly, with respect to government or anyone else.

The hon. member has in this session stooped to new lows of both behaviour and attitude and respect for the institution. I don't ask that he respect me as an individual – people earn respect as individuals – but I do ask that he have respect for the institution and stop using unparliamentary language like "lies and deceit."

**The Deputy Speaker:** The hon. Member for Airdrie-Chestermere on this point of order.

**Mr. Anderson:** Well, my exact quote was that Albertans are going to get sick and tired of the lies and deceit. I think they will get tired of the lies and deceit. If, in the opinion of the leader, I have attached the words "lies and deceit" to our Premier, then I withdraw those and just say that it was deception. Or is that unparliamentary, too, or untrue, misleading, wrong, pathetic, whatever you'd like? I do withdraw the word "lie" if that suits you. But it was very deceptive. It was very wrong. It was disgusting.

You know, with regard to this hon. member opposite – we're still on the point of order, I assume? We're still on the point of order?

**The Deputy Speaker:** Please. The chair heard enough on the point of order, so can you please sit down when the chair stands up, by the rules of our parliament?

The chair heard both sides. I have enough information, and I heard enough, so the chair shall now ask the hon. member to withdraw those words.

**Mr. Anderson:** I just did.

**The Deputy Speaker:** I didn't ask you, but now I ask you, hon. member. Please withdraw.

**Mr. Anderson:** Done.

**The Deputy Speaker:** So you have withdrawn the words "lies and deceit" in the Assembly?

**Mr. Anderson:** Yes.

**The Deputy Speaker:** Then please stand up and continue your remarks.

12:00

### Debate Continued

**Mr. Anderson:** And the charade continues with this democracy that you call. Everyone in this House should be ashamed of what's

going on. [interjections] No, I don't have respect for you, but I do have respect for this House, very much so. The reason that I have respect for this House, hon. members, is because I believe very much in democracy. I believe very much that we are here in order to represent our constituents freely and openly and be able to speak the way that we want to speak for them, and then we're all held accountable by what we say or what we don't say. Some of us choose to actually represent our constituents; others choose to represent their party. That's fine. That's certainly a choice that many in this Assembly have made.

I have no reservations in saying that what the leader of the governing party, the Premier, has done was completely dishonest with what she said. She misled the public. That's wrong, and we all know that here. Some people choose to, you know, say that that's okay, and others don't.

The Wildrose absolutely will not be supporting this bill. We will make sure that one of the first orders of business after this government is replaced, whether that be in four months or four years or whenever it be, is that we will bring in a fixed election date, and we will do so regardless of what the situation is because it's the right thing to do. It should not be a situation where one party is given an opportunity or an advantage over another party in an election, and that's what has happened here. What is more egregious than the seasonal election date, what is far more egregious is the fact that there was a promise given by this Premier. It was a clear, concise promise that she made during her election campaign, and a week later she changed her position and went against exactly what she had said.

Now, apparently, we're not supposed to use the word "lie," so I won't use the word "lie," or "intentionally deceitful," so I won't use those words. I won't use any of, you know, the double-talk, double-speak and all the other things that could explain that. But whatever you want to call it, that's what was done to the people of Alberta when she specifically said something and then did the opposite to that. It is absolutely distasteful, and it's a disgrace to this Legislature. That is something that I think Albertans will feel very strongly about as well.

Mr. Speaker, with that I will sit down, and we can all, hopefully, go home. Is this the last bill? Hopefully, it is.

**An Hon. Member:** No.

**Mr. Anderson:** There's still more? Jeppers.

**The Deputy Speaker:** We have Standing Order 29(2)(a).

Seeing none, the chair shall now recognize the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Yeah. Thank you very much, Mr. Speaker. I do not support the bill. A fixed election date. We were all born on a day. The member from Calgary who put in the great outdoors day or whatever that was called: it's a day. The question, quite simply, if Albertans were watching and listening tonight to the Government House Leader and others would be: "What happens when a politician doesn't tell the truth? What happens?" You're not allowed to call it a lie. You're not allowed to do this or that, so what do you call it? I know out in the street Albertans call it a lie, but in here you're not allowed, so I accept that if that's the parliamentary language. Maybe we need to change the parliamentary language and start talking like Albertans. If someone is lying, then we should say that they're lying. Apparently, that word is not allowed in here, and I am not using it in here. What I am saying, Mr. Speaker, is that in the future let us begin to speak a language that Albertans are speaking.

Consequently, I do not support this bill. I was born in February on a day, not in a season. The season, I can say, was actually a leap year, believe it or not, if leap years are seasons. The bottom line is that this is wrong. Why don't we quite simply – I'm glad to see some members are listening on that side: the Member for Red Deer-North. That's good to see. I see the Member for Innisfail-Sylvan Lake nodding his head. I think I interpret that as an agreement. I said nice words about him earlier tonight, about the great job he had done as the Transportation minister, even though we didn't get the twinning of highway 63 as quickly as I would have liked. It still hasn't come yet, and I'm not going to hold my breath.

That being the case, I want to say, Mr. Speaker, that I am not supporting this bill on a fixed election date. But it is an improvement on the former PC leader and Premier. This is an improvement over what the former PC leader did. But the bottom line is that it just didn't go far enough, and that's why I will not support it.

**The Deputy Speaker:** Standing order 29(2)(a)?

Seeing none, any other hon. member wish to speak on the bill?

Seeing none, the chair shall now call on the hon. minister.

**Mr. Olson:** Question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 12:06 a.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Amery	Hancock	Mitzel
Bhullar	Hayden	Olson
Campbell	Horner	Ouellette
Danyluk	Jablonski	Prins
DeLong	Johnson	Renner
Denis	Klimchuk	Sandhu
Drysdale	Knight	Vandermeer
Fawcett	Leskiw	Weadick
Goudreau	Liepert	Woo-Paw
Griffiths		

Against the motion:

Anderson	Swann	Taft
Boutilier		

Totals: For – 28 Against – 4

[Motion carried; Bill 21 read a third time]

12:10

**Bill 22**

**Justice and Court Statutes Amendment Act, 2011**

**The Deputy Speaker:** The hon. Member for Calgary-Mackay.

**Ms Woo-Paw:** Thank you, Mr. Speaker. I'm pleased to rise to move third reading of Bill 22, the Justice and Court Statutes Amendment Act, 2011.

The changes in Bill 22 will increase clarity, fix a few errors, improve the functioning of Alberta's courts, and increase the effectiveness of our legislation.

I'd like to thank all hon. members for their support of this legislation. Thank you.

**The Deputy Speaker:** Any other member wish to speak on the bill? The hon. Member for Edmonton-Riverview.

**Dr. Taft:** Mr. Speaker, it's the end of bill debates, so I'm just going to say good night, everybody.

**The Deputy Speaker:** Hon. member, do you wish to close the debate?

**Ms Woo-Paw:** Question.

[Motion carried; Bill 22 read a third time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the good work that we've done today in dealing with six bills in third reading plus two in committee, three of which, by my recollection, have been passed by this House unanimously, I would move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 12:13 a.m. on Wednesday to 1:30 p.m.]







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Province of Alberta

The 27th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, December 7, 2011

Issue 47a

The Honourable Kenneth R. Kowalski, Speaker

# Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Chair: Mrs. Jablonski  
Deputy Chair: Mr. Chase

Amery  
Blakeman  
Boutilier  
Calahasen  
Goudreau  
Groeneveld  
Lindsay  
Snelgrove  
Taylor  
Vandermeer

### Standing Committee on Education

Chair: Ms Pastoor  
Deputy Chair: Mr. Hehr

Anderson  
Benito  
Brown  
Cao  
Chase  
Leskiw  
Marz  
Notley  
Sarich  
Tarchuk

### Standing Committee on Energy

Chair: Mrs. Ady  
Deputy Chair: Ms Blakeman

Hehr  
Hinman  
Jacobs  
Johnston  
Lund  
Mason  
McFarland  
Rodney  
Webber  
Xiao

### Standing Committee on Finance

Chair: Mr. Renner  
Deputy Chair: Mr. Kang

Allred  
Anderson  
Drysdale  
Fawcett  
Knight  
Mitzel  
Prins  
Sandhu  
Taft  
Taylor

### Standing Committee on Legislative Offices

Chair: Mr. Blackett  
Deputy Chair: Mr. Lund

Blakeman  
Brown  
Evans  
Hinman  
Lindsay  
MacDonald  
Marz  
Notley  
Ouellette  
Quest

### Special Standing Committee on Members' Services

Chair: Mr. Kowalski  
Deputy Chair: Mr. Campbell

Amery  
Anderson  
Elniski  
Evans  
Hehr  
Knight  
Leskiw  
MacDonald  
Mason  
Rogers

### Standing Committee on Private Bills

Chair: Dr. Brown  
Deputy Chair: Ms Woo-Paw

Allred	Kang
Benito	Knight
Boutilier	Lindsay
Calahasen	McFarland
Doerksen	Sandhu
Drysdale	Sarich
Evans	Snelgrove
Groeneveld	Swann
Hinman	Xiao
Jacobs	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Mr. Prins  
Deputy Chair: Mr. Snelgrove

Amery	Mitzel
Boutilier	Notley
Calahasen	Pastoor
DeLong	Quest
Doerksen	Stelmach
Forsyth	Swann
Jacobs	Tarchuk
Knight	Taylor
Leskiw	Zwozdesky
McFarland	

### Standing Committee on Public Accounts

Chair: Mr. MacDonald  
Deputy Chair: Mr. Goudreau

Allred	Kang
Benito	Mason
Calahasen	Rodney
Chase	Sandhu
Elniski	Vandermeer
Fawcett	Woo-Paw
Forsyth	Xiao
Groeneveld	

### Standing Committee on Public Health and Safety

Chair: Mrs. Fritz  
Deputy Chair: Dr. Taft

Bhardwaj  
Blackett  
DeLong  
Doerksen  
Forsyth  
Notley  
Ouellette  
Rogers  
Swann  
Woo-Paw



## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, December 7, 2011

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Guide us so that we may use the privilege given us as elected Members of the Legislative Assembly. Give us the strength to labour diligently, the courage to think and to speak with clarity and conviction and without prejudice or pride. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, I'd like to recognize one of the members of the Legislative Assembly security staff who will be retiring at the end of this session. Mr. Wayne Konner is seated in the Speaker's gallery, and I'd ask him to rise. Prior to joining the security staff here at the Legislature in February of 2000, Mr. Konner served in the Edmonton Police Service for 32 years, retiring in 1997 with the rank of staff sergeant. Please receive the warm wishes of the Members of the Legislative Assembly. [Standing ovation]

The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you, Mr. Speaker. To you and through you to all members of the Assembly I would like to introduce nine members of the Spruce Avenue Community League. I'll read off their names and have them stand and receive the traditional greeting of the Assembly: Ken Johnston, Elke Siebels, Sue Buhler, Karen Gilson, Verna Stainthorp, Henry Stainthorp, Melanie Ustina, Gavin Curtis, and David Despina. I'll be talking about this group in a few moments in a member's statement. If they could receive the traditional greeting of the Assembly.

**The Speaker:** The hon. Member for Calgary-Mackay.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is my honour today to introduce to you and through you to all members of the Assembly some outstanding community builders seated in the members' gallery. First, Ms Karen Lynch. Many in the House know that she's the executive director of Volunteer Alberta and volunteers her time with Alberta Ballet, public libraries, the *Edmonton Journal* board, and the Lethbridge management advisory council.

Next, Mr. Punch Jackson, who retired from the government of Alberta after 30 years of distinguished service in the areas of community development, public libraries, and the Wild Rose Foundation. He's still involved as a bridge builder between the provincial government and the voluntary sector.

Also in the gallery today is Mr. Ross Tyson. I had the opportunity to meet him this afternoon for the first time. He served 31 years as a teacher and principal with Edmonton public schools. He is now assistant executive director of the recently amalgamated Boys & Girls Clubs and Big Brothers Big Sisters of Edmonton.

These generous folks share their insights and experience and great advice with me from time to time. I would like to ask that they all rise and receive the very warm welcome of this Assembly.

**The Speaker:** The hon. Member for Grande Prairie-Wapiti.

**Mr. Drysdale:** Thank you, Mr. Speaker. It is indeed an honour and a pleasure for me to introduce to you and through you to all members of this Legislature two constituents of mine. Both of these constituents work for a large forestry company in Grande Prairie called Weyerhaeuser. As they meet with me and other members and ministers today, it's interesting to note that as of today they are a net no-user of power, and they're one of the largest employers in our region. Within a year from now they will be putting a major amount of green power back into the grid. I would ask them to stand as I introduce their names: Wayne Roznowsky, manager with Weyerhaeuser, and Roger Loberg, manager with Weyerhaeuser's timberland. I'd ask this Assembly to give them the warm welcome.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly a strong advocate for Albertans with spinal cord injuries and other disabilities. Mr. Zachary Weeks is a community development communications co-ordinator for the Alberta branch of the Canadian Paraplegic Association. He's accompanied by his caregiver, Rodel. I met Zachary recently at the International Day of Persons with Disabilities. What really impressed me about him was his passion for fighting for a more inclusive environment for all. I'll tell you that what Albertans believe is that every Albertan, no matter their disability or circumstance or ability, must be treated with dignity and given a fair chance to fully participate in all aspects of society. Zachary and Rodel are fighting for the same thing, and I'm honoured that they could join us here today. I ask them to rise, and I ask every member of the Legislature to give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of this Assembly the vice-president of policy for the Wildrose Party, Mr. Rob Ladouceur. Rob is originally from Fort McMurray. He has done a great job in drafting our 132-page green book and making that come to fruition. We're very happy and thankful for his support. With that, I would like him to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Elniski:** Thank you again, Mr. Speaker. I appreciate the opportunity to introduce my second group today. I'd like to introduce to you and through you to all members of this Assembly a lovely lady and her husband. I met this woman last year at the Edmonton public school board staff recognition event, where she was receiving an award. Then last night I was there thinking: wow, she won another one. Actually, what she had done was that she had nominated the staff from Hardisty school for an award. I'd just like to recognize Mrs. Kelly Aulenbach and her husband, Jerry. If they could rise and receive the traditional greeting of the Assembly.

**The Speaker:** The hon. Minister of Advanced Education and Technology.

**Mr. Weadick:** Thank you, Mr. Speaker. I'd like to introduce two people today. I'd like to introduce my executive assistant, Natalie Sigalet, who has done a great job for me over the last year – and I'd like to thank her for that – and a good friend of hers, Matthew

Glass. Matthew is a passionate student, currently studying political science at the University of Alberta. He's heavily involved in the community, volunteering and serving on a number of boards. In the past Matthew has served two terms on the Alberta Council on Admissions and Transfer and as students' union VP at MacEwan University. I would ask them to rise and receive the traditional warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Calder.

#### Spruce Avenue Community League

**Mr. Elniski:** Thank you again, Mr. Speaker. We have in Edmonton-Calder, like across the city, well-organized and fiscally prudent community leagues. Each of the leagues shares the goal of making their little corner of the world a safer, friendlier, happier place to live. Today I want to acknowledge a group who really took it to heart, the Spruce Avenue Community League.

Seldom, Mr. Speaker, will you meet a group of people who are more dedicated volunteers than the people from Spruce Avenue. Hemmed in by development pressures, LRT expansion, and the ever-growing desire for people to park on their streets during the workday, they could simply have allowed their neighbourhood to atrophy and succumb to inner-city deterioration, but they did not. For four years the Spruce Avenue Community League fund raised, filled out endless grant applications, and drew and redrew their plans until they achieved what they had set out to do.

Yesterday at their board meeting it was my pleasure to announce that they were successful in receiving a CFEP grant to begin construction of a new park, that will not only serve the children of their community but also the children of St. Basil school, Spruce Avenue school, and the Glenrose rehabilitation hospital. By working together as a united front, they have been able to find creative solutions to fund this project. The new park is a testament to the hard work put in by the park and playground redevelopment committee. As school kids and neighbourhood families enjoy the new park for years to come, they will know that they owe it all to the vision, dedication, and perseverance shown by the community partners and volunteers.

I can tell you, Mr. Speaker, that they are as proud of their accomplishment as I am of them. I hope this group of volunteers never loses their passion and drive to improve their community because right now they are a role model for other groups in Edmonton facing the same situation. It's very difficult to maintain community momentum, but the goal has been to make the communities livable, and the best way for that to happen is for people to stand up for what they want.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View.

1:40

#### Human Services Workers

**Dr. Swann:** Thank you, Mr. Speaker. Our human services workers are the unsung heroes of modern-day Alberta. At all times of the day and night these dedicated men and women are confronting the most painful human situations imaginable and, in most cases, supporting individuals and families back to stability and full function.

But this government has a serious and growing problem. It does not understand that people in the caring professions, from child and youth care workers at various levels, need clear respon-

sibilities and lines of authority, a supportive work environment, and a career path. They cannot, in addition to extreme client demands, struggle daily with inconsistent expectations and ever-changing models of delivery. Management decisions without consulting the front lines, with troubling similarities in health care, mean a cycle of dispiriting change, reversals, and new forms and measures that reduce professional time with their increasingly desperate clients. Lack of a consistent, clear HR strategy and supportive environments means a vicious cycle of stress, leading to the massive staff turnover that we see there every year.

The minister's primary mandate should be to ensure that his organization honours consistent management principles and makes a healthy workforce a priority. To the minister: will he consult meaningfully with those at the front lines? Is he willing to hear and respond to the frustration reflected in their 2011 survey showing progressive loss in confidence, trust, and unity in their workplace? Does he understand what it means when less than 50 per cent of the staff believe their management is concerned with staff well-being or in creating conditions for innovation?

With the formation of a massive, new Ministry of Human Services it is both more challenging and more essential that the minister realize that people, not models and technology, help heal our most wounded citizens. It is critical that he focus now to reduce the stress and high turnover among these essential professionals.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mackay.

#### Volunteer Sector

**Ms Woo-Paw:** Thank you, Mr. Speaker. As the United Nations marks the 10th anniversary of the International Year of Volunteers this week and will soon be welcoming a new year, a new beginning, I would like to talk about the future of Alberta's voluntary sector today. First, we must recognize that the quality of life in any community depends on three sources of well-being: community, government, and business. It is time we recognized the community of the voluntary sector, the third leg of the stool that provides the much-needed stability to the social and economic well-being of our society.

Mr. Speaker, this recognition must be substantial and backed with meaningful actions. The voluntary sector, like the other two sectors, must position itself with appropriate human and organizational capacities in order to respond to emerging changes so that it can meet its missions and contribute to the common good to its fullest. Research identifies support for research and development as a critical factor to enable this sector to critically examine its current service models and structure, efficiency, and effectiveness as well as needed support and process for potential structural change like the one I mentioned earlier.

Mr. Speaker, another essential area for this sector is human resources. As identified in the study Strategic Drivers of Alberta's Nonprofit Sector,

in order for the sector to prosper . . . it will be necessary for organizations to turn to different groups of the Canadian population as potential sources of volunteers. Four such groups include: youth volunteers, immigrant volunteers, older adult volunteers, and corporate volunteers.

Government needs to play a role to help prepare and enable this sector for this critical demographic shift that would hugely impact its future effectiveness.

Mr. Speaker, my key point today is that our government has to have in place the appropriate policies and structure to truly

harness and maximize the potential of our voluntary sector for they are our partner on the ground, building our social capital, building strong communities, and enhancing quality of life for all Albertans.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### **Grey Nuns Community Hospital**

**Mr. Benito:** Thank you very much, Mr. Speaker. It's a pleasure to rise today to recognize the Grey Nuns community hospital. Located in my constituency of Edmonton-Mill Woods, the Grey Nuns hospital was opened in 1988 by the Sisters of Charity, also known as the Grey Nuns. For 23 years now the Grey Nuns community hospital has allowed my constituents in Mill Woods to receive a full spectrum of health care services locally.

The hospital offers 24-hour emergency care, intensive care, general surgery, rehabilitation medicine, and mental health services among others. There are approximately 2,800 staff members and more than 350 beds. Mr. Speaker, one of the key services offered by the Grey Nuns community hospital is the 20-bed tertiary palliative care unit. The tertiary palliative care unit aims to provide comfort and support to patients who are living with a life-threatening illness. It is truly a great program.

Mr. Speaker, I can tell you that the positive impact that the Grey Nuns hospital has had in my community for the last 23 years has been amazing. I would like to commend all the staff and volunteers that make the Grey Nuns hospital the great health facility that it is today.

Thank you, Mr. Speaker.

### **Dr. Fraser Mustard**

**Ms Evans:** Mr. Speaker, what an honour today to rise and pay tribute to a remarkable Canadian, the world's leading expert in early child development, Dr. Fraser Mustard, who passed recently.

In his mid-80s he was renowned world-wide because he in the early years discovered that the early years were critically important. He abandoned his neurosurgery as a practice and engaged in 1999 with Senator Margaret McCain in defining what was really important about the early years.

As such, he went to the World Bank and said that if we invested in the early years, we wouldn't have to spend so much in the later years of life. Alberta listened. We established the child and family research facility, which has sought evidence-based opportunities for defining what programs really work for children.

He also, because of his relationship with Mary Gordon, helped her establish the roots of empathy program, which to date has provided programs for 64,000 Alberta children in many of the schools. Mr. Speaker, parent link, also established in Alberta through children's services, provides support for parents in 46 centres.

He truly has been honoured not only in Canada but recognized world-wide because of his contribution to early child development. He was a Canadian that we will remember when we think of the early child, the child's need to have proper parenting. And for us to recognize that establishing what the basic needs of the child are first and then proceeding with the proper care and treatment of the child will stand us in good stead as we advance the support for children, youth, and families.

He was a pioneer that many generations will benefit from because he knew what had to be done. He was bold in articulating

that, and I'm so proud to be in a province that really listened to Dr. Fraser Mustard.

### **Oral Question Period**

**The Speaker:** First Official Opposition main question. The hon. Leader of the Official Opposition.

### **Impaired Driving Legislation**

**Dr. Sherman:** Thank you, Mr. Speaker. As an ER doctor I know Albertans should not drink and drive, and as legislators we know that we shouldn't speed ill-conceived laws through the Legislature while sleep deprived. More accidents happen on our roads because major highways like highway 63 aren't twinned, cars don't have snow tires, and there aren't enough officers on the street to enforce the laws that we already have. Front-line health staff always listen to their patients, examine them properly, and make good decisions. Why have the Premier and government rushed, used closure to ram Bill 26 down the throats of Albertans without consulting them first?

**Ms Redford:** Mr. Speaker, Bill 26 is a fantastic piece of legislation that reflects what we need to do in this province. What we need to do is ensure that we're having honest conversations about changing the culture around drinking and driving. Albertans from across the province have been in support of this legislation, and I'm really proud that this government introduced it and passed it this session.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. I agree with changing the culture, that Albertans should not drink and drive. Absolutely, Madam Premier.

Given that even her own government members criticize Bill 26 for giving law enforcement officers too much power, how can the Premier, a human rights lawyer, defend laws that assume guilt and dole out punishments before due process is afforded to Albertans?

1:50

**Ms Redford:** Mr. Speaker, what we know is that under legislation we have the opportunity to set standards, and under those standards, which are completely consistent with the laws of this land, we are able to say to people that if you take actions, there will be consequences. What we know, whether we're talking about this legislation or the earlier legislation this government passed with respect to civil forfeiture, is that the courts agree with us that those are the appropriate tests.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that police officers are skilled, very skilled in the art of policing, why are you asking police officers to be judge and jury at the side of the road?

**Ms Redford:** Mr. Speaker, this legislation is helpful to police in the same way that our civil forfeiture legislation was because it empowered the police to be able to deal with people that are breaking the rules and to have consequences as a result of that attached to those actions. I have full confidence in the ability of our police services across this province to do exactly what we will ask them to do under this legislation and to have those actions upheld by the court.

**The Speaker:** Second Official Opposition main question. The hon. Leader of the Official Opposition.

### Services for Seniors

**Dr. Sherman:** Thank you, Mr. Speaker. In my tour of Alberta over the past year many seniors have told me that they feel like their government is failing them. The cutting of public home care and long-term care is causing emergency rooms to overflow and is forcing senior couples, who have been married 50 years, who can't afford private facilities, to face involuntary separation or abandonment in hospitals. The solution for the government is more privatization and to build more private buildings and, of course, nickel and dime our seniors to pay for it all. Will the Premier and the government listen to their own workforce, which is telling them to invest more in public home care and public long-term care and stop looking to private companies and corporations to solve Albertans' problems?

**Ms Redford:** Mr. Speaker, the solution to ensuring that seniors in Alberta can live a quality of life with dignity and respect is ensuring that we have enough appropriate spaces that are part of a publicly funded health care system to ensure that they can make life choices. That will mean – and we've been very clear about this – that there will be a variety of options open to Alberta seniors. Alberta's seniors are going to be well cared for, they're going to have access to public health care, and they're going to be able to make choices and continue to make choices that will enhance the quality of their lives, their marriages, and their families.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. That's exactly what the previous Premier said before we failed the seniors.

Given that some of my constituents and Albertans using the special-needs assistance program for seniors and the Alberta seniors' benefit program are worried about cuts and delays in funding, what is the Premier doing to ensure that when seniors are in need of help from their government, these programs are fully funded and quickly delivered?

**Ms Redford:** Well, Mr. Speaker, the first thing I'll say is that we're going to do exactly what we should do as the government and make sure that we call people that make unreasonable and unfounded statements to account. I think that's exactly what the hon. Leader of the Opposition has just done. There is no suggestion that there are going to be cuts to those programs, and the idea that he would concern or get seniors upset about the fact that this could happen is entirely inappropriate and unfair.

**Dr. Sherman:** Mr. Speaker, the only thing unfounded is this government's action.

My final question is to the Minister of Seniors. Given that I have a letter here from one of your constituents, who is a senior, who's asking why he has to wait 12 to 16 weeks to get a paltry \$200 out of the Alberta seniors' benefit program, will you please look into this and look after the concern of your constituent before Christmas comes?

**Mr. VanderBurg:** Well, Mr. Speaker, I'm glad that the member brought up this issue, but the one thing that I will refuse to do is bring up personal issues of the people that I represent. The people I represent, whether they be seniors or vulnerable Albertans, deserve some privacy, and I can assure this member that this issue is already taken care of.

**The Speaker:** Third Official Opposition main question. The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. That was quick. I just talked to him yesterday.

### Alberta Health Services Budget

**Dr. Sherman:** The former president and CEO of AHS and HQCA and even front-line health care workers all agree that despite all of the massive spending in health care, an increase of \$2 billion, we are still dangerously underperforming, missing even the low targets that we have set for ourselves. My questions are to the Premier. When AHS was formed, there was a \$1.3 billion deficit that Dr. Duckett inherited, and the previous Premier and health minister could not explain it. Can you please tell us where it came from?

**Ms Redford:** Mr. Speaker, Alberta Health Services was the consolidation of a number of operations across the province. Those were operations that had reflected a number of different business models that had taken place in different health regions across the province, and the consolidation of that brought together both assets and liabilities. I don't think it's a complicated answer. That's it.

**Dr. Sherman:** Mr. Speaker, given that the budgets of all the health regions except the Calgary health region were balanced – we didn't hire any extra nurses or open any extra beds, and we dumped in hundreds of millions of dollars – and there was a \$1.3 billion deficit and given that the current Finance minister was then the health minister and it would be inappropriate for him to investigate himself, will the Premier please call an independent forensic financial audit of AHS and the former Capital health region to find out where that \$1.3 billion deficit came from?

**Ms Redford:** Mr. Speaker, there's nothing to investigate. We live in a sophisticated world. We're talking about budgets, but we're also talking about assets and liabilities. We're talking about major capital infrastructure. We're talking about pensions that were on the books. We're talking about a sophisticated business structure that merged. That's why we ended up with what we did. We continued to provide public health care to Albertans. We continued to operate a budget that provided services. There's no doubt that there was an issue there. It's been a completely public and transparent issue. It was dealt with in accordance with normal business practices and appropriate business practices. There is no issue.

**Dr. Sherman:** Mr. Speaker, we do have sophisticated staff. The only thing that's not sophisticated is the government.

Given that last week the hon. Member for Fort McMurray-Wood Buffalo asked the Premier to help the Wambolt family, who are faced with a \$240,000 bill for life-saving brain surgery that is not done anywhere in Canada and given that this young man is in danger of losing his home because of the enormous health bill, will the Premier please help this family before Christmas?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. As with the response earlier by the hon. Minister of Seniors, I too am not prepared to get into an in-depth discussion in this House with respect to the very serious concerns of one individual. What I can tell you is that the individual named by the hon. Leader of the Official Opposition:

we have been in touch with him. He is aware of the appeal processes that are available for out-of-country health care services, and he has been encouraged to avail himself of that full process.

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

### Omnibus Questions to the Premier

**Mrs. Forsyth:** Thank you, Mr. Speaker. Today marks the end of probably one of the most disappointing legislative sessions I've ever been a part of. We have a new Premier, who was elected by promising many things to many people, and over the course of this short session she's broken just about every single one of them. Albertans had a lot of hope for this new Premier, who's promised to be different. Instead, what they've seen are broken promises everywhere. My questions are to the Premier about your promises. Now that your Health Quality Council legislation is passed, will you commit, as you have promised . . .

**The Speaker:** The hon. the Premier. [interjection] The hon. the Premier, please. [interjection] The hon. the Premier, please.

**Ms Redford:** Mr. Speaker, we have said very clearly that we're pleased this legislation has passed. It's going to give the Health Quality Council the opportunity that we've asked them to take. The Health Quality Council, as I've said before, is undergoing the work that they need to do with respect to the inquiry that's in place right now. As we move ahead and see the results of that, that's going to allow us to determine what the terms of reference should be for the public inquiry, and we're looking forward to seeing what the results of that report are at the beginning of February.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Premier, you have the ability to call it before the next election.

Thank you, Mr. Speaker. Again to the Premier: given the millions upon millions of unbudgeted spending commitments you have made both during your leadership race and since you've become Premier and given that you're the only person in Alberta who knows when the next election is, will you commit to table the next budget before you call the election so Albertans can see the full extent of the budget before they cast their ballots?

**Ms Redford:** Mr. Speaker, we all know that there is going to be an election next year, and we also know the government will continue to do the business of government. We as a caucus, we as a cabinet, and Treasury Board are meeting and preparing that budget, and we'll continue to do that work.

2:00

**Mrs. Forsyth:** That's what I said: broken promises. She can't even answer the question.

**The Speaker:** Okay. We're going to get on with the question, please.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that this government has known for a long time that the lack of long-term care beds in this province is triggering a crisis in the whole health system and given that just yesterday you said that your government has been heavily involved in addressing this for the last two months, can you assure Albertans and our seniors that before the next election you will commit to building at least 500 new long-term care beds, not continuing care beds but long-term care beds?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, as I think the hon. member knows because it's been repeated in this House many times, this government has a plan to deliver 5,300 additional continuing care spaces over five years. Last year we opened 1,300 spaces. This year we're on track to open a thousand more.

### Legislative Workload

**Mr. Mason:** Mr. Speaker, when the Premier was seeking the PC leadership, she wrote that we must make time for consulting with Albertans before we pass laws. She promised Albertans that there would be time to learn about the issues and to weigh in. She promised to change how the Legislature and MLAs operate. My question is to the Premier. How is a three-week session using late-night sittings and imposing closure on important pieces of legislation changing how the Legislature operates?

**Ms Redford:** Mr. Speaker, the session came back in October. We've been in session. As a caucus and as a government we've been introducing legislation. What I know is that the spirit of, ironically, some bipartisan co-operation has led to some pretty good legislation being passed this fall that reflects what we've heard Albertans are wanting to see. We have an independent Child and Youth Advocate. We have the ability to have a judicial inquiry with the Health Quality Council. We have strong enforcement of drunk-driving legislation. This is a good result, and it reflects what Albertans wanted to see.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks, Mr. Speaker. Given that this Premier tried to cancel the fall session altogether, how can she now say that her legislation is so urgent that it requires late-night sittings and closure motions to get it approved?

**Ms Redford:** Mr. Speaker, what we know is that in this Legislature we have to do the business that matters to Albertans. What I know is that this fall this government delivered on six pieces of legislation that Albertans have told us matter to them. That's what Legislatures should do. We've done it. I've appreciated the bipartisan co-operation and the good debate, but at the end of the day what we see is that Albertans can know that at the end of this session government and this Legislature did its business well this fall.

**Mr. Mason:** Mr. Speaker, I've never seen a less bipartisan government in all my time here.

Given that this Premier has already broken or bent a number of promises, what explanation can she offer Albertans for her failure to keep her promise that she would consult and give time for Albertans to weigh in on legislation before it is voted on? If that isn't a broken promise, what is it?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Far from a broken promise, this Premier has engaged in a very active agenda this fall when she talked immediately after the leadership process about whether we should have a fall session or not. It was members opposite who along with others said: no; it's important to get on with the agenda that the Premier has promised. We met in the Legislature on October 24, as we needed to do, and then took the time to draft six pieces of important legislation that Albertans wanted and needed, then came to the Legislature and had a spirited

debate on six pieces, that were not complicated but very important. It was a well done piece of . . .

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

#### **Funding for Private Schools**

**Mr. Chase:** Thank you, Mr. Speaker. The Premier and the Minister of Education have both spoken in favour of eliminating provincial achievement tests. Earlier this week the minister admitted that these tests do not recognize the number of ESL and special-needs students in a school and that organizations like the Fraser Institute use this information to scare parents into choosing other options for their children than our inclusive public education system. To the Premier: given your caucus's comments and that private schools traditionally score at the top of the achievement test rankings as a result of excluding ESL and special-needs students, why not along with eliminating . . .

**The Speaker:** The hon. the Premier, please.

**Ms Redford:** Mr. Speaker, it's been very clear over this year that there is incredible frustration with standardized tests. It's been reflected in my comments. It's been reflected in the comments of the Minister of Education. We are currently in the process, as the Minister of Education goes around the province consulting on the new Education Act, of ensuring that we're reflecting the fact that Albertans think that these don't actually allow us to measure the outcomes that we need to.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you. Again to the Premier: given that the Webber Academy has \$33 million in cash and land assets and that they are clearly not interested in providing an inclusive education system, why is this government giving them another \$4 million of taxpayers' money this year when you've bankrupted the public school systems by depleting board surpluses?

**Ms Redford:** Mr. Speaker, whatever private schools may choose to do in terms of the decisions that they make with respect to their assets is one thing. What we know as a provincial government is that we're committed to a public education system. One of the things that we have talked about consistently as a party over the past 12 months, going through the leadership campaign that we did, is ensuring that we did not have a second-class public education system in this province, and we will not.

**The Speaker:** The hon. member.

**Mr. Chase:** Thank you very much. My final question to the Premier: given that despite provincial funding some private schools charge parents extra tuition to accept special-needs children, how can the minister defend subsidizing this exclusive and elitist two-tier educational system?

**Ms Redford:** Mr. Speaker, one of the great things about this province is that we offer Albertans choice. We ensure that Albertans can have choice with respect to how their children are educated. Our responsibility as a government, our responsibility as public trustees of government expenses and of revenue that's collected from Albertans is to ensure that we deliver a public education system that allows every child in Alberta to thrive, and we're going to do that.

**The Speaker:** The hon. Member for Red Deer-North, followed by the hon. Member for Calgary-Mountain View.

#### **Keystone and Gateway Pipeline Projects**

**Mrs. Jablonski:** Thank you, Mr. Speaker. It's the time of year when many Albertans look forward to the new year. I know that my constituents in Red Deer-North, many of whom work in small businesses that service the oil and gas industry, are looking forward to a strong economy. Given that a strong economy in Alberta will depend on being able to deliver our products, can the Premier please provide Albertans with an update with respect to the status of the Keystone and Gateway pipelines?

**Ms Redford:** Well, Mr. Speaker, what we know is that both Keystone and Gateway matter an awful lot to Alberta. We're an economy that exports. We know that we want to be in Asia, and we know that we have trusted partners in the United States. At this point in time Keystone is proceeding through a process where we're starting to see slight variations with respect to the routing. That's going to trigger a regulatory process that will allow the State Department to continue to do their work. Based on my travels in the last two or three weeks to Washington I'm very optimistic that as we move ahead with this and look at the regulatory process, we're going to see a positive outcome next year.

With respect to Gateway . . .

**The Speaker:** The hon. member, please.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Given that the future of the Keystone pipeline is still being decided, what's the Premier doing now, and what are her plans to advocate on behalf of Albertans?

**Ms Redford:** Mr. Speaker, right now we have a very fortunate position in the United States. We have a new envoy in Washington who is working very closely with the Canadian ambassador. I've had very good discussions with the Prime Minister and the Minister of Foreign Affairs about the fact that Alberta's interests and Canada's interests are completely aligned on this issue. What we saw when we were in Washington was an opportunity to talk about how jobs and energy security are going to matter in the United States. We're going to keep providing scientifically based evidence with respect to Keystone and environmental sustainability of the oil sands, and we're going to ensure that we take advantage of this hiatus in the regulatory process to advance Alberta's message.

**Mrs. Jablonski:** Well, given the strong opposition to both of these pipelines and concerns that Alberta bitumen can be landlocked by the end of the decade, what is the Premier doing to make sure that there's market access for our resources?

**Ms Redford:** Mr. Speaker, I've talked a lot about Keystone, so I won't speak about that just at the moment.

We know as we move forward in the next 18 months that in British Columbia there's a regulatory process going on where communities are concerned about what the impact of a pipeline could be on them. What we know is that we have to share information about what we're doing and what that impact could be. The other thing we have to do is to talk about why these infrastructure projects matter not only to Alberta but to Canada. I've been talking about a Canadian energy strategy with partners across the country where we as Canadians, not just Albertans, decide that infrastructure will matter for our future economic success, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Highwood.

### Mental Health Services

**Dr. Swann:** Thank you very much, Mr. Speaker. Despite three years and millions of dollars for front-line emergency room changes the ER wait times are not reaching even minimal goals, in part because of the failure of this government to understand the need for systemic change in their long-term strategy, as an example. To the minister: why did he reduce by over 150 beds at Villa Caritas last year? What was the rationale?

2:10

**Mr. Horne:** Well, Mr. Speaker, we did not reduce the number of beds. The introduction of Villa Caritas was, in fact, a new option in continuing care to respond to the needs of seniors with Alzheimer's and other forms of dementia. In many cases the residents at Villa Caritas are there on a temporary basis in order to have their condition stabilized and put them in a position where they can return to the community either in a supportive living option or, in some cases, independently with the support of family.

**Dr. Swann:** Mr. Speaker, much of the demand in emergency rooms is preventable, yet this government has reduced its spending on prevention to less than 4 per cent of the budget. Why has the minister reduced our investment in prevention?

**Mr. Horne:** Mr. Speaker, this government, in fact, has not reduced any investment in prevention. If the hon. member is referring to the wellness portion of the budget, I would certainly agree with him that I would like to see the resources that can be allocated to wellness increased. In fact, we're finding that through primary care networks and other community-based health care providers citizens are expressing an increasing interest in taking responsibility for their own health. They want to be supported in that, and they want to make sure that the health of future generations of Albertans is better than those of us today.

**Dr. Swann:** Mr. Speaker, I believe this minister understands the connection between mental health services and the emergency room wait times. How does he explain the lack of funding committed to the new mental health plan? How is that going to build confidence?

**Mr. Horne:** Well, Mr. Speaker, I believe it's been mentioned before in the House. The development of the mental health and addictions strategy – and it is an integrated strategy – was completed only recently, with the involvement of literally dozens of stakeholders in the health care system. We, in fact, are devoting resources to mental health, and I can tell you that in the city of Edmonton we have 21 psychiatrists who are doing clinic time in our primary care networks. Do we need to do more in mental health? Absolutely, we do. As we move forward, our government will present an implementation plan . . .

**The Speaker:** The hon. Member for Highwood, followed by the hon. Member for Calgary-Mountain View.

### Landowner Private Property Rights

**Mr. Groeneveld:** Thank you, Mr. Speaker. Apparently, at the annual general meeting of the Alberta Beef Producers a number of resolutions related to the previous land-use legislation were raised. My first question is to the Minister of Agriculture and Rural

Development. Can the minister please tell us about the resolutions and what the outcome was of these resolutions?

**The Speaker:** Does this have to do with government policy, or is this the result of a private meeting? Find the connection.

**Mr. Berger:** This has to do with land-use policy, Mr. Speaker.

**The Speaker:** Go ahead.

**Mr. Berger:** Thank you, Mr. Speaker. There were resolutions brought forward to the floor of the annual convention of the Alberta Beef Producers requesting the repealing of the acts for land use, being respectively bills 19, 24, 36, and 50. I'm pleased to say that those resolutions were soundly defeated. This is very significant. These acts and these resolutions were brought forward and voted on by cattle producers all across this great province.

**The Speaker:** The hon. member, please.

**Mr. Groeneveld:** Thank you, Mr. Speaker. My next question is also to the Minister of Agriculture and Rural Development. In spite of this good news were there any other resolutions out there that we would like to hear about?

**The Speaker:** The hon. minister.

**Mr. Berger:** Yes. Mr. Speaker, there was also another resolution calling for a review of those acts, including the Alberta Land Stewardship Amendment Act, 2011, referred to as Bill 10. That, too, was soundly defeated.

Also, I would like to congratulate the new board members, those being Doug Sawyer, Dave Solverson, and Greg Bowie. These folks represent grassroots cattle producers all across this great province, and I thank them for the job they do.

**Mr. Groeneveld:** In spite of the question, it's very important, Mr. Speaker, certainly. Obviously, this government is on the right track.

My final question is to the Premier. Can the Premier tell us in light of these resolutions what actions this government may be considering as we move forward?

**Ms Redford:** Well, Mr. Speaker, it was very interesting to see that resolution at ABP, and the reason is that we know these are pieces of legislation that property owners in Alberta are very concerned about right now. We've already announced a property rights task force as well as a review of transmission with respect to needs north-south. We know that in Alberta we need to grow economically. We know that one of the ways to do that is to ensure that we have an integrated land management system. We know that that has to respect property rights, and what we know is that the best way to ensure that we're doing that is to listen to the people that have those rights and then make subsequent amendments to the legislation.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the hon. Member for Edmonton-Calder.

### Services for the Disadvantaged

**Dr. Swann:** Thank you, Mr. Speaker. Albertans with disabilities face barriers every day in areas that many of us take for granted: housing, transportation, employment, public services. Alberta lacks a comprehensive disability rights law such as the one that exists in Ontario and nationally in the United States. To the

Minister of Seniors: is he prepared to champion an Albertans with disabilities act, and will he commit to working with the disabled-serving organizations and their clients to develop such legislation for Alberta?

**Mr. VanderBurg:** Thank you for the question. Mr. Speaker, you know, in taking on this new ministry, one of the issues that I go to bed every night thinking about is how I can make the world better for people with disabilities in this province. It's an interesting file. I commit to you and to all of the Assembly and all of those with disabilities in this province that I'll do everything I can to make this a better province, to make sure that our programs are better than any other province in this country.

**The Speaker:** The hon. member.

**Dr. Swann:** Well, thank you, Mr. Speaker. Then will the minister follow through on the Premier's commitment to raise the monthly income and index it to inflation, just like everyone in this House receives?

**Mr. VanderBurg:** Thank you again for the question. I think we dealt with this earlier in the session. I heard the Premier very loudly and very clearly, and I had some pretty strong marching orders on how we're going to deal with payments to our vulnerable Albertans. Stay tuned, member; the next budget is coming.

**Dr. Swann:** That doesn't sound like a commitment to me, Mr. Speaker.

To the Minister of Municipal Affairs: given that the demand for special-needs housing in Alberta far exceeds what's currently being delivered through the housing capital initiatives program, can the minister explain how he plans to increase the province's stock of accessible low-cost housing beyond conventional means?

**Mr. Griffiths:** Mr. Speaker, the previous minister had committed to building over 10,000 affordable housing units in this province in a period of five years. We met the target and exceeded it, producing 11,600 homes, affordable housing, in this province in that short period of time. We're continuing with that objective. We just signed an agreement with the federal government for a three-year plan to continue doing it. Our commitment hasn't changed.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Strathcona.

### Builders' Liens

**Mr. Elniski:** Thank you very much, Mr. Speaker. Under the Builders' Lien Act if I was a home builder and hired a subcontractor but that subcontractor did not pay his crew, those workers would be able to place a lien on my project. Rather than affecting the subcontractor who did not pay the wages, I the owner wind up being negatively affected. My question is to the Minister of Service Alberta. When will the act be revised to hold subcontractors accountable?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Under that same piece of legislation a builder can use a mechanism known as a lien fund. Now, if they use that particular lien fund, they can hold back some of the money and, in cases such as that, pay the respective tradespeople.

**Mr. Elniski:** Again to the same minister: given that it's easy to say that these disputes can be settled with some of these mechanisms or in court, the financial and time burdens are nonetheless still on the home builder. Are there any ways to expedite the removal of third-party liens?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Yes, hon. member. One way to expedite liens is to serve notice. In that case the claimant must initiate an action or lose the claim. It's quite an expedient way for somebody to expedite a lien.

**The Speaker:** The hon. member.

**Mr. Elniski:** Thank you. To the same minister: given that an error in judgment in who you hire as a subcontractor can have a major implication for a project owner, will the minister commit today to changing the legislation?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. We're committed to protecting consumers, homeowners, tradespeople. But what we really need is actual, tangible suggestions. If the hon. member or any other stakeholders like builders have specific tangible suggestions that will still ensure that we maintain balance and protection, I'd be happy to sit with them, meet with them to see how we can move forward.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Riverview.

2:20

### Water Management

**Ms Notley:** Thank you, Mr. Speaker. The Parkland Institute report that I tabled yesterday states that to date the Tories have only explored market options to water allocation and are intent on moving towards a deregulated provincial water market. Such a move would leave the allocation of water up to the highest bidder. My question is to the Deputy Premier. Given that this move would extend water rights to foreign ownership and other private interests and would pit them against ordinary Albertans in a bidding war that, at the very least, would result in higher water prices, will this government commit to legislation that declares water a public trust and protects Alberta consumers?

**Mr. Horner:** Well, Mr. Speaker, I think it's pretty obvious that Albertans value their greatest resource in this province, which is water. Right next to that the greatest resource is people, and when you put the two things together you can come up with some research and some planning that will protect our most valuable resource and build for the future of this province, and that's exactly what we intend to do.

**Ms Notley:** Well, Mr. Speaker, given that in the current water allocation system Alberta Environment is taking only 10 per cent of its holdback clause for environmental purposes only 60 per cent of the time and given that water markets are priced only on economic indicators, why won't this government commit to a water allocation strategy that makes environmental integrity a priority over the free market and guarantees environmental sustainability for Albertans now and in the future?

**Mr. Horner:** Mr. Speaker, environmental sustainability is extremely important to this province for a whole raft of reasons, not the



least of which are our economic and our social reasons. In fact, that's why Alberta, I believe, was one of the first provinces to come out with a water for life strategy, which we are pursuing. That strategy is an overarching strategy that combines not only securing water for the future of Alberta's economic development but also environmental protection and agriculture.

**Ms Notley:** Given that Alberta's history of water allocation has failed to respect the long-standing relationship between aboriginal people and Alberta's water resources and given that the proposed water market would further negate aboriginal rights to water, will the Deputy Premier commit to meaningful consultation with Alberta's aboriginal communities about the establishment of a First Nations water council that would have meaningful say about future water allocation in Alberta?

**Mr. Horner:** Well, Mr. Speaker, we're involved in our consultation process with our First Nations as we speak. We have a five-point aboriginal consultative process, of which we have two left to go. We're pursuing that aggressively, and we'll continue to do that.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Calgary-North Hill.

### Protection of Personal Health Information

**Dr. Taft:** Thanks, Mr. Speaker. For the second time this week we've heard of a health professional, driven by passion and revenge, grossly violating the privacy of innocent people's health records. In the most recent case a pharmacist unlawfully obtained the prescription medication information of eight people and posted it on Facebook. To the minister of health: has the government considered that personal health information illegally posted on the web will be widely available in cyberspace forever? Are these violations creating permanent victims?

**Mr. Horne:** Well, Mr. Speaker, the case to which the hon. member refers is a very serious matter and is taken very seriously by this government. In fact, the individual in question was prosecuted and fined. I would leave it to others to determine. I think any time personal health information is inappropriately or illegally accessed by anyone, a health professional or anyone else, we have serious cause for concern in this House.

**The Speaker:** The hon. member.

**Dr. Taft:** Thanks, Mr. Speaker. Well, given that the victims in this case were a group of church ladies, who are probably not IT specialists, who have had their medical information posted on the Internet, will the government be providing any support to help these people fully erase their records from all web access?

**Mr. Horne:** Well, Mr. Speaker, to my knowledge this government or my department has not been approached with such a request. Again, I agree with the hon. member about the serious nature of the crime and the impact that the electronic rebroadcasting, if you will, of this information has on individuals. But to this date we have not been contacted with such a request.

**Dr. Taft:** Mr. Speaker, given that cases like these threaten public confidence in electronic health records and maybe even discourage people from disclosing crucial information to health care providers because they're worried that it's going to get spread all over, what steps is the minister taking to better protect Albertans' most personal of personal information?

**Mr. Horne:** Well, Mr. Speaker, we've taken a number of steps over the years to do everything we can to strengthen the protection of personal health information. Unfortunately, it is beyond our ability to legislate or to regulate the behaviour of individuals who would intentionally engage in such behaviour and cause serious damage to others. We will continue to monitor the security of personal health information. It is a subject of constant discussion between my department and Alberta Health Services, and I'm quite confident that wherever we can find an opportunity to strengthen that protection, we will take full advantage.

**The Speaker:** The hon. Member for Calgary-North Hill, followed by the hon. Member for Airdrie-Chestermere.

### Municipal Franchise Fees

**Mr. Fawcett:** Thank you very much, Mr. Speaker. About a year and a half ago an all-party committee of this Legislature recommended to the Minister of Municipal Affairs that he work with municipalities to create a common formula for calculating franchise fees. My question to the minister: can you please provide an update on the progress that you've made with municipalities in this respect?

**Mr. Griffiths:** Mr. Speaker, fundamentally, at the heart of this issue it's about respect. It's respect for the municipalities to work out the agreements to meet their local needs on franchise fees. It's also about respecting consumers, who pay the bills, to make sure that they have transparency, knowing who is collecting the fee and how much they're collecting. We're trying to find a balance, and we're working towards that as we go forward.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. Given that just recently the town of Okotoks had a levy struck down by the courts because of the reason that these fees are more than fees, that they're more like a tax, has the minister had any dialogue with municipalities about these fees, that actually amount to what is a tax? The courts have said so.

**Mr. Griffiths:** Mr. Speaker, we've done a very extensive review, and those two situations are not the same at all. In fact, the franchise fees are paid by utility companies for exclusive access to right-of-ways for gas, water, electricity, and the like. The off-site levies are paid by developers to recoup the municipalities' cost of installing new infrastructure. They're two completely separate issues, and one won't impact the other.

**The Speaker:** The hon. member.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. Given that the minister and the government have decided that they will undertake a comprehensive review of the MGA, will the minister put municipalities on notice that as part of that review there will be much stronger language in the MGA that will prohibit municipalities from charging fees that amount to tax revenue?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. I assume that there will be a lot of different issues that will come up in the long-term review of the MGA. The specific issue around franchise fees is actually a regulatory issue, and I anticipate that we may be able to address a lot of those while still respecting the autonomy of

municipalities before we get done the review of the MGA and resolve this issue once and for all.

**The Speaker:** The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Cypress-Medicine Hat.

### Political Contributions by Municipal Officials

**Mr. Anderson:** Thank you, Mr. Speaker. Merry Christmas.

According to the *St. Paul Journal* published today, the town of St. Paul replied to a request from Elections Alberta, disclosing that it had donated almost \$4,000 in political donations and sponsorships to the transport minister's PCCA. Most of these funds came from the town of St. Paul's public relations account. Not only are donations and sponsorships of this kind illegal under the Election Act, but it also just smells bad to Albertans. Will the Minister of Transportation ask his CA to return the funds immediately to the taxpayers of St. Paul?

**Mr. Horner:** Mr. Speaker, if I may, the question is around the provincial political party donations. We all know in this Legislature that it's against the rules for the municipalities to do that. I'm also certain that that party donation, as all members would do, including as the Wildrose did in Whitecourt, I believe it was – they returned the money.

**Mr. Anderson:** So to that same minister, then: are you saying that the \$4,000 in question here has been returned to the taxpayers of St. Paul?

**Mr. Horner:** My understanding is that the Chief Electoral Officer would look into it if it hasn't, but my understanding is that it has been, Mr. Speaker.

**Mr. Anderson:** Well, according to the newspaper today, that's not the case.

**The Speaker:** And we all know that that's not considered authoritative.

**Mr. Anderson:** Given that answer will the transport minister or somebody on that side stand up and provide proof to this Legislature that that \$4,000 has been returned to the taxpayers of St. Paul?

**Mr. Danyluk:** Mr. Speaker, as you very much know, that discussion had taken place a number of months ago. In fact, the individual that was in charge of the accounts of the constituency – I guess you can call it the constituency – had reassured me that all contributions that were made illegally were returned.

**The Speaker:** For the benefit of the question period this is not the place for it. This has nothing to do with government financing.

The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Edmonton-Riverview.

### 2:30 Prequalification Processes for Bidders

**Mr. Mitzel:** Thank you, Mr. Speaker. Recently a municipality in my constituency awarded a large contract under the agreement on internal trade using the electronic MERX system. Four bidders participated: three from southern Alberta and one from Ontario. The bidder from Ontario won. The end result was that they did not complete the work before declaring bankruptcy and disappearing. The municipality would now like to contract to the next lowest original tender and complete the project. My question is to the

Minister of Service Alberta. Will this put the municipality in jeopardy with the cross-Canada agreement on internal trade if they do not readvertise?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Alberta is subject to trade agreements. These agreements allow Alberta businesses opportunity, and they allow Alberta municipalities and the nonprofit sector to capitalize on the lowest prices around. Now, I'm not aware of the specifics of this very situation, hon. member, but I would be very happy to work with the municipality in question to see how we can find a resolution to the matter.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. To the Minister of Municipal Affairs: given that with many of these projects municipalities use their MSI as a large source of funding, with this previously mentioned process will this affect the present MSI funding approval that they have for the project?

**Mr. Griffiths:** Mr. Speaker, the shortest possible answer is that, no, it will not. The project has been approved. If the municipality needs to amend their project agreement, they're entitled to do so, as every other municipality is, in case they have some cost overruns that may go with this challenge they have.

**The Speaker:** The hon. member.

**Mr. Mitzel:** Thank you, Mr. Speaker. Again to the Minister of Service Alberta: as there was a resolution which was passed at the AAMD and C convention with a large majority, what has been done in order to allow prequalification of contractors?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I think the member is referring to what is commonly known as standing offers, whereby contractors or suppliers of particular goods or services are prequalified. That is something that's available to municipalities. Again, we would be happy to advance this issue further with our municipalities.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Decore.

### Recovery of Tight Gas and Tight Oil

**Dr. Taft:** Thanks, Mr. Speaker. My question is to the Minister of Energy. In recent years the price of natural gas collapsed and along with it royalties to the government because of technologies that release vast amounts of tight gas. Now, due to the same technologies there are suggestions the oil market could be flooded with so-called tight oil, driving oil prices into the same low, long-term plateau that hit natural gas and of course, along with them, royalties. To the minister: is this government paying attention to the emergence of tight oil supplies? If so, what's it finding?

**Dr. Morton:** Mr. Speaker, I'm happy to respond that we're closely monitoring that. In fact, I'd be happy to show the hon. member a map in my office – it actually just came in last night – that shows all the land sales in the province over the last three years. It's very clear that it's focusing on tight gas and tight oil. While the abundance of natural gas in North America and the world has driven the price

down, so far the exploration of so-called tight oil has been a very positive influence on the Alberta market.

**Dr. Taft:** Well, that's good to hear. Let's just hope it continues because the concern is that it won't.

Does this government have forecasts for the expected impact of tight oil on the Alberta or Canadian or North American supplies and prices?

**Dr. Morton:** Mr. Speaker, our forecasts, of course, are based not only on internal estimates, but we also use a variety of well-recognized commercial sources, banks, and investment companies as well. All of those forecasts continue to show robust growth for demand even with growing supply and gradually rising prices.

**The Speaker:** The hon. member.

**Dr. Taft:** Thanks. Again to the same minister: what is the government doing to assess the potential impact on Alberta's royalty revenue from oil supplies and prices if there is a prolonged flow of tight oil onto the market?

**Dr. Morton:** Well, Mr. Speaker, of course, we pay close attention to royalties, both present and projected, but we do not anticipate, nor do any of the other financial institutions that do these projections, a collapse of oil prices. We actually think that one of the areas of growth for royalties will be in tight oil.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the hon. Member for Edmonton-Gold Bar.

#### Municipal Funding

**Mrs. Sarich:** Thank you, Mr. Speaker. The government of Canada has recently announced that it is launching a new direction for planning and processing for infrastructure which will extend beyond 2014. To the Minister of Municipal Affairs: given the new federal directions what is the province doing to ensure funding for all of Alberta's municipalities?

**Mr. Griffiths:** Well, Mr. Speaker, we're very excited about the federal government's commitment to working on funding for Alberta and all of Canada's municipalities. The provincial government itself is incredibly committed to supporting our municipalities because we know that we're partners and work hand in hand on all of the projects that Albertans hold so dear. That's why we have the municipal sustainability initiative, which is over \$11 billion supplied to municipalities over a 10-year period, and we have GreenTRIP supplied to Alberta cities so that they can build mass transit.

Mr. Speaker, we're still working on going forward on I guess it would be the son of MSI and a three-year secure funding formula to ensure that our municipalities are properly funded.

**Mrs. Sarich:** Mr. Speaker, again to the same minister: given that large urban centres face challenges meeting infrastructure needs in their local communities, what support is your ministry providing to metro centres like Edmonton and Calgary to help them meet the local needs for their citizens?

**Mr. Griffiths:** Well, Mr. Speaker, we recognize that every single municipality in this province is a partner in building a better Alberta. We work with the large urban centres and we work with the small communities all the same. We provide a billion dollars in MSI funding almost every single year. We're continuing to ramp that up to help municipalities meet their needs. In total,

through this government it's between \$2 billion and \$2.5 billion every year that goes to Alberta's municipalities, and the cities, the urban centres, get their share of that.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. My last question is also to the same minister. Recognizing that big-city mayors always like to press the point that their unique needs for their metro centre need to be addressed appropriately, how do you intend to involve the local officials in the decision-making process for the large urban centres?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. As per my mandate letter, we are discussing right now with the large cities what sort of challenges they have. Quite frankly, they represent close to two-thirds of the population of this province. But we also work hand in hand with the AUMA and the AAMD and C to address the needs of every single one of the communities in this province. Assisting or helping one or looking at their needs does not mean to the exclusion of others. We're working with all of them to build a better Alberta.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### Courthouse Security

**Mr. MacDonald:** Thank you, Mr. Speaker. The wheels of justice have slowed in some Edmonton courtrooms because this government has failed to provide the necessary security. Provincial sheriffs are responsible for security details. My first question is to the Solicitor General. How can this happen when over \$33 million is budgeted for court security and prison transfer?

**Mr. Denis:** Mr. Speaker, I would first refute this member's claim that this ministry has in any way failed to provide court security. There are four levels of court security. The final level of court security is only available in high-profile cases. Do you want a sheriff in every courtroom, for even a small-claims case? What about the taxpayers' interests?

**The Speaker:** The hon. member.

**Mr. MacDonald:** Thank you. Again to the same minister: can the minister provide a breakdown of this \$33 million budget? What is spent on court security, because court security is lax, and what is spent on prison transfer?

**Mr. Denis:** Once again, I refute this member's claim that court security is lax. There are four levels of security. That includes the perimeter security, the inside security, and the roaming security. On top of that, every courtroom has a panic button, where one of the roaming sheriffs can actually come in if there is an actual need. We do not need – there you go, Mr. Speaker. You have one yourself. I'll take my seat.

2:40

**The Speaker:** The hon. member.

**Mr. MacDonald:** Yes, Mr. Speaker. I think I have pushed the hon. member's panic button on this issue.

Now, given that last year the sheriff and security operations branch had a surplus – listen carefully – of \$1.5 million in their budget and that this year that budget was increased by an

additional \$1.5 million, why are Alberta justices in Edmonton so concerned about their security and the security of the courtroom that they administer over? They're not wimps.

**The Speaker:** The hon. minister, please.

**Mr. Denis:** Thank you. Mr. Speaker, I agree with this member that the justices are not wimps, but I again disagree that security is, in fact, lax. I've outlined exactly where security is in the courtroom.

If anybody in this House has hit their panic button, it's the Member for Edmonton-Gold Bar because he's not running again.

Merry Christmas.

**The Speaker:** That concludes the question-and-answer period for today. Nineteen members were recognized; 114 questions and responses were provided. I know that some colleagues are having a jolly, jolly time, but we're going to just continue.

I'm going to ask the hon. Minister of Municipal Affairs to supplement an answer.

### Fire Permits

**Mr. Griffiths:** Thank you, Mr. Speaker. Yesterday I realized in reviewing the questions that in the response to the Member for Little Bow I may have given the indication that buying a fire permit completely exonerates anybody from any harm that may be caused by a fire. Although it's responsible to buy a fire permit, I'd still like to remind Albertans and clarify that if you aren't responsible, even with a fire permit you still could be liable for any damage caused by a fire that you allow to get out of control and deliberately mishandle.\*

**The Speaker:** Hon. Member for Little Bow, an additional question?

**Mr. McFarland:** No. Thank you.

**The Speaker:** Okay. We're going to continue with the Routine.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

### Out-of-country Health Services

**Mr. Boutilier:** Yeah. Thank you very much, Mr. Speaker. Merry Christmas to everyone and their families.

Two weeks ago I had the honour of introducing to members of this Assembly a young man and his family and son who had brain surgery that basically saved his life. In actual fact, he went to his local doctor, and his doctor said that no one in Alberta or Canada could do this type of surgery and that there was only one place to obtain the rare brain surgery, and that was in Los Angeles. He was going blind. He had to stop his work at Suncor. Ultimately, he went last November, almost a year ago, and had the brain surgery. As you saw when I introduced him in the gallery, he's recovering quite nicely, with full sight back. He's going to live a full and happy life, and I know all of us can join in saying that we're so pleased by that.

In my question Shane Wambolt asked the out-of-country surgery committee to determine when he could get back the \$240,000 that it cost him. It's been over a year. Of course, now that they've had such medical success, they're looking for the success of getting reimbursed by the policy of this government.

I'm very pleased that the Premier committed to resolve this issue, and we are optimistic that before Christmas she will resolve this.

The family asked me to thank everyone involved, specifically when they drove on highway 63 and rented a car and stayed at a hotel. I thank Global television and the *Edmonton Journal* because when they learned about this story the next day, the rental car company and the hotel said, "No charge" because in Alberta we want to help those who need help. I only hope and pray that this Premier and the minister of health will provide the same gift to this family after what they've endured, like any other Albertan who would experience the same thing.

Thank you very much, Mr. Speaker.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Health and Wellness.

**Mr. Horne:** Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first tabling is the 2010 annual report of the Health Quality Council of Alberta. The council collaborates with my ministry and other significant players in the Alberta health system to encourage continuous quality improvement in our health system. The council, led by its chair, Dr. Lorne Tyrrell, does excellent work for the users of the health system and supports health providers across the province.

Mr. Speaker, my second tabling is the 2010 annual report of the College of Licensed Practical Nurses of Alberta. The report outlines the accomplishments and initiatives of the college over the past year.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I'm pleased to rise today for two tablings this afternoon on behalf of the hon. Minister of Health and Wellness. My first tabling is the 2010 annual report of the Alberta College of Speech-Language Pathologists and Audiologists.

My second tabling is the 2010 annual report of the College of Dietitians of Alberta.

Both annual reports outline the work of their respective college over the last year.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Leader of the Official Opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I have four tablings today. The first one is from *Canada's Health Newsweekly*, HealthEdition.com, February 12, 2010. It's about government health spending jumping almost \$2 billion in 2010-11, making up 41 per cent of all government expenditures.

The other tabling is an article entitled Minister Shows Appreciation of Local Healthcare Group, and it mentions the previous minister, from Edmonton-Mill Creek, where he said that when he became minister "AHS was facing a 1.3 billion dollar deficit."

The third tabling is an article by Jodie Sinnema from the *Edmonton Journal*: Plan To Cut Emergency Wait Times Too Slow, Doctors Say. That's where the minister is quoted, a quote that he denied in the Legislature. He said: although the province hasn't met its targets, the number of patients on emergency stretchers waiting for hospital beds – and therefore blocking access for those in the waiting room – is the lowest it's been in years.

\*See page 1661, left column, last paragraph

The last tabling is from my guest today, Zachary Weeks, who represents an organization for those with disabilities, with regard to questions that he has for the Premier, that I'm hoping the Premier will answer and get back to him about.

Thank you.

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

**Mr. Chase:** Thank you very much, Mr. Speaker. I'm tabling the five requisite copies of schedule 6 from Revenue Canada, detailed financial information, Webber Academy Foundation, that I referenced in today's questions.

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

**Ms Notley:** Thank you. I'd like to table the appropriate number of copies of an article referred to by the Member for Edmonton-Highlands-Norwood today in question period entitled Government by Exhaustion, which highlights the stark contradiction between the Premier's promise for more democracy this summer and the government's conduct over the last two and a half weeks in this Assembly.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Hancock, Minister of Human Services, pursuant to the Regulated Accounting Profession Act a Certified General Accountants' Association of Alberta annual report 2011; pursuant to the Government Organization Act the Alberta College and Association of Chiropractors radiation health administrative organization annual report for the year ended June 30, 2011; the Alberta Dental Association and College 2010 radiation health and safety program annual report January 1, 2010, to December 31, 2010, with attached financial statements dated December 31, 2010; the Alberta Veterinary Medical Association radiation protection program 2010 annual report with attached auditor's report on radiation protection program, schedule of funds received and disbursed and cash balance; the College of Physicians and Surgeons of Alberta radiation health administrative organization annual report for the period January 1, 2010, to December 31, 2010; University of Alberta authorized radiation health administrative organization annual report 2010-2011; University of Calgary radiation health administration organization annual report for the period April 1, 2010, to March 31, 2011, with attached financial statements for the year ended March 31, 2011.

On behalf of the hon. Mr. Lukaszuk, Minister of Education, return to order of the Assembly MR14, asked for by Mr. Hehr on May 9, 2011.

On behalf of the hon. Mr. Horne, Minister of Health and Wellness, pursuant to the Health Disciplines Act the Health Disciplines Board annual report January 1 to December 31, 2010; pursuant to the Health Facilities Review Committee Act the Alberta Health Facilities Review Committee annual report 2010-2011.

On behalf of Dr. Sherman, hon. Leader of the Official Opposition, *The Lancet* website article dated January 8, 2011, entitled Cancer Survival in Australia, Canada, Denmark, Norway, Sweden, and the UK, 1995-2007 (the International Cancer Benchmarking Partnership): an Analysis of Population-based

Cancer Registry Data; and the FPinfomart reprint of an *Edmonton Journal* article dated April 22, 2011, entitled 'I am not in a position to testify': MD.

2:50

### Statement by the Speaker

#### Sessional Statistics

**The Speaker:** Hon. members, I have some numbers that you may be interested in by way of a comparison between what this Assembly has done in the year 2011 as compared to the year 2010. The number of sitting days we had in the year 2011, including today, was 47. Last year it was 50. The number of evening sittings we had this year was 13 compared to 10 last year.

The total number of minutes in the Assembly this year was 14,029 – that's not including today – as compared to last year at 14,864. The total number of hours in the Assembly this year, not including the hour and a half today, would be 235 and a half hours. Last year it was 248.

The number of words spoken was essentially the same: nearly 2 million. The number of words spoken by members in standing committees this year was significantly lower than last year. This year it was 821,000. Last year it was 1,310,000.

The number of standing committee meetings this year was 58. Last year it was 83. The number of hours in standing committee meetings this year was 94. Last year it was 180.

On 14 occasions we had 18 sets of questions; that is, 18 members were recognized. Last year it was 17. This year on 20 occasions we had 19 members recognized. Last year it was 21. This year we had four occasions in which 20 members were recognized. Last year it was seven. We had one occasion on which 21 members were recognized; none last year. On October 25 of this year we had 22 members recognized, and that was a record number of members recognized at question period in the history of Alberta. The total number of questions and answers during question period this year was 4,954. Last year it was 5,284. The average number of questions and answers per day this year was 103. Last year it was 108.

Twenty-six government bills will receive royal assent in the year 2011. There were 28 in the year 2010. One government bill was left on the Order Paper both last year and this year. The number of private members' public bills that received royal assent this year was two. That's the same as occurred in 2010. The number of private members' public bills that received royal assent since we made these major modifications to our standing orders has now approached 50.

I would draw all members' attention as well to Standing Order 4(a) if one anticipates when one might return to this Assembly.

Have a happy and safe holiday season.

### Orders of the Day

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

**Mr. Hancock:** Thank you, Mr. Speaker. Pursuant to Government Motion 27 it is my privilege to advise the House that the government business for this fall session has now been completed, and we therefore stand adjourned.

[The Assembly adjourned at 2:52 p.m. pursuant to Government Motion 27]



## **Bill Status Report for the 27th Legislature - 4th Session (2011)**

**Activity to December 07, 2011**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 200 or higher are Private Members' Public Bills. Bills with lower numbers are Government Bills. Bills numbered Pr1, etc., are Private Bills.

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

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

### **1 Asia Advisory Council Act (Stelmach)**

First Reading -- 6 (Feb. 22 aft., passed)

Second Reading -- 132-33 (Mar. 1 aft.), 189-95 (Mar. 3 aft.), 553-62 (Mar. 24 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 862-73 (Apr. 26 eve., passed)

Third Reading -- 1063-69 (May 10 aft., passed on division)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 cA-44.5]

### **2 Protection Against Family Violence Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 133-34 (Mar. 1 aft.), 380-82 (Mar. 15 aft., passed)

Committee of the Whole -- 408-16 (Mar. 16 aft., passed)

Third Reading -- 438-39 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c4]

### **3 Engineering, Geological and Geophysical Professions Amendment Act, 2011 (Rogers)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 134-35 (Mar. 1 aft.), 313-14 (Mar. 10 aft.), 382-83 (Mar. 15 aft., passed)

Committee of the Whole -- 416 (Mar. 16 aft., passed)

Third Reading -- 439-40 (Mar. 17 aft., passed)

Royal Assent -- (Mar. 18 outside of House sitting) [Comes into force on proclamation; SA 2011 c3]

### **4 Securities Amendment Act, 2011 (Brown)**

First Reading -- 18 (Feb. 23 aft., passed)

Second Reading -- 135 (Mar. 1 aft.), 383-84 (Mar. 15 aft.), 416-17 (Mar. 16 aft.), 440-41 (Mar. 17 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 858-60 (Apr. 26 aft.), 861-62 (Apr. 26 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29, with exceptions; SA 2011 c7]

### **5 Notice to the Attorney General Act (Rogers)**

First Reading -- 18-19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 797-99 (Apr. 20 eve., passed)

Third Reading -- 947 (Apr. 27 eve., passed)

Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 cN-6.5]

### **6 Rules of Court Statutes Amendment Act, 2011 (Olson)**

First Reading -- 19 (Feb. 23 aft., passed)

Second Reading -- 136 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)

Committee of the Whole -- 799-801 (Apr. 20 eve., passed)

Third Reading -- 1035 (May 9 eve., passed)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c14]

- 7        Corrections Amendment Act, 2011 (Oberle)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 801 (Apr. 20 eve., passed)  
Third Reading -- 1035 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c10]
- 8\*       Missing Persons Act (VanderBurg)**  
First Reading -- 73 (Feb. 28 aft., passed)  
Second Reading -- 137 (Mar. 1 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 1024-35 (May 9 eve., passed with amendments)  
Third Reading -- 1058-61 (May 10 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 cM-18.5]
- 9        Appropriation (Supplementary Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 113 (Mar. 1 aft., passed)  
Second Reading -- 185-86 (Mar. 3 aft., passed)  
Committee of the Whole -- 244-47 (Mar. 8 aft.), 254-57 (Mar. 8 aft., passed)  
Third Reading -- 305-08 (Mar. 10 aft., passed)  
Royal Assent -- (Mar. 14 outside of House sitting) [Comes into force March 14, 2011; SA 2011 c1]
- 10       Alberta Land Stewardship Amendment Act, 2011 (\$) (Knight)**  
First Reading -- 122 (Mar. 1 aft., passed)  
Second Reading -- 247-54 (Mar. 8 aft.), 257-58 (Mar. 8 aft.), 618 (Apr. 12 aft., passed)  
Committee of the Whole -- 877-85 (Apr. 26 eve.), 910-17 (Apr. 27 aft.), 919-37 (Apr. 27 eve.), 937-46 (Apr. 27 eve., passed)  
Third Reading -- 1071-89 (May 10 eve., passed on division)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c9]
- 11\*      Livestock Industry Diversification Amendment Act, 2011 (Prins)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 313 (Mar. 10 aft.), 552-53 (Mar. 24 aft.), 618-27 (Apr. 12 aft.), 661-62 (Apr. 13 aft.), 790-97 (Apr. 20 eve., passed)  
Committee of the Whole -- 826-27 (Apr. 21 aft.), 873-77 (Apr. 26 eve., passed with amendments)  
Third Reading -- 1035-36 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c12]
- 12       Alberta Investment Management Corporation Amendment Act, 2011 (Dallas)**  
First Reading -- 208 (Mar. 7 aft., passed)  
Second Reading -- 364-65 (Mar. 15 aft.), 675-79 (Apr. 14 aft., passed)  
Committee of the Whole -- 802-04 (Apr. 20 eve., passed)  
Third Reading -- 1036-38 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c8]
- 13       Appropriation (Interim Supply) Act, 2011 (\$) (Snelgrove)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365-67 (Mar. 15 aft., passed)  
Committee of the Whole -- 403-08 (Mar. 16 aft., passed)  
Third Reading -- 432-38 (Mar. 17 aft., passed)  
Royal Assent -- 328 (Mar. 18 outside of House sitting) [Comes into force March 18, 2011; SA 2011; c2]
- 14       Wills and Succession Amendment Act, 2011 (Drysdale)**  
First Reading -- 328 (Mar. 14 aft., passed)  
Second Reading -- 365 (Mar. 15 aft.), 679-680 (Apr. 14 aft., passed)  
Committee of the Whole -- 804 (Apr. 20 eve., passed)  
Third Reading -- 1038 (May 9 eve., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c16]
- 15\*      Victims of Crime Amendment Act, 2011 (Oberle)**  
First Reading -- 329 (Mar. 14 aft., passed)  
Second Reading -- 363-64 (Mar. 15 aft.), 680-684 (Apr. 14 aft., passed)  
Committee of the Whole -- 827-28 (Apr. 21 aft.), 853-58 (Apr. 26 aft.), 1013-24 (May 9 eve., passed with amendments)  
Third Reading -- 1061-63 (May 10 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on proclamation; SA 2011 c15]



- 16 Energy Statutes Amendment Act, 2011 (McQueen)**  
First Reading -- 482 (Mar. 22 aft.)  
Second Reading -- 552 (Mar. 24 aft.), 820-26 (Apr. 21 aft.), 852-53 (Apr. 26 aft.), 969-70 (Apr. 28 aft.), 1009-12 (May 9 eve., passed)  
Committee of the Whole -- 1069-70 (May 10 aft.), 1071 (May 10 eve., passed)  
Third Reading -- 1112-17 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c11]
- 17 Appropriation Act, 2011 (\$) (Snelgrove)**  
First Reading -- 818 (Apr. 21 aft., passed)  
Second Reading -- 841-52 (Apr. 26 aft., passed on division)  
Committee of the Whole -- 904-10 (Apr. 27 aft.), 937 (Apr. 27 eve., passed)  
Third Reading -- 967-69 (Apr. 28 aft.), 970-71 (Apr. 28 aft., passed on division)  
Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on April 29; SA 2011 c5]
- 18 Education Act (Hancock)**  
First Reading -- 898 (Apr. 27 aft., passed)  
Second Reading -- 965-67 (Apr. 28 aft., adjourned)
- 19 Miscellaneous Statutes Amendment Act, 2011 (Olson)**  
First Reading -- 989 (May 9 aft., passed)  
Second Reading -- 1053 (May 10 aft., passed)  
Committee of the Whole -- 1057 (May 10 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c13]
- 20 Workers' Compensation Amendment Act, 2011 (Lukaszuk)**  
First Reading -- 1052 (May 10 aft., passed)  
Second Reading -- 1053-56 (May 10 aft., passed)  
Committee of the Whole -- 1107-11 (May 11 aft., passed)  
Third Reading -- 1117 (May 11 aft., passed)  
Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011; SA 2011 c17]
- 21 Election Amendment Act, 2011 (Olson)**  
First Reading -- 1203 (Nov. 21 aft., passed)  
Second Reading -- 1240-41 (Nov. 22 aft.), 1337-49 (Nov. 23 eve., passed on division)  
Committee of the Whole -- 1473-78 (Nov. 29 aft.), 1479,1501-09 (Nov. 29 eve.), 1532-43 (Nov. 30 aft.), 1545 (Nov. 30 eve.), 1643-48 (Dec. 5 eve., passed)  
Third Reading -- 1708-11 (Dec. 6 eve., passed on division)
- 22 Justice and Court Statutes Amendment Act, 2011 (Woo-Paw)**  
First Reading -- 1203-04 (Nov. 21 aft., passed)  
Second Reading -- 1236-38 (Nov. 22 aft.), 1349-53 (Nov. 23 eve., passed)  
Committee of the Whole -- 1496-1501 (Nov. 29 eve., passed)  
Third Reading -- 1711-12 (Dec. 6 eve., passed)
- 23 Land Assembly Project Area Amendment Act, 2011 (Johnson)**  
First Reading -- 1204 (Nov. 21 aft., passed)  
Second Reading -- 1238 (Nov. 22 aft.), 1368-78 (Nov. 24 aft.), 1411-26 (Nov. 28 eve., passed)  
Committee of the Whole -- 1465-73 (Nov. 29 aft.), (Nov. 29 eve., passed)  
Third Reading -- 1706-08 (Dec. 6 eve., passed)
- 24\* Health Quality Council of Alberta Act (Horne)**  
First Reading -- 1203 (Nov. 21 aft., passed)  
Second Reading -- 1235-36 (Nov. 22 aft.), 1241-54 (Nov. 22 aft.), 1278-83 (Nov. 22 eve., passed on division)  
Committee of the Whole -- 1479-91 (Nov. 29 eve.), 1561-70 (Nov. 30 eve.), 1648-50 (Dec. 5 eve.), 1666-73 (Dec. 6 aft., passed on division with amendments)  
Third Reading -- 1699-1706 (Dec. 6 eve., passed on division)
- 25\* Child and Youth Advocate Act (Hancock)**  
First Reading -- 1203 (Nov. 21 eve., passed)  
Second Reading -- 1238-40 (Nov. 22 aft.), 1283-85 (Nov. 22 eve.), 1300-06 (Nov. 23 aft.), 1319-23 (Nov. 23 eve., passed)  
Committee of the Whole -- 1426-37 (Nov. 28 eve., passed with amendments)  
Third Reading -- 1681-85 (Dec. 6 eve., passed)

- 26\* Traffic Safety Amendment Act, 2011 (Danyluk)**  
 First Reading -- 1204 (Nov. 21 aft., passed)  
 Second Reading -- 1238 (Nov. 22 aft.), 1306-17 (Nov. 23 aft.), 1323-37 (Nov. 23 eve., passed)  
 Committee of the Whole -- 1437-46 (Nov. 28 eve.), 1545-61 (Nov. 30 eve.), 1631-43 (Dec. 5 eve.), 1673-79 (Dec. 6 aft., passed on division with amendments)  
 Third Reading -- 1685-99 (Dec. 6 eve., passed on division)
- 27 Appropriation (Supplementary Supply) Act, 2011 (No. 2) (\$) (Horner)**  
 First Reading -- 1366 (Nov. 24 aft., passed)  
 Second Reading -- 1461-65 (Nov. 29 aft.), 1491-96 (Nov. 29 eve., passed on division)  
 Committee of the Whole -- 1528-32 (Nov. 30 aft.), 1561 (Nov. 30 eve., passed)  
 Third Reading -- 1590-93 (Dec. 1 aft., passed)  
 Royal Assent -- (Dec. 1 outside of House sitting) [Comes into force December 1, 2011; SA 2011 c18]
- 201\* Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011 (Sandhu)**  
 First Reading -- 55 (Feb. 24 aft., passed)  
 Second Reading -- 73-86 (Feb. 28 aft., passed)  
 Committee of the Whole -- 464-68 (Mar. 21 aft.), 579-88 (Apr. 11 aft., passed with amendments)  
 Third Reading -- 704-05 (Apr. 18 aft., passed)  
 Royal Assent -- (Apr. 29 outside of House sitting) [Comes into force on proclamation; SA 2011 c6]
- 202 Legislative Assembly (Transition Allowance) Amendment Act, 2011 (Anderson)**  
 First Reading -- 55 (Feb. 24 aft., passed)  
 Second Reading -- 209-24 (Mar. 7 aft., defeated on division)
- 203 Alberta Get Outdoors Weekend Act (Rodney)**  
 First Reading -- 152 (Mar. 2 aft., passed)  
 Second Reading -- 588-89 (Apr. 11 aft.), 705-10 (Apr. 18 aft., passed)  
 Committee of the Whole -- 1210-15 (Nov. 21 aft., passed)  
 Third Reading -- 1392-99 (Nov. 28 aft., passed)  
 Royal Assent -- (Dec. 1 outside of House sitting) [Comes into force December 1, 2011; SA 2011 cA-19.2]
- 204 Justice System Monitoring Act (Forsyth)**  
 First Reading -- 304 (Mar. 10 aft., passed)  
 Second Reading -- 992-1001 (May 9 aft.), 1215 (Nov. 21 aft.), 1399-1404 (Nov. 28 aft., defeated on division)
- 205 Municipal Government (Delayed Construction) Amendment Act, 2011 (Taylor)**  
 First Reading -- 362 (Mar. 15 aft., passed)  
 Second Reading -- 1404 (Nov. 28 aft.), 1611-17 (Dec. 5 aft., passed)
- 207 Seniors' Property Tax Deferral Act (Jablonski)**  
 First Reading -- 989 (May 9 aft., passed)  
 Second Reading -- 1617-22 (Dec. 5 aft., passed)
- 208 Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011 (Mason)**  
 First Reading -- 1105 (May 11 aft., passed)
- 209 Tailings Ponds Reclamation Statutes Amendment Act, 2011 (Blakeman)**  
 First Reading -- 1105-06 (May 11 aft., passed)
- Pr1 Alberta Association of Municipal Districts and Counties Amendment Act, 2011 (Rogers)**  
 First Reading -- 550 (Mar. 24 aft., passed)  
 Second Reading -- 1012-13 (May 9 eve., passed)  
 Committee of the Whole -- 1057 (May 10 aft., passed)  
 Third Reading -- 1117 (May 11 aft., passed)  
 Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]
- Pr2 Galt Scholarship Fund Transfer Act (Pastoor)**  
 First Reading -- 507 (Mar. 23 aft., passed)  
 Second Reading -- 1013 (May 9 eve., passed)  
 Committee of the Whole -- 1057 (May 10 aft., passed)  
 Third Reading -- 1117 (May 11 aft., passed)  
 Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]

**Pr3      Auburn Bay Residents Association Tax Exemption Act (Johnston)**

First Reading -- 515 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr4      Cranston Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr5      New Brighton Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr6      Tuscany Residents Association Tax Exemption Act (Johnston)**

First Reading -- 516 (Mar. 23 aft., passed), (Apr. 26 aft., not proceeded with)

**Pr7      Hull Child and Family Services Amendment Act, 2011 (Rodney)**

First Reading -- 516 (Mar. 23 aft., passed)

Second Reading -- 1013 (May 9 eve., passed)

Committee of the Whole -- 1057-58 (May 10 aft., passed)

Third Reading -- 1117 (May 11 aft., passed)

Royal Assent -- (May 13 outside of House sitting) [Comes into force on May 13, 2011]







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